

MINUTES
Cascade Charter Township Planning Commission
Monday, April 16, 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, 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
16th agenda.

Member Lewis motioned for approval of the agenda as presented, supported by Member Robinson. 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 April 2, 2007 Planning Commission
Meeting Minutes.

Member Koessel noted in Article 4, Chairman McDonald's
position on the Planning Commission needs to be changed to
"Chairman" and remove the title of "Vice-Chairman".

Member Koessel also referred to Article 6, page 6 in the last
paragraph, second sentence: George Wante is the owner of the
building next door, not the storeowner.

Member MacAllister asked that the word "excused" be added to
those who were absent from the meeting, she believes they were
excused from the meeting.

**Member Lewis motioned for approval of the April 2, 2007
minutes as corrected, supported by Member MacAllister.
Chairman McDonald called to question. All in favor with none
opposed, the motion carried. April 2, 2007 Minutes approved
as corrected.**

ARTICLE 5.

**Case #07-2867: Michiana Metronet
Address of Property: 5212 52nd Street SE
(PUBLIC HEARING)**

Requested Action: The Applicant is requesting a Type 1 Special Use Permit to co-locate a communication antenna with a small equipment structure at the existing cellular tower site a 5212 52nd Street SE.

Planning Director Peterson said the property is located on 52nd Street on the south side of the road. Inside the packet is the site plan showing the tower with the new antenna on it. The unique aspect of this co-location is that all of the equipment is stored in one of the storage units.

Staff recommends the approval of the Type I Special Use Permit to allow the co-location of the antenna at the tower at 5212 52nd Street as requested.

Chairman McDonald invited the Applicant to add any comments and Applicant, Patrick Welsh, with WLC Company the agent for Michiana Metronet, said that per the Township's Zoning Ordinance, they do abide by all of the requirements of Section 17.03(i). In place are fully executed leases with AT&T and 52nd Street Storage LLC and noted that Michiana Metronet is doing business as Centennial Wireless.

The visual impact is already at a lower level than the existing tower, therefore there will be no visual impact and, as mentioned, they are leasing one of the areas inside the storage facility for the equipment and therefore, do request a Type I Special Use Permit from the Planning Commission.

Chairman McDonald opened the meeting for questions or comments of the Applicant from the Planning Commission. Being no questions, Chairman McDonald requested a motion to open the Public Hearing.

Member Lewis motioned to open the Public Hearing, supported by Member MacAllister. 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. There were no public comments.

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 Robinson motioned for approval of the Applicant's request for a Type I Special Use Permit to co-locate a communication antenna with a small equipment structure at the existing cellular tower at 5212 52nd Street, supported by Member MacAllister.

Chairman McDonald called the motion to question and Member Koessel asked if the address is 5210 52nd Street or 5212 52nd Street as the agenda reflects one address and the packets reflect the other? Planning Director Peterson clarified the correct as 5212 52nd Street SE. There was no further discussion. **All were in favor with none opposed. Motion carried.**

ARTICLE 6.

**Case # 07-2864: Thornhills Properties LLC – Mike Gantos
Address of Property: 2465 Cascade Springs**

Requested Action: The Applicant is requesting site plan approval to redevelop an existing building for a new 36,750-square foot strip mall at 2845 Thornhills SE.

Planning Director Peterson said the Planning Commission might recall they have approved the site plan for this project in each of the past two (2) years. The approvals that are granted by the Planning Commission are for one (1) year and this project has expired. The Applicant has not been able to complete either of those projects and is asking for approval of the site plan submitted and within the Commissions' packets.

The new plan is slightly different from the previous two (2) plans and shows a smaller building with a little different shape.

The new site plan complies with all of the Township's required height, area and setback regulations of the B2 Zoning District. The site was also awarded a couple of variances for the curb cut location and buffer yard setbacks along the north property line. The setback is at 17-feet instead of the 25-foot requirement and

these variances were re-authorized at the April 10, 2007 Zoning Board of Appeals (ZBA) Meeting.

The ZBA also required clean up of the debris on the site as well as clean up of the debris that had blown into the gulley along Thornhills. Planning Director Peterson said he visited the site and as of 6:00 p.m., it was not cleaned up yet. The ZBA did specify the request for clean up, however, it was not a condition.

