

MINUTES

Cascade Charter Township Planning Commission

Monday, April 2, 2007

7:00 p.m.

ARTICLE 1. Chairman McDonald called the meeting to order at 7:00 p.m.
Members Present: Koessel, Logue, McDonald, Postma, Richards, Robinson
Members Absent: Lewis and MacAllister
Others Present: Planning Director Peterson, Admin. Assistant Hern, and Members of the Public.

ARTICLE 2. Chairman McDonald led the Pledge of Allegiance to the Flag.

ARTICLE 3. Chairman McDonald requested motion for approval of the April 2nd Agenda.

Member Robinson motioned for approval of the agenda as presented, supported by Member Koessel. All in favor with none opposed, the motion carried.

ARTICLE 4. Chairman McDonald requested motion for approval or if there were any corrections to the March 19, 2007 Planning Commission Meeting Minutes.

Member Robinson asked that his comments on Page 9, third paragraph be edited to be more specific regarding his comments to obtaining an easement from Perkins Restaurant.

Being no other corrections to the minutes, **Member Koessel motioned for approval of the March 19, 2007 Minutes with the correction noted by Member Robinson, supported by Member Richards. Chairman McDonald called to question. All in favor with none opposed, the motion carried. March 19, 2007 Minutes approved as corrected.**

ARTICLE 5. **Case #07-2865: Faulk and Foster**
Address of Property: 2865 Thornhills Ave SE
(PUBLIC HEARING)
Requested Action: The Applicant is requesting a Type I Special Use Permit to co-locate a communication antenna with a small equipment structure at the existing cellular tower site at 2865 Thornhills Ave.

Planning Director Peterson said the Applicant is requesting a co-location on the tower by the Township office.

The Applicant has met the conditions for the co-location and referred to the information included in the Commissioners' packets of what the lattice tower looks like and the small equipment cabinet that is smaller than others that have been used for the towers.

Staff is recommending approval of the Type I Special Use Permit to allow the co-location of the antenna at the tower at 2865 Thornhills SE as requested.

Chairman McDonald opened the meeting for questions from the Planning Commission for Staff.

Member Koessel asked how many antennas can this specific tower accommodate and Planning Director Peterson said the number of antennas depends on the type of antennas. Planning Director Peterson said the lattice towers can hold more than a typical pole and there is not a set number. Member Koessel asked if this is the fifth (5th) antenna being placed on the tower and Planning Director Peterson said it is.

There were no other questions of Staff and Chairman McDonald invited the Applicant or their representative to add any comments to Staff's report.

Jamie Abby, 1432 Straffmore who works for Faulk and Foster who represents Clearwire, and said their intentions are to co-locate on the existing tower and their equipment cabinet will be in the existing compound.

Representative Abby referred to any concerns regarding the height and any interference from an additional antenna; Clearwire is a wireless Internet company as opposed to cell providers, who are currently on the tower. Crossing frequencies or signals should not be a problem with the co-location of Clearwire's antenna.

Chairman McDonald opened the meeting for any questions the Commission may have of the Applicant, no questions.

Prior to requesting a motion to open the Public Hearing, Chairman McDonald asked if Staff has received any phone calls or letters concerning the case. Planning Director Peterson said no letters or phone calls were received.

Member Robinson motioned to open the Public Hearing, supported by Member Logue. Chairman McDonald called the motion to question; all in favor with none opposed, Public Hearing opened.

Chairman McDonald invited the public members to express their comments regarding this case to the Planning Commission.

Being there no public comments regarding this case, **Member Koessel motioned to close the Public Hearing with support from Member Richards. All in favor with none opposed, the Public Hearing was closed.**

Chairman McDonald opened the meeting for discussion or a motion by the Commission.

Member Robinson motioned for approval of a Type I Special Use Permit to co-locate a communication antenna with a small equipment structure at the existing cellular tower site at 2865 Thornhills Avenue; Member Koessel supported the motion.

Chairman McDonald called the motion to question. **All were in favor with none opposed. Motion carried.**

ARTICLE 6.

**Case # 06-2820: James Russell Company
Address of Property: 6010 28th Street SE**

Requested Action: The Applicant is requesting to rezone the property to Planned Unit Development.

Chairman McDonald noted there was a sub-committee who worked on this project and opened the meeting for Staff's report.

Planning Director Peterson said the Planning Commission has dealt with this project a couple of times and the Applicant has made the adjustments required. The Applicant is now requesting Preliminary Plan Review in order to rezone the property. If this were approved tonight, the next step would be to write the P.U.D. Ordinance and forward a recommendation to the Township Board.

The project is located at 6010 28th Street, the old Rapid Packaging property. The property is split zoned between Centennial Park and B2. Staff treats this parcel as all commercial based on the Centennial Park P.U.D.

Planning Director Peterson noted that the site is limited to design because it is long and narrow. This presents some challenges in order to maximize the site. One option would be to do only a small strip center or restaurant up front; the other would be for a much longer building down one of the sides.

