

**ALPINE TOWNSHIP PLANNING COMMISSION SPECIAL MEETING  
Thursday, December 29, 2005**

**05-80 CALL TO ORDER/APPROVAL OF MINUTES/PUBLIC COMMENT**

The Alpine Township Planning Commission held a special meeting on Thursday, December 29, 2006, at 7:00 PM at the Alpine Township Center, 5255 Alpine Ave., NW, Comstock Park, MI 49321, with due notice. Present were Chair Jason Rosenzweig, Vice-Chair Dick Sedlecky, members Kris Cassady-Gall, Jason Clauser, Max Dunneback, Greg Madura, Jim May, and Jim Townsend. Excused was Secretary Nelda Johnson. Also in attendance were Township Planning Director Brendie Vega-Mkhwanazi, Township Attorney Jeff Sluggett, Township Engineer Bob VanderMale, and Recording Secretary Patricia Kolkman.

Rosenzweig called the meeting to order at 7:00 PM with the Pledge of Allegiance. Minutes of the December 15, 2005, were introduced and accepted without change.

**May moved, with support from Sedlecky, to approve the minutes of the December 15, 2005 Regular Planning Commission as submitted.**

**Ayes: 8**

**Nays: 0**

**Motion carried.**

Rosenzweig announced that while the two rezonings may require significant commissioner discussion, he thinks the meeting should conclude by 11:00 PM, asking commissioners to move for adjournment then if still in progress. To meet that objective he will limit public comment on the rezonings to 3-5 minutes per person. He offered the public a chance to comment on items not on the agenda but no one did. He then asked Vega to introduce an administrative item requiring attention.

Vega said an application has been received from Ted Doorenbos requesting rezonings of the property in litigation, and 2 others. A motion is required to set the public hearing for the next regular Planning Commission meeting.

**Sedlecky moved, with support from May, to set a public hearing for January 19, 2006, at the next regular Planning Commission meeting, to discuss rezonings of land owned by Ted Doorenbos.**

**Ayes: 8**

**Nays: 0**

**Motion carried.**

**05-81 PUBLIC HEARING: Rezonings from AG to R-1  
In Compliance with the 1998 Master Plan  
Applicant: Ted Doorenbos**

Rosenzweig reminded those present that this rezoning is being reviewed under the 1998 Future Land Use Plan. On direction from the Chair, Vega summarized her staff report, covering the following:

- The property under review is 4639 Cordes Ave., NW (approximately 56 acres) and 4545 Cordes Ave., (1.25 acres) which are both currently zoned AG and owned by Ted Doorenbos. The larger parcel is being actively farmed and the smaller one is the applicant's residence.

- **ZONING AND CURRENT USE OF SURROUNDING LAND**
  - Holy Trinity Church is to the north, and is zoned R-1.
  - One single family home (the applicant's) surrounded by active farm is south of the subject land and south of the church.
  - To the south and west is AG land
  - To the east is AG and R-3 (Churchill Place Apts.)
- **ZONING DESIGNATION REQUESTED**
  - The request to rezone from AG to R-1 is in compliance with the 1998 Master Plan.
  - The uses permitted in the R-1 zone are compatible with both the church and adjacent R-1 development on Alpine Church.
  - R-1 (Low Density Residential) is the equivalent of 3.22 residential units per acre.
  - While 2-family homes are allowed in the R-1 zoning district, it would not be allowed on Cordes Ave. since it is not a rural arterial road.
  - This area has been designated for Low Density Residential development since the mid 1970's, when public sewer was constructed to serve Alpine Elementary School.
  - When and if low density development occurs, the 30+ year old sewer line may require the developer to replace a portion.
  - Any type of low density development would require either the platting or site condominium process.
- **FUTURE LAND USE PLAN**
  - No site plan was submitted, nor is one necessary for a rezoning.
  - The applicant plans to submit a Conditional Rezoning request later for a senior housing/care development. Should the planned development not proceed, the applicant prefers the land revert to R-1 rather than AG zoning.
- **TRAFFIC/ROAD ISSUES**
  - Cordes Ave. was part of a traffic study done in August of 2004 when an average of 546 vehicle trips per day were recorded.
  - Kent County Road Commission has said that Cordes Ave. is designed to accommodate 8 - 10,000 vehicles per day, although the hilly terrain likely impacts this figure.

