

MINUTES

Cascade Charter Township Planning Commission
Monday, March 21, 2005
7:00 pm

- ARTICLE 1.** Chairman Goldberg called the meeting to order.
Members Present: Goldberg, Koessel, Lewis, Logue, McDonald, Richards, Robinson.
Members Absent: MacAllister and Postma (both excused).
Others Present: Planning Director Peterson, Planner Deem, Admin. Assistant Thompson and those listed on Supplement #1.
- ARTICLE 2.** Chairman Goldberg led the Pledge of Allegiance to the Flag.
- ARTICLE 3.** **The agenda was approved on motion by Member Logue and supported by Member Robinson. The motion carried.**
- ARTICLE 4.** **The Minutes of the February 22, 2005 meeting were approved as submitted on motion by Member Lewis and supported by Member McDonald. The motion carried.**
- ARTICLE 5.** The Township Board Minutes of February 9, 2005 were received and filed.
- ARTICLE 6.** **Case #04-2691: Gantos/Thornhills Properties LLC**
The applicant requested site plan approval for a new 39,500 s.f. strip mall at 2845 Thornhills.

Planning Director Peterson pointed out the location on the map and related the proposal is to remove the former ice arena building and construct a new building in its place. The current site has a legal non-conforming building on it but because it has been vacant for a length of time, it has lost its legal non-conforming status. The parking has been calculated based upon a 7,000 s.f. restaurant. This will require a minimum of 200 parking spaces. This applicant did receive two variances from the Zoning Board of Appeals with regard to curb cut spacing and the north bufferyard. The north bufferyard will be 17 feet wide instead of the required 25 feet. The curb cut locations are the two existing ones that serve the site. Those were approved in their present locations. The variance was approved based on a compromise between the required 25 foot buffer yard and the applicant's request to have the buffer yard reduced to zero on the eastern end of the north buffer yard. There is a shared parking access easement between this property and Standard Federal Bank. The Zoning Board of Appeals felt 17 feet

was a better design and no parking spaces would be lost and the easement provides for a good access for cross access to the Riebel property. In speaking with the Road Commission about this project, they requested that the driveways be widened to 42 feet wide. The applicant has not shown that on the site plan for the south drive. The applicant is expecting all the traffic to come up to the north curb cut. Staff has suggested the south curb cut also be widened. The south curb cut is the shared access with the Township Hall. The landscape plan has been revised to meet our requirement. Staff is requesting a \$27,860 performance bond for landscaping. The site plan also includes two directional signs on 28th Street by both drives. Those are allowed. However, the main sign is too close to the road and will need to be moved a minimum of 25 feet from the right-of-way. The applicant has provided a photometric plan that meets our ordinance.

Planning Director Peterson then addressed sidewalks. The property is in the DDA district and Staff is recommending a sidewalk along the Thornhills frontage and into the site. Sidewalks were discussed at the joint meeting last week. We have Board Members who are interested in providing sidewalks somewhat faster than what the DDA will provide for. This site could provide sidewalks to the Township Hall and the Riebel property as being part of the DDA project. Staff believes it is appropriate for the developer to construct the sidewalks along with this project.

Planning Director Peterson related the Fire Department reviewed the plan and gave brief comments about the address information on the building. The Township Engineer has reviewed the plan and provided some comments regarding the storm water plan. Aaron Gill is present from FTCH to address concerns.

Planning Director Peterson recommended approval of the site plan with the conditions listed in the Staff Report.

Chairman Goldberg asked why the conditions do not include the items regarding signage. Planning Director Peterson related signs require a separate permit.

Member Robinson asked what is the Road Commission recommended width for the curb cuts. Planning Director Peterson responded forty-two feet. He believes it is going to be difficult to police trucks to only use the north drive.

Member Robinson asked for clarification of the sidewalk width. He recalled it being eight feet at the Township Board meeting.

Planning Director Peterson related it was going to be 8 feet in the village. But there were some site construction problems and they established seven feet in the DDA district. Sidewalks should continue at seven feet until the Township Board adopts something else.

