

AGENDA
Cascade Charter Township Planning Commission
Monday, January 17, 2022
7:00 pm
2870 Jacksmith Ave

Public may access the meeting via video conference software Zoom

<https://us02web.zoom.us/j/88001898198>

Meeting ID: 880 0189 8198

By Phone: +1 301 715 8592

- ARTICLE 1. Call the meeting to order
Record the attendance**
- ARTICLE 2. Pledge of Allegiance to the Flag**
- ARTICLE 3. Approve the current Agenda**
- ARTICLE 4. Disclose any Conflict of Interest**
- ARTICLE 5. Approve the Minutes of the January 3, 2022 Meeting**
- ARTICLE 6. Acknowledge visitors and those wishing to speak.
(Comments are limited to five minutes per speaker)**
- ARTICLE 7. Case #21-3681/Patterson Ice Center, LLC
Public Hearing
Property Address: 2550 Patterson Ave
Requested Action: Preliminary Plan Review for an amendment to the PUD
Ordinance to lift a number of existing use and development restrictions.**
- ARTICLE 8. Case #21-3688/Chick-fil-A
Property Address: 5528 28th St
Requested Action: The applicant is requesting site plan review for a new 4,997 sq
ft restaurant.**
- ARTICLE 9. 2021 Planning Department Annual Report**
- ARTICLE 10. Old Business**
- None
- ARTICLE 11. Any Other Business**
- Trustee Communication from Planning Commission
- ARTICLE 12. Adjournment**

Meeting format

1. Staff Presentation

Staff report and recommendation

2. Project presentation-

Applicant presentation and explanation of project

a. PUBLIC HEARINGS

- i. Open Public Hearing.** *Comments are limited to five minutes per speaker; exception may be granted by the chair for representative speakers and applicants*
- ii. Close public hearing**

3. **Commission discussion** – *May ask for clarification from applicant, staff or public*
4. **Commission decision - Options**
 - a. *Table the decision*
 - b. *Deny*
 - c. *Approve*
 - d. *Approve with conditions*
 - e. *Recommendation to Township Board*

Minutes
Cascade Charter Township
Planning Commission
Monday January 3, 2022
7:00 P.M.
2870 Jacksmith Ave SE

ARTICLE 1. Chairman Rissi called the meeting to order at 7:01 P.M.
Members Present: Noordhoek, Moxley, Deering, Rissi, Rapin, Noordyke and Korstange and Meurlin
Members Absent:
Others Present: Interim Planning Director Brian Hilbrands and those listed on the sign-in sheet

ARTICLE 2. Pledge of Allegiance

ARTICLE 3. Approve the current Agenda

Motion was made by Member Noordyke to approve the current Agenda. Supported by Member Rapin. Motion carried 6 to 0.

ARTICLE 4. Disclose any Conflicts of Interest

There weren't any conflicts of interest.

ARTICLE 5. Approve the Minutes of the December 6, 2021 Meeting

Motion was made by Member Noordyke to approve the December 6, 2021 meeting minutes as written. Supported by Member Deering. Motion carried 8 to 0.

ARTICLE 6. Approve the Minutes of the December 14, 2021 Special Meeting

Member Deering pointed out a typographical error where 'it' needed to be changed to 'if' on page eight, half way down the page, in the sentence that begins "Korstange asked it".

Motion was made by Member Noordyke to approve the December 14, 2021 meeting minutes with Member Deering's typographical change. Supported by Member Rapin. Motion carried 8 to 0.

ARTICLE 7. Acknowledge visitors and those wishing to speak on non-agenda items.

There was no one who wished to speak to non-agenda items.

ARTICLE 8. Election of Officers

Chair Rissi explained that the positions to be filled were Chairperson, Vice Chairperson, Secretary, the Planning Commission Representative to the ZBA, and the Planning Commission Representative to the Village Design Review Board. The Planning Commission has a term limit of two consecutive years for the officer positions and this was the end of Chair Rissi's two years. He said that the positions will often shift when

the Chair's term ends and the Vicechair will move up to Chairperson and the Secretary up to Vicechair, but this year was a bit different as both the Vice Chair and Secretary had only been in the position for part of a year due to the previous members in their positions resigning from the commission. Trustee Noordhoek is the one member who cannot serve in these positions as he is on the Board of Directors.

Motion was made by Member Meurlin to appoint Member Noordyke as Planning Commission Chair, Member Moxley as Vice Chairman, and for Member Deering to continue as Secretary. He put forth Member Moxley as Vice Chairman because he is one of the more tenured members of the Planning Commission and Member Deering to continue in the Secretary position as she is quite new to it. All three members accepted the nominations. **Supported by Member Rapin. Motion carried 8 to 0.**

Motion was made by Member Noordyke to appoint Chair Rissi as the Planning Commission Representative to the Village Design Review Board. Supported by Member Meurlin. Motion carried 8 to 0.

Member Moxley wished to continue on the ZBA as he is currently Vice Chairman of the ZBA and has chaired some meetings in the last year. Member Meurlin asked if members were allowed to hold executive positions on both the Planning Commission and Zoning Board of Appeals and Chair Rissi and Member Noordyke said that the ordinance doesn't preclude it.

Motion was made by Member Meurlin to appoint Member Moxley as the Planning Commission Representative to the ZBA. Supported by Member Deering. Motion carried 8 to 0.

ARTICLE 9. 2021 Planning Commission Report

Chair Rissi read aloud his 2021 Planning Commission report. In previous years, the Community Development report was provided but earlier in year Member Meurlin pointed out that it was supposed to be the Planning Commission's report and was the responsibility of the Planning Commission Chairperson.

Member Meurlin suggested some changes to Chair Rissi's report. He suggested changing the word 'contributions' near the end of the report to 'contributions of time and talent'. 'Various process' was changed to 'various processes' in the second paragraph, and in the fourth line in the long paragraph in the middle, 'improve process' was changed to 'improve processes'.

Member Meurlin also asked the Planning Commission if they thought there was a need to add a section about their belief that oversight and enforcement of development need to be increased, in reference to the Roundhill report. Chair Rissi said that he did not want to get that descriptive with this report. Member Meurlin said that a meeting held discussing the Planning Commission's role in the strategic plan also needed to be added into the account of meetings and accomplishments of the Planning Commission.

Member Moxley thanked Chair Rissi for his leadership over the last two years.

Chair Rissi also included a document in this section of the packet to assist new members and executives of the Planning Commission with tips and processes when they first join. He hopes this becomes a tradition for outgoing executive members.

ARTICLE 10. Rules of Conduct

Interim Planning Director Hilbrands said that this document is generally included at the first meeting of each year so that returning members can brush up on the rules and new members can learn them. He said that members should pay specific attention to the ex parte communications section and the article from the MSU Extension that state any discourse pertaining to cases should take place only in the public sphere, at the meetings.

Member Meurlin brought up item 'c' of 2, saying it should say, "if a Planning Commission member is a close friend" instead of 'if the Planning Commission is a close friend'. Chair Rissi pointed out that it says 'member' on items a, b, and d but not on c.

Amendment of the ex parte rules and rules of conduct was also brought up by Member Meurlin. He stated that the rule currently refers to a conflict of interest with regard to a member of the Planning Commission and does not address relationships between family of Planning Commission members and cases that they may have a conflict of interest to.

Member Korstange clarified with Interim Planning Director Hilbrands that the Rules of Conduct were in the packet not to be amended, but instead just as a reference document and reminder to the Planning Commission members the rules and procedures at the beginning of the new year. He said that the commission can work on amending the Rules of Conduct later if that is something they decide to do in the future.

ARTICLE 11. Planning Principles

This document was provided by Interim Planning Director Hilbrands as an informational reference that reminds Planning Commission members of their purpose and standards.

ARTICLE 12. 2022 Calendar

This calendar is approved by the Board of Directors and lists all of the regularly scheduled board, commission, and committee meetings for the 2022 year. It was provided at this meeting for Planning Commission member reference.

ARTICLE 13. Old Business

Review Revisions to the Planning Commission Bylaws: Interim Planning Director Hilbrands typed up the changes made at the previous Planning Commission meeting and provided it at this meeting so the members could look it over to verify that everything matched the changes discussed.

Member Deering brought up the date with the signature at the end of the document still reading as 2021 while the title of the document had been updated to 2022.

Member Meurlin brought up 5G on page eight of the bylaws as he did not agree with how it read; this section had been one that inspired discussion at the previous meeting concerning the bylaws. This says, "The Planning Commission will generally not respond to public comment but reserves the right, at its sole discretion, to make inquiries, correct factual errors, and provide other information it deems appropriate. Where appropriate, the Planning Commission will make a good faith effort to respond to questions in a timely manner, at its discretion." He saw this as a way for the Planning Commission to excuse not answering questions and providing the citizens with the information they requested.

Member Korstange understood the wording they had decided on at the previous meeting differently and thought everything was struck from that paragraph. 5G written as, "Where appropriate, the Planning Commission will make a good faith effort to respond to questions in a timely manner, at its discretion." She had all of the original text in that section struck, including its first three sentences, and only the quoted sentence remaining. This turned the "will not generally respond" into a positive rather than a negative.

Member Rapin thought that removal of the first sentence made the scope of topic too broad; he requested a qualifier be added that states this is in reference specifically to public comment.

Interim Planning Director Hilbrands suggested keeping the first sentence and striking "the Planning Commission generally will not respond to public comment." This would change the text to, "The Planning Commission reserves the right, at its sole discretion, to make inquiries, correct factual errors, and provide other information it deems appropriate. Where appropriate, the Planning Commission will make a good faith effort to respond to questions in a timely manner, at its discretion." This was accepted by the Planning Commission.

ARTICLE 14. Any Other Business

December 6th additional minute amendments: Member Meurlin pointed out that in the second line of the second paragraph on page 11 that starts with "Member Rapin" and says "are a separate document" has "separate" spelled incorrectly.

Member Deering said that on page five, the second line from the end of the second paragraph said, "Member Korstange recommended" and it should say, "Member Deering recommended". She also suggested an apostrophe in the following paragraph could be removed but it was later determined that that apostrophe was designating a portion of text that was quoted and shouldn't be removed.

December 14th additional minute amendments: There were questions as to if the numbering was correct in page five, paragraph two, of the minutes but it was later determined that the reason the order was confusing was because the document was

condensed from "12 recommendations" to "8 numbers". A section stating that the change occurred was then added to the December 14th meeting minutes.

Member Rapin motioned to accept these changes to the December 6 and December 14 meeting minutes. Supported by Member Korstange. Motion carried.

APA Classes: Member Rapin brought up a class he took through the APA that he found very useful when starting on the Planning Commission, asking if Cascade Township is still a member of the organization and if that was a class other Planning Commission members would be interested in. Interim Planning Commission Director Hilbrands said that he believes they are still part of the APA as well as the Michigan Association of Planning and he can work on sharing these types of opportunities with Planning Commission members.

Revised Roundhill Recommendations: The Township Board did not want to hear the recommendations at the December 15 meeting as they wanted to read and digest them before they were presented. This gave Chair Rissi and Member Moxley time to meet with Township Manager Swayze and discuss the recommendations and get his opinion. Member Moxley shared what they intend to be a final draft of the preliminary recommendations stemming from the investigation of the Roundhill project.

Member Moxley read recommendation number four and explained that Manager Swayze had requested they include the text from the PUD Ordinance in the recommendations at this point as the PUD Ordinance is law, which the Planning Commission can work to amend, but the problem that needs to be addressed here is unauthorized changes to the approved site plan by staff. Planning Commission members had a lengthy discussion about what should be considered minor changes but it was determined that this was not a discussion on making a recommendation to change the PUD Ordinance, and was summarized to adding, "A review of the zoning ordinance definition of 'minor' is needed."

Member Meurlin recommended changing the word 'recorded' to 'documented and retained' as 'recorded' has a legal definition. Member Rapin noticed that section four also limits the change in size to "5000 sq ft or 5%", adding "whichever is smaller" after it, as this is what it says in the zoning ordinance.

Manager Swayze requested the addition of a recommendation number nine, in the meeting with Member Moxley and Chair Rissi, that discussed implementation of the recommendations. Member Moxley asked Manager Swayze what he wanted for this section and he responded as follows: "Implementation Plan: Selected members of the planning commission and township staff (including the Manager, Planning Director, and other staff members as needed) should work cooperatively to establish an implementation plan for the recommendations and provide the plan to the Township Board, on or before June 30th, 2022 for their consideration."

Member Meurlin pointed out that 'PUD Ordinances and Master Deeds' (plural) must be recorded, as should Stormwater Maintenance Agreements. Member Rapin shared concern with listing all documents they believe should be recorded as that would

appear to be an exhaustive list. Chair Rissi stated that he believes this is where the committee working on the implementation plan comes in as they will be able to focus on these types of changes and what type of documents need to be included. Member Korstange liked the idea of leaving it broad so that any required documents would be encompassed. The suggestion the commission came to was the potential addition of wording saying, "All of the required documents, such as PUD ordinances, master deeds, and stormwater maintenance plans". Member Meurlin wanted to add clearcutting of trees on property as an activity needing approval and Chair Rissi recommended leaving detailed changes to the focus committee. Chair Rissi said that he and Member Moxley would present this to the board and Trustee Noordhoek would be there as a member of the Township Board but would also be able to answer questions.

PUD Maps: Member Moxley brought in the PUD map that former Community Development Director Peterson had given him when he joined the Planning Commission. Many members have been interested in having a copy of this map and Member Moxley asked Manager Swayze if this would be something the township would be willing to purchase for all of the Planning Commission members and he said that it would. The commission decided they wanted nine, laminated, 30x42 in copies that can be rolled up for storage. Interim Planning Director Hilbrands said that he would get the most updated version of the plan from Fishbeck to make the copies from.

2022 Meeting Topics: Member Noordyke requested that if members have anything they'd like added to the agendas, outside of the typical cases, send him a message and he will get it added as he wants all Planning Commission members to feel like their voice is being heard.

Member Korstange also suggested, prior to the meeting, emailing staff any questions they have that they know they will want answered during the meeting so that staff have time to look up information or get an answer to the question. Those questions will need to be asked only of Interim Planning Director Hilbrands and not have any other Planning Commission members copied on them to avoid ex parte communication.

Planning Commission Member Email Addresses: Member Deering asked if there was an update on Planning Commission members getting township email addresses. Interim Planning Director Hilbrands said that he had not heard anything from Manager Swayze since Member Noordyke emailed him last. Member Noordyke stated that he had many emails with Manager Swayze about this and the township is moving to the cloud, which is a more complicated process. He said it is a function of the quantity of Office 365 licenses the township has and they are working towards getting Planning Commission members email addresses once the new system is in place.

Thank You: Member Meurlin expressed his thanks to Chair Rissi for his service as Chair over the last year.

ARTICLE 15. Adjournment

Motion was made by Chair Rissi to adjourn. Supported by Members Deering. Motion carried 8 to 0. The meeting was adjourned at 8:55 p.m.

Respectfully submitted,
Diedre Deering, Secretary

DRAFT

STAFF REPORT

STAFF REPORT: Case #21-3681/Patterson Ice Center
REPORT DATE: January 12, 2022
PREPARED FOR: Cascade Charter Township Planning Commission
MEETING DATE: January 17, 2022
PREPARED BY: Brian Hilbrands, Interim Planning Director

APPLICANT:

Andrew Longcore, Business Law GR
1555 Knapp St
Grand Rapids, MI 49505

STATUS

OF APPLICANT: Representative for Owner

REQUESTED ACTION: Preliminary Plan Review for an amendment to the PUD Ordinance to lift a number of existing use and development restrictions.

EXISTING ZONING OF SUBJECT PARCEL(S): PUD 28

PROPERTY ADDRESS: 2550 Patterson Ave

GENERAL LOCATION: East side of Patterson Ave between Burton St and 28th St

PARCEL SIZE: Approximately 10.3 acres

EXISTING LAND USE ON THE PROPERTY: Patterson Ice Center

ADJACENT AREA

LAND USES: N, W – Residential
S – Schmozh Brewing, Michfab Machinery, Vesco Oil Corp.
E – Powell Relocation Group, Cascade Paper Convertor

ZONING ON

ADJOINING PARCELS: N – R1 (Residential)
S – I (Industrial)
E – PUD 29, I
W – R1-C (City of Kentwood)

STAFF COMMENTS:

1. The applicant is requesting Preliminary Plan Review to amend the existing Planned Unit Development ordinance to lift a number of existing use and development restrictions.

This PUD amendment application is a little different than others we have received in that there are no site improvements being proposed, just amendments to the PUD ordinance.

2. This was brought in front of the Planning Commission for a Basic Plan Review at the November 15, 2021 meeting. The applicant has provided the required information to proceed to the preliminary plan review.
3. The site was rezoned to PUD in 1994. It was rezoned in order to allow for the existing recreational ice center. As part of that original PUD approval there are a number of use and development restrictions included in the PUD ordinance.
4. I have once again included in your packet a staff report and minutes of Planning Commission meetings from March of 1994 regarding the original approval of the PUD. It appears that there was significant discussion and deliberation regarding the original approval. From a review of those minutes, it looks like the most prominent concerns that were brought up involved traffic capacity along Patterson Avenue and also the impact on property value of neighboring residences. Some of the restrictions on the allowed uses for the site appear to be aimed at limiting traffic concerns. As mentioned in the applicant's narrative, Patterson Avenue has been widened to 5 lanes since the PUD was originally approved.
5. The applicant is requesting a total of 12 amendments to the current PUD ordinance. These focus on increasing the allowed capacity of the project, removing restrictions on what kind of groups and teams can use the facilities, and allowing for the sale of alcohol.
6. Currently the ordinance requires that any event with an attendance exceeding 1,184 people shall require approval from the Township as a Special Event. The applicant originally requested that the language be amended to consider a Special Event as one that involves over 2,000 people in the building. After meeting with one of our Building Inspectors and the Fire Marshall, it was determined that the maximum occupancy of the building was actually 1,640 people. The applicant has revised their request to reflect this, and are now requesting that the language be amended to consider a Special Event as one that involves over 1,640 people in the building, at which point they would need to receive approval from the Township
7. As requested at the basic plan review, the applicant has provided a table that compares parking spaces and the number of ice sheets at other ice center locations around Kent County. The three other locations that have two ice sheets have an average of 364 parking spaces. The applicant shows there to currently be 391 parking spaces at Patterson Ice Center.
8. The parking requirements in the zoning ordinance require 1 parking space per 4 seats in an auditorium or place of assembly. A capacity of 1,640 people would require 410 parking spaces. The applicant's original request of a capacity of 2,000 people would have required 500 parking spaces. From a staff perspective, a capacity of 1,640 is much more

in-line with parking requirements. Staff are not aware of the Township having previously received any complaints regarding parking at the ice center.

9. The request is also being made to remove some of the restrictions that prevent collegiate, semi-professional or professional hockey games or game exhibitions, as well as professional or semi-professional pageants or ice shows. They would also like to remove a restriction that limits the use by collegiate hockey clubs or intramural teams to local colleges within the Grand Rapids metropolitan area. The applicant indicated at the basic plan review that they were not previously aware of these restrictions, and are asking for the amendments so that the PUD ordinance aligns with how they have already been using the facility.
10. The applicant is also requesting to allow for the sale and consumption of alcoholic beverages within the project, and also remove a restriction that requires security guards to be provided for all high school hockey games as well as any other time attendance is expected to exceed 500 or more people. The applicant has stated that they have already received a Class liquor license from the MLCC. There was some concern from the Planning Commission regarding what kind of behavior could occur at the facility if alcohol is allowed to be served and there are no security guards.
11. Staff requested a report from Deputy Omar Dieppa, Cascade’s community policing officer, regarding the calls that the Sheriff’s Department has responded to at the ice center over the last 5 years. Deputy Dieppa provided a report that included 32 calls at Patterson Ice Arena in the last 5 years, but he stated that none of the incidents were directly contributed to how the ice center was operating. The majority of calls were for incidents like traffic stops or suspicious persons calls that happened to occur on the ice center property. Deputy Dieppa stated that the Sheriff’s Department has not had an issue at the ice center. Staff are also not aware of any complaints being brought to the Township regarding how the ice center has been operating.
12. The applicant has applied for and received temporary use variances on three occasions to serve alcohol at charity events, the most recent of which was in 2015.
13. If Preliminary Plan Approval is given, then a PUD amendment will be written and brought back before the Planning Commission for a recommendation to the Township Board.

14. Standards

Section 16.03 of the Zoning Ordinance requires that a Planned Unit Development must demonstrate that:

Standard	Staff Comment
Granting of the Planned Unit Development rezoning will result in a recognizable and substantial benefit to the ultimate users of	The property is already zoned PUD. The proposed amendments would not change the primary use of the site.

the project and to the community, where such benefit would otherwise be unfeasible or unlikely to be achieved.	
In relation to underlying zoning, the proposed type and density of use shall not result in a material increase in the need for public services, facilities and utilities, and shall not place a material burden upon the subject or surrounding land or property owners and occupants or the natural environment.	The proposed use would not result in an increase in the need of public services.
The proposed development shall be compatible with the General Development Plan of the Township and shall be consistent with the intent and spirit of this Chapter.	The proposed use is consistent with what has been permitted on the site.
In relation to the underlying zoning, the proposed development shall not result in an unreasonable negative economic impact upon surrounding properties.	The proposed use should not result in an unreasonable economic impact.
The proposed development shall contain at least as much green area and usable open space as would otherwise be required by this Ordinance with respect to the most dominant use in the development.	N/A
The proposed development shall be under single ownership or control such that there is a single person or entity having responsibility for completing the project in conformity with this Ordinance. This provision shall not prohibit a transfer of ownership or control, upon due notice to the Planning Director of the Township.	Met

Staff Recommendation

Staff Recommends that you approve the preliminary plan. If approved, staff will prepare the PUD Ordinance for your review before you make a recommendation to the Township Board.

ATTACHMENTS:

- Application
- Parking Comparison
- Revised Occupancy Count
- Sheriff Department Calls
- Narrative
- Current PUD Ordinance – Patterson Ice Center #10 of 1994
- Staff Report and PC Minutes from March, 1994





CASCADE CHARTER TOWNSHIP

5920 Tahoe Dr. SE, Grand Rapids,
Michigan 49546-7140

PLANNING & ZONING APPLICATION

APPLICANT: Name: Andrew Longcore, Business Law GR
Address: 1555 Knapp
City & Zip Code: Grand Rapids MI 49505
Telephone: (616) 528-0007
Email Address: alongcore@businesslawgr.com

OWNER: * (If different from Applicant) Patterson Ice Center LLC
Name: _____
Address: 2550 Patterson SE
City & Zip Code: Grand Rapids MI 49546
Telephone: _____
Email Address: _____

NATURE OF THE REQUEST: (Please check the appropriate box or boxes)

- | | |
|--|---|
| <input type="checkbox"/> Administrative Appeal | <input type="checkbox"/> Administrative Site Plan Review |
| <input type="checkbox"/> Deferred Parking | <input type="checkbox"/> P.U.D. – Rezoning * |
| <input type="checkbox"/> P.U.D. – Site Condominium * | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Site Plan Review * | <input type="checkbox"/> Sign Variance Subdivision |
| <input type="checkbox"/> Special Use Permit | <input type="checkbox"/> Plat Review * |
| <input type="checkbox"/> Zoning Variance | <input checked="" type="checkbox"/> Other: <u>PUD Amendment</u> * |

** Requires an initial submission of 5 copies of the completed site plan*

See attached narrative

BRIEFLY DESCRIBE YOUR REQUEST:**

(**Use Attachments if Necessary)

-SEE OTHER SIDE-

LEGAL DESCRIPTION OF PROPERTY**:

PART OF SWFRL 1/4 COM AT INT OF W SEC LINE & N LINE OF S 80 A. OF
SWFRL 1/4 TH E ALONG SD N LINE 640 FT TH N 864 FT M/L TO CL OF A
COUNTY DRAIN TH SWLY ALONG CL OF SD DRAIN TO W SEC LINE TH S
ALONG W SEC LINE TO BEG EX W 50 FT * SEC 7 T6N R10W 10.28 A.

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 -07-301-023

ADDRESS OF PROPERTY: 2550 Patterson Drive

PRESENT USE OF THE PROPERTY: Commercial (hockey rink)

NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS HAVING A LEGAL OR
EQUITABLE INTEREST IN THE PROPERTY:

Name(s)	Address(es)
_____	_____
_____	_____

SIGNATURES

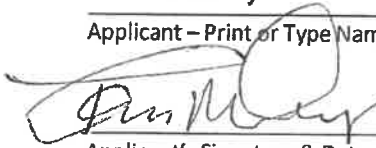
I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) also agree to reimburse the Cascade Charter Township for all costs, including consultant costs, to review this request in a timely manner. I (we) understand that these costs may also include administrative reviews which may occur after the Township has taken action on my (our) request.

I (we) the undersigned also acknowledge that the proposed project does not violate any known property restrictions (i.e. plat restrictions, deed restrictions, covenants, etc.)

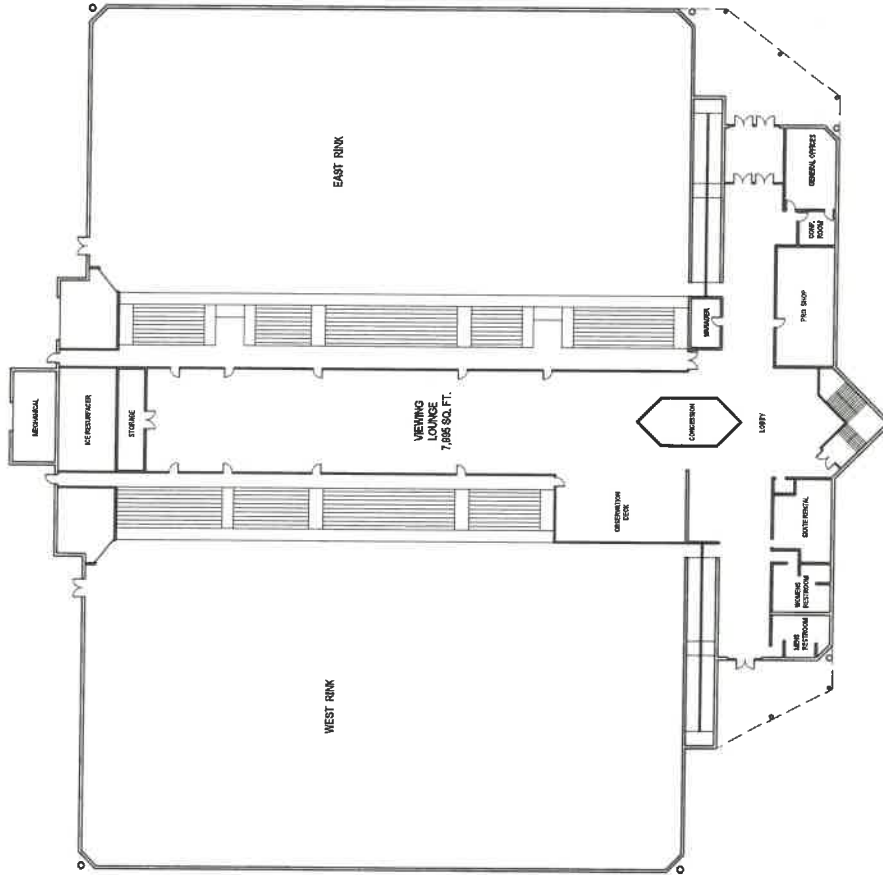
Owner – Print or Type Name
(*If different from Applicant)

Tom Mehney
Applicant – Print or Type Name

* _____
Owner’s Signature & Date
(*If different from Applicant)

 its Manager 10/15/21
Applicant’s Signature & Date

PLEASE ATTACH ALL REQUIRED DOCUMENTS NOTED IN THE PROCESS REVIEW SHEET – THANK YOU



WEST RINK ACTUAL SEAT COUNT = 477
 EAST RINK ACTUAL SEAT COUNT = 633
 VIEWING LOUNGE CAPACITY (1 PERSON/15 S.F.) = 533
 1,643

December 17, 2011

PATTERSON ICE CENTER
 PLD AMENDMENT CAPACITY CALCULATION
 project number: 21403076



Report Date	Description
09/16/2021	ALARM-INTRUSION / BURGLAR ALA...
08/25/2021	TRAFFIC STOP
08/15/2021	TRAFFIC STOP
08/13/2021	TRAFFIC STOP
11/03/2020	DOMESTIC ASSAULT 1ST OFFENSE
10/23/2020	Suspicious
04/16/2020	SUSPICIOUS CONDITION/NOISE/SJ...
03/05/2020	TRAFFIC STOP
01/03/2020	MINOR IN POSSESSION-IN PROGRE...
10/23/2020	Child Custody Violation
12/19/2019	ASSIST-ASSIST A MOTORIST
10/28/2019	ALARM-INTRUSION / BURGLAR ALA...
10/26/2019	ALARM-INTRUSION / BURGLAR ALA...
10/22/2019	ASSIST
10/06/2019	STALKING/HARASSMENT
09/11/2019	TRAFFIC CRASH - PROPERTY DAMA...
01/22/2019	TRAFFIC HAZARD
01/25/2019	Threats
10/02/2018	TRAFFIC STOP
08/12/2018	ALARM
07/27/2018	TRAFFIC STOP
05/05/2018	TRAFFIC STOP
02/27/2018	VCSA
02/21/2018	ASSIST
12/16/2017	TRAFFIC STOP
11/22/2017	SUSPICIOUS CONDITION/NOISE/SJ...
11/09/2017	TRAFFIC CRASH - PERSONAL INJURY
10/14/2017	PATROL ASSIGNMENT
06/13/2017	ALARM
06/04/2017	SUSPICIOUS CONDITION/NOISE/SJ...
05/15/2017	LOITERING
03/03/2017	TRAFFIC STOP

2550 Patterson DRIVE

PUD AMENDMENT
CASCADE TOWNSHIP, MICHIGAN



www.nederveld.com

 **NEDERVELD**

2550 Patterson SE

PUD AMENDMENT STATEMENT AND NARRATIVE Patterson Ice Center #10 of 1994 September 28, 2021

41-19-07-301-023

Nature of the project

Patterson Ice Center LLC, is the property owner of the building located at 2550 Patterson Ave SE located within Cascade Township. The subject property is zoned within the Planned Unit Development (PUD) Ordinance #10 of 1994, which was created for the purpose of developing a recreational ice center and ancillary uses. The property is 11 total acres and contains one 65,000sf building with two ice surfaces designed for hockey use. The ice center has been operated successfully under the provisions of the PUD ordinance for over 25 years, hosting countless hockey tournaments, games, clinics, and open skating. After over 25 years of business, Patterson Ice Center LLC has discovered that some operational needs have evolved from what they were in 1994 and hereby requests formal amendment to the PUD Ordinance as required within PUD Ordinance #10 of 1994.

The PUD Ordinance amendments are requested as follows:

Section VI. Development Restrictions

- (A) *"No occupancy or use of the Project shall occur until and unless Patterson Avenue is widened to at least four (4) lanes from the Project's driveway entrance all the way south to Starr Avenue."*
- Patterson Avenue has been widened to 4 lanes to Starr Avenue to the south and beyond. Request to remove this language from the Ordinance.
- (B) *"High school hockey games shall be limited to evenings on Friday and Saturday only with no games commencing after 9:00 pm. This restriction shall be removed when Patterson Avenue is widened to at least four lanes from the Project all the way north to Burton Street."*

Patterson Avenue has been widened to 4 lanes to Burton Street. Request to remove this language from the Ordinance.



2550 Patterson SE

(C) "The Project shall be limited to a building occupancy of 1,184 persons. Any event with an attendance exceeding 1,184 persons shall be considered a "Special Event". Should the Project choose to host a "Special Event", permission from the Cascade Charter Township Board and the Fire Marshal shall be required. A request for a "Special Event" shall be done in writing and shall be submitted to the office of the Township clerk at least forty-five (45) days prior to the anticipated event. The written request shall include a brief description of the event, the anticipated number of persons attending the event, the anticipated seating arrangement and a map of locations where spill over parking will occur. Should parking be required off site from the Project, written verification shall be provided from the affected property owners stating that permission to use their property has been granted. Any approval from the Township for a "Special Event" can contain reasonable conditions."

The capacity of 1,184 persons is for the larger rink at the facility. There is a smaller rink which has a capacity of just over 800. The total maximum capacity, at times when two games are going at once, is 1,984. Request to amend the Ordinance language to consider a "Special Event" as one that involves over 2,000 persons within the building.

