

**PLANNING COMMISSION
OCTOBER 24, 2006**

The Gladwin City Planning Commission met in regular session on Tuesday, October 24, 2006 at Gladwin City Hall. The meeting was called to order at 5:15 p.m. by Chairman Alward followed by the Pledge of Allegiance.

Present: Commissioners David, Alward, Jenkins, Stout, Witkowski, and Hindman

Absent: Commissioners Darlington, Foor, Clayton

Also Present: Brian Fabo, Tammy Hawblitzel, Scott Hawblitzel, Mayor Winarski, Administrator Bob Moffit, Clerk Shannon Greaves, Eric Morgan, Council Member Mike Smith, Rita Seck, Skip Schwager

The Pledge of Allegiance was led by Chairman Alward.

Motion by Commissioner David, supported by Commissioner Stout to approve the September 25, 2006 meeting minutes as presented. All ayes. Motion carried.

Motion by Commissioner David, supported by Commissioner Stout to recess the regular meeting and enter into the Public Hearing for discussion of vacation of the alley north of Grout Street and South of Cedar Avenue/Highway M-61 and located in Block 1 in the Plat of Cedar, City of Gladwin. All ayes. Motion carried.

Clerk Greaves read the notice of public hearing: Please take notice that the Gladwin City Planning Commission will conduct a public hearing Tuesday, October 24, 2006 at 5:15 p.m. or as soon thereafter as the agenda will allow to here public comment on the request by Rite Aid Incorporated to vacate the west 176 feet of an alley between Silverleaf and Townsend Streets. This alley is north of Grout Street and south of Cedar Avenue/Highway M-61 and located in Block 1 in the Plat of Cedar, City of Gladwin.

Chairman Alward – Has everyone had an opportunity to sign the sign in sheet so that we know who all is here? If you have not, please do so. The way that we run the public hearing is the first thing that we will do is have the representative from Atwell-Hicks, Brian Fabo is here this evening to make a presentation and then each person wishing to be heard, will be given five minutes to make their presentation. Brian...Thank you.

Brian Fabo – Good evening everybody. My name is Brian Fabo of Atwell-Hicks, I am an architect, urban planner and engineer working with Rite Aid for ten years in five states. The project that you have before you is the property at the corner of Cedar and Silverleaf which is depicted here in this drawing. What we are requesting is the vacation of this portion of the alley in order to allow the building placement and the site to lay out for the construction of the new store. As part of the alley vacation, we are proposing that at Rite Aid's expense, they will pay for both the design work as well as all the construction work for any utility relocations that will need to occur with the vacation of the alley. I know

that there is a storm line running through that we will pick up and route through our system. (Inaudible) Silverleaf as well as any of the other utilities that are impacted by the alley. We also will provide an access easement around the building for public use of the alley so it will tie in from Silverleaf to the alley. One thing is different on the site that I brought today versus the small drawings that were available and this is based on a conversation that we had yesterday with city staff. We have moved the building. We have decreased both (inaudible) by a foot and moved the building over and up to allow this corner of the building to move and give a little more maneuvering room around this corner as well as this curb line that rounds here we've taken pretty much to the corner of the property and made that curb line wider to allow the trucks more easy access to get around the building. We did the analysis, I know that you guys stated that there is a fifty-three foot long truck, which is your standard delivery truck. We did our analysis, showing that we have ample room both around this corner as well as around this corner now, with the revisions that we have made. You are welcome to come and look. You can see the outline of the auto turn that runs through. One thing to point out is the computerized, the computer simulation of the auto turn or the truck turns generally it's a very conservative absolute outline of where the truck may possibly go worst case scenario. It tends to be very conservative so that if you design it to meet the auto turn, real life, it actually works out to be even better maneuverability than what it shows on paper. That is just inherent in the program. A little bit of safety factor, which is really inherent in most of the computer simulated software that is available on the market. We are proposing, just some other pertinent (inaudible) to the site. We'll be doing nicer landscaping along actually all three street frontages. We will be replacing the sidewalk that is along Silverleaf. I know that right now, it is in pretty poor condition, as well as it varies in width. We are going to be putting in a consistent city type, city code sidewalk, increasing green space there as well with both tree, lawn and additional green relative to our property line. The building itself is 11,157 square foot freestanding Rite Aid with a drive through pharmacy, which is an added convenience for the customer base. It is an all brick building. The design has yet to be really accepted. The DDA meeting is this Thursday. Regardless, it is an all brick building so we do go for a very high quality construction product, as well as with a design that we are going to try to make a more contextual with the existing downtown architecture. That is in a nut shell. That is pretty much what I have to talk about. I would be happy to answer any questions or if you would rather defer to other public comments, I could answer any questions that they may have individually at that point.

