

MINUTES
CASCADE CHARTER TOWNSHIP PLANNING COMMISSION
MONDAY, July 15, 2024
7:00 pm
2870 Jacksmith Ave SE

ARTICLE 1. Chair Moxley called the meeting to order at 7:01 pm.
Members Present: Noordhoek, Moxley, Rissi, Noordyke, Rowland
Members Absent: Richardson (excused), Bruneau (excused)
Others Present: Community Planning and Development Director (CP&D Director) Andrea Hendrick, Zoning Administrator (ZA) Madison Smith-Jacoby, Planning Consultant Danielle Bouchard (Via Zoom), Legal Counsel Laura Genovich, and others listed on the sign-in sheet.

ARTICLE 2. Pledge of Allegiance to the Flag

ARTICLE 3. Approve the current Agenda

Motion was made by Secretary Noordyke to approve the current agenda. Supported by Vice Chair Rissi. Motion carried 5 to 0.

ARTICLE 4. Disclose any Conflict of Interest

There were no conflicts of interest disclosed.

ARTICLE 5. Approve the Minutes of the July 1, 2024 Meeting and June 26, 2024 Work Session.

Motion was made by Vice Chair Rissi to approve the minutes of the July 1, 2024 meeting and June 26, 2024 work session as written. Supported by Secretary Noordyke. Motion carried 5 to 0.

ARTICLE 6. Acknowledge visitors and those wishing to speak.

There were no public comments.

ARTICLE 7. Case #24-3850 - Public Hearing

Applicant: Lance Sheidel

Property Address: 8494 36th Street

Parcel Number: 41-19-23-200-027

Requested Action: Type I Special Use Permit to build an accessory building that exceeds 832 square feet.

Zoning Administrator Smith-Jacoby presented the application and her summary of what she reviewed for the construction of the new barn with findings. She stated that the building would be in compliance with the Zoning Ordinance.

Vice Chair Rissi asked for clarification on the number of accessory buildings allowed to which ZA Smith-Jacoby responded the site is allowed three accessory structures, so they would be compliant with the Zoning Ordinance. Vice Chair Rissi followed the question up by asking if a nonconforming building was destroyed by an act of God, would they be able to build a non-conforming structure in another spot. Legal Counsel Laura Genovich responded that the Zoning Ordinance would lay out if that was allowed. ZA Smith-Jacoby responded that the ordinance says that a nonconforming structure would not be able to be rebuilt at all.

Secretary Noordyke asked about the building permit and clarification of the building code in reference to the Right to Farm Act. ZA Smith-Jacoby clarified

that because it's not a commercial operation, the act would not apply to zoning regulations. She mentioned that Brian Wilson, the Township Building Inspector would not sign off on a permit until there was a verifiable document from zoning. She also clarified that it is not exempt from zoning regulation by the Right to Farm Act, but that the building code has its own standards for farm buildings. She could not speak to those.

Vice Chair Rissi asked if there were any negative public comments related to the building moving. Community Planning and Development Director (CP&D Director) Hendrick responded that they did not receive comment on the building's location. However, in response to the public notice, they received inquiries related to the size of the structure.

Chair Moxley called forward the applicants.

Lance Scheidel, the applicant, explained they had moved the barn for the cows. In its previous location, the cows would only be able to get to the grassy area if the applicant put a fence across the driveway of the property.

Vice Chair Rissi asked the applicant if the barn would match characteristics of the old barn or the new house. Kristen Scheidel, the applicant, responded that it would match the house. Vice Chair Rissi mentioned that the applicants had done a phenomenal job cleaning up the property.

Motion was made by Secretary Noordyke to open public hearing. Supported by Vice Chair Rissi. Motion carried 5 to 0.

Scott Schrottenboer (3660 Cherry Lane), agreed with Vice Chair Rissi that the property looks great now and wondered if the barn could go back in the original location. They mentioned that they were not opposed to the barn being built. However, if it was approved as proposed, that there would be requirement for trees on the south side to shield their view of the applicant's barn.

Vice Chair Rissi asked the applicant if they were going to plant trees on the southside, to which Mrs. Scheidel responded that they will not. It would be used for pasture.

Motion was made by Secretary Noordyke to close public hearing. Supported by Vice Chair Rissi. Motion carried 5 to 0.

Motion was made by Vice Chair Rissi to APPROVE Case Number 24-3850, for a Type I Special Land Use Permit with the following conditions:

- 1. All outdoor lighting adheres to Cascade Township Zoning Ordinance standards.**
- 2. The accessory building may not be used for a dwelling.**
- 3. Verification of the placement of any underground utilities prior to building permits being issued.**

Supported by Secretary Noordyke. Motion carried 5 to 0.

