

## MINUTES

Cascade Charter Township Planning Commission  
Monday, February 7, 2005  
7:00 pm

**ARTICLE 1.** Chairman Goldberg called the meeting to order.  
Members Present: Goldberg, Lewis, Logue, MacAllister,  
McDonald, Postma, Richards, Robinson  
Members Absent: Koessel (excused).  
Others Present: Planning Director Peterson, Planner Deem,  
Admin. Assistant Thompson, Reporter Wilson and those listed on  
Supplement #1 (an audience of about 40 people).

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

**ARTICLE 3.** **The agenda was approved on motion by Member Lewis and supported by Member Robinson. The motion carried.**

**ARTICLE 4.** **The Minutes of the January 18, 2005 meeting were approved on motion by Member Lewis and supported by Member McDonald. The motion carried.**

**ARTICLE 5.** The Township Board Minutes of December 15, 2004 and January 12, 2005 were received and filed.

**ARTICLE 6.** **Case #05-2697: Russ Manz**  
*(PUBLIC HEARING)*  
The applicant requested a Type I Special Use Permit to construct a 1,536 s.f. accessory building at 8201 Shadybrook.

Planning Director Peterson related accessory buildings in excess of 832 square feet requires a public hearing and a Special Use Permit. The placement of the building is within the side yard in compliance with the setbacks from the property lines. Shadybrook is a public street off Buttrick, one-quarter mile south of Grand River Drive. The street does turn into a private street at the end where it serves about six homes. The proposed building would be used for storage and be constructed with asphalt shingles and wood siding to match the existing home. The lot is irregular in shape. The home is 2,200 square feet with a 720 s.f. attached garage. The property does have a second accessory building. The property is seven acres in size and is allowed two out buildings. The building would be 14 feet to the mid-point. Due to the setbacks it could go as high as 22 feet. Planning Director Peterson then went through the factors to be considered before granting a special use permit as

found in the Staff Report. There are other accessory buildings in the area. The common denominator is that the accessory buildings generally match the existing houses there. The size proposed also is not different than what is there. The building does match the architecture on the site. The site is heavily wooded. The packet contains a letter from the neighbor who is most affected. The building would be very difficult to see due to the heavily wooded area. Grand River Drive falls off quite a bit and the building would not be able to be seen from the applicant's home.

Planning Director Peterson recommended approval of the request.

Chairman Goldberg asked if the comment received from the neighbor on Grand River Drive was for or against the request. Planning Director Peterson responded they were interested in where the building was going to be but didn't take a position of for or against.

Chairman Goldberg related the neighbor most impacted by the building has submitted a letter that is in our packet. Their concern was the height of the building was going to be 28-30 feet. Planning Director Peterson related he looked at it and determined at worst it would be 22 feet high for the peak.

Member MacAllister asked where is the second building. Planning Director Peterson responded it is a small building and he did not see it during his site visit.

The applicant, Russ Manz, was present. Mr. Manz related he entered into an agreement with four immediate neighbors two years ago regarding out buildings on the premises. This building meets the standards of that agreement. He presented a letter from the other people stating it meets the standards of the agreement. Mr. Manz also presented pictures of the site and related he talked to his neighbors, the Schlatters. Their concern was they thought the building would be 30 feet high. This building has a 6-12 pitch and would be 20 feet high. The other out building is a storage shed right by the driveway to the house. It is not within view of any neighbors.

Chairman Goldberg asked if the building will have plumbing. Mr. Manz responded no, it will have a water line to the outside of the building. Electric will be run to the building but no heat. It will have a concrete pad.

Member Lewis asked if the building will have lights on the outside. Mr. Manz responded he will have a flood light over the doorway run by a switch. It will not be mercury/security light.

Member Lewis asked if the Planning Commission required that light to face downward if that would that be a problem. Mr. Manz responded no it would not be a problem.

