

MINUTES  
City of Alpena Planning Commission  
Regular Meeting followed by Joint Session with City Council (Council Chambers and Virtual)  
October 11, 2022  
Alpena, Michigan

CALL TO ORDER:

The regular meeting of the Planning Commission was called to order at 6:00 p.m. by Steve Gilmore, Planning Commission Vice-Chairman.

ROLL CALL: PLANNING COMMISSION

PRESENT: Wojda, Peterson, VanWagoner, Gilmore, Kostelic

ABSENT: Boboltz, Sabourin

STAFF: Montiel Birmingham (Planning, Development, and Zoning Director), Rachel Smolinski (City Manager), Kathleen Sauve (Recording Secretary)

PLEDGE OF ALLEGIANCE: Pledge of Allegiance was recited.

APPROVAL OF AGENDA: Agenda was approved as printed.

APPROVAL OF MINUTES: Meeting of September 20, 2022, minutes were approved as printed.

Gilmore explained the procedures for the public hearing.

**PUBLIC HEARING AND COMMISSION ACTION: Case #22-Z-06** – Ludlow’s Hamburgers, owner, has requested a Conditional Rezone for the properties located at 1223 and 1233 South State Avenue to utilize the current drive-thru window within the Lud’s Professional Building as a drive-up location to serve food; exact food service TBD. Additionally, they would like to add a pickup window at Mancino’s. Applicant is requesting a conditional rezone of both locations to B-2 to allow this service. Current zone is CCD and does not allow drive-thru or pickup service.

Birmingham presented the Finding of Fact report. See Appendix A and B in Commission packet.

**FAVOR:** Julie Peters, representative of the applicant, stated that she would like to answer any questions that the Commission may have. Birmingham asked Peters if there was any other information of the type of food service yet or if there would be dine-in service. Peters stated that they are awaiting the Planning Commission’s decision first before making decisions to

move forward, and that it would be drive-thru service only. Wojda asked about the direction of traffic entering and exiting. Peters stated that they are mainly pushing for the Lud's pickup window, and the Mancino's pickup window was an afterthought. Wojda asked if both were approved, would there be enough room for exit and entry behind the Lud's Professional building for two vehicles to pass one another. Birmingham clarified the dimension of the driveway behind the building to be 18 feet. Kostelic asked if Mancino's will be operating out of the Lud's building. Peters explained that there will be food service of some kind in the former Lud's building, and then the Mancino's pickup window would operate just like JJ's does on Second Avenue, with traffic only being there a short time.

OPPOSITION: Rick Tylenda, owner of property behind the Mancino's on Barry Street, stated that when he bought his property, he was under the understanding that he would have free access to both ends of the alley. He said that he stores his boat and RV in his back yard, and he is only able to pull those vehicles in and out one way because of a power pole and a guide wire in the way. He expressed concern if vehicles are pulling in from State Street and exit down the alley instead of Parson Street because he maintains that alley as the City does not. He stated that he and a neighbor have spent their own money to fill in holes and grade the alley. He felt that it is too congested for two cars behind the building to turn for exiting to Parson Street. Tylenda said that he has had problems in the past with delivery drivers parking in the alleyway, but he has spoken with the owners and the problem has been resolved. The increased traffic down the alley that he and his neighbor maintain, and not being able to pull his boat in his backyard were his concerns and why he is opposing it.

With no further input from the public, Gilmore closed the public hearing at 6:20 pm for deliberation.

Wojda stated he was not concerned with the public using the alleyway, but he was concerned about whether both would be feasible given the width of the roadway behind the Lud's Professional building, although the pictures and descriptions seem as if there is enough room. VanWagoner said that he felt traffic would swing out a little wider for the left turn to go around the back of the Lud's building which would cause encroachment into the other lane of traffic leaving Mancino's. He asked where the suggested six-foot privacy fence would go. Birmingham clarified that the privacy fence would go between the back of the Lud's building and the residence on Parson Street where there is currently a chain link fence. VanWagoner said he was not opposed to approving the Lud's drive thru and denying the Mancino's drive-thru. He said he does not feel that 18 feet is enough room for two-way traffic especially with turns around the building. Peterson asked if there could be a condition for approval that would make them have painted directional lanes and arrows. Birmingham said they could. Peterson stated that larger vehicles need to be taken into consideration as well. Wojda asked what their plan is for snow removal. Peters said that their snow removal company is very good about moving the snow.

