

MINUTES

Cascade Charter Township Planning Commission
Monday, February 03, 2014
7:00 P.M.

ARTICLE 1. Chairman Sperla called the meeting to order at 7:00 p.m.
Members Present: Lewis, McCarthy, Mead, Williams, Pennington, Sperla, Waalkes
Members Absent: Hammond, Robinson
Others Present: Planning Director Steve Peterson

ARTICLE 2. Pledge of Allegiance to the flag

ARTICLE 3. Approve the current Agenda.

Motion was made by Member Mead to approve the Agenda. Support by Member Lewis. Motion carried 7-0.

ARTICLE 4. Approve the Minutes of the January 27, 2014 meeting.

Motion was made by Member McCarthy to approve the Minutes as written. Support by Member Mead. Motion carried 7-0.

ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items (Comments are limited to five minutes per speaker.)

There was no one present who wished to speak on non-agenda items.

**ARTICLE 6. Case #13-3168 – EAST IMPORTS P.U.D. EXPANSION
Requested Action: Review and Recommendation of P.U. D. Amendments.**

Planner Peterson stated the Ordinance is in front of you with the amendments. The additions are highlighted in yellow and the items that will be deleted have strikeouts through them. In speaking with the Applicant, Tom Rothwell, he did request two changes on page three, (Subsection C) at the top where we list things that are allowed today. First, the word “car” has been changed to “automotive” to reflect that there are cars, trucks and vans. Secondly, to include the word “used” so it would state “normal retail sales of parts as related to new and used automotive”. The Applicant has taken a look at the language and incorporated the changes that we discussed at the meeting last week and the Ordinance reflects this. I would ask that you recommend the P.U.D Amendments and the Ordinance to the Township Board. They will hold an additional public hearing and make a decision based on your recommendation.

Chairman Sperla stated there were a lot of questions raised on the Storm Water report from the Engineer. There were a lot of assumptions being made on soil conditions based on a geological survey and my experience with those surveys have been less than stellar. I've been involved in opposing gravel pits where there are a lot of soil variations at different depths. It always makes me nervous when I see assumptions made on Storm Water. It seems that at the last meeting there was a lot of attention given to the Storm Water report but maybe we were rushing the process. What happens if a lot of the assumptions made on soils make it both a combined retention and infiltration facility? What if that doesn't materialize and we have allowed construction to go forward?

Planner Peterson stated that construction would not be allowed to begin until the Township Engineer signed off on the plans. Our Engineer is very conservative and what he is suggesting, based on his assumptions, is not out of the ordinary. The information would be received by the Township Board prior to their decision making process and they certainly would not approve a project that was not signed off on by the Township Engineers. We would not have any construction begin until the report is signed off.

Chairman Sperla stated that as he looks at the conclusion of the Engineering report it states, "in general the current site plan is acceptable as a preliminary site plan". We are approving this site plan and recommending it to the Board and it just seems there is a lot of fudge language. In reading the meeting minutes from December 17 it states: "We attended a site plan subcommittee meeting with Applicant on December 17, 2013 and identified a number of items relating to Storm Water that need to be addressed." My question was have all of those items been addressed? They are unable to do the borings because of the snow coverage, the overflow plans, no freeboard. It was hard for me to look at the plan because of the small print to see if these concerns had been addressed.

Planner Peterson stated that at the meeting we did identify issues and the Applicant provided revised plans to address those issues as also indicated in the Township Engineers report. In the storm water drainage section it states the plan meets our requirements. It is not uncommon for our Engineer to request more information and we have all of that information before the Township Board votes.

Chairman Sperla stated that he has spoken out at more than one meeting about the inadequacies in our Storm Water Ordinance. I don't think it addresses the concerns that I have expressed repeatedly about what is going on with School House Creek. We have had it flood in three places recently with the amounts of

snow fall we have had. I am concerned about what will happen if the snow melts in a quick fashion. If we add rainfall to that, I will be concerned that we have just approved impervious surfaces where there was previously percolation. It is hard for me to figure out what improvements they allude to.

Planner Peterson stated that the current site has no retention pond. There is little to no percolation at the site because the gravel there is compacted and is impervious to the water. I would say the site will be much improved from its current storm water condition.

Member Pennington stated that at the January 27 meeting we talked at length about Storm Water and it was determined that if the infiltration results are not what was expected, the Applicant stated that they have more room for a larger retention facility. They have a means to adjust if the soil borings or perk tests come back other than what was assumed in their calculations.

Chairman Sperla stated that is comforting but he would like all the information and the loose ends tied up prior to it reaching the Board. I will be a Watchdog on this issue but am willing to give preliminary site plan approval per this Ordinance. But I want the opportunity to go to the Township Board meeting and if these items have not been addressed to my satisfaction, I will go on record on behalf of my position as the Chairman of the Planning Commission that these changes have not been sufficient and there is too much uncertainty to authorize construction. Planner Peterson stated that we are looking at the March 12th Township Board Meeting.

