

**MINUTES OF THE GAINES CHARTER TOWNSHIP PLANNING COMMISSION  
FOR THE REGULAR MEETING HELD ON  
FEBRUARY 25, 2016  
AT THE GAINES CHARTER TOWNSHIP OFFICES  
8555 KALAMAZOO AVENUE SE • CALEDONIA, MICHIGAN 49316**

**I. CALL TO ORDER AND ROLL CALL**

The meeting was called to order at 7:00 pm by Chair DeWard. A quorum was present.

**MEMBERS PRESENT:** Brad Burns, Robert DeWard, Connie Giarmo, Tim Haagsma,  
Ronnie Rober, Lani Thomas

**MEMBERS ABSENT:** Louis Waayenberg (*with notice*)

**OTHERS PRESENT:** Mark Sisson, Township Planner / Zoning Administrator,  
Jeff Gritter, Township Engineer  
Matt McKernan, Assistant Planner  
Sandy Wiltzer, Recording Secretary

**II. CONSIDERATION OF MEETING AGENDA**

No changes were made.

**III. CONSIDERATION OF MEETING MINUTES**

January 28, 2016 – Regular Meeting Minutes

Chair DeWard called for a motion.

**MOTION:** By Member Haagsma supported by Member Rober to approve the minutes for  
the January 28, 2016 Regular Meeting.

**AYES:** Brad Burns, Robert DeWard, Connie Giarmo, Tim Haagsma, Ronnie Rober,  
Lani Thomas

**NAYS:** None

**ABSTAIN:** None

**MOTION:** Passed

**IV. INQUIRY OF CONFLICT OF INTEREST**

None

**V. PUBLIC COMMENT ON NON-AGENDA ITEMS**

None

VI. ADVERTISED PUBLIC HEARINGS

1. **Chick-fil-A Restaurant, 1545 Edgeknoll Drive: Amendment to Crossings PUD and Site Plan Review.** Request to amend the applicable PUD provisions to allow construction of a Chick-fil-A Restaurant with a drive-thru window on a site designated for office and service use. – *File No. 151228CS*

Cheryl Scales from Progressive AE restated the request to consider an amendment to the Crossings PUD, changing the authorized use for the parcel from office use to restaurant with drive through and to approve the site plan to allow for construction of a Chick-fil-A Restaurant. Scales stated the proposed restaurant would be located north of the Bob Evans restaurant on 2.25 acres of land. The building would be sited in the eastern most point of the property, which is the farthest point away from the adjacent residential area. Ingress / egress to the site will be from Edgeknoll Drive. Scales noted this would become the first free standing Chick-fil-A restaurant in Michigan and that Chick-fil-A restaurants are not open on Sundays.

The franchisee will be a local resident who not only owns the restaurant, but is actively involved in its operation and management. The restaurant will seat 124 inside and 20 on an outside patio. The drive-thru will be double loaded to ease traffic backups. Chick-fil-A prides itself in a 90 second delivery from order to pick-up.

Ms. Scales mentioned that more parking has been provided than required by the Township. Sidewalk is now planned all around the site, the buffer area along the west edge of the detention pond will be split with sidewalk on both sides. Signage has been requested on a pylon sign along Kalamazoo Avenue as well as on all sides of the building.

The public hearing opened at 7:07 p.m.

**Ken Rich – 1501 Edgeknoll Drive-** Stated that there is congestion in left turn lanes both north and south directions, that this is not a good place for a restaurant. Stated that all traffic enters and leaves via Edgeknoll Drive, and property values will suffer.

**Ken Mull – 1335 Bentree Drive**

Stated that Edgeknoll Drive is not a through street, drivers try and cannot get through, is too close to M-6 exit ramp for Kalamazoo Avenue, there is congestion in left turn lanes both north and south directions, that Crossings Drive is also congested for left turns. He stated that the Chick-fil-A average of 6.9 cars in drive through at any given time multiplied by anticipated volume will create major headaches, that the accident rate will increase, and wants the neighborhood to remain as a neighborhood, does not feel this warrant's a change.

**Jessica Campbell – 6858 Aleda Avenue**

Wants Township to carefully consider this as Chick-fil-A is a high traffic business. Kalamazoo Avenue between 68<sup>th</sup> and 60<sup>th</sup> Streets is already congested and events at Kentwood High School occur the same time as after work drive time and Crossings Drive is congested. There have been four accidents already this year. It is hard to get home,

turning left is dangerous there. There are many businesses already in the immediate area, she would like a comprehensive traffic study to be completed for tolerance. Traffic volumes were reported in local newspapers for a Chick-fil-A that opened in Washington state for well over a month, expenses for police exceeded \$23,000. Wallingford Connecticut had similar issues with a Chick-fil-A Restaurant and the company delayed the opening of three additional restaurants due to the problems there, this neighborhood is too residential and there other restaurants in already designed commercial areas.

