



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

Planning & Development

AGENDA

City of Alpena Planning Commission

Regular Meeting

Tuesday, November 8, 2016, 7:00 p.m.

Alpena, Michigan

CALL TO ORDER:

ROLL CALL:

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

APPROVAL OF MINUTES: Regular Meeting September 13, 2016

PUBLIC HEARING AND COMMISSION ACTION:

1. **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.

BUSINESS:

1. Sign Ordinance Revisions- Begin the process of updating the sign ordinance to comply with Reed v. Town of Gilbert Arizona.

COMMUNICATIONS:

REPORTS:

1. Development Update
2. Redevelopment Ready Communities Update

CALL TO PUBLIC:

MEMBERS' COMMENTS:

ADJOURNMENT:



MINUTES
City of Alpena Planning Commission
Regular Meeting
September 13, 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 Chairman.

ROLL CALL: VanWagoner, Mitchell, Gilmore, Boboltz, Sabourin, Hunter and Bryan Dort

ABSENT: Heraghty, Lewis

STAFF: Adam Poll, Director of Planning & Development and Cassie Stone, Office Clerk.

PLEDGE OF ALLEGIANCE:

Pledge of Allegiance was recited.

APPROVAL OF AGENDA: August 9, 2016 agenda approved. Moved by Boboltz, Seconded by Mitchell.

APPROVAL OF MINUTES: August 9, 2016

The August 9, 2016 minutes were approved as printed with one correction; Dort corrected spelling of "Brian" to "Bryan."

PUBLIC HEARING AND COMMISSION ACTION:

BUSINESS:

Cassie Stone introduced as the new Office Clerk to the Planning Commission.

Senate modified HB 4209 to legally authorize provisioning centers for Medical Marijuana.

Poll stated that if the HB 4209 was passed it would legally authorize provisioning centers within the city. It is still up in the air how they will go about with this and who will make the decisions that decide how many and where these provisioning centers would be located. Our current ordinance 11-410 does allow medical marijuana in the City for primary caregivers and patients but the total for the caregivers to provide to is believed to be at 5 and can only be provided directly to the patient. Provision centers would allow a third party and more distribution of marijuana for patients. Hunter asked "How is this marijuana getting distributed?" "Where do the seeds come from?" "Who is the seed provider?" Poll replied that those questions are being asked that he doesn't have answers for right now. Mitchell stated that this could turn into a commercial concern with zoning issues and hopes that neighboring businesses could have a public hearing to voice their concerns on where these provisioning centers will be located and how many will be allowed. Hunter noted that we might be opening this up when it is not needed as of right now. Poll stated that it is up to the Council if this will be addressed or set aside for now. Dort stated that provision center could be beneficial to patients and cancer patients who cannot smoke and be provided with alternatives such as food items or oils. Hunter asked if a count of how

many medical marijuana cards are issued as of right now was available. Mitchell believed that a provision center had to be 1,000 feet away from schools, hospitals, etc. Poll stated he could generate a map to show protected uses. Poll agreed to monitor this issue and would check with City Attorney on some of the concerns that were brought up today including if landlords could prohibit the growth and use of it, is there a 1,000 feet setback from protected uses and also to hear from the advisory group.

COMMUNICATIONS: none

REPORTS/DEVELOPMENT UPDATE:

Woodward Trailhead restrooms are complete and open although the pavilion is not at this time. The former Alpena Power Company offices are demolished and the grant has been completed with the City having received reimbursement payments finalizing the grant. Poll stated him and Jim Klarich have been meeting with developers trying to market that site. The Owl is pretty much complete other than installing the awning. It looks like that will be done in the spring. Brick work has started in full force at the Holiday Inn. The office across from the Chamber is also getting brick work done and the work on the back of Alpena Furniture has also started. Restoration is being performed on the City Hall at this time.

CALL TO PUBLIC:

Albert Hess, owner of Traveling Ladders located at 102 N. 2nd Avenue, spoke about the one way to two way traffic change on Second Avenue. He brought up that if they are going to proceed with this change then it is beneficial to switch all of it not just some of it. Streets are no longer the size that they used to be. He is very concerned with the loss of sales if this takes place from the number of walk up pedestrian customers. The amount of parking will be loss and it will definitely be a safety issue. He already receives many complaints from customers on lack of parking that downtown has to offer. He states there just isn't enough room to make this change without getting rid of trees and pulling out cemented in benches.