Section VII. Permitted Uses

(D) "School and youth group practices as needed and as a result of foul or unreasonable weather."

Request that "and as a result of foul or unreasonable weather" be removed.

(E) "Professional / Semi-Professional hockey practices, limited to the operating hours before 1:00 pm."

Request that the limitation of operating hours before 1:00 pm be removed.

(F) "Collegiate hockey clubs or intramural teams, limited to local colleges within the Grand Rapids metropolitan area."

Request to eliminate the limitation to local colleges within the Grand Rapids metropolitan area.

Section VIII. Use Restrictions

(G) Uses determined by the Planning Director as being substantially similar to the uses prohibited above

Request to remove this section of the Ordinance.

(H) "Professional, Semi-professional hockey games or game exhibitions. Exhibitions does not include instructional demonstrations or seminars."



2550 Patterson SE

Request to remove this section of the Ordinance. Applicant further requests that all references to "amateur use" be revised to "ice center use" allowing for professional or semi-professional use as necessary.

(I) "Professional or semi-professional pageants or ice shows (e.g., Ice Capades, Holiday on Ice or other similar events)."

Request to remove this section of the Ordinance. Alternately, applicant requests to allow figure skating competitions.

(J) "Collegiate hockey games or game exhibitions. Exhibitions does not include instructional demonstrations or seminars."

Request to remove this section of the Ordinance.

Section VIII. Use Restrictions

Note that some of this section is a repeat of the Use Restrictions listed in the above section, with the exception of added restrictions on collegiate sports and outdoor sales events. Request that these two sections be consolidated in amended PUD Ordinance.

(K) The sale or consumption of alcoholic beverages shall be prohibited within the Project.

Request to remove this section of the Ordinance. Patterson Ice Center has secured a Class C liquor license from the MLCC and intends to provide beer and wine within the establishment. Modifications to the existing concession stand have been made to accommodate draft beer service and bottles/cans will be available as well. Class C licenses allow for spirits to be provided, but initially only beer and wine are to be served. A temporary secondary concession area to accommodate larger events is anticipated.

(L) "Security guards shall be provided at all high school hockey games and at any other time the attendance is expected to exceed 500 or more persons. Security shall be at the expense of the developer and shall be provided until one (1) hour after the last hockey game or until the closing of the ice center, whichever is the lesser time period."

Request to remove this section of the Ordinance.



2550 Patterson SE

Patterson Ice Center, LLC has continuously fulfilled the Ordinance requirements since 1994. As described in the Site Development Standards, proper landscaping and appropriate signage were installed during site construction. The PUD has also demonstrated a recognizable benefit to the community, providing necessary recreation and hockey-specific competition in a location where those uses are highly desired. Patterson Ice Center continues to be compatible with the Cascade Township Master Plan and the spirit and intentions of the PUD. Approval of this amendment will ensure that Patterson Ice Center will be able to continue as a successful member of the Cascade community.

Attachments: PUD Ordinance #10 1994
PUD Amendment Application

Exhibit A
Patterson Ice Center Parking Spaces
391 Total



PUD Ordinance - Patterson Ice Center #10 of 1994

CASCADE CHARTER TOWNSHIP

Ordinance 10 of 1994

AN ORDINANCE TO AMEND THE CASCADE CHARTER TOWNSHIP ZONING ORDINANCE AND ZONING MAP TO ESTABLISH THE PATTERSON AVENUE ICE CENTER PLANNED UNIT DEVELOPMENT PROJECT.

Cascade Charter Township Ordains:

Section I. An Amendment to The Cascade Charter Township Zoning Ordinance

The application received from Continental Development Company or their assigns (hereinafter referred to as the "Developer"), for Planned Unit Development designation for the Patterson Avenue Ice Center Project (hereinafter referred to as the "Project") was recommended by the Cascade Charter Township Planning Commission for approval on March 10, 1994. The Project is recommended for rezoning from R-1, Residential to PUD, Planned Unit Development permitting the development of a recreational ice center and its ancillary uses. This action requires an amendment to the Cascade Charter Township Zoning Ordinance and Zoning Map to incorporate the Planning Commission's recommendation and the Cascade Charter Township Board of Trustees' action on March 23, 1994.

Section II. Legal Description.

The legal description of the Project is as follows:

Parcel A:

That part of the SW fractional ¼, Section 7, T6N, R10W, Cascade Township, Kent County, Michigan, commencing 1715 feet North of the SW corner of Section; thence East parallel with the South Section line 640 feet; thence North 524 feet more or less to the centerline of County Drain; thence Southwesterly along said centerline to the West Section line; thence South 293.6 feet to beginning.

Parcel B:

Part of the southwest fractional ¼, commencing 1715 feet North of the Southwest corner of the Section, thence East parallel with the South Section line 640 feet, thence South 340 feet to the North line of the South 80 acres of the Southwest fractional quarter, thence West along the North line of said 80 acres, 640 feet to the West Section line, thence North 340 feet to the place of beginning, Section 7, Town 6 North, Range 10 West, Cascade Township, Kent County, Michigan.

Total Acres A + B = 11.0 Acres

Section III. General Provisions

The following provisions shall hereby apply to the Project, in addition to those Provisions outlined in Chapter 16 of the Cascade Charter Township Zoning Ordinance (Ordinance No. 11 of 1988, as amended).

Section IV. Purpose

The Project occupies approximately 11.0 acres of land that is currently being used and occupied by two (2) single family residential homes and their ancillary uses. The purpose of the PUD designation is to allow for the development of an ice center for amateur use (except as otherwise expressly provided herein), that will provide recreational and organized ice sport opportunities to Cascade Township and the greater Grand Rapids metropolitan area.

Section V. Approval Limitations.

The provisions of this Ordinance are not intended as a substitute for the Cascade Charter Township Zoning Ordinance and the General Development Plan, nor do they in any way relieve the Developer from obtaining all approvals and permits required by the township, except as otherwise expressly provided herein. In the event that a development issue or site plan element is not addressed by this Ordinance, the specifications and requirements of the Cascade Charter Township Zoning Ordinance shall be enforced.

Except as otherwise provided herein, the Developer and his assigns must meet all applicable provisions and regulations of Cascade Charter Township, as well as federal and state law, and must obtain all necessary approvals from state and county governmental agencies that are required for operation or use.

This PUD approval is expressly contingent upon all conditions of approval herein remaining fully effective and valid. If any condition imposed herein is determined to be illegal or contrary to law as a result of a successful legal challenge by the Developer or its assigns, or any other party, the Township reserves the right to review the entire project under the PUD provisions of the Cascade Charter Township Zoning Ordinance, and further, to withdraw its approval of this PUD if it finds that, absent the effect of any condition imposed herein, the PUD no longer meets the standards for PUD approval contained in the Zoning Ordinance.

All conditions contained herein shall be binding upon the Developer, as well as its successors, tenants and assigns. The conditions may be modified or amended only pursuant to a formal amendment of the PUD approval and ordinance amendment.

This approval document shall be recorded with the Kent County Register of Deeds by the Developer prior to construction occurring on site and shall run with and bind the lands involved. Copies of this recorded document shall be supplied by the Developer to the Cascade Charter Township Clerk.

Failure to comply with the site plan or any condition of approval herein shall be deemed a violation of the Cascade Charter Township Zoning Ordinance.

Section VI. Development Restrictions.

No occupancy or use of the Project shall occur until and unless Patterson Avenue is widened to at least four (4) lanes from the Project's driveway entrance all the way south to Starr Avenue.

High school hockey games shall be limited to evenings on Friday and Saturday only, with no games commencing after 9:00 pm. This restriction shall be removed when Patterson Avenue is widened to at least four lanes from the Project all the way north to Burton Street.

The Project shall be limited to a building occupancy of 1,184 persons. Any event with an attendance exceeding 1,184 persons shall be considered a "Special Event". Should the Project choose to host a "Special Event", permission from the Cascade Charter Township Board and the Fire Marshall shall be required. A request for a "Special Event" shall be done in writing and shall be submitted to the office of the Township clerk at least forty-five (45) days prior to the anticipated event. The written request shall include a brief description of the event, the anticipated number of persons attending the event, the anticipated seating arrangement and a map of locations where spill over parking will occur. Should parking be required off site from the Project, written verification shall be provided from the affected property owners stating that permission to use their property has been granted. Any approval from the Township for a "Special Event" can contain reasonable conditions.

Section VII. Permitted Uses

The permitted uses for the Patterson Avenue Ice Center PUD are as follows:

The Project shall be limited to use as a recreation ice center. The ice arena may have a maximum of two (2) ice surfaces. The dimensions of the ice surfaces shall not exceed the interior main floor plan approved by the Planning Commission.

The Project shall be limited to the following uses by right:

1. All forms of public / private ice skating or in-line skating activities, including games, lessons, coaching and other forms of instruction, but excluding those uses listed in Section VIII below.
2. Volleyball, tennis, and soccer games and practices.
3. School and youth group practices as needed and as a result of foul or unreasonable weather.
4. Professional / Semi-Professional hockey practices, limited to the operating hours before 1:00 pm.
5. Collegiate hockey clubs or intramural teams, limited to local colleges within the Grand Rapids metropolitan area.
6. Food and Drink Concession ancillary to the recreational ice center.
7. Equipment sales and rentals related to the uses permitted above.

Section VIII. Use Restrictions.

The following uses are prohibited in the Project:

1. Auctions, Automotive Exhibitions, Close-out Sales, Concerts, Conventions, Flea Markets, Motorized Vehicle Racing, Trade Exhibitions, Trade Shows, or Wholesale Warehouse Sales.

2. Uses determined by the Planning Director as being substantially similar to the uses prohibited above.
3. Professional, Semi-professional hockey games or game exhibitions. Exhibitions does not include instructional demonstrations or seminars.
4. Professional, Semi-professional volleyball, tennis and soccer games, practices or game exhibitions. Exhibitions does not include instructional demonstrations or seminars.
5. Professional or semi-professional pageants or ice shows (e.g., Ice Capades, Holiday on Ice or other similar events).
6. Collegiate hockey games or game exhibitions. Exhibitions does not include instructional demonstrations or seminars.

The Project shall be limited to the following uses by right:

7. All forms of public / private ice skating or in-line skating activities, including games, lessons, coaching and other forms of instruction, but excluding those uses listed in Section VIII below.
8. Volleyball, tennis and soccer games and practices.
9. School and youth group practices as needed and as a result of foul or unseasonable weather.
10. Professional / Semi-professional hockey practices, limited to the operating hours before 1:00 pm.
11. Collegiate hockey clubs or intramural teams, limited to local colleges within the Grand Rapids metropolitan area.
12. Food and Drink Concession ancillary to the recreational ice center.
13. Equipment sales and rentals related to the uses permitted above.

Section VIII. Use Restrictions

The following uses are prohibited in the Project:

1. Auctions, Automotive Exhibitions, Close-out Sales, Concerts, Conventions, Flea Markets, Motorized Vehicle Racing, Trade Exhibitions, Trade Shows, or Wholesale Warehouse Sales.
2. Uses determined by the Planning Director as being substantially similar to the uses prohibited above.

3. Professional, Semi-professional hockey games, practices or game exhibitions. Exhibitions does not include instructional demonstrations or seminars.
4. Professional, Semi-professional volleyball, tennis and soccer games, practices or game exhibitions. Exhibitions does not include instructional demonstrations or seminars.
5. Professional or semi-professional pageants or ice shows (e.g., Ice Capades, Holiday on Ice or other similar events).
6. Collegiate hockey games or game exhibitions. Exhibitions does not include instructional demonstrations or seminars.
7. Collegiate volleyball, tennis and soccer games or game exhibitions. Exhibitions does not include instructional demonstrations or seminars.
8. Outdoor Sales and Events, unless approved by the Township Board as a "Special Event" (see Section VI.C, above).

Additional Use Restrictions

9. The sale or consumption of alcoholic beverages shall be prohibited within the Project.
10. The Project shall be open for public admission as follows:
 - a. Sunday – 6:00 am to 11:00 pm
 - b. Monday through Saturday – 6:00 am – 12:00 midnight.

No permitted use may begin after 11:00 pm on Sunday and 12:00 midnight on all other days. All patrons of the Project shall leave the premises no later than one (1) hour after the closing of public admission.

11. Security guards shall be provided at all high school hockey games and at any other time the attendance is expected to exceed 500 or more persons. Security shall be at the expense of the developer and shall be provided until one (1) hour after the last hockey game or until the closing of the ice center, whichever is the lesser time period.

12. No audio speakers or other sound amplification equipment shall be located, placed or installed outside of the ice center building.

Section IX. Design Guidelines, Requirements and Limitations

The Project shall be developed in accordance with the site plan approved by the Township Planning Commission. No alterations, expansions or additions may take place to the Project without an amendment to this Ordinance.

A. Site Development Standards:

1. Maximum Height – 35 feet or 2 stories whichever is the lesser.

2. Setback Requirements:

Front: 225 feet

Side: 25 feet

Rear: 50 feet

3. Maximum Building Size – 74,975 square feet.

4. Minimum Number of Parking Spaces – The Project shall provide a minimum of 396 on site parking spaces. In the event the Project shall increase in size additional parking shall be installed consistent with Section 19.21 of the Zoning Ordinance.

B. Signs:

1. One (1) monument style sign not to exceed 32 square feet of total sign face area. The sign shall not exceed five (5) feet in height and shall be setback 25 feet from the future right of way line of Patterson Avenue.

2. Directional signs and construction signs consistent with the Cascade Charter Township Sign Ordinance (Ordinance 12 of 1994, as amended).

Landscaping Bufferyard Requirements:

13. The Project shall be required to install a "D" type landscape bufferyard along the east and south property line of the development and a "G" type landscape bufferyard along the west and north property line of the development, in accordance with Chapter 20 of the Cascade Charter Township Zoning Ordinance. Installation of the bufferyard shall be in accordance with the Landscape Plan approved by the Cascade Charter Township Planning Department.

14. Internal landscaping for the Project's parking lots shall be consistent with the requirements set forth in section 20.09 of the Zoning Ordinance.

15. Landscaping shall be installed within ninety (90) days of completion of the Project, unless otherwise permitted in writing by the Planning Director at a later date.

16. Landscaping materials shall be consistent with Section 20.05 of the Zoning Ordinance.

17. All landscaping shall be hardy plant materials and maintained thereafter in a neat and orderly manner. Withered and/or dead

plant materials shall be replaced within a reasonable period of time but no longer than one growing season.

Section X. Temporary Buildings

No structure of a temporary nature, trailer, tent or construction shack shall be constructed, placed or maintained within the Project except accessory to and during construction of building expansions or infrastructure improvement.

Section XI. Utilities

The Project shall be served with public water and public sewer at the developer's expense. The on-site water and sewer design and the connection to the public water and sewer systems shall be approved by the township and the City of Grand Rapids prior to installation. Said improvements shall be consistent with the Sewer and Water Master Plans for Cascade Township.

The Developer shall provide all necessary easements within the Project for telephone, electricity, gas and cable television to the appropriate utility provider without cost. In the event the Township requires additional sewer and water service easements in the future, the Developer shall provide them at all reasonable locations. Said easements shall be recorded with the Kent County Register of Deeds and provided to each utility provider for their records.

Section XII. Miscellaneous Development Requirements

Prior to construction, the Developer shall submit a soil erosion control plan showing all temporary and permanent soil erosion control measures to be taken before, during, and after construction on the site. This plan shall be reviewed and approved by the Township Engineer prior to commencing any building on the site.

The Township Planning Department shall receive copies of all correspondence and permits from the Kent County Drain Commissioner regarding storm water disposal.

The Township Planning Department shall receive copies of all correspondence and permits from the Michigan Department of Natural Resources regarding wetlands and wetland mitigation on the Project site.

The Developer shall submit sufficient and reasonable financial and marketing information to the Township Attorney to determine the developer's financial capabilities to fully develop and market the Project. All financial and marketing materials considered private in nature or proprietary shall be confidential between the attorney and the developer.

The Developer has agreed to guarantee the current value of all properties located in the Crickside Plat. This guarantee will be in the form of an irrevocable letter of credit or other similar form of financial guarantee from the developer to the affected property owners of land within the Crickside Plat. The irrevocable letter of credit or other type of financial guarantee hereunder shall be in the amount of \$100,000 and shall be in a form approved by the Township Planning Director and Township Attorney. Current value is considered two (2) times the

1994 SEV plus 12 percent (see attached "Exhibit – A"). It is agreed the developer will pay the difference between the property's current value and the selling price. The guarantee presumes that any sale would be a bona fide sale to an unrelated third party and considered an "arms length" transaction. It also presumes the affected property owner will continue normal repair and maintenance of the property in a manner that will not cause a decrease in the current value. This property value guarantee has been suggested by and agreed to by the developer and will remain in effect for five (5) years after the approval of this PUD. If a property owner proposes to sell his or her property for less than the current value, the property owner shall notify the developer in writing of that fact and the listing price at least ten (10) days before so listing the property for sale such that the developer will have the same opportunity to purchase the property for said amount as any other prospective purchaser. Such notice shall also occur for all re-listings of the property below current value. If a property owner wishes to take advantage of this guarantee and the property owner has not sold his or her property within 4-1/2 years of the date of this approval, the property owner shall list the property for sale during the final six (6) months of the guarantee and shall actively and diligently pursue a sale during said six (6) month time period.

Section XIII. Performance Guarantee

To insure compliance with this Ordinance and any conditions herein, Cascade Township may require reasonable performance guarantees, as authorized under the Township Rural Zoning Enabling Act to insure completion of improvements such as, but not limited to, landscaping, drainage, lighting, roads, and utilities. The Township Board, Engineer, or Planning Director may require such guarantees at any time they deem necessary to insure completion of the improvements.

Section XIV. Consistency With Planned Unit Development (PUD) Standards

The Township the rezoning to Planned Unit Development will result in a recognizable benefit to the ultimate users of the Project and to the community. Current and future residents will recognize the benefits a recreational ice center will have on their physical well being and participate in activities offered at the facility.

In relation to the underlying zoning (R1, Residential), the Township finds the Project will not result in a material increase in the need for public services, facilities and utilities and will not place a material burden upon the subject property and the surrounding properties. Sewer and water service are readily available to the Project. Concerns about the capacity of the road have been alleviated by the Developer agreeing to contribute funds to the widening of Patterson Avenue. Storm water concerns have also been addressed by the Developer providing a storm water detention basin with capacity that meets or exceeds the requirements of the Kent County Drain Commissioner and Township Engineer.

The Project has been determined by the Township to be compatible with the General Development Plan of the Township and with the spirit and intent of the Planned Unit Development Chapter of the Zoning Ordinance by demonstrating that ice centers have been successfully located in residential areas in other communities without a loss in property values. It is also noted that the Patterson Avenue area is in a state of transition, where residential property use may no longer be viable due to the increased amounts of traffic bisecting the neighborhood. The proposed ice center would provide a reasonable transitional use between the industrially zoned properties to its south and east and the residentially zoned properties to the north and west. The proposed ice center also provides recreational benefits to the community, which the General Development Plan advocates.

The Township finds the Project will not result in an unreasonable negative economic impact upon surrounding properties as the developer has agreed to guarantee the values of the residential properties in the Crick side Plat.

The Township finds the Project to have at least as much green and usable open space as would be required by the Township Zoning Ordinance. It is noted that a residential development could in fact require more impervious surfaces and few expanses of usable open space than the proposed Project.

Finally, the Township recognizes the Project will be under single ownership or control. The Township recognizes that Continental Development or its assigns will retain ownership and shall be responsible for the completion of the Project in compliance with this PUD Ordinance and all other ordinances of Cascade Charter Township.

Section XV. Effective Date

This Ordinance shall become effective upon publication of the ordinance, or a summary thereof, in **The Grand Rapids Press**, a newspaper of general circulation within Cascade Charter Township.

The foregoing Ordinance was offered by Board Member VanStrien, supported by Board Member Johnson. The roll call vote being as follows:

YEAS: Boonenberg, Carpenter, Henning, Johnson, Julien and VanStrien

NAYS: None

ABSTAIN: None

ABSENT: Hansen

Brenda J. Henning

Cascade Charter Township Clerk

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted at a Regular Meeting of the Cascade Charter Township Board on the 23rd day of March, 1994.


Brenda J. Henning

Cascade Charter Township Clerk

(see Original PUD Ordinance for attached Exhibit "A".)

MEMORANDUM

TO: Cascade Charter Township Board
FROM: Jay W. Cravens, Planning Director
DATE: March 19, 1994
SUBJECT: Case #93-1702 Continental Development / Patterson Ice Center



Attached with this memorandum you will find a copy of the revised Staff Report sent to the Planning Commission regarding the ice center project. A draft copy of a PUD ordinance is also enclosed for your consideration. You will also find a draft copy of the Planning Commission minutes of March 10th and March 14th.

At the March 10, 1994 meeting, the Planning Commission decided on a 6 - 2 vote to recommend approval of the Patterson Ice Center Project. This approval was based upon Planning Commission members' opinions that the project had changed sufficiently to address their concerns about the traffic capacity of Patterson Avenue, the developer's willingness to guarantee the property values of the residents of the Crickside Plat and the apparent metropolitan need for more recreational ice surfaces.

On March 14, 1994 the Planning Commission, along with the developer and myself reviewed a preliminary draft of a PUD ordinance for the ice center. At this meeting, the developer was also given the opportunity to comment on this preliminary draft ordinance. During the discussion of the proposed ordinance the developer proposed additional permitted uses for the ice center were added such as: volleyball, tennis, and soccer. After some debate the Planning Commission felt these additional uses would be acceptable.

The only outstanding "disagreement" with the ordinance between the Planning Commission and myself is the hours of operation permitted for the ice center. The developer argues that additional hours are needed to insure greater profitability for the facility. I feel the hours should be somewhat restrictive since the area is transitional between the industrial and neighboring residential area. The area is not a commercial area like 28th Street.

While I continue to feel the use is not appropriate to the area at this given time, the Planning Commission feels otherwise. If the Township Board should approve the request, I would strongly recommend that you review the requirements set forth in Section 16.03 (2) of the Zoning Ordinance and determine how the ice center meets these required standards. These required standards are described in my Staff Report. The developer's legal counsel has also prepared his interpretation of these requirements, which are on the pink sheet of paper. I would suggest the Board look at each set of these interpretations of Section 16.03 (2) and select the response most appropriate to your action.

The attached PUD ordinance has been reviewed by the Township's attorney. I feel the proposed draft allows for the development of the ice center as requested by the developer. It also provides use restrictions which I feel protect the interests of the affected residential property owners and of the Township.

Attachments: Staff Report
P.C. Minutes 3-10-94 (draft)
P.C. Minutes 3-14-94 (draft)
Developer Interpretation of 16.03(2)
Proposed PUD Ordinance

MINUTES
Cascade Charter Township Planning Commission
Special Meeting
Thursday, March 10, 1994
7:30 p.m.

- ARTICLE 1.** Chairman Goodyke called the meeting to order.
Members Present: Fox, Goldberg, Goodyke, Klynstra, Lewis, MacGergor, Parolini, Parrish, VanStrien.
Members Absent: None
Others Present: Jay W. Cravens, Attorney Bloom, and those listed on Supplement #1 (an audience of approximately 155).
- ARTICLE 2.** The agenda was approved on motion by Member Lewis and supported by Member VanStrien. The motion carried.
- ARTICLE 3.** Approve the Minutes:
a. February 7, 1994 - the minutes were corrected on page 10, paragraph 4, line one to read: "The zoning was R1, low density residential." Page 12, paragraph 5 to read: "Member Lewis withdrew his support to the motion. The motion died for lack of support." With those corrections, Member Lewis supported by Member Klynstra moved to approve the minutes. The motion carried.
b. February 22, 1994 - Member Klynstra supported by Member Parolini moved to approve. The motion carried.
- ARTICLE 4.** The Township Board Minutes of February 9, 1994 were received and filed.
- ARTICLE 5.** **Case #93-1702: Continental Development/Patterson Ice Center**
The applicant requested preliminary PUD approval for a 74,975 square foot ice arena in the R1 zoning district. The subject properties are located at 2512 and 2562 Patterson Avenue, S.E.

Staff related that due to a conflict of interest, Member Goldberg is seated in the audience and will not be participating on the discussion and voting in this request.

Staff related the proposed facility is to be used as the home ice for East Grand Rapids and Forest Hills High Schools. Other high schools will also be using the facility. The traffic impact analysis showed Saturday afternoon and evening games will generate a large amount of traffic. Staff related he continues to believe that the traffic impact analysis of scenario #2 is most likely the correct one in that 70% of the traffic vehicles will come from the north. Both high schools are north of the facility and will

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primarily use Burton Street as the means of access to the facility. GRETS has placed Patterson Avenue between Burton and 28th Street with 10,000 vehicles per day. The present capacity of Patterson is being reached. On January 25, 1994 the Township officials met with the Road Commission. The Road Commission stated they would widen Patterson Avenue from the ice arena to 28th Street and that would depend upon the developer contributing \$100,000 to those improvements. There are no plans to widen Patterson Avenue north to Burton Street until 1995-96. As mentioned at the last Planning Commission meeting, the Patterson interchange proposal would relieve congestion at I-96 and 28th Street. MDOT and the Federal Highway Administration are not in favor of a Patterson Avenue interchange and that project would be at least 10 years or more away. Patterson Avenue would have an average daily traffic count of 41,900 vehicles. Without an interchange Patterson Avenue can function as a collector road at 14,300 vehicles in the year 2015. Staff related the argument that other ice arenas are located in residential areas in Grand Rapids is not necessarily true. Those areas are not similar to this situation. Staff related he has communicated with 14 ice facilities throughout Michigan as a representative sampling. He found 200' x 85' is regulation NHL size for an ice rink. The proposal in front of the Planning Commission is for one sheet of ice at a size of 200' x 100' and 200' x 85'. No other facility in the State has an olympic size piece of ice. The 1990 census indicates 498,367 persons in the Grand Rapids metropolitan area. Using this standard the metropolitan area should have five ice rinks. At the present time there are three ice rinks. One is also proposed in Byron Township. Belknap may be adding an additional piece of ice. There is a concern for the supply of ice in the short term. Staff related since other schools will be using this facility it should be located in a more geographical location.

Staff then presented his comments regarding the proposed facility for the Planning Commission to consider (as found in the Staff Report) as follows:

- a) Scale down the project to one sheet of ice or have the applicant reasonably demonstrate the market need for two sheets of ice.
- b) Stipulate that the road construction must be implemented concurrently with the construction of the ice arena. If road construction cannot be assured, the project should wait until it can begin.
- c) Limit the uses of the facility. Prohibit ice shows, ice capades, collegiate, semi-professional and professional use of the facility.
- d) Restrict the hours of operation. Require the facility to close at 11:00 pm Sunday through Thursday and 12:00 midnight on Friday and Saturday.

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- e) Prohibit the sale of alcoholic beverages within the PUD.
- f) Require a lower intensity of outdoor lighting to reduce light "spill over" onto adjoining residential uses.

Member Fox asked Staff if he had asked the applicant for a capitalization plan regarding the viability of the project. Attorney Bloom responded the Planning Commission has the authority to do that if they choose. Staff related in the past the Planning Commission has asked for financial records of the Meadowbrooke PUD in 1987. Meadowbrooke was asking for a rezoning of a square mile of property. We also asked for financial records of Highridge Condominiums. Member Fox also stated that it is unusual that all advertising monies be donated to a trust for children.

Member Klynstra asked how likely it would be for 1,000 people to be in the facility at any one time. Staff responded the information is out of the traffic report and we have no way to evaluate it. These are figures provided to us by the applicant.

Member Klynstra stated the contribution of \$100,000 to the Road Commission leads him to believe that if the center goes in the road will be built. He related Staff makes it sound like the \$100,000 will have to be spent anyway. Staff responded the Road Commission indicated that the \$100,000 made available to the Road Commission will widen the road down to Starr Avenue. The road widening is not a priority of the Road Commission.

Member Klynstra stated a non-profit corporation could build this center in a residential area and asked Staff if there was another area that would make as much sense or more sense than this one. Staff related the first one he would pick in a residential setting would be on Cascade Road, north of Burton on the DSN property. The other sites that would be suitable would be commercial and office sites.

Member VanStrien asked what is the construction time table on Patterson Avenue from this site north to Burton Street? Staff responded 1995 or 1996.

Member Lewis related to Staff his report dealt a lot regarding the size of the ice center. He related he can understand that every Planning Commission member is concerned about developing a site suitable for the township. Staff responded he was trying to convey the uniqueness of this and the concern about two sheets of ice when normal is one sheet of ice.

Dave Saboda, the architect, presented a drawing of the building. Mr. Saboda related 396 parking spaces are being provided on the site. The building is 243 feet from Patterson Avenue and 50 feet from the industrial area. Lighting statistics will be provided to Staff. Seating is as follows: 979 bleacher seats, 173 lounge seats, and 32 for the observation deck.

Dave Mehney presented the historical aerial photographs of the area and the zoning history.

Mike Sebastian presented an overview of the land use survey conducted by the developer.

Mark Sisson presented the land use alternatives. He presented a drawing of a possible R1 single family plat. He related the average lot cost would be \$35,000 for a 12,000 square foot lot.

Mr. Mehney spoke regarding the properties they have offers to purchase. The Darcangelo property is bordered on the south and east by industrial uses. It has been listed for sale since 1981. During that time they have had only one written offer and that was for half of the asking price. The Piersma property has been on the market for two to three years. They have received no written offers others than ours. The Piersma property is on the south side of the creek. Continental Development will guarantee the property values. We are going to guarantee their properties no matter what. We are using a figure of double their assessed value plus 12%. Mr. Mehney then read a letter from Mr. O'Neill. Mr. Mehney related there will be no alcoholic beverages permitted on site. And security people will be there controlling crowds both inside and out.

Mr. Lewis related he was impressed with the offer made to the people in the area. He then asked if there was any correlation between the two letters. Mr. Mehney responded no, he spoke to Mr. O'Neill on Monday afternoon after he received the letter.

Lou Rabaut from the Board of GRAHA and a hockey parent presented a slide presentation of the arenas in the Grand Rapids and Detroit areas. The slides showed locations of the arenas and their proximity of residential uses.

Member Fox related she would not use suburban Detroit as a model for good planning.

Mike Sebastian presented traffic figures for the project. He also presented letters from the Road Commission and Terry Schweitzer of the City of Kentwood. Mr. Sebastian related the high school games will be held in the

evenings only on weekends. No high schools games would be held during the week until the road is widened north to Burton Street. They also would like Calvin, GRCC and Grand Valley Colleges to use the facility for their games.

Mark Sisson presented the wetland information. The DNR hearing will be held on March 15, 7:00 pm at the Cascade Township Museum Building. Mr. Sisson presented a topographical map of the site. Mitigation will be provided for the wetlands to be removed. Mr. Sisson presented a letter from the property owner stating the site was relatively dry except for the spring rain season until the Powell Building was constructed.

Mr. Sebastian presented demographic information, results of a Quail Crest phone survey, Rumor/Fact sheet and results of a Northeast Neighborhood Association of Kentwood phone survey.

Mr. Sebastian then addressed the market question raised by Staff. Cascade Ice Center did close nine years ago. Everyone else has experienced a 300% growth rate since that time. He presented a map of a 60 mile radius. In the first 20 mile radius in the year 1998 the population is anticipated to be 843,288. In the 40 mile radius it is anticipated to be 1,155,187. He then indicated on the map the number of ice rinks available. Mr. Sebastian related speed skaters need an olympic size sheet of ice. Mr. Sebastian presented an overhead of the GRAHA players and where they reside. They are coming from a multi-county area.

John Sperla presented standards for the ice center. He related they believe the area is transitional and the township has to look at alternative uses. The problem the neighbors have was not created by this facility but has been existing for years. Only 16% of the site will be structure, 47% will be greenbelt. He stated he believes there is financial viability for two sheets of ice and the facility will be great to have in the community. It will be the home ice for our local high school.

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

Dr. Robert L. Curtis of Burton Street, in Kentwood, related during the presentation he did not hear one thing about the quality of life. There is a very large number of local matters regarding the Burton Street widening. He considered the fact the developer is giving the Road Commission \$100,000 to widen the road to be a bribe. He quoted the definition of a bribe from Webster's Dictionary "a bribe is money or favor given or promised to a person in a position of trust to influence his judgment or conduct." He also had concerns about water runoff with additional asphalt

being installed. Dr. Curtis also stated there have been a lot of statistics thrown around tonight and he has never seen any correct projections given by the government.

