

MINUTES

Cascade Charter Township Planning Commission
Monday, November 7, 2005
7:00 p.m.

- ARTICLE 1.** Chairman Goldberg called the meeting to order at 7:00 p.m.
Members Present: Goldberg, Koessel, Lewis, Logue, MacAllister, McDonald, Postma, Richards, and Robinson.
Members Absent: None
Others Present: Planning Director Peterson, Planner Deem, Township Attorney Bloom, and Admin. Assistant Hern and approximately 45-public members.
- ARTICLE 2.** Chairman Goldberg led the Pledge of Allegiance to the Flag.
- ARTICLE 3.** Chairman Goldberg requested motion for approval of the November 7th agenda. **Member Robinson with support from Member Richards motioned to approve the November 7, 2005 Agenda. The motion carried.**
- ARTICLE 4.** Chairman Goldberg requested approval of the October 3rd Minutes. Member McDonald noted a correction on Page 5, second paragraph change the word “biography” to “biological”.
- Member Lewis motioned for approval of the October 3rd Minutes with the correction, supported by Member McDonald. The motion carried.**
- ARTICLE 5.** **The minutes of the Joint Meeting with the Township Advisory Boards from October 20, 2005 were received and filed.**
- ARTICLE 6.** **Proposed Amendments to the Keyhole Section (4.33) of the Zoning Ordinance (PUBLIC HEARING)**
- Planning Director Peterson noted the Township Attorney has recommended several technical changes to the Keyhole regulations in order to provide some clarity to the Keyhole regulations.
- He also stated that he has provided both river associations a copy of the proposed changes and have invited them to meet with him and the Township Attorney to discuss the changes. The Cascade Thornapple River Association has met and reviewed the amendments prior to this public hearing. Planning Director Peterson is still waiting to set up a similar meeting with the Thornapple River Association.

Planning Director Peterson also noted that you have some revised language based upon the meeting staff held with the Cascade Thornapple River Association.

Chairman Goldberg noted he is in favor of the process Staff is taking and requested a motion to proceed with the public hearing.

Member Robinson, with support from Member MacAllister, moved to open the Public Hearing. All in favor with none opposed Public Hearing opened.

Chairman Goldberg invited the public attendees to provide their input regarding the language and welcomed any concerns that need to be addressed.

Eric Neitzel, 5060 Sequoia SE, a member of the Cascade Thornapple River Association, asked what the proposal is now; he's only reviewed the proposal as of last Thursday.

Chairman Goldberg read the amendments to:

- Section V, Version II Item 5 that was distributed earlier that day.
- Subsection X. A amendment.
- Item X. B. amendment.
- General typographical changes not detailed

Chairman Goldberg noted the Commission has not had a chance to fully review the revised amendments and will consider comments heard in the public hearing when reviewing.

Don Finelli said he has lived on the river since 1976 expressed his concern over the increase in watercraft traffic on the river and how dangerous it is becoming. He supports the amendments.

Finelli also noted he was concerned when new developments went in and their easements to the river.

Scott Rissi, President of the Cascade Thornapple River Association noted they've met with Planning Director Peterson last week and the Board is leaning in favor of the revised language based upon that meeting.

Member Lewis motioned with support from Member Robinson to close the Public Hearing. All in favor, with none opposed. Motion carried and the Public Hearing closed.

Chairman Goldberg noted the Commission has not had ample time to review the revised amendments and invited them to make comments.

Member Lewis asked if specifics should be listed in Article 3 on Page 2 in Section 10B regarding special use permits.

Township Attorney Bloom addressed the Commission regarding the proposed amendments. He has met with the Cascade Thornapple River Association and the amendments do not change the one-hundred (100) foot rule. Attorney Bloom noted most of the amendments are to Section 5, 10B since this section has interplay with other sections. The proposed amendments clarify the need to seek a special use permit for expanding the use of the lot, the amendment is not proposing to open the 100-foot rule and simply deals with grand-parented areas to add a dock or expand it.

