

ALPINE TOWNSHIP PLANNING COMMISSION REGULAR MEETING
Thursday, January 21, 2010

10-01 CALL TO ORDER/ APPROVAL OF MINUTES/ PUBLIC COMMENT

The Alpine Township Planning Commission held its regular meeting on Thursday, January 21, 2010, at 7:30 PM, at the Alpine Township Center, 5255 Alpine Ave., NW, Comstock Park, MI 49321 with due notice. Present were Chair Greg Madura, Vice-Chair Nelda Johnson, Secretary Jerry Byrne, and members Bruce Lee and Matt Van Heulen. Absent were Ron Cordes and Max Dunneback. Also in attendance were Township Planning Director Sue Thomas and Recording Secretary Patricia Kolkman.

Madura called the meeting to order at 7:30 PM with the Pledge of Allegiance. He asked if there were any changes to the minutes of the Special Meeting in December, and **Byrne moved, with support from Johnson, to accept the minutes of the Special Planning Commission meeting of December 10, 2009, as presented.**

Ayes: 5

Nays: 0

Motion carried.

Ted Wallace, 4296 Laura NW, and Township Trustee, expressed the appreciation of the Township Board for Planning Commissioners' dedication to their positions, and thanked them all for a good job.

10-02 PUBLIC HEARING: SPECIAL LAND USE AND SITE PLAN REVIEW

Vehicle Sales in C-2 District

4790 Alpine Ave. NW

Applicant: Victor Frigo

At the request of the Chair, Mr. Frigo explained his request for a Special Land Use. He hopes to start a new business which will allow buyers the chance to purchase used cars at "near wholesale" prices. The State of Michigan requires auto dealers to have both an office and adequate storage space for their vehicles.

Madura asked Frigo if he must purchase the vehicles outright and own them himself before sale, and Frigo said he plans to initially purchase a limited number of vehicles for sale. He will also be actively searching for specific models for customers and then brokering the sale. Madura confirmed with Frigo that the fenced space on the site (approximately 80 feet by 60 feet) would be adequate. Frigo explained that the state also requires him to have designated office space within a building. Cars will only be shown by appointment, and the business will be advertised in various media.

Dunneback arrives at approximately 7:40 PM.

Thomas provided the following details regarding this request:

- Mr. Frigo will be a tenant of Mr. Brad Brussow, whose Prestige Awning business is a tenant of the property owner.
- There will be no vehicle repair done on the site. Mr. Frigo has provided a copy of a letter stating that he has an agreement with a repair facility on West River Dr.
- Prestige Awnings will keep two of its trailers within the fenced area, and a third outside of it.

- Thomas does not recommend the Planning Commission limit vehicles to the eight that Frigo states in his current estimate, in the hopes the business will grow, but limit the number to that which can fit inside the fence.
- The property owner has signed a sidewalk agreement with the Township which requires the installation of sidewalks when the site is redeveloped. There are several conditions of approval remaining to be completed by Mr. Brussow: the parking lot must be striped, and the barrier-free spaces must also be designated after consulting with the Building Official.
- Since no new impervious surface is being added, alterations to onsite storm water management is not required.
- No changes are proposed to the current lighting. Thomas pointed out that all fixtures must meet Township lighting standards; i.e., maximum of 400 watts and must be shielded, as bulbs or fixtures are changed or replaced.
- Thomas reminded Commissioners that any landscaping in the front yard of the site is in the M-DOT right-of-way, and therefore cannot be expanded.

Madura reviewed with Thomas the summary she had provided regarding surrounding land, its zoning, and uses.

Lee questioned how many special uses one parcel of land may have. Thomas explained that while no limit is placed on the number of special uses, each must be reviewed for compatibility with both the site itself, and the uses on adjacent properties.

Lee moved, with Byrne's support, to open the public hearing.

Ayes: 6

Nays: 0

Motion carried.

With no comments offered, **Lee then moved with support from Byrne, to close the public hearing.**

Ayes: 6

Nays: 0

Motion carried.

Madura asked if Commissioners required further discussion or required additional information and they said they needed neither.

<p style="text-align: center;">MOTION FOR SPECIAL LAND USE—CAR SEARCH 4790 ALPINE AVE. NW 41-09-25-301-044 VICTOR FRIGO, APPLICANT</p>

Lee moved, with support from Johnson, based upon representations made by the applicant, to approve the Special Land Use permit requested for the Open Air Business of motor vehicle sales at 4790 Alpine Ave., NW, PP # 41-09-25-3014-044, as it does meet the standards set forth in Chapter 21 of the Alpine Township Zoning Ordinance, with the following 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; and**

3. **The proposed use is consistent with the Master Plan and the intent and purpose of the zoning district.**

Ayes: 6

Nays: 0

Motion carried.

**MOTION FOR SITE PLAN -- CAR SEARCH AUTO
4790 ALPINE AVE. NW PP# 41-09-25-301-044
VICTOR FRIGO, APPLICANT**

Lee then moved, with support from Byrne, based upon representations made by the applicant, to approve the site plan drawn by Exxcel Engineering dated February 23, 2004, and a drawing received December 18, 2009, and altered by the applicant to show proposed parking spaces and the proposed location for the outside display/ storage of vehicles for sale at 4790 Alpine Ave., NW, PP # 41-09-25-301-044, 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:**

1. **Site approval is only for the vehicle storage / display area within the building and existing fenced area of approximately 58 feet by 74 feet; and**
2. **At such time as the outside storage within the fenced area shown on the site plan is no longer available, the Zoning Administrator may allow, at her discretion, the applicant/owner of the dealership to store vehicles elsewhere on the site instead. If the Zoning Administrator receives a request for such a move, she may refer the request to the Planning Commission for a final decision, if she determines that public discussion and public review should occur before the move is considered; and**

the following **FINDING OF FACT:**

1. **The site plan meets the standards set forth in Chapters 18 and 19 of the Alpine Township Zoning Ordinance.**

Ayes: 6

Nays: 0

Motion carried.

