

MINUTES

Cascade Charter Township Planning Commission
Monday, November 17, 2014
7:00 P.M.

ARTICLE 1. Chairman Pennington called the meeting to order at 7:00 PM.
Members Present: Lewis, Mead, Pennington, Robinson, Sperla, Waalkes, Williams
Members Absent: Hammond, Rissi,
Others Present: Community Development Director Steve Peterson, Township Township Engineer Mike Berrevoets and others listed on the sign in sheet.

ARTICLE 2. Pledge of Allegiance to the flag.

ARTICLE 3. Approve the current Agenda.

**Motion by Member Mead to approve the Agenda. Support by Member Sperla.
Motion carried 7-0.**

ARTICLE 4. Approve the Minutes of the November 10, 2014 meeting.

Motion by Member Lewis to approve the minutes of the October 6, 2014 meeting with corrections. Support by Member Mead. Motion carried 7-0.

ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items (Comments are limited to five minutes per speaker.)

No one came forward.

ARTICLE 6. Case #14-3208 G Place LLC

Public Hearing

Property Address: 6868 Cascade Road

Requested Action: The Applicant is requesting to rezone the property Planned Unit Development for a six (6) unit residential project.

Director Peterson presented the case. The property is on Overlook Summit Drive off from Old 28th, Cascade Road to the East and Thornapple River Drive to the South. The property is almost 2 acres and 6 units in a (2) three unit building is being proposed. The biggest change since the last meeting is that they've downsized the project from 8 units to 6 units. Each unit is roughly 1,700 sq. ft. There is an overview of the Master Plan for the property. They own the piece off of Thornapple River Drive that they may develop in the future. This would bring the total units accessing the drive to 19. The project calculates out to 3.2 units per acre. This project is in the B1 Village Business Zoning District. This allows for

residential use up to 3 units per acre is use by right and up to 9 units per acre by Special Use Permit. They require a rezoning to PUD because the buildings are a little further back from the road. When we developed the Village standards we wanted the buildings closer to the road for the Village feel. This is a more traditional setback. The topography of the site warrants this adjustment. They provide a pedestrian link to Thornapple River Drive eventually connecting to the Library as well. This would be the first link in the connection. They've provided landscaping plans along Overlook Summit Drive. They have storm water retention facilities toward the rear of the site. The Township Engineer, Mike Berrevoets, stated the storm water system allows for infiltration which meets our ordinance requirements. This property is serviced by sewer and water. Since it's compliant with the Master Plan and the Zoning Ordinance, it doesn't have an unreasonable economic impact on the surrounding uses. It is my recommendation that you approve the preliminary plan. If it is approved, it will come back to the Commission with a written PUD Ordinance that would regulate the project. The PUD Ordinance would then be forwarded by recommendation to the Township Board. I have received comments on the projects. I included the emails on the projects as well as concerns from business owners in the area.

Member Sperla asked Peterson if he felt there was any reason why the surrounding business could not coexist with the residential use of the property. Director Peterson stated he did not know of any reason why they could not coexist. We have several other residential uses within our Village area. The reason we developed this zoning is that we wanted the mixed use.

Member Mead asked if the two properties were truly contiguous. Director Peterson stated there seemed to be a question in the legal description of the two properties that they are working out. Member Mead asked if this could cause problems for the future. Director Peterson stated it would not for the pedestrian pathway, but possibly for parking if it is not addressed. Member Mead asked what the impact for additional traffic on Overlook Summit Drive would be. Director Peterson stated the road meets our Private Road standards so we are not looking for any upgrades. Will this property be a part of the Maintenance Agreement? Director Peterson stated this property owner has an easement to use the private road. The road upkeep will be between the property owners. It is my understanding that this owner is already contributing to the road maintenance costs.

Member Williams asked how many ways in and out of the site are accessible as they had talked about revising the plan down to one entrance. Director Peterson stated both entrances on Overlook Summit will be maintained.

Member Waalkes stated they are allowed by right to have 3 units per acre and the way it's calculated right now they are at 3.2. If they do a lot split in the future to increase the next phase along Thornapple River Drive the density of this property would increase. Director Peterson stated this was possible but they are already in the Special Use Category of up to 9 (nine) units per acre.

Member Lewis asked how this conflicts with Jam'n Bean. There is no conflict in their business at this time but if they make some changes and try to expand it may have an impact. We can only judge this project on what is here now, not speculate into the future. Director Peterson stated there are other businesses in the area and this does not change our standards.