Ruby Rooker of 2456 Patterson Avenue, related her neighbor, Mr. O'Neill, came along and suggested that maybe we should go ahead and support the rink. She related she bought her home two years ago and bought it to stay. The offer by the developer sounds really good but they put a time limit on it of five years. She is concerned that if she puts the house up for sale it may take 11 years to sell it. She is also concerned about increased traffic on Patterson Avenue.

Mike Sebastian related the high school hockey season is 16 weeks in length. That's when the bulk of traffic will occur. He related the offer of home value is only good for five years but if the home value decreases during that time, the guarantee is still good.

Mrs. Rooker related her home value has decreased in the two years she has lived there by \$2,000.

Douglas Terborg of Grand Rapids, related he has been figure skating for five years. During the past year and a half ice time is decreasing to make use of hockey. He related some children who figure skate have to come at 5:00 or 6:00 am for lessons.

Cindy VanGelder of East Grand Rapids commented on the quality of life issue. She related she can't think of any better use of space than to provide recreational skating opportunities. Skating is an outstanding use of a child's time and develops characteristics that are beneficial.

Janet Baxter of the law firm Wheeler, Upham, represented Foote Hills Apartments. These people in the Foote Hills Apartments are neighbors of the site. In the Staff Reports there appears to be no significant difference between the two proposals. There are no changes in the current proposal which currently brings it into compliance with the Zoning Ordinance. The new proposal does not fit within the Zoning Ordinance or the General Development Plan. The proposal does not encourage the use of land in accordance with the character or adaptability nor does it promote conservation of natural features and resources. This is an attempt to shoehorn a very large facility onto a small area which is zoned strictly or low density residential use. There are people living in the area. The proposal does not promote the enhancement of housing or traffic circulation. Instead it will cause increased traffic, congestion and a bottle neck at its entrance. The residents of Foote Hills have told her they need 30 minutes to an hour to exit the driveway and get onto Patterson. She

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feels the ice arena will severely burden the surrounding property owners. Whatever benefit that will come from the arena will benefit Grandville, Grand Rapids Catholic Central, Northview, East Grand Rapids, Forest Hills Central, and three colleges in the surrounding area. The benefit is heavily outweighed by the burdens the ice arena will place squarely on the shoulders of people who live in this area. For this proposal to be acceptable must comply with the Zoning Ordinance and it does not.

Barbara Hiller of 6690 Tricklewood Court, related she has two sons in hockey, one on the Forest Hills Central hockey team. She related it is time to return ice to Cascade Township.

Janet Mason of 6035 Sageburn, Forest Hills School District, she is the president of the Grand Rapids Figure Skating. She related most of the ice time is already filled and she has to turn skaters away. Currently they practice at Belknap.

Jim Koessel of 1540 Hillsboro related he didn't think the developer denies the fact this is not proper zoning and that is why he is seeking a PUD. He related never in his time on the Planning Commission had he seen a presentation by a developer willing to guarantee property values. He felt the welfare of the people has been addressed. The project is needed in the community and is a good use of the property. He urged the Commission to give a favorable recommendation on the project.

Ralph Livingston of 4790 Burton Street (corner of Patterson & Burton) related no one has contacted him nor has he had an opportunity to meet with the developers. He is not in favor of it as it will increase traffic and the quality of life is going to decrease. He moved into the area 15 or 20 years when it was residential. As long as people come into the area and want to turn it into commercial the property values will go down. He doesn't object to an ice arena but suggested the Planning Commission consider utilizing land that has been set aside for this type of activity.

Michelle McCarthy of 2175 Woodburn Drive related she is a figure skating coach. She addressed what it is like to nurture a figure skater and then see them get turned away the next season because they didn't make the cut for resident/non-resident. It is disheartening to the figure skater and to the coach and a waste of talent. She would like to see the rink go up so the skaters can be nurtured and have time to practice.

Henry Emrich of 7755 Aspenwood thanked the developer for the presentation. He responded to Dr. Curtis' comments regarding a bribe. The developers came not looking for a handout and they are putting their time and money into this thing. Regarding Miss Baxter's comments

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regarding Foote Hills Apartment he assumes the vacancy rate is quite low. He has two sons who play hockey and to see the family participation is a very good thing and something that this Commission ought to support. He has driven by the site and feels protecting the residential quality by not putting the rink in is nonsense.

Mark Schmidt of 6995 Bridgewater asked what do we define as benefits? We have D & W, Meijer, Daane's. Kentwood ice rink is closed and used for Kentwood residents and the school system. The City of Grand Rapids has one sheet of ice and are committed to the residents of the City. Jolly Roger is a closed rink. It is time to realize Grand Rapids can't do everything. We are one big community and it is time to say this area can support an ice rink and we will have an ice rink open to the general public to serve the area needs.

Celeste Stabile of 1868 Mont-Rue related she moved here from San Diego in October. She related the area there had two ice rinks 20 minutes from their home that were open 365 days per year. They offered hockey, recreational skating, etc. That what kids did during the evenings both during the school year and summer. For moving to this area one of their criteria for a house purchase was hockey. They were told the best area for schools, hockey, and quality of life was Cascade. They were shocked to find public skating for families is not available anywhere in the area.

Mike McDaniels of East Grand Rapids, related he was a co-developer and managing partner of Sentinel Pointe Retirement Community. He related from 20 years experience of real estate development the site is not appropriate for single family development or multi-family housing. The ice rink would be the best available buffer to stop the creeping industrial uses on Patterson Avenue.

Laura Stiles, coach of Forest Hills Central Junior Varsity Hockey Team, related she went to the University of New Hampshire on a four year, full ride hockey scholarship. Women's hockey is up and coming. In 1998 women's hockey will be an olympic sport. The Junior Varsity Hockey team is limited to two hours of practice per week. Cascade has always been known as an example of a model community. Letting this ice rink leave Cascade would be sad. Without hockey she wouldn't have had a full ride scholarship and become the person she is today.

Paul Keck of 1610 Kitzbuhl Court, related he can envision the problems the Planning Commission has in terms of growth. He has lived in Cascade since 1975 and has witnessed situations where development has played into battles. He can see this request from the side of the neighbors and developers. He felt the bottom line is the only way to stop growth is to

buy the surrounding property yourself. These people can get together and purchase the property and control its future growth and development. Unfortunately, that is not the case. Cascade is growing. The most important issue is we grow up ourselves in a very short window of time. All of us basically focus on kids. According to the pie chart, 87% of the rink time will be devoted to kids. We want to keep the kids off of drugs and have an opportunity to do something. He has seen kids completely turn around because of their commitment to an activity. If our issue as adults is to leave something to our children and grandchildren, this is a very good project.

John Bacholder of East Grand Rapids related he is the parent of an East Grand Rapids hockey player. He would like to echo Laura Stiles' statement for the need of this kind of facility to support our high school athletes. Both Forest Hills and East Grand Rapids high schools have reputations for quality schools. The hockey programs are severely disadvantaged for lack of ice time. East Grand Rapids team has two hours of practice time per week. Kentwood practices two hours a day at its own ice arena. We could enhance the quality of our hockey programs with an ice rink like this. This is a relatively small family center ice arena that will produce no more traffic than another softball field or two. He related during this season there have rarely been more than 200 - 300 fans per game. He appreciates your role as planners and acting as stewards for the community. This is a broader issue than just Cascade Township. This is an opportunity to do something wonderful for the community at large.

Rick Hungerford of 1620 Glen Forest related one of the quality of life issues is recreational opportunities. He related this situation to the Forest Hills Aquatic Center and how difficult it was to get that passed. His daughter is a swimmer for Forest Hills and after being in that facility for four years they brought back a state championship. He felt we are looking at a community facility for recreation.

Mike Clem of 7465 Candlewood related he moved to this area last fall as it was a model community. His son has played hockey for six years. Last year they drove to Kalamzoo to find ice time. He is concerned about the residents in the area and their value of life. That area will not be any further devalued than what has been done already by the industrial use. He feels the ice rink would help the area and is a contribution to Cascade.

Frank Castiglione of 2486 Santiago and has lived in Cascade for 26 years. His sons went through the Forest Hills school system and played hockey. He related some hockey facilities throughout the state are beautiful and some are questionable. He has never seen much traffic at any of the rinks. He related he never complained when a nursing home went in or

buy the surrounding property yourself. These people can get together and purchase the property and control its future growth and development. Unfortunately, that is not the case. Cascade is growing. The most important issue is we grow up ourselves in a very short window of time. All of us basically focus on kids. According to the pie chart, 87% of the rink time will be devoted to kids. We want to keep the kids off of drugs and have an opportunity to do something. He has seen kids completely turn around because of their commitment to an activity. If our issue as adults is to leave something to our children and grandchildren, this is a very good project.

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apartments because he respects the judgment of the township, but please give us a hockey rink.

Brad Burger, a Forest Hills resident, related he is in the trenches in the battle for ice time. There is no question the rink would be filled in a heartbeat.

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

Member VanStrien asked what is happening with the property across the driveway on the site? Mike Sebastian related the plan is to put a bridge across and provide wetland mitigation. That is in the process of being reviewed by the DNR.

Member MacGregor asked if information was available on the four properties as to the assessed value now as compared to a couple of years ago? Mike Sebastian related yes, it is in our presentation book. Staff related the property values didn't necessarily decrease. The whole township was reassessed on the land value. The 1993 land values went up and the house values went down.

Member Fox asked Mr. Mehney about the property that was on the market for the last eleven years and what the asking price was and if it was marketed as a residential property. Mr. Mehney related he assumed it was marketed as residential because that is what it was zoned for. In 1988 it was listed for \$148,000; in 1992 it was listed for \$175,000; and in 1993 it was listed for \$165,000.

Tom DeBoer related the property started out being marketed as residential property in the Grand Rapids Real Estate Board. However, it was then listed as a commercial status.

Member Fox related she didn't feel the price reflected a residential property.

Chairman Goodyke related the next step is to vote on this matter and no matter what the outcome this will to the Township Board on March 23.

Member Lewis related it seems everyone has made up their mind and from the first everyone has been favorable with a concept of an ice arena. We have heard from the citizens that it is sound concept. Others members of the board and press have expressed their concerns justifiably. Other factors have been a concern such as traffic, zoning, etc. He related he has been very pleased with the applicant in working with the township and

have been cooperative with the road, moving the building, the guarantee, etc. He related he has been pleased that the questions have been addressed and somewhat solved favorably.

Member Lewis moved to recommend preliminary PUD approval to the Township Board. Member Klynstra supported the motion.

Member Parrish asked if that included the conditions by Staff.

Member Lewis responded no it doesn't. One of the requirements by Staff was requiring one sheet of ice and not two. He is personally opposed to that condition and feels the public hearing indicated there is a great need for ice in this area. Secondly, if there is anything this location offers it is at least a way out if the business fails. This is better than placing it in the middle of a residential area and if it fails it would be a "white elephant". This location with being surrounded on two sides with business and industry there is a safety net of sorts that doesn't exist for other locations. Member Lewis stated his motion is for the rest of the stipulations (b through f) with the ability to add different items to this or delete after the vote.

Chairman Goodyke related the motion then includes all of the Staff stipulations except letter "a". Chairman Goodyke asked that Member Lewis respond to the financial records being examined by the Township Attorney.

Member Lewis related some of the items can be put into the actual PUD Ordinance. Staff related yes, his stipulations as written were suggestions. Staff commented on stipulation number one that they would scale it down "or demonstrate marketability for two sheets of ice."

Chairman Goodyke stated in that case we can leave "a" in.

Staff related the meeting on Monday, March 14 will be to go over the proposed PUD Ordinance for the proposed facility.

John Sperla agreed that the items could be discussed later.

Member Lewis stated he took exception of having a public hearing and conversation during the time a motion is on the floor.

The roll call vote was as follows: VanStrien - yes, Parolini - yes, Parrish - no, Klynstra - yes, Fox - no, Lewis - yes, MacGregor - yes, Goodyke - yes. Member Goldberg abstained. The motion carried.

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ARTICLE 6. Any Other Business

None presented.

ARTICLE 7. Adjournment

Member Lewis supported by Member MacGregor moved to adjourn. The motion carried and the meeting was adjourned at 10:20 p.m.

Respectfully submitted,

Sandra Frost Parrish
Secretary

SFP:MJT

ARTICLE 5.

**Case #93-1702: Continental Development/Patterson Ice Center
Discussion and consideration of proposed draft PUD Ordinance for
Patterson Ice Center**

Due to a conflict of interest, Member Goldberg was excused from the meeting at 8:50 p.m.

Staff briefly went through the proposed PUD Ordinance paragraph by paragraph and suggested the following changes:

Page 1 - Section 1. Take out line 6 and 7 regarding expansion of the church and its related services.

Section IV. Purpose - end of line 2 the word "purpose" is spelled incorrectly.

Page 2 - Section VI. Permitted Uses - A.1. add "and figure skating".
A. 3. add the word "games" prior to word lessons.

Page 3 - Section VII. Use Restrictions - A.3. add word "pageants, ice shows, etc.)
6.b. Add "am" to 6:00.

Page 4, Paragraph 4. In the third line take out the word "in".

Staff related that late this afternoon he received a phone call from Roger Laninga, the Drain Commissioner. There is some concern regarding the widening of Patterson Avenue and the storm water drainage. They are concerned that widening will create more impervious surface. They may be looking at tapping into the retention pond for storm water run off. They are going to be looking at other aspects of new development also. At this point there is more concern about how to handle the runoff from the road. Our Township Engineer will look that over.

Member Fox related she has a concern regarding sufficient financial status, etc. One concern is if your facility would go out of business the other use might be an industrial use. She stated she wants to make sure that our Township Attorney reviews the plan to make sure the money is there to keep this project going. She related on Item E of page 5, she would like to have a written clause for the developers personal guarantee if the corporation ceases to exist. Section 16 of the proposed plan is a fact sheet on neighborhood ice rinks. She wants to make sure all advertising monies generated within the PUD are put into the trust for kids and is on-going.

Mike Sebastian related he would like the whole document to refer to the project as "ice center". Section 5 B and C are okay as written. There is a

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parking lot west of the project which holds 40-50 cars and neighbors to the south have agreed to work with us. We would like to change "building permit" to "occupancy permit". We would like to go ahead and widen the road to the extent that we are able to accommodate easement rights to widen Patterson Avenue to Starr Street.

Staff related the whole argument discussed before was the road would be widened concurrently with the construction of the development. Staff related he feels that they had to be done simultaneously. Sometimes people occupy a building without a permit. The concerns are higher there. What I am asking for is that the Road Commission says they can do it in July of 1994 then we know when we can go. The language needs to be written out such that a building permit could be given if we have that type of letter. Staff related he wants to make sure the road will be done in the same year the building is going up.

Mike Sebastian related the Road Commission is going through the process of public hearings. They don't finalize that decision until May 16 and that jeopardizes our October opening.

Dave Mehney related we have to scramble right now to get it open.

Staff related his argument has been the road would be widened concurrently with the ice center construction. As a Planning Commission you have to decide what your recommendation is to the Township Board.

John Sperla related we are prepared to take the risk knowing we can't occupy the building until the road is in. Contracts for the use of the facility are being signed now. We are not going to be able to sign contracts until we can assure them that we will have ice.

Member MacGregor asked what happens if the Road Commission decides it can't get it done by October? Mike Sebastian related we will begin the road construction as soon as possible.

Staff asked the Road Commission will allow you to building their road? Mike Sebastian responded yes. Staff related that's unusual. Mr. Sebastian related the road is a minor inconvenience to us.

Member Klynstra related the developer is taking a significant risk and he is comfortable with that. He felt the developer will do everything he can to get that road widened.

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Mike Sebastian related we will have the slip lane and deceleration and acceleration lane and we will have four of the five lanes the county was going to put in.

Staff related there are a couple of things that are interesting here. That discussion was between the developer and the Road Commission and the Township doesn't know anything more than what has been verified in the Road Commission minutes. Is that they will do the road widening. We don't know the details of what that means. This is the first time they are going to let the developer build the road. This is a county primary road being done by a developer. We need to know the details before that happens. Staff asked what happens if the road doesn't get built and the building is there? The Township is going to have a problem signing off on the occupancy permit.

Mr. Kamminga (in the audience) related we are building Forest Hills Road south of Burton Street. We are building a road and the County and City are funding us. Staff related but that is a new road connecting to a plat. This is not new construction.

Member MacGregor asked if there would be a way to tie the PUD to the occupancy permit? Staff responded we have tried to do that before. It is going to have to take more conversations with the Building Department. If it meets the requirements of the building criteria, the inspectors are nervous about saying no you can't occupy the building.

Mr. Sperla suggested maybe we should just say we will not use the building until the road improvements are made.

Mike Sebastian related we will see to it that the road improvements are done.

Member Fox asked Staff when was the last time you spoke with the Road Commission? Staff responded in January. I think we can work out the ordinance language with Mr. Sperla and the Township Attorney.

Mr. Sebastian also related on page 2, Section VI. Permitted Uses - A. the first line should read "the Project shall be limited to use as a recreational ice center". There is a reason for that. There are more things in the off season that the other sheet of ice may be able to accommodate. As we have not planned demand for the second sheet of ice during the summer, part of our original plan was to allow roller blading, and other indoor activities to take place. We specifically worked with the fire marshal not to have it sprinkled over the ice as ice doesn't burn very well. What we wanted to accomplish was we want to use it for indoor soccer, indoor roller blading, or volleyball

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or similar activities. We don't want that excluded by simply calling it ice skating. I am suggesting B 1 - 6 should be eliminated. And B 1 simply would read "public and private recreational and ice skating activities of all forms including but not limited to figure skating, speed skating, hockey, ice dancing, curling, broom ball, soccer, baseball, softball, rollerblading, volleyball, tennis, walking and calisthenics". We didn't want to eliminate those uses or take 45 days to have those under a "Special Event" category. The ice surface likely to be melted down would be the olympic size rink.

Chairman Goodyke asked what do they do at other ice rinks during the summer? Mike Sebastian related Belknap and Kentwood are both sand floors and can be melted down.. Jolly Roger is melted down during the summer because the building is so inefficient.

Member Klynstra asked why soft ball and things like that. It seems to me that certainly isn't what I was hearing up until this point. In my mind this sounds like competition for Dome World. This sounds so wide open to think we could end up with a softball league inside because that was all of a sudden the state of the art thing to do. Mike Sebastian related you couldn't play softball inside because it's not big enough. Dave Mehney related we would like to use it for practices for schools. We don't want to limit the use for the schools.

Member MacGregor asked are you thinking about in the summer having indoor soccer leagues? Mike Sebastian related AYSO needs room for practices. Member MacGregor related it is kind of a surprise for most of us that you are putting this in front of us now. Your whole presentation was based on such a need for two sheets of ice.

Member Klynstra related if you could be more specific about those things. The list as you read it sound likes virtually nothing is excluded. I am comfortable if what you are doing is to further the goals of those programs. What would make me a little nervous is you say you can't play softball in there but they create games that are very similar to fill the space they have to work with. They play indoor lacrosse on ice arenas. Primarily we are buying into an ice center and these ancillary uses are fine with me if they are for the public good. I see this project benefitting the township and all the neighboring communities but I don't want to get into the Dome World scenario.

Member MacGregor related using the facility for high school practice in an emergency is great but what about the list of all these things.

Member Fox related the Planning Commission has the power to write down a very specific list of what uses will be included.

Staff related six years ago the township had an ice arena next to the Township Hall. That changed to indoor softball leagues. He related he is sure this applicant can do the same thing. When he wrote Section 6 of this Ordinance he was under the impression that it was to be ice. Staff related it is fair that the Planning Commission scrutinize the uses.

Member Klynstra related he would hate to see this facility as competition for Putt-Putt down the road with video machines, golfing things, etc. They may be great uses for the facility but really you put this facility rather sensitively in an area where none of those things are allowed. We wouldn't want to get complaints from people who bought property on 28th Street for the big price where those things are allowed to do what they are doing.

Mike Sebastian related we are just trying to accommodate the needs that people have addressed for inclement weather.

Dave Saboda related we have a special ceiling in there. It has the same texture as duct tape. It's purpose is to stop the humidity from reaching the ceiling, and once we have that in place we can't tolerate any holes in it. It is about 22-24 feet high. You can't hit that ceiling because we would lose it's value with one ball.

Mike Sebastian presented the list for Section VI. Permitted Uses: All the ice skating activities, lessons, coaching, games, and other forms of instruction. Other events: in-line skating, volleyball, tennis, soccer and school and youth group practices. 1) Public/private recreational ice and skating activities of all forms. 2) Other community and youth group activities as needed on an emergency basis. 3) coaching and other forms of instruction. 4) Food and drink concession ancillary to the ice arena. 5) Equipment sales and rental related to the uses permitted above.

Mike Sebastian related for Section VII. Use Restrictions are as follows:

- A. 1. As written no problem.
2. Okay as written.
3. Would like the ability for a semi-pro team to use the ice for practice. Exhibitions and youth programs rely on teams like the Furys and Red Wings to get youth into the programs. Exhibitions are all part of the sport.

Dave Mehney related we will not have semi-pro games there.

Staff related there is concern by some of the Township Board members about the aspect of professional and semi-professional. If professional and semi-professional teams need to use the facility and that is demonstrated

over a period of time, an amendment of the PUD could allow for that. Staff suggested Section VII. A 3. remain as is.

Mike Sebastian related he felt we are selling the community short if we don't allow the exhibitions.

Chairman Goodyke asked how many exhibitions would you have per season. Mike Sebastian responded two.

Member Fox asked if the parking requirements for an exhibition would be different. Staff related for an exhibition you might have a higher occupancy of cars which may actually need a smaller number of spaces.

Dave Mehney asked what is the concern for a professional team practice? Staff responded if they practice there they may ask for it to be their home ice. Dave Mehney responded the facility will not have enough seating capacity for professional teams to play there. Mr. Sperla stated he felt the main concern would be the amount of traffic generated.

Member Fox stated the township bought into this as being a neighborhood ice rink for kids and now with a large list of uses is there going to be any ice time left for the kids?

Mr. Sperla related it is a catch 22 for financial viability. What we are trying to provide for uses in terms of off hours that would make sense.

Dave Mehney related our intent is to have an ice arena for all types of skating. We never knew about the restrictions. This is the first time we could discuss the different types of uses. Ultimately there could be a semi-pro team here for practice only.

Member MacGregor related he had no problem with practices as long as they don't interfere with the original use. Exhibitions should be instructional ice related exhibitions.

Staff related his concern about exhibitions was the aspect of the MSU hockey team play the all stars of the NFL. Staff further related that there are some events where you may want to pack in more seating. There are a lot of places that you could put temporary seating or standing room only. The exit doors are large enough to accommodate additional people. And, as a matter of practicality no one is going to be there saying you can't come in.

Mike Sebastian related our intent is not to eliminate Calvin, Grand Valley or Community College from using the facility. Staff responded intermural sports would be allowed but a Spartan/Wolverine game would not.

A. 6. Hours of operation: Mr. Sebastian related he would like Sunday hours from 6:00 am to 11:00 pm. Monday through Thursday 6:00 am to 12:00 midnight and Friday and Saturday from 6:00 am to 1:00 am. Dave Mehney related he would have no hours. He related the intent of this section is not to disturb the neighbors and believes the township has its own ordinance to cover those uses.

Staff responded the hours are based on a community norm irregardless of Meijers. The hours we are giving are commercial, reasonable hours. If you need additional hours over time you could demonstrate that.

Member Fox related remember there is an apartment complex across the street and is concerned about noise after 11:00 pm.

Member Klynstra asked about the hours of the other ice rinks. Mr. Mehney related Belknap and Kentwood close at 2:00 am.

Staff related you are dealing with adjoining property owners. The Kentwood rink is isolated on the high school campus. Staff related it is not the hours that would cause noise it is car doors slamming, etc. Staff related he will take the hours to the Township Board as written as those hours were requested by a couple of Board members.

A.7. Mike Sebastian related the security guards will be provided at the expense of the high schools and not the developer.

Mike Sebastian related he was unclear of the definition of side yard. Staff explained the Zoning Ordinance defines the rear yard as being opposite the front. The ice center front is on Patterson Avenue. The required bufferyard is 25 feet.

Section XI. Miscellaneous Development Requirements - E. Mr. Mehney related the question is the land to the north of us someday will be something other than residential. Those people, if they work together, will make the maximum dollars for their money. If they don't work together they will hurt a little. If we give a guarantee for 10-15 years, that could cause a person to hold out. They will have to maintain their homes during that time. Mr. Sperla related five years is fine. Staff related it doesn't matter what the building looks like, it is the land that goes up in value.

DRAFT COPY

Member Fox related she would like the guarantee to extend the offer for up to eight years. And, she would like a personal guarantee by the developer - not the corporation.

A long discussion ensued regarding the various types of guarantees: liens, letters of credit, mortgages, etc.

Another discussion ensued regarding the property owners wanting a guarantee as several have related they don't want one. Mr. Mehney related if they want the guarantee they will have it whether or not they oppose the project. Staff related they don't have to take the offer, just guaranteeing it makes certain they are not wiped out. Member Fox related she wants the cash to be there and not tied up into mortgages, etc.

Mr. Sebastian related he can set up a letter of credit right now to secure the amount.

A discussion ensued regarding Section XI. D. Staff related our attorney will send a letter saying that the project is financially feasible. No one but our attorney will see the records - they are confidential.

The remainder of the ordinance was approved as written.

STAFF REPORT

STAFF REPORT: Case #21-3688/Chick-fil-A
REPORT DATE: January 12, 2022
PREPARED FOR: Cascade Charter Township Planning Commission
MEETING DATE: January 17, 2022
PREPARED BY: Brian Hilbrands, Interim Planning Director

APPLICANT:

PEA Group – Leslie Accardo
2340 Rochester Ct, Ste 100
Troy, MI 48083

STATUS OF APPLICANT: Representative for Owner

REQUESTED ACTION: Site plan review for a 4,997 sq ft Chick-fil-A restaurant.

EXISTING ZONING OF SUBJECT PARCEL(S): PUD 69

GENERAL LOCATION: The property is located on the north side of 28th St, in front of Meijer.

PARCEL SIZE: Approximately 1.9 acres

PROPERTY LOCATION: 5528 28th St

EXISTING LAND USE ON THE PROPERTY: Vacant restaurant (Formerly Macaroni Grill)

ADJACENT AREA LAND USES: N – Meijer
S – Hotel
E- Gas station
W – I-96

ZONING ON ADJOINING PARCELS: N,E – PUD 69
S – PUD 53
W – NA

STAFF COMMENTS:

1. The applicant is requesting site plan approval to construct a 4,997 sq ft Chick-fil-A restaurant with a drive-through. The site plan was reviewed under Section 21.07 of the Site Plan Review Chapter of the Zoning Ordinance.
2. The site plan for the restaurant was originally approved in 2019 as part of a PUD amendment. The minutes from the preliminary site plan approval are included in your packet. Since it has been longer than one year since the plans have been approved, the approval for the site plan has expired. The amendment to the PUD still stands, but the site plan must come back before the Planning Commission for approval.
3. While reviewing the previous approval it was determined that the applicant never recorded the PUD amendment that was approved in 2019. The applicant will need to record the PUD amendment before a building permit can be issued.
4. The new site plan is very similar to what was approved in 2019, but there have been some minor changes made. The parking lot has been slightly reconfigured, but it still contains the same number of parking spaces (74), as required in the PUD ordinance. The drive-through area was previously reduced to one lane at the southeast corner, but it now continues as two lanes. The added area in the drive-through increases the stacking capacity from 32 stacking spaces in the previous plan, to 44 stacking spaces in the current plan. Included in your packet are parking and stacking statistics that were provided during the 2019 review.
5. The canopy that previously extended over one drive-through lane on the west side of the building has now been extended to cover both lanes. The building and attached canopy still meet the setback requirements listed in the PUD ordinance.
6. The detached canopy located on the south of the site appears to extend into a Consumers Power Co. easement. The applicant has indicated that they have engaged with Consumers Energy to release the easement. The applicant will either need to provide evidence that Consumers Energy has released the easement, or move the canopy so that it is no longer located within the easement. This will have to be done before a building permit can be issued.
7. The size of the restaurant building that was approved in 2019 was 4,988 sq ft. This specific square footage was written into the PUD amendment that was approved. The applicant has stated that the size of their standard restaurant model has changed, and they are now requesting a 4,997 sq ft building, a difference of 9 sq ft. Staff have informed the applicant that such a small change could be viewed as simply a rounding error, especially since that it will not have an impact on the site, but that the Planning Commission would have to make the final determination. If the Planning Commission believes that there is an issue with increasing the building size to 4,997 sq ft, the applicant will either need to go through a full PUD amendment to change the PUD ordinance, or reduce the size of the building so that it does not exceed 4,988 sq ft.

8. A comprehensive landscape plan is included. There are three tree species shown on the plan that are included on the uncredited species list in the zoning ordinance. The applicant should revise the landscape plan so that it does not include any uncredited plant species. The applicant will also need to provide a landscape bond in the amount of \$9,000.
9. The Fire Department has reviewed and approved the plans.
10. The township engineer has reviewed and approved the plans, and their comments are included in your packet. The applicant will need to submit a stormwater maintenance agreement to the Township. Stormwater runoff from the site will drain to the Kent County Drain Commissioner (KCDC) Patterson Drain and a regional detention pond.
11. In their comments the township engineer noted that they had reached out to the Kent County Drain Commissioner's office for comment. The KCDC responded last week and asked to receive a few pieces of information from the applicant before they can sign off on the plans. The applicant will need to receive approval and a permit from the KCDC before a building permit can be issued.
12. A photometric plan was submitted from the previous 2019 approval. Since there have been some changes to the parking lot configuration and site plan, a revised photometric plan should be submitted that reflects the current site plan and complies with Township regulations.

Section 21.07: Criteria For Site Plan Approval:

The Planning Commission shall use the following criteria in evaluating a site plan submittal:

1. Whether the required information has been furnished in sufficiently complete and understandable form to allow an accurate description of the proposed use(s) and structure(s) in terms of density, location, area, height, bulk, placement, setbacks, performance characteristics, parking, and traffic circulation.
2. Whether there are ways in which the configuration of uses and structures can be changed which would improve the impact of the development on adjoining and nearby properties, persons, and activities, and on the community, while allowing reasonable use of the property within the scope of district regulations and other regulations of this Ordinance that are applicable to the property and proposed use and structures.
3. The extent to which natural features and characteristics of the large trees, natural groves, watercourses, and similar will be preserved; the regard given to existing natural features that would add attractiveness to the property and environs if they were preserved; the preservation of natural drainage systems the dedication and/or provision, where appropriate, of scenic easements, natural buffering, and other techniques for preservation and enhancement of the physical environment.

STAFF RECOMMENDATION:

Staff is recommending Site Plan Approval for the 4,997 sq. ft. restaurant and drive-through with the following conditions:

1. The applicant complies with the Township Engineer letter dated January 10, 2022, and all necessary permits are obtained before construction begins.
2. Record the stormwater maintenance agreement.
3. Record the PUD ordinance amendment that was approved in 2019.
4. Provide evidence that Consumers Energy has released the easement, or revise the site plan to move the detached canopy so that it is no longer located within the easement.
5. Receive approval and a permit from the Kent County Drain Commissioner.
6. Submit a revised landscape plan that meets Township regulations.
7. Submit a landscape bond in the amount of \$9,000.
8. Submit a revised photometric plan that meets Township regulations.

ATTACHMENTS:

Application
Civil Plan Set
Township Engineer letter
Current PUD Ordinance – Meijer’s Inc/ Romanos #11 of 2002
2019 Parking and Stacking Statistics
7/1/19 Planning Commission Minutes





CASCADE CHARTER TOWNSHIP

5920 Tahoe Dr. SE, Grand Rapids, Michigan 49546-7140

PLANNING & ZONING APPLICATION

APPLICANT: Name: PEA GROUP - LESLIE ACCARDO
 Address: 2430 ROCHESTER COURT, STE 100
 City & Zip Code TROY, MI 48083
 Telephone: 248-376-7920
 Email Address: LACCARDO@PEAGROUP.COM

OWNER: * (If different from Applicant)
 Name: CHICK-FIL-A, JUSTIN LURK
 Address: 5200 BUFFINGTON ROAD
 City & Zip Code: ATLANTA, GA 30349
 Telephone: 573-268-0957
 Email Address: JUSTIN.LURK@CFACORP.COM

NATURE OF THE REQUEST: (Please check the appropriate box or boxes)	
<input type="checkbox"/> Administrative Appeal	<input type="checkbox"/> Administrative Site Plan Review
<input type="checkbox"/> Deferred Parking	<input type="checkbox"/> P.U.D. – Rezoning *
<input type="checkbox"/> P.U.D. – Site Condominium *	<input type="checkbox"/> Rezoning
<input checked="" type="checkbox"/> Site Plan Review *	<input type="checkbox"/> Sign Variance Subdivision
<input type="checkbox"/> Special Use Permit	<input type="checkbox"/> Plat Review *
<input type="checkbox"/> Zoning Variance	<input type="checkbox"/> Other: _____ *

*** Requires an initial submission of 5 copies of the completed site plan**

BRIEFLY DESCRIBE YOUR REQUEST:**

Modification to drive through lanes to accommodate two lanes from entry to pickup.
Chick-fil-A had previously submitted plans and been approved for a PUD Site Plan amendment.

