

ZONING MINUTES
Cascade Charter Township
Zoning Board of Appeals
Tuesday, March 10, 2015
7:00 P.M.
Cascade Library Wisner Center
2870 Jackson Avenue SE

ARTICLE 1. Chairman Casey called the meeting to order at 7:00 P.M.
Members Present: Berra, Casey, McDonald, Neal
Members Absent: Cousins, Hammond (Excused)
Others Present: Community Development Director Steve Peterson and those listed on the sign in sheet.

ARTICLE 2. Chairman Casey led the Pledge of Allegiance to the flag.

ARTICLE 3. Approve the Agenda.

Motion made to approve the Agenda as printed by Member McDonald. Support by Member Berra. Motion carried 4-0.

ARTICLE 4. Approve the Minutes of the December 09, 2014 Meeting.

Motion made by Member McDonald to approve the Minutes of the December 09, 2014 Meeting as written. Support by Member Berra. Motion carried 4-0.

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

No visitors present wished to speak to non-agenda items.

ARTICLE 6. Case #15:3230 Harvest Health

Public Hearing

Property Address: 6807 Cascade Road SE

Requested Action: The Applicant is seeking a variance to modify the amount of wall signage permitted.

Community Development Director Peterson introduced the case. The Thornapple Center PUD is on the corner of Cascade Road and 28th Street. It is a total of seven buildings that were developed in the early 90's. This development is unique in that it has a uniform look and each building has a rectangle above the store that has been allowed for wall signage. They are simply allowed to fill the rectangle as best they can. The Applicant is requesting to eliminate the rectangles and to install normal wall signs. Harvest Health occupies three store fronts. When you add up all of those rectangles, there are three on the front, three on the back and one on the north elevation which allows them 840 sq. ft. of wall signage for the building. This square footage is devised of: (6) x 120 sq. ft. in the large rectangles and (1) x 72 sq. ft. on the north elevation. In order to do this there would be 170 sq. ft. each on the east and west (the parking lot side and the Cascade Road side) and on the north side they would have an additional 90 sq. ft. This total is 430 sq. ft. They are also asking for approval of an additional 90 sq. ft. sign on the south elevation if they acquire the last tenant space and occupy the entire

building. This would give them a total of 530 sq. ft. Single tenant buildings are allowed to have 50 square feet in the B1 Zone. It makes sense in theory, but I do have some concerns. The Township plan has always been to make cohesive changes within the Village and I foresee problems if we begin to allow individual sign changes. I think that the intention has always been that if this area was redeveloped that it would be a comprehensive package, not based on individual cases. It would be better suited as a PUD Amendment where the mall would come in and ask for comprehensive changes. My recommendation would be to deny the variance as it does not meet the Finding in Fact in granting a variance.

Member McDonald asked for clarification that if they used all the rectangles they would have 840 sq. ft. and they are requesting to go down to 520 sq. ft. This variance request is being driven by the PUD not by our Sign Ordinance. Director Peterson stated that this was correct. The size of the rectangles are probably very similar to the sign size that we currently allow. They are part of the development and if we begin allowing signs individually then we will be unable to keep the area cohesive. A PUD Amendment is really the more comprehensive and correct way to make any changes or adjustments to keep the development cohesive.

Chairman Casey asked the Applicant to come forward with any comments.

Howard Atsma, Harvest Health Foods, (home address 7080 Glencreek Drive, Caledonia) stated Harvest Health Foods has been in the Grand Rapids area for 63 years, the last 17 years in Cascade Township. Mr. Atsma feels Harvest Health is a big asset and a huge draw for the Township. Their goal is to draw more people to their store. However, they feel their visibility to Cascade Road is very poor. In 2014 Harvest Health hired a Secret Shopper Service thinking they'd get feedback on customer service, cleanliness, etc. The comments they received were that Harvest Health was not visible from the street nor was it easy to find once in the strip mall because it blended in with the entire strip mall. Mr. Atsma feels that an updated look would help the community. In the last six years they've expanded twice at this location. Their logo doesn't fit the rectangular areas. If the variance is granted they'll take the rectangles out, redo the sign face, reduce the sign footage, and utilize their logo better to identify who they are. Mr. Atsma feels the PUD variance the Commissioners have talked about would be a hardship for Harvest Health because of the vacancies in the PUD currently.

