



# CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7140

On Wednesday, October 7<sup>th</sup> the Cascade Township Board held their regularly scheduled Township Board meeting at the Wisner Center. During the public comments period there were several residents who spoke regarding the purchase of properties located at 2800 and 2804 Thornapple River Drive. In addition to comments regarding the purchase, several questions were raised regarding the purchase and plans for the property. This FAQ sheet is an attempt to answer all of the questions that were posed by residents during this time. If you have additional questions, you may contact Benjamin Swayze, Township Manager, at [bswayze@cascadetwp.com](mailto:bswayze@cascadetwp.com).

## **What was the process for purchasing the properties at 2800 and 2804 Thornapple River Drive?**

The Township Board adopts a Strategic Plan every five years, and refines that plan annually. The Strategic Plan establishes vision and serves as a roadmap for actions the Township Board wishes to undertake to achieve that vision over time. In the Cascade Charter Township 2014 – 2016 Strategic Plan, Goal Area One is identified as:

*Cascade Township is a family friendly community that supports economic development and growth and has developed a town center, a pedestrian oriented river front and has a strong identity throughout the region.*

Within Goal Area One, Objective Two was identified as:

*Develop the River Front into a Pedestrian Friendly Destination*

With this goal and objective in mind, the Township Board developed a 2015 work plan, or vision, which involved exploring what properties may be needed for a pedestrian friendly riverfront project and determining costs and ownership status. While working on this task in early September, we unexpectedly learned that the two subject properties were available for sale. After contacting the listing agent, it became obvious that these two properties had generated substantial interest, an offer was imminent, and that those planning to offer intended to sink a substantial amount of money into the properties in the immediate future.

With this information, the Township Board went into closed session at its regularly scheduled Township Board meeting on September 9<sup>th</sup> to discuss possibly making an offer on the properties. The Michigan Open Meetings Act allows a public body to go into closed session, “*To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.*” After much debate, the Board returned to open session and directed the Township Manager to make an offer on both properties.

An offer was made on both properties on September 10<sup>th</sup> and accepted by the sellers on September 14<sup>th</sup>. The purchase agreement was subject to approval of the Township Board and the sellers requested a closing date of on or before October 5<sup>th</sup>. The Township Board approved the purchase of the property at their September 23<sup>rd</sup> meeting, subject to the satisfactory completion of the survey and Environmental Study. The survey and Environmental Study were completed on September 30<sup>th</sup>, and the closing documents were signed on October 5<sup>th</sup>. The purchase was held in escrow until October 7<sup>th</sup> so the sellers could produce the necessary certificate of trust. The Township officially took ownership of the property on October 7<sup>th</sup>.

### **What is the “plan” for the property?**

The Township does not currently have any specific plans for the property. Rather, the Township Board has a goal and objective, as spelled out in the Strategic Plan, of developing a pedestrian friendly riverfront. There has been a lot of general discussion among the Township Board, Downtown Development Authority and Parks Commission in the past about what a “Pedestrian Friendly Riverfront” might entail. This could include businesses, restaurants, a boardwalk, an extension of Tassel Park or other public space opportunities. However, a public boat launch is not something that would be supported by the Board. At some point in the future the Township will engage in a visioning process to refine what a potential project might look like, but not until further due diligence is completed. The visioning process would be an inclusive one, with numerous opportunities for community and stakeholder input. The Thornapple Association would certainly be considered a valued participant in that process.

### **What is the short-term plan for the property?**

The short term plan for the property is to winterize the house while it sits vacant. The grounds and house will be regularly maintained by the Township Buildings and Grounds Department. The Township plans on determining the cost/benefit of renting the house in the short term, but the property needs a lot of maintenance work and it may or may not be financially viable to do so. Currently we envision the house will remain standing until a long-term project plan is created.

### **Does the plan for the property include a public boat launch?**

As stated above, there is not currently any specific plan associated with the property, only a vision of a pedestrian friendly riverfront. However, all of the Township Board members were vocal at the October 7<sup>th</sup> Township Board meeting that they would not support a public boat launch in this area for several reasons. The Township already has an area just on the other side of Cascade Road (Tassel Park) that allows for the launching of personal non-motorized watercraft. Adding an additional area of this nature this close on the river would be redundant. The Township has absolutely no interest in adding a public boat launch at this location.

### **Who is “pushing” the project?**

The Township Board Strategic Plan calls for the development of a pedestrian friendly riverfront. The Township Board strategic plan draws on input from all of the Township’s major planning documents, including the Comprehensive Master Plan, the Parks and Recreation Master Plan and

the Downtown Development Authority Tax Increment Financing Plan which are all created with significant input from the community.