(**Use Attachments if Necessary)

-SEE OTHER SIDE-

LEGAL DESCRIPTION OF PROPERTY:**

SEE ATTACHMENT

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 -07-476-006

ADDRESS OF PROPERTY: 5528 28TH STREET, SE GRAND RAPIDS, MI 49512

PRESENT USE OF THE PROPERTY: CLOSED MACARONI GRILL RESTAURANT

**NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS HAVING A LEGAL OR
EQUITABLE INTEREST IN THE PROPERTY:**

Name(s)

Address(es)

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SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) also agree to reimburse the Cascade Charter Township for all costs, including consultant costs, to review this request in a timely manner. I (we) understand that these costs may also include administrative reviews which may occur after the Township has taken action on my (our) request.

I (we) the undersigned also acknowledge that the proposed project does not violate any known property restrictions (i.e. plat restrictions, deed restrictions, covenants, etc.)

JUSTIN LURK

Owner – Print or Type Name
(*If different from Applicant)

*  12/8/2021

Owner's Signature & Date
(*If different from Applicant)

LESLIE ACCARDO

Applicant – Print or Type Name



Applicant's Signature & Date

PLEASE ATTACH ALL REQUIRED DOCUMENTS NOTED IN THE PROCESS REVIEW SHEET – THANK YOU

TOTAL PUD AREA - 37.512 ACRES

Legal Description of Planned Unit Development Parcel

A parcel of land located in the Southeast quarter of Section 7, Town 6 North, Range 10 West, Township of Cascade, Kent County, Michigan further described as:

Commencing at the Southeast corner of Section 7, Town 6 North, Range 10 West; thence along the south line of said Section 7, South 88° 05' 02" West, 187.47 feet, thence North 01° 39' 55" West, 56.53 feet to the northerly right of way line of 28th Street (Highway M-11) and the point of beginning; thence along said northerly right of way line, South 88° 20' 05" West, 252.32 feet to the northeasterly right of way line of Highway I-96; thence along said northeasterly right of way line, North 01° 39' 55" West, 25.00 feet; thence along said northeasterly right of way line, South 88° 20' 05" West, 300.00 feet; thence along said northeasterly right of way line, North 01° 39' 55" West, 20.00 feet; thence along said northeasterly right of way line, South 88° 20' 05" West, 155.40 feet; thence along said northeasterly right of way line, North 47° 05' 25" West, 606.66 feet; thence along the west line of the East 1/2 of the Southeast 1/4 of said Section 7, North 01° 25' 52" West 888.91 feet, thence North 88° 20' 05" East 1124.52 feet, thence South 01° 37' 57" East, 89.55 feet, thence North 88° 00' 48" East, 200.00 feet to the east line of said Section 7; thence along said east line, South 01° 37' 57" East, 801.37 feet, Thence South 88° 22' 03" West 40.00 feet to the westerly right of way line of Kraft Avenue; thence along said right of way line South 01° 37' 57" East 371.71 feet to said northerly right of way line; thence along said northerly right of way line, South 54° 39' 17" West, 177.31 feet, to the point of beginning.
Containing 37.512 acres, more or less.

PROPOSED CHICK-FIL-A SITE LEGAL DESCRIPTION - 1.917 ACRES

Land Situated in the State of Michigan, County of Kent, Township of Cascade.

A parcel of land located in the Southeast quarter of Section 7, Town 6 North, Range 10 West, Township of Cascade, Kent County, Michigan, further described as:

Commencing at the Southeast corner of Section 7, Town 6 North, Range 10 West; thence along the South line of said Section 7, South 88 degrees 05 minutes 02 seconds West, 277.97 feet; thence North 01 degrees 39 minutes 55 seconds West, 56.93 feet to the Northerly right of way line of 28th Street (Highway M-11); thence along said Northerly right of way line, South 88 degrees 20 minutes 05 seconds West, 161.82 feet to the Northeasterly right of way line of Highway I-96; thence along said Northeasterly right of way line, North 01 degrees 39 minutes 55 seconds West, 25.00 feet; thence along said Northeasterly right of way line, South 88 degrees 20 minutes 05 seconds West, 300.00 feet; thence along said Northeasterly right of way line, North 01 degrees 39 minutes 55 seconds West, 20.00 feet to the point of beginning; thence along said Northeasterly right of way line, South 88 degrees 20 minutes 05 seconds West, 155.40 feet; thence along said Northeasterly right of way line North 47 degrees 05 minutes 25 seconds West, 246.98 feet; thence North 01 degrees 39 minutes 55 seconds West, 121.08 feet; thence North 88 degrees 20 minutes 05 seconds East, 300.93 feet; thence South 32 degrees 50 minutes 09 seconds East, 23.80 feet; thence South 12 degrees 41 minutes 15 seconds East, 195.00 feet; thence South 01 degrees 39 minutes 55 seconds East, 82.66 feet; thence South 88 degrees 20 minutes 05 seconds West, 19.20 feet to the point of beginning.

Together with a non-exclusive easement as created, limited and defined by that instrument recorded in [Liber 6205, page 427](#), Kent County Records.



Chick-fil-A
 Chick-fil-A
 5200 Burlington Road
 Atlanta, Georgia 30349-2998

PEA GROUP
 C: 844.813.2340
 www.peagroup.com

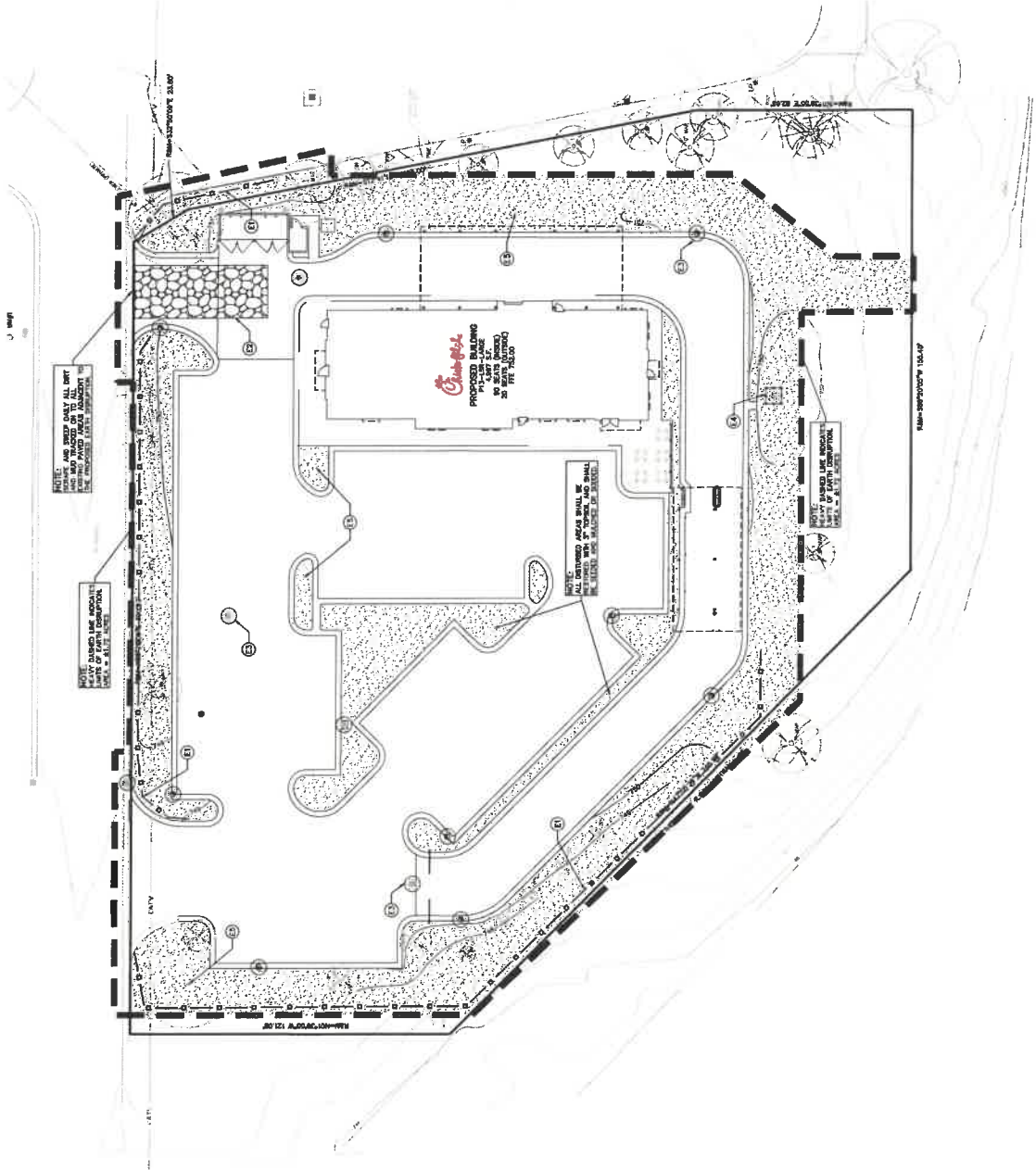


SCALE: 1" = 20'

CHICK-FIL-A
CASCADE
 6528 28TH STREET, SE
 GRAND RAPIDS, MI 49612
FSR#L04428
 RELEASE: 11/16/10
 PROJECT TYPE: FSR #11.6 LDC
 DATE: 11/16/10
 SUBSCRIPTION:

DATE: 11/16/10
 SHEET NO: 04428-C-302
 SHEET TITLE: EROSION CONTROL PLAN
 DRAWN BY: JLD
 CHECKED BY: JLD

PROJECT: CHICK-FIL-A
 SHEET: EROSION CONTROL PLAN
 SHEET NUMBER: C-302



BENCHMARKS
 BM 11
 11.00
 11.00
 11.00

KEY NOTES
 (1) SILT FENCE, TYP.
 (2) TEMPORARY STONE/GRASS CONSTRUCTION ACCESS DRIVE
 (3) SILT FENCE, TYP.
 (4) SILT FENCE, FRANKLIN COUNTY, TYP.
 (5) TEMPORARY SEEDING LOCATION

EROSION CONTROL NOTES
 NOTES TO SHEET C-303 FOR ALL EROSION CONTROL NOTES AND DETAILS.

SYMBOLS: EROSION CONTROL
 (1) SILT FENCE
 (2) SILT BAGS
 (3) SILT FENCE DRAINAGE DITCH
 (4) TEMPORARY STONE/GRASS CONSTRUCTION ACCESS DRIVE
 (5) TEMPORARY SEED AND MULCH
 (6) SILT FENCE, FRANKLIN COUNTY, TYP.
 (7) TEMPORARY SEEDING LOCATION

EROSION CONTROL QUANTITIES
 NO. OF SILT FENCES: 11
 NO. OF SILT BAGS: 11
 NO. OF SILT FENCE DRAINAGE DITCHES: 11
 NO. OF TEMPORARY STONE/GRASS CONSTRUCTION ACCESS DRIVES: 11
 NO. OF TEMPORARY SEED AND MULCH: 11
 NO. OF SILT FENCE, FRANKLIN COUNTY, TYP.: 11
 NO. OF TEMPORARY SEEDING LOCATIONS: 11



Chick-File-A
5200 Burlington Road
Atlanta, Georgia 30349-2998

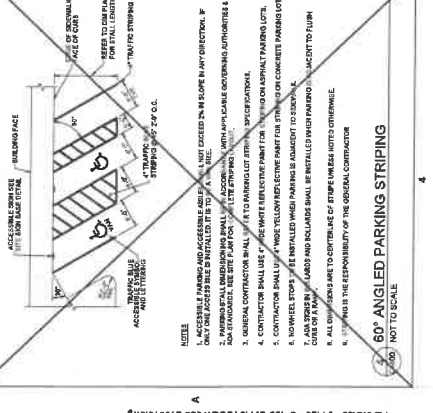
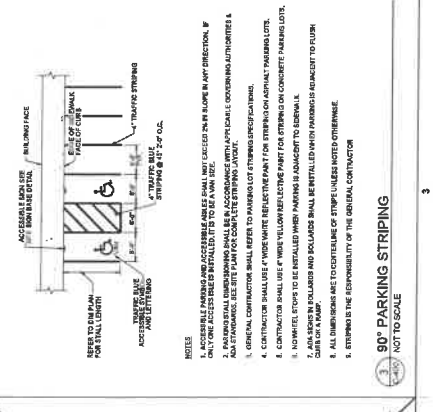
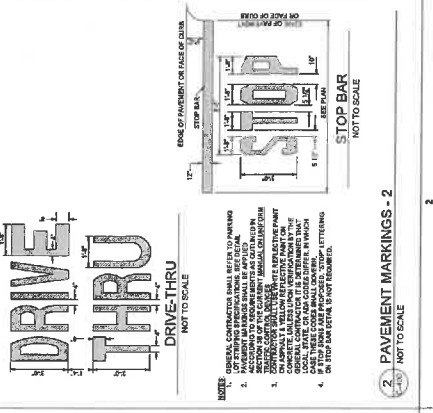
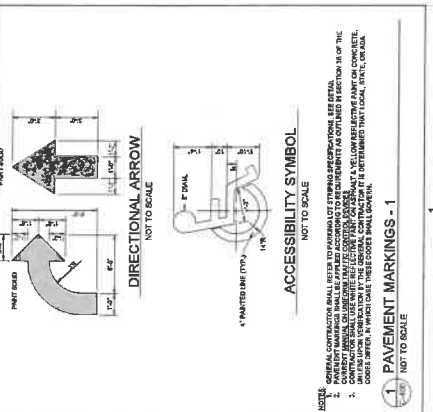
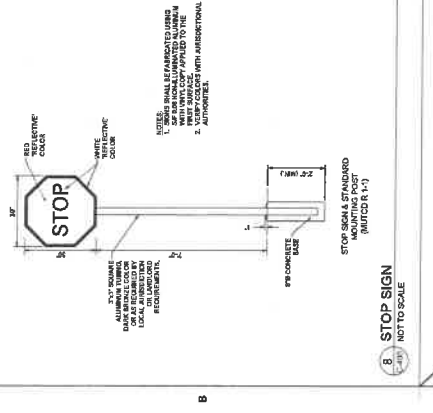
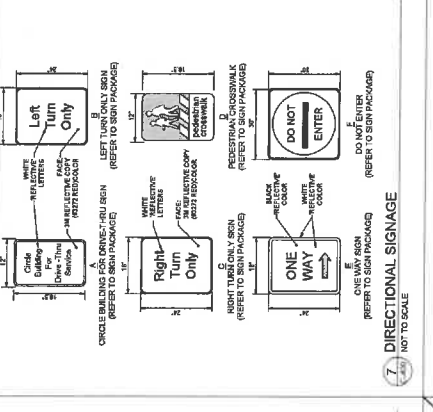
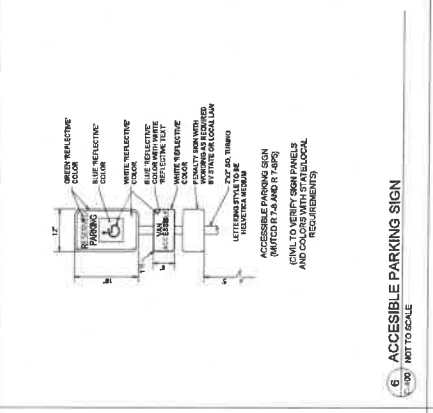
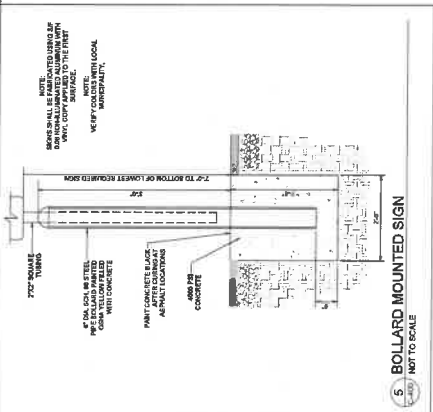
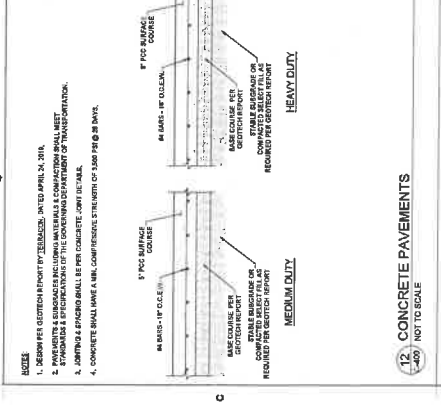
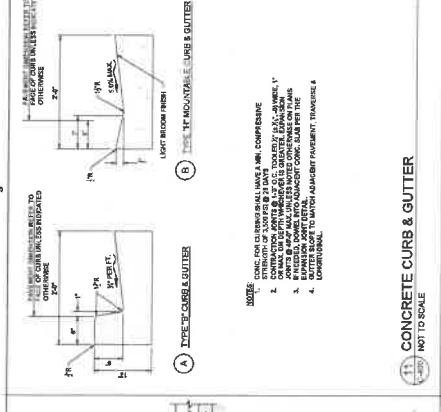
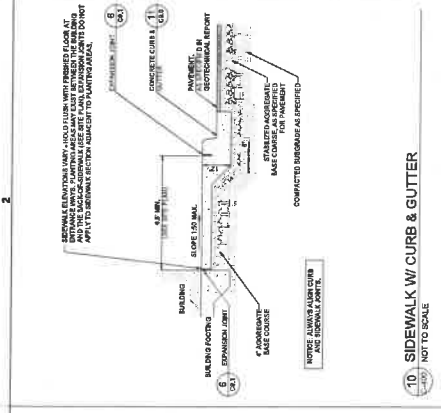
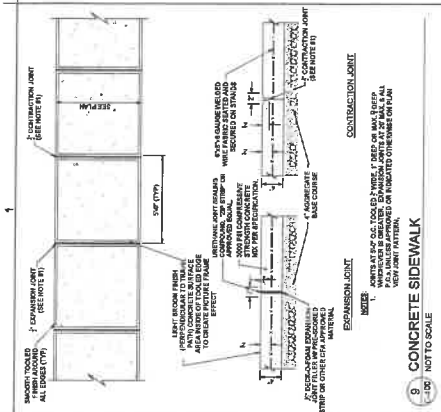
PEA GROUP
www.peagroup.com
t: 844.833.2849



CHICK-FIL-A
CASCADE
6528 28TH STREET, SE
GRAND RAPIDS, MI 49512
FSR#104428
MATERIALS / SEE: P-11.5 LDC

REVISION	NO.	DATE	DESCRIPTION
CONTRACT PROJECT #	200-1019		
DATE	DECEMBER 14, 2021		
DESIGNED BY	LOD		
CHECKED BY	LOD		

1. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE.
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4. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE.





Chick-fil-A
5200 Bunting Road
Atlanta, Georgia 30349-2998

PEA GROUP
L 844.813.2349
www.peagroup.com



CHICK-FIL-A
CASCADE
6528 28TH STREET, SE
GRAND RAPIDS, MI 49512

FSR#104428
ISSUED TYPE / DATE: P11.18.DC

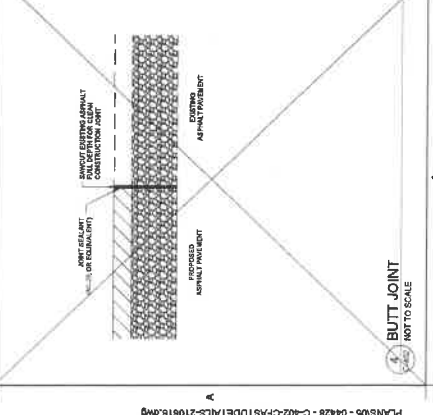
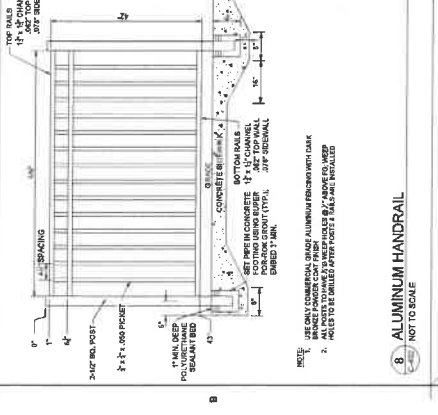
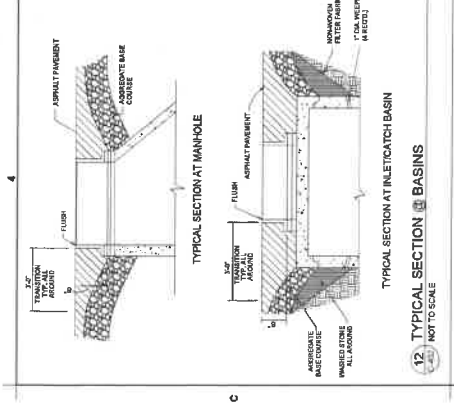
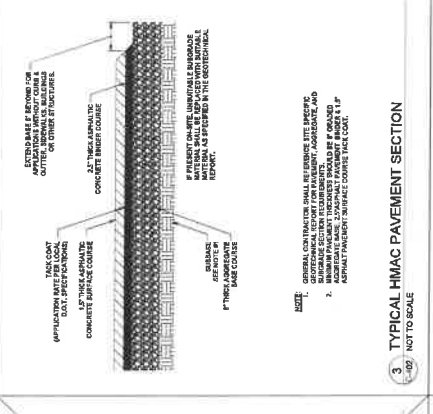
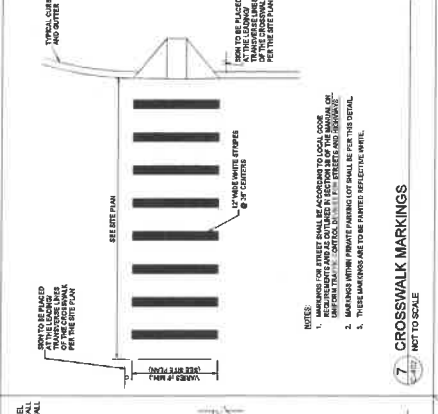
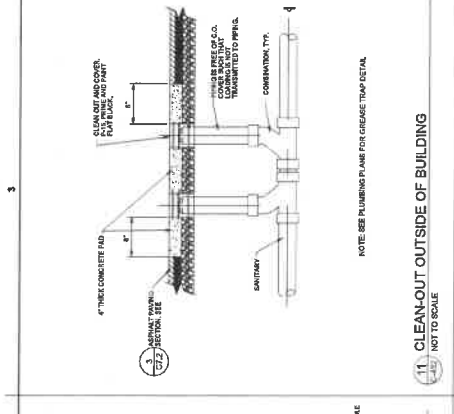
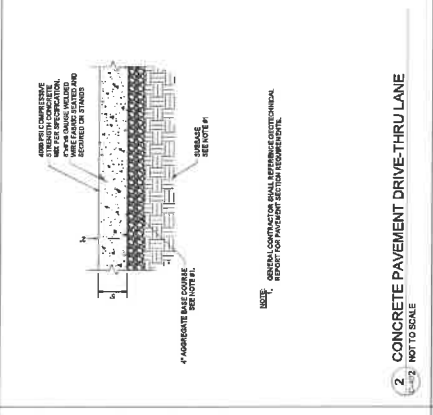
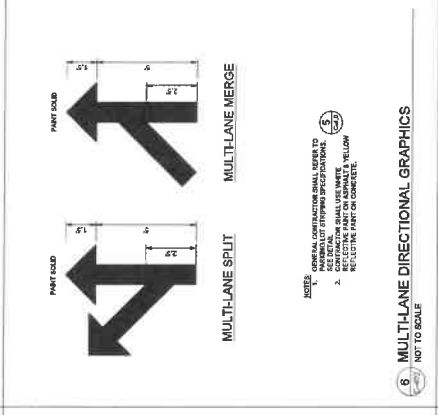
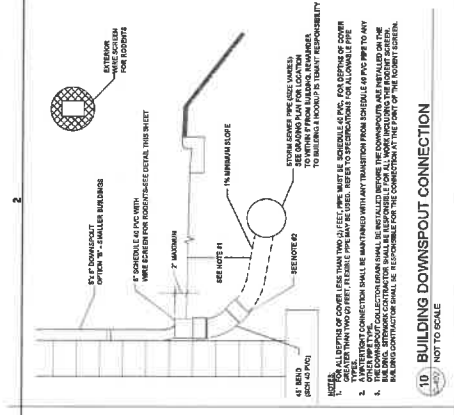
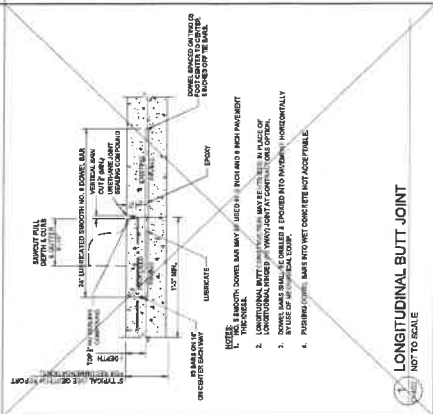
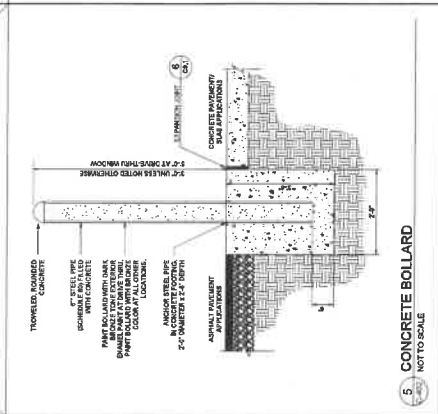
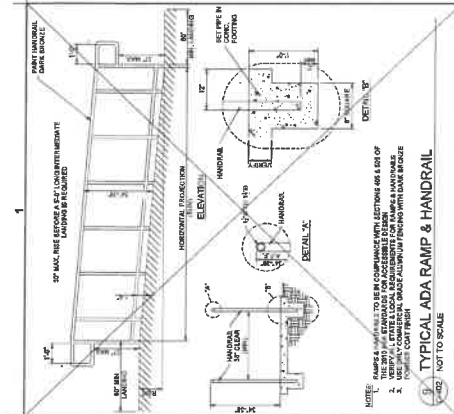
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SECTION	DATE	DESCRIPTION

CONTRACT PROJECT #	2021-0019
DATE	DECEMBER 14, 2021
DATE	DECEMBER 14, 2021
DATE	DECEMBER 14, 2021

CEA STANDARD
DETAILS (S)

CEA STANDARD
SHEET

C-402





Chick-fil-A

Chick-fil-A
5200 Burmington Road
Atlanta, Georgia 30349-2998

PEA GROUP
www.peagroup.com
t. 844.813.2349



SCALE 1" = 20'

CHICK-FIL-A
CASCADE
6528 28TH STREET, SE
GRAND RAPIDS, MI 49512
FSR#L04428

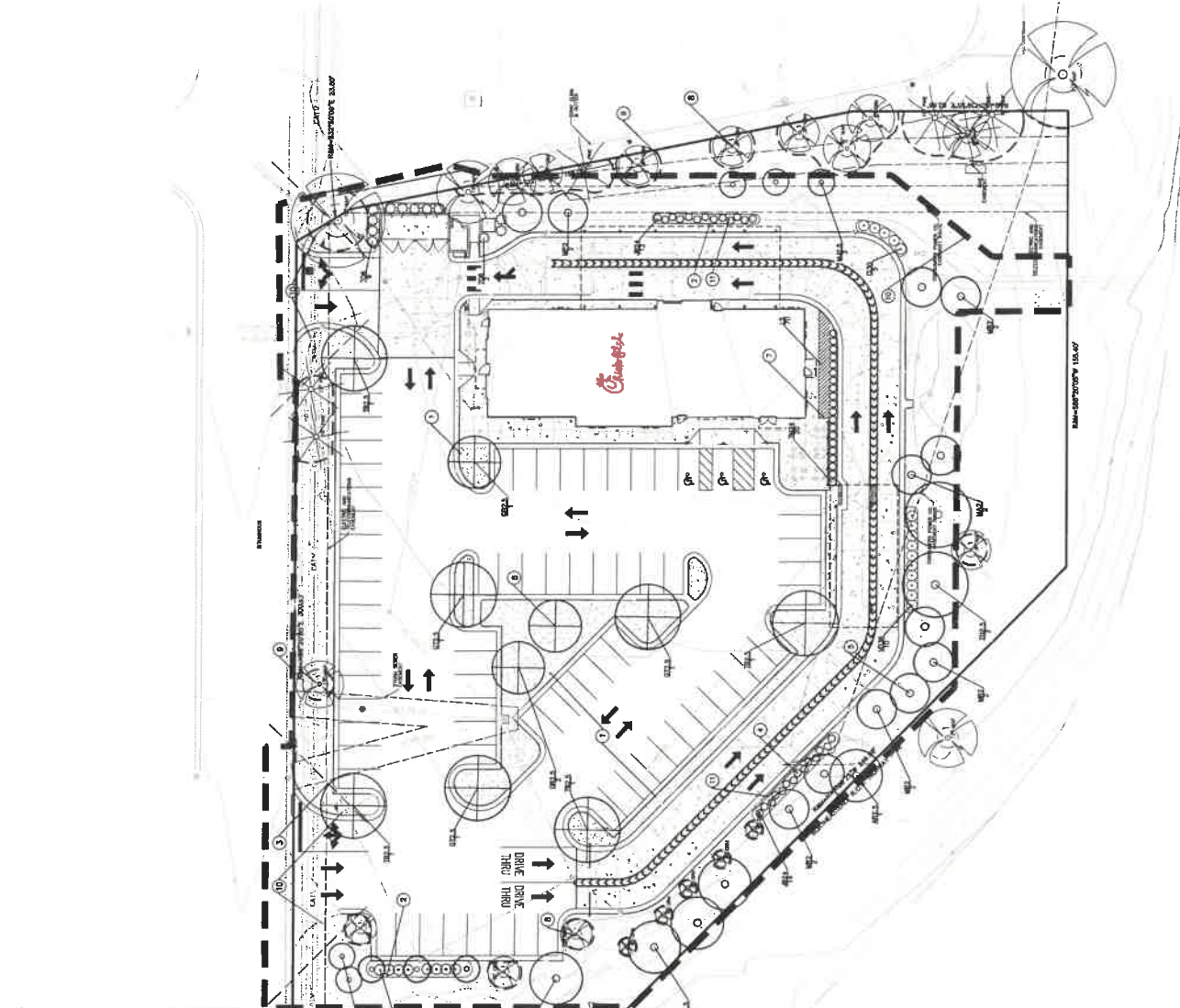
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REVISIONS

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PRINTED FOR 8112 PLAN
DATE DECEMBER 15, 2021
DRAWN BY ASH

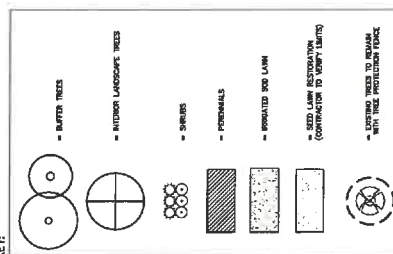
REVISIONS
NO. DATE DESCRIPTION

PRELIMINARY
LANDSCAPE PLAN

SHEET NUMBER
L-100



- KEY NOTES:**
- 1) PROTECTED SOIL LAIN, TYP.
 - 2) MINIMUM EDGEING BETWEEN LAWN/ROCK AND PLANT BED, TYP.
 - 3) 2" CLEAR VISION TRIANGLE
 - 4) 1/4" AN/4" OR DEC. SPRINK
 - 5) BUFFER TREE
 - 6) WINDROW PARKING TREE
 - 7) PERENNIALS
 - 8) COSTING TREE TO REMAIN, TYP.
 - 9) TREE PROTECTION FENCING AROUND EX. TREE TO REMAIN, TYP.
 - 10) SEE LAWN RESTORATION CONTRACTOR TO VERIFY LIMITS FOR CURB STREETS, SIDEWALKS, AND DRIVEWAYS TO BE RESTORED TO ORIGINAL CONDITION.
 - 11) ALL EXISTING PERENNIALS SHALL BE RELOCATED TO THE SAME SPACES AS SHOWN UNLESS OTHERWISE NOTED.



