

MINUTES
Cascade Charter Township Planning Commission
Monday, September 15, 2008
7:00 p.m.

ARTICLE 1. Chairman McDonald called the meeting to order at 7:00 p.m.
Members Present: Hammond, Koessel, Lewis, Logue, McDonald,
Pennington, Robinson, Sperla
Members Absent: Waalkes (excused)
Others Present: Planning Director Peterson, Recording Secretary
Hern, and Members of the Public.

ARTICLE 2. Chairman McDonald led the Pledge of Allegiance to the Flag.

ARTICLE 3. Chairman McDonald requested a motion for the approval of the
September 15, 2008 agenda noting the tabled case, The Design
Forum, from last week's meeting has returned before the Planning
Commission with their case.

**Member Lewis motioned to approve the September 15th
Agenda with the addition of Case # 08-2952: The Design
Forum located at 6000 28th Street as Article 4.5, supported by
Member Robinson. All in favor with none opposed, the motion
carried.**

ARTICLE 4. Case # 08-2945: Russ Spees
Address of Property: 6010/6080 28th Street
(PUBLIC HEARING)
Requested Action: The Applicant is requesting to revise the
existing Planned Unit Development (P.U.D.) 88 at 6010 28th Street
in order to include the property at 6080 28th Street.

Planning Director Peterson noted the property is located on the
south side of 28th Street just west of Lucerne. The Applicant is
requesting to amend existing PUD 88 (6010 28th Street) and
expand to include 6080 28th Street.

In terms of the size of the building, it is still approximately the
same size as seen in the original plan; the old building that was
approved was 22,000-s.f. and the new building is 24,000-s.f. The
Applicant still has the building in the back to the south that has not
changed and essentially there will be three (3) buildings in this
development on approximately nine (9) acres.

The Township reviewed the Basic Plan on July 21, 2008 and gave
the Applicant a short list of items to address prior to the Public
Hearing. The following are the items the Applicant also plans to
address at this meeting:

1. Have FTCH review the storm water and utilities plan.
2. Have the Developer provide a photometric lighting plan.
3. Provide a completed landscaping plan.
4. Have their architect review the retail building separation issue.
5. Revise the plan to include the pedestrian access into and through the site.

Both the Kent County Drain Office and the Township Engineer are reviewing the site. It appears that the site will work for storm water and utility purposes. The Township Engineer has also received additional information regarding the site and is now more comfortable with the development. Other final design issues can be worked out when the Developer returns to the Commission for Site Plan approval.

Some concern was also expressed about traffic flow through the site. The Applicant has indicated that they will show how the traffic flow will work as a result of these changes. The drive around the west end of the building is one-way and too narrow and at lunch hour, it can start to pose traffic flow issues. With the two sites together now, it would help alleviate the traffic flow concerns.

Staff recommends that the Preliminary Plan be approved.

Member Hammond requested Staff to elaborate more on the issues with the storm water and utilities. FTCH's report refers to the Applicant receiving preliminary approval from the Kent County Drain Commission (KCDC) for the discharge rate of the storm water to the regional detention basin. The remainder of the detention requirements must be met with onsite detention. Planning Director Peterson noted the Applicant has additional detention on site, one is located in the front area and one behind this building, in between the two (2) buildings.

Member Hammond asked where the regional detention is located and Planning Director Peterson said it starts with the pipe under 28th Street and goes north.

Chairman McDonald noted some discussions regarding the pedestrian walkway and the topographical study asked if the details would be included in the final Site Plan review and Planning Director Peterson said yes.

Applicant Mike Houseman of Houseman Construction said both the engineers from Exxel Engineering and the Township are comfortable with the new drain system.

Applicant Houseman said they did review the traffic flow on-site noting Panera Bread and Wendy's on the site plan. He said the area does become congested but primarily due to people trying to find parking to Panera Bread or to get to Wendy's. He said the area is very tight, even for one-way traffic. Once the project is completed a new wide road with additional parking will be installed. If people drive in the back, the Developer is opening up a couple of the curb areas to allow for more room and smoother traffic flow.

Member Lewis asked the Applicant how wide the road is between the two (2) buildings that they will be directing traffic through and the Applicant said the road is the standard 24-foot wide for two (2) lane traffic. Planning Director Peterson noted that the Township's standard is 18-foot wide.

