

MINUTES

Cascade Charter Township Planning Commission
Monday, March 6, 2006
7:00 p.m.

ARTICLE 1. Chairman Goldberg called the meeting to order at 7:00 p.m.
Members Present: Goldberg, Koessel, Lewis, Logue, MacAllister, McDonald, Postma, Richards, Robinson.
Members Absent: None
Others Present: Planning Director Peterson, Planner Deem, Admin. Assistant Hern and Members of the Public.

ARTICLE 2. Chairman Goldberg led the Pledge of Allegiance to the Flag.

ARTICLE 3. Chairman Goldberg requested motion for approval of the March 6th agenda.

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

ARTICLE 4. Chairman Goldberg requested motion for approval of the February 6, 2006 Minutes.

Member Lewis requested correction under Article 3, first paragraph second word – change “Robinson” to “Goldberg”.

Member Lewis motioned for approval of the minutes as corrected, supported by Member MacAllister. February 6, 2006 Minutes approved as corrected. All in favor with none opposed, the motion carried.

ARTICLE 5. **Case #06-2791: Kraft Street Partners, LLC**
Basic Plan Review for a PUD amendment/addition to the Kraft St. Partners PUD (#8 of 2005).

Planning Director Peterson noted the property is located behind Gordon Food Service, Design One, and directly south of the Chadwick Hills Condominiums and reviewed the site plan with the Commission.

The first building the Commission saw in this project was the Tanaz Hair Salon. At the time of this request, the Commission set this project up if the Applicant was able to acquire additional property along Kraft Avenue, a third building would be allowed on the site. The Applicant is moving to Phase Three before Phase

Two. Planning Director Peterson noted the P.U.D. document was set-up to require a formal amendment to the P.U.D. for any new building or for the addition of the 3rd phase to the project.

The Applicant would add approximately 40,000 square-foot of property to the project. The property being added is a small insurance building; the old white refurbished home, along Kraft Avenue and the schedule reflects the demolishing of the building and build the new building and the insurance office would re-locate into the new building.

The new retail center would be approximately 27,000 square-feet and is planned as a multi-tenant building. A Dentist, as well as the insurance office has already expressed some interest in this new facility.

With the addition of this phase would also include the connection of the service drive from Wal-Mart to Kraft Avenue as well as the connection to Gordon Food Service. This would provide the completion of the service drive from Kraft to Charlevoix Drive.

Currently, Betten is utilizing part of the service drive right now, and Betten is aware that he must now restore the service drive as originally planned. Betten would essentially have to move the cars and fence on the North property line to south of the service drive. Planning Director Peterson has written Mr. Betten a letter telling him that this amendment would implement this change and he is aware this would happen. The Applicant also has a separate written agreement with Betten that allows him to restore the service at bill the charges to Mr. Betten.

Planning Director Peterson noted the residential use is to the north of Phase 3. The Planning Commission will want to pay special attention to the detail of the buffer from the residential use. Things that Planning Director Peterson noted are lighting of the project and dumpsters, making sure they are located in spots that not cause problems with adjacent properties.

Planning Director Peterson noted he detention would have to be reviewed by the engineer.

The proposed signage is consistent with the approved PUD Ordinance. This would allow for an identification sign along Kraft Avenue and there is also allowance for small ground-mounted directional signs for those who have access to the service drive.

Again, this was anticipated and put into the original PUD agreement.

Planning Director Peterson also noted the curb cuts, as well as the closing of the others will need to be permitted by the Kent County Road Commission (KCRC). This is the anticipated location and the preferred location, all along, has been to align the service drive with the Meijer entrance across the street. This still needs to be approved by KCRC.

One of the items to discuss tonight is the Applicant shows a 95-foot setback from Kraft Avenue. The setback in the required B-2 zone is 100-feet. The Applicant should respond why this is needed and the Planning Commission should consider whether the reduced setback is needed. The Township did allow for the consideration of reduced setbacks if the Planning Commission believed it provided for better site design.

Planning Director Peterson referred to the elevations provided within the Commissions' packets. The Township does not have any special requirements for building elevations in this area, and the developer should provide a detail of the type of materials proposed for the building to ensure that it would appear consistent with the materials on other building in the area.