LANDSCAPE CALCULATIONS:
REQUIREMENTS: 2 CAMPUS TREES, 4 UNIVERSITY TREES, AND 8 PERENNIALS PER 1000 SQ FT OF LANDSCAPE AREA.
1. 2 CAMPUS TREES (2' CAL. OR 3" DBH)
2. 4 UNIVERSITY TREES (2" CAL. OR 3" DBH)
3. 8 PERENNIALS (2" CAL. OR 3" DBH)
4. 2 CAMPUS TREES (2" CAL. OR 3" DBH)
5. 4 UNIVERSITY TREES (2" CAL. OR 3" DBH)
6. 8 PERENNIALS (2" CAL. OR 3" DBH)
7. 2 CAMPUS TREES (2" CAL. OR 3" DBH)
8. 4 UNIVERSITY TREES (2" CAL. OR 3" DBH)
9. 8 PERENNIALS (2" CAL. OR 3" DBH)
10. 2 CAMPUS TREES (2" CAL. OR 3" DBH)
11. 4 UNIVERSITY TREES (2" CAL. OR 3" DBH)
12. 8 PERENNIALS (2" CAL. OR 3" DBH)
13. 2 CAMPUS TREES (2" CAL. OR 3" DBH)
14. 4 UNIVERSITY TREES (2" CAL. OR 3" DBH)
15. 8 PERENNIALS (2" CAL. OR 3" DBH)
16. 2 CAMPUS TREES (2" CAL. OR 3" DBH)
17. 4 UNIVERSITY TREES (2" CAL. OR 3" DBH)
18. 8 PERENNIALS (2" CAL. OR 3" DBH)
19. 2 CAMPUS TREES (2" CAL. OR 3" DBH)
20. 4 UNIVERSITY TREES (2" CAL. OR 3" DBH)
21. 8 PERENNIALS (2" CAL. OR 3" DBH)
22. 2 CAMPUS TREES (2" CAL. OR 3" DBH)
23. 4 UNIVERSITY TREES (2" CAL. OR 3" DBH)
24. 8 PERENNIALS (2" CAL. OR 3" DBH)
25. 2 CAMPUS TREES (2" CAL. OR 3" DBH)
26. 4 UNIVERSITY TREES (2" CAL. OR 3" DBH)
27. 8 PERENNIALS (2" CAL. OR 3" DBH)
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30. 8 PERENNIALS (2" CAL. OR 3" DBH)
31. 2 CAMPUS TREES (2" CAL. OR 3" DBH)
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40. 2 CAMPUS TREES (2" CAL. OR 3" DBH)
41. 4 UNIVERSITY TREES (2" CAL. OR 3" DBH)
42. 8 PERENNIALS (2" CAL. OR 3" DBH)
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78. 8 PERENNIALS (2" CAL. OR 3" DBH)
79. 2 CAMPUS TREES (2" CAL. OR 3" DBH)
80. 4 UNIVERSITY TREES (2" CAL. OR 3" DBH)
81. 8 PERENNIALS (2" CAL. OR 3" DBH)
82. TOTAL PERENNIALS

QUANTITY	LET SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE	SPFC
1	415	Adiantum	Adiantum	2' Cal. S&B	
2	416	Adiantum	Adiantum	2' Cal. S&B	
3	417	Adiantum	Adiantum	2' Cal. S&B	
4	418	Adiantum	Adiantum	2' Cal. S&B	
5	419	Adiantum	Adiantum	2' Cal. S&B	
6	420	Adiantum	Adiantum	2' Cal. S&B	
7	421	Adiantum	Adiantum	2' Cal. S&B	
8	422	Adiantum	Adiantum	2' Cal. S&B	
9	423	Adiantum	Adiantum	2' Cal. S&B	
10	424	Adiantum	Adiantum	2' Cal. S&B	
11	425	Adiantum	Adiantum	2' Cal. S&B	
12	426	Adiantum	Adiantum	2' Cal. S&B	
13	427	Adiantum	Adiantum	2' Cal. S&B	
14	428	Adiantum	Adiantum	2' Cal. S&B	
15	429	Adiantum	Adiantum	2' Cal. S&B	
16	430	Adiantum	Adiantum	2' Cal. S&B	
17	431	Adiantum	Adiantum	2' Cal. S&B	
18	432	Adiantum	Adiantum	2' Cal. S&B	
19	433	Adiantum	Adiantum	2' Cal. S&B	
20	434	Adiantum	Adiantum	2' Cal. S&B	
21	435	Adiantum	Adiantum	2' Cal. S&B	
22	436	Adiantum	Adiantum	2' Cal. S&B	
23	437	Adiantum	Adiantum	2' Cal. S&B	
24	438	Adiantum	Adiantum	2' Cal. S&B	
25	439	Adiantum	Adiantum	2' Cal. S&B	
26	440	Adiantum	Adiantum	2' Cal. S&B	
27	441	Adiantum	Adiantum	2' Cal. S&B	
28	442	Adiantum	Adiantum	2' Cal. S&B	
29	443	Adiantum	Adiantum	2' Cal. S&B	
30	444	Adiantum	Adiantum	2' Cal. S&B	
31	445	Adiantum	Adiantum	2' Cal. S&B	
32	446	Adiantum	Adiantum	2' Cal. S&B	
33	447	Adiantum	Adiantum	2' Cal. S&B	
34	448	Adiantum	Adiantum	2' Cal. S&B	
35	449	Adiantum	Adiantum	2' Cal. S&B	
36	450	Adiantum	Adiantum	2' Cal. S&B	
37	451	Adiantum	Adiantum	2' Cal. S&B	
38	452	Adiantum	Adiantum	2' Cal. S&B	
39	453	Adiantum	Adiantum	2' Cal. S&B	
40	454	Adiantum	Adiantum	2' Cal. S&B	
41	455	Adiantum	Adiantum	2' Cal. S&B	
42	456	Adiantum	Adiantum	2' Cal. S&B	
43	457	Adiantum	Adiantum	2' Cal. S&B	
44	458	Adiantum	Adiantum	2' Cal. S&B	
45	459	Adiantum	Adiantum	2' Cal. S&B	
46	460	Adiantum	Adiantum	2' Cal. S&B	
47	461	Adiantum	Adiantum	2' Cal. S&B	
48	462	Adiantum	Adiantum	2' Cal. S&B	
49	463	Adiantum	Adiantum	2' Cal. S&B	
50	464	Adiantum	Adiantum	2' Cal. S&B	
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54	468	Adiantum	Adiantum	2' Cal. S&B	
55	469	Adiantum	Adiantum	2' Cal. S&B	
56	470	Adiantum	Adiantum	2' Cal. S&B	
57	471	Adiantum	Adiantum	2' Cal. S&B	
58	472	Adiantum	Adiantum	2' Cal. S&B	
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60	474	Adiantum	Adiantum	2' Cal. S&B	
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96	510	Adiantum	Adiantum	2' Cal. S&B	
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114	528	Adiantum	Adiantum	2' Cal. S&B	
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116	530	Adiantum	Adiantum	2' Cal. S&B	
117	531	Adiantum	Adiantum	2' Cal. S&B	
118	532	Adiantum	Adiantum	2' Cal. S&B	
119	533	Adiantum	Adiantum	2' Cal. S&B	
120	534	Adiantum	Adiantum	2' Cal. S&B	
121	535	Adiantum	Adiantum	2' Cal. S&B	
122	536	Adiantum	Adiantum	2' Cal. S&B	
123	537	Adiantum	Adiantum	2' Cal. S&B	
124	538	Adiantum	Adiantum	2' Cal. S&B	
125	539	Adiantum	Adiantum	2' Cal. S&B	
126	540	Adiantum	Adiantum	2' Cal. S&B	
127	541	Adiantum	Adiantum	2' Cal. S&B	
128	542	Adiantum	Adiantum	2' Cal. S&B	
129	543	Adiantum	Adiantum	2' Cal. S&B	
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149	563	Adiantum	Adiantum	2' Cal. S&B	
150	564	Adiantum	Adiantum	2' Cal. S&B	
151	565	Adiantum	Adiantum		



Chick-fil-A

5200 Buffington Road
Atlanta, Georgia 30349-2898



PROGRESS PRINT
06/26/2019

CHICK-FILA
Cascade FSR
5528 28th Street SE
Grand Rapids, MI 49512

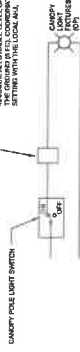
FSR# 04428

PHOTOMETRIC PLAN

PHOTOMETRIC PLAN
SCALE: 1"=10'-0"

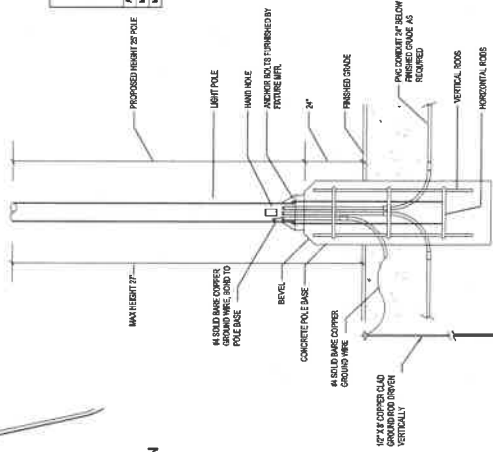
E-603

USE SINGLE POLE 5/8" DIA. DRUMS (SEE SPECIMENS WITH THIS PLAN) TO CONNECT TO EACH OF THE LIGHT FIXTURES IN THIS AREA. THE CANNOPY MUST BE DRIVEN TO ONLY 1/2" ABOVE THE FINISH GRADE. THE LIGHT FIXTURES MUST BE SET TO THE FINISH GRADE TO BE LOCAL CODES. THE CANNOPY MUST BE SET TO THE FINISH GRADE TO BE LOCAL CODES. THE CANNOPY MUST BE SET TO THE FINISH GRADE TO BE LOCAL CODES.

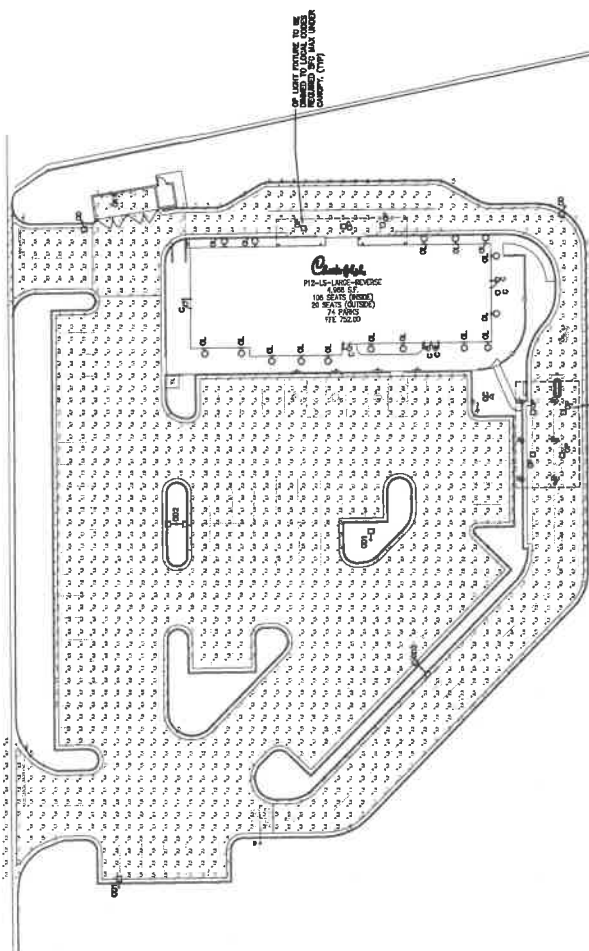


'OP LIGHT FIXTURE DIMMING WIRING DIAGRAM
NOT TO SCALE

PROPOSED LIGHT FIXTURE DIMMING WIRING	MIN	MAX	AS BUILT
MIN	1.5	4.8	1.5
MAX	4.8	15.0	4.8
AS BUILT	1.5	15.0	15.0

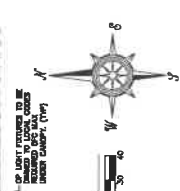


2 TYPICAL POLE BASE DETAIL
NOT TO SCALE



ALL LIGHT FIXTURES TO BE REQUIRED TO ALL UNDER CANNOPY (CP)

PROP. PYLON SIGN



1 PHOTOMETRIC PLAN
SCALE: 1"=10'-0"

FIXTURE	LIGHT (MILLI WATT PER FOOT)	LIGHT LOSS FACTOR
CP	1.5	0.8
CP	4.8	0.8
CP	27	0.8
CP	27	0.8
CP	27	0.8
CP	27	0.8
CP	27	0.8
CP	27	0.8
CP	27	0.8
CP	27	0.8

REFER TO STRUCTURAL DRAWINGS FOR EXACT POLE BASE DIMENSIONS



Chick-fil-A
5200 Burlington Road
Atlanta, Georgia
30349-2989

CHICK-FIL-A
Project Name
Street Address
City, GA 00000

FSR#00000
PROPOSAL NUMBER
PROJECT NUMBER
PROJECT NAME
PROJECT ADDRESS
PROJECT CITY

X-900
DESIGN OVERVIEW
SHEET NUMBER

PROJECT DATA

Project Name:	Chick-fil-A	Project Number:	FSR#00000
Project Address:	5200 Burlington Road	Project City:	Atlanta, GA
Project State:	GA	Project Zip:	30349
Project Date:	10/15/2014	Project Status:	Design
Project Designer:	Chick-fil-A	Project Architect:	Chick-fil-A
Project Engineer:	Chick-fil-A	Project Contractor:	Chick-fil-A
Project Subcontractor:	Chick-fil-A	Project Material:	Chick-fil-A
Project Finish:	Chick-fil-A	Project Color:	Chick-fil-A
Project Note:	Chick-fil-A	Project Detail:	Chick-fil-A



PERSPECTIVE VIEW

PERSPECTIVE VIEW

PERSPECTIVE VIEW

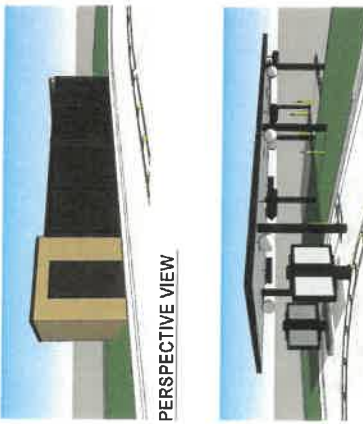
PERSPECTIVE VIEW

EXTERIOR FINISHES

1	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES
2	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES
3	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES
4	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES
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7	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES
8	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES
9	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES
10	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES

ATTACHED CANOPY SCHEDULE

Item	Qty	Unit	Description
1	1	Sq Ft	Attached Canopy
2	1	Sq Ft	Attached Canopy
3	1	Sq Ft	Attached Canopy
4	1	Sq Ft	Attached Canopy
5	1	Sq Ft	Attached Canopy
6	1	Sq Ft	Attached Canopy
7	1	Sq Ft	Attached Canopy
8	1	Sq Ft	Attached Canopy
9	1	Sq Ft	Attached Canopy
10	1	Sq Ft	Attached Canopy

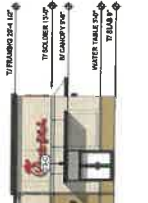


PERSPECTIVE VIEW

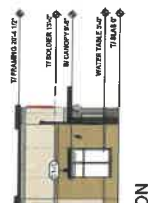
PERSPECTIVE VIEW



EXTERIOR ELEVATION



EXTERIOR ELEVATION



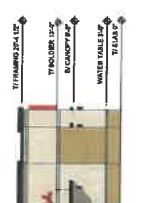
EXTERIOR ELEVATION

REF. ENCLOSURE FINISHES

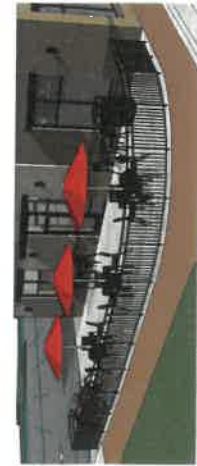
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5	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES
6	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES
7	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES
8	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES
9	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES
10	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES

QP CANOPY FINISHES

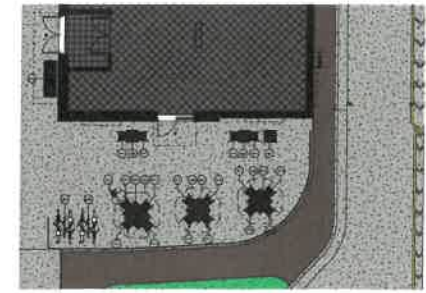
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3	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES
4	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES
5	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES
6	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES
7	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES
8	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES
9	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES
10	PAINT	EXTERIOR WALLS, CEILING, TRUSS, INTERIOR FINISHES



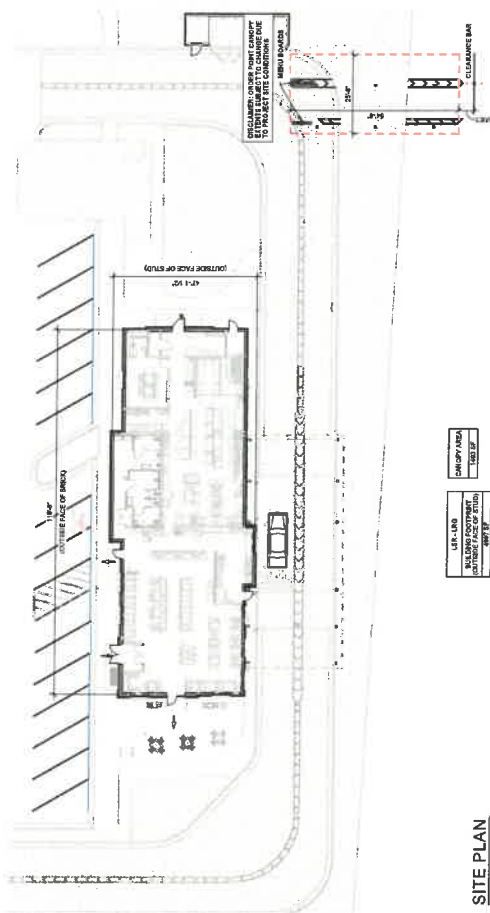
EXTERIOR ELEVATION



PERSPECTIVE VIEW - PATIO



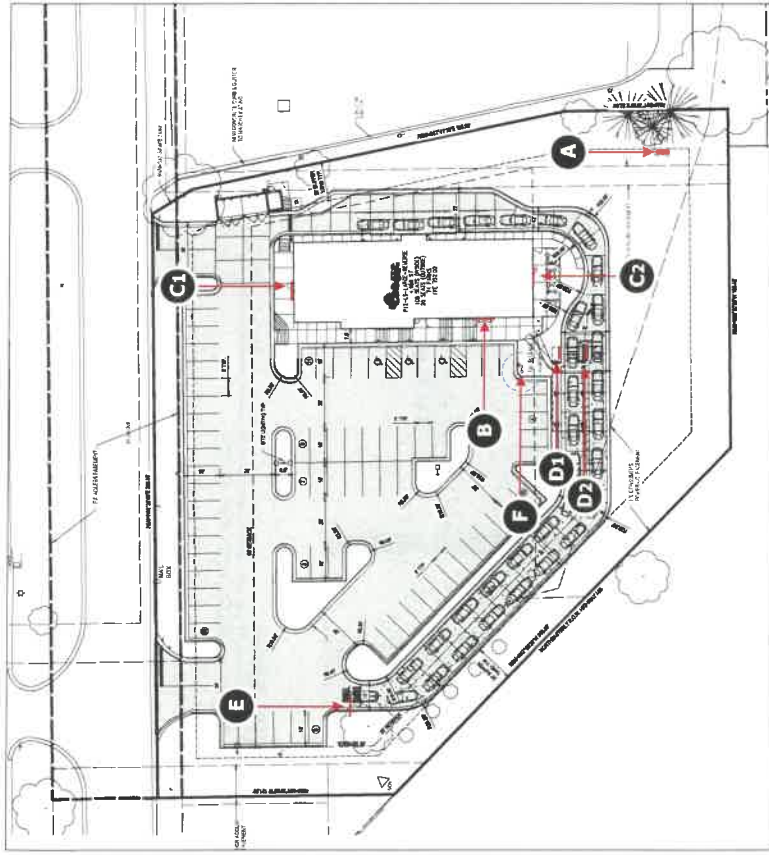
DINING PATIO PLAN



SITE PLAN

PATIO SEATING SCHEDULE

Item	Qty	Unit	Description
1	1	Sq Ft	Patio Seating
2	1	Sq Ft	Patio Seating
3	1	Sq Ft	Patio Seating
4	1	Sq Ft	Patio Seating
5	1	Sq Ft	Patio Seating
6	1	Sq Ft	Patio Seating
7	1	Sq Ft	Patio Seating
8	1	Sq Ft	Patio Seating
9	1	Sq Ft	Patio Seating
10	1	Sq Ft	Patio Seating



SITE PLAN 1

SCALE: 1/64" = 1'-0"



NOTE: FOR LOCATIONS OF TRAFFIC D.O.T. SIGNS; REFER TO SITE PLAN 2 ON PAGE 3 AND PAGE 15.

SIGN I.D. LETTER	FACE A	FACE B
A		
B		N/A
C1	5'-0" 	N/A
C2	4'-0" 	N/A
D1 D2		N/A
E		N/A
F	10' 	N/A

Design # 062230481
 Sheet 2 of 20
 Location #4478
 Address 5528 28TH STREET - SE, GRAND RAPIDS, MI.
 Acct. Rep. KRISTEN HAMILTON
 Coordinator AMY MCCANN
 Designer JULIA ESTRADA
 Date 04/08/19
 Approval/Date
 Drawn
 Set
 Estimating
 Arts
 Engineering
 Landlord
 Revision/Date
 PREPARED BY: CHANOLER SIGNS

chandlersigns.com
CHANOLER SIGNS
 18411 Sowerby Road #101
 Dallas, TX 75248
 (972) 241-1100
 San Antonio 17113 San Pedro Ave.
 San Antonio, TX 78232
 (214) 481-1100
 Memphis 3303 Eastman Ridge Dr.
 Memphis, TN 38117
 (901) 344-1100
 Northwest US 204 100
 (800) 975-1100
 Memphis 25443 Seward Hill Forest Circle
 Memphis, TN 38117
 (901) 775-1100
 Englewood 111 Woodstone Way
 Englewood, CO 80150
 (303) 775-1100
 South Texas 2415 S. Loop West, Suite 100
 Houston, TX 77050
 (281) 488-1100
 (UL) FINAL ELECTRICAL CONNECTION BY CUSTOMER

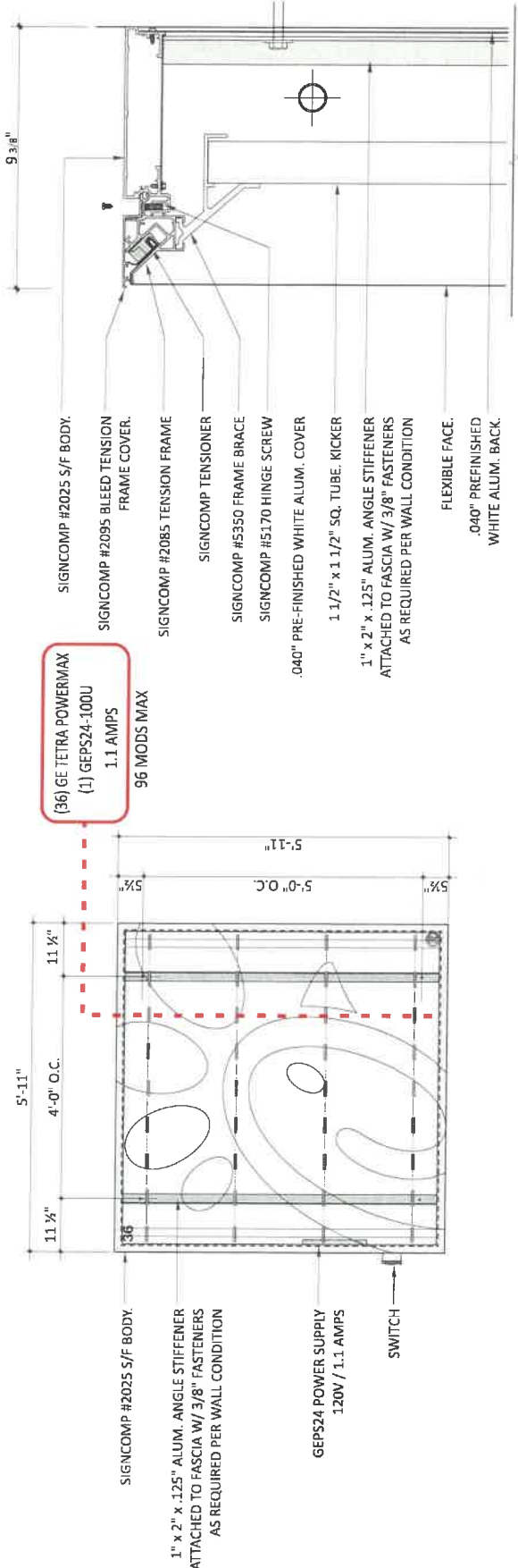
Chick-fil-cu
SITE PLAN 1

Design #	062230MAR1
Sheet	7 of 20
Location	#4428
Address	5508 28TH STREET - SE, GRAND RAPIDS, MI.
Acct. Rep.	KRISTEN HAMILTON AMY MCCANN Coordinator
Designer	JULIA ESTRADA
Check	04/08/19
Date	
Estimating	
App.	
Engineering	
Inspected	
Revision/Date	

chandlerselectrics.com

 Electrical, Mechanical, Plumbing, Fire Alarm, Security, and Low Voltage Systems
 Headquarters: 13713 San Pedro Ave., Suite 100, Houston, TX 77045
 Dallas: 13713 San Pedro Ave., Suite 100, Houston, TX 77045
 Miami: 13713 San Pedro Ave., Suite 100, Houston, TX 77045
 Northeast US: 2841 River Road, Suite 100, Jacksonville, FL 32206
 Florida: 2841 River Road, Suite 100, Jacksonville, FL 32206
 Georgia: 11 Woodstone Place, Atlanta, GA 30329
 South Texas: PO Box 135, 206 Road Drive, Houston, TX 77058
 FINAL ELECTRICAL CONNECTION BY CUSTOMER

 B

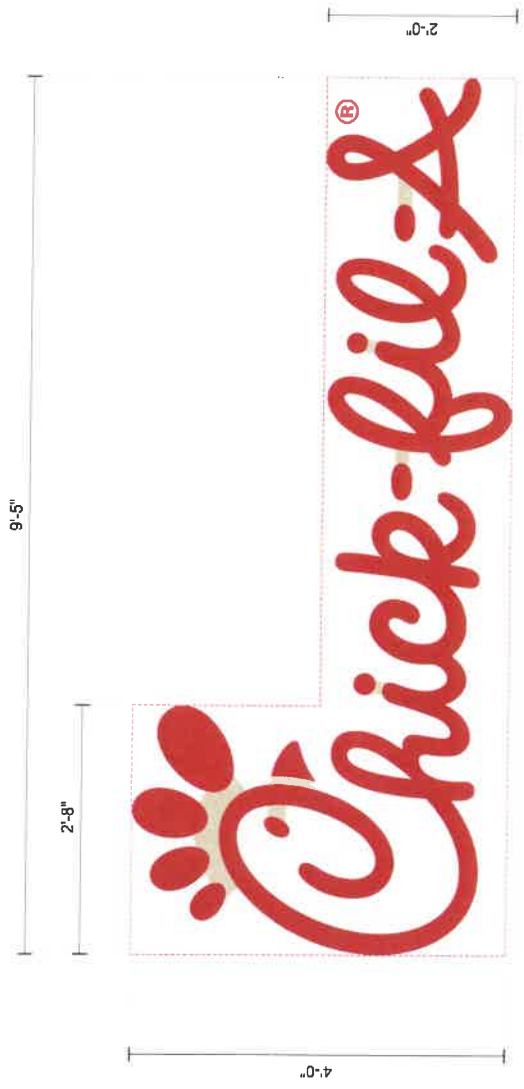


SECTION DETAIL SCALE 3"=1'

LED DIAGRAM / FRAMING DETAIL SCALE 1"=1'-0"

- (10) REQUIRED MANUFACTURE AND INSTALL
- GE Tetra Power Max L.E.D. (1.5/ft)
- TOTAL MODULES = 36 (24ft) PER CABINET
- TOTAL AMPS = 1.1 AMPS EACH
- (1) 120v, 20 AMP CIRCUIT REQUIRED
- INSTALL PRIMARY PER N.E.C.
- U.L. LABEL REQUIRED
- INSTALL SIGNAGE PER N.E.C.

DAL - MANUFACTURING
NEW CFA LOGO



C2 **CFA - PCL 4-0**

ONE (1) REQUIRED - MANUFACTURE AND INSTALL

SCALE: 3/4" = 1'-0"

LIVE AREA: 24 SQ. FT.

OVERALL AREA: 38 SQ. FT.

