

## MINUTES

Cascade Charter Township Planning Commission

Monday, March 19, 2007

7:00 p.m.

**ARTICLE 1.** Chairman McDonald called the meeting to order at 7:00 p.m.  
Members Present: Koessel, Lewis, Logue, MacAllister, McDonald, Postma, Richards, Robinson  
Members Absent: None  
Others Present: Planning Director Peterson, Fire Chief Sigg, 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 March 19<sup>th</sup> agenda.

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

**ARTICLE 4.** Vice-Chairman McDonald requested motion for approval or if there were any corrections to the March 5, 2007 Planning Commission Meeting Minutes.

Being no corrections to the minutes, **Member Lewis motioned for approval of the March 5, 2007 minutes as presented, supported by Member Robinson.** Vice-Chairman McDonald called to question. **All in favor with none opposed, the motion carried. March 5, 2007 Minutes approved as submitted.**

**ARTICLE 5.** **Case #07-2856: Doug DeVos**  
**Address of Property: 2020 Devonwood Lane**  
**(PUBLIC HEARING)**  
Requested Action: The Applicant is requesting a Special Use Permit to construct an accessory building larger than 832-square feet.

Chairman McDonald noted this case is scheduled for Public Hearing. Planning Director Peterson noted the site location of the property on Devonwood Lane that is a private street connecting to Forest Shores off from Cascade Road. The parcel is approximately 90-acres.

The reason the Applicant is before the Planning Commission this evening is to request a special use permit in order to construct an

accessory building larger than 832 sq.ft. the building is proposed to be approximately 12,000-square feet.

The building is measured as 34.5-feet tall and this required a Variance for building height since the tallest accessory structure the Township allows is 22-feet tall. The Zoning Board reviewed this matter at their March 13<sup>th</sup> Meeting and approved the request for additional height. The request was approved provided the building maintains a setback of at least 300-feet from all property lines to ensure that it would be on a large piece of property if the owner were to sell parcels/part of the property in the future.

The building's use is for recreational activity for the family and their friends. It is Staff's understanding that it will have basketball/volleyball courts, weight room, lockers, bathrooms, etc. and it may not be used for any type of commercial activity.

Planning Director Peterson said the Applicant does not propose any outdoor lighting of the recreational fields and any outdoor lighting will have to meet the Township's lighting standards.

At last week's Zoning Board Meeting, the Zoning Board did ask for the Fire Department's review of the site plan and their comments. The Fire Chief is present for any questions.

Planning Director Peterson said that in terms of Standards for the Special Use Permit, the building is for recreational purposes of the family and built to match the style of the home.

The building is approximately 12,000-square feet and the house is approximately 11,000-square feet. This is one of the largest non-agricultural buildings in the Township. The size of the property is approximately 35-acres and is also adjacent to another 60-acre parcel under the same ownership and, together, total approximately 95-acres.

With the large setbacks, it does not seem that the building will affect any buffering around the property and should not affect the light and air circulation. The property is generally flat and will not require any new access onto the property.

Staff recommends approval of the accessory building with the following conditions:

1. The building will not be involved, directly or indirectly, with any business, trade, occupation or profession.
2. Any lighting for the building will be shielded or downcast.

3. Applicant is to comply with the Zoning Board's requirement that the building maintain at least a 300-foot setback to all surrounding property lines.

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

Member Lewis said he would like to see included in Staff's report the findings of fire protection for the building that came up at the Zoning Board Meeting. At the Zoning Board Meeting it was determined that the Township does not require a sprinkling system in this building because it is an accessory building. It is a large building and because of the size of the building, Staff's report indicates that the Fire Department would review the site and provide comments. Member Lewis asked if the Fire Department's report should be included with Staff's report? Planning Director Peterson said he did receive a report from the Fire Department and noted that Chief Sigg is present to address the concerns.

Chief Sigg said the sprinkling system falls under the Building Codes and those are managed by the Township's Building Department. The Township's Fire Department would fight a fire at this location as any other fire, whether commercial or residential, and use the resources available to the department. Chief Sigg noted that each building is different. Member Lewis said these options were discussed at the Zoning Board Meeting. Member Lewis thought a hydrant might be better than siphoning water from the local ponds. Chief Sigg noted a hydrant between the proposed building site and the residence. Member Lewis asked if this is City water and Chief Sigg confirmed it is and is approximately 700 to 800-feet from the building. Member Lewis asked if the trucks carry enough hose and Chief Sigg said they do and can combine hoses from the three (3) trucks if needed.