Member Sperla stated that Jam'n Bean does not require a special permit to have their dance parties. It would appear to me this business would have more of an impact on the residential areas than the other way around. Director Peterson stated it seems to work better when residential moves into a commercial area then commercial to residential from a conflict point of view as the residents moving in are aware it is a commercial zone and know there may be noise etc.

Chairman Pennington asked the Applicant to come forward with comments.

Steve Witte of Nederveld spoke on behalf of the Applicant, G Place LLC. As is indicated the project consist of 6 residential units in 2 buildings. Our original plan had 8 residential units in 2 buildings. The owner decided to reduce the number of units, even though we were allowed the 8 units, and upgrade the size of the units. Access to the site will be from Overlook Drive which is a private drive. Our attorney has reviewed the documents in great detail and this property does have the right to access this road. The owner has been paying a portion of the maintenance costs of the road as well. Based on the B1 Zoning in this district the only exception that we are requesting is the front yard setback. The west yard is considered the front yard and we would like to have the units set back from the road for appearance and for the people living in Summit so that they are not passing by buildings right next to the road. With the topography it is not feasible to have the garages in the back of the units. The gap that is involved between the two properties is being fixed in the title office and the two properties will be contiguous. The two properties were not described properly and that is being fixed.

Member Sperla stated that some question the compatibility with Jam'n Bean and do you see it as incompatible use? The Applicant stated this is a good situation because the business is already there and the potential buyers will be aware of it. Mixed use is a good thing and some people truly enjoy the mix.

Member Williams stated we were under the impression the units were rentals and you stated buyers would be involved. The Applicant stated that they intend them to be rentals but will not rule out turning to condo units in the future if the owner chooses to sell the units.

Motion to open the Public Hearing by Member Mead. Support by Member Waalkes. Motion carried 7-0

Chairman Pennington asked anyone wishing to speak to come forward.

Doug Lee, owner of Jam'n Bean coffee shop, stated the corner of his deck is right to the property line. He stated he does not believe anyone has visited his property at 7:00 PM on a summer night to see what he has going on at his business and on the deck. The events start at 7pm and are every night but Sunday. He provided a slide show of the gatherings. He is able to have a large gathering of up to 200 people. Music stops at 10:00 PM. This place was picked specifically to hold these events. This would be a drastic change in the community for the residents to participate in. We had a special use permit to hold a 4th of July event that had 678 people in attendance. We have dances on Tuesday, Wednesday and Thursday with up to 200 in attendance. I give music scholarships to kids and we host different improvs and music events every night during the summer. We have a complete laser show we do every night. We do high school dance parties, have kid's activities and have created a family friendly environment for the community. I cannot imagine this next to a residential area. I am in compliance with all of my events and can't imagine this working.

Michelle Lee, owner of Jam'n Bean, stated a major concern in rezoning this area is that it would overburden public services. In talking about the taxed services imagine 16,000 gallons of sewage being pumped into the lower level of your building. This stench was affixiating. There were 4 -4,000 gallon tankers and 5-30 yard dumpsters to take away the personal property of the business as well as 2 small trucks to take away business documents. The clean-up was exhausting and it was over a million dollars in damages. The sewage backup not only dumped the sewage into our business but it popped the man hole covers on the sidewalks on Old 28th and Cascade Road. The sewage not only popped the man hole covers it flowed down Cascade Road into the storm sewers and into the Thornapple River. Challenge yourself to think about what you are doing with city services and the E Coli that was going into the Thornapple River. The City of Grand Rapids was concerned about the sewage flow rate through the existing drains that are 12" on Old 28th and go to 8" drains under Cascade Road and then connect to 12" drains. The 12" to 8" connection is the pinch point of the drains. The City of Grand Rapids had installed a flow meter to monitor the sewage flow rate unbeknownst to us. The flow meter was improperly installed and debris

caught on a bracket causing the meter to plug. The City of Grand Rapids is concerned enough that they want to fix the pinch point. Cascade Charter Township has hired Fishbeck to create designs that have not yet been completed since March. The City of Grand Rapids representative is uncertain how the correction for the pinch point is going to be paid for whether it's Cascade Township or the City of Grand Rapids. Currently there are no funds approved or set aside for this fix. I believe it is in the community of Cascade's best interest to not approve the rezoning for the following reasons:

- Existing public services need to be corrected with dates and dollars defined before you release another project.
- The rezoning request dramatically impacts the already taxed B1 Village district public services.
- Phase II of the proposed project needs clear projects instead of based upon demands.

