

MINUTES
Cascade Charter Township
Planning Commission
Monday, September 18, 2017
7:00 P.M.

ARTICLE 1. Vice Chairman Sperla called the meeting to order at 7:00 P.M.
Members Present: Katsma, Johnson, Lewis, Mead, Pennington, Rissi and Williams
Members Absent: Robinson (E)
Others Present: Community Development Director, Steve Peterson and those listed on the sign in sheet.

ARTICLE 2. Pledge of Allegiance.

ARTICLE 3. Approve the current Agenda.

Motion was made by Member Lewis to approve the Agenda. Supported by Member Rissi. Motion carried 8 to 0.

ARTICLE 4. Approve the Minutes of the August 21, 2017 Meeting.

Motion was made by Member Johnson to approve the Minutes with a couple of noted corrections/revisions. Supported by Member Rissi. Motion carried 8 to 0.

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

No visitors who were present wished to speak about non-agenda items.

ARTICLE 6. Case #17-3404 David Teppo

Public Hearing

Property Address: 3777 Cherry Lane

Requested Action: The Applicant is requesting a Special Use Permit to construct an accessory building in excess of 832 sq. ft.

Director Peterson stated that the Applicant is requesting permission to construct a 40' x 68' accessory building (2,720 sq. ft.). The building will be 17 feet tall as measured to the midpoint. This requires a minimum of a 40 feet setback from the side and 40 feet from the rear property lines. The Applicant shows the nearest setback of 87 feet to the side property line.

Applicant has indicated that they want the building as a hobby barn. The building will not be used to run a business or used for additional living space.

With more than 3 acres, they are allowed to have three accessory buildings. This building will be the third. The building planned would have metal siding and metal roofing. A review of past accessory buildings in the ARC zone on lots of similar size show that this would be a "normal" size. Any outdoor lighting would need to meet township requirements.

Director Peterson recommends approval of the Special Use Permit to construct a new accessory building with the following conditions:

1. The building is not used for living space or to run a business.
2. Any outdoor lighting meets township regulations.

Chairman Sperla asked the Applicant to come forward with any comments.

Applicant did not come forward.

Motion was made by Member Rissi to open Public Hearing. Supported by Member Pennington. Motion carried 8 to 0.

No one from the public came forward.

Motion was made by Member Rissi to close Public Hearing. Supported by Member Williams. Motion carried 8 to 0.

Motion was made by Member Lewis to approve the Special Use Permit to construct an accessory building in excess of 832 sq. ft. with the conditions listed by Director Peterson above. Supported by Member Johnson. Motion carried 8 to 0.

ARTICLE 7.

Case #16-3402 James Hudson

Public Hearing

Property Address: 7447 Woodvale Street S.E.

Requested Action: The Applicant is requesting a Type I Special Use Permit to allow for a taller fence in the rear yard.

Community Development Assistant Fast stated that Applicant is requesting a Type I Special Use Permit to allow for a taller fence in the rear yard. Applicant is asking for 3 panels of their 6 feet tall wooden dog-eared fence to be up to 7 feet tall in the rear yard along the Northeast corner of the property.

Upon receiving a complaint from a neighbor that Applicant's fence was taller than 6 feet, Community Development Assistant Fast inspected the fence, which revealed that 3 panels of the fence were between 6 and 7 feet tall. The Applicant indicated the average grade was slightly lower on the Northeast corner and he wanted to keep the top of the fence line even in order to allow for a nice appearance.

Fences do not require a building permit, but are required to comply with the Township Zoning Ordinance.

The Township has granted other permits for taller fences in the rear yard due to differences in topography.

Applicant is only asking for 3 panels of his entire fence be allowed to be between 6 and 7 feet, leaving most of the fence at the permitted height of 6 feet.

Community Development Assistant Fast recommends approval of the Type I Special Use Permit to allow for 3 panels of fence between 6 and 7 feet tall.

Chairman Sperla asked the Applicant to come forward with any comments.

Applicant opted not to come forward.

Motion was made by Member Rissi to open Public Hearing. Supported by Member Mead. Motion carried 8 to 0.

Mr. St. John came forward to speak about the fence which was erected. He lives directly behind Mr. Hudson. Mr. St. John showed photographs of the fence. He stated that there were more than just the 3 panels that were over 6 feet. He feels that the fence was poorly constructed and by placing it directly on the lot line made the bottom of the fence wavy (uneven), which makes it look terrible. Mr. St. John simply wants the fence to adhere to the township code of 6 feet.

Motion was made by Member Rissi to close Public Hearing. Supported by Member Mead. Motion carried 8 to 0.

Chairman Sperla noted for the record that a letter was received from a neighbor, Mr. Hegg. Mr. Hegg stated that he supported Mr. Hudson's efforts to add the fence and that the need for the fence was promulgated by the fact that the neighbors directly behind Mr. Hudson had made the fence necessary.

Motion was made by Member Mead to approve the Type I Special Use Permit to allow for a taller fence in the rear yard. Supported by Member Rissi. Motion carried 8 to 0.

ARTICLE 8. Case #17-3401 2771 Orange Ave LLC

Public Hearing

Property Address: 2771 Orange Avenue SE

Requested Action: The Applicant is requesting a Type II Special Permit for a residential development up to 9 units per acre.

Director Peterson stated that Applicant is requesting a Type II Special Use Permit for a residential development for up to 9 units per acre. The property is zoned B1 and does allow residential densities up to 9 units per acre.