Chairman Goldberg asked Staff to run through the standards to be applied for site plan approval. Planning Director Peterson read those from the Zoning Ordinance.

Member Koessel referred to the FTCH letter and asked if there is concern that any of the items can't be met. Mr. Gill responded water and sewer are fairly minor things. Storm sewer is a potential issue due to the City of Grand Rapids system having some problems. That can be made to work. Mr. Gill related there are no major concerns.

Chairman Goldberg asked if there is an underground retention pond. Mr. Gill responded yes, that needs to be clarified and the volume calculated.

Chairman Goldberg related when he thinks of underground storage he thinks about a container. Mr. Gill related there are two types – one is retention and one is detention. A retention system has an underground container that is perforated. There is usually a large amount of sand or gravel around it. If it is a detention basin, there is an underground system that holds all the water and has a release rate. The rate for this area is .13cfs. There an existing series of pipes laid parallel under the parking lot to contain the water.

Planning Director Peterson related it is similar to the underground storage at Gordon Food Service. Mr. Gill related underground storage is becoming more common. The biggest problem with underground systems is keeping sand and trash out.

Chairman Goldberg asked how is that done. Mr. Gill responded with a sump and filters. They can also be vacuumed out once a year.

Member Lewis asked about the out door patio area and if that would involve tables. Planning Director Peterson responded we allow for outdoor dining in the zoning district.

Mr. Gantos, the applicant, related he is a member of Thornhills Properties LLC. He submitted the drawings and talked to John Strunk at the Road Commission. The north drive is a 42 foot wide

radius. Mr. Gantos related his opinion was only the northerly drive would be changed. Now, he understands this is an issue in that the Township would like to see the southerly curb cut changed. The Road Commission is supporting the Township's position of modifying the south curb cut. Mr. Gantos related he does not feel it is necessary for them to improve the Township property. Mr. Gantos related they may decide to eliminate his access to the southerly drive entirely.

Mr. Gantos then addressed sidewalks. He related the concern is with installing the sidewalks now, they would not go anywhere. They would like to install the sidewalks when the Township says install them. Relocating the sign is not a problem. The patio is an outdoor area but we don't know if the restaurant will be using it or not. It will be fenced off and screened according to the health code.

Chairman Goldberg asked if the sidewalks are a timing issue. Mr. Gantos responded yes. They would like to put them in when the other properties install sidewalks.

Chairman Goldberg asked if the drive will be left as it is or closed off. Mr. Gantos responded originally the Township said this is how they wanted it designed. Planning Director Peterson disagreed. He related when this came up originally the thought was both curb cuts would be widened. The applicant stated the south drive would not be used as a commercial driveway. We have always represented that improvements were to be made to both curb cuts. Staff related he believes the south drive will be the desired location for trucks and it will be impossible to police it otherwise. If the south drive were to be closed off or limited to no truck traffic, it would change the site and we may want the other curb cut moved into the middle of the site.

Member Lewis related there was a variance given for that driveway location. Now we are hearing you want to close it off. That wasn't even suggested at the Zoning Board of Appeals. The Zoning Board made their decision on the driveway being open. If a change is made, the applicant would have to go back to the Zoning Board.

Mr. Gantos related they would not touch the southern drive. He does not see the need to widen it to 42 feet. The Road Commission says it is not necessary. Planning Director Peterson related the Kent County Road Commission only said that based on it not being used for commercial vehicles.

Mr. Gantos related it is not fair to the developer to improve other people's property. He asked why should he bear the cost to improve the drive when it may not be to his benefit.

Member McDonald related the Township isn't going to be using the driveway. It will be the 200 parking spaces and trucks for the development that will use it. The development is going to attract more traffic.

Mr. Gantos responded 36 feet wide is the standard for semi truck traffic.

Member Robinson asked Staff if they eliminate the south curb cut, the other one would be moved to the center of the property. Planning Director Peterson responded he would consider that to be a major revision to the site plan. If that happens, he still would want the cross connection to the property to the south. He does not feel the required driveway changes are that extensive.