Terry Heiss, Attorney for Doug and Michelle Lee, stated he is interested in the fact that they want to rezone a property, which is a significant impact on a Zoning Ordinance, by going to a PUD when all they need is dimensional relief for a setback. It seems to me it would be more appropriate to address this at the Zoning Board of Appeals and not with a radical change in the form of a PUD. I say this in part, because when you look at the plans beyond this 6 unit addition, I believe there is a proposed addition of 4 units that if approved changes the density from 3.2 to 5.4 which is a 65% increase in density. This will further tax an already seriously deficient sewer service that needs to be remedied. The concerns raised that this will take out a significant amount of trees that provide a nice buffer between this property and Jam'n Bean. We will lose a lot of trees and by moving this project further back even more trees will be lost thereby significantly reducing the buffer. That is a significant impact on the aesthetic aspects of the B1 zoning in terms of what was intended of the use for a more hometown or Village flavor. Those are issues that I do not see as being addressed. Also, there is a huge grade change of the walkway of 16% which would violate the ADA act which would have a negative impact on the community. We don't know if this walkway will be public or private. In addition, if in fact this proposed second phase unit is built, where will it be accessed from? If the intention is to access it from Overlook Summit Drive, I would assume the residents of the Summit would have an issue with this. As well as the overburden of the additional four buildings. These are concerns that impact the flavor of the area. I feel that you are being asked to guess as to the potential of future impact of a Phase II when a better course would be for them to get a variance for dimensional relief and let them come back when they are ready for Phase II and talk to you with specifics rather than nebulous concepts of potential issues. Jam'n Bean is entitled to protection and it has been stated that buyers

will be aware of the situation but I have not heard of anyone providing covenants that would put people on notice. Jam 'N Bean could be potentially sued if people think the noise issue is too great. There is no protection for Jam 'N Bean but if you force a notice to residents and occupants you take that issue off the table.

Gordon Reynolds, 2992 Overlook Summit Drive, stated as we told Director Peterson several months ago we are concerned of the utilization of our small, urban driveway for the additional usage. Many years ago when we moved here we were under the impression that Thornapple River Drive was going to be used for any construction in that area. We requested Thornapple River Drive for this because we do not feel there should be that much more traffic on our road. We understand that there will be a driveway on Thornapple River Drive for construction and we wonder why they cannot use this driveway for ingress/egress. We were offered the opportunity for an easement for a driveway to go directly to Thornapple River Drive. Sixty two percent of our residents are retired. Our home values are significantly higher than any of the values in this project. We take great pride in our homes and have made a great commitment to Cascade. We would like to have something different than a shared driveway for this project and conceivably additional usage.

Evelyn Pastour, 2932 Overlook Summit Drive, stated her biggest concern is they are going to be rentals. I can hear the music and you approved that as well. I think you better think about putting rentals there at \$2,200/month with all that music and kids running all over the place. Also, Mrs. Lee informed me about the water problems that they are having. We have a lot of water problems at the Summit as well. I am going to ask for more information on that as I feel that it has been hidden from us in the past. It makes me very disturbed. We have water coming off our beautiful entry way as the trees were taken down and now more trees are coming down. This does not please me. There are a lot of things to think about before you approve this. I have lived in the Summit for 17 years and I was the first resident. We take great pride in the area.

Mary Beth Bradley, 2984 Overlook Summit Drive, stated as an owner of 20 rental units in the city I am very opposed to these units being rentals. I hear the music from Jam'n Bean and sometimes I enjoy it and sometimes I do not. It's very loud and it's there. We are up on the hill and we can hear it. I cannot imagine exacting \$2,200/month rent for these properties that will be marketed to "older" people. It does not make sense. We enjoy Portabella Road and we want to be good neighbors but we also want them to be good neighbors with us. We do not want this type of building in our community.

Lori Wiswell, 6391 Drumlin Ct. SE, stated she was there in support of Doug and Michelle Lee and the good they do for the Community with their commercial business. You can say the new renters/homeowners will know about their business but what will keep them from going after Jam'n Bean to shut them down for making noise when what they do is a lot of fun and supports the community.

Barb Robbins, 6425 Greenlefe Drive SE, stated she was there on behalf of Jam'n Bean as a band parent. It does not seem clear what rights the new renters would have to impose on the Jam'n Bean and I think that should be clear for Doug and Michelle in regards to noise level, light show and the proximity to the proposed property. I don't think this is ready to be approved.

