

MINUTES

Cascade Charter Township Planning Commission
Monday, August 13, 2012
7:00 P.M.

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

ARTICLE 2. Vice Chair Pennington led the Pledge of Allegiance to the flag.

ARTICLE 3. Approve the current Agenda.

Motion was made by Member Lewis to approve the Agenda. Support by Member Robinson. Motion carried.

ARTICLE 4. Approve the Minutes of the July 16, 2012 meeting.

Motion was made by Member Mead to approve the Minutes. Support by Member Williams. Motion carried.

ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items

Vice Chair Pennington welcomed the visitors and asked if anyone wished to speak to non-agenda items. No visitors present spoke.

ARTICLE 6. Case #12-3097 Pinnacle Construction

Public Hearing

Property Address: 2700 Kraft Ave SE

Requested Action: The applicant is requesting a Type II Special Use Permit to construct a drive thru for Biggby Coffee.

Planner Peterson reviewed that the applicant is requesting a Type II Special Use Permit to allow a drive thru for Biggby Coffee on the north end of the newly constructed building. The building is already built and Biggby would occupy 1,400 sq ft of space. Just having a Biggby Coffee would not require a Public Hearing to use the space. The reason for the Public Hearing is to discuss the drive thru. The drive thru in this project requires a Type II Special Use Permit.

The drive thru is designed to allow for significant stacking on the site with little disruption to the flow of traffic.

The original site plan is included in the packet along with the landscaping plan.

The parking has been reconfigured to accommodate the drive thru. The impact of this results in one way traffic along the north side of the building to accommodate the angled parking.

The drive thru for Biggby would be located a little more than 100 feet from the nearest resident in Chatam Woods with the landscape buffer as originally approved.

The PUD Ordinance for this project does prohibit restaurants with drive thru service. Concerns at that time were in regards to the residential use to the north. After much thought Staff has determined that this is a retail operation similar to a bakery or ice cream store rather than a restaurant. If you believe this requires further consideration, Staff recommends that you table this and ask the ZBA to make an interpretation.

Notices were sent out with one call from someone only asking questions.

Staff recommends that you send a positive recommendation to the Township Board to approve the drive thru as requested.

Vice Chair Pennington asked if there were any questions of Peterson.

Discussion followed with questions about traffic flow, traffic signage, parking, and stacking. There was additional discussion to determine if Biggby Coffee is considered a restaurant or a retail operation. As an example, Biggby Coffee does not prepare food however Panera Bread does.

Member Lewis is concerned about the additional traffic on the service drive off of Kraft as it is a private road. It has a history of being in disrepair until recently. It will get more use as people use it as an exit to 28th Street.

Member Mead has concerns about the speaker system in the drive thru and if the sound of voices will disturb the residential neighbors. Planner Peterson reminded him that 100 feet is a long ways for sound, plus there is a fence and a landscape buffer.

Vice Chair Pennington asked the applicant to come forward. Ken Watkins of Architectural Concepts was present. Also present was Michael Garrett who is the developer of the project with Pinnacle Ventures/Pinnacle Construction as well as Mark Vandegrift who is the owner/operator of the Biggby Coffee store.

Mr. Watkins supports the distinction the Planner made that Biggby is a retail operation. The foods that are sold are not prepared on site; they are either pre-packaged or brought in from a local bakery. The larger percent of their sales is

coffee about 86%. With the plan, we are not losing parking. The drive to the north is being reconfigured to be one-way only. Maintenance of the private drive has been addressed; the first section of the service drive has been repaired. The speaker system has volume control. Most of the dialog will be inbound to the store rather than outbound.

Member Hammond asked Mr. Watkins about the curbing and parking. Member Hammond has concerns about the 4 parking spaces behind the store, especially during peak times. Discussion followed.

Member Williams asked if there would be seating inside the store. Mr. Watkins replied that there will be a small number of seats but no table service.

Member Lewis made a Motion to open Public Hearing. Support by Member Robinson. Motion carried.

Mary Banta of 2640 Knightsbridge Rd. was present. She is concerned about the increased traffic on Kraft in the event a drive thru for Biggby Coffee is allowed. She says that mornings are already busy on Kraft; especially when children are getting on the bus.

Member Hammond made a Motion to close Public Hearing. Support by Member Mead. Motion carried.

Member Lewis thanked Ms. Banta for coming to the Public Hearing to voice her concerns.

Discussion about the private drive followed.

Member Robinson asked for a consensus as to whether Biggby Coffee is a retail operation or a restaurant.

Mark Vandegrift, owner/operator stated that the store is franchise controlled as opposed to local. Currently all food coming in is frozen and pre-packaged.

It was the unanimous consensus of the Planning Commission that this was a retail operation given the fact that over 86% of the sales are coffee, the food that they sell is prepackaged and that the operator can't change these things due to the franchise.

Member Mead made a Motion to approve case #12-3097 Pinnacle Construction for the construction of a drive thru for Biggby Coffee. Support by Member Robinson.

Planner Peterson reminded them that this is a recommendation to the Township Board.

Member Hammond asked for a Friendly Amendment to the recommendation that the 4 parking spaces at the end of the drive thru be deleted. The Friendly Amendment was accepted by both Member Mead and Member Robinson.

Motion carried.

ARTICLE 7. Any other business

The next meeting is August 27, 2012.

ARTICLE 8. Adjournment

Motion was made by Member Hammond to adjourn. Support by Member Lewis. Motion carried. The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Karen McCarthy, Secretary

Carol M. Meyer, Planning Administrative Assistant