Chairman Alward – Lets take some public comments and then perhaps some questions will come from that. Who would like to go first?

Scott Hawblitzel – I'm not shy.

Chairman Alward – Please state your name because you are being recorded.

Scott Hawblitzel – My wife Tammy and I own JCPenney's. Just a couple... We have had that store for five years now. Most of your know, we did move from the previous location. Based greatly on JC Penney's approval of the size of the building, the

appearance of the building and the ease of delivery. We renew our contract with Penney's once a year. If any of those three items become a problem, because the delivery company has nothing to do with JC Penney's, they don't care if they deliver to my store or not. They would just as soon not, because it is a nuisance now because of the narrowness of the alley. We get two trucks a week. I don't want this to be a hindrance, even if it does work and my biggest concern is, getting two trucks a week. What am I going to do during construction? I'm not going to have access. The truck cannot back down that alley, period. There isn't a truck out there that can. UPS, we have the UPS. We are the only UPS authorized shipping outlet in Gladwin County. A lot of places you can drop off. We are the only authorized shipping outlet and it took us three years to do that. We do sixty to seventy packages a day. We get two trucks a day. Delivery and pickup. During the holidays, it's 150 packages a day of UPS for, they will drop off from the street. They will not pick up from the street. They have to have access to that alley. Mid States Trucking who delivers all of our Penney's orders, does not or will not deliver off the street period. If there is a problem with the alley, they will just keep going and will go to West Branch and we're responsible for picking that up, wherever it might land. My biggest concern is...I talked to Brian a couple of weeks ago about the size of the trucks that we get twice a week from Penney's and I see that they've altered the site plan to more accommodate us, but my only questions is what is or my only problem is what is going to happen during the construction process when we've got a bulldozer in the way and these guys, these truck drivers, they aren't going to sit there and wait for half an hour to, for somebody to move a piece of equipment. I just, I don't know. I see that the construction process, if everything works as it's supposed to on that piece of paper right there, I can see the only problem being the construction process. How do we have access to that alley? I mean, I can understand that for two or three weeks, that the alley is totally, which it sounds like the alley is going to be totally impassible which they're in the storm sewer phase of this thing, what's going to happen for the, what's the actual or the average timeframe as far as completion on that?

Brian Fabo – The normal construction period from when they put a shovel in the ground and start doing underground utilities, until they get the site paved is about 150 days.

Scott Hawblitzel – So figure about five months.

Brian Fabo – Figure about five months.

Scott Hawblitzel – And when do they normally, they won't start in the wintertime?

Brian Fabo – No. Especially not this far north, with the ground freezing and then in generally, the way the schedule would look at this point, is that it would probably be a March groundbreaking.

Chairman Alward – I'm going to, we're going to deviate from...a little bit from the way we normally do things. We're going to answer the question, because I think we might have this addressed for you right now. Bob Moffit, the City Administrator.

Administrator Moffit – If I could speak for the purpose of answering the other question. What’s going to happen during construction phase? At the corner of Townsend and the alley, there is a big box elder tree. We are going to remove that prior to the start of construction. The other part of the plan, Scott, is that I will work with the City Council and we will remove, at least temporarily, the one-way designation. My understanding with conversations with Tammy is that they can, in fact, get that big truck in there, back it in, if that tree is gone and the one-way designation is gone. I have every intention of following through on that.

Chairman Alward – Thank you. Do you have anything else that you want to?

Scott Hawblitzel – I just got a few questions, but I guess a few comments for the stuff that you just said. Is there sufficient drainage in that alley for a paved parking lot of that size?

