

**ALPINE TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
March 17, 2016**

**16-14 CALL TO ORDER / APPROVAL OF THE REGULAR MEETING MINUTES OF
FEBRUARY 18, 2016 AND THE / PUBLIC COMMENT ON NON-AGENDA ITEMS**

The Alpine Township Planning Commission held its regular meeting on March 17, 2016 at 7:00 p.m. at the Alpine Township Center, 5255 Alpine Ave., NW, Comstock Park, MI 49321. Present: Chair Bruce Lee, Vice Chair Mike O'Malley, Secretary Lisa Frizzell, Ron Cordes, Chuck Jakems, and Dawn Swafford. Mike Kayner was absent and excused. Planner Susan Becker and Recording Secretary Rose Kogge were also present. Chair Bruce Lee called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

APPROVAL OF MINUTES

Jakems moved, with support from O' Malley to approve the minutes of the Regular Meeting of the Alpine Planning Commission on February 18, 2016

Ayes: 6 Nays: 0 Motion Carried

Chair Lee opened the meeting up for Public Comment on any non-agenda items. No comments were received.

**16-15 SPECIAL HEARING: SPECIAL LAND USE AND SITE PLAN REQUEST FROM
JAMES HANEY TO ALLOW FOR WASH BUILDING AT 5115/5135 ALPINE AVE
WITHIN THE C-2, COMMERCIAL ZONING DISTRICT IN CONNECTION WITH A
VECHICLE SALES AND REPAIR BUSINESS (PERRIN MOTORS)**

Planner Becker reviewed the Staff Report for the Planning Commission. Becker reminded the Planning Commissioners that last month the Planning Commissioners made a recommendation to the Township Board to rezone this property from Office-Service to C- 2 and this is the Site Plan and Special Land Use permit that follows that. Becker pointed out that the property is now one piece of property. This request is an amendment to the Special Land Use and Site Plan that has been previously granted to Perrin Motors to the south.

The applicant would like to convert the rear pole barn building to an auto wash building to wash and clean vehicles. Becker reminded the applicant that Special Land Use does not include the dismantling of vehicles to salvage parts for use or sale.

Becker would like the applicant to answer the following questions:

- Indicate what the lean-to on the north side of the Wash Building will be used for.
- Indicate what the pavement north and east of the building will be used for.
- Are customers allowed in the Wash Building?
- What treatment (if any) will the roof receive?

Becker reviewed the Site Plan Analysis including the Land Division/Boundary Shift; the Building's wash water will be handled by a 66-foot long trench drain in the floor connected to the sanitary sewer system. An inline oil/grit interceptor will be installed.

Setbacks: The building is conforming to its existing and proposed setbacks.

Façade Materials and Colors were reviewed; At least 80% of the façade must be of approved materials (brick, tinted or textured concrete block, glass, precast concrete panels, etc. or similar materials as approved by the Planning Commission). Staff suggests the proposed gray cement board siding is an appropriate material similar to the others as it is has a similar appearance and is weather resistant. The façade also contains a silver-colored metal skirting accent and a glass overhead door. The three remaining sides will be new silver-colored metal siding. Becker asked what color the roof would be.

Grading and storm water: The existing storm water operations and maintenance agreement will need to be amended to include the facility expansion.

Utilities: The building will be connected to public water and sanitary sewer. The required oil/grit interceptor for the floor drains will be connected to the sanitary sewer system. Becker encouraged the applicant to speak with the Building Official regarding utility connection fees.

Becker reviewed parking, rear outdoor storage, landscaping, lighting, dumpster, and signage.

Chair Lee asked where the new property line would be. Becker showed Lee on the site plan.

The applicant James Haney answered the following questions that Planner Becker requested.

- Indicate what the lean-to on the north side of the Wash Building will be used for. Haney said there is no plan for the lean-to, it could be removed.
- Indicate what the pavement north and east of the building will be used for. Haney said it will be gravel initially but no other specific plans for it.
- What treatment (if any) will the roof receive? The building will be resided from top to bottom, inside and out with a white metal roof.
- Are customers allowed in the Wash Building? No customers are allowed in the building; it is an employee-only building.

The lighting plan has not changed; we are just adding some on the building.

O'Malley asked how you they would touch up auto paint. Haney said Gerber or Comstock Park Body Shop will do any necessary body work for them.

Motion made to open the Public Hearing by Cordes, supported by O'Malley.

Ayes: 6 Nays: 0 Motion Carried

No comments received.

Motion made to close the Public Hearing by Cordes, supported by O'Malley.

