

## MINUTES

Cascade Charter Township Planning Commission

Monday, September 17, 2007

7:00 p.m.

**ARTICLE 1.** Chairman McDonald called the meeting to order at 7:03 p.m.  
Members Present: Koessel, Lewis, Logue, MacAllister, McDonald, Postma, Richards, Robinson  
Members Absent: Waalkes (excused)  
Others Present: Planning Director Peterson, Recording Secretary 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 September 17<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. Approve the Minutes of the September 4, 2007.**

Chairman McDonald opened the meeting for revisions, corrections or a motion for approval of the September 4<sup>th</sup> minutes.

Chairman McDonald noted on Page 21, in the fifth paragraph, at the very end of the sentence "...the Developer assumes to be valid is not." that the word "is" be changed to "valid or not".

**Member Lewis motioned for approval of the September 4, 2007 minutes with the correction, supported by Member Richards.**

Chairman McDonald called the motion to question. **All in favor with none opposed: September 4, 2007 Planning Commission Meeting Minutes were approved.**

**ARTICLE 5. Case # 07-2896: Hertz Equipment Rental**  
**Address of Property: 5500 36 Street SE**  
Requested Action: The Applicant is requesting site plan approval for a 1,500-square foot addition to the existing building.

Planning Director Peterson noted the general location of the property is on the south side of 36<sup>th</sup> Street just west of Kraft Avenue.

The Applicant is requesting site plan approval to construct a 1,500 square foot addition to the east side of the existing building.

The site plan complies with all of the other required height, area and setback regulations of the I Zoning District.

The building is currently used as an office and warehouse for the operation of an equipment storage center.

The existing building is approximately 7,700 square feet. This addition is large enough to require site plan approval but below the 20% threshold to require landscaping.

Site Plan approval is required since the addition is an increase over 5% of the existing building.

The existing building is non-conforming but the addition meets all the Township's setback requirements so it is not an increase in the nonconforming situation.

The Township Fire Department has reviewed and approved the site plan along with the Township Engineer who has also reviewed and approved the site plan.

Staff recommends Site Plan approval for the proposed addition under the following condition:

- 1) The Applicant is to apply for and receive a soil erosion permit.

Chairman McDonald opened the meeting for questions of Staff.

Member MacAllister asked if exterior signage is part of the project and Planning Director Peterson said there is no additional signage.

Chairman McDonald asked if there is any additional lighting and Planning Director Peterson said there is not.

Planning Director Peterson said the addition would be utilized for equipment storage and an area in the back is being paved as required by the Township.

Applicant, Ken Watkins from Architectural Concepts said he did not have any further comments and the addition would serve as additional storage for their rental equipment.

Member Lewis asked if the addition would increase Hertz' employment and Applicant Watkins said it would not.

**Member Lewis motioned in support of the Applicant's request for site plan approval for a 1,500 square foot addition to the existing building, supported by Member Robinson.**

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

**ARTICLE 6.**

**Case # 07-2861: Riebel Development Corp.**

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

**(PUBLIC HEARING)**

Requested Action: The Applicant is requesting Preliminary Plan Approval in order to amend the existing Planned Unit Development.

Chairman McDonald noted that a sub-committee was developed for this case and Member Postma and Member MacAllister, two (2) of the sub-committee members, noted at the last Planning Commission Meeting that the plans has changed substantially. At that time, Member Koessel noted that the Planning Commission should review the site plan since there have been changes that the Planning Commission has not seen and had suggested that the Planning Commission review the new site plan.

Planning Director Peterson noted that the project has been rezoned to a P.U.D. (Planned Unit Development) in 2005. Part of the project has been developed with Culver's and Macatawa Bank and some of that has been modified with the curb cut along 28<sup>th</sup> Street.

The changes to the development are all in the rear of the site. The Applicant has indicated that the changes are needed as a result of changes in the market.

The Applicant has provided copies of his market study as well as going over changes to the plan during the subcommittee process. The biggest change in the plan is the enclosed bridge/walkway between the buildings. This connection was thought to address the number of buildings in the project, five buildings on approximately fifteen (15) acres.

The Applicant has indicated a list of proposed uses for the project that would be incorporated into the ordinance amendments. This would limit how the overall space could be used in the project.

Signage is also being requested to change the signs on 28<sup>th</sup> Street. The Applicant is asking for two (2) 100-square foot signs along

28<sup>th</sup> Street. The current project allowed the small ground signs for the uses out front in exchange for a second pole sign. The rationale developed by the Applicant is to decrease the amount of allowed wall signage for the project and devote that signage to the pole sign. Staff would suggest a change to their idea. Staff would feel more comfortable allocating the allowed pole signage 120-square feet and dividing that amount to two pole signs. This would remain consistent with what is allowed and would change the amount of wall signage for the site.

Final approval from the Township Engineer as well as the City of Grand Rapids will be needed before proceeding.

Also included in the Planning Commissions' packet is a letter from the condominium units to the south of the project and they have approved the changes. The site does shift closer to the residential area but there is still a large buffer of approximately 125-feet, earlier this buffer was a little over 200-feet.

