

## —Planning & Development—

#### **AGENDA**

#### **City of Alpena Planning Commission**

Regular Meeting Tuesday, October 8<sup>th</sup> 2019, 7:00 p.m. Alpena, Michigan

, ,
CALL TO ORDER:
ROLL CALL:
PLEDGE OF ALLEGIANCE:
APPROVAL OF AGENDA:
APPROVAL OF MINUTES: Meeting August 20, 2019
PUBLIC HEARING AND COMMISSION ACTION:
BUSINESS:
<b>P.C. Case No. 19-SU-02</b> Three Rivers Corporation, 3069 Vantage Pt Dr., Midland MI, 48642, is applying for a Special Permitted Land Use on behalf of Mid-Michigan Health to allow for the construction of an addition to a hospital located at 1501 W Chisholm Avenue containing a footprint of 33,885 square feet. Article 5.15B and 7.15
<b>P.C. Case No. 19-Z-03</b> Nathaniel Makowske, 409 S Ripley Blvd is requesting is rezoned from B-1 Local Business District to R-2 Single Family Residence District for the property at 409 S Ripley Blvd and to rezone 794 Clinton Street from P-1 Vehicular Parking District to R-2 Single Family Residence District to utilize the existing structure for residential purposes. Article 5.7
COMMUNICATIONS:
REPORTS:
1. Development Update-
CALL TO PUBLIC:
MEMBERS' COMMENTS:
ADJOURNMENT:

#### **MINUTES**

# City of Alpena Planning Commission Regular Meeting August 20, 2019 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: Mitchell, Gilmore, VanWagoner, Boboltz, Sabourin, Austin, Kirschner

ABSENT: Lewis, Wojda (Wojda arrived at 7:05)

STAFF: Adam Poll (Director of Planning & Development), Cassie Stone (Recording

Secretary).

PLEDGE OF ALLEGIANCE:

Pledge of Allegiance was recited.

APPROVAL OF AGENDA:

Agenda was approved as printed

APPROVAL OF MINUTES:

July 30, 2019, minutes approved as printed.

PUBLIC HEARING AND COMMISSION ACTION:

P.C. Case No. 19-Z-02. Hope Network Affordable Independent Living & Services, 3075
 Orchard Vista Dr. SE, Grand Rapids MI 49546 are requesting the property located at 555
 S. Fifth Avenue is rezoned from R-2 Single Family Residence District to Planned Unit
 Development District for the purpose of converting the existing vacant school building
 to an independent senior living facility. Article 5.24.

Poll presented the Staff Report and Recommendation to the Commission.

Sheila Campbell, 885 Corey Drive, Delton, MI, stated that they have just recently changed to incorporating historic tax credit into the deal which changes the planned (40) units to (35) units. The plans have changed to keep the gymnasium whole from the previously designed idea to break it into (5) units. Campbell added that she would like to address the Planning Commission's desire to have the exterior materials be brick. Additions are to be differentiated from old resulting in the possibility of it being made to

look a little different so it will not look like it is the original portion of the building. Campbell questioned if this could result in a different brick color or some kind of variation that could be included in the conditions. Poll stated that wording could be added in the conditions to allow for possible variances in coloration. Campbell also explained the housing quality that Hope Network does is really focusing on the future, maintenance, care and quality of life for their tenants. Looking at the environment is also key in designing including LED fixtures and low flow fixtures.

#### FAVOR:

Dr. David D. Dargis, owner of Dargis Properties and the owner of the property being discussed. Dargis explained that he was hoping someone like Hope Network would come in and see this property as having potential and be able to utilize it within our community. Dargis added that he invests all of his money locally and any money acquired from the sale will be turned around and invested back into the community. This sale will also create jobs and be able to house seniors. Dargis is really hoping to see this move forward.

#### OPPOSITION:

Todd Bowen, 514 S. Fifth Street which is right across the street from the school, has lived there since 1994. Bowen is very concerned about the parking that is being proposed. Previously when it was a charter school, he and his wife had a terrible time trying to get out of their driveway. Bowen added with this parking situation it will become a 24 hour 7 day a week issue instead of the prior school schedule where traffic would be cleared by 4:00, no weekends or no summer month issues. Adding all of the extra parking spots will also become chaos during the winter months when the roads will have to be plowed. Bowen also questioned why the addition was not being constructed on the playground rather than where people would park which would block the parking, will it raise our taxes and/or bring our property valve down, when will the project begin, would construction happen on the weekends? Why haven't any other places been considered such as the old Alpena Power Company site which already has adequate parking, has walking distance for the elderly including the post office, grocery store and a library. Bowen added that it's not that people are against it rather they just don't want the chaos in the neighborhood, Fifth Street tore up and made into parking where neighbors will be bombarded with vehicles in front of houses, seven days a week. Bowen was told that the building is full of asbestos and questioned if the asbestos will be removed? Bowen also presented the Planning Commission with a copy of twenty five signatures of surrounding residents that have signed a petition to stop the project. The biggest complaint, Bowen stated, was not having Fifth Street and McKinley Avenue disrupted. Bowen closed with if this rezone does happen can it be rezoned to something else further down the line? Poll stated if anything more than a small change is requested the rezone request would have to come back to the Planning Commission for approval

and public notices would be sent out just like they were for this hearing. Austin stated that he also lives on Fifth and asked Bowen what his biggest issue was with this project in which Bowen replied parking.

#### OPPOSITION:

Peter McCormick, 108 McKinley, states his biggest concern is also the proposed parking especially during the winter. McCormick also added that he questions the rezoning of the property and if the project goes south then what could happen. Poll stated that if the rezoning is changed it would have to come back before the Planning Commission and also be approved by Council as well. McCormick said he was out of town this weekend and could not attend the meeting that was instigated by Hope Network and was very disappointed with the short notice of the meeting that was held at the school. Poll explained that the site plan shows 40 off street parking stalls. Right now they are proposing 35 units. There would not be reserved parking available on Fifth Street, Saginaw or McKinley for development. Being its independent living status, Poll doubts that there would be very many staff onsite consuming parking spots. Street parking is open to the public as many other streets in the City are as well and is available to the public right now so no additional changes would be made. Poll also added that any old building will have asbestos and any grant that he has come across that has a residential habitation you are required to survey and abate the asbestos. It is a requirement anytime you are using federal or state money.

Dargis added that he attended the meeting last weekend at the school and there was a lot of people there and a lot of these issues were questioned and addressed and the vast majority (approximately 30 in attendance) was in favor of the development. Dargis also added that he had the building professionally evaluated at a level one for asbestos. There is some asbestos contained underneath the school that is not accessible to anyone and it was in the report that he had provided and was not a threat to anyone in the present state.