Vega added that the land could still be used as agricultural under its AG designation. Under the Township's Zoning Ordinance regulations for AG land, (the sliding scale) up to 3 new lots would be permitted for residential use.

Commissioners asked a number of questions regarding the available sewer line. Bob Vander Male, Township Engineer provided the following information:

- An 8" sewer line, which was built in the 70's, runs west from Cordes Ave. to Alpine Elementary School.
- The sewer was installed to accommodate future Low Density Residential (R-1) development as designated in the Master Plan at that time.
- Higher level density would likely require the line be resized.
- An "I & I" (Inflow and Infiltration) study was done by Prein and Newhof several years ago after the DPW had reviewed it as part of their routine maintenance program. (This can be important for "older" lines built of materials not used today.

Sewer lines built in the 70's for example, would have been constructed of clay or cast iron, while today they are made of PVC.)

- The study undertaken by Prein and Newhof identified a potential problem with groundwater infiltration (leakage *into* the sewer line) in one area. No leakage of sewage out of the line was detected.
- After review of the costs of uncovering the line and inspecting each joint, and comparing that to the benefit to the public, it was determined to be not cost effective at this time.
- When and if a developer were to propose an R-1 development in this area, the developer would be responsible for verifying the line's condition and make any necessary repairs/replacements to affected segments.
- VanderMale stated the leak is probably a leaky joint, but unless the leak occurs while the main is being televised, it cannot be pinpointed exactly. Some manhole cover repair was also done during the "I and I" study.

Further discussion continued on the following:

- **Traffic/ Road issues:** Commissioners agreed they had concerns about the ability of Cordes Ave. to handle more traffic. It was designed for between 8 and 10,000 vehicles per day, though an average of 546 vehicles were recorded when a traffic study was done in summer of 2004. Its topography is very hilly and narrow, and while no site plan is being submitted, commissioners confirmed that traffic should be considered in light of the uses allowed in the R-1 district.

Kent County Road Commission has reviewed Cordes Avenue in depth. The PC has issues with the condition of the road, limited sight distance at several locations, and future traffic control at both the 4 Mile Rd. intersection, and that at Alpine Church Road.

Any additional development on this road will increase traffic significantly, which may prove to be a safety issue, due the concerns noted above. Traffic concerns will be reviewed again for this property, the property east of Cordes, and the property now in litigation.

- **Stormwater / York Creek Drain issues:** The consensus was that regardless of the size or type of development, any new roofs, roads, parking lots, driveways, etc., will generate additional runoff. With the York Creek Drain originating in this area, this runoff could impact the creek and its tributaries negatively.

VanderMale reminded commissioners that any development would be controlled through the Township's Stormwater Ordinance, (No. 01-06), which requires new development provide for managing 100 year floods. In addition, the Kent County Drain Commission would have oversight of the Drainage District.

- **Timing of new development:** Commissioners agreed that the parcel is in the area designated as Low Density Residential in both the 1998 Master Plan, and the 2005 Draft Master Plan. Townsend said there is no question that the land will eventually be developed, but some type of phasing plan would be ideal: particularly given how far from 4 Mile Road this area is. He did not think it should be the first parcel developed, but thinks Doorenbos should be the one to do so.

Sedlecky said that phasing can only be implemented if those in the area wish to develop. The Doorenbos land is in the area designated for development. His wants additional information to alleviate concern for the state of the sewer line. He added that this property was considered for development because sewer is already there, but if there is a problem he would like it more clearly identified.