**Trevor Miedema – 6819 Bonnie Street**

Does not live in the neighborhood, but has friends in the area and they play and ride bikes in the road. There are no sidewalks in the southern portion of the neighborhood. Additional cars will create safety issues.

**Brooke Viola – 1220 Bintree Drive**

Opposed to the Chick-fil-A. Edgeknoll Drive is the only ingress / egress point in the neighborhood. A Chick-fil-A is not the right fit for the area. The land is not zoned for restaurant use, it was intended for light office uses such as a dentist. The area is currently low traffic. She feels Chick-fil-A failed to produce sufficient traffic reports on their projected daily volume. She anticipates thousands of consumers in and out of the neighborhood, because it is the first free standing Chick-fil-A restaurant in the State. She feels it will attract visitors from all over, high volume for first year or two. The corridor is already overloaded with traffic and congested now. There is not a good exit plan from the restaurant, patrons will attempt to cut through the neighborhood. She anticipates hundreds of cars. There are no sidewalks in the southern portion of the neighborhood now and kids play in the street. They will be competing with drivers trying to make a fast exit. Three years ago Goodwill tried to occupy the site and was turned down by the Township Board due to neighborhood concerns, if Goodwill was turned down, why would a Chick-fil-A Restaurant be approved?

**Baily Viau – 1274 Bintree Drive**

Attends a middle school which has been looking at pollution for Buck Creek Watershed. Please take into consideration time and money to clean up the watershed, as well as the safety for children who walk to and from the bus stop. These kids will be encountering vehicles driving recklessly. She has had close calls in the past. The restaurant will create a more hazardous environment.

**Alex Hoskins – 1500 Edgeknoll Drive**

Live across the street. He anticipates a lot of noise and light pollution. He doesn't mind the restaurant, it's just not right for this location.

**Valerie Marek – 1248 Bintree Drive**

Lived in the neighborhood for two decades and has seen the neighborhood grow. She feels that traffic is already congested. She feels that ingress / egress from Edgeknoll Drive only is a problem. She feels the intersection is dark and not well lit. A sign stating "No Outlet" does not exist.

**Melissa Anthony – 6817 Bonnie Avenue**

Opposes. Likes the restaurant but not in this location.

The public hearing closed at 7:29 p.m.

Planner Sisson stated the primary discussion points are relative to the request for an amendment changing the use from Office Services to Restaurant use. Landscaping and signs should also be considered by the members as the change of use will alter what is allowed for signage. A pylon sign is not allowed for Office/ Service uses but would be for a commercial use. A waiver is being requested to allow for a split buffer around the detention pond.

Chair DeWard restated the issues to be discussed including comments made by the public: **traffic study, safety, landscaping, signs and sidewalk.** A letter from Meritage LLC objecting to the request was noted for record.

**Traffic Estimates:** A traffic estimate has been completed for the Chick-fil-A using the Institute of Transportation Engineers Trip Generation Manual. The estimate is available to the public upon request. Chick-fil-A does not publish information related to sales volume, therefore numbers specific to their restaurant are not available. Estimates are based on generally accepted data; based on data collected for “like uses” across the country. It was noted there can be wide variations on the numbers based on time of day, restaurant size etc., but it is a recognized national data base. Haagsma stated the trip generation manual has been around for years and is updated often. In the fast food category, he is confident Chick-fil-A restaurants would have been included in the studies used to indicate a typical “average”. Generally speaking, the document is accepted and proven to be correct. Scales indicated that Chick-fil-A would be willing to conduct a formal traffic study on the impact of the restaurant on Edgeknoll drive.

**Safety:** The Planning Commission may ask for a comprehensive traffic study in regards to the traffic signal, left turns and / or an intuitive signal based on traffic. If there is a problem with the signals, they can be changed. Haagsma noted that this would fall under the purview of the Road Commission.

Higher traffic volumes are expected for the first several weeks the restaurant is open. Chick-Fil-A is open to paying the Sheriff’s Department to help direct traffic. This would not be a Township expense. It was noted ingress / egress from Kalamazoo Avenue would not be possible as M-DOT owns the right-of-way. Haagsma stated that as the curb cuts are already in place, no further permitting is required. One will be needed for the sidewalk work along Bentree Drive, which is a Township requirement.

**Landscaping:** The applicant has taken the terrain into consideration making a modification to provide buffering on both sides of the retention pond. Points required by the Township have been met. Members would like to see intermittent evergreens mixed with leafy trees for maximum, year round buffering.

**Signage:** The pylon sign is normally a special use request. It can be approved with the PUD amendment but requires some finding that it not change the character in the area.