Planning Director Peterson has indicated to the Applicant a sidewalk of 7-foot wide sidewalk along Kraft Avenue would eventually connect to 28th Street and then, also, the Applicant needs to re-design their entryway in some fashion to be able to fit a pedestrian connection into the site as well.

Planning Director Peterson noted this is a basic plan review/introduction and if the Commission has any other items, other than what he has noted, for the Applicant to address prior to Public Hearing, once those items have been completed, the Public Hearing date would be set and Staff will advertise the project's hearing for the amendment.

Member Lewis noted that he is assuming what is before the Commission tonight is the original PUD and Planning Director Peterson confirmed, yes. Member Lewis noted the addition, and the way it was originally set, there would be a sign on 28th Street for the people in the original area because they have a 28th Street mailing address. Planning Director Peterson confirmed that to be true, they would be allowed a small sign ground-sign out in the middle of the boulevard area. Member Lewis noted they have a

28th Street mailing address, Planning Director Peterson agreed. Member Lewis questioned if the new building would have a Kraft Avenue mailing address and has a strong feeling regarding businesses that would want 28th Street advertising without a 28th Street mailing address. Member Lewis noted that one of the things the Commission is proud of in Cascade is not to be overrun with signs along 28th Street. His question is would this be included in the 28th Street sign or wouldn't it. He prefers that its not. His question is in this building the Commission would be approving, are they allowed to advertise on 28th Street even though they will not be facing 28th Street. Planning Director Peterson noted their sign is located on Kraft Avenue and the other sign consists of three (3) addresses. Member Lewis noted that because this is added to it, does this automatically become possible to add this to the sign along 28th Street. Planning Director Peterson does not believe the Applicant wants 28th Street advertising for this building or phase and the Township can make sure that Phase 3 uses only Kraft Avenue signage. Member Lewis noted that would be fine and worthwhile to ensure that.

Member MacAllister noted the plans show private easement for water, does this easement flow the water into the neighboring properties? Planning Director Peterson responded the easement is shared with the other commercial properties and does not flow north into Chadwick. He reminded the Commission that there is a three (3) to four (4) foot tall berm separating the residential from the commercial.

Being no other Commission comments or questions of Planning Director Peterson, Chairman Goldberg invited the Applicant to approach the Commission.

Applicant Harmsen noted they have no intention of the new building using 28th Street signage. He noted the current sign already has an agreement in place to allow the three (3) current businesses to advertise on the sign. He noted the Kraft Street Retail will have a Kraft Street address and if 28th Street signage were used, it would be confusing. Kraft Street Partners will have Kraft Street identification.

Applicant Harmsen noted that the plan before the Commission is about the seventh revision and they have had several meetings and conversations with Chadwick Hills Association and a board representative is also present at tonight's meeting. The plans have been revised based on comments from residents within the association and from Staff. One of the things that have come from

the meetings is the reason for the 95-foot setback from Kraft Avenue is so none of their building is directly south of the condominiums. A berm will be put in and landscaped as well as a six-foot fence and pushed the building to the left by five (5) feet so essentially those people will not be looking out and seeing the tops of our building; this is the reason for the 95-foot setback.

Applicant Harmsen noted the rear setback is 68-feet for the same reason as the 95-foot setback, providing more buffer for the condo residents.

Parking lot landscaping has been calculated by their engineer as a little over 200-square feet and there are some items that are considered optional, such as future parking, the only reason this is shown in the plans to is leave open for a possible site for a restaurant. The plan indicates the potential for a 10,000-square foot restaurant and meets the required parking regulations.

Applicant Harmsen also noted the detention pond is calculated to accept storm water detention from Design One and the Esplanade Center. Originally, those two (2) businesses have no on-site detention whatsoever and do have an agreement with the two (2) property owners and has been engineered and sized to handle their detention water as well.

The major issue the developer has been working on for the past five (5) years is to build the access road and align across from the Meijer driveway. They have recently closed on the Allstate building after working on it for three (3) years. This will help develop a favorable traffic plan.