- **Legality** : The Chair asked Township attorney Jeff Sluggett whether a future conditional rezoning from AG to R-2 (for Senior Housing) could allow a condition that the land “defaults” to the R-1 instead of AG designation if the senior housing development did not occur. Sluggett agreed to provide his opinion after reviewing the law.

Sluggett added that the capacity of the sewer and whether existing roads could accommodate new traffic are relevant concerns for a rezoning. In response to questions from commissioners, it was stated that the PC could request a provisional traffic study from the Kent County Road Commission.

- **Investigation of Sewer issues:** Dunneback said it seemed a decision for Doorenbos was being delayed again. He said however that he needs additional information too, before making an informed decision. He asked VanderMale what plans there were for the “problem area” and if it’s not cost effective to replace it, what can be done?

VanderMale said first that the sewer capacity is there for an R-1 development. Until a site plan with more development detail is presented, it is not cost effective for the *Township* to replace it. At the time of a development, further study of the line can be done and a plan formulated for the developer’s responsibility.

**Sedlecky moved, with support from Townsend, to table the Doorenbos rezoning request until further information regarding Cordes Ave. and the status of the sewer main which would serve this area is available.**

**Ayes: 8 Nays: 0 Motion carried.**

**06-82 REZONING REQUEST NOT IN COMPLIANCE WITH THE 1998 ALPINE TOWNSHIP MASTER PLAN: Partial parcels from AG to C-2**  
41-09-35-401-003 (~ 3 acres), 41-09-35-251-001 (~ 2.15 acres)  
Applicant: Atwell-Hicks for Wal-Mart Super Center

On direction from the Chair, Planner Vega summarized her staff report as well as input from Prein and Newhof, Township Engineers.

- The applicant has requested that portions of two parcels to the west and directly behind land owned by Wal-Mart be rezoned from AG to C-2, in anticipation of building a new Super Center store. The request is not in compliance with the 1998 Alpine Township Master Plan. The land is currently vacant and is master planned for Low Density Residential use. During the 1998 Master Plan review, it was also shown that there are currently 225 acres of vacant commercial land, and vacancies in commercial buildings, so no additional commercial land is recommended for this designation.

- The 2005 Draft Master Plan, almost complete, also designates this area as Low Density Residential, so the request is also not in compliance with its recommendations.
- Adjacent land uses and zoning are Commercial to the east and Agricultural to the west. The Section 35 section line (approximately 1400 feet west of Alpine Ave.), now serves as the borderline between commercial zoning and AG land. The borderline was moved west in the 1990's to accommodate several "Big Box" developments from about 500 feet west of Alpine Ave. to its approximate 1400 feet.
- Cordes Ave. is approximately 1240 feet further west than the existing C-2 zoning line. If the C-2 zoning line is extended another 292 feet, the distance to Cordes is reduced to about 960 feet. Development plans for the remaining land between Cordes Ave. and the "new" C-2 zoning line will be limited by the reduced land and new zoning lines.
- The 1998 Master Plan recommends future extension of Henze Street west to Cordes Ave. This will have an impact on future residential development, since all setbacks are measured from a right of way line for the road. If the rezoning and planned expansion proceeds, it is expected that increased traffic will result, and an extended Henze Street will provide an alternate route to the site. Traffic congestion at Henze and Alpine Ave. is already significant; without the Henze extension to Cordes, it will likely increase. A traffic study done by the applicant was reviewed by Progressive Architects/Engineers, who have summarized their results.
- Prein and Newhof has also reviewed current traffic problems at the Henze/Alpine Avenue intersection, noting that they have been well documented in all traffic studies done with recent developments in the area. A Special Assessment District, which will include several commercial properties fronting on Alpine Ave., has already been established to alleviate some of the current problems. Extension of Henze to Cordes Ave. could significantly improve, though not solve completely, additional traffic issues.
- Granting this request could prompt other commercial developments (Sam's Club, Menard's) to request the same.
- Should the rezoning be approved, an expansion of the Wal-Mart site with a larger structure further west would likely negatively impact future residential developments, with noise, light, and visual nuisances.
- Stormwater detention should be upgraded to meet requirements of both the Kent County Drain Commission's and Alpine Township's standards.

