

AGENDA
Cascade Charter Township Zoning Board of Appeals
Tuesday, June 9, 2015
7:00 pm
Cascade Library Wisner Center
2870 Jacksmith Ave. SE

- 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. Approve the Minutes of the May 12, 2015 meeting**
- ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items.
(Comments are limited to five minutes per speaker.)**
- ARTICLE 6. Case #15:3247 Ridges of Cascade
Public Hearing
Property Address: 3319 Charlevoix Dr SE
Requested Action: The applicant is seeking a variance to allow a sign to
be constructed tall than permitted by the sign ordinance.**
- ARTICLE 7. Any other business**
- ARTICLE 8. 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*

ZONING MINUTES
Cascade Charter Township
Zoning Board of Appeals
Tuesday, May 12, 2014
7:00 P.M.
Cascade Library Wisner Center
2870 Jackson Avenue SE

ARTICLE 1. Chairman Casey called the meeting to order at 7:00 P.M.
Members Present: Berra, Casey, Cousins, McDonald, Neal
Members Absent: Hammond (Excused)
Others Present: Community Development Director Steve Peterson and those listed on the sign in sheet.

ARTICLE 2. Chairman Casey led the Pledge of Allegiance to the flag.

ARTICLE 3. Approve the Agenda.

Motion made to approve the Agenda as printed by Member McDonald. Support by Member Cousins. Motion carried 5-0.

ARTICLE 4. Approve the Minutes of the March 10, 2015 Meeting.

Motion made by Member McDonald to approve the Minutes of the March 10, 2015 Meeting as written. Support by Member Cousins. Motion carried 5-0.

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

No visitors present wished to speak to non-agenda items.

ARTICLE 6. **Case #15:3242 Patterson Ice Arena**

Public Hearing

Property Address: 2550 Patterson Avenue SE

Requested Action: The Applicant is seeking a variance that would allow alcohol to be served on the premises. This is a temporary use variance, as the Applicant is seeking this approval for only this event.

Community Development Director Peterson introduced the case. This request is being made for a wedding reception. We have had two other events such as this in 2002 and 2012 and did not have any issues or problems. The Clerk has no objections to the temporary liquor license for this event. This is a little unusual in that it is within a PUD that specifically prohibits alcohol. When this was put into the Ordinance it was not at the request of the neighbors but on the part of staff. As I have said, we have allowed two such events in the past and have not had any issues. I am recommending approval of the temporary use variance request.

Member Cousins asked when the event was taking place and if alcohol would be available for the whole event or just during dinner.

Bill Sweeney, 738 College Avenue, Grand Rapids came forward as the Applicant. The Applicant stated that the event will be held July 11, 2015. The Applicant stated that food and alcohol would be available for the entire event which is 4 PM-9 PM. Uccello's restaurant is catering and we are purchasing the alcohol from them as well. All guests will be over 21 years old.

Member McDonald made a motion to open the Public Hearing. Second by Member Berra. Motion passes 5-0.

There was no one present who wished to speak at the public hearing. Director Peterson stated he hadn't received any phone calls or visits from the public regarding this public hearing.

Member McDonald made a motion to close the Public Hearing. Second by Member Neal. Motion passes 5-0.

Member McDonald made a motion to approve the temporary use variance to allow alcohol to be served on the premises per Staff's recommendation for the wedding on July 11, 2015. Second by Member Berra. Motion passes 5-0.

ARTICLE 7. Any other business.

ARTICLE 8. Adjournment

Motion by Member Berra to adjourn the meeting. Support by Member McDonald. Motion Passed 5-0. Meeting adjourned at 7:15 PM.

Respectfully submitted,
Bill Cousins, Secretary

Ann Seykora
Planning Administrative Assistant

STAFF REPORT

TO: Cascade Township Zoning Board of Appeals
FROM: Steve Peterson, Planning Director
REPORT DATE: May 20, 2015
MEETING DATE: June 9, 2015
CASE: #15-3247 / Cascade Ridges

GENERAL INFORMATION

STATUS
OF APPLICANT: Owner

REQUESTED ACTION: The applicant is seeking a variance to allow a sign to be constructed taller than permitted by the sign ordinance.

