



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

Planning & Development

AGENDA

City of Alpena Planning Commission

Regular Meeting
Tuesday, July 14, 2015, 7:00 p.m.
Alpena, Michigan

CALL TO ORDER:

ROLL CALL:

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

APPROVAL OF MINUTES: March 10, 2015 Meeting
 April 14, 2015 Meeting

ELECTION OF OFFICERS:

PUBLIC HEARING AND COMMISSION ACTION:

P.C. Case No. 15-TXT-01- Modification of Zoning Ordinance to Regulate Food Trucks and Location of Their Operations.

BUSINESS:

- 1. Discuss Peter Allen and Associates report from June 22, 2015.**
- 2. Grant Award- Blight Elimination Grant- Discuss Grant Award and Long Term Impact**

COMMUNICATIONS:

REPORTS:

CALL TO PUBLIC:

MEMBERS' COMMENTS:

ADJOURNMENT:



MINUTES

City of Alpena Planning Commission
Regular Meeting
April 14, 2015
Alpena, Michigan

CALL TO ORDER:

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

ROLL CALL: PLANNING COMMISSION

Present: Hunter, Dort, VanWagoner, Sabourin, Lewis, Heraghty, Mitchell

Absent: Gilmore, Boboltz

Staff: Adam Poll (Director of Planning & Development), Vickie Roznowski (Recording Secretary)

PLEDGE OF ALLEGIANCE: Pledge of Allegiance was recited.

APPROVAL OF AGENDA:

The April 14, 2015, agenda was approved as printed.

APPROVAL OF MINUTES:

The minutes of the February 26, 2015, meeting were approved as printed.

PUBLIC HEARING AND COMMISSION ACTION:

None.

BUSINESS:

1. Food Truck Ordinance

Poll handed out 3 different maps showing 100', 150' and 250' radius around every establishment within the downtown that services food. Did discuss this with the DDA board and Lesslee Dort, DDA Executive Director. They do see pros and cons as does the Planning Commission. Another issue is around the schools and if we want to put a buffer around them as well. DDA is completely open minded to the idea. One option is to have separate regulations within the DDA and the City as a whole. There was considerable discussion on how to regulate, with certain criteria, or not to regulate food trucks. Consensus is to allow food trucks within parking lots and private property and reevaluate the issue on a monthly basis. Poll will draft some language and start the process.

2. Downtown Infrastructure Grant (DIG) Program

Poll stated that he did receive word from Lake Superior State University (LSSU), who is conducting the Low Moderate Income Survey (LMI) that the survey will be done by the end of April. This will allow the City to utilize different grant opportunities without job creation. In addition, this makes us eligible for the Downtown Infrastructure Grant. This is a great program that has been operating for a number of years until this year. The thought initially was what types of programs, specifically in the downtown, we would want to potentially see. Poll would like the Commissioners to email him their ideas.

COMMUNICATIONS:

None.

REPORTS:

1. Update on Planning and Development Projects

Owl Restaurant - Poll stated the owners are proposing a 10' x 57' concrete pad into the park for outdoor dining. Pocket park is owned by the DDA so they will need DDA approval. If the DDA doesn't lease it and just allows them to use it then it is probably considered more public right-of-way then it would be private property so the Planning Commission would need to review and approve to move this forward. The DDA subcommittee will be meeting at the end of the week to discuss this and they will be looking at a way for the owl to expand and have some outdoor dining without interfering the public's enjoyment of the park.

2. Redevelopment Ready Community Program

Poll stated that a group came up from U of M and looked at underutilized sites, limited to the downtown, for an economic feasibility study. Did show them properties along the river; Armory, Federal Building, and the Alpena Power building. They are leaning towards doing their analysis on the Alpena Power building, The Cellar building, and the parking area behind The Cellar Restaurant. They are going to take a team of students from U of M and look at what those sites could be. They usually go with mixed use developments. They will draw up what those sites could potentially look like and market the plans to developers that the MEDC works with.

3. Recreation Plan Update

Poll stated that NEMCOG is in the process of preparing bid specifications and pricing to work with us on the Recreation Plan update.

4. ZBA Update

Poll stated that there were no meetings in March. There will be one case in April regarding a garage.