Closed public hearing at 7:23

#### COMMISSIONER'S DISCUSSION AND ACTION:

Todd Bowen went back up to the podium and wanted clarification that no widening or reserving parking spots would be happening on Fifth Street or McKinley in which Poll stated previously Hope Network requested to do that but Poll stated that staff would not consider that because presently those parking spots are public and available first come, first serve.

Wojda stated that when he looks at the project he sees a substantial proposed economic investment in our community. A residential use within a residential area which will be used by people in this community for a residential purpose and feels it's far better than the current situation as a vacant building. Wojda ended with it's a major step in the right direction. VanWagoner requested some information on storm water. Poll stated that there were some issues proposed from residents by the basketball court where there have been some reported drainage issues running off the basketball court onto the adjoining property. Dargis stated that the building itself will prevent that snow from being plowed up against the fence and melting in there. VanWagoner also questioned the section in the staff report that stated drainage would have to be contained onsite. Poll stated Engineering will have to analyze the drainage plans but right now the design is not at that point. Eventually the plans will have to show that run off water is contained or at least not being pushed onto someone else's property. Gilmore questioned what the actual age allowed in the facility will be. Virgie, from Hope Network, stated that the age category being used for this particular senior living is a minimum of 55 years of age or older. The facility will be 35 units and income restricted meaning it will be limited by the person living there would have to have a limited income. The purpose of this is to help out people that struggle to find independent living. Virgie added that affordable senior housing across the country is a national catastrophe right now. Sabourin questioned what the income sealing was. Virgie stated she believes that Hope Network is targeting 60 percent of AMI (Area Median Income) although her analyst would know the number, she is unsure. Austin questioned what type of facility this was going to be? After looking at Hope Networks Website it looks like it is focused on disabled people. Virgie stated that Hope Network is a 160 million dollar nonprofit organization. The segment of Hope Network that Virgie manages is the segment that this project is currently focused on. This particular property will be just for seniors. Gilmore questioned what is projected for staffing at the facility? Virgie explained that there will be three staff members which would include a property manager that would come to the facility most days. Virgie added that she has a professional management group called KMG Prestige that will travel around to the various places that they manage where they could already have somewhere close to here where they also manage so they could stop maybe three days a week. A service coordinator would be dedicated to this particular property along with a maintenance person. Between the three someone would be staged their everyday onsite. Austin questioned what was to become of the gymnasium. Virgie stated that previously Hope Network wanted to turn the gymnasium into three loft units and two apartments but have decided against it.

**Motion** made by Wojda, to approve the request, to rezone from R-2 to PUD for 35 units, with the recommended conditions, exception of the first condition. Move to amend to read as follows: the new addition is constructed to a style consistent with the

existing building with a flat roof and a masonry exterior. The other conditions will remain as recommended. **Seconded** by Boboltz.

Ayes: Gilmore, Boboltz, VanWagoner, Wojda, Mitchell, Austin, Kirschner,

Sabourin

Nayes: None

Absent: Lewis

Motion approved by a vote of 8-0.

For clarification Sabourin stated this will now proceed to Council with Planning Commission's recommendation for the final say. It will be presented at the September 3, 2019, City Council meeting. There will also be two readings for the change as well. The second change reading will occur mid-September.

COMMUNICATIONS: No other communications were received other than on the case at hand.

#### **REPORTS:**

1. Development Update

Poll stated several projects around the City are proceeding such as Besser Assisted Living Facility and Northland Credit Union headquarters is still underway and making progress. The road project around City Hall has been completed and Wilson Street is still being constructed to relieve some of the traffic congestion in that area from the school. Work is continuing with the MEDC on a number of grants but nothing has been officially approved yet. Poll will keep the Planning Commission updated.

CALL TO PUBLIC: None

MEMBER'S COMMENTS: Wojda stated although there was a quiet crowd at the meeting, he is grateful to see such a large amount of public involvement today.

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

Wayne Lewis, Secretary

# Memorandum



Date: October 2, 2019

To: Planning Commission

Copy: Greg Sundin, City Manager

From: Adam Poll, Planning and Development Director

Subject: PC 19-SU-02- Request for Hospital Addition

RE: **P.C. Case No. 19-SU-02**. Three Rivers Corporation, 3069 Vantage Pt Dr., Midland MI, 48642, is applying for a Special Permitted Land Use on behalf of Mid-Michigan Health to allow for the construction of an addition to a hospital located at 1501 W Chisholm Avenue containing a footprint of 33,885 square feet. Article 5.15B and 7.15

**Background:** Mid-Michigan Medical Center is requesting a Special Land Use approval for a proposed patient tower addition on the front of the existing hospital. The hospital is located in the OS-1 Office Service District which does allow hospitals through the issuance of a special land use approval with special restrictions that require the hospital to be at least 120' from the front property line.

The proposed tower is 33,885 square feet on the main level and will consist of three stories for a total of roughly 100,000 square feet.

**Zoning and Planning Issues:** The proposed expansion would not appear to negatively impact the area as its already being utilized for hospital use.

Access to W Chisholm Street does not appear to be altered, although the parking area will now connect with an existing additional access on Chisholm Street that may improve ingress and egress from the parking area. This addition would not appear to impact any services provided by the hospital when it is under construction, although the main access to the hospital will need to be temporarily shifted during construction.

The proposed site plan would alter the parking layout and the total number of stalls would be increased from 915 to 1163, which would appear to be adequate for their needs. There are other properties that could be acquired in the future (such as the county jail) if that was needed as well.

The new addition to the hospital appears to be set back 105 feet from the property line, 15 feet closer then allowed for a three-story addition. A variance for the setback will be required from the ZBA. In addition, the new parking planned show parking stalls with a 9' width, 1 foot narrower than allowed, and a variance will have to be obtained for this as well.

**Recommendation:** As the proposed expansion would be on land currently utilized for parking for the hospital there would not appear to have a significant impact on surrounding properties. The construction and additional square footage at the hospital should be a benefit to the community by helping the hospital be more effective in their role. In addition, this expansion will create jobs during the construction phase and should create additional jobs in the hospital upon completion.