Chairman Goldberg asked if they have addressed the sidewalk issue and Applicant Harmsen said they do have the ability to put a sidewalk in. They can install a 7-foot wide sidewalk along Kraft Street, typically, there is a right-of-way, there is room. As far as running the sidewalk from the west, at Kraft, going to the east, they recommend installing it on the south edge of the road, between the road and the property line. Chairman Goldberg asked if there is room to have the sidewalk separate from the service drive. Applicant Harmsen said there is room, yes, and the engineers have done the plans for him as this came out of Staff discussion as well. They will install curb and gutter and the sidewalk will be separate from the street. He believes there is ten (10) to twelve (12) feet between the road and the property line and it would go in that area. The engineer figured the sidewalk would be five-foot wide since on private property within the interior of

the project. He will provide updated plans prior to the Public Hearing.

Member MacAllister asked what the exterior finish material would consist of and Applicant Harmsen noted the exterior would have a mix of stone and brick with towers on the corners of the building.

Member MacAllister asked if the A/C equipment would be on the roof or housed by the building. Applicant Harmsen noted by the building would have a four foot parapet wall to help screen these units on the roof.

Member Lewis questioned if a clock was being placed in the tower and Applicant Harmsen said he does not believe so.

Chairman Goldberg noted the plan looks good and move forward. He thanked the Applicant for working with the neighborhood association in the development of this project.

ARTICLE 6.

Case #06-2792: Mike Gantos/Thornhills Properties LLC
Site plan approval to redevelop existing building for a new 39,190 square-foot strip mall at 2845 Thornhills.

Planning Director Peterson noted the Commission first saw this project about a year ago and approved a similar project that was to be a teardown and rebuild for this site. He noted that the applicant is now seeking approval of a new plan that would essentially keep the main building and have a couple of small additions. The building proposed in this plan is a bit smaller than the previous one approved last year.

This project is being considered to have lost its legal non-conforming status since it has been vacant for more than 180 days. He further noted that anything that happens to this building is going to have to come before the Planning Commission or Zoning Board.

The plan seen here is consistent with the zoning restrictions in terms of setbacks and building height. The plan is in compliance with building height and other regulations.

Planning Director Peterson also noted the site was awarded a couple of variances, regarding curb cut location and setbacks along the north property line; that were approved last year. The site plan was developed within accordance with those and Staff considers the new application as acting on those variances and is not required

to go back through the Zoning Board of Appeals process since they are not asking to change any of the conditions of the variances. If this were approved tonight, the site plan would be approved for one (1). Chairman Goldberg questioned if the Commission has ever granted an extension with amendments and Planning Director Peterson does not believe so, they are normally seen by the Board to extend the existing site plan approval. Any changes would require new site plan approval. Chairman Goldberg noted that this is really an extension with amendments Planning Director Peterson agreed.

Planning Director Peterson noted the building is being designed for a retail center with approximately 8,000 square-feet set up for a possible restaurant.

The site will have cross access to the property to the North and the West. Staff will need to have a signed agreement with the Applicant that this access will remain open and maintained at all times of the year and in perpetuity.

The landscaping plan is within compliance of Township landscaping requirements. The Township would require a landscaping bond of over \$27,000.00.

Planning Director Peterson also noted they are no longer showing the large building identification sign on the east elevation. Signage for this site would be done within accordance of the B-2 Zoning District.

Planning Director Peterson did request the sidewalk shown on the plan to extend to the north property line.

The plan has been reviewed by the Fire Department and the Township Engineer. Both of them have provided written comments for the Commission's review.

Staff recommends the site plan be approved with the conditions:

- a. The Applicant apply for, and receive, a soil erosion control permit from the Township prior to the issuance of any building permit.
- b. The Applicant provide a landscape bond of \$27,860.00.
- c. Submit a lighting plan in compliance that was actually received today with a photometric plan. The plan is within compliance with light level requirements.
- d. Widen the south curb cut at the applicant's expense to the standards set forth by the KCRC.

- e. Revise the site plan to show the seven-foot sidewalk along the entire Thornhills frontage.
- f. Provide a written agreement that the access roads to the property to the north and west remain open and maintained at all times. The Applicant shall record this document prior to a building permit is issued.
- g. Address the comments of the Township Engineer.
- h. Comply with the Fire Department letter dated February 14, 2006.

Member MacAllister asked if the Township has any regulations regarding the size of the strip malls and the units. Planning Director Peterson said the Township does not have any regulations as long as the building and parking codes have been met.

