

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

For the Regular Meeting of the Planning-Citizen Advisory Commission on Monday, September 22, 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, Jahnke, and Chair LaPonsie.

Absent: Commissioners Hodges and Noall.

Also Present: City Manager David Pasquale, City Clerk Betty Morlock, DPW Director Dan DesJarden, Councilmembers Altoft and Ellison, Building Inspector Doug Hopkins and Arbor Boardmember Jim Hall.

IT WAS MOVED BY FOLSOM and seconded by DOYLE to excuse the absences of Commissioners Hodges and Noall.

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

IT WAS MOVED BY JAHNKE and seconded by DIMMICK to approve the minutes for the regular meeting of September 22, 2008 as written.

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

Item #1. **APPROVAL OF AGENDA.** Commissioner Jahnke suggested Item 6 B & C be removed from the agenda. The lighting issue could be discussed during the October meeting, while the signage ordinance reviewed during the November, 2008 meeting.

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

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

Item #2. **PUBLIC HEARING.**

A. Special Use Permit – 512 E. Main – Roger Cahoon – Seven room rooming house – public hearing. As noted at the last meeting, Roger Cahoon had originally purchased a house at 512 E. Main, where four rooming units already existed. He added three more since without permits.

The property is zoned General Business where rooming or boarding houses are allowed by special use permits from the Planning Commission.

An application along with 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 required two spaces per unit.

Written permission to lease Huntington Bank parking is being secured.

City Clerk Betty Morlock read a letter into record from Kimberly Cahoon, who is currently in the process of a divorce with Roger Cahoon. She indicated there has not been a final judgment entered for divorce. Furthermore, there is nothing in the temporary order granting Roger permission to request, make or force any changes in ownership or status to any of the properties. Kimberly Cahoon requested the Planning Commission deny the special use permit.

City Attorney Richard Wendt reviewed the situation and determined the issue had no bearing with regard to the property.

Commissioner Doyle believed this had nothing to do with the divorce.

Chair LaPonsie did not have a problem with the special use permit. The property has been there and has been used this way for many years. However, she said had this been a new special use permit, the Commission would probably require the parking lot to be paved.

Pasquale stated Building Inspector Doug Hopkins will inspect the unit to ensure the codes are met.

Commissioner Dimmick supported the idea of paving. He appreciates what Roger Cahoon has been doing with the property. He questioned when the exterior might be finished.

Commissioner Doyle inquired why parking had to be specified. LaPonsie stated the ordinance does not refer to the number of parking spaces for a rooming board. Pasquale added rooming house tenants are very transient.

Greg Canfield of 403 N. Washington stated unfortunately due to poor record keeping on both the City's part and Cahoon's, this was approved seven or eight years ago. There are no requirements in the ordinance for paved parking.

Jahnke explained the City requires paved driveway or parking areas. The City has consistently required this.

Hopkins questioned the required number of paved parking spaces. Jahnke stated he wanted to support the requirement of maintaining two spaces per unit. Once there are four boarding spaces, it seems one does not see the increase of vehicles. For the number of units joined, one space per unit should be appropriate. Therefore, there would be seven spots for the lot. Pasquale noted the area could be paved or an agreement sought with the bank along with grass being planted in the existing area.

IT WAS MOVED BY DIMMICK and seconded by JAHNKE to grant the Special Use Permit for a seven room rooming house at 512 E. Main, contingent on either paving the lot or securing seven spaces elsewhere and making the rest of the lot unparkable.

YEA: 4. NAY: 1. (Doyle) ABSENT: 2. MOTION CARRIED.

Doyle no vote was based on parking.

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. Based on the Plainfield Township ordinance, the Commission reviewed a proposal regarding tall grass and noxious weeks.

Commissioner Doyle was in favor of the proposal. Dimmick agreed. With regard to letter C Section 23.47, Dimmick had initial contact and conversation with the leader of the Lowell Garden Club to see if they could begin to take some initiative on developing this program in the City. There was an article in the Grand Rapids Press in terms of what some communities are doing with ground cover.