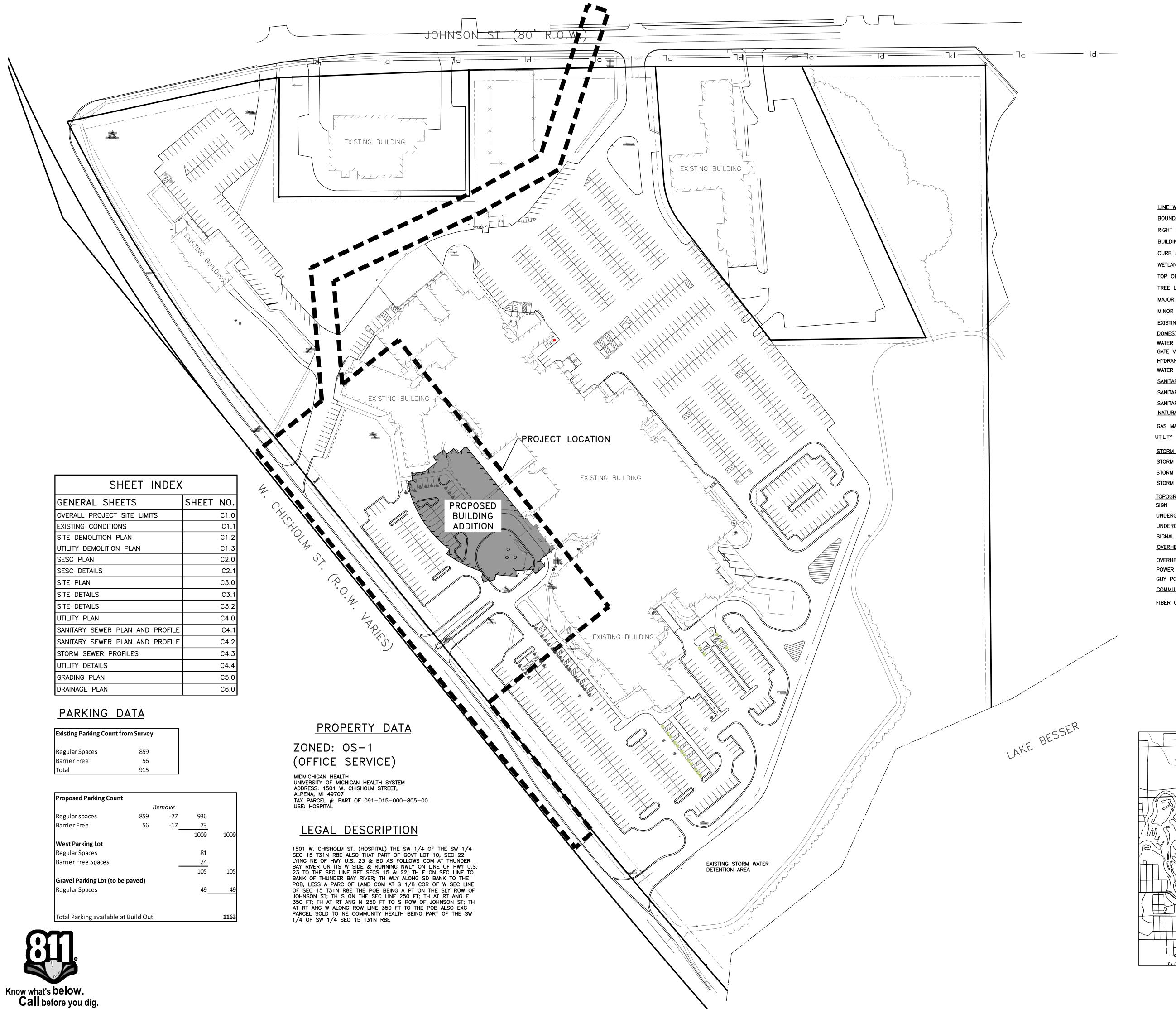
Per Section 6.12, Special Land Use Approval Standards, the proposed development complies with these standards as follows except as noted:

- **A. Allowed Special Land Use.** A hospital is a special land use in the OS-1 service district but in this instance does not meet the required setback of 120 feet and would need a variance from the ZBA in addition to Planning Commission approval.
- **B.** Compatibility with Adjacent Uses. The proposed addition would be compatible with the existing use as a hospital.
- **C. Public Services.** This addition should help public services by construction upgraded and additional patient rooms.
- **D. Economic Well-Being of the Community.** The granting of the Special Land Use Permit will not have an adverse effect on the neighborhood or the community and should create additional jobs.
- **E. Compatibility with the Natural Environment.** This is a previously developed site. No additional impacts will be created.
- **F. Impact of Traffic on the Street System.** Access is not significantly changing and would appear to be sufficient for this project.
- **G. Non-Detrimental Standards.** The existing use does not result in any activities that produce hazardous environmental impacts.
- **H.** Consistent with Zoning Ordinance and Comprehensive Plan. The proposed use is consistent with the Comprehensive Plan which calls for institutional use for the area in question.
- I. **Compliance with Supplemental Site Development Standards.** The request is not in compliance with the required setback for a three-story hospital and would require a variance from the ZBA.

Therefore, staff recommends <u>approval</u> of the Special Land Use Permit to allow for the proposed hospital addition as long as the following condition is met:

- 1. A variance is granted from the ZBA allowing a 105 feet front yard building setback, 15 feet less then required and;
- 2. A variance is granted from the ZBA allowing the new parking stalls to be 9 feet wide, 1 foot less then required by Ordinance.

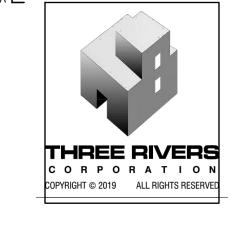




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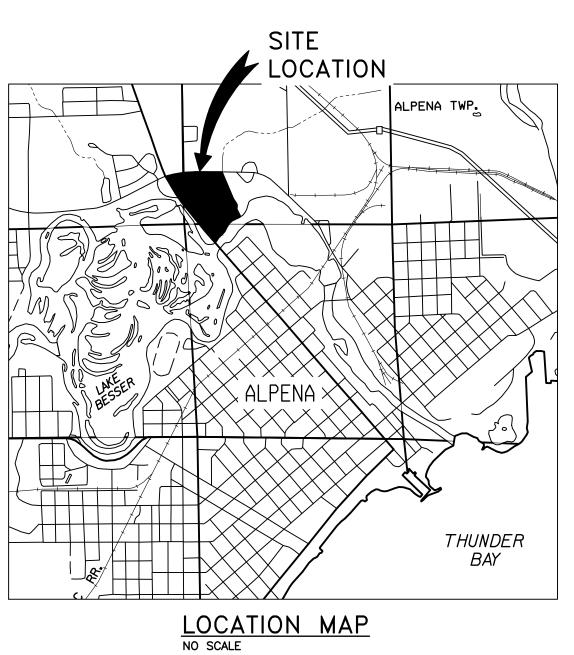
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# **EXISTING LEGEND**