Member McDonald noted there is a lot of pavement going in and the storm water run-off will be large, that is a lot of water. Fishbeck seems pretty comfortable with the storm water plan, are there any water issues now? Planning Director Peterson noted that one of the unique things is under ground storage and Fishbeck is comfortable with the design. Member McDonald asked where the water drains to and Planning Director Peterson noted it drains by the Township drive and there is a catch basin near there.

Member Koessel asked if the tower would hold the signage. Planning Director Peterson noted they have eliminated the tower.

Member Lewis requested clarification on the loss of its legal non-conforming status. Planning Director Peterson noted that what has been lost is the "grandfathered" status of the uses in the building. You can no longer say it is grand fathered in because it used to be an ice arena with 2,000 attendees so that use or some other similar use could continue without going through some sort of approval process. Whether it is a setback for parking or other legal non-conforming issue, it comes to the Planning Commission for approval. Planning Director Peterson noted that when you approved the site plan last year that it had already lost its legal non-conforming status.

Applicant Mike Gantos noted they are basically coming in to reutilize the existing structure. They have engineered and designed the site around meeting and complying with the variances of the Township. They are looking to develop a unique approach with the units so that if someone wants to purchase a larger one, they may do so.

They are hoping to have approval right away so they may start the project this spring. Applicant Gantos noted some of the elevations they would begin working on and other areas.

Member Koessel asked if the south curb cut being widened is acceptable to the Applicant, there was some resistance before. Applicant Gantos said he is fine with this and is engineered to meet KCRC standards of 42-foot wide.

Member Lewis motioned for approval of the site plan for redevelopment of the existing building for a new 39,190 square-foot strip mall at 2845 Thornhills with the conditions set forth by Staff as presented, supported by Member Robinson. All in favor with none opposed. Motion carried.

ARTICLE 7.

Case #03-2566: Meijer

One-year review of Special Use Permit to allow a garden center in the parking lot of Meijer.

Planner Deem noted in 2003 the Planning Commission approved the use of the parking lot for a Garden Center.

At that time the location of the Garden Center has been moved, originally it was in front of the old drive through that was in the parking lot adjacent to it. After that first year, Meijer agreed with the Planning Commission to move the Garden Center to their parking lot.

There were a series of conditions that were placed on the Type II Special Use Permit last year and the requested conditions for this year:

- 1) 10 week sale period allowing for one (1) additional week for set up and one week break down for a total of twelve (12) weeks.
- 2) All material in the parking lot garden center be limited to peat moss, sand, garden soil, mulch and other similar garden supplies.
- 3) The set up and take down of the parking lot garden center be limited to one week before it is open and one week after it is closed. Before and after that it shall be available for parking as approved on the original site plan.
- 4) The outdoor sales area is limited to the parking lot north of the middle driveway along Kraft Avenue, east of the former pharmacy drive thru as shown on the provided site plan.
- 5) Meijer asks that a review in front of the Planning Commission is no longer required.

Since 2003, Staff has received no complaints regarding the garden center, they have been in compliance with the regulations set forth with the exception of occasionally having some material outside the garden center and as soon as they are notified they are in violation, they immediately correct the issue.

Meijer has asked to have the same conditions as last year; there is no change on location of the garden center and the same conditions. One thing that is different is that Staff requests the one-year review be done at Staff level so Meijer does not have to come before the Planning Commission. Planner Deem noted Wal-Mart approached the Commission with a similar request that was approved.

Deleted: year,

Staff recommends that the Planning Commission approve the Special Use request for a temporary Garden Center with the six (6) conditions listed within the report.

Member Robinson asked if there were complaints regarding materials or equipment with Meijer's Garden Center. Planner Deem noted that was Wal-Mart who received the complaints that have been corrected.

Chairman Goldberg asked if someone was in attendance at tonight's meeting from Meijer and Planner Deem noted they were not in attendance.

Member McDonald asked what type of conditions would kick this back to the Planning Commission and Planner Deem noted the review would come back before the Commission if Meijer changed their number of weeks or the size of the center and other similar things.

Chairman Goldberg asked Planner Deem if someone from Meijer noted they would not be here this evening and Planner Deem said he has not heard from them. Staff mailed the agenda with the report on Friday and Meijer does have a different contact person than from previous years and is not sure if this is the reason for miscommunication or not. Planning Director Peterson noted Meijer does have a new manager and there is some transition at the store.