Member Robinson related if we are going to eliminate one of those driveways, this would go back to the Zoning Board of Appeals.

Mr. Gantos related if we close that south drive we can create a future building site.

Member Koessel related we have heard a lot of different comments tonight. Member Koessel related to Mr. Gantos that he wants to know what you would like us to vote on. He is not inclined to say you can have either/or. You can have one plan or the other. Member Koessel related Member Lewis made a good point – moving the drive or closing it would create a whole different set of issues.

Mr. Gantos stated proceed with the site plan you have.

Chairman Goldberg asked Staff to comment on the sidewalk issue. Planning Director Peterson related 2008 is when the DDA will install sidewalks. That time frame will allow time for planning for sewer down 28th Street. In the past, we have always told applicants they could get a construction agreement and construct the sidewalks when sidewalks come through their area. Most recent projects have been required to install the sidewalks now along with their construction projects.

Chairman Goldberg related he understands where the applicant is coming from. He asked if it would be less expensive to put in the sidewalks in while the construction crew is on site. Planning Director Peterson related the sidewalk will go inside the right-of-way.

Mr. Gantos related the construction costs will not make that much of a difference. Planning Director Peterson related we can do the same sidewalk agreement as we have done with other people in the past if they choose not to put them in now. They can give us a check or agree to construct the sidewalk later.

Member Koessel related other than the area that is going to get torn up on 28th Street, we have been considering requiring people to put sidewalks in along 28th Street. We also encourage the connectivity of those sidewalks. The Riebel development may be delayed because of the sewer issue.

Member Richards related the developer of this project says he does need two driveways. She related she supports the Township in that the southern drive needs to be widened. She feels truck traffic will tend to go in the south driveway. The traffic does back up quickly at the intersection of Thornhills and 28th Street. Member Richards related she does not feel nearly as strong about the sidewalks.

Member Robinson related he agrees with Member Richards' position in that he is also not concerned about the side walk. Member Robinson supports the Township's position about the drive entrance widening.

Member Logue related he is more agreeable with the new sentiment for getting the sidewalks installed now because everything is moving forward.

Member Lewis related we have already gone down this road. He related put in the sidewalks while the building construction is going on, then it is done. He also believes the south driveway should be widened.

Member McDonald supported by Member Lewis moved to approve the site plan with the conditions of Staff: a) the applicant apply for, and receive, a soil erosion control permit from the township prior to the issuance of any building permit; b) the applicant provide a landscape bond of \$27,860; c) revise the plan to widen the south curb cut at the applicant's expense to the standards set forth by the KCRC; d) revise the plan to

include a sidewalk along the Thornhills frontage and into the site constructed with the development of the site; e) provide a written agreement that the access roads to the property to the north and west shall remain open and maintained at all times. The applicant shall record this document before a building permit is issued; f) revise the plans to address the comments of the Township Engineer; g) comply with the Fire Department letter of March 15, 2005; and add h) that a separate permit for signs be applied for and approved based on Staff's review and approval.

Member Koessel asked if there is an issue regarding the pylon signs. Planning Director Peterson responded it has to comply with the setback.

Member McDonald added condition (i) to have the pylon sign moved to comply with the setback. Member Lewis supported the amendment. The motion carried.

ARTICLE 7.

Case #05-2704: Cascade One LLC

The applicant requested Basic Plan Review for a rezoning of approximately 36 acres from Agricultural Rural Conservation to Planned Unit Development to allow for 50 single-family detached condominium units. The property is located on the west side of Spaulding Avenue north of Abbeydale.