Ayes: 6 Nays: 0 Motion Carried

<p>MOTION: PERRIN MOTORS WASH BUILDING: VEHICLE SALES & SERVICE SPECIAL LAND USE AMMENDMENT AT 5115/5135 ALPINE AVENUE</p>

Based upon representations made by the applicant, Jakems motioned, supported by O'Malley to *approve* the Special Land Use permit amendment requested for a vehicle sales and service

business on part of property addressed 5115/5135 Alpine Avenue, PP# 41-09-26-200-033 as it *does* meet the standards set forth in Chapter 21 of the Alpine Township Zoning Ordinance.

Findings of Fact:

1. It will be harmonious with the character and use of the immediate vicinity and was designed in such a manner as to mitigate any negative effects.
2. The special use will not be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.
3. The proposed use is consistent with Master Plan and the intent and purpose of the zoning district.
4. The proposed use will not set a precedent for development which could adversely affect the long term plans and policies of the Township since vehicle sales and vehicle repairs are special land uses in the commercial district

Conditions of Approval:

1. The Special Land Use does not include the dismantling of vehicles to salvage parts for use or sale on the property or elsewhere. Such a use is prohibited.
2. Outdoor tire storage is prohibited; tires must be stored internally in a fully enclosed 4-sided building on the property with the Special Land Use.
3. Special Land Use approval is contingent upon the property being rezoned to C-2, Commercial.

Ayes: 6 Nays: 0 Motion Carried

<p align="center">MOTION: PERRIN MOTORS WASH BUILDING: VEHICLE SALES & SERVICE SITE AMMENDMENT PLAN AT 5115/5135 ALPINE AVENUE</p>

Based upon representations made by the applicant, O'Malley motioned, supported by Jakems to *approve* the site plan dated March 4, 2016 drawn by Roosien & Associates, an architectural elevation received March 6th, a landscaping plan received March 9th and a lighting plan dated Dec. 29, 2015 drawn by Crites Tidey & Associates for a vehicle Wash Building as part of a vehicle sales and service business on part of property addressed 5115/5135 Alpine Avenue, PP# 41-09-26-200-033 as it *does* meet the requirements set forth in Chapters 12, 18 and 19 of the Alpine Township Zoning Ordinance with the following conditions of approval:

Conditions of Approval:

1. The applicant shall provide 3 copies of revised plans illustrating:
 - Notes on the plans what the pavement and lean-to are for
2. Vehicles awaiting repair/pick-up may not be kept on the Wash Building portion of the property as it is highly visible from Alpine Avenue.
3. The applicant shall supply a fixture cut sheet of the exterior building lights and a second copy of the lighting plan.

4. All conditions outlined in the Township Engineer's letter dated March 10, 2016.
5. The property owner shall amend its Site Development and Storm Water Operation and Maintenance Agreement memorializing the Planning Commission's decision.
6. Site Plan approval is contingent upon the property being rezoned to C-2, Commercial.

Ayes: 6 Nays: 0 Motion Carried

16-16 PUBLIC HEARING: REZONING REQUEST FOR M.J. ENTERPRISES OF GRAND RAPIDS LLC TO REZONE 5304 ALPINE AVE FROM C-2, COMMERCIAL AND I-2, GENERAL INDUSTRIAL TO B-PUD, BUSINESS PLANNED UNIT DEVELOPMENT / CR, CONDITIONAL REZONING

Planner Becker commented this is also a Public Hearing for tonight's meeting. The hearing was re-noticed as well. Please refer to your Planning Staff report from February 12th and the Engineering staff report dated February 11th. The future steps are the Township Board 1st and 2nd readings of the BPUD, Township Board to work with the applicant to develop a draft CR Agreement, upon completion of the CR Agreement the Township Board shall vote on the agreement. It's your job to make a recommendation to the Township Board for the final BPUD Development Plan and in conjunction with that the final conditional rezoning.

The applicant has revised the site plan and narrative. On page two Becker included the Standards for PUD Approval, this site is 4 acres not 5 acres, so the applicant must show the site meets the intent and purpose of the B-PUD zone in order for the Planning Commission to waive the acreage requirement.

Becker covered the allowed uses in the I-1 and B-PUD zoning districts. On page three Becker included the CR Approval Criteria. She then went over the possible outcomes of the decision before the Planning Commission.

