

**City of Alma
Planning Commission Minutes
March 1, 2021**

Chairman Ayers called the regular meeting of the Alma Planning Commission to order at 6:01 PM on March 1st, 2021 on the Zoom video conferencing platform.

Present: Ayers, Mapes, Pitts, Schooley, Richter, Wheeler, and Therrien.
All members were present in Alma, MI.

Absent: None

Others Present: Aeric Ripley, City of Alma Zoning Administrator
David Ringle, City of Alma Public Services Director
David Fisher, Wolverine Engineers & Surveyors Inc.
Richard Tapper, Phantom Fireworks

A motion was offered at 6:03 PM by Pitts and supported by Wheeler to approve the minutes of the Regular Planning Commission meeting held on February 1st, 2021.

Yes: Ayers, Mapes, Pitts, Schooley, Richter, Wheeler, and Therrien
No: None

Public Hearing – Special Use Permit Request for temporary outdoor sales of Fireworks from Richard Tapper in the parking lot located at 1755 Wright Avenue (Tractor Supply Parking Lot). The proposed dates for the sale are June 22, 2021 to July 5, 2021.

A presentation was given by Ripley. Phantom Fireworks has requested to locate a temporary tent for outdoor firework sales. The outdoor sales will be located in the parking lot at 1755 Wright Avenue, also known as the Tractor Supply Company parking lot. The Special Use Permit application has received for this outdoor sales request. The hours of operation will be June 22, 2021 to July 5, 2021, 10 am to 10 pm.

Parcel is located within the B-2, General Business District – The proposed use is a Permitted Use with the issuance of the special use permit. The requested space includes a 40' x 40' Fire Retardant Sales Tent and a 8' x 40' Secure Storage Container. The owner has provided a lease agreement with the property owner and proof of insurance. The location of sales tent/storage container will not interfere with the flow of traffic within the parking lot. An evacuation plan was provided for sales floor in the tent.

A Copy of the State of Michigan Licenses shall be provided before operation. A copy of the special use permit and supporting materials will be provided to the Public Safety Department.

The public hearing was opened by Chairman Ayers at 6:05 PM.

Mr Tapper commented that he would be submitting a copy of his state license issued by the State Fire Marshall.

Mr. Ayers inquired if there had been any public comments submitted prior to the meeting.

Ripley replied that none were received.

Mapes inquired if there had been any issues with this operation in prior years of operation.

Ripley confirmed that there were not.

A motion was offered at 6:06 PM by Wheeler and supported by Pitts to close the public hearing.

Yes: Ayers, Mapes, Pitts, Schooley, Richter, Wheeler, and Therrien

No: None

A motion was offered at 6:07 PM by Wheeler and supported by Pitts to approve the requested special use permit.

Yes: Ayers, Mapes, Pitts, Schooley, Richter, Wheeler, and Therrien

No: None

Site Plan Review 255 E Warwick – Prism Primary Care is proposing to construct a 5,123 sq. ft. medical office. The vacant parcel is located just north of MidMichigan Medical Center's facility. The property is zoned OS, Offices Services. The proposed use is a permitted use in the OS District and requires a site plan approval by the planning commission.

This plan was presented last meeting but lacked required details and has been resubmitted for review.

A presentation was given by Ripley. Prism Primary Care has provided the requested addition information to complete the site plan review for the proposed new 5,123 sq. ft. medical office. The proposed site is located at 255 E Warwick Drive, just north of MidMichigan Medical Center. The zoning for this site is OS, Office Services. OS, Office Services Commercial District – The proposed use is a Permitted Use.

The lot size is 28,532 sq. ft. (.655 acres) of the minimum 5,000 sq. ft. allowed in the district. The proposed building envelope is 5,123 sq. ft. The percent lot coverage is 18% of the maximum 40% allowed in the district. The front setback (South) is 80' of the 30' that is required. The side setback (West) is 70' of the 5' one side and total 15' that is required. The side setback (East) is 17' of the 5' that is required. The rear setback (East) is 20' of the 20' that is required. 24 parking spaces are provided for in the plan, including 4 barrier-free spaces. The require parking is 22 spaces including 2 barrier free. Dumpster space is provided at the north end of the parking lot and is enclosed. The landscape plan provides five (5) Eastern Redbud and two (2) Kousa Dogwood plantings. A privacy fence and/or a landscape buffer on the north property line to

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screen from the multi-family residential. The lighting plan includes 20 LED Recessed Soffit lights, 5 LED Wall Packs, and 4 LED 120v Bollard Lights.

The drainage plan provides for an onsite stormwater detention area to the north of the parcel. The slope of the detention area is a 1:4 slope allowing it to be mowable. The drainage plan is being submitted to the Gratiot County Drain Commission for approval and verification of proper movement of water on and through the property. Any signage proposed must comply with the sign ordinance, and a permit shall be obtained.