Member MacAllister asked for clarification regarding the points of access and no additional points of access. Is there an existing building or something back in this area now or not? Planning Director Peterson noted that no additional access was being created.

Member MacAllister asked in regards to the topography and vegetation in the area, it looks like there is a pretty significant Master Plan that is happening for the development of that area, is that something the Commission is not reviewing or is the Commission to review the building itself? Planning Director Peterson said the Commission is reviewing the building. He noted

the Applicant does have a large Master Plan for the property and also has a large Landscaping Plan on the south side of the property. Member MacAllister asked what of the topography and vegetation is the Commission to review: drainage, landscaping? Planning Director Peterson clarified that the Commission should be reviewing the topography of the area as it relates to the project.

Member Lewis noted another thing that came out during the Zoning Board Meeting is that the area for the new accessory building is the area the resident has a motor cross track. The impact of allowing the accessory building would help eliminate noise pollution from the motor cross bikes.

There were no other questions or comments from Staff. Chairman McDonald invited the Applicant or his representatives to speak before the Commission and add their comments.

Jack DeBruin, architect from Design Plus, introduced himself along with Bruce Heiss, contracted for the project, and Don Mallory, DeVos' Property Manager.

Representative DeBruin referred to the building's floor plan, showing that it is 2-story, and noted the area for basketball/volleyball that will also have a drop-down batting cage. The other areas contain an activity area or teen lounge and showed the patios off the building and storage area for vehicles and patio furniture.

The elevations of the building were driven by the necessity to allow for volleyball and basketball and Design Plus tucked the roof, since it is a 2-story building, up under the main roof to bring down the scale of the elevation. Another objective from an elevation standpoint was to create a building that would be compatible with existing structures on the property and this design is compatible with the home. The building will be constructed out of concrete/brick unit with an exterior finish system above and a 40-year dimensional shingle on the roof.

Representative DeBruin noted that from a site plan standpoint he noted the existing residence, property lines and existing accessory building. He noted the open area where a former polo field had been and is currently used as the motor cross track that does get very loud, he can hear the bikes from his home in Watermark. He said that there is not any vegetation that needs to be removed and adding the building would enhance the area as Mr. DeVos is planning to add a pond and additional berming along the south side

of the property. In addition to that, the plans are adding a soccer and baseball field. There is an existing drive that takes you back to the area and the Applicant will be re-using that drive to access the accessory building. The drive will be realigned for a straighter road and it does cross a stream. The Applicant has contacted the DEQ for the necessary permits but the crossing will not be reconstructed and does cross at the narrowest point of the stream and are currently waiting for DEQ's approval.

Representative DeBruin reviewed the drive that comes to the accessory building, parking for twelve vehicles and a private drive not intended for guests.

He noted the area planned for an additional pond, berming, tree plantings and a putting green.

Member Lewis asked where Watermark is in relation to the property and Planning Director Peterson showed the location of Watermark.

Being no other questions of the Applicant, **Member Richards motioned to open the Public Hearing, supported by Member Lewis.** 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. Chairman McDonald asked Staff if any letters or phone calls were received and Planning Director Peterson stated none.

Being there no public comments regarding this case, **Member Robinson motioned to close the Public Hearing with support from Member MacAllister. 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 Koessel asked if the activity area would house bedrooms or if the area is just for recreational purposes. Representative DeBruin said there are no bedrooms and is for recreation only but does house bathrooms for guests and family.

Member Lewis asked if the cupolas were included in the building's height and if not, what is the total height of the building? Representative DeBruin said he has never measured the total

height but suggested that the midpoint reaches 34.2-feet and graphically reviewing the plan would guess at the ridge of the main roof would be approximately 38-feet plus approximately 6 to 7-feet to reach the top of the cupolas.

Member Koessel asked what the height of the accessory building is in relation to the house's height? Representative DeBruin said he did not design the house and Representative Mallory said it would be compatible with the house due to the house's architecture. Representative DeBruin also said that the roof's slope would be a 4/12 pitch that is a shallow roof pitch that would match the existing house.

Chairman McDonald asked if there were any other questions for the representatives and there were none. Chairman McDonald summarized that it is a beautiful building on 90-acres, the building would be beyond the minimum setback requirements of 300-feet that the Commission has approved before in another case, and the project has been reviewed by the Zoning Board of Appeals (ZBA). Member Lewis noted that as a member of the ZBA, they have reviewed the project in depth and did approve the height variance for the building; he also heard the information presented at tonight's Planning Commission Meeting.

