

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held September 21, 2015

Mayor Seibold called the meeting to order at 6:00 p.m. in the City Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Duncan, Graham, Johnson, Miller, Skaggs and Mayor Seibold

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Assistant City Manager LaFave; Zoning Administrator Faasse; Public Safety Director Herald; Captain Williams; Captain Buikema; City Clerk Brower; Equipment Operators Huggett, Stults, Browneye, Ross and Barr; Account Clerk York; Public Safety Officers Lobezoo, Karnes, Naumcheff, Grams, Katje, Kreiner and Nagtzaam; Sergeants Perez and Smith

2015-95. No public comment was received.

2015-96. Commissioners Dills and Miller congratulated all of the athletes who participated in the Reeds Lake Triathlon on September 12 and thanked all of the staff and volunteers who worked so hard to make the event successful.

Commissioner Skaggs reported the sidewalk grinding program continues to work its way around the city removing trip hazards and making the sidewalks safer for pedestrians.

Commissioner Graham congratulated the employees receiving awards tonight and thanked them for their actions in saving the life of a fellow employee.

Mayor Seibold reported the Reeds Lake Triathlon went very well and she heard many good things from participants and residents about this fun community event.

2015-97. Public Safety Director Herald presented life-saving awards to several employees for their actions on July 14, 2015 following an accident during a water main repair. Two "Medal of Honor" awards were given to Public Safety Officers Scott Grams and David Katje. The "Chief's Citation" awards were given to Public Works employees Jeff Stults, Jason Huggett and Cody Browneye.

2015-98. A zoning variance hearing was held regarding the request of Alan and Marney Salmon of 2861 Bonnell to allow the construction of a brick wall which is more than 50% opaque and pillars at the driveway entrances which are taller than the 36" height allowed for fences in front yard.

Zoning Administrator reported the owners wished to construct a new wall and pillars along the front of the property to replace an older wall that was removed to facilitate the major renovations on the home.

Brian Miedema of Insignia Homes stated the new wall would replicate the former wall's position and height exactly except to add another set of pillars for the second driveway. The wall will be 28" tall and the pillars will be 8' tall with limestone caps and light fixtures on top.

Commission Johnson questioned whether the pillars had to be 8' tall or if shorter structures could be constructed. Mr. Miedema stated the pillars could be shorter.

Mayor Seibold opened a public hearing. The following people were present to express their opinions:

- Wayne Visbeen, 662 Croswell

Supported the effort to rebuild the wall.

The following communications were received at City Hall concerning this variance request:

- David Hooker, 2747 Bonnell In Favor.

No other public comment was received. Mayor Seibold closed the public hearing.

2015- -A. Graham-Duncan. That the request of Alan and Marney Salmon of 2861 Bonnell to allow the construction of a brick wall which is more than 50% opaque and pillars at the driveway entrances which are taller than the 36” height allowed for fences in front yard be approved.

2015- -B. Miller-Skaggs. Motion to amend 2015-98-A. to state the wall will not exceed 28” in height except to slope up to the pillars as shown in the application materials.

Vote on amendment:

Yeas: Dills, Duncan, Graham, Johnson, Miller, Skaggs and Seibold – 7

Nays: -0-

Commissioner Johnson expressed concern about the height of the pillars. She noted other driveway pillars in the area are no more than 3-4’ in height and these proposed pillars will be twice as tall. Mayor Seibold questioned whether the original gates will be reinstalled between the pillars and noted the size of the gates may determine the need for taller pillars.

Commissioner Dills noted the fence ordinance did not likely envision a shorter wall such as this that did not obstruct a driver’s vision along the sidewalk.

Mayor Seibold stated she would support the request because it was nearly an exact replacement of what was in place before.

Commissioner Skaggs stated he was hesitant to approve walls in most neighborhoods, but since this was recreating what was there before, he would support this request.

Commissioner Graham expressed his support of the request as it was in keeping with the style of the home and the neighborhood.

Vote on 2015-98-A, as amended.

Yeas: Dills, Duncan, Graham, Miller, Skaggs and Seibold – 6

Nays: Johnson – 1

2015-99. Introduction of an ordinance amendment to amend Sections 5.28, 5.70 and 5.114 of Chapter 50 of Title V of the City Code pertaining to lot coverage, accessory buildings and setback requirements.