EXISTING ZONING OF
SUBJECT PARCEL: Centennial Park P.U.D.

GENERAL LOCATION: between Kraft and Thornhills just north of I-96

PARCEL SIZE: Approximately 34 Acres

EXISTING LAND USE
ON THE PARCEL: Residential

ADJACENT AREA
LAND USES: N – residential
S- I-96
E – Residential
W- Office

ZONING ON ADJOINING
PARCELS: Centennial Park PUD.

STAFF COMMENTS:

- 1) The applicant is requesting a variance to install a new ground sign along I-96. The reason for the variance is due to the height of the sign.
- 2) As a residential sign it is limited to no more than 5 feet high. The sign is treated as residential sign due to the land use. As a residential use the applicant is able to take advantage of the fact that we allow one sign for each entrance into the development. This development has three entrances off from Charlevoix Dr and would like to use one of the allowed signs for placement along I-96.
- 3) While we have allowed others to do this they have been for commercial developments. The difference is that we don't tie the sign to any particular location for the commercial developments unlike the residential uses that are tied to the entrances. A strict read of the ordinance would limit the residential signs to the entry off from Charlevoix Dr.
- 4) In researching past requests we have not had any other requests such as this. Unfortunately, the cases that the applicant cites are commercial and not residential and therefore do not apply since we do allow taller signs for the commercial properties than we do for residential. If we applied the commercial rules to this case they would only be allowed one sign instead of three and the sign being proposed would need to be setback 25 feet from the ROW.
- 5) As a residential sign we limit the sign to no more than 64 sq ft and 5 feet high, with a 5 foot setback from the ROW. They are asking for a 64 sq ft sign and a height of 9 feet.
- 6) This development was recently approved and at no time was signage along the highway indicated as an issue. Even with a sign along the expressway it would not improve access to the site as you cannot get to the development directly from the highway. The apartments themselves provide more visibility that any sign along the highway will do.
- 7) According to Section 9.07 of the Sign Ordinance, a variance may be granted by the Zoning Board of Appeals where the literal application of the Ordinance would create a GENUINE hardship for the sign user and the following criteria are met. Before the Zoning Board of Appeals reaches a decision they shall consider the following findings of fact:

Findings of Fact	Staff Comments
The granting of the requested variance would not be materially detrimental to the property owners in the vicinity.	Other residential uses along the highway might feel that this is detrimental. As requested, we would not even allow the adjacent commercial users to have such a sign variance.
The hardship created by a literal interpretation of the Ordinance is due to conditions unique to that property and does not apply generally to other properties in the Township.	There are no unique circumstances on the lot. A literal interpretation could be argued that a sign along the highway is not even permitted since it is tied to the entrance of the development.
The granting of the variance would not be contrary to the general purposes of this Ordinance or set an adverse precedent.	The variance is clearly contrary to the intent of the sign ordinance and would set an adverse precedent for other residential developments.

RECOMMENDATION

Staff would recommend that the variance be DENIED.

Attachments: Application w/attachments



Cascade Charter Township

2865 Thornhills SE Grand Rapids, Michigan 49546-7192

PLANNING & ZONING APPLICATION

APPLICANT: Name: CNAD CASSIDAN

Address: 3437 Eastern Ave SE

Telephone: 616-901-5852

Facsimile: 616-241-1177

OWNER*: Name: Ridge of CASCADE

Address: 3437 Eastern Ave SE

Telephone: 616-901-5852

Facsimile: 616-241-1177

(* If different from the Applicant)

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 checked="" type="checkbox"/> Sign Variance
<input type="checkbox"/> Special Use Permit	<input type="checkbox"/> Subdivision 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**: SEE ATTACHMENT