CALL TO PUBLIC:

None.

MEMBERS COMMENTS:

Heraghty asked if the Sunrise Mission ended up taking their case through the legal route. Poll stated the Sunrise Mission is trying to avoid the legal route. They are looking at site adjustments and will be back before the Planning Commission for approval if they plan on doing that.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:05 p.m. by Chair Sabourin.

Wayne Lewis, Secretary

MINUTES

City of Alpena Planning Commission
Regular Meeting
March 10, 2015
Alpena, Michigan

CALL TO ORDER:

The regular meeting of the Planning Commission was called to order at 7 p.m. by Randy Boboltz, Planning Commission Vice-Chair.

ROLL CALL: PLANNING COMMISSION

Present: Heraghty, Hunter, Lewis, Boboltz, VanWagoner, Gilmore, Mitchell

Absent: Dort, Sabourin

Staff: Adam Poll (Director of Planning & Development), Don Gilmet (Building Official), Vickie Roznowski (Recording Secretary)

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF AGENDA:

The March 10, 2015, agenda was approved as printed with one addition to Business; Brownfield Representative.

APPROVAL OF MINUTES:

The minutes of the February 10, 2015, regular meeting were approved as printed with one correction; Boboltz was not in attendance.

PUBLIC HEARING AND COMMISSION ACTION:

PC15-SU-01: Sunrise Mission has filed a petition requesting a Special Land Use Permit to allow for the construction of a 34' x 60' activity center attached to the rear of the existing structure at 622 W. Chisholm Street.

In 2001 the Sunrise Mission received permission to enlarge the original structure at 622 W. Chisholm Street, doubling its capacity from 12 to 25 beds and in 2008 the mission was granted to utilize the adjacent home at 616 W Chisholm to house up to two families with no charge to the guests and expand their capacity to 33 beds. The property at 608 W Chisholm is owned by the mission, but consists of 4 units that are rented out, so it is not included in the special permit that was granted to the mission as those rental units are open to anyone, and are regulated by the City's rental registration and inspection programs.

The mission is now requesting to allow the construction of a 34' x 60' activity center attached to the rear of the existing structure at 622 W Chisholm Street. The applicant has indicated that the activity center would be utilized for life skills training and congregate meals at holidays. In addition, the applicants listed the uses including 12 step groups, community Bible study, classes, and staff and guest group needs within their newsletter.

Several variances were required for the proposed activity center for which hearings took place at the February 25, 2015 Zoning Board of Appeals meeting. Those variances were denied as

the ZBA did not feel that the requests met the required variance standards. The applicants have an opportunity to appeal and if their appeal is successful, Planning Commission approval of the Special Permit request is still required. If the Planning Commission denies the request, Special Land Uses are appealed directly to Circuit Court, and will not go to City Council.

The property is currently zoned CCD Commercial Corridor District, which permits Residential Human Care Facilities as Special Land Use Subject to Special Conditions (Special Use), subject to Planning Commission approval following a public hearing.

The activity center is intended to be utilized for a gathering place for different uses, many of which would not appear to be limited to guests of the facility. Some of these uses include life skills training and congregate meals at holidays, 12 step groups, community Bible study, classes, and staff and guest group needs. Normal residential care facilities require 1 parking space per bed and 1 space per staff member. Being that the mission services individuals that generally do not drive, those requirements seem excessive. Staff would have concerns with the proposed activity center and the house located at 608 W Chisholm. As the house is not part of the mission, and is available for anyone to rent, it is required by ordinance to provide 6 parking spaces. The activity center requires 34 parking spaces. It would be be part of the mission, but would be open to the public for a number of different functions. Assuming there are two staff members at the mission, there would be a need for 42 parking spaces for the associated structures, only 25 of which are provided.

It should be noted that the Planning Commission can potentially reduce parking requirements for a special use. Although it is not specified, this provision is for special uses that intend occupy existing buildings and not for building additions. When reducing parking requirements for new construction, the Planning Commission must look at the future use of the property, and consider the possibility that the mission could move or cease operations in the future. If that occurs there are very few other uses that could utilize the mission property due to the parking needs that most other uses have.