**10-03 REQUEST: ONE-YEAR SITE PLAN APPROVAL EXTENSION
Williams Form Engineering
5501 Rusche Dr. NW**

Madura asked whether a representative from Williams Form Engineering is present to make the request, and Thomas said no. She explained that at the time the original site plan approval was given in December of 2008, the applicant anticipated growth, which has not occurred. Williams Form then put its expansion plans on hold until the business climate changes, and hopes to expand within the next year.

Lee then moved, with support from Dunneback, to approve the one-year site plan approval extension request for Williams Form Engineering, at 5501 Rusche Dr. NW, until December 18, 2010.

Ayes: 6

Nays: 0

Motion carried.

10-04 PLANNING COMMISSION ADMINISTRATIVE ITEMS

- a. 2009 Year End Report**
- b. 2010 Work Plan**
- c. Election of Officers and Selection of Committee Members**

Year End Report

Thomas directed Commissioners to the Year-End report provided in their packets. She noted that while the Planning Commission had hoped to address amendments to senior housing, landscape provisions, and accessory buildings in 2009, the revisions to accessory buildings had proved very complex and took considerable review and discussion. Thomas commented that the new accessory building provisions have been adopted and are working well.

Thomas added that her report to the Board noted Commissioner participation in educational opportunities, and said she will follow up on obtaining the certificates Commissioners have earned. She reminded the Planning Commission that its year-end recommendations to the Township Board regarding temporary signs had been adopted. Madura and Van Heulen commented, however, that Art Van continues to place numerous signs along Alpine Avenue on weekends, though they are removed by Sunday evening. Thomas agreed to pass that information to the Township Code Enforcement Officer. She also noted the summary of non-building permits and the summary of code enforcement complaints.

Thomas added that the Parks and Recreation Committee had recently amended its Community Recreation Plan, which must be adopted and current for the Township to be eligible to apply for grants.

2010 Work Plan.

- Thomas explained that the Township previously maintained a Capital Improvements Plan, but it has not been updated since approximately 2003. The State of Michigan now requires each municipality's Planning Commission to draft and adopt a Capital Improvements Plan. The Capital Improvements Plan is therefore on the 2010 Work Plan.
- Byrne asked if the Grand Valley Metro Council has begun reviewing the State's Medical Marihuana law. Thomas directed Commissioners to the letter she had just received from the Township Attorney, Jeff Sluggett, who after review of the law, recommends that the Township adopt a moratorium on both the growth and dispensing of marihuana for medical uses until there is some information on other municipalities' experiences. Thomas agrees it is wise to adopt the suggested moratorium until we can determine if we wish to regulate where these activities might take place and if the regulations should be in a General or Zoning Ordinance. She has already begun reviewing samples of moratoriums to prepare for one for Alpine Township. Dunneback said he prefers Grand Rapids or another larger city tackle this before Alpine Township spends a great deal researching it.
- Additional ordinance work to be addressed in 2010 includes "Special Controlled Uses" (Sec 12.07) which includes sexually oriented businesses, should be reviewed and updated. The Township's sidewalk policy should also be reviewed by the Planning Commission and amendments finalized, if necessary. As an

aside, Thomas commented that there are some funds in Community Development Block Grant monies that have been allocated for sidewalks, and must be spent by June of 2012.

Election of Officers for 2010 resulted in the following selections:

Chair: Bruce Lee
Vice-Chair: Nelda Johnson
Secretary: Jerry Byrne

Committee appointments were:

Site Plan Review/ 4 Mile Rd. Corridor: Lee (Chair), Dunneback, Madura, and Cordes

Zoning Ordinance Committee: The Planning Commission again unanimously agreed to refer all Ordinance work to the full Planning Commission in 2010.

Zoning Board of Appeals Member: Johnson's term runs concurrently with her term on the Planning Commission, through December 31, 2010.

10-05 PUBLIC COMMENT/ COMMISSION COMMENT/COMMITTEE UPDATES

Ted Wallace, 4296 Laura NW, and Township Trustee, commented that the MTA (Michigan Townships Association) convention is scheduled for the week of January 25, and there are generally several seminars offered regarding adoption of or changes to Michigan laws. He will review what is offered and will attend those which may address the medical marihuana law as discussed and will also share any materials which may assist the Planning Commission on this law.

No commissioner comment was offered.

No committees met in December.

10-06 STAFF UPDATE/ ADJOURNMENT

Thomas commented that the February agenda may include a Site Plan Review for a funeral home on Alpine Avenue, as well as a possible rezone request from AG and RA to R-1, for Gracewil Golf course on 4 Mile Rd. The owners have not indicated any interest in any development at this time.

In response to a question from Johnson, Thomas said the Best Buy store at 3900 Alpine Ave. would be moving out of the Township before Christmas, 2010, based on information obtained from the Township Supervisor, after his meeting with the store manager. No new tenant has been identified, although other retailers have asked what space may be available in the Township.

Byrne moved, with Lee's support, to adjourn at 8:35 pm.

Ayes: 6

Nays: 0

Motion carried.

Jerry Byrne, Secretary

Patricia Kolkman, Recording Sec'y