

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

For the Regular Meeting of the Planning-Citizen Advisory Commission on Monday, July 26, 2010, at 7:00 p.m.

Deputy City Clerk Susan Ullery swore in Al Mathews into office as Planning Commissioner.

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

Present: Commissioners Barb Brown, Doug Folsom, Jim Hall, Al Mathews and Acting Chair Maryalene LaPonsie.

Absent: Commissioners Green and Jahnke.

Also Present: City Manager David Pasquale, Deputy City Clerk Susan Ullery, DPW Director Dan DesJarden, Building Inspector Doug Hopkins, Mayor Jim Hodges and Councilmember Jeff Altoft.

IT WAS MOVED MATHEWS and seconded by FOLSOM to excuse the absences of Commissioners Green and Jahnke.

IT WAS MOVED BY BROWN and seconded by MATHEWS to nominate Jim Hall as Chair of the Planning Commission.

YEA: 5. NAY: 0. ABSENT: 2. MOTION CARRIED.

IT WAS MOVED BY LAPONSIE and seconded by FOLSOM to approve the minutes of the regular meeting of June 28, 2010 as written.

YEA: 5. NAY: 0. ABSENT: 2. MOTION CARRIED.

Item #1. **APPROVAL OF AGENDA**. City Manager explained Jennifer Lopez no longer wishes to pursue the rezoning request at 119 Lincoln Lake. However, the Planning Commission may continue to pursue the matter. Chair Hall suggested leaving the item on the agenda as it would make more sense to change the zoning from Public Facilities to Commercial providing more alternatives.

IT WAS MOVED BY LAPONSIE and supported by BROWN to approve the agenda as presented.

YEA: 5. NAY: 0. ABSENT: 2. MOTION CARRIED.

Item #2. **PUBLIC HEARING**

- A. 103 Riverside Drive – William J. Wheeler – second floor addition of living space – special use permit – public hearing. As mentioned at the last meeting, William Wheeler submitted an application so that he may construct a second story addition to his building for living space at 103 Riverside. As noted in his letter of June 4, Wheeler stated the living space will include a bedroom on the west end, bath and laundry in the middle, with kitchen and living room occupying the east end of the building, including an additional second story deck.

A special use permit is required as stated in Section 11.03 (E) providing residential dwellings in the same building with commercial uses.

Wheeler noted the roof profile will be kept approximately the same. The living area is to be 1,000 square feet. There will also be 1,000 square feet on the main floor which consists of a 500 square foot office and a 500 square foot room in the back.

Soils and Structures, Inc. tested the foundation and indicated the building would sustain a second story.

Chair Hall referred to Wheeler's concerns raised during a DDA meeting. Wheeler explained his concern of having a sidewalk behind his building. The water laps against the building. A deck also protrudes over the water. He was unsure where the DDA would put the walkway.

IT WAS MOVED BY FOLSOM and seconded by LAPONSIE to approve the special use permit at 103 Riverside Drive for a second floor addition of living space.

YEA: 5. NAY: 0. ABSENT: 2. MOTION CARRIED

- B. 119 Lincoln Lake (including vacant lot at the southeast corner of Chatham and Lincoln Lake) – rezoning request from PF (Public Facilities) and R-3 (Residential) to C-3 (General Business) – public hearing – recommendation to City Council. Currently, the Masonic Lodge is PF (Public Facilities). The lot immediately to the north is zoned R-3 (Residential). The proposal is to have both lots zoned C-3 (General Business).

Commissioner Mathews confirmed the owner Bruce Langlois was in favor of this change. City Manager Pasquale explained the City Council will receive the recommendation and hold a public hearing. Langlois will be notified if the Commission wishes to pursue. Pasquale believed the General Business zoning would make more sense for long term use of the property.

IT WAS MOVED BY LAPONSIE and seconded by FOLSOM to recommend to the City Council that the two properties in question at 119 Lincoln Lake be rezoned to C-3 (General Business).

