

**ALPINE TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
February 16, 2017**

**17-07 CALL TO ORDER / APPROVAL OF THE REGULAR MEETING MINUTES OF
JANUARY 17, 2017 AND THE / PUBLIC COMMENT ON NON-AGENDA ITEMS**

The Alpine Township Planning Commission held its regular meeting on February 16, 2017 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, Chuck Jakems, Dawn Swafford, Ron Cordes, and Steve Thome. Planner Susan Becker and Recording Secretary Barb Griswold 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 January 17, 2017.

Ayes: 7 Nays: 0 Motion Carried

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

17-08 SWEARING IN OF PLANNING COMMISSIONERS

Alpine Township Clerk Jean Wahlfield addressed the Planning Commission and thanked them for their time and dedication. She commented it isn't always an easy job to apply rules, but the hard work makes the Township a great place to live. Clerk Wahlfield administered the Oath of Office to new member Steve Thome and reappointed Commissioners Ron Cordes and Chuck Jakems.

**17-09 PUBLIC HEARING: SPECIAL LAND USE AND SITE PLAN REQUEST FROM
TYLER SMITH OF AUTO MAX FOR VEHICLE SERVICING AND AN
AMMENDMENT TO THE SPECIAL LAND USE FOR VEHICLE SALES TO
ALLOW A REPLACEMENT BUILDING AT 5266 & 5085 ALPINE AVENUE WITHIN
THE C-2, COMMERCIAL ZONING DISTRICT.**

Becker reviewed the Special Land Use / Site Plan request for vehicle servicing and an amendment to the special land use for vehicle sales to allow for a replacement building at 5266 & 5085 Alpine Avenue. When combined the 1.9-acre property (currently PP#41-09-24-351-037 and -005) are both zoned C-2, Commercial. The configuration of the proposed building requires the two properties to be combined. The applicant plans to demolish the rear portion of the existing building and to continue to operate the offices out of the remaining portion until the new building is completed. After the new building is occupied, the remaining portion of the existing building will be demolished.

The rear fence is partially located on the adjacent property and must be moved onto the applicant's property. The fencing used to screen the vehicles awaiting repair/reconditioning must be solid or

have slats through the chain links. The northern parcel has a storm water pond and a second pond is proposed for the southern parcel. The pond will outlet to the creek on the adjacent property to the east.

The required oil/grit interceptor for the floor drains will be installed along the south property line and connected to the sanitary sewer system. A cross access easement must be provided by the site's developer and must remain open and unblocked at all times. During the 2012 Special Land Use review on 5266 Alpine Ave., it was acknowledged that as a practical matter, display vehicles may end up being located in the access easement on a temporary basis until the access easement is reciprocated from the north or south. At such time access reciprocation occurred, any parked vehicles in the access easement must be removed. Cross access will now be reciprocated from the south, (5280 Alpine Ave) since the south property is redeveloping. The cross access area is 10 feet from the front property line.

The applicant would like to have permanent vehicle parking 10 feet from the front property line and move the cross access easement further east away from the front property line. In order to approve the proposed layout with display vehicles 10 feet from the front property line, a variance is necessary since vehicle parking is not allowed within 20 feet of a front lot line. An approval must be contingent upon a variance being granted and the existing cross access easement alignment changed. The applicant was advised to have a drawing of an alternate configuration of the site in conformance with the Zoning Ordinance for the Commission to approve as a back-up option in case the variance is denied.

Vehicle off-loading is prohibited by the Township on public roads so the applicant has configured the site to accommodate on-site off-loading of vehicles from car carriers. There are 21 parking spaces required for vehicle dealerships, which includes the vehicles awaiting repair. The dimensions of the parking spaces are appropriate. The dimensions of the drive aisles in the display areas are narrower than those required for two-way traffic but they meet the requirements for one-way traffic and is acceptable for the display of vehicles.

The installation of the required sidewalk will help prevent "vehicle creep" into Alpine Avenue right-of-way. There will be 2 bays for servicing and 2 bays for detailing/washing. The proposed building will conform to the front, rear, and side setbacks once the two properties are combined. The façade contains the required varied elements for walls and customer entrances and does have a recognizable base and top.

