

**ALPINE TOWNSHIP PLANNING COMMISSION REGULAR MEETING
Thursday, August 21, 2008**

08-30 CALL TO ORDER / APPROVAL OF MINUTES / PUBLIC COMMENT

The Alpine Township Planning Commission held its regular meeting on Thursday, August 21, 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 Jason Rosenzweig and Dick Sedlecky. Excused was Chair Jim Townsend. Absent were Max Dunneback and Jim May. Also in attendance were Planning Director Sue Thomas, Recording Secretary Patricia Kolkman, Tom Byle, an Engineer with the Kent County Road Commission and several Township residents.

Madura called the meeting to order at 7:30 PM with the Pledge of Allegiance. Rosenzweig confirmed that a quorum was present to conduct business.

Madura asked Commissioners if there were any corrections to be made to the minutes of the July 17, 2008 regular meeting. Sedlecky pointed out two errors, and Madura requested changes Townsend had asked for. Rosenzweig commented that he wished to discuss an item raised during Public Comment at the July meeting after the minutes were reviewed and approved.

Rosenzweig moved, with support from Johnson, to approve the minutes from the Regular Planning Commission meeting of July 17, 2008, with the changes requested.

Ayes: 4

Nays: 0

Motion carried.

Dunneback arrives at 7:40 PM

Rosenzweig then asked Thomas if the Township Board had discussed the Planning Commission's request for additional Code Enforcement Officer hours during evenings and weekends to monitor sign infractions. Thomas said that the PC request had been discussed, but because enforcement hours had recently been increased, no additional hours were authorized at this time. She pointed out again to Commissioners that enforcement of sign regulations is an ongoing effort in Alpine Township as it is in all other jurisdictions.

Madura then invited the public to offer comments on topics not on the agenda.

David Page, 5950 Vinton Ave., NW was disappointed that promises made by the Township to reduce night train noise levels near his home have not occurred, and in fact the train stops have escalated. He said these night stops, which occur on a regular basis interrupt not only his sleep but that of his children with the lengthy clanging of alarms. Since school is resuming soon, he worries that his children won't be at their best with insufficient sleep. He said the letter he received from the Township Supervisor about the train schedule said the train's schedule would be altered to improve this situation.

Al Cordes, 5905 Vinton Ave. NW also made reference to the Township Supervisor's

letter, citing promises made by Marquette Rail. In actual practice, they haven't improved their train schedule as agreed. There are now long loading and unloading periods at the former Sash and Door location, with lengthy periods of loud clanging bells which interrupts sleep for residents on Vinton.

Ted Wallace, 4290 Laura, said that on Tuesday nights at Fricano's restaurant there is an unofficial "antique car show" with some attendees "drag racing" on Vinton Ave. He reports there have been accidents in that area due to speed, and asks that for the safety of the residents, additional patrols for enforcement be done.

Madura asked Thomas what the Township can do about getting speed limits posted and enforced on Vinton Ave. Thomas said the process for determining speed limits involves the State Police and the Kent County Road Commission. The Kent County Sheriff Department then enforces the limits established. Thomas agreed to refer the situation to the Sheriff.

Madura also asked Thomas to have the Township contact Marquette Rail again about train scheduling. Thomas agreed to refer the latest complaints to the Township Supervisor.

08-31 PUBLIC HEARING: Proposed Amendment to the Zoning Ordinance
Add a Mixed Use Planned Unit Development Chapter

At the request of the Vice-Chair, Thomas reviewed the revised draft ordinance for an M-PUD district in the Commissioners' packets. She also pointed out the M-PUD graphic they requested her to create showing a Mixed Use development with 60% multi-family structures. She explained that at least 20% of the dwelling units should be multi-family to make this kind of development possible. Thomas then led Planning Commission discussion on the revised ordinance, with key points resolved during their review:

- **Establishing minimum and maximum percentages of multiple family dwelling units (of the total dwelling units).**

Commissioners used the site plan graphics Thomas had created depicting the proposed minimum and maximum percentages of multi-family dwelling units in a Mixed Use PUD, using the Cannon Township project as the example. Madura commented that while he had been reluctant to set a 60% limit initially, the graphic helps to illustrate it well, and he now sees it as reasonable. After discussion among commissioners a range of 20% - 60% multi-family dwelling units was agreed upon.

Rosenzweig said he was concerned that a future Planning Commission considering a proposed site plan for an M-PUD might misinterpret included references on deviating from these limits. Thomas commented that she believes any Planning Commission will struggle with a Mixed Use PUD, since each development will be unique. She reminded Commissioners that each of the four sites designated in the 2007 Master Plan for an M-PUD development has specific characteristics and topography, so any development on a given site would consider those unique characteristics.

