

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

For the Regular Meeting of the Planning-Citizen Advisory Commission November 27, 2006 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, Hall, LaPonsie, Mundt, and Chairman Jahnke.

Absent: Commissioners Doyle and Teelander.

Also Present: City Manager David Pasquale, City Clerk Betty Morlock, DPW Director Dan DesJarden, Councilmember Shores, and Building Inspector Doug Hopkins.

City Clerk Morlock swore in Laurie Noall as a Planning Commissioner.

IT WAS MOVED BY LAPONSIE and seconded by DIMMICK to excuse the absences of Commissioners Doyle and Teelander.

YEA: 7. NAY: 0. ABSENT: 2. MOTION CARRIED.

IT WAS MOVED BY LAPONSIE and seconded by DIMMICK to approve the minutes from the regular meeting of October 23, 2006 as corrected.

YEA: 7. NAY: 0. ABSENT: 2. MOTION CARRIED.

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

IT WAS MOVED BY LAPONSIE and seconded by BERRY to approve the agenda as submitted.

YEA: 7. NAY: 0. ABSENT: 2. MOTION CARRIED.

Item #2. **PUBLIC HEARING.**

- A. **SPECIAL USE PERMIT – 218 EAST MAIN STREET – HEARTHSTONE DESIGN STUDIO – ESTABLISHMENT OF AN APARTMENT IN THE TOP STORY.** Shannon Parnofiello, owner of Hearthstone Design Studio, applied for a special use permit to finish the third story of 218 East Main Street into an apartment for her own use.

Though the space was utilized as residential in the past, a special use permit (Sec. 11.03E within the Central Business District) is needed to reestablish the dwelling.

Two site design standards in Section 17.04R are mentioned for consideration:

- R. Residential dwellings, in the same building with commercial uses.

1. All commercial uses, excluding storage, shall not be located on the same story of the building as the dwelling.
2. Dwelling units shall comply with the applicable requirements of the R-3 District for multiple-family dwellings. (500 square feet plus 150 square feet per bedroom dwelling floor area per unit.)

Note: Under Section 19.02C, parking within the C-2 District shall be provided on the same lot as the use, unless the property adjoins or has access to a community parking lot, or common parking are maintained by participating property owners. This building has access to the public parking lot to the west (King Milling Lot).

Building Inspector Doug Hopkins stated the plan appears to meet the square footage requirements. The most significant issue is parking and the fact it does require a special use permit.

Commissioner Berry questioned if the condominiums (located at the east end of the Antique Mall building) were using the parking space as well. City Manager Pasquale noted the condominiums have their own parking as well. He noted the resident will have direct access to what is known as the "King Milling lot". Planning Commission Chairman Jahnke believed the condominiums utilized spaces in the lot near the Shell Gas Station.

IT WAS MOVED BY BERRY and seconded by HALL to approve the Special Use Permit for an establishment of an apartment in the top story at 218 East Main Street.

YEA: 7.                      NAY:                      0.                      ABSENT:                      2.                      MOTION CARRIED.

B. DISTRICT REGULATIONS FOR SINGLE FAMILY DWELLINGS IN THE R-3 DISTRICT – RECOMMENDATION TO THE CITY COUNCIL. As directed by the Commission, changes have been made to the dimensional requirements in the R-3 district to accommodate single family dwellings. The following has been recommended for amendment:

Side yard                      Single and (added) two family dwellings – 13 feet total/5 feet minimum

Minimum lot Area      Single family dwellings – 8,200 square feet (added)

Minimum lot Width      Single family dwellings – 66 feet (added)

Minimum floor Area Single and (added two family dwellings – 1,000 square feet DFA per unit/700 square feet DFA per unit on the ground floor

Chairman Jahnke asked if this satisfied Building Inspector Doug Hopkins concerns. Hopkins responded yes.

IT WAS MOVED BY LAPONSIE and seconded by HALL to recommend to the City Council the above revisions regarding District Regulations for single family dwellings in the R-3 district.

YEA: 7. NAY: 0. ABSENT: 2. MOTION CARRIED.

Item #3. **NEW BUSINESS**

A. **SITE PLAN REVIEW**

**315 S. HUDSON – AMBULANCE ADDITION TO THE LOOK MEMORIAL FIRE STATION.** In order to accommodate needed space for Rockford Ambulance, a 2,170 square foot addition to the Look Memorial Fire Station has been proposed. The site plan meets all zoning requirements, except for a five foot front yard variance.

City Manager Pasquale noted if the site plan is approved, it needs to be approved contingent upon the variance. These were two separate items and the variance request would be a recommendation to the ZBA. Assuming the site plan is approved and the variance was not approved by the ZBA, the applicant would be required to come back before the Planning Commission with a revised site plan.

Architect Tom Smith of Fishbeck, Thompson, Carr and Huber (FTC&H) assembled the drawings for this proposed addition was present for discussion.