From the rear of the site plan, there was approximately 59,000-square feet of developable space, and the revised plan brings this up to approximately 119,000-square feet. Though this has changed, the site still meets the Township's requirements regarding setbacks, allocated parking, etc. The first site plan underutilized the property and its development. It is important to remember when discussing the increases, that these increases still meet the Township's requirements for setbacks and this is an increase to what the original P.U.D. provided but not an increase to what the Township's Zoning Ordinances allow.

The property is planned for this type of use as it is zoned Commercial along with the surrounding areas being zoned Commercial with the exception to the south of the property which is zoned Residential.

The required green space has been met and is exceeded.

If approved, Staff can begin to write a P.U.D. Ordinance for the Planning Commissions' review.

Some of the details still need to be addressed but overall, Staff is satisfied with the layout of the site plan and the only difference is what the Developer is requesting in their sign package.

Member Koessel noted there is really six (6) buildings on the site with two (2) being connected with a walkway and Planning Director Peterson said that is correct.

Planning Director Peterson also suggested that the Planning Commission might want to hold on asking questions until the Applicant has presented their material regarding the site.

No further questions of Staff from the Planning Commission.

Applicant David Riebel introduced himself along with Jim Remminga, Architect, and Aaron Katlin, Engineer from Fleiss and VandenBrink.

Applicant Riebel indicated that the market has changed since March of 2007, noting that this project was being reviewed back in 2004. The market plan indicated that the plan was too traditional of a strip center, located too far back on the property, and the Developer is asking too much in rent at that time. When reviewing their economics the study showed that the developer needed to build the project to this size, to support the lower rents the developer is charging, and the developer would like to make a beautiful statement for Cascade Township in providing a village-look to the project.

Mr. Remminga provided a PowerPoint slide presentation of the project that will provide a lot of details addressing concerns at the sub-committee meetings.

The site is currently zoned to a Commercial P.U.D. and was previously the site for Laser Alignment and was a legally non-conforming industrial use site. The underlying land is zoned Commercial but the previous owners continued to operate with industrial use until the buildings came down.

Applicant Riebel said the plan originally approved in 2005 was for a fairly traditional small retail center with some office use included.

Culver's and Macatawa Bank have been completed. The shopping center ran into some resistance based on design. Not too long ago the whole "Main Street Lifestyle" movement progressed and a number of these have been talked about in the West Michigan area. The previous plan and the rear location were questions in the minds of some of the tenants. They also considered the economy-of-scale and some of the choices the developer could have made

included cheapening the architecture to try to find a way to save cost and effectively lower rents. Applicant Riebel is also planning to have his own office on the site and this project will be home for Riebel Development.

Mr. Remminga also noted that Bill Tyson is present tonight and can address any marketing questions the Planning Commission may have.

Mr. Gantos had a project approved to the east of the site and indicated Mr. Gantos' site on the map. There is coordination between these two (2) sites, Mr. Gantos' and Mr. Riebel's.

The new plan before the Planning Commission this evening takes what was the original retail and office mixed use in the P.U.D. and moves it north to approximately the same level of Mr. Gantos' project and it also moves the backs of the commercial buildings north to a point where they are consistent to where the industrial building were prior to the approval. This is for the retail buildings on the site plan.

Mr. Remminga also referred to the building in the rear of the property that is primarily office use. The building's use is all office but there is a health club that is interested in going in also. A health club needs Special Use approval for office-zoned property. If the Planning Commission reviews the land uses from 28<sup>th</sup> Street going back, there is a progression of retail in the out lots to mixed use of retail/office in the middle and the health club and office buildings in the rear of the property. This land use pattern is very consistent with what is next door on the neighboring property and seems to be consistent with the surrounding area.

The sub-committee spent time discussing circulation and the circulation of the service vehicles is often a serious concern in a retail project, especially where retail adjoins residential because of the noise related to service trucks and dumpsters.

He indicated the new service traffic on the site that would serve as a buffer from the residential area. The service traffic is in the general location as originally presented but is now closer to 28<sup>th</sup> Street. The office building would serve as a buffer to noise from the service traffic.

The new plan, in relation to the office building, indicates the significant landscaping on the slope to the rear of the site. The slope has an approximate 50-foot grade change and is heavily

wooded. In addition to the office building, there is existing and proposed landscaping along the edge that will also help in buffering noise.

One of the biggest changes in the plan from a functional and esthetic point of view is the scale in the parking lot in front of the building. Traditionally retail centers have wanted to orient their storefronts to face the main road and wanted the large parking area in front of the building. Esthetically and from a pedestrian's point of view, these large parking areas are not as desirable. The bulk of the parking is in the back but when a customer is walking along the face of the storefront or traveling from shop to shop, the customer is exposed to the significant parking that would be otherwise. The new site plan provides security for pedestrians and provides safe walkways from the rear of the site to the front. There is a walkway through the buildings for easy access.

In terms of automobile traffic, this was discussed with the subcommittee as well. Mr. Remminga noted conflict points on the site. The points of conflict are not so much at the intersections but are in the parking areas on the south side of the drive and the backing in and out of the parking along the drive. The developer would indicate these areas as employee parking and as leases are signed, he will indicate that this is the employee parking area. As a point of comparison, there is parking on both sides of the drive as it continues towards Thornhills. The drive is more of a driveway through the shopping center and cars moving in and out of parking areas are expected in this context having a tendency to slow down the traffic.