Chairman Alward – Yes there is. I can answer that. Yes there is. Easy.

Scott Hawblitzel – So our parking lot, there must be a problem when the city came through and they broke up the storm sewer that’s in our parking lot over by Rita’s building. Now it doesn’t drain in the winter.

Chairman Alward – That, I can’t do anything about. I can’t answer that except to tell you that that storm sewer is shallow. I did go down and open that catch basin that’s in the alley. Where the one from your parking lot dumps into the one that’s in the alley. That discharge going out of that catch basin is shallow. It’s only a couple of feet in the ground.

Scott Hawblitzel – That’s probably why it freezes then.

Chairman Alward – That’s why it freezes, because it gets slush in it for one thing.

Dr. Rita Seck – Ever since they did that main street construction, we don’t drain in the parking lot.

Chairman Alward – That’s something that can be handled.

Scott Hawblitzel – You said they moved the building? You moved the building to the north and to the west?

Brian Fabo – Yes.

Scott Hawblitzel – How much?

Brian Fabo – A foot.

Scott Hawblitzel – A foot. What do you plan on doing with the snow out of that great big parking lot?

Brian Fabo – What they'll end up doing in the wintertime is probably we'll have some snow stacking in this corner and normally what they'll do is they'll designate some spaces that are farthest away from the doors. They'll actually use that as the snow storage until it melts out of the parking lot.

Scott Hawblitzel – That's all I've got for now.

Chairman Alward – Alright. Thank you.

Scott Hawblitzel - My biggest question is what's going to happen during, I mean, if we have a problem getting a truck, which I think we're going to, have a problem backing a truck down that alley, just because of the way that it has to be done. You can't just back a truck down that alley. UPS won't back up.

Chairman Alward – No, they don't. They don't like to.

Administrator Moffit – Are those trucks small enough, Scott, that they can pull in the alley and pull out your parking lot?

Scott Hawblitzel – The UPS trucks can. Because of an incident five or six years ago a UPS truck won't back up more than 40 feet.

Administrator Moffit – Well, they shouldn't have to back up at all, just as long as the designation is off.

Scott Hawblitzel – I know for a fact that with Rice's property, the old parking lot. That property and that box elder tree, Rice's have got some big steel pipes in that ground. I hit them with the plow every year. That, if those could be taken care of, that would help the problem, but, you still cannot back a truck down that alley. To back a truck down that alley, you'd have to pull in the alley on the east side of Townsend. The only way trucks can access that are from our side, the west side. They come in off Silverleaf and go straight through Townsend. I took a 44-foot fifth wheel today on the back of my truck and I tried to pull down that alley. You can't do it. So.

Chairman Alward – Just for a point of information. Does Betty still own that parking lot?

Scott Hawblitzel – I believe so.

Chairman Alward – Ok. That's something that they might want to address. Because that is a problem.

Scott Hawblitzel – Those steel pipes go out into the city's right of way. I'll guarantee that they're in the city's right of way. So.

Chairman Alward – Thank you. That box elder tree needs to go.

Administrator Moffit – The DPW will get it done, just as soon as they have a break.

Chairman Alward – Get rid of the bugs. Ok. Someone else? Say your name so that we can get you.

Dr. Rita Seck – Cedar Avenue Family Practice. We're opposite parking lot with JC Penney. I've been there twenty years. Dr. Timreck was there before I was there. He's talking about a couple trucks. We're talking about trucks every day, coming to deliver stuff to our office. They always use the alley. We've got FedEx, UPS, we have a medical waste company at least once a month picking up medical waste. We've had ambulances that have to come through the alley and back up to take a patient out of our office to the hospital. Dial-A-Ride. Lots and lots of alley use for the business there.

Chairman Alward – Well, the alley is not going away. The alley, as a matter of fact, is going to have better access than its ever had. First of all, the access to that alley is going to be twice, almost a hundred, almost twice the size it is now, to get into the alley, because of the new access point off of Silverleaf Street. So, if that's a concern. Actually semis are going to have an easier access to the alley than what they have now. Right now the only way a semi gets in is they drive on the property south of the alley, so they're actually off the alley right of way when they get in there. We can't get one of our fire trucks into that alley if the cars are in the parking spaces.

