

# ALPENA TOWNSHIP PLANNING COMMISSION

## MINUTES – Public Hearing

Monday, July 9, 2018

**MEETING COMMENCED:** 7:00 PM

### **PLEDGE OF ALLEGIANCE**

### **THOSE PRESENT**

Secretary Lisa Brendle, Larry Dehring, Chairperson Tom Hilberg, Chuck LeFebvre, Norm Poli, and Vice-chairperson Fred Sterns

### **ABSENT**

Ann Marie Rich

### **OTHERS PRESENT**

Jeff Konczak – 5312 Irwin Rd

Nick Spadafore – 224 E Chisholm

Alice Meredith – 1022 Long Rapids Road

Rick Suszek – 403 Marywood Drive

Nathan Skibbe – Township Supervisor

Donald Gilmet – 220 E Crapo Street

Nicholas Spadafore – 224 E Chisholm

Sue Suszek – 403 Marywood Drive

Kirk Malcomson – Township Building Official

### **ADOPTION OF AGENDA**

F. Sterns made a **motion** to adopt the agenda, **supported** by C. LeFebvre. *Motion passed.*

### **PUBLIC MEETING PARTICIPATION RULES**

### **APPROVAL OF MINUTES**

N. Poli made a **motion** to approve the June 11, 2018 minutes, **supported** by L. Dehring. *Motion passed.*

### **PUBLIC COMMENT**

None

### **CORRESPONDENCE**

A. Report 07-18 – R. Deuell, Planning Consultant

C. LeFebvre made a **motion** to receive and place on file all correspondence, **supported** by L. Dehring. *Motion passed.*

### **TABLED CASE**

1. **Case #P-06-18**, Martin Thomson requested that Parcel No. 012-017-000-775-00 be REZONED from One Family Residential (R-1) to Office Service (OS). Property is located at 1010 Long Rapids Road.

A public hearing was conducted, during which the applicant, Martin Thomson, addressed the Planning Commission and all other persons in attendance were then given the opportunity to

comment on the subject of rezoning the parcel from Residential (R-1) to Offices Service (OS). It had been reported that M. Thomson had 2 potential buyers for the property. As of this meeting, M. Thomson updated the Commission that one of those potential buyers had backed out. R. and S. Suszek and Alice Meredith were opposed to the rezoning request. N. Poli asked the residents if they had reviewed the Zoning Ordinance for the Residential (R-1) and Office Service (OS) permitted uses. N. Skibbe reported on the Planned Urban Development (PUD) zoned by the City of Alpena just east of Thomson's parcel, on Genshaw Road.

Following the public hearing, discussion took place on the standards to be considered for rezoning.

1. *Master Plan Designation.* The Master Plan designated this area as Mixed Residential. This area is a logical area for office use given the gas station and other businesses across the street. Office businesses typically operate during daytime and weekdays. The Master Plan is a guide and not the law as in zoning.
2. *Consistency with zoning classification in the general area.* The Commission examined the consistency with zoning classifications in the general area which is a mix of General Business (B-2) and Community Business (B-3) and the City of Alpena's PUD.
3. *Consistency and compatibility with general land use patterns in the area.* The area is transitioning to more businesses, especially with the City of Alpena's PUD.
4. *Suitability of the proposed use in the zoning district.* This zoning district is adjacent to a commercial node so from that standpoint it would not seem unreasonable for office uses.
5. *Adequacy of public services.* There are adequate water and sewer services in this area.
6. *Traffic.* This corridor is a designated truck route with high traffic volumes adjacent to the commercial area.
7. *Consistency with any planning recommendation.* This area is in a transitional phase as more commercial businesses are being planned. The City of Alpena's PUD is an example.
8. *Reasonable use under current zoning classification.* With the existing gas station located south from the parcel and future plans for commercial zoning east of Genshaw Road, this rezoning is reasonable.
9. *Identifiable public need.* Although no identifiable public need was determined, concern was noted about the parcel being unsuitable for a residential home.
10. *Spot zoning.* It was determined that this would not be spot zoning with the adjacent commercial development.
11. *Effect on surrounding property.* Being an OS parcel, the site plan would have restrictions to minimize any effect on surrounding property.
12. *Mistake or change of conditions.* This parcel currently zoned as R-1 cannot be sold. The high traffic volume is a concern for a residential home.

