

MINUTES
City of Alpena Planning Commission
Regular Meeting
November 8, 2016
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 Chair.

ROLL CALL: PLANNING COMMISSION

PRESENT: Lewis, Boboltz, VanWagoner, Hunter, Mitchell, Sabourin

ABSENT: Dort, Gilmore, Heraghty

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:

The September 13, 2016 agenda was approved as presented.

APPROVAL OF MINUTES:

The September 13, 2016 minutes were approved as printed.

PUBLIC HEARING AND COMMISSION ACTION:

P.C. Case #16-SU-05: Dawn Keegan has requested a special use permit be granted to allow the development of a residence on the first floor of her building located at 115 N. First Avenue within the Central Business District (CBD).

Poll stated that effective in 2010 the new zoning ordinance any first floor residential uses are required to have a special permit. The building does have three residential units on the second floor. It is currently full and cannot except any additional residents. Poll believed that since 2010, the City has allowed 3 different residential units to be constructed on the first floor within the CBD. One being located in the former Federal building and the other two at the site of the former library building next to the Harborside Mall. The request from the applicant is being made as the two rear offices are very difficult to rent out and to access by the tenant's clientele. The rear offices have a much higher turnover then the front. Rear third of the building for the residents and the remaining two thirds of the building would continue to be utilized for commercial space. There are currently two bathrooms for the commercial space

including a man's bathroom and a woman's bathroom. The women's bathroom would be converted into the residential space. The existing men's bathroom would utilize for both men's and women's handicap bathroom. Poll stated that pictures and floor plans were available in the packet that show the multiple entrances and areas of the building. The tenant noted that she does plan on residing in the residence requested initially but could possibly rent out in the future. The remaining commercial portion of the building offices have lockable doors so the future tenant would have access to the commercial space but would not have access to the offices. Poll stated that the DDA did review the request and did not have any significant concerns. The DDA did talk about the parking for the request. Existing buildings with the CBD are not required to provide additional parking for different uses. Poll acknowledged that if the Planning Commission chose to deny the request the applicant could attempt to utilize the rest of the area for offices that do not require much clientele traffic. Poll stated that overall the request does not seem to have a negative impact on the area. The space proposed to be utilized for a residence currently is utilized for office space and has low visibility from the street for pedestrians. Access directly to the proposed residence could be obtained from the rear of the building without entering through the existing office space, but that location would not appear to be ideal for a pedestrian access for other commercial use. The request would also not appear to change the existing commercial appearance of the building. With these reasons listed Staff recommends the approval of a special use permit be allowed to utilize the rear third of the building for a residence on the main level. Poll stated that he received correspondence from Mary Rajasekhar, owner of Olivet Books and Gifts, expressing her concern of allowing a residence on the first floor in a commercial area. She feels that by allowing this transition is a threat to the future goal of growth in Downtown Alpena. She also is very disappointed in the fact that the City is still pursuing two way traffic.

Motion moved by Mitchell, seconded by Lewis to approve the special use permit. Motion was approved 6-0.

Hunter asked once the investment is made how hard would it be to return the residence back to a commercial office or retail once converted? Poll stated that as far as the process nothing would be stopping the reversal from the City converting it back to commercial or retail use at any point. Sabourin questioned how the parking was going to work. Dawn Keegan stated that there are (4) spots right now that are designated for the parking. She has purchased (3) out of the (4) as of today. Dawn added that the DDA is trying to determine if the spot that she didn't purchase yet was available for her to also purchase. Don Gilmet added that those spots are reserved for the apartments. If you have an office space in the area you are not allowed to purchase those parking spots. Hunter voiced his concern with that parking spot taking away from downtown parking but Gilmet explained it was already reserved and the DDA is trying to locate the paperwork.

Roll Call: Lewis, Sabourin, Boboltz, VanWagoner, Hunter, Mitchell – Yes

BUSINESS: Sign Ordinance Revisions

Poll briefly spoke about the training that he attended a few weeks back at ACC. Supreme Court ruled late last year in Reed v. Town of Gilbert Arizona that signs cannot be regulated by content anymore because of the fact that it violates First Amendment free speech. Poll added that if you have to read a sign in order to figure out how it is regulated that is no longer allowed by the Supreme Court. Poll summed it up by stating that in the near future all signs will have to be looked at and regulated. Hunter asked if all signs will need a permit then. Poll stated that there is exemptions and that will have to be looked into. Poll hoped by the next planning commission to have more information. Poll will be working with Steve Schultz and the engineering department closely being that the engineering department deals with right of way issues. Poll asked that the planning commission look over the sign ordinances that were provided and check for content based problems. Going forward Poll will need a few people to help but wants to keep the committee small.

COMMUNICATIONS:

Sabourin asked what the status was on the HB 4209 that was brought up at the last meeting. Poll stated that the house bill is now a law. The Governor was believed to have signed that into a law late last month. Basically marijuana dispensaries are provisioning centers that the law states will be allowed if the community passes and modifies the zoning ordinances to allow the provisioning centers. The community does not have to provide provisioning centers if choose not to and are allowed to regulate them in a zoning district and how decide on how many there are. State government would tax the provisioning centers (3) percent and of that (3) percent, (25) percent of that is supposed to come back to the local municipality. More funds Law enforcement would receive and the state would take their (25) percent cut.

REDEVELOPMENT UPDATE:

Poll announced that buildings are progressing. Alpena Furniture is working on the exterior of their building. The Owl is pretty much complete. Hotels are continuing to work. The former Alpena Power site property is being used for the Second Avenue Bridge modifications. Equipment is being stored at that location and the grass will be fixed when completed. Hunter asked about the status on the hotel that might be built on U.S. 23 North. Poll has not seen any site plans as of yet. Poll did add that their variance was expired and they would need to reapply which wouldn't be an issue. Progress was being made on the downtown plan. The draft has been presented to the DDA for review and a few changes were requested. The draft is not completed as of yet and currently a downtown study and marketing plan is underway. Poll stated that it shouldn't be a problem to be finished by late spring of next year.

CALL TO PUBLIC: None

MEMBERS COMMENTS: None

ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:32 p.m. by Chair Sabourin.


Wayne Lewis, Secretary