(**Use Attachments if Necessary)

LEGAL DESCRIPTION OF PROPERTY**: SEE ATTACHMENT

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19- 17-401-007

ADDRESS OF PROPERTY: 3319 Charbonax Dr. SE

PRESENT USE OF THE PROPERTY: Multi-Family Apartments

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

<u>Name(s)</u>	<u>Address(es)</u>
_____	_____
_____	_____
_____	_____

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

CHAD CASSIDAY 5/14/15
Applicant - Print or Type Name

(If different from Applicant)

 5/14/15
Applicant's Signature & Date

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

PLEASE ATTACH ALL REQUIRED DOCUMENTS NOTED IN THE PROCESS

REVIEW SHEET - THANK YOU

5/14/15

DESCRIPTION OF SIGN VARIANCE REQUEST:

The Ridge of Cascade would like to install a permanent 64 SQFT lit sign on the Ridges of Cascade site, located directly to the South of Building #10 (3305 Cascade Ridge SE), facing the highway (See Exhibit A). The new sign (Exhibit B) would be located where the current temporary signs are currently located and would be similar to the current main entrance sign to the development. The Ridges of Cascade project has 3 entrances to the development and is allowed three 64 SQFT signs. Only one sign currently exists, a lit main entrance sign at the entrance of Cascade Ridge SE (Exhibit C) off of Charlevoix Drive. The new sign is identical in branding to the existing main entrance sign.

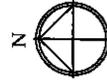
Due to the steep grade the drops off from the property line at this location (Exhibit D), the barb wire MDOT fence, and the 5' setback, we would like to install the sign at a maximum height of 108", versus 60". The additional height is needed in order to place the sign at an acceptable viewing height visible from the highway. The sign location does not interfere with any other adjacent property and will not impact the Ridges of Cascade Project or any adjacent neighboring property in any way. The sign will simply brand the Ridges of Cascade project on the highway, similar to other signs.

Note that there are numerous other signs in the Centennial Park area, both on and off the highway, that exceed the 5 ft maximum height. Two of those signs are shown for reference. Exhibit E shows the Hope Network sign along I-96, with a height of just under 7 ft at a reverse grade change to the highway. Exhibit F shows the Centennial Fitness sign at a height of 8' 4", with no grade change.

PREPARED FOR: Meadowood Development Corp.
550 Kirtland Street, SW
Grand Rapids, MI 49507

RE: Centennial CC—Redevelopment Plan

SITE 2 DESCRIPTION: Part of Section 17, Town 6 North, Range 10 West, Cascade Township, Kent County, Michigan, described as: Commencing at the North 1/4 corner of said Section; thence N89°40'22"E 20.69 feet along the North line of said Section; thence S00°00'00"W 2611.68 feet to a point on the Westerly line of Charlevoix Drive (66 feet wide) and the Point of Beginning; thence S38°00'00"E 17.03 feet; thence Southeasterly 391.42 feet along a 1633.00 foot radius curve to the left, said curve having a central angle of 13°44'00", and a chord bearing S44°52'00"E 390.48 feet; thence S51°44'00"E 217.55 feet (the previous three courses being along the Westerly line of said Charlevoix Drive); thence S00°00'00"W 151.86 feet; thence S52°05'25"E 171.93 feet; thence S37°56'28"E 221.65 feet to the Southwest corner of Heathmoor Condominium; thence S02°00'00"E 186.72 feet; thence S40°01'25"W 179.54 feet; thence Northwesterly 874.34 feet along a 3969.74 foot radius curve to the left, said curve having a central angle of 12°37'10", and a chord bearing N47°56'57"W 872.58 feet; thence S89°19'38"W 80.07 feet; thence Northwesterly 298.54 feet along a 3922.74 foot radius curve to the left, said curve having a central angle of 4°21'38", and a chord bearing N57°22'49"W 298.47 feet (the previous three courses being along the Northwesterly right-of-way line of I-96); thence N41°54'30"E 256.97 feet; thence N38°00'00"W 97.27 feet; thence N41°54'30"E 163.50 feet; thence N75°25'54"E 120.90 feet; thence N52°00'00"E 27.49 feet to the Point of Beginning. Contains 11.56 acres. Subject to easements, restrictions and rights-of-way of record.