### **Cascade Township Master Plan**

*Tassel Park Expansion* – Work with the Parks and Recreation Board to develop a long range plan for the expansion of Tassel Park along the river crossing Cascade Road and continuing north along Thornapple River Drive. The expansion may include such features as a boardwalk, seating area, landscaping and interpretive signage. The Township may wish to explore utilizing a lease/purchase arrangement with property owners along the river north of Cascade Road. (pg. 109)

### **Downtown Development Authority TIF Plan**

Acquire property for development and redevelopment purposes if and when such properties meet the goals of the DDA development areas. (pg. 14)

Provide access to the Thornapple River at and below the dam and create riverfront amenities such as fishing areas, viewing spots, and personal non-motorized watercraft launch areas. (pg. 20)

### **Parks and Recreation Master Plan**

*Goal 6: Explore future opportunities for waterfront access and utilization in the Township*

- B. Explore options for public recreational amenities including a boat launch, picnic tables, and parking off of Thorncrest Drive along the Thornapple River.
- C. Explore options for future non-motorized trails along the Thornapple River.
- D. Improve visibility of the riverfront throughout the Township where possible to retain the waterfront's presence and influence in the community. (pg. 39)

All of these underlying plans were developed with significant input from various stakeholder groups including elected officials, appointed boards and commission members, Township staff, businesses, residents and community organizations. However, it is the Township Board's Strategic Plan that ultimately drives actions taken by the Township. To the extent that one or more of the underlying plans is ultimately found to be inconsistent with the Strategic Plan, the underlying plan(s) are refined over time so as to achieve the desired consistency with the Strategic Plan adopted by the Township Board.

### **Why do some plans of the Township call for additional boating access to the river?**

The planning documents of the Township often take a broad view of potential activity, and represent the views of the individual bodies and members that generated them. These views are then broken down, prioritized and merged by the Township Board after further evaluation. This allows the planning documents to provide a broad base of goals and objectives that can be sifted and explored further without getting tied up in the details that often complicate a project. You'll

find many examples of goals, objectives and projects that appear in planning documents of the Township that, after further exploration, are abandoned or otherwise do not come to fruition.

A good example would be the plan for a roundabout at the 28<sup>th</sup> Street and Cascade Road intersection. There are many planning documents, including the Downtown Development Authority TIF plan and the Cascade Township Master Plan that call for the exploration of a roundabout at this intersection. In 2012 the Township completed a study that a roundabout was feasible in this area and could potentially improve traffic flow and reduce accidents. However, through the planning process it was determined that there was not enough support among residents, business owners and elected officials (including the Township Board) to continue to move the project forward, so the roundabout was scrapped for the more traditional intersection project that is being completed this month.

### **What is the proposed timeline for the project?**

Currently there is no specific timeline for any project in the riverfront area. The 2015 Strategic Plan work plan calls for the staff to pull together information on the properties that could be looked at for a potential project in the area, and present that information to the Infrastructure Committee of the Township Board for evaluation. A roadmap for advancing the planning process will more than likely be included in the 2016 Strategic Plan work plan.

### **Is the Township planning on utilizing Eminent Domain or another “taking” process to acquire land for a potential project?**

Cascade Charter Township has never utilized Eminent Domain or another “taking” process for any project and does not plan on utilizing any of these processes for any potential project in this area.

### **Why doesn't the Township spend the money on developing the vacant Thornapple Center shopping center instead?**

The Township Board Strategic Plan calls for investment in this area as well. Township staff have been engaged with the property owners of the Thornapple Center (there are 5 owners) to discuss ways that the Township can assist with development and redevelopment opportunities. The Township has also recently created two programs, the Commercial Rehabilitation Tax Abatement program and the DDA Development program, aimed at helping redevelopment of the mall. We also successfully petitioned the State to allow for redevelopment liquor licenses in Townships to potentially assist in attracting a restaurant to this area.

The Township is committed to assisting in the development and redevelopment in the entire Village area. Our current Village area infrastructure projects, our tax incentives programs, our possible development of a pedestrian friendly riverfront and several other efforts are not mutually exclusive, but all tied together to help achieve this goal.

### **Why was the initial conversation regarding purchasing the properties at 2800 and 2804 Thornapple River Drive held in closed session?**

The State of Michigan Open Meeting Act (PA 267 of 1967) allows for the Township Board to go into closed session for a variety of reasons, including, “To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.” This is to ensure integrity in the bidding/negotiating process. If the Township were to discuss the offer in an open session, it would be easy for the seller to know what their potential negotiating pieces are, thus negating the negotiating process.

In order to comply with the Open Meetings Act, the offer from the Township was made with the clause that it must be voted on by the Township Board in an open session prior to being valid. That vote occurred on September 23<sup>rd</sup>.

