



City Hall
208 North First Avenue
Alpena, Michigan 49707
www.alpena.mi.us

Planning & Development

AGENDA

City of Alpena Planning Commission

Regular Meeting

Tuesday, August 21, 2018, 7:00 p.m.

Alpena, Michigan

CALL TO ORDER:

ROLL CALL:

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

APPROVAL OF MINUTES: Regular meeting June 12, 2018

PUBLIC HEARING AND COMMISSION ACTION:

P.C. Case No. 18-SU-01. Jennifer Wilson, 313 W Clark Street, Alpena MI 49707, has requested a special use permit to allow a daycare for 7 to 12 children at her address of 313 W Clark Street in a One-Family Residential (R-2) Zoning District. Article 5. B

BUSINESS:

COMMUNICATIONS:

REPORTS:

1. Development Update

CALL TO PUBLIC:

MEMBERS' COMMENTS:

ADJOURNMENT:



MINUTES
City of Alpena Planning Commission
Regular Meeting
June 12, 2018
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, Sabourin, Lewis, Austin, Kirschner

ABSENT: Boboltz, Wojda

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

PLEDGE OF ALLEGIANCE:

Pledge of Allegiance was recited.

APPROVAL OF AGENDA:

The Agenda was approved as printed.

APPROVAL OF MINUTES:

April 10, 2018 minutes were approved as printed.

PUBLIC HEARING AND COMMISSION ACTION:

BUSINESS: PC 18-Z-02: Rezone from R-2 to P-1 at 316 Cavanaugh.

W. B. Benjey Inc. has requested to rezone the south east half of the property at 316 Cavanaugh Street from R-2 One Family Residential to P-1 Vehicular Parking District for the purpose of utilizing that half of the property for vehicular parking.

Background: W.G. Benjey formally had a building at 318 Cavanaugh that was demolished in 2007 after being damaged by a fire. They requested a variance to allow them to construct a new building at 318 Cavanaugh which was approved earlier this year by the Zoning Board of Appeals. When notices were send out, the adjoining residential property at 316 Cavanaugh approached the company about purchasing their property. The applicant would like to purchase the property which currently is split down the middle into two different zoning districts, with the half of the property along 318 Cavanaugh zoned I-1 Light Industrial and the other half along 901 S. Ninth being zoned R-2 One-Family Residential (see zoning map). The applicant would like to purchase the lot and construct a 100' x 135' building. The building itself would be located entirely in the

industrial district, but would like to utilize the other half of 316 Cavanaugh for parking purposes which would be not allowed in a R-2 zone. The applicants have asked to rezone the half of 136 Cavanaugh from R-2 to P1 Parking District.

Zoning and Planning Issues: The I-1 Light Industrial district requires that a building is setback at least 20' from a residential district. The building as proposed would be built directly to the edge of the district, which does not meet the 10' setback unless the adjoining zoning is changed to something other than residential. In addition, the half of the lot zoned R-2 cannot be utilized for parking unless it is rezoned to P-1.

If the property is not rezoned as proposed, the applicants could still build a 80' x 135' building, but would have to keep the building at least 20' from the residential district. They would also not be able to utilize the R-2 half of the lot for parking purposes.

If the property in question is rezoned to P-1 and utilized for parking, the lot would have to be screened to any adjacent residential uses and the parking area would have to be screened to any adjacent residential uses and the parking area would have to be hard surfaced.

The future land use map does designate 316 as single and two family residential, although 318 Cavanaugh is designated as light industrial.

The adjacent home at 901 S. Ninth would be the most affected property. It is a two story property, and even with an effective screen, the view from the upper windows would be the industrial building and the parking area. The building as proposed would be 62' from the home. If the entire lot was zoned industrial, the proposed building could be as close as 20' from a residential district.

Generally, industrial and residential zoning districts are not encouraged to be adjoining, but as much of Alpena was constructed prior to implementation of Zoning, there are many locations in the City where single family residential is directly adjacent to industrial. This area of the City is unique in the fact that there are many industrial uses along the railroad tracks, but also several homes as well.

The applicants would be required to meet parking requirements prior to issuance of a permit. These standards include a 10' side setback to any residential district. This can be reduced to 5' if the property exhibits site constraints. In this case as the area in question is 62' wide, and after meeting the side yard setback would only be 52' wide (or 57' if the setback is reduced) which would only allow for one row of parking along the building as two rows requires 60' of width. Landscaping requirements for the new parking lot would also have to be met.

Recommendation: As the property is currently zoned half industrial and half residential it would appear zoning the R-2 half of the lot to P-1 would create a buffer from the industrial zoning to the remaining residential zoning at 901 S. Ninth Avenue.

Therefore, staff recommends approval of the rezone request from R-2 One – Family Residential District to P-1 Vehicular Parking District as requested.

