

**City of Alma  
Planning Commission Minutes  
September 9, 2019**

Commissioner Kulling called the regular meeting of the Alma Planning Commission to order at 5:30 PM on September 9, 2019 in the Alma City Commission Room.

Present: Pitts, Schooley, Mapes, Wheeler, Therrien, Richter, and Kulling.  
Absent: Ayers, Gilkins.

Others Present: Aeric Ripley, City of Alma Zoning Administrator  
David Ringle, Public Services Director  
Rosemary Horvath, Gratiot County Herald  
Elizabeth Lura, 411 S Grover #33  
Marlene Melhouse, 1045 E Superior St  
Brian Melhouse, 1045 E Superior St  
David Shaw, 502 Hannah St  
Trina Schall, Department of Corrections Ithaca  
Stefani Skidmore, 1103 Marquette Blvd  
Tim Shattuck, 512 Hayes Ave  
Steve Derry, 508 Hannah Ave  
James Wing, Michigan Works Region 7B  
Chris Eibling, Property Manager for 422 Hannah Ave  
Anthony Costanzo, City of Alma Attorney  
Dave Chella, Neighborhood Resident  
Sala Butler, resident 423 Hannah Ave  
Nicole Demoray, resident 901 N State St  
Cleo Leppien, resident 815 N State St  
John Leppien, resident 815 N State St

A motion was offered by Wheeler, and supported by Pitts, to approve the minutes of the Regular Planning Commission meeting held on August 5, 2019.

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

**Public Hearing: Rooming House Special Use Permit Application for 422 Hannah Ave**

Commissioner Kulling opened the public hearing at 5:31 p.m. to hear a request for a Special Use Permit Application received for the establishment of a Rooming House as provided in Section 60-60(b)(4). The applicant, Chris Eibling, proposes to provide a rooming house for (4) individuals, at the address commonly known as 422 Hannah Ave. The property is zoned R-2, Two Family Residential. R-2 Districts do allow for rooming house through the issuance of a Special Use Permit. This public hearing was tabled at the August 5 meeting until the application for permit was complete.

A presentation was given by Ripley:

Since the house would be used for individuals transitioning from the correctional system, and working through the program provided by Michigan Works Region 7B to find employment and other individual needs, the individuals are only at the home until they finish the program, there are no long-term leases with the individuals, so the home does not fall under the criteria of the City of Alma Rental Program as a typical rental, which is a permitted use by right.

This use better fits a rooming house: Rooming House definition: A building where lodging only is provided for compensation. The home would also need to come under the annual inspection program as with other rooming houses, B&Bs etc.

Why do communities use special uses: provides notice of a use to the neighborhood and the whole community, through the letters to the property owners within 300' of the proposed use, and the public notice published in the newspaper. The special use provides more control than a use permitted by right, which does not require any special approval. A special use permit may be revoked if the use falls out of compliance with the conditions of the special use permit.

If the criteria of a special use permit are met, the special use cannot be denied. Again, after any approvals, special use permit criteria and conditions must be followed. If they are not, the permit can be revoked and the use must cease operation.

Ripley received two phone calls on the proposal before the meeting in August, which was tabled. There were also many members from the neighborhood in attendance until they were notified that the item was tabled until this meeting September 9<sup>th</sup>.

Mapes inquired if the existing property at 616 Bridge was enrolled in the city rental program and if enrollment is a requirement of this property's special use?

Ripley replied that the property at 616 Bridge was enrolled in the program and that all commercial housing situations are regulated by our city rental inspection program.

Public comments concerning the permit application was opened at 5:40 p.m.

Elizabeth Lura commented that her son and daughter-in-law are the neighbors to the south of 422 Hannah Ave. The property has been in her family for four generations. The proposed housing situation makes her feel uncomfortable. She indicated she was not in support of the project as her grandchildren reside in the neighborhood.

Commissioner Kulling requested further details regarding the DOC placement program.

