

**ALPINE TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
Thursday, July 15, 2004**

04-27 CALL TO ORDER/ APPROVAL OF MINUTES/ PUBLIC COMMENT

The Alpine Township Planning Commission held its regular meeting on Thursday, July 15, 2004, at the Alpine Township Center, 5255 Alpine Ave. NW, Comstock Park, MI 49321, with due notice. Present were Chair Dave Wiersum, Vice-Chair Jason Rosenzweig, Secretary Marta Brechting, and members Roger Alberts, Kris Cassady-Gall, Kay Chase, Jason Clauser, and Steve Gray. Absent was Dick Sedlecky. Also in attendance was Recording Secretary Patricia Kolkman.

Chair Wiersum called the meeting to order at 7:30 PM with the Pledge of Allegiance.

Brechting pointed out a correction on page one and then **Chase moved, with Alberts' support, to approve the minutes of the June 17, 2004 regular Planning Commission meeting, with the correction noted.**

Ayes: 8 Nays: 0 Motion carried.

No public comment was offered.

04-28 PUBLIC HEARING

**Special Land Use Permit Request
6484 Alpine Ave. NW
Natural Resource Extraction
Fritz Wahlfield, applicant**

Wiersum directed the applicant to present his request.

Wahlfield said he has been leveling the commercial lot at 6484 Alpine Ave., NW, for approximately one year. There is now excess soil stockpiled that he hopes to remove since it cannot be used onsite. The excess has been found to be topsoil.

Those areas already leveled have been seeded, and as work progresses the site will continue to be restored in this manner. Wahlfield said he hopes to develop the front of the parcel as a strip mall, with plans for the balance not yet defined.

Wiersum then presented the staff report prepared by Planning Director Wash.

Wahlfield's site is approximately 13 acres in area, with 997 feet of Alpine Avenue frontage. It is zoned C-2 Commercial and is also master planned for commercial use.

- Land to the north is vacant and zoned C-2 Commercial, and is also master planned commercial.
- Land to the south is zoned OS Office Service, and master planned office, with medical/dental offices on site.
- To the west is Alpine Avenue/M-37

- To the east is land zoned R-1 Low Density Residential and is also master planned residential with a platted subdivision in place.

Wiersum pointed out that a Special Land Use Permit is required to remove natural resources from a site, and the PC is charged with reviewing the standards outlined in Chapters 18 and 21. The request is similar to past Special Land Use permits approved for larger sand mining operations in the township, and the PC should follow the same procedures used for review at that time.

He outlined the applicant's plans to remove 10,000 to 15,000 cubic yards of "other soils" and it will be screened on site. Wahlfield also specified the times and days of his operation as 7:00 am to 5:00 pm, Monday through Friday, with the possibility of Saturday work from 7:00 am to noon if required. He asks for a two year extraction operation.

Wiersum also pointed out the concerns expressed by Prein and Newhof, Township Engineers. Chad Sosnowski states that a boundary survey should be performed by the applicant's survey company and noted on a revised site plan. Sosnowski also requests that restoration methods be specified, with an additional \$20,000 bond posted to ensure completion.

Wiersum then reminded commissioners that there are two votes required for the request:

1. The Special Land Use request to remove 10,000 to 15,000 cubic yards of soil from the site' and
2. The site plan request for leveling of the site.

Rosenzweig moved, with support from Chase, to open the public hearing.

Ayes: 8 Nays: 0 Motion carried.

Richard Zelmer, 6485 Wahlfield Ave., NW stated his concern related to the length of the project proposed. *Mr. Wahlfield responded that he expects to finish this summer, but it should be less than a year.*

Jody Wolniewicz, 694 Vogelane, NW sent a letter July 1, 2004 to the PC which Wiersum asked be included in the record, regarding dirt and dust generated by the project already. She asks that the PC require dust and dirt control measures if the project is approved.

Rosenzweig moved, with Alberts' support, to close the public hearing.