LINE WORK		
BOUNDARY		
RIGHT OF WAY	R/W	
BUILDING SETBACK		
CURB & GUTTER		
WETLAND BOUNDARY		
TOP OF BANK		
TREE LINE	. ~~~~~	
MAJOR CONTOUR	100	
MINOR CONTOUR	101	
EXISTING SPOT ELEVATION	×0.00	
DOMESTIC WATER	×	
WATER MAIN	WW	
GATE VALVE AND BOX	$\otimes$	
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GAS MAIN OR SERVICE	—— G —— G —	
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STORM SEWER/DRAINAGE		
STORM CURB INLET	СВ	
STORM SEWER LINE	STST-	
STORM CATCH BASIN	©B	
TOPOGRAPHIC FEATURES		
SIGN UNDERGROUND MARKER	o <sub>s</sub>	
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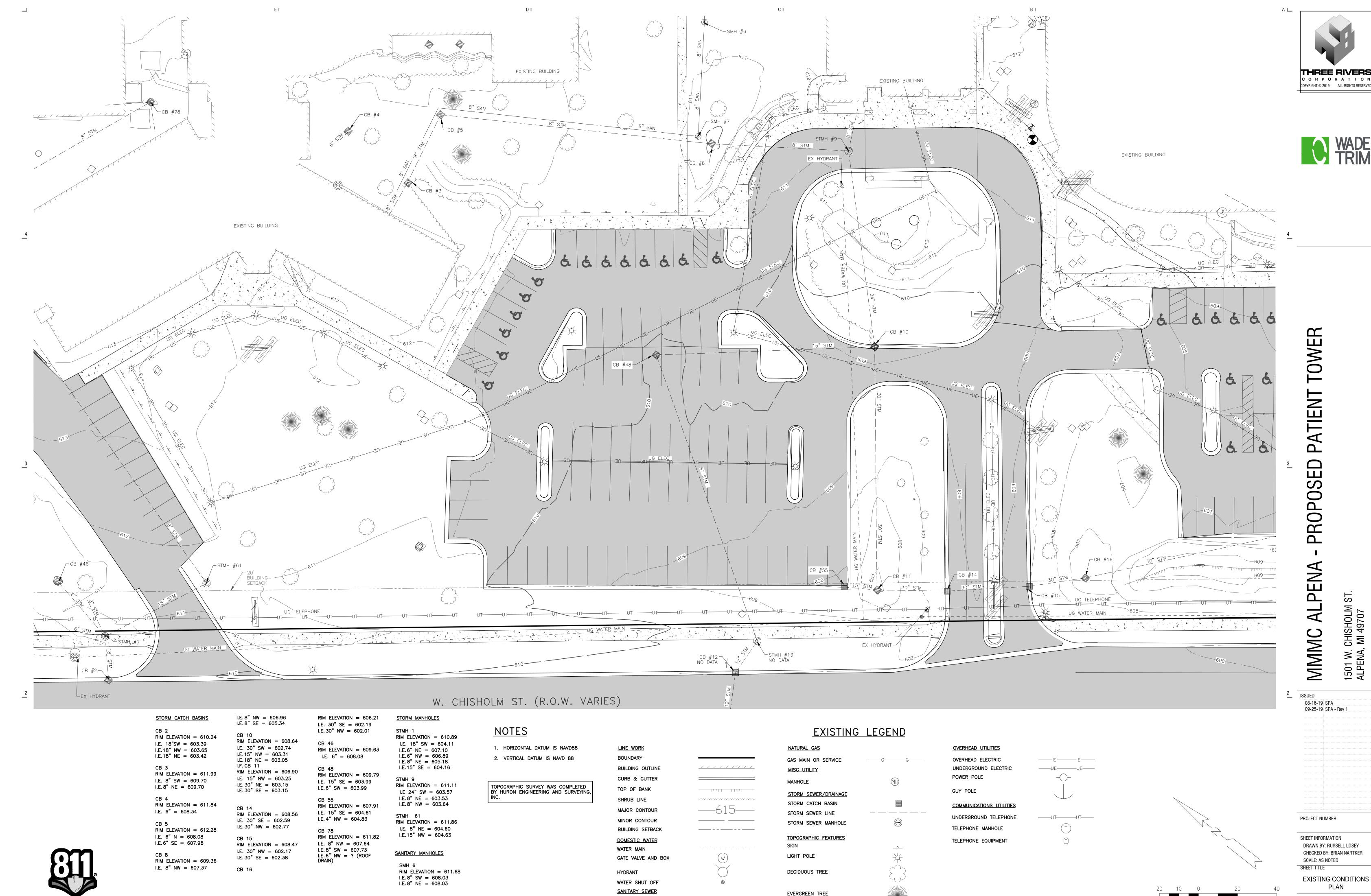
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1501 W. CHISHOLM ST ALPENA, MI 49707 MMMC ISSUED 08-16-19 SPA 09-25-19 SPA - Rev 1 PROJECT NUMBER SHEET INFORMATION DRAWN BY: RUSSELL LOSEY CHECKED BY: BRIAN NARTKER SCALE: AS NOTED SHEET TITLE OVERALL PROJECT

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SITE LIMITS



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SMH 7 RIM ELEVATION = 610.33

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I.E. 8" NW = 608.23I.E. 8" NE = 608.23