Brian Melhouse inquired as to if the residents of the home were required by the DOC to maintain employment? Are the residents restricted to remaining on the property? Are they subject to an evening curfew?

Trina Schall replied that residents are electronically monitored and restricted to the property. The residents are allowed to leave for work, parole and medical appointments. The program is very strict. She communicated that some of the residents would be classified as sex offenders, but that sex offenders already reside in the general neighborhood of the property. She expressed that the existing properties in operation have had no recorded issues within their neighborhoods.

Steve Derry inquired as to what types of offenders would be housed within the property?

Schall replied that the property would house various low-level offenders leaving the penal system and re-entering society. The residents are selected primarily for this property due to the fact that the offender is originally from this area or have family or other support members living in this community. The DOC feels that this is the best way for residents to reattach to families and gain employment. They average time an individual stay at the property is 10-90 days. Residents are given evaluations monthly.

Tim Shattuck inquired what the recidivism rates for the offenders are?

Schall replied that offenders have the lowest rate of re-offense of individuals leaving prison. As an official supervising this program in Gratiot County for 7 years and has had 1 repeat offense during that time.

Derry inquired as to how the parolees get around?

Schall replied that the parolees utilize various methods including driving, walking, biking and public transportation.

Derry inquired that if there was not a house in this neighborhood, where would the offenders go instead?

Schall replied that if there isn't placement space available the resident would be placed in another community where it is more difficult to get help from friends and family. Offenders without placement are often housed in motels.

Shattuck inquired why this specific neighborhood had been selected?

Schall replied that there are limited locations within the community that are further than 1000 ft from schools. This neighborhood meets that requirement.

A presentation was given by James Wing: Wing has worked with the DOC since the state-wide initiative was enacted by the Governor in 2008. The program is working in 19 counties. Established setbacks from locating these facilities from schools combined with zoning restrictions and the availability of public transportation determines the desired location of the homes. Residents are screened for job prospects, personal connections in the community and the availability of mental health services. Residents are trained in soft job skills for employment. 10 offenders are currently residing within 1 mile of the proposed property. Most of these offenders are in an unsupervised situation unlike the residents of this proposed house. Residents are held to parole restrictions and are subject to separate housing rules of the program. Program supervisors actively work with residents and landlord to address issues as they arise. The

property undergoes housing inspections conducted by the program supervisors every 90 days. The aim of the program is to allow a safe living space until parolees gain employment and a safe place to live. Mt. Wing wants to work with the community to make this housing arrangement a success.

David Shaw inquired as to the current success rate of the program.

Wing replied that 80% of the parolees entering the program maintain compliance with the parole and housing regulations and attain employment and a stable housing arrangement.

Shaw commented that the fact that sex offenders are already living in the neighborhood is not a reason to bring additional offenders to the neighborhood.

Wing replied that the offenders will be coming to the neighborhood regardless of the program. He feels that a supervised arrangement as proposed is superior to an unsupervised arrangement.

Melhouse inquired as to how much the property owner is compensated for entering their property into this program?

Wing replied that property owners are compensated \$16 per day per resident. At full capacity the monthly compensation would be approximately \$1,920.

Melhouse inquired as to what the city was being compensated for accepting the house into its housing inspection program.

Ripley replied that zoning ordinances determine the location of R-2 and R-3 districts where this housing type is permitted by a special use permit. The city charges \$200 for the special use permit application to cover the costs of public notices including a newspaper ad. This fee covers the cost for the permit hearing. The city charges \$40 per year for an annual health and safety inspection as part of the city housing inspection program. This fee does not support the full cost of the inspection program. The fees in both cases do not generate income beyond the costs of operating the program.

Melhouse stated that the neighborhood is improving and inquired as to why the city would keep the neighborhood zoned in a way that allows these types of housing developments. He stated that low income areas are generally associated with Rooming Houses.

