

**ALPINE TOWNSHIP PLANNING COMMISSION REGULAR MEETING  
Thursday, December 18, 2008**

**08-46 CALL TO ORDER/ APPROVAL OF MINUTES/ PUBLIC COMMENT**

The Alpine Township Planning Commission held its regular meeting on Thursday, December 18, 2008, at 7:30 PM, at the Alpine Township Center, 5255 Alpine Ave., NW, Comstock Park, MI 49321, with due notice. Present were Vice-Chair Greg Madura, Secretary Nelda Johnson, and members Max Dunneback, Jim May, Jason Rosenzweig, and Dick Sedlecky. Also in attendance were Township Supervisor Alex Arends, Planning Director Sue Thomas, Recording Secretary Patricia Kolkman, and several Township residents.

Madura called the meeting to order with the Pledge of Allegiance at 7:30 PM. He then asked for a motion regarding the minutes of the Regular Planning Commission meeting of November 20, 2008.

**Sedlecky moved, with support from May, to accept the minutes of the Regular Planning Commission meeting of November 20, 2008 as presented.**

**Ayes: 6                      Nays: 0                      Motion carried.**

Madura then asked for the opportunity to make presentations to outgoing Planning Commissioners. He presented Certificates of Appreciation to May, Rosenzweig, and Sedlecky, thanking them for: service to the Township; hard work in guiding the Township through changes in the community; and for all the work done on completing the 2007 Township Master Plan.

Sedlecky said his tenure on the Planning Commission has been enjoyable and that he learned a great deal.

Supervisor Alex Arends added his thanks on behalf of the Township for the valuable contributions made by these outgoing Commissioners in service to the Township. Their efforts have moved the Township forward and are much appreciated. He also introduced two newly appointed Planning Commissioners: Jerry Byrne and Bruce Lee.

**08-47 PUBLIC HEARING: PROPOSED WIND ENERGY SYSTEMS ORDINANCE**

Madura said this presentation is the public hearing for the proposed Wind Energy Systems Ordinance that the Planning Commission has discussed over the last several months.

Planner Thomas briefly reviewed the alterations to the Wind Energy Systems Ordinance requested by the Planning Commission. She pointed out text changes suggested by the Township Attorney regarding the definition of a lot. She also pointed out amendments required to other chapters in the Zoning Ordinance due to the Wind Energy Systems provisions.

**Rosenzweig moved to open the public hearing on the proposed Wind Energy Systems Ordinance, with support from May.**

**Ayes: 6                      Nays: 0                      Motion carried.**

With no comments offered from the public, **Rosenzweig then moved, with May's support, to close the public hearing.**

**Ayes: 6**

**Nays: 0**

**Motion carried.**

Madura asked for Commissioner input on the new ordinance. May said "all the bases were covered", and Sedlecky urged adoption soon so its benefits could be realized. Dunneback, Johnson and Rosenzweig approved of the final draft, with Rosenzweig adding that he thought the Planning Commission had done a good job. He noted that only after the ordinance is in use could the Township determine if adjustments might be necessary.

**May then moved, with support from Johnson, to recommend approval of the amended Wind Energy Systems Ordinance to the Township Board.**

**Ayes: 6**

**Nays: 0**

**Motion carried.**

*(Thomas provided a copy of the proposed ordinance to an audience member at his request.)*

**08-48 PUBLIC HEARING: SPECIAL LAND USE AND SITE PLAN REVIEW**

**Thai Basil Cuisine, LLC**

**4022 Alpine Ave. NW, PP# 41-09-36-151-019**

**Applicants: Meng and Kia Song**

Allow alcohol service in an outdoor dining area

At the request of the Chair, Thomas presented her staff report for the Special Land Use request of Meng and Kia Song to sell liquor by the glass in an outdoor dining area, which requires Special Land Use approval by the Planning Commission.

Adjacent zoning, land uses, and topography were explained. Thomas also pointed out that the landowner, Steve Benner, had been required to adjust parcel configurations and record a lot line shift to accommodate the outdoor dining area, since the patio area could not be approved initially since it was proposed on the adjacent lot. All necessary deeds and property descriptions have been approved and recorded with the Kent County Register of Deeds. Thomas explained that even though the site of the "al fresco" (literally, "in the fresh air") dining area is at a different elevation than adjacent businesses and this elevation difference should reduce any noise, the Planning Commission should inquire what the anticipated hours of operation would be before making a decision. Thomas recommends approval of the request, after a review of the operating hours.