Chairman Goldberg noted the policy of the Planning Commission is not to act upon applications when the Applicant is not present to answer questions.

Member Robinson motioned to table Case #03-2566: Meijer, supported by Member Lewis. All in favor with none opposed. Case #03-2566: Meijer tabled until the March 20, 2006 Planning Commission Meeting.

ARTICLE 8.

Case #06-2794: Gary & Pamela Sage/Wolverine Building
Site Plan Review for a 14,083 square-foot addition to the existing building.

Planning Director Peterson showed the location of the site of Raleigh Drive and Kraft Avenue with the addition being planned for the east side of the site.

The addition is for approximately 14,083 square-feet and is located in the Industrial Zoning District, west of Kraft. The current building is utilized for office and warehousing for a billing process center. The existing building is 11,500 square-feet and the addition will more than double the size of the building. Site Plan approval is required since the addition is over 5,000 square-feet. Since this proposal would double the size of the existing building, the landscaping must meet current requirements on the site.

The plan does show one parking lot light is being removed but does not show any additional lights being installed. They do plan on moving a couple of wall lights onto the addition. The existing lighting at the facility is cut off type lighting.

The site is removing some of the existing parking and also adding some new. The site requires a total of thirty-three (33) spaces and allows thirty-nine (39) with the possibility to add some in the future if needed. The truck docks have been relocated with the removal of some of the spaces and noted the additional spaces. He also stated the Applicant is well within compliance for this project.

Planning Director Peterson noted no new access is planned as part of this project and the addition is being utilized for warehouse.

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

Staff recommends Site Plan Approval for the proposed addition under the following conditions:

- a. Apply for and receive a soil erosion permit.
- b. Revise the plan to meet the Township Engineer comments.
- c. Provide a landscape bond in the amount of \$5,000.00

Chairman Goldberg questioned when a parking lot light is removed; do they then have to submit a photometric plan to the Township since the lighting will be changed? Planning Director Peterson noted they are not removing any parking lot lights just the wall packs that were on the backside of a wall that will come down and placed on a new wall. Chairman Goldberg referred to Item #5 in Planning Director's report says one (1) parking lot light is being removed but no additional lights installed. Planning Director Peterson believes this is in reference to a ground-mounted lighting fixture.

Member Robinson asked for clarification if the Township Engineer will provide a report, has he? Planning Director Peterson said he has received the Engineer's report and received after the Commission packets were put together.

Chairman Goldberg invited the Applicant to come before the Planning Commission.

Mike Kelly, President of Wolverine Building representing Pamela and Gary Sage in this project. This is the old Foremost Building and the Sage's are mailers. Currently the Applicant is storing paper products and other materials off-site and additional space would allow for everything to be kept on-site. Chairman Goldberg asked if this project would provide more jobs in the community and Kelly noted they are buying additional equipment to put in the building but Gary Sage never indicated. Kelly is assuming employees would be added to operate the new equipment that is being purchased and installed.

Chairman Goldberg asked the Applicant if there is anything in the Engineer's report that was a problem and Kelly said he has reviewed the concerns and is comfortable with the items that need to be met.

Member Lewis remembers seeing an area for the semi-trucks and Planning Director Peterson noted the new location of the loading docks and the removal of some parking spots to accommodate the docks.

Member Robinson motioned for approval of the Site Plan Review as proposed for a 14,083 square foot addition to the existing building with the following conditions stipulated by Staff. Member McDonald supported the motion. All were in favor with none opposed. Site Plan Review approved.

ARTICLE 9.

Case #06-2790: Anderson Woods Phase II and III
Basic Plan Review for rezoning to P.U.D., Planned Unit Development, in order to develop a 28 unit single-family home project.

Anderson Woods is on the west side of Buttrick Avenue and south of 52nd Street. The subject parcel is unique as it is zoned R-1 along the river and ARC, Agriculture Rural Conservation, along Buttrick.

Deleted: just off of

Deleted: and t

The site is on fifty-nine (59) acres to allow for the development of a total of 28-units for single-family housing.

Planner Deem noted the property is dual zoned ARC and R-1 and referred to the calculations used on Page 7 of his report included within the packets. He reviewed how the calculations were formulated to obtain the number of condos for the dual zoning.