Joanna Cooper, owner of As You Wish and Blue Phoenix Books located at 104 N. 2nd Avenue, spoke about the lack of communication she received on this process. She stated she is not opposed to two way traffic but thinks that it is too narrow to convert to this section. She is very concerned with the safety of the pedestrians as well as the loss of business that this conversion could generate for downtown businesses.

Tina Montgomery, owner of My Glass Wings located at 106 N. 2nd Avenue, stated that she is very concerned with the parking that will result from this change. She gets a lot of complaints also from customers that have to park so far away now and walk to her business. She stated that downtown was a success and making this change will take away a lot from local businesses which could result in not having a successful downtown anymore.

MEMBER'S COMMENTS:

Poll clarified that what the council was looking at in their regards is a traffic control decision and that is why to his knowledge that didn't go through the official public hearing and also why it was not taken to

the Planning Commission for a vote. Sabourin hoped that if the Planning Commission requested answers from the Council or the City Manager that they would at least sent back some information on the matter. He also states that two way traffic also increases business in the studies that were presented.

Hunter noted that he understood the concerns of the business owners, and thought it was a good idea to send a letter to the City Council to discuss what they thought. Poll noted that he was not sure everyone on the Planning Commission agreed and recommended a vote.

Motion by Hunter, seconded by Boboltz, for the Planning Commission to draft a letter to City Council requesting that the process of two way streets be opened back up for an official formal public hearing process which involves mailings to everyone within 300 feet of all affected areas of the proposal. The motion was approved 6-1.

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

Dort – No

Hunter left the meeting at 8:05.

VanWagoner noted that it had been said that one way traffic moved traffic through an area faster and wondered why that was something to avoid. Dort noted that two way traffic slowed down traffic and allowed cars to see what services are available.

Dort, noted that he was not speaking on behalf of the DDA, but indicated that studies have shown two way slows down people and one way traffic speeds people through quickly. Slowing people down allows drivers to take in what downtown has to offer. Boboltz noted that he did not believe two way traffic would slow down traffic movement and felt that there was concern if the affected population did not know this change was coming. Dort stated he believed that people were well aware of what was happening and in his opinion the decision has already been made and at this time he feels nothing else can be done in this matter. He believes concerned citizens and business owners had plenty of opportunities to speak and at this time it is too late.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:21 by Chair Sabourin.

Memorandum



Date: November 4, 2016

To: Planning Commission

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

From: Adam Poll, Planning and Development Director

Subject: 16-SU-05 Request for a 1st floor residence at 115 N. First Avenue

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).

The building in question is located in the CBD which allows residences on the ground level of a building, but only after a special use permit is granted from the Planning Commission. In 2010, the Zoning Ordinance was modified to encourage mixed use buildings in the downtown which allows residences in the CBD by right, but only if they are above a commercial use. A special use permit is required as a residence is created on the main level of the building to encourage commercial uses within the downtown and keep residences from taking up prime commercial space.

This building currently has an upper level with three residential units on the second floor, two of which were assisted with the rental rehab program the City operates. These units are occupied, and there would not appear to be space for an additional unit. The applicant is not requesting grant funding for the proposed request.

Since 2010, three residential units have been allowed to be constructed in the CBD on the first floor. These units include one in the former Federal Building located at 145 Water Street, as well as two located at the site of the former library at 314 E. Chisholm Street.

The applicant has indicated that this request is being made as the rear two offices are very difficult to rent out as they are located further back in the building and tenant's clientele have problems navigating their way to these offices. She has noted that these rear offices have a much higher turnover than the offices in the front of the building. The applicant has indicated that the front two thirds of the building is not included in the special use request and would remain commercial in use.

If the request was allowed, the applicant would incorporate the existing women's bathroom into the proposed residential unit, and make the existing men's bathroom a unisex bathroom with handicap accessibility.



The residential unit created would include two bedrooms and a single bath. While a third of the building would be about 1200 SF, there is a mechanical and electrical area that would appear to serve the entire building within that area would not be occupied as livable space. The mechanical room is only accessible through the proposed residence, which could create issues with access, but is not unusual for an older building. The same problem would occur if an office rented the space. Also, the electrical area is accessible via an external door, which could be easily accessed without disturbing any tenant. The larger portion of the first level would still be utilized for private offices, and could be utilized for retail in the future without affecting the residence. The residence has multiple access points and could be accessed from the outside of the building via a rear door or could be accessed from the office area as well.

The applicant/owner of the building has indicated that it is her intent to utilize the residence for her to live in initially.

The remaining commercial portion of the building is also set up that each office has a lockable door, so if a future tenant did access the commercial space, they would not have access to the individual offices.

