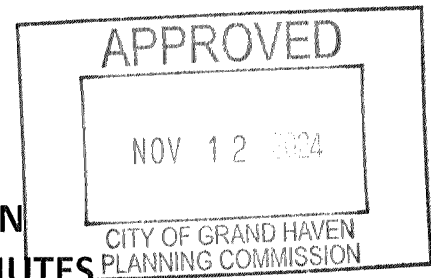


**CITY OF GRAND HAVEN
GRAND HAVEN, MICHIGAN
PLANNING COMMISSION MINUTES
October 8, 2024**



A regularly meeting of the Grand Haven Planning Commission was called to order by Chair Dora at 7:00 pm. Upon roll call, the following members were present:

Present: Magda Smolenska, Amy Kozeneki, Dan Borchers, David Skelly, Tamera Owens, Joe Pierce, Chair Mike Dora

Absent: Vice-Chair Ryan Galligan, Jennifer Smelker

Also Present: City Planner Brian Urquhart, City Manager Ashley Latsch, Mayor Monetza, and members of the public.

Approval of Minutes

Motion by **Skelly**, seconded by **Smolenska** to approve the minutes of the September 10th meeting as printed. All ayes. **Motion passes.**

Approval of Agenda

Motion by **Pierce**, seconded by **Kozeneki** to approve the agenda as printed. All ayes. **Motion passes.**

Call to the Audience; First Opportunity

None

Case 24-31: A public hearing to consider a Major amendment to the Grand Landing Planned Development for a hotel (parcels #70-03-21-100-013; 014; 015; 016)

Urquhart introduced the case. Blake BeCALL of Elite Hospitality Group has submitted a request to develop vacant property east of Miller Dr. and north of Adams St. (parcels #70-03-21-100-013; 014; 015; 016) into a hotel. Grand Landing has always included plans for a hotel, however, due to the relocation and size increase, the Planning Commission determined at the July 23rd special meeting the changes are considered major, and would require that same review process for a Planned Development as outlined in Sec. 40-421.11. The meeting on October 8, 2024 will include a public hearing to consider the PD amendment and preliminary development plan. The Planning Commission will make a recommendation to the City Council concerning the PD amendment and preliminary development plan. The City Council will then approve or deny the PD amendment and preliminary development plan. If the Council approves the PD, then the applicant will return to the Planning Commission for a final development plan approval and sensitive area overlay review.

The Planned Development requires approval of a preliminary development plan and final development plan.

Elite Hospitality Group is requesting to relocate the hotel towards the east on the parcel with a building orientation of east-west. The hotel will feature two patios and an outdoor lounge, and 332 total parking spaces. There will be a dumpster located near the southwest corner of the parking lot. The preliminary hotel plans call for mixture of exterior material color and type, with various architectural features and articulation. The final design of the hotel can be refined during final plan review.

Utilities, lighting, landscaping, public benefit, and storm water management can be evaluated as part of the final development plan review.

Staff received one public comment against the Planned Development amendment. In lieu of Commissioner Smelker's absence, she sent an email to the commissioners with her comments for review as well.

Blake Becall of Elite Hospitality Group was present.

Chair Dora opened the public hearing at 7:08 pm.

No public comment.

Motion made by **Owens**, seconded by **Smolenka** to close the public hearing. All ayes. **Motion passes.**

Chair Dora closed public hearing at 7:09 p.m.

Pierce began the conversation by stating he appreciated the research and was excited about this development. Any issues that he previously had were resolved. He did mention that he would like to consider the cosmetics of the east side of the building as it's the first impression as people come into town. He voiced he was in agreement with one of the ideas that Smelker brought up in her email recommendation about having a green space buffer between the parking lot and boardwalk.

Becall responded by stating that Eite wanted to provide enough greenery/landscaping buffer so that it would both complement the aesthetics as well as satisfy what the commissioners were looking for.

Borchers had no comments.

Skelly asked for examples of the new concept design. Becall stated he would work to find something comparable and send it to the commissioners.