- **Mixed Land Use Requirements were clarified.**

The draft ordinance details specific components which *must* be in each Mixed Use

PUD. Not only are both residential and non-residential uses required, but there must also be a mix of dwelling unit types. It was further clarified that even if senior housing or an adult foster care congregate facility is proposed for a development, at least two other dwelling unit types must also be included, with similar land amounts devoted to each.

A maximum of **one-third** of the total site acreage (excluding the acreage used for common uses, such as roads, easements, utilities, and wetlands) can be devoted to non-residential uses. This change in ordinance language ties the proportion of non-residential development to residential development through land use, rather than gross square footage of non-residential buildings as was previously determined.

The draft ordinance requires that commercial, office and residential uses must be built concurrently, with provisions for construction phasing, if approved by the Planning Commission and/or the Township Board.

- **Permitted Density for Residential Uses was clarified for senior housing.**

Senior housing developments are allowed a higher density of dwelling units per acre (8) than the overall density allowed for single, two, and multi-family dwellings (6). Thomas included a formula for computing this maximum density, with an allowance for senior housing or adult foster care congregate facilities slightly above that. The formula again excludes using the land in public or private road rights-of-way, easements of all types, and regulated and non-regulated wetlands in the computation.

- **Structural design standards were clarified.**

While all structures including those for senior housing or churches should be designed with varied architectural features, they should also be built to minimize a "big box" look. The Commercial Building Design Standards defined in Section 2.44 of the Zoning Ordinance apply to all non-residential structures in the development, other than church buildings.

Residential dwelling units should not have garages that extend beyond the front façade of the house. Front porches of at least 6-feet deep are *required* for all single-family detached dwellings, and *strongly encouraged* for two-family and multi-family dwellings. The requirement for porches on single-family dwellings may be modified by the Township Board after a recommendation by the Planning Commission. An approval of the final M-PUD must still meet the intent and purpose of the M-PUD designation.

- **Additional details were added to the Proposed Ordinance.**

- ❖ The Planning Commission may require a developer to restore previous natural grades on a site if they are altered before an M-PUD approval is obtained.
- ❖ The Planning Commission may require street lights in an M-PUD development.

- **Phasing of Construction.**

Each *construction* phase of an M-PUD, once complete, must include all of the design features required in the overall development (so that phase can “stand alone”). Each phase must also protect the site’s natural features and the health, safety and welfare of both its residents and other users of the M-PUD’s businesses.

The final development plan approval will specify the time period for each phase which the developer must meet, and if the plan’s approval expires the Township may rezone the balance of the site to another zoning designation.

Rosenzweig moved to open the public hearing for the Mixed Use Planned Unit Development Zoning Ordinance Chapter, supported by Johnson.

Ayes: 5 Nays: 0 Motion carried.

With no comments provided by the public, **Rosenzweig moved to close the public hearing, with Johnson’s support.**

Ayes: 5 Nays: 0 Motion carried.

Madura asked each Commissioner if they wished to discuss anything further and solicited their comments. Each Commissioner in turn expressed agreement with the finished product, with Johnson adding that this chapter’s revision has gone smoothly.

Rosenzweig moved to recommend to the Township Board the adoption of the Mixed Use PUD Ordinance Chapter, as presented to the Planning Commission at this meeting. Johnson seconded.

Ayes: 5 4 Nays: 0 1 (Dunneback) Motion carried.

08-32 CONSIDERATION: Planning Commission Review and Comment on Proposed Public Road Connection from Rusche Dr. to 7 Mile Rd.

(As required by the Township Planning Act (PA 168 of 1959) to review and comment on public works projects, to ensure they are consistent with land use and infrastructure policies of the Master Plan.)

At the request of the Chair, Tom Byle, Engineer with the Kent County Road Commission, explained that the requested road connection will add a 90 degree road section east across the railroad bed from the northern end of Rusche Dr., and then another 90 degree road section north to connect with the existing Comstock Park Dr. He added that he found that the conceptual plan for this road extension has been in Alpine Township Master Plans since the late 1980’s. However, before the road could be built the Road Commission had to request and receive approval for a railroad crossing. Current property owners had requested the Road Commission’s participation in both the design and permitting process for the road.

