

**ALPINE TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
December 15, 2022**

**22-74 CALL TO ORDER AND APPROVAL OF THE REGULAR MEETING MINUTES
OF NOVEMBER 17, 2022.**

The Alpine Township Planning Commission held its regular meeting on December 15, 2022 at 7:00 p.m. at the Alpine Township Center, 5255 Alpine Avenue NW, Comstock Park, MI 49321. Present: Chair Steve Thome, Vice Chair Tom Griswold, Secretary Lisa Frizzell, Gary Potter, Ron Cordes and Dawn Swafford. Matt Wenzel was absent. Planner Susan Becker, Township Engineer Mike Oezer, Township Attorney Jeff Sluggett and recording secretary Barb Griswold were also present. Thome called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

APPROVAL OF MINUTES

Potter moved, with support from Griswold to approve the minutes of the Regular Meeting of the Alpine Planning Commission on November 17, 2022 with one correction.

Ayes: 6 Nays: 0 Motion Carried

**22-75 PUBLIC HEARING: MIKE HOUSEMAN HAS REQUESTED A REZONING OF
5011 ALPINE AVENUE FROM O-S, OFFICE SERVICE TO M-PUD, MIXED
USE PLANNED UNIT DEVELOPMENT AND PRELIMINARY PROJECT PLAN
APPROVAL FOR A SITE CONDOMINIUM UNIT.**

Planner Becker said the applicant would like to amend his application as submitted to the Planning Commission and withdrawal the rezoning portion of the request. The second part of his request for a Preliminary Project Plan approval for a Site Condominium Unit still stands (no public hearing).

Becker stated the general placement of the commercial building on the site plan appears to be acceptable. The rear building setback of 50 feet is consistent with the Master Plan's recommendation for this property. Public water and sanitary sewer are both available in Alpine Avenue. Half of the property will be occupied by part of a large storm water pond serving the entire east half of *The Range at Alpine* development.

A 24-foot wide private service drive extends due north from the adjacent public road cul-de-sac and then heads northeast to connect with the Oasis Hot Tub property to the north of 5011 Alpine Avenue. The connection appears to line up very closely with the cross access between Perrin Motors and Oasis.

Applicant Mike Houseman said the project is going well and grading is underway. Mr. Houseman has obtained a permit from EGLE for sanitary sewer and water and KCRC has accepted the design for the internal roads, along with the names for the roads. M-DOT has given email approval for the curb cut onto Alpine Avenue and the design is ready for the new traffic signal at Alpine Church Street.

Mr. Houseman said a left turn lane will be added to Alpine Church Street and KCRC has decided to make Alpine Church Street an all-season road to Cordes Avenue, which will make for a better product.

Potter asked if the access drive agreement at the end of the public street cul-de-sac with Oasis Hot Tubs was in place and Mr. Houseman said he has obtained a bond to cover the cost of the road when it goes in and the owners of Oasis are fine with it.

Cordes asked if the new access road will be a single or two lane road and Mr. Housman said it will be 24-foot wide so it would fit two cars and it will not be a county road. Cordes asked who will plow the road in the winter and Mr. Houseman said the association from the development, along with Oasis will be responsible for plowing and maintenance.

MOTION: SITE CONDOMINIUM UNIT WITH *THE RANGE AT ALPINE SITE CONDOMINIUM* AT 5011 ALPINE AVENUE

Based upon representations made by the applicant, Frizzell made a motion, supported by Cordes to *approve* the requested the Preliminary Project Plan for a site condominium unit within the adjacent site condominium development known as *The Range at Alpine*. Plans are dated November 11, 2022 and drawn by Paradigm Design for the property addressed 5011 Alpine Avenue as it *does* meet the standards set forth in the Unplatted Property Ordinance, Ord. #91-4.

Ayes: 6 Nays: 0 Motion Carried

22-76 PUBLIC HEARING: ZONING ORDINANCE TEXT AMENDMENTS TO MOVE THE LIMIT ON THE NUMBER OF DOGS AND CATS INTO THE ZONING ORDINANCE FROM THE CURRENT TOWNSHIP ANIMAL CONTROL ORDINANCE, EXPAND THE DEFINITION OF “WILD ANIMALS” AND ADD A DEFINITION FOR “ANIMAL OWNER”.