ARTICLE 8.

Case #24-3845 - Public Hearing

Applicant: Signature Landscape, LLC

Property Address: 5640 Mccords Ave SE

Parcel Number: 41-19-36-326-001

Requested Action: Amendment to an existing Special Use Permit for an accessory building exceeding 832 square feet.

ZA Smith-Jacoby presented the applicants case and her summary of what she reviewed for the construction of the addition with findings. She stated that the building would be in compliance with the Zoning Ordinance.

Chair Moxley asked for clarification on the lot size, if it was 9.8 acres or 6.03 acres, to which ZA Smith-Jacoby it is 9.8 acres.

Motion was made by Vice Chair Rissi to open public hearing. Supported by Secretary Noordyke. Motion carried 5 to 0.

Motion was made by Vice Chair Rissi to close public hearing. Supported by Secretary Noordyke. Motion carried 5 to 0.

Justin Sherman, with Signature Outdoor Concepts the applicant's architectural representative, presented himself to answer questions. Member Rowland asked about the addition to the existing structure and why it wasn't included in a previous case that was brought to the Planning Commission (PC). Bernie Pepin, the applicant, responded they needed the extra space for the mechanical needs of their pool. Vice Chair Rissi voiced that he appreciated containing it there rather than creating another structure. Member Rowland acknowledged the comment, but noted the 3,900 sf was a very large structure.

Motion was made by Vice Chair Rissi to APPROVE Case Number 24-3845, for a Special Use Permit with staff recommendations.

- 1. All outdoor lighting must adhere to Cascade Township Zoning Ordinance.**
- 2. The accessory building may not be used for a dwelling.**
- 3. Verification of the placement of any underground utilities prior to any building permits being issued (if applicable).**

Supported by Secretary Noordyke. Motion carried 5 to 0.

ARTICLE 9.

Case #24-3834

Applicant: FCC, Inc., Byrne Harmon

Property Address: 5725 & 5755 52nd St SE

Parcel Number: 41-19-29-300-019, 41-19-29-300-029

Requested Action: Site Plan Review for a new 110,000 sf industrial building.

CP&D Director Hendrick presented the application. It was previously tabled with the request to address several concerns. The concerns including driveway location, parking requirements, landscaping plan, corrections to unpermitted driveway, proposed remediation plans requested by EGLE, stormwater management plan, coordination with the airport for crane use, as well as plans for the sewer lift system.

Member Rowland asked for clarification on deferred parking. Doug Stalsonburg, the engineer for the applicant, mentioned that there is no current user of the property, so the building is just built to a specification. He said when one does purchase it, they may need more parking, and they would expand at that time.

Secretary Noordyke asked if the applicant is comfortable including a utility and maintenance agreement for the loop and lift. Mr. Stalsonburg responded that the water main loop would be owned by the City Grand Rapids Water Department, with an easement. Secretary Noordyke asked for clarification from staff as to who would own the water and sewer system. Staff referred to correspondence that Twp. engineer Aric Thorne had with the city of Grand Rapids Water Department. Stating the GR Water Department would not like to own or maintain the lift as they did not want to be liable for repairs. Mr. Stalsonburg clarified that the lift

station would be used for the sewage line and that the property owner would be the operator and required to maintain it.

Motion was made by Secretary Noordyke to APPROVE Case Number 24-3834, with the following provisions:

- 1. The construction of the 30 parking spaces and associated pedestrian walkways on the north side of the building be deferred.**
- 2. The bufferyard requirements are waved due to the addition plant material distributed throughout the site, the existing wetlands, and the additional plant requirements of EGLE.**

Furthermore, the following conditions shall be placed on the approval:

- 3. The application and plans submitted by the applicant and signed, dated, and stamped by the Planning Director, shall constitute the approved plans, except if plan elements are amended in this resolution, or do not meet the requirements of the Zoning Ordinance.**
- 4. That the use shall operate according to this application and per the testimony of the applicant.**
- 5. Any proposed signage must be reviewed and approved in accordance with CCT Sign Ordinance Standards.**
- 6. All permits are obtained from the Kent County Road Commission and EGLE for the driveway openings to the public road.**
- 7. All permits are obtained from EGLE for impact of the Wetlands.**
- 8. All Soil Erosion & Sediment Control plans are approved by the Kent County Road Commission.**
- 9. The applicant provides a stormwater maintenance agreement, and an access agreement and easement for all properties accessed by the proposed drive.**
- 10. The applicant provides an easement for the water and sewer system and is responsible for the ownership, maintenance, and payment of the water system.**

Supported by Vice Chair Rissi. Motion carried 5 to 0.

ARTICLE 10.

