

**MUSKEGON CHARTER TOWNSHIP  
PLANNING COMMISSION MINUTES  
PC-20-05  
May 26, 2020**

**CALL TO ORDER**

Chairperson Bouwman called the virtual WEBEX meeting to order at 7:00 p.m.

**ROLL**

**Present: Singerling, VandenBosch, Borushko, Hower, Hughes, Bouwman, Frein**

**Absent: None**

**Excused: None**

**Also Present: Planning / Zoning Administrator Brian Werschem, Recording Secretary Andria Muskovin, Fire Marshall Nicolai, Supervisor Hodges and 7 guests.**

**Approval of Agenda**

**Motioned by Hower supported by Singerling to approve the May 26, 2020 Agenda.**

**Roll Call:**

**Ayes: Borushko, Hughes, Bouwman, VandenBosch, Hower, Singerling, Frein  
Nays:**

**Motion carried.**

**Approval of Minutes**

**Motioned by Hower supported by Borushko to approve the minutes of April 27, 2020.**

**Roll Call:**

**Ayes: Borushko, Hughes, Bouwman, VandenBosch, Hower, Singerling, Frein  
Nays:**

**Motion carried.**

**Communications**

**Staff Report acknowledged**

## **Unfinished Business - None**

### **New Business –**

#### **1. PC 20-14 Special Use Permit – Public Hearing**

**Name:** Community Foundation For Muskegon County  
**Address:** 1945 Stebbins Rd  
**PP#** 61-10-675-000-0001-00  
**Zoning:** Commercial/Industrial (M)

**Purpose:** Operate a light industrial farming/research facility in cooperation with Muskegon Community College.

#### **Public Hearing opened at: 7:03 PM**

Planning / Zoning Administrator Werschem reported:

The Community Foundation for Muskegon County in cooperation with Muskegon Community College propose a development that they call the Farm Project. They propose to construct a three (3) tenant facility where products produced locally are brought by different farming industries in the area to do different aspects of research and development on the varying process required to take their products from farm to table. This research and development will be supported by students from Muskegon Community College.

Their proposed project is located at 1945 Stebbins Road. The site is currently overflow parking for Muskegon Community College. The proposed Eastern parking area is proposed to remain overflow parking for MCC. The footprint of the development provides parking for the facility in accordance with the Townships Ordinance. The property is zoned Commercial / Industrial (M) and all uses in the M Zoning District are Special Uses, thus, a public hearing is required. Copies of the required notices are provided in your packets. As of the writing of this memo, we have received no communication regarding this application.

One issue that warrants deliberation is the required visual barrier. The Planning Commission is very well aware that loading and unloading areas must be screened from view from all public roadways. The meet the requirements of the Ordinance they propose a six (6) foot privacy fence along Stebbins and along Quarterline to provide that required screening. There is no doubt that the Stebbins Road fencing is required, however, I would ask the Planning Commission, on behalf of the applicants, to discuss the fencing parallel to Quarterline.

They have placed the Quarterline fencing between the overflow parking area for MCC and their development. Also, there is some area between the overflow parking and Quarterline where they propose trees and landscaping to be visually appealing. Their preference would be to not be required to install the fencing along Quarterline from the gated entryway on the East by the overflow parking south to their boundary line. I believe that to be a reasonable request and ask the Planning

Commission to consider that request. This item should be reviewed and addressed as part of the Site Plan.

**Gary Post, Gray Construction, 360 W Western, Muskegon MI, stated that they were going to build an 8,000 sq. ft. building with 3 suites. They will also have a mobile unit on a come/go as needed basis.**

**Jim Edmonson – Muskegon Area First, 880 W Western, Muskegon, MI, stated that this will increase the flow to the waste water. They will stimulate new and expand existing businesses to participate in the research. There are FDA requirements and training. West Coast would be done by rail and they are working with Port operators for water expressway from Muskegon to Milwaukee using the old BC Cobb Plant. They received a grant from Representative Hanson of 2 million, and they have a budget of 1.68 million. They figure they will go over and are trying to raise funds.**

**Motion by Singerling second by Borushko to close the public hearing.**

**Roll Call**

**Ayes: Singerling, Borushko, Hower, Bouwman, Frein, VandenBosch, Hughes**

**Nays: None**

**Motion Carried:**

**General standards for making determinations was reviewed**

**Sec. 58-57. - General standards for making determinations.**

The planning commission and township board shall, upon separate occasions, review the particular facts and circumstances of each proposal in terms of the following standards and shall find adequate evidence showing that the proposed use:

- (1) Will be harmonious with and in accordance with the general objectives or with any specific objectives of the general plan or current adoption.

