

CITY OF NORTON SHORES
PLANNING COMMISSION MEETING
July 9, 2024
5:30 p.m.
Agenda

1. Call to Order
2. Roll Call
3. Minutes
 - a. Minutes of the June 11, 2024 Planning Commission Meeting
4. Correspondence
5. Public Comment - Agenda
6. Pending Business
7. New Business
 - a. Land Division – 431 E. Mt. Garfield Road, Eric & Sally Andrews
 - i. Certification of mailing and publishing
 - ii. Public hearing
 - iii. Resolution
8. Public Comment – General
9. Adjournment

**THE PLANNING COMMISSION MEETING WILL BE HELD AT 5:30 P. M. AT THE NORTON SHORES
BRANCH LIBRARY, 705 SEMINOLE ROAD**

CITY OF NORTON SHORES
PLANNING COMMISSION MEETING
June 11, 2024

A regular meeting of the Norton Shores Planning Commission was called to order on Tuesday, June 11, 2024 at 5:30 p.m. in the community room of the Norton Shores Branch Library, 705 Seminole Road.

Present: Chairman Carroll, Commissioners Kell, Lans, Morano, Philips, Romine, Trygstad and; also, Doug Hughes, Lexi Stibitz, and Ted Woodcock.

Absent: Commissioners Westgate

24-P08 Minutes

Commissioner Lans moved to approve the minutes of the May 14, 2024 Planning Commission meeting. The motion was supported by Commissioner Philips and carried unanimously.

General Public Comment

Angela Ouellette, 645 E. Ellis Road and Danielle Wisner, 645 E. Ellis Road returned to speak against the development of Robert Hunter Drive and stated their concerns with the noise, pollution, traffic, and lights that the project would garner.

Carol Hosko, 685 E. Ellis Road, came to the meeting to ask the developer questions about Robert Hunter Drive and agreed with her neighbors' concerns.

Richard Zimmer, 695 E Ellis Road, asked if the facility would be used for cold storage and stated his concerns with refrigerated trucks running 24/7 throughout the night.

24-P09 Special Use Permit – 5078 Robert Hunter Dr, Nelson Family Enterprises

Tom Fredrickson, 2610 Dakota Avenue, South Sioux, Nebraska, the applicant, was present to discuss the details of the project and address questions from the commissioners as well as the public's concerns. He stated the facility would be used for dry food storage and will not use refrigerated trucks. There will be parking spots for 15 trucks and 15 personal vehicles, exterior motion sensor LED lighting that will be downward facing as required by City ordinances, backup warnings on the trucks as required by Department of Transportation (DOT) and Occupational Safety and Health

Administration (OSHA), and discussed a desire to maintain trees and build a fence for a buffer zone on the North side of the project. The hours of operation were discussed being 6:00 am – 8:00 pm with no operations done during the weekend. The amount of semi-trucks coming in with product with 1-2 on a typical day and up to 3 on a busy day. Fredrickson also stated that there will be no trucks in operation that would use diesel fuel, which was a concern from the public.

Commissioner Trygstad moved to recommend the special land use permit to Nelson Family Enterprises LLC, to construct a warehouse facility at 5078 Robert Hunter Drive. The Planning Commission in the exercise of its discretion, reviewed the particular facts and circumstances of each proposal in terms of all of the following standards and each shall find adequate evidence showing that each must be satisfied. The proposed use will be harmonious with the existing or intended character of the general vicinity and in accordance with the general objectives of the master plan and zoning ordinances of current adoption because the proposed use is consistent with the Master Plan; the proposed use will be served adequately by existing essential public services and facilities, such as highways, streets, police and fire protection, drainage structures, refuse disposal and schools, or the applicant will provide for those services and facilities because the services are already existing; the proposed use or structures will not cause an overcrowding of land or undue concentration of population because the proposed use fits on the land design; the proposed use is consistent with the public health, safety, and welfare of the City of Norton Shores because existing uses, and the improvements, will provide increased protection from the surrounding areas against potential noise; and the proposed use constitutes a socially and economically desirable use of the land when considering those who will use the land, residents and property owners of the immediately adjacent properties, as well as the community as whole because Phase I of the industrial park was recorded in 1995 with Phase II being recorded in 2000 with the use of an industrial park being the intention at the time of platting both phases. The motion was supported by Commissioner Kell and carried unanimously.