C. LeFebvre made a **motion** to recommend to the Board of Trustees rezoning Case #P-06-18 from One Family Residential (R-1) to Office Service (OS), **supported** by F. Sterns.

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

#### **NEW CASE**

1. **Case #P-07-18,** Biggbean LLC requested a SITE PLAN REVIEW for the installation of a Biggby coffee drive through facility. Property is located at 1251 M-32 West, Parcel No. 012-029-000-025-01 in a Community Business (B-3) zone district.

A public hearing was conducted. Chairperson T. Hilberg reviewed the Findings of Fact Report provided by Planning Consultant, Rick Deuell. 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 F. Sterns and **supported** by L. Dehring to adopt the following Findings of Fact from Rick Deuell's Findings of Fact Report: 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-aye; T. Hilberg-aye; C. LeFebvre-aye; N. Poli-aye; A. Rich-absent; and F. Sterns-aye. **Motion passed.**

Under Section 1811, the Site Plan Requirements were then reviewed and discussed in detail as follows. **A. Circumstances Requiring a Site Plan:** *Site plans are subject to review for the following reasons: All new uses except one-family residential units.* **B. Site Plan Data Required:** *Each site plan submitted shall contain the following information, unless specifically waived, in whole or in part, by the Township Planning and Zoning Commission. The date, north arrow, scale and name of individual or firm responsible for preparing said plan. The scale must be at least one (1) inch=fifty (50) feet for parcels under three (3) acres and not less than one (1) inch=one hundred (100) feet for parcels three (3) acres or more. The boundary lines of the property, to include all dimensions and legal description. The location of all existing and proposed structures on the site, including proposed drives, walkways, signs, exterior lighting, parking (showing the dimensions of a typical parking area), loading and unloading areas, common use areas and recreational areas and facilities. The location and width of all abutting right-of-ways. The location of existing environmental features, such as streams, wetlands, shore lands, mature specimen trees, wooded areas or any other unusual environmental features. The location and identification of all existing structures within a two hundred (200) foot radius of the site. The name and address of the property owner. The existing zoning district in which the site is located and the zoning of adjacent parcels. In the case of a request for a zoning change, the classification of the proposed new district must be shown. The location of all existing and proposed landscaping as well as all existing and proposed fences or walls. A locational sketch of the proposed use or structure. The type, location and size of all existing and proposed utilities. The location, size and slope of all surface and subsurface drainage facilities. Summary tables, cross-sections and/or floor plans should be included with site plans for proposed structures, giving the following information: The number of units proposed, by type, including a typical floor plan for each type of unit. The area of the proposed units in square feet, as well as area dimensions of driveways and staging areas. Typical elevation drawings of the front and rear of each building. There is 1 unit proposed. That unit will be 349 square feet. The topography of the existing and finished site shall be shown by contours or spot elevations. Where the existing slope on any part of the site is ten percent (10%) or greater, contours shall be shown at height intervals of two (2) feet or less. Anticipated hours of operation for the proposed use. The anticipated hours of operation are daily from 6am until 9pm. The Planning and Zoning Commission may impose reasonable limits to hours of operation as a condition of site plan approval when warranted to assure compatibility with surrounding land uses. District standards have been met.* **C. Submittal and Approval**

***Procedures:** The Planning and Zoning 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: 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. 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: Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets. Satisfactory and harmonious relationships between the development on the site and the existing and prospective development of contiguous land and adjacent neighborhoods. Whether the sewage disposal facilities, water supply, stormwater drainage, fire protection, and other utility provisions will be safe and adequate. Whether the location, use and the nature of the operation will be in conflict with the primary permitted uses of the District or neighborhood. 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. Whether the use will discourage or hinder the appropriate development and use of adjacent premises and neighborhood. District standards have been met.*

F. Sterns then made a **motion** to approve the Site Plan Review for Case #P-07-18 based on the items listed in Rick Deuell’s Findings of Fact Report 07-18; the above-noted discussion regarding site plan review approval requirements; and the following contingencies; **supported** by N. Poli:

- a. Elevations to be approved by the township building official; and
- b. Traffic flow to be approved by the township building official.

## **DISCUSSION**

**NEXT MEETING** – July 30, 2018 at 6:00 p.m. (workshop)

**ADJOURNMENT** – Meeting adjourned by Chairperson Hilberg at 8:05 p.m.

Respectfully submitted,

Lisa Brendle  
Secretary

/ldt