

MINUTES
City of Alpena Planning Commission
Regular Meeting
May 16, 2017
Alpena, Michigan

CALL TO ORDER:

The regular meeting of the Planning Commission was called to order at 7:00 p.m. by Paul Sabourin, Planning Commission Chairman.

ROLL CALL: PLANNING COMMISSION

PRESENT: Mitchell, Gilmore, Sabourin, Lewis, Wojda

ABSENT: VanWagoner, Boboltz, Austin (Austin arrived later as noted)

STAFF: Adam Poll (Director of Planning & Development), Don Gilmet (Building Official) and Cassie Stone (Office Clerk).

PLEDGE OF ALLEGIANCE:

Pledge of Allegiance was recited.

APPROVAL OF AGENDA:

Poll noted that he was not allowed enough time to review the sample sign ordinance to present at this meeting. Planning Commission agreed to strike it. Agenda approved as modified.

APPROVAL OF MINUTES:

March 14, 2017 minutes were approved as printed.

PUBLIC HEARING AND COMMISSION ACTION:

P.C. Case #17-SU-02

Amelia Kamyszek, has requested a special use permit be granted to allow a day care to be operated with 7-12 children located at 458 S Addison Street in a Multiple Family Residential (RM-2) Zoning District.

Sabourin stated that the process for this public hearing is that first of all a report from staff is needed, followed by anyone who wishes to speak in favor of the application and followed by anyone who would like to oppose the application. This allows a time for rebuttal followed by closing the public hearing at which time the commissioners will deliberate its case.

Poll explains Amelia Kamyszek would like to operate a daycare at her home at 458 S Addison Street. She has filed an application with the Michigan Department of Human Services for a Group Child Care Home License (capacity 7-12 children). A requirement of the application is zoning approval from the local jurisdiction. The home is in the RM-2 Multiple Family Residential District and expanding the childcare operation to 7-12 children would require a special permit.

The property in question is zoned RM-2 Multiple Family Residence District and is principally a single family home which is permitted in this district. Surrounding uses include multiple family residential to the west and north, and single family residential to the south and east.

The applicant has indicated that the rear yard is enclosed by a fence. A fenced in play area is a supplemental requirement of the Zoning Ordinance. The rear yard is larger than it is required to be by the Zoning Ordinance, and measures approximately 6,300 square feet, and only 1,800 square feet would be required for 12 children (150 SF per child). The rear yard is shared with the home to the south (2367 Grant Street) which is owned by the applicant's mother.

Drop off/pick up would not appear to be an issue. The applicant would appear to have driveway space to park two to three vehicles beyond her own. If on street parking were needed, Addison Street is a local street that does not appear to have much vehicular traffic.

The existing home is used as a single family residence and meets zoning requirements. Allowing a daycare to operate with 7-12 children would not appear to have a negative impact on the area. Staff has some concerns about the sharing of the play area with a neighboring home. As the home is owned by the applicant's mother it would not appear to be an issue now but could be if that property was sold.

If the Planning Commission chooses to deny the special permit request. The applicant could still operate a daycare with 1-6 children at the location by right.

A number of provisions are associated with special land use permits such as a day care is allowed to operate with 7-12 children via special use. It would appear it is bordered by multifamily residents and single family residents and this would appear to be compatible with the existing uses. There does appear to be adequate public services to the area. An impact on traffic does not appear to be an issue. If for some reason parking is needed on the road it is not a high traffic road. It does not seem to appear to have any additional hazards. The backyard is fenced in at an adequate size. Poll states that therefore, staff recommends approval of the Special Land Use Permit to allow for a child care facility with 7-12 children in an RM-2 Multiple Family Residence District with the following conditions standard conditions:

1. A copy of the State License shall be provided to City staff after it is issued by the state to have on file.
2. The applicant will be required to maintain a fenced play area, and children must stay within that area except when dropped off or picked up or while attending adult supervised activity.
3. If the property at 2637 Grant Street is no longer owned by the applicants mother or if the property owner no longer wants their yard incorporated that the play area is reduced to only include the rear yard of 458 S Addison and is completely fenced.
4. The primary use of the structure must be a residential dwelling with any Family Child Care Home use as an accessory to the principal use as a residential dwelling.
5. The Special Land Use Permit shall be implemented within twelve (12) months of its approval by the Planning Commission or become null and void.

