

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

For the Regular Meeting of the Planning-Citizen Advisory Commission on Monday, August 25, 2008 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 Dimmick, Doyle, Folsom, Hodges, Jahnke, Noall and Chair LaPonsie.

Absent: None.

Also Present: City Manager David Pasquale, Assistant City Treasurer Lori Gerard, DPW Director Dan DesJarden, Councilmembers Altoft, Ellison and Lowell Light and Power Boardmembers Perry Beachum and Greg Canfield.

IT WAS MOVED BY DOYLE and seconded by DIMMICK to approve the minutes for the regular meeting of July 28, 2008 as written.

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

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

IT WAS MOVED BY HODGES and seconded by JAHNKE to approve the agenda as amended.

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

Item #2. **PUBLIC HEARING.**

- A. Master Plan Map Amendments – public hearing. The proposed Master Plan existing and future land use amendments were distributed to Lowell and Vergennes Townships as well as the West Michigan Regional Planning Commission and the Grand Valley Metro Council. No comments have been received.

At this meeting, the Commission had the opportunity to make revisions. A public hearing was held. No comments were provided.

Planning Commissioner Hodges confirmed this was sent out to the townships and other interested parties. City Manager Pasquale responded yes.

IT WAS MOVED BY FOLSOM and seconded by JAHNKE to approve the Master Plan map amendments as proposed.

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

- B. Special Use Permit – 512 E. Main – Roger Cahoon – Seven room rooming house – set public hearing (9/22). Roger Cahoon had originally purchased a house at 512 E. Main where four rooming units already existed. Since this time, he added three more rooms without permits.

The property is zoned General Business where rooming or boarding houses are allowed by special land

use permits from the Planning Commission. A public hearing must be held before consideration.

An application along with a floor plan sketches was provided. It is important to note:

- No minimum floor area is mentioned within the Zoning Ordinance for a rooming house. (apartments must have 500 square feet)
- No parking requirements are shown for rooming houses. Apartments require two spaces per unit.

Written permission to lease Huntington Bank parking is being secured. A public hearing must be established for the September 22, 2008 meeting.

Greg Canfield of 403 N. Washington explained a complaint was filed regarding work done over ten years ago, without a building permit. There is some question as to whether the changes in the ordinance allowing special uses for boarding houses was completed after the additions. Through discussions with City Manager Pasquale, he believed it would be best to come before the Planning Commission since no permits were acquired. There is some question as to whether the statute of limitations has expired, as far as requirement of building permits.

Three additional units were added. However, there were no structural changes. It was originally a house which was converted to a beauty shop and then converted back to residential.

It was noted Cahoon would lease 12 hard surfaced parking spaces from Huntington Bank.

Commissioner Hodges questioned the amount of parking spaces Cahoon currently has on the property. Cahoon noted he also owns Dennys, which has a parking lot. There are approximately 30 parking spaces on gravel.

Commissioner Jahnke remembered this issue coming before the Planning Commission many years prior. An application for a special use permit was provided and he believed it was approved. Commissioner Dimmick asked if this would have been forwarded to the City Council. Pasquale explained the Planning Commission approves Special Uses.

Jahnke did not see how minimum floor area or parking requirements for an apartment would relate to a boarding house.

Chair LaPonsie asked if there have been any issues with the current parking. Cahoon responded it depends on his clientele. He noted it seems 30 to 40 percent have bikes rather than cars.

IT WAS MOVED BY HODGES and seconded by DIMMICK to establish a public hearing for September 22, 2008 regarding a special use permit at 512 E. Main for a seven room rooming house.

YEA: 7. 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. Review of tall grass and noxious weeds ordinance – consideration of amendments and recommendation to the City Council. The Commission and the City Council held a work session on August 12 to review the tall grass ordinance. All present examined the Holland and Plainfield ordinances. Everyone agreed, the Plainfield ordinance was well developed.

The two issues involved were commercial properties being mowed, if these were adjacent to residential properties as well as adding an administrative fee.

City Manager Pasquale stated Greenridge Real Estate has been concerned over the issue. The back part of their property is an undisturbed area which has never been mowed.

There was also a question of whether any wet lands or wooded area have been identified. These would be very difficult to mow.

Chair LaPonsie believed the goal of the ordinance is to ensure people are maintaining their lawns. It is not necessarily to mow down all the vegetation in the City. If someone has a lawn, it needs to be maintained.

Commissioner Folsom mentioned the issue of commercial bordering residential. He believed if it is a landscaped area, it needs to be maintained. If it is a natural area, it should not have to be maintained. He did not believe the ordinance needed to be changed.

Commissioner Noall questioned if the ordinance would apply to foreclosures. Pasquale responded yes.

LaPonsie stated grass or weeds taller than 12 inches in height as well as an administrative fee should be added to the ordinance.

Pasquale stated this would place the Plainfield statute in ordinance form for the next meeting and then a recommendation can be made to the City Council.

DPW Director DesJarden stated he owns a home on M21. He noted the Planning Commission approved a PUD some time ago with an open space preservation which does not even come close to his property. The other issue regarding a particular property on M21 involves the original site plan for Ace Hardware. This did not include the land next to him. Therefore, it was a vacant lot. LaPonsie stated the Commission is referring to commercial properties. A PUD would not be included.

DesJarden believed it should also be noted in the ordinance the area between the street and the sidewalk needs to be mowed.

IT WAS MOVED BY HODGES and seconded by LAPONSIE to provide the Plainfield ordinance as a model written without the residential abutment language and also having 12 inches in height rather than eight.

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

- B. Civil Infractions Ordinance. City Manager Pasquale stated he has yet to meet with City Attorney Richard

Wendt and Police Chief Jim Valentine. Schedules have been very hectic.

Item #5. **BUILDING INSPECTOR'S REPORT.** City Manager Pasquale referred to the letter received from Grand Chrysler regarding the Lighting Ordinance and the issue brought up by the Taylor family. Lin Buck, Manager of Grand has indicated they are taking this seriously and will try and address the issue with the neighbor. Commissioner Hodges noted when he goes to work at 10 p.m. at night the lights have been off.

Item #6. **PUBLIC COMMENTS.** No comments were received.

Item #7. **COMMISSIONERS COMMENTS.** Commissioner Dimmick stated the Commission has been dealing with the property at 402 Kent for some time now. Can some action come into play once the Civil Infractions Ordinance has been established? City Manager Pasquale stated the ordinance will provide an easier way to initiate enforcement. He also commented on 425 E. Main (Old Third Base). Building Inspector Doug Hopkins noted an individual is picking up a permit regarding the building and changing it to rental property.

Commissioner Noall stated last meeting there was discussion about providing a letter or brochure for individuals having a difficult time with home repairs. City Manager Pasquale explained the service is provided through the Kent County Community Development office. Pasquale stated the office administers the federal community development block grants as well as being involved with other programs regarding house repair. Pasquale stated he would contact the office regarding brochures and contact phone numbers. LaPonsie suggested providing a brochure regarding the service when police letters are delivered.

IT WAS MOVED BY DIMMICK to adjourn at 8:01 p.m.

DATE:

APPROVED:

Maryalene LaPonsie, Chairman

Betty R. Morlock, City Clerk