

CITY OF NORTON SHORES
PLANNING COMMISSION MEETING
August 14, 2018

A regular meeting of the Norton Shores Planning Commission was called to order on Tuesday, August 14, 2018 at 5:30 p.m. in the community room of the Norton Branch Library, 705 Seminole Road.

Present: Chairman Olson, Commissioners Drier, Lowe, Morano, Otto, Pittman, Sipovic, Trygstad and Westgate; also, Rob Bilkie, Enrika McGahan, Shelly Stibitz, Jerry Bartoszek and Matt Anderson

18-P19 Minutes

Commissioner Morano moved to approve the minutes of the July 10, 2018 Planning Commission meeting. The motion was supported by Commissioner Trygstad and carried unanimously.

18-P20 Consent Agenda

Commissioner Otto moved to approve the Consent Agenda which consisted of: a) Resolution scheduling a public hearing date of September 11, 2018 to consider a Special Use Permit for Smart Vision Lights for property at 5113 Robert Hunter Drive; and b) Resolution scheduling a public hearing date of September 11, 2018 to consider a Zone District Change for Harvey Anderson for properties at 5176 and 5190 Henry Street. The motion was supported by Commissioner Drier and carried unanimously.

18-P21 Zoning Ordinance Amendment – Out of Business Signage

The City Clerk certified the July 25, 2018 publishing of the public hearing. A public hearing was held. No one commented.

Commissioner Westgate made a motion to recommend to the City Council that the sign provisions of the Zoning Ordinance, Section 48-1296 be amended to add subsections (24)(a)(b) pertaining to “out-of-business establishments” for the following reasons: 1) The proposed language to cover or replace these signs already exists in the City’s overall Code of Ordinances; 2) Signage throughout the community will be cleaned up; and 3) it will provide consistency among ordinances. The motion was supported by Commissioner Otto. Chairman Olson proposed that section (a) be amended to include: If the sign is covered, the manner of covering shall be approved by the City and the sign shall remain covered for no more than 30 days, at the expiration of which the sign faces shall be removed and replaced consistent with this ordinance. Commissioner Westgate moved to approve the amendment to section (a). The amended motion was supported by Commissioner Otto and carried unanimously.

18-P22

Site Plan Approval – M Kea II, LLC, 3588 & 3593 Mona Kai Boulevard

Commissioner Westgate made a motion to grant site plan approval to M Kea II, LLC, for the development of the 36-unit “The Cottages at Mona Kai” development on the properties at 3588 and 3593 Mona Kai Boulevard as per the submitted plans with the following conditions: 1) Final utility plans will be approved by the Department of Public Works; and 2) Final storm water drainage plans will be approved by the Muskegon County Drain Commission based on the following reasons: 1) Public water and sewer are already present; 2) It is below the maximum unit density; and, 3) It will complete the original site plan of 1984. The motion was supported by Commissioner Lowe.

Ross Pope, 15526 Lynn Court, Spring Lake, Michigan shared his plan to complete the final phase of a master plan for Mona Kai that began 30 years ago. His company is proposing to reduce the original approved density using an urban development concept. Mr. Pope admits that complications exist resulting from an antiquated drainage system and previously reported high contaminant levels from a former foundry. There is evidence of significant natural mitigation of the fill and hazardous levels are below set standards. Mr. Pope is filing for and will follow a Michigan Department of Environmental Quality due care plan to make sure nothing migrates off the property. Mr. Pope presented his development plan to the Mona Kai property owners in June 2018 through their attorney, Mike Walsh, and received no communication in return.

Attorney Mike Walsh spoke on behalf of Mona Kai Association regarding chromium contamination from the foundry drainage in years past, the perception of the proposed density related to wetlands and how increased traffic in the area will be addressed. Attorney Walsh asked that the Planning Commission table their decision for 30 days to allow for Mona Kai Association to meet with the Developer and get answers to their concerns. Commissioner Trygstad acknowledged Mona Kai property owners’ concerns but he, and other Commissioners, don’t feel it will change the outcome of the decision based on the Planning Commission’s parameters for approval/denial.

Several Mona Kai property owners, along with a property owner representing the adjacent development, Eastowne, spoke to this matter citing concerns and asking the Developer to clarify the design and approach. Some of the topics included whether the new development would have lake access and be considered part of the original phase (no, Ross Pope); 3720 Mona Kai being 7 feet from the property line and requesting more separation (meets setback requirement, City Planner); advertising the new development as “waterfront villa along beautiful Mona Lake” and confirming that property owners in the new development are made aware that they cannot park on the road easement or use the access to Mona Lake (they will not, Mr. Pope).

Commissioner Morano suggested a land screen be placed at the point where the two phases of the development meet. Chairperson Olson asked Mr. Pope if he would be opposed to placing a land screen in that area and Mr. Pope was agreeable. Chairperson Olson also stated that the Developer reached out to the Mona Kai Association in June and there has now been ample time for the property owners to have met with him if they had concerns.

Commissioner Westgate amended the conditions for site plan approval adding 3) Ongoing compliance with the due care plan and 4) A land screen is erected between 3720 Mona Kai Blvd. and Unit 14 of the new development. The amended motion was supported by Commissioner Lowe and carried unanimously.

Meeting adjourned at 6:32 p.m.

Shelly Stibitz, City Clerk