A presentation was given by Ringle. Ringle indicated that the drive approach plan was adequate. Ringle commented that several the details requested at the last meeting are not present. Ringle noted there are concerns about the number of specifications on the plan listed for water and sanitary plans to verify in field. One of note is an older style clay sanitary line that is planned to remain in use as this may present issues in the near future. Ringle commented that the water line should be fine, but is must be sized appropriately for the building. The plan for the storm line does not indicate detail and the retention area is shown to be on top of the existing sanitary and water main. This does not meet Alma Public Services requirements as the lines beneath become unserviceable when the retention area is holding water. The cover over the lines does not meet the minimum 5 ½ ft required by the state. A different plan will need to be submitted and coordination with the county drain commissioner is necessary. The pond could be relocated on the property, use of underground retention, or a hybrid of the two. Proposed grades are missing from the drawing making indicated drainage unclear.

Ayers commented that he agreed that a clay sewer line was a poor plan and that upgraded materials would serve the developer better.

Wheeler asked if the building footprint could be moved further south on the property to make additional room for stormwater retention?

Ringle suggested that this go back to the architect of the project as it will likely effect other aspects of their design, such as parking.

Ayers commented that the missing required information in the plan is not sufficient to approve the plan at this time.

Pitts agreed that more information was required and that the developer should further consult with the Drain Commissioner.

Ringle commented that a new drainage/retention plan is needed.

Mapes inquired if it was the staff recommendation to pass with provisions or to table the issue for now?

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Ringle commented that he recommend the issue be tabled at this time.

A motion was made by Pitts and Supported by Mapes at 6:20 PM to table the issue until the next meeting.

Yes: Ayers, Mapes, Pitts, Schooley, Richter, Wheeler, and Therrien

No: None

The commissioners indicated that they would be willing to hold a special meeting for approval should the details be presented and reviewed prior to the April meeting.

Ripley confirmed that this was feasible with proper noticing.

Wheeler inquired to the status of the ongoing neighboring construction project at 401 Warwick Drive. The construction has ceased, and the structure is beginning to look dilapidated.

Ripley confirmed that staff is working with the owners of the building to maintain upkeep, mowing and security of the site. The project is currently in a re-design phase to reduce the size of the project.

Hale commented that the building permit is currently valid with no outstanding fees and is available for extension every six months including an extension fee.

Sign Ordinance Example - Provided in the packet is an example of an updated sign ordinance from the City of Ann Arbor, which complies with the 2016 Supreme Court decision.

A presentation was given by Ripley and Hale. Ripley commented that Hale reviewed several sign ordinances of comparable communities but had difficulty finding an example of an updated ordinance in compliant with current legal provisions. Ordinances from Mt. Pleasant, Midland and Big Rapids were analyzed as comparable communities. The city of Ann Arbor's ordinance was included as it is an example of a fully compliant ordinance. Ripley commented however, that the Ann Arbor ordinance is not ideal as it is complicated and difficult to communicate in an effective way.

Hale shared his summary of the ordinances:

Ann Arbor Residential Neighborhoods Temporary wall signs permitted for no more than 28 days per calendar year and no more than 14 days consecutively. Temporary ground signs permitted for 65 continuous days with at least a 30-day gap between periods. One, non-illuminated, ground sign per lot is exempt from this provision up to 6 sq ft in size and may be displayed continuously. The total area of all temporary signs displayed on a parcel is limited to 20 sq ft. The exempt sign counts

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against this total. Maximum size of any single temporary sign is limited to 12 sq. ft. The maximum total number of signs is limited to 6.

Permanent signs permitted. 1 wall sign limited to 1sq ft in area per building in single family. In multifamily districts 1 wall sign of up to 6 sq ft in area and 1 ground sign up to 60 sq ft in area with a 5 ft setback.

Non-Residential Neighborhoods Temporary signs permitted. Total area of signage based on lot frontage up to a maximum of 100 sq ft maximum. Maximum size of individual temporary signs limited to 32 sq ft. Maximum number of signs is limited to 4. Temporary wall signs permitted, limited to 20 sq ft per building with an unlimited number permitted. Regulations regarding permanent signs vary by zoning district and type.

Mt. Pleasant (Does not comply with recent law) Residential Neighborhoods Allows for 5 temporary signs per lot 8 sq ft in size with a maximum height of 5ft. Setback 5 ft. Permanent signs not permitted in residential neighborhoods.