Members should state their rationale for approval. Applebee's and Logan's Roadhouse are displayed on the pylon sign shared with other businesses on Market Place Drive. Bob Evans has a pylon sign. Staff does not see a reason to deny the request.

Chick-fil-A requested wall signage in excess of the maximum 100 square feet total that is allowed in commercial zones. Staff did not find a precedent to allow the change, as they could only find evidence that a very minor increase was allowed for Applebee's.

Scales indicated the Township Ordinance states a pylon is allowed and if approved, Chick-Fil-A would like it to be visible from the exit ramp on M-6. The wall signs are requested on all four sides as it is a limited location and they are tucked into a corner.

Chair DeWard stated the Commission can approve this request because the proposal is a PUD Amendment. Sisson said to keep harmony, character and safety in mind. Both Wendy's and Bob Evans have pylon signs. Members were in consensus to approve the applicant's request because while wall sign footage exceeds 100 sq. ft., the pylon sign has less square footage than allowed and the total display area of wall signs plus the pylon sign is under what the ordinance would allow.

**Sidewalk:** Sisson stated sidewalk extension up Bentree Drive is specific to the applicant's request and the Township requirement has been met. Sidewalk as it relates to comments made from the public references the established neighborhood to the west on Edgemoor Drive and to the south, where sidewalks were not required at time of approval.

Engineer Gritter stated the site plan has not changed much since his initial plan review. Utilities are in place and should the request be approved there will be future construction issues to consider.

After question by Scales and discussion, Chair DeWard, summarized that the traffic study was the only outstanding issue.

Chair DeWard called for a motion.

**Motion:** By Member Giarmo supported by Member Rober to postpone a decision on the request to amend the applicable PUD provisions to allow construction of a Chick-fil-A Restaurant with a drive-thru window pending a more comprehensive traffic study.

**Discussion:** None

**Type:** Roll Call Vote

**Ayes:** Brad Burns, Robert DeWard, Connie Giarmo, Tim Haagsma, Ronnie Rober, Lani Thomas

**Nays:** None

**Abstain:** None

**Motion:** Passed (*to table*)

**2. StoneCo, 900 100<sup>th</sup> Street: Annual Operating Plan Review.** Review of the 2016 Annual Operating Plan. – *File No. 32-100-012-PUD*

Planner Sisson stated that due to the level of interest shown by the public at the October 22, 2015 Planning Commission meeting regarding the PUD Rezoning, it was decided to make the annual review a public hearing as well.

Mr. Tony Halloran from StoneCo reviewed plans for the upcoming year.

The public hearing opened at 8:19 p.m.

**Robert VanderMeer – 10241 Eastern Avenue**

Expressed concern for dust, especially with an east wind. He also expressed concern for noise, specifically backup beepers. He would like to see additional water trucks and motion sensor on trucks to sound an alert only when necessary.

**Robert Roelofs - 10333 Eastern Avenue**

Concerned about noise from the site, and the start time of 7am.

The public hearing closed at 8:26 p.m.

DeWard and Halloran both stated the mining industry is held to a higher standard of safety and is regulated by the Federal government. Halloran will definitively determine whether motion detector backup alarms are allowed and will report back to Sisson. DeWard stated StoneCo has been responsive and works at being a good neighbor. Halloran said a new water truck was purchased last year and dust control should have been better towards the end of the season.

Sisson indicated that the establishment of a wetlands bank was proposed for the property now being mined but which is owned by the Kent County Road Commission. StoneCo was to submit a final reclamation plan for that area based on the creation of wetlands. Halloran indicated he would get the plan to the Township.

Chair DeWard called for a motion.

- Motion:** By Member Giarmo supported by Member Rober to accept the 2016 StoneCo Operating Plan for the 100<sup>th</sup> Street Operation, based on the staff report, with the following conditions:
- Roads are watered frequently to reduce dust
  - Research the use of motion detector backup alarms
  - Submission of the reclamation for the wetland area for Staff review and approval, prior to final closure of that mine area.

**Discussion:** None

**Type:** Roll Call Vote

**Ayes:** Brad Burns, Robert DeWard, Connie Giarmo, Tim Haagsma, Ronnie Rober, Lani Thomas

**Nays:** None

**Abstain:** None  
**Motion:** Passed

## VII. GENERAL DISCUSSION ITEMS

- 1. Woodfield Apartments (The Preserve at Woodfield), 6181 Eastern Ave: Special Use Permit and Site Plan Review:** Continued review of request for a Special Use permit to allow Land and Company to construct a 176 unit multi-family apartment complex utilizing 16 unit apartment buildings. *File No. 151222DH*

The applicant appeared at the January 28 meeting and is returning to present requested changes. Sisson stated landscaping meets required points and could be improved. Parking spaces have been added as well as a sidewalks, creating a walkable system. A connection was made to the existing Woodfield Apartments. Lighting has been revised with a further emphasis on promoting safety and discouraging crime. Additionally, a small playground area has been created.