Member McDonald stated Harvest Health Foods is a destination location which attracts people. However, he feels Director Peterson made good points regarding the PUD Amendment route although it would be a more difficult process for Harvest Health Foods. When asked, Director Peterson stated a PUD Amendment would take at least 3 months. The DDA Director has indicated a willingness to help with this because it's a good idea overall for this PUD development. Member McDonald indicated Sandra Korhorn, DDA Director, works on economic development and issues that Mr. Atsma is facing. The Township is in favor of getting better signage and attracting more people. Member Berra asked if Mr. Atsma has had any conversations with other leasers in the strip mall and he indicated he had not. Mr. Atsma indicated hesitation regarding the PUD Amendment process and stated he'd need to see what was involved in that process before he committed to it.

Chairman Casey stated the Commissioners need to be careful in how this PUD Amendment would work so that it would work for others within the PUD development.

Member McDonald made a motion to open the Public Hearing. Second by Member Berra. Motion passes 4-0.

There was no one present who wished to speak at the public hearing. Director Peterson stated he hadn't received any phone calls or visits from the public regarding this public hearing.

Member McDonald made a motion to close the Public Hearing. Second by Member Berra. Motion passes 4-0.

Member McDonald made a motion to deny the variance to modify the amount of wall signage permitted, but strongly recommends that Harvest Health Foods work with the DDA Director, Sandra Korhorn, and the Township in pursuing the PUD Amendment with the development of a new sign package that they present. Second by Member Berra. Motion passes 4-0.

**ARTICLE 7. Case #15:3231 Lake Michigan Credit Union
Public Hearing**

Property Address: 5701 28th Street SE

Requested Action: The Applicant is requesting approval to use a building where a non-conforming situation exists where the use is changing.

Community Development Director Peterson introduced the case stating that not all of the non-conformities are being fixed. The site is the old Burger King on 28th Street. The original PUD was from the early 1980's and was not very comprehensive. We did find some variances that were awarded that approved the lot size and lot width. When we talk about non-conformities we are referring to things that do not meet today's requirements. Some of the non-conformities on this site are:

- The buffer yards that we require are typically 25 feet and this property has 8 or 9 feet on the east and west sides.
- Lot size requirement in our 28th Street Zoning District is typically a 3 acre minimum with a 200 foot width and this site is non-conforming.
- The lighting far exceeds our current Lighting Ordinance.
- The parking lot design with the number of spaces is more parking than what we allow. We require more landscaping and less parking. We would also require more islands in the parking lot today than what they currently have.

What we are talking about in allowing the change of use without fixing these non-conformities are really the buffer yard width and the parking lot design. They are making adjustments to the lighting and that is expected to come into compliance. The building itself does not need a variance as they are reusing the existing building with a slight remodel. The drive-thru is being expanded to a normal bank drive-thru. They are trying to get cross access to a neighboring property. I am recommending approval of the variance as they are bringing the site into more compliance and the use itself will be less intense than the prior use.

Member McDonald asked if the Planning Commission would have to approve the Site Plan. Director Peterson stated that as the changes are minor it would only require Administrative Site Plan approval.

Chairman Casey asked who owned the service drive. Director Peterson stated that it is owned by several individual property owners who are responsible for the upkeep of the road.

Chairman Casey asked the Applicant to come forward with any comments.

Steve Witte, Nederveld came forward on behalf of the Applicant. The improvements will include reducing the hard surface by about 6,000 sq. ft. Currently, there are 111 parking spaces and after this is done there will be 53. The lighting will be redone to bring the lighting up to standards and be conforming. The building will be dressed up and improved in appearance. We are asking for some of the non-conformities to be grandfathered in to make the project feasible.

Member McDonald made a motion to open the Public Hearing. Support from Member Berra. Motion passed 4-0.

No one wished to speak on the case. Director Peterson stated he hadn't received any phone calls or visits from the public regarding this public hearing.

Member McDonald made a motion to close the Public Hearing. Support from Member Berra. Motion passed 4-0.

Member McDonald made a motion to approve the variance for Case #15-3231 Lake Michigan Credit Union as proposed as per Staff's Finding of Fact. Support by Member Neal. Motion passed 4-0.

ARTICLE 8. Any other business.

- Election of Officers – tabled until all members are present.

ARTICLE 9. Adjournment

Motion by Member McDonald to adjourn the meeting. Support by Member Berra. Motion Passed 5-0. Meeting adjourned at 7:54 PM.

Respectfully submitted,
Bill Cousins, Secretary

Ann Seykora/Debra Groendyk
Planning Administrative Assistant