Member Logue questioned if single-family lots of 50-feet had no dock rights and Bloom noted single family can have docks and boats but if lot is common area of joint use, would need to seek a special use permit.

Member Robinson based on comments heard and just receiving the amendments earlier that day, motioned, with support from Member Lewis, to table this item for further consideration.

All in favor with none opposed, Proposed Amendments to the Keyhole Section (4.33) tabled. The motion carried.

Member MacAllister also requested the Commission hear from the other River Association prior to the next Planning Commission hearing.

ARTICLE 7.

Case #05-2747: Oak Harbor Preserve (PUBLIC HEARING)

Rezone approximately 40 acres to PUD to allow for 31 Site Condominium units.

Planning Director Peterson provided a site plan and described the 40 (forty) acres proposed for single-family detached condominiums noting the property is located on the north side of 48th Street between Little Harbor and Buttrick Avenue. The existing zoning is R1, Residential single-family along with the adjacent area land uses with the exception north that is I-96.

There are no projects in the Capital Improvement Plan that would be activated as a result of this project. Planning Director Peterson also stated the applicant has drawn a test plan showing how the property could be developed with 31 (thirty-one) lots. This plan meets the Township's subdivision ordinance for density and lot size requirements.

The proposed plan provides for 29% of the developable acreage to be left as open space and a minimum lot size of 25,000 square feet with an average lot size of 27,085.

The project has a density of approximately .77 units per acre. He noted the Township's Subdivision Ordinance allows for subdivision with at least 25% of the developable acreage left as public or private open space with no sewer or water to have a minimum lot size of 25,000 square feet.

Planning Director Peterson also noted the applicant has indicated that they will exceed the Township's minimum house size requirement with minimum of 1,600 to 1,800 square feet for one-story and 2,200 to 2,600 square feet for two-story. The applicant anticipates the homes to sell from the high \$200's to \$400,000. The open space that is being provided is mainly located along 48th Street and I-96 and the paving will extend from Buttrick past the entrance off 48th.

The development is proposed to be served by septic and wells. The Kent County Health Department has given a preliminary review of this and the development appears capable of handling septic and wells on each lot.

Planning Director Peterson also noted that the project includes some of the property that was considered for the 48th Street sand mine in 1998. That matter is still in the courts and the Township Attorney is aware of this current application. During the sand mine review, some neighbors expressed concern for their wells and possible protected plant species on the property. The applicant has provided an additional study indicating that the wells on this site will not have an adverse impact on adjoining wells. The Kent County Health Department is also reviewing the report and it appears that they concur with their analysis. However any approval should be contingent on the Health Department's approval.

He also noted the developer will be required to install an airport recognition statement in the deed restrictions and go into the P.U.D. Ordinance.

Planning Director Peterson also said the Township Engineer has reviewed the project and has concerns with the storm water. The Engineer said the storm water system appears acceptable but some details need to be clarified.

The applicant has shown the type and location of light poles for the project as well as street trees consistent with other projects.

The plans also show a berm along I-96 that will be approximately five (5) feet high and landscaped with pine trees.

The applicant introduced this project to the Township in early August and at that meeting the Planning Commission requested various items be addressed prior to public hearing, the applicant has addressed the items.

Staff believes this project meets the requirements for rezoning to PUD since the project meets the zoning of the Township's Subdivision Ordinance and is master planned for low density residential. Staff recommends approval of the plan with the following conditions:

- 1) Revise the plans to comply with Township Engineer.
- 2) Obtain soil erosion control permit prior to any site work.
- 3) No mineral extraction from the site.
- 4) Incorporate a storm water agreement in the P.U.D. Ordinance.
- 5) Approval from the Kent County Health Department.
- 6) Provide an airport recognition statement in Master Deed and P.U.D. Ordinance.
- 7) Provide a landscaping bond in the amount of \$12,800 for the street trees.
- 8) Provide a Bond for an amount equal to the value of the lights plus installation prior to the issuance of any building permits. If the lights are installed prior to a building permit being issued the bond is not needed.