No questions were asked from staff to the applicant. The applicant, Amelia Kamyszec, stated that she didn't have anything else to mention other than this is something that she has been working toward and wants this to be her lifelong career. She also added that she plans to add a fence between her yard and her mother's yard to allow her mother some privacy from the children in the future.

Motion made by Mitchell to approve the application for the special use permit for a daycare center and seconded by Wojda, provided it is with the conditions recommended.

Yays: Wojda, Lewis, Sabourin, Gilmore, Mitchell

Nays: None

Absent: VanWagoner, Boboltz, Austin

Motion approved by a vote of 5-0.

P.C. Case #17-Z-01.

Northland Area Credit Union, has requested to rezone the 2.53 acre property located at 1161 N Bagley Street from B-3 Commercial District to a PUD Planned Unit Development District for the purpose of constructing a new building.

Northland Credit Union wants to construct their new cooperate headquarters in the City of Alpena at 1161 N Bagley Street. They have evaluated many locations within the City and chose the location on Bagley as the best fit. The proposed building would be 4 stories tall and a total of 58,400 square feet (SF) in size, 51,750 SF above grade. The existing property is vacant with an existing access from Bagley Street. There are not any known environmental conditions. Northland Credit Union has 15 locations throughout northeast Michigan with the current main office being located in Oscoda.

The property in question is zoned B-3 Commercial District which is designed to provide sites for more diversified business types requiring a city wide general market area and/or arterial exposure. Surrounding uses include Goodwill Industries and Besser Credit Union to the north, a shopping center to the south, RA Townsend (a plumbing/HVAC supplier and distributor) to the west and Evergreen Cemetery to the east. The B-3 district has a height restrict of 35 feet for any portion of the building used for living or commercial space. The use in question would be allowed in this zoning district by right.

The applicants have requested to construct a building with the top of the commercial space measuring 54 feet tall. As the proposed structure is taller than allowed, the applicants are requesting to rezone the property to a Planned Unit Development (PUD) District. The purpose of a Planned Unit Development is designed to encourage quality land development and site design outside of the typical zoning standards.

The applicant has requested that the preliminary and final site plan review be consolidated to one hearing. Staff has reviewed the criteria for consolidation which include limited size of the PUD, limited number of design elements, compatibility with adjacent development and no significant impact on adjoining public streets, and found it would qualify for consolidation.

Another option would be to rezone the site to Office Service District (OS-1) which is designed for offices, banks, and personal services which can serve as transitional areas between residential and commercial districts and to provide transition between major thoroughfares and residential districts. The OS-1 district has no height limit, but does require review by the Planning Commission for buildings over 35 feet tall to make a finding that the proposed height will not be detrimental to the light, air, or privacy of any other structure or use currently existing or approved for construction. As the OS-1 section of the Zoning Ordinance notes, height requirements are generally in place to protect adjacent uses from the potential physical effects an adjacent tall building may have. For instance there are many commercial zoning

districts that directly adjoin residential districts, and allowing a taller building would have a significant impact on an adjacent residence, as it may cast a significant shadow on that residence blocking the sunlight or may restrict the privacy by allowing a direct view from the building to their yard. In this instance, the building is set back away from adjoining properties, and surrounding uses are all commercial in nature.

In addition to protecting adjacent uses from the physical effects of a tall building, height requirements are in place for aesthetic purposes. Height restrictions attempt to create uniform development patterns. In the downtown, there are not only height limits (of 5 stories) but also minimums (of two stories). In the proposed development, the applicants are requesting to construct a 4 story building. The existing B-3 Zoning District allows for 35 foot tall buildings which potentially could be a 3 story building.

There is potential that the building could be constructed in this location meeting the existing 35' height requirements, but the expanded footprint of the building would impact the amount of parking available on the site. In order to fit on the site in question the building size would also have to be reduced.

Several boards and commissions have reviewed height requirements in the past. Most recently in 2013 the Zoning Board of Appeals granted a variance to the height limitations in a B-2 Zoning District for the construction of a Fairfield Inn and Suites on 23 north near the hospital. In 2003, the Planning Commission approved a PUD that included two 8 story condo buildings at the location of the Holiday Inn Express.

The submitted site plan shows access from one drive connecting to Bagley Street. There is already an existing access serving the vacant lot in that location. This section of Bagley Street is considered by MDOT to be a minor arterial and should have no issue handling any additional traffic generated by the proposed use.