Pasquale noted Rockford Ambulance is currently using the existing fire station building which is approximately 9,492 square feet. Rockford Ambulance has been an occupant of the fire station since construction of the building in 1990. The addition would allow Rockford Ambulance to store two vehicles. In turn, the fire department can then utilize the space the ambulance currently occupies. With personnel present in the building on a 24 hour basis, there is also a need to provide sleeping quarters for both males and females. Additional office space would also be established.

The addition is proposed to be located on the south side of the existing building. The idea of placing an additional bay on the east side was reviewed. However, this would require additional fill to build the ground level up. There were also concerns from the Kent County Youth Fair.

Smith explained the property has very little green space. The addition needs to be placed far enough to the west so ambulance vehicles can exit the building to the east or depart on the apron outside of the garage east of the building, without being in front of the fire station bays. Smith explained the southeast corner of the ambulance building is very close to the radius asphalt where the fire vehicles come out of the south side of the fire station and make the 90 degree turn onto S. Hudson Street.

Commissioner Mundt questioned why “Rockford Ambulance” is written on the blue prints when the building is owned by the City of Lowell. Pasquale explained Rockford Ambulance is coordinating the funding for the addition.

Commissioner Berry questioned if Rockford Ambulance was a for profit corporation. Pasquale

responded no, it is a 501(c) 3 non profit. It needs to be a non profit organization in order to receive such grants.

Pasquale noted the proposed building would meet both present and future needs of Rockford Ambulance. Rockford Ambulance has been a long standing fixture in the Lowell area and has provided ambulance services for many years. They service the City and the adjoining townships.

Planning Commission Chairman Jahnke referred to the site plan and the criteria for lot coverage. Pasquale stated there is no criteria which needs to be met in the Public Facilities district. This is an extensive area owned by the City. Jahnke confirmed there would be nothing different with the parking as far as personnel. Pasquale responded this is correct. He reviewed the parking criteria with regard to the community room. There are enough spaces for 50 people according to the ordinance. There is more than sufficient parking to meet this requirement.

Jahnke wanted the exterior lighting of the building included in the plan. He confirmed the exterior finish on the building would be similar to the rest of the building. Smith responded yes.

Commissioner Mundt questioned if there has been any consideration to replacing the three trees which are to be removed for the addition. Smith stated the trees can be replaced. Mundt asked if this created the need to add sidewalk along Broadway. Pasquale stated the fairgrounds lie in between. Pasquale noted a landscaping plan will be submitted to show additional vegetation.

Jahnke wanted the lighting addressed. He suggested lighting with a 100% cut off.

Mundt wanted to remove the word "Rockford" from the plan. This is a City owned building. He suggested the plan read "proposed ambulance building".

IT WAS MOVED BY LAPONSIE and seconded by BERRY to approve the site plan contingent on submission of landscaping plans, 100% lighting cut off and front yard variance granted as well as the word "Rockford" being removed from the plan.

YEA: 7. NAY: 0. ABSENT: 2. MOTION CARRIED.

## **B. VARIANCES – RECOMMENDATIONS TO THE ZONING BOARD OF APPEALS**

1. 315 S. Hudson – Ambulance addition to the Look Memorial Fire Station – Architect Tom Smith explained why a variance is necessary. Smith said visually the property appears large. However, the reality is the amount of land available to build upon is very small, unless it is built within the floodplains, which would be very costly for the City. Because of this, a unique situation is created. In addition, there is a limited amount of land outside of the floodplain on this property. The available land outside the floodplain is currently occupied by the fire station building. The approach and exit drives of the fire station require these spaces remain in their current condition. Various different options have been

reviewed to place the building behind the set back line. However, this can not be done and still have room for the ambulance vehicles to be outside of their parking bays without blocking the exit paths for the fire vehicles. Smith stated this is the reason why a variance of the front yard setback of 6.4 feet is required.

Jahnke stated the ambulance bays themselves really do not infringe on the setback. The balance of the building is primarily composed of the sleeping rooms, restroom, small living room and kitchenette. This is the portion of the building which infringes on the setback. Jahnke said the Commission does not typically review floor plans. However, he wanted reassurance that every effort has been made to eliminate the need for the variance.

Commissioner LaPonsie stated the width of the building was reduced by five feet. Does this significantly impact the inside layout? Smith stated there is nothing inside the building which is oversized. It more resembles an apartment. Smith said there has been a tremendous amount of effort placed into making the addition work within the site.

By general consensus, the Commission unanimously agreed all criteria had been met with the exception of the last criteria involving “the immediate practical difficulty causing the need for the variance request was not created by any action of the applicant”. The Commission voted 6 to 1 on this criteria.

IT WAS MOVED BY DIMMICK and seconded by LAPONSIE to recommend the 6.4 foot front yard variance at 315 S. Hudson regarding an ambulance addition to the Look Memorial Fire Station as proposed.

YEA: Commissioners Berry, Dimmick, Hall, LaPonsie, Mundt, Noall and Chairman Jahnke.

NAY: None. ABSENT: 2. MOTION CARRIED.