Planning Director Peterson related the proposed development is located off Spaulding Avenue and pointed out the location on the map. To the north and west of the site is property owned by MDOT. There are some wet areas on the site. The property is currently zoned ARC (Agricultural, Rural Conservation) and is master planned for low density residential. The homes will be clustered in a condo-style development much like Park Place on the other side of Spaulding Avenue. The project would include some new roads. The development would be served by public sewer and water. That will need to be approved by the Township Engineer. Sewer will be a challenge to bring it to this site. There are three options for sewer being explored: 1) run sewer down Spaulding Avenue and across to Golfview; 2) construct a lift station or 3) go to the City of Kentwood. The stormwater plans will also need to reviewed. The area soils seem to be moderately well drained. The Road Commission indicates they would require a center turn lane on Spaulding Avenue. The Abbeydale development anticipated a connection some day and stubbed their street to this property. The same thing happened in Kentwood on Cavalcade Drive. Staff checked with the City of Kentwood, Drain

Office and also spoke with the engineer who designed the subdivision in Kentwood and all agreed that a connection is possible and was planned as part of the development in Kentwood. The Martin Beek County Drain crosses the property. Staff feels providing a connection through to Kentwood would be a good opportunity especially considering the location of Meadowbrooke Elementary School. The Drain Office indicated a connection is allowed to cross the drain. This project would also have the ability to stub a street into the property to the north. Abbeydale was rezoned to R-2 and should be consistent with that project. Abbeydale is 1.74 units per acre, based on net acreage. Using the 1.74 and the developed acreage, Staff's calculates the current plan would allow for 42 units. Staff believes that is the proper place to start the density discussion. The Planning Commission needs to give the applicant some clear direction regarding density.

Member McDonald related the Master Plan specifies encouraging agricultural activities. If we rezone the property it will not encourage that. Planning Director Peterson related the property is currently zoned ARC but is planned to be low density residential. The rezoning would be consistent provided the density is considered low density residential. He stated we want the growth to happen in the area where we have utilities for it to happen. It is zoned agricultural right now but it is not planned to stay that way.

Member McDonald asked if 1.5 is low density residential and the definition of low density. Planning Director Peterson responded low density is stated in the Master Plan as one to three units per acre.

Member Koessel asked when we talk about un-developable area – when a developer wants to preserve 50% green space - do we consider the road. Planning Director Peterson responded we are not calculating the road or any other un-developable area.

Member Koessel related for example, say a developer has 40 acres and wants to reserve ten acres as open space. Two acres is road and the rest is just he wants to leave open. He asked is it 1.3 of 40 acres or 1.7 of the 30 acres net? Planning Director Peterson responded we do it by net. The size of each “lot” goes down with the more open space you provide.

Member Koessel related there would be about four lots difference between gross and net.

Member Koessel related Spaulding Avenue has a bike path on this side of the road. It is a good opportunity to provide for sidewalks. The subdivision in Kentwood has sidewalks. If the two neighborhoods were connected, it would be a good connection all the way through. The applicant has not yet indicated the location of the light poles or street trees.

Member Koessel asked how did you come up with 50% reserved and 18 acres of undeveloped land. Planning Director Peterson related the site plan notes reflect the un-developable area. Wetlands, roads, floodplains, water bodies are all deducted as un-developable.

Member Richards asked if a road was connected through into Kentwood where would the traffic end up. Member Koessel responded on Forest Hills Road.

Member Logue asked do we have any information on where the best sewer connection would be? Planning Director Peterson responded going through Kentwood may be the best connection, our engineers are looking into that now.

The applicant was represented by Thom Carpenter of Driesenga & Associates. Mr. Carpenter related he is here to receive comments on the project. He has been working on the project for quite awhile and the plan has been altered from the first submittal. They have come to this design based on some discussions with Staff and his client. The project will be served with public sewer and water. Sewer could be brought in through the City of Kentwood. It is possible to bring sewer through the Martin Beek Drain. The street stub is at an elevation of 745'. The sand line of the drain is 725'. Mr. Carpenter related our subdivision road is at 760'. The problem with trying to cross the drain at that location is amount of fill. That location is in the 100 year flood plain. If we were to occupy 600-700 feet of that flood plain we would have to get that much more volume in the flood plain to offset what we filled. Another problem is the Cavalcade Drive sewer stub is five feet deep at that location and is not significantly deep to come into this property. The topographical features of this site do not lend themselves to crossing there. Mr. Carpenter related they are not opposed to a pedestrian crossing at that location. Land could be provided on their property to make the intersection with Spaulding Avenue meet the county standards. Abbeydale Drive could be stubbed where it joins this development but it seems to make the most sense to complete the loop. Mr. Carpenter related their target market for the development is double income young families. The

loop in the street is called an “eyebrow” which is an aesthetic feature. It is used in the Bailey’s Grove development in Kentwood. The Fire Department has reviewed the plan. There are a lot of elevation changes for storm sewer. They propose to put sewer and water in the street and push the sewer out to Spaulding Avenue with a temporary lift station and deposit it to Abbeydale.