Commissioner Trygstad moved to approve the site plan to Nelson Family Enterprises, LLC, to construct a warehouse facility at 5078 Robert Hunter Drive with the following conditions: All staff revisions must be approved prior to final site plan approval being granted including all applicable codes and City ordinances; and a 6-foot privacy fence and/or trees on the north side of the property. The motion was supported by Commissioner Philips and carried unanimously.

24-P10 Zone Change – 1252 E. Ellis Road, Leanne Wood

Deputy Clerk Stibitz certified the May 24, 2024 publication and mailing of notices. A public hearing was held. There was no public comment.

Commissioner Philips made a motion to recommend to City Council that the zone change request to change 1252 E. Ellis Road from C-3 Major Commercial to Planned Unit Development (PUD) is approved to Leanne Wood, the property owner, due to the change being consistent with the land use currently in place. The motion was supported by Commissioner Romine and carried unanimously.

24-P11 Special Use Permit – 7384 Grand Haven Road, Robert McFarland

Deputy Clerk Stibitz certified the May 24, 2024 publication and mailing of notices. A public hearing was held.

Robert McFarland 17444 West Spring Lake Road, Spring Lake, Michigan, the property owner, was present to discuss the proposed project.

Commissioner Morano moved to recommend the special land use permit to Robert McFarland, the property owner, to open a construction shop at 7384 Grand Haven Road. The Planning Commission in the exercise of its discretion, reviewed the particular facts and circumstances of each proposal in terms of all of the following standards and each shall find adequate evidence showing that each must be satisfied. The proposed use will be harmonious with the existing or intended character of the general vicinity and in accordance with the general objectives of the master plan and zoning ordinances of current adoption because the proposed use is consistent with the Master Plan and surrounding uses; the proposed use will be served adequately by existing essential public services and facilities, such as highways, streets, police and fire protection, drainage structures, refuse disposal and schools, or the applicant will provide for those services and facilities because the services are already existing; the proposed use or structures will not cause an overcrowding of land or undue concentration of population because the proposed use will construct any new structures and creates minimal traffic; the proposed use is consistent with the public health, safety, and welfare of the City of Norton Shores because the proposed use is consistent with the Master Plan and surrounding uses; and the proposed use constitutes a socially and economically desirable use of the land when considering those who will use the land, residents and property owners of the immediately adjacent properties, as well as the community as whole because construction shops are a needed resource in Norton Shores. The

proposed use will help fulfill a needed trade. The motion was supported by Commissioner Lans and carried unanimously.

Commissioner Morano moved to approve the site plan to Robert McFarland, the property owner, to open a construction shop at 7384 Grand Haven Road with the following conditions: All staff revisions must be approved prior to final site plan approval being granted including all applicable codes and City ordinances. Commissioner Morano amended his motion to include adding an appropriate buffer to residence on the South side property line. The motion was supported by Commissioner Lans and carried unanimously.

General Public Comment

Angela Oullette, spoke against the passing of Robert Hunter Drive stating that she would like to be bought out due to the intrusive nature of the project.

Meeting adjourned at 6:18 p.m.

Lexi Stibitz, Deputy Clerk



June 26, 2024


Planning Commission Meeting of July 9, 2024
SUBJECT: Land Division
431 E. Mt. Garfield Road, Eric & Sally
Andrews

Chairman and Members
of the
Planning Commission

Ladies and Gentlemen:

Eric & Sally Andrews, the property owner, is requesting a land division. Both the new and resultant parcel meet the minimum lot requirements per the City's zoning ordinance. The resultant parcel does not increase the lot's existing non-conformity.

The Planning Commission may use the attached resolution in making a recommendation to the City Council regarding this request.

Sincerely,

Ted Woodcock
Planning and Zoning Administrator

Attachment

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommends to the City Council that permission be granted/denied to Eric & Sally Andrews, the property owners, to divide the property at 431 E. Mt. Garfield Road to create a new parcel.

At a meeting of the Planning Commission of the City of Norton Shores, held at the Norton Shores Branch Library, 705 Seminole Road, on the 9th day of July 2024, the foregoing resolution was moved for adoption by Commissioner. The motion was supported by Commissioner.

Ayes:

Nays:

Excused:

Resolution declared adopted/denied.

Lexi Stibitz, Deputy Clerk



June 26, 2024

TO: Planning Commission Members

FROM: Ted Woodcock, Planning and Zoning Administrator ^{TSW}

SUBJECT: Land Division Request, 431 E. Mt. Garfield Road

Following please find comments regarding the Land Division request:

MASTER PLAN

The current zoning of the property is R-5 Single Family Residential. The Master Plan has this parcel designated as "Rural Residential." The surrounding parcels are all zoned R-5 Single Family Residential with the "Rural Residential" Master Plan designation as well.

