

## MINUTES

Cascade Charter Township Planning Commission  
Tuesday, January 22, 2013  
7:00 P.M.

**ARTICLE 1.** Chairman Sperla called the meeting to order at 7:00 p.m.  
Members Present: Hammond, Lewis, McCarthy, Mead, Sperla, Williams  
Members Absent: Pennington, Robinson, Waalkes; excused  
Others Present: Planning Director Steve Peterson

**ARTICLE 2. Pledge of Allegiance to the flag**

**ARTICLE 3. Approve the current Agenda.**

**Motion was made by Member Lewis to approve the Agenda. Support by Member McCarthy. Motion carried.**

**ARTICLE 4. Approve the Minutes of the December 17, 2012 meeting.**

**Motion was made by Member McCarthy to approve the Minutes. Support by Member Hammond. Motion carried.**

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

Chairman Sperla asked if anyone wished to speak to a non-agenda item. None of the visitors present spoke to a non-agenda item.

**ARTICLE 6. Case #12-3118 The Barracks**

**Property Address:** 5740 Foremost Dr SE

**Requested Action:** Site Plan Approval for gun retail and shooting range addition.

Peterson stated that the request is Site Plan Approval for an addition to a building in Centennial Park. The existing building is 6,700 sq ft. and the addition is about 6,500 sq ft. The applicant is proposing to open a retail store for guns and other related items. They need the addition to accommodate an indoor shooting range. This facility would be similar to the Silver Bullet store in Wyoming, near 54<sup>th</sup> and Division.

The building addition conforms to the setback, building height, and parking regulations of the Centennial Park Overlay Zoning District. This overlay zoning district was completed in 2010. This is the first building addition in Centennial Park since those regulations were adopted.

One of the goals of the Centennial Park Land Use study was to infill some of the underutilized properties and to allow more uses. This development is doing both of those and taking advantage of the allowed retail use in the Overlay Zone.

The applicant is installing additional landscaping as a result of the project. Peterson recommends that a landscape bond of \$7,000 should be required.

No new access is being requested; however they are installing new parking in both the front and rear of the site.

The Centennial Park Review Board has examined the plan and is recommending approval. The review board required several revisions before agreeing on the proposed plan.

The Township Fire Department and also the Township Engineer have reviewed and approved the plans.

Because of the proposed use, there has been some concern expressed from neighbors. Given recent current events the Planner checked with the Sheriff, the MDNR, and the ATF to see if there are any State regulations regarding this type of use that we should be aware of. None of the agencies had anything.

In terms of the use, staff has determined that it's a retail use, as they will be selling merchandise at the store. The addition will be for the indoor shooting range. We view the shooting range as an accessory use to the permitted principle use.

Staff recommends that the Planning Commission approve the Site Plan for the addition with the following conditions:

1. Provide a landscape bond.
2. Comply with the Township Engineer letter dated January 16, 2013.
3. Comply with the Centennial Park Review Board comments, dated 12-17-12.

Chairman Sperla asked if anyone had any questions for the planner.

Member Hammond asked if the final decision would come from the Planning Commission or from the Township Board. Peterson replied that it would be the decision of the Planning Commission. If you are not comfortable with the interpretation of use you should send it to the ZBA. Procedurally, you would table it, the Zoning Board would make a decision, and then it would come back to the Planning Commission to finish the Site Plan Review.

Chairman Sperla verified the Site Plan Review function; to look at the way the site is laid out, the parking, the configuration of the building, the relationship of buildings to each other, landscaping, etc.

Member Mead questioned if the material used for this addition would protect the building. Staff replied that the applicant will answer those questions.

Member McCarthy asked if Staff knew the distances of this facility from neighboring businesses or residences. Staff replied that the closest residences are about a ½ mile to the south.

Chairman Sperla commented on the interpretation of retail use in the case of this facility; there can be a primary use and accessory use.

Member Lewis questions what percent of the whole business rests upon the shooting range vs. the sale of guns. He said that if there is a connection between the two, it should allow planning members to recommend safety methods to the applicant for the building.

Chairman Sperla asked the applicant or representative to come forward. Glen Rahn is a resident of Cascade Township and is the architect for this project. He introduced Travis Laufer as the spokesperson for operational issues, and if anyone had questions about commercial real estate in the area, Mike Gantos was present.

Mr. Rahn said he appreciates all the comments however there are misconceptions with this project. He believes you can't have one operation without the other.