A review of the zoning map shows the property included in PUD 19. However, after reviewing the legal description for the PUD, it was found that it was never part of that development and therefore should be shown as B1. The B1 zone allows residential uses.

Applicant is meeting the design standards for development in that area. Most notably is the inclusion of a sidewalk through the project to connect to the sidewalks on Orange Avenue. The development also includes a vehicle connection from Orange Avenue through to the commercial property in the Thornapple Center. This will allow for multiple points of access to the site as well as assist with emergency vehicle access.

Access into the site is through the Gaylord House property. There is an existing recorded easement that allows for the access. The Kent County Road Commission ("KCRC") has informed that they are ok with the access to Orange Avenue, however, they are requiring the new driveway to be named for addressing purposes.

An airport noise disclosure statement will be required to be recorded. The Township Fire Department has reviewed and approved the plan. The Township Engineer has also reviewed the plan and provided comments. The plan has already been revised to address some of their comments.

Director Peterson recommends that this project receive a positive recommendation to the Township Board under the following conditions:

1. Compliance with the comments from the Township Engineer;
2. Recording of an airport recognition statement; and
3. Naming of the access drive to satisfy the KCRC.

Secretary Rissi asked if the Applicant would like to come forward.

Mr. Berends of Nederveld Engineering came forward on behalf Applicant. Mr. Berends gave a brief overview of the project and touched on several individual aspects of the project including parking, size and rates of apartments, storm water, retention pond, lighting, and their timeline, which was breaking ground at the end of October and completion in 8 to 9 months.

Motion was made by Member Rissi to open Public Hearing. Supported by Member Williams. Motion carried 8 to 0.

Several members of the public came forward. Most of the comments centered around Building C of the project. The roof line can easily be seen by the neighboring development. The public would like to see maybe some pine trees added to the grade to better hide the building.

Asked if there would be an on-site management company, Applicant stated there would be a management company, but it would not be on-site.

Management of Gaylord House came forward to state that they are very comfortable with the project and have no objections.

Motion was made by Member Rissi to close Public Hearing. Supported by Member Pennington. Motion carried 8 to 0.

Discussion commenced between the Board and Applicant including, but not limited to, the need for trees to screen the roof of the buildings, which Applicant was willing to do, also the chimneys on Building C, which do not seem to be depicted on Buildings A and B. Applicant stated it was their intention not to have the chimneys, but would like the option to have them.

Member Johnson felt that the Planning Commission was getting lost in some of the details. He suggested allowing the project to proceed without the need to be concerned about the elevation plans or whether they would have chimneys or not.

Motion was made by Member Mead to send a positive recommendation to the Township Board for approval of the Type II Special Use Permit for the residential development with up to 9 units per acre with the following conditions:

1. Eliminate the chimneys all altogether;
2. Add trees to screen the roof of the closest building to the residential area
3. Limit the height of the building to be no more than 724 AGL; and
4. Director Peterson's three conditions as stated in the staff report above.

Supported by Member Rissi. Motion failed 5 to 3.

A Second Motion was made by Member Johnson to send a positive recommendation to the Township Board for approval of the Type II Special Use Permit for the residential development with up to 9 units per acre with the following conditions:

1. Director Peterson's three conditions as stated in the staff report
2. Developer work with neighbors to come up with a solution to the exposed roofline and chimneys that will be best for everyone.

Supported by Member Williams. Motion carried 8 to 0.

**ARTICLE 9. Case #17-3405 Lakeland Finishing
Property Address: 5400 36th Street S.E.**

Requested Action: The Applicant is requesting site plan approval to construct a 13,000 sq. ft. addition

Director Peterson stated that Applicant is requesting site plan approval to construct a 13,000 sq. ft. addition. The building complies with all of the required height, area and setback regulations of Industrial Zoning. However, some of the existing parking area is inside the landscape buffer area. The Applicant received a variance for those issues as part of the 2007 project. Applicant is not changing any of that as part of this new project.

The Township Fire Department has reviewed and approved, as has the Township Engineer. Because Applicant is not changing the storm water on site, there is no need for any new storm water provisions. As a part of the 2007 project, they worked out an agreement with the neighbor for storm water issues. A copy of that easement is in the 2007 file.

Applicant would like to use employee count for parking, which is allowed. They have provided a breakdown by shift, showing that the maximum parking needed is 82 spaces. They have 89 parking spaces on site.

This does require Applicant to obtain a formal easement from the adjacent property owner for this project. This has been communicated to the Applicant who has indicated that this will not be a problem. The Township will need to review and approve the easement language before it is recorded.

Applicant also has submitted a photometric plan. However, they have light levels above 5.0 and it will have to be revised.

Director Peterson recommends approval of the site plan to construct a 13,000 sq. ft. addition with the condition that a photometric site plan in compliance with lighting regulations is submitted.

Secretary Rissi asked if the Applicant would like to come forward.

Applicant did not come forward with any comments.

Motion was made by Member Rissi to approve the site plan to construct a 13,000 sq. ft. addition with staff's condition stated above. Supported by Member Johnson. Motion carried 8 to 0.

ARTICLE 10. Any other business

ARTICLE 11. Adjournment

Motion was made by Member Mead to adjourn. Supported by Member Williams. Motion carried 8 to 0. The meeting was adjourned at 8:20 p.m.

Respectfully submitted,
Scott Rissi, Secretary