Assistant City Manager Doug LaFave reported that a subcommittee had recently reviewed the lot coverage portions of the zoning ordinance for possible changes to the percentage of coverage allowed by buildings and pavement. After several months of discussion, research and public input, the recommendation is to set the building coverage at 35% for all residential lots, and lot coverage by buildings and pavement be set at 60% for lots less than 5,000 square feet, 55% for lots 5,000-7,199 square feet, 45% for lots 7,200-11,999 square feet, and 40% for lots over 12,000 square feet. Mr. LaFave showed several graphs showing research on several neighborhoods comparing lot coverage percentages that were used to make the recommendations.

Commissioner Dills clarified the current maximum for building coverage was 40% in conforming lots and this was being changed to 35%.

Mayor Seibold reiterated that the building setbacks or height restrictions would remain unchanged.

Mayor Seibold opened the meeting for public comment. The following people were present to express their opinions:

- Jan Smith, 915 Orchard Reviewed 2014 and 2015 lot coverage variance requests. Felt the two numbers work in tandem, so increasing the total means more area for building size. Concerned about greenspace and stormwater management. Reviewed percentages in her neighborhood, and asked the building coverage percentage be lowered even further because too many homes were close to hitting the maximum percentage.
- Bruce Smith, 915 Orchard Stated their study showed Orchard has an average of 21% home coverage and Lakeside has a 23% average. Showed a sketch of current, proposed, and his alternate proposal to limit lot coverage by buildings to 30% and overall of 55%. He felt this would make people come before the city and allow a conversation about what is being built.
- John Barbour, Planning Commission Chair Outlined the committee's process and the collaboration of Planning Commission, City Commission, staff and planning consultants. He felt the group considered a broad cross section of the city and made a reasonable recommendation.

Mayor Seibold closed the public comment portion.

2015- -A. Miller-Johnson. That an ordinance amendment to amend Sections 5.28, 5.70 and 5.114 of Chapter 50 of Title V of the City Code pertaining to lot coverage, accessory buildings and setback requirements be adopted as set forth in Exhibit "A" attached hereto with a change to 5.28-1a to limit maximum impervious surface to 50% for lots less than 5,000 square feet and for lots 5,000-7,199 square feet, with the corresponding change to the maximum not-to-exceed impervious surface square feet.

Commissioner Miller stated his desire to help the smaller lots in zones R-2 and R-3 be able to improve their properties. He noted that a few properties may not conform with the new ordinance, but felt this amendment would allow a majority of homeowners to expand their homes and patios within the new limits while fitting in with surrounding homes and preserving much of the greenspace that people value.

Commissioner Skaggs felt that moving to a square footage calculation would be fairer to owners of smaller properties and would keep homes in the character of their surrounding neighborhoods. He stated this was a good compromise between the low and high percentages discussed, and that the City Commission could entertain variances requests for exceptional situations. He also felt this amendment would help prevent the loss of greenspace over time.

Commissioner Dills noted that many of the existing nonconforming lots were nonconforming for reasons like frontage and that overall property owners have been very good stewards of their homes and greenspace. He expressed concern that a 50% limitation would make many homes in the R3 nonconforming and suggested setting the limit at 55% to alleviate the need for variance requests.

Commissioner Johnson expressed support for the 50% limitation as a way to address stormwater and greenspace issues, but acknowledged some properties will become non-conforming under the new ordinance.

Commissioner Duncan also expressed support for the compromise as a way to allow the majority of homeowners to improve their homes.

Mayor Seibold thanked Mr. Barbour for leading the subcommittee's research into this complex issue. She stated there was not a magic number to eliminate all variance requests, but felt 50% was a good compromise.

Yeas: Dills, Duncan, Graham, Johnson, Miller, Skaggs and Seibold – 7
Nays: -0-

2015-100. Consider request to approve the division of land at 2119 Lake Drive.

City Attorney Huff explained the request to divide the church property into two separate residential lots, each requiring variances for frontage and/or size as neither met the current zoning standards.

Joel Peterson of J. Peterson Homes, stated he was purchasing the property and wanted to demolish the church and build two single-family homes. He felt this would be in keeping with the surrounding area. Mr. Peterson stated that specific house plans had not yet been developed, but they had developed some generalities for the upcoming variance requests that would closely match other homes nearby. He also stated he would be interested in postponing the setback variances later on the agenda if the City Commission felt any of the requests should be revised.

City Manager Donovan noted that Parcel A (fronting Lake Drive) was zoned single-family and Parcel B (fronting on Croswell) was zoned multi-family.

Zoning Administrator Faasse noted the standards for approving lot splits were met if the variance requests were granted.