Scott Hawblitzel – My point exactly.

Chairman Alward – With this new access that's going to be there, now we'll be able to.

Scott Hawblitzel – So what do you do during construction?

Chairman Alward – Now we'll go the other way. It won't make any difference during construction, no matter what's going on. The point is, there will be some things done to see to it that access is kept open to everybody. One way or another. Anyone else?

Commissioner David – Was there any correspondence?

Chairman Alward – Yes, excuse me. I have one from Cedar Avenue Family Practice. I am writing this letter, this is signed by Frank and Rita Seck, who are the owners of Cedar Avenue Family Practice. To it may concern. I am writing this letter in response to the request by Rite Aid Inc. to vacate the west 176 feet of alley between Silverleaf Street and Townsend Street. We own Cedar Avenue Family Practice at 230 East Cedar Avenue. We have been in business for 20 years. Our business, as well as other businesses on Cedar Avenue. This is almost exactly what you said. I'm still going to read it, ok? Alright. Our business, as well as other businesses on Cedar Avenue utilize this alleyway every day. All delivery trucks, medical waste handling, UPS, FedEx, employees, Dial-A-

Ride, and patients use this alley each day. It is a public access provided by the city. The alleyway is not only a convenience, but a necessity. In the event of an emergency, especially in a physicians office, it is necessary to have access to both exits of the building for EMS workers and/or fire trucks. The access of the alleyway provides an easy way for EMS workers and other fire trucks to access the building without disrupting others. What gives any business the right to close down a public alley for their own use? I believe Rite Aid would compromise or could, excuse me, I believe Rite Aid could compromise and incorporate the use of the alleyway to the public in their current building plans without disrupting surrounding businesses. Therefore, I hope that you deny Rite Aid's request and do not allow one business to compromise and bully other local businesses and honest taxpayers. Sincerely, so on and so forth. And I believe that was the only one that we received that was, yes, it is.

Commissioner Stout – Didn't we get one from the EDC?

Chairman Alward – Oh, wait a minute, that's right. We did get one from the Economic Development Corporation and is it in that. There it is. I'm sorry. You're right. We did. Gladwin County Economic Development Corporation. To City Planning Commission from Jack Abernathy. Subject-Rite Aid drugstore. I understand that Rite Aid Incorporated has submitted a site plan to construct a new facility in the City of Gladwin on the south-east corner of Cedar Avenue and Silverleaf Street. I think this would be a very good economic development project for the City of Gladwin. The project is slated to cost approximately \$2 million dollars and will develop a vacant lot downtown and will create additional jobs. If I can be of any assistance, so on and so forth. Jack Abernathy, Director.

Commissioner Stout – I have one question. Now, you're going to build the new drain sewer and everything before you take the old one out, correct?

Brian Fabo – Yes.

Commissioner Stout – So, the last thing that you're going to do before anything is to tie into the existing storm sewers by the alley, correct? I mean, you're going to do the new storm sewer?

Brian Fabo – As far as a construction process and what we would have to do first is get all of the new infrastructure in place.

Commissioner Stout – Will you keep the old there?

Brian Fabo – It would have to be at that point. You would have to keep the existing infrastructure so it can service things and then, once the new infrastructure is in place and the new tie-ins were in place, then there would be a switch basically made over from the existing line and then the old line could be abandoned and removed.

Commissioner Stout – Time wise, what are you looking? I mean to do that switch, are you talking a day, two days, could it be done on a weekend?

Brian Fabo – The actual switch is probably a day or two's worth of work. What we would do is we would plan that, obviously, the biggest utility relocation is for the storm sewer. As long as you do it when it's not a rainy time. That really would not have a big impact.

Commissioner Stout – So, can we keep that alley open until they're ready to tie in? So that, JC Penney's and Dr. Seck's and stuff, can use that alley or not? Can that not be done? I don't know.

Brian Fabo – I'm going to have to confer with our construction manager and see because obviously we have lines crossing the alley in multiple locations that need to be installed as part of the initial infrastructure, then at that point, you're tearing up the alley and it's pretty much inaccessible and obviously after the infrastructure change is made, then you've got the entire building pad that needs to be leveled and prepared, foundations.

