

MINUTES

Cascade Charter Township
Planning Commission
Monday, August 13, 2018
7:00 P.M.

ARTICLE 1. Chairman Sperla called the meeting to order at 7:00 P.M.
Members Present: Johnson, Katsma, Krieter, Lewis, Noordyke, Pennington, Rissi and Sperla
Members Absent: Robinson (resigned)
Others Present: Community Development Director, Steve Peterson and those listed on the sign in sheet.

ARTICLE 2. Pledge of Allegiance.

ARTICLE 3. Approve the current Agenda.

Motion was made by Member Pennington to approve the Agenda. Supported by Member Rissi. Motion carried 8 to 0.

ARTICLE 4. Approve the Minutes of the July 16, 2018 meeting.

Motion was made by Member Rissi to approve the minutes of July 16, 2018. Supported by Member Johnson. Motion carried 8 to 0.

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

No visitors came forward.

**ARTICLE 6. Case #18:3477 JHG Real Estate/Slim Chicken
Public Hearing**

Property Address: 5039 28th Street S.E.

Requested Action: The Applicant is requesting a Type II Special Use Permit to add a drive-thru restaurant.

Director Peterson stated that Applicant is requesting special permit approval in order to convert a portion of the building into a drive-thru restaurant. There is currently an IHOP in one portion and Applicant wants to put in a new Slim Chicken restaurant in another portion. Applicant would relocate one of the drives on Northern Drive, which would be a full-service drive and meets township minimum spacing from the 28th Street ROW and the drive on the North side of the property.

To give some history, this site was originally developed in 2002 and allowed for one large building that would allow two restaurants. In 2018, approval was given for a PUD rezoning for the site to be developed into two separate properties. Shortly after approval, then Applicant decided not to pursue the project. Since rezoning never went forward, the property has remained B2 zoned property.

Director Peterson feels that the development of a sidewalk on Northern Drive, as well as an agreement to participate in a Special Assessment District (“SAD”) for the redevelopment of Northern Drive as a public street should be included in the approval of this Special Use Permit.

The Township Engineer and Township Fire Chief have reviewed and approved the site plan. However, Applicant was notified that they need to fix an issue from the original design.

Director Peterson recommends forwarding a positive recommendation to the Township Board with the condition that they provide a sidewalk on their frontage of Northern Drive and that they agree to participate in a SAD for the redevelopment of Northern Drive with the same language that was approved as part of the PUD rezoning. This agreement will be required to be recorded prior to a building permit being issued.

Chairman Sperla invited the Applicant to come forward with any comments.

Mr. Steve Witte, of Nederveld, came forward on behalf of Applicant. He gave a brief overview of the project touching on various points, revamping the front of the building to accommodate outdoor seating, and the drive-thru, which is required for this project to go forward, and that Applicant was more than willing to participate in the SAD. Applicant, however, expressed that that they really did not want to put in a sidewalk along Northern Drive that essentially goes nowhere.

The franchise owner of IHOP (who would also be the franchise owner of Slim Chickens) also stepped forward to add a little history of the business itself. He also explained that at this time the financial burden of the sidewalk would be to great.

Motion was made by Member Pennington to open public hearing. Supported by Member Rissi. Motion carried 8 to 0.

No members of the public came forward to speak to this issue.

Motion was made by Member Rissi to close public hearing. Supported by Member Krieter. Motion carried 8 to 0.

Motion was made by Member Rissi to send a positive recommendation to the Township Board with the condition the Applicant participate in the SAD, with the sidewalk being tied into the SAD. Supported by Member Noordyke. Motion carried 8 to 0.

**ARTICLE 7. Case #18:3474 Ron Rowland
Public Hearing
Property Address: 4250 Whitneyville S.E.**

Requested Action: The Applicant is requesting a special use permit to construct an accessory building over 832 sq. ft.

Director Peterson stated that Applicant is requesting a special use permit to construct a 17 feet tall, 26' x 46' accessory building, with a 4' x 26' covered porch (1,300 sq. ft.), requiring a 40 foot setback from the side and 40 feet to the rear property lines. The building would be used for storage of an RV and a hobby shop.

Director Peterson recommends approval of the special use permit as required with the following conditions:

1. The building is not to be used for living space or to run a business, and
2. Any outdoor lighting meets township regulations.

Chairman Sperla invited the Applicant to come forward with any comment.

Mr. Rowland came forward to explain that a tree fell on the old building and it was time for a new one and to simply be available to answer any questions the members may have concerning the project.

Motion was made by Member Rissi to open public hearing. Supported by Member Johnson. Motion carried 8 to 0.

No members of the public came forward with any comments on this matter.

Motion was made by Member Rissi to close public hearing. Supported by Member Johnson. Motion carried 8 to 0.

Motion was made by Member Rissi to approve Applicant's request to construct an accessory building over 832 sq. ft., with the conditions stated by Director Peterson above. Supported by Member Johnson. Motion carried 8 to 0.