Skelly also inquired if the water was accessible from the property. Becall stated there were no current plans for that. Skelly also voiced that he agreed with Smelker's email recommendation to add bicycle racks. Becall agreed with this recommendation,

Kozenecki also stated she previously had similar questions. She mentioned she felt the parking lot seemed to be large, and encouraged designers to make this look less like a parking lot. Kozenecki also asked for a footprint comparison of this project to the Holiday Inn. Becall felt as though this project would be smaller in comparison but would send the details of the square footage to commissioners for their review. Kozenecki also voiced concern about the flow of traffic on and off Jackson.

Smolenska echoed her concerns about the size of the parking lot. She inquired about implementing screening around the parking lot to help hide it. She also mentioned she appreciated the how building was rotated in the updated design.

Owen also commented stating she liked the updated design. She also inquired about the vacant lot to the east that was state owned and wondered if there were plans for development there. Urquhart stated the property was owned by MDOT and the City was not aware of their plans at this time.

Chairmen Dora mentioned he had nothing further to add to the previous comments. He did mention the only other thing that Smelker brought up in her email comments was about the lighting. Becall responded the brand takes those things seriously from a liability standpoint, and there will be sufficient lighting.

Urquhart inquired about the exterior colors, making sure that the brand would be in concert with what City was looking for. Becall mentioned common ground would need to be found between the Hilton Brand and the City, but did not see a problem with the collaboration.

Urquhart also inquired if the 100 square feet for signage would be enough. Becall mentioned he felt that it would be sufficient.

Motion made by **Smolenska**, seconded by **Owens**, to approve Case 24-31, a request for a major amendment to the Grand Landing Planned Development for a hotel and approval of the associated preliminary development plan located on vacant property East of Miller Drive and north of Adams Dr. (parcels #70-03-21-100-013; 014; 015; 016) subject to the following conditions:

- 1) *The project will be constructed in one (1) phase*
- 2) *Signage requirements shall match the requirements of the Commercial District.*

Roll call vote. All ayes. **Motion passed.**

Case 24-35: A public hearing for Special Land Use –187 Grand Retaining Wall (parcel #70-03-29-377-022).

Urquhart presented the case. Adrian Chevez, of *Chevez Concrete*, on behalf of property owner Doug Suchecki, submitted a special land use request for a retaining wall located at 187 Grand Ave. (parcel #70-03-29-377-022). The retaining wall measures greater than 48 inches in height, which shall require special land use permit review by the Planning Commission. Last month, the Building Official discovered a concrete retaining wall being poured by Chevez Concrete at 187 Grand Ave. and gave a warning the retaining wall shall require a retaining wall and building permit. Due to the fact the wall is greater than 48 inches in height, a special land use approval by the Planning Commission is also required. The contractor elected to complete the pour after receiving the warning. He subsequently filed for a building, retaining wall, and special land use permits. According to the property owner, the replacement of the retaining wall was to enhance and stabilize the small hill between their property and the neighbors at 191 Grand Ave. The retaining wall is taller and longer than the former wall. Section 40-327 of the Zoning Ordinance provides requirements for retaining walls and outlines provisions for administrative approvals and Planning Commission approvals. The applicant has provided responses to 40-116.03A. for special land uses.

Homeowner, Doug Suchecki was present.

Chair Dora opened public hearing at 7:29 p.m.

Anna Harms, 191 Grand, who lives adjacent to the property, stated she is in full support of the special land use permit. Feels like a retaining wall will be helpful with the erosion. Suchecki's have always communicated about any projects they are doing and have been amazing neighbors.

Motion made by **Skelly**, seconded by **Pierce** to close the public hearing. All ayes. **Motion passes.**

The public hearing was closed at 7:30 p.m.

Owens, Smolenska, and Kozenecki had no additional comments.

Skelly inquired if the owner was notified before the contractor received the warning. Suchecki stated he arrived at the house when the building inspector was there talking to the contractor. He believed he was halfway through the pour when they were notified. The building inspector left Suchecki with specific instructions to contact a Structural Engineer to look at the wall. The Engineer determined that 24 inch rebar was needed for any area of the wall above 4 feet. The homeowner has made the corrections requested and has been in touch with the building inspector for updates and additional requirements.