In addition, allowing the proposed activity center and associated parking would increase the nonconformity of 608 W. Chisholm Street. The property at 608 W Chisholm is a legal non-conforming use, the proposed parking area would appear to eliminate nearly the entire rear and side yards. If the property were ever to be split and sold, a 10' rear and side yard setback would need to be maintained around the structure, and 6 parking spaces would have to be included with the residential structure.

An alternative to locating the proposed activity center at the existing mission site would be to locate the activity center offsite. The mission could construct or utilize an existing building for the activity center in a nearby location within a walkable distance which could meet zoning requirements. Such an arrangement may not be as easy to operate for the mission as it would probably require additional staffing, but it would appear to address land use concerns.

In reviewing the site plan further, the applicants are proposing to construct a 6' privacy fence along the alley that would create a visual barrier and restrict vehicles from entering and exiting off the alley. The site plan also points out that there is an existing 6' privacy fence at 117 S Seventh Avenue. Staff would ask that if approved that a condition be added requiring a privacy fence along the alley, but also along 117 S Seventh Avenue.

The Sunrise Mission provides an important service for Northeast Michigan. They assist a population that is often underserved, and have done so for 25 years. The desire to increase the services available to those they assist is commendable. As the mission is not requesting any space for additional beds, this analysis pertains to the impact of the requested activity center and the long term land use issues that the activity center may or may not produce.

Although the Sunrise Mission does offer an important and sometimes underappreciated service to our community, there would not appear to be adequate space for the proposed activity center and the amount of parking it would require as the activity center is open at times to the public. If the mission were to relocate or cease operations 25 parking spaces would not be adequate for other potential uses for the property. In addition, the proposed parking lot would increase the non-conformity of the home at 608 W Chisholm and make it difficult to split off that home without requiring additional variances.

Staff recommends denial of the request for a Special Land Use Permit for the construction of the proposed 34' x 60' activity center.

FAVOR:

John Ritter, Sunrise Mission Director, 14145 E. Grand Lake Road, stated that this addition has been talked about at the board level for about 5 or 6 years. This addition is due to the lack of space and having enough room for congregate meals (the big holidays), space for meetings, and kids play area. Largest issues at the ZBA meeting was parking. To us it's not the parking it's the people. On February 24th we had people staying and only one car. The most cars we have had at the Sunrise Mission at one time is 5. Doesn't see a problem with parking because most of the people that stay at the Sunrise Mission do not own cars.

OPPOSITION:

Angie Skiba, 635 River, asks that the Commission deny this request. Has had to have 2 people removed from her backyard. It is a neighborhood issue and she is not the only person that has had problems with that. This is a safety issue. If you look at the back of the homes there is not room for this building. The job they do is good and she is not a person to not be compassionate. Feels that they have been there a lot of years without the building and doesn't feel that they need the activity center. Extended stays at the Sunrise Mission changed from 90 days to 180 days. Poll noted that the alley would be closed to traffic and that that the stay was 90 days per 6 months and has been changed to 180 days per 12 months.

Amy Bedford, 117 S. Seventh, stated that she was a former guest of the Sunrise Mission. Has attended holiday meals and there didn't seem to be a problem with space. This afternoon she witnessed someone come out of the mission and go get something out of a car that was parked in the Dairy Queen parking lot. Her daughter is scared to be outside. Bedford further stated that she knows for a fact that they bus people on parole in from prisons who will be staying at the Sunrise Mission. Her fiancée was a parolee who was bussed in from Adrian in 2007.

Dennis Bray, RS Scott Associates, stated that this will not make the parking issue worse. Signage will help the process and should eliminate any current issues that exist. VanWagoner asked where primary access to the parking lot would be. Bray stated that the primary access will be off of Chisholm Street.

John Lappan, 112 N. 8th Street, has seen a lot that has gone on at the Sunrise Mission. This meeting is based solely on the variance they requested. I feel that in the future this could create problems. This request should be denied. Doesn't have anything against the mission, but there has got to be some limitations.

Angie Skiba approached the Commission and handed the Commissioners paperwork from a FOIA request showing the amount of police calls that have been made regarding the Sunrise Mission. Skiba stated that many of the residents of the mission eat at St. Bernard's soup kitchen and St. Bernard does have AA meetings.

