

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

For the Regular Meeting of the Planning-Citizen Advisory Commission November 26, 2007 at 7 p.m.

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

Present: Commissioners, Berry, Dimmick, Doyle, Hodges, Jahnke, Noall and Chair LaPonsie.

Absent: None.

Also Present: City Manager David Pasquale, City Clerk Betty Morlock, DPW Director Dan DesJarden, Councilmember Shores and Councilmember Elect Sharon Ellison.

IT WAS MOVED BY JAHNKE and seconded by BERRY to approve the minutes from the regular meeting of October 22, 2007 as corrected.

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

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

IT WAS MOVED BY JAHNKE and seconded by DIMMICK to approve the agenda as written.

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

Item #2. **PUBLIC HEARING.**

- A. Temporary signs ordinance amendment - consider setting public hearing (1/28). As discussed at the October meeting, a draft ordinance amendment has been prepared by City Attorney Richard Wendt regarding temporary signs.

Commissioner Jahnke did not believe the draft ordinance had the spirit of what the Commission is looking for.

Rodger Garner of Good Chevrolet was confused with the wording of the first paragraph of the ordinance which states 21 accumulative days but, later refers to 60 days. Chair LaPonsie suggested this was a mistake. Garner also questioned a bond being necessary. LaPonsie asked if the current ordinance requires a bond. City Manager Pasquale was unsure of how the bond requirement began. Pasquale explained a bond for a sign is different than one as part of a site plan.

Chair LaPonsie suggested the issue be added to the agenda for the worksession meeting held on December 10, 2007.

- B. Rezoning – 600 south side block of East Main Street and 700 E. Main – from R-3 (Multiple

Family Residential to C-3 (General Business) – recommendation to the City Council. Chair LaPonsie explained a second request has been received stating there is no further interest in rezoning the East Main Street property. However, a public hearing and comments can still be made.

City Manager Pasquale stated comments were received from neighboring property owners. However, nothing in writing has been presented.

Steve Morrison of 126 S. Division, owner of a property involved questioned why would one want to rezone the property since it is not even an issue anymore. It pertains to five older homes and it is a large investment. He did not want the homes taken out of the residential zoning causing it to be sold as commercial property.

LaPonsie stated the newly adopted Master Plan called for the area to be rezoned to a new downtown edge section, which has not been created yet. Morrison was concerned with semi parking and large items being unloaded. He noted the area is within the 100 year flood zone. There are five historical properties which would be rezoned.

Nicole Nash of 206 S. Division, resided one block south of what would be zoned commercial. She believed the rezoning would create additional traffic. There are already individuals who drive very fast as well as semi trucks traveling from the gravel companies on Grand River Drive. There are many vacant properties available and the City should not rezone homes in which people are already residing.

Commissioner Jahnke believed this block of property lends itself very well to doing a new zoning or mixed use zoning. The idea and the concepts of the mixed use which were provided in the master plan seem perfect for this application. He would not be in favor of having the block placed as straight commercial.

Commissioner Hodges questioned if the entire block could be declared commercial or could the front three properties along Main Street be a mixed use and the southern two parcels of property remain residential. Pasquale stated it could. However, if C3 is being considered, one is considering a commercial zoning.

Chair LaPonsie said the Commission has tried to avoid spot zoning.

Hodges did not believe it made sense to rezone the entire block. He believed the southern two parcels of property could remain residential without any difficulty and allow a mixed use on the three properties along Main Street. Pasquale explained there is no allowance for mixed use. A C3 district would make the residences nonconforming. LaPonsie suggested leaving the 600 block alone until the new zoning districts are in place.

Commissioner Doyle questioned the status of the property west of Amity on the north side. Pasquale stated this is all zoned commercial.

Pasquale stated the neighborhood has indicated they wish to see the homes remain as is.

Commissioner Dimmick believed the block fits into the downtown edge definition rather than C3. If it were designated as downtown edge, it would include office as well as residential use.

Commissioner Noall agreed, at least until the Commission figures out what the mixed use/downtown edge is.

Commissioner Berry did not want to see the area zoned C3. He lives in an area which is subject to semi truck tractor/trailer traffic and no one is happy.

Pasquale noted a brand new zoning district could be created allowing for residences and offices.

By general consensus, the Commission decided to leave the 600 block alone.

LaPonsie questioned the rezoning of Keiser's Kitchen. Jahnke believed this would be considered spot zoning.

IT WAS MOVED BY DOYLE and seconded by BERRY to recommend to the City Council denial of the C-3 Commercial rezoning request for the 600 and 700 block along East Main Street.