The parking is being calculated based upon an 8,000-square foot restaurant in the building. This will require a minimum of 195 spaces and the Applicant has provided 196 parking spaces.

The south curb cut on this site is shared with the property to the south; this is the main access drive to the Township Hall. This driveway would be widened to meet KCRC standards.

The site will have cross access to the property to the North and West. The Township will need to have a signed agreement with the Applicant that this access will remain open and maintained at all times of the year and in perpetuity. The Township has received the agreement between the bank and the Applicant for their shared parking arrangement and is included within the Planning Commissions' packets.

The signage along Thornhills would have to be revised. This will require a new sign permit and require that the existing sign pole be removed and be relocated further away from the road. The site plan does show the relocated sign to be brought into compliance with the sign code.

The site plan has also been reviewed by the Township's Fire Department and their comments are included within the Commissions' packets.

The Township Engineer has reviewed their plans and provided his review comments. The Engineer's comments need to be addressed prior to issuing a building permit. The developer has some detail issues to follow through regarding the porous asphalt being used as part of their detention; the Engineer would like a concrete pad for the dumpster. The Applicant needs to obtain an agreement from the neighboring property, Reibel's, for the grading onto the property along with the sidewalk grade that comes onto the site from Thornhills and that the slope is not too steep.

Staff is recommending the site plan be approved with the following conditions:

- a. The Applicant applies for, and receive, a soil erosion control permit from the Township prior to the issuance of any building permit.
- b. The Applicant provides a landscape bond of \$27,000.00.
- c. Widen the south curb cut at the Applicant's expense to the standards set forth by the Kent County Road Commission (KCRC).
- d. Revise the site plan to show the cross section of the required seven-foot sidewalk along the entire Thornhills frontage. The sidewalk would then be completed before any occupancy is awarded for the project.
- 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 with the Township prior to a building permit being issued.
- f. Address the comments of the Township Engineer letter dated April 11, 2007.
- g. Remove the existing pole sign before a building permit is issued.
- h. Comply with the Fire Department's letter dated April 4, 2007.

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

Member MacAllister asked if she is seeing a drive thru on the site plan and Planning Director Peterson said the Applicant does indicate a drive thru on the west side of the building. Member MacAllister asked if the drive thru was on the original site plan and Planning Director said it was not. She asked if the developer has a tenant for the drive thru and Planning Director Peterson has not heard if the developer does; the drive thru is allowed in a B-2 Zone. Member Lewis asked if a fast food drive thru is allowed. Planning Director Peterson noted a developer could have a fast food drive thru if they were granted a Special Use Permit.

Member MacAllister asked if the drive thru is being approved tonight and Planning Director Peterson said the Planning Commission is reviewing the site plan submitted that does include a drive thru but not a drive thru restaurant or anything else that would require a Special Use Permit. Member Lewis asked if a McDonald's could go into the site and Planning Director Peterson said it is possible.

Member Lewis asked if the site plan has enough parking for the drive thru and Planning Director Peterson said it is showing enough parking for a restaurant on the site. Member Lewis asked if a drive thru has different parking requirements and number of spaces needed. Planning Director Peterson said that parking is based on fast food not whether or not it has a drive through. Member Lewis commented that if the Planning Commission were to approve the site plan with the drive thru, they may want to consider approving the site with fifteen (15) spaces per 1,000 square feet to allow for fast food. Planning Director Peterson noted the Applicant will need to be careful when leasing the building to not cause a problem with the parking then it is at a risk because he would not have enough parking.

Member Koessel clarified that the parking requirements for fast food are fifteen (15) spaces per every 1,000 and Planning Director Peterson said that is correct. Member Koessel asked for clarification as to how. Member Koessel noted that if fast food goes into the building, then it would require another forty-spaces and Planning Director Peterson said that is correct and if it is for a fast food operation, the Applicant does have to come before the Planning Commission again for a Special Use Permit.

Member Robinson asked that if the Planning Commission were to approve the site plan with the lane and drive thru would the Applicant have to come back to the Planning Commission? Planning Director Peterson said it is possible depending on what the use is.

Chairman McDonald asked for clarification that if the Planning Commission approves this site plan, then the drive thru would be allowed but if fast food wanted to lease the building out, it would have to come back before the Planning Commission for approval of for a Special Use Permit. If the Special Use Permit were not granted, then fast food would not be allowed to go in, correct? Planning Director Peterson said that is possible.