There is also a concern with traffic movement around the building noting a loop that goes entirely around the larger building. The west edge of this loop also accommodates the service drive traffic. On the easterly building, there is not a drive that goes around the east edge of that building. This building is shorter than the others and they do not believe this poses a problem with the internal circulation of the site. The developer has ensured that the traffic pattern does loop around the site and there are no dead ends with the exception of the shorter building on the east of the property.

The buffer on the property is quite close to the residential property but does meet requirements. The rear buffer from the residential is approximately 175-feet and is heavily wooded.

The subcommittee also discussed pedestrian movement between the original plan and the revised plan. Mr. Remminga noted the pedestrian movement on the two (2) plans. In terms of measuring

pedestrian paths, the new site has approximately 66% more pathway in length and 110% more sidewalk area. There are also walkways between the buildings to allow customers to travel from the back to the front. He also indicated the designated pedestrian crosswalks that will indicate to traffic that they must stop if there is a pedestrian present.

The original plan oriented the storefronts to a large parking area and the proposed plan is scaled with much smaller parking areas with a strong entry drive that focuses attention to the back of the property.

There has been a shift in parking that now focuses in getting a row of cars towards the storefronts. This is called “teaser parking” where a customer would rarely find one of the front parking spots available but they now there is additional parking in the back. This type of parking is important to the feel of a Main Street project. There is not much difference between the parking originally proposed and the new parking as people are parking on both sides of the road. The major difference between the two (2) however is the quality of the space where you would have just one (1) drive with parking on both sides of it and the edges are not closed by buildings and this is what creates the psychological impact of the Main Street.

Also discussed with the subcommittee is the identification on the pedestrian bridge that connects the two (2) buildings. Mr. Remminga noted that he has not reviewed the sign ordinance to see how this sign fits within its context but there is a project identification sign on the bridge and the details will have to be worked on more.

The focal point when driving onto the property centers with the office building in the rear of the property with the focal point under the pedestrian bridge. It is the developer’s intent to have the bridge be as transparent as possible. The pedestrian bridge is a glass structure and, functionally, it is a glass enclosed cross walk. In this regard on the second level, there are walls that are combined that tie the two (2) buildings together.

There is a combination of one-story and two-story areas and when there is a one-story up against a part that is two-story, there are a couple of designated outdoor seating areas. The second floor on the two joined buildings is intended for restaurant use. Mr. Remminga noted the proposed restaurant areas and seating that would overlook the site.



Mr. Remminga also showed the architectural scales of the various storefronts. This is intentional to help create the visual affect that this is a “downtown” village area as opposed to having the same architecture for the entire project.

Mr. Remminga showed the submitted floor plans indicating the use of the buildings. Primarily, the ground floor is for retail with a couple of areas in the back of the buildings indicated for office use, these are not desirable retail areas since there will not be store frontage there. Upstairs there is a combination of office and restaurant uses. Mr. Remminga noted that the exact area square footages may be a little off since one never knows what a tenant would truly need for the lease of square footage but the percentages of what is office, retail and restaurant use was determined to establish the proper amount of parking per the Township’s Ordinance. This would allow the developer to be able to obtain more office leases versus retail, as more office tenants would have less impact on the parking areas.

How to measure density was an issue with the subcommittee, the project does have more square footage than the previous plan. Mr. Remminga did review the Township’s Ordinance to help understand the density issues and found that:

Mr. Remminga reviewed the sloped area in the rear of the property noting the vast amount of evergreens in the area. Some of these trees may be moved to help screen the storm water pond. He reviewed other area photos noting the rooftops, parking areas and other features of the adjacent properties. He also indicated there is a storm water outlet that does cut through the hill and will not pose a significant impact in terms of the vegetation.

The developer has submitted signage calculations for the project indicating two (2) small pylon signs at 100-square feet each instead of the one (1) that was approved at 120-square feet. As part of a barter with the Township, the developer has proposed reducing their allowed wall signage by 10% to allow for the second pylon sign. What the Township’s ordinance calls for is one-square foot of sign per one (1) lineal foot of store frontage. The developer is willing to drop this to 9/10 of a foot, a 10% reduction. He also noted the chart allocating which tenants receive what signage with the anchor tenants being allowed a 10,000 to 20,000-square foot of signage and the smaller tenants allowed 100-square footage of signage and the minor tenants would be limited to approximately 30-square feet of sign.

On the elevation of the building, the developer will specifically identify areas where the signs would be placed with the sizes of the signage varying depending on the tenant but the architecture would be specific as to where a tenant can or cannot place signage.

In summary, the developer believes the project is more pedestrian friendly and the philosophy focuses more on the pedestrian. It is a village atmosphere that is psychologically quite different from the previous plan. The project also provides a broader market appeal and increased tax basis.

Chairman McDonald thanked the Applicant for the comprehensive plan and the visuals presented in his presentation. Chairman McDonald opened the meeting for questions of the developer from the Planning Commission.

Member MacAllister asked the Applicant that based on the density he had previously submitted and was approved, what is the density for the revised site plan. Mr. Remminga said the density is now 58% more if looked at square feet per acre. Member MacAllister asked what the previous square footage was and Member Postma noted approximately 70,720-sq. ft. more based on the Applicant's report. Mr. Remminga said the revised plan is at approximately 112,000-sq. ft. with approximately a 41,000-sq. ft. increase. He further explained that Building H is the farthest rear building and is at approximately 36,000-net square feet meaning out of the 41,000-sq. ft., 36,000-sq. ft. is the rear office building.

