

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

For the Regular Meeting of the Planning-Citizen Advisory Commission August 23, 2004 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, Grimm, Hall, LaPonsie, Schmaltz, Teelander and Chairman Jahnke.

Absent: Commissioner Hinton.

Also Present: City Manager David Pasquale, City Clerk Betty Morlock, Director of Public Works Dan DesJarden, Building Inspector Doug Hopkins and Mayor Jeanne Shores.

IT WAS MOVED BY HALL and seconded by GRIMM to excuse the absence of Commissioner Hinton.

YEA: 7. NAY: 0. ABSENT: 1. MOTION CARRIED.

IT WAS MOVED BY TEELANDER and seconded by HALL to approve the minutes from the July 26, 2004 regular meeting as written.

YEA: 7. NAY: 0. ABSENT: 1. MOTION CARRIED.

Item #1. **APPROVAL OF AGENDA.** Chairman Jahnke proposed items 6B, 6C and 6D be tabled until the September meeting.

IT WAS MOVED BY HALL and seconded by LAPONSIE to approve the agenda as modified.

YEA: 7. NAY: 0. ABSENT: 1. MOTION CARRIED.

Item #2. **PUBLIC HEARING.**

- A. Special Land Use Permit – Vehicle Repair Facility – 423 West Main – set public hearing (9/27).
At the June 28 meeting, Hugh Cosgrove, owner of a building located at the northeast corner of West Main and Lincoln Lake, proposed to have this facility used as a body shop. Such uses are not allowed within the General Business District.

After discussion, the Commission said an application for a vehicle repair facility could be considered under special use (Sec. 12.03L). The key concern was painting for body shops. A vehicle repair facility means any building, premises, or land where the primary use is the repair of vehicles, but not including body shops and provided all work is performed within an enclosed building as well as vehicles being stored within a screened area.

Chairman Jahnke believed a vehicle repair facility was under the concept of bringing a car in and installing parts in it from stock. Typically, a body shop would have an outside storage area of body components. Cosgrove explained most body shops do not have many vehicles sitting around in different states of repair nor do most provide wrecker services.

Jahnke suggested reviewing the requirements for the wording of a vehicle repair facility. Perhaps the Commission can provide a definition of a vehicle repair facility which is not classified as a body shop.

Pasquale noted one key issue discussed involves painting. Cosgrove responded all paint booths must meet federal specifications.

Jahnke suggested the idea of altering the ordinance to cover vehicle repair facilities, which would allow a certain amount of body work with some limitations. Jahnke questioned where a body shop, by definition, would fit into the ordinance. Would this be allowed in the C3, Light Industrial or Industrial districts?

Jahnke thought a special use permit had been brought before the Commission previously concerning the same building. City Manager Pasquale stated he would verify.

Pasquale explained the zoning ordinance needs to be amended in order to allow a body shop within the General Business district.

Jahnke stated currently there is no zoning district within the City limits, which allows for a body shop. This is the only reason he could see why the Commission would process a special use permit for auto repair facility and include some latitude for some part of what is defined as a body shop.

Commissioner Berry suggested changing the ordinance. Commissioner Schmaltz agreed.

Commissioner LaPonsie believed there should be an allowance in the ordinance which would provide this type of business. She did not believe this should be excluded. However, she was hesitant to allow such a business at this time, when the ordinance does not state such a business is allowed.

Commissioner Grimm was unsure, due to the location of the building.

Commissioner Hall was not in favor of a body shop at this location.

Chairman Jahnke believed the Commission needed to review the zoning and find a definition of a body shop. What zoning would such a business be allowed by right and what areas would it be allowed by special use?

Commissioner Berry offered to review a definition and present it at the next meeting.

By general consensus, the Commission expressed interest regarding a zoning ordinance amendment, which specifically reviews body shops as either a permitted use or a special use. Commissioner Berry will provide a proposal for review. The fee for the special use public hearing will be refunded to Hugh Cosgrove.

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. 112 Lincoln Lake (The Masonic Lodge) – consideration as a proposed site for Flat River Outreach Ministries. Chairman Jahnke noted Commissioner Barbara Schmaltz would abstain from discussion.

Roger LaWarre, Chairman of Flat River Outreach Ministries Incorporated Board, indicated the facility wishes to move into and expand the Masonic Lodge building located on the east side of Lincoln Lake just north of West Main Street.

Chairman Jahnke questioned the size of the addition. LaWarre responded the addition would be on the north side of the existing building, closest to the corner of Lincoln Lake and Chatham.

It was noted, discussion has also been held concerning the relocation of the St. Mary's pregnancy center.

City Manager Pasquale believed off street parking would be an issue. The zoning for the residential lot is currently R3 (Multiple Family Residential) and would have to be amended to Public Facilities or Commercial. Boardmember Craig Haybarker stated very little parking is necessary for such a facility. Vehicles are parked for a short period of time. Pasquale stated the Zoning Ordinance requirements are based upon particular uses which require a set amount of parking spaces. Once the plans are completed, parking should be reviewed. LaWarre asked if the amount of storage being used throughout the building affected the amount of necessary parking.

Pasquale stated a rezoning and a site plan review would be required. He questioned if additional parking would be available from the adjoining Johnson property.

LaWarre confirmed submission of site plan drawings would be the next step. Pasquale responded yes, as well as rezoning the north parcel.

Pasquale noted there would still be street parking on Lincoln Lake and Chatham.

Commissioner Hall questioned plans for the existing facility. LaWarre stated the ministry may use part of the building.

No further information was discussed.

Item #5. **BUILDING INSPECTORS REPORT.** No comments were received.

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

Item #7. **COMMISSIONER COMMENTS.** Commissioner Grimm questioned a letter she received regarding work on the sewer lines. Public Works Director Dan DesJarden explained work is being done to clean sewers, video taping, locating areas in need of repair. The project is in its third year.

Commissioner Berry asked if the Foreman Street project is completed. DesJarden stated most of the work is complete. There are a few small items which need to be finished. DesJarden stated the railroad work will be completed no later than November, 2005.

IT WAS MOVED BY GRIMM to adjourn at 7:58 p.m.

DATE:

APPROVED:

Clark K. Jahnke, Chairman

Betty R. Morlock, City Clerk