

ALPINE TOWNSHIP PLANNING COMMISSION SPECIAL MEETING

Thursday, December 10, 2009

09-54 CALL TO ORDER/ APPROVAL OF MINUTES/ PUBLIC COMMENT

The Alpine Township Planning Commission held a Special Meeting on Thursday, December 10, 2009, at 8:00 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 Ron Cordes, Max Dunneback, and Bruce Lee. Absent was Matt Van Heulen. Also present was Township Planning Director Sue Thomas.

Madura called the meeting to order at approximately 8:00 PM with the Pledge of Allegiance. He asked whether the Minutes of the November Regular Planning Commission meeting required corrections. **Cordes moved, with support from Byrne, to accept the minutes of the Regular Planning Commission meeting of November 19, 2009, as presented.**

Ayes: 6

Nays: 0

Motion carried.

Madura then asked members of the Site Plan Review Committee (Cordes, Dunneback, and himself) to review the minutes of the Site Plan Review Committee meeting of November 24, 2009. **Cordes moved, with support from Dunneback, to approve the minutes of the Site Plan Review Committee meeting of November 24, 2009 as presented.**

Ayes: 3

Nays: 0

Motion carried.

No public comment was offered.

09-55 SITE PLAN REVIEW:

RIVERIDGE PRODUCE

7777 Venture Avenue

Three Building Additions

Donald Armock, applicant

Madura then asked the applicant, Donald Armock, to provide the Planning Commission with an update on the multiple issues raised at the last regular Planning Commission meeting.

Armock said that a deed has been issued for the property adjacent and to the north of the existing site and a closing has been scheduled. Madura then asked Thomas for an update on several details which had not been finalized at the November meeting:

1. Handicapped parking spaces will be determined by the Building Official during his plan review for a building permit;
2. Location of storm water facilities has been addressed on the site plan and the storm water system has been redesigned and moved away from the Kent County Drain easement, with the new pond no longer within the Drain Commission's easement. The applicant has also submitted a \$20,000 storm water bond for the newly designed pond.
3. Kent County Health Department approval has been obtained per the applicant, for the adequacy of the pre-existing well and septic system to serve

the new building additions. The applicant has agreed to provide written verification of these approvals to the Township.

4. Landscaping details must be accurately depicted on the final revised site plan, illustrating and identifying both proper planting types and their sizes before installation occurs.
5. Driveway surface must be defined and adequately installed to support fire/emergency vehicles' access to the structures.
6. A Performance Guarantee should be submitted by the applicant to cover site improvements not yet done relative to the August 2009, site plan approval, and before Phase II work begins. This should cover front grading, paving, striping, dumpster blind, and any landscaping required for the Phase I approval in August 2009.
7. The currently recorded limited site development agreement should be revised to encompass the newly acquired land and any conditions tied to Phase II site plan approval.

Thomas added that the Township Engineer has reviewed the revised site plan and storm water calculations for the storm water system, and approves the redesign. After submission of the additional \$10,000 bond for the resized and redesigned storm water management system, a revised storm water permit will be issued. She added that the Township Fire Chief has also reviewed the new site plan and his comments address the placement of dumpsters and emergency access to the site. The Fire Chief asked for details on the type of surface to be installed on the west half of the circle drive, noting as well that the access must be kept free of snow and other vehicles. The applicant clarified that the drive surface on the west half of the circle drive will be asphalt.

Commissioners also confirmed with Thomas that the Township Engineer has also reviewed and approved the grade of the berm now shown on the revised plan.

Thomas then reminded the applicant to work on the storm water pond in tandem with the building's construction. The Building Official has said that no Certificate of Occupancy will be issued nor occupancy of any kind will be allowed until both the as-built drawings of the site and a letter from the applicant's engineer certifying the site was built according to the approved plans has been submitted to the Township.

Byrne moved, with support from Lee, to open a public hearing.

Ayes: 6

Nays: 0

Motion carried.

With no comment offered, Byrne moved with Dunneback's support, to close the public hearing.

Ayes: 6

Nays: 0

Motion carried.

Madura asked Commissioners if additional discussion was needed, and it was agreed that all relevant topics had been addressed satisfactorily.