Kenneth Carey, 2929 Thornapple River Drive stated Director Peterson is talking in terms of absorption rates which means that there will be no tie-ins to the storm drains. I currently have a lawsuit against the Summit, the homeowner behind me, the builder; and I expect it to expand further. What I do want to ask is whether the Planning Commission has had time to review the Storm Water Management Plans. I know this is essential approving something like this. I have had trouble finding that information for the Summit from the Township. I have been to the County Drain Commissioner and a lot of the information is also missing. I would expect the Storm Water Management Plan, Utility Plan and Grading plans be available for review. Director Peterson talks of a retention pond and absorption rates. I see the lack of silt fence and it is a concern for people who are below this level. Ground cover is an issue. The Summit was supposed to put in additional ground cover and trees from the neighbors down below on Thornapple River Drive. That has not yet happened. I have tremendous water problems and have had a lot of damage and it is going to end up in court. My lawsuit will possibly expand to the Township and subpoenas will be given to most of the Board members. Drain problems have not been a concern in the past, and I expect that to continue.

Motion by Member Mead to close Public Hearing. Support by Member Lewis. Motion carried 7-0.

Member Waalkes asked for clarification that the Use by Right would allow up to 9 units per acre. Director Peterson stated that Use by Right is 3 units per acre and by Special Use Permit is 9 units per acre.

Director Peterson stated for clarification of comments made, the sewage overflow on Cascade Road is being repaired now. The city is aware and our engineer, Mike Berrevoets, is working on the issue. The DDA is also doing some work in that area and is tying the sewage overflow repair with other projects in

that area. There's also design work that's being done. The Board may decide that we'll pay for our portion. It may go to rates in which case the rate payers will pay for it. It's not a question of "if" it's a question of "how" and "when" this will happen. We've required a notice regarding the airport for our residential projects. We've never required a notice for an adjacent commercial business. There are no plans to go from Overlook Summit to Thornapple River Drive. Director Peterson stated the reason for showing the public Phase II was so that residents would know what G Place LLC was thinking of in the future. The Planning Commission doesn't approve future phases. That's why the change to a Planned Unit Development so that PUD could be expanded when future developments and uses occur. The idea of a pathway has been on the Township's wish list for a long time and is intended to be a public path.

Director Peterson stated to commissioners that Township Engineer Mike Berrevoets was present and could speak on any questions about his report on drainage which is in their packets. There's also documentation in your packets on sewer, water and storm water.

Member Sperla asked Engineer Berrevoets to speak on the drainage issue. The information the Commissioners received consisted of: drain plan, maintenance agreement, and all the mandates of the Storm Water Drain Ordinance. That information is before them tonight. His understanding is that the retention ponds have great filtration and the ponds will take care of all the storm water that comes off that site.

Engineer Berrevoets stated the site is located in zone A which requires infiltration if soil conditions allow. The developer is required to take 2 perk tests in each basin location and they're allowed to use half of the average rate. Their perk tests were very high, 50 – 60 inches an hour. The size of the east one is 70% larger than it needs to be. The one out in front is 3 times larger than it needs to be. The downspouts on the plans are connected to leaching basins in the east basin so that water will be contained in those basins. The developer is exceeding the Storm Water Ordinance. There are no discharges from the impervious surfaces. If there's an existing slope that they're not grading water could still run off that which is essentially what it is now. For soil erosion the developer needs to get a permit from the county before they start any work there. Member Sperla stated there is no discharge at all and will all perk into the ponds. Engineer Berrevoets stated this is correct.

Member Lewis thanked everyone for showing up to this public hearing. He understands how disappointed residents would feel tonight if this were to be passed. Unfortunately, the difficulty the commissioners have sitting on their side of the table is that the township has an ordinance. The ordinance was written by

citizens like you and it's reviewed every 10 years in the Master Plan. They have to see how this fits in the ordinance and how it will impact the ordinance. In this particular case it matches up with the Master Plan and the Zoning Ordinance. This means anybody could have bought this property and developed it. The rest of the decision is how does this impact our community? Is it a benefit? This does not have a major impact on the community but people feel strongly about the outcome. We must follow the Master Plan and the Ordinance and for that reason I support the project.

