

ALPENA TOWNSHIP PLANNING COMMISSION

MINUTES - Special Meeting

Monday, April 30, 2018

MEETING COMMENCED: 7:01 PM

PLEDGE OF ALLEGIANCE

THOSE PRESENT

Secretary Lisa Brendle, Chairperson Tom Hilberg, Chuck LeFebvre, Norm Poli, Ann Marie Rich and Vice-chairperson Fred Sterns

ABSENT

Larry Dehring

OTHERS PRESENT

Patricia Pokorzynski – 1031 Birch Road

Kay Malaney

Greg Cadarette – Applicant

Kirk Malcomson – Building Inspector

ADOPTION OF AGENDA

N. Poli made a **motion** to adopt the agenda as amended for Correspondence, **supported** by F. Sterns. *Motion passed.*

PUBLIC MEETING PARTICIPATION RULES

APPROVAL OF MINUTES

N. Poli made a **motion** to approve the April 9, 2018 minutes, **supported** by C. LeFebvre. *Motion passed.*

PUBLIC COMMENT

Mr. Kirk Malcomson, Alpena Township's new Building Inspector, was introduced to the Planning Commission. Mr. Malcomson spoke to his years of experience with various Michigan communities. The Planning Commission welcomed Mr. Malcomson and looks forward to working together on future projects.

CORRESPONDENCE

A. MAP Planning & Zoning Essentials Workshop – May 23, 2018 – Rogers City

TABLED CASE

1. **Case #P-04-18**, Greg Cadarette requested a SITE PLAN REVIEW/SPECIAL APPROVAL USE for a cold storage building, vehicle sales, and service. Property is located at 3432 US 23 South, Parcel No. 011-004-000-847-00 in a General Business (B-2) zone district.

A public hearing was conducted. Chairperson T. Hilberg reviewed the Finding of Fact Report provided by Planning Consultant, Rick Deuell, dated April 8, 2018. A copy of this report is included as part of the Planning Commission's file for this case.

Following the public hearing, a **motion** was made by N. Poli and supported by F. Sterns to adopt the following Findings of Fact from Rick Deuell's Findings of Fact Report, dated April 8, 2018, Section A of the Report ("Request"); Section B of the Report ("Parcel Information"); Section C of the Report ("Applicant Information"). **Roll call vote:** *L. Brendle-aye; L. Dehring-absent; T. Hilberg-aye; C. LeFebvre-aye; N. Poli-aye; A. Rich-aye; and F. Sterns-aye.* **Motion passed.**

The Planning Commission reviewed and discussed in detail the following sections of Finding of Fact report provided by Planning Consultant, Rick Deuell, dated April 8, 2018.

Section D Parking Requirements (Section 1804) states parking may be permitted in the front yard after approval of the parking plan layout by the Planning Commission. *Parking is located at front of building. A parking plan layout was not provided on the site plan. The applicant will need to submit a parking plan and request the planning commission approve parking in the front.* The applicant stated that customer parking will be in front of the store and vehicle display (for sales) will be located so that it can be viewed on US-23 as indicated on the new diagram provided by the applicant. K. Malcomson verified the standard had been met.

Section E Loading Space (Section 1806) states zoning ordinance standards require one space for off-street loading and unloading. Loading space must be provided in the rear yard in the ratio of at least ten (10) square feet per front foot of building and be computed separately from the off-street parking requirements. (120' x 10'=1,200 sq. ft.). *Loading Space – The site plan shows the loading space is located on the front side of the building. The site plan does not show the size of the loading and unloading space.* The applicant has met the provisions per the new diagram provided. K. Malcomson verified the standard had been met.

Section F Signs (Section 1810) *information on signs has not been provided for this review.* K. Malcomson stated that MDOT (Michigan Department of Transportation) will be giving approval on the sign.

Section G Landscaping (Section 1815) *there is no landscaping plan. The plan must comply with the landscape requirements of Section 1815 – Access Management for properties on US-23.* The applicant states there will be landscaping on the sides and front of the building using existing materials and will follow the 5% rule for interior landscaping per the new diagram. K. Malcomson verified the standard had been met.

Section H Access Management (Section 1815) states in addition to new development projects, development projects such as change of use or operation, redevelopment of a site, or reconfiguration of a site shall meet these standards as nearly as possible. *1. The proposal is in conformance with side and rear setbacks; this standard has been met. 2. Driveway width, surface, and curbs are not shown on the site plan. Therefore, the requirements cannot be*

evaluated. K. Malcomson stated that there is a curb shared driveway and the approach is 30 feet wide. This standard has been met. 3. *Snow storage area is not defined on the site plan.* K. Malcomson stated that the snow storage will be in front of vehicle display area and will not block entrance. This standard has been met. 4. *Ingress and egress are provided by a shared access drive onto US-23 and an access drive onto Birch Road.* The standard has been met. 5. *The site plan indicates the driveway onto US-23 is a shared with the parcel to the south. If this is the case in accordance with Section 1815, all shared driveways or private frontage roads will be considered private roads maintained jointly by the benefiting property owners, who shall enter into and record an agreement for the joint maintenance to keep the access in a reasonably safe condition.* The applicant stated there is a verbal agreement. K. Malcomson stated the standard has been met. 6. *The minimum front yard setback of fifty (50) feet is met by the building.* K. Malcomson stated the standard had been met per the new diagram provided. 7. *There is no landscaping plan per requirements in Section 1815. Note: off-street parking areas containing greater than 20 spaces, at least five percent (5%) of the total parking area shall be used for interior landscaping.* K. Malcomson stated that the standard has been met. 8. *A residential buffer area is not identified on the site plan.* “Where commercial, office, or industrial uses abut an existing residence or residentially zoned property, the intervening side or rear yard of the non-residential use shall provide a completely obscuring wall, fence or landscape screen at least six (6) feet in height, measured from the surface of the ground of the abutting residential district.” Per the new diagram submitted by the applicant, K. Malcomson stated the standard has been met.

