

**OFFICIAL PROCEEDINGS
OF THE
PLANNING-CITIZEN ADVISORY COMMISSION
CITY OF LOWELL, MICHIGAN**

For the Regular Meeting of the Planning-Citizen Advisory Commission March 28, 2005 at 7 p.m.

The Meeting was called to order at 7:00 p.m. by Chairman Jahnke and the Clerk called the Roll.

Present: Commissioners Berry, Dimmick, Grimm, Hall, Hinton, LaPonsie, Schmaltz, Teelander and Chairman Jahnke.

Absent: None.

Also Present: City Manager David Pasquale, City Clerk Betty Morlock, Mayor Jeanne Shores and Building Inspector Doug Hopkins.

IT WAS MOVED BY HALL and seconded by LAPONSIE to approve the minutes from the February 28, 2005 regular meeting as corrected.

YEA: 9. NAY: 0. ABSENT: 0. MOTION CARRIED.

Item #1. **APPROVAL OF AGENDA.**

IT WAS MOVED BY SCHMALTZ and seconded by HALL to approve the agenda as modified.

YEA: 9. NAY: 0. ABSENT: 0. MOTION CARRIED.

Item #2. **PUBLIC HEARING.**

- A. Special Use Permit – Grand Wittenbach – 749 W. Main (Southeast Corner of S. Pleasant and W. Main) – Establishment of a body shop and site plan consideration of 1920 Square Foot Addition. Grand Wittenbach representative Dwayne Scheidel stated the dealership is requesting a special use permit which would allow an addition to what is formally known as Lowell Tire. The addition would be used as a paint shop. A berm would be placed to the south side of the property which would be lined with trees and shrubs. The portion behind the addition would be asphalted for parking. A screen for damaged cars is proposed for the south west side of the building along the road. There is another area on the south side near a home where a fence would be placed.

Commissioner Berry questioned where the proposed 25 foot fencing starts and ends. Zack Voogt, a registered engineer with Moore and Bruggink explained the fence is approximately 50 feet from the property line to where the west edge end of the fence would be. Voogt stated the intent of the berm is to screen the house.

Commissioner Hall questioned what part of the site is owned by Grand Wittenbach. Scheidel responded the entire area shown on the map as well as the property across the street.

City Manager Pasquale explained after public comments, the Planning Commission needs to review and consider whether a special use permit should be granted. The next action must include the review and consideration of the site plan.

Pasquale stated the property is zoned General Business. Because of this, body shops are allowed by special use. In the Industrial District, body shops are permitted by right. After reviewing the site plan, Pasquale has determined the following issues need to be addressed:

- Sidewalk along Pleasant Street
- Overhead door – when reviewed initially the Planning Commission wanted to ensure that the overhead would not be facing south, but would be facing west. This has been done.
- There is a six foot high fence and landscaping

Review of the setback requirements:

- The front yard is existing nonconforming. There are no plans for any additions.

All other issues meet the requirements of the Zoning Ordinance. However, another issue for review includes the west side setbacks, which provide a second front yard and requires a 35 foot setback. Currently, there is a 15 foot setback. Calculations were provided on buildings which were within 300 feet. Concerns were also raised regarding landscaping and screening.

Chairman Jahnke questioned where the fence would fall into the setback requirements on the west side. Pasquale stated a fence can be placed on the property line, unless it is in the front yard, which would then have to be three feet. Scheidel noted the existing fence is six feet tall.

Scheidel stated the dealership has no problem installing a sidewalk.

Commissioner Hall asked why doors would be placed on the east side of the building. Scheidel stated the doors are already there.

Jason Hoffman of 141 S. Pleasant was concerned with lighting, fumes, landscape, noise and hours of operation. As long as these issues were taken into consideration, he would have no problem with the operation.

Voogt stated the security lighting follows the standard requirements. All lighting would be placed on the building.

Scheidel explained the down draft paint booths includes three different filtering systems.

Grand Wittenbach owner Jack Bos stated typically it has been a normal mechanical repair shop. They have been open until at least 6:00 p.m. with one late night. A body shop requires the doors to be closed in order to prevent dust from spreading. He would anticipate this change to be quieter than what was previously there.