Ayes: 8 Nays: 0 Motion carried.

Commissioners then covered the following topics and generated several conditions of approval, should the Special Land Use be approved.

☀ Tracking of dirt Cassady-Gall, who works for the Road Commission, pointed out that this type of activity can generate tracking of a great deal of dirt onto public roads and highways, and she receives calls from the public regularly on the problem.

Wiersum stated that any complaints received about dirt on the roads due to this project should be referred to the KCRC, who will monitor timely cleanup.

Wahlfield stated he has no plans to remove any soil via Alpine Avenue. ***He agreed to monitor dirt tracking, and keep the road(s) clear.***

☀ Dust migration/access to site. Wiersum stated that using Vogelane as either an

entrance exit or point to the site will cause dust, because there is no driveway. This dust can then travel to residences adjacent to the project, as pointed out in the letter from Wolniewicz.

Wiersum suggested that no further traffic should enter or leave the site without a permitted driveway on Vogelane. Wahlfield should apply for a temporary driveway permit for Vogelane access from the Kent County Road Commission. Commissioners agreed.

Wahlfield agreed to request approval for a temporary drive permit on Vogelane from the Kent County Road Commission and will not use that access until it is approved.

He further agreed that he will monitor dust problems on the site and will water down if necessary to prevent dust migration.

☀ Hours of operation Wahlfield's letter states the project will be in operation from 7:00 AM to 5:00 PM, Monday through Friday, with Saturday operation from 7:00 AM to Noon, only if necessary. His letter further requests a two year approval.

Wiersum advised commissioners that permit approvals for past mining operations included a requirement that any Saturday work is to be approved in advance by the Township.

Wahlfield agreed to limit operation to Monday through Friday, for the hours stated, and agrees to contact the Township offices for approval prior to any Saturday work.

☀ Engineering issues. Wiersum pointed out that Prein & Newhof has requested a boundary survey be completed to accurately indicate property lines. Stakes for the four property corners may not show the exact location of property lines due to existing and proposed grading contours.

Wiersum also reminded commissioners that previously approved natural resource extraction permits included regular submission of engineering reports specifying the depth of the "mine" both pre- and post-season activity. For consistency, these reports are submitted at the beginning and the end of the activity annually. (March 1st, and June 30th)

Wahlfield said he will clarify the information needed by Prein & Newhof.

The applicant agrees to comply with this request.

☀ Restoration of disturbed areas Brechting asked how Wahlfield plans to restore the area, once removal of materials ceases. Prein & Newhof also requested that restoration details should be added to the site plan.

Wahlfield reviewed his letter of July 2, 2004, in which he states that he has already seeded those areas that have been leveled. He said that seeding to prevent dust and erosion will be continued as work progresses. He does not object to submitting a \$20,000 restoration bond if it is required, and added he hopes to develop a "strip" mall on the front of the site, which would therefore not require seeding until the structure is

complete.

Wahlfield agreed to add restoration details to the site plan, and also agrees to continue seeding any portions not leveled. He also agrees to submit a \$20,000.00 Restoration Bond to ensure completion of restoration.

☀ Length of the Project Commissioners were concerned that without a completion date designated, adjacent residents would be impacted by dust, noise, and other inconveniences of the project. Wahlfield's application asks for a two year permit.

In response to questions from PC members, Wahlfield stated he plans to complete the project by the end of summer, 2004.

After discussion, PC members suggested that a Special Land Use permit be approved for only one year, (until July of 2005), with the applicant returning for a request for an extension at that time if necessary. Commissioners also stated no application fee would be needed for the extension.

Wahlfield agreed to a one-year permit, without requiring another application fee, should an extension be needed.

☀ Topsoil Screening and sale of materials Commissioners discussed the impact screening of topsoil would have on neighbors. Soil extracted during the site preparation process will be stockpiled and sold if not planned for the development. Sand extracted will likely be used in the future development, with any excess sold. The applicant also noted that he wishes to stockpile and reserve for future development and landscaping any large stones that have been mined.