Planner Becker said last year she worked with Kent County Animal Control division of the County Health Department and updated the Township police power Animal Control Ordinance and the animal provisions in the Zoning Ordinance. The animal control enforcement has now moved from the Health Department to the Sheriff’s Department.

Kent County has adopted a new County’s animal control ordinance that impacts the Township in that the new county ordinance is only enforceable in communities that do not have their own animal control ordinance. Therefore, the Township must rescind the ordinance and move the provisions that aren’t covered by the new county ordinance into the Zoning Ordinances and Noise Ordinance.

Becker stated no action is needed to take place with regards to Kent County’s animal control ordinance. Alpine Township only needs to inform the county in writing that it has rescinded the Township’s animal control ordinance.

Motion made to open public comment by Swafford, supported by Potter.

Ayes: 6 Nays: 0 Motion Carried

Monica Brechting said she was informing Planner Becker she heard from others the Zoom meeting connection was not working.

Motion made to close public comment by Griswold, supported by Cordes.

Ayes: 6 Nays: 0 Motion Carried

MOTION: TEXT AMENDMENTS TO MOVE THE LIMIT ON THE NUMBER OF DOGS AND CATS INTO THE ZONING ORDINANCE AND EXPAND THE DEFINITION OF "WILD ANIMAL" AND ADD A DEFINITION FOR "ANIMAL OWNER".

Based upon the information contained in the Planner's staff memo and the proposed Ordinance #22-05, Griswold made a motion, supported by Swafford to *approve* the Zoning Ordinance text amendments to move the number of dogs and cats from the current Township Animal Control Ordinance into the Zoning Ordinance, expand the definition of "wild animals" and add a definition for "animal owner".

Ayes: 6 Nays: 0 Motion Carried

22-77 OLD BUSINESS: HOWIE HEHRER OF GWCC HOLDINGS LLC REQUESTS A REZONING AND PRELIMINARY DEVELOPMENT PLAN OF 206 ACRES FROM R-1, LOW DENSITY RESIDENTIAL TO OSN-PUD, OPEN SPACE NEIGHBORHOOD PLANNED UNIT DEVELOPMENT ON PROPERTY COMMONLY KNOWN AS 2597 4 MILE ROAD. THE REQUESTED SITE CONDOMINIUM IS KNOWN AS WILDER CROSSINGS.

Becker stated after the November Planning Commission meeting, the Township received several items of correspondence regarding Wilder Crossings after the public hearing was closed. Attorney Sluggett added in fairness to everyone who submitted additional correspondence, he recommended that the Planning Commission make a motion to forward such items that came in after the public hearing, to the Township Board for its record.

Griswold made a motion, supported by Potter to forward correspondence received after the public hearing for the Wilder Crossings project was closed on November 17th to the Township Board for its public hearing on the project.

Ayes: 6 Nays: 0 Motion Carried

Frizzell asked for clarification about the overall acres that can be developed. Becker said the total acres of the golf course is 208.11 and subtract the Primary Conservation Areas of 18.45 acres and the net to be developed is 189.66 acres.

Griswold said the property is currently zoned R-1, Low Density Residential and the request is to change to a different zoning district. If that request is denied, can a developer move forward with a R-1, Low Density Residential development based on site plan review and not a public hearing? Becker answered yes, it would be a permitted use by right. Attorney Sluggett added a developer would have the ability to use the property as single family homes; however to the extent the developer wants a sub-division or site condominium development there would be additional steps.

Thome asked about the depths of the ponds on the site plan. Rick Pulaski, Engineer for the applicant said the ponds will have a normal water level that they will stay at most of the time until it rains. When it rains, the water levels will go up. At normal water levels, there will be 12-18 feet to the bottom of the ponds and those numbers are to maintain good, clean water free from algae or weed growth.