Costanzo commented that there are seven separate requirements that a proposed development must meet to obtain a special use permit. If a proposed project meets all seven requirements, it must be approved by the committee. The sixth requirement is that the project will not decrease the property values or generate additional costs to the neighborhood. He commented that it should be possible to look at comparative sales in neighborhoods where DOC housing

arrangements already exist to measure if these housing situations decreased property values. Alma's Assessor was contacted regarding this question; however, no comparative sales currently exist for the 616 Bridge Ave. neighborhood. He asked Mr. Wing if he has property value information from other communities where these programs are currently operating. He further comments that he personally feels that people who make mistakes deserve a second shot at life. People who work hard and do the right thing all of their lives deserve a shot too. Costanzo could not personally answer if the program would affect property values.

Dave Chella commented that he is concerned that the project would bring property values down. He personally does not feel anyone who is a convicted sex offender can be rehabilitated. Kids live in this neighborhood and he doesn't trust sex offenders. He does not feel it is a good idea to locate the housing project in this neighborhood. He also feels that it is not a good idea to house offenders in groups where they are free to conspire to commit further crimes. Locating offenders in one neighborhood is a recipe for disaster. The school bus currently picks up all of the children from the neighborhood in front of 622 Hannah Ave. Two halfway houses in this neighborhood is too much.

Sala Butler commented that as a sexual abuse victim this is a difficult subject for her. She already feels unsafe due to her close proximity to the 616 Bridge Ave property. She would now be located between two such properties. Her back fence currently screens the 616 Bridge property. However, since 622 Hannah is across from her front yard, she would be unable to screen the proposed property with a fence.

Marelene Melhouse inquired as to how the application could be denied.

Costanzo replied that the application may be denied if it fails to meet all seven criteria outlined in the ordinance, but if it meets all requirements, it must be approved.

Chris Eibling stated regarding property values that the numerous improvements made to the property at 616 Bridge Ave since its approval as a Rooming House has increased its property value. It is only logical to assume that it in turn is raising the property value of its neighbors.

Costanzo inquired as to if the increased property values offset the negative aspects of housing parolees.

Wing commented that the program is designed to make physical and cosmetic improvements to the property. Alma was chose for this project because of the existing positive experience of the Rooming House on Bridge street.

Mapes inquired as to where this commission could go to obtain the property values data pertaining to the DOC program?

Costanzo replied that assessors in communities housing existing DOC Rooming Houses would

have this data available. He thinks it is important to acknowledge that the MDOC is running a first rate program and that it makes the house better than it was before, but that fact does not satisfy the property value requirement.

Schooley inquired if the motion should be tabled until qualification six is met to the commission's satisfaction?

Chella requested that all seven requirements of the application be read aloud.

Constanzo read all seven requirements of the application aloud.

A motion was offered by Mapes, supported by Kulling, to close the public hearing at 6:37 p.m.

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

A motion was offered by Schooley, supported by Mapes, to table the request at 6:38 p.m.

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

**Public Hearing: Group Day Care Home Special Use Permit Application for 901 N State St.**

Commissioner Kulling opened the public hearing at 6:39 p.m. to hear a request for a Special Use Permit Application received for the establishment of a Group Day Care Home Special Use Permit as provided in Section 60-60A request for a Special Use Permit has been received from Nichole Demoray to operate Group Day Care Home at 901 N State Street. The location is further described by parcel number 29-51-344-046-00. The zoning for the parcel is R-1, Single Family Residential. R-1 zoning districts do permit Group Day Care Homes with the issuance of a special use permit. This permit is a requirement of the State of Michigan licensing process.

A presentation was given by Ripley: A Group Day Care Home allows for the care of 7-12 children at the property. A Group Day Care Home is permitted by a Special Use Permit in a R-1, Single Family Residential District. Letters were sent to surrounding neighbors. No other group day care homes are located within 500 ft of the proposed property. It is Ripley's opinion that this is a needed resource within the community. The owner is present to speak. Daycare facilities generate few neighborhood complaints which are often related to parking issues. Aerial photographs show that the property has ample parking available. Ripley stated that there is a shortage of daycare facilities within the city.

