



City Hall  
208 North First Avenue  
Alpena, Michigan 49707  
[www.alpena.mi.us](http://www.alpena.mi.us)

## *Planning & Development*

### **AGENDA**

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

Regular Meeting  
Tuesday, January 10, 2017, 7:00 p.m.  
Alpena, Michigan

CALL TO ORDER:

ROLL CALL:

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

APPROVAL OF MINUTES: Regular Meeting November 8, 2016

PUBLIC HEARING AND COMMISSION ACTION:

1. **17-SU-01** Sunrise Mission Inc. has requested a special use permit be granted for the existing legal non-conforming multi-family home at 608 W. Chisholm Street. Article 5.14B.

BUSINESS:

1. Approval of 2017 Planning Commission Schedule

COMMUNICATIONS:

REPORTS:

1. Development Update
2. Redevelopment Ready Communities Program

CALL TO PUBLIC:

MEMBERS' COMMENTS:

ADJOURNMENT:



**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.

# Memorandum



Date: January 6, 2017

To: Planning Commission

Copy: Greg Sundin, City Manager  
Don Gilmet, Building Official

From: Adam Poll, Planning and Development Director

Subject: 17-SU-01 Request for Special Use Permit at 608 W Chisholm

**P.C. Case #17-SU-01.** Sunrise Mission Inc., has requested a special use permit be granted for the existing legal non-conforming multi-family home at 608 W Chisholm Street. Article 5.14B

The property at 608 W Chisholm Street is currently a legal non-conforming multifamily use located in the Commercial Corridor District (CCD). It has been utilized as multifamily housing since City staff began maintaining rental records in 2001. In 2010, the Zoning Ordinance required a special permit for multifamily housing in the CCD District. As the house was already a multifamily use, and a Special Permit was never obtained it became a legal non-conforming use at that time. Because of its status as a legal non-conforming use, the house can continue its use as a multifamily dwelling indefinitely until its use is changed. If the use changes, it could only revert back to a multifamily home through the special permit process.

The applicants are requesting a special permit for the property to allow for a multifamily use, which would eliminate its non-conforming status. Most often, applicants seek a special permit in this situation as many banks and insurance companies prefer to avoid non-conforming status as it can cause issues if the house is ever destroyed or damaged significantly.

Surrounding uses include a residential human care facility to the northwest at 616 and 622 W Chisholm Street, a commercial use (Dairy Queen) to the southeast at 600 W Chisholm Street and single family residential homes to the southwest across the alley.

Any new building that is constructed in the CCD, is required to meet setbacks, and parking requirements. Setback requirements in the CCD allow buildings can have a 0' front yard setback in this location as well as a 10' rear yard setback. There is a side yard setback of 10' for any use abutting residential district or use. In this case there would appear to be a setback of 10' adjoining the property at 616 W Chisholm Street, which would meet the requirements. The side yard setback along the Dairy Queen property at 600 W Chisholm Street would appear to be at least 16'. Parking regulations would require 2 spaces be provided multi (2 or more) bedroom unit and 1.5 spaces per one bedroom unit. In this case, records indicate that this building has 2 multi bedroom units and 2 single bedroom units and if built new would require 7 parking spaces. There would appear to be sufficient parking provided on the parcel to meet these requirements.

Staff would note that the use at 608 W Chisholm Street is owned by the Sunrise Mission Inc., but is not part of the Residential Human Care facility that operates with a separate special use permit at 622 W Chisholm and 616 W Chisholm Street. 608 W Chisholm Street is a standalone multifamily rental house that is registered and routinely inspected by City staff as all rentals are required to be. The proposed Special Permit is not associated with the formally proposed activity center.

As the property is an existing multifamily use and has been since the City has been keeping records of this type of use, and the property would appear to meet the requirements of the CCD Zoning District, staff would support the **approval** of the Special Permit for a multifamily dwelling at 608 W Chisholm Street.