Chairman Goldberg opened for questions from the Commission. Member MacAllister noted the berm along the highway seems insufficient and asked if it would be just along the highway. Planning Director Peterson noted the berm is not required by the Township but would be used to provide visual/sound barrier from the highway.

Member MacAllister asked if the pathways/sidewalks would be connected and Planning Director Peterson noted that there are no sidewalks on 48th and the pathway will remain internal to the project.

Chairman Goldberg welcomed comments from the applicant and representatives Dan Schaafsma, Project Manager, and Randy Koetje, from Koetje Builders, were present.

Schaafsma noted the lots would have a fifty-foot (50) natural buffer between the new lots and the properties from Little Harbor. This area would be left as natural open space. He also noted that last Thursday he met with the neighbors for their input regarding the project and there was concern that the development would funnel into Little Harbor Drive. The project will only have access off of 48th and Buttrick Avenue.

Member Koessel asked if the applicant is opposed to the language in the documents noting the airport flight patterns over the lots and Schaafsma stated they would add the information into the documents when drafted.

Member Lewis, with support from Member Koessel, motioned for opening the Public Hearing. All in favor, none opposed; Public Hearing opened.

Eric Neitzel of 5060 Sequoia SE, noted that if this development were established, the residents would be asking for sound protection from the highway. He also questioned if the developer could add a special provision to prevent run-off into the Thornapple River and have a special assessment district for run-off. Planning Director Peterson said that it could be set up similar to our water and sewer special assessment agreements.

Melissa Konggaard of 8010 48th Street asked why the development would not be accessed from Little Harbor and Schaafsma noted that they have no access to Little Harbor.

Bill Cummiskey of 4610 Little Harbor noted the crest of the hill and asked if the back lots could have a forty (40) to fifty (50) foot buffer versus the proposed 25 (twenty-five) foot buffer to help prevent erosion.

Member Lewis motioned, with support from Member MacAllister, to close the Public Hearing. All in favor with none opposed, Public Hearing closed.

Member McDonald noted the excellent suggestions heard from the citizens.

Member MacAllister noted she was having a hard time with the berms and seems if they're to be done, they should be done right or not at all.

Schaafsma noted the areas for the berms are in the open areas where no trees or other vegetation are. To increase the berms would only require the removal of the existing vegetation.

Member Robinson noted he was in favor of increasing the back lot from twenty-five (25) feet to fifty (50) feet and Chairman Goldberg questioned if the crest is at twenty-five (25) feet or more. Koetje said it depends on the lot and upon his initial perspective. Koetje indicated he is not opposed to a forty (40) foot rear yard setback for some of the lots that back up to the steep hill. Member Lewis asked if the forty (40) feet would be for all lots and Chairman Goldberg noted lots seven (7) through fifteen (15).

Member Lewis motioned for approval to rezone approximately 40 acres to PUD to allow for a 31 Site Condominium units with the following eight (8) conditions listed by Staff plus two (2) other conditions:

- 9) Agreement for Special Assessment if necessary for stormwater/erosion run-off into the River.**
- 10) Lots seven (7) through fifteen (15) to have a rear yard setback of forty (40) feet.**

Member Robinson supported the motion with the additional conditions. All in favor with none opposed. Motion carried.

ARTICLE 8.

Case #05-2768: Western Michigan Hindu Temple (PUBLIC HEARING)

Applicants are asking for a Type II Special Use Permit to construct a Hindu Temple at 4870 Whitneyville Road.

Planner Deem noted the Applicants are seeking a Type II Special Use Permit to construct a Hindu Temple on Whitneyville Road south of I-96. The adjacent properties are currently zoned R-1 Residential with the exception to the east property zoned ARC, agriculture reserve.

He also noted site plan requirements beginning with the minimum lot size for a 200-seat Temple would be two (2) acres and the minimum lot size for a Temple with more than 200 seats would be three (3) acres; this site is 5.75 acres and would allow for future expansion to the Temple.

Planner Deem also said the minimum lot frontage for a 200-seat Temple is 200-feet and the minimum lot frontage for a Temple with more than 200 seats would be 300-feet. This lot has 521 feet of frontage and would allow for future expansion of the Temple.

