

MINUTES

Cascade Charter Township Planning Commission
Monday, May 9, 2011
7:00 P.M.

ARTICLE 1. Chairman Waalkes called the meeting to order at 7:00 p.m.
Members Present: Hammond, Lewis, Logue, McCarthy, Pennington, Sperla,
Waalkes, Williams
Members Absent: Robinson (excused)
Others Present: Planning Director Steve Peterson, Members of the Public

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

ARTICLE 3. Approve the Agenda.

Motion was made by Member Lewis and supported by Member Sperla to approve the Agenda. Motion carried unanimously.

ARTICLE 4. Approve the Minutes of the April 18, 2011 Meeting.

Motion was made by Member Pennington supported by Member McCarthy to approve the Minutes. Motion carried unanimously.

ARTICLE 5. Case #11-3027 MRE Cascade LLC – Kelly Russell
(Public Hearing)

Property Address: 6100 Cascade Road

Requested Action: The applicant is requesting a Type II Special Use Permit to construct a child day care facility.

Planning Director Steve Peterson reviewed the location and the requested action. The proposed daycare is about 10,000 sq. ft. It will accommodate up to 160 kids. It will be open Monday – Friday, 6 am to 6:30 pm.

The property is zoned R1. Daycare use is allowed by a Special Use Permit.

Because it's on Cascade Road we also applied the Cascade Road Corridor Study during our review.

There has been a lot of discussion about traffic and the proposed driveway. The driveway has been designed to be directly across from Mont Rue. The Road Commission is in the process of approving the proposed drive. The neighbor at 6084 Cascade Road has expressed some concern about turning left into his drive from Cascade Road. I have met with the KCRC regarding this and they have

indicated that the center turn lane can't be adjusted, the best "fix" for this would be to use the daycare drive and have a cross access agreement.

For background purposes, the latest known 2 way traffic count for Cascade Road is from 2010. There were about 16,000 trips per day per two-way traffic. The capacity for a 5-lane road like this is about 35,000. Since this is a non-residential use in the R1 Zone, staff applies Section 19.05.2 to consider the location of the drive. This allows the Planning Commission to review the location of the drive as part of the site plan process but does not require the spacing standards of section 19.04. Since there are no specific provisions for the drive in the special use standards you can use the general site plan provisions to evaluate the drive. The driveway could be moved, but the KCRC believes this is the best design.

Peterson explained that the applicant must meet general Special Use Standards and the standards that are specific for daycare uses.

Staff recommends that this project receive a positive recommendation to the Township Board with the following conditions:

1. Provide a landscape bond.
2. Receive a driveway permit from the KCRC.
3. Provide their permit from the State of Michigan before a building permit is issued.
4. Provide a cross access easement for the owner at 6084 Cascade Rd.
5. Compliance with the comments from the Township Engineer.

Chairman Waalkes asked if there were any questions for the Planner by Planning Members. Member Pennington had a question about the recommended cross access agreement. He asked if it was desired by the neighboring property owner. The Planner was not sure, but had suggested it as a possible solution given the feedback from the County.

Member Williams wanted to verify if this was an additional daycare to the current daycare center located at 5070 Cascade Road, or if the applicant desired to relocate. Staff replied that the applicant wants to relocate.

Member Logue asked, "What is the largest building that this particular property could support for a non residential use"? Staff replied that if we continue to apply the Cascade Road Corridor study, 10,000 sq ft is the maximum.

Member Hammond asked if the Road Commission had considered a stop light in this location. Staff replied that it is not an option.

Member Sperla asked who would be responsible if there is damage to our bike path. The Planner stated that the applicant would be responsible.

Chairman Waalkes asked for comments from the applicant. Pete Buurstra was present to represent Land & Resource Engineering and Survey. He pointed out that the daycare facility is a use that is compatible with and supports residential areas. He referred to an article published by the American Planning Association which stated, in general, that a conveniently located quality daycare is essential for families with children. Mr. Buurstra went on to say that in talking with realtors, it is their view that property values will not be negatively affected. Regarding traffic, volume should not change very much.

Chairman Waalkes asked if anyone had questions for Mr. Buurstra. There were no questions, so Chairman Waalkes asked for a Motion to move into Public Hearing.

Member Lewis made a Motion to move into Public Hearing. Support by Member Hammond. Motion carried.

Mike Betz living at 1655 Kitzbuhl Ct SE stated that in his opinion and observation from living in the area for a long time the proposed driveway location is the absolute worst place one could put a driveway.

Brad Janowiak of 6084 Cascade Road is also against the proposed driveway location. He said that it is already dangerous when he or his wife need to turn into their driveway. He will not allow a cross easement to the proposed daycare facility for a driveway.

Nikola Calahan of 1905 Mont Rue said she has collected many signatures from neighbors who are opposed to the proposal because of safety issues. She presented the signatures to the Planning Commission.

Stan Spungen of 1631 Mont Rue said he has lived in the area for 41 years. He is against a commercial business being placed in the middle of a residential area.

Tim Hill and wife of 6150 Cascade Road were present with their attorney. He provided written memo of their objection. They do not feel that the proposed business is "harmonious" with the community. He is concerned about the noise of 160 kids at recess time. He's also concerned about the additional traffic at peak hours and driveway spacing.