Al Dziesinski, representing W. G. Benjey, stated that the property has since been purchased by W. G. Benjey and they have started constructing a preliminary site plan.

Closed public hearing at 7:08.

Motion made by Lewis, to approve the rezoning as requested, seconded by VanWagoner.

Ayes: Austin, Mitchell, Gilmore, Lewis, Kirshner, VanWagoner, Sabourin.

Nay: None

Absent: Wojda, Boboltz

Motion approved by a vote of 7-0.

BUSINESS:

- 1. Request from Sunrise Mission to extend Special Use Permit for proposed activity center to July 11, 2019.**

Poll states that nothing is different with the permit other than the date. A special use permit will expire in a year if not used but can be extended. Leslie Scheen, the director at Sunrise Mission, explained that the mission has opted to stop taking government money for a variety of reasons which has changed their budget situation.

Motion made by Lewis to grant the extension to July 11, 2019, seconded by Mitchell.

Ayes: VanWagoner, Austin, Sabourin, Gilmore, Mitchell, Kirschner, Lewis

Nay: None

Absent: Wojda, Boboltz

Motion approved by a vote of 7-0.

- 2. Review Comprehensive Plan Survey**

Poll states that the survey is the same as the one that was utilized in 2013 and questioned if the survey is ok to leave the way it is and for NEMCOG to go ahead and proceed. Sabourin voices to leave it the same, commission unanimously agrees.

COMMUNICATIONS: None

REPORTS:

DEVELOPMENT UPDATE: Poll states that the Splash park concrete is poured. Should be open by July 4th. Dog Park is currently being constructed. Northland CU did get their plans to the building department minus the basement that they had to take out from the previous plans. Northland's ground breaking date is set for July 11th. Assisted living facility over by the museum is also moving forward.

REDEVELOPMENT READY COMMUNITIES PROGRAM: Poll states that after a few years, we are now officially redevelopment ready certified. The ceremony was held last Friday. Poll added that he will strike this topic from the agenda now for future meetings.

CALL TO PUBLIC: None

MEMBERS COMMENTS: None

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:21 p.m. by Sabourin, Planning Commission Chair.

Wayne Lewis, Secretary

Memorandum



Date: August 17, 2018

To: Planning Commission

Copy: Greg Sundin, City Manager

From: Adam Poll, Planning and Development Director

Subject: PC 18-SU-01- Request for a daycare at 313 W Clark Street- Staff Report

RE: **P.C. Case No. 18-SU-01.** Jennifer Wilson, 313 W Clark Street, Alpena MI 49707, has requested a special use permit to allow a daycare for 7 to 12 children at her address of 313 W Clark Street in a One-Family Residential (R-2) Zoning District. Article 5. B

Background: Jennifer Wilson would like to expand the operation of a daycare at her home at 313 W Clark. 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 a single family residential use in R-2 One-Family Residential District and expanding the childcare operation to 7-12 children would require a special permit.

Zoning and Planning Issues: The property in question is zoned R-2 One-Family Residence District and is principally a single family. Surrounding uses include other single family homes and Lincoln Elementary School to the southwest.

The applicant does not have a fenced in play area on her property, however the play area for Lincoln is directly across the street and a fence separates the play area from the road. The fence would not appear to surround the entire play area which could be a concern, but there is an area designed for smaller children that is fully fenced.

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, Clark Street is a local street that does not appear to have much vehicular traffic.

Recommendation: 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.

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.

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 day care operation allowing for 7-12 children is allowable as a special use.
- B. **Compatibility with Adjacent Uses.** The residence is bordered by single family residential uses located and Lincoln School to the southwest. The requested use would appear to be compatible with existing uses.
- C. **Public Services.** The residence will have the same demand on police, fire and other public services as it always has.
- D. **Economic Well-Being of the Community.** The granting of the Special Land Use Permit will not have any adverse effects on the neighborhood or the community.
- 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.** Sufficient space would appear to be provided for dropping off and picking up the children as long as pickups are staggered. If the driveway is occupied, Charlotte Street does allow parking and is not highly trafficked and would not appear to impact existing traffic.
- 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 multiple family dwellings for the area in question.
- I. **Compliance with Supplemental Site Development Standards.** Although there is not the required fenced in area on the applicants property, there is a mostly fenced in play area next door that also includes a fully fenced area for smaller kids.

Therefore, staff recommends **approval** of the Special Land Use Permit to allow for a child care facility with 7-12 children in an R-2 One-Family Residence District with the following conditions:

1. A copy of the State License shall be provided to City staff for its file when granted by the State of Michigan.
2. The applicant be required maintain a fenced play area, and children must stay within that area except when dropped off or picked up or while attending an adult supervised activity to a recreation area.
3. 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.
4. The Special Land Use Permit shall be implemented within twelve (12) months of its approval by the Planning Commission or become null and void. The petitioner may request an extension prior to the expiration of the Permit.

PC Case No. 18-SU-01