Member MacAllister asked if the center's identification signage was included in the signage package and Mr. Remminga clarified that the developer has just provided the images for review because the thinking is fairly new and the developer is willing to discuss the possibilities now or can seek advisement from Staff. He noted that the graphic does show the letters above the enclosed pedestrian crossway and if there is a Township prohibition the developer could install a panel to raise the roof of the walkway or maybe there is a way to identify the project with neon inside the glass enclosed pedestrian pathway. One significant thing regarding this project is that the project is quite a way off from 28<sup>th</sup> Street and visually things that most would worry about is something that is right on the main thorough fair (28<sup>th</sup> Street) and the revised plans show the thought into the detail of the project. The identification signage being proposed is not visible to passing traffic along 28<sup>th</sup> Street. Member MacAllister clarified that the identification signage is not part of the signage package being

presented today and Mr. Remminga said it is part of the presentation since he did not have the time to research the Township's ordinances. He also noted that the developer would be allowed signage based on the perimeter of the building and the developer would put the sign into whatever the legal allowances are under the ordinance but as a part of the square footage. The developer is not asking for more building square footage but wants to make it clear that there is a desire to have a project identification sign on the building.

Chairman McDonald asked in regards to the buildings uses, so much for retail and so much for office, what on the buildings could change depending on the tenants, the interior and/or the exterior change and Mr. Remminga said the interior could change; meaning if there is a retail tenant who would desire an additional 20-feet, then the interior walls and sizes could change. Mr. Remminga clarified that these changes are internal and would not change the exterior images presented this evening. In terms of limitations, the key is that, for instance, if the building went 100% retail, the impact on parking would be significantly greater so there has to be limits so the buildings uses do not overload the parking and that is why they presented percentages with the retail, office and restaurant uses.

Applicant Riebel also noted that on the second floor of the buildings that a restaurant may want to enclose some of the areas currently designated as open air so they may use the space year round but the square footage would not change. Chairman McDonald said he asks because frequently, the Planning Commission reviews drawings and the plans change after approval and a building is built that does not reflect the drawings presented to the Planning Commission and he is wondering how much of a change there may be between the drawings and what is actually built. Applicant Riebel noted that a tenant may request different colors for their leased area instead of the colors presented tonight but the buildings as they are is what they intend to build. Mr. Remminga also said that he assumes that if there was a significant change to a building, then the developer would need to come back before the Planning Commission with the change for their approval.

Member Lewis noted the buildings are marked as A, B, C, etc. for identification purposes and asked if the developer could provide for the Planning Commission the sequencing of construction of the buildings. Applicant Riebel said Phase I is the service drive going into the project and Buildings A and H would be built at the same

time followed by Building B, then Building C followed by Building D. He believes A and H would be constructed at the same time and by the time these two (2) are constructed, Building B would begin and they hope to build C and D while constructing B. Member Postma asked how the buildings would be built without the connection to A and B if they are the same building since they have established the glass walkway? Mr. Riebel said Building A would be built and Building B would be considered as Building A's addition and done in phases. Currently Building H has more demand than Building B right now. Chairman McDonald asked what if Building B is not built? Member Lewis asked what guarantee is there from the developer that Building B would be built? What if Buildings A and H are built and the developer decides there is not enough demand for Building B because the market has changed? Applicant Riebel noted that the project would fail if Building B is not built. Member Lewis recognized Applicant Riebel's statement and he does not want to see a failed project and is concerned in the building sequencing. Applicant Riebel said the bank will only allow construction for the buildings when 50% of the tenants are secured and Buildings A and H have enough tenants to build those two (2) buildings right now and Building B is the next after these two (2) buildings, not Buildings C and D. Member Lewis said he is having difficulty in accepting this and not building the other half of Building A. Applicant Riebel said that they have enough tenants, right now for Buildings A and H but believes they will construct the buildings at the same time and there should not be any stop in the site's construction. Member Postma asked if the developer is saying that there are five (5) buildings then and Applicant Riebel clarified that there are five (5) construction phases. Mr. Remminga noted that the letters on the buildings represent phases of construction, not numbers of buildings. He further explained that the second story pedestrian glass walkway is an addition and walkways are constructed after buildings are built all the time and referred to the walkway downtown across Michigan Avenue to the hospital and the project stays open while the addition is being built. Member Postma noted that the presentation referred to the glass pedestrian walkway as a focal point and Mr. Remminga said that the rear office building is really the project's focal point, looking underneath the walkway.

Chairman McDonald asked Staff, regardless of the timing of construction of the buildings, is the project identification sign within the Township's ordinance as Staff indicated earlier it is allowed? Planning Director Peterson said that in looking at the square footage, landscaping and parking, it is.