Wojda moved to adopt the findings contained in Appendix A and B, specifically that the request is consistent with the Comprehensive Plan as it relates to the Lud's Professional Building, but not as it relates to the Mancino's Building, so far as one of the goals is to establish new commercial uses and to redevelop vacant commercial buildings. It is consistent with the use in the proposed district insofar as there are similar uses nearby. There is no substantial adverse physical impact on the surrounding properties, although as a condition of approval, a six-foot privacy fence be installed at the rear of the property and all other standards are required. Based upon that, Wojda ***motioned*** to approve the request as it relates to the Lud's Professional Building but deny the request as it relates to the Mancino's Building.

Gilmore summarized the motion stated by Wojda.

VanWagoner ***seconded*** the motion.

Motion ***approved*** by unanimous vote.

UNFINISHED BUSINESS: None.

NEW BUSINESS: None.

COMMUNICATIONS OR REPORTS: None.

CONTINUING EDUCATION: Training Document from MSU Exchange provided in meeting packet to Commissioners: Understanding the Role of the Chair.

PUBLIC COMMENT: None.

MEMBERS' COMMENTS: None.

Mayor Waligora called the joint meeting to order. Role for City Council was taken by Deputy Clerk Leilan Bruning.

Birmingham presented the Planning Commission and City Council with her presentation of Zoning Updates as provided in the meeting packet. She began with topic of housing and

elaborated and answered questions on different topics including Housing Task Force, Master Plan, Current Ordinances and possible changes, lot sizes, dwelling sizes, lot coverages, multi-family housing units, and neighborhood and housing typologies. Short-term rentals were discussed next followed by conversation of pros, cons, advantages and disadvantages of allowing them. Parking was then discussed outlining the City's Municipal and Zoning Ordinances current requirements in regard to parking on the street, lawn extensions, parking requirements for multi-family housing units and parking lot requirements for commercial businesses. Signs were the last topic of discussion. Topics included removing burdensome requirements that limit creativity, evaluating the height requirements by district, commercial window signs, temporary signage and murals.

MEMBERS' COMMENTS: Wojda stated that he has had several people approach him regarding temporary signage, specifically, number and size of signs. He felt that article of the Ordinance needed to be reviewed. Councilman Mitchell agreed with Wojda and shared his own experience. Councilman Nowak asked for Birmingham to provide a 1, 3- and 5-year timeline for the action plan. Mayor Waligora asked Birmingham what her action plan is. She stated that she wanted to take feedback from tonight's meeting and use that to figure out what to present back to Council. She encouraged engagement from both the City Council and Planning Commission to be sure everyone is aligned. Wojda said that short term rentals need to be addressed as it will likely be taken out of the City's hands before too long.

PUBLIC COMMENT: Greg Sundin agreed that short term rentals need to be regulated before too long. Steve Hall, City of Alpena Building Inspector, stated that the short-term rentals tend to be more manicured; from a code enforcement perspective, there are fewer complaints, but he stated that the short-term rentals can have detrimental effects on the sense of community. Anne Gentry of the DDA, echoed what Hall said, adding that there are pros and cons, and some areas might be better than others for short-term rentals. Switching subjects to parking, Hall suggested that the City could utilize public transit such as Uber or Lyft, to alleviate some of the parking issues downtown. Peterson agreed with Hall. Angie Skiba, local resident, felt that housing does seem to be an issue; with not a lot of room for growth within the City, she understood why the City is looking at making changes to the Zoning Ordinance. She said that the Airbnb numbers are rising and did not think that the City would be able to stop it. Skiba also felt that most rentals in Alpena do not have paved driveways and it is unnecessary to make people spend money to pave the driveways. Regarding signage, Skiba thought that temporary signs advertising things such as the County Library book sales, should be allowed to stay up longer to bring awareness to those events, as it helps the whole community. Skiba felt that the City should not regulate temporary yard signs such as political signs, but that residents should have up to seven days to remove them after elections. VanWagoner inquired about some property on Grant and Hobbs Drive, and whether it is developable. Former City Planner Sundin

stated that a wetlands survey was done years ago and it is in fact wetlands and cannot be built upon.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:52 p.m., by Gilmore, Planning Commission Vice-Chairman.

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Clayton C. VanWagoner, Secretary