The total amount of open space being preserved in the parallel plan included a total of 698,945-square feet total space. He referred to the proposed plan that shows a total of 760,539-square feet and the proposed plan has more open space. Planner Deem also noted the majority of open space is located towards the rear of the property and a buffer along Buttrick. He also noted open space in the center of the project. The proposed plan provides 40.5% of developable acreage as open space. This percentage does not include wetlands or road right of way.

Planner Deem said the proposed plan fits in with the neighborhood characteristics. The location of the Open Space connects with the existing Open Space in Phase I of Anderson Woods.

The Applicant has been talking about installing soccer fields in some of the open space. Details for this would be needed prior to Public Hearing.

The Applicant has mentioned the possibility of placing a gate at the entrance of the project. This would have to be approved by the Fire Department. Staff also recommends these details be provided prior to the Public Hearing.

This project will not be served by Water and Sewer. The Kent County Health Department will need to approve the septic and wells.

The Applicant will have to enter into a Storm Water Maintenance Agreement similar to that of Anderson Woods. The Township is no longer requiring 423 agreements with the Kent County Drain Commission. Instead, the Township is now the governing body.

Deleted: The Planning Commission is now in charge of the language used for the maintenance agreement.

Planner Deem noted there are wetlands on the property and noted the shaded areas on the plan. The DEQ will have to review this plan and is process now.

Private roads provide access to the site. There is one (1) entrance off of Buttrick Avenue and this project connects to Anders Trail South at the end of the existing cul-de-sac. The KCRC is currently reviewing the drive location on Buttrick Avenue and the neighboring properties.

Access to the property to the North and South. A connection to Anderson Woods is included on the site plan. The Planning Commission should discuss a possible connection to the north property along the west end of the proposed project.

The neighbor across from the original Anderson Woods opening had concerns about automobile lights shining into his home. These concerns were dealt with at the Township Board. Staff has asked for the locations of the driveways for the neighbors on the east side of Buttrick to avoid this problem. KCRC will also investigate this during their review process for the Buttrick Avenue access.

Planner Deem noted streetlights are not shown on the plan and the Applicant believes the development does not need the lighting. Phase I of Anderson Woods was approved without streetlights. This would be consistent with the characteristics of the neighborhood.

The Fire Department has reviewed the plans and made comments. One of the main things they would like to see is the grading for the street and that it meets Township regulations. He noted any change in the plan would have to be approved by the Planning Commission.

The Township Engineer will have to review the plans.

Planner Deem also noted the connection to the properties with one (1) from Phase II to Phase I at the end of the cul-de-sac and does meet the minimum requirement for a private road and number of units on a dead end street requirement.

Staff would also recommend seeing easement agreements along portion of the road for connections to the property to the north. Planner Deem also noted the location of one (1) drive way and future development of other property and the Planning Commission may want to provide direction to the Applicant on how to access the sites along the river.

Planner Deem noted the eight (8) items listed in his report that will be needed prior to Public Hearing and consideration for a preliminary development plan.

The Planning Commission should provide direction to the Applicant regarding the following items:

1. Connections to the property to the north.

The following information will be needed for the Public Hearing:

1. The proposed names for the private streets will have to be approved by the Fire Department.
2. The Township Engineer needs to approve the plans.
3. The Township fire Department needs to approve the plan.
4. The Kent County Health Department will have to review this plan.
5. The Kent County Road Commission will need put their comments in writing since they have already reviewed this plan.
6. The DEQ will have to review this plan.
7. Details for the proposed soccer field will be needed.
8. Details for an entrance gate will be needed.

Chairman Goldberg asked if on the Applicant's test plan if Staff reviewed the plan to ensure it meets the requirement of lots on a private road, Planner Deem said yes.

Chairman Goldberg also asked what the panhandle property is planned for, Planner Deem noted it is an older lot and is not sure of the easement. Planner Deem noted this is not a lot included within the access of the road and those lots have their own access road.

Member MacAllister noted that based on the lower lots by the river, it looks like the Applicant will be going over some of the wetlands. Planner Deem noted DEQ will allow a percentage of fill and will have to review. Member MacAllister questioned which lots have river access and Planner Deem confirmed only the three (3) river lots, no additional lots would have access to the river.