Member Koessel also said that if a fast food establishment were to come in, chances are they would not require the 8,000 square feet allotted and the developer would have to be careful how to lease the remaining portion of the building with what is left and remaining in compliance with the Township's Ordinance.

Member Postma noted that the drive thru could be for a bank or a pharmacy, fast foods are not the only things that utilize a drive thru.

Member Koessel noted the new shape of the building and how it is tilted on the property as compared to the other site plan. Planning Director Peterson said the elevation plan within the packets show the north side of the elevation, facing 28th Street.

No further questions of Staff. Chairman McDonald invited Applicant Mike Gantos to add any comments he may have.

Applicant Mike Gantos, of Thornhills Properties LLC, 2465 Cascade Springs, said they are looking for additional approval and wanted to point out that the contractor left the site this evening and the debris that was discussed earlier has been cleaned up. The contractor will also be returning tomorrow to bring a dumpster to the site for the remaining deconstruction.

Member Lewis asked if the clean up was completed in one hour and Applicant Gantos said there were three (3) trucks there and they cleaned up the gulley area and other loose debris that was found. Applicant Gantos requested that a covered dumpster be brought on site tomorrow so the remaining debris can be cleaned up. They will also meet with Planning Director Peterson to ensure the site and loose debris has been cleaned up appropriately.

Applicant Gantos said that Member Postma's comments regarding the drive thru service are correct; they are seeking to lease the space to a pharmacy or ice cream shop. He understands that he may need a Special Use Permit for this feature. He is fully aware that if there is a shift in who leases the space, he will meet the necessary requirements for parking spaces, etc.

Applicant Gantos also said that he also understands that the agreements must be signed and submitted to the Township Offices prior to receiving a building permit. The agreements will be submitted as part of the deeds.

Applicant Gantos said he would obtain a copy of the Engineer's letter regarding his comments and will follow-up with him, making sure the requirements are met. He has not seen the Engineer's letter yet but will have the items addressed.

Applicant Gantos said he is seeking the Planning Commission's approval of the site plan as they would like to begin construction on this project immediately.

Chairman McDonald opened the meeting for any questions of the Applicant from the Planning Commission.

Member Lewis asked if he understood correctly that Applicant Gantos has not seen the Township Engineer's letter? Applicant Gantos said that is correct, he has not seen the April 11th letter.

Member Lewis noted that this is not the first time that the Planning Commission has asked for the written agreements from the two (2) properties. Applicant Gantos said two (2) years ago, they never approached the owners of the properties to the north and west because they were not sure if the easements would be moved. They have held off in recording the easements until the construction was ready to begin and are pursuing the agreements with the property owners.

Member MacAllister asked if the back parking on the south side of the site plan is for staff. Applicant Gantos said it is his intention to have that area for staff parking and deliveries. They have been encouraging with those who may lease to have their employees utilize the back parking. The sidewalks have been increased to provide more of a village-feel. Member MacAllister noted that there are not any pathways connecting from the back parking lot to the front and it appears people would have to go through the building. Applicant Gantos said the rear parking is not designed for public use.

Member Lewis asked if the property is zoned B-2 and Planning Director Peterson said it is.

Chairman McDonald asked where the trash reciprocals would be located on site and Applicant Gantos said the dumpster location is in the southwest corner of the site.

Member MacAllister asked what the exterior materials will be of the building and Applicant Gantos said he is working on the final plans with a contractor but will probably be glass, brick and drivet is what they are currently considering. Member MacAllister questioned the canopies and Applicant Gantos said some are awnings that come out from the building; some are a decorative metal-channel with mesh roofing.

Member MacAllister questioned if there will be roof-top mechanical systems and Applicant Gantos said they are still reviewing two options: one being rooftop and the other being ground mounted in the rear. Member MacAllister asked if the rooftops would be screened and the Applicant said that there is a parapet wall that is along the outside of the building and they are setback. The building is 18-foot minimum ceiling height and will be a long way up.

Member Lewis asked for clarification for the direction from which the Planning Commission is reviewing the site, is this from the north, south, east? Planning Director Peterson said the elevation plan show the building from 28th Street and from Thornhills.

Member MacAllister asked what the Applicant's plans are for signage and Applicant Gantos said he will follow the sign ordinance of the Township and does not have signage on 28th Street.