Member Lewis expressed his concerns for the people in the rear and trying to access the site. Applicant Houseman noted that in Phase II of the plan, there is a drive in the rear. Member Lewis said that there seems to be a lot of parking spaces for the rear building and those cars will need to get to the rear building by driving on the road between the two (2) buildings. Applicant Houseman noted the width of the road between the two (2) buildings and understands that the road meets requirements. He asked if the Applicant is comfortable with the road and they said they are.

Member Robinson asked approximately how many people turn left in that area to get to Wendy's and Applicant Houseman said approximately thirty-five during the lunch hour. Member Robinson asked if traffic waiting to turn left would also impede the traffic flow and Applicant Houseman does not believe so.

Chairman McDonald asked if the drive to Lucerne is an exit only and Planning Director Peterson said it is functional both ways.

Member Koessel asked if the building in the rear is office as he believes the building was originally approved for office use. Planning Director Peterson said the Township did not restrict the building to specifically for office use.

Member Koessel believes that the last time the Applicant was before the Commission, he needed an easement to gain access to the drive in the southwest corner to access Tahoe Drive. He also believes that at that meeting the Applicant indicated the only way the easement would be granted was if the rear building were to be retail. Mr. Houseman noted that the adjacent property owner has a

building he leases for office and the property owner told them that if they build an office building, chances are the Applicant would not be allowed the easement rights.

Planning Director Peterson noted that the Township would require the Applicant to build their half of the drive to the easement line. Planning Director Peterson noted that when a cross-access is done, normally the Township obtains agreement from each half to allow for the connection. If the neighbor comes in for an approval, the Township would also require them to complete their half. At this time, the Township is asking the Applicant to complete their half.

Member Koessel clarified that at this time, the Applicant does not know nor does the Township, if the rear building would be utilized for office or retail and Planning Director Peterson said that is correct. The Applicant, however, would complete their half of the connection and when the adjacent property owner comes to the Township for an approval, he would then be required to complete his half. Member Koessel noted that the adjacent property owner might not come in for approval.

Mr. Houseman said they have proposed the current parking with the rear building being designated as either office or retail. They have contacted the property owners in the rear of the site for access to Tahoe Drive and Mr. George Wante indicated at that time that the easement might be granted if the building were to be used for retail. Mr. Houseman noted they have not received any inquiries for office in the rear building only retail.

Mr. Houseman noted there are two (2) other drives to access the property if the building becomes an office. Planning Director Peterson noted that if there was a connection in the rear of the site and if the parking were turned, would the Commission be more comfortable with the site plan? He noted that the east entrance is a full open drive with angled parking and the parking could be perpendicular parking allowing two-way traffic through.

Mr. Houseman noted there are plenty of ways to open the parking to create better traffic flow if the rear drive does not go through as there is ample parking on the site. Chairman McDonald supported readjusting the parking by the east entrance to allow for two-way traffic flow.

Member Pennington supports the parking adjustments and has witnessed the traffic flow but is very concerned about the intersection behind the two (2) buildings as there seems to be a lot of conflicting movement in the area with traffic and pedestrians and suggested moving the drive more south to align with the traffic

lanes and ease congestion. Member Hammond agrees with Member Pennington in opening up the drive to allow two-way traffic.

Member Koessel noted that Russ Spees and his group have been wonderful to work with. He believes the traffic flow onto and exiting the site can be worked out but before the Planning Commission can vote on the site plan they need to see what the Developer would like to do instead of drawing the plans in. He suggested that the Planning Commission table the case until they can review the site plan that includes the changes made this evening.

Applicant Houseman asked if the Commission could grant preliminary approval of the site plan submitted with the condition of addressing the ingress/egress issues and the concerns of the on-site intersection. Planning Director Peterson said he could start the text for the rezoned P.U.D. and insert the final language once the issues have been resolved.

Member Koessel asked if the Applicant would keep the process going anyway and the Applicant said they would and they could be ready at the next meeting.

Chairman McDonald asked if preliminary approval were granted would the Planning Commission still be able to deny the request if the changes did not improve the Commission's concerns or if Wendy's did not approve of the changes and Planning Director Peterson said the site plan could be rejected at the next meeting.

Member Robinson motioned to open the Public Hearing, supported by Member Lewis. All in favor with none opposed, the Public Hearing was opened.

Chairman McDonald asked Staff if any letters or phone calls were received regarding the case and Planning Director Peterson said no.