LAND USE & COMMENTS

The land division request would create another lot. "Parcel A" (the split parcel) will meet the 1:3 width-to-depth ratio, while the "remainder parcel" currently violates the ratio, however, it will not make the ratio more non-conforming. For the remainder parcel, there are two frontages of 40 and 170.02 feet, which in total equates 210.02 feet. City ordinance does not state that road frontage has to be a continuous amount of feet, so adding the two measurements together would exceed the frontage requirement.

	R-5 Single Family Residential	Parcel "A"	Remainder Parcel
<i>Minimum lot area</i>	1 acre	1.145 acres	17.142 acres
<i>Minimum lot width (ft.)</i>	190 ft.	190 ft.	210.02 ft.
<i>Front yard setback (ft.)</i>	40 ft.	40+ ft.	N/A – vacant
<i>Side yard setback (ft.)</i>	25 ft.	33 ft./25+ ft.	N/A – vacant
<i>Rear yard setback (ft.)</i>	60 ft.	83.9 ft.	N/A – vacant
<i>Maximum lot coverage</i>	15%	Approx. 8.8%	N/A – vacant



**NORTON
SHORES**

IT'S IN OUR NATURE.

LAND DIVISION REQUEST APPLICATION

Land division requests require review and approval by both the Planning Commission and City Council. The Planning Commission will review the request at their meeting and make a recommendation to the City Council, who will then make the final decision. Applicants must provide the City Planner with four (4) copies of the survey for the proposed land division for staff review. This drawing should include any applicable information as required in the City's Lot Division Ordinance. If the property to be divided contains any structures (i.e. home, accessory structure), those structures and setbacks from property lines must be shown on the submitted survey. Applicants are encouraged to discuss their request with City staff prior to submission.

The submission deadline is three (3) weeks prior to the next Planning Commission meeting.

DATE: 6/5/24

ADDRESS OF PROPOSED DIVISION: 431 E. Mt. Garfield

PARCEL NUMBER: 61-27-129-200-0001-00

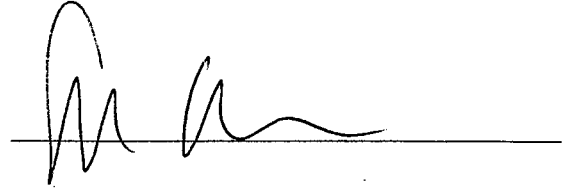
APPLICANT NAME: Eric + Sally Andrews

APPLICANT PHONE #: 803-669-1920

APPLICANT EMAIL: eandrews29020@gmail.com

APPLICANTSIGNATURE(S):





**Please note that all affected property owners must sign.

FOR OFFICE USE ONLY

DATE RECEIVED: 6/17/24

SURVEY SUBMITTED: ✓

4 COPIES SUBMITTED: ✓

FEE PAID: ✓

CERTIFICATE OF SURVEY

Legend

- IRON SET
- IRON FOUND
- ⊙ MONUMENT FOUND
- ▲ NAIL SET
- △ NAIL FOUND
- SET WOOD LATH ON LINE
- ⊕ GOVERNMENT 1/4 CORNER
- ⊗ SECTION CORNER
- ⊕ CENTER 1/4 CORNER
- (R) RECORD
- (M) MEASURED