**ARTICLE 8. Case #18-3463 Cascade Charter Township
Public Hearing**

Requested Action: Planning Commission recommendation to approve the Zoning Amendment related to short term tent sale/alcohol.

Director Peterson stated that one the provisions in Section 4.18.2, which regulates short term outdoor tent sales, is the prohibition of alcohol for an event. This amendment would simply remove the prohibition for alcohol to be involved in an event that included a tent. If alcohol is involved, the State of Michigan required approval from the KCSD, which allow the Township to review.

Director Peterson recommends a favorable recommendation to the Township for the amendment that would permit alcohol provided an applicant is able to secure their liquor license from the state.

Motion was made by Member Rissi to open public hearing. Supported by Member Krieter. Motion carried 8 to 0.

No members of the public came forward with any comments on this matter.

Motion was made by Member Rissi to close public hearing. Supported by Member Krieter. Motion carried 8 to 0.

Motion was made by Member Rissi to forward a positive recommendation to the Township Board for the amendment to Section 4.18.2 zoning ordinance allowing alcohol to be served at tent sales. Supported by Member Johnson. Motion carried 8 to 0.

**ARTICLE 9. Case #18-3462 Cascade Charter Township
Public Hearing**

Requested Action: Planning Commission recommendation to approve the changes of the Zoning Code regarding pool fencing/covers.

Director Peterson stated that currently pool fencing is addressed in Section 4.10 of the Zoning Ordinance. The building code was updated a within the last couple years to allow for automatic pool covers and both the township attorney and building department feels a similar update should be made to the zoning code.

Director Peterson recommends approval of the change to the zoning code to add automatic pool covers.

Motion was made by Member Rissi to open public hearing. Supported by Member Johnson. Motion carried 8 to 0.

No members of the public came forward with any comments on this matter.

Motion was made by Member Rissi to close public hearing. Supported by Member Johnson. Motion carried 8 to 0.

Motion was made by Member Rissi to approve the change in Section 4.10 of the Zoning Code to add automatic pool covers. Supported by Member Johnson. Motion carried 8 to 0.

**ARTICLE 10. Case #18-3463 Cascade Charter Township
Property Address: 3196 Kraft Avenue**

Requested Action: Correct the labeling of the Zoning Map.

Director Peterson stated that while researching some zoning information, an error in the zoning map was found. PUD #42 is listed as Glenwood Hills #2 (Ordinance #5 of 1986) on the zoning map. It is actually Joe Jacitti PUD (Ordinance #5 of 1987). The change would correct the labeling of the zoning map to show PUD 42 as Joseph Pacitti PUD Ordinance #5 of 1987. PUD #41 would remain as is.

No action is required at this time. This will now proceed to public hearing.

ARTICLE 11. Case #18-3471 Watermark Property LLC

Property Address: 1611 Galbraith Avenue S.E.

Requested Action: Applicant is requesting Basic Site Plan Review for an amendment to add a new office and addition to swim center.

Director Peterson stated Applicant is requesting Basic Plan Review in order to amend the existing PUD to put an approximately 6,000 sq. ft. addition onto the swim center and to add office space in the existing fitness building, essentially moving Snap Fitness to the swim center addition and allowing for the existing fitness building to be used as additional office space.

Upon the last PUD amendment (which included the existing fitness building), there was concern about adding additional office space. This PUD amendment is necessary because, at that time, an addition to the swim center and additional office space was not provided for.

Director Peterson has concern about adding more office space, but is not opposed to the swim center addition (which at this time would need a couple modifications with the setbacks on the North and East sides of the building). He primarily feels this would open up to more, larger, multi-tenants wanting more exposure to Cascade Road. This was asked for in 2008 and not approved then, and is not in line with the long-term plan for Cascade Road.

Director Peterson stated that there is no action required at this time. If the members find that all of the procedural information has been provided, this application should proceed to public hearing and consideration of a Preliminary Development Plan.

Chairman Sperla invited the Applicant to come forward with any comments.

Ms. Kelly Kuiper, of Nederveld, came forward on behalf of Applicant. She explained that Watermark is in need of additional office space because of their company's growth. They would not be leasing out the space. There are currently a couple of tenants who do lease space with them going back many years and they do not wish to relocate. That is not what Applicant is looking for. There will be no additional tenants. They are simply asking to use an already existing building as additional office space for their own employees. They are not adding additional square footage to accommodate the need. She went on to state that the pool and kitchen facilities are in need of an upgrade and relocating the Snap Fitness facilities only makes sense.

Extensive discussion was held with the board concerning the additional office space.

No action is required at this time.

ARTICLE 12. Any other business

ARTICLE 13. Adjournment

Motion was made by Member Pennington to adjourn. Supported by Member Noordyke. Motion carried 8 to 0. The meeting was adjourned at 8:15 p.m.

Respectfully submitted,
Phil Johnson, Secretary