SEE SECTION DETAIL

Design #	062230MARI
Sheet	9 of 20
Location	
Address	
528 28TH STREET - SE, GRAND RAPIDS, MI.	
Acct. Rep.	KRISTEN HAMILTON
Coordinator	AMY MCCANN
Designer	JULIA ESTRADA
Date	04/08/19
Approval/Date	
Drawn	
Estimated	
AMS	
Engineering	
Landed	
Revision/Date	

REVISIONS: 1. 04/08/19: INITIAL DESIGN APPROVED FOR MANUFACTURING. 2. 04/08/19: MANUFACTURING APPROVED FOR MANUFACTURING.



chandler
CHANDLER
signs.com

17115 Oakwood Ave
San Antonio, TX 78232
210.425.1234
210.425.1234

17115 Oakwood Ave
San Antonio, TX 78232
210.425.1234
210.425.1234

2842 River Road
Northwest US
2842 River Road
Northwest US

111 Woodstone Place
Georgia
111 Woodstone Place
Georgia

PO Box 125 200 South Drive
South Texas
PO Box 125 200 South Drive
South Texas

111 Woodstone Place
Georgia
111 Woodstone Place
Georgia

PO Box 125 200 South Drive
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PO Box 125 200 South Drive
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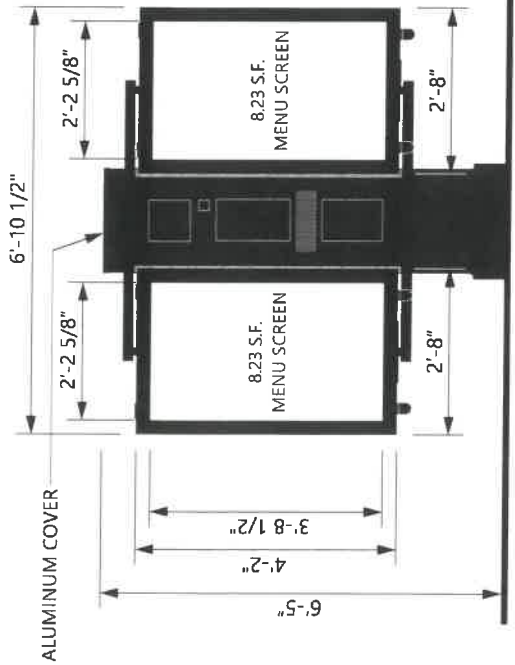
111 Woodstone Place
Georgia
111 Woodstone Place
Georgia

PO Box 125 200 South Drive
South Texas
PO Box 125 200 South Drive
South Texas

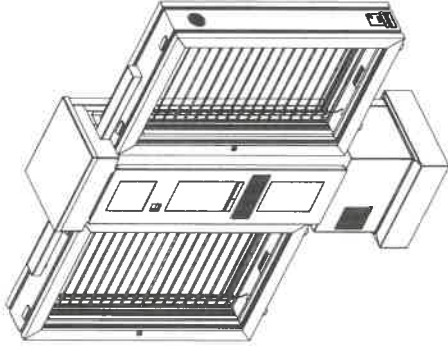


C2

FINAL ELECTRICAL
CONNECTION BY
CUSTOMER



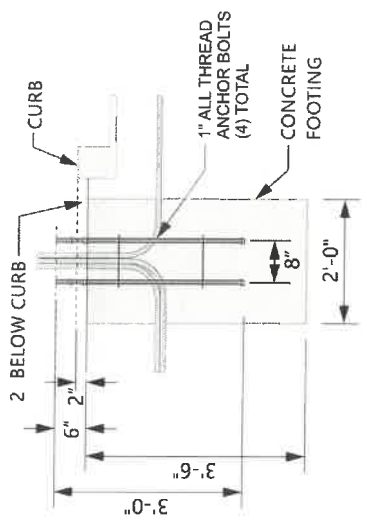
D1 D2
ELEVATION
SCALE - 1/2" = 1'-0"



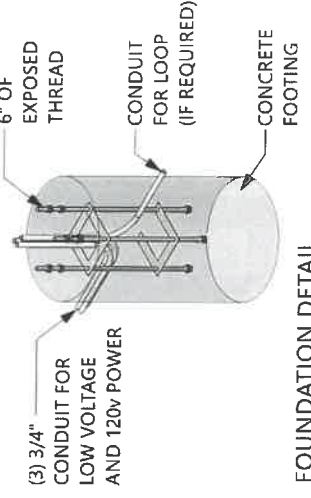
END VIEW
SCALE - 1/2" = 1'-0"



CONCRETE FOOTING
ANCHOR BOLTS
BOLT DETAIL
SCALE - 1/2" = 1'-0"



2 BELOW CURB
CURB
1" ALL-THREAD ANCHOR BOLTS (4) TOTAL
CONCRETE FOOTING
FOUNDATION DETAIL
SCALE - 1/2" = 1'-0"



(3) 3/4" CONDUIT FOR LOW VOLTAGE AND 120V POWER
6" OF EXPOSED THREAD
CONDUIT FOR LOOP (IF REQUIRED)
CONCRETE FOOTING
FOUNDATION DETAIL
NO SCALE

Design #	0622304AR1
Sheet	11 of 20
Location	H442B
Address	5628 26TH STREET - SE, GRAND RAPIDS, MI.
Acct. Mgr.	KRISTEN HAMILTON
Coordinator	AMY MCCANN
Designer	JULIA ESTRADA
Date	04/08/19
Approval/Date	
Blk.	
Estimating	
Arch	
Engineering	
Landscaping	
Revision/Date	

NOTES: THIS PROJECT IS THE PROPERTY OF CHANDLER SIGNS. IT IS TO BE USED ONLY FOR THE PROJECT AND LOCATION SPECIFIED. ANY REUSE OR MODIFICATION IS AT THE USER'S RISK.

chandlerdesigns.com
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Phone: (616) 941-1111
Fax: (616) 941-1112
Email: info@chandlerdesigns.com

UL
FINAL ELECTRICAL CONNECTION BY CUSTOMER
Chick-fil-A
D1, D2

**PROVIDED BY OTHERS
INSTALL ONLY**

January 10, 2022
Project No. 170168

Brian Hilbrands
Interim Planning Director
Cascade Charter Township
2865 Thornhills Avenue, SE
Grand Rapids, MI 49546

Chick-Fil-A (5528 – 28th Street)
Site Plan Review

Dear Brian:

We have reviewed the latest site plan for Chick-Fil-A, located at 5528 – 28th Street SE, prepared by PEA dated December 14, 2021. The proposed project is a redevelopment of an existing site for a new Chick-Fil-A restaurant. The site is located in the Plaster Creek watershed, sub-drainage district Cascade West. This site was previously reviewed in June of 2019 and our understanding is the applicant has made some slight modifications to the site since that approval and is seeking a new site plan approval.

This site plan application was received prior to the proposed (new) Cascade Storm Water Ordinance (SWO) being approved by the Township Board therefor the current SWO requirements apply to this review.

Stormwater and Drainage

Flood Control

The proposed project is a new development, so all improvements shall comply with the requirements of the Cascade Charter Township (Township) Stormwater Ordinance (SWO). This location is currently developed with a parking lot and a building which was formerly the Macaroni Grill.

The site is located in Stormwater Management Zone B, which requires detention of the 25-year storm event. The SWO also requires the first 0.5 inch of stormwater runoff be detained and released over a 24-hour period.

Stormwater runoff from the site drains to the Kent County Drain Commissioner (KCDC) Patterson Drain and regional detention pond, located on the north side of I-96. The existing site drains to the storm sewer and Patterson Drain and therefore should not need to be reviewed and permitted again by the KCDC. We have contacted the KCDC to verify there are no new requirements for this site. The overall impervious area of the site is decreasing with the proposed redevelopment. Onsite stormwater detention is not required because the site drains to the regional detention pond.

Water Quality Control

The SWO requires the first 0.5 inch of stormwater runoff be detained and infiltrated where conditions permit or released over a 24-hour period. The applicant is proposing to install a mechanical vortex separator unit at the outlet from the site to capture and store sediment, trash, and debris. This is indicated on plan Sheet C-301 and is located in the north parking lot. This requirement has been satisfied.

Stormwater Runoff

The applicant previously provided stormwater calculations to size the onsite storm sewer system when this was first reviewed in 2019. There are some slight changes to the plan; however, all stormwater runoff from the impervious areas of the site will still discharge to the Patterson Drain regional detention pond.

Drainage Plan

The applicant has submitted drawings, calculations, and additional documentation as required in the SWO Section 2.03, Drainage Plan. Please refer to the included checklist for items and comments on each item. Please note a maintenance agreement is required before construction begins. The agreement should be submitted to the Township for review. The maintenance agreement and plan should include at a minimum cleaning of catch basin sumps and the water quality unit.

Utilities

No new utilities are proposed for the site. The restaurant will utilize the existing water and sanitary sewer services onsite; 8-inch sanitary sewer lead, 4-inch fire protection service, and 2-inch domestic water service.

Soil Erosion and Sedimentation Control

Soil Erosion and Sedimentation Control (SESC) measures are provided on the plan drawing Sheet C-302. The applicant has included silt fence along the limits of disturbance, silt sacks in new catch basins, and a construction tracking mat at the entrance to the site. SESC falls under the review and approval of the Kent County Road Commission and a permit is required before construction can begin. The SESC measures indicated on the drawings appear appropriate given the expected work.

Summary

The proposed stormwater design meets the Township SWO requirements for new developments. The applicant will need to apply for an SESC permit prior to beginning construction. We recommend approval of the site plan from an engineering standpoint.

If you have any questions or require additional information, please contact me at 616.464.3927 or mberrevoets@fishbeck.com.

Sincerely,



Michael L. Berrevoets, PE
Senior Civil Engineer

By email

Copy: Nate Torrey, PE – Fishbeck

Cascade Charter Township

Storm Water Ordinance, Ordinance 7 of 2002, as amended by Ordinance No. 2 of 2008, 5/14/2008

Reviewing Engineer Comments are Italicized

OK – Received and Acceptable

NA – Not Applicable

NR – Not Received, Needs Follow-up, See Comments

Chick-Fil-A

Drainage Plan Checklist

- OK (1) Location of the development site and water bodies that will receive storm water runoff
All stormwater runoff from the site drains to the Kent County Drain Commissioner Patterson Drain and regional detention pond.
- OK (2) Existing and proposed topography of the development site, including the alignment and boundary of the natural drainage courses, with contours having a maximum interval of one foot (using USGS datum). The information shall be superimposed on the pertinent Kent County soil map
Existing and proposed contours have been provided.
- OK (3) Development tributary area to each point of discharge from the development
- OK (4) Calculations for the final peak discharge rates
- OK (5) Calculations for any facility or structure size and configuration
- OK (6) Drawing showing all proposed storm water runoff facilities with existing and final grades
The applicant provided a utility plan showing all proposed stormwater runoff facilities.
- OK (7) The sizes and locations of upstream and downstream culverts serving the major drainage routes flowing into and out of the development site. Any significant off-site and on-site drainage outlet restrictions other than culverts should be noted on the drainage map
The drainage map did not indicate any major offsite drainage routes flowing into the site.
- OK (8) An implementation plan for construction and inspection of all storm water runoff facilities necessary to the overall drainage plan, including a schedule of the estimated dates of completing construction of the storm water runoff facilities shown on the plan and an identification of the proposed inspection procedures to ensure that the storm water runoff facilities are constructed in accordance with the approved drainage plan
A construction schedule was included on the plans.
- OK (9) Plan to ensure the effective control of construction site storm water runoff and sediment track-out onto roadways
The SESC measures shown on the plan appear appropriate given the expected work. SESC falls under the review and approval of the KCRC and a permit is needed before construction can begin.

- OK (10) Drawings, profiles, and specifications for the construction of the storm water runoff facilities reasonably necessary to ensure that storm water runoff will be drained, stored, or otherwise controlled in accordance with this ordinance
- NR (11) Maintenance agreement, in form and substance acceptable to the Township, for ensuring maintenance of any privately owned storm water runoff facilities. The maintenance agreement shall include the developer's written commitment to provide routine, emergency, and long-term maintenance of the facilities and, in the event that the facilities are not maintained in accordance with the approved drainage plan, the agreement shall authorize the Township to maintain any on-site storm water runoff facility as reasonably necessary, at the developer's expense
Maintenance agreement was not provided and is required.
- OK (12) Name of the engineering firm and the registered professional engineer that designed the drainage plan and that will inspect final construction of the storm water runoff facilities
- NA (13) All design information must be compatible for conversion to Grand Valley Regional Geographic Information System (REGIS)
This is a privately owned system and will not be uploaded to REGIS.
- OK (14) Other information necessary for the Township to verify that the drainage plan complies with the Township's design and performance standards for drains and storm water management systems

CASCADE CHARTER TOWNSHIP

Ordinance #11 of 2002

Amended by Ordinance # 1 of 2008

Amended by Ordinance # 2 of 2011

Amended by Ordinance #1 of 2017

Amended by Ordinance #6 of 2017

Amended by Ordinance #5 of 2019

**AN ORDINANCE TO AMEND THE CASCADE CHARTER TOWNSHIP ZONING
ORDINANCE AND ZONING MAP TO ESTABLISH THE
MEIJER'S, INC./ROMANO'S
PLANNED UNIT DEVELOPMENT PROJECT.**

Cascade Charter Township Ordains:

Section I. An Amendment to The Cascade Charter Township Zoning Ordinance.

The application received from Greg Heath, as a member of Meijer Realty Co. or his assigns (hereinafter referred to as the "Developer"), for Planned Unit Development designation for the proposed Meijer/Romano Planned Unit Development Project (herein after referred to as the "Project") was recommended by the Cascade Charter Township Planning Commission for approval to the Township Board on June 17, 2002. The Project is recommended for rezoning from B2, General Business to PUD, Planned Unit Development. This action requires an amendment to the Cascade Charter Township Zoning Ordinance and Zoning Map to incorporate the Planning Commission's recommendation and the Cascade Charter Township Board of Trustees' action on July 10, 2002.

Section II. Legal Description.

The legal description of the Project is as follows:

5525 28th St:

PART SE 1/4 COM AT SE COR OF SEC TH S 88D 05M 02S W ALONG S SEC LINE 277.97 FT TH N 1D 39M 55S W 56.93 FT TO N LINE OF 28TH ST TH S 88D 20M 05S W ALONG SD N LINE 161.82 FT TO NE LINE OF HWY I-96 TH N 1D 39M 55S W ALONG SD NELY LINE 25.0 FT TH S 88D 20M 05S W ALONG SD NELY LINE 300.0 FT TH N 1D 39M 55S W ALONG SD NELY LINE 20.0 FT TO BEG OF THIS DESC - TH S 88D 20M 05S W ALONG SD NELY LINE 155.40 FT N 47D 05M 25S W ALONG SD NELY LINE 246.98 FT TH N 1D 39M 55S W 121.08 FT TH N 88D 20M 05S E 300.93 FT TH S 32D 50M 09S E 23.80 FT TH S 12D 41M 15S E 195.0 FT TH S 1D 39M 55S E 82.66 FT TH S 88D 20M 05S W 19.20 TO BEG * SEC 7 T6N R10W 1.92 A.

5531 28th St:

PART SE 1/4 COM 525.70 FT N 1D 37M 57S W ALONG E SEC LINE & 43.0 FT S 88D 22M 03S W FROM SE COR OF SEC TH S 88D 22M 03S W 205.04 FT TH S 63D 03M 53S W 180.63 FT TH S 88D 20M 05S W 643.86 FT TH N 1D 39M 55S W 966.68 FT TH N 88D 20M 05S E 855.78 FT TO W LINE OF E 200 FT OF NE 1/4 SE 1/4 TH SLY ALONG SD W LINE TO S 1/8 LINE TH E ALONG S 1/8 LINE TO W LINE OF KRAFT AVE /86 FT WIDE/ TH S TO BEG * SEC 7 T6N R10W 21.68 A.

5555 28th St:

PART SE 1/4 COM 525.70 FT N 1D 37M 57S W ALONG E SEC LINE & 43.0 FT S 88D 00M 48S W FROM SE COR OF SEC TH S 88D 22M 03S W 205.04 FT TH S 63D 03M 53S W 180.63 FT TH S 88D 20M 05S W 643.86 FT TH S 1D 39M 55S E 53.60 FT TH N 88D 20M 05S E 285.10 FT TH TH S 32D

50M 09S E 23.80 FT TH S 12D 41M 15S E 195.0 FT TH S 1D 39M 55S E 82.66 FT TH S 88D 20M 05S W 19.20 TH S 1D 39M 55S E 20.0 FT TH N 88D 20M 05S E 300.0 FT TH S 1D 39M 55S E 25.0 FT TH N 88D 20M 05S E 161.82 FT TH N 1D 39M 55S W 225.0 FT TH N 88D 22M 03S E 45.0 FT TH N 1D 39M 55S W 179.15 FT TH N 88D 22M 03S E 190.23 FT TH N 1D 39M 55S W 66.0 FT TO BEG * SEC 7 T6N R10W 4.99 A.

5595 28th St:

PART SE 1/4 COM AT SE COR OF SEC TH S 88D 05M 02S W ALONG S SEC LINE 277.97 FT TH N 1D 39M 55S W 281.93 FT TH N 88D 22M 03S E 45.0 FT TH N 1D 39M 55S W 179.15 FT TH N 88D 22M 03S E TO E SEC LINE TH S 1D 37M 57S E TO BEG EX E 40.0 FT * SEC 7 T6N R10W 2.33 A.

5411 28th St:

PART SE 1/4 COM AT SE COR OF SEC TH S 88D 05M 02S W ALONG S SEC LINE 277.97 FT TH N 1D 39M 55S W 56.93 FT TO N LINE OF 28TH ST TH S 88D 20M 05S W ALONG SD N LINE 161.82 FT TO NE LINE OF HWY I-96 TH N 1D 39M 55S W ALONG SD NELY LINE 25.0 FT TH S 88D 20M 05S W ALONG SD NELY LINE 300.0 FT TH N 1D 39M 55S W ALONG SD NELY LINE 20.0 FT TH S 88D 20M 05S W ALONG SD NELY LINE 155.40 FT N 47D 05M 25S W ALONG SD NELY LINE 246.98 FT BEG OF THIS DESC - TH N 47D 05M 25S W ALONG NELY LINE OF SD HWY 359.68 FT TO E 1/8 LINE TH N 1D 25M 52S W ALONG E 1/8 LINE 888.91 FT TH N 88D 20M 05S E 268.74 FT TH S 1D 39M 55S E 1020.26 FT S 88D 20M 05S W 16.16 FT S 1D 39M 55S E 121.08 FT TO BEG * SEC 7 T6N R10W 6.31 A.

Section III. General Provisions.

The following provisions shall hereby apply to the Project, in addition to those Provisions outlined in Chapter 16 of the Cascade Charter Township Zoning Ordinance (Ordinance No. 11 of 1988, as amended).

Section IV. Purpose. (amended by Ord No 1 of 2017 and Ord No 6 of 2017 and No 5 of 2019)

The Project occupies approximately 36.92 acres of land that currently contains a Meijer retail store, Meijer Gas Station, a fast food restaurant with drive thru service several retail stores, hotel and automotive service use. The Planned Unit Development technique has been chosen by the Developer to provide more control over the Project's aesthetics and appearance.

The regulations contained herein are established to define the procedures necessary to insure high quality development of the Project. Additionally, they are designed to achieve integration of this development with adjacent land uses.

Section V. Approval Limitations.

- A. The provisions of this Ordinance are not intended as a substitute for the Cascade Charter Township Zoning Ordinance and the General Development Plan, nor do they in any way relieve the Developer from obtaining all approvals and permits required by the township, except as otherwise expressly provided herein. In the event that a development issue or site plan element is not addressed by this Ordinance, the specifications and requirements of the Cascade Charter Township Zoning Ordinance shall be enforced.
- B. Except as otherwise provided herein, the Developer and his assigns must meet all applicable provisions and regulations of Cascade Charter Township, as well as federal and state law, and

must obtain all necessary approvals from state and county governmental agencies that are required for operation or use.

- C. This PUD approval is expressly contingent upon all conditions of approval herein remaining fully effective and valid. If any condition imposed herein is determined to be illegal or contrary to law as a result of a successful legal challenge by the Developer or its assigns, or any other party, the Township reserves the right to review the entire Project under the PUD provisions of the Cascade Charter Township Zoning Ordinance, and further, to withdraw its approval of this PUD if it finds that, absent the effect of any condition imposed herein, the PUD no longer meets the standards for PUD approval contained in the Zoning Ordinance.
- D. All conditions contained herein shall be binding upon the Developer, as well as its successors, tenants and assigns. The conditions may be modified or amended only pursuant to a formal amendment of the PUD approval and ordinance amendment.
- E. This approval document shall be recorded with the Kent County Register of Deeds by the Developer prior to construction occurring on site, and shall run with and bind the lands involved. Copies of this recorded document shall be supplied by the Developer to the Cascade Charter Township Clerk.
- F. Failure to comply with the site plan or any condition of approval herein shall be deemed to be both a nuisance per se and a violation of the Cascade Charter Township Zoning Ordinance.

Section VI. Permitted Uses (as amended by Ord No 2 of 2011; 1/12/11)(Ord No 1 of 2017) (Ord No 6 of 2017) (No 5 of 2019)

The permitted uses for the Meijer/Romano's PUD are limited to the following:

1. Retail store
2. A Gas Station and any ancillary uses
3. A 4,988 sq ft fast food restaurant with drive-thru service.
4. general retail/restaurant uses consistent with site plan dated 12/16/10
5. Bank/credit union with drive thru
6. Hotel
7. Automotive Service

Section VII. Design Guidelines, Requirements and Limitations. (Amended by Ord No 1 of 2017) (No 5 of 2019)

The Project shall be developed in accordance with the site plan approved and signed by the Township. No alterations, expansions or additions may take place to the Project without an amendment to this Ordinance, unless authorized otherwise herein.

A. Maximum Height – 35 feet

1. Hotel is permitted a height of 42 feet to roof line and 60 feet to peak.

B. Parking –

Per schedule 19-D of the Zoning Ordinance as amended.

1. the fast food restaurant shall be allowed 74 parking spaces.

C. Setbacks –

1. Minimum for Gas station and Fast Food Restaurant. Canopy set back shall match Meijer Gas Station Canopy set back.

Front Yard – 100 ft.
Side Yard – 25 ft.
Rear Yard – 50 ft.

2. Minimum for Retail center (as amended by Ord No 2 of 2011; 1/12/11)
100 feet from 28th St
73 feet from Kraft Ave
Side Yard – 50 ft.
Rear Yard – 20 ft.

3. Minimum for Bank site
90 feet from 28th St
73 feet from Kraft Ave
Side Yard – 40 ft.
Rear Yard – 50 ft.

4. Minimum for The Meijer Retail Store
Front Yard – 100 ft.
Side Yard – 25 ft.
Rear Yard – 50 ft.

5. Minimum for Hotel site
Front North-63 feet
Front West – 51 feet
Side – 25 feet
Rear – 50 feet

6. Minimum for Automotive service site (Ord No 6 of 2017)
Front 54 feet
Side – 25 feet
Rear – 50 feet

D. Signs –

A. The following signs are permitted for the fast food restaurant site:

1. One (1) freestanding sign, with a maximum height of 30 feet and a total sign area equal to two (2) square feet for each five (5) feet of lot frontage as measured at the building setback line. In no event shall the sign exceed one hundred twenty-five (125) square feet in sign area. Up to fifty (50) percent of such a sign may be a changeable copy sign.
Wall signage or marquee signage per building, not to exceed one-hundred (100) square feet in total sign area.

1. Window signs and displays, provided permanent window sign(s) shall not cover more than twenty-five (25) percent of the total window surface and temporary window signs shall not cover more than fifteen (15) percent of the total window surface.
2. One (1) directory wall sign per building, not to exceed twenty (20) square feet in total sign area.
3. Directional signs up to ten (10) square feet in sign area. Each zone lot or development shall not have more than two (2) directional signs.
4. One (1) incidental sign not to exceed twelve (12) square feet.
5. Flags of any nation, state, or entity provided they do not exceed thirty-two (32) square feet in area. A zone lot will be limited to three (3) flags. Flagpole height may not exceed the height restrictions for the zoning district as found in the Zoning Ordinance.

B. The following signs are permitted for the gas station:

1. All signs as permitted in Section 6.01 of this Ordinance.
2. One (1) freestanding sign, one (1) point-of-sale sign, or one (1) development/building identification sign per building. Such sign shall not exceed a height of 30 feet and a total sign area equal to two (2) square feet for each five (5) feet of lot frontage as measured at the building setback line. In no event shall the sign exceed one hundred twenty-five (125) square feet in sign area. Up to fifty (50) percent of such a sign may be a changeable copy sign. A freestanding sign may be a consolidated tenant sign identifying each tenants name.
3. One of the following signs are permitted:
 - a. One (1) wall sign or marquee per building, not to exceed one-hundred (100) square feet in total sign area, or;
 - b. Or, one (1) awning/canopy sign per building, not to exceed thirty-two (32) square feet in total sign area , or;
 - c. In the event the building has multiple commercial establishments, each commercial establishment's space will be permitted a sign area equal to one square foot for each lineal foot of building frontage (i.e., building frontage on the ground for the front of the building) that each respective commercial establishment occupies, not to exceed a sign length of more than two-thirds of the subject frontage.
4. Window signs and displays, provided permanent window sign(s) shall not cover more than twenty-five (25) percent of the total window surface and temporary window signs shall not cover more than fifteen (15) percent of the total window surface.
5. One (1) directory wall sign per building, not to exceed twenty (20) square feet in total sign area.
6. Directional signs up to two (2) square feet in sign area. Each zone lot or development shall not have more than two (2) directional signs.

7. Flags of any nation, state, or entity provided they do not exceed thirty-two (32) square feet in area. A zone lot will be limited to three (3) flags. Flagpole height may not exceed the height restrictions for the zoning district as found in the Zoning Ordinance.

D. The following signs are permitted for the Retail Center and Bank site:

1. The following pylon sign is permitted:
 - i. (1) freestanding sign, with a maximum height of 30 feet and one hundred twenty-five (125) square feet in sign area. Up to fifty (50) percent of such a sign may be a changeable copy sign.
 - ii. Or, in lieu of placing a pylon sign on this site, they may consolidate free standing signs with the Meijer freestanding sign (Section VII D.D.1) and have one 250 sq ft sign.
2. One of the following signs are permitted:
 - a. One (1) wall sign or marquee per building, not to exceed one-hundred (100) square feet in total sign area, or;
 - b. Or, one (1) awning/canopy sign per building, not to exceed thirty-two (32) square feet in total sign area , or;
 - c. In the event the building has multiple commercial establishments, each commercial establishment's space will be permitted a sign area equal to one square foot for each lineal foot of building frontage (i.e., building frontage on the ground for the front of the building) that each respective commercial establishment occupies, not to exceed a sign length of more than two-thirds of the subject frontage.
3. Window signs and displays, provided permanent window sign(s) shall not cover more than twenty-five (25) percent of the total window surface and temporary window signs shall not cover more than fifteen (15) percent of the total window surface.
4. One (1) directory wall sign per building, not to exceed twenty (20) square feet in total sign area.
5. Directional signs up to two (2) square feet in sign area. Each zone lot or development shall not have more than two (2) directional signs.
6. One (1) incidental sign not to exceed twelve (12) square feet.
7. Flags of any nation, state, or entity provided they do not exceed thirty-two (32) square feet in area. A zone lot will be limited to three (3) flags. Flagpole height may not exceed the height restrictions for the zoning district as found in the Zoning Ordinance.

E. The following signs are permitted for the Meijer Retail Store site.

1. The following freestanding sign is permitted:
 - i. (1) freestanding sign, with a maximum height of 30 feet and one hundred twenty-five (125) square feet in sign area. Up to fifty (50) percent of such a sign may be a changeable copy sign.
 - ii. Or, in lieu of placing a pylon sign on this site, they may consolidate free standing signs with the Retail center and bank site sign (Section VII D.C.1) and have one 250 sq ft sign.
2. Wall signs totaling no more than 544.5 sq ft. They may be divided between multiple wall signs.

3. Window signs and displays, provided permanent window sign(s) shall not cover more than twenty-five (25) percent of the total window surface and temporary window signs shall not cover more than fifteen (15) percent of the total window surface.
4. The existing directional signs at Kraft and 28th St are permitted provided they do not change their total sign area. The sign areas for these signs are approximately 21 and 24 sq ft respectively. These signs may remain
5. The existing large triangular sign located in the southwest area of the Meijer site is permitted to be used as on off premise sign for the businesses to the north and west of Meijer. The panels on this sign are approximately 75 sq ft on each side and may be changed for new or different businesses from time to time. The sign area of the triangular sign may not be expanded as a result of the changing of any panels.
6. On site directional signs no more than 2 sq ft each.
7. Flags of any nation, state, or entity provided they do not exceed thirty-two (32) square feet in area. A zone lot will be limited to three (3) flags. Flagpole height may not exceed the height restrictions for the zoning district as found in the Zoning Ordinance.

F. The following signs are permitted for the hotel site

1. The following pylon sign is permitted:
 - (1) freestanding sign, with a maximum height of 30 feet and one hundred twenty-five (125) square feet in sign area. Up to fifty (50) percent of such a sign may be a changeable copy sign.
2. One of the following signs are permitted:
 - a. wall sign or marquee per building, not to exceed one-hundred (100) square feet in total sign area, or;
3. Window signs and displays, provided permanent window sign(s) shall not cover more than twenty-five (25) percent of the total window surface and temporary window signs shall not cover more than fifteen (15) percent of the total window surface.
4. One (1) directory wall sign per building, not to exceed twenty (20) square feet in total sign area.
5. Directional signs up to ten (10) square feet in sign area. Each zone lot or development shall not have more than two (2) directional signs.
6. One (1) incidental sign not to exceed twelve (12) square feet.
7. Flags of any nation, state, or entity provided they do not exceed thirty-two (32) square feet in area. A zone lot will be limited to three (3) flags. Flagpole height may not exceed the height restrictions for the zoning district as found in the Zoning Ordinance.

F. The following signs are permitted for the automotive service site. (Ord No 6 of 2017)

1. The following pylon sign is permitted:
 - (1) freestanding sign, with a maximum height of 30 feet and forty-eight (48) square feet in sign area. Up to fifty (50) percent of such a sign may be a changeable copy sign.
2. One of the following signs are permitted:
 - a. Wall signage or marquee signage per building, not to exceed one-hundred (100) square feet in total sign area.
3. Window signs and displays, provided permanent window sign(s) shall not cover more than twenty-five (25) percent of the total window surface and temporary window signs shall not cover more than fifteen (15) percent of the total window surface.
4. One (1) directory wall sign per building, not to exceed twenty (20) square feet in total sign area.
5. Directional signs up to ten (10) square feet in sign area. Each zone lot or development shall not have more than two (2) directional signs.
6. One (1) incidental sign not to exceed twelve (12) square feet.
7. Flags of any nation, state, or entity provided they do not exceed thirty-two (32) square feet in area. A zone lot will be limited to three (3) flags. Flagpole height may not exceed the height restrictions for the zoning district as found in the Zoning Ordinance.

Section VIII. Lighting

Any new lighting that is installed in this project shall be in compliance with Section 19.19 of the Zoning Ordinance as amended. Furthermore, the total height of individual light poles shall be limited to a maximum height of 35 feet for any new light pole installed in this project..

Section IX. Sidewalks

The developer shall be responsible for the construction of a 7 foot sidewalk along Kraft Ave in the location shown on the approved site plan. This sidewalk shall connect the 28th St sidewalk to the sidewalks at the MVP project (PUD 24). The developer shall be responsible for the entire cost of this sidewalk. Once the sidewalk is installed the developer shall furnish the Township with any and all easements for sidewalk that is outside of the public right of way. This sidewalk shall be completed before occupancy of any new buildings is permitted.

Section X. Temporary Buildings

No structure of a temporary nature; trailer, tent or construction shack shall be constructed, placed or maintained within the Project except accessory to and during construction of any building or infrastructure improvement.

Section XI. Landscaping

Landscaping shall be provided according to the approved landscape plans that are a part of the approved site plans.

Section XII. Utilities

- A. The Project shall be served with public water and public sewer at the developer's expense.
- B. Stormwater Drainage - All proposed stormwater drainage facilities shall be reviewed and approved by the Township Engineer and the Kent County Drain Commissioner's office prior to the development of the Project. The Developer shall provide the Township Planning Department with copies of all correspondence and permits received from the Kent County Drain Commissioner regarding stormwater disposal.
- C. The Developer shall provide all necessary easements within the Project for telephone, electricity, gas and cable television to the appropriate utility provider without cost. Said easements shall be recorded with the Kent County Register of Deeds and provided to each utility provider for their records.

Section XIII. Soil Erosion Control Requirements.

The Developer shall submit a soil erosion control plan showing all temporary and permanent soil erosion control measures to be taken before, during, and after construction on the Project. This plan shall be reviewed and approved by the Township Engineer prior to commencing any excavation on the site.

Section XIV. Performance Guarantee.

To insure compliance with this Ordinance and any conditions herein, Cascade Township may require reasonable performance guarantees, as authorized under the Township Zoning Enabling Act to insure completion of improvements such as, but not limited to, landscaping, drainage, lighting, roads, and utilities. The Township Board, Engineer, or Planning Department may require such guarantees at any time they deem necessary to insure completion of the improvements.

Section XV. Consistency With Planned Unit Development (PUD) Standards.

The rezoning to Planned Unit Development will result in a recognizable benefit to the ultimate users of the Project and to the community.

In relation to the underlying zoning (B2, General Business) the Township finds the Project will not result in a material increase in the need for public services, facilities and utilities and will not place a material burden upon the subject property and the surrounding properties. The Project is not anticipated to cause undo impact to the stormwater drainage of the surrounding area. All stormwater and soil erosion control plans have been approved by the Township Engineer and the appropriate County and State agencies.

The Project has been determined by the Township to be compatible with the General Development Plan of the Township and with the spirit and intent of the Planned Unit Development Chapter of the Zoning Ordinance.

The Township finds the Project will not result in an unreasonable negative economic impact upon surrounding properties.

Finally, the Township recognizes the Project will be under single ownership or control. The Township recognizes that the Developer or its assigns will retain ownership and control of the project until this PUD Ordinance is recorded and all provisions that the developer and his assigns are responsible for are complied with. After that time, the property may be sold to other parties.

Section XV. Effective Date.

This Ordinance shall become effective seven (7) days after the publication of this ordinance, or a summary thereof, in The Grand Rapids Press, a newspaper of general circulation within Cascade Charter Township.

The foregoing Ordinance was offered by Board Member Parrish, supported by Board Member Kleinheksel. The roll call vote being as follows:

YEAS: Timmons, Carpenter, Goodyke, Kleinheksel, Parrish

NAYS: None

ABSENT: Jones

ABSTAIN: Julien

Marlene Kleinheksel
Cascade Charter Township Clerk

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted at a Regular Meeting of the Cascade Charter Township Board on the 10th day of July, 2002 .

Marlene Kleinheksel
Cascade Charter Township Clerk



February 11, 2019

Josh Lyons
GPD Group
520 South Main Street
Suite 2531
Akron, OH 44311

Re: Parking and Drive-Thru Queuing Analysis – Chick-fil-A, Novi, MI

Dear Josh:

Progressive AE has completed data collection at three existing Chick-fil-A sites located within the Grand Rapids, Michigan area. The data collection effort consisted of parking occupancy counts and drive-thru queuing observations. The following pages summarize our analysis regarding the existing parking demand and drive-thru queuing at the existing sites.