By: *Randal J. Vugteveen*

Randal J. Vugteveen Licensed Professional Surveyor No. 28429

ANN ARBOR
3025 Miller Road
Ann Arbor, MI 48103
PHONE: 734.929.6963

CHICAGO
1082 National Parkway
Schaumburg, IL 60173
PHONE: 312.878.3897

COLUMBUS
6385 Old Avery Road, Suite A
Dublin, OH 43016
PHONE: 614.859.1127

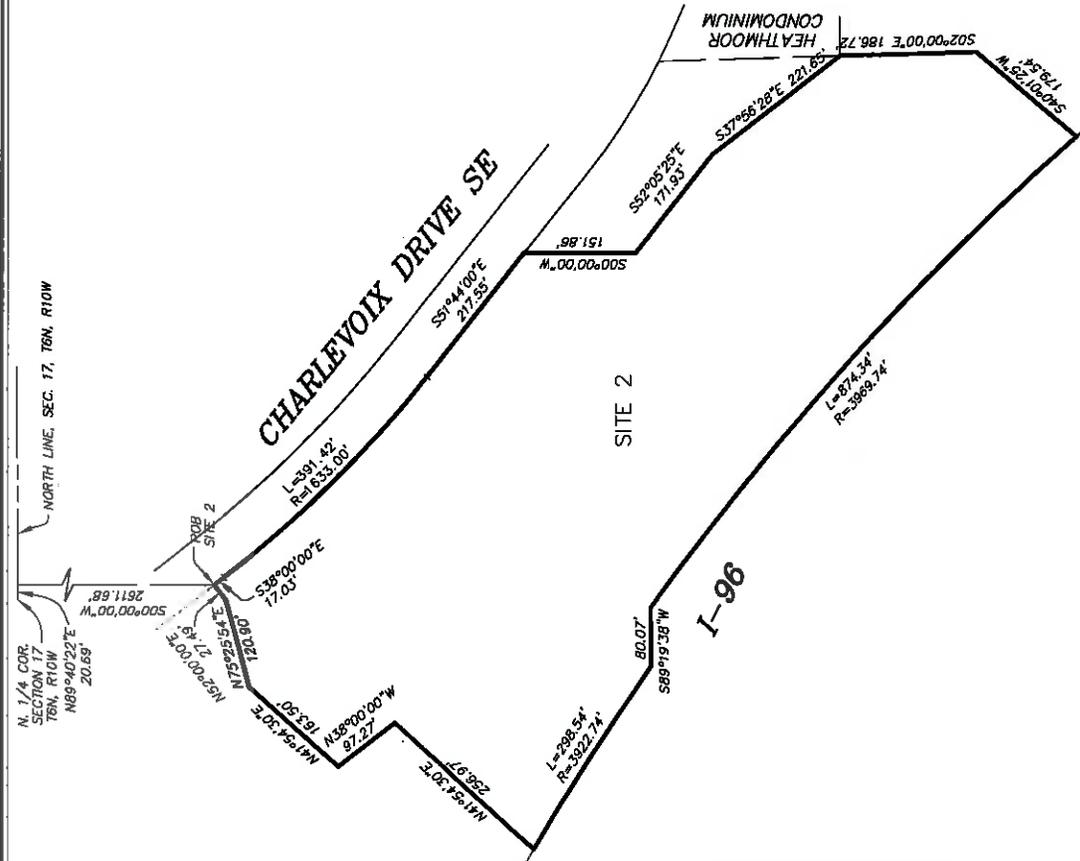
GRAND RAPIDS
217 Grandville Ave., Suite 302
Grand Rapids, MI 49503
PHONE: 616.575.5190