Member Postma asked if the number of buildings per acre is within the Township's ordinance and Planning Director Peterson noted that this should be discussed. He noted that when the subcommittee met, everyone agreed that Buildings A and B are one (1) building because of the enclosed pedestrian walkway. If Building B were not built, there would be five (5) buildings on the site. Mr. Remminga noted that Building A is one (1) building, if Building B is built with the walkway, then it is part of Building A and is one (1) building. Member Koessel said he is not sure if he agrees that Buildings A and B are one (1) building, there is a presentation slide that shows that these are two (2) distinctive buildings with a cross walk that connects the two (2) buildings. Member Koessel asked the subcommittee, noting that there was a previous project the Planning Commission reviewed that was similar to this project and that developer wanted to do something similar to this project because of a restaurant. The Planning Commission reviewed the project allowing for two (2) buildings on that Applicant's six (6) acres with the buildings being L-shaped and the Planning Commission did not allow the third building. Member Koessel further noted that this applicant's plan clearly shows six (6) separate buildings with two (2) of the buildings being connected by a cross walk. He also noted that if you go downtown, the Amway Grand Plaza is connected to National City Bank, they are two (2) separate buildings and Mr. Remminga noted that those two (2) buildings are not owned by the same person as these are. Member Koessel noted that is not a common wall between Buildings A and B and that they are connected with a cross walk and asked the subcommittee if they are comfortable in calling Buildings A and B one (1) building? Member MacAllister, who served on the subcommittee, said she was under the impression that the cross walk was occupy able space and would be dining area or an extension of the building itself and not a cross walk and maybe there was a misinterpretation. Member Koessel believes this needs to be discussed since the Planning Commission recently denied another developer the same type of connection. Planning Director Peterson noted that it is different from the other project that was denied because the other developer wanted to connect the buildings with an architectural arch. In referring back to past projects of the Township and noted the Esplanade Center that is two (2) distinct buildings but they have a glass-covered area that is accepted as one (1) building. The project Member Koessel is referring to that was declined was connected with a brick arch and not something that could actually be used. Planning Director Peterson said he did bring this before the subcommittee and asked if they would consider the cross walk as a suitable connection for

the two (2) buildings since it was considered as occupy able space but the subcommittee never clarified what occupy able space is and this is more than what the other developer who was denied was providing. Member Postma noted that it was discussed with the subcommittee that there would be tables and chairs in the glass enclosed connection and Member MacAllister said that was correct. Planning Director Peterson also said that the developer indicated the connector could be used as a waiting area for the restaurant and Member Postma agreed. Mr. Remminga said that Applicant Riebel did mention to the subcommittee that there is one (1) restaurant that has shown interest in both occupy able areas with the cross walk and the restaurant may want to include the cross walk as part of their occupy able space. Applicant Riebel said that is correct. Mr. Remminga also said that if the restaurant does not utilize the cross walk as occupy able space, the cross walk is a very expensive detail and there is not enough square footage on the second level to justify it but it does tie the two (2) buildings together so that they become one (1) and the definition of a building per the ordinance is very broad and could possibly have a wood deck tying the two (2) buildings together. In terms of the function of this space and to help justify it from a cost perspective, one of the things the developer is looking at is Building A would have the elevator and Building B does not have to have an elevator if the cross walk is used as a corridor to move people from Building A to Building B. So from a vertical circulation point of view, the cross walk becomes very important because anyone using the elevator would be able to access Building B through the cross walk, similar to the cross walks between Amway and the banks.

Member Logue asked why there is no connectivity to the shopping center to the west of the property and to the Township's property? Planning Director Peterson said there is connection to the property to the west that is already installed and there is a shared connection between the strip centers to the north of the Township offices. He also indicated there is quite a grade change the further south you go and by having the connection where it is, between the two (2) centers, and connecting any closer may impede the fire trucks entry and exit from the Township property.

Member Robinson thought that there were a couple of other concerns of the subcommittee, one being the traffic flow around the west end of the building and the pick up area or drive thru interfering with traffic flow. Mr. Remminga noted the drive to the west would have circulation around the building and no loop around the east building.

Mr. Remminga noted the drive thru at the west end of the west building was discussed and the developer will limit the drive thru activity so it would not serve a high intensity tenant, such as a drive thru restaurant, etc. If the tenant were a pharmacy or coffee shop, this would be low intensity drive thru use and they agreed it not be a high intensity drive thru use. If he remembers correctly, any drive thru use would need a Special Use Permit and would have to come before the Planning Commission; Planning Director Peterson confirmed this is correct. If the Planning Commission were to approve the drive thru as indicated on the site plan, the Planning Commission would still have the final approval regarding the tenant's use being low intensity or not. Mr. Remminga said that the developer is not allowing the drive thru by right and the tenant would have to seek approval for a Special Use Permit for low intensity use.

Member Lewis believes the Planning Commission is now at the same point that the subcommittee reached, nothing has been solved but three (3) areas have been identified of concern and suggested opening the Public Hearing.

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, the Public Hearing was opened.**

Chairman McDonald asked Staff if any phone calls or letters were received at the Township Office and Planning Director Peterson said Staff did receive a couple of phones of inquiry and the letter from the adjacent Condo Association was received and included within the Planning Commissions' packets.

Mr. Mike Gantos, 2465 Cascade Springs and the developer of the site to the south of the Applicant's property, said he is concerned with Building B being called part of Building A as one (1) unit. He noted that Staff has referred to the Esplanade Center in comparison to this project but the Esplanade Center is completely covered with glass of an atrium roof and is not a small sliver of a walkway and this really does look like two (2) separate structures/two (2) separate buildings.