INTRODUCTION

Chick-fil-A is proposing a new quick serve restaurant within the City of Novi, Michigan. As part of the site approval process, the City of Novi has requested parking and drive-thru queuing data from similar sites within Michigan. Chick-fil-A identified three sites located within the metro Grand Rapids, Michigan area that are similar to the proposed site in Novi. Table 1 shows a summary of the general site information. Figures 1–3 show aerial maps of each site and are included in the appendix.

Table 1. Existing Chick-fil-A Site Data

Location	Building Size (sft)	Total Available Parking Spaces	Available Drive-Through Stacking ²
28th Street and East Beltline Grand Rapids, MI	4,850	59 ¹	10
M-6 and Kalamazoo Avenue Gaines Township, MI	4,877	80	8
US-131 and 54th Street Wyoming, MI	4,971	64 ¹	12

¹ Additional shared parking spaces available with adjacent retail sites

² Total number of vehicles able to queue in the drive-thru lanes prior to order kiosk without spilling back into the adjacent drive aisle
Source: Progressive AE, February 2019

DATA COLLECTION

Progressive AE collected parking occupancy counts and drive-through vehicle queuing data on Saturday, January 26, 2019, from 12:00 p.m. to 2:00 p.m. Data was also collected on Tuesday, February 5, 2019, from 11:00 a.m. to 1:00 p.m. and 4:00 p.m. to 6:00 p.m. These times were selected based on the peak periods of site activity. The weekday midday and evening time periods were not collected at the 54th Street site as poor weather conditions (winter snow storms) would have affected the results of the analysis.

Parking Demand

The peak period parking occupancy counts were conducted at the sites during the Saturday midday, weekday midday, and weekday evening time periods. The number of vehicles parked within Chick-fil-A’s

parking lot, including shared parking spaces, were counted at 15-minute intervals throughout the analysis period. Table 2 shows the 95th percentile and average number of parked vehicles within the parking lot for each time period at the sites. Detailed parking occupancy counts are included in the appendix.

The 28th Street site had the highest parking demand of the three sites, with a 95th percentile demand of 77 vehicles during the Saturday midday time period. The average 95th percentile parking demand of the three sites was 66 vehicles during the Saturday midday time period. The parking demand was slightly lower during the weekday midday and evening time periods.

Drive-Thru Queue Analysis

The peak period drive thru queue analysis was conducted at the sites during Saturday midday, weekday midday, and weekday evening time periods. The number of vehicles in the drive-thru lane queue, beginning after the order kiosk, were counted at 5-minute intervals throughout the analysis period. The counts did not include the vehicle at the order kiosk, but the number of vehicles queued behind the vehicle ordering at the kiosk. Table 2 shows the 95th percentile and average queues for each time period at the sites. Detailed drive-thru counts are included in the appendix.

The 28th Street site had the highest drive-thru queue of the three sites, with a 95th percentile queue of 20 vehicles during the weekday midday time period and 16 vehicles during the Saturday midday time period. These queues were significantly greater than the queues observed at the Gaines Township and 54th Street sites, where the 95th percentile queues were observed to be less than 10 vehicles during all time periods.

Table 2. Chick-fil-A Parking Occupancy and Drive-thru Queuing Summary

Location	Weekday Midday (11 AM–1 PM)		Weekday PM (4–6 PM)		Saturday Midday (12 Noon–2 PM)	
	Parking Occupancy ¹	Drive-thru Queuing ²	Parking Occupancy ¹	Drive-thru Queuing ²	Parking Occupancy ¹	Drive-thru Queuing ²
28th Street & East Beltline Avenue, Grand Rapids, MI						
95 th Percentile	64	20	50	8	77	16
Average	50	9	38	4	71	12
M-6 & Kalamazoo Avenue, Gaines Township, MI						
95 th Percentile	54	5	55	10	62	5
Average	41	2	38	3	52	1
US-131 & 54th Street, Wyoming, MI³						
95 th Percentile	-	-	-	-	58	9
Average	-	-	-	-	46	4
Average (All Sites)						
95 th Percentile	59	13	53	9	66	10
Average	46	6	38	4	56	6

¹ Total number of vehicles parked within Chick-fil-A and shared parking spaces.

² Total number of vehicles queued after the order kiosk, not including the vehicle at the kiosk.

³ Weekday data for the 54th Street site pending.

Source: Progressive AE, February 2019

Sincerely,



Nick LaCroix, PE, PTOE
Senior Transportation Engineer

NDL:smg

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Technical Appendix

Chick-fil-A Parking and Queuing Analysis

- **Site Figures**
- **Parking and Queuing Data**

Site Figures

Figure 1. 28th STREET & EAST BELTLINE, GRAND RAPIDS, MI



FIGURE 2. M-6 & KALAMAZOO AVE, GAINES TOWNSHIP, MI



February 6, 2019

CHICK-FIL-A PARKING & QUEUING ANALYSIS

FIGURE 3. US-131 & 54th STREET, WYOMING, MI



Parking and Queuing Data

Location: 28th Street & East Beltline, Grand Rapids, MI

Date: February 5, 2019 (Tuesday)

Time Period: Weekday Midday (11 AM - 1 PM)

Drive-Thru Queue ¹	
Time	Total Queued Vehicles
11:00	0
11:05	1
11:10	0
11:15	2
11:20	1
11:25	1
11:30	3
11:35	5
11:40	10
11:45	6
11:50	9
11:55	12
12:00	16
12:05	18
12:10	17
12:15	20
12:20	20
12:25	20
12:30	13
12:35	13
12:40	11
12:45	8
12:50	7
12:55	7
1:00	7
95th Percentile	20
Average	9

Parking Occupancy	
Time	Total Parked Vehicles
11:00	22
11:15	36
11:30	41
11:45	49
12:00	52
12:15	60
12:30	60
12:45	66
1:00	60
95th Percentile	64
Average	50

¹Number of vehicles after the order kiosk, not including the vehicle at the kiosk

Location: 28th Street & East Beltline, Grand Rapids, MI

Date: February 5, 2019 (Tuesday)

Time Period: Weekday PM (4 - 6 PM)

Drive-Thru Queue ¹	
Time	Total Queued Vehicles
4:00	1
4:05	0
4:10	0
4:15	2
4:20	2
4:25	7
4:30	5
4:35	6
4:40	5
4:45	5
4:50	10
4:55	5
5:00	4
5:05	1
5:10	0
5:15	0
5:20	5
5:25	1
5:30	1
5:35	1
5:40	3
5:45	7
5:50	4
5:55	6
6:00	8
95th Percentile	8
Average	4

Parking Occupancy	
Time	Total Parked Vehicles
4:00	32
4:15	23
4:30	30
4:45	32
5:00	38
5:15	50
5:30	48
5:45	39
6:00	50
95th Percentile	50
Average	38

¹Number of vehicles after the order kiosk, not including the vehicle at the kiosk

Location: 28th Street & East Beltline, Grand Rapids, MI

Date: January 26, 2019 (Saturday)

Time Period: Saturday 12 Noon - 2 PM

Drive-Thru Queue ¹	
Time	Total Queued Vehicles
Noon	18
12:05	12
12:10	13
12:15	10
12:20	6
12:25	5
12:30	11
12:35	12
12:40	11
12:45	12
12:50	13
12:55	10
1:00	11
1:05	15
1:10	12
1:15	11
1:20	10
1:25	12
1:30	10
1:35	10
1:40	16
1:45	16
1:50	15
1:55	13
2:00	13
95th Percentile	16
Average	12

Parking Occupancy	
Time	Total Parked Vehicles
Noon	63
12:15	67
12:30	69
12:45	73
1:00	79
1:15	74
1:30	73
1:45	73
2:00	70
95th Percentile	77
Average	71

¹Number of vehicles after the order kiosk, not including the vehicle at the kiosk

Location: M-6 & Kalamazoo Avenue, Gaines Township, MI

Date: February 5, 2019 (Tuesday)

Time Period: Weekday Midday (11 AM - 1 PM)

Drive-Thru Queue ¹	
Time	Total Queued Vehicles
11:00	0
11:05	0
11:10	0
11:15	1
11:20	0
11:25	3
11:30	2
11:35	7
11:40	5
11:45	5
11:50	3
11:55	0
12:00	4
12:05	3
12:10	1
12:15	5
12:20	0
12:25	4
12:30	1
12:35	2
12:40	2
12:45	3
12:50	3
12:55	3
1:00	0
95th Percentile	5
Average	2

Parking Occupancy	
Time	Total Parked Vehicles
11:00	26
11:15	28
11:30	34
11:45	47
12:00	54
12:15	53
12:30	51
12:45	42
1:00	37
95th Percentile	54
Average	41

¹Number of vehicles after the order kiosk, not including the vehicle at the kiosk

Location: M-6 & Kalamazoo Avenue, Gaines Township, MI

Date: February 5, 2019 (Tuesday)

Time Period: Weekday PM (4 - 6 PM)

Drive-Thru Queue ¹	
Time	Total Queued Vehicles
4:00	1
4:05	0
4:10	0
4:15	0
4:20	0
4:25	0
4:30	0
4:35	0
4:40	0
4:45	0
4:50	4
4:55	8
5:00	4
5:05	2
5:10	11
5:15	1
5:20	11
5:25	4
5:30	3
5:35	4
5:40	7
5:45	4
5:50	5
5:55	5
6:00	0
95th Percentile	10
Average	3

Parking Occupancy	
Time	Total Parked Vehicles
4:00	30
4:15	22
4:30	22
4:45	30
5:00	35
5:15	43
5:30	55
5:45	54
6:00	55
95th Percentile	55
Average	38

¹Number of vehicles after the order kiosk, not including the vehicle at the kiosk

Location: M-6 & Kalamazoo Avenue, Gaines Township, MI

Date: January 26, 2019 (Saturday)

Time Period: Saturday 12 Noon - 2 PM

Drive-Thru Queue ¹	
Time	Total Queued Vehicles
Noon	0
12:05	0
12:10	1
12:15	0
12:20	1
12:25	2
12:30	4
12:35	0
12:40	0
12:45	1
12:50	2
12:55	5
1:00	7
1:05	3
1:10	0
1:15	0
1:20	1
1:25	0
1:30	0
1:35	1
1:40	2
1:45	2
1:50	0
1:55	0
2:00	0
95th Percentile	5
Average	1

Parking Occupancy	
Time	Total Parked Vehicles
Noon	40
12:15	42
12:30	45
12:45	58
1:00	61
1:15	52
1:30	51
1:45	54
2:00	62
95th Percentile	62
Average	52

¹Number of vehicles after the order kiosk, not including the vehicle at the kiosk

Location: US-131 & 54th Street, Wyoming, MI

Date: January 26, 2019 (Saturday)

Time Period: Saturday 12 Noon - 2 PM

Drive-Thru Queue ¹	
Time	Total Queued Vehicles
Noon	0
12:05	1
12:10	5
12:15	2
12:20	0
12:25	1
12:30	3
12:35	0
12:40	0
12:45	1
12:50	3
12:55	0
1:00	4
1:05	4
1:10	8
1:15	5
1:20	5
1:25	9
1:30	11
1:35	9
1:40	5
1:45	4
1:50	6
1:55	8
2:00	3
95th Percentile	9
Average	4

Parking Occupancy	
Time	Total Parked Vehicles
Noon	30
12:15	43
12:30	39
12:45	47
1:00	43
1:15	48
1:30	58
1:45	57
2:00	53
95th Percentile	58
Average	46

¹Number of vehicles after the order kiosk, not including the vehicle at the kiosk

MINUTES
Cascade Charter Township
Planning Commission
Monday, July 1st, 2019
7:00 P.M.

ARTICLE 1. Chairman Sperla called the meeting to order at 7:00 P.M.
Members Present: Johnson, Krieter, Lewis, Pennington, Rissi and Sperla
Members Absent: Katsma, Noordyke, and Moxley
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 Lewis. Motion carried 6 to 0.

ARTICLE 4. Approve the Minutes of the June 17, 2019 meeting.

Motion was made by Member Johnson to approve the minutes of June 17, 2019. Supported by Member Pennington. Motion carried 6 to 0.

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

No visitors came forward.

ARTICLE 6. Case #19-3531 Mark Beatson

Public Hearing

Property Address: 9100 Cascade Road SE

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 to build an 80x40 ft building, totaling 3,200 sq ft. It is just over 17 feet tall to the midpoint, requiring 40 ft setbacks. The property is 15 acres in size, and the nearest property line is 174 feet away. Director Peterson stated that there is another building on the property, but since the Applicant has over 6 acres of land, he is allowed to add one more accessory building at least 10 feet away from the existing building. This building will be used for general storage and hobby shop area. Director Peterson stated although the building is large, it is normal for this area of the Township on that much property. Director Peterson then states that it will have a metal roof, and metal siding. Director Peterson then states that Staff approves this project under the normal conditions that the building may not be used to live in, run a business out of, and any lighting must meet the Township regulations.

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

Mr. Beatson came forward to state that he is close to retirement, so wants to have a new hobby building.

Motion was made by Member Rissi to open public hearing. Supported by Member Krieter. Motion carried 6 to 0.

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

Motion was made by Member Rissi to close public hearing. Supported by Member Lewis. Motion carried 6 to 0.

Motion was made by Member Rissi to approve applicants request for the the special use permit to construct an accessory building over 832 sq ft, with the conditions previously outlined by Director Peterson. Supported by Member Johnson. Motion carried 6 to 0.

ARTICLE 7.

Case #19-3532 Randy Carpenter

Public Hearing

Property Address: 8650 36th St SE

Requested Action: The Applicant is requesting a modification of their special use permit to add 576 sq ft to their accessory building.

Director Peterson stated that this special use permit was approved not too long ago, they are now asking to add a small addition off the back of the building. This property is close to 15 acres in size. Director Peterson states the Staff recommends approval of this project.

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

Mr. Carpenter came forward to state that the addition will house hay, straw and other small equipment for his sheep and their lamb. He then stated that the addition will be on the south side of the existing barn, away from the road. It will be made out of the same materials as the existing barn, and also match the house.

Motion was made by Member Rissi to open public hearing. Supported by Member Johnson. Motion carried 6 to 0.

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

Motion was made by Member Rissi to close public hearing. Supported by Member Johnson. Motion carried 6 to 0.

Motion was made by Member Rissi to approve the applicants request to add 576 sq ft to an existing accessory building under the normal rules that it not be used to live in, run a business out of, and any lighting must meet Township regulations. Supported by Member Johnson. Motion carried 6 to 0.

ARTICLE 8. Case #19-3533 Jennifer Santelli; Chick-fil-A

Property Address: 5528 28th St SE

Requested Action: The Applicant is requesting a preliminary plan approval for an amendment to the PUD to accommodate Chick-fil-A.

Director Peterson stated that this is an out lot in front of Meijer, the old Macaroni Grill. The Meijer property is into a PUD; the original restaurant did not have the allowance for a drive thru. The amendment is for the inclusion of a drive thru service, parking (they are once space short of the required 75 spaces), and signage. The applicant would like to be able to follow the updated sign ordinance allowing them multiple wall signs as long as the total square footage is not exceeded.

Director Peterson referred to the packet of information provided by the applicant that compares it to other stores in the nearby area. Director Peterson states that they are comparable in size around 5,000 sq ft, parking on those sites ranges from 59-80 spots available, and the stacking area proposed at this Cascade location is significantly larger than any other in the area. Director Peterson stated that his assessment is that there is enough parking and stacking space for this site in comparison to other stores nearby.

The lighting plan has ben updated to meet Cascade Township requirements, Director Peterson states, and does not need to be included in the amendment.

Director Peterson then states that Staff is recommending a positive recommendation be forwarded to the Township Board. If this plan is positively recommended, it will then come back to the Planning Commission one more time for the PUD ordinance amendment to be written, and then forwarded once again to the Township Board for their consideration.

Member Rissi states to Director Peterson that it looks like there is enough room for the applicant to add an additional parking space to meet the requirement of 75 spaces, Director Peterson states that he does not believe it is necessary with the large stacking area, along with the Meijer lot for overflow if needed.

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

Mr. Justin Lurk (Development Consultant for Chick-fil-A, from St. Louis, MO) came forward to state the slight relocation of the building will put it more perpendicular to the main road, as well as take the drive thru out of an existing electrical easement. Mr. Lurk stated that they are confident that the one less than required parking space will not have an effect on parking as 60% of their business is served through the drive thru.

Member Rissi asked if this location will have an indoor play area, Mr. Lurk stated that yes, it will.

Motion was made by Member Johnson to open public hearing. Supported by Member Rissi. Motion carried 6 to 0.

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

Motion was made by Member Johnson to close public hearing. Supported by Member Rissi. Motion carried 6 to 0.

Motion was made by Member Johnson to approve the amendment to accommodate Chick-fil-A. Supported by Member Rissi. Motion carried 6 to 0.

ARTICLE 9. Any other business

ARTICLE 10. Adjournment

Motion was made by Member Pennington to adjourn. Supported by Member Krieter. Motion carried 6 to 0. The meeting was adjourned at 7:22 p.m.

Respectfully submitted,
Phil Johnson, Secretary

PLANNING
DEPARTMENT

2021

Annual Report

CASCADE CHARTER TOWNSHIP

CASCADE CHARTER TOWNSHIP - 2021

TOWNSHIP BOARD

Grace Lesperance, Supervisor
Sue Slater, Clerk
Ken Peirce, Treasurer
Jim Koessel, Trustee
Tom McDonald, Trustee
Timmy Noordhoek, Trustee
John Shipley, Trustee

PLANNING COMMISSION

Scott Rissi, Chairman
Chris Noordyke, Vice Chair
Deidre Deering, Secretary
Windy Korstange
Craig Meurlin
Ralph Moxley
Timmy Noordhoek, Trustee
Ben Rapin

ZONING BOARD OF APPEALS

Aaron Mead, Chairman
Ralph Moxley, Vice Chair/Planning Commission Rep
Lou Berra
Tom McDonald, Trustee
Valerie Milliken
Jennifer Pupilava, Alternate

PLANNING STAFF

Brian Hilbrands, Interim Planning Director
Jessica Stine, Administrative Assistant

January 11, 2022

The Cascade Charter Township Planning Department is pleased to present our annual year in review in the form of the **2021 Annual Report**. The following report summarizes each type of development request reviewed by the Planning Department, Planning Commission, Zoning Board of Appeals, and Township Board in 2021.

The Planning Department consists of the Planning and Zoning Administration and also assists the Parks Committee. In addition, we will continue to work closely on economic development initiatives with the Economic Development and DDA Director, Sandra Korhorn.

In addition to the information contained in this report, the Planning Department also performs many important duties on a daily basis that are not normally recognized.

Although the impact of the Coronavirus has continued into 2021, it has not stopped the number of inquiries, permits and requests for new projects. It appears that 2022 will be equally challenging as the pandemic continues to bring new uncertainties. In addition to the challenges related to the pandemic we will continue to address the “normal” challenges for the Planning Department in the upcoming year. Should you have any questions or comments relating to this report or the Planning Department, do not hesitate to call us at 616-949-0224.

Sincerely,

A handwritten signature in black ink that reads "Brian Hilbrands". The signature is written in a cursive, flowing style.

Brian Hilbrands
Interim Planning Director

Cascade Charter Township Planning Department 2021 Annual Report

ACCOMPLISHMENTS

Development Reviews

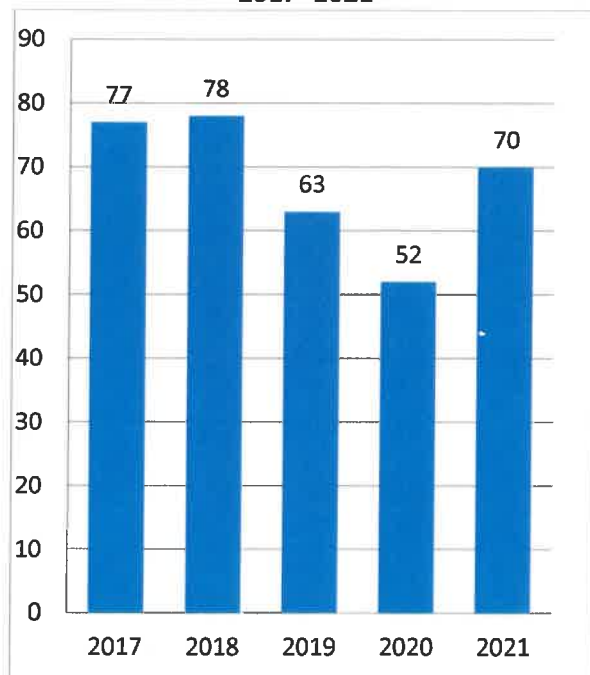
In 2021, the Planning Department reviewed a total of 70 new development requests. Several of the 2020 requests were also carried over into 2021 and consumed additional staff time.

Similarly, many of the projects initiated in 2021 will still be active in 2022. These reviews include those which required action by the Township Board, Planning Commission, Zoning Board of Appeals, and Planning Department, with several requiring action by more than one body. The following tables summarize the project review activities of the Planning Department over the past five (5) years:

DEVELOPMENT ACTIVITIES 2017 - 2021

Activity/Year	2017	2018	2019	2020	2021
Planning Commission					
Planned Unit Developments	10	4	4	2	4
Rezoning	1	1	0	0	0
Site Plan Reviews	7	9	3	5	6
Administrative Site Plan Reviews	6	5	7	3	10
Special Use Permits	12	19	11	10	15
Plat/Site Condo Reviews	0	0	1	1	0
Other Activities	2	3	3		3
Subtotals	38	41	29	21	38
Zoning Board of Appeals					
Variances and other requests	14	10	11	16	17
All Board and Commissions					
Other Requests	0	0	0	0	0
Planning Department					
Lot Split (Cases)	25	27	23	15	15
TOTALS	77	78	63	52	70

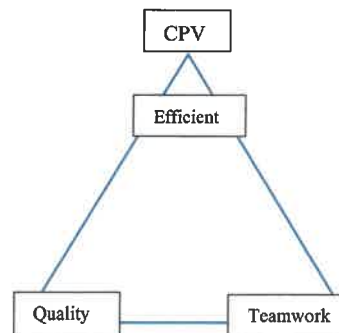
DEVELOPMENT ACTIVITY TOTALS 2017- 2021



In addition to reviewing all of the development proposals submitted to the township, the Planning Department's days are filled with numerous other activities. Highlighted activities are summarized below.

Department Vision

The Planning Department has embraced a modified "triple bottom line" approach to providing services. This modified approach is being used to allow each member of the department to use their skills to help Create Public Value.



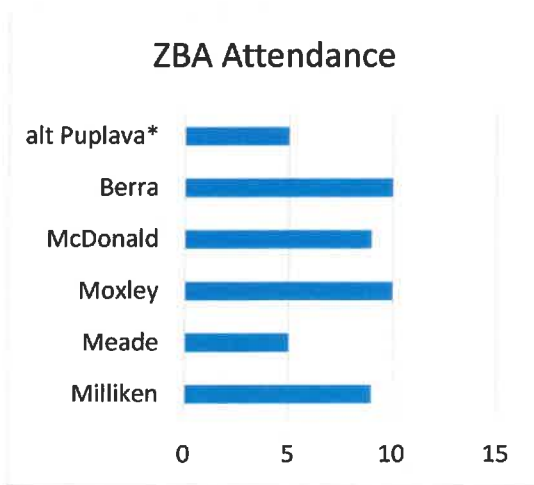
Staff Changes

Some of the most notable change for the year came with staff changes. Former Community Development Director Steve Peterson left the Township after 23 years for a position with the City of Holland. The Planning Department also lost Cassie Lockwood, who was serving as the Administrative Assistant. To fill those positions Jessica Stine was hired to fill the Administrative Assistant role, and former Planner Brian Hilbrands has been serving as the Interim Planning Director. With Planning Staff stepping into new roles combined with the high number of development requests, 2021 was a busy year for the Planning Department.

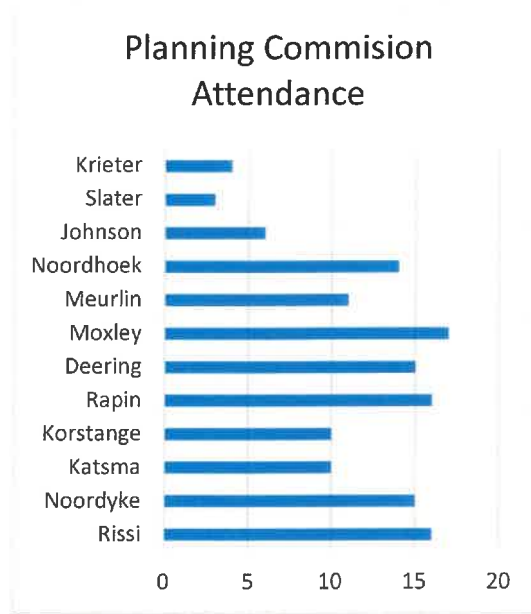
Attendance

In 2021 the Planning Commission had a total of 17 meetings and the Zoning Board of Appeals had a total of 10 meetings. *The alternate for the Zoning Board only attends when needed.

Zoning Board attendance was as follows:



Planning Commission attendance was as follows



Regional Planning

Staff continued its involvement with regional planning issues in 2021. Staff continues to meet with GVMC/REGIS and other.

Storm water

A significant amount of staff time continues to be dedicated to storm water related issues. In 2021, work went on to develop and approve a new Stormwater Ordinance, as required by the Township's MS4 permit. It is expected that the new Stormwater Ordinance will be adopted by the Township Board in early 2022.

Parks

The Parks Committee has selected a consultant to assist the Township with updating the Parks, Recreation and Open Space Plan. This process will begin in early 2022 and is expected to be completed by July 2022.

Pathway Maintenance

We continued the pathway maintenance by replacing approximately 2,200 feet of pathway on Cascade Road and 950 feet of pathway along Thornapple River Drive, as well as a bridge approach on Buttrick Avenue.

Regional Geographic Information System (REGIS)

Staff continue to utilize the GIS system in our workday and attends regular REGIS meetings. The public has access to REGIS through staff as well as the internet. <http://ims.gvmc-regis.org:1052/website/public/>

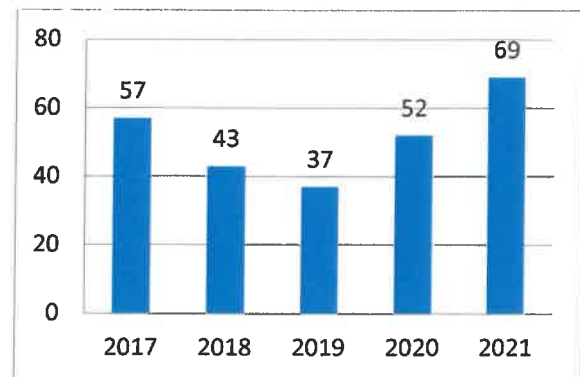
Redevelopment Ready Community

The Planning Staff continued to coordinate with the Economic Development Director to ensure that we would be ready to implement the RRC program.

Building permits

Below is a chart showing the number of new residential building permits for the last 5 years. The Planning Department is responsible to check to make sure that every building permit complies with zoning regulation. While the graph only

shows new residential construction, it does indicate trends for all permits.



Applicant Billing

The Planning Department will continue to actively pursue the recovery of review costs associated with development proposals. In 2021, we were reimbursed approximately \$11,500 in engineering, planning and legal review fees spent on various development projects. There are a few projects that were approved towards the end of the year that still need to be billed. Accurate records are kept so the appropriate applicant is billed for their respective fees incurred.

Case Summaries

The following pages provide a brief synopsis for each type of development request that was reviewed in 2021.