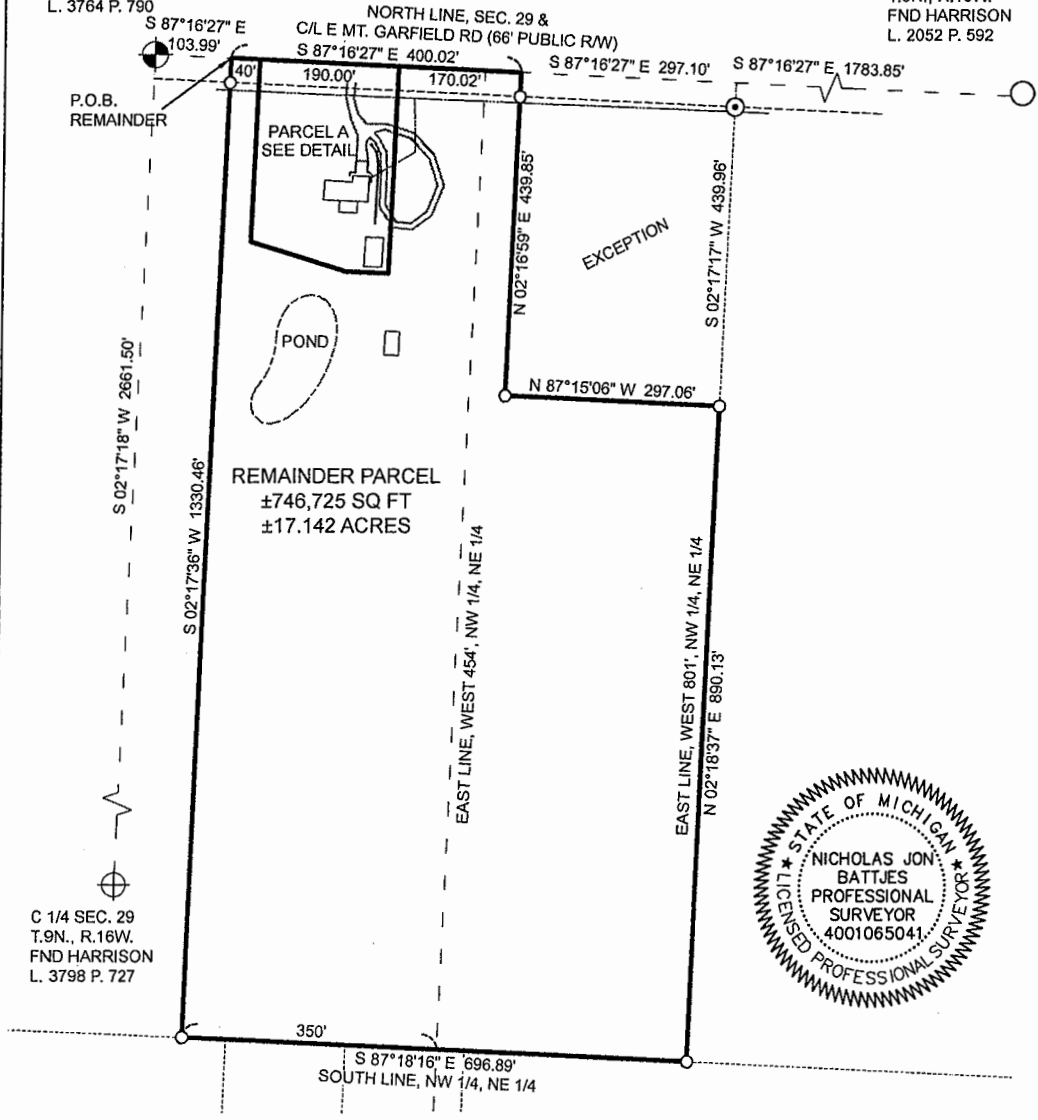
SPACE RESERVED FOR REGISTER OF DEEDS



THIS PROPOSED PARCEL DIVISION IS
SUBJECT TO MUNICIPAL APPROVAL
PURSUANT TO THE "LAND DIVISION
ACT", P.A. 591 OF 1996, AS AMENDED.

N 1/4 SEC. 29
T.9N., R.16W.
FND HARRISON
L. 3764 P. 790

NE SEC. 29
T.9N., R.16W.
FND HARRISON
L. 2052 P. 592



ALTERATION OF ANY PART OF THIS DOCUMENT WITHOUT THE
PERMISSION OF LAKE MICHIGAN SURVEYING, LLC IS PROHIBITED.
BASIS OF BEARING: MICHIGAN STATE PLANE SOUTH

NICHOLAS J BATTJES
Professional Surveyor No. 65041

THIS PROPOSED PARCEL DIVISION IS
SUBJECT TO MUNICIPAL APPROVAL
PURSUANT TO THE "LAND DIVISION
ACT", P.A. 591 OF 1996, AS AMENDED.

CLIENT:

Eric Andrews

LOCATION:

431 E Mt Garfield Rd
Norton Shores, MI 49441
Muskegon County
Part of Section 29
Town 09 North
Range 16 West



Lake Michigan Surveying LLC
915 W Savidge St (616) 843-7599
Spring Lake, MI 49456 www.lakemichigansurveying.com

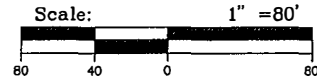
OWN. NJB	DATE 06/14/2024	FILE NO. 2023167
CK. NJB	FLD. BK. XXX PG. XXX	SHEET 1 OF 4