The locations of the proposed shrubs along the frontage are acceptable, however specific shrub species need to be selected and added to a revised plan. One existing pole light will be relocated to the south property line and a second new fixture will be located next to it. A dumpster with full enclosure will be located east of the building. In the staff's opinion, the current pylon sign location does not work well on the site. Staff recommends moving the sign to be 10 feet from the front property line to get it out of the parking lot.

Jason Fuller, General Manager for Auto Max thanked the Planning Commission for their time and consideration of this project. He stated Auto Max has out grown the current facility and they aren't able to handle all their customers adequately.

Lee asked Fuller if they wanted to continue to park cars along the front of the property and Fuller responded yes. Lee then asked Becker if they needed 24 feet for the cross access easement and

Becker said from the property line the first 10 feet would be for landscaping, 18 feet would be for parked cars on display and then 24 feet for the access easement.

Lee asked how a semi-truck would enter the property and Don De Groot, Civil Engineer on behalf of Fuller, stated a semi would enter the property from the south, back into the site and exit out again.

Lee asked if there was a cross access with Alpine Floral to the North and Becker said there is a physical connection, but it has not been reciprocated with a written agreement as of yet from the floral business. Lee also asked if the variance would go to the Zoning Board of Appeals and Becker stated yes and Auto Max is on the agenda for the March meeting. O'Malley asked what if the ZBA turned the variance down and De Groot said they would have to take a look at the plans to see what other alternatives there may be then but they are thinking positively that a variance will happen.

Jakems stated there needs to be an island or structure to delineate the front vehicle display area from the access easement. He said during winter, paint would not be seen. De Groot offered the possibility to install 2 inch diameter rubber markers, 4 feet tall spaced 6 to 8 feet apart as a solution to delineate between the access easement and vehicle display areas at north and south ends. Jakems would like them to be installed now, not wait for the easement to be fully effectuated. The presence of the access easement need to be obvious.

Lee asked where the HVAC equipment would be located and Fuller said it will be roof mounted units and will be out of site. Lee also thanked Fuller for putting sidewalks in and reminded the applicant that he will need to properly manage used auto parts and tires.

Frizzell asked about the rubber islands and how tall they are. De Groot said they are 4 feet high and 6-8 feet between them.

Jakems asked if there will be a bumper or curb along the west side and De Groot said none were planned. It will be landscaped, so there will be a visual barrier.

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

Ayes: 7 Nays: 0 Motion Carried

No comments received.

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

Ayes: 5 Nays: 0 Motion Carried

| |
|---|
| <p>MOTION: AUTO MAX VEHICLE SALES AND SERVICE SPECIAL LAND USE PERMIT AT 5266 & 5280 ALPINE AVENUE</p> |
|---|

Based upon representations made by the applicant, Jakems motioned, supported by O'Malley to *approve* the Special Land Use permit requested for vehicle sales and repair business at 5266 & 5280 Alpine Avenue, PP# 41-09-24-351-037 and -005 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 the Master Plan and the intent and purpose of the zoning district.
4. The proposed use will not set a precedent 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.

Condition:

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.

Ayes: 7 Nays: 0 Motion Carried

MOTION: AUTO MAX SALES AND REPAIR SITE PLAN AT 5266 & 5280 ALPINE AVENUE

Based upon representations made by the applicant, Jakems motioned, supported by O'Malley to *approve* the site plan dated January 26, 2017 drawn by Exxel Engineering and the elevation drawing and floor plans dated February 16, 2017 and drawn by LH Consulting LLC for a vehicle sales and repair business at 5266 & 5280 Alpine Avenue, PP#41-09-24-351-307 and -005 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:
 - The applicant shall submit a complete lighting plan (must include pole and wall-mounted light fixtures) for staff review and approval.
 - The landscaping must be revised with specific shrubs (must be visually obvious and hardy).
 - Eliminate parking spaces in conflict with the access easement at the north and south ends and provide a means to permanently and clearly delineate the front vehicle display area from the access easement. (Not paint)
 - Add a note that the fence for the vehicles awaiting repair will have slats installed in the links.
2. The site plan approval is contingent upon a variance being granted to allow for vehicle parking less than 20 feet from the front lot line. Section 19.05(f)
3. The site plan approval is contingent upon the property owner combining the two properties.