Jeff Altof of 611 W. Main was concerned with the fumes. Can this be addressed later if this is a problem? Pasquale stated this can be a requirement of the special use permit.

Jahnke verified this was a DEQ permitted operation. Scheidel responded yes.

Pasquale asked if Scheidel has ever had a problem with fumes at other body shops. Scheidel stated no. He noted the stack is approximately eight feet high on the roof of the building.

IT WAS MOVED BY HALL and seconded by HINTON to approve the Special Use permit for Grand Wittenbach body shop at 749 W. Main (southeast corner of S. Pleasant and W. Main) based on approval of the site plan and conditions.

YEA: 9. NAY: 0. ABSENT: 0. MOTION CARRIED.

Site Plan Review

Commissioner Hall did not approve of cars parked on unpaved areas. He also believed the site has not been maintained very well. Many issues being proposed, such as a berm and fence are all positive effects. However, he wanted to see the building carry a more residential character. Hall questioned why the service doors have to be on the Pleasant Street side when there is already four curb cuts. He believed the curb cuts should be defined.

Jahnke was also concerned with the placement of the doors. Scheidel explained when a car is in the body shop it is best not to go out of the building to get into the booth due to elements outside.

Scheidel stated a curb cut would be installed on the side of the building where there are three doors.

Jahnke asked if the area along the west side of the building would be used for parking. Scheidel responded no. However, they wish to leave the area without the curb cut so they can get in and out of the three doors.

Jahnke questioned the wattage of the lighting. Scheidel stated the lighting is for security only. Jahnke suggested a cut off type fixture, specifically on the west side. It was noted the lighting would be specified on the site plan.

Jahnke requested a sidewalk be installed from Main Street to the south property line. Voogt noted the houses on the east side of Pleasant Street are closer to the street than on the west side.

Jahnke asked of storm water retention existed or is this proposed to be built? It was noted all the water on the site is directed to the east. It is proposed there be storm water detention for more treatment.

Jahnke questioned the location of a dumpster. Scheidel stated this would be placed behind the

fence area near the parked cars. Hall believed the dumpster should be enclosed and located near the detention pond. Jahnke said the standard requirement for a dumpster would be to have an enclosure built out of similar materials of the building. Scheidel mentioned the body shop would have two dumpsters, one for sheet metal and one for cardboard.

Jahnke questioned where the unused waste paints and solvents would be kept. Scheidel stated the waste is run through a still and the solids are placed in a 55 gallon drum and then hauled away and burned by companies who make concrete.

Hall stated he had too many concerns with issues which are not on the plan for him to provide an approval. He requested a more detailed plan, including a designated dumpster area. Hall would also increase the size of the retention pond as well as increasing the amount of pavement. He questioned the direction of drainage. It was stated the direction of the flow is to the east.

Jahnke wanted the plan to show light fixtures, sidewalk added on Pleasant as well as the curb on Pleasant extended. He also requested the curb be designed to consider where the doors are and how this should be used. Retention should also be improved.

Hall requested all existing curb cuts be defined and recommended the curb cuts on the front of the building be removed. Landscape in this area would eliminate the possibility of parking.

Commissioner LaPonsie asked where the eight foot stack was mentioned within the plans. Scheidel responded it is noted within the construction drawings of the building.

Pasquale reviewed the information requested which included the following:

- Detail on the lighting fixtures for outdoor security lighting
- Location of the sidewalk
- Curb detail on Pleasant and Main
- Provide landscaping along Main Street in front of the building except for the overhead door
- Locating the dumpster area with an enclosure
- Hours of operation from 7:30 A.M. to 6:30 P.M. Monday through Friday
- Fumes would be in regulation with the DEQ
- Storm water retention/detention

Jahnke suggested the hours of operation be from 7 a.m. – 7 p.m. Monday through Saturday.

Scheidel confirmed the Commission wanted landscaping on the northwest corner. Hall responded yes.