**SITE PLAN MOTION
RIVERIDGE PRODUCE
7777 Venture Ave NW PP# 41-09-02-462-002**

Dunneback then moved, with Lee's support, based upon representations made by the applicant, to approve the site plan dated November 27, 2009 drawn by Aalsburg Associates, a copy of a survey by Gower Professional Surveying dated November 11, 2009, with handwritten alterations by Mr. Aalsburg, and elevation drawings of the north building dated November 4, 2009 for the construction of three building additions and the associated site improvements on the proposed approximate 8-acre property addressed 7777 Venture Ave., NW, PP # 41-09-02-462-002, as it does meet the requirements set forth in Chapters 17, 18, and 19 of the Alpine Township Zoning Ordinance, with the following **CONDITIONS OF APPROVAL:**

1. Site plan approval is contingent upon the Township receiving a copy of the recorded deed encompassing the entire new parcel, as the configuration of the site is dependent upon it;
2. Prior to applying for building permits for the office or 36,000- square foot additions, the applicant shall supply to the Township verification from Kent County Health Department that the existing well and septic system are appropriately sized to accommodate the proposed building additions;
3. The parking lots shall be paved and striped;
4. The applicant shall obtain a storm water permit from the Township which may include obtaining a drainage easement from the property owner to the north;
5. All conditions outlined in the Township Fire Chief's letter dated December 7, 2009;
6. All conditions outlined in the Township Engineer's letter dated December 7, 2009;
7. The applicant shall amend the existing limited site development agreement (instrument # 20091001-0089656) with the Township to address the aforementioned items.

Ayes: 6

Nays: 0

Motion carried.

Madura congratulated the applicant on meeting all requirements of the site plan approval and wished him well on his business expansion.

09-56 SITE PLAN REVIEW:

**BUILDER'S IRON
5910 COMSTOCK PARK DR.
Contractor's Yard
Applicant: Tom Hopping**

At the request of the Chair, applicant Hopping explained that Builder's Iron has purchased the property formerly owned by Key Construction, which is now out of business. His company fabricates steel and now operates only from its Venture Avenue location which is directly across the street from Riveridge. The Comstock Park Drive

location will add allow for 15 offices to accommodate continued growth, although no new employees are immediately planned.

Madura confirmed with the applicant that he will enter into a sidewalk agreement for future construction of sidewalks along Comstock Park Drive and 7 Mile Road.

At the request of the Chair, Planner Thomas continued summarizing her staff report. She commented first that Key Construction had applied for and was granted two special land use permits at the same site in May and was allowed to enter into a Sidewalk Agreement for future sidewalk construction. Since Key Construction never occupied the site, the two special use permits were cancelled.

Thomas then summarized her staff report. The approximate 6.81-acre property is zoned I-2, General Industrial, and Hopping's plans will increase the interior office space and parking at the site. Recently, the applicant removed trees and brush both within the fenced area and immediately outside of it also. This alteration reduces the amount of natural vegetation which absorbs storm water. Callen Engineering drafted the site/landscape plan.

The Township was just advised that the recently recorded deed doesn't match the approved legal description. The seller is working on resolving this discrepancy, but Planning Commissioners should note that the approved description was used on the site plan.

Vehicle access will occur at either of two existing drives, and a third drive was installed by the Kent County Road Commission at the northern border during roadway construction, and may be used in the future. As previously discussed, the applicant hopes to enter into a Sidewalk Agreement for future installation of sidewalks as done by Key Construction. Hopping is aware sidewalks must be installed along the lot frontage on both the 7 Mile Road and Comstock Park Drive frontages. Thomas confirmed that the site plan must be revised to detail these future sidewalks.

Thomas pointed out that the existing building is a legal non-conforming one, since it is now 11-feet closer to the front lot line than the 75-feet required by the Ordinance. The building is served by both public water and sewer. 2,300 square feet of the existing garage will be converted to office space, resulting in a total of 5,300 square feet of offices. The applicant states that all trash will be handled inside the building, rather than through use of an exterior dumpster.

This site had been a contractor's yard for decades without obtaining a special land use permit since none were required until the 1980s. The Township has no record of any complaints about operation of the previous contractor's yard, and Thomas said that if Commissioners wish to see the equipment and materials which may be stored there, a visit to the applicant's site at 7770 Venture Avenue should illustrate these items.

Section 17.05(b) of the Zoning Ordinance also requires that diesel-powered equipment and heavy trucks remain at least 150-feet away from any residences. The applicant's engineer has noted this distance on the site plan.

Except for the office portion of the building the entire yard area is enclosed behind a 6-foot tall chain link fence with 3 strands of barbed wire. To address the negative visual

impacts on nearby properties, the applicant has proposed that the western edge of the site be further screened by front yard landscaping. The applicant should explain what his plans are for the eastern border of the site.

With the exception of two roof drains on the office structure, remaining roof drains are piped to underground leaching basins. The Building Official has stated that the overflow pipe from the leaching basins must be re-routed to the storm water pond. The applicant must include all storm water calculations on the site plan, and since the grading is within 500-feet of Mill Creek, the applicant must also obtain a Soil Erosion Control Permit before grading begins.