The current B2 Zoning allows for one (1) building per three (3) acres. Under that regulation this site would be limited to one (1) building. The Applicant would like some flexibility on the number of buildings. In order to justify this, Staff has had them prepare a test plan showing what the site plan would look like if they met all zoning requirements. The plan they are proposing is actually a little less retail square footage than the test plan. A Subcommittee of the Planning Commission met and recommended the current design included in the Commissions' packets.

Planning Director Peterson also said that for the proposed project, allowing the second building on the site appears to be a better design, allows for the cross connections, is actually less square footage and is a little unique due to the split zoning on the property.

In terms of the Site Plan, itself, the Applicant is providing the cross connections. One connection is to the retail center to the east. This was contemplated and planned for when that strip center was to be constructed by Rockford Construction. The other connection that is planned is at the rear and connects to the Centennial Office Park. Both connections would require cross access agreements and easements for the sidewalk. They also provide pedestrian connection along 28th Street.

The Applicant has submitted a lighting plan that is included in the Commissions' packets.

The Applicant has indicated that the wall signage proposed would be in compliance with the current sign code, however, they have also suggested a larger pole sign along 28th Street. The Applicant has included two (2) signs for the Commissions' review. Neither sign would meet the current sign code. With 250-feet of 28th Street frontage the pole sign for this project would be limited to 102-square feet total. The signs shown are 125-square feet and 150-square feet. The larger sign has additional 25-square feet in order to accommodate an electronic message board. It should be noted that the Township does permit electronic message boards provided that the owners change the message only once during a 24-hour period. Planning Director Peterson also referred to the Waterfall

Shoppes project that was only allowed a maximum square footage of 125-sq.ft. Staff recommends against allowing a larger sign than allowed by the ordinance.

The Township Engineer has reviewed the plan and given approval with only a few minor comments one being that the rear retaining wall is 10-feet high and the type of wall may need a railing and should be discussed. Staff does not know what type of wall this will be nor what it will be constructed out of.

The developer is responsible to construct the seven-foot wide sidewalk that he will do during construction, along their 28th St frontage. No other CIP projects would be activated as the result of this project.

The drive has already been reviewed by the Kent County Road Commission (KCRC) and is located according to their review. Staff has discussed with the Applicant the requirement of a deceleration lane. The Applicant has looked into this and has decided not to provide it. The KCRC has said that a deceleration lane is not required but they would allow the Township to require one. The site plan does show a new turning radius of forty (40) feet and the Applicant may want to consider installing a taper.

Staff recommends that the P.U.D. rezoning be approved with the condition that the developer address the following items:

1. Final plans to be revised to address comments by the Township Engineer.
2. Provide a landscaping bond in the amount of \$13,000.
3. Limit the pole sign to what is allowed by the Sign Ordinance.
4. provide a taper at the entrance.

Chairman McDonald opened the meeting for questions from the Commission of Staff and asked the location of the 10-foot high retaining wall and Planning Director Peterson noted it is located on the east side of the site, with the highest point reaching 10-feet. Chairman McDonald asked if there would be any landscaping along this area and Planning Director Peterson referred to the site plan with the landscaping.

Member Postma asked how wide the lane is that goes along the west side behind the retail and the Applicant said it is twenty-six feet wide plus an additional eight-feet allowed for loading zone.

Member Robinson asked if the signage requirement is strictly done by how much property is on 28th Street and is not based on number

of buildings or anything else. Planning Director Peterson said it is solely based on 28th Street footage of property owned.

Chairman McDonald invited the Applicant to present his comments to the Planning Commission.

Applicant Russ Spees introduced himself along with Mike Kelly of Wolverine Construction, Tom DeGroot from Exxel Engineering and said they are willing to answer any questions the Planning Commission may have.

Chairman McDonald asked the Applicant what type of railing he is considering for the retaining wall. Applicant Spees said that this is the first he has heard of the railing but will pick something out that is appropriate. Planning Director Peterson noted that he mentioned the railing because they learned through the MVP project that a railing was necessary if a retaining wall was over a certain height and falls under a building code that the building department would facilitate the requirements of a railing if it is necessary.

Applicant Spees said he is not sure of the railings functionality since there is no pedestrian path along the side of it and is willing to meet the requirement if the building code calls for it. Chairman McDonald asked if the land goes up a hill to the drop off or if it is flat, what is the topography of the area? Planning Director Peterson said the area is flat until you approach the drop off.

Member Robinson asked how far in from the property line is the retaining wall? Applicant Spees said approximately fifteen (15) feet. Member Robinson asked that if a person were walking across the property and were not aware of the retaining wall would have a drop off of approximately 10-feet? The Applicant said it could happen. Member Robinson asked if the developer would have any problems anchoring the wall and they said they would not. Member Robinson asked if they would be using poured concrete and the Applicant said they are considering it or concrete block.

