

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

For the Regular Meeting of the Planning-Citizen Advisory Commission September 27, 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, Hall, Hinton, LaPonsie, Teelander and Chairman Jahnke.

Absent: Commissioners Grimm and Schmaltz.

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 HINTON to excuse the absences of Commissioners Grimm and Schmaltz.

YEA: 6. NAY: 0. ABSENT: 2. MOTION CARRIED.

IT WAS MOVED BY HALL and seconded by TEELANDER to approve the minutes from the August 23, 2004 regular meeting as written.

YEA: 6. NAY: 0. ABSENT: 2. MOTION CARRIED.

Item #1. **APPROVAL OF AGENDA.** Chairman Jahnke proposed item 6D (Definition of Mining) be tabled until the October meeting.

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

YEA: 6. NAY: 0. ABSENT: 2. MOTION CARRIED.

Item #2. **PUBLIC HEARING.** None.

Item #3. **NEW BUSINESS.**

A. SITE PLAN REVIEW

1. 521 W. Main Street (northeast corner of Amity and W. Main) – Piersma Barber Shop – construction of a 3,000 square foot building. Plans have been presented to construct a 30' x 100' building providing a barber shop at the old Keiser's site, former Newell parking lot. The following zoning analysis was provided:

ZONING ANALYSIS

	<u>Required</u>	<u>Has</u>
Zoning	C-3	C-3
Yards - front (from W. Main)	35'	12'*
- side (of a corner lot-Amity)	35'	34'**
- side (E)	0'	2'
Lot coverage	60% max.	
Minimum lot area	20,000 s.f.	17,968.5 s.f.***
Minimum lot width	100'	66' ***
Parking	8 spaces	26 spaces

NOTE: Parking Calculations – two spaces per chair – 4 chairs proposed.

*Under Section 4.04(C), where an average setback line which is less than that required by this ordinance has been established by existing buildings located within 300 feet of the proposed building, such average setback shall apply. Based on aerial photography, it appears the average setback is 10 feet.

**Building needs to be moved 1 foot east to comply with setback requirements.

***Under Section 4.01, this lot qualifies as being lawfully recorded prior to the effective date of the present zoning ordinance.

- Sidewalks required on all three sides.

Dave Piersma, as owner of the property, did not believe a 3000 square foot building would be built initially but rather a 1300 to 1500 square foot structure.

City Manager Pasquale questioned how the parking lot would be built. Piersma wished to retain the existing curb cuts.

Hall inquired regarding the existing gas meter on the adjoining building east which is approximately two feet away as proposed. Hopkins stated meters are typically outlined by the gas company.

Piersma did not have a problem moving the building one foot to the east. In order to meet zoning requirements, a one foot setback is needed. However, he asked if the City could grant a one foot variance. Pasquale stated the Planning Commission can not grant variances.

Hall questioned the appearance of the building. Piersma was unsure. However, the building would be attractive and would create value.

Hall requested a site plan be submitted which indicates the size of the proposed building

and where the actual curb cuts are located as well as a front elevation and notations of the roof lines.

Piersma inquired if the Commission would have any reservations of two separate buildings being built. Hall suggested it be shown on paper.

Hall questioned the site lighting. Jahnke stated lighting fixtures are shown on the building. However, there is no lighting shown on the southern portion of the building.

Jahnke suggested the setback on the drawing be corrected. Also, if a smaller building is proposed, this should be presented.

IT WAS MOVED BY TEELANDER and seconded by HINTON to approve the preliminary plan for 521 East Main for the construction of a 3000 square foot building.

YEA: 6. NAY: 0. ABSENT: 2. MOTION CARRIED.

2. 112 Lincoln Lake (The Masonic Lodge) – Flat River Outreach Ministries proposal.
Deferred until the October meeting.

B. VARIANCES – RECOMMENDATIONS TO THE ZONING BOARD OF APPEALS – none.

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

- A. Ground signs in residential districts. Commissioner Hinton and Building Inspector/Zoning Administrator Hopkins provided proposed ordinance language for residential ground signs. Hinton suggested changing ground signs from one per premises to one per lot. This would provide clarity to one house/one sign.

City Manager Pasquale indicated the ground signs shall be no more than four square feet. Hall believed it made sense to keep both the ground signs and house numbers to no more than 1 ½ foot x 2 foot.

Commissioner LaPonsie believed a four square foot sign would provide adequate space while not being too obtrusive. Hinton agreed, especially with it being placed back in the yard.

Commissioner Berry agreed with Hall. He questioned the purpose of a residential sign. Hall did not believe the height or size would impair freedom of speech.

Pasquale suggested a three square foot sign with a maximum height of 18 inches.

Pasquale noted this would be presented in ordinance form for review at that next meeting.

IT WAS MOVED BY HALL and seconded by LAPONSIE to set a public hearing for October 25, 2004 regarding a proposed ordinance on residential ground signs.

YEA: 6. NAY: 0. ABSENT: 2. MOTION CARRIED.

- B. West Side Businesses – request to have balloons – further review. Since there has been no contact from west side businesses, Commissioner Hinton believed these businesses should be fined and such issues handled as previously done. She believes they are taking advantage of the City. There have been no efforts to try and get it resolved.

City Manager Pasquale recommended notifying the businesses owners that the current regulations will be enforced, unless an effort is made. Chairman Jahnke suggested one more month be provided. By consensus, the Commission agreed.

- C. Body Shops – definition and zoning district designation. Commissioner Berry and Building Inspector/Zoning Administrator Hopkins provided a suggestion for a body shop definition. Berry suggested eliminating the exclusion of body shops.

LaPonsie asked if the definition was currently in the ordinance. Berry stated there is not a definition for a body shop. The definition for vehicle repair included a body shop. Also, this use would be allowed by right in the Industrial District and by special use permit in the General Business District.

IT WAS MOVED BY BERRY and seconded by HALL to enter the definition into an ordinance format for body shops and zoning designation and set a public hearing for October 25, 2004.

YEA: 6. NAY: 0. ABSENT: 2. MOTION CARRIED.

- Item #5. **BUILDING INSPECTORS REPORT.** Commissioner Hinton questioned the violation of Michaels Farm Market. Building Inspector Doug Hopkins was unsure. However, it typically involves the display being too far away from the building.

Commissioner Hall commented on 410 North Washington. It involves a travel trailer which has been parked in the front yard. He believes individuals are living in the trailer. He questioned how this can be resolved. Hopkins noted two warnings are issued before it is turned over to the police department.

- Item #6. **PUBLIC COMMENTS.** Mayor Jeanne Shores questioned the signs in yards stating “support the Lowell School staff”. She asked how long a sign could remain in the yard. Shores inquired if the school signs would be grandfathered in due to being placed before the ordinance was in place. She also questioned the political signs. Jahnke stated the school signs are in violation at this time. Signs should be removed after the election. A suggestion was made to include the statement “signs being placed in yards should be maintained” within the ordinance.

Shores believed there was a problem with the West Side Businesses. A meeting should be held between the east and the west side of Lowell.

Jahnke verified the Commission wanted to revisit the sign ordinance as far as adding a paragraph concerning materials and maintenance. The signs should be made of durable material. Hopkins suggested wording "maintained as originally installed".

Item #7. **COMMISSIONER COMMENTS.** Commissioner Hall commented on the building located on the corner of Jefferson and E. Main. Something needs to be done. City Manager Pasquale noted Huntington Bank currently owns the building.

IT WAS MOVED BY HALL to adjourn at 8:07 p.m.

DATE:

APPROVED:

Clark K. Jahnke, Chairman

Betty R. Morlock, City Clerk