2021

Planned Unit Developments

Case	Applicant	Request	Location	Preliminary	Final
21-3629	Bob Morse	PUD Amendment for new car wash/coffee shop	6390/6420 28th St	7/19/2021	9/22/2021
21-3632	Gole Dental Properties	Amend existing PUD to permit a dental office in the existing 2,500 sq ft building with 12 parking spaces	3636 Kraft Ave	11/15/2021	12/15/2021
21-3636	Roundhill	Amend PUD to allow for retaining wall and pool within 25-foot setback for unit 4	3000 Thornhills Ave/Lot 4		
21-3681	Patterson Ice Center	Amend existing PUD of Patterson Ice Center to lift some use and development restrictions, and allow sale of alcohol	2550 Patterson Dr		

Site Plan review

Case	Applicant	Proposed Land Use	Location	Planning Commission Action
21-3620	Med Bio	New 21,000 sq ft addition for light manufacturing/warehouse	3677 Sysco Ct SE	Approved
21-3623	Lacks	45,000 sq ft addition to existing distribution facility/warehouse building	5711 Kraft Ave	Approved
21-3643	Golf Club @ Thornapple Pointe	Construct a 2,061 sq ft addition to existing clubhouse building, elevated deck, expansion of existing concrete patio, and regrading of driving range.	7211 48th St SE	Approved
21-3669	John Rabideau Cascade Roadhouse	New 480 sq ft covered structure	6817 Cascade Rd SE	Approved
21-3680	Quail Ridge	New 3,200 sq ft out-building	8375 36th St SE	
21-3688	Chick-fil-A	Modification of drive through lanes to accommodate two lanes from entry to pickup	5528 28th St SE	

Special Use Permits

Case	Applicant	Request	Location	Zoning	Action
21-3619	Krause	Accessory building larger than 832 sq ft	2469 Surbridge Dr SE	PUD 65	Approved
21-3621	Engler	Accessory building larger than 832 sq ft	7080 Hidden Ridge	R-1	Approved
21-3622	DeVos	800 square foot addition to an accessory building	2020 Devonwood Ln SE	R-1	Approved
21-3625	Tran-Randall Burri	Accessory building larger than 832 sq ft	4670 Quiggie Ave	FP	Approved
21-3631	Bigger	Accessory building larger than 832 sq ft	4983 Clear Ridge Dr	PUD 72	Approved
21-3637	Seely	Accessory building larger than 832 sq ft	4200 Cherry Ln	ARC	Approved
21-3638	Davis Fila Construction	Accessory building larger than 832 sq ft	6541 60th St SE	ARC	Approved
21-3652	Waugh	Accessory building larger than 832 sq ft	7630 Cascade Rd SE	R-1	Approved
21-3655	Parallel Construction	Accessory building larger than 832 sq ft	8155 36th St	PUD 61	Withdrawn
21-3656	Fire Station	3,300 sq ft steel building for fire department vehicle storage, construct an accessory building larger than 832 sq ft	2990 Buttrick Ave	ARC	Withdrawn
21-3659	Lange	Accessory building larger than 832 sq ft	9205 28th St SE	ARC	Approved
21-3664	Eggleston	Accessory building larger than 832 sq ft	9091 36th St SE	ARC	Approved
21-3677	Elliott	Accessory building larger than 832 sq ft	6870 48th St	ARC	Approved
21-3682	Warren	Accessory building larger than 832 sq ft	5650 McCords Ave	ARC	Approved

21-3685	Renucci	Accessory building larger than 832 sq ft	5175 Buttrick Ave SE	R-1	Approved
Administrative Site Plan Review					
Case	Applicant	Proposed Land Use	Location	Action	
21-3624	L3 Harris Technologies	Construct 3100 sq ft addition	5353 52nd St Se	Approved	
21-3645	Gippers	Pour concrete to add outdoor seating area at front of restaurant	2929 Kraft Ave SE	Approved	
21-3647	Family Veterinary Real Estate	New 33-space parking lot at 6503 28th Street and redesign of existing parking lot at same address	6555 28th St SE	Approved	
21-3657	Paradigm Design-Meijer	Renovated 14-space curbside pick-up area	5531 28th St	Approved	
21-3666	Universal Traffic Service	New 37-space parking lot	5500 International Pkwy	Approved	
21-3667	Green Castle Properties	Placement of 8' tall, 20' x 7.5' storage container on asphalt parking area for short-term storage of electric vehicle batteries	6025 28th St SE	Approved	
21-3671	John Rabideau-Cascade Roadhouse	Add outdoor seating area and pergola along north side of restaurant	6817 Cascade Rd SE	Approved	
21-3675	Lacks Enterprises	Two new parking lots	5675 Kraft Ave SE	Approved	
21-3678	MedBio	22-space parking lot to east of the existing parking lot	3677 Sysco Ct SE	Approved	
21-3679	Meijer	Relocation of existing pharmacy drive thru lane to east side garden center	5531 28th St SE	Approved	
Zoning Board of Appeals					
Case	Applicant	Location	Zoning	Request	ZBA Action
21-3626	Caulfield	7056 Whispering Timbers Ct	R-1, Residential	Construct accessory building in front yard	Approved
21-3627	Tilley	3694 Oak Bluff Dr	R-2	Construct building addition and a deck within rear yard setback	Withdrawn
21-3628	Goehring	6389 Burton St	R-1	Use of temporary building during construction of detached garage	Approved
21-3633	Verkaik	8934 52nd St	ARC	Construct accessory building concurrently with home	Approved
21-3635	Renucci	5175 Buttrick Ave SE	R-1	Construct accessory building on parcel without a home	Approved
21-3642	Woods Builders Homes	7703 30th St SE	R-1	Keep accessory building on property while existing home is demolished and new home is built	Approved
21-3648	Stevenson	7007 Oak Brook St SE & 7126 Mooring Heights Ct	R-2	Reconfigure platted lot lines	Approved
21-3649	Lamore	5733 Summerset Woods Dr	PUD 70	Construct accessory building in front yard	Approved
21-3654	Parallel Construction	8155 36th St	PUD 61	Construct accessory building in front yard	Withdrawn
21-3662	Burrows	2383 Thornapple Dr SE	R-2	Construct 3 separate additions to home within front yard setback	Approved

21-3665	Daniel Stephan Builders	1721 Riveroaks	R-1	Keep an accessory building on property while existing home is demolished and new home is built	Approved
21-3670	John Rabideau-Cascade Roadhouse	6817 Cascade Rd SE	B-1	Outdoor seating area closer to side and front property lines than permitted, and the addition of covered structure closer to front property line than permitted	Approved
21-3672	Goehring	6389 Burton St SE	R-1	Extension of previous variance for use of temporary building during construction of detached garage	Approved
21-3674	Keeler	7395 Killmer St SE	R-1	Construct addition to north side of home that is closer to side property line than permitted	Approved
21-3683	Warren	5650 McCords Ave SE	ARC	Allow to keep one more accessory building on property than permitted	Approved
21-3686	BDR Inc	6921 Burger Dr SE	R-2	Extension of previous variance to keep accessory building on property while existing house is demolished and new house is built	Approved
21-3687	Jeff Coffey-Thornapple Brewing	6262 28th St SE	PUD 39	Allow placement of 3 seasonal temporary structures for outdoor seating	Approved
Lot Split					
Lot Splits	Applicant	Parcel No (s)	Address	Number of parcels created	Action
21-3630	Elon Homes	41-19-09-201-015	6797 Burton St	2	Approved
21-3634	Dozeman	41-19-23-200-012	8494 36th St SE	7	Approved
21-3639	Heyes	41-19-13-100-049 and 41-19-13-100-050	2985 West Locust Ln	Reconfiguration	Approved
21-3646	JMR Property 2	41-19-16-101-012 and 41-19-16-101-014	2845 Thornhills Ave Se	Reconfiguration	Approved
21-3650	Lacks	41-19-32-300-034, 41-19-32-300-046, and 41-19-32-300-032	5737 60th St	Reconfiguration	Approved
21-3651	Kraft Ave Properties	41-19-32-300-034, 41-19-32-300-046, and 41-19-32-300-032	5824 Kraft Ave	2	Approved
21-3653	Jordan	41-19-15-351-038 and 41-19-15-351-039	7430 Cascade Rd	Reconfiguration	Approved
21-3658	4920 Streamside Pointe	41-19-26-400-058 and 41-19-26-400-059	4920 & 4928 Streamside Pointe Dr SE	Reconfiguration	Approved
21-3660	Schrock/Buttrick	41-19-11-100-045	2150 Buttrick Ave SE	4	Approved
21-3661	Schrock/Killmer	41-19-33-200-031 and 41-19-33-200-033	5586 Thornapple River Dr & 6964 Killmor Dr SE	3	Approved
21-3663	Eggleston	41-19-13-002, 41-19-13-326-003, and 41-19-13-326-004	9091 36th St SE	2	Approved
21-3668	Van Strien	41-19-13-100-043 and 41-19-13-100-005	8960 28th St	Reconfiguration	Approved
21-3673	Halland Homes - Doug Bouma	41-19-05-480-023 and 41-19-05-480-024	1950 & 1990 Hazatine Dr SE	Reconfiguration	Approved
21-3676	Smith	41-19-11-300-077 and 41-19-11-300-005	8255 28th St SE	Reconfiguration	Approved
21-3684	Unity Spiritual Community Church	41-19-16-230-004	2965 Wycliff Dr SE	2	Approved
Other					

Case	Applicant	Request	Location	PC Action	TB Action
21-3640	Temp Uses	Amend the zoning ordinance to allow temporary outdoor uses as a use permitted by right in the B1 and B2 zoning districts with administrative site plan approval.		Tabled	
21-3641	Intersection Study	Determine which intersections in Cascade are the most dangerous and what can be done to address safety issues			
21-3644	Thornapple Pines Holdings	Private road exception	7650 Timber Bluff Dr SE	Tabled	
Plat/Site Condo Review					
Case	Applicant	Plat/Site Condo Name	Location	Tentative Preliminary	Final Preliminary Final
Rezoning					
Case	Applicant	From/To	Acres	Location	PC Action TB Action

Brian Hilbrands

From: Chris Noordyke
Sent: Tuesday, January 11, 2022 10:31 AM
To: Brian Hilbrands
Subject: Fwd: Trustee Noordhoek Memo

Follow Up Flag: Follow up
Flag Status: Flagged

Planning Commission,

Please be aware of the note I just sent to Manager Swayze. We can discuss at the next meeting. Please give some thought to the following: My philosophy is to only submit and acknowledge communications to the board that have been voted on and approved by the planning commission. Individuals are able to submit their own reports but will need to do this clearly and under their name. As your Chairperson, I am the Planning Commission defacto communication conduit, with Brian and Timmy, to the board and I want to ensure I am responding the way this planning commission directs me.

Brian,

Please add Reports submitted to Board of Trustees to the agenda. Please also include this email in the packet for public record.

Begin forwarded message:

From: Chris Noordyke < >
Subject: Re: Trustee Noordhoek Memo
Date: January 11, 2022 at 10:17:13 AM EST
To: Ben Swayze <bswayze@cascadetwp.com>
Cc: Scott Rissi < >, Ralph Moxley < >, Timmy Noordhoek <TNoordhoek@cascadetwp.com>, Grace Lesperance <glesperance@cascadetwp.com>

Ben,

Trustee Noordhoek did not inform the planning commission that he intended to send this memo (I don't know that he needed to). The only document that was approved by the full planning commission to be sent to the Board of Trustees is the report Ralph and Scott will be presenting on Wednesday, this was provided ahead of time to Supervisor Lesperance.

All other memos and reports should not be considered recommendations by the planning commission as a whole, but only by individual members. This is not to suggest that the planning commission agrees or disagrees with Trustee Noordhoek's memo and report from Member Merlin, only that the planning commission compiled the single report listed above and only voted to submit that report.

Please let me know if you have questions.

Chris Noordyke

On Jan 11, 2022, at 10:06 AM, Ben Swayze <bswayze@cascadetwp.com> wrote:

Good Morning -

I wanted to make you aware that Trustee Noordhoek gave me the attached memo to include in the Township Board packet yesterday. I'm not sure if he made the Planning Commission or RH subcommittee aware of his intentions to do so. I just wanted to make you aware.

Take Care,
Ben

<image003.jpg> **Benjamin Swayze**
Township Manager
Phone 616.949.1500
Email bswayze@cascadetwp.com
Web www.cascadetwp.com
5920 Tahoe Dr. SE
Grand Rapids, MI 49546



CASCADE CHARTER TOWNSHIP
5920Tahoe Drive SE Grand Rapids, Michigan 49546

To: Grace Lesperance, Cascade Charter Township Supervisor
Cascade Charter Township Board of Trustees

From: Timmy Noordhoek, Cascade Charter Township Trustee

January 10, 2022

Round Hill Sub-Committee Findings

Dear Supervisor Lesperance and Trustees:

As an elected official, I have a duty to ensure that our Township's processes and employees are effective and transparent. As you know, certain members of our Planning Commission volunteered their time and worked diligently to determine why our Township was sued for our lack of oversight of this development. Although considerable controversy continues to be associated with the Round Hill Development, the Sub-Committee has endeavored to conduct its investigation objectively and in a manner that avoids politicizing the issue.

The Round Hill Sub-Committee's findings expose some problems with our internal structure and processes—all of which were easily preventable. Based on the 4-3 vote not to hear these findings at the 12/15/21 meeting, I am concerned that certain decision-makers in the Township prefer these findings not be shared. I find this inexcusable and against the residents' best interests.

As a public entity, the Township cannot be liable for any related damages (i.e. we have governmental immunity). However, our own admissions in the lawsuit are troubling, and consistent with the Sub-Committee's findings.

These basic findings, detailed in the attached report, include, in part, the following conclusions:

* The Ordinance approving the PUD was required to be filed before construction began. It was adopted March, 2016, but was not was not filed until January, 2020.

* The master deed filed April 27, 2018, more than two (2) years after passage of the Ordinance, reflects a site condo development--not a traditional condo development--as was approved by the Board of Trustees in 2016.

* No final approved site plan (as required) was located.

* Performance bonds negotiated and agreed to were never delivered by the developer to the Township, nor were they ever required by Township personnel.

* The retaining wall, clearly needed in the southeast corner of the site, was not completed until after damage to adjacent property occurred and after initiation of the lawsuit.

* The project was cited by both the State of Michigan (EGLE) and the Kent County Road Commission (KCRC), due to its negative impact on the Thornapple River--multiple times in the case of the KCRC.

* Despite requirements for formal written approval, approvals appear to have been made unilaterally by staff.

* An actual system of rules/ any established procedures surrounding the handling of communications, order of process, and decision-making were difficult, at best, to track or identify.

As one of Michigan's fastest growing Townships, the ability to respond effectively and with alacrity to developmental pressures should be a given.

Sincerely,



Timmy Noordhoek, Cascade Charter Township Trustee
Cascade Charter Township Ex Officio Planning Commissioner
Cascade Charter Township RHSC Member

To: Planning Committee of Cascade Chartered Township (“CCT”)

From: Round Hill Subcommittee (“RHSC”) of the Planning Committee (“PC”)

Date: November 8, 2021

Re: Interim Report to the Planning Committee by the RHSC regarding the Round Hill Development

This Subcommittee was formed by resolution of the Planning Commission on June 21, 2021:

“to review all facts, timelines, and anything else that is relevant, to the Roundhill project from its inception of a development, and report back to the Planning Commission its findings.”

The Subcommittee is chaired by Scott Rissi, Chairman of the Planning Commission, and includes, in addition to Mr. Rissi, Messrs. Meurlin, Moxley and Noordhoek. All meetings are open to the public and are noticed to comply with the Open Meetings Act. We have had one or two interested public citizens attend most of our meetings. In all of those instances they have had the opportunity to present their positions and have assisted us in our investigations. Given their interested status, most have had files of their own on the development and what happened there.

Our Subcommittee has met regularly. Most of the investigatory work has been done by Members Meurlin and Moxley, given their being generally retired (though active in other ways) and having the time to meet at the CCT Town Hall during regular business hours. Also, they both have technical expertise – Mr. Meurlin being an attorney with significant investigatory experience, largely from doing due diligence on securities offerings and other transactions, and Mr. Moxley being an architect who understands most of the technical material given to us.

We have met regularly to review new information and findings from the work of Messrs. Meurlin and Moxley and to channel their next line of inquiry. We decided to do our investigatory work in two phases:

- Phase One: Review of all documentation available, either at CCT or in the public records, such as the Kent County Recorder of Deeds Office. These documents were requested in advance by Messrs. Meurlin and Moxley once former - Asst. Town Manager Fast made clear to us that simply coming in and requesting documents then was putting too much of a burden on an already overworked staff. We endeavored to comply with Ms. Fast’s request after her admonition.
- Phase 2: Actual interviews with the principal staff members involved with Round Hill. This would include at least Mr. Peterson (who is now unwilling to be interviewed or answer written questions since his departure from CCT), Mr. Swayze, Brian Wilson, Mr. Hilbrands, Ms. Slater and Ms. Brott from the Clerk’s office. We intend to tell the person to be interviewed, well before the interview, the subject matters of our questions so they can be prepared for the interviews. We have not decided as yet as to whether we will delve into the emails of some of the key personnel to find confirmation of their answers

to us. When Mr. Peterson left, Mr. Meurlin asked that his hard drive, containing all of his emails, be sealed for our future review, if we thought it important.

Current Status:

Illness of one of the committee members has delayed some of the final steps in Phase 1, and our compilation of our findings.

We have largely completed Phase #1 of the investigation into what happened with the Round Hill Planned Unit Development – we have examined most of the public material that exists in people’s files at CCT (other than TM Swayze). We have also reviewed public files in Kent County’s Registrar of Deeds. We have also interviewed Mr. Wayne Harrell, Director of Inspections for compliance with soil and sediment regulations pertaining to such materials leaving the development area for the Kent County Road Commission.

To try to summarize in a few bullet points what we have found at this interim stage in our work, as it pertains to Round Hill, is that:

- The Developer (Mr. Tom Guisti) failed to fulfill his obligations.
- The CCT Planning Department records are not well organized or maintained.
 - No final Site Plan was available from the Planning Department file (there was nothing marked “final” on it and even TM Swayze was hesitant to identify any one drawing (of the several in the file) as the final site plan when he went to look for it on a day when former Planning Director Peterson was not in the office.) There is no “Final Site Plan” from the original approval of the Ordinance approving the PUD.
 - The Ordinance itself, which was approved by the CCT Board of Trustees on March 9, 2016 and by its terms was to be filed with the Kent County Recorder of Deeds Office by the Developer “prior to construction occurring on site” was not filed with the County Recorder until January 22, 2020, almost four years later and after a number of the units were built and some sold.
 - The type of Condominium was changed from traditional condominiums, where the units were built within an approved building envelope, with the owner of the unit itself not owning any lot or yards. (Those are all common areas of some type under the condominium master deed with management in the hands of a Homeowners’ Association for the Development.) But somewhere between 2016 and the filing of the Master Deed on April 27, 2018, the Round Hill PUD became a site condominium, where each unit owner also owns the lot surrounding the house and the common areas are much smaller (often just the roads and facilities to be used by everyone). A key reason the traditional condominium structure was used here is to make certain all homeowners shared

the costs of maintaining the Facilities related to stormwater and soil and sediment, as well as the retaining walls. Now, with the status of the retaining walls being open to interpretation as to whether they are “Facilities”, the obligation to repair and maintain the retaining walls might go to just the owners of the units in which the walls are.

But this change in type of condominium was never reviewed by the Planning Commission or the Board of Trustees. They were approved (apparently) by the Planning Director alone as “minor changes” under Section 16.12 of the Zoning Ordinance. The definition of “minor changes” is found in Section 21.04 of the Zoning Ordinance and that definition is quite broad.

This authority seems contradicted by the language of the original Ordinance approving the PUD. It says that:

- “No deviations can occur without prior formal written approval by the Township.”
- “So-called minor deviations shall not occur or be made unilaterally by the Developer Any deviation without prior formal written approval by the Township will constitute a violation of this Ordinance and the [CCT] Zoning Ordinance.”

We found no “formal written approval” for any of the changes made at Round Hill, nor have we found any internal guide as to what approvals, if any, beyond the Planning Director himself would be required. Finally, when Craig Meurlin asked Town Manager Swayze for the document or board resolution making Mr. Peterson Planning Director (that title not being in his job description for Community Development Director and in CCT’s formal answer to the Complaint filed in the litigation by the Rohde’s, it did not agree with the statement that Mr. Peterson was necessarily the Planning Director), Mr. Swayze said he could easily create such a piece of paper and designate Mr. Peterson as the Planning Director, it being his decision as to who is CCT’s planning director. Absent such designation at the time, and absent any “formal written approval” of any of the changes (that we have seen) at Round Hill, Mr. Guisti must have simply made the changes on his own (only by talking with Mr. Guisti can we have any perspective on what Mr. Peterson knew or did not know about the changes). We will ask Mr. Hilbrands about this and try to ask Mr. Peterson’s administrative assistant (who is on a medical leave of absence) about the changes and what advance knowledge CCT had of the changes. Mr. Peterson’s hard drive is a third source potentially for the question of what CCT (in the person of Steve Peterson) knew when about the changes.

- o The Site Development and Storm Water Runoff Facility Maintenance Agreement between CCT and Finko, LLC (for whom Mr. Guisti acts as agent)

says it was “executed on this 10th day of March, 2016. The signature line says that “This Agreement shall be deemed effective as of the 10th day of March 2016.” Supervisor Beahan executed this for CCT and his signature was notarized by Ms. Padley Gallagher on December 9, 2016 (while we have not officially confirmed it, it is our belief that Ms. Gallagher, the former Deputy Clerk of CCT, was not employed by CCT in any capacity in December 2016). The notary for the Finko LLC signatory (Ralph Finkelstein, “its Member”) crossed out the 2016 typed in the date portion of the notary certification and wrote in December 9, 2019. We believe that is the more likely date the document was signed and notarized and that Ms. Gallagher’s simply backdated her notarization to 2016, something that is contrary to her statutory and/or regulatory obligations as a notary public. The document was filed with the Kent County Recorder on December 11, 2019. This document is important for Round Hill because it covers all of the facilities deemed necessary to protect adjoining landowners from storm water runoff – including the detention pond on the site, any and all storm drainage and water retention systems, pipes, ponds and facilities. The retaining walls are not specifically listed here, which causes other issues identified elsewhere in this interim report due to this “minor” change of this project to a site condo from a traditional condo.

- While there are extensive lists of requirements for developers to do prior to submission of a new PUD plan, there are no checklists in the planning department to ensure everything required by the ordinance itself has been done. And no process maps to ensure that the various departments within the Township itself are kept informed and the internal process of gaining approval of PUDs by the Board of Trustees. There is no computerized system to keep a list of requirements or list of steps that have to be taken before construction starts. In this development, those requirements were significant and were heavily negotiated and placed in the ordinance for the PUD. But Mr. Guisti also simply ignored those requirements and Mr. Peterson said he “forgot” about them given the time lag (about one year) between the ordinance approval and the start of work on the site. But without any checklists or computer records and failing to look at the final ordinance approving the development, they were “forgotten.” The requirements that were “forgotten” included:
 - Failure to install over 700 lineal feet of retaining wall on the north, east and south borders of the development to protect the adjoining landowners and large public drains and the river (the failure to do this on the East and SW area of the PUD caused the severe runoff and damage to the plaintiffs in the eventual litigation);
 - Failure to obtain and deliver to CCT a \$50,000 bond required prior to any development work to ensure compliance with the retaining wall requirements;
 - Failure to obtain and deliver to CTT a \$10,000 landscaping bond;

The two bonds were clearly required by the resolution approving the Ordinance in March 2016. As noted above, the retaining walls, while a crucial part of the water and soil retention plan and the key to protecting neighbors was left in an unspecified position. It is not specifically part of the Facilities required in the soil and water retention plans of either the KCRC or CCT. This was an error that Mr. Peterson noted when he reflected back on the project as a part of his internal review. In the future large components of the overall development that are essential must be called out in the ordinance and a timetable created for their completion. That was a flaw in the 2016 Ordinance, one that Mr. Guisti repeatedly used to his advantage. Mr. Peterson is correct in his suggestion.

- There were also failures in not forcing the developer to make the necessary documentary filings required by the ordinance with the Kent County Recorder – filings that were crucial for maintaining proper oversight of the project.
 - The Ordinance approving the project itself was not filed by the Developer until January 22, 2020, close to four years after its approval by the Board of Trustees. By the terms of the Ordinance itself, the final Ordinance as approved, is required to be filed “prior to construction occurring on site.” Why our Planning Department did not require Mr. Guisti to file it on time is unknown. Mr. Peterson, in a public comment, said that the delay in getting started on the site until 2017 led to his forgetting this requirement (as was the case with all of the other requirements laid out in the Ordinance). Several of us find that less than credible given the amount of negotiations that were required to finalize those provisions of the Ordinance.
- There have been some irregularities that led to subcontractor liens being placed on a vacant lot (#9) rather than on the first unit built and sold (#8).
- There were a number of obligations placed on the Developer in the original ordinance to protect the lower-lying neighboring properties from water, soil and sediment coming off the higher-level development to the north and west of the adjoining property (and eventually such water, sediment and soil flowing in part into the county drain system and the Thornapple River. These included putting in the retaining walls and obtaining the performance bonds mentioned above. There was also a requirement for a containment pond for stormwater. The first two items were simply never done four years later and the third was not put in according to the specifications.

The damages caused to the neighbor to the south and west (Mr. and Mrs. Mark Rohde) finally led them, after filing numerous detailed complaints (with pictures and engineering drawings showing where Mr. Guisti had failed to follow the specifications in the approving Ordinance and attending public meetings of both the Planning Commission and Board of Trustees without getting any satisfaction from either, to actual file a lawsuit against the Developer and Builder of the Development for damages in excess of \$100,000 and to sue CCT and Mr. Peterson (in his official capacity with CCT) for issuance of a writ of mandamus to force CCT and Steve Peterson

to enforce CCT's own zoning ordinance and the ordinance approving this development. The allegations were that while CCT had the authority to enforce the provisions of the 2016 Ordinance, it never did in any meaningful manner, causing significant damages to the Rohde's property, as well as potentially to the County drain system and to the river. Cascade failed to act in spite of numerous citations and notices of violations from the KCRC for violations of their Soil and Sediment Erosion approval, complaints by the State environmental agency tasked with protecting the river, and complaints by neighbors. Essentially nothing was done. The litigation was quickly settled with the Developer agreeing to a significant monetary settlement with the Rohde's and CCT agreeing to consider a new amendment to the PUD to memorialize all the changes and to continue to have in place the protections of the first Ordinance in 2016.

Moving beyond the individual complaints and the repeated attempts by a resident of this Township to get relief for what turned out to be well over \$100,000 in damages, whose motives were questioned and his problem left unresolved, what we seem to have found is an absolute lack of process for the oversight of projects. Some may say that oversight or enforcement is not their role (as Mr. Peterson said repeatedly in meetings), but there are fundamental problems in our process in overseeing the construction of developments, particularly a development like Round Hill that continues to be not complete five years after it was first approved. Round Hill exemplified the inability of CCT to effectively manage these private development projects that drag on for years. This developer did seem to receive very favorable treatment by the Planning Director, something the Planning Director was not known for doing with other developers. This raised other questions. The answer that CCT filed in the litigation to the Complaint made a number of admissions that are jarring when read one after another, as we admit or do not rebut many of the Plaintiffs' allegations (except for declining to say Mr. Peterson was the Planning Director).

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Our fundamental finding, from our investigation through essentially the end of Phase #1, is that there is a lack of any CCT oversight process – both during construction and thereafter with neighbor complaints concerning developments. There was no system in place that could have allowed someone else to quickly move into Mr. Peterson's role on prior approved projects. Without a definitive process, Mr. Peterson had maximum discretion, when combined with the "minor change" provision in our Zoning Ordinance, to work with developers to accomplish the right result for CCT.

The Inspections Department is an example of how frustrating our lack of oversight could appear to citizens. Our own inspectors are on a site with regularity as the construction starts and continues. And our Inspections Department has the best checklist (computerized) to ensure that it completes all the tasks that it needs to do on a project. But even in working on Round Hill, Brian Wilson, the head of the department (and very cooperative with us), told us that he did not consider himself or his people employees of CCT (with at least an ability to keep their eyes open to what was happening on the site that might be problematic for the neighbors or the township). His people were there, just as they were for a development in Ada or in Lowell, or any other township for which they worked, not as employees of those townships (or CCT in the case of Round Hill). His inspectors were admonished to focus on only what they had come to inspect,

not keep their eyes open to other issues that might be of interest to the township that retained them. In other jurisdictions, this may seem appropriate (though the writer of this would have hoped otherwise, since it was done this way so as not to get involved in the local “politics” of those jurisdictions). The result in the case of Round Hill was the township could not rely on their own employees (who made the most trips onto the site during the construction period) to help in the practical oversight of what was occurring. This also occurred in the last six months with the effort by Mr. Guisti to simply ignore the requirements of the 2019 Ordinance setting forth the new “rules of the road” (one of which was that there was a 25 foot setback area where nothing could be built). Mr. Guisti ignored this and cut into the hill behind Unit #4 to create a hard soil cliff of sorts (and thus to require a retaining wall) so as to allow the owner of Unit #4 to have a pool just behind his back deck and well into the 25 foot setback area. Mr. Guisti was just repeating learned behaviors that served him well with the original ordinance in the 2018-2019 period. But our inspections group told Messrs. Moxley and Meurlin that it was not their job, when they saw that cliff; their job was only to do what brought them on site to review. Do not look for or report back on anything that seemed unusual.

Apparently the lack of dedicated enforcement people is not unusual in most jurisdictions. But in the case of Round Hill, the failures were significant and the damages large – and still no action was taken until a neighbor sued:

- Mr. Peterson said that he “forgot” the filing requirements and performance bond requirements since the developer delayed its commencement of construction for almost a year after the original Ordinance was approved in 2016. Mr. Peterson apparently has no system for creating and maintaining checklists of items required before (or even during) construction. How does one forget the need for performance bonds, particularly when a neighbor makes his first formal complaint with engineering drawing and compliance failures noted conspicuously on them within months after the site was strip cut of all on the vegetation and old trees that were keeping the storm water from running down the hill onto the neighbor’s property? This should in turn bring into mind the 700 plus feet of retaining walls noted on the plans and their role in stopping sediment and water coming down onto Mr. Rohde’s property.
- He also forgot to make certain that CCT received the formally recorded copies of the base documents (e.g., the Ordinance, the Master Deed, the Stormwater Maintenance Agreement). Is that his responsibility or that of the Clerk’s? We would have thought it would be the Planning Department’s responsibility based on a checklist that they would keep after Board of Trustees approval of the Ordinance approving the development. Another item never thought about apparently in CCT; another “white space” between departments into which protections for the Township and its citizens fall.
- In spite of continued complaints by Mr. Rohde, the repeated citations issued by the KCRC specifying what needed to be done, CCT largely sat on its hands and did nothing. Mr. Harrall (of the KCRC) said that he likes to work closely with the Planning Directors of the townships involved with a project and considered Mr.

Peterson to be one of the best around to work with. His view was that Mr. Guisti was just one of the most troublesome developers he has worked with over his years. I would have thought that a difficult developer with a history building of non-compliance would receive increased attention and more oversight. Mr. Peterson thought that soil and sediment run off were the problem of the KCRC, not of CCT. So again, CCT largely sat on its hands and did nothing in spite of our storm water ordinance, and the complaints of real damage to an adjoining property. Providing some flexibility to developers during the construction of their projects (another item Mr. Peterson says he allows) should not include the “flexibility” to damage neighbors and then ignore their complaints.

- Our Planning Department does not think (according to Mr. Peterson) that it has any oversight responsibilities. It is a responsibility of the township without anyone assigned to do it. That must change.
- Our own Inspections Department considers itself a third party provider to us, not assisting in any way in the oversight process. However, they are employees of CCT. Our citizens do not view our own inspectors to be a third party; they consider them as part of their local government. And our citizens may not be able to believe that pointing out something to the inspectors does not mean that complaint ever gets to the right person in CCT. Not their job to notify others. This seemed to some of us on the Subcommittee to be a situation where we are unable to rely on the expertise in-house (by having this group) and so miss fully benefitting from that expertise. Failures by developers fall through the cracks between the Planning Department and the Inspections Department, because no one follows up on any complaint by a resident. These units were approved in 2016 to be of a certain size and to be sold at a certain price point; building permit fees were paid for permits based on those assumptions. Yet, if anyone in our planning department or inspection departments looked across the street (from the Town Hall at the time) into the Round Hill development, they would know that the units were now significantly bigger and the desired price point was double that put in the application for a building permit.

The final comment that we would like to make is that we never found any record of the significant internal Round Hill review that we were told existed from Messrs. Swayze and Peterson and several Trustees prior to the formation of our Subcommittee.

Members of this Sub-Committee were told that staff had reviewed the failings at Round Hill, learned from them, and therefore there was no need for the formation of this Round Hill Sub-Committee. However, we found no evidence of any prior internal investigation. We also found no evidence of any internal process changes of any kind being made based on anything related to Round Hill and the subsequent lawsuit.

APPENDIX 1

Factual Basis for Suggested Recommendations

Some Key Facts Supporting First Set of Recommended Changes

- Ordinance approving PUD required that it be filed with County Land Records “prior to construction on site.” The ordinance, adopted in March 2016, was filed in January 2020.
- Master Deed was filed on April 27, 2018, more than two years after passage of the Ordinance. It also reflected a site condo not a traditional condo, as approved by the Board of Trustees in 2016,
- Final Site Plan must be stamped ‘Approved’ (and shall be revised to reflect any condition attached to the approval, or changes or corrections required to obtain approval. (Section 21.03 of the Zoning Ordinance)). It should be filed in the permanent records of the Township. No approved original site could be located from the Planning Dept when requested. No stamping of the any site plans occurred.
- Performance bonds from the developer (totaling \$60,000) to protect the township and adjoining residents negotiated in 2015-2016 (with counsel for multiple parties) were never asked for by the Planning Dir. nor delivered by the developer to the Township.
- There were several items required to be done prior to “construction” but the damage to the Rohde’s started with clearing of the site well before any actual construction of houses began and before the water retention systems were built.
- The retaining wall clearly needed on the southeast corner of the site was not completed until 2020, well after significant damage to the Rohde’s had been done by the stormwater, soil and sediment coming from the development.
- Inspections Dept. personnel focus only on what they are specifically inspecting; they do not look for (or even notice) obvious violations of the approved development plan nor mention to others in the Township other things on the project that might be a problem. They are acting as an independent contractor to CCT, just as they do in other jurisdictions.
- Functions outside of CCT are often involved: in Round Hill, the County Road Commission was involved since there was a need for soil and sediment permits. KCRC filed more than 12 notices of violations and inspection reports on Round Hill. They eventually asked the Township, through the Inspections Department, to issue a stop work order on Round Hill and it was issued. EGLE was involved in the Round Hill project as well since some of the sediment from Round Hill found its way into a Thornapple River bayou, and it filed complaints as well. They fined the developer a small amount of money.
- CCT did little, if anything, until the very end when the threat of litigation arose. CCT did place a stop order on the site, although we found no written record of it from the Planning Department files or the basis of it in our review of Planning Department files (which were in an unorganized box).
- No written evidence of any internal after-action review, represented as having occurred, was found.

Some Key Facts Supporting Second Set of Recommended Changes

- Round Hill started as a traditional condo development and ended up as a site condo project without any notice to or approvals by the Planning Commission or the Board of Trustees. None of the changes, including subsequent changes to the lot lines of the site condo, were done with any approvals other than perhaps by the former Planning Director. In reviewing Planning Dept. files, there were no written approvals of changes the Planning Director approved, as required by the Zoning Ordinance. Also, even “minor changes to site plan” must comply with the Zoning Ordinance. Part of the reason for the traditional condo structure was the need for extensive retaining walls, which in a traditional structure would be the responsibility of the Homeowners Association (HOA). In the site condominium structure, the sites on which the retaining walls were built would be ultimately responsible, even if the HOA was nominally responsible.
- Section 21.03 of the Zoning Ordinance also requires that all conditions attached to the approval of a site plan, or changes or corrections be placed on a revised site plan before it is marked ‘Approved.’ In Round Hill, (1) some of the units were built outside the building envelopes set forth in the drawings for the project, (2) no building permit for the deck on Unit #8 was obtained prior to its construction; (3) the developer did not adhere to the approved site engineering. This led to the request for a new Ordinance (the third ordinance) in June 2020.
- There is no current procedure or process (or even anyone given responsibility) for enforcement of the development process or for dealing with project-related citizen complaints. Mr. Rohde filed numerous complaints without receiving any relief, thus forcing him to sue the develop and CCT.
- The Ordinances must be more precisely drafted. Terms and timing required for some actions in the Ordinance must be more precisely defined. There were failures in the drafting of the Round Hill Ordinance. Two example: (1) What is “construction” which defined the date for certain actions to occur? Is clear-cutting the site (leaving it vulnerable to water and soil and sediment runoff onto neighbor’s property, as well as into the county drain system and the river) “construction”? (2) There was no set date set for completion of the retaining walls in the ordinance. Some of those required were essential components of the stormwater and soil and sediment retention plan, yet the retaining walls were not part of the “Facilities” as defined in the [SESC permit].