**Member Lewis supported by Member Richards moved to open the public hearing. The motion carried and the public hearing was opened.**

There being no one present to speak on the matter, **Member Lewis supported by Member MacAllister moved to close the public hearing. The motion carried.**

**Member Lewis supported by Member Robinson moved to approve the applicant's request for a 1,536 s.f. accessory building at 8201 Shadybrook with the following conditions: 1) the building not be involved, directly or indirectly, with any business, trade, occupation or profession; and 2) any lighting on the building be downcast. The motion carried.**

## **ARTICLE 7.**

### **Case #04-2610: Maas Johnson Group (Turnberry)**

The applicant requested a rezoning to PUD, in order to develop a 106 unit town home/cottage home project at 5500 Burton Street.

Planner Deem related this is Basic Plan Review of a revised site plan and has not been noticed for public hearing. The purpose of this meeting is to determine the information needed by the Planning Commission before a public hearing date is set. Originally this came before the Planning Commission last year with 123 living units. The revised plan has 106 living units with a mixture of town homes and cottage homes. The property is currently zoned R1 and the Master Plan has designated it as medium density residential with 4-6 units per acre. This property could accommodate 108 units. Water and sewer will be extended to serve this project. The exact location of sewer has not been determined at this point. The Township has stated they would like to have sewer extended along Burton Street to serve this project as well as hooking up development with dry sewer. The project has two access points. One is along Burton Street and one at the intersection of Burton and Kraft. The property has an easement for an automobile connection with the property from the south. It also has a proposed pedestrian connection from the West and South. The Fire Department will need to approve the plans before

scheduling a public hearing. A permit from the airport will be required for the height of construction equipment. Permits from the airport will not be needed for the height of the buildings. The pedestrian pathway will be re-aligned and they will need to submit a plan showing how they will meet the pathway cutting ordinance before the public hearing is scheduled.

Planner Deem related he has identified four items that need to be addressed before a public hearing is scheduled: 1) sewer extension plans; 2) pedestrian pathway re-alignment plan; 3) storm water plan; 4) Fire Department approval.

Planner Deem recommended a subcommittee be formed to review the sewer extension and pedestrian pathway plans. Previously a subcommittee was formed to review the location of the entrances to the parcel.

Chairman Goldberg asked for a recap what went on at Township Board level. Planner Deem responded there were a few issues that were brought up before the Township Board. They were: density, sewer location, and height of the apartment buildings, and rental units.

Chairman Goldberg asked what about the utility issue. Planner Deem responded the Cascade Pointe project and the construction of Burton Street upset the residents and they expressed their concerns that the same thing would occur with extending sewer along the remainder of Burton Street. There was also some concern about a sewer extension even being feasible. In the Cascade Pointe case, the developer developed the extension plan. In this case, the Township Engineers are working on the development plan. The Road Commission has stated they are against placing sewer in the center of the road for the remainder of Burton Street. Sewer may have to be placed in the right-of-way along the south side of the road.

Member McDonald asked is the City of Grand Rapids still against bringing sewer down Kraft Avenue from Meijer? Planner Deem responded the understanding is Burton Street will carry the sewer.

Member Richards related she was not on the Planning Commission when this project came up before. She asked that the difference between the town homes and the cottage homes be explained. Planner Deem responded the town houses are row houses. The cottage homes are duplexes.

Member Richards asked are these rental units? Planner Deem responded no, there are no apartments or rental units in this plan. These will be all owner-occupied.

Member Richards asked the price range. The applicant, Denis Johnson, responded \$225,000 for the town homes and \$250,000 for the cottages.

Member MacAllister asked if FTCH will be doing the engineering for sewer. Planner Deem responded yes.

Member MacAllister asked are we going to get a second opinion. Planner Deem related we could bring that up to the Township Board and Supervisor.

Member Lewis asked the height of the buildings. Planner Deem related they originally were 40 feet tall at the mid-point. The issue of height has gone away. The new plan shows the buildings at 35 feet and 2-1/2 stories.

Member McDonald related he felt the number one issue previously was the rental units. Member McDonald related the second issue was the sewer. He asked if that is still unresolved. Planner Deem responded correct, that is still unresolved. The project meets our future land use plan map and Master Plan for the area. They are down to 5.8 units per acre.

Member MacAllister asked if a subcommittee would have members from both the Planning Commission and Township Board. Planner Deem related he would like Member Koessel on it because he is a Trustee. And, the Township Board has a sewer and water committee which will be reviewing this also.