Member Lewis said he has a question regarding the porous asphalt pavement that the Township Engineer has questions on as well, but since the Applicant has not seen the letter he cannot ask any questions regarding the asphalt. Applicant Gantos said he did meet with the engineer on March 11th and the Engineer said it was great that he was proposing the porous asphalt as it is LEED friendly and should eliminate flow onto the Riebel property. The water will be held on site and is a very natural system. He acknowledged past concerns with the water draining onto other sites and with this system that should be virtually eliminated.

Applicant Gantos also noted that they are reviewing the entire project under LEED and looking for the entire project to become LEED certified. Applicant Gantos said the project is recycling the materials already on site such as the concrete, existing asphalt, and are being environmentally conscious as they develop the site.

Member Lewis noted the Applicant spoke of a vacuum truck to keep the entire parking lot clear and Applicant Gantos said that is typical and they have spoken of bringing a truck out there at least once a year.

Chairman McDonald asked if the Applicant has seen all of Staff's recommendations and Applicant Gantos said he has. He believes there are some comments that were leftover from before and believes the engineer had the sidewalks extended north on his plans. Applicant Gantos said he understands that the Township

needs to see that the Applicant is meeting the standards with the sidewalks and will add them to the site plan.

Applicant Gantos said the curb cuts are the forty-two feet meeting the Road Commissions' standards.

Chairman McDonald asked Applicant Gantos if he has any issues with Staff's recommendations and he said he does not, and has been consistent with what has been discussed in the past.

Member MacAllister commented that the west sidewalk in front of the drive area, is Riebel developing a sidewalk at that point with his roadway? Planning Director Peterson said that is correct. Member MacAllister then questioned if that sidewalk should connect to that sidewalk? Planning Director Peterson said it is shown on the site plan connecting to the Riebel project..

Member Lewis said that on behalf of the Zoning Board of Appeals, he thanked Applicant Gantos for cleaning up the debris that was blown off the site.

Chairman McDonald noted that Staff has outlined very well the recommendations and conditions for site plan approval. The Applicant has agreed to the outstanding conditions and the outstanding items listed by the Township Engineer. Chairman McDonald opened the meeting for discussion or a motion.

Member MacAllister motioned for site plan approval to redevelop the existing building for a new 36,750-square foot strip mall at 2845 Thornhills with the conditions listed by Staff; Member Koessel supported the motion.

Member Lewis asked if there was any way to eliminate the drive thru or restrict its use to banks or pharmacies as pointed out. He is very fearful that a fast food establishment will go in and understands that fast food is permitted in B-2 zoning. He hopes the developer will pursue the thoughts of leasing to a bank or a pharmacy and hopes he will make the project look like a village and contribute to Cascade. Member Lewis prefers to keep the fast food restaurants on 28th Street and not in a B-2 area next to the Township's Office.

Member Koessel hopes that Mr. Gantos will consider Member Lewis' request for not allowing fast food in the building.

Chairman McDonald asked for any further comments, there were none. There is a motion and support, Chairman McDonald requested a vote with six (6) in favor and two (2) opposed.

Member Lewis requested a Roll Call vote, Administrative Assistant Hern called for the Planning Commissions' vote:

Member Koessel, yes.
Member Richards, yes
Member Postma, yes
Member Robinson, no
Chairman McDonald, yes
Member Lewis, no
Member MacAllister, yes
Member Logue, yes

Chairman McDonald stated the motion has passed.

ARTICLE 7.

Case # 06-2820 James Russell Co.

Address of Property: 6010 28th Street SE

Requested Action: Planning Commission recommendation to Township Board for P.U.D. rezoning.

Planning Director Peterson said that at the Public Hearing on April 2, 2007, the Planning Commission awarded preliminary approval of the P.U.D. rezoning subject to the following conditions:

1. Final plans to be revised to address comments by the Township Engineer.
2. Provide a landscape bond in the amount of \$13,000.
3. Limit the pole sign to what is allowed by the Sign Ordinance.
4. Revise the site plan to provide a taper for the entrance on 28th Street.
5. Incorporate the installation of the 28th Street sidewalk in the P.U.D. Ordinance.

The signage calculation presented at the last meeting was off, it should have been 114-square feet.

Planning Director Peterson said the Applicant has already addressed the above conditions or has revised the plans in order to do so.