**Member Robinson motioned for approval of a Special Use Permit to construct an accessory building larger than 832-square feet be approved on the conditions that:**

- 1. The building not be directly or indirectly involved with any business, trade, occupation or profession.**
- 2. Any lighting for the building will be shielded or downcast.**
- 3. Comply with the Zoning Board's requirement that the building maintain at least a 300-foot setback to all property lines.**

**Member MacAllister supported the motion.**

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

## **ARTICLE 6.**

**Case # 07-2862: Drury Hotels**

**Address of Property: 5175 28<sup>th</sup> Street SE**

Requested Action: The Applicant is requesting to rezone the property to Planned Unit Development for a new 7-story, 180-room hotel.

Planning Director Peterson said the Commission is to review the Applicant's Site Plan prior to a Public Hearing and provide the

Applicant with feedback for the site. He noted the site is located where the current Knights' Inn is located, the property would still be utilized for a hotel. The property is located on the north side of 28<sup>th</sup> Street, just west of I-96.

Planning Director Peterson noted that the buildings in the area were built in the 1980's and there has been a recent fire at the current Knights Inn and this project would remove the current hotel.

The Applicant is planning on using the existing access to 28<sup>th</sup> Street, which is located between the two (2) gas stations. They are also seeking approval from Perkins Restaurant to provide access to the traffic signal at 28<sup>th</sup> Street. Staff believes that access to the light is critical to the project to provide adequate access to the property and the property would be difficult to access without that light.

The Applicant has not shown pedestrian connections on the plan but has indicated they would be willing to provide a pedestrian connection if it would be a benefit to them. Staff has asked the Applicant to consider a pedestrian connection through the Perkins site as part of the access easement.

The Applicant's plan shows parking will be provided with one (1) parking space per room; this meets the Township's requirements.

The buffer yards being shown on the plan are small but are the same or have been increased from the existing. With Consumers Power's property to the east, Staff would suggest that the site be shifted east to increase the buffer on the west and by shifting the building east, would double the size of the buffer on the west side of the site to bring the site closer to today's requirements.

The height of the building is certainly one of the main issues with the plan. The height limit for the Expressway Service (ES) Zone is 35-feet or 3-stories which ever is lower. The 7-story hotel will certainly exceed the requirement. A full elevation plan will be needed to determine the exact height of the building and Staff has not seen those plans.

The Township has permitted other taller buildings in the Township and has also approved a 7-story hotel for the Meadowbrooke Project that has not been built yet. Planning Director Peterson referred to the list of height allowed for other taller projects in the

Township that was included in the Planning Commissions' packets.

The Township Fire Department and Engineer have reviewed the plan and provided the Applicant with some preliminary comments, also in the packets. A more detailed review will be done before the Public Hearing stage of the project.

The Applicant has indicated that they have already made some contacts with the Ford Airport officials in order to obtain a permit form the airport for the project and for building height requirements for Airport Zoning.

In addition to the cross access to the traffic signal, the site has a cross connection with the gas station to the west. Consideration should be given for a similar connection to the east and could be done when that gas station site redevelops.

The site plan indicates a location for future development. It is Staff's opinion that this site could not redevelop as a separate site, but could if it included the existing gas station on the east side of the entrance, this is because of the minimum 3-acre requirement.

Kent County Road Commission has reviewed the plan and approved it.

Staff has spoken with the Applicant regarding signage. The Applicant has indicated that they may be seeking some exception from the Sign Ordinance for wall signage and also need to discuss entrance signage. The Applicant has indicated they would have two (2) signs on the wall facing 28<sup>th</sup> Street. Staff believes the Commission should also consider the allowance of additional direction sign at the traffic signal in order to encourage that access to be used if it is obtained. Staff suggests that the sign be the same as the current Perkins direction sign and even attached to the Perkins sign if possible. The Applicant would need to obtain permission from the property owner.

Planning Director Peterson said the property has back taxes owing and these will need to be paid prior to construction.

Before proceeding to the P.U.D. Public Hearing, Staff recommends that the Planning Commission have the Applicant address the following:

1. Landscaping plan.
2. Review and approval from Township's Engineer.
3. Review and approval from Township's Fire Department.



4. Submit a complete sign package.
5. Submit a photometric plan.
6. Provide sidewalk connection to 28<sup>th</sup> Street.
7. Provide a cross connection to the gas station.
8. Obtain easement to the traffic signal.
9. Shift the site east to accommodate a larger buffer on the west side.