4. The property owner shall install sidewalk and landscaping along Alpine Avenue.
5. The property owner shall move the rear fence off the neighbor's property.
6. The property owner shall enter into an Access Agreement benefiting the properties to the north and south (5280 and 5242 Alpine Avenue).
7. The property owner shall enter into a Site Development and Storm Water Operation and Maintenance Agreement memorializing the Planning Commission's Decision.
8. All conditions outlined in the Township Engineer's letter dated February 7, 2017.

Ayes: 6 Nays: 1 (Lee) Motion Carried

17-10 PUBLIC HEARING: SPECIAL LAND USE AND SITE PLAN REQUEST FROM MIKE STINSON OF ALL POINTS TIRE TO ALLOW VEHICLE REPAIR AND SITE PLAN CHANGES AT 6435 ALPINE AVENUE WITHIN THE C-2, COMMERCIAL ZONING DISTRICT.

Planner Becker reviewed the special land use request for vehicle repair and site plan amendments in the C-2 zoning district. In 2008, the front parking of Stinson's business lot was expanded without site plan approval and is too close to the front lot line (approximately 5 to 7 feet from the front lot line). At some point, vehicle repair was added without special land use approval too. Beginning around 2011, an outdoor tire accumulation became a large issue. The Township has worked with Mike Stinson over the last couple years regarding this issue because storing tires outdoors is not allowed. Over the last several months, Mr. Stinson has made progress in reducing the number of tires stored outside and continues to work with the Township on bringing his property into conformance with Township codes.

The building is served by a private well and septic system. The required oil/grit tank for the floor drain wasted will be installed. Some changes to the proposed storm water system will be required by the Township Engineer.

A cross access easement must be provided and must remain open and unblocked at all times. Fox Pools to the south at 6411 Alpine Avenue has granted cross access to the north in Instrument #20141208-0101000 and a physical connection on the two properties already exists. Mr. Stinson must formalize the connection in a cross access easement agreement benefiting Fox Pools to the south. Grading done for the parking expansion in 2008 precludes future cross access to the property to the north; however, there was already significant change in grade between the two properties.

The circulation of vehicles and materials through the site has been inefficient and has compounded some of the site's issues. Mr. Stinson has taken this opportunity to think about his desired flow of materials and delivery vehicles through the site and has conveyed this information to his architect to draw.

The amount and dimensions of the parking spaces are appropriate; however the parking lot expansion in 2008 puts parked cars approximately 5 to 7 feet from the front lot line. Section 19.05(f) of the Zoning Ordinance states vehicles may not park within 20 feet of a front lot line. Mike Stinson stated he did this to provide truck moving space since the former drive through

service bays were reconfigured to no longer be drive through and to provide more parking. Planner Becker commented that vehicles parked in this area at times have been double and triple parked. Stinson is solving this by requiring employees to park out back and will be striping all parking spaces in the front parking lot.

In order to approve the proposed layout with vehicles approximately 5 to 7 feet from the property line, a variance is necessary since vehicle parking is not allowed with 20 feet of a front lot line. If the Commission approved the site plan (with amendments) in its current format with vehicle parking close to the front property line, approval must be contingent upon a variance being granted.

Sidewalks are required to be installed in commercial areas and the site plan illustrates sidewalk in a location that works with the area's topography and natural drainage paths. In 2014, MDOT reviewed the options for sidewalk placement at Fox Pools and recommended waiting to install sidewalk until the agricultural property to the south develops which would include grading and storm water changes. The Commission required a sidewalk agreement from Fox, and the same is recommended for Stinson.

Planner Becker stated Mr. Stinson is aware all outdoor tire storage is prohibited and he will be constructing an accessory building for tire storage with the Commission's approval. The proposed building meets the setback requirements of the Zoning Ordinance. Landscaping materials and locations are acceptable and no new lighting is illustrated. There is no dumpster located on site. The current hand painted signs on the front overhead doors were not permitted, and are not allowed. Mr. Stinson is required to paint over these signs.

Chair Lee thanked Becker for doing a good job explaining a complicated situation and told Mr. Stinson the Commission is sensitive to his situation.

Cordes asked Stinson if he had a dumpster inside the building. Stinson said he did have one inside the building, but currently it is by the fence on the East side of the building. He does plan on building a fenced in containment area where the dumpster is sitting. Cordes also asked Stinson if he was planning on having vehicle sales on the property and Stinson said no.