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

Item #3. **NEW BUSINESS**

- A. SITE PLAN REVIEW – None.
- B. VARIANCES – RECOMMENDATIONS TO THE ZONING BOARD OF APPEALS – None.

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

- A. Joint signage ordinance with Lowell Township. This issue was tabled until January.
- B. Civil Infractions Ordinance. The City Attorney has yet to provide a draft for the Civil Infractions Ordinance.
- C. Monday, December 10 Worksession (7 p.m.) – set agenda. The following issues were placed on the December 10, 2007 worksession meeting:
 - Temporary signs
 - Implementation of master plan
 - Joint signage with Lowell Township as well as what the City wants
 - Discuss the revitalization of joint Planning Commission meeting between the City and

- townships
- Lighting ordinance.

D. 2008 Meeting Dates.

Fourth Monday of each month meeting at 7:00 p.m., except December.

January	28	July	28
February	25	August	25
March	24	September	22
April	28	October	27
May	27 (Tuesday, Memorial Day)	November	24
June	23	December	8 (work session)

IT WAS MOVED BY JAHNKE and seconded by NOALL to approve the proposed 2008 meeting dates.

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

Item #5. **BUILDING INSPECTOR'S REPORT.** Commissioner Dimmick asked if there has been a permit from First Baptist Church yet. City Manager Pasquale responded no. A parking lot is being installed. However, no building has been started.

Chair LaPonsie questioned Fire Places Plus and why a warrant was issued. Building Inspector Doug Hopkins stated the owner never received the messages nor followed through in reporting back to City Clerk Morlock or Jennifer at IMS.

LaPonsie questioned the three properties on W. Main with structural problems. Hopkins explained these are large problems, which need to be addressed.

Item #6. **PUBLIC COMMENTS.** John Sterly of 2615 Alden Nash was concerned regarding the zoning on Main Street. He also questioned driveway clarification for his building project at 524 Elm. Hopkins stated this is in the ordinance. Sterly asked if processed gravel would be acceptable. He is using the existing driveway which is off of Elm and goes over to Lincoln Lake. The drive is shared by two housing units. His plan shows a garage with a 5 foot approach in front of it. Currently, he has crushed gravel between the poured concrete and the sidewalk. Hopkins explained this is not considered a hard surface and would have run off.

Sterly questioned how he might receive information on building questions. DPW Director DesJarden stated there are no new materials available. At the time the ordinance was established, crushed asphalt was considered as well as brick pavers. LaPonsie stated the Commission's intent was to have a hard surface which will not go any where.

LaPonsie questioned if Sterly thought he could get asphalt or concrete in before the winter. Sterly

responded possibly concrete. However, it is not the best time of year to do this. Pasquale stated Sterly would need to obtain a bond in order for this work to be done in the Spring. By general consensus, the Commissioners agreed a bond would be appropriate with work being completed in the Spring. Sterly questioned how much of the drive would have to be hard surfaced. LaPonsie stated the entire drive.

Sterly also questioned how one would find information regarding a building question. Jahnke explained there is the Michigan Building Code which needs to be followed. The books can be found within the Kent District Library system or be purchased through the Home Builders Association which is located on the East Beltline. The interpretation of these codes is done through the Building Inspector.

Pasquale explained Sterly should get an estimate as to how much the asphaltting or concrete would cost to determine the amount the bond should be.

Item #7. **COMMISSIONERS COMMENTS**. Commissioner Dimmick stated he has received questions from individuals regarding why the taxes are so high in the City. He suggested the City publicize how taxpayers money is spent. Pasquale explained approximately \$900,000 a year is spent on the police department. Those living in the townships are dependent on the County sheriff. There is a higher degree of service when one lives in the City. Consideration also needs to be made regarding the care of public grounds and parks as well as the maintenance of the streets. The streets are plowed extremely fast in comparison to what is received in the townships.

Commissioner Noall stated she was interested in the City's web site and what is available on it. She suggested a link to the Home Builders Association be added.

Commissioner Berry commented on the Girls Night Out and the Christmas through Lowell. Both appeared to have gone very well and the Chamber of Commerce should be congratulated.

Commissioner Jahnke commented on the Christmas Parade which will be held on Saturday, December 1.

IT WAS MOVED BY DIMMICK to adjourn at 8:20 p.m.

DATE:

APPROVED:

Maryalene LaPonsie, Chairman

Betty R. Morlock, City Clerk