Wahlfield agreed the screening would take place on site, and that he will monitor the activity for dust migration and water the dirt as necessary.

Rosenzweig moved, with support from Alberts, to approve the Special Land Use permit for a natural resource extraction operation on property located at 6484 Alpine Avenue NW (PPN 41-09-13-195-035) with the following CONDITIONS OF APPROVAL:

- 1. The permit time limit is one (1) year. After this time period, Mr. Wahlfield must either cease operations or seek an extension per Chapter 21 of the Alpine Township Zoning Ordinance. If an extension is requested, no application fee is required.**
- 2. Mr. Wahlfield agrees to all conditions noted in the Township Engineer's letter dated 7-7-04.**
- 3. The approved days and times of operation are Monday through Friday from 7:00 am to 5:00 pm. Saturday work may only be conducted with the prior approval of Alpine Township.**
- 4. Vogelane may not be used as an ingress/egress point unless an approved temporary driveway permit is obtained from the Kent County Road Commission. Verification of said permit to be provided to Alpine Township Planning office.**
- 5. Any soil tracked onto public roads will be cleared by the applicant as necessary and monitored by the Kent County Road Commission.**
- 6. Mr. Wahlfield agrees to monitor the generation of any dust and will spray with water to control fugitive dust.**

7. Mr. Wahlfield agrees to provide reports from a registered engineer/surveyor on September 30, 2004, and March 1, 2005, indicating the level of extraction that has taken place.
8. If the applicant violates these aforementioned conditions of approval, this special land use permit will be revoked according to the procedures set forth in the Alpine Township Zoning Ordinance.

WITH THE FOLLOWING FINDINGS OF FACT:

Based on representations provided by the applicant, we find that:

Based on Section 21.02 (h) and 21.04 of the Alpine Township Zoning Ordinance,

1. The natural resource extraction operation will be operated, maintained, and restored in a manner consistent with the intent of the C-2 Commercial zoning district.
2. The proposed sand mining operation will not create excessive cost burdens on public infrastructure.
3. The sand mining processes and materials will not produce excessive noise, dust, or traffic and will be adequately buffered from adjacent land uses.

Ayes: 8 Nays: 0 Motion carried.

Rosenzweig moved, with Chase' support, to approve the SITE PLAN for the Fritz Wahlfield extraction operation as it does meet the applicable standards set forth in Chapters 12, 18, and 21 of the Alpine Township Zoning Ordinance, with the following FINDINGS OF FACT:

1. The site plan does correspond with the intent and purpose of the C-2 zoning district.
2. The site plan does contain applicable items from the site plan review checklist.

And the following CONDITIONS OF APPROVAL:

1. The applicant agrees to all conditions noted in the Township Engineer's letter dated 7-7-04.
2. The zoning of the site and adjacent property must be added to the site plan.
3. The applicant agrees to submit a revised site plan with all details noted.

Ayes: 8 Nays: 0 Motion carried.

04-2 SITE PLAN REVIEW:

**4020 to Approx. 4100 Alpine Ave. NW
Yorktown Center Commercial Development
Applicant: SD Benner, LLC**

Wiersum asked the applicant to present the site plan proposed for the Yorktown Center Commercial Development.

Robert Scott presented the revised site plans on behalf of SD Benner. Scott said that the new plan is an expanded version of the plan presented at a prior meeting. Two buildings are planned for the

front of the site, and will be devoted to retail use. Storage buildings (79,000 square feet) will be placed to the rear of these buildings.

The project is to be built in two phases. Benner has acquired land to the south of the site which will provide access to Alpenhorn and the York Creek Apartments. The southeast corner of the site will be a controlled access, with a "crash gate" for emergency access to the north.

Pedestrian access to the north includes the addition of a clear vision corner, with a pedestrian barrier to prevent access between buildings.