The DDA did discuss the request at their November meeting and did not note any significant concerns at that time. A question was raised if there was reserved parking for the tenant. Staff noted that the applicant had not brought up parking, but would have to make arrangements with a private owner, or with the DDA for a reserved space for overnight parking.

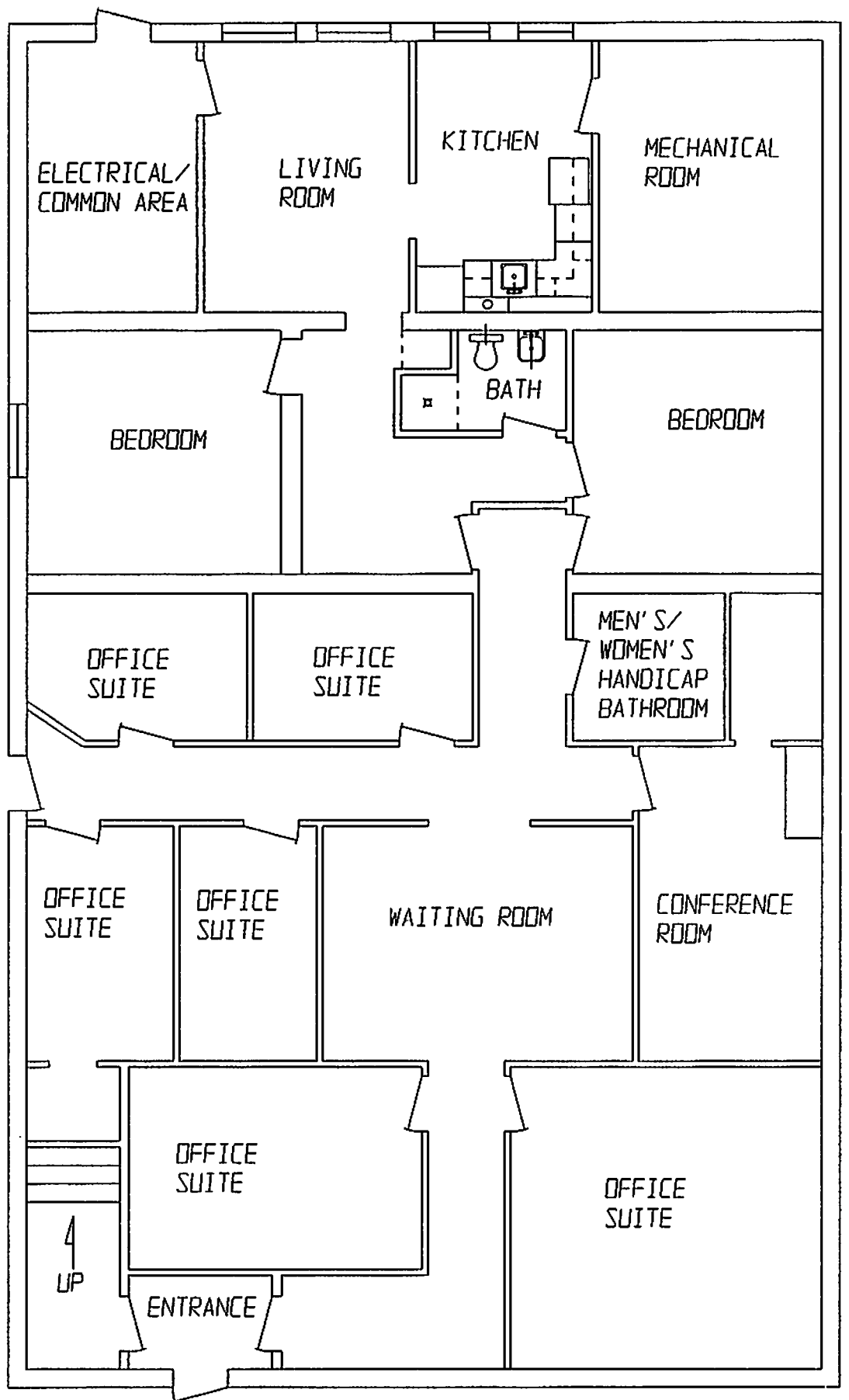
If the Planning Commission chooses to deny the request, the applicant could continue to attempt to utilize the request area as offices. Additional signage could be utilized for these offices, and the space could be marketed to offices that do not have much clientele traffic.

Overall, the addition of the proposed residence would not appear to have a negative impact on the area. The space proposed to be utilized for a residence is currently 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 the need to go 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.