Commissioner Stout – By that time, you would have the alleyway done right? So that their trucks can make it through.

Brian Fabo – More than likely, that really would be a construction liability because you're having people pass through an active construction zone. We'd have to look at if there's a way to do a temporary access drive. You know, obviously there are some things that we could investigate doing, but again there's obviously limits around the building and you're also going to have, after the utility work is done, you've got all your curbing, all your sub-grade, all your paving. There's a lot of other operations that take place that are typically done all at once. You get the concrete guy on site to go and extrude all the curbs around the site and have the paving guy come in and basically do all the paving end to end, just from a most cost effective construction standpoint. There's a possibility, we may be able to, if the city permits, to put in a temporary access drive back here that is outside during the limits of construction, you know if the city is agreeable, you would obviously be forcing some commercial traffic onto a residential street. That could be laid down as some temporary asphalt to allow that while we're doing the rest of the construction. Those are really issues, that I would have to defer to the city engineer and kind of work hand in hand with our construction manager.

Commissioner Stout – It just seems like it would be, if it's possible to be done that way, we're working with them, we're working with you. Everybody gets their way. Because I understand, the backing up part in that alley. That alley is terrible anyway. You know. So I can totally understand what the business people that are there and why should their people have to go out of their way if there's a way that we can make it all work and do the last tie-in.

Scott Hawblitzel – I don't want anybody to think that we're against this.

Commissioner Stout – Oh, no. I'm not against it either at all. I think it's great for everybody. It's a win-win. But we've got to work together to make them happy with...

Brian Fabo – I'd be more than happy to have our construction manager meet with the city engineer and if there's a way that we can devise some temporary access route. I don't see any reason why, to lay down a temporary asphalt road in the back, you know, for so it's there during the bulk of construction. As long as it works from an engineering perspective and from the city's perspective that the extra dollars that it adds construction wise should not be a big deal.

Commissioner Stout – Do you think that would work? Something like that? I mean, I'm no engineer, so I have absolutely no idea about that.

Chairman Alward – Mayor?

Mayor Winarski – Basically what the city would try to do is work with the firm to try to minimize the amount of time that we have to consider alternatives. In other words, I think that there is a good, valid point to bring traffic in off Grout Street into and accessing an alley in that fashion and obviously the point where you are dealing with how quickly that can be done at the onset when you're making changes in the storm sewer system. I don't know whether you're talking a week to get some of that stuff done, or what have you, but there are going to be periods of time where the alternatives to accessing the alleyway are going to have to be used to get the goods and services into JC Penney and to Dr. Seck's. What we would look to do is try to minimize the amount of time where those alternatives have to be used and this site becomes workable as far as a temporary fix.

Commissioner Stout – I'm just worried about the semis and stuff trying to back down that alley because you are in a residential district. You have kids. You have kids walking home from school.

Mayor Winarski – Let's correct one thing. It's not a residential district.

Commissioner Stout – You have residents though, on that side. Behind Dr. Seck's and JCPenney's.

Mayor Winarski – I realize that, but it is a commercial district and you know, we do have to, unfortunately, living behind an alley, there are certain things that the residents have hopefully gotten accustomed to, whether the construction is going on or whether you have trucks going one way or backing down the alley, that they would be aware of that safety concern. The thing that we would look to do is try and minimize the amounts of time that are involved where we are altering the pattern of access and that's really the telling point, but you can't wind up putting this size of project in there and not have, some periods of time where you've got to work with the alternatives and that's really what we're looking to try and do. This probably, if you look at and think about it. This is probably the first commercial building in the downtown business district that's been constructed since 1972 and we are, fortunately benefiting right now of having a number

of new businesses located in existing buildings downtown, so that we do have a good situation with our commercial district and quite frankly, I am very happy to see us working with Rite Aid because this will continue to bring retail traffic down to the central business district, which benefits every one of our retailers. So, I know that nobody likes to have, you know, the problems that we face with a construction project, but what we would look to do is to try and minimize the time that that impacts on people. We have that when we do a street project, when we did the sidewalks, anytime that we impact main street, we have these concerns that we have to deal with.

