

MINUTES
Cascade Charter Township Planning Commission
Monday, April 18, 2005
7:00 pm

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

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. Member Logue corrected the Minutes on Page 12, paragraph 3. The third sentence shall read: "Members Logue related he feels a little uncomfortable about getting involved **beyond** this point for a review." With that change, **Member Robinson supported by Member Lewis moved to approve the Minutes of the April 4, 2005 meeting. The motion carried.**

ARTICLE 5. **Case #05-2715: Waterfall Shoppes**
(PUBLIC HEARING)
The applicant requested an amendment to Phase V of the Waterfall Shoppes PUD to raise the maximum height to 40 feet for a proposed hotel.

Planning Director Peterson pointed out the location on the map. He related Phase V is the area east of the Consumers Power right of way. Phase V is 12-15 acres of buildable land. That property was previously zoned industrial which did allow for buildings to be 45 feet tall. The height is determined by measuring at the mid-point between the eave and roof. That is the way we have always measured and the way the Building Department uses for the building code as well.

(Member MacAllister entered the meeting at 7:05 pm).

Planning Director Peterson related the Home Design Center building is 40 feet tall. The Crowne Plaza was added onto in 1985

and was allowed to go to a height of 54 feet. And the building next door to the Crowne Plaza is 41 feet tall.

Planning Director Peterson recommended approval of the request to 40 feet. He also drafted a proposed text amendment for consideration.

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

Planning Director Peterson related no comments were received.

Member Robinson supported by Member MacAllister moved to close the public hearing. The motion carried and the public hearing was closed.

The applicants, Jeff Hundley and Mark Finkelstein, were present. They added no comments.

Chairman Goldberg related this seems fairly straight forward to him. The underlying zoning would have allowed for this particular height had it not been rezoned to PUD. The increased height will be Limited to Phase V.

Member Lewis supported by Member Richards related based on what we just said and the increase in height won't cause us to buy a ladder unit for the fire department, and because we have some buildings of that height now, he moved to approve the request. The motion carried.

ARTICLE 6.

Case #05-3713: Waterfall Shoppes – Spring Hill Suites Hotel
The applicant requested site plan approval for a proposed hotel at 5300 – 28th Street in the Waterfall Shoppes development.

Planning Director Peterson related this is site plan review and not a public hearing. Planning Director Peterson presented the site plan. He related the building has a 23,000 s.f. foot print. The building will be three story with 109 rooms. This is in Phase V and the area planned for the hotel. A requirement is the site plan be reviewed in front of the Waterfall Shoppes review board. That meeting took place at the end of March and they did recommend approval. All the items have been addressed with the exception of the pedestrian connect to the remainder of the project. In the beginning a pedestrian connection from the hotel to the Target store area was discussed as a possibility. Since that time, the developer has

indicated it doesn't look like that is feasible. There is an area between the hotel and Target with a large ravine. The developer does not think there is going to be a lot of pedestrian movement from the site. The developer would like the Planning Commission to reconsider the recommendation by the subcommittee and not have a pedestrian connection. Staff met with the engineer and suggested they come up with a couple of options. One being the road could be widened and marked with stripes on the side for pedestrians. Staff has not heard any responses. The two access points were discussed at length. Two access points going through the Consumers Power right of way have been approved for proper access for fire, etc. during construction. Since discussed has part of this project. The developer has also submitted a sign package that is consistent with the review board comments and under the amount of signage at the Costco project. Costco was approved at 400 s.f. of total wall signs. The wall signs for this project are just under 400 s.f. The other item the subcommittee talked about is material on the outside of the building. The developer was asked to look into changing some of the surface materials on the lower levels. The developer would like to keep their material as originally planned. Fire Department has reviewed the plan and approved it. The Township Engineer letter was received late today. They met with the developers early on and there isn't anything in their list of concern. The second page of their letter deals with site plan issues for water and sewer. Some of those issues have been addressed already. The City of Grand Rapids replied late today regarding the utility plan.

Planning Director Peterson related soil erosion control has been a big item on the site. The Township Engineer has some specific items that will need to be completed or he is satisfied of the progress, prior to excavating and moving dirt on this site. The subcommittee talked about additional landscaping. The thought was to hide the retaining wall. Staff has suggested a \$40,000 landscaping bond. The applicant has submitted a lighting plan that meets our photometric standards. The applicant related they may use ground mounted up lighting around the building. Staff has informed the applicant that type of lighting may not be used.

Planning Director Peterson recommended approval of the site plan with the conditions listed in the Staff Report.

Member Koessel asked how does this compare to the size of the Baymont hotel. Planning Director Peterson related it is similar to the Country Inn.

Mark Finkelstein related it is about the same size as the Baymont.

Chairman Goldberg asked the applicants if they are agreeable with the seven conditions listed in the Staff Report. Jeff Hundley responded yes.