Thome asked how safe will the ponds be? Mr. Pulaski said the Drain Commissioner has rules about safety they will be following. The ponds will have a shallow shelf for a bit at a 1 on 14 slope and then going into the water start going on a 1 to 4 foot slope and is considered an escapable slope.

Thome asked if any fences are being proposed for the ponds? Mr. Pulaski said no fences are proposed as they can call more attention to the ponds.

Frizzell asked if road run-off from rain had been calculated? Mr. Pulaski said road run-off, farm run-off, roof run-off, yard run-off and anything dealing with rain run-off was used for the calculations. The rain that doesn't soak into the ground or goes back into the air will go into the ponds and was used for calculating.

Frizzell asked if the pond will freeze in the winter? Mr. Pulaski said there will be a consistent outlet that holds it at the same elevation and it will freeze in the winter.

Potter said there are 4 drain tiles underneath Peach Ridge Avenue and asked how will the water get from the tiles to the proposed development. Mr. Pulaski said through side yard easements for the pipes, then down storm water pipes in the roads in the development and eventually into the drainage ponds.

Cordes asked who will be in charge of the maintenance of the swales in the proposed development? Mr. Pulaski answered the HOA will be in charge of the maintenance and there would be a stormwater management agreement with the Township. Cordes added it could be a burden on the Township to have to step in and Mr. Pulaski said he has never seen it get to that point.

Attorney Sluggett added the agreement Mr. Pulaski is referring to is a standard agreement and there are several types of relief available to the Township pertaining to stormwater management. One is the Township could use a special assessment agreement for the properties involved.

Frizzell asked how storm water will be managed once the property is developed with the roads and houses in? Mr. Pulaski said build it right the first time with pipes that are big enough to handle it and then secondary pipes that can handle any emergency situation.

Frizzell asked if platted developments have to build retention basins too? Mr. Oezer said no matter how land is developed, there are drainage rules that apply. Mr. Pulaski said if the question is would they have to detain the offsite water if the property was straight R-1 zoning, in his opinion no. They are offering detention of 275 acres of offsite drainage as part of the PUD process.

Frizzell asked about the flooding of Indian Mill Creek when it rains. Mr. Oezer said there were discussions with the people from GVMC and they reviewed the proposed plans and they are satisfied with the storm water approach the plans show. Mr. Oezer said storage of water will happen in the large basin on the property and will reduce the amount that goes downstream as currently happens with flash flooding. Eventually all water goes downstream as currently happens but the high volume of water is buffered and reduced as proposed. Mr. Pulaski added that currently, on a major storm event the water measures at 292 CFS (cubic feet of water per second) and after treatment in the detention basin it is calculated at 49 CFS (cubic feet of water per second) leaving the property.

Thome asked if the open space calculations had been completed and Mr. Oezer said the calculations had been completed utilizing the CAD drawings that Mr. Pulaski provided and the details were shared in a letter dated December 6th. Mr. Oezer said they calculated open space to be 35.37-percent of the lot area, utilizing the new parcel limits with additional right-of-way being given to KCRC along Walker Avenue, Peach Ridge Avenue and 4 Mile Road. The minimum requirement is 35-percent of the gross area as Dedicated Open Space and the proposed plan appears to meet that requirement.

Mr. Oezer said the narrow peripheral bands according to the ordinance are supposed to be 30-foot wide and on the plans reviewed in November show 20-foot wide bands on several locations on the west and north sides. The applicant has now gone back and took a look at those peripheral bands but they have not been officially submitted due to time lines.

Mr. Oezer said they did take a look at the new CAD plans this past week and it showed the same percentage again, but it came from different areas. There is more open space in the peripheral areas and eliminated open space in the some of the backyards.

Thome asked if the new calculated plans were being discussed for this meeting and Mr. Pulaski said they are suggesting it as an alteration to the plans.

Ken Sanders, 2634 Schindler Drive stood up from the audience and said any submissions that came in after the public hearing was closed last month were being referred to the Township Board now. He did have a submittal after the public hearing was closed and said if the developer could talk about their revised plans at the meeting tonight, then he should be able to talk about his submittal too.