Kurt Ojala of Hindeman Company, located on Charlevoix Drive, said he has a flooding issue at 6000 28th Street and during heavy rainfall, the water approaches the building. His concern is with the added water from this project as there is already an issue. Mr. Houseman said the site is currently draining and when the project is completed, the water will be directed better as it is now free-flowing. He noted catch basins that will help channel the water and the flow of the water. The development should improve the water flow.

Member Robinson motioned to close the Public Hearing, supported by Member Lewis. All in favor with none opposed, the Public Hearing was closed.

Member Lewis motioned for approval of the Applicant's request for preliminary site plan approval with the condition that the Applicant address the concerns regarding internal traffic movement as discussed.

Member Logue questioned if a sub-committee should be developed to help ensure that the project will be satisfactory to the Commission when it returns for site plan approval. Member Sperla noted that Staff seems comfortable with moving forward with the case as it can be denied during the site plan approval process and trusts Staff to work with the Applicant to resolve the issues.

Member Robinson supported the motion.

Member Hammond said he heard some other water runoff concerns raised this evening and asked if the details for the storm water would be available at the final site plan review or only available once the case goes before the Township Board? Planning Director Peterson said details should be available at the next meeting and Member Hammond said he would like to review the details. Planning Director Peterson said there should not be any changes to the current storm water plan and he can have the Township Engineer submit a formal report.

Chairman McDonald requested a roll call vote:

Commissioner Koessel, yes
Commissioner Hammond, yes
Commissioner Sperla, yes
Commissioner Robinson, yes
Commissioner McDonald, yes
Commissioner Lewis, yes
Commissioner Logue, no
Commissioner Pennington, yes

Seven (7) in favor of the motion with one (1) opposed. Motion carried.

ARTICLE 4.5.

Case # 08-2952: The Design Forum

Address of Property: 6000 28th Street

(PUBLIC HEARING)

Requested Action: The Applicant is requesting a Special Use Permit to construct an addition to an accessory building larger than 832-square feet.

Chairman McDonald noted that this case was tabled at the last meeting.

Member Lewis motioned to remove the case from the table, supported by Member Koessel. All in favor, none opposed. Case # 08-2952: The Design Forum was removed from the table.

Planning Director Peterson noted this case was tabled at the last meeting, asking the Applicant to obtain additional comments from the Centennial Park Business Association regarding the accessory building.

Planning Director Peterson did send the comments received from the Association to the Planning Commission for their review. Only one (1) comment was received against the project from Dan Weirsma

Member Hammond noted that he does work with the architect involved with this case in his profession and does not believe it is a conflict of interest but wanted to bring this before the Planning Commission. The Planning Commission agreed there is no conflict of interest.

Member Koessel asked if most of the letters received are from Board Members of the Association and Mr. Kurt Ojala said they are. Member Koessel noted the last sentence in Mr. Weirsma's letter is concerned with setting precedence within the park and Mr. Ojala if there is a concern in setting precedence. Mr. Ojala said he is not concerned with setting precedence and the Association prior to coming before the Planning Commission will review each request after this one on a case-by-case basis.

Member Koessel noted the property does have thick landscaping and the building is well screened from view, making the request unique.

Member Sperla asked where Mr. Weirsma's property is located in relation to the accessory building and Mr. Ojala said he owns Cook Plaza across from the retention pond.

Member Koessel motioned to approve the Applicant's request for a Special Use to construct an accessory building larger than 832-s.f. with the following conditions:

- 1. The Applicant is to build a brick exterior on the building.**
- 2. Staff's conditions as previously recommended.**

3. **The building is not allowed for any lease or rental of any nature.**
4. **No private storage use for owners/employees of their vehicles or recreational craft.**

Member Logue supported the motion. All in favor with none opposed. Motion carried.

ARTICLE 5. Any Other Business

Chairman McDonald opened the meeting for any other business.

Member Lewis noted a business “Wee Play” on 28th Street that has some temporary signs in their vehicles and Planning Director Peterson said the Township will look into the situation.

Member Koessel asked Staff if the Township Manager has spoken with him and said that the Township Board has asked the Township to address two (2) issues regarding residential: one is the storage of junk stored in vehicles (i.e. Laraway Lake Drive property) and many complaints are being received; the second is the parking of vehicles in front of a business that has signage on the vehicle (i.e. Biggby’s).

ARTICLE 8. Adjournment

Chairman McDonald requested a motion for adjournment.

Member Lewis supported by Member Robinson moved to adjourn. The motion carried and the meeting was adjourned at 8:44 p.m.

Respectfully submitted,

Jack Lewis, Secretary

Lisa Hern, Recording Secretary