Case #24-3843 - Public Hearing

Applicant: QuikTrip

Property Address: 5905 Broadmoor Ave SE

Parcel Number: 41-19-31-352-006

Requested Action: Preliminary Development Plan Review for a modification to PUD-95 at 5905 Broadmoor Avenue SE.

CP&D Director Hendrick presented the case in accordance with the staff report.

Secretary Noordyke asked about it being a PUD and the community benefit aspect. Staff clarified that this is only a preliminary application, and that the PC could make conditions, if approved, to go forward for the actual site plan process and the conditions could be added.

Laura Trendler, of McBride Dale Clarion, presented on the proposed site plan and use for the site.

Skyler Evans, project manager for QuikTrip, gave a presentation on what QuikTrip is: 1100 stores, 25,000 employees nationwide fuel station and convenience store. Lauren Trendler presented their plans and proposed developing 7.9 acres. The other portion of the 11 acres they said would be used or separated for future development.

Secretary Noordyke asked if the billboard would be removed to which Mr. Evans clarified that they are currently researching the billboard and its ownership.

Trustee Noordhoek inquired about the removal of vegetation and potential mitigation strategies. He asked about replanting on-site and the possibility of purchasing land elsewhere to compensate for the loss of trees and green space. Mr. Evans assured that they would collaborate with staff to meet or exceed landscaping requirements and expressed openness to the land purchase suggestion.

Member Rowland asked if this is a 24/7 operation would truckers be sleeping overnight. Mr. Evans clarified that it was up to the PC if they wanted to restrict that use and they would not be opposed to it.

Vice Chair Rissi asked staff for clarification about what would happen with remaining acreage if it would be for open space or for other developed uses. CP&D Director Hendrick clarified that as of right now the thought is that it would be developed within the ordinance of the PUD.

Motion was made by Vice Chair Rissi to open public hearing. Supported by Trustee Noordhoek. Motion carried 5 to 0.

Motion was made by Vice Chair Rissi to close public hearing. Supported by Secretary Noordyke. Motion carried 5 to 0.

Vice Chair Rissi questioned the necessity of traffic impact and environmental studies, suggesting that those funds could be better allocated to community benefits such as land acquisition for green space or large-scale tree planting, as proposed by Trustee Noordhoek. Staff clarified that the decision to request such studies rests with the PC. They also noted that while the current zoning ordinance lacks provisions to mandate the purchase of another parcel, the applicant could choose to do so voluntarily.

Member Rowland expressed skepticism about the community value of an additional gas station. Secretary Noordyke echoed this sentiment, suggesting that the proposal should include a clear community benefit, such as the previously discussed related green space.

Motion was made by Member Rowland to TABLE Case #24-3843 for a Preliminary Development Plan for an amendment to PUD-95 to add Automobile Service Station as an allowed use.

Supported by Secretary Noordyke. Motion carried 5 to 0.

The PC asked for more detail on the community benefit of allowing this use and more detail on signage.

ARTICLE 11. Draft Zoning Ordinance

Danielle Bouchard with McKenna presented the Table of Contents & Use Tables and what work had been done and updated for future work sessions.

Vice Chair Rissi asked to start at 2.15 and asked for clarification for 2.15 and Home Occupation. Planning Consultant Bouchard talked about the definition for Home Occupation changing due to work from home becoming a more popular work type. She mentioned she would like to use best practices of dividing them into three categories, low nuisance to high nuisance potential. She suggested that staff review previous complaints to identify patterns. Then, staff could use that

information to provide rules that can be clearly understood by residents. She used the examples of attached structures and accessory dwellings that are commonly asked about.

Member Rowland asked for clarification on what a group daycare home is vs child or adult daycare. Staff responded that the state defined childcare facility types. The Michigan State Legislature had recently amended the Zoning Enabling Act to provide specific protects for these uses. The amendments would reflect compliance.

Vice Chair Rissi inquired whether ZA Smith-Jacoby believed the updates accurately reflected the notes and decisions from previous farmland preservation meetings, noting the Commission's extensive prior discussions on these matters. ZA Smith-Jacoby confirmed that they did, adding that she had consulted with Danielle Bouchard to ensure all relevant details were incorporated.

ARTICLE 12. Acknowledge visitors and those wishing to speak.

There was no one wishing to speak.

ARTICLE 13. Other Business

Staff and commissioners discussed the schedule of future meetings and the workshops for the draft table of contents and use table.

ARTICLE 14. Adjourn

Motion was made by Secretary Noordyke to adjourn. Supported by Vice Chair Rissi, Motion carried 5 to 0. The meeting adjourned at 9:06 pm.

Respectfully submitted,

Chris Noordyke, Secretary