Mr. Gantos also asked the developer that as they phase their site improvements, how do they plan to do this, would the parking be done in mass for the project? He noted he is trying to get an idea for the construction and a completion for the road to the west which was part of the approval for Macatawa Bank and Applicant Riebel has indicated they were waiting for the 28<sup>th</sup> Street improvements to be completed and 28<sup>th</sup> Street has been completed for a while but he has not seen a commencement for the service drive. He also noted that he did speak with Staff regarding the Pizza Hut curb cut closure and asked for a timetable as to when this would be completed.

Mr. Gantos also noted the condos adjacent to the project, if the two (2) connected buildings are completed, would they be under one (1) plat rather two or three separate platted areas or one (1) legal description the encompasses everything on the site? Planning Director Peterson said the legal description of the property would be included within the P.U.D.

Aaron Katlin of Fleiss and VanderBrink said that if the developer proceeds with Buildings A and H simultaneously with Building B soon to follow, they would begin with the southwesterly quadrant and soon to follow would be the southeasterly quadrant for Building B. The developer will need to finish utilities through the site and are waiting for the final permits for water and sewer and the plans have been delivered to the City of Grand Rapids and they are currently waiting for the permit. The developer wants to complete the water and sewer prior to finalizing the Pizza Hut. The water and sewer connection is a requirement and once the permit is received, construction will begin right away. The permit could take between three (3) to six (6) weeks to receive. Mr. Gantos asked how long the water and sewer would take and Mr. Katlin said not long, approximately three (3) weeks once construction begins and will be completed within this year.

Mr. Gantos asked about the Pizza Hut curb cut and Mr. Katlin said that the project has already been awarded to a contractor, he is just waiting for the go ahead to begin. As soon as the water and sewer are in place, the developer can close off the Pizza Hut drive.

Chairman McDonald asked if a new Pizza Hut would be constructed and Mr. Katlin said that Pizza Hut is going through an image change and going more upscale and the footprint represents a new Pizza Hut and Wing Street noting one is already built in Kalamazoo and it is very nice. Planning Director Peterson reminded the Planning Commission they may see two phases for



Pizza Hut, one phase may be to change the door entryway to the west side and then renovate the building later.

No further questions for the Public.

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

Chairman McDonald asked the Planning Commission for their comments regarding the project.

Member Robinson said he also served on the subcommittee and believes this project is at the same spot as it was with the subcommittee. There is concern with the site's traffic patterns and the drive thru window. There is also concern with the pedestrian connector and originally was to be a useful walkway with occupying space. These are three (3) concerns the subcommittee has had with the project. Chairman McDonald noted that the Planning Commission could control the use of the drive thru and Member MacAllister noted the concern is with the traffic flow with the bank, Culver's and Macatawa Bank. Member Postma further clarified that the subcommittee never approved the drive thru and Planning Director Peterson clarified the subcommittee's concerns over another fast food restaurant drive thru use and set limitations and the Applicant's response was that they would be willing to limit the drive thru use to low usage.

Member MacAllister noted that a fourth item is the proposed signage and she is still unclear as to what the signage proposal is and there is now an additional sign identifying the project and the two (2) pylon signs were discussed but a resolution was never determined. Through dialogue held with the subcommittee, they tried to have the Applicant tell them what the signage includes and why is it better and the Applicant noted that the sidewalk space is better but with more development on the site, it looks as if they have lost green space. The subcommittee has asked the Applicant what are the benefits of the revised plan but have not received a direct answer.

Chairman McDonald asked Staff if the green space has decreased with the revised plan and Planning Director Peterson said that it depends on how you look at the plan. He has tried to explain that from his viewpoint, you can have this much building square footage on the property but it is certainly more than what was originally approved. Yes, there is less green space than the

original plan but the site can support the revised plan and are meeting the Township's requirements and, in fact, exceed them with the large buffer hill.

Chairman McDonald noted that Member MacAllister, Member Lewis and himself spent a great deal of time focusing on the Pizza Hut traffic and closing off the existing drive and making the new one and the debates in forcing people to turn right off of the eastern most drive and is not sure how the traffic pattern could be resolved. What Chairman McDonald is hearing tonight from the Planning Commission is that not everyone is ready to make a motion or not concerning this project and asked if this should be tabled so the subcommittee could review the items:

- 1) The drive thru
- 2) The pedestrian connection
- 3) The signage

Member Lewis said he is not comfortable making any motion at this time and as far as going back to the subcommittee, the subcommittee needs some guidance from the entire Planning Commission.

Member Lewis further noted that this project will not proceed unless the Applicant considers Building A and B as one (1) building and would not consider these two (2) buildings as one (1) building unless they are built at the same time. Personally, he is concerned of the possibility that Building B may never be built and how half a building was approved and built. He said he could favor the project being built if the two (2) buildings were built simultaneously and could justify that the connection is more than just an architectural structure, using bricks to connect the two (2) buildings. It is more than a roof going across and is more practical since it can be used year round. Member Lewis noted that in order to get the connection, the two (2) buildings need to be completed at the same time. He does not see any guarantee from the Applicant that this will be completed. He understands that the developer has good intentions in completing it but they also had good intentions of completing the approved plan. The Planning Commission cannot discuss traffic on the site until the two (2) buildings are considered one (1) and the uniqueness of the pedestrian cross walk is that it is practical and they were told that people could enjoy the cross walk by sitting in it, etc., as they were told in the subcommittee. His major concern is in knowing what to expect this time and asked the Planning Commission for their input on this project.