Mr. Buurstra representing the applicant had some statistics to offer the audience. He presented a map of where all the (current) clients would be coming from. He mentioned that the children are not all dropped off/picked up at the same time. He stated that there is a demand for conveniently located childcare centers.

Alan Rowland of 1829 Linson Ct. has been a Cascade Township resident for 35 years. He is concerned about Cascade becoming a Kentwood. Allowing one business leads to another, then another, etc. He feels the area already has enough convenient daycare centers.

Nancy Devon of 1940 Forest Shores is concerned with the proposed drive as well as other requests of the applicant.

John Layman, developer of Forest Shores and residing at 1955 Forest Shores, opposes the proposed daycare center. He asked the applicant how many busses are at the current site. A member of the audience answered that there are two. Mr. Layman would like the house on the site to be replaced by a residential owner, not a business.

William Stratton resides at 1900 Mont Rue. He does not believe this is the right site for the applicant. He feels they could outgrow this site like they have their current site. Traffic is also a concern to him.

Philip Weiner of 1666 Beard Dr does not believe the Township should change the area from residential to allowing commercial. Traffic is also a concern.

Scott Brinkmeyer of 1645 Mont Rue is opposed for many of the same reasons as the previous speakers of this public hearing.

Ann Horvitz of 1860 Beard Dr wonders what compelling reason there is for this daycare. There are other daycares in the area already.

Mike Van Diepenbos of 1708 Mont Rue said that he echo's the comments of almost everyone in the room. Entering or exiting Mont Rue is already a significant challenge. Safety would be an issue.

Jim Horman of 6000 Cascade Rd agrees that there is a traffic issue, especially because of the curves and lack of visibility. He has seen accidents in the area in the past.

Teresa Rich, Center Director at the current Milestones Child Development Center was present. She stated that she wanted to clarify a few things. She said that traffic drop-off and pick up times are scattered. The facility is only used for daycare. They have outgrown the current facility and have a waiting list. She feels that there is still a need for quality daycare in this area. Safety and quality care are their #1 priority.

Member Lewis asked Ms Rich how many kids are in the present facility. She said that they accommodate both full time and part time care. There are about 150 kids enrolled. The center is licensed for 110. Spaces are shared by children who are there part-time; for instance, one child may be there Monday, Wednesday, and Friday and the second child would be there on Tuesday and Thursday. There are only up to 110 children there on any given day.

Member Williams asked if they had considered another location. Ms Rich said they had looked, but this location would be the best one to suit their needs. They want to keep the location convenient for their current families, as they all live in the area.

Lee Teed of 1841 Mont Rue expressed concern over safety issues. She also presented signatures from neighbors who oppose this development.

Renaë Klaasen of 1680 Beard had just recently heard about the proposed daycare. She said several neighboring associations had not heard about it. She felt that more people would have been present to oppose had they known about it.

Kris Taylor of 6027 Champagne Court wondered how it had gotten this far.

Ken Hinton of 1940 Forest Shores mentioned the difficulty of making a left hand turn from any of the residential streets. He feels it is a very unsafe location in regards to traffic.

Ken Watkins with Architectural Concepts was there to represent the developers of the project. He voiced that they respect all of the comments and concerns. They want to work to create a facility that the neighbors can be comfortable with. Working with the Township Engineer, Kent County Road Commission, and the Township Planner, they have tried to create the best possible situation for this location. He stated that they have followed all of the recommendations for the proposed drive, the design of the building, and a buffer yard.

William Stratton of 1900 Mont Rue asked how many commercial vehicles will be received every day or each week.

Richard Horvitz of 1860 Beard was concerned about making turns and about traffic in general. He is also concerned about setting precedence in regards to allowing commercial in a residential area. He is opposed to this project.

In reply to Mr. Stratton's question about commercial vehicles going in and out of the property, Ms Rich of the Milestones Child Development Center answered that they do all of their own food, cleaning, etc. As for vehicles going in and out,

they have two 14 passenger busses. Once a week someone replaces the mats and towels. They have the carpet cleaned and floors waxed occasionally. There is also garbage removal once a week and an occasional school bus dropping off or picking up children.

With no other public comments Chairman Waalkes asked for a Motion to close the Public Hearing.

Member Sperla made a Motion to move out of Public Hearing. Support by Member McCarthy. Motion carried.

Chairman Waalkes asked the Planner for comments. Planner Peterson wanted to remind everyone that this is not a zoning change. The Township has allowed daycare as a use in the residential district since 1988.

Chairman Waalkes summarized what is allowed in the R1 Residential district. Allowed are daycares, churches, parks, and schools. All that is required is a Special Use Permit. He went on to say that during the Master Planning process a couple years ago it was intensely expressed that the stretch of Cascade Road, from roughly Burton St to around where the Goddard School is, should remain residential. The group had voiced that they wanted the business area focus to remain around the 28th Street/Cascade Road area, and also the Spaulding/Cascade Road area. Based on what was voiced then along with the comments expressed here tonight, I am leaning against support.