Member MacAllister questioned if the pedestrian pathway would accommodate two feet wider at the street. Mr. Hundley related we all concluded it would not be anything anybody would use. Mr. Finkelstein related it is about a half mile to Target. The hotel has a shuttle service to the airport and it could be used to go to the shopping center also. He can see morning joggers using a pedestrian pathway.

Mr. Hundley asked is the requirement or standard for road width 24 feet. Planning Director Peterson responded he believes it could be 18 feet.

Chairman Goldberg recommended striping seven feet for a pedestrian pathway. Planning Director Peterson related five feet is a typical city sidewalk width.

Chairman Goldberg related mark off two feet for clearance and then five feet to walk in.

Mr. Finkelstein related there is about 1,200 feet of road times seven feet which is about 10,000 feet of pavement. He does not have any problem with that.

Chairman Goldberg asked Staff and the applicants to work that out.

Member MacAllister related she went out to the site yesterday and looked at the retaining wall railing system. She asked would it be like the one out there now. Mr. Finkelstein related that one is not finished yet. It is just primed but not painted.

Member Robinson supported by Member MacAllister moved to grant site plan approval with the following conditions of Staff: 1) submit a \$40,000 landscape bond; 2) wall signs to total no more than 400 s.f. with a six s.f. directional sign as shown on the site plan; 3) compliance with the Township Engineer's requirements; 4) approval by the Township Board for a five foot increase in the height allowance for Phase V; 5) compliance with the Township Fire Department letter dated April 13, 2005; 6) copy of the easement allowing access through

the Consumers Power property; 7) no use of any uplighting on the building. The only lighting permitted will be those lights indicated on the approved photometric lighting plan; and 8) that we look at striping seven feet of pavement (2 feet for a buffer and 5 feet for pedestrian pathway) along the road. The motion carried.

ARTICLE 7.

2005 Work Plan

Review proposed changes to lighting regulations

Planner Deem related at the last meeting we reviewed the lighting ordinance. A Special Use Permit would be required for recreational lighting such as soccer and baseball fields, etc. A public hearing could be set for May 2. Façade lighting was discussed during the meeting perhaps excluding a certain type of lighting or bulbs. Planner Deem related after further research he the amount of lumens should be limited and not watts. A sixty watt bulb off the shelf is about 1,200 lumens. The Township uses a 250 watt incandescent bulb to light flags. Limiting the lumens for façade lighting is trying to prevent the excessive lighting from lighting the night sky. The language will be changed to read 1,260 lumens. Planner Deem related he will bring the full language for the public hearing.

ARTICLE 8.

Discussion of Term Limit Amendment

Planning Director Peterson put together two different options. Option 1 is for three 3 year terms with a maximum of 18 years of service. Option 2 is three 3 year terms with no maximum length of service. Both have a limitation of a 12 month period off before reappointment. This would only affect the Planning Commission and Zoning Board of Appeals. Doing nothing would keep the current amendment that we have and that is two 3 year terms. Planning Director Peterson related he prefers Option 2, but it could also be something different from these options. The amendment is not scheduled for public hearing at this point.

Member Robinson related at the last meeting we put off discussion until Chairman Goldberg could be present. The concern was the limit of 18 years of service. The amendment does not address the issue of filling an unexpired term of someone else.

Planning Director Peterson related if you fill someone else's terms of two years or less it would be considered to be a full term.

Chairman Goldberg asked was there a clear preference for either option. Member Robinson responded he preferred the three 3 year terms.

Member Lewis related the Zoning Board of Appeals hasn't had a communication about this until the last meeting when he brought it up. They spent time discussing the issue and at the conclusion of the meeting, the Chairman asked everybody their preference. The general feeling was why do we have term limits. Member Lewis related he personally feels we should not have them at all. Some board members felt if we have to have term limits it should be three terms rather than two. With the Zoning Board of Appeals if a decision is appealed it goes to the Circuit Court. This is serious as it possibly involves the Township in litigation. We have a new zoning board member this year who served on the Grand Haven Zoning Board of Appeals. After four years he decided he did not have enough experience to be chairman. One Hundred Percent of the Zoning Board of Appeals would prefer not to have term limits. A compromise rests at three terms of three years each. Member Lewis related he personally took time to write a letter to the Township Board on this subject. He feels performance is more important than time frames. If somebody is doing their job, they should be reappointed. If not, they should not be reappointed. The role of this board is to serve the citizens of Cascade Township. The goal is to come out with the best board possible to serve the people of the township.

Member MacAllister related you have to have a system in place to evaluate.

Member Lewis related that was in his letter too. The Chairperson should sit down with Planning Staff and the Supervisor to determine if each member should be reappointed.

Member Robinson related at the end of each three year term, the Township Supervisor has the right not to reappoint anyway. It isn't automatic.

Chairman Goldberg related he tends to agree we should not have term limits. He does think it is important to have evaluations. He feels it is important to continue to do what we have done with rotating the officers and leadership positions. If people mature in the job and gain experience they become more valuable for leadership positions on the boards.