*PC determined that this is an ideal match of research and development, light industrial and education and will be harmonious with and in accordance with the general objectives or with any specific objectives of the general plan or current adoption.*

- (2) Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area.

*PC determined that this is designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area.*

- (3) Will not be hazardous or disturbing to existing or future neighboring uses.

*PC determined this will not be hazardous or disturbing to existing or future neighboring uses. Planning Commission will need to concur.*

- (4) Will be a substantial improvement to property in the immediate vicinity and to the township as a whole.

*PC determined the allowable use in the corridor is a substantial improvement to property in the immediate vicinity and to the township as a whole rather than a parking lot.*

- (5) Will be served adequately by essential public facilities and services; such as highways, streets, police and fire protection, drainage structures, refuse disposal, or schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for such services.

*Essential public services and facilities shall be able to be provided under the proposed use. This plan has been reviewed and approved by the Fire Inspector as well.*

- (6) Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the township.

*PC determined that no additional requirements at public cost for public facilities and services anticipated.*

- (7) Will not involve uses, activities, processes, materials, and equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

*PC determined that the use will not involve uses, activities, processes, materials, and equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.*

- (8) Will be consistent with the intent and purposes of this chapter.

*PC determined light industrial and research and development is consistent with the intent and purpose of special uses in the commercial industrial zoning district especially with an educational component added.*

A special use permit is a recommendation for approval or denial to the Township Board based on all the standards and conditions of Section 58-57 being met. Any motion for recommendation of approval should include any conditions the Planning Commission wish to attach to the special use permit.

**Motion by Hower second by Singerling to recommend to the Township Board approval of the Special Use Permit for a Light Industrial / Research Facility including authorization for the temporary mobile unit as necessary and indicated upon the site plan located at 1945 Stebbins Rd, parcel number 61-10-675-000-0001-00 having met the special use standards of section 58-57 of the Muskegon Charter Township Code of Ordinances contingent upon all federal, state, county and local ordinances and regulations being met with the following conditions:**

**Roll Call**

**Ayes: Singerling, Borushko, Hower, Bouwman, Hughes, Frein, VandenBosch**

**Nays:**

**Motion Carried**

## 2. PC 20-15 Site Plan

**Name:** Community Foundation For Muskegon County  
**Address:** 1945 Stebbins Rd  
**PP#** 61-10-675-000-0001-00  
**Zoning:** Commercial/Industrial (M)

**Purpose:** Operate a light industrial farming/research facility in cooperation with Muskegon Community College.

Planning / Zoning Administrator Werschem indicated that this is the Site Plan for PC-20-14.

**Fire Marshall Mark Nicolai stated that they will need a lock box, with a key provided for the gate locks. There was discussion on the fencing and landscaping as well as colors for the building.**

***The following are the standards for Site Plan approval.***

(b) Each site plan shall conform to all applicable provisions of this chapter and the following standards:

- (1) All elements of the site plan shall be designed to take into account the site's topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter.

*PC determined that all elements of the site plan are designed to take into account the site's topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site is developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter.*

- (2) The landscape shall be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this chapter. Landscaping shall be preserved and/or provided to ensure that proposed uses will be

adequately buffered from one another and from surrounding public and private property.

*PC determined that there is no impact to landscaping as very little if any landscaping exists. The site is currently a parking lot. The additional landscaping provided is an improvement to the property.*

(3) Storm water and erosion protection.

- a. Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties, the public storm water drainage system, or nearby bodies of water.

*PC determined that there is little change to the impervious surface and the storm water has been adequate for the site historically. The modifications to the storm water are an improvement to the system.*

- b. Provisions shall be made to accommodate storm water, prevent erosion and the formation of dust.

*A soil and erosion permit will be required before construction is to begin.*

- c. The use of detention/retention ponds may be required.

*PC determined that no detention / retention ponds are necessary.*

- d. Surface water on all paved areas shall be collected at locations so that it will not obstruct the flow of vehicular or pedestrian traffic or create standing water that may interfere with this traffic.