Vega added that there is also a long history of complaints regarding the condition of the adjacent site, which is not in compliance with its approved site plan. Wal-Mart has been keeping as many as 24 large "trailer" containers on the site, to house various goods. After a number of inspections by the Township Code Enforcement Officer, the store has been given 30 days to bring the site into compliance, and remove all storage containers and trash from behind the store. The site will continue to be monitored by Code Enforcement.

Commissioners agreed the site must be brought into compliance and questioned what is delaying Wal-Mart from achieving code compliance. Vega stated that Wal-Mart has advised the Township that the company from whom the trailers are being leased is unable to pick up the empty containers quickly enough. She also said that while citations have been discussed, this is being reviewed with the Township attorney.

The following issues were also discussed by commissioners:

**Henze Street extension to Cordes Ave.** Henze St. now ends at the western border of the Wal-Mart property, and is already 300 feet longer than the Kent County Road Commission allows. Cul-de-sacs are not allowed. The Road Commission will not review any request to extend the road until Alpine Township has made its decision.

Wal-Mart has proposed to pay for a road extension to Cordes Ave., and draft a payback agreement with the Township for future development on the road's frontage. Wal-Mart expects the Township to acquire the Right-Of-Way for the road from Henze to Cordes.

Vega added that Wal-Mart has voluntarily prepared a Conditional Rezoning Agreement, which is under review by Township staff, Township engineers, Mainstreet Planning, and Alpine's legal counsel.

Mike DeVries, of Atwell-Hicks, representing Wal-Mart, provided additional details regarding the Wal-Mart request, displaying maps showing the two parcels behind the store, as well as the proposed road extension. DeVries referred to the 1998 Master Plan which allocated 225 acres of land for Commercial development, concentrated along the M-37 corridor. The road extension proposed has a southern "jog" before continuing west. He added that the remaining land (from the two AG parcels under review) could still be developed as R-1. The elevation at the future store will be approximately 30 feet above any future residential development, but will be bermed to provide a buffer.

Commissioner discussion involved the following:

- Wal-Mart must present their rationale on why a "domino effect" of similar rezoning requests is not likely.
- Storm water management must be revised to attain the standards now in place. Earlier detention, done onsite, met the standard of the day, but today's requires management of a 100-year flood.
- The water main serving the Wal-Mart site is adequate to serve the existing development, but must be extended to Cordes and looped south for increased development.
- The site's appearance and non-compliance with exterior storage and trash placement was discussed extensively. All agreed the site must be brought into compliance with standards or citations may result. The new manager of the store has been there for less than a month and said he and his staff are working with the trailer owners to remove them immediately.
- Building the Super Center store without expanding the site was also discussed. DeVries said if the rezoning is not granted, WalMart couldn't build without first demolishing the existing building. This would prompt them to abandon the site entirely and seek another for the Super Center. Alpine Township is a prime location for a WalMart, but WalMart's business practices don't allow for removal of an existing store during the construction of the Super Center. DeVries thought it possible that WalMart would no longer participate in the SAD established for intersection improvements at Alpine & Henze if the rezoning were not granted. The Chair confirmed that the intersection improvements in that area will be covered by an SAD of Alpine Ave. commercial sites which will benefit and

are to alleviate *current*, not future, traffic problems. DeVries said WalMart might participate in an enlarged SAD which includes the Henze extension.

Further road issues discussed included the Lamoreaux Dr. extension planned to Cordes Ave.

VanderMale summarized the evolution of the present SAD, which began when the Sam's Club store added their gas station, and Yorktown Center first presented their development plans. Discussion continued regarding the establishment of another SAD for the Henze extension to Cordes, south to 4 Mile Rd., which could be timed to development in Walker. The Henze extension should be reviewed as it relates to the 4 Mile Rd. corridor study and Walker's development plans. It should be clearly noted that Alpine Township has no funds to build roads, although there may be some in reserve for projects jointly funded with the County for road improvements.