Scott suggests changes in the recommended landscaping requirements, as placement of trees will obscure the fronts of the businesses.

Rick Postema presented the architectural features of the revised York Town Center. Postema stated that the grade differences on the site present design challenges but feels these will be overcome with the phasing of construction. Additionally, the use of one structural wall (for a storage building) as a retaining wall makes use of differing grades as part of the design.

No overhead doors for the storage buildings will be visible to passerby, as they will be placed on the interior walls and are designed to accommodate storage of up to large motor homes. Storm detention will also be handled to the rear of the site, and will be a wide, shallow, "dry" pond, extending to the foundation of the storage buildings.

Postema then discussed traffic circulation both into and through the site. Only the southern entrance will be used for access to Phase I, with primary circulation counter-clockwise. A cross access connection with the Fifth Third Bank site to the south will also be provided, noting that the slope is "reasonable, but steep."

Roof lines on the retail buildings slope three feet to the rear and heating/air conditioning units placed atop the buildings will be screened by parapets at the front. Decorative masonry will be used, creating a contrasting band around the building. A canopy will be installed across the front of the retail buildings, supported by steel, with a curtained glass front. Decorative masonry will also be used in the rear.

The color scheme planned for both the retail and the storage buildings will be in earth tones, such as green and tan, adding a more residential look since it is adjacent to the York Creek Apartments.

Wiersum then presented Wash's staff report. The development plans are for 3 ½ parcels located at 4020, 4076, 4086, and 4124 Alpine Avenue, approximately 13 acres of C-2 Commercial land, to be developed with two retail buildings on Alpine Avenue, and three buildings along Alpenhorn planned for public storage. The applicant proposes to re-grade and fill the site, making additional improvements of parking lots, utility lines, outdoor lighting, and an upgraded storm water system.

All parcels in the proposed development area are zoned C-2 Commercial and are master planned for commercial use. Surrounding zoning and uses are:

- North -- is land now zoned C-2, and master planned for commercial use. The Alpine Northern Holdings vacant land is included.
- South -- is land zoned C-2 Commercial which is also master planned for commercial use. Fifth Third Bank is now on site.
- West -- Alpine Avenue, M-37
- East -- Now zoned R-3 High Density Residential; also master planned for High Density Residential, with York Creek Apartments in place

now.

The staff report reviews the proposal covering a number of issues:

- Legal descriptions for parcels A, B, and C must be added to plans, and a land division application and survey must be submitted and approved before any building permits can be issued.
- Traffic management into and out of the site, as well as flow within the site should be clearly defined. MDOT and the Kent County Road Commission must approve drive cuts and a future traffic signal at Menards should be considered in the plan.
- Landscaping and sidewalk details should be defined and added to a revised site plan. Underground sprinkling should be noted and used for ongoing maintenance of the site.
- Building Design Standards for both the retail and storage buildings should be reviewed under the amended ordinance requirements.
- Exterior and parking lot lighting should complement the building materials and meet lighting requirements.

Commissioner discussion then covered the following:

Rosenzweig disputed the need to block a pedestrian walkway to the rear of the site.

Applicant stated that the pond for storm water retention will be fenced for safety.

Considerable discussion was generated on the significant grade changes from north to south. Applicant stated that the development will plant green areas for slopes, rather than considering the slopes for any parking, etc. Gray pointed out the immediate grade change at the south entrance as a potential problem. Brechting asked if the Fifth Third Bank cross access would be adequate for increased traffic, since she feels the service drive will be used as an alternate for north bound traffic. Gall pointed out that the Kent County Road Commission will monitor traffic patterns once the site is built and will also do a study to determine if any lane modifications will be required.

Wiersum said that an SAD should be established to handle future road and signal improvements to the Alpenhorn/Alpine Avenue intersection. The developer agreed with the concept of an SAD, and feels it can be a fair way to allocate the costs involved to the owners.