Mr. Carpenter then addressed the issue of density. He related Abbeydale is 1.92 units per acre net. Jennydale is 1.5 units per acre. Mr. Carpenter related their net acre figure subtracts the public right of way and private right of way and 50% of the flood plain area for 24.5 acres total developable acreage and they end up with a density of 2.05 units per acre. He believes that to be a reasonable leap and is consistent with the surrounding neighborhood. Mr. Carpenter related they are also providing a total of 12.19 acres of open space which equals 50% of the developable land. They are asking for 50 units. They are providing a unique community and may install a “tot lot” with playground equipment. The DEQ permits would come into play if the flood plain was being filled or if a wet area was disturbed. Mr. Carpenter related they are doing neither. He feels the open space area needs to be defined more clearly. They will not be doing a lot of clearing on the site. Mr. Carpenter related the Master Plan lays out the area as low density residential with one to three units per acres. The Master Plan also states clustered developments as permissible.

Member Logue asked what size homes are being proposed. David Barker, the applicant, responded 3-4 bedroom. They will use natural materials and the homes will have porches.

Member Lewis asked the selling price. Mr. Barker responded in the \$400,000 range. They will be two story or one and a half story homes. Mr. Carpenter related the foot print and plans for the homes will be 1800 s.f. on the main floor.

Chairman Goldberg asked Mr. Gill of FTCH to comment on the discussion he has heard regarding flood plain, topography, etc. Mr. Gill related it is hard to give definite answers without seeing the plans. There is quite a bit of topography change on the site. With fill, the grades can work. The sanitary sewer is going to be a challenge. The City of Grand Rapids does not like pump stations. There is an opportunity to bring sanitary sewer down Spaulding Avenue although the area is rather low. The grade over to Kentwood would work. It would not work to install sewer under the county drain.

Member Logue related a good solution would be to get sewer and the pedestrian pathway connection to Kentwood. An actual connection by road may not benefit anyone. The pedestrian pathway connection to Kentwood would be appealing.

Mr. Carpenter asked if the Watermark development has a public sidewalk through it. Member Lewis related the sidewalk only goes through in public areas. Planning Director Peterson related their sidewalk goes through the main street from Cascade Road to Spaulding Avenue. It is open to the public for use.

Chairman Goldberg related at the joint meeting with the Township Board there was a lot of discussion about sidewalks. He would like to see sidewalks in the public street part of this development.

Member Koessel related but that sidewalk would not go anywhere – what good is it going to be.

Member McDonald disagreed. They are targeting young families and installing a tot park that says sidewalks to him.

Member Robinson related the connection area is a 100 year flood plain. The federal government is taking a new look at what that means.

Mr. Gill related the current standard is if you fill in a 100 year flood plain, you must provide a wet area for the same quantity that you filled.

Member Robinson stated we should settle the issue of 42 units versus 50.

Member Logue related people with families who pay \$400,000 for a home do expect sidewalks.

Chairman Goldberg related let's address the density issue. Staff recommended 1.74 units per acre.

Member Koessel asked what size are the lots. Mr. Carpenter related one-half acre per unit. The limited common ownership would be that area within the dashed line shown on the site plan with a 45 foot rear yard.

Member Koessel related these are \$400,000 homes. He asked what is the average size of the foot print. Mr. Carpenter responded 1800 s.f.

Planning Director Peterson related the minimum lot size requirement would be 21,000 s.f. if it were a plat or site condo. In clustered developments such as this the more open space you provide, smaller lot sizes are allowed.