Member Sperla stated Jam'n Bean has been very good for the community. He'd like to see something drafted about the decibel level notice that would be built into the ordinance that could protect Jam'n Bean and at least put anybody that's a perspective buyer or renter on notice that this a recognized use. We can deal with the hypotheticals when they are in front of us, if it comes back to us. At that time we can deal with the slopes and the driveway issue for that project. We cannot use conjecture and guess work. As far as the pathways are concerned it needs to be described and laid out in the final Zoning Ordinance as a public pathway. I perceive that as a benefit to the entire community. Director Peterson stated he did not have a problem with Member Sperla's requests but we will have to talk to the Township Attorney regarding language in dealing with noise levels. Member Sperla stated we need to make it adequate for the commercial properties nearby. There are charts to refer to that would make it reasonable to what is there now to protect Jam'n Bean. I feel that these two uses can coexist in the Village atmosphere and I plan to support the motion as well.

Member Hammond stated that the applicant has decided to reduce the size of the project from 8 units to 6. Has there been any discussion of reducing the project to 5 units. Director Peterson stated there had been no discussion regarding this. Member Hammond stated if they hypothetically reduced it to 5, the Ordinance would be met by Use by Right and if they enlarged the footprint of the units, would there be any reason that they couldn't increase the impervious surface to greater than it is now? Director Peterson stated there wasn't anything to prohibit them from doing that. We have minimum size standards for houses but not maximum. Member Hammond stated he is trying to make the point that 6 units is an arbitrary number and will not change the impact of building on this site. It meets the Engineering requirements and impervious surface requirements have been dealt with through all the ordinances.

Member Williams stated along the Overlook Summit property line there is a landscaping plan. Is there any willingness on the part of the applicant to do landscaping along the Jam'n Bean deck? It appears that a lot of trees will need

to be removed and adding landscaping would improve the site for Jam'n Bean as well as the rental units. Director Peterson stated it is pretty rare that we require landscaping of residential projects but we have required it in the past. The applicant stated they were going to preserve as many trees as they could and add landscaping when they can.

Member Waalkes stated the Master Plan was developed by input from residents. We heard loud and clear from the residents they wanted mixed uses in the Village, residential as well as commercial. This property owner would be allowed to build this By Right with just slightly different setbacks. The fact that this is 3.2 units per acre vs. 3.0 is the only reason we are here rather than in a zoning meeting. It fits the Master Plan and those things lead me to want to approve this project.

Motion by Member Waalkes to approve the PUD request making sure that any outstanding issues as outlined earlier are met. Support by Member Sperla. Motion carried 7-0.

**ARTICLE 7. Case # 14-3220 Kraft and 28th Street Assoc., LLC
Public Hearing**

Property Access: 5557 – 28th Street SE

Requested Action: The Applicant is requesting approval to add a drive-thru.

Director Peterson presented the case. When we approved this building there was a lot of discussion as to whether we wanted to approve a drive-thru until we knew the use. They are coming back to request approval for a drive-thru window for a Firehouse Subs. It is similar to a Jimmy Johns with a lower turnover. This is important to note as we regulate parking based on sit down or fast food restaurant. We require more parking for fast food restaurant. I am putting this use into standard restaurant rather than fast food. Essentially they provide for stacking and ordering area. They have to make minor provisions to prohibit two way traffic and they will have to bump out a curb and add signage. The decision letter as well as the meeting minutes from the last meeting on this are in the packet for review.

Member Mead stated the existing suites have an egress door out the back feeding directly into traffic. Member Mead asked what the distance was between the back door and traffic. Director Peterson stated the Applicant would be able to answer that question.

Chairman Pennington asked the Applicant to come forward with comments.

Chard Barton, Owner of Cherry Street Capital, came forward as the applicant. One thing that I would like to point out to you is when we came before you earlier, the west end of the building had been the drive lane for a pick up window that exited into the main thru fair into traffic. It was requested that it be relocated to the rear of the building for traffic flow. The changes along the backside include stacking of vehicles. I believe it was tabled last time until we knew the use of the site. This is a light use and we feel it is more of a pick-up window as opposed to a drive-thru.

Member Lewis asked if there were any numbers available on what percentage of their sales are from the window vs McDonalds and Wendy's. The Applicant stated that the franchisee is projecting 5-8 cars per hour. No different than Bigby or Tim Horton's. There will be busier times of day but lunch and dinner will be primarily the busy times. They do not serve breakfast. Member Lewis stated the area is already busy without adding additional cars. The applicant stated the building is already there and will add more cars regardless of the pick-up window and we will still have to comply with all ordinances.