The applicant is requesting 16 unit buildings which are a special use. It was noted that development is still within the allowable density for the lot.

In asking for approval, the applicant stated requests from the previous meeting had been listened and responded to.

Chair DeWard called for a motion.

**Motion:** By Member Haagsma supported by Member Thomas the Planning Commission concurs with the findings contained within the staff report dated January 21, 2016, with respect to Section 19.8, items 19.8 B, 19.8 C, 19.8 D, 19.8 F, and 19.8 G, and with respect to Section 19.8 A, the Planning Commission finds that the addition of sidewalks, additional parking spaces and adjustments to site lighting as indicated on the revised development plans, adequately addresses the concerns over public safety that were originally identified by staff and the Commission, and that based on these findings:

- That the Special Use Permit allowing the "Preserves at Woodfield" Multi-Family development to utilize a combination of nine (9) 16 unit buildings, four (4) 8 unit buildings and two (2) existing single family homes in the arrangement indicated on the site layout plan dated February 15, 2016 is hereby granted, subject to adherence to the approved site plan, and
- That the Planning Commission concurs with Staff's findings outlined in the memorandum dated February 18, 2016 as pertaining to the site plan, and in all other aspects finds that the site plans dated

February 15, 2016 are acceptable, and are hereby approved, subject to the following:

1. That there is adherence to the stipulations outlined in the engineer's report by Jeff Gritter of Vriesman & Korhorn, dated January 6, 2016.
2. Signage plans will require staff approval and deviations from the standards of Chapter 17 if any, will require a justifiable variance to be granted by the ZBA.

**Discussion:** None  
**Type:** Roll Call Vote  
**Ayes:** Brad Burns, Robert DeWard, Connie Giarmo, Tim Haagsma, Ronnie Rober, Lani Thomas  
**Nays:** None  
**Abstain:** None  
**Motion:** Passed

2. **South Creek North: Preliminary Plat Review:** Site Plan Review for elements related to approval of request for Preliminary Plat Approval for South Creek North.  
*File No. 151112DL*

Dan Larabel from Allen Edwin Homes presented a revised site plan from the December 17, 2015 meeting where the Preliminary Plat Review was presented. Larabel stated the light layout was subject to Consumers Energy design, and street trees had been modified to one per lot as required by the Township.

Sisson stated that pending approvals of all other agencies such as Kent County Road Commission, The Drain Commissioner and the Health Department the next steps would be to submit to the Township Board. This is the last opportunity for the Planning Commission to comment on the Plat Review. Members had no further questions for the applicant.

Chair DeWard called for a motion.

**Motion:** By Member Haagsma supported by Member Giarmo to recommend approval of the South Creek North site plan to the Township Board for the March 21 meeting.  
**Discussion:** None  
**Type:** Roll Call Vote  
**Ayes:** Brad Burns, Robert DeWard, Connie Giarmo, Tim Haagsma, Ronnie Rober, Lani Thomas  
**Nays:** None  
**Abstain:** None  
**Motion:** Passed



**VIII. DISCUSSION AND CONSIDERATION OF PLANNING COMMISSION BYLAWS.**

Planner Sisson reviewed the proposed bylaw document and discussed areas of interest and where Commission members should feel a high level of comfort and understanding. He noted the document is a template and can be modified. Specific areas include reporting absences, that members are appointed by the Township Supervisor and are removed by the Township Supervisor, conflict of interest - what it means, how to determine, and that a vote is required for the record, to recuse a member. Sisson stated bylaws are the baseline for how the Commission acts, perception of the body is important, he likes the Commission to be viewed as having high standards and being perceived as creditable and ethical.

**IX. ADJOURNMENT**

**Motion:** By Member Rober supported by Member Thomas to adjourn the meeting.

**Discussion:** None

**Ayes:** Brad Burns, Robert DeWard, Connie Giarmo, Tim Haagsma,  
Ronnie Rober, Lani Thomas

**Nays:** None

**Abstain:** None

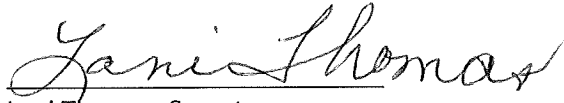
**Motion:** Passed

Meeting adjourned at 9:15 P.M.

**CERTIFICATION**

I hereby certify that the above is a true copy of the minutes from the January 28, 2016 Regular Meeting of the Gaines Charter Township Planning Commission held at the time and place mentioned above pursuant to the required statutory procedures.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lani Thomas".

Lani Thomas, Secretary  
Gaines Charter Township  
Planning Commission

Dated: May 28, 2016