HOLLAND
347 Hoover Boulevard
Holland, MI 49423
PHONE: 616.993.0449

INDIANAPOLIS
8450 Castlewood Dr., Suite B
Indianapolis, IN 46250
PHONE: 317.288.3762

www.nederveld.com
800.222.1868

project no.: 12400128DSC5-SITE 2 date: 5.30.13 --JAT

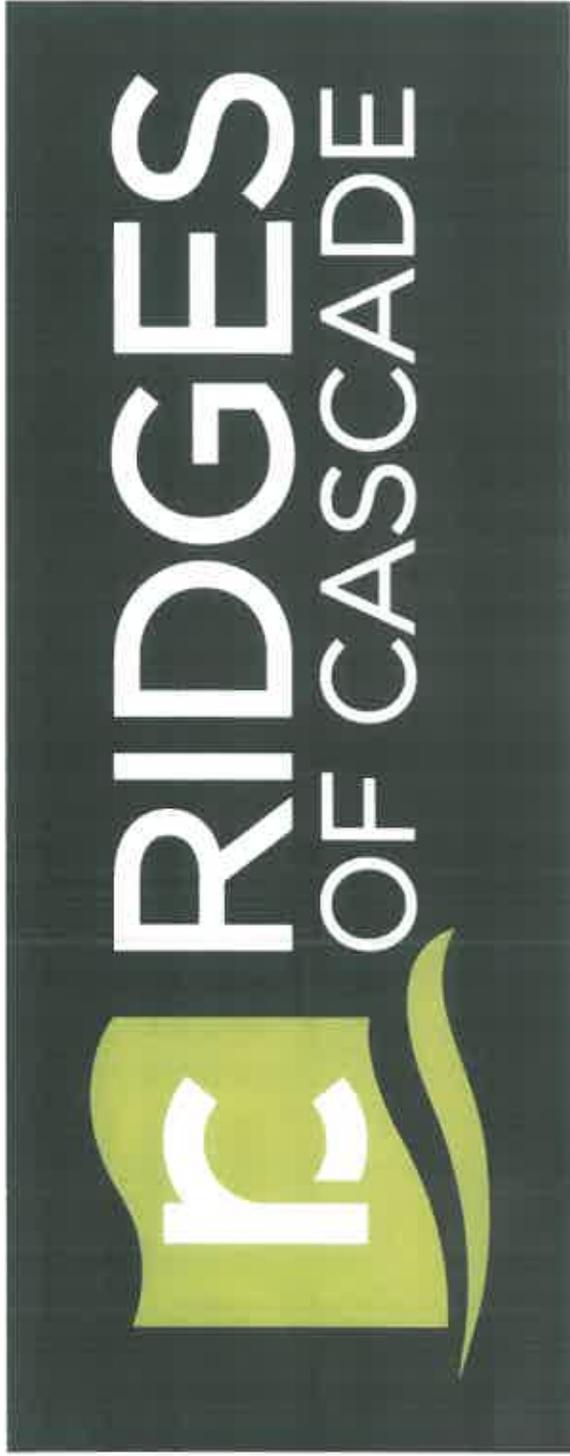


- Scale: 1" = 100'
- Easement
 - Boundary line dimension
 - M = Monument
 - P = Plat
 - = Set Iron Stake
 - = Found Iron Stake
 - X --- = Private Line

This sketch was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

Exhibit "B"