Planner Thomas explained that the Township Planning Act requires that all public works projects are reviewed by and commented on by a Township’s Planning Commission, if that community has adopted a Master Plan. While the Planning Commission’s role is advisory only, this review ensures that the planned improvement is consistent with the land use and infrastructure policies contained in the adopted Master Plan. In considering both the past and current Master Plans for Alpine Township, the proposed

road connection allows for additional industrial land to be made accessible for development, provides an all-season truck route for industrial users to 6 Mile Road, gives the Plainfield Water Department the opportunity to complete a water main loop, and also improves emergency access to the industrial properties. The Township's role in this project has been to facilitate communication between the affected property owners, provide a vehicle for collection of construction costs (an SAD) and to review the contract bids for completion of the road construction. No costs will be assessed to Alpine Township.

Madura questioned whether additional railroad stops will be made if this newly accessible land is developed, expressing concern for the residents of Vinton Ave. whose sleep is already affected. Since no development plans have been submitted to the Township for review, Thomas said that whether railroad use will increase isn't known now; but industrial development would likely generate additional road traffic in the area, whether the railway is utilized or not.

Madura asked Commissioners if they had anything to add.

- Sedlecky said the road connection fits in well with the current Master Plan.
- Johnson added that this road has been on the Alpine Township Master Plan since 1988.
- Dunneback asked if any cost allocations were available, and Byle said that the three major property owners (Cordes, Comstock Properties, and Frank and Dave Rusche) will pay for the bulk of construction costs, with the remaining smaller property owners making their proportional payments over a period of years. The Township will apply for a Bond for the road, and then administer the SAD for collection of payments. Bids have already been submitted and reviewed, with the award going to a company with the bid of \$934,000.
- Madura asked if there were additional costs for water and sewer construction, and Thomas said that most properties were already on the water and sewer systems but the vacant land would have water and sewer extended to them. Byle also added that the Road Commission must also get a permit to "jack and bore" under the railroad tracks for utilities.

Rosenzweig moved, with support from Sedlecky, to recommend to the Township Board the approval of the Comstock Park Drive- Rusche Drive road connection, as it is consistent with the 2007 Alpine Township Master Plan.

Ayes: 5

Nays: 0

Motion carried.

Madura then asked Commissioners if they had any objection to reversing the order of discussions on the Draft Outdoor Furnace Ordinance and Draft Wind Energy System Ordinance, and none were voiced.

08-33 DISCUSSION: Draft Outdoor Furnace Ordinance

Thomas introduced the first draft of an Alpine Township Outdoor Furnace Ordinance, stating that this is not a *Zoning Ordinance*, but will be a *Regulatory Ordinance* which could be enacted with a retroactive effective date if the Township wishes. The draft ordinance is a summary of information from the State of Michigan and several nearby communities. Thomas added that she had provided a copy of this draft ordinance to the Building Official, who commented that anyone installing an outdoor furnace must follow

the manufacturer's recommendations when doing so.

A summary of the ordinance includes Definitions, Permitted Zoning Districts, Required Distances from other structures and lot lines, and which fuels are allowed as well as those that are prohibited. Required permits are also covered. Rosenzweig commented that Nelson Township required its constituents to register pre-existing outdoor furnaces once its Outdoor Furnace Ordinance was adopted.

Commissioners asked for further information on chimney height. Thomas agreed to have a further revised ordinance for Planning Commission review at its September meeting, which would then be forwarded to the Township Board if approved so the Board can hold the required public hearing in October.

08-34 DISCUSSION: Draft Wind Energy Systems Ordinance

Planner Thomas introduced the draft Wind Energy System Ordinance adding that she has also been monitoring the status of State Senate Bill 213, which is scheduled to be reviewed again after August 25, 2008. The bill as first written provided for the State of Michigan to regulate commercial grade wind energy systems, but the final form of the bill has not yet been drafted and is not available for review.

Sedlecky commented that until both the Outdoor Furnace and Wind Energy System Ordinances are being used, the Township won't be able to determine if any modifications to them will be required.

Madura said he hopes that the State of Michigan will permit local communities to regulate the installation of smaller (less than 65 feet) wind energy turbines.

Thomas agreed to make the relevant revisions to the ordinance after she is able to review the State's action, and will provide a revised version of the Wind Energy systems Ordinance to the Planning Commission at its next meeting.

Both Dunneback and Rosenzweig expressed their approval of the two ordinances as presented.

08-35 COMMISSIONER COMMENT / STAFF UPDATE / ADJOURNMENT

Johnson reported that the ZBA had met in July to hear a variance request for a front deck and wheelchair ramp for a residence on Old Alpine. The residents' initial plan did not meet the required setback from the road right-of-way. The ZBA granted the request.

Thomas clarified that this variance request was for a deck that extended into the setback from the road right-of way.

Dunneback moved, with Rosenzweig's support, to adjourn at 9:50 PM.

Ayes: 5

Nays: 0

Motion carried.

Nelda Johnson, Secretary

Patricia Kolkman, Recording Secretary