Chairman Sperla stated it seems that we are rushing the project. Is there any reason that we are in a hurry to move forward on this project? Planner Peterson stated that this has not been a quick process. The meeting last week was moved because of weather. Once we approve the plan, the Ordinance is written and as you can see from the changes there was not a significant amount of change required.

Chairman Sperla stated that there appears to be a lot of questions in the Engineering Report regarding storm water. Planner Peterson stated that the Township Engineer is comfortable making a recommendation to approve the plan contingent on the items being addressed for the Township Board meeting.

Chairman Sperla stated that the Township Board meeting is on the 12th of March and that he would like to be provided the information as well before the meeting. Planner Peterson stated that he will forward all of the information to the Planning Commission members.

Member Lewis asked if it was possible to have the Engineer attend the Township Board meeting as the Board will make the final approval. Anything that is done between now and then will have to be brought before the Board. Planner Peterson stated that it is possible and he will arrange for the Engineer to attend.

Chairman Sperla stated that he thinks all of the information should be available prior to the meeting and that the boring should be drilled before the meeting. I would also like the condition that the reservoir be both retention and detention and, more importantly, that it be enlarged as was apparently part of the discussion last week. Planner Peterson stated that Developer would be required to meet our Ordinance. The Engineer would not sign off on it unless they provided proof that they had met the requirements of our Ordinance.

Chairman Sperla asked if this retention pond drained into Schoolhouse Creek. Planner Peterson stated that it does eventually drain into Schoolhouse Creek.

Member Pennington stated this is a retention facility so the water will seep into the ground. It is not a retention facility where the water would drain into the downstream water course. Planner Peterson stated they are in the storm zone which requires them to investigate infiltration. If that doesn't work, they are allowed to do a regular detention pond to hold the water and release it at the rate that is allowed. That is the standard that we hold people to and they are certainly required to meet those expectations.

Chairman Sperla stated that Ordinance has not served his neighborhood very well. His neighborhood had three floods, and yes, they were extraordinary, but it was the only neighborhood that flooded. The system is really at the optimum of what it can handle. Maybe we need to be looking at increasing the requirements of the Ordinance. That may not be what the Ordinance provides, but maybe we should be looking at changing the Ordinance in these neighborhoods because that's what's happening there. Planner Peterson stated the East Imports plan for storm water retention is an improvement over what the Township has had for years in the area. There's no detention out there, there's no storage, there's no release there.

Chairman Sperla stated there's impervious surface there. There's not a building which has drainage off the roof. Planner Peterson stated that previously when Meekhof Lumber owned the site there were buildings and impervious surfaces.

Chairman Sperla stated when Meekhof Lumber owned the property none of it was paved once you got down into the storage site. Planner Peterson stated none of it was contained for any kind of storm water.

Chairman Sperla stated he didn't know if that was the case or not, but now it's all going to be blacktop, cement, and buildings that will not absorb anything. Planner Peterson stated that was what Mike meant when he talked of improvements because right now there's nothing out there. Chairman Sperla stated that was hard for him to comprehend and he would like to talk to Mike.

Member Meade asked Planner Peterson if someone had talked to the Building Department to make sure that the proposed materials East Imports plans to use on the west side of the Subaru lot are appropriate? Planner Peterson stated East Imports is aware that if there's an issue with their building materials they'll have to address that with the Building Department. He didn't think they had construction plans yet to submit to the Building Department but they are aware they may need to do special things because of the setback.

Member McCarthy stated on the transmittal it looked like they only received pages 1,3,5,7. Member Pennington asked if there were there any changes on pages 2,4,6? Planner Peterson stated there were and went through the changes to the P.U.D. Ordinance.

Member McCarthy stated that on page five it states: "the updated lighting plan does not have a date. Is this intentionally left blank so that we can just fill in the date if they choose to adjust the lighting? Planner Peterson stated that we would simply put in the new date.

Chairman Sperla asked what is the likelihood that the Board would have the answers to the questions he has raised by the March 12th meeting? Planner Peterson stated the Board will either approve the plan based on the Township Engineer signing off on their plans or they won't approve the plan. The burden is on the applicant to provide the information before the Board Meeting. We have never approved a plan that our Township Engineer has not approved.

Planner Peterson stated that we have allowed this on other projects as well and it really is not uncommon. Watermark is the most recent example.

Chairman Sperla asked the outcome of the project. Planner Peterson stated that Watermark used the detention pond, they did not use infiltration.

Member Pennington asked if AK Rikks had also used alternative means of dealing with storm water design. Planner Peterson stated that they used a rain garden which is why we allowed for different types of landscaping up front.

Chairman Sperla stated that "either or" is one option but just approving based on some assumptions that may not play out, that is a different animal when we

know we have a problem out there. Planner Peterson stated that the plan is based on an infiltration system.

Member Lewis stated that he remembers when we first allowed automobile dealerships in this area we had designated areas where dealers could have cars out in front for sale. For awhile it got to be a nuisance as they would put another car up front as soon as we left. How is this approach being addressed and if so how? Planner Peterson stated that car display is limited to the parking spaces in the site plan.