Staff has drafted a P.U.D. Ordinance that incorporates the Commissions' approval and has shared this with the Applicant who has agreed on the language in the document.

Staff recommends that the Planning Commission forward a positive recommendation to the Township Board for approval of the P.U.D. rezoning with the P.U.D. Ordinance.

Member Koessel motioned for a positive recommendation to the Township Board for approval of the P.U.D. rezoning with the P.U.D. Ordinance at 6010 28th Street, supported by Member Richards.

Chairman McDonald opened the meeting for discussion of the motion and Member Lewis said he would like to commend the Applicant for presenting a clean project and site plan. This plan did not receive any conditions for approval since the Applicant was well prepared and had met Township's requirements.

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

ARTICLE 8.

Case # 07-2869 Anderson Woods, Phase II & III – John Halland

Address of Property: 5375 Buttrick SE

Requested Action: Amendment of P.U.D. for new grading plan, island at the entrance and a community pool.

Planning Director Peterson noted the property's location is at 52nd Street and Buttrick Avenue, south of Anderson Woods.

The Applicant is requesting Basic Plan Review for some amendments to their recently approved plan for three (3) things:

1. Amend the grading on units 28, 29 and 30
2. Add a community pool and drainage swale in the open spaces areas west of unit 18.
3. Incorporate an island in the road at the entrance off from Buttrick Avenue.

The Developer has asked Staff to approve these changes and it is Staff's opinion that these changes are more than allowed to be changes by administrative review. Therefore, a formal P.U.D. amendment must be done.

The major change to the site plan is the inclusion of a community pool. This not only changes the open space area but also incorporates additional runoff and grading changes to this area.

Planning Director Peterson noted the pool is near the community septic and the Health Department may have to review the plan.

The review by the Township Engineer for storm water purposes will be very important for this project. Unless the Planning Commission has other items that they feel need to be addressed, Staff would suggest sending this plan to the Public Hearing stage of the process once they have received approval from the Township Engineer. It will be at that stage of the review process that the merits of the request will be considered.

The Township Engineer's report shows major items that need to be addressed and will be storm water related and its relation to the pool and the regarding.

Member MacAllister said she would like to see the site plan dimensions for the pool and septic areas for a better understanding of the project. She asked if there are any buildings in the area, she cannot tell by the site plan.

Applicant David Jablonski, 8172 92nd Street, said there is a building on site as they are required to have bath and shower facilities for both men and women but there is no clubhouse.

Member Lewis asked why the developer is adding the swimming pool now, are they receiving requests from potential buyers? Applicant Jablonski said that they felt the pool would significantly increase the draw into the development.

Applicant Jablonski noted that the change to the front entrance is due to having the island is an asset to the property. The island will provide a turn around for someone who accidentally pulls into the gated community and does not wish to enter it. Chairman McDonald asked if the gate is before or after the island and the applicants said it is after.

Planning Director Peterson also noted that the area that is now showing the community pool is next to the area slated to be tennis courts in the previous site plan.

Member Robinson asked Staff if the Township Engineer has reviewed the distance from the pool to the septic and the elevation of the pool? Planning Director Peterson said the engineer has looked at it.

Member Postma said the pool will need to go through the State of Michigan for approval. Planning Director Peterson noted that we should receive the State's input prior to scheduling the Public Hearing.

There were no other comments regarding the project. Chairman McDonald asked if the next step for the project is to receive the comments from the State of Michigan and Health Department and Planning Director Peterson said that the plan will need to have the revised distances from various structures on the property.

ARTICLE 9.

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

Member Lewis asked to have large site plans available at the Planning Commission Meetings. He understands that the large plans are available prior to the meeting to be picked up but a large site plan should be available at the meetings.

Member Lewis said he still would like to have the large plans available at the Planning Commission Meetings.

Member Lewis also noted that Mr. Gantos was approved with eight items to be done, that someone will have to track. He is concerned that now there will need to be follow up to ensure the items have been completed. Chairman McDonald asked Planning Director Peterson his thoughts. Planning Director Peterson agreed that less conditions are easier for Staff to track. Typically the site plan should be to a point where any conditions that have to be met will not change the site plan.

Chairman McDonald supported having Staff request more detail on the site plans prior to coming to the Planning Commission.

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 8:27 p.m.

Respectfully submitted,

Jack Lewis, Secretary

Lisa Hern, Recording Secretary