Chair LaPonsie believed the Commission decided commercial vacant property was exempt other than mowing a 25 foot buffer. After reviewing the proposal, Jahnke believed property which had been cleared and leveled must be maintained. Jahnke questioned the meaning of “xerophytic plantings and techniques”. It was noted it seems to be mean anything other than desert type plantings.

LaPonsie suggested deferring the issue until the October, 2008 meeting. The Commission did so.

- B. Kent County Community Development – homeowners rehab program. Kent County Community Development has a homeowner rehab program which provides for various types of loans. This is a county wide program and has been used by a number of residents.
- C. Joint Planning Commission meeting – Wednesday, October 15. A joint Planning Commissions meeting with Lowell and Vergennes Townships is planned for Wednesday, October 15, 2008, 7 p.m. at Lowell Township Hall.
- D. Portable Garages – request for zoning. Councilmember Jeff Altoft of 611 W. Main Street

explained the structures are all steel constructed and designed to be put up and taken back down. There is much rental property in the City of Lowell which does not supply garages. These car ports are all approved for the snow loads in the area.

The City has an outdoor building ordinance which states one can have two 10x12 outdoor buildings and basically has no guidelines. Most of these buildings appear to be falling down because of the materials these are made of.

Building Inspector Doug Hopkins explained the ordinance states a garage over 600 square feet must comply with like materials of the main building. If it becomes a primary garage, then the driveway must be hard surfaced. This does not mean crushed stone and is outlined in the ordinance. In some cases, the building code states a garage must have a non porous floor to prevent absorption of fuels. Some communities do not allow this type of garage at all. Most will allow the steel in certain cases, but will not allow the soft sided.

Bob Robinson of 130 N. Center stated he has a soft sided garage since 2001. He has never had any problem with it blowing away. He would like to upgrade and install a 3 sided steel shed and possibly a front on it. Kits are available to install a regular garage and entry door.

Chair LaPonsie stated the issue can be placed on the October, 2008 agenda. Any sample ordinances would be very helpful.

- E. Civil Infractions Ordinance. City Manager Pasquale stated an ordinance will be provided at the next meeting.

Item #5. **BUILDING INSPECTOR'S REPORT**. Chair LaPonsie questioned a building permit not being issued for First Baptist Church yet. City Manager Pasquale stated the parking improvements have been completed with the parking islands for landscaping and lighting. At this point, the church is reviewing some options in terms of the actual building. It is hoped over these next months there will be a decision. There has been no building permit issued because there has not been the initiation of an actual building. There has been work done on the ground to raise the building area. Commissioner Folsom stated the church is ready. The footings and foundations have been sealed up and everything is in place. Water and sewer lines have been extended to the site.

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

Item #7. **COMMISSIONERS COMMENTS**. Commissioner Folsom referred to the requirement of paving. Chair LaPonsie stated this is done as part of site plan reviews and special use permits. The Commission can place its own conditions. City Manager Pasquale explained anytime off street parking is being installed and considering an addition or new building, paved parking is required under code whether it is asphalt or concrete.

Commissioner Dimmick has received several comments regarding the status of Walgreens. City

Manager Pasquale stated he received a phone call from the County Road Commission who was trying to provide final approvals for curb cuts. There is one curb cut which would be approved through the City on Bowes Road.

Chair LaPonsie stated she wanted to continue with the Master Plan implementation. She wished to start creating the new zoning district which is in the Master Plan. She requested feedback. LaPonsie believed the Commission needed to do mixed residential and multi family residential.

LaPonsie wanted the Commissioners to consider if there was anything from a planning perspective within the City which could be addressed.

IT WAS MOVED BY DIMMICK to adjourn at 7:52 p.m.

DATE:

APPROVED:

Maryalene LaPonsie, Chairman

Betty R. Morlock, City Clerk