Member Koessel complimented the developer and believes there is a reason to do this project. In reviewing the revised plan, this plan creates more storefronts and any time there is more store frontage, it creates an opportunity for a developer to create more exposure and the parking is conveniently located. The revised plan creates more storefronts and any time there are more storefronts, it creates a marketing opportunity from the exposure gained in the parking areas. If there was a coffee shop on the west side of Building B, you would have a storefront, if this were one (1) building, you would lose that. From a density stand point, whether the buildings are connected with a common wall or whether there is a walkway, there is still the number of square footage and he suspects that there is a possibility on that four (4) acres where you could create more store frontage of retail space by doing a similar building creating the cross walk. He believes this creates more store front on all four (4) sides. The point he is struggling with is that the Township allows so many buildings on a fifteen (15) acre parcel and is struggling with not counting six (6) buildings on this particular parcel. Member Koessel noted that the Township's Ordinance may be loosely defined, as Mr. Rumminga said but he still goes back to what has been done in the past. The Commission can talk about the mistakes they have made but that does not mean they continue to make them. The Township is in process of rewriting their Master Plan and maybe that is the time to address it. Maybe three buildings in certain zones are not enough and are not here to say if it is or is not. He is trying to say that the walkway across there, just like any building in downtown Grand Rapids has walkways, they are separate buildings and common ownership does not make a difference, there are still two (2) separate buildings. Member Koessel noted that in one respect, if the Applicant did not build Building B, he would have five (5) buildings on the 15-acres. Other applicants could also request constructing one (1) building but separate them with walkways, he believes this is still two (2) buildings and is more buildings on the lot then what the Township allows. He asks the committee if the developer was told that this is an acceptable plan but he is hearing that the developer proposed that the walkway would be useable, lease-able space with a restaurant on either end or something that would have tables. That did not happen so he would suggest to go back before the subcommittee to define for the Planning Commission whether that is one (1) building or two (2) buildings based on what it will really be used for.

The other issues that Member Robinson raised, since he was not on the subcommittee, he struggles with traffic movements within this project. The subcommittee did a good job with the approved plans

and how you ingress and egress at the eastern most curb cut around the bank and how you exit, his guess is that traffic would exit across the Gantos drive rather than risking 28<sup>th</sup> Street with no traffic light which at Waterfall Shoppes, there is a traffic light that provides controlled left or right movements from that project. This project does not have controlled traffic and this is a concern.

The other thing it does, because there is store footage on the west side of Building B, by nature, the developer will create more traffic with the ability to have more stores.

In summary, those are the items Member Koessel is struggling with regarding the project and looks towards the subcommittee for their review.

Member Logue noted that if the developer had a complete roof covering the area between the two (2) buildings, then would the Planning Commission agree that if the covering were similar to Esplanade, would that be acceptable as one (1) building? On the other end of the spectrum at what point has the developer taken the ordinance and this meets and maybe the Planning Commission needs to determine where is the minimal point?

As far as Building B ever getting built and putting a burden of building it at the same time on the Applicant, he is not sure if the developer could stand that burden of building both consecutively since the demand is in Buildings A and H.

Member Koessel does not disagree and the Planning Commission reviewed some beautiful drawings, and compliments the developer and architects for the drawings provided, however if for any reason Building B did not get built, the looks of the project completely change and the Planning Commission is approving what is being presented. If Building B is not built, the project will be different that what is presented this evening and Member Koessel believes this is what Member Lewis is also saying. The way the project is presented this evening does draw one's attention to the focal point in the back with the walkway above but if Building B is not built, the entire look to the project will change.

The subcommittee should become comfortable with the site and that it does truly meet the ordinance and then bring it back before the entire Planning Commission and state why they are comfortable with the revised plan.

Member Robinson noted his concern with the traffic flow and that the subcommittee should review the site. The sub-committee are not traffic engineers and suggested the advice of an engineer be obtained since the subcommittee is still trying to resolve issues over the past three (3) meetings. Member MacAllister noted the subcommittee is being cautious due to the concerns at Waterfall Shoppes that have developed. Now that the Macatawa entry has been installed there is an increased concern with traffic navigation. Chairman McDonald asked for perspective, is this an improved plan and he believes it is. He thinks it looks much better, the traffic flow is better and everything about it is better except that no one knows about the signage and the project identification sign. Does this go against the ordinance or not and agrees with Member Lewis that he could stretch his imagination to say that it is a covered walkway then it does or play devil's advocate and say Building A, C and D are one (1) building and not three (3) so there would be three (3) buildings and not six (6) buildings. Chairman McDonald noted the Planning Commission could develop numerous ways to approve or disapprove a plan but the Planning Commission should ask if this is a better plan, is this plan better for the Township, and how does the project fit within the Township's Ordinance. If the Planning Commission decides to have the case reviewed again by the subcommittee then they should explicitly define for the Applicant what it is they would like to see.

Member MacAllister also noted to the Planning Commission that there is a walk thru between Building C and D and the subcommittee has not discussed this item but it does have a covered roof.

Chairman McDonald asked Staff if they could review the ordinance regarding the project identification sign. He asked the subcommittee to review the connection walkway and if there are other options.