Thome said the Planning Commission would not be discussing any revised plans from the developer.

Griswold asked in the 35.37% open space calculation, does that include the water? Mr. Oezer said yes. Griswold then asked if a calculation had been made on how much green space there will be without the water? Mr. Oezer said they did not separate that out, but he could do an analysis on it. Mr. Oezer explained it is in the ordinance that is how open space is calculated and Becker added water is calculated for open space as part of the primary conservation areas.

Cordes asked if the Planning Commission can't discuss everything at the meeting, how does the Township Board make a decision then? Thome said the Commission is using the information that was presented last month with the initial application.

Attorney Sluggett stated the Commission has a plan in front of them that is being discussed and that was the subject of the public hearing last month. To the extent there are shortcomings, if any, in the plan you are reviewing, you can certainly, as part of your recommendation to the Township Board, condition that recommendation based on the applicant's need to address certain criteria.

Frizzell said she does not see a definable center on the plans, only edges. Mr. Pulaski stated there is a definable center that includes ponds which are usable to everyone with pavilions added, and a central feature you rarely see in neighborhoods of pickleball courts, a club house and splash pad area, all which make a very definable area.

Frizzell said she did not see a non-motorized trail in the plans and Mr. Pulaski said the sidewalks are the non-motorized trail system. The sidewalks are not just along the road, but throughout the whole development.

Frizzell asked if the soils will be able to support buildings? Mr. Pulaski said they have done extensive soil borings on the land and they won't have a problem with the soils. Frizzell asked what was being done to maintain existing vegetation and Mr. Pulaski answered they are showing a perimeter buffer to protect the existing vegetation.

Frizzell asked if there will be a tree inventory showing trees 10 inches or larger in diameter and applicant Mr. Kraker said they will be planting between 600-700 trees throughout the development. Frizzell said the ordinance says 30% of the trees will measure at least 10 inches in diameter and Mr. Kraker said there are bands of trees throughout the property. Mr. Pulaski added if the Commissioners wanted an inventory of trees, they would be open to providing one.

Becker stated the applicant did provide to the Planning Commission last month a sheet showing where they hope they can preserve mature trees within the development where grading isn't impacting the trees.

Frizzell said she looked at the Master Plan from 2007 and this property has been zoned R-1 for quite a while. The objective statement from the Master Plan in 2007 and 2015 stated to encourage creative development of new residential areas and where appropriate, through the use of PUDs. Safe neighborhoods, single-family homes and senior housing were also mentioned in the objective statement. Some of the people that were on the Township Board when this was passed have been in this audience.

Cordes said he has concerns with the traffic at 4 Mile Road and Peach Ridge Avenue. He said it is a busy area and a 100-foot stacking lane would not help much with the issue. Swafford said she voiced her concern with traffic from the beginning and that hasn't changed. Mr. Pulaski said they stand behind the report from the traffic engineer of the stacking lane being a solution to traffic concerns.

Thome said a large part of the traffic will go to Walker Avenue to make a left turn onto 4 Mile Road, which puts a lot of burden onto Walker Avenue. Mr. Pulaski said there will be a traffic light at that intersection to help relieve a lot of the traffic concerns.

Griswold said with the new development in the City of Walker going in at the old English Hills Golf Course, along with the proposed development at Gracewil, traffic will more than double on

4 Mile Road with two major developments going in. Cordes added more traffic lights and turn lanes will be needed on 4 Mile Road.

Potter asked if the KCRC has given any indication they will widen 4 Mile Road or Walker Avenue? Becker said KCRC has reviewed the traffic study and has given input on the traffic study. The KCRC dictated the scope of work geographically and the timing of the traffic study.

Griswold said in the Standards for Preliminary Development Plan and OSN-PUD Rezoning Approval, Section 22.05(e) states the PUD will not result in significant adverse effects upon nearby or adjacent lands and will not change the essential character of the surrounding area. He does not believe the proposed rezoning request fits that requirement, as there are no duplexes or four-plexes in the area as proposed here. Thome agreed the proposed rezoning for the PUD doesn't fit that standard. The rest of the Commissioners also agreed.