Pasquale questioned the drainage retention area. Jahnke wanted this issue addressed. The engineers may be able to assist. It was noted there are no problems with detention at the site. The water runs off to the east. Jahnke stated it seems there is no retention for the area. It was noted there is a drain to the east.

Scheidel reviewed the following the requests:

- Light fixtures
- Curb on the corner
- Sidewalk
- Redoing retention
- Screening for the dumpsters (where would Commission wish to have these placed)
- Landscaping at the corner
- Hours of operation 7 a.m. to 7 p.m. Monday through Saturday
- Storm water

By general consensus, the Commission agreed upon the above requirements.

Pasquale questioned when a building permit would be requested. Scheidel estimated two weeks.

Item #3. **ANY OTHER BUSINESS/ON GOING BUSINESS.**

A. Residential Sign Ordinance – further review. As considered at the January meeting, the following wording was proposed for residential sign:

- Section 20.05 Exempted
- l. Signs with address, owner or occupant name, of up to three (3)* square feet in area attached to a mailbox, light fixture or exterior wall.

*from two (2) square feet

- Eliminate wall signs for residential uses as proposed.
- Keep ground signs for residential uses

<i>Ground signs for residential uses</i>	
Number	One (1) per lot or parcel
Size	No greater than three (3) square feet
Location	Only in the front yard and no closer to front lot line than one-half (1/2) the required setback distance
Height	No higher than three (3) feet

In response to Chairman Jahnke's inquiry, Building Inspector Doug Hopkins has provided ordinance language for discussion regarding walls, fences and residential signs

Hopkins suggested allowing three square foot for an address sign and allow the wall privacy screen or fence to have one address sign with a maximum of three square feet on each parcel with a primary residence. This sign would not count against having one additional residential

sign permitted by Section 20.05 of the ordinance.

Pasquale suggested stating three square feet in total area.

Pasquale verified Section 20.05 would state three square feet in area. Commission agreed.

IT WAS MOVED BY HINTON and seconded by TEELANDER to set a public hearing for April 25, 2005 to consider the residential sign ordinance and provide a recommendation to City Council.

YEA: 9. NAY: 0. ABSENT: 0. MOTION CARRIED.

- B. West Side Businesses – request to have balloons – tabled from previous meetings. Several months ago, a request by west side businesses was made to allow balloons more extensively for advertising. Jack Bos of Grand Wittenbach stated they wish to create something pleasing to the eye and inform individuals something is happening at the dealership. Items such as balloons or flags would be placed several times a month.

Commissioner Hinton inquired regarding other Grand Wittenbach locations. Bos responded Allegan, Coopersville, Grand Rapids and Grandville. Hinton questioned if a dealership has ever been in violation of an ordinance. Bos responded no.

The issue was deferred until April 25th.

Commissioner Hall suggested working with Lowell Township regarding such an ordinance. Hinton volunteered to contact Lowell Township.

- C. Definition of Mining – tabled from previous meetings. Chairman Jahnke suggested a borrowed pit not be considered mining unless one is taking it across public right of ways or property. A borrow operation would be allowed, unless it is being transported across public property. Commissioner Hinton suggested a distance be established in which one can transport it over public right of way. Jahnke proposed stating not to exceed 200 feet of public right of way.

No further information was provided.

- D. Master Plan Update – initial review of proposal submitted by Steve Langworthy. A proposal for a Master Plan Update provided by Steve Langworthy.

IT WAS MOVED BY HINTON and seconded by GRIMM to table the issue until April 25, 2005.

YEA: 5. NAY: 0. ABSENT: 0. MOTION CARRIED.

Item #4. **BUILDING INSPECTORS REPORT.** No comments were received.

Item #5. **PUBLIC COMMENTS.** None.

Item #6. **COMMISSIONER COMMENTS.** After a conversation with Fire Chief Frank Martin, Commissioner Hinton suggested the Commission clarify that seating capacity is separate from parking capacity when a business is being established.

Hinton asked if the Piersma building was going to be built. Pasquale noted this would not be built.

IT WAS MOVED BY HALL to adjourn at 9:35 p.m.

DATE:

APPROVED:

Clark K. Jahnke, Chairman

Betty R. Morlock, City Clerk