154.32 in



60.01 in

108 in

#179



Client

Ridges of Cascade

Location

Cascade MI

Scale

N/A

Project Manager

Drawn By

6522 S. Division Ave. Suite B
Grand Rapids, MI 49548

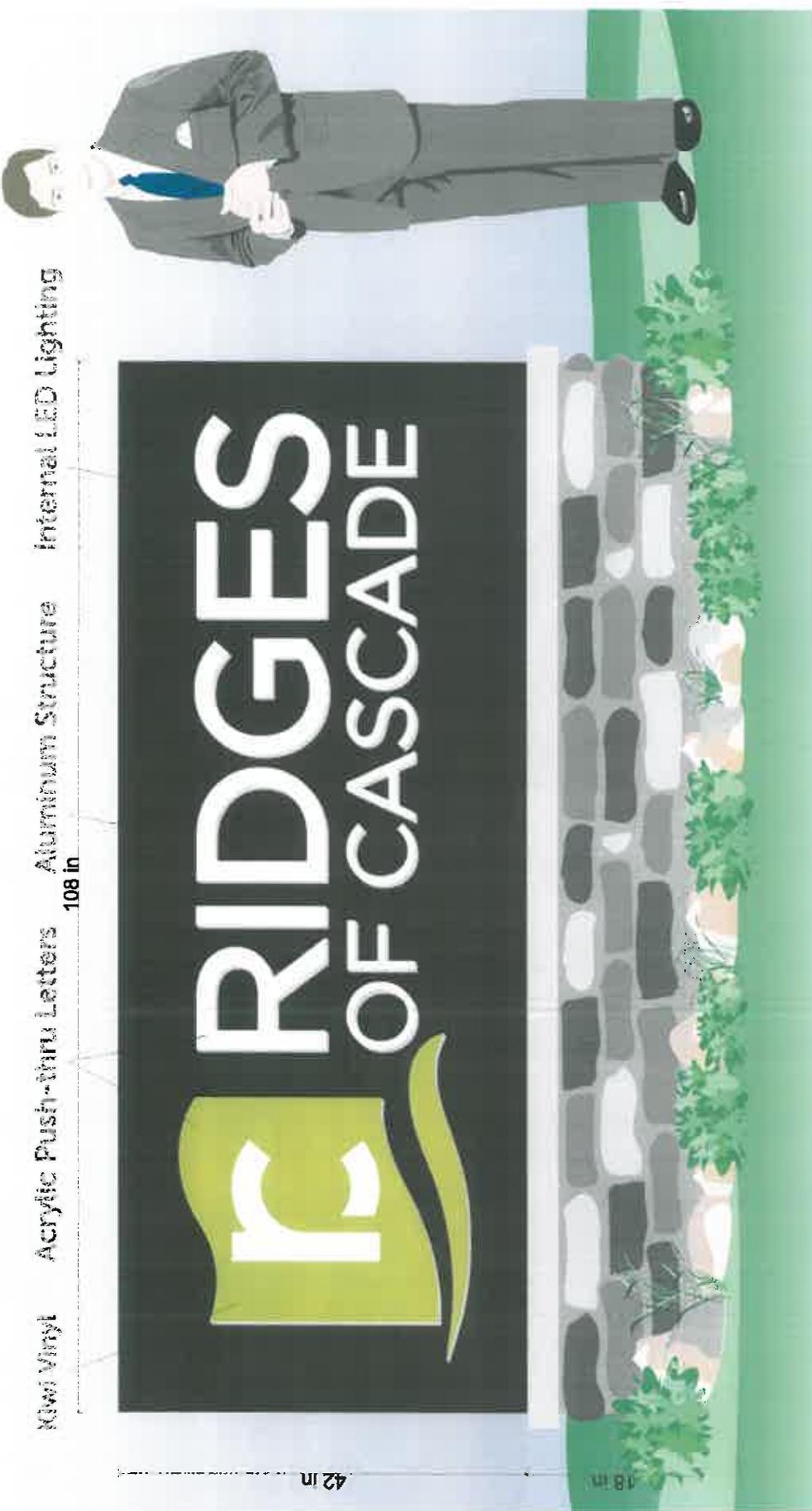
Office Phone/ Fax: 616.554.1167
Email: sales@alcamsigns.com

www.alcamsigns.com



ALCAM SIGNS
& LIGHTING INC.