Scott Hawblitzel – Back to my original question about the storm sewer. The reason I asked about the storm sewer is because, I know how deep that is. I don't see that there is any way that they can use the existing storm sewer and tie into the existing storm sewer without replacing.

Chairman Alward – Oh, they're not.

Brian Fabo – The site actually drains this way. We're picking up water here and looping it down and tying it in over here. There's a sixty inch pipe here that were tying into here that's more than enough capacity.

Scott Hawblitzel – How deep is that storm sewer right off the corner of that building?

Brian Fabo – This one?

Scott Hawblitzel – Yes. It's two foot, one hundred and fifty feet to the east of there. It can't be any more than three and half to four feet.

Brian Fabo – Whatever it is, this is going to have to be the high point of our site and then we're going to take it down and tie into here. So that we'll maintain...Obviously from this point to here, there's not going to be any changes to the system. But from this point through here, the systems going to be improved significantly.

Scott Hawblitzel – You know, the City just went through and re-did the alleys to the west of us. When was the plan to do that one?

Administrator Moffit – When the DDA has some money. That's who gets most of the tax dollars (inaudible).

Scott Hawblitzel – That's not slated to be repaired? Because if you drive down that section of that alley, it's just as bad, if not worse than.

Administrator Moffit – I agree. We've probably bid off between the city and the DDA about \$130,000 on that first project, so if we can do two blocks a year, I think we're doing well.

Scott Hawblitzel – Ok.

Administrator Moffit – And I think that shallow drain is outside the scope here and I guess if I could spend my five minutes here. I'm the City Manager for those of you that don't know me, Bob Moffit and I've been here about a year and a half. This is a \$2.1 million dollar investment in our downtown business district. It ties you folks into the rest of the downtown district. I know, sidewalk sales, Tammy and I talked about, people cross the street and come back. This is going to help with that. The lions share of these tax dollars will go to our DDA for alley projects and downtown improvements. I think it makes sense. I'm also committing to the businesses that we'll have preconstruction meetings with you. We will prepare letters for your truck drivers. I'll make myself available so that we can get as many of these issues in advance as we can. I'll work with Atwell-Hicks and the construction crew and try to minimize the time of inconvenience. We will also work with the DPW and City Council to make this as smooth a transition as we can. Please keep in mind that the state has continued to cut our funding and/or hold it flat, or tell us the economy is going to do great things and your money will be the same in 06 and 07 and we're falling short of the mark. I think it's critical for the city to grow in a positive direction. I think this is a good project. These folks have indicated they'll work with us. I think in the long run, it's in all of our best interests to see this move forward. I think Scott, you brought some things to my attention tonight that I wasn't aware of, but I think as many of those things that we can get worked through and resolved, this fall and early in the spring, we'll work with you and we'll get those things done. I don't know about the medical office, but I'm believing and understanding that you probably don't have anything over about thirty feet in there and the removal of the tree and the one way designation removal and the parking lot out, you should never have a vehicle backing up, unless it's an ambulance to the back door. So, I think everything here, we can work through. The biggest issue is going to be the Penney's truck and I think some cooperation, communication and team work and we can get through that as well.

Brian Fabo – Can I ask a question?

Chairman Alward – Go ahead.

Brian Fabo – Is part of your concern, just besides storm, the physical condition of this alley? The condition of the pavement?

Scott Hawblitzel – Not only that.

Brian Fabo – I mean, as far as your last comment regarding the city improving the alley back here.

Scott Hawblitzel – They just did two projects. I didn't know if that was slated for this next summer. They just did two, two blocks. They put, what did you put, new storm sewer? New...

Administrator Moffit – Improved, added storm sewer.

Scott Hawblitzel – Going the direction that they were going, we're the next phase of it, if, I would hope. My only concern with the way that you're tying into that is the depth of the existing storm sewer. If you use that as your high point and the water runs to the west and they come through in two years to improve our alley, I still have a storm sewer that's two feet under the ground.