Member Lewis questioned the distance apart the homes would be. He asked if it would be about 25 feet. Planning Director Peterson responded yes. The Master Plan is a guide. The difference in clustered developments is useable space.

Member Koessel stated we need to scale back on the density.

Member McDonald asked if Abbeydale and Jennydale have the same open space? Planning Director Peterson responded no, they were developed before that requirement. They meet the criteria of the R2 zoning district.

Member Richards related she would like to see this development at 42 homes as opposed to pushing it to 50. She related she thinks it is wonderful the applicant wants to build a community with open space and a tot lot which will attract new families. She related to the applicant your profit is not our responsibility. She would like to see a lower number of units instead of higher.

Mr. Carpenter related our concern is we want to stay consistent with the neighborhood and create a higher product. Whatever the number of units they will all be quality units. None of the units have rear yard neighbors and all have open space. That is different from anything in the area right now.

Chairman Goldberg related he is setting a base line for the number of units and then we can vary from that as we begin to get things on the table. He would like to start the baseline at 1.75 units per acre.

Mr. Carpenter related the distance between the sidewalks and the house is 20-22 feet. The public space is in front of the house and the private space is behind. They are marketing toward double income families with kids. There will be little or no yard maintenance for them.

Planning Director Peterson related that is similar to the club homes at Watermark, Ada Moorings and Burton Pointe.

Member Robinson related in looking at the Abbeydale subdivision which is 1.92 units per acre, those lots look much bigger than these. Planning Director Peterson related we are not talking about lots here because this is a condominium development.

Chairman Goldberg related we not trying to look at how big a lot would be. Density is all about trying to control the growth of township services, amenities, schools, etc.

Chairman Goldberg asked for a consensus of the base line at 1.75 units per acre. He asked the applicant to come back next time ready to discuss the pathway. Tell us why you should exceed the density of what your adjacent neighbors have. That is your job for the next meeting.

Member Logue related he would like to say we are trying to equate a clustered project with a non clustered project. A clustered project gives a benefit. He feels this project is very well laid out.

ARTICLE 8.

2005 Work Plan

Review of the PUD/Rezoning process

Planner Deem began by stating the six reasons to consider a PUD. He then went through the PUD Regulation criteria and the PUD Process.

Member Robinson asked for clarification that Step #4 under PUD Process is a recommendation from the Planning Commission. Planner Deem responded yes. There is give and take with the PUD method. A developer has an idea of what they want. A project under straight zoning may require too many variances and in that case Staff may recommend going with a PUD. Typically the developer is willing to go PUD.

ARTICLE 9.

Any Other Business

Planning Director Peterson handed out the proposed term limit amendment. Chairman Goldberg asked that the comments be emailed to Steve. At the next meeting this will be a discussion item.

Member Lewis related the City of Grand Rapids and Ada Township have term limits. Member Koessel related 70% of the neighboring communities do not have them.

Member Lewis related he is opposed to term limits. He thinks it is ridiculous to limit the total time one can serve.

Member Koessel asked what if someone comes in and fills an unexpired term. Planning Director Peterson responded it would be the same as at present, you would be eligible to fill your own term.

Chairman Goldberg related he is not a big fan of term limits. He believes the total time one can serve should start from the day the term limits are activated. He does not agree we should have term limits.

Member Koessel related he favors not having term limits. He would like to see an annual review of people who are serving on the boards and commissions. He related the chairman of each board or commission should be able to make a recommendation that a person not be reappointed.

Member Koessel then addressed the utilities issue. He related the Turnberry project will come back. The utility subcommittee met last Thursday and there is another meeting on March 31st. The utility issue will be resolved soon.

Planner Deem related the Turnberry project is waiting for a resolution of the utility issue.

Planning Director Peterson related tonight's project will also be discussed at the next utility subcommittee meeting.

ARTICLE 10. Adjournment

Member Robinson supported by Member McDonald moved to adjourn. The motion carried and the meeting was adjourned at 9:52 pm.

Respectfully submitted,

Tom McDonald, Secretary

TMD:MJT