Exhibit #C11



Internal LED Lighting

Aluminum Structure

Acrylic Push-thru Letters

108 in

42 in

18 in

Sign Panel Specifications

- Aluminum Post-N-Panel Sign
- Painted structure - Duranodic Bronze
- Internal LED Lighting
- Acrylic Push-Thru Letters

Single Sided
12" Cabinet Depth

Client
Edges of Cascade

Location
Cascade MI

Scale
N/A

Date
4-28

Project Manager

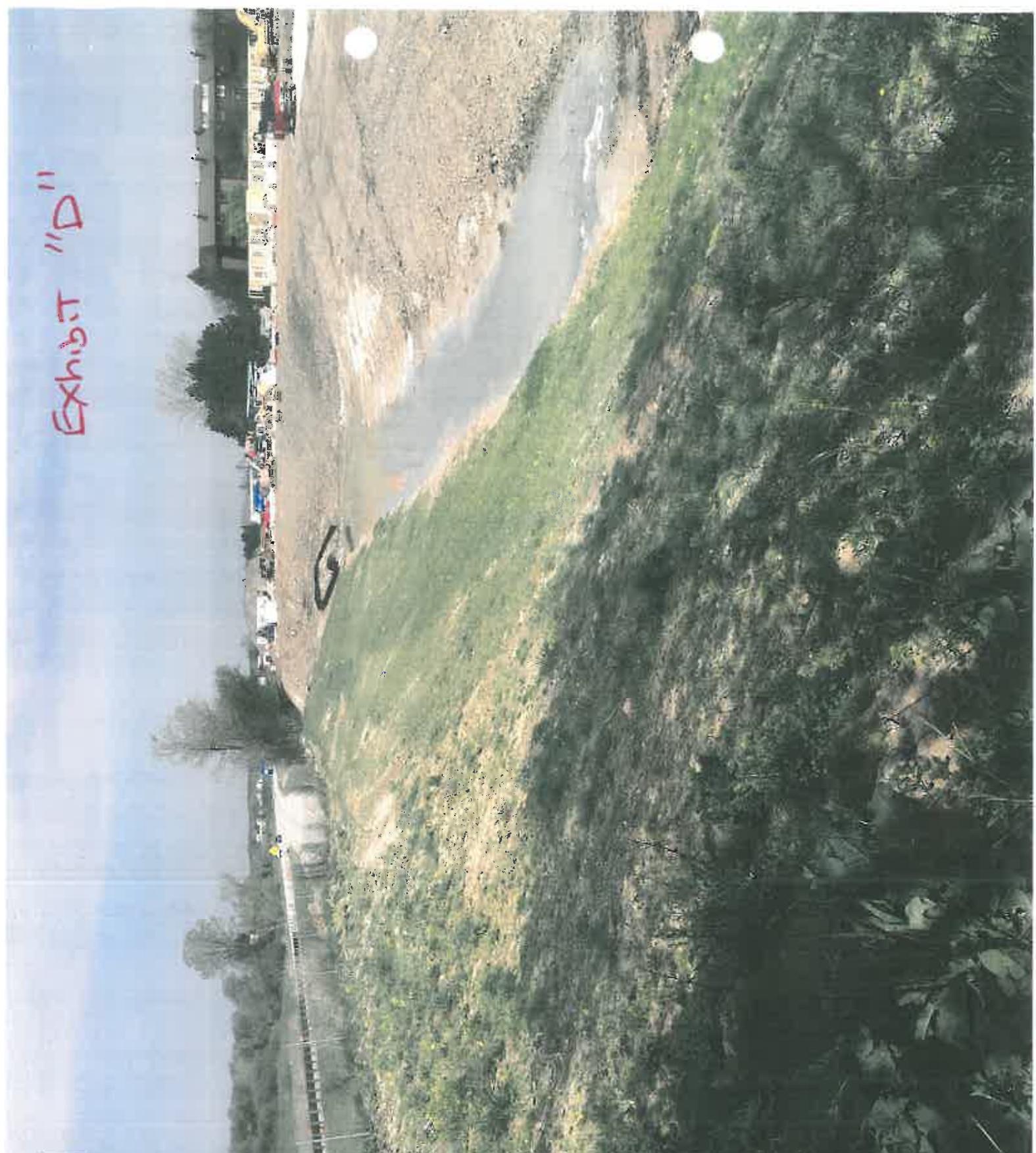
Drawn By



ALCAM SIGNS
ILLUMINATION INC.

6522 S. Division Ave. Suite B
Grand Rapids, MI 49548
Office Phone/ Fax: 616.554.1167
Email: sales@alcamsigns.com
www.alcamsigns.com

EXHIBIT "D"



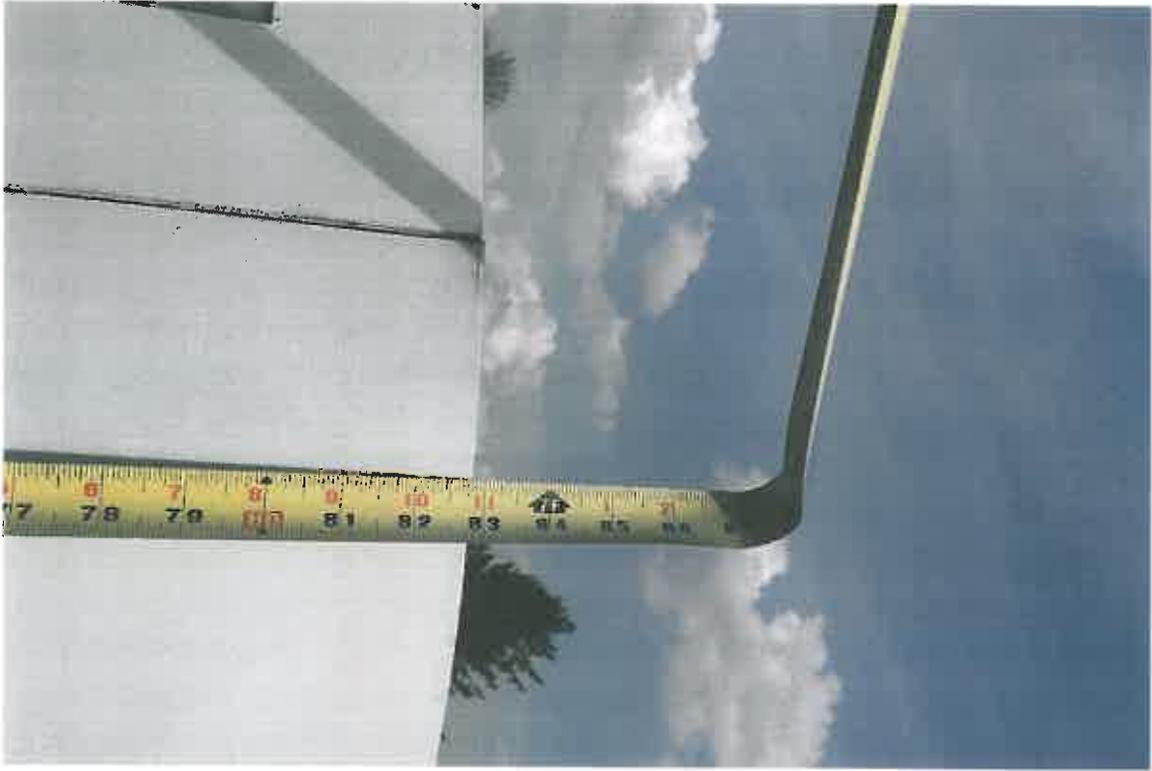


EXHIBIT "E"

Exhibit "F"