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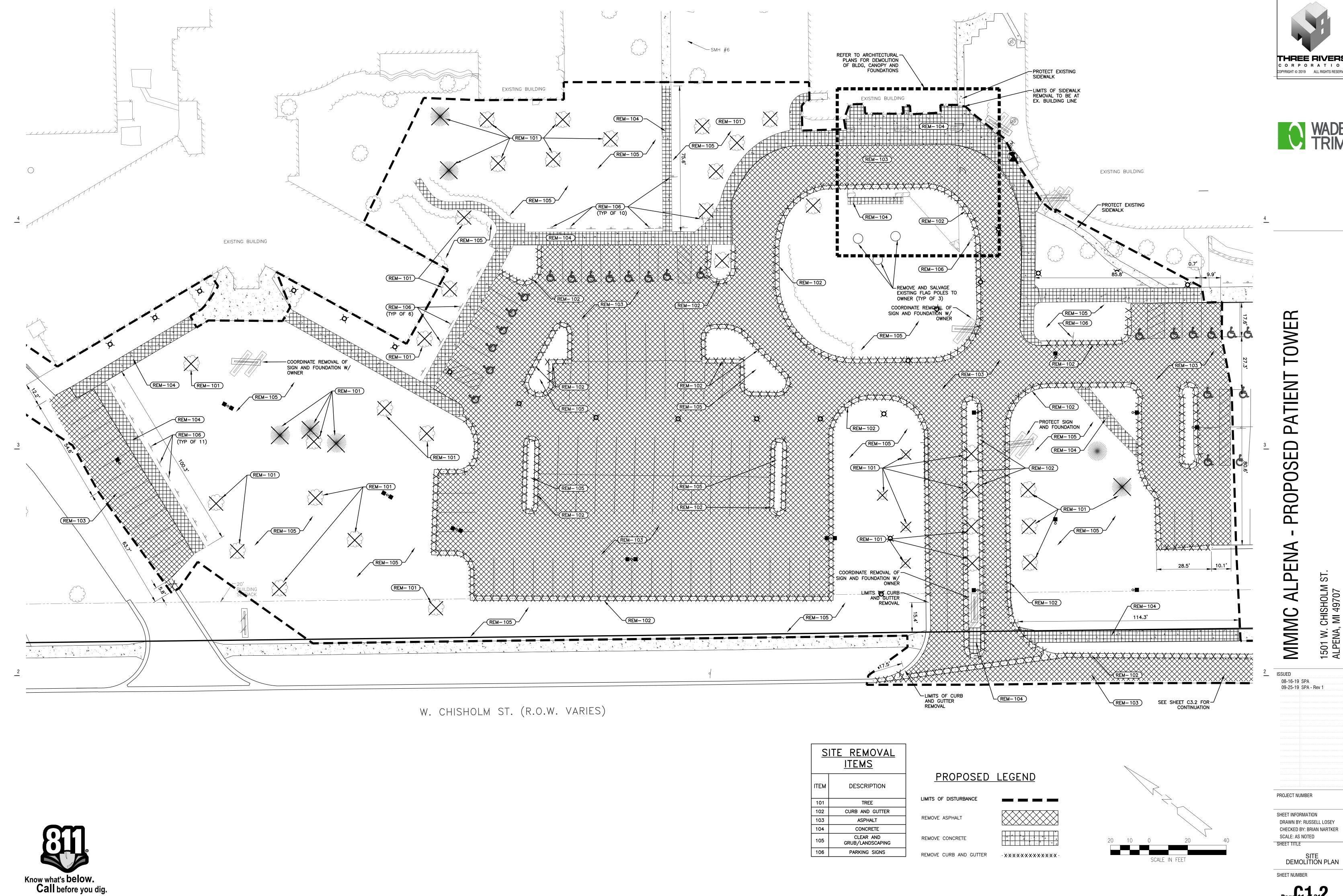
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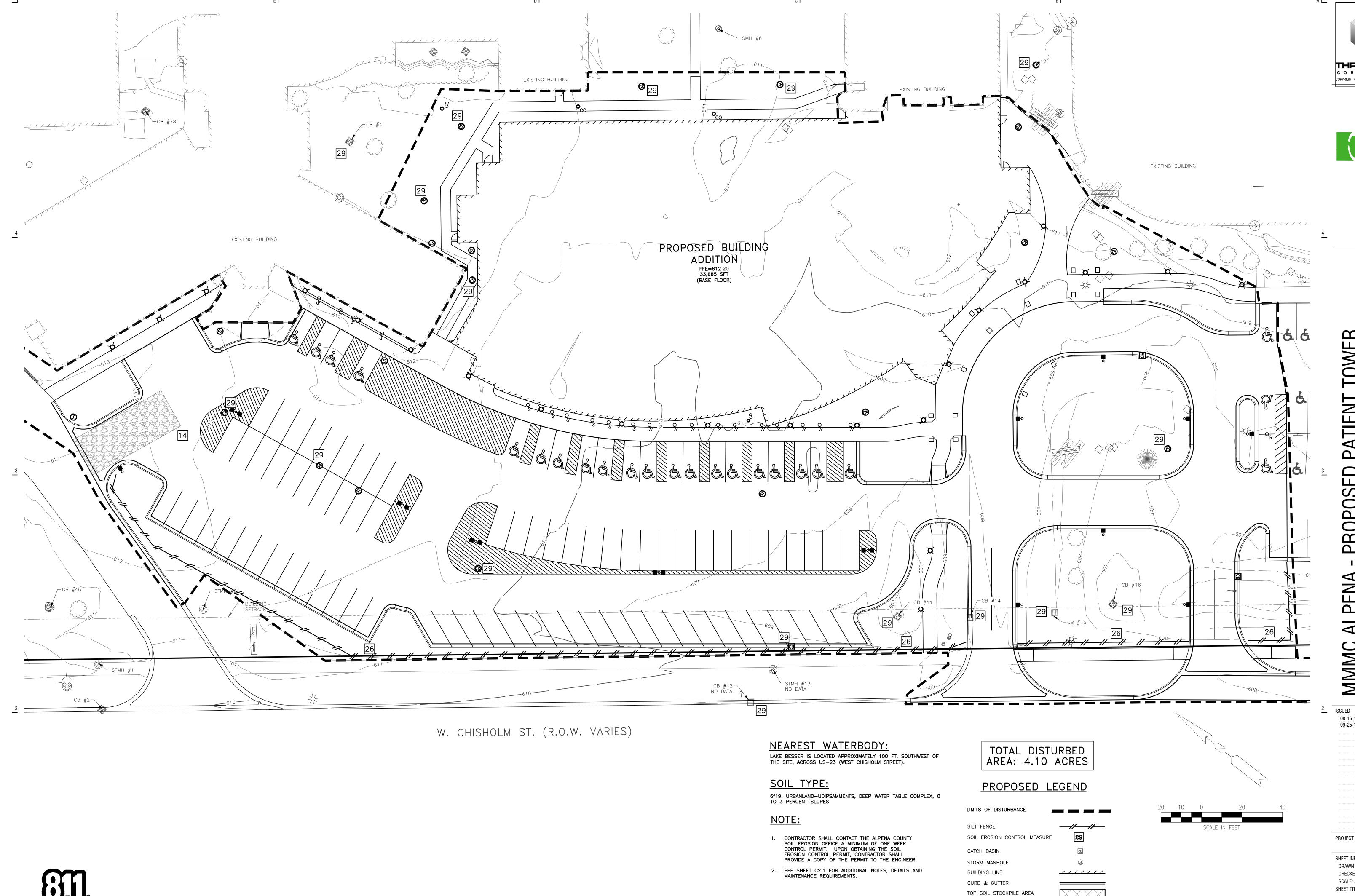
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08-16-19 SPA 09-25-19 SPA - Rev 1