The applicant, Denis Johnson, was present. He is the architect and part of the development team with offices located at 40 Pearl, Grand Rapids, Michigan. Mr. Johnson related the previous plan had four buildings that were rental units. The architectural theme was English. He related the big issue was rental. He is not sure that the people in the previous public hearings understood the project is bordered by a recreational vehicle storage facility and a golf driving range with a 40 foot high net. The revised project is designed more from an internal perspective as the perimeter areas are not really pretty. The new solution eliminated the rental units and larger buildings. There is a little less open space with the new plan but it still exceeds the minimum requirements. Mr. Johnson related they looked at condo buildings but those have never been

very successful immediately. They took the safer route choosing to use the same product as before - the town homes with garages behind. The cottages are duplexes around the perimeter of the site. Mr. Johnson related they brought the project off the road and connected the pedestrian pathway around the perimeter. Internal pathways will also connect to the perimeter. The town homes are similar to Philadelphia row houses. The last Planning Commission wanted ingress/egress at the intersection of Kraft and Burton. The garages are on alleyways. The perimeter will be landscaped to create an enclosure to the development. There are seven town home units per building. The project is intended for a mix of age groups with young families living in the town homes and older families or empty nesters in the cottages. The town homes will be starter homes to bring people into the Cascade market. The building will be constructed with 75% brick material and some cedar shake on the back side. Some units will be all brick. It will be an urban type design. Mr. Johnson related the property could always be served with sewer but where could it be connected from has been the problem. The City of Grand Rapids does not like lift stations. Connecting from Kraft Avenue and pumping up to 28<sup>th</sup> Street would require a lift station. Mr. Johnson related this is our introduction of the amended PUD plan and we are present to ask for a public hearing.

Member Richards asked what is the difference between a condo association and this? Mr. Johnson responded the first project had four apartment buildings. We have eliminated those. These will be all owner occupied.

Member Lewis asked have you built these in other locations. Mr. Johnson responded no. These are from the east side of the state, Chicago and Detroit. The floor plans will be in your next packet.

Member Logue asked if the guest parking has been delineated. Mr. Johnson pointed out the guest parking spaces and areas. There are 50 guest parking places within the development.

Member Robinson related a second opinion on the sewer extension is an excellent idea.

Chairman Goldberg related he would like that handled at subcommittee level. The Township Board has to approve an expenditure for a second opinion.

Member MacAllister related she has a lot of questions about school capacity, etc. She would like to get a report from Forest Hills

schools on this project. Chairman Goldberg related his impression was the school has to provide capacity to handle the number of children. The previous concern was with the apartment part of project and taxes that would not be paid. It is the responsibility of the school district to deal with capacity.

Planning Director Peterson related the school district has never taken a position on a project. He talked to them today. They don't take positions on projects. We are involved with them to plan their growth within the district. They were also part of our Master Plan study team. We will not be able to get a position statement from them.

Member MacAllister related she would like some information regarding school bus drop points, etc. Planning Director Peterson responded typically if a fire truck can get around in a development, a school bus won't have a problem.

Member Postma asked if there is a phasing schedule. Planner Deem responded yes.

Chairman Goldberg asked for opinions regarding appointing a subcommittee. Member Lewis related they work very successfully. He recommended we do it.

Chairman Goldberg appointed the following people to the subcommittee: Koessel, Robinson, McDonald, and a Township Board member. Member Lewis will serve as an alternate due to Member Robinson's travel schedule.

Planner Deem related the Township Board Sewer & Water Subcommittee will also review the project.

**Member MacAllister supported by Member Postma moved to appoint the subcommittee as named. The motion carried with Member Lewis casting a nay vote.**

Member Lewis explained his nay vote. Although he is in favor of a subcommittee he believes the Township Board and Planning Commission do not work under the same criteria. He would prefer to keep the subcommittee separate using members of the Planning Commission.

**ARTICLE 8.**

**Case #05-2698: Cascade Township Library**

The applicant requested site plan approval for a 9,511 square foot addition to the Library located at 2870 Jacksmith Drive.