Rosenzweig clarified that he understood a Special Land Use is granted for the *property*, rather than the *business*. His concern is not for the restaurant making the request today, but for a future tenant, who may extend hours or cater to a louder audience, such as a "sports bar" which may have later hours. He thinks that a Condition of Approval related to hours of operation may be appropriate. He also commented that he thought the daycare center adjacent to this site was defined as a school, and may be within 300-feet of the restaurant.

Sedlecky commented that he didn't think the hours of operation should affect the proposal.

Madura asked the applicant to present the request.

Dee Dee Fuller, attorney for the applicants Meng and Kia Song, explained that her clients have applied for a Class C liquor license from the State, which will allow them to sell liquor by the glass. Their application was approved by the Township Board at its October meeting. The State Liquor Control Commission begins its investigation of the request after the first of next year, well in advance of any seasonal patio use.

In addition to requesting approval to sell liquor by the glass outdoors, the Songs are also applying for Sunday sales. Current hours are: Monday through Thursday, 11 am to 9 pm., with Friday and Saturday hours of 11 am to 10 pm. The restaurant is closed on Sundays. Once the liquor license is issued, the Songs will re-evaluate Sunday hours and whether to extend evening hours.

Fuller said she did not believe the restaurant's patio would negatively affect the daycare center, whose hours are 5:30 am to 6:30 pm, since it isn't visible from the playground. She believed the daycare to be 500 feet away and didn't think daycare centers are classified as schools under Michigan Liquor Control Commission regulations. She assured the Planning Commission that the owners will meet any requirements related to the daycare.

**May moved to open the public hearing, with support from Sedlecky.**  
**Ayes: 6                      Nays: 0                      Motion carried.**

Without comment offered by the public, **May then moved to close the public hearing, with Rosenzweig's support.**  
**Ayes: 6                      Nays: 0                      Motion carried.**

Commissioner comments included the following: Dunneback did not foresee problems with later hours of operation; Rosenzweig had no concerns about the current business but could not ignore a future unknown business which might use the patio. Johnson and Sedlecky had no questions or concerns. May pointed out that the Songs are now Township residents, and wanted to support local business owners.

**SPECIAL LAND USE MOTION**  
**Thai Basil Cuisine Alcohol Service in an Outdoor Dining Area**  
**4022 Alpine Ave. NW**  
**PP# 41-09-36-151-019**

Dunneback moved, with support from Sedlecky, based upon the representations made by the applicant, to approve the Special Land Use Permit requested for alcohol service in an outdoor dining area at 4022 Alpine Ave., NW, PP# 41-09-36-151-019, as it does meet the standards set forth in Chapter 21 of the Alpine Township Zoning Ordinance, with the following **CONDITION OF APPROVAL:**

**If the State Liquor Control Commission should not approve, or revokes its approval of a liquor license, the Special Land Use Permit is null and void; and**

**the following FINDINGS OF FACT:**

1. **It will be harmonious with the character and use of the immediate vicinity and will not change the essential character of the area;**
2. **The proposed use is adequately served by essential public facilities and services;**
3. **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**
4. **The proposed use is consistent with the 2007 Master Plan and the intent and purpose of the zoning district.**

**Ayes: 6**

**Nays: 0**

**Motion carried**

**08-49 SITE PLAN REVIEW: 4160 10 Mile Rd.  
41-09-06-200-021  
Wilbur-Ellis Company  
Office and Parking lot Addition  
Applicant: Rick Dunneback**

At the request of the Chair, Thomas presented her staff report, explaining that Mr. Dunneback was unfortunately unable to attend this meeting. She then explained that the site of the agricultural chemical business is an industrially-zoned parcel on 10 Mile Rd., the proposed site also includes a portion of an adjacent lot, whose land division and purchase are underway. Properties to both the north and west are zoned and master planned for agricultural uses. To the east and south are parcels zoned Light Industrial. Nearby lots are used for homes, farms, fruit packing and storage, and trucking.