DeVries said that until development of the church property and future residential plans are finalized Wal-Mart prefers a cul-de-sac for Henze's extension, with an agreement to "set aside" funds for the future road, whose total cost is estimated at \$ 1 Million dollars.

In response to a question from the Chair, Sluggett said that when and if Wal-Mart presents a Conditional Rezoning Agreement, the Township cannot negotiate any of the voluntary conditions offered by the applicant.

**Sedlecky moved, with support from Townsend to open the public hearing.**  
**Ayes: 8                      Nays: 0                      Motion carried.**

Mark Bowditch, 3723 Brambleberry introduced himself as the pastor of a young church, which hopes to build in Alpine Township in the next 5 years. Ron Steinke is the Synod representative who represents the Church Extension Fund from Ann Arbor, which purchased the 21 acres west of WalMart. He spoke with Steinke directly and said that the church never intended to have a road on their property, and are in no position to donate land for one, although they want to cooperate with plans that are good for the community.

Doug Pointer, 1123 Boysenberry, did not think a larger store should be built at the expense of neighbors. A number of children live in Berry Grove and increased traffic would pose a risk to residents leaving their driveways. He said they "look to the Planning Commission" to look out for residents' needs. Other issues he thinks will arise are noise pollution and lighting problems.

Fred Schweitzer, 4259 Cordes, owns the northern part of the parcel which is part of the rezoning request. He invited commissioners to visit the site and view the topography and see that the land is not being farmed and is used by trespassers who drive their 4-wheel drive vehicles, causing damage to the adjacent orchard. He supports Super Center stores.

Mark Bowditch added that the placement of a road extension will determine if a church is even built in the Township. If the extension follows the route shown to the south, a new church is unlikely.

Edith Andrews, 3800 Cordes expressed her concern over the increased traffic.

Susan Crosser, 3838 Cordes, said that the increase in traffic will give the residential neighborhood a commercial feel and that adjacent commercial uses impact nearby properties 24 hours a day, with lights and noise.

**May moved, with Cassady's support, to postpone the public hearing until the regular January PC meeting on January 19, 2005.**

**Ayes: 8**

**Nays: 0**

**Motion carried.**

The Planning Commission continued discussion on the following:

Roads-- All commissioners agreed that resolution of road design is critical to any development decisions in the area. They need to have various options presented to make an informed decision. Topography is an issue that must be addressed, for the safety of vehicular traffic on Cordes Ave. The Henze extension is a necessary improvement to the road system to reroute high traffic. New employees and customers for the Super Center store will add to congestion. Residents in the Berry Grove Estates subdivision at Cordes Ave. and 4 Mile Rd. will bear the brunt of a secondary route to WalMart, and their concerns must be addressed.

The Chair summarized that the Planning Commission wants to see the Henze extension to Cordes be built, rather than terminating in a cul-de-sac. The PC also wants Wal-Mart to participate in any Cordes Ave. road improvements necessary.

**06-83 PUBLIC COMMENT/COMMISSIONER COMMENT/COMMITTEE UPDATES/  
ADJOURNMENT**

Peggy Brechting, 1275 6 Mile Rd. said WalMart should be able to remove the offending storage containers in a very short time. She also pointed out that with the Super Center store built and moved further west from the current store's site, new businesses will be added to the front of the parcel on Alpine Ave. This will also add more traffic.

Marta Brechting, Township Supervisor, advised the Planning Commission that many previous meetings addressed some of the concerns about sewer and she hopes to be able to provide that information for Planning Commission review.

No additional commissioner comment was offered and there were no committee or staff updates.

**Townsend moved, with support from Clauser, to adjourn at 11:05 PM**

**Ayes: 8**

**Nays: 0**

**Motion carried.**