Brian Fabo – We're going to set a new structure here. That doesn't mean that we're going to tie in our exit pipe at the same elevation of the pipe coming in. We can set that pipe lower so that if, at some point, that whole line is lowered, there can be room that that line can actually be tied in at a lower elevation and still make it work. The other thing that I can talk to Rite Aid about and I don't know if this is of any interest. While we are paving all of this, we may be able to actually do a top coat and overlay the rest of this alley down to Townsend and at least make the alley in better condition than it is currently. I don't know if that has any merit or not. I mean, obviously while we have pavers out, adding a little bit of asphalt down an alley is not a significant amount of square footage and it will help, because obviously Rite Aid's trucks are going to have to egress out the alley as well. That's something that I can't commit to, but I can definitely talk to Rite Aid and see if they would be willing to. I know that we have in the past, where we've had alleys that were either vacated or abutted our property, that we have improved the alley from block to block as part of the overall (inaudible).

Administrator Moffit – The question is, do we want you to do that before or after?

Chairman Alward – Exactly.

Administrator Moffit – It may be better to do it after and let us get this other storm sewer issue addressed, but if it does improve Scott and Tammy's situation and the Dr.'s office...

Chairman Alward – The only infrastructure in that alley is the storm sewer. The sewer...

Administrator Moffit – I think there's telephone line in there.

Scott Hawblitzel – You're going to knock out all of the poles. I assume everything will be underground?

Brian Fabo – Again, that really is based on how the power company dictates how they run the power. Generally, the power company actually has their engineers design the new layout at our cost and then we'll do the relocation at our cost. If they opt to do it above ground versus below ground, that's really their call.

Tammy Hawblitzel – It would be nice to see all of the poles out of there.

Scott Hawblitzel – I noticed that there is three existing telephone poles right now.

Brian Fabo – They will have to be removed. Whether they keep them above ground and route it or...

Scott Hawblitzel – They go right down the alley. Obviously that has to be, but you have the trucks straddling two utility poles coming into my parking lot.

Brian Fabo – There's definitely poles through here that are going to be removed. Whether they take it underground and loop it around and back or they do it via poles around and back, I have no idea.

Scott Hawblitzel – That next pole to the east there. Right there, up on the north side of the alley. The trucks run right overtop of that pole.

Brian Fabo – That will have to be part of the relocation. Whether we go (inaudible) We have no control over it.

Scott Hawblitzel – As long as that would be...Ok.

Tammy Hawblitzel – You could encourage them to do it underground.

Brian Fabo – They don't listen to me. They do what they want. Once they got deregulated, they just do what they want.

Council Member Mike Smith – I had a question about the alley traffic that would otherwise have been continuing through.

Brian Fabo – The traffic coming this way?

Council Member Mike Smith – Yes.

Brian Fabo – What they do, they would route down here and then, pretty much, once they would route here, they would follow the same path through and what we've done, you can see, we've got a thirty foot apron here, as opposed to (inaudible) existing alley with this. It can't be more than half of this. The maneuvering in, in particular this way. These two are very generous turns and then when you do an "s" turn with a truck, the second turn is always the most critical and by pulling this curb line back further, that helps the rounding the trailer making that second turn around and so really, it's just a matter of instead of going straight through, they would end up just looping around our building. Again, we would have an easement, an access easement that would connect from this curb cut around and then back into the alley.

Council Member Mike Smith – I'm wondering if that, if the existing curb on the exit of that alley is going to be adequate or if the existing curb is going to be modified.

Brian Fabo – I can run that. We've got survey information down here. I can confirm that.

Commissioner Hindman – Can I ask a question, right now is a good time? I've got one concern, in fact, I've got two.

Chairman Alward – Make note that this is Tom Hindman.

Commissioner Hindman – Coming out of that east, the alley directly east. In other words, the first phase of the “s” turn. As you exit the alley behind Simply Charmed. There is a utility pole right there. Practically in that curve. I see that, in my mind, I see that being overlooked after this multi-million dollar project is done that a truck hooking onto that. I don't think it's a bit out of reason to bring that up right now.

Brian Fabo – That's a good point. If that needs, if the power company needs to move that as part of their overall plan, then that's what they need to do.

Commissioner Hindman – I think that should be also be included in Rite Aid's utilities relocation.