### **How does the property purchase relate to the Federal Energy Regulatory Commission requirements related to potential flooding from a dam failure?**

As part of the regulations imposed on the Township by the Federal Energy Regulatory Commission (FERC) due to our power generating dam, the Township conducted an Inflow Design Flood study which was completed in 2011. In the study, it was determined that during a Probably Maximum Flood (PMF) event, there are several houses in this vicinity, not including the house purchased by the Township, that would see flooding of 2 feet or more at the first floor elevation. These houses are included in the Cascade Dam Emergency plan and receive special notification whenever there is an emergency issue at the dam. While FERC would prefer that the Township acquire these properties, it has not imposed a requirement for the Township to do so. There is one property, located adjacent to the Cascade dam, that would be experiencing flooding of 3 feet or greater at the first floor elevation. FERC has a particular interest in seeing the Township purchase this property and we are working with that individual property owner to comply with FERC regulations and directives.

### **How is the potential project to be funded?**

The Township Board has not determined the source of funds for any potential project. General fund dollars were utilized to purchase the properties at 2804 and 2800 Thornapple River Drive. Potential sources of funds for future acquisitions, if any, include Downtown Development Authority TIF fund, general fund, dam management fund, grant funds and private investment dollars.

### **How will the Township patrol the waterways and ensure the safety of the residents who live along the river and their property?**

The Township provides law enforcement services to Township residents through the Kent County Sheriff's Department. This partnership, in conjunction with Ada and Grand Rapids Townships, allows us to provide high quality law enforcement services to our residents in a cost efficient manner. Anytime a resident feels a law is or has been broken, it is important that they contact the Sheriff's Department by contacting their emergency or non-emergency number,

depending on the situation. If you feel that your experience with the Sheriff's Department has not met your expectation, please let us know so we can attempt to rectify the situation.

In addition, the Township employs a Community Standards Officer at Township Hall. This individual is responsible for enforcing Township ordinances that may not be in the purview of the Kent County Sheriff's Department. One example would be a violation of the Township "Keyhole" Zoning ordinance regarding river access. If you feel that a Township ordinance is being broken, you can report a complaint to Stephanie Fast at 616-949-1500.

### **What are you going to do to address traffic on Thornapple River Drive?**

We understand that traffic on Thornapple River Drive is always a concern for those that drive it, and the expectation is that any project that is proposed in the area will take a significant look at the traffic impacts to ensure that the design does not exacerbate any traffic issues.

### **Will the Township be making offers on additional houses and/or businesses?**

As mentioned above, the Township is still in the process of analyzing which properties the Township may be interested in for a potential project in this area. The 2015 Strategic Plan calls for the staff to report this information back to the Infrastructure Committee and for a new plan of action to be formulated after that.

With that being said, it can be reasonably anticipated that the Township will be approaching area homeowners in late 2015 or early 2016 to gauge their long-term plans for their properties. If there are homeowners that express an interest in selling in the short-term, the Township Board may consider making offers on additional properties.

### **What can people do to support/oppose a potential project?**

The Township has a long history of public engagement when contemplating new public improvements, especially one with as much visibility as a riverfront improvement. Once a planning process is developed, there will undoubtedly be many opportunities for residents to comment on the potential projects. We recommend you periodically check the Township website for updates on when public engagement opportunities may be coming up.

There are certainly opportunities to express your opinion before a project planning process as well. The Township Board meets twice a month, and always has an opportunity for public comment. You may also email or write your elected officials to express your opinion. Information on meetings schedules and means of contact can be found on the Township website at [www.cascadetwp.com](http://www.cascadetwp.com).

### **When did the public have an opportunity to comment on this particular property purchase?**

The property purchase was considered and finally approved at the September 23<sup>rd</sup> Township Board meeting, so this would have been the appropriate time to comment on the property purchase. Because the matter arose unexpectedly on September 9<sup>th</sup>, and the Township does not

have a specific plan for the property at this time, a more robust public engagement activity than the ordinary public comment opportunity provided at the September 23<sup>rd</sup> Board meeting was not used. Once a planning process is put in place, there will certainly be a significant public engagement component to that process.

**What will be the property tax loss to the Township on the property?**

For Fiscal Year 2015, the taxable value of the two properties combined is \$140,688 and the combined Township millage rate for all of the millages that the Township levies is 3.5244 mills. This will result in a tax revenue loss to the Township of \$495.84. If at some point the Township decides to rent or sell the house, the property would return to the tax rolls.

**Is there a way to stay more in touch with the workings of the Township?**

Currently, the best way to stay in touch with the work and activities of the Township is to check our website regularly and subscribe to our periodic electronic newsletter. However, the Township recognizes that the public demands more means of public engagement, especially with the proliferation of social media and broader access to the internet. The Township will be focusing on ways to improve our engagement with the public in the coming months, and will update any new means on our website. Other opportunities include reading our quarterly print newsletter, and reading the Cadence newspaper either on-line or in print on Sundays.