Non-Residential Neighborhoods 2 temporary signs up to 32 sq ft in size with a maximum height of 5 ft. Setback 5 ft

Midland (Does not comply with recent law) Residential Neighborhoods Allows for 7 temporary signs with a maximum size 8 sq ft. Setback the height of sign for up to 8 consecutive days. Permanent signs not permitted in residential neighborhoods.

Non-Residential Neighborhoods Most commercial districts allow for up to 10 temporary signs up to 32 sq ft in size setback the height of sign for up to 30 consecutive days. Most commercial districts allow for 1 permanent sign of each type (ground, wall or projection when permitted). Size allowed varies by commercial district.

Big Rapids (Does not comply with recent law) Residential Neighborhoods Allows for 2 temporary signs with a maximum size of 6 sq ft and setback 6 ft. for up to 3 consecutive days. Permanent signs not permitted in residential districts unless in conjunction with a permitted commercial special use.

Non-Residential Neighborhoods No specific provision is given for temporary signs in commercial districts. Number and size of permanent signs determined by street frontage or façade area depending on sign type.

Hale commented that he was in favor of Ann Arbor's provision to allow for a minimum of a single expression size of a determined maximum size but allows for the expansion of the number of signs on a temporary basis. This covers requirements regarding speech in elections, but is convoluted from an enforcement standpoint as it would require the recording of the erection date of each temporary sign.

Ayers inquired if we really wanted to get into all of that?

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Schooley commented that it is difficult to find a model ordinance in this area. This ordinance is convoluted making it difficult to explain to one another as well as the general public.

Ripley commented that he was unsure how you would administrate such a program from a staffing standpoint.

Hale thought it was particularly awkward that the duration of extra signage in the Ann Arbor ordinance, as the maximum duration was set at 65 days, but election cycles often run longer than that requiring that signs come down for a 30 day period before they could come back up or that signs posted in the early portions of a campaign would have to be taken down prior to the actual election day.

Mapes commented that everyone will always look to skirt the issue no matter how thorough the ordinance given semi-trailers parked on property along the highway with commercial messages on them as an example.

Ripley stressed that its important not to enact a policy that is difficult to understand.

Hale suggested that perhaps the language could include a provision for the expansion of the number of temporary signs a fixed number of days before and after a scheduled federal, state or local election as it does not speak to the content of the sign. He confirmed that such an ordinance would allow for the use of any type of sign and not specifically election signs.

Mapes added that it may be simpler to specifically designate a range of dates where expanded signage is allowed. If necessary, it could be set by commission at the beginning of each calendar year.

Hale commented that in the comparison process some defined trends are noted. Communities tend to require a 5 ft setback from the front property line and most communities have set a maximum height of 5 ft in residential districts. Illumination on residential signage is not permitted.

Ayers commented that it's important to find a clear, concise ordinance that works for our community.

Ripley agreed to come back with some suggested language at the next meeting.

Hale suggested looking at an ordinance that allows for a small number of signs year round limiting the size of each sign to a set amount and the total area of all signs also having a maximum amount.

Therrien welcomes comments on what comes out and that simpler is better.

Ayers concurred commenting that a simpler ordinance is easier to enforce. He encouraged staff to look at ordinances in the greater Midwest as this is a federal provision.

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Ripley confirmed that it would be feasible to do so.

Ayers inquired about the packet information concerning 228.5 E Center St.

Ripley commented that he has been approached concerning a request for development of a small parcel at 228.5 E Center to demolish the existing structure and change the use of the parcel to accommodate a RV storage business. Ripley commented that the zoning of the parcel does not permit storage as a use, but if a detailed plan was presented the commission could evaluate the use as a conditional rezoning of the property. He further commented that outdoor storage is not a recommended use of the property but would like the commission's comments regarding an indoor storage facility on the property.

Mapes commented that he would not be in favor of the use.

Wheeler commented that the surrounding property is owned by Mercantile bank and that they may be amenable to selling some property to allow for better access to the property than the existing alley.

Mapes commented that there have been issues in the past with the existing RV storage at the fairgrounds and does not feel it fits with the surrounding area.

Ripley agreed to take the comments back to the developer.

Ayers inquired if it was proposed storage units?

Ripley commented that that was not the case but a single building with an open floorplan.

Schooley commented that without additional access this is likely not a feasible project.

Pitts inquired if the member of the public attending would like to comment prior to the adjournment of the meeting?

No comment was offered.

A motion was made by Wheeler and supported by Mapes to adjourn the meeting at 6:39 PM.

Yes: Ayers, Mapes, Pitts, Schooley, Richter, Wheeler and Therrien

No: None

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Respectfully submitted,

A handwritten signature in black ink that reads "Aaron K. Hale". The signature is written in a cursive style with a large initial 'A' and a distinct 'K'.

Aaron K. Hale

Planning Commission Recording Secretary