

MINUTES
City of Alpena Planning Commission
Regular Meeting
August 21, 2018
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: Mitchell, Gilmore, VanWagoner, Boboltz, Sabourin, Wojda, Kirschner

ABSENT: Lewis, Austin

STAFF: Adam Poll (Director of Planning & Development), Cassie Stone (Recording Secretary).

PLEDGE OF ALLEGIANCE:

Pledge of Allegiance was recited.

APPROVAL OF AGENDA:

One addition was added under the business section of the Agenda. Poll added a notice of intent to begin updating The Comprehensive Plan that is required to be published in the newspaper after City Council's approval.

APPROVAL OF MINUTES:

June 12, 2018 minutes that were included in the packet were incorrect. The correct ones were issued this morning. June 12, 2018 minutes are approved as corrected.

PUBLIC HEARING AND COMMISSION ACTION:

BUSINESS: PC 18-SU-01: Request for a daycare at 313 W Clark Street.

Background: Jennifer Wilson would like to start a daycare at her home at 313 W. Clark. She has filed an application with the Michigan Department of Human Services for a Group Child Care Home License (capacity 7-12 children). A requirement of the application is zoning approval from the local jurisdiction. The home is a single family residential use in R-2 One-Family Residential District and the childcare operation to 7-12 children would require a special permit.

Zoning and Planning Issues: The property in question is zoned R-2 One-Family Residence District and is principally a single family. Surrounding uses include other family homes and Lincoln Elementary School to the southwest.

The applicant does not have a fenced in play area on her property, however, the play area for Lincoln School is directly across the street and a fence separates the play area from the road. The fence would not appear to surround the entire play area which could be a concern, but there is an area designated for smaller children that is fully fenced.

Drop off/pick up would not appear to be an issue. The applicant would appear to have driveway space to park two to three vehicles beyond her own. If on street parking is needed, Clark Street is a local street that does not appear to have much vehicular traffic.

Recommendation: The existing home is used as a single family residence and meets zoning requirements. Allowing a daycare to operate with 7-12 children would not appear to have a negative impact on the area.

If the Planning Commission chooses to deny the special permit request, the applicant could still operate a daycare with 1-6 children at the location by right.

Per Section 6.12, Special Land Use Approval Standards, the proposed development complies with these standards as follows except as noted:

- A. Allowed Special Land Use.** A day care operation allowing for 7-12 children is allowable as a special use.
- B. Compatibility with Adjacent Users.** The residence is bordered by single family residential uses located and Lincoln School to the southwest. The requested use would appear to be compatible with existing uses.
- C. Public Services.** The residence will have the same demand on police, fire and other public services as it always has.
- D. Economic Well-Being of the Community.** The granting of the Special Land Use Permit will not have any adverse effects on the neighborhood or the community.
- E. Compatibility with the Natural Environment.** This is previously developed site. No additional impacts will be created.
- F. Impact on Traffic on the Street System.** Sufficient space would appear to be provided for dropping off and picking up the children as long as pickups are staggered. If the driveway is occupied, Clark Street does allow parking and is not highly trafficked and would not appear to impact existing traffic.
- G. Non-Detrimental Standards.** The existing use does not result in any activities that produce hazardous environmental impacts.
- H. Consistent with Zoning Ordinance and Comprehensive Plan.** The proposed use is consistent with the Comprehensive Plan which calls for multiple family dwellings for the area in question.
- I. Compliance with Supplemental Site Development Standards.** Although there is not the required fenced in area on the applicants property, there is a mostly fenced in play area next door that also includes a fully fenced area for smaller kids.

Therefore, staff recommends approval of the Special Land Use Permit to allow for a child care facility with 7-12 children in an R-2 One-Family Residence District with the following conditions:

1. A copy of the State License shall be provided to City staff for its file when granted by the State of Michigan.
2. The applicant be required to maintain a fenced play area, and children must stay within that area except when dropped off or picked up or while attending an adult supervised activity to a recreation area.
3. The primary use of the structure must be a residential dwelling with any Family Child Care Home use an accessory to the principal use as a residential dwelling.
4. The Special Land Use Permit shall be implemented within twelve (12) months of its approval by the Planning Commission or become null and void. The petitioner may request an extension prior to the expiration of the Permit.

Jennifer Wilson added that she is allowed to take the children over to the playground as long as the children are not out at recess.

Closed public hearing at 7:08.

COMMISSIONER'S DISCUSSION AND ACTION:

Mitchell voiced concern of having permission from the school to utilize the property for other use, stating a liability concern. Wojda questioned who the applicant had contacted at the school in which Wilson replied Mr. (Hans) Stevens who is Lincoln School's principal. Wilson added that she would eventually like to have a fenced in yard but right now the cost is not feasible. Poll adds that if the commission is happy with Wilson utilizing the school, and gets written permission, the condition should read something along the lines of if she cannot utilize the school then the applicant would have to fully construct an enclosed area in her rear yard and maintains it. Wojda added something along the lines of either constructs a fence that meets applicable requirements or has appropriate access to the school lot.

Motion made by Boboltz to approve the special use permit with the revisal of getting written permission from the school to use the property. **Seconded by Mitchell.**

Sabourin questions that the four conditions that were read by staff earlier plus adding another condition of written approval from the school to utilize their playground must be completed to obtain the permit.

Gilmore amends the motion that if the applicant does not gain approval from Lincoln School they would have to construct a fence per whatever state and zoning requirements are for fencing. **Seconded by Boboltz.**

Ayes: Kirshner, Mitchell, Gilmore, Sabourin, Wojda, Boboltz, VanWagoner.

Nay: None

Absent: Lewis, Austin

Motion approved by a vote of 7-0.

BUSINESS: 1. Notice to update the Master Plan.

Poll states that we are required by state law (Planning Enabling Act) to update the master plan every 5 years. In order for NEMCOG to get into the planning process, however, part of the act is that it has to be published in the paper that we are going through this process. The City's permission is required to approve the publication.

Motion made by Mitchell, to approve the notice to update the Master Plan. Seconded by Wojda.

Ayes: Boboltz, VanWagoner, Gilmore, Kirschner, Sabourin, Wojda, Mitchell

Nay: None

Absent: Lewis, Austin

Motion approved by a vote of 7-0.

COMMUNICATIONS: None

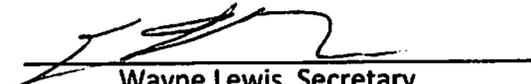
REPORTS:

1. **Development Update:** Poll states that a lot of projects are getting wrapped up at the City level such as the Splash Park and the Dog Park is very close to being open. DDA is in the process right now on what the outcome of the pocket park will be. The base of the mural will be going up this fall and should be finished up in the spring. Poll adds there is a lot of road construction in the City. Progress on the credit union and the living facility are moving slowly forward.

CALL TO PUBLIC: None

MEMBERS COMMENTS: None

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:29 p.m. by Sabourin, Planning Commission Chair.


Wayne Lewis, Secretary