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

Member MacAllister clarified that the site is currently a P.U.D. and Planning Director Peterson said, no, it is currently zoned E.S. The Applicant could proceed with their request utilizing either the site plan review process with a series of variances or establish a P.U.D.

Member Robinson clarified that the Applicant would need to obtain an easement from Perkins in order to access the light. Planning Director Peterson said that is true and noted the potential to connect the sidewalks along 28<sup>th</sup> Street if the easement were allowed.

Member Robinson asked what the advantage is in obtaining an easement to the east of the property? Planning Director Peterson said that Staff's thought is to access the east gas station similar to the access currently provided to the west gas station so people would not have to go back onto 28<sup>th</sup> Street to access the gas station. He also noted that if the access were achieved through the new hotel and later when the gas station develops, there is the possibility of eliminating some of the 28<sup>th</sup> Street curb cuts.

Member Robinson asked if the drive would be a 2-way drive going in and out and Planning Director Peterson said yes.

Member Lewis asked how many rooms are in the Knights Inn and Planning Director Peterson said he is not sure but will find out.

Member MacAllister asked if the Township has a Master Plan for the service drive and its purpose, functionality of the drive. Planning Director Peterson said there is no Master Plan for the drive and showed the service drive and possible connections. Member MacAllister said she would like to see the current 28<sup>th</sup> Street accesses removed if the easement is granted from Perkins.

There were no other questions from the Commission and Chairman McDonald invited the Applicant or representatives to present any other comments to the Commission.

Steve Bollinger of Drury Hotels in St. Louis, MO. Mr. Bollinger said that Drury Hotels is the owner, the operator and renovator of the hotel. As a hotel operator, Drury has been successful winning the J.D. Powers Award.

Slides were presented featuring the building's renderings. The building is poured concrete and steel construction utilizing insulated concrete forms and a limestone base with brick above that and eaves over the insulated concrete forms.

The hotel is in the upper middle scale for a hotel and showed interior pictures of the hotel. He noted the breakfast area that will give-away a full hot breakfast and cocktails in the evening. Drury stays away from food service and will be contracting area caterers to supply food service for weddings and conferences.

The hotel will have king beds, doubles and suites for guests. Member Lewis asked what the rooms would typically rent for and Mr. Bollinger said approximately \$100 per night.

Mr. Bollinger provided aerial photos and showed a super-imposed photo of what the hotel would look like and the setback off of 28<sup>th</sup> Street. He noted that they do not have hard plans at this time as they are seeking feedback from the Township for feasibility.

Member Lewis asked if the signage could be pointed out for the hotel. Mr. Bollinger noted the one sign on the side of the building oriented towards the traffic and one ornamental sign over the entrance. The backside of the building will also contain a sign facing the highway. Member Lewis said that there is not a freestanding sign proposed and Mr. Bollinger noted they normally do not utilize the freestanding signs.

Member Koessel asked what studies they have done to ensure a successful hotel since there are others in the area. Mr. Bollinger said they did an internal review and utilized Market Metrics and the success of other hotels in the area.

Member Koessel asked how many employees would the hotel have and Mr. Bollinger said approximately thirty-five (35) to forty (40) people. The hotel does not wish to go into food service and wishes to remain focused on lodging accommodations.

Member Koessel asked if they would be willing to move the hotel to the east for a better fit on the parcel and Mr. Bollinger said that would not be a problem.

Member Koessel asked if their talks with Perkins have kept them optimistic in granting the easement to the traffic light on 28<sup>th</sup> Street. Mr. Bollinger said they are optimistic from their discussions with Perkins and these things do take some time since they are a chain and also believes that Red Roof Inn is also involved in the easement. Drury does not anticipate any problems with Red Roof but they are in the process of selling their chain and their staff is hard to contact right now.

Member MacAllister noted the Power Point presentation showing the hotel's interior and asked if that is what would be built inside this hotel. Mr. Bollinger said this is the current prototype that Drury is using and has built six (6) as shown with another five (5) or six (6) currently under construction.

Member MacAllister referred to the pedestrian connections that the planner previously discussed, is that something the hotel is willing to do? Mr. Bollinger said they do not wish for people to get mud on their shoes while trying to seek a restaurant or other facility and they are open to the connections. It would make sense to provide pedestrian paths to area restaurants, etc.