The plans show one (1) parking space per four (4) seats as a requirement, the Temple is proposing 152 seats and would require thirty-eight (38) parking spaces. The Applicants have provided forty-two (42) parking spaces.

The existing trees being saved meet the requirements for landscaping. The building will be 5,136 square feet with a front yard setback of 100-feet. The building will be approximately 2002 feet from Whitneyville Ave. with a side yard setback of fifty (50) feet. The proposed building will be approximately eighty-five (85) feet from the side yard. The rear yard setback is also fifty (50) feet and the building will be approximately 330 feet from the rear yard; the Temple meets all setback requirements.

Planner Deem noted the Fire Department has reviewed the plans and are requesting elevation drawings. The Township Engineer has reviewed the original storm water calculations and requested clarifications. The engineer is currently reviewing the calculations for final approval.

Planner Deem reviewed the Type II Special Use Approval Standards noting the proposed Temple will have an appropriate appearance for the area. The site will be adequately served by essential services such as fire protection and road access; water will be from wells and there will be a septic system on site. There will be no excessive demand on public facilities and services.

This section of Whitneyville Avenue can maintain 10,000 to 12,000 trips per day; currently the traffic counts are approximately 4,500 per day. Whitneyville has enough capacity to handle traffic generated by the Temple without any improvements needed. This Temple will not be detrimental to the general welfare of the neighbors or Township.

Planner Deem suggested this item be tabled until Staff has time to review the elevations of the Temple. Chairman Goldberg supported his suggestion noting the Commission should have time to review elevations.

Member McDonald asked if the Planning Commission would be approving additional outbuildings when this comes before the Commission again. Planner Deem noted the approval would be for the Temple only and would include the storm water plans.

Chairman Goldberg asked where the Temple is located in relation to the Ada Bible Church and Planner Deem noted it is approximately one (1) mile away.

Member MacAllister asked if the applicant has submitted any landscaping plans and Planner Deem noted they would be using the existing landscaping and Staff will need to review lighting plans.

Member Koessel asked if the Temple's signage has been submitted and Planner Deem noted he believes they will have one (1) sign on a pole and possibly one (1) on the Temple but the applicant has not applied for signage yet. Member Koessel also asked if the entrance to the Temple proposes problems with the other Church across the street and their entrance. Planning Director Peterson said he believes their entrance is further down from the Temple's. He also noted that the Road Commission doesn't foresee any problems with the bridge on Whitneyville.

Member Logue asked if Whitneyville might incur a cloverleaf from I-96 in the future. Planning Director Peterson noted that MDOT would have to construct the cloverleaf and he's not aware of any current proposal for it but knows there have been previous discussions; it's not in MDOT's current construction plans at this time.

Jitan Syah, owner of the Temple's property, said he did have his general contractor check with MDOT regarding the potential of a cloverleaf and they noted there are no plans for this at this time. He also noted construction would begin in the spring of next year and he has obtained the elevations the Commission wishes to review. He is not opposed to tabling this item tonight to allow the Commission to review the elevation plans.

Member Robinson with support from Member McDonald motioned to open Public Hearing. All in favor with none opposed, Public Hearing opened.

Karen Parent, of 7400 Triluum Wood, stated she travels Whitneyville Road frequently and asked how many members are in the congregation and when are their services? She would also like to see the exterior plans of the Temple. Planner Deem noted he would provide the Temple's plans at the Township offices when they are available. The congregation currently has 152-members and services will be held on Sundays at 11:00 a.m.

Douglas Lee, owner of 8613 and 8617 52nd Street, noted he is an adjacent property owner and is curious how the facility will be accessed from the east and also questioned why the owner is planning for only 152 members.

The Applicant stated the Temple to be constructed is 5,000-square feet and that will provide room for future Temple seating when needed. He noted there is open area on the property and room for another building if needed but tonight is only seeking approval for the 5,000 square foot Temple.

David Hainer of 4939 Whitneyville said he supports the project.