Member Mead asked if there was enough room for cars to pass when a vehicle was at the order window. The applicant stated they have designed it to allow traffic to be unimpeded. Member Sperla requested traffic flow clarification. Member Mead asked if delivery trucks would impede traffic or the drive thru. The applicant stated the deliveries would be at off hours.

Member Lewis asked if there would be any more dining establishments added to the sight. The applicant stated this would be the last one and all other additions would be service related.

Motion to open the Public Hearing by Member Mead. Support by Member Lewis. Motion carried 7-0

No one wished to speak at the Public Hearing.

Motion by Member Sperla to close Public Hearing. Support by Member Waalkes. Motion carried 7-0.

Member Waalkes stated he has struggled with traffic at this location and believes this is why we have gotten negative feedback in the past. With a pick up window you will be moving cars through the site and have less parking issues. Member Mead stated he had visited the Jimmy John's and the window works fine as long as the order kiosk is in the right place.

Motion by Member Mead to approve Case 14-3220 Kraft & 28th Street Assoc., LLC request to add a drive thru window. Support by Member Williams. Motion carried 7-0.

ARTICLE 8. Case # 14-3219 Cascade One LLC

Property Access: 1701 Spaulding

Requested Action: The Applicant is requesting a Basic Plan Review to rezone the property to Planned Unit Development to allow for 27 lot plat.

Director Peterson presented the case. The property is located on Spaulding Avenue on the west side about halfway between Burton and Cascade Road, just south of Koetsier's and the Abbeydale Subdivision. The original plan was for 50 units and it never made it past the Planning Commission. They are requesting 27 units now which is much lower than the old project in terms of density. They will be able to tap into the existing utilities that are out there. The property is currently zoned agricultural. This is in an area where we recommend to go to low density residential. More like our R1 zoning district. They are asking to do an open space development where they cluster the homes and make them a little bit smaller. They do have a few lots that are smaller than what we would normally see. What they have done with some of the space along the back of the area is to buffer more so the lots got a little smaller. We have been consistent over the years by putting areas like this in open space areas so property owners do not do anything with that area and it provides an additional buffer. This is the reason for the PUD rezoning as some of the lots do not meet our minimum requirement for lot size. They are accessing the project through Abbeydale Drive which is a public street. There would not be access out to Spaulding Avenue although the Road Commission stated they would want that access. We will need to get that figured out with the Road Commission. The most exciting part of the project is getting the pedestrian connection from Spaulding Avenue over to the City of Kentwood. The applicant has shown a 5' pathway from Spaulding onto their public road system and then you would follow their sidewalks through the project and another 5' walk to the City of Kentwood. What I have suggested is a separated 10' pathway throughout the whole project. I am liking it to a public street; the applicant would build it and then the township would take it over and maintain it from there. The applicant has indicated that they do not prefer this method. A middle ground would be to have the pathways that come into the development at 10' and allow their roads to provide the connection. I think it would be better designed for maintenance and use if there were 10' wide pathways like the rest of our system. It does cross a drain through here so we will have to get comments from the Drain Office. They are showing it connecting to the City of Kentwood sidewalk system. There is an exception to the property along the west property line. Director Peterson asked for some additional details on this as well. My concern is that if

there is a driveway or roads through here in the future how will it impact the pathway?

Member Waalkes asked about what looked like a temporary turnaround at Lot 7. Director Peterson stated this would provide access to the property to the north if it were ever developed. Member Mead asked how many homes were already on the dead-end road. Director Peterson stated the Road Commission will dictate the number allowed since it is a public road.

Member Mead stated he loves the 10' pathway system for joggers, bikers, etc. Are they planning 5' sidewalks on both sides of the street in their development? Director Peterson stated they were. Member Mead stated if the sidewalks were on both sides they could do a 10' pathway in along the 66' "right of way" off the path from Spaulding 10' in and then it splits to 5' on both sides and then 10' off the cul-de-sac between 20 and 21 over to Kentwood. He stated that would be a good middle ground that they could meet instead of requiring them to build a 10' walk on one side of the road throughout their development. Director Peterson stated his thought was to have a separated pathway all the way through the development. Director Peterson would rather not go through the front yard residential. He would rather it go through the back yards. Director Peterson believes this would be less issues long-term for maintenance and plowing. Member Meads hesitation with that is because it's feeding over towards the elementary school. He would like this path in front yards of houses as soon as possible for young travelers rather than in the back in an un-maintained area. Director Peterson stated the applicant had made the same comment to him.