Brian Fabo – It's a good point.

Commissioner Hindman – Ok. Thank you.

Chairman Alward – Anyone else? Yes, go ahead.

Eric Morgan – I live across Grout Street here on this site. I guess I came here with an open mind because I didn't really see what the site was going to look like until tonight, so. My biggest concern was at the time, where traffic was going to be and looking at this, I don't have any concerns now, that I may have had before and it sounds like everything possible is going to be done to make sure that businesses are going to be able to get their access. I also see this as a real plus for our community. This is the first major company or major business that has, you know, chain business that has come here, of this magnitude. I guess I'm looking forward to seeing something in the lot besides grass. Although my kids won't be able to play ball over there.

Brian Fabo – This is another point. I'm glad that there was residents here. We are also open to treating this area here, as far as landscape wise. We're open to doing pine trees, heavy landscaping.

Eric Morgan – You're going to leave the trees that are there?

Brian Fabo – Yes. We definitely want to leave them. They're in the right of way and they're between ten and fifteen feet off of our curb line. I don't see any reason that's going to impact the root structure. They're very well established trees. We also do have automatic irrigation on any of the green space that's on our property. So that will keep the roots wet and keep them fed during the warm months. If the residents have any specific landscape suggestions, if they prefer it be open, be shielding off or um, or

whatever landscape treatment would be deemed appropriate or deemed preferable, we're more than will to do that. I believe that will be part of the site plan review which is scheduled for the following meeting.

Chairman Alward – Skip, did you want to address this at all?

Skip Schwager – The only thing I have George, it's a great idea and I love what you're doing here. That last parking spot exiting the alley, by the new Chinese restaurant there. That's got to go. Traffic creeping out there. It's dangerous. I don't know if that's something that can be eliminated. In particular, the one spot anyways.

Brian Fabo – Are you referring to this one here?

Administrator Moffit – South of the alley, across the street.

Skip Schwager – The first parking spot that is there is so difficult, the way they go down Silverleaf.

Brian Fabo – On the on street parking?

Chairman Alward – That's something we can deal with at...

Brian Fabo – There's nothing I can do.

Chairman Alward – Bring that one to the City Council. Thanks Skip.

Brian Fabo – We'd be happy to throw black paint on the striping to hide it, but that's about all, you know.

Chairman Alward – That pole you mentioned, that is a problem. It always has been a problem. They hit it all the time.

Commissioner Hindman – That pole, it's almost involved. It almost matches Skip's comment with the parking space, except I didn't want to remove any of those spaces.

Chairman Alward – You notice that there are signs on that pole? The city replaces those signs about one a year because the trucks will clean them off. Any Commissioners that want to make comment for the record?

Commissioner Stout – I just think it's great that you guys are moving into that spot. If we can all work together, it would be great.

Motion by Commissioner David, supported by Commissioner Stout to close the Public Hearing and re-enter the Planning Commission regular meeting. All ayes. Motion carried.

Administrator Moffit stated that there were a few stipulations that need to be added: the removal and replacement of the sidewalk west of the site, utility relocation costs will be paid by Rite Aid and planning costs.

Commissioner Stout asked if there was any money set aside for alley reconstruction for next year.

Administrator Moffit stated that DDA funds are tied up in distribution concerns.

Motion by Commissioner Hindman, supported by Commissioner David to recommend to the City Council, to vacate the west 176 feet of an alley between Silverleaf and Townsend Streets. This alley is north of Grout Street and south of Cedar Avenue/Highway M-61 and located in Block 1 in the Plat of Cedar, City of Gladwin and also to include the stipulations that there will be sidewalk replacement on the west edge of the property, all related infrastructure relocation costs be paid by Rite Aid and city planning costs related to this project paid by Rite Aid and approval of the most recent drawing with the changes that were presented tonight (drawing was marked), along with permanent utility and access easements that will be established through the property. All ayes. Motion carried.

Planning Commission December meeting will be scheduled for Tuesday, December 12, 2006 at 5:15 p.m.

Motion by Commissioner David, supported by Commissioner Stout to adjourn. All ayes. Motion carried.

Meeting ended at 6:13 p.m.

Joan David, Secretary