Member MacAllister also referred to the existing entry off 28<sup>th</sup> Street and suggested making that a more dominant entry and additional signage they would want. Mr. Bollinger said they are not opposed to gain access to other properties for enhancements and the existing entrance should also be enhanced.

Member Lewis referred to the different buildings that Drury has throughout the country and asked if those communities have ladder trucks for fire protection? Mr. Bollinger said no, they do not, and referred to an airplane that crashed into one of the pools near their hotel. Their hotel was a 4-story unit and the roof was on fire, part of the inside was on fire and the fire was contained in each of the rooms. The hotel was opened in four months and they believe in concrete construction and making a building fire proof.

Chairman McDonald thanked Drury for their presentation and asked if they have any issues with the requirements that Staff has outlined. Mr. Bollinger said they appreciate the Township's feedback and will meet the requirements listed, as they are fairly

standard in any community. Chairman McDonald recommends that the items be addressed the next time Drury comes before the Planning Commission for the public hearing.

Chairman McDonald thanked the Applicant for his presentation.

#### **ARTICLE 7.**

##### **Case # 07-2863 P and L Company LLC**

**Address of Property: 5755 28<sup>th</sup> Street SE**

Requested Action: Amending the existing Planned Unit Development (P.U.D.) to revise wall signage to comply with current sign code.

Planning Director Peterson noted this is for the Esplanade Center. The property is located on the north side of 28<sup>th</sup> Street between Betten Automotive and Design One building.

When Esplanade Center was developed, they had a specific sign package that was approved, there have been a couple of different sign amendments to their signage since then but essentially, what they are requesting is to change their P.U.D. Ordinance to match the current Sign Ordinance for wall signs. Their current ordinance reads, basically, that all tenants receive 20 sq ft of wall signage with the exception of Sundance Grill, they have a little larger sign. Some of the Commission may remember a case that came before the Zoning Board and the ZBA suggested they work out their signage needs among the tenants and ask for this amendment rather than seek individual variances.

The Applicant has indicated what they think are the frontages and wall signs of the existing stores with the exception of Sundance Grill. Also, if the current measurements were correct, some of the existing tenants would be considered legal non-conforming because they have more than what would be allowed under the current code. Meaning, if a current tenant has 18-feet of frontage, and their sign is 20 sq ft they would be considered non-conforming if the amendments were adopted.

Before proceeding to the Preliminary Development Plan Review (Public Hearing), Staff recommends that the Planning Commission address the following:

1. The Applicant should provide a sign plan for Sundance Grill and a floor plan for the entire building to verify store frontages. This will enable Staff to determine if the changes would result in any legal non-conforming issues.

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

Brian Vermania said he is here to answer any questions the Commission may have. He noted that Sundance Grill did request this a while ago and have indicated they will comply with the Township's Ordinance; their current sign is 80-square feet. Sundance Grill has 54-feet of frontage and their sign will need to be scaled down. He will be able to provide drawings of the proposed signage and Sundance has indicated that they will scale their signage back to meet the Ordinance.

Member Koessel asked other than Palm Wireless it appears that everyone else can get a larger sign. What is the intent of the owner to go to a larger sign? Mr. Vermania said Sundance Grill is driving this request, as they would like to re-do their sign. He has not spoken to the tenants regarding enlarging their current signs but has contacted them regarding the process of amending the existing the current P.U.D. Ordinance. Current tenants could request to maximize their signage if they wanted but none have indicated they would do so yet.

Member MacAllister asked what is the height of the sign band and Mr. Vermania said it is fifty-one (51) inches and all signs approved by the landlord and owner should be willing to comply with the 51-inch band. Member MacAllister said it is the Applicant's intent not to go above the band and the Applicant does not believe the landlord will.

Member MacAllister agrees that the signage should not bleed over the band and Mr. Vermania said that if that is the Commission's concern, he would comply with the fifty-one inches.

#### **ARTICLE 8.**

##### **Case # 07-2861 Riebel Development Corporation**

**Address of Property: 6300 28<sup>th</sup> Street SE**

Requested Action: Basic Plan Review for a P.U.D. amendment at 6300 28<sup>th</sup> Street SE.

Planning Director Peterson noted the location of the property and it was originally approved in 2005 and they now have changes to the rear of the site. The Applicant has indicated that the changes are needed as a result of changes in the market. Staff has requested the Applicant to provide a copy of their market study for the Commissions' review.

The Applicant has indicated a list of proposed uses and would like to obtain the Planning Commissions' feedback on these changes and whether or not the Commission feels it is worth pursuing.