Becker stated the applicant is voluntarily requesting within the Conditional Rezoning:

- Truck Terminals are prohibited as a use
- I-2, General Industrial uses permitted by right and permitted as special land uses are prohibited
- To utilize the existing three buildings as they are located with their current setbacks, height, size and exterior building material types.
- Acknowledges any future buildings or site re-configurations, other than as shown on the CR Plan as approved by Alpine Township will require re-submittal and approval from the Planning Commission and Township Board.

Becker reviewed the Site Plan / CR Plan Analysis which included: utilities, storm water, vehicular traffic, access and circulation, building setbacks, parking, landscaping and dumpster placement.

O'Malley asked if this is the first time we have seen this I-1 use list, such as commercial fuel depots? I want to know if the rest of the Commission has had a chance to review this. If we agree to this, are we stuck with this? Becker commented they are currently asking to use the building as is.

Frizzell asked if the trailers that will be used are licensed to the applicant. Yes they are.

Michael Granger said he has no problem adding the elimination of commercial fuel depot in the narrative. Chair Lee asked Granger has anyone expressed interest in renting the front of the building? Granger stated no one has expressed interest. Granger would like to keep both drives open, and add a “no trucks” sign at the south Alpine Avenue driveway.

Granger said Heeren had semis in the back of the building unloading and loading on the six docks in the back. Mark Heeren said they drove semis in and out of the North driveway for 60 years. The floral business to the south wants the south driveway to remain open.

Lee said the rear two buildings are being leased out. What has been in storage there? Do the dies have oil in them? Granger said no oil is leaking from them and he does not store equipment pieces. There are some miscellaneous parts in boxes. Heeren commented that he has gone into the buildings he has not seen any oil on the floors or leaking from dies or boxes.

Lee commented that the Engineer’s letter says the storm water management plan is not adequate. Granger’s narrative says it’s better than it was and he will upgrade it.

Bob Goodheart of Pathfinder Engineering, commented that the Engineer’s report did not say the storm water management was inadequate it just said it did not meet the Township’s standards and I think that is a big difference. I put this new plan together for Granger and this site is completely built out and as part of that we were asked to improve the storm water management. I made it into a flood plain storage basin to get the most out of it without adding a berm and keep the existing cross pipe in place. When your engineer reviewed that he wanted a better way to detain the water. We expanded the storm water basin further to the east and that impacted the pipe so we have to reconfigure the pipe, and will add a stone berm to the edge of it. The Engineer did approve this change.

Chair Lee asked if the proposed storm water changes meet our standards? Becker commented this is not unusual with fully built-out property. The Engineer works with applicants to get the best standards they can without ripping out parking lots. We have had many properties develop on Alpine Avenue in the last 20 years that do not have adequate storm water management. The goal is to retrofit all existing properties as best we can as they come to us for other site changes.

Cordes made a motion to open the Public Hearing, supported by Frizzell.

Ayes: 6 Nays: 0 Motion Carried

Ned Quinn, Listing Broker for the 5304 Alpine NW property commented that in the past 2-1/2 years he has had only 15 showings on the property. The site was rejected for auto sales because it sits too low and the berm is not appealing. The other clients were interested in light manufacturing uses such as warehousing, light manufacturing and storage. We did secure a tenant for die storage. Mark Heeren and I have had multiple conversations with Becker to see how we can best market this building, because all the interest has been for light industrial uses. We don’t want it to become blighted as a result of no use being found for the property.

The current buyer is asking to use the building as is and any improvements externally that need to take place the Planning Commission will have control of it. We feel that gives the Planning Commission control of the future use and has a minimal impact. We want you to have control of all

the future usage. This current possible usage does not need any electrical upgrades or other changes. We are making it so the building will work for a light industrial use.

Granger offered to restrict the use of the front of the main building to commercial use. Cordes said what you are doing is handicapping Granger as a purchaser. Quinn said Granger is handicapping himself to be able to purchase this. I have sold two buildings to Granger already. Granger generates revenue with die storage. Cordes said he just wanted to make this clear. Chair Lee said Cordes should not be commenting on this, but Quinn said he is happy to have this on the record. If we can still get a tenant for the front portion of the building we will still have to come back to you for a Special Land Use permit.

O'Malley motioned to close the Public Hearing, supported by Frizzell.

Ayes: 6 Nays: 0 Motion Carried

Frizzell asked the applicant. Will you have a tenant for the back portion of the building and will they have trucks parking there? The tenant of the rear buildings do not leave trucks there, they just come and pick up the dies to deliver them.

Mark Heeren presented letters of support for the B-PUD Zoning Request to the Planning Commission members. The letters were from two of the neighboring property owners, Grand Valley Corvette and Four Seasons Yard & Sport.