Most of the Planning Board Members expressed that they were all for business and that childcare is essential however there were concerns in regards to the parcel being too small, along with potential traffic /accident issues and driveway/turning issues. Member Pennington stated that he is an Engineer and he believes the driveway is in the best location for the site. Member Logue disagrees that there would be a traffic issue. He went on to say that if this parcel were to be the site of a church there would be much more traffic.

Member Hammond made a Motion that a negative recommendation for a Type II Special Use Permit for a day care center on Cascade Road be made to the Township Board. Support by Member Lewis.

Roll Call Vote:

Hammond: Yes (for a negative recommendation)

Lewis: Yes

Logue: No

McCarthy: Yes

Pennington: No

Sperla: Yes

Waalkes: Yes

Williams: Yes

Waalkes explained that the Township Board will make a final decision based on public comments and Planning Commission comments once the applicant has supplied the required engineering information.

**ARTICLE 6: Case #11-3028 Charles Slauer
(Public Hearing)**

Property Address: 3824 Goodwood Dr.

Requested Action: The applicant is requesting a Type I Special Use Permit to construct a new accessory building larger than 832 sq. ft.

Planner Peterson stated that 3824 Goodwood is on the river, making it a little different case than usual. Because the property is located on the river they are permitted to have a building in the front, provided they meet the front setback. The proposed building will be 900 sq ft. After visiting the property I am of the opinion that the building will fit in nicely with the neighborhood.

Staff did not receive any comments from neighbors and is recommending approval as requested.

Chairman Waalkes asked if there were any questions of the Planner by the Planning Commissioners.

Member Lewis asked about the drain in the concrete floor as to where it would drain and what it would be used for. Staff replied that typically a drain is used for water that runs off your car. It either goes into a sump or filters into the sand.

Hearing no other questions, Chairman Waalkes asked for a Motion to move into Public Hearing.

Member Hammond made a Motion to move into Public Hearing. Support by Member Sperla. Motion Carried.

Chairman Waalkes asked if anyone from the public had comments or questions. The applicant, Charles Slauer, said that he had talked to his neighbors about the project and they were both in support of it. His family needs a building for storage of boats, cars and a trailer.

Member Lewis made a Motion to close Public Hearing. Support by Member McCarthy. Motion Carried.

Chairman Waalkes reviewed that Staff had recommended approval for the Special Use Permit and requested a Motion.

Member Sperla made a Motion to approve the request. Support by Member Hammond. Motion carried.

**ARTICLE 7: Case #11-3029 Lance Korhorn
(Public Hearing)**

Property Address: 3480 Buttrick Ave.

Requested Action: The applicant is requesting a Type I Special Use Permit to construct a new accessory building larger than 832 sq. ft.

Planner Peterson said the property location is in an agricultural area. The building was originally in the Cascade Burton Park but has been dismantled and removed. Mr. Korhorn would like to rebuild it on his property. The building is taller than usual, but the setbacks will be met by the applicant. Staff is recommending approval.

No questions were asked by the Planning Members. Chairman Waalkes asked for a Motion to open the Public Hearing.

Member McCarthy made a Motion to move into Public Hearing. Support by Member Hammond. Motion carried.

There was no one from the public to discuss the request. No one had called or sent an e-mail to the Township with concerns or comments.

Member Sperla made a Motion to close the Public Hearing. Support by Member Lewis. Motion carried.

With no further discussion Member Lewis made a Motion that the request for a Type I Special Use Permit for a new accessory building be granted to the applicant. Support by Member Sperla. Motion carried unanimously.

**ARTICLE 8: Case #11-3030 Forest Hills Public Schools - Boathouse for Crew Team
Property Address: 8525 Grand River Dr.**

Requested Action: Site Plan Review for a 3,360 sq. ft. addition to the existing building.

Staff reviewed that the boathouse building is at McGraw Park. We share McGraw Park with Ada Township. There is a two acre piece of property at the river that is owned by the school for their crew facility. They are requesting additions to the building there. The planned additions are over the 5% allowed

for staff approval; therefore requiring review by the Planning Commission. The Township Engineer has reviewed the plans and they are in compliance.

Staff is recommending Site Plan Approval for the proposed addition under the following conditions:

- A. Apply for and receive a soil erosion permit
- B. Grass between the river and the building must be maintained as a vegetative buffer.
- C. Approval from MDNRE.

Member Hammond wanted to go on record that he has an ongoing working relationship with the architect in this project and also personally knows the applicant.

Member McCarthy asked the Planner where the easement was located for the overhead electric lines addressed in the packet. The question was answered by the representative from Forest Hills Public Schools, Tom Walters.

Chairman Waalkes asked if there was a Motion to approve the request.

Member Sperla made a Motion to approve the request subject to the conditions made by Planner Peterson in the staff report. Support by Member Logue. Motion carried.

ARTICLE 9: Any other business:

ARTICLE 10: Adjournment

Chairman Waalkes requested a Motion to adjourn the meeting.

Motion was made by Member Pennington and supported by Member McCarthy to adjourn. Motion carried unanimously. The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Al Pennington, Secretary

Carol M. Meyer, Planning Administrative Assistant