Nicole Demoray commented that she has been working within an existing daycare for five years. She loves working with children and undertook licensing with the State of Michigan. She really enjoys living in a daycare setting. She currently has parking capacity for eight vehicles with overflow parking available on the street.

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John and Opal Leppien were in attendance as the Demoray's direct neighbor to express support for the application.

A motion was offered by Mapes, and supported by Wheeler to close the public hearing at 6:47 p.m.

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

No: None

A motion was offered by Wheeler, and supported by Richter, approve the Special Use Permit Application for a Group Daycare Home located at 901 N State St.

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

No: None

#### **Site Plan Review: 211 W Center St**

A request has been received from Gratiot Community Credit Union. The plan includes removing the former drive-thru canopy, then building an 882 Sq. Ft. addition to the branch office at 211 W Center Street. The project also includes a new parking lot.

A presentation was given by Ripley: The Gratiot Community Credit Union addition at 211 W Center Street is B-1, Central Business District, the Credit Union has also purchased the former law office across the street as part of the overall project. The proposed parking lot will be located on two parcels, the parking lot will fall on the B1, and the B-2, General Business District. The plan presented for parking and trash removal meet city requirements. One parking space is provided per 200 sq ft of the facility. The plan provides for 44 parking spaces of the 15 required. Of these, 6 are large capacity spaces and two are ADA compliant. The proposed spaces are 28x10 ft, exceeding the 18x9 ft required. The proposed dumpster enclosure is 12x20 ft. Lighting and vegetation buffer were not included in the plan. Staff has spoken to the contractor about adding a landscape buffer on the west property line. There is a lot of asphalt with the new parking lot. Approval is based on the presented drainage plan. The proposed plan utilizes the existing drive approaches. Erected signage will require a permit.

A presentation was given by David Ringle: The North drive approach is listed as the main ingress from the street. Storm water drainage is designed to remain on site with underground retention to county drain. All public service requirements have been met, permits will be needed for storm water connections at the City of Alma and Gratiot County.

A motion was offered by Wheeler, and supported by Mapes, approve the Site Plan Review for the construction project located at 211 W Center St.

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

No: None

#### **Residential Parking – Draft Ordinance Amendments**

The Suggested ordinance amendments were provided to the City Commission. Staff feels ready to set the public hearing for the ordinance amendments.

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A motion was offered by Wheeler and supported by Mapes to set a public hearing for the review of Residential Parking Draft Ordinance Amendments for October 7<sup>th</sup>, 2019 at 6pm.

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

No: None

### **Ground Floor Residential Information**

Ground floor residential seems to be an emerging trend in downtown districts. Staff has provided some information for best practices from the MEDC and sample ordinances from three communities who have decided to allow ground floor residential in a commercial district.

A presentation was given by Ripley: The MEDC now supports ground floor residential units in rear portions of buildings located in business districts. The cities of Clawson, White Hall, and Imlay City are currently permitting ground floor residential units in this way, their ordinances were provided. This is counter to the advice given by the MEDC and Main Streets for decades.

Mapes inquired as to how much history is available concerning housing arrangements in business districts?

Ripley replied that this is largely unknown as the trend is too new and data is unavailable at this time.

Schooley noted that the City of Howell has a nationally recognized downtown district.

Ripley agrees to bring more information from other communities currently permitting this use.

Schooley noted that permitting residential units in the rear portions of businesses in the business district would cover applicants who lack the unique situation required for conditional rezoning.

A motion was made to table the discussion until further information is available and to adjourn the meeting was made by Wheeler and supported by Mapes. At 7:04 p. m.

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

No: None

Respectfully submitted,

Aaron K. Hale

Planning Commission Recording Secretary