Mr. Sluggett said the Commissioners should state the basis for any the decisions being made. It should be stated, in fairness to everyone, with respect to the ordinance standards the Commissioners are relying on and how those ordinance standards are or are not met, and how the Findings of Fact support the decision.

A discussion was had amongst the Planning Commissioners.

MOTION: OSN-PUD REZONING AND ASSOCIATED PRELIMINARY DEVELOPMENT PLAN FOR PROPERTY ADDRESSED 2567 4 MILE ROAD

Based upon representations made by the applicant, Griswold made a motion, supported by Frizzell to DENY the requested rezoning for the properties addressed 2555 and 2451 4 Mile Road NW (PP#41-09-33-400-035 and 41-09-33-400-036) and collectively known as 2567 4 Mile Road as publicly noticed from R-1, Low Density Residential to OSN-PUD, Open Space Neighborhood Planned Unit Development together with the Preliminary Development Plan.

The recommendation is based upon:

1. The records of the meetings as approved by the Planning Commission.
2. Specific concerns about traffic in multiple areas around the proposed development.
3. The definition in Section 22.05(e) of *Standards for Preliminary Development Plan and OSN-PUD Rezoning Approval* doesn't fit for the area and would change the characteristics of the neighborhood.
4. Ongoing concerns about rain and storm water management control.

Ayes: 6 Nays: 0 Motion Carried

22-78 SITE PLAN REVIEW: PRELIMINARY PROJECT PLAN APPROVAL FOR A STIE COMDOMINIUM PROJECT AT 2567 4 MILE ROAD KNOWN AS WILDER CROSSINGS.

No action taken by the Planning Commission.

22-79 SITE PLAN REVIEW: GREAT LAKES LABEL HAS REQUESTED SITE PLAN APPROVAL FOR A 30,000 SQUARE FOOT BUILDING ADDITION AT 910 METZGAR COURT IN THE I-1, LIGHT INDUSTRIAL ZONING DISTRICT.

Applicant Mike Houseman said the proposed 30,000 square foot building addition south of the existing building is to support additional manufacturing efforts. In addition, the parking lot will be expanded with 33 additional parking spaces, a truck dock access to the new building, and a new driveway to Metzgar Court.

Mr. Houseman said they are working with staff on slope issues on the south side and have agreed to sidewalks along Metzgar Court and will illustrate them on revised plans.

Planner Becker gave her review for the site plan request to allow for the construction of a 30,000 square foot building addition and associated site improvements. The current 3-acre property addressed 910 Metzgar Court is zoned I-1, Light Industrial. The site plan also includes part of the adjacent property addressed 930 Metzgar Court, which is owned by the same entity. To meet the required building setbacks, the property owner is proposing a boundary adjustment with the adjacent parcel.

Becker said an existing retaining wall abuts the Township's property to the east. The proposed grading plan includes grading on the Township's property to the east and may infringe on the Township's long-term plans for a library and parking lot expansion to the west. If grading is not acceptable to the Township, a retaining wall will need to be constructed.

A fair amount of fill will be needed to create the large building pad. The steep 1 on 2 slope behind the new building to the south is planned to be seeded and left to naturalize. Periodic checking to see that the slope is stabilized for the first couple of years will be imperative since it is out of sight.

Storm water will be directed along the west of the site to the existing storm water pond located off-site and the existing pond will also be revised. The pond is currently covered under a Kent County Drain Commissioner's easement, even though there isn't a KCDC drain at this location. The KCDC has asked that the drain easement to transferred to the appropriate entity instead, which is the property owner.

Becker stated the property is connected to public water and sewer. A hydrant is located at the end of the cul-de-sac which provides necessary for protection. The KCRC has indicated to staff that the proposed driveway arrangement is acceptable. Access off the cul-de-sac in the future to service the remaining land may necessitate or reconfiguration of the currently proposed driveway.

The applicant will be constructing public sidewalk across the frontage and through the new western driveway. There are currently 8 shipping containers on site storing items. The shipping containers shall be removed from the property and not replaced with semi-trailers prior to final building permit inspections.