In this instance there are three distinct uses:

1. Retail sales
2. Training
3. Service

He went on to say that the primary business will be retail. Without the retail the range would never work. In regards to bullets, there are bullets you can use in the range and bullets you can buy in the store. You cannot use the bullets that are in the store in the range. Bullets for the range have to be purchased downstairs by the range. Bullets for the range are a specific kind; they are a lower velocity, they are there for training, and they can't penetrate the walls.

Regarding the building itself: with the exception of a few modifications, the upper level will be the same. The new lower level will have 12" thick concrete block walls, filled with reinforced steel and grout. Cavities that do not need to

be reinforced will be filled with sand. The sand will help provide insulation. The materials used will quiet the sound. Bullets will not go through the sand. The roof will be made of precast concrete plank with cores in it. The cores will be filled with insulation to cut down on the noise. Suspended from the bottom of these planks are steel plates, approximately 200 pounds apiece. They are on an angle. When sound hits the angles it breaks it all up, because sound likes to travel in a straight line. Down the sides of the walls at the beginning of the range, there is a ballistic material that also deadens the sound. There is a very expensive bullet collection system.

For air quality, there is a very high tech scrubbing system/air conditioning system which will scrub the pollutants/smells out of the air from the range. It will circulate fresh air into the building, which is required.

When they sell a gun, extensive background checks are done. A person then gets extensive classroom training. The lower level has two classrooms; 1 larger and 1 smaller. You then get supervised range training with a licensed professional.

Travis Laufer came forward to speak about percentages of use. The range would be about 10% of the revenue. Most of the rest of revenue will come from training courses, CCW classes, retail, and firearm sales. There will be classrooms, which will be the main focus. Training will make up about 25% of the revenue and 65% for retail sales.

Upstairs in the building, all of the firearms first will be locked in a vault with steel reinforced doors. A retail staff of 3 or 4 will be trained and extremely knowledgeable in firearms, safety, and laws. They are also trained to discern if a person is in a 'right state of mind' when purchasing a gun.

In the basement are the classrooms and a range. There are different levels of classes, depending on a person's prior knowledge. Types of classes include self defense training. To use the range, a person has to purchase mandatory range ammo. There are a series of locked doors to enter the range. There will also be a security system with high definition cameras in and around the property.

Guns can be rented for the range; background checks will be done for that also. Ammo cannot be brought from some other place and used in the range. There will be a range master wearing orange at all times to observe and or to give tips.

Member Mead verified that a person will not be able to use the range with their own ammo.

Member Lewis believes the revenue percentage statistics is a very important part in the decision process.

Mr. Laufer said that when buying a gun it will take a few days to go through the legal processes before a person can take that gun home. A person purchasing a gun there will receive 1 month free to use the range. They are still working on an education factor related to a sale.

Member Williams asked if there was a waiting process in order to rent a firearm for the range. Mr. Laufer replied that they will do a normal background check before renting a gun. Member Williams asked about the handout in regards to the ventilation; asking where it would be located. Jim Vanden Berge is helping design the facility. He answered that there will be two in the rear and two on the side. They were required by the Centennial Park Association to screen them. Trees will also block the view.

Member Hammond asked the applicant if when this plan was brought to the Centennial Park Review Board someone mentioned that there are similar 5-star shooting facilities in Michigan. Where are they? Mr. Laufer stated that there is one or two and are on the east side of the State. Member Hammond asked what setting those buildings and facilities are set in; what is the surrounding area? Mr. Laufer replied that they are retail and residential, and office and residential. They are similar settings to the one proposed here.

Member Hammond then asked what effort was made to reach out to the community about this issue, as it is a sensitive issue. Many people are in attendance for this meeting. Hammond lives in Centennial Park and he states that he has received no notification about the project. Mr. Laufer said that they spoke to local people that they know in the area and asked them what they thought about it. Hammond added that a letter was in the packet from Mr. Laufer's neighbor asking that it not be approved; again asking what effort had been made to reach out to the community. Jim Vanden Berge stated that there has been positive feedback for this project and it has not all been negative.

Mr. Vanden Berg assured the audience that it (will be) a safe structure. He reviewed how the building will be modified to insure safety. There will be a notable amount of security equipment along with trained employees as additional security.

A representative of the applicant added that people are concerned about people going out and perpetrating evil with guns. It's reasonable, but those people are not going to gun stores to buy a gun and going through training. They're buying them off the street and they are using them illegally. This is for people that are educated and want to learn more, protect themselves, and want to do it in a safe

manner. That's the difference and that is why these stores exist. And that is why they are beneficial for the neighborhood. He then asked what our range of (public) notification is. Chairman Sperla stated that Site Plan Review does not require a public hearing and notification.