## PC Case No. 17-SU-01

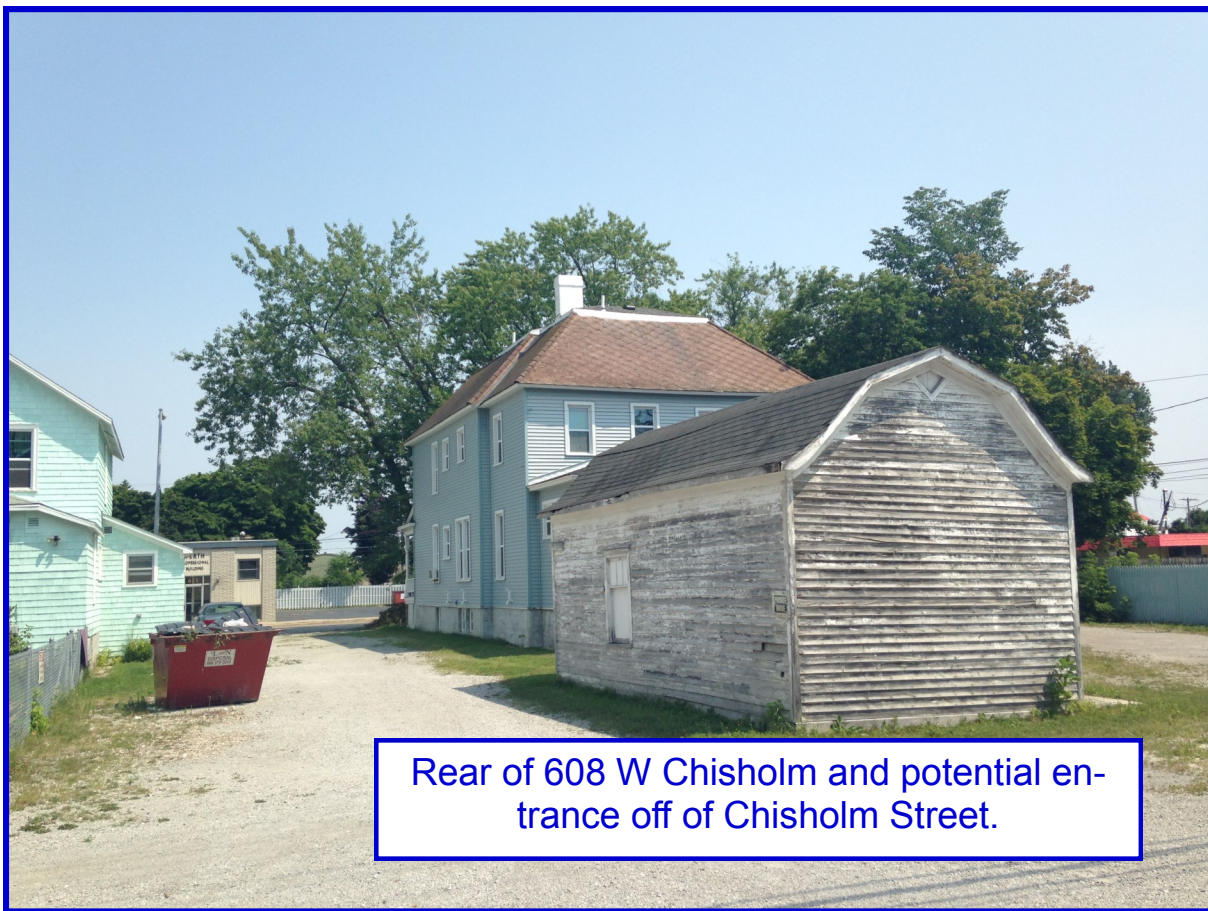




## PC Case No. 17-SU-01



Rear of 616 W Chisholm Street and required fenced in playground.



Rear of 608 W Chisholm and potential entrance off of Chisholm Street.





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## *Planning & Development*

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### ALPENA CITY PLANNING COMMISSION

#### 2017 Meeting & Filing Schedule

Regular meetings of the Planning Commission are held the Second Tuesday of each month, unless otherwise indicated.

<u>Meeting Date</u>	<u>Filing Date</u>
January 10	Wed., Dec. 14, 2016
February 14	Fri., Jan. 20
March 14	Fri., Feb. 17
April 11	Fri., Mar. 17
May 9	Fri., April 14
June 13	Fri., May 19
July 11	Fri., June 16
August 8	Fri., July 14
September 12	Fri., Aug. 18
October 10	Fri., Sept. 15
November 14	Fri., Oct. 13
December 12	Fri., Nov. 17
January 9, 2018	Wed., Dec. 15, 2017

Regular meetings begin at 7:00 P.M. in the Council Chambers at City Hall.

Approved by the Alpena City Planning Commission at its regular meeting on Tuesday, January 10, 2017.

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Paul Sabourin, Chair