Typically in this situation, a service drive that would connect the proposed use with the adjoining commercial uses (Goodwill to the north and the shopping center to the south) would be recommended and is considered a best practice from MDOT. The applicant has noted that the existing grade changes and the layout proposed design would make this difficult and a service drive is not shown. There is not an existing service drive connection between Besser Credit Union and Goodwill although it was requested by the City at the time of Besser Credit Unions construction. As there is an existing dedicated right turn lane on Bagley that runs from Washington/32 to Besser Credit Union, accessing businesses to the north from the proposed use would not appear to present difficulty. A service drive connecting the proposed development and Goodwill would also appear to impact on the angled parking on the north side of the proposed development.

A service drive connection from the proposed development to the adjoining shopping center to the south would appear to be beneficial as accessing the shopping center from the proposed use would require a left turn across Bagley. Employees and customers from the proposed development could easily access the restaurants and uses adjoining them without utilizing Bagley Street if a service drive was present. In addition, it would not appear to impact any needed parking for the proposed development and would only impact what is shown as future parking. Also, the impacted parking for the existing shopping center would not appear to be heavily utilized at this location. Although there is no way to require the owners of the shopping center to participate in their portion of the service drive, it would appear to be beneficial to show that possibility.

The Future Land Use Map in the Comprehensive Plan calls out this area as General Business. The proposed use as a credit union headquarters would appear to be consistent with this Plan.

Site Plan Review:

1. Setbacks- The proposed building would maintain setbacks similar to surrounding uses. The B-3 Zoning District requires a 40' front yard setback, and 10' side and rear yard setbacks.
2. Parking- The submitted site plan shows 100 parking stalls (5 barrier free) with space set aside for 28 future parking stalls on the south side of the lot in the future. 148 parking stalls would usually be required for 51,750 SF of business offices (1 per 350 SF of office). About 7,000 SF is reserved for storage, and future offices, which would reduce the required parking by 20 to 128. As this is a PUD, the parking requirements are site plan specific as determined by the Planning Commission and City Council. Stacking requirements for the drive thru windows have been met. The applicant has indicated that the parking provided should be adequate even without the future spaces.
3. Curb Cut- The development would utilize one curb cut on to Bagley Street. There is an existing curb cut for the site. The current site plan does not show a service connection to any adjacent uses.
4. Storm water Runoff and Other Site Utilities- Engineering requires that all storm water must be controlled and any offsite impact must be minimized. There are adequate water in sewer connections. There is a sanitary sewer easement on the rear of the property that is accounted for.
5. Dumpster- A masonry dumpster enclosure is shown on the southeast corner of the property and the location would appear to be appropriate.
6. Bike Path- The bike path along Bagley Street will be maintained in its existing location and is shown on the Site Plan.

Recommendation: The development in question is a large building which requires a large site and easy public access for its business to operate. The applicants have noted that reviewed other locations such as downtown but could not secure a site to fit their needs.

As the proposed use consists of professional offices and a credit union on the main level that requires accessibility by the public it would not appear to have a negative impact on the area. There are several other similar uses nearby and the development is located in a commercial area. Access would not appear to be an issue, and Bagley is a Minor Arterial and the addition traffic will not impact the area. Although the proposed development is taller than many of the surrounding buildings, the extra height allows the building to have adequate space while providing parking for employees and customers.

Therefore, staff recommends **approval** of the rezone request from B-3 Commercial District to Planned Unit Development (PUD) District for the purpose of developing a new building with the following conditions:

1. A service drive is designed that would connect the new development to the shopping center and Poll asked that it be constructed if the adjoining owner is agreeable.

In addition, after reviewing the site plan, at this point there are no bike racks shown being required. Poll adding that bike racks get added and make that a second condition. Landscaping also does not appear to meet all the requirements adding that Staff felt that there could be more landscaping