Section I Stormwater Retention (Section 1813) *no information was provided to evaluate stormwater retention or management.* The applicant stated there would be an open swale or underground tiles as per the new diagram submitted. K. Malcomson stated the Section I standard was met.

Section J Site Plan Review Standards states Section 1811 (Site Plan Review: All Districts) the Planning Commission shall have the responsibility and authorization to approve, disapprove or approve with modifications, the Site Plan in accordance with the requirements of the zoning district in which the proposed use is located and shall further consider the following criteria: 1. The location and design of driveways providing vehicular ingress to and egress from the site, in relation to streets giving access to the site, and in relation to pedestrian traffic. *Ingress and egress are provided by an access drive onto US-23 and an access drive onto Birch Road on the north side of the lot.* 2. The traffic circulation features within the site and location of automobile parking areas; and may make such requirements with respect to any matters as will assure: a. Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets. b. Satisfactory and harmonious relationships between the development on the site and the existing and prospective development of contiguous land and adjacent neighborhoods. *The proposal appears to be harmonious to the existing and future development.* 3. Whether the sewage disposal facilities, water supply, stormwater drainage, fire protection, and other utility provisions will be safe and adequate. *No information was provided on stormwater drainage, water and sewer service fire protection and utilities.* 4. Whether the location, use and the nature of the operation will be in conflict with the primary permitted uses of the District or neighborhood. *The proposed uses are principal permitted uses and permitted on special*

approval in the District. There is no conflict with the nature of the use. 5. Whether the use will be objectionable to adjacent and nearby properties by reason of traffic, noise, vibration, dust, fumes, odor, fire-hazard, glare, flashing lights, disposal of waste or sewage, erosion, pollution, or negative effects upon significant environmental features. *Adjacent lots north and south of the parcel are commercial/retail. The adjacent lot west of the parcel is residential. Provided standards are followed, the use should not be objectionable to adjacent and nearby properties.* 6. Whether the use will discourage or hinder the appropriate development and use of adjacent premises and neighborhood. *The use will not discourage or hinder the appropriate development and use of adjacent premises and neighborhood.* K. Malcomson stated that the items 1 – 6 in Section J met standards.

Section K Uses Permitted on Special Approval (Section 1301) states the following uses shall be permitted, subject to the conditions herein imposed, and the provisions of Section 1807: 1. Outdoor sales space for the exclusive sale of used automobiles, house trailers, travel trailer rental, or other recreational vehicles subject to the following: a. All lighting shall be shielded from adjacent residential districts. *Could not determine if the standard is met, since no information was provided for outdoor lighting.* b. Ingress and egress to the outdoor sales area shall be at least twenty five (25) feet from a street intersection or residential district. Standard is met. c. When adjacent to districts zoned for residential use, there shall be provided a completely obscuring wall, landscape screen, or fence six (6) feet in height, measured from the surface of the ground of the abutting residential district. *The site plan does not show a fence will be constructed per zoning requirements.* The applicant stated there is a row of trees to meet the standard and, if the trees are removed during construction, a fence will be provided per the ordinance. 2. Automobile repair garage and tire sales, provided that all tire storage or major engine and body repair, steam cleaning and undercoating when conducted on the site shall be within a completely enclosed building. The storage of damaged or wrecked automobiles on the site shall be obscured from public view and no vehicle of any kind, shall be stored in the open for a period exceeding one (1) week. *No information was provided to address storage of damaged or wrecked automobiles.* K. Malcomson stated the standards in Section K are met.

F. Sterns made a **motion to grant** the Site Plan Review/Special Approval Use for Case #P-04-18 based on the items listed in Rick Deuell's Finding of Fact Report 04-18, dated April 8, 2018; the above-noted discussion regarding special land use approval requirements; and the following conditions; **supported** by A. Rich:

- a. The use, location and size of use, and the nature and intensity of operations shall not be such as to disrupt the orderly and proper development of the district as a whole, or be in conflict with, or discourage the principal permitted uses of adjacent or neighboring lands and buildings.
- b. The use shall not diminish the value of land, buildings, or structures in the neighborhood, or increase hazards from fire or other dangers to either the property or adjacent properties.
- c. The use shall not increase traffic hazard or cause congestion on the public highways and streets of the area. Adequate access to the use shall be furnished by either existing roads and highways or proposed roads and highways.
- d. The water supply and sewage disposal system shall be adequate for the proposed use.

e. Uses by special permit shall not be more objectionable to nearby properties by reason of traffic, noise, vibrations, dust, fumes, smoke, glare, flashing lights or disposal of waste than the operation of any principal permitted use.

Roll call vote: *L. Brendle-aye; L. Dehring-absent; T. Hilberg-aye; C.LeFebvre-aye; N. Poli-aye; A. Rich-aye; and F. Sterns-aye. Motion passed.*

DISCUSSION

The Planning Commission will hold a workshop with Denise Cline, NEMCOG, on May 7th at 6:00 p.m. to review and update as needed the current Alpena Township Zoning Ordinance.

NEXT MEETINGS - May 7, 2018 (Workshop) and May 14, 2018

ADJOURNMENT - Meeting adjourned by Chairperson Hilberg at 8:26 p.m.

Respectfully submitted,

Lisa Brendle
Secretary

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