Borchers, Pierce, and Chairman Dora had no additional questions.

Motion by **Kozenecki**, seconded by **Smolenska**, to approve Case 24-35, a special land use permit for a retaining wall greater than 48 inches in height at 187 Grand Ave. (parcel #70-03-29-377-022) based on the information submitted for review.

Roll call vote. All ayes. **Motion passed.**

New Business

Case 24-34: Amendment to Noto's PD – additional sign

Urquhart introduced the case. In October 2023, the Planning Commission approved the final development plan for Noto's at 1223 S. Harbor Drive. The final development included a sign plan, which included one sign on the north wall facing the parking lot. Under the regulations for a Planned Development, any signage changes must be reviewed as specified in the Planned Development ordinance. In this case, the approved PD ordinance did not indicate any additional signs. Earlier this year, the applicant approached the city regarding an additional sign on the south wall. The primary reason to attract attention to motorists traveling north on S. Harbor Dr. Before review, staff ensured all conditions of the Planned Development approval were met. The guidance on how to determine what changes would be considered major or minor can be found in Section 40-421.11.B of the Zoning Ordinance. These examples are meant as a guide to aid the Planning Commission in deciding.

B. Modification of a final development plan. Minor changes to a PD final development plan may be approved by the planning commission, as follows.

- 1. The relocation of structures, the relocation and reconfiguration of roads, planting areas, parking areas, signs, lighting, and driveways provided that all such improvements remain in the same general location as approved by the planning commission and provided further*

that all such changes shall result in no significant additional impact on adjoining properties than would result from the original development.

Summary of Proposed Changes

- One illuminated 45 sq. ft. wall sign installed on the south wall
- The Planning Commission could determine according to Sec. 40-421.11.B, an additional wall sign will not result in any significant impact on adjoining properties and classified as minor. However, nothing shall prevent the Planning Commission from determining any change as a major change.

The property Owner was not present.

Borchers asked for clarification if the original plan included a second sign. He also which portion of the sign would be illuminated.

Pierce stated that due to the fact the sign wasn't in the same general location, it would classify as a major change.

Skelly stated he felt this was a minor change.

Kozenecki stated because there was a change in the original plan, she felt that it would be a major change.

Smolenska felt as though this would be considered a major change due to the illumination of the sign.

Owens also felt as though it might be considered a major change due to illumination as well, but felt it might require further consideration. Owens stated she would like to see this go through a public hearing.

Chair Dora felt due to the language in the modification of a development plan, that it would be considered a major change.

Motion made by **Smolenska**, seconded by **Pierce** to approve Case 24-34, the additional wall sign is considered MAJOR and therefore will require re-consideration of the preliminary development plan, which will include public hearings at both the Planning Commission and City Council level.

Roll call vote. All ayes. **Motion passed.**

Old Business

Case 24-12: Site Plan Review – Village Green Storage Area Expansion

Urquhart presented the case. The Village Green submitted a Site Plan Review application for a proposed expanded outdoor storage area for Village Green residents. The proposed storage area is to the immediate south of an existing fenced in storage area. Section 40-318.02 of the Zoning Ordinance requires the Planning Commission approve outdoor storage areas in the Industrial District.

Residents' boats, trailers, and RVs will be stored in this expanded storage area. The area will be paved, sloped to the north into the existing Village Green development, and it will be fenced The proposal

conforms to the requirements of the Zoning Ordinance, including landscaping and screening. The applicant approached the City earlier this year, however, the City requested confirmation for construction approval from the Federal Aviation Administration (FAA). The applicant patiently waited and ultimately received approval from the FAA.

The Dept. of Public Works, the Airport Manager, and the Board of Light & Power did not have any concerns with the outdoor storage area.

Applicant representative, Lisa Hamm of 311 N. Terrill was present. She stated she had been working with the airport manager and the FAA to make sure she was following regulations.

Borchers and Pierce had no additional questions.

Skelly inquired if the City had any additional approval that the documentation would be provided to the city.