In January, the applicant was granted a variance from the Zoning Board of Appeals to allow a front setback reduction of 8 feet for the office addition.

Thomas explained that the owner of adjacent property has applied for a boundary shift to allow Wilbur-Ellis to purchase some land, combine it with its current lot and build the requested addition.

Several site considerations have already been reviewed with and agreed to by the applicant:

1. Relocate the LP tank northwest of the new office addition, which would allow for easier servicing and keep window views open for office staff. Screening of the tank would be done with planned landscaping.
2. Provide copies of the Kent County Health Department approvals for replacing existing sanitary holding tanks being used in place of a septic drain field.
3. Site lighting will be brought up to current standards with the lot redesign.
4. A spill control valve will be installed to improve water quality after a storm event and prevent any chemical spillage from entering the groundwater.
5. The applicant must obtain a Soil Erosion Control Permit from the Kent County Road Commission.

6. The adjacent vehicular access easement should be detailed on a revised site plan.
7. Parking lot markings must be altered to illustrate correct parking spaces and drive aisles. The PC must review the vehicle maneuvering areas and aisles for approval, with required landscaping. Bumper blocks are to be installed along the four parking spaces adjacent to the sidewalk along the north side of the existing building.
8. Temporary parking of chemical spreaders may require additional screening after Planning Commission review.
9. Revised landscaping to be determined by the Planning Commission.
10. It should be noted that the boundary shift and land combination must be approved by the Township, and the resulting deeds recorded to approve the site plan as presented.

Thomas explained that the applicant, Rick Dunneback, though unable to attend this meeting has agreed to all items outlined in both her staff report and letters of both the Township Engineer and Fire Chief.

Commissioners discussed landscaping requirements for this site and agreed to allow a reduction from the requirement. Since ~~chemical~~ fertilizer spreaders remain on the site for a short time before being picked up for use by farmers, and because parking them is seasonal in nature, Commissioners did not see a need for further screening of this use.

**SITE PLAN MOTION  
WILBUR-ELLIS OFFICE AND PARKING LOT ADDITIONS  
4160 10 Mile Rd. NW  
PP# 41-09-06-200-021**

Applicant: Rick Dunneback

**Rosenzweig moved, with support from May, based upon representations made by the applicant, to approve the site plan dated November 20, 2008 and drawn by W. L. Perry Associates for the construction of an office and parking lot addition on the proposed 2.86-acre property, addressed 4160 10 Mile Rd. and comprised of PP # 41-09-06-200-021 and part of the present PP# 41-09-06-200-027, as it does meet the requirements set forth in Chapters 16, 18, and 19 of the Alpine Township Zoning Ordinance with the following CONDITIONS OF APPROVAL:**

1. **Site Plan approval is contingent upon Township approval of the applied-for boundary shift and land combination, and the necessary deeds being recorded with the Kent County Register of Deeds, as the configuration of the site is dependent upon it;**
2. **The applicant shall submit two revised site plans containing the following revisions:**
  - a. **Reduce the depth of the northern and western parking spaces to 18 feet;**
  - b. **Increase the front parking lot setback by 2 feet;**
  - c. **Install bumper blocks along the 4 parking spaces adjacent to the sidewalk on the north side of the existing office;**

- d. **Add foundation plantings along the north side of the existing office between the new sidewalk and the building façade;**
  - e. **Illustrate all light pole locations and submit lighting fixture information in compliance with the Ordinance's lighting provisions; and**
  - f. **Revise 10 Mile Road frontage landscaping to include 6 canopy trees, 6 under-story trees, and 10 shrubs.**
3. **The outside storage of chemical spreader trailers shall be limited to the spring season when such chemicals are being spread.**
  4. **All conditions outlined in the Township Fire Chief's letter dated December 10, 2008.**
  5. **All conditions outlined in the Township Engineer's letter dated December 12, 2008.**
  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.**

**08-50 SITE PLAN REVIEW: 5501 RUSCHE DR. NW  
41-09-24-327-003  
Williams Form Engineering  
Additions for Manufacturing, office, parking lot  
Office and outdoor storage  
Applicant: Ron Townsend, Williams Form**

At the request of the Chair, Thomas presented her staff report. The current and planned zoning and the existing land uses were given for adjacent properties. Thomas explained that the applicant requests approval to add a 10,500 square-foot manufacturing addition to the west (rear) of the existing building with overhead doors on the north and south for ventilation. Another 1,200 square-foot office addition is proposed for the north side of the building adjacent to a modified loading dock. The applicant proposes a new canopy, with the retaining walls of the truck dock being replaced with concrete. Thomas has requested and the applicant has just provided the required elevations of the proposed additions.