Chairman Sperla announced that this is not a public hearing; however public comments will be allowed.

Andy Daugavietis of 6255 Heathmoor Ct: Andy stated that he lives ½ mile from the proposed project. He believes that zoning rules for a community are set up because this is what the community wants. The residents elect the officers to enforce or to make their feelings come to light. He is opposed to a gun range in his neighborhood.

Gil Girtz of 3470 Charlevoix Dr: He is the president of an association in the Heathmoor area. He believes this is a great project, but why Cascade? He is surprised that the gun range falls under retail. He does not feel it is consistent with what we want in the Cascade area.

Allan Girvin of 5700 Talltimber SE: It's evident that this is going to be a hot button, but as I understand the purpose of this meeting is to determine if the site plan meets the requirements of Cascade. Girvin has worked in an office building that had a range one floor below where he worked. He could not tell a noticeable difference when the range was operating vs. when the range was down. That range is in Ottawa County and is open for anyone to go to. When in use, one can't tell that it is in use. He sees no reason why Cascade would not open their arms to a high tech facility as this for western Michigan.

Ryan Mcguire of Chatwick Hills Condo complex: Ryan recalls the applicant as saying that 65% of the revenue is retail; however the employees receive psychological training and could turn certain people away. Then what is the point of business if not to make money?

Barb Yared of Heathmoor Condos in Centennial Park: When the property was developed in Centennial Park, it was developed as an office park, residential, and then opened to the hotel with very limited retail. Property values will go down if this project is allowed. This is not the neighborhood for it. This will increase traffic in the area.

Craig Graves of Gatehouse Dr: He's all for people having the right to bear arms but not in his neighborhood. He is concerned about the traffic, the signage, and he questions the name of the business. He believes there will be more shooting than buying guns. He is against the range and gun store in his neighborhood.

Mike Gantos of 1525 Laraway Lake Dr: He believes the development and the developers are putting together a great project and they will be investing a lot of money in the building. In the immediate vicinity there are commercial and different uses already, along with industrial. It has a great buffer zone. It will bring additional traffic for the Centennial Park, which is on a decline in terms of the overall occupancies and developments of what they've had, comparable to the overall areas. People will be able to learn proper firearm safety and utilization in a controlled facility. The safety standards they will be bringing are an advantage to Cascade.

Brian McCarthy of 3452 Goodwood Dr: Brian is a gunsmith and a federally licensed firearm manufacturer. He wants to offer himself as a knowledge base if anyone has any questions. He feels there is a lot of misunderstanding of guns, especially in the media. People are fearful of them and rightfully so. They are not a toy to be used lightly. In regards to bullets or sound escaping, I can assure you that they won't. For the specialized bullets they are looking at there are a couple of options. One is frangible; it is a metal powder that is compressed so hard that none of us could break it but a bullet hitting steel just turns into a dust cloud and won't go anywhere. There is also a soft lead that squishes down to a flat piece and falls to the ground. I do not know these people but the safety things they are doing are state of the art from what I can see.

Brian went on to say that the educational training aspects would not work without a range. It's like learning to drive a car without getting in one. It's an advantage to be able to shoot a gun before buying it.

Jane Hesselchwerdt of 6121 N Gatehouse: She does not approve of the project. She believes it should go before the Zoning Board of Appeals so all of the community would be notified. She would also like to be able to have a community vote.

Member Lewis stated that after hearing the comments from the applicant, this project meets all of the requirements and the law of the land. He feels very comfortable in making a decision tonight.

**Member Lewis made a Motion that the request for Site Plan Approval be approved. Support by Member Williams.**

Chairman Sperla said that when he came tonight he was skeptical about this being a retail use. He first believed it was a dual use, but when he heard more of the percentages, he was influenced and not as apprehensive as before. He supports the Motion.

Member McCarthy stated that the applicant has put together a quality proposal, and they've done a lot of research. They have found the newest hi-tech devices that they need. Their focus on safety is good. Their efforts to dampen the sound are good. The additional landscaping is also helpful and improving the facade of the building will improve the community. The people that come here to use this facility will also visit other Cascade establishments. In that sense it will be bringing additional revenue and possible jobs into our community. McCarthy thinks it's a good development.