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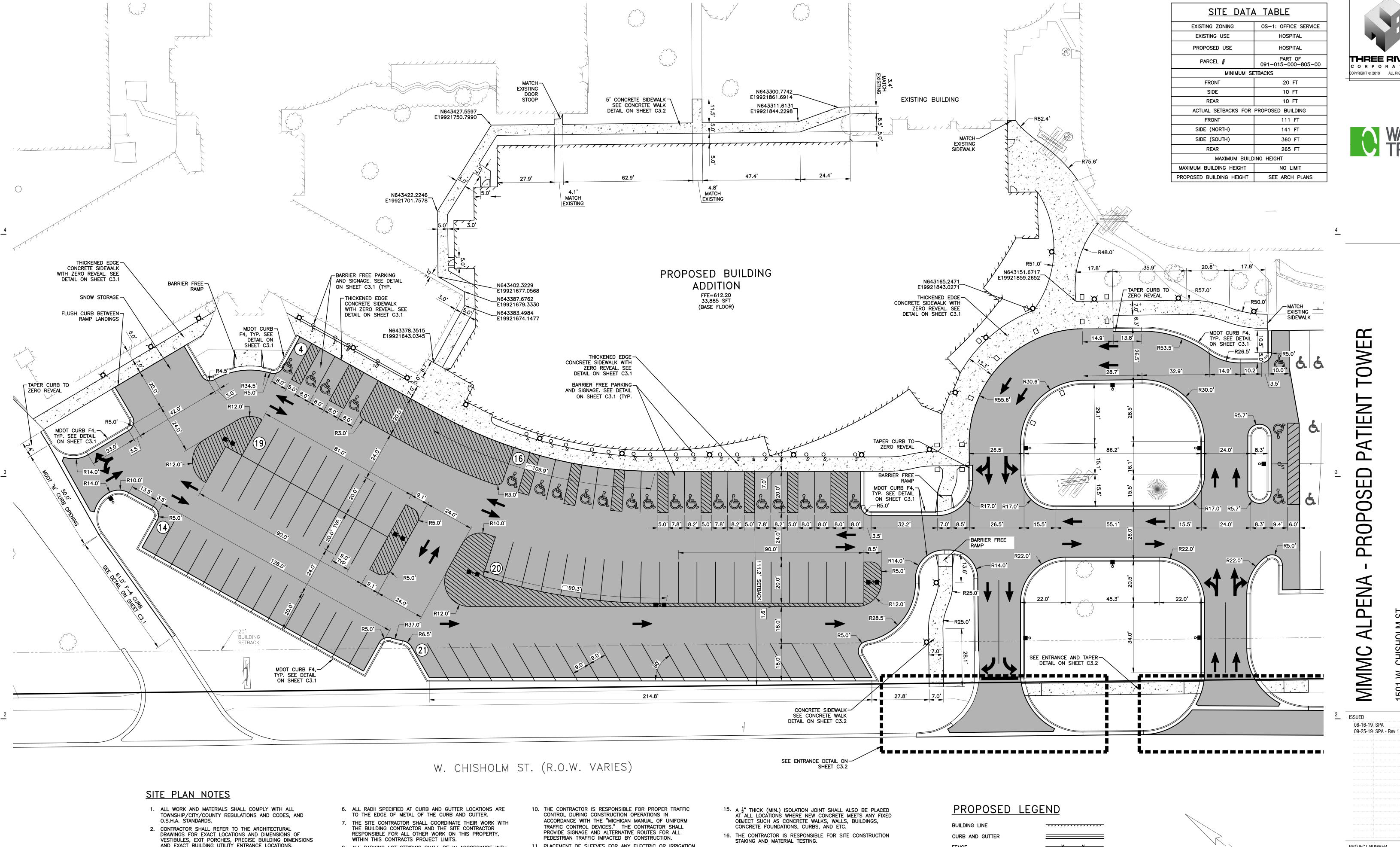
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CONSTRUCTION ENTRANCE

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- AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS. 3. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS,
- (UNLESS OTHERWISE NOTED ON PLANS) INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS AND SIGN POSTS, TRAFFIC SIGNALS & POLES, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES REQUIREMENTS AND PROJECT SITE WORK
- SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. 4. SITE TOPOGRAPHY WAS COLLECTED BY WADE TRIM, UTILITY AND ROAD ROW INFORMATION WAS COLLECTED FROM CITY OF ALPENA RECORD DATA. EXACT FIELD LOCATIONS FOR SOME UNDERGROUND UTILITIES ARE UNKNOWN.
- 5. SITE LIGHTING SHALL BE DEFLECTED AS NOT TO BE DIRECTED ON ADJACENT PROPERTY. REFER TO ELECTRICAL DRAWINGS FOR SITE LIGHTING PLAN AND SITE LIGHTING
- 8. ALL PARKING LOT STRIPING SHALL BE IN ACCORDANCE WITH THE CITY OF ALPENA ARTICLE 3 PROVISIONS FOR CIRCULATION AND PARKING.
- 9. ALL BARRIER FREE WALKS, RAMPS, PARKING, SIGNAGE & STRIPING SHALL BE IN ACCORDANCE WITH MICHIGAN BARRIER FREE STANDARDS. DETECTABLE WARNING SURFACE SHALL BE INSTALLED AS REQ'D BY MICHIGAN BARRIER FREE STANDARDS AT ALL RAMPS AND OTHER LOCATIONS AS PROVIDED IN MICHIGAN BARRIER FREE STANDARDS. STRIPING SHALL BE WATERBORNE PAVEMENT MARKING PER MDOT SPECIFICATIONS, COLOR BLUE UNLESS OTHERWISE SPECIFIED.
- 11. PLACEMENT OF SLEEVES FOR ANY ELECTRIC OR IRRIGATION SYSTEM SHALL BE COORDINATED WITH OWNER/ARCHITECT
- PRIOR TO BEGINNING CONSTRUCTION. 12. ALL SIDEWALK RAMPS SHALL BE CONSTRUCTED IN
- ACCORDANCE WITH MDOT STANDARD PLANS R-28-J. 13. THE DRIVE APPROACH CONCRETE CURB AND GUTTER SHALL BE CONSTRUCTED PER MDOT STANDARD PLAN R-30-G
- 14. ALL NEW DRIVEWAY OPENINGS SHALL BE MDOT DETAIL M AND SHALL BE CONSTRUCTED PER MDOT STANDARD PLAN

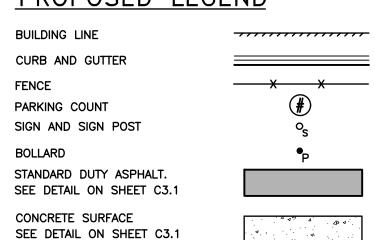
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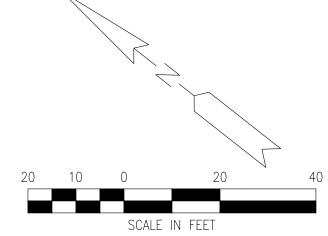
- 17. CONTRACTOR SHALL MAINTAIN POSITIVE SITE DRAINAGE THROUGHOUT ALL PHASES OF THE PROJECT.
- 18. ALL LANE CLOSURES AND/OR COMPLETE ROAD CLOSURE SHALL BE COORDINATED WITH THE CITY OF ALPENA AT LEAST 1 WEEK (7 DAYS) IN ADVANCE OF CLOSURE.