Chairman Pennington asked the applicant to come forward. Ed Pynnonen, Developer and Dave Barker, owner of the property came forward. Mr. Pynnonen met with Director Peterson earlier when he expressed the desire to have the connection between Spaulding and Kentwood. With Meadowbrook Elementary School being here, Mr. Pynnonen believes that's a draw. He's built a lot of developments and believes getting them off the street and walking along the sidewalk is very important. There's an advantage to walking your child to school or having your child walk back and forth. They plan on putting in street lamps, street trees, and sidewalks per the ordinance and they've agreed to connect their sidewalk system to Kentwood's sidewalk system. Cavalcade Drive does have sidewalks on both sides and they anticipate tying their sidewalk into their sidewalk and continuing that through the neighborhood. Their plan is to continue the sidewalks from their neighborhood out to the bike path. He uses the bike path on Thornapple River Drive and finds that most of the bikers are riding in the street as opposed to the bike path. They are putting this in at their expense and have agreed to. If the Township really wants a 10' path and this

becomes part of their network could there be sharing of cost between the developer and the township? They are against running the path along the back for a variety of safety issues. Most homes are broken into from behind and bringing the pathway in from behind the house is a safety issue which could create an avenue for crime. You always want a pathway in an open area because that's where children get snatched. Anyone who's not riding a bike wants a wider path so they can walk and jog on the sidewalk pretty easily. Otherwise they end up riding their bikes in the driveway or in the road. The pathway would be connected to a sidewalk not a bike path.

Member Waalkes asked the developer what plans he had for maintenance of the bike path particularly snow removal. Mr. Pynnonen hasn't thought of the snow removal aspect, however; that could be covered under the Home Owner's Association. Member Waalkes stated the township's snow removal is set up for a wider path either 8' of 10'. If the township does commit to maintenance of the path they would want the wider path.

Chairman Pennington stated his thoughts on the sidewalks agreed with Director Peterson's. Having a sidewalk network within the development would be sufficient. With sidewalks on both sides of the road people are either walking or traveling slower through the neighborhood. There's a longer stretch and a child could be going faster in that area and if you have one or more people trying to walk in the other direction it's kind of narrow for passing. In that situation 8' or 10' paths would be better in that area. Mr. Pynnonen asked the Commissioners if that would be something the Township would share the cost of. He stated the ordinance doesn't state they would have to connect. Member Lewis stated they would look at that very closely. Director Peterson stated the ordinance does state that it's at the Board's discretion if they want to require a pathway. That doesn't mean there can't be a conversation between the Board and the developer about costs.

Mr. Pynnonen addressed the "exception parcel" by stating they don't have any particular plans on that yet. That's why they left it as an "exception". It's an odd piece and they may be able to get a lot or two out of it and that would be something they would come back to the Planning Commission for at a later date. However the system goes it would be something that is compatible with the drive and would tie in on either side with the sidewalks.

**ARTICLE 9. Case #14-3210 Drury Hotels
Property Address: 5175/5189 28th Street SE
Requested Action: The Applicant is requesting Planning Commission
recommendation to the Township Board.**

Director Peterson asked the Commissioners if they had any questions. The packets they received have all the information in them which they approved. The Commissioners have the Ordinance and the Maintenance Agreement which Peterson stated addresses everything which they have approved as part of the preliminary plan.

Member Lewis made a recommendation to forward a positive recommendation to the Township Board for the Drury Hotels project. Support by Member Mead. Motion passed. 7-0.

The Planning Commission excused Member Mead at this point.

ARTICLE 10. Kent County Road Commission Five-Year Road Improvement Plan

Member Sperla asked Director Peterson if they were widening the section between Thornapple River Drive and Cascade Road. Peterson stated that is where the DDA is doing work with the stamped concrete and crosswalks so that they're more visible. The widening of it is that there will be a right turn lane onto Cascade Road from Thornapple River Drive.

ARTICLE 11. Any other business

There was no new business.

ARTICLE 12. Adjournment

Motion by Member Waalkes. Support by Member Lewis. Motion carried 6-0. Meeting adjourned at 8:56 PM.

Respectfully submitted,
Aaron Mead, Secretary

Ann Seykora/Debra Groendyk
Planning Administrative Assistant