He is comfortable with the Planning Commission having control over the drive thru use on the western end of the building. The signage also needs to be reviewed by the subcommittee. Member Robinson asked that an engineer be contracted to review the traffic flow. Mr. Rumminga noted that Ed Swanson, a retired engineer, may be interested in being contracted for this project. He said that if the Planning Commission has mutual respect for Mr. Swanson, he will contract him. Mr. Swanson's past employment includes traffic engineer with the City of Grand Rapids and his own engineering firm. Chairman McDonald said the Planning Commission would welcome a professional if Member Robinson is

comfortable and Member Robinson does not know Mr. Swanson. He noted that traffic flow is a great concern and the Township has increased concerns regarding the current traffic through Waterfall Shoppes and does not want to see the same issues on this site. He is willing to listen to what Mr. Swanson has to say but contractors often say what the developer wants to hear noting past experiences. He is not convinced that whatever Mr. Swanson says is the answer and his opinion is fine.

Mr. Rumminga noted that most engineers would want to get the traffic to a light and if it is a busy road, such as 28<sup>th</sup> Street, they prefer to get people to a light and the people would travel along the service drive from his project through Mr. Gantos' project and Mr. Gantos' customers may also travel from his center to the developer's.

Member Lewis noted that this is not the area of concern but the area around Building B butting up to the property line and the cars unable to get around the building. Mr. Rumminga said there is nothing in the back of Building B and people would not have an interest back there and this area would probably have employee's cars and contain the area for the dumpsters and service areas, etc.

Member Lewis said the developer has already agreed not to allow a fast food tenant at the end of Building D where the drive thru is proposed and asked if the developer if they would agree to include coffee shops as well. Starbuck's is developing long lines and if a coffee shop were to go in, there would be additional traffic concerns.

Chairman McDonald noted that the entire Planning Commission has reviewed the entire plan for the site. The subcommittee has heard the Commission's concerns and the areas mentioned improved upon.

Member Postma asked if the Planning Commission wanted to review elevations and materials. Applicant Riebel noted the material examples are available this evening. Member MacAllister noted that the subcommittee has not reviewed all the sides.

Chairman McDonald noted the areas that need further details for the subcommittee's review are:

- 1) Elevations
- 2) Drive thru limitations on the west end
- 3) Traffic patterns
- 4) Buildings A and B considered one with the walkway
- 5) Signage

Staff has already made recommendations regarding signage but the Planning Commission is not sure of how the project identification sign fits into Staff's recommendations and what is allowed. Chairman McDonald asked Staff to compile the information for the Planning Commission.

The Applicant should present definitives to the subcommittee regarding the items mentioned.

Member MacAllister requested that the Applicant submit the standard reports such as lighting, landscaping plans.

Member Richards said that she would just like to comment on the discussion this evening. The presentation was wonderful and it made the project much clearer. There are some challenges to this project as a developer in being back off of 28<sup>th</sup> Street and attracting good tenants the developer needs to provide a reason to lease in this center. In her mind, this development is extremely critical and is in a critical area of Cascade. She agrees that the old strip mall buildings do not work and something needs to be upscale and the developer has done a great job. Her concern, as Member Koessel has said, is that when the Commission looks at a project like this they want to know what exactly is being built on the property.

Chairman McDonald noted to the Applicant that the Planning Commission would like to see the phasing change as Member Richards and Member Koessel have mentioned. The Commission prefers to see Building A and B developed first.

Member Logue noted that the Applicant's pictures are how a developer sells their project to their tenants and something of this magnitude is an awesome project and consider the marketing work the Applicant has invested into the project and see how it fits into the Township's ordinance.

Applicant Riebel noted that he has approximately 40,000-square feet in tenants and if he does not get started in sixty-days he will probably lose the tenants and this could possibly push the project back further.

Applicant Riebel also addressed Member Lewis' concerns regarding Starbuck's and he agreed to not to lease to another Starbuck's. Member Lewis thanked the Applicant.

Applicant Riebel noted that the bank gave their approval for the total project but the developer is not allowed to begin construction on each piece until 40% of the leases signed so the project will be built. If they are allowed to proceed with Buildings A & H, they can still proceed with Building B because there is enough from the aggregate gross square footage.

Chairman McDonald requested a motion to table the case.  
**Member Lewis motioned to table Case # 07-2861: Riebel Development Corp., supported by Member MacAllister.**

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

Member Lewis noted he would like to see that his motion includes the case be sent back to the subcommittee and the review the items listed and what the subcommittee is charged to do. Member Lewis would like a time frame established and he would like to see the case before the Planning Commission again by the next meeting.

Chairman McDonald noted that the Planning Commission has approved a motion and Member Lewis provided some conditions and requirements to the Applicant and would like to review the case again in two (2) weeks.

With those conditions, Chairman McDonald called to question.  
**All in favor with none opposed, motion carried.**

**ARTICLE 7.**

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

Member Robinson asked if a meeting date could be set with the Applicant since he is present. The subcommittee and Applicant agreed to meet at 3:00 p.m. on Tuesday, September 25, 2007 at the Township.

Member Koessel said that the Township Board will be holding a special meeting tomorrow night regarding the selection of the Township Manager at 7:00 p.m.

**ARTICLE 7.**

**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 9:07 p.m.**



Respectfully submitted,

Jack Lewis, Secretary

Lisa Hern, Recording Secretary