ALPENA ZONING ORDINANCE, ARTICLE 2 AND ARTICLE 4

19. THE CONTRACTOR SHALL BACKFILL ALL TRENCHES AT THE END OF THE DAY. THERE SHALL BE NO OVERNIGHT OPEN 20. ALL SIGNS WILL BE IN COMPLIANCE WITH THE CITY OF

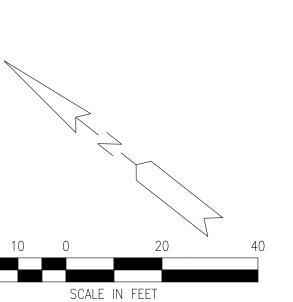
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PROJECT NUMBER

SHEET INFORMATION

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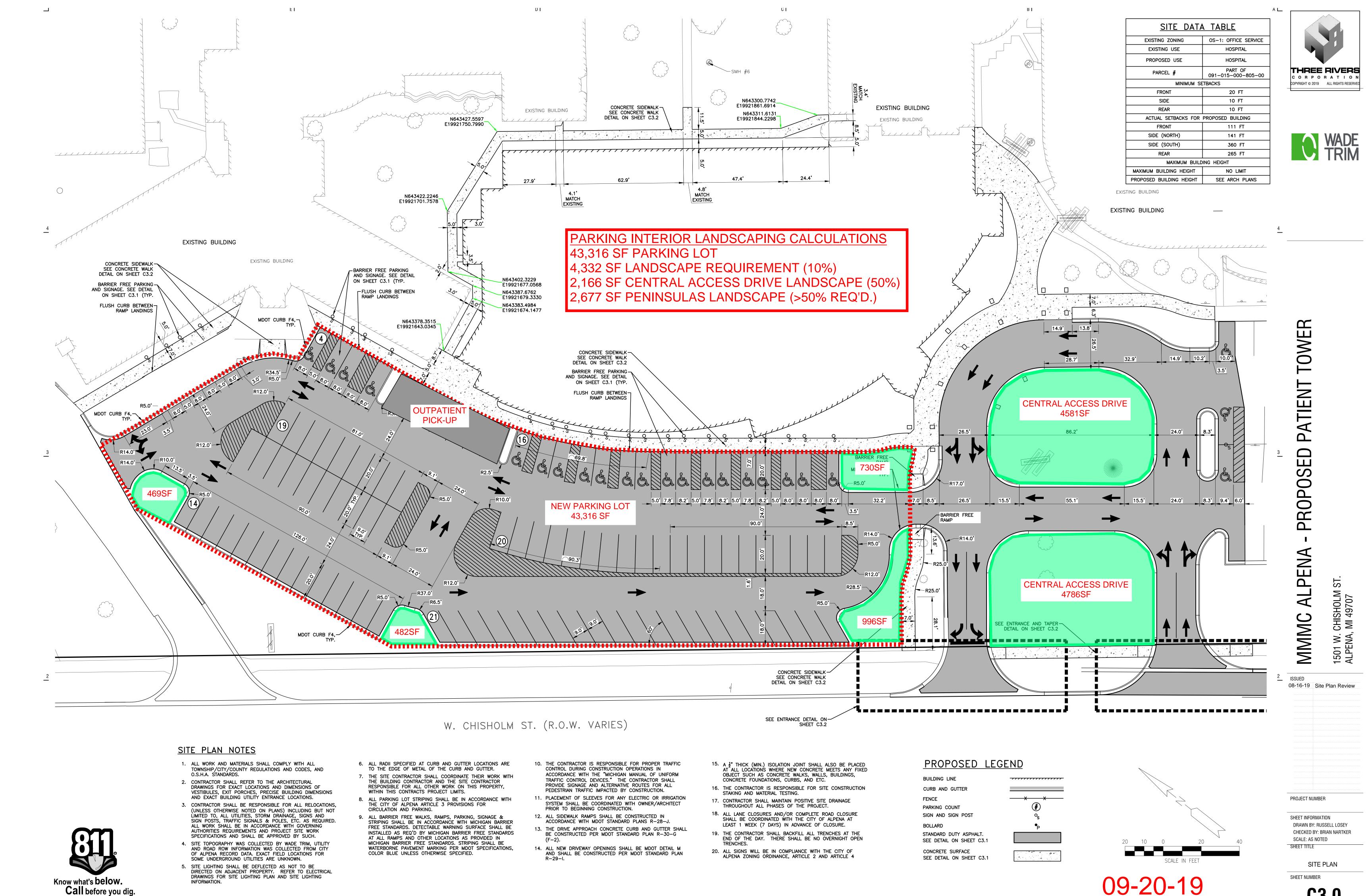
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Page 3210

# Memorandum



Date: October 2, 2019

To: Planning Commission

Copy: Greg Sundin, City Manager

From: Adam Poll, Planning and Development Director

Subject: PC 19-Z-03- Rezone 409 S Ripley Blvd and 794 Clinton from OS-1 to R-2

RE: **P.C. Case No. 19-Z-03**. Nathaniel Makowske, 409 S Ripley Blvd is requesting is rezoned from B-1 Local Business District to R-2 Single Family Residence District and for 794 Clinton to be rezoned from P-1 Vehicular Parking District to R-2 Single Family Residence District to utilize the existing structure for residential purposes. Article 5.7

**Background:** The property at 409 S Ripley was rezoned in 1970 for Office Service District, and in 2008 it was rezoned to B-1 Local Business District. In 2008 the adjoining lot at 794 Clinton was rezoned from R-2 One Family Residence District to P-1 Vehicular Parking District. The latest rezone occurred so a specialty home furnishing shop could be operated at the location. Th current owner Nathan Makowske has requested the home be rezoned to R-2 along with the adjoining lot currently utilized for parking so the structure can be utilized as a residence.

The main structure has had several uses over the years from a residence as originally constructed in 1954 to an Adult Foster Care home after 1970, and then utilized for specialty home furnishings after the rezone in 2008. During the process the exterior has not been greatly changed to resemble a more classic commercial structure and still appears to be a single-family home.

**Zoning and Planning Issues:** The structure in question does appear to be residential in nature. Surrounding uses include single family residential to the east, a church across Clinton to the north, a computer/dive shop to the south, a strip mall across Ripley to the west.

The B-1 district does allow for residential dwelling units but only above commercial space. If the property is rezoned to R-2, a business could be operated out of the residence if it met Home Occupation standards, or a Cottage Industry with the issuance of a Special Permit. Those standards restrict the amount of the home to be used for the business and the hours of operation among other things.

The only was to allow the structure to be utilized as a single-family home with its current Zoning of B-1 in place would be for the ZBA to grant a use variance to allow it. A use variance in this instance would not be ideal.

Rezoning both properties to R-2 would not appear to alter the character of the neighborhood. The structure has retained is single-family residential appearance and using it as such would not affect

surrounding uses. If the structure was removed, a light commercial use may be preferable to buffer the existing residential to the east from Ripley Blvd as it is considered a minor arterial and experiences significantly more traffic than most local streets. The paved parking in the rear of a residential home is unusual, but may be preferable for the owners of a single-family residence that does not want to back out onto Ripley Blvd.