Swafford asked if Stinson is doing semi-truck mechanical repair work and Stinson said he is not doing mechanical repairs on semis only light trucks. Swafford said she has noticed semis parked in front of the property in the roadway and wondered why this was happening. Stinson said it could be the scarp hauler dropping off a trailer. He also said a semi can't always maneuver into his lot because the space between the tire building and Fox Pools Building is occupied by trailers and tires and then will park in the roadway for tire servicing. He is hoping this will change with the new site plan for the property. Becker added removing the trailers currently on the property and removing the tires would give more room for a semi to maneuver onto the property for tire servicing and would not have to park on M-37.

Jakems asked if a semi would fit inside the building for repair and Stinson said no, the doors are tall enough for a semi to get in, but there isn't enough physical space inside the building to do tire repair.

Frizzell said Stinson mentioned he does repairs all over the state and wondered what kind of repairs he does. Stinson said he does tire repair, not mechanical repair.

Mr. Stinson stated the various aspects of the site plan are all great in the big picture, but his key ingredient is commercial lending.

Lee asked if any auto body work or painting will be done and Stinson said no. Lee asked where vehicles awaiting repair will be parked and Stinson said in the back. Lee asked about how vehicle fluid is collected and Stinson said it is collected inside, disposed in totes and then picked up.

Becker wanted more clarification on the parking of customer's vehicles. She asked if customers drop off their vehicles in the front and no service bays were open, where would they be parked in the back? Becker is concerned with the flow of vehicles and materials through the site and making sure enough area remains open for larger vehicles to maneuver. Becker stated Stinson's designer suggested parallel parking for vehicles on the property by Fox Pools.

Jakems asked if the current outdoor tire stock would fit in the proposed 50 by 100 foot accessory building. Mr. Stinson responded that it will be tight. Planner Becker reiterated that all tires shall be stored in either a building or in the two allowed semi-trailers as specified in the consent judgement, not outdoors or in any shipping containers, storage totes, other trailers or the like. Currently there are 4 trailers on site. The tires have to be picked up and properly stored to make room for the accessory building.

Cordes asked if the proposed building could be moved to the north, and Becker thought grading may be an issue then. Stinson's architect would have to answer that question and he is not present at the meeting. The architect would also know the Building codes for storing tires.

Jakems asked when Stinson wanted to start building the accessory building and Stinson stated he was waiting to see if it was going to be approved or not. If the building is approved, he was thinking the actual building would start in June. It would be stackable blocks with drainage at the base and have front and back access. Planner Becker reiterated the timeline in the Consent Judgement and emphasized Mr. Stinson has a lot of work to do in a short amount of time. A list of items to take care of was included on page 6 of her staff report.

Lee asked Becker if a condition of approval could include staff approval of the site plan if changes are made to the placement of the accessory building, along with other changes and Becker said yes. Jakems stated he has a problem approving a site plan subject to staff approval on the building and how that could change everything else on the whole plan. He feels there are too many unanswered questions and it isn't fair to dump them on the staff to answer them.

Becker stated Stinson should continue to work on removing the tires that are stored outside, review a cross access agreement, meet with the Township Building Official to address changes to the inside of the building and continue to design the site with his architect for site plan approval.

Lee said Stinson should take all the questions that have been brought up back to his architect to get the answers and Becker recommends the architect be present at the next meeting to answer questions.

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

Ayes: 7 Nays: 0 Motion Carried

No comments received.

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

Ayes: 7 Nays: 0 Motion Carried

Lee said the special land use and site plan review should be tabled.

Motion made to table the special land use and site plan review by Jakems, supported by O'Malley.

Ayes: 7 Nays: 0 Motion Carried.

17-11 DISCUSSION: DUAL-ZONED PROPERTIES

The discussion of dual-zoned properties was tabled until next month.

17-12 COMMISSIONER AND STAFF UPDATES / ADJOURNMENT

Becker told the Commission that Plainfield Township has a new Master Plan update and it can be viewed on their website.

A recommendation will go to the Township Board to start looking at grants for Spring 2018 for improvements to the sports complex and for recommendations on road maintenance projects.

Becker stated Art Van has been sold to Thomas H. Lee Partners.

Thome motioned, supported by Cordes to adjourn the meeting at 9:26 PM.

Ayes: 7 Nays: 0 Motion carried

Lisa Frizzell, Planning Commission Secretary

Barb Griswold, Recording Secretary