Planner Deem related we are here to review the proposed addition. The proposed addition is 9,511 s.f. for a learning center. The addition meets the setbacks for this area. The building would be 72 feet from the nearest property line. Additional parking is being added to the site. There will be 29 new parking spaces and two barrier free spaces. New light poles will also be included. The photometric plan meets the standards of the township for light levels. The Fire Department has reviewed the plans and had two comments. The plans also have been reviewed by Prein & Newhof. Planner Deem recommended approval of the site plan with the condition that the engineers approve the plan. The sign permit has not been applied for at this time. The elevation drawing has been presented.

Chairman Goldberg asked for the timing of the project. Planner Deem related he does not know. The project still has to go to the Township Board.

Member Lewis asked if the idea is to expand the community room. Planner Deem responded yes.

Member McDonald asked about the timing on the approval of the storm water plan. Planner Deem related it will be done as soon as Prein & Newhoff receive the storm water calculations from the Township Engineer.

Member MacAllister asked for the area owned by the library to be clarified. Planner Deem pointed that out on the plan.

Tom Smith represented the Building Committee appointed by the Township Board. The Township Board and Building Committee are considering some minor changes that will not affect the footprint of the addition. They will be going out for bids in late spring and anticipate a one year construction period.

Member Lewis asked if the size of the community room too small now? Mr. Smith responded yes. The existing room will be converted to a teen room and staff area.

Member MacAllister related there seems to be a lot of circulation space and a wide corridor. Mr. Smith related the addition will accommodate a lot of people and can be divided to hold several



meetings at one time. The corridor width is needed for building code requirements.

Member MacAllister asked why are there outdoor storage areas. Mr. Smith related the Building and Grounds building will be near by. Those areas may be used to store some minor lawn maintenance equipment.

Member Robinson asked what is the square footage of the existing library? Mr. Smith responded about 20,000 s.f. on the main floor with a 5,000 s.f. basement. The exterior of the addition will be mostly face brick matching the original building. The roof will be sloped but not as high as the present building.

Member MacAllister asked if the learning center will have different hours than the library. Mr. Smith responded yes. The doors can be locked from the library and it will have its own exterior entrance.

**Member Robinson supported by Member Lewis moved to approve the addition to the library as presented with the condition of Staff: 1) the engineer approve the plan. The motion carried.**

## **ARTICLE 9.**

### **Case #04-2682: Riebel Development**

Consider approval of the PUD Ordinance and recommendation to the Township Board.

Planning Director Peterson related the project is located on 28<sup>th</sup> Street and will include re-development of several existing sites (Pizza Hut & Leica). The public hearing was held on December 20, 2004. The plan has been adjusted to meet the requirements of that meeting and is reflected into the PUD text. Staff met with the applicant and worked back and forth on language. The new Pizza Hut building is slightly larger than the former plan and has the same look. It will be 1,000 s.f. larger. The increase in size does impact the amount of additional restaurant space within the project. It reduces the amount of additional restaurant space from 13,400 s.f. to 10,000 s.f. Landscaping will be placed at top of hill behind the rear building.

Member MacAllister asked about land splits being allowed. Planning Director Peterson responded no splits would be allowed for additional building sites.

Member Robinson asked if the side walks will be installed by developer or the township? Planning Director Peterson related typically it would be the Township putting those in. The Planning Commission recommended the developer put them in for this project.

Member Lewis asked if our Zoning Ordinances has a definition of fast food restaurant. Planning Director Peterson related no, we do not but the language in the P.U.D. Ordinance is the same that we have used in other P.U.D.'s. It is the same language we always use. The Planning Commission can ask for a zoning interpretation of that from the Zoning Board of Appeals.

Chairman Goldberg asked how do you deal with a Subway type restaurant where one stands in line, orders at a counter, receives the food and then leaves or sits down. Planning Director Peterson related for this case we based this on the traffic generation and their description of their food preparation process.

Member Lewis related he would be more comfortable with language that would prevent a drive through window. Planning Director Peterson responded fast food restaurants have different parking requirements in our Zoning Ordinance.

Chairman Goldberg related he would like to eliminate all drive through and fast food restaurants without a drive through.