There is an existing non-conforming shed on site used for lawn equipment and the applicant has indicated to staff they intend to keep the building. If the building does intend to remain, it must be illustrated on a revised site plan.

Parking setbacks, space size and aisle widths all meet ordinance requirements. Staff concurs with the design engineer's parking calculations that 86 parking spaces are required. The proposed deferred spaces can be paved at such time as the parking spaces are needed.

The proposed landscaping material are appropriate and acceptable. The applicant should explain how the proposed landscaping will be watered during the first couple of years. Two parking lot light poles are proposed. The fixtures and lighting levels on the photometric plan are acceptable. No exterior wall pack lights are illustrated on the photometric plan. The applicant is reminded that any future outside lighting fixtures must be cut-off fixtures as described in the Zoning Ordinance.

Becker said the dumpster is currently located in front of an overhead door. A revised site plan shall include the dumpster's permanent location and its enclosure.

Cordes said in regard to grading on the Township's property, it would not have a big impact and doesn't think it is a big issue. Thome asked about the future development plans of a library expansion and Cordes said he didn't think that would impact that either.

Griswold asked if there are building plans for a library expansion and Becker said there is a conceptual site plan for an expansion that was done in the last 5 or 6 years.

MOTION: GREAT LAKES LABEL SITE PLAN AMENDMENT AT 910 METZGAR COURT

Based upon representations made by the applicant and the information contained in the Planner's staff report, Cordes made a motion, supported by Griswold to *approve* the site plan dated December 5, 2022 drawn by Roosien & Associates for a 30,000-sq. ft. building addition at 910 Metzgar Court, PP# 41-09-23-476-007 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:

Conditions of Approval:

1. Conditioned upon the necessary land division being approved and executed.
2. Conditioned upon Township approval of a grading easement on Township property.
3. Two sets of revised site plans illustrating:
 - Dumpster location and enclosure
 - If the lawn equipment building is to remain, its location
4. The applicant shall supply fixture cut sheets of any proposed wall pack lights.
5. The existing storm water easement in the name of the Drain Commission shall be legally transferred to the appropriate private party.

6. All shipping containers (or semi-trailers) shall be removed from the property prior to final building permit inspections.
7. All conditions outlined in the Township Engineer's letter dated December 9th, 2022.

Ayes: 6 Nays: 0 Motion Carried

22-80 PUBLIC COMMENT

Chris Brechting, 1161 6 Mile Road said he supports the decision made about Wilder Crossings and the Commission needs to use the same criteria for the next OSN-PUD they review. He thinks OSN-PUDs need to be eliminated from the Master Plan.

Ken Sanders, 2634 Schindler Drive thanked the Commissioners for listening.

Peggy Brechting, 1275 6 Mile Road thanked Frizzell for asking excellent questions and appreciates the Commissioners listening to the public.

Marta Brechting, 1275 6 Mile Road said it was a very productive meeting.

Carole Hulst, 3900 Walker Avenue thanked the Commissioners for listening over the past year and asked if the Township Board will acknowledge the recommendation?

Tony Brechting, 1307 6 Mile Road thanked the Commissioners for listening. He questioned the zoning of office-service for *The Range at Alpine* development and the permitted use for storm water on the property addressed 5011 Alpine Avenue.

Leon Brechting, 4190 Baumhoff Avenue said a new precedent is being set for *The Range at Alpine* development. The Commissioners are setting things up so all the Township Board has to do is approve it.

Kathy Sanders, 2634 Schindler Drive thanked the Commissioners for listening.

Marty Brechting, 1307 6 Mile Road thanked the Commissioners for listening.

Monica Brechting, 1307 6 Mile Road thanked the Commissioners for listening this time.

ADJOURNMENT

Potter motioned, supported by Swafford to adjourn the meeting at 9:20 PM.

Ayes: 6 Nays: 0 Motion Carried



Lisa Frizzell, Planning Commission Secretary



Barb Griswold, Recording Secretary