Member Lewis, with support from Member Logue, motioned to close the Public Hearing. All were in favor with none opposed, Public Hearing closed.

Member MacAllister questioned how many out buildings the applicant plans to have and Planner Deem noted it will depend on the use of the buildings and if they are accessory buildings, they would have to meet criteria.

Member Lewis with support from Member Koessel moved to table the item until elevation and light plans have been reviewed. All in favor with none opposed. Item tabled.

ARTICLE 9.

Case #05-2770: Burwood Condominiums (PUBLIC HEARING)

Applicant requesting rezoning approximately 50-acres to P.U.D. to allow for 17 Site Condominium units.

Planning Director Peterson noted the Applicant is requesting Basic Plan Review in order to rezone approximately 50-acres for a Site Condominium Planned Unit Development called Burwood. This

rezoning request is for seventeen (17) single-family detached site condo units. The property is currently zoned ARC and is Master Planned the same. The Applicant is here to introduce the project and obtain Planning Commission's feedback prior to holding a public hearing.

The Applicant has drawn a test plan showing how the property could be developed with seventeen (17) lots using 50% open space with a minimum of 50,000-square feet per lot; this plan meets the Township's Subdivision Ordinance for density. Some of the open space areas are being set aside for soccer, tennis courts, a sledding hill as well as walking paths for private development use.

Planning Director Peterson noted the development will be utilizing private streets. The developer will need to comply with the Township's Private Street Ordinance.

The developer is also seeking approval from the Kent County Road Commission (KCRC) for the street names. Planning Director Peterson noted that the KCRC has already approved the location of the curb cut off from 28th Street and the Township will need a copy of the permit.

The development is proposed to be serviced by private septic and wells and will have to be approved by the Health Department.

According to the Kent County Soil Survey, the majority of the development is proposed on areas suitable for home construction.

Planning Director Peterson noted the Township Engineer will need to approve the storm water plan prior to the public hearing. As done with other recent subdivision developments, the developer will have to enter into an agreement for maintenance of the storm water system.

It also appears that there is a potential for some of the adjoining properties to develop in the future, in particular, the property to the south that ultimately connects to Quiggle Avenue. The planning Commission should discuss if this makes sense for this project

Planning Director Peterson also said the Applicant has not indicated the location or type of light poles or street trees in the development. The Subdivision Ordinance requires both of them in every subdivision, however, on some of the more rural areas, we have waived the requirement for streetlights. He would like to

suggest that this is one of the more rural subdivisions and would not require the use of streetlights in this subdivision.

Prior to proceeding to the Preliminary Development Plan Review, Staff recommends that the Applicant submit the following information and that the Planning Commission provide direction on the following items:

- 1) Review and approval by KCRC and the Cascade Fire Department for street names.
- 2) Approval from KCRC for drive location.
- 3) Recommendation for the Fire Department and Township Engineer on the road grades that exceed 6%.
- 4) Plans indicating the private roads meet Township design standards.
- 5) Approval of the storm water from the Township Engineer.
- 6) Have the plans reviewed by the Health Department for their comments on the suitability of the property for well and septic.
- 7) Location and type of street trees.
- 8) Revise the plans to increase the open space along 28th Street by shifting lots 2, 3, 4, and 5 south.

Member Lewis asked if the project meets the standard street grades except for the 28th Street entrance and Planning Director Peterson noted it does.

Jason Vander Kodde of Nederveld Associates representing the Applicant noted the project's philosophy meets and exceeds the P.U.D. The applicant would like to provide a close-knit community in a rural setting with exterior connecting paths, community building, sledding, pond and a bus stop. The current plan encourages character land use, preserving the landscaping and noted the Applicant grew up in the community.

Vander Kodde presented revised street grade plans with the Fire Chief's concerns and they have met compliance with the street grades. He showed the profiles of the street grades at 28th Street and showed areas above and below the percentage standards. The street grades allow for accelerated starts and the emergency vehicles will not over-shoot the top of the hill.

Vander Kodde also noted that lots 2, 3, 4 and 5 have been shifted south and intend installing berms but they have not been fully engineered yet.