Two building additions already built also require site plan approval: A shed-roof structure, and a covered building connection between the main and separate one-story metal building. Neither building addition presents any zoning issues related to locations.

Additional details which should be discussed with the applicant are:

- New full cut-off wall pack light fixtures. Fixture information must be provided to confirm compliance with lighting requirements.
- Site grading and storm water issues must be addressed. The applicant has added a 60' x 100' concrete pad at the southwest corner of the main building, with concrete also added around the 1-story metal building. The new impervious surfaces must be considered when revising storm water calculations.
- Proposed construction must also meet Kent County Road Commission standards and the applicant must obtain a Soil Erosion Control permit before beginning any construction.

- Parking and loading area requirements. Previous site plan review resulted in the Planning Commission allowing the applicant to defer 27 parking spaces. The applicant is also requesting an additional deferral to 45 deferred spaces at this time. Staff review of the proposed addition(s) results in a parking requirement of 119 spaces. The applicant proposes to construct 74 spaces now.
- Landscaping requirements and dumpster placement/screening. Earlier site plan review required the addition of new landscaping north of the sign on Rusche Drive. The plantings which are still alive require attention in the spring of 2009, and should be replaced then if dead or diseased. An unspecified amount of miscellaneous material such as pallets, equipment, and recycling materials is now being stored in the front of the building and north drive aisles of the site, and is not screened. The Ordinance requires that materials are either stored inside or if outdoors, within an enclosed screen. Thomas said the dumpster in front of the building is not acceptable.
- A 25-foot greenbelt is required between the new paving proposed and the adjacent land to the rear, which is zoned and being used residentially. The applicant's contractor must monitor construction activity closely to maintain the natural vegetation along this lot line. If removed, 5 to 6-foot evergreens must be planted in its place.

Madura asked the applicant to present his requests for the site plan modifications.

Gary Winslow, Vice-President of Williams Form Engineering responded first to the comments about the dumpster placed in the front of the building. He said that his business processes various materials for parts in wind energy systems and has been very busy. The dumpster is being used now for storage of material to be recycled, and he agrees to screening it if the Planning Commission requires it.

Winslow added that 40 employees work first shift, with 20 each on second and third shifts. Therefore, all employees are never on the site at the same time. He explained that the new concrete slab on the south side of the building that Planner Thomas referred to was installed to provide PVC storage and a stable surface for hi-los, which bring the PVC directly into the factory there for cutting to appropriate lengths for product.

Rob Berends of Exxel Engineering said that storm water flow was recalculated and an application for a Storm Water Permit is already under way. He added that the lighting fixtures Ms. Thomas spoke of have been identified.

Pete Michell, Rockford Construction, said the additions will use the same architectural features as the existing structure, and will appear to be an extension of the building already there. He also added that this project will add fencing of dumpsters if required.

Commissioners then questioned the applicant regarding the dumpster. In response to their comments on the location of the dumpster, Winslow said with two separate manufacturing areas within the building, relocating the dumpster would direct hi-lo traffic inside the plant, which is not as safe. He added that a screening fence will be installed, and commented that a dumpster must be placed on level ground for traffic to and from the location. It is emptied once per shift.

Madura said a dumpster remaining in plain view would encourage children to investigate and play near the dumpster and stored material. Winslow apologized that since the

increase in business in 2008 "housekeeping" has not received as high a priority as it once did, but promised that would change. Thomas restated that the ordinance requires that dumpsters be screened on all four sides.

In response to another question from Thomas, Winslow said the new concrete pad will house an 8-foot high stack of PVC. The concrete is needed at this location so hi-los can safely load and transport PVC into the south end of the building for cutting.

