

MINUTES
Cascade Charter Township
Planning Commission
Monday, December 18, 2017
7:00 P.M.

ARTICLE 1. Vice Chairman Sperla called the meeting to order at 7:00 P.M.
Members Present: Katsma, Johnson, Lewis, Pennington, Rissi, and Williams
Members Absent: Mead (E) and Robinson (E)
Others Present: Community Development Director, Steve Peterson and those listed on the sign in sheet.

ARTICLE 2. Pledge of Allegiance.

ARTICLE 3. Approve the current Agenda.

Motion was made by Member Lewis to approve the Agenda. Supported by Member Williams. Motion carried 7 to 0.

ARTICLE 4. Approve the Minutes of the December 4, 2017 Meeting.

Motion was made by Member Rissi to approve the Minutes. Supported by Member Johnson. Motion carried 7 to 0.

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

None.

ARTICLE 6. Case #17-3395

Public Hearing

Property Address: 5039 28th Street

Requested Action: The Applicant is requesting to rezone the property to a Planned Unit Development to allow two separate buildings.

Director Peterson stated that the Applicant is requesting Preliminary Plan Approval in order to develop the site into two separate restaurants. Currently an occupied IHOP and an unoccupied Don Julio restaurant are on the site. Applicant would like to maintain the IHOP portion of the building and remove the Don Julio portion of the building to accommodate a new Wendy's restaurant.

The site was originally developed in 2002 and allowed for one large building that could meet the township's requirements and allow for two restaurant sites.

The proposal now would allow two small restaurants on their own parcel. This change would require several exceptions from the township ordinance requirements, which seems to be driven by the need to have a drive-thru.

The site has adequate parking for the two proposed restaurants. A total of 162 parking spaces are planned and 81 would be required. The total sizes of the buildings are roughly the same as it was when it was one building. The purchase agreement includes a shared parking agreement.

The township did hold a meeting with the property owners in the area to see what type of interest they had in making Northern Drive a public road and connecting it to Starr Street to give through access from 28th and Patterson. The Downtown Development Authority (“DDA”) has it on their plan to assist with traffic flow in the area. The plan would include a connection and extension of Starr Street to make this happen. The most likely way for this plan to move forward would be for the property owners to agree to participate in a Special Assessment District (“SAD”) for the extension and conversion of the road to connect to Starr Street and become public. At this point, Applicant does not object to the idea, but does have concerns over what cost they would incur. Preliminary engineering and cost estimates were developed in 2012. A more complete study would need to be done to determine cost and a cost sharing method.

Applicant’s plan shows an additional curb cut to Northern Industrial Drive with a right-in only movement. This curb cut would also require an exception.

The plan no longer includes a sidewalk along Northern Industrial Drive.

The new plan does not meet several of the underlying zoning regulations as pointed out in the staff report.

Director Peterson explained that the township has allowed a few of these exceptions when we felt that we were getting a better overall plan, but the scale and scope of these changes is far greater than staff is comfortable with.

The Master Plan designation for this property is Highway Commercial. This designation is in line with the B2 zoning district.

It should be understood that the access to the neighboring property (McDonalds) is allowed to be open at all times and must be in good repair. This will be part of the P.U.D. Ordinance if this project is approved.

This project was introduced to the Planning Commission on August 7, 2017. At that meeting, the Commission gave the applicant a list of items to complete in order to proceed. Unfortunately, it does not appear that Applicant was able to respond to all of those items.

Director Peterson recommends that the plan be denied. Given the number and amount of exceptions Applicant is seeking, it is not possible for staff to support the project. If Applicant is interested in trying to develop a better plan, he would be open to tabling the project to work out the signage plan, lighting plan, sidewalk, SAD agreement and curb cut.

Director Peterson went on to explain that if the Planning Commission wants to approve the plan, they should indicate how Applicant meets all of the P.U.D. standards and indicate how they want each of the exceptions dealt with. If approved, staff will put together the P.U.D. Ordinance with the Applicant for their review so a recommendation can be made to the Township Board.

Vice Chairman Sperla asked the Applicant to come forward with any comments.

Mr. John Walsh came forward on behalf of Applicant to give an overview of the plan, to address the concerns of staff, and to answer any questions the Planning Commission members may have.

Mr. Walsh explained there will be 2 separate buildings with increased landscaping and more than enough parking.

Pointing to the exceptions they are requesting, Mr. Walsh explained:

1. Lighting - Applicant will abide by the township regulations of 5 foot candles instead of 7.2 foot candles.
2. Signage - willing to work on/conform their signage to township standards.
3. Curb cut - They would like to leave the curb cut where it is in the plan (at 68 feet). This curb cut is imperative to making the flow of traffic around the Wendy's building through the drive-thru workable. Without it, the whole project could not happen.
4. SAD – Applicant is more than willing to participate, however, without some cost estimates it would be impossible for them to commit at this juncture.

A lengthy discussion followed between Mr. Walsh and the Planning Commission mostly concerning the need and distance of the curb cut, signage and the SAD.

The Planning Commission had concerns that the curb cut at 68 feet was too close to 28th Street and could cause a backup.

The consensus from the Planning Commission on the signage was that they would like the Applicant to come more in line with township standards.

In regards to the SAD, the Planning Commission members directed questions to Director Peterson to understand why an agreement needed to be signed at this time. Director Peterson indicated that having owners agree to participate in a SAD is not unique in Cascade as we have several agreements for other projects and that getting an owner to agree each time is an effective way to implement the planned improvements.

Mr. Doug Poland, as Applicant, came forward and explained that he feels they have done all they could to comply with the township standards and that timing is a big issue right now.

Mr. Poland reiterated that without the curb cut, it may be difficult to move forward with the project at all, but that if the curb cut was approved, they would put in the sidewalk. Mr. Poland also stated again that they will comply with township standards with regards to the lighting and signage, but that the SAD is an unknown expense and it would be difficult for them to commit to it at this time.

Motion was made by Member Rissi to open public hearing. Supported by Member Pennington. Motion carried 7 to 0.

Mr. Dave Denton came forward to say that his realty company was the one that originally brought the IHOP to that location. He explained how difficult it was for him to get any restaurant business onto that site because of the lack of a decent entry into it. He voiced his approval of this project and that the curb cut was imperative for any restaurant business to thrive.

Motion was made by Member Rissi to close public hearing. Supported by Member Pennington. Motion carried 7 to 0.

Motion was made by Member Lewis to table a decision on this plan until such time as the Applicant can revise the plan to show more details in line with township standards. Supported by Member Johnson. Motion carried 7 to 0.

ARTICLE 7. Any other business

The next meeting will be January 8, 2018. Elections will be held at that meeting.

ARTICLE 8. Adjournment

Motion was made by Member Pennington to adjourn. Supported by Member Williams. Motion carried 7 to 0. The meeting was adjourned at 8:30 p.m.

Respectfully submitted,
Scott Rissi, Secretary