Jakems commented that this situation is unique and yes the property has been on the market for a while, but he feels the current dual zoning is appropriate for the site. He is not supportive of B-PUD for this property. Jakems says he is looking down the road five to ten years and if the current zoning doesn't fit the building, the building will be removed.

Cordes commented that Jakems has some merit in his comment. If zoned commercial, you should have to take the whole building as commercial.

Quinn commented the building has different floor heights so it would not work well for a commercial use without many structural changes.

Heeren said you can back a semi-truck back into the building with the 4 ft. difference in floors. From a commercial stand point it would be difficult to use the building as such. He doesn't want to wait 5-10 years for a commercial user for the property.

Becker stated that dual zoned property ordinances require they must be considered one or the other and this property is considered to be zoned C-2, Commercial.

Lee said this is an extremely complicated process and we want everyone to have a chance to speak.

Frizzell asked Becker if this was rezoned BPUD what would trigger an amendment? Becker said an addition to the site would require an amendment; normally it's an addition to the property that requires this. Frizzell said if they changed the use would they have to come back. Becker said yes if it was a use change and required more parking. Any improvements to the site would also require a building permit. Frizzell said she just can't see any other use as the building is now.

Lee said that Quinn said they could change the inside to light industrial is this possible? Lee also asked, as far as the footprint of the land and they are doing something that fits within the I-1 parameters, everything is proper, including possible gas storage? Becker said yes.

Quinn said in order to have a gas tank in the building a permit would have to be pulled.

Lee said he did hear Quinn say that they were going to get the building a little more usable than for just warehousing. Quinn said if someone wanted to use the building for sorting or some other light industrial use that may require more parking they would bring it back to the Planning Commission.

Jakems said the zoning of B-PUD just doesn't fit, all property on Alpine is commercial. Doesn't the Master Plan show zoning commercial as well? This building has been zoned commercial for a long time. The problem I have with this request is it goes against our zoning and Master Plan. If we start spot zoning in this area it is not a good thing for the future. Leave it commercial.

O'Malley asked if the applicant could do what he wanted right now without this change. Becker said warehousing is not an allowable use in the C-2 zone.

Lee said he cannot favor this request for four reasons:

1. Don't want to make a change in the middle of the Commercial district
2. Property is less than 5 acres in size
3. Storm water issues
4. This does not mesh with the Master Plan

O'Malley commented the applicant is receptive to work with us, but what if the owner changes.

Granger asked if he could leave the front of the building zoned commercial. He said he wanted a fit that gave the Planning Commission the power.

Quinn commented that this is not spot zoning because it touches other industrial zoned property. The reason PUD's were created is because they give the Townships more control over the future.

Bob Goodheart commented that the PUD gives you the most flexibility because this is unique and every PUD is different. The applicant is willing to do all these things for you and in a typical rezoning you do not get to have these things done. He will get rid of the well internal to the building, the drencher over the lot line and keep it a viable site.

Frizzell commented that the B-PUD was what this situation was made for.

<p>MOTION FOR B-PUD / CONDITIONAL REZONING FOR PROPERTY ADDRESSED 5304 ALPINE AVENUE</p>

Frizzell motioned, supported by Cordes to recommend to the Alpine Township Board to *approve* the requested rezoning of property addressed 5304 Alpine Avenue (PP# 41-09-24-351-003) as publicly noticed from C-2, Commercial and I-2, General Industrial to B-PUD, Business Planned Unit Development / CR, Conditional Rezoning.

Findings of Fact:

Based upon representations made by the applicant during the rezoning review, including the revised narrative dated March 2, 2016, and upon the standards found in Chapters 14D, 22 and 24 of the Alpine Township Zoning Ordinance and the 2015 Alpine Township Master Plan Update, we find that the proposed rezoning:

1. The PUD *will* be compatible with the Master Plan.
2. The PUD *is* consistent with the intent and purpose of the B-PUD zone.
3. The B-PUD property size less than 5-acres in size *is* acceptable because the site *does* meet the intent and purpose of the B-PUD zone.
4. The location *is* appropriate for all the allowed uses in the B-PUD, Business Planned Unit Development zoning district as amended by the proposed Conditional Rezoning.
5. The PUD *is* designed to ensure compatibility with adjoining land uses.
6. The PUD *will not* result in significant adverse effects upon nearby or adjacent lands, and will not change the essential character of the surrounding area.
Because nothing is changing on this site.
7. The PUD *will not* result in a significant increase in the need for public services and facilities, *will not* result in unsafe traffic movements and *will not* place a significant burden upon surrounding lands or the natural environment.
8. Granting the PUD *will* result in a recognizable and substantial benefit to ultimate users of the project and to the community, and the benefit would otherwise be unfeasible or unlikely to be achieved. *Specifically, the property does not lends itself to much else the way it sits.*
9. The PUD *does* adequately protect all floodplains, wetland, and other bodies of water.
10. The CR request *does* enhance the project area, and such enhancement would be unlikely to be achieved or not assured without the use of conditional rezoning.
11. The applicant *has* shown that it is in the public's interest (benefits outweigh the detriments) to grant the CR request.