Member Lewis related he has said it before – he does not want a drive through window there but may be a drive up window.

Chairman Goldberg related he still wants to leave fast food in there.

David Riebel, the applicant, was present. Mr. Riebel related Culvers is a sit down restaurant. You order and they make the food and bring it to you. They don't start making it until you order it. They do have two order windows. They do 20% of the volume that McDonalds or Burger King does.

Perry Mellema was present representing Culvers. Mr. Mellema related you order at the window and they give you a number and they bring the food to you.

Mr. Mellema related one orders at a speaker and they pay at a window and drive to a parking spot. They bring the order out to you. The only reason for the window is to pay.

Planning Director Peterson related this plan and use has not changed since it was originally introduced. We are talking about situations that would either be redeveloping the restaurant sites or would occupy space in the other buildings, which are not set up for drive through. We are talking about future occupants for this additional 10,000 s.f. Those would be set up to be your additional sit down restaurant. I don't think we can develop an ordinance to cover every single situation.

Chairman Goldberg asked do we have a definition of drive through window? Planning Director Peterson responded we do not have a definition of fast food. He read the definition of drive through.

Member McDonald asked is this something different than what you saw in subcommittee. Member Lewis related we covered this rather detailed. His problem is with driving up and ordering from a window. That is fast food.

Chairman Goldberg related it sounds a lot like Culvers.

Member Lewis asked if B-2 zoning does allow drive through windows. Planning Director Peterson responded yes. The parking requirements for a non-fast food restaurant is 10 spaces for every 1,000 s.f. of building. Requirements for a fast food restaurant is 15 spaces for every 1,000 s.f. of building.

Chairman Goldberg asked what numbers of cars are you looking at for this use? Planning Director Peterson responded Culvers has about 180 cars per day as compared to the McDonalds at 719 and Boston Market at 119.

Member McDonald related fast food is 719 cars per day. Boston Market is about 119 per day.

Member Postma related that would be over the limit. You have 80 some spaces. Planning Director Peterson related they don't have enough parking spaces to calculate for a fast food restaurant. Parking requirements are by square footage.

Mr. Riebel stated 180 is the national average for Culvers.

Member Lewis related he is disappointed to see the Ordinance with the list of permitted uses the way it is written. This project is in the B-2 zoning district which does allow drive through windows. It is

too late for us to start making changes now. It would disappoint the Planning Department and stall the developer.

Member MacAllister related she would also like to limit drive through windows. She would like to say no more drive through windows on that site.

**Member Lewis supported by Member McDonald moved to approve the PUD Ordinance with the addition of the wording “no more than two restaurant drive up windows – one for each of the restaurants” in Section VI. Permitted Uses.**

Member Robinson asked are we setting a precedent. Chairman Goldberg responded we are allowing drive up windows within a PUD which we already allowed in the underlying zoning district and we have already used this same language in other P.U.D. ordinances that have not become a problem. Member Robinson related he would like to go with the term of “non fast food” which has already been set in the Meadowbrooke PUD.

Member Logue asked are we comfortable that Culvers is a non fast food restaurant? We developed this whole thing with Culvers in mind.

Chairman Goldberg related personally he is more comfortable that this is not fast food.

Member Richards related she was not a member of the Planning Commission when this project first came in. She thought it was a very wonderful plan and an improvement for the sites. She has no problem with Culvers and thought it was a good choice for that spot. She has found Culvers to be very clean and a family friendly kind of place.

Member Logue related he is comfortable with the project as proposed.

**The motion carried.**

## **ARTICLE 10.**

### **2005 Work Plan**

Review of Special Use Permits and Accessory Building Application Review Process

Chairman Goldberg related he would prefer to wait for a smaller agenda to discuss this item. It was the consensus of the Planning Commission to take up the item on a future agenda.

**ARTICLE 11. Any Other Business**

Member McDonald related he will out of town for the next meeting and asked to be excused.

**ARTICLE 12. Adjournment**

**Member Robinson supported by Member MacAllister moved to adjourn. The motion carried and the meeting was adjourned at 8:55 pm.**

Respectfully submitted,

Tom McDonald, Secretary

TMD:MJT