Kozenecki, Smolenska, Owens, and Chair Dora had no further questions.

Motion made by **Kozenecki**, seconded by **Skelly** to approve case 24-12, a request from The Village Green for a Site Plan Review for an expanded outdoor storage area for Village Green located at vacant Comstock Street (parcel #70-03-34-100-039), based on the information submitted for review with the following conditions:

- 1) All FAA confirmation documentation shall be provided to the city.

Roll call vote. All ayes. **Motion passed.**

Case 24-04a: Extension of the condition of lot split approval

Urquhart presented the case. Denny Dryer of *Dyer Architects* has submitted a written request to extend the deadline to grade the mound on parcel 1 at 924 Beechtree St. (parcel #70-03-27-315-011) to a later date. In February 2024, the Planning Commission approved PC Case 24-04, approving the lot split at 924 Beechtree into 5 lots (see attachment A) with conditions of approval (see attachment B). Condition 5 stated: "The existing mound on parcel 1 must be graded to acceptable means as determined by the City Planner within 90 days after approval".

On April 30, 2024, Mr. Dryer requested to extend the deadline to grade the mound of dirt to the end of September (see attachment C). In the request, Mr. Dryer stated he did not receive the lot split descriptions until the week prior, therefore not enough adequate time was available to grade the mound. Staff granted the extension as a minor amendment based on Sec. 40-115.09.A. This determination was confirmed as an appropriate minor amendment by the City Attorney.

However, after conversations with Mr. Dryer, it is evident the mound will not be graded by the end of September and he is requesting additional time. Staff will not grant another extension and refer the request to the Planning Commission for a determination in accordance with Sec. 40-115.09.B. In his email dated October 3, 2024, Mr. Dryer implies he will submit applications and combine parcels A, B, D, and E

and rezone to Transitional Industrial. He noted part of the reason for the delay is that PolyPly located at 1540 Marion Ave. will need 2,300 cubic yards of the mound to fill for what is currently parcel B. Mr. Dryer estimates the total mound is approximately 3,400 cubic yards. He does not specify what the remaining 1,100 cubic yards will be used for.

Based on the information submitted, the Planning Commission retains full discretion to approve or deny the extension request.

Applicant Denny Dryer, 220 ½ Washington was present.

Borchers had no questions. Pierce would like to see a plan set in place so that it does not go back in front of the PC again. Skelly would also like to set parameters and move forward with this. Dryer responded stating June should be plenty of time for the mound to be shifted.

Kozenecki stated she was fine with the extension, but asked for a copy of the purchase agreement once obtained.

Smolenska and Owens also agreed with Kozenecki and stated they would be ok with an extension of six to seven months.

Chair Dora stated he was tired of seeing through a mound in the setback and would like to see it moved out of it. Would also agree to the extension as long as it does not exceed the time.

Motion made by **Skelly**, seconded by **Kozenecki** to approve case 24-04a, a request to extend the condition of approval to grade the mound on parcel 1 at 924 Beechtree St. (parcel#70-03-27-315-011) to a later date, based on the following reasons:

- 1) The applicant has provided evidence of a proven hardship to complete the removal of the existing mound on parcel 1.*
- 2) Extension not to exceed April 30th, 2025.*
- 3) Confirmation of purchase agreement.*

Roll call vote. **Yeas: Pierce, Smolenski, Skelly, Owens, Borchers, Kozenecki Nays: Chair Dora**
Motion passed

Zoning Board of Appeals Liaison Report

Kozenecki reported there wasn't a meeting to report, but will be reviewing 3 cases at the next meeting.

City Planner Report

Attended Michigan Association of Planning Conference.

Call to the Audience; Second Opportunity

Lisa Hamm. 311 Terrill, spoke stating they will make sure all FAA documents are provided.

Motion made by **Kozenecki**, seconded by **Pierce** to Adjourn.

Roll call vote. All ayes. **Motion passed.**

Adjournment: Chair Dora adjourned the meeting at 8:37 pm.

Melissa Bos, Executive Assistant to City Manager