The walk paths provide future connectivity and the private lots will access the paths.

The project has received verbal approval from the Health Department and they are not anticipating any problems.

The water test has been done and approved as suitable and will submit the test to the Health Department.

Vander Kodde also noted there is an existing pond on the site and plan to excavate the pond for storm water and will use the material from the excavation for the soccer field or berms. They're currently working on a retention area and are developing an emergency overflow. The roads will have side swales that will be used for water run-off.

The Applicant is not proposing streetlights and ground lighting is in the concept stage.

There is potential for development to the surrounding properties but the south topography continues to drop-off and would not be advantageous in connecting with other developments.

Butch TerHoerst, the Applicant, noted he's grew-up in this area and sledged on the hill while growing up. He is currently buying the property from the current owner and is looking to develop a unique subdivision for the community to enjoy. This property means a lot to him.

Member Lewis asked if he has a sequence of building projects for the clubhouse, tennis courts, etc. TerHoerst said he is not currently marketing the development but believes it will sell fast. The homes will be top-notch and high-end materials used and his intent is to sell all the lots within two (2) to three (3) months. He noted the pond needs to be dug out, the sledding hill is already there, the construction of the tennis courts is minimal and may need to sell seven (7) or eight (8) lots prior to building the clubhouse.

Member Lewis asked for a phasing plan of when these amenities are planned to be installed.

Member McDonald questioned if this will be a gated community and asked if the development would be disturbing any creeks on the site. TerHoerst said he wasn't planning on this being a gated community but the residents may request it. TerHoerst also noted that the project does not involve any creeks on site. He further explained that the engineer is planning on the mailboxes and a covered bus stop be placed at the community's entry.

Member MacAllister questioned the outbuildings on each lot and TerHoerst noted that they have shown the location of an outbuilding that will be required on each lot.

Member Koessel noted the Applicant has done a very nice job in planning for the development.

ARTICLE 10.

Case #05-2774: Progressive Affiliated Lumbermen

Site Plan approval for new building approximately 15,000 square feet.

Planning Director Peterson noted the Applicant originally requested site plan approval for this same building on Lot 20w and would simply like to move the site plan to this new site, Lot 17. The original site plan was reviewed and approved at the July 18th Planning Commission Meeting. The Applicant has also submitted a letter stating the reasons for this change.

The building would be used as the corporate office for Lumbermen, relocating from their 44th Street location; corporate office use in Meadowbrooke is a permitted use.

The building conforms to the setback, building height and parking regulations of the Meadowbrooke P.U.D. Zoning District and Meadowbrooke has reviewed and approved the site plan.

The site plan indicates that the Applicant is planning on a future expansion that includes parking. Any expansion in the future will require site plan approval from the Township and Meadowbrooke.

Staff has suggested moving the dumpster along the west property line to avoid it being the first thing you see when you enter the sight and the Applicant has indicated that this is acceptable.

Planning Director Peterson also noted the Applicant has submitted a landscape plan in accordance with the P.U.D. They should be required to submit a \$10,000 landscape bond for this project.

Staff recommends that the Planning Commission approve the Site Plan for the new building under the following conditions:

- 1) Submit landscape bond of \$10,000.
- 2) Have Meadowbrooke approve the revised landscape plan.
- 3) Revise the plan to move and screen the dumpster along the west property line.
- 4) Revise the site plan to comply with any Township Engineer requirements.

- 5) Apply for and receive a soil erosion permit prior to construction.

Thom VanHattum, of Design +, noted they are hoping for approval from the Planning Commission and are working on moving the dumpster around.

Member Robinson, supported by Member McDonald, motioned to approve moving the project from Lot 20w to Lot 17. All were in favor with none opposed. Motion carried.

ARTICLE 11. Chairman Goldberg opened the meeting for other business, no discussion.

Member Robinson supported by Member Lewis moved to adjourn. The motion carried and the meeting was adjourned at 10:21 p.m.

Respectfully submitted,

Tom McDonald, Secretary
Lisa Hern, Recording Secretary