Member Lewis related the chairperson can direct things. By changing the chairperson you can change the direction of a board.

Chairman Goldberg responded the officers are the big thing to change.

Member Lewis related that is an excellent point. He didn't think our ordinance called for the rotation of the chairperson every two years.

Planning Director Peterson related the officers' term is one year and cannot extend beyond two consecutive terms.

Chairman Goldberg related that stays in place. He suggested taking our existing language and plugging in three 3 year terms instead of two with no required hiatus between.

Member Koessel related the Township Board met last week. Trustee Beahan did bring this from the Zoning Board. Member Koessel related he does not know if there is enough support on the Township Board to eliminate term limits. He feels the Planning Commission should come up with a decision whether you are for or against term limits. Member Koessel feels if we propose there not be any term limits, we should incorporate an evaluation system.

Member Lewis related the reason why he is saying no to term limits is because that is what I think. I would prefer not to have any term limits. The chance of that happening is slim to none. He feels we have to come to the Township Board with something better than we have now. He would like to see three 3 year terms with some type of condition.

Member Koessel related he feels there would not be a lot of opposition for three 3 year terms and that has a fairly good likelihood of being passed.

Chairman Goldberg then conducted a straw poll.

No term limits – 4

Three 3 year terms – 4

Require 12 months off after three terms – 0

Over all limit of 18 years – 0

No term limits – 4

Uncomfortable with no limits – 3

Member Lewis related three 3 year terms is better than what we have now.

Chairman Goldberg related he would favor no term limits at all if people understand they can't be re-appointed if they don't perform. Two terms is not enough.

Member Robinson related it takes six years to move through the system before you get experience on the board. Two years learning, two years as vice chair or secretary, and two years as chairman. That is six of 9 years. Maybe we should have four three year terms.

Chairman Goldberg related to move through all the positions is within the nine year time span.

Member Robinson related that would only give a person one year to serve on board before holding a leadership position.

Chairman Goldberg related he sees it as three years before you serve as an officer.

Member Koessel asked when do we do the Master Plan update again. Planning Director Peterson responded we do it every ten years with a review every five years. Some members on this Planning Commission will never have the chance to go through the Master Plan update.

Member Koessel related he was new when we did it the last time and he was completely lost in that process. Member Koessel related if you were inclined to vote for no term limits, there will be people that will say six years is enough and will not asked to be reappointed for a third term.

Member Lewis related you have to understand at Zoning Board of Appeals with a "loose canon" we will be in court. Our Zoning Board of Appeals has three new members who have not been on Planning Commission. He feels it is very important to have some type of stability and leadership there. Anybody appointed to serve on the Zoning Board of Appeals should serve on Planning Commission first.

Member MacAllister related she has been on a lot of different boards in the private sector. A three year term limits allows the person to reevaluate why you are there. She agrees with some type of evaluation. She feels a three year term is appropriate.

Member Lewis related if we are looking for continuity between the two boards, it would likely end up with three 3 year terms.

Planning Director Peterson related the Supervisor does that. They do review everybody who has been appointed. The Master Plan update is also a time when you get people interested in serving on boards. A couple of our members were interested in serving after developments in their neighborhood.

Member Robinson related he came onto the board with some experience in a small community. It took him a good three years to feel he could contribute. Member Lewis helped him in that process.

Member Richards related she does not think there should be any term limits. Experience is so valuable. There are members here who have served for many, many years on these boards and she has benefited by your experience and time and the community also. That has never stopped new people from coming on. Member Richards related she is not real uncomfortable with the three 3 year terms. She would prefer no term limits.

Member Logue related he feels pretty strongly about term limits. Setting the boundaries by which the commission operates is important. Once people get done what they feel they need to get done they should step aside. That allows for more people in the community to have a chance to get involved. For the reasons that have been mentioned, he feels three 3 year terms are appropriate.

Planning Director Peterson related we can publish the notice without the language. We will provide an option for three 3 year terms and delete the 12 month off and the 18 year end of service. The public hearing would be no later than the second meeting in May.

Member Robinson and Richards related they will not be available for the second meeting in May.

Chairman Goldberg recommended holding the public hearing on June 6.

ARTICLE 9.

Any Other Business

Member Koessel addressed the Goodwood plat owners boat launch. The day of the board meeting the citizen that objected last

year to the other river association's boat launch also objected to this one. The Township Board voted unanimously to approve the boat launch. The Township legal counsel will draft of findings of fact and bring that back to the Township Board for approval.

Planning Director Peterson related he talked with the Township attorney about doing that more often even at Planning Commission level. This will become more common.

Planning Director Peterson related Member McDonald is absent tonight to his mother's death. A flower bouquet will be sent.

ARTICLE 10. Adjournment

Member Robinson supported by Member MacAllister moved to adjourn. The motion carried and meeting was adjourned at 8:22 pm.

Respectfully submitted,

Tom McDonald, Secretary

TMD:MJT