The future Land Use Map does show This property as Office/Service District but is directly adjacent to a large single-family residential section to the east.

**Recommendation:** Rezoning the properties to R-2 would not appear to have a negative impact on the area. Staff would recommend that the rezone of 409 S Ripley and 794 Clinton to R-2 Single-Family Residence District be <u>approved</u>.

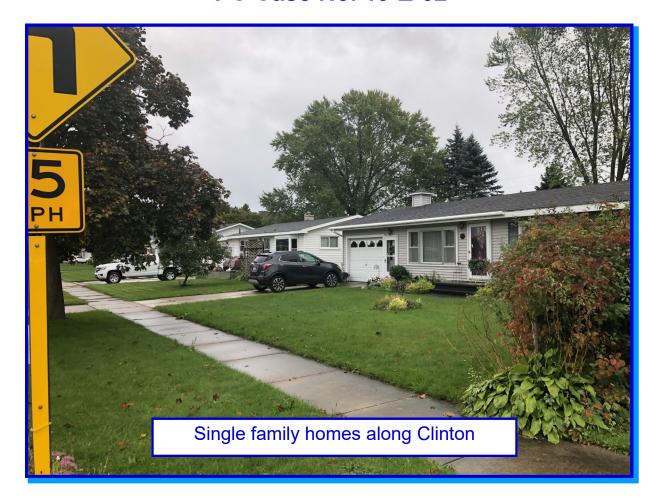


## **PC Case No. 19-Z-02**





## **PC Case No. 19-Z-02**





## **PC Case No. 19-Z-02**



#### **City of Alpena Planning Commission**

#### **Staff Report & Recommendation**

DATE: May 2, 2008

RE: **PC 08-Z-03:** Dean Hudson (land contract holder of 409 S. Ripley Blvd. and 794 Clinton Street), William Hobart and Heidi Walmsley (land contract purchasers of 409 S. Ripley Blvd. and 794 Clinton Street), and Joseph Sobczak (owner of 413 S. Ripley Blvd.) have filed a petition to rezone the properties as follows:

- 409 and 413 S. Ripley Blvd. from OS-1, Office Service District, to B-1, Local Business District.
- 794 Clinton Street from R-2, One-Family Residential District, to P-1, Vehicular Parking District.

The purchasers intend to open a home furnishings store at 409 S. Ripley with a parking lot fronting on Clinton Street. The 413 S. Ripley rezoning will eliminate the non-conforming use status on the property.

**Background:** Mr. Hobart and Ms. Walmsley are in the process of purchasing 409 S. Ripley from Mr. Hudson on a land contract with the intent of operating a small specialty home furnishings business from the premises. Ripley Blvd. is classified as an urban minor arterial with an average daily traffic count of 3,150 in 2005. Since being rezoned to Office Services in 1970 as part of a multi-site re-zoning, the property has been used as an office, adult foster care and single family residence. The intended use would require a minimum of four (4) on-site parking spaces based on the usable space within the building. The purchasers intend to construct a six vehicle parking lot in the rear of the property with an access driveway off Clinton Street. This portion of the site (Lot 5) has no structures on it and is zoned R-2. The request is to rezone this lot to P-1 to permit parking only to serve as a transition between the commercial use and the residences along Clinton Street. The lot would be required to meet all City zoning and engineering standards, including site drainage retention and screening. The property to the south of 409 Ripley (413 S. Ripley) contains a single one-story masonry building currently occupied by a computer business and a dive shop, both of which are non-conforming uses within the OS-1 district and have been at this location for many years. Mr. Sobczak has included his property in the rezoning request to eliminate the non-conforming status of the current business uses.

**Zoning Issues:** Lots 2, 3 and 4 (fronting on Ripley Blvd.) have been zoned OS-1, Office Services District, since 1970 when they were rezoned from Residential A, R-A, as part of a multi-property rezoning along Ripley Blvd. The house at 409 S. Ripley is located on Lots 3 and

4, while the masonry commercial building is located on Lot 2. At the rear of Lots 3 and 4 is Lot 5, which fronts on Clinton Street. It is currently zoned R-2, One-Family Residential District, which does not permit the development of commercial parking lots. Rezoning this lot to P-1, Vehicular Parking District, would permit the construction of the parking lot in accordance WITH City regulations, while acting as a buffer against any future encroachment of commercial development into the residential neighborhood. This type of rezoning has been done twice before along the Ripley Blvd. corridor – behind the Marine Market along Mason Street and at the corner of Fifth and Ripley across from the Bank of Alpena. In each case the rezoning was intended to provide necessary commercial parking while providing a transitional buffer between the commercial development and adjoining residential neighborhoods.

Under the current OS-1 zoning any office use utilizing the entire structure at 409 S. Ripley would require parking beyond what can be effectively provided in the existing driveway. Consequently, the development of a parking lot in the rear of the property (Lot 5) would ultimately be required. The parking lot cannot be place closer to the rear of the building to a retaining wall projecting perpendicular from the rear of the residence to approximately the east (rear) line of Lot 4.

No physical changes are proposed for Lot 2 (413 S. Ripley). The petitioner, Mr. Sobczak merely desires to eliminate the non-conforming status of the property.

The rezoning is consistent with the B-2, General Business, zoning located across the street along the west side of S. Ripley (shopping center and restaurant) and to the south across Mason Street on the same side of Ripley (Marine Market and Gen-Ar's Restaurant). The City's Comprehensive Plan designates the block fronting the east side of Ripley between Clinton and Mason for continued office use; however, the small size of these parcels limit the intensity of business development and the B-1 zoning is the most restrictive. Additionally the land use along this portion of Ripley Blvd. is already dominated by retail business uses of a much higher intensity than can be developed on the lots proposed for rezoning.

**Recommendation:** The intended and existing uses on these properties are consistent with the commercial development within the immediate area. The rezoning of the rear lot of 409 S. Ripley, fronting on Clinton, from R-2 to P-1 is necessary if the entire building were to be used for office use, as well as the proposed retail use. The P-1 zoning will prevent any future commercial building development closer to the Clinton Street residential neighborhood, and the required screening will mitigate impacts on the adjoining residence.

Therefore, staff recommends <u>approval</u> of the request to rezone Lots 2, 3, 4, and 5 (413 and 409 S. Ripley Blvd.) from OS-1 to B-1, and Lot 5 (794 Clinton Street) from R-2 to P-1. The parking lot, site requirements and building upgrades will be in accordance with all applicable codes, ordinances and regulations, and all necessary reviews and permits shall be completed and obtained prior to the commencement of construction.