Member Lewis asked if there were any repercussions if the dealership did start parking their vehicles outside the designated areas. Is there anything that we can put in the Ordinance to discourage this? Planner Peterson stated that in the past we present the site plan that was approved; it is more of an educational issue. We have had similar concerns with signage, flags, or landscaping and we have just used our existing Ordinance to deal with the issues.

Member Lewis asked Planner Peterson if we had enough protection to prevent 28th Street from turning into a Woodward Avenue where there are signs everywhere. Planner Peterson stated that we have really good sign, landscaping, and lighting ordinances. I think those are the issues that you see further down 28th Street---lighting in particular. I think our existing ordinances cover all of these issues. Whenever we have had an issue the dealerships have been very quick to address the issue. It has not been a problem. Based on this I would say that our current Ordinances have been very effective.

Chairman Sperla asked who was responsible for Ordinance enforcement. Planner Peterson stated that he enforces them if it is a zoning issue.

Member Lewis stated that he has been told by some residents that they are not happy to have another dealership and would rather have a restaurant in the area. I don't want to give them any ammunition in the future to say I told you so. I guess if Planner Peterson is comfortable with the dealership expansion than I am okay with it too. Planner Peterson stated that they have been very good to deal with and he is comfortable with the plan.

Chairman Sperla asked the applicant to come forward.

Tom Rothwell, DP Fox Ventures, stated that he would like to address the issues that were discussed. Planner Peterson stated that we have been really good to work with. We have made some mistakes but we are quick to respond. We do not want to have any issues with the township and we want to be good citizens. On the storm water issue, I think the soil borings have been pulled. There was

an issue with weather but there has not been any further discussion between our engineer and the Township Engineer. Planner Peterson is spot on that any issues would be resolved before moving forward. We will have all of our plans in place before the March 12th meeting. The sale of the Meekhof Lumber Company took much longer than we expected. The property sits lower than the centerline of 28th Street and the water would rush down the side alley. There was one catch basin on the east and one on the west. These moved very quickly carrying the sediment and rock to a manhole in the back. I could only assume that the water was going to the holding wetlands across the street. There was no retention at all in the area. We will get the storm water resolved.

We think we have presented a good plan. We are doing some nice things. We like to be good neighbors. We have a philosophy in our company that we like to be remarkable, not only in our service to our customers, but in our community and in our facilities. I think we will achieve this. We are consolidating from five curb cuts to three and adding a lot of landscaping. It will be a very attractive building. Subaru is the fastest growing brand. We can't get enough of them so it's going to be a stand-alone dealership. There will be a brand new façade on the Delta building and it will just be Porsche and Audi. The Manager there has been there since day one and is very receptive to any issues.

Chairman Sperla stated that the only thing he wants to be taken away from the meeting is that there is a storm water issue in that area and where it is disposed of on the other side of Cascade Road. I would like you to be sensitive to this issue and more is better than less in terms of controls. From my perspective the water going to an existing wetlands rather than Schoolhouse Creek is a good thing. I would like you to be mindful of this.

Tom Rothwell responded that this will absolutely be taken into consideration.

Member Pennington made a motion that we approve the P.U.D Amendments as written for CASE #13-3168 East Imports and forward a positive recommendation to the Township Board. Member Lewis supported the motion. Motion passed 7-0.

ARTICLE 7. Any other business

- Election Of Officers

Member Lewis stated that we have somebody who has been in training for the past four years and if they are interested in the position I think they should be nominated.

Member Lewis made a motion to nominate Al Pennington to the position of Chairman for the Planning Commission. Support by Member McCarthy. Motion Passed 7-0.

Member Lewis made a motion to nominate Karen McCarthy to the position of Vice-Chair. Support by Member Mead. Motion passed 7-0.

Member Mead made a motion to nominate Steve Waalkes to the position of Secretary. Support by Member Williams. Motion passed 7-0.

Member Mead made a motion to appoint Jeff Hammond as the Zoning Board of Appeals representative. Support by Member Lewis. Motion passed 7-0.

Member Waalkes made a motion to appoint Member Mead to the position of Village Design Review Committee representative. Support by Member Williams. Motion passed 7-0.

The joint meeting with the DDA is February 18, 2014 at 5:30 PM. The purpose of the meeting is to review the Complete Streets Plan. We will be asking for you to make a recommendation to the Board regarding the plan and a resolution for Complete Streets Policy. A copy will be forwarded to the Board as soon as it is available and the recommendation to the Board will occur at this meeting. The Planning Commission will meet after the joint DDA meeting. We have a Public Hearing scheduled.

Article 8. Adjournment

Member Lewis made a motion to adjourn. Member Meade supported. Motion carried unanimously 7-0. The meeting was adjourned at 7:58 pm.

Respectfully submitted,
Karen McCarthy, Secretary
Ann T Seykora & Debra Groendyk, Planning Administrative Assistant