The benefits are: *The Township has a little more flexibility how the land will be used especially the front half of the building.*

Conditional Rezoning Conditions of Approval:

1. The applicant is voluntarily requesting within the Conditional Rezoning:
 - Truck Terminals are prohibited as a use
 - I-2, General Industrial uses permitted by right and permitted as special land uses are prohibited
 - To utilize the existing three buildings as they are located with their current setbacks, height, size and exterior building material types.

- Acknowledges any future buildings or site re-configurations, other than as shown on the CR Plan as approved by Alpine Township will require re-submittal and approval from the Planning Commission and Township Board.
- The front portion of the existing building nearest Alpine Avenue shall be used for commercial purposes only with tenant use approval by the Planning Commission.

B-PUD Conditions of Approval:

2. No outdoor storage of any kind is permitted other than the requested 12 trailers licensed to the applicant to be parked on the concrete pad located immediately behind the block building.

Ayes: 3	Nays: 3	Motion tie 3/3
Swafford	Jakems	
Cordes	O'Malley	
Frizzell	Lee	

**MOTION FOR FINAL B-PUD DEVELOPMENT PLAN / CONDITIONAL REZONING PLAN
FOR PROPERTY ADDRESSED 5304 ALPINE AVENUE**

Cordes motioned, supported by Frizzell to recommend to the Alpine Township Board to *approve* the requested Final B-PUD Development Plan / Conditional Rezoning Plan for property addressed 5304 Alpine Avenue (PP# 41-09-24-351-003) as publicly noticed.

Findings of Fact:

Based upon representations made by the applicant during the Planning Commission's review, including the site plan dated March 10, 2016 drawn by Pathfinder Engineering and architectural drawings dated January 18, 2016 drawn by Dixon Architecture for a warehouse business, we find that the proposed plan *does* meet the requirements set forth in Chapters 14D, 18, 19, 22 and 24 of the Alpine Township Zoning Ordinance

Condition of Approval:

1. Prior to building occupancy, the floor drain shall be plugged and capped or an oil/grease interceptor installed on the sanitary lateral discharge line.
2. Prior to building occupancy, the well internal to the block building shall be properly plugged and abandoned per KCHD regulations.
3. At the northwest corner of the property, the property owner shall install the remaining portion of the sidewalk along Alpine Avenue and shall install pavement for the cross access drive to the north lot line.
4. All conditions outlined in the Township Engineer's letters dated February 11 and March 11, 2016.
5. The property owner shall enter into a cross access easement benefiting the properties to the north and south.
6. The property owner shall enter into a Site Development / Conditional Rezoning Agreement memorializing the Planning Commission's decision.

7. The property owner shall enter into a Storm Water Operation and Maintenance Agreement memorializing the Planning Commission's decision.

Ayes 3	Nays: 3	Motion tie 3/3
Swafford	Jakems	
Cordes	O'Malley	
Frizzell	Lee	

16-17 DISCUSSION: DEFINITION OF FAMILY IN THE ZONING ORDINANCE

Planner Becker recommended that the Township take a look at the definition of family in the Zoning Ordinance due to some recent developments in the metro area. Becker reviewed a letter from Alpine Code Enforcement Officer Bob Devereaux regarding 20 exchange students living at one residence in Grand Rapids Township. Becker asked the Planning Commission members to review and discuss the edited description of family that she included in their packets. Becker will show these edits to the attorney for his review then the Planning Commission would have a public hearing on the proposed changes.

STAFF UPDATE / ADJOURNMENT

Becker updated the Planning Commissioners on the potential Hayes Street residential project. The project will not be pursued at this time.

The cell tower hearing may be on the agenda next month for a new public hearing.

Chair Lee thanked everyone for their patience as this was a difficult meeting tonight.

O'Malley motioned, supported by Swafford to adjourn the meeting at 9:26 PM.

Ayes: 6 Nays: 0 Motion carried

Lisa Frizzell, Planning Commission Secretary

Rose Kogge, Recording Secretary