*PC determined that surface water on all paved areas are being collected at locations so that it will not obstruct the flow of vehicular or pedestrian traffic or create standing water that may interfere with this traffic.*

- e. Areas of natural drainage such as swales, wetlands, ponds, or swamps shall be protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.

*PC determined that none exist upon parcel.*

- f. Catch basins or other protective measures may be required to contain oil filters or traps to prevent contaminants from being discharged to the natural drainage system. Other provisions may be required to contain runoff or spillage from areas where hazardous materials are stored, or proposed to be stored.

*PC determined that none is required at this time, however, as companies begin to use the space, if these filters and traps are required they would be required to be installed as part of the buildout of the space through a required building permit.*

- g. Compliance with the requirements of [section 58-487](#) shall also be demonstrated.

*Section 58-47 provisions shall apply to all businesses and facilities, including private and public facilities, which use, store or generate hazardous substances and polluting materials in quantities greater than 100 kilograms per month, equal to about 25 gallons or 220 pounds, and which require site plan review under the provisions of this article or other township ordinances. This project will produce no hazardous materials so this section does not apply.*

- (4) The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walks, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.

*PC determined that waste is handled internal to the structure and no dwellings located therein.*

- (5) Every structure or dwelling unit shall have access to a public street, unless otherwise provided in an approved PUD.

*PC determined that public street access is existing and being improved.*

- (6) A pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system shall be provided.

*PC determined the pedestrian circulation system is not required.*

- (7) Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within the site shall be provided. Drives, streets and other elements shall be designed to promote safe and efficient traffic operations within the site and at its access points.

*PC determined that the site plan accommodates safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within the site and the drives, streets and other elements are designed to promote safe and efficient traffic operations within the site and at its access points.*

- (8) The arrangement of public or common ways for vehicular and pedestrian circulation shall be connected to existing or planned streets and pedestrian or bicycle pathways in the area.

*PC determined the existing is adequate.*

- (9) All streets shall be developed in accordance with [chapter 42](#), subdivisions and the county road commission specifications.

*PC determined the existing is adequate with no additional streets required.*

- (10) All buildings or groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the fire and police departments.

*PC determined that the building is arranged to provide emergency vehicle access. Approved by the Fire inspector.*

- (11) The site shall be adequately served by water supply and sewage collection and/or treatment.

*PC determined that the site is required and proposed to connect to sanitary water and sewer.*

- (12) All loading or unloading areas and outside storage areas, including refuse storage stations, shall be screened from view of the street and/or adjacent properties by a vertical screen consisting of structural or plant materials.

*PC determined the fencing from the gated entry from the overflow parking area south along Quarterline is unnecessary and could be replaced with modest landscaping. The fencing along Stebbins could be replaced with landscaping but is required. There are no outside storage areas or refuse storage stations proposed.*

- (13) Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets.

*PC determined all exterior lighting proposed remains onsite and no light trespass is occurring onto neighboring properties.*

- (14) Site plans shall conform to all applicable requirements of state and federal statutes and approval must be conditioned on the applicant receiving necessary state and federal permits before final site plan approval or an occupancy permit is granted.

*PC determined this will be a condition of approval.*

**Motion by Singerling second by Borushko to approve the Site Plan at 1945 Stebbins Rd, parcel number 61-10-675-000-0001-00 having met the standards of section 58-486 of the Muskegon Charter Township Code of Ordinances contingent upon all federal, state, county and local ordinances and regulations being met with the following conditions:**

**The fencing can be replaced with landscaping if the applicant so chooses. Planner Werschem is authorized to determine if a proposed landscaping / fencing plan is compliant with the ordinance.**

**Approval of the Special Use permit by the Township Board of Trustees.**

**Roll Call**

**Ayes: Singerling, Borushko, Hower, Bouwman, Hughes, Frein, VandenBosch**

**Nays:**

**Motion Passed**

**Public Comment**

**None**

**Announcements – Regular Meeting WebEX June 8, 2020 6:30 Work Session, 7:00 Meeting**

**Adjournment**

**Motioned by Hower supported by VandenBosch to adjourn at 7:40 P.M.**

**Motion carried.**

**Respectfully submitted by,**

**Sandra Frein  
Secretary**