Item #4. **ANY OTHER BUSINESS/ON GOING BUSINESS.**

- A. Review of ordinance regarding the keeping of fowl, rabbits and similar animals – tabled from last meeting. City Manager Pasquale believed there was a consensus of those present at the last meeting that there should be few changes to the fowl, rabbits and similar animals ordinance. He noted the question discussed regarding the number of animals or to ensure that the number of indoor animals were separate.

Commissioner LaPonsie believed the Commission was almost unanimous in making a recommendation to the City Council, regarding they do not believe there should be any changes. However, if City Council wanted to pursue changes, it was believed there should be a change in the number of animals allowed. LaPonsie questioned when the moratorium ended for the McLane family at 420 Kent to keep four chickens. Pasquale responded 90 days were given.

Jahnke wanted to officially pass note to the City Council there is a consensus of the Planning Commission regardless of what modifications are made to the ordinance, a citation on this particular property will stand.

Jahnke requested volunteers of the Commission review the issues and bring to the December worksession. The issue can then be acted upon during the January 22, 2007 meeting.

IT WAS MOVED BY LAPONSIE and seconded by HALL to communicate with City Council that the Planning Commission is planning to review the issue further. However, there are no plans to make the ordinance less, but more restrictive.

YEA: 7. NAY: 0. ABSENT: 2. MOTION CARRIED.

Commissioners LaPonsie and Hall volunteered to review the issue further and present comments at the December worksession meeting regarding changes to the ordinance.

B. Master Plan Update. City Manager Pasquale stated a "Vision" meeting needs to be established with the City Council and Planning Commission regarding the Master Plan Update. By general consensus, the Commission agreed to a meeting date of January 8, 2007.

C. Monday, December 11 Worksession (7 p.m.) set agenda. The following issues were established for discussion during the December 11, 2006 worksession:

- Off street parking lighting ordinance
- Variance criteria
- Site Plan Review training
- Master Plan Time Line and possible review of survey
- Recommendation on fowl, rabbits and similar animals
- Non conforming lots

By general consensus, the Commission agreed to the proposed agenda.

D. 2007 Meeting Dates. The following meeting dates were reviewed as follows:

Fourth Monday of each month, except December:

January	22	July	23
February	26	August	27
March	26	September	24
April	23	October	22
May	29 (Tuesday, Memorial Day)	November	26
June	25	December	10 (work session)

IT WAS MOVED BY HALL and seconded by LAPONSIE to approve the 2007 meeting dates as presented.

YEA: 7. NAY: 0. ABSENT: 2. MOTION CARRIED.

Item #5. **BUILDING INSPECTOR'S REPORT.** Building Inspector Doug Hopkins noted such issues regarding junk lumber or junk cars are referred to the police department as this is included in the Code of Ordinance. He noted Zoning Administrator Brian MacCartny handles issues in the Property Maintenance Code.

Item #6. **PUBLIC COMMENTS.** Tom Cary, 1411 Byron St., Grand Rapids, Michigan was present to discuss the issue of keeping of fowl, rabbits and similar animals in the City limits. He noted he is a member of the West Michigan Environmental Action Council. Cary questioned the intent of the ordinance. City Manager Pasquale explained most zoning ordinances address live stock and poultry. The City of Lowell allows for the keeping of such animals. However, one must have a ½ acre of property and meet the setback requirement from adjoining properties. Cary stated he has done much research throughout the country. It seems many cities are less restrictive.

Tom Messler of 426 Avery requested input regarding an ordinance restricting parking of semi tractors and trailers within the City limits. There are many semi truck parking in lots such as Dollar General, Lowell Automotive and Admiral Gas Station. Messler noted there are truck depots located nearby. Chairman Jahnke suggested the issue be brought before the Council.

Lowell Township Planning Commissioner Mark Batchelor was present to discuss the sign ordinance. Jahnke explained it would be favorable to have a similar ordinance in which the City and township can follow regarding such issues as balloons and banners. This would provide a similar M21 corridor ordinance. Planning Commissioners Hall and Berry volunteered to review such an ordinance. Batchelor noted Dennis Sanford from Lowell Township will also be reviewing the ordinance.

Item #7. **COMMISSIONER COMMENTS.** Commissioner Mundt referred to the Grandville ordinance which dealt with the outside façade of new structure both residential and commercial. He questioned if this was an issue the Planning Commission wanted to pursue for the City of Lowell. Commissioner Hall was interested. Commissioner LaPonsie also wanted to review such an ordinance. Jahnke suggested the issue be discussed during the January 22, 2007 meeting.

Commissioner Dimmick questioned the exterior of a building. Does the new legislation cover multiple inoperable bicycles and other toys? City Clerk Morlock noted such complaints are directed to the police department.

Commissioner Berry was concerned with the sign ordinance. It seems many business owners are playing the system.

Commissioner LaPonsie was happy to see public present during the meeting and making comments.

Commissioner Noall thanked the Commission for allowing her to serve on the Commission.

IT WAS MOVED BY HALL to adjourn at 9:19 p.m.

DATE:

APPROVED:

---

Clark K. Jahnke, Chairman

---

Betty R. Morlock, City Clerk