YEA: 5. NAY: 0. ABSENT: 2. MOTION CARRIED.

Item #3. **NEW BUSINESS**

A. SITE PLAN REVIEW

1. 1400 Foreman Rd. – Litehouse, Inc. – 43,000 s.f. addition – defer until the 8/23 meeting. Dave Hendershott of Paradigm Design, Inc. has requested that the site plan review for the Litehouse addition be deferred until the August 23 meeting. This will allow sufficient time to finalize plans.

City Manager Pasquale stated there is a license which needs to be renewed along the east boundary line of the Litehouse property. This has been used as a walking path for school children. It was approved on a five year basis and needs to be brought up to date. Also, Litehouse is considering access issues on the west side for their trucks. Therefore, they will wish to gain a small portion of property as an easement for the trucks.

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

- A. Lighting Ordinance. Chair Hall questioned if the Commission wanted to proceed with corrections. A draft has been submitted to the City Attorney and their comments have been received. Commissioner LaPonsie suggested forwarding the draft to Jay Kilpatrick of Williams & Works for comments from a planning prospective.

Hall suggested a public hearing also be held at the next meeting.

Commissioner Folsom was concerned regarding the technical level of the issue and believed it was way over what is necessary. City Manager Pasquale stated he would mention the complexity issues of the ordinance to Kilpatrick.

Hall wanted it noted this has been approved and published by Lowell Township and suggested Kilpatrick refer to what is on their website.

IT WAS MOVED BY LAPONSIE and seconded by GREEN to set a public hearing for the August 23 meeting to consider the outdoor lighting ordinance regarding the issue as well as forwarding it to Jay Kilpatrick for review prior to the next meeting.

YEA: 5. NAY: 0. ABSENT: 2. MOTION CARRIED.

Item #5. **BUILDING INSPECTORS REPORT.** Commissioner LaPonsie questioned when an individual would need a permit for construction of a building. Building Inspector Doug Hopkins stated all structures such as a small shed or carport 200 square feet or less do not need a building permit. However, a zoning permit is required to ensure the setbacks have been met. He noted this does not pertain to decks and other such structures.

Commissioner Mathews questioned when the house that caught fire at 329 Jefferson would be cleaned up. City Manager Pasquale explained an investigation needs to be carried out by the Fire Chief.

Mathews inquired regarding a violation on a soft sided structure which was not in a residential district. Hopkins explained the issue was originally discussed with regard to residential zoning because this district refers to what materials can and can not be used. Once, this was turned down, letters were sent out to individuals with existing structures. During this process, it was discovered, such a building existed in a commercial district. However, the ordinance does not specify other districts.

Hall questioned if the issue needed to be revisited. He referred to the wording from Vergennes Township which states the only kind of outbuilding allowed is stick built or one that is purchased. The City's ordinance states the buildings need to be compatible in design and materials with the house.

LaPonsie did not want to revisit the issue.

Mathews believed there were gray areas and it should be revisited. Brown agreed.

Hall suggested an ordinance be resurrected and input be received from Jay Kilpatrick. A proposal could possibly come from him based upon the soft sided garages or any accessory buildings structures other than stick built. Hall also suggested Kilpatrick provide a suggestion regarding the gray area between 200 and 600 square foot buildings.

Pasquale noted Kilpatrick will provide a report at the next meeting.

Item #6. **PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA.** No comments were received.

Item #7. **COMMISSIONERS REMARKS.** Commissioner Folsom was thankful to have been allowed to serve on the Planning Commission.

Commissioner LaPonsie was sorry to see Folsom go. She also welcomed Commissioner Mathews.

Commissioner Mathews has happy to be serving on the Planning Commission again. He has learned a lot.

Chair Hall thanked everyone for nominating him as Chair.

IT WAS MOVED BY FOLSOM to adjourn at 7:39 p.m.

DATE:

APPROVED:

Jim Hall, Chair

Betty R. Morlock, City Clerk