John Ritter, stated that unfortunately he works for a company that is undesirable to most. Ritter further stated that some of the nicest people he has met have come through the mission. The Sunrise Mission is the last stop before the streets. People staying at the mission have to be in before 10 o'clock, the doors are locked, and you can't come in if you are high or drunk. We do not get any extra funding for taking people that have been paroled or on probation. We get the standard \$12 a night per person from the state. We don't have a bus and we do not pay people to bring them to Alpena. In December there was a news article that stated that there aren't any more calls to the mission than any other place in the City and that the Sheriff is happy that the mission is there.

COMMISSIONER'S DISCUSSION AND ACTION:

Hunter asked Ritter how well the Sunrise Mission Board investigated the possibility of an off-site location versus what is before the Commission tonight. Ritter stated some of that has been talked about. It just comes back to that we have just got a really good central location. All these people with no cars can walk and take care of their business. If you go back behind the Mission and look and the playground gets taken in and the white barn is taken down then there is a ton of room back there. Hunter asked if the property is ever sold what would be some potential future uses for that property. Ritter stated he can't see into the future, but they would have to go through zoning and planning just as we are doing right now. Gilmet stated the proposed addition will be zoned assembly use. If that is built and granted and you take the Mission off the building and then it gets sold, it could be a restaurant. Not necessarily will it have to come back before the Commission, it will depend on usage. VanWagoner stated the building as it sits right now at 622 W. Chisholm there was an addition put on, did they have to get a variance to put that addition on last time? Gilmet stated they came before the Commission for that. VanWagoner further stated without the proposed addition that lot at 622 probably wouldn't be in compliance with the minimum use of space if that were sold all by itself. There is too much building on the lot as it is right now, correct? Gilmet stated that is correct. Mitchell stated that there is approximately a 6-7 foot section that goes on to the 616 W. Chisholm property. Gilmet stated it is. Mitchell stated if they wish to do this then why don't they merge the properties, otherwise if something happens and that's sold then whoever owns the 616 property could say they need to tear the building down because it is on their property. Lewis stated that you always have individual lots even if they merge them, but only one tax bill. They wouldn't be able to sell the building in the middle because it would have an encroachment as is. Once they build the building over the property line then the two lots are going to be tied together unless they would do some kind of lot split, which could be denied by staff because it wouldn't meet the criteria of a lot split. Hunter wanted to make it clear that what we are being presented is that they are short 17 parking spaces even though most of these people have no vehicles. Poll stated if we said that none of the residents or guests of the Mission had cars, you made room for two staff, and you had room for the parking requirements

for 608 and the activity center this is where the count of 42 parking spaces came from. Hunter stated if they wanted to use that new building for other groups that might want to meet there, then they are still short 17 parking spaces. Hunter asked if Ritter would be interested in a limitation where outside groups could not use the facility. Ritter asked if this would include alumni. I don't think we have anybody, except volunteers that come in, that aren't in some way connected with the Mission. Hunter asked if the Board discussed having revenue from renting the space. Ritter stated this is not a place that will be rented out. It will be for in-house use only. Lewis asked if there were any options to make the addition smaller than what it is so you would meet the rear yard setback. Ritter stated the current plan is quite a bit smaller when we first started. When the board looked at the layout and what we originally looked at was going to fit on the lot and it got paired down to 60 feet. It just looked like the right size having a kitchen, two bathrooms, storage area, utility area, and common area big enough for what we thought our needs would be on a given holiday.

Motion made by Mitchell, seconded by Hunter, to deny the request for a Special Land Use Permit for the construction of the proposed 34' x 60' activity center due to the lack of parking spaces.

Yays: VanWagoner, Boboltz, Lewis, Hunter, Gilmore, Heraghty, Mitchell

Nays: None

Absent: Dort, Sabourin

Motion passed by a 7-0 vote.

BUSINESS:

Brownfield Representative:

Poll stated that it is required for the Planning Commission to appoint a member to the Authority for Brownfield Redevelopment. That member, for some time, has been Mike Glowinski who has moved outside of the City limits. At the City Manager's request, Glowinski is willing to serve as long as the Planning Commission agrees.

Motion made by VanWagoner, seconded by Heraghty, to reappoint Mike Glowinski to the Authority for Brownfield Redevelopment.