Planning Director Peterson noted that besides some basic traffic maneuvering changes the main changes, are as follows:

- Increase in total amount of square footage..
- Increase in the number of buildings. .
- The Applicant proposes the inclusion of a new drive-thru use.
- More second story uses.
- Additional signage along 28<sup>th</sup> Street.

Planning Director Peterson said that he considers these to be very major changes from the original plan. The site would appear to be adequate to accommodate additional square footage, however, the buffer and storm water system would need to be further developed before Staff would know for certain. There seems to be some needed refinement to increasing the buffer yards to the west property line but looks like it would be possible. The area by the condos, to the south, the Commission had increased the buffer to 60-feet.

The Applicant continues to provide access to the properties to the east and west. Access has been put in to the west, it is just not connected, and the other will be completed when the east lot is developed.

The Applicant has provided some elevation drawings to show the proposal and needs to provide calculations for the interior parking lot landscaping.

The Applicant is seeking the Planning Commissions' feedback on this project. Staff feels that due to the amount of changes that are being requested and the fact that they have indicated it is based on their market study, Staff would like to review this study prior to providing a recommendation on the proposed changes and suggests tabling the Basic Plan Review until the market study is reviewed.

Staff is comfortable with the concept and it seems like some additional square footage is possible but not sure if comfortable with the amount they are requesting. Staff is also not comfortable with the request for additional signage and will not recommend any changes to the signage along 28<sup>th</sup> Street.

Chairman McDonald opened the meeting for the Commissions' questions of Staff, there were no questions.

Chairman McDonald invited the Applicant to address the Planning Commission.

Applicant David Riebel, President of Riebel Development Corporation, because of the market conditions, they were going to build 58,000-square feet and a part of the original plan included a strip center further back on the property. Comments coming back from the tenants interested in leasing were they wanted to be closer to 28<sup>th</sup> Street. A marketing company was contracted and they suggested that if Riebel Development were to go with a clean sheet of paper and begin from scratch they could produce a nice project that the developer should do and that is what is being reviewed this evening. He does not believe a market study needs to be done as he has hired one of the best marketing companies in the Nation with an office in Grand Rapids.

Currently, 50,000-square feet have been committed to in the first two (2) phases of the project and others may lease depending on what the Commission allows the developers to do.

Applicant Riebel referred to Phase I totaling 28,000-square feet lease able and the back building total lease able footage is 36,000-square feet.

He noted two (2) areas that would be major restaurants as major restaurants have more draw and has some interest in tenants. Tenants also are asking for a timeline for the phases of projects and when they could move in. He also has eight (8) tenants interested in the rear building. The timing would include starting Phase I this summer and Phase II next spring and then have tenants lined-up for Phases III and IV. Chairman McDonald asked what is intended for Phase IV and Applicant Riebel said retail. Applicant Riebel said he does not want to waste time in obtaining a market study since he has tenants that are interested now.

Applicant Riebel also noted that he has spoken with a national coffee shop that is interested in leasing but they require a drive-thru window along with a major drug store that also requires a drive-thru. His understanding is that previous concerns of the Township are the congestion on 28<sup>th</sup> Street and traffic flow and Applicant Riebel showed the proposed drive-thru location being away from 28<sup>th</sup> Street.

Chairman McDonald asked the Applicant if he has spoken with the Forest Ridge Condominium residents regarding his project.

Applicant. Riebel said he has spoken with the chairman of the association and his only request is that landscaping is done along the back to and requested seeing the elevation of Phase II prior to signing off on the project. Applicant Riebel said they would provide the requested information to the association.

Member Robinson asked if the second building has almost doubled in size noting that it went from 59,000-square feet to 119,000-square feet? Applicant Riebel clarified that all three buildings, the entire center, has basically doubled.

Member Robinson asked if the project is single story or 2-story and Applicant Riebel said 2-story. Planning Director Peterson noted that the back building was originally 2-story and it was larger than the one currently being proposed.

Member Koessel asked how many acres on this parcel? Planning Director Peterson said the whole project is just shy of 15-acres and. Planning Director Peterson noted previous Planning Commission discussions of five (5) buildings being the maximum for the parcel. The rear of this site is approximately ten (10) acres and the buildings out front are not on three (3) acre parcels. Member Koessel said he does not recall the exact discussions regarding the number of buildings on the parcel but does remember making concessions for the first plan. Planning Director Peterson said the original plan had five (5) buildings including Pizza Hut that is on a sub-standard lot and agreed to five (5) total. Member Koessel noted that now the Applicant is seeking to go to six (6) buildings. Member Koessel also noted that the Planning Commission has recently had the same conversation with another developer on 28<sup>th</sup> Street regarding number of buildings and connecting the buildings.