Member Koessel said he could not read the signature on the letter in agreement of principle about the vehicular easement in the southwest corner and asked what is the status of the agreement? Applicant Spees said that party is George Wante who owns the property next door and is in general agreement with the easement. Member Koessel asked if there is a stumbling block in moving forward with the easement and Applicant Spees said he is not aware of any and is pretty comfortable the easement will be granted.

Member Koessel asked the Applicant his thoughts about adding a deceleration lane or a wider taper to allow easier access onto the site. Applicant Spees said that with the detention pond and sidewalk, adding a deceleration lane would be very tight and is not opposed to providing a taper.

Chairman McDonald asked the location of the sidewalk and Applicant Spees noted it would come from the southwest corner along Tahoe at the rear and tie in to the new 28th Street pedestrian walk.

Chairman McDonald referred back to the railing for the retaining wall and noted that at this point, no one is sure if a railing is required. Chairman McDonald suggested that the Planning Department decide on the appropriate railing if necessary. Planning Director Peterson noted that the Building Department would specify the type of railing required.

Member Logue suggested an increase height in the retaining wall to serve as a railing and Member Robinson noted that if the Building Code requires a railing, fine, but if it does not, then a railing should be a condition.

Applicant Spees noted a timber railing used by Wendy's that does not have railing along the top. Planning Director Peterson said this item needs to default to the building code and Staff is not concerned with the visual aspect due to the landscaping.

Chairman McDonald opened the meeting for a motion to open Public Hearing.

Member Koessel motioned to open the Public Hearing, supported by Member Robinson. Chairman McDonald called to question. All in favor with none opposed, the Public Hearing was opened.

There were no public members wishing to address the Planning Commission.

Chairman McDonald asked Staff if any letters or phone calls were received regarding the project. Planning Director Peterson said they received phone calls asking general questions but nothing opposing the project.

Member Logue motioned to close the Public Hearing, supported by Member Robinson. Chairman McDonald called to question. **All in favor with none opposed, the Public Hearing was closed.**

Chairman McDonald summarized that Staff provided a good explanation as to why the Township should allow for two (2) buildings and referred to Section H in Staff's report. The sub-committee also recommended a two (2) building plan and the recommendations improve the project. The Applicant has been willing to meet the recommendations to make it a better project.

In Staff's report there are three (3) conditions the Applicant still needs to address and there is the concerns tonight expressed by the Planning Commission regarding the access in the southwest area of the property and whether the easement will be granted or not. Staff also suggested a taper onto the property off of 28th Street and a seven-foot (7 ft) sidewalk.

Member Richards asked the Commission how they felt about the LED signage the Applicant is proposing, she is not in favor of the LED signs. Planning Director Peterson said the Township does allow LED signs but require them to be changed once every 24-hour period and the sign is not allowed to flash or scroll. The Township does encourage the use of LED signs since their sign ordinance is strict and the LED sign is included in the total square-footage of the sign.

Member Robinson believes that for the small cost of installing a railing on the top of the retaining wall it would be worth it. Member Robinson asked what is on the other side of the retaining wall and Planning Director Peterson said office. Member Robinson asked if small children would be getting out of vehicles and maybe adventuring into the area of the drop off and Planning Director Peterson does not believe the offices would bring a lot of children. Member Postma supported Member Robinson's thoughts regarding the condition of adding a railing to the top of the retaining wall as they are fairly inexpensive.

Member Koessel motioned for approval of granting the Applicant's request to rezone the property to the Planned Unit Development for retail and restaurant subject to the following conditions:

- 1. Final plans to be revised to address comments by the township Engineer.**
- 2. Provide a landscaping bond in the amount of \$13,000.**

3. **Limit the pole sign to what is allowed by the Township's Sign Ordinance.**
4. **Increase the taper on 28th Street entrance into the development.**

Chairman McDonald asked Staff if the installation of the seven (7) foot sidewalk would be automatically included in the P.U.D. and Staff said it would be.

The motion was supported by Member Logue. Chairman McDonald called to question: all in favor of the motion with none opposed. Motion carried.

Member Koessel also noted that Applicant Spees did a great job in working with the sub-committee and developing a nice project, thank you.

ARTICLE 7. Any Other Business: Chairman McDonald opened the meeting for any other business.

Member Postma asked if the Planning Commission could obtain larger site plans prior to their meetings and Planning Director Peterson said the Commissioners might pick one up at the Township's Offices.

Member Koessel noted the van in the driveway at Beaner's, by Chemical Bank, that has not been moved in some time. Planning Director Peterson said there is a Township limitation that vehicles are not to be used as a sign and the vehicle must be used for normal business. Planning Director Peterson noted the printing business across the street has a van as well and both businesses are aware of the ordinances and Staff will follow-up with the businesses again.

ARTICLE 8. Adjournment

Chairman McDonald requested a motion for adjournment.

Member Robinson supported by Member Logue moved to adjourn. The motion carried and the meeting was adjourned at 7:53 p.m.

Respectfully submitted,

Jack Lewis, Secretary

Lisa Hern, Recording Secretary