Member McDonald clarified who holds the Storm Water Maintenance Agreement, is that the Township who holds the agreement? Planner Deem noted that is correct and is with the Township now and is part of the P.U.D. and is standard procedure now.

Member McDonald noted the access to the north and south and mentioned a resident who was inquiring about a year ago and if he is aware of what is happening to the property. Planner Deem noted he is not sure if the neighbor is aware of the plan yet and Staff will be notified of the Public Hearing.

Member MacAllister questioned if the project was being reviewed for future development and connection with other adjacent properties. Planner Deem believes the plan would allow for a loop and allow for double-access and noted the other connecting parcels to allow for flexibility for future developments. He noted he is requesting this information in their plan and there is no possibility of connecting the land to the south.

Member McDonald noted that running parallel with Buttrick, on the property, are power lines with homes to the west of the power lines. There is quite a bit of distance between Buttrick and where the first home begins and Planner Deem confirmed there is 125-foot of open space and the Applicant noted there is 16 ½-feet on either side of the poles, thirty-three feet wide.

Member MacAllister questioned the soccer field located in the playground area? Planner Deem noted she would have to ask the Applicant about this, he is unsure, they are awaiting the Applicant's details.

Applicant, John Halland, met with the engineer last week and they walked the property. He made a few suggestions along with the soccer field and the field would fit into an appropriate space that are currently low spots. He also noted the area for a sports corridor (tennis and basketball courts) along with the playground that consists of almost two (2) acres.

Applicant Halland also noted they would be filling in less than 1/3 of an acre and there are no expected problems with DEQ. They have applied for a permit for the filling.

Chairman Goldberg asked the Applicant's feeling on the connection to the north and he responded by seeing the property owner planning for homes to go in and noted a potential tie in to

the properties. He does not have a problem providing easement rights to the properties.

Chairman Goldberg noted the plan looks pretty straight forward and the Planning Commission has completed a Basic Plan Review. The Applicant will provide a conforming plan with details Staff has required on aspects of the project they have requested.

Applicant Halland asked how the Phasing Plan is approved and his necessary action. Chairman Goldberg noted the Applicant should include the amenities in Phase I or early phases of the project. Planner Deem noted they can work on a phasing plan and the proper language for the phases.

Member Postma asked if the P.U.D. were approved, how long is it good for or does it have an infinite life. Planner Deem noted if they are to do a phasing plan, the language would dictate how long the Applicant has. Planning Director Peterson noted there is no time limit on a P.U.D. if it is acted upon. The Applicant could have this approved and put half of the infrastructure in and the Planning Commission could state specific provisions by specific dates.

ARTICLE 10.

Case #05-2770: Burwood Condominiums

Consideration of P.U.D. Ordinance – recommendation to Township Board.

Planning Director Peterson noted the Commission has approved the Site Plan and Staff has brought the text together that is now built into the P.U.D.

He referred to the conditions listed for this project and noted there are three (3) conditions of the project that would not happen until permits are obtained.

The Applicant's attorney, as well as the Township's attorney, have reviewed the P.U.D. and the document is ready to go. Planning Director Peterson noted the most amount of time was spent on how many accessory buildings each lot is allowed to have and that has been revised within the Site Plan.

Staff is seeking a positive recommendation to the Township Board for approval of the P.U.D. rezoning with the P.U.D. Ordinance.

Chairman Goldberg asked the Commission if they had any questions regarding the language of the draft ordinance and noted it looks like it meets the conditions, Member Robinson agreed.

Member McDonald motioned for a positive recommendation to the Township Board for approval of the P.U.D. rezoning with this P.U.D. Ordinance that was supported by Member Robinson. All in favor with none opposed. Recommendation approved to Township Board.

ARTICLE 11. Any Other Business
Kent County Road Commission – 5 year plan.

Chairman Goldberg asked if there was any new business and Planning Director Peterson noted included within the Commissions' packets is the 5 year plan from the Kent County Road Commission.

Member Lewis noted the report states that Spaulding will not be widened. Planning Director Peterson said Spaulding is not planned to be widened but you can see they are providing some widening near Cascade Road to provide extra left turn lane, but Spaulding will not be widened.

ARTICLE 12. Adjournment

Member Lewis supported by Member McDonald moved to adjourn. The motion carried and the meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Claude Robinson, Secretary
Lisa Hern, Recording Secretary