Member Lewis asked Planning Director Peterson what makes this project different from the other project he is referring to? Planning Director Peterson said the projects really are not that different from each other and noted that the Commission is having the same conversation with developers regarding number of buildings on parcels, given that it seems to be coming up all the time it may be appropriate to consider allowing multiple buildings on parcels provided all setbacks, bufferyards, parking, etc can all be met. Staff does not want to see a situation where we force developers to only building large buildings if multiple small ones could also work.

Member Koessel said he is still struggling with the Planning Director's comment regarding the number of buildings and if that



approach is taken, then the Township will be dealing with this every time a Site Plan Review is presented.

Applicant Riebel acknowledged the Planning Commissions' desire to adhere to Township's requirements but the purpose of having a P.U.D. is to develop a relationship with the developer and thought the number of buildings on a parcel is a guideline and if Riebel Development could develop six (6) attractive buildings on their parcel, why wouldn't the Township want that? He has been before numerous Planning Commission Boards involving P.U.D.s and if it is the right project for the right time, it is warranted but it does not mean that every P.U.D. would be warranted the same concessions and that is the power of a P.U.D. it can be site specific.

Member Koessel acknowledged the Applicant's comments and said that the other project on 28<sup>th</sup> Street was also a P.U.D. and a very attractive project but the Planning Commission did limit the number of buildings on the parcel due to the amount of acreage available. He said that this project is also attractive but the Township is taking a risk each time it picks and chooses which parcel can be developed outside of the Township's requirements. There is already an ordinance that allows for so many buildings per acre and have gotten past the guideline a couple of times by connecting buildings with arches and understands the issue. The Township is trying to get away from that and is trying to be more consistent.

Applicant Riebel asked what is stronger than having 50,000-square feet committed for leasing out of 72,000-square feet? Planning Director Peterson noted that is only one-third of the project. Applicant Riebel said you would never have a project that is more than fifty-percent (50%) committed prior to construction at any one time since they are done in phases.

Member Robinson noted another concern is that the Planning Commission talked about a drive-thru before and the Applicant says that two (2) potential tenants would not come if there is not a drive-thru. Applicant Riebel said he was just informing the Commission of what these two (2) possible tenants said to him regarding the lease able space and a major drug store said they would not come unless they had a drive-thru. He did not promise these two potential tenants anything.

Chairman McDonald noted there was a sub-committee that was developed the first time the Planning Commission reviewed the project. There seems to be so many significant changes to the site

plan that are being presented and it seems to make sense to develop another sub-committee, or use the same one as before, to really review this project and make recommendations to the Planning Commission prior to moving forward.

Member MacAllister recalls that this is the third time the Planning Commission has reviewed the site and Chairman McDonald said that is correct.

Member Robinson supported establishing the sub-committee to review the site and provide recommendations to the Planning Commission. Chairman McDonald said the sub-committee would review the changes of the square-footage for the project doubling in size from what was approved, potential drive-thru locations or do not allow, traffic flow or should the Township even move forward with the project. It is Chairman McDonald's feeling that a sub-committee could really focus on the changes and concerns and provide feedback to Applicant Riebel and the Planning Commission prior to Public Hearing.

Member MacAllister supports Staff's request of review a Market Study and why the previous plan does not work to help enlighten the Planning Commission. Applicant Riebel said that his real estate company has been speaking with potential tenants and these are the comments they are receiving regarding the project. Concerns were expressed that the project is too far back from 28<sup>th</sup> Street and they would not consider leasing unless the buildings were moved more up front and that is why they have reconstructed the site plan.

Member Logue noted the developer has a plan he would like to go with and believes the Planning Commission should look at where this plan deviates from the ordinance. He also noted that Staff acknowledged that the plan looks good on paper but bring in the Market Study and look at how to get this project done so the developer does not lose any interest he has already created.

Applicant Riebel asked if it is possible to proceed to Public Hearing, have the sub-committee meet prior to the hearing and have them submit their recommendations? Chairman McDonald said that was his suggestion earlier. Applicant Riebel said he is open to that. Chairman McDonald asked the Planning Director if a motion was needed for the sub-committee development and review and Planning Director Peterson said that typically, the Commission can request the applicant to clear up any items they have concerns with prior to the Public Hearing.