Yays: Boboltz, Lewis, Hunter, Gilmore, Heraghty, Mitchell, VanWagoner

Nays: None

Absent: Dort, Sabourin

Motion passed by a 7-0 vote.

COMMUNICATIONS:

None.

REPORTS:

1. Update on Planning and Development Projects

Will be meeting with the MEDC on Monday regarding the Alpena Furniture building.

Austin Bros. Brewery

Austin Bros. Brewery is getting ready to pull permits and ordering equipment. The brewery will be opening late May or early June.

Holiday inn Express

Foundation work will begin on the Holiday Inn Express in the near future. Holiday Inn Express wants to be open by October-November 2015.

2. Redevelopment Ready Community Program

Poll did submit the checklist and it is being evaluated. Part of the program is an economic feasibility assessment for vacant buildings within our downtown so representatives from U of M will be coming up to look at some buildings within the City.

3. Recreation Plan Update

Poll stated that the Commissioners who have volunteered to sit on the subcommittee to review the Recreation Plan will need to meet in the near future with the Recreation Advisory Board to start updating the Recreation Plan.

4. ZBA Update

Poll stated that the Commission is aware of the case regarding the Sunrise Mission. There are no new cases for the month of March.

CALL TO PUBLIC:

None.

MEMBERS' COMMENTS:

Boboltz stated that there was a question at the last meeting regarding the gentleman that owns the former Federal Building. I know the Commission did give permission for him to reside in there for some period of time. The issue is that there are times when we as a Planning Commission set some kind of time limit on something that we have the authority to do so with some party. We don't always remember to follow-up. We should be keeping some kind of actual listing showing what was approved and the time line so we don't forget to go back to it. Boboltz stated several years ago a site plan came before us for Beaver's Radiator on Ripley Boulevard and there was a portion of the site that was gravel and the requirement was that it needed to be paved and the stipulation is that it had to be done within a period of time and it has never been paved. Poll stated he could look into it and find out why it was never done. Hunter asked if we are allowed to require bonding if they shall not fulfill something within a certain amount of days or weeks. Poll stated he will look into that and check with the City Attorney.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:40 p.m. by Vice-Chair Boboltz.

Wayne Lewis, Secretary

Memorandum



Date: July 9, 2015

To: Planning Commission

Copy: Greg Sundin, City Manager

From: Adam Poll, Planning and Development Director

Subject: Food Truck Zoning Ordinance Modifications

After discussing the issue of food trucks for several sessions last year, and again this year, preliminary language was discussed and I have attempted to correlate this into the following:

The City of Alpena has filed a request to amend the following section of the City Zoning Ordinance relative to allowing Mobile Food Vehicles as a permitted use in non-residential Zoning Districts with permission from the property owner:

- ***Section 2.1 Definitions- MOBILE FOOD VEHICLE- A motorized vehicle or trailer which engages in the service, sale or distribution of ready-to-eat food for individual portion service to the general public directly from the vehicle.***
- ***Section 5.11-5.24 Allow Food Trucks as a use by right with supplemental regulations.***
- ***Section 7.23 Mobile Food Vehicles-***
 - A. Such uses may not serve food from any road.***
 - B. Such uses may not operate within any City sanctioned special events without securing permission from the special event organizers.***
 - C. Such uses must obtain written permission from the property owner prior to serving any food.***
 - D. Such uses must meet all applicable codes from all other state and federal agencies including but not limited to the Health Department and Secretary of State.***

Many ideas were discussed including buffer distances from different uses and their overall impact on brick and mortar restaurants. Hopefully the above language closely resembles what the Planning Commission determined. The proposed wording still requires mobile food vendors to obtain permission for operation on all property private and public. Planning Commission could make a recommendation to City Council to allow operation in certain public areas without written permission, but at this point, staff has not had the opportunity to identify any such areas. In addition, requiring written permission would allow the City to require that any vendors on their property are properly insured and operating as desired by the City.

If this wording is approved by the Planning Commission, it will then go to City Council for adoption. Please let me know if you have any questions or need additional documentation.