*Therefore, as the request would not appear to have a negative impact on the area and is difficult to utilize for commercial purposes, and the remaining portion of the main level will continue to be utilized for commercial purposes, staff would recommend **approval of a special use permit** to allow the rear third of the building to be utilized for a residence on the main level of a building in the CBD.*



ALLEY WAY



ALPENA NEWS

FIRST AVENUE

Reason for special use permit for 115 N. First Avenue is to put a 2 bedroom apartment in the back 1/3 of the first floor. The rear two offices that are there currently are difficult to rent out. Tenant's clientele have problems navigating the maze like passage ways required to get to the offices at the rear of the building even with abundant signage to direct them thus making turnover for those offices much higher than the offices at the front of the building.

PC Case No. 16-SU-06

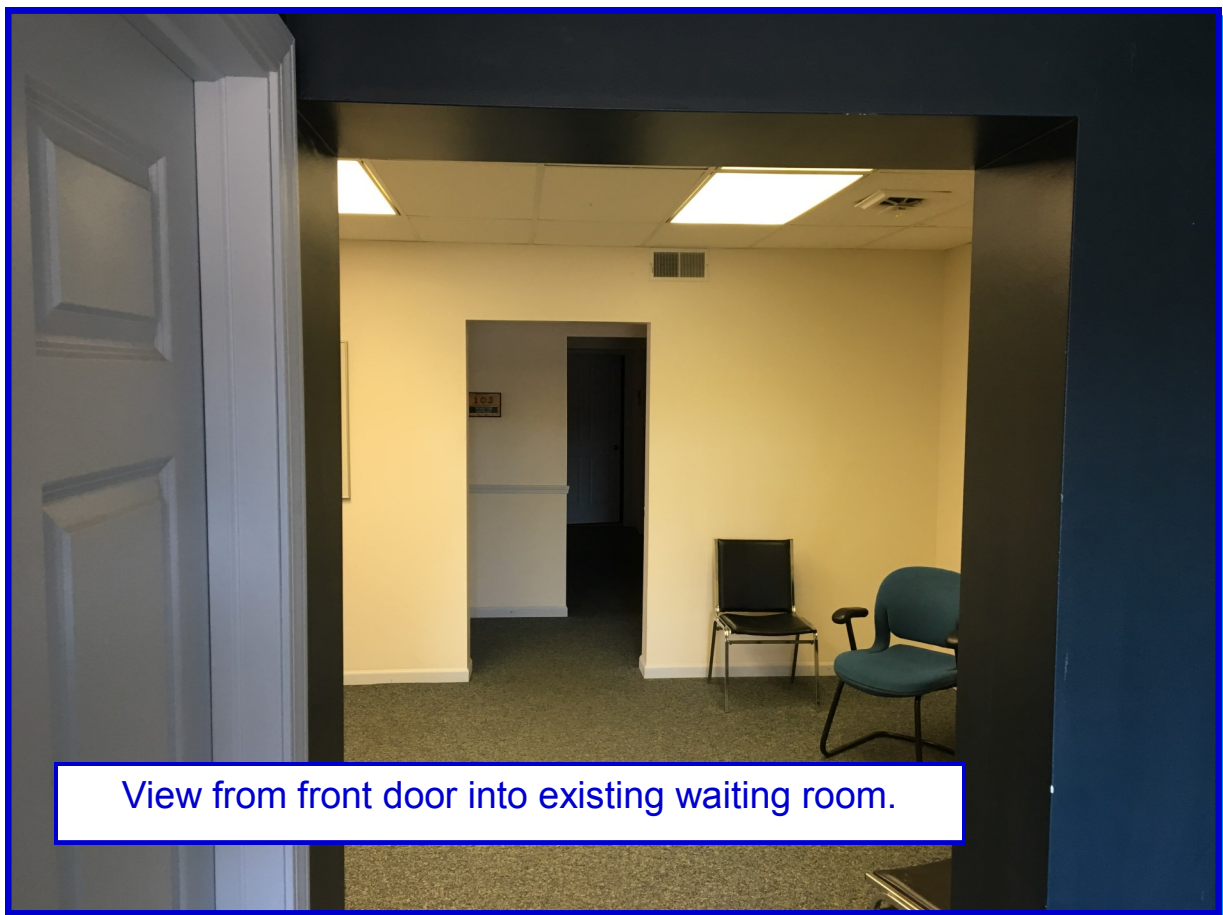


Front of 115 N Second Avenue



Rear of 115 N Second Ave. Note door in rear.

PC Case No. 16-SU-06



PC Case No. 16-SU-06