CERTIFICATE OF SURVEY

Legend

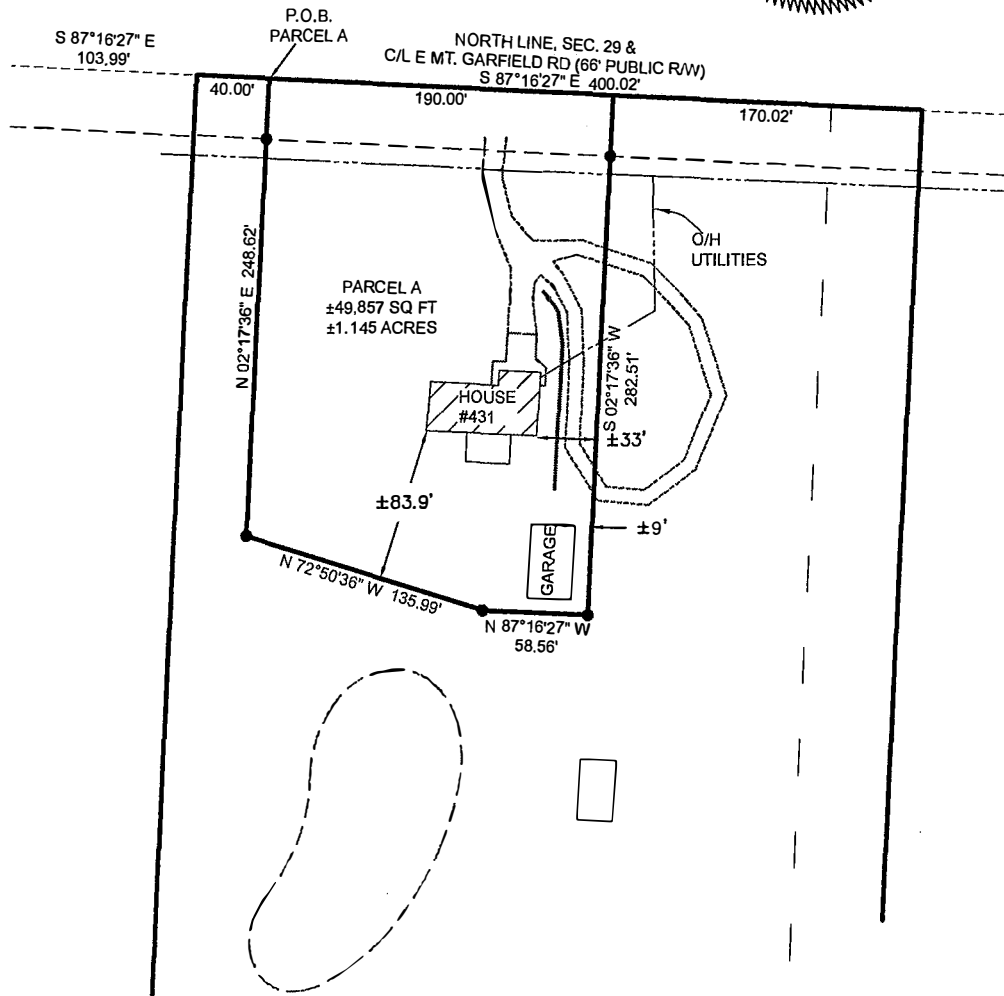
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- (R) RECORD
- (M) MEASURED

SPACE RESERVED FOR REGISTER OF DEEDS



SPLIT DETAIL

THIS PROPOSED PARCEL DIVISION IS SUBJECT TO MUNICIPAL APPROVAL PURSUANT TO THE "LAND DIVISION ACT", P.A. 591 OF 1996, AS AMENDED.



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BASIS OF BEARING: MICHIGAN STATE PLANE SOUTH

NICHOLAS J BATTJES
Professional Surveyor No. 65041

I, Nicholas J Battjes LS# 65041 being a Licensed Professional Surveyor, hereby certify that I have surveyed and mapped the parcel(s) hereon described and that the relative positional precision of each corner is within the limits accepted by the practice of professional surveying and that all the requirements of P.A. 132 of 1970, as amended, have been complied with.

CLIENT:
Eric Andrews

LOCATION:
431 E Mt Garfield Rd
Norton Shores, MI 49441
Muskegon County
Part of Section 29
Town 09 North
Range 16 West



Lake Michigan Surveying LLC
915 W Savidge St (616) 843-7599
Spring Lake, MI 49456 www.lakemichigansurveying.com

DWRN. NJB	DATE 06/14/2024	FILE NO. 2023167
CK. NJB	PLD. BK. XXX PG. XXX	SHEET 2 OF 4