making that a third condition. Wojda asked if Poll had received any objections and he stated that he received one questioning that a 4 story would seem out of place. Wojda also questioned the difference between a PUD and an OS1, when Poll stated a PUD. Poll claimed that with the OS1 parking would be an issue as a result of a parking variance. Ultimately, with the number of employees and the customers anticipated, OS1 consists of height requirements which will still in fact result in meeting with the applicants. Poll stated that there isn't really a lot of OS1 in this area. Wojda asked if there was a certain number of bike racks that were needed. Poll would have to check into that but knows it would have something to do with the amount of parking spots. Wojda also questioned the landscaping requirements. Poll stated that the ordinance asked that landscaping be required not only on the edge of the parking area but also within a parking area via with islands which the applicants indicated that they would rather not include the islands. Not only for snowplowing reasons but for maximizing the parking spots. Poll noted that the applicants do have the standard width parking lots that are preferred. Poll feels that landscaping could potentially be increased in the plans. Sabourin stated that this request is for a rezone but also includes a site plan review. How should they be handled? Poll stated that they can be consolidated and moved through at the same time. Poll said both would have to be passed together to make sense. Brad Butcher from Sidock Architect (Architects & Engineers for the project) 757 S. Wisconsin Avenue in Gaylord. Butcher stated that this was a schematics site design which means it is very early in the project, identify the footprint and height of the building and general architect appearance. Butcher stated that Poll and himself discussed the bike racks and agreed there would be no reason not to add them with the bike path close by. Landscaping will definitely be considered for more areas of the building in the future plans per the recommendation. Don Gilmet briefly explained that there is plenty of room to expand on the landscaping but admitted that tree islands will reduce parking spots and make it hard to plow around. Pete Dzuris, CEO of Northland Area Credit Union, 100 North Lake Street in Harrisville, stated he didn't have anything else to add that Butcher already said but left himself open to any questions.

7:33 Austin arrived. Poll discussed briefly what was previously debated to fill in Austin.

Sabourin felt that he should abstain out of the vote explaining a matter of disclosure regarding his appraisal license in Michigan. Wojda questioned if Sabourin had done any work in the past from Northland Area Credit Union in which Sabourin said yes. Wojda suggested to Sabourin that he abstain from the vote.

Wojda motioned, Lewis seconded that Sabourin abstain from the Northland Area Credit Union request for rezone vote.

Yays: Gilmore, Lewis, Wojda, Austin, Mitchell

Nays: None

Absent: VanWagoner, Boboltz, (Sabourin abstained)

Motion approved by a vote of 5-0.

Wojda moved, Gilmore seconded to allow for the approval of rezone with the following conditions:

- A service drive is designed to connect the new development to the shopping center to the south and constructed if the adjacent property owner allows it.

- Bicycle parking is added as required by the Zoning Ordinance.
- Additional landscaping be added to the site due to a lack of landscaping in the parking area.

Yays: Lewis, Mitchell, Wojda, Austin, Gilmore (Sabourin abstained on vote)

Nays: None

Absent: VanWagoner, Boboltz

Motion approved by a vote of 5-0

COMMUNICATIONS:

Poll stated that he only received was regarding the comprehensive plans for the township and recently the county in which he will get out to the Planning Commission shortly. Poll discussed the Alpena Township ordinance that he had sent out and explained what happens when any jurisdiction does a comprehensive plan it gets sent out to the surrounding jurisdictions for review. This includes making and noting comments constructive or not. Poll stated that Bagley should be referenced more in the US 23 corridor plan. Poll added that if anyone had any comments or thoughts on the comprehensive plans to email him within the next week.

REPORTS:

Redevelopment Updates

Northland Area Credit Union that was approved will now go to City Council in June. Bridge is open, but will soon be closing again for the last scheduled closure. Holiday Inn Express is somewhat open. The City has been steady with road construction including City Hall's parking lot construction. Holiday Inn Express is somewhat open, Gilmet stated. There are still some final things to finish up yet. They are now excepting reservations for Memorial Day Weekend.

Redevelopment Ready Communities Program

Poll stated that he just recently submitted the quarterly report to the R.R.C.P. putting us about 80 percent complete. Comprehensive Plan will have to be redone this year.

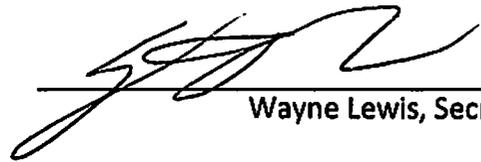
CALL TO PUBLIC: NONE

MEMBER'S COMMENTS:

Gilmet added that City Council gave the go ahead to apply for a DNR Grant for a study that would show communities with water and portray the economic value to your specific community. Gilmet stated that he needs 21 communities to kick in \$1000.00 for ½ of the requested grant amount. Gilmet added that to be able to show the value of our waterfront would be huge.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:50 p.m. by Sabourin, Planning Commission Chair.



Wayne Lewis, Secretary