Mayor Seibold opened a public hearing. The following people were present to express their opinions:

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| - Wayne Visbeen, 662 Croswell | Involved in the redevelopment project. Stated he was designing a concept home with less mass and less building envelope than the current church building. |
| - Suzanne Eberle, 2107 Lake Drive | Concerned about density of other projects, but supported two single-family homes and Peterson Homes as she felt they would respect the style and density of the surrounding area. |
| - Todd Schaal, Keystone Church | Stated the church members were happy with the plans. |
| - Matt Gerard, 252 Hodenpyl | In Favor. |

No other public comment was received. Mayor Seibold closed the public hearing.

2015- -A. Johnson-Dills. That the request to approve the division of 2119 Lake Drive into two separate parcels and related variances with 1) Parcel A having a front yard on Lake Drive with 52' of frontage instead of the required 72' and a lot area of 5,200 square feet instead of the required 7,200 square feet as required in Sections 5.28A Table 5.28-1, 5.58 and 5.403 and 5.406A1, and 2) with Parcel B having a front yard on Croswell with 48' of frontage instead of the required 50' as required in Sections 5.28A Table 5.28-1, 5.58 and 5.403 and 5.406A1, be approved with the following conditions:

1. The split complies with the surveys and legal descriptions presented in the land division application; and
2. The relevant deed(s) or land contract(s) be recorded with the Kent County Registrar of Deeds within 90 days of approval;

Commissioner Johnson felt these two homes would create a good transition between the single-family and multi-family uses in the area.

Commissioner Dills stated that while this would create non-conforming lots, they would be largely consistent with others on the surrounding streets.

Commissioner Skaggs noted that while he was not usually in favor of dividing a conforming lot to create non-conforming lots, there were few other options for this property and the resulting lots would be consistent with the size and shape of surrounding lots.

Mayor Seibold reported the comprehensive master plan had several years ago envisioned this type of growth on the streets surrounding Gaslight Village. She expressed her support for the land division request and single-family homes planned.

Commissioner Miller stated he originally opposed this request because it would create non-conforming lots, but now agreed this use would be better for the neighborhood than forcing multi-family or other uses.

Yeas: Dills, Duncan, Graham, Johnson, Miller, Skaggs and Seibold – 7
Nays: -0-

2015-101. The zoning variance hearing hearings for the new parcels created from 2119 Lake Drive were withdrawn by Mr. Peterson pending further work on the home designs and setback requests.

2015-102. Skaggs-Johnson. To approve the consent agenda as follows:

2015- -A. To approve the minutes of the regular meeting held September 8, 2015.

2015- -B. Report of Finance Committee on disbursement of funds: payroll disbursements of \$202,180.47; county and school disbursements of \$124,957.68, and total remaining disbursements of \$798,637.69.

2015- -C. The purchase of a hydraulic valve turner for the Public Works Department from Lewis Municipal Sales in the amount of \$57,040.

2015- -D. The purchase of a brake lathe for the Public Works Department from NAPA in the amount of \$6,799.00.

2015- -E. A contract with H.A. Irish in the amount of \$6,900 for tree removal services.

2015- -F. Authorization to solicit bids for the rehabilitation of the Briarwood Lift Station.

2015- -G. Authorization to solicit bids for televising, limited cleaning and Pipeline Assessment and Certification Program for sanitary and storm system infrastructure.

2015- -H. The purchase of Microsoft exchange licenses and consulting services from Trivalent Group at a cost not-to-exceed \$6,600, and a related budget amendment if the cost exceeds \$6,175.00.

2015- -I. Authorization for the City Manager to award a contract for water main replacement following a bid process on Audobon and San Jose, and a contract addendum with Superior Asphalt of Grand Rapids for repaving following the water main replacement.

Assistant City Manager LaFave reviewed the request and answered questions from the City Commission. The final contracts will be brought back to the City Commission for ratification at a future meeting.

2015- -J. A “Public Inspection of Records Policy” as set forth in Exhibit “B” attached hereto.

2015- -K. The preliminary minutes of the Parks & Recreation Commission meeting held July 13, 2015.

2015- -L. The preliminary minutes of the Joint Facilities Committee meeting held August 12, 2015.

Yeas: Dills, Duncan, Graham, Johnson, Miller, Skaggs and Seibold – 7
Nays: -0-

The meeting adjourned at 7:55 p.m., subject to the call of the Mayor until October 5, 2015.

Karen K. Brower, City Clerk

Attachments: A – Ordinance Amendment to Sections 5.28, 5.70 and 5.114 regarding lot coverage
B – Public Inspection of Records policy

Attachments listed above are available for inspection at the office of the City Clerk.