After discussion, the PC agreed with a modification of the original landscaping plan request to plant trees every 40 feet, and allowing the applicant to cluster them so their tenants' businesses are more visible.

Planning Commission members said that the north access **must** be a right-in/right-out drive only. While commissioners preferred that the south access should also be right-in, right-out, Benner said this could stop the project. After much discussion, the PC agreed that one full service drive would provide reasonable access to the site. Benner added that if in the future a light were added at the driveway to the Goodwrench site, he would alter the drives at that time.

"Wash down" facilities will be provided for dumpsters in recessed areas and they will be screened and of the same materials as the structures.

It was agreed that the site is not primarily a pedestrian one, and that 2 sidewalks would not be required. Wiersum however, suggested using pavers or another means of delineating the sidewalks so drivers will know what path walkers will take. Applicant also agreed to extend a sidewalk of the same material in front of buildings.

Planning Commission members and the applicants discussed at length the need to amend a clear vision corner to accommodate and extended pedestrian walkway.

Alberts moved, with support from Gray, to approve the site plan for Yorktown Center, as it does meet the standards set forth in Chapters 2, 12, 18, and 19 of the Alpine Township Zoning Ordinance, with the following CONDITIONS OF SITE PLAN APPROVAL:

1. The applicant agrees to all conditions noted in the Alpine Township Planning Director's letter dated 7-8-04, subject to any exceptions agreed to at this meeting.
2. The applicant agrees to all conditions noted in the Alpine Township Engineer's letters dated 6-17-04 and 7-9-04.
3. The applicant agrees to all conditions noted in the Alpine Township Fire Chief's letter dated 7-8-04.
4. The applicant agrees to participate in a future SAD for road and/or traffic signal improvements to the Alpenhorn/Alpine Avenue intersection at the Menards' service drive.
5. The applicant agrees to use the same materials used for sidewalks in front of the building to identify sidewalks that cross the parking area.

AND THE FOLLOWING FINDINGS OF FACT:

1. The site plan does correspond with the intent and purpose of the C-2 Commercial Zoning District and the 1998 Master Plan "Commercial" designation.
2. The site plan as conditionally approved will meet the requirements of the C-2 Zoning District for number of parking spaces, lighting, building height and setbacks, and type of land use.
3. The site plan as conditionally approved will provide adequate, safe, and reasonable vehicular and pedestrian circulation and access.

Ayes: 8 Nays: 0 Motion carried.

04-30 ACTION ITEM: Advisory Review of Access Management Standards - Amendments to Chapter 18.06 (b) of the Alpine Township Zoning Ordinance.

Wiersum asked that a letter just received from Eric Starck of Rhoades McKee, immediately prior to this PC meeting be accepted into the record.

After a short discussion of the nature of the letter, in which a request for revision of certain language was made, commissioners decided not to make a recommendation to the Township Board without another review of the request by the Township Attorney.

Gray moved, with support from Alberts, to table further discussion on this topic until an interpretation of the Rhoades McKee request can be made by the Township Attorney.

Ayes: 8 Nays: 0 Motion carried.

04-30 PUBLIC COMMENT/COMMISSIONER COMMENT/STAFF UPDATE/ ADJOURNMENT

There was no public comment.

Chase said that due to Wash's resignation, Tim Johnson, of Mainstreet Planning, has been contracted to act as interim planner/consultant until a new planner is hired. Wiersum added that he understands that Wash may be available to assist on projects which were undertaken during his tenure with Alpine Township.

Rosenzweig stated he was very impressed with the presentation made by Beckett-Raeder, the consultants hired for the Master Plan Review process.

Wiersum said he would be unable to attend the next (August) PC meeting, so Rosenzweig would chair. He reminded commissioners of the importance of reviewing the PC packets in depth prior to each meeting.

Gray moved, with Rosenzweig's support, to adjourn at 10:30 pm.

Ayes: 8 Nays: 0 Motion carried.

Marta Brechting, Secretary

Patricia Kolkman, Recording Secretary