Member Mead shared that his initial concern with the accessory use being a dominate part of this; we were highly put at ease knowing that people would not be bringing weapons or ammo into the facility. Being that outside ammo is not allowed into the facility and then fired, clearly in my mind makes me think that it's not a consumed product. I look at this as a recyclable product that stays on the facility. They have proposed a very nice facility and taken into account all the health, safety, welfare of the community. Not only is no lead leaving site but the safety is a very big component of this proposed project. Mead will be voting in favor.

Chairman Sperla asked Member Lewis if his Motion included all the conditions that were attached. Lewis answered, yes.

**Member Hammond suggested a roll call vote.**

**Mead: yes**

**Williams: yes**

**Lewis: yes**

**Sperla: yes**

**McCarthy: yes**

**Hammond: no**

The site plan request passes.

**ARTICLE 7. Case #12-3117 CHEP – Phase 2**

**Property Address:** 5465 International Pkwy

**Requested Action:** Site Plan Approval for pallet storage/manufacturer addition.

Staff reports that the applicant is requesting site plan approval in order to construct an addition of about 58,000 sq ft to the existing 85,000 sq ft building. The location of the project is in the Meadowbrooke Business Park near the S.W. corner of the Township off of Kraft and 52<sup>nd</sup> Streets.

The original building was approved in July of 2012 and is under construction. They are now asking for an addition.

As a refresher, the pathway will be finished. They put in a second driveway in the middle of the site, but will be ripping that out and a new driveway will be put in a little further to the south. The requirements are being met.

- They received approval from the Meadowbrooke Review Board.
- As for landscaping, we will continue the bond.
- Soil erosion is now permitted through Kent County.
- The Township Fire Dept. has reviewed and approved the plans.
- The Township Engineer has reviewed and approved the plans.

They will continue on from the approval that was previously given.

Staff recommends that the Planning Commission approve the Site Plan for the new building under the following conditions:

1. Extend landscape bond for the addition.
2. Comply with the Township Engineer letter dated January 14, 2013
3. Receive approval from Kent County to extend the Soil Erosion Permit or obtain an additional permit.
4. Combine the property.
5. Comply with the Meadowbrooke Review Board comments from Jan. 16, 2013.

Chairman Sperla asked if anyone was present on behalf of the applicant. Kevin Vreugdenhil of First Companies came to the podium. He asked if there were any questions for him.

Member Lewis shared a quick observation. He stated that the Meadowbrooke Review Board is an extra step that the Planning Commission doesn't have. The applicant has to receive approval from the Review Board before they get here. If they give their approval, I too, give mine.

**Member Hammond made a Motion that the Planning Commission approves the site plan for the new building with the conditions submitted by Planner Peterson. Support by Member Mead. Motion carried.**

#### **ARTICLE 8. Any other business**

##### 1. Election of Officers

Planner Peterson stated that currently John Sperla is the Chair, Al Pennington is the Vice Chair, and Karen McCarthy is the Secretary. This is the first year for everyone in these positions, so they are allowed to remain in these positions for an additional year.

**Member Lewis made a Motion that the people serving at the present time be renewed for another year. Support by Member Hammond. Motion carried.**

Peterson added that there are two more positions to fill. Zoning Board of Appeals liaison is currently Jeff Hammond. Jeff said he was willing to continue.

The Village Design Review Committee is currently Jeff Hammond. Aaron Mead said he would be interested to take this position.

**Chairman Sperla made a Motion for Member Hammond to remain in the position of Zoning Board of Appeals liaison and that Member Mead fill the position for the Village Design Review Committee. Support by Member Williams. Motion carried.**

## 2. 2013 Work Plan

Peterson indicated two items for the 2013 work plan. The last few years we have done fewer items but they have been bigger items, as evidenced in this year's annual report. The two items are the work with the DDA on complete street and economic development strategies. Planning Commission agreed.

## 3. Planning Department 2012 Annual Report

Peterson indicated that it was the business year in five years for new projects. It appears that things will continue with the same steady amount of work for 2013.

## 4. Michigan Society of Planning, Community Planning Principles

## 5. Rules of Conduct for the Cascade Charter Township Planning Commission

Peterson handed out copies of both as good reminders.

## **ARTICLE 9. Adjournment**

**Motion was made by Member Hammond to adjourn. Support by Member McCarthy. Motion carried. The meeting was adjourned at 8:42 p.m.**

Respectfully submitted,

Karen McCarthy, Secretary

Carol M. Meyer, Planning Administrative Assistant