Parking for the site must also be shown on the site plan with the required number of spaces defined in Section 19.07 (c)(2) of the Zoning Ordinance. The remodeled office space will require 17 parking spaces with the industrial portion needing an additional 9 spaces. To limit the amount of impervious surface on the site, Thomas thinks using gravel for some of the parking area is appropriate. The revised site plan must also include the location and striping of the additional spaces.

Outdoor lighting will be one pole near the central drive and two light poles that had been removed for the Comstock Park Drive roadwork. Before any of these lights can be used, they must be aimed properly and meet all other Township lighting regulations.

Landscaping plans should be revised to add a second staggered row of evergreen trees behind the first row shown to add screening of materials from 7 Mile Road locations. Cordes confirmed with Hopping that several "soft-side" trailers are already on the northern end of the site. A 6-foot solid screen along this northern edge is required for the outside storage area as well as a minimum 10-foot wide greenbelt, adjacent to the non-conforming residences to the north. Because it is too late in the season to install the landscaping the applicant should submit a performance guarantee covering this installation, as well as the required parking lot striping.

Thomas clarified for the applicant and Planning Commission that if there is any expansion, additional use, or an increase in the intensity of use, the applicant must return to the Planning Commission for a special land use permit.

In response to a question from Lee, Hopping said that he has 33 trailers and several cranes, and if there is a large amount of equipment in the yard, it could indicate that his work load has been reduced. For the most part, he clarified that cranes and other equipment are stored inside.

Thomas then reminded the applicant to work on the storm water pond in tandem with the building's construction. The Building Official has said that no Certificate of Occupancy will be issued nor occupancy of any kind will be allowed until both the as-built drawings of the site and a letter from the applicant's engineer certifying the site was built according to the approved plans has been submitted to the Township.

Cordes moved, with Byrne's support to open and close a public hearing.

Ayes: 6

Nays: 0

Motion carried.

After limited discussion among Commissioners,

**SITE PLAN MOTION
BUILDER'S IRON
5910 COMSTOCK PARK DR.**

Lee moved, with support from Dunneback, based upon representations made by the applicant, to approve the site plan dated December 8, 2009, drawn by Callen Engineering for site improvements on the 6.81-acre property addressed 5910 Comstock Park Dr., as it does meet the standards set forth in Chapters 17, 18, and 19 of the Alpine Township Zoning Ordinance with the following **CONDITIONS OF APPROVAL:**

1. The applicant shall supply to the Township three revised and sealed site plans containing the following revisions:
 - a. Include sidewalks along the entire length of the applicant's 7 Mile Rd. frontage;
 - b. Illustrate the placement of 9 additional parking spaces;
 - c. Move one of the three proposed evergreen trees from between the two utilized driveways to the northwest corner of the fenced yard; and
 - d. The second row of 10 evergreen trees should be staggered with the first row of trees along the northern boundary.
2. The 17 parking spaces adjacent to the building must be striped;
3. All conditions outlined in the Township Engineer's letter dated December 7, 2009;
4. The applicant shall supply a performance guarantee in an acceptable form to cover the costs of the required parking lot striping and landscaping prior to building permits being issued;
5. The applicant shall enter into a sidewalk agreement with the Township, which is an agreement to participate in a future sidewalk Special Assessment District;
6. The applicant shall enter into a limited site development agreement with the Township that addresses the aforementioned items.

Ayes: 6

Nays: 0

Motion carried.

Madura congratulated Mr. Hopping on his business expansion and added his compliments to Hopping's engineer on the quality of the plans submitted.

09-57 PUBLIC COMMENT/ COMMISSIONER COMMENT

No public comment was offered.

Madura commented that he was surprised to see that the Thai Basil Restaurant on Alpine Avenue that had recently opened has already gone out of business. He recalled

that the owners had been at an earlier Planning Commission meeting requesting a special use permit for outdoor liquor sales. He asked if the special use would remain for another restaurant at that location and whether their liquor license was transferrable.

Thomas explained that the special use remains with the property if the conditions specified in the permit continue to be met. In this case, the special use was contingent upon the restaurant owners obtaining a liquor license allowing outdoor liquor sales. The State Liquor Control Commission is the only authority which can issue a liquor license. Alpine Township is notified and has an opportunity to make comments when the local police agency does its investigation prior to a liquor license being issued to any owner.

Cordes commented that Vitale's (in Plainfield Township on West River) had closed its deck seating. He had heard this may have happened in response to noise complaints.

Madura wished everyone a Merry Christmas.

Dunneback moved, with support from Byrne, to adjourn.

Ayes: 6

Nays: 0

Motion carried.

Jerry Byrne, Secretary

Patricia Kolkman, Recording Secretary