Commissioner comments regarding the proposal were positive, with Rosenzweig confirming with the owner that all conditions discussed would be met. Dunneback added that he was very pleased that another business in the Township was doing well.

<p style="text-align: center;"><b>SITE PLAN MOTION</b> <b>Williams Form Engineering</b> <b>Additions for Office, Parking Lot, and Manufacturing</b> <b>5501 Rusche Dr. NW PP# 41-09-24-327-003</b></p>
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Rosenzweig moved, with support from Sedlecky, based upon representations made by the applicant, to approve the site plan dated October 24, 2008, and drawn by Exxcel Engineering for the construction of manufacturing, office, and parking lot/outdoor storage additions on the 9.94-acre property addressed 5501 Rusche Dr., NW, PP# 41-09-24-327-003, 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) The applicant shall submit two revised site plans containing the following: illustrate a designated dumpster location, screened from view on all four sides, and illustrate the covered building connection between the two buildings;
- 2) All conditions outlined in the Township Fire Chief's letter dated December 10, 2008;
- 3) All conditions outlined in the Township Engineer's letter dated December 10, 2008;
- 4) Once the project is completed, as-built plans and a letter of certification signed by the design engineer shall be submitted to the Township; and
- 5) The applicant shall enter into a limited site development agreement amendment of the previously recorded site development agreement ( Doc. #20030811-0158601) to address the aforementioned items of this site plan review.

**Ayes: 6**

**Nays: 0**

**Motion carried.**

**08-51 PUBLIC COMMENT/ COMMISSIONER COMMENTS/ COMMITTEE UPDATES**

May said he has enjoyed his four years on the Planning Commission, felt it had accomplished a great deal during that time, and will be the Township Board Representative on the ZBA in 2009. He wished everyone a Happy Holiday.

Sedlecky said he appreciated the chance to work with a number of staff representatives and Planning Commissioners during his two terms, and that he had learned a great

deal. He strongly urged new Planning Commissioners to take advantage of the educational opportunities that will be available to them.

Johnson expressed her feelings that Jason, Jim, and Dick had each brought a unique perspective to the projects reviewed by the Planning Commission and she had enjoyed working with all of them. She added that the ZBA had reviewed a request by WalMart for approval to reduce an out-lot's lot width requirement, but it had been denied.

Rosenzweig echoed the sentiments of May and Sedlecky and said he had enjoyed working with the four Planners that had been staff support while he had been on the Planning Commission and had especially enjoyed getting to know and work with all of the Commissioners, but had especially enjoyed working with Chair Jim Townsend. He also suggested new Commissioners take all of the classes they can. He looks forward to becoming an Alternate on the ZBA in 2009.

Dunneback thanked all three outgoing Commissioners for their contributions and hard work for the Township during their tenures. He also expressed his sincerest wishes for a good Christmas to everyone.

#### **08-52 STAFF UPDATE/ ADJOURNMENT**

Thomas said she had received another anonymous note that had been written to Treasurer Townsend about sidewalk construction along Division Avenue from 7 Mile Rd. south to West River Dr. Since the individual did not identify himself she couldn't explain that neither Plainfield nor Alpine Townships plan to do so. The sidewalk that was installed on the east side of Division south of 6 Mile Rd. was built by Plainfield Township, with Community Development Block Grant Funds. Alpine Township does not have that resource in that area. While there is a plan to install sidewalk from a condominium project in Plainfield Township near West River, north to the rear of the Comstock Park High School campus, no target date has been set.

Madura asked Thomas what was happening near the new Wal-Mart store, as he had seen survey crews there. Thomas explained that since the ZBA had denied an earlier Wal-Mart request for a variance on lot width for a single out-lot, Wal-Mart is in the process of reconfiguring the out-lot for future development.

Thomas reminded Commissioners that at the January Regular Planning Commission meeting election of officers for 2009 will take place, as well as setting the Planning Commission's 2009 Work Plan.

Madura wished all those present a safe and happy Holiday season.

**Rosenzweig moved, with Dunneback's support, to adjourn at 9:20 pm.**

**Ayes: 6**

**Nays: 0**

**Motion carried.**

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Nelda Johnson, Secretary

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Patricia Kolkman, Recording Secretary