Chairman McDonald noted some of the items the Planning Commission is looking for feedback such as signage on 28<sup>th</sup> Street, additional buffer yard in the southwest corner, number of buildings, residents' feedback, traffic flow and the drive-thru. Applicant Riebel said he is open to having the marketing companies provide in writing the reasons for doing the project this way so the sub-committee may review their comments.

Member Robinson noted that the sub-committee cannot proceed until the Planning Commission decides upon the number of building for the site. Applicant Riebel said he is willing to work with the sub-committee on this issue and if they prefer the arch connecting the two (2) buildings, as on the previously approved plan, he will add the arch back onto the buildings.

Member Richards said she believes smaller buildings would be better and these cases should be reviewed on an individual basis and supports a sub-committee's review to see if this project fits on the parcel. She believes the project should be reviewed on its own merits: does the project look and feel like a good fit on this property.

Member Koessel noted that whenever the Planning Commission does a Basic Site Plan Review, the developer shows the Township how many buildings can fit on a parcel and this parcel of land, per Township's Ordinance, is not big enough to fit six (6) buildings and that is the issue. Member Lewis noted that the project could fit the parking necessary and landscaping and Member Koessel noted the square-footage could fit and meet Township requirements. Member Koessel further stated that his concern is remaining consistent. Smaller buildings are nicer too and said the sub-committee could be developed but need to keep in mind what other developers have been told or allowed to do.

Chairman McDonald asked if any of the Planning Commissioners were interested in serving on the sub-committee and Commissioners MacAllister, Robinson and Postma agreed to serve on the sub-committee.

Member Lewis noted that on the Zoning Board of Appeals that before granting a variance to an ordinance thought is given to changing the ordinance and many times thought is given that the variance request would not come up often and therefore, the variance is given. The ordinance is one (1) building per three (3) acres. Member Lewis asked where in the ordinance does it appear:

is it for underlying zoning or is it in the P.U.D.? Planning Director Peterson said the ordinance states that three (3) acres is the minimum lot size and further in the ordinance it states one (1) building per parcel and this is how Staff derived to one (1) building per three (3) acres. Member Lewis also noted that underlying zoning has building height included and Applicant Riebel made a good point noting that people in the Township have gone to a P.U.D. and put a clock tower up but in the underlying zoning, they should not have been able to. He realizes you cannot use a P.U.D. to get around the ordinance but sometimes it has been done but not on building numbers. He is not in favor of more density and taller buildings and this project supports smaller buildings and provides more appeal to him.

Planning Director Peterson commented he still would like to see the Market Study to determine if this is the right project to add a sixth building and Member Lewis agreed.

Member Koessel said that the signage would be another item for the sub-committee to review since the developer is now proposing another pylon sign.

Applicant Riebel said it would be cheaper for him, as the developer, to building taller buildings but they are trying to create a village affect on the parcel. He said he views this property as the entrance to Cascade Township and wants to portray the village affect in his development and hopes his neighbor does as well.

Member Koessel suggested that the sub-committee may want to review the number of times the Planning Commission has been approached to allow for more buildings than the ordinance/acreage allows for. He, again, referred to the other project that the Planning Commission required connecting two (2) buildings to meet the ordinance and the Planning Commission needs to focus on consistency. Member MacAllister noted that the developer had to connect the buildings with a physical connection and not just an arch.

Chairman McDonald noted that this is a project that the Planning Commission does not want to stifle or deny in the Township but on the other hand do not want to be inconsistent without logical reasons and underlying change in the ordinance. The Planning Commission will look forward to the sub-committee's recommendations regarding this project.

Applicant Riebel said he would address Staff's comments in the next set of drawings to the best they can or present arguments why he cannot address the comments. Planning Director Peterson suggested that the Applicant not make any changes until the sub-committee has met and Chairman McDonald supported the suggestion. Applicant Riebel said that made sense as well and agreed.

**ARTICLE 9. Any Other Business:** Chairman McDonald opened the meeting for any other business. There was no other business.

**ARTICLE 8. Adjournment**  
Chairman McDonald requested a motion for adjournment.

**Member Robinson supported by Member MacAllister moved to adjourn. The motion carried and the meeting was adjourned at 9:11 p.m.**

Respectfully submitted,

Jack Lewis, Secretary

Lisa Hern, Recording Secretary