Contact:

Misty Miller

MSHDA Communications

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June 30, 2015

Alpena gets \$245,000 grant to aid in demolition of former power building

*MSHDA allocates \$3.8 million to help 19 communities tackle blighted
properties around the state*

ALPENA, MICH. – Alpena residents will finally get to say goodbye to the former Alpena Power Building in the heart of downtown with help from a Blight Elimination Program grant awarded by the Michigan Land Bank Fast Track Authority.

Located at 310 N. Second Avenue on the Thunder Bay River, the former power plant was completely vacated two years ago although 85 percent of the building has been empty since 2006. The city has arranged for \$65,000 of local match money in addition to the requested \$245,000 for the demolition.

“I’m glad to see the proactive approach the city of Alpena has taken to further economic growth,” said Sen. Jim Stamas, R-Midland. “These projects continue to better our community and provide opportunities to drive development.”

The application says removal of the commercial building would have a direct benefit to the surrounding blocks and downtown Alpena because the building continues to deteriorate and is a fire hazard. It’s also lowering surrounding property values while posing a risk to public safety.

Once the building is removed, the site would be back filled and seeded to be maintained as green space until a suitable development emerges, officials say. A proposed development would have to meet the standards for waterfront development in the downtown according to the Zoning Ordinance and Comprehensive plan.

This grant is funded through a portion of Michigan’s Homeownership Protection Fund that was appropriated to MSHDA in 2012 and repurposed last year to continue to address blight elimination needs across the state.

County Land Banks and local units of government statewide were invited to apply for up to \$250,000 in assistance during this round of funding. Forty-nine applications were submitted, requesting more

than \$8 million to fight blight. Three different groups scored each application and the combined scores were used to select the 19 grant recipients.

Proposals were evaluated by representatives from MSHDA and the Michigan Land Bank Authority based on their anticipated impact on public safety, stabilizing property values and enhancing economic development. Public and private investment in the project and alignment with a local place plan or other placemaking effort were also factors.

Eligible projects were required to involve demolition of blighted buildings in business districts, downtowns, or commercial corridors; full or partial demolition of commercial buildings that are part of a development project with funding commitments and/or involve demolition of blighted residential structures.

The following cities received grant funds through the Blight Elimination Program:

- Genesee County Metropolitan Planning Commission; preliminary award amount \$250,000
- City of Mt. Pleasant; preliminary award amount \$250,000
- Marquette County Land Bank; preliminary award amount \$223,250.00
- City of Battle Creek; preliminary award amount \$250,000
- City of Harbor Beach; preliminary award amount \$150,000
- Kent County Land Bank Authority; preliminary award amount \$50,000
- City of Springfield ; preliminary award amount \$135,000
- City of Dowagiac; preliminary award amount \$250,000
- City of Monroe; preliminary award amount \$200,000
- City of Muskegon; preliminary award amount \$250,000
- City of Bay City; preliminary award amount \$250,000
- Berrien County Community Development; preliminary award amount \$250,000
- City of Manistique; preliminary award amount \$201,550
- City of Kalamazoo; preliminary award amount \$217,350
- City of Alpena; preliminary award amount \$245,000
- City of Ypsilanti; preliminary award amount \$250,000
- Clare County Community Development; preliminary award amount \$157,500
- City of Coldwater; preliminary award amount \$65,250
- Village of Marcellus; preliminary award amount \$155,100

The Blight Elimination Program has funded approximately \$25 million in demolition projects dating back to 2012 and has applied the newly repurposed \$3.8 million to continue efforts to demolish vacant and abandoned structures in Michigan.

“By investing in blight elimination we are investing in the future of Michigan,” said Kevin Elsenheimer, executive director at MSHDA. “Eliminating blighted properties promotes public safety, stabilizes property values and enhances economic development opportunities.”

The Michigan State Housing Development Authority (MSHDA) provides financial and technical assistance through public and private partnerships to create and preserve decent, affordable housing for low- and moderate-income residents and to engage in community economic development activities to revitalize urban and rural communities.*

*MSHDA's loans and operating expenses are financed through the sale of tax-exempt and taxable bonds as well as notes to private investors, not from state tax revenues. Proceeds are loaned at below-market interest rates to developers of rental housing, and help fund mortgages and home improvement loans. MSHDA also administers several federal housing programs. For more information, visit www.michigan.gov/mshda.