

MINUTES

Cascade Charter Township Planning Commission
Monday, May 1, 2006
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, Robinson.
Members Absent: None
Others Present: Planning Director Peterson, Planner Deem, Admin. Assistant Hern and Members of the Public.

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

ARTICLE 3. Chairman Goldberg requested motion for approval of the May 1st agenda.

Member Lewis motioned for approval of the agenda, supported by Member Robinson. All in favor with none opposed, the motion carried.

ARTICLE 4. Chairman Goldberg requested motion for approval of the April 17, 2006 Planning Commission Meeting Minutes.

Member Lewis noted a correction on Page 7, in the second paragraph and noted the Applicant agreed that phase 3 would not have any signage on 28th St. and would like that clarified in the minutes.

Member Lewis motioned for approval of the minutes as corrected, supported by Member McDonald. April 17, 2006 Minutes approved as corrected. All in favor with none opposed, the motion carried.

ARTICLE 5. **Case #06-2795: Shaun Burket**
(PUBLIC HEARING)

The Applicant is requesting a Type II Special Use Permit to allow a nursery.

Planner Deem said the Applicant is requesting a Type II Special Use Permit to allow a nursery at 9500 Cascade Road. The Planning Commission is hearing the case to possibly recommend approval to the Township Board.

The property is zoned ARC and is on thirty-five (35) acres. All properties adjacent to the parcel are zoned ARC.

The Township Engineer has reviewed and approved the plan and there are no concerns regarding storm water run off.

Planner Deem noted Staff's comments regarding the project. The property is thirty-five (35) acres and meets this requirement, as the Township's minimum parcel is fifteen (15) acres.

All buildings shall be located a minimum of 100-feet from the front property line and 50-feet from any side and rear property lines. The proposed building will be more than 200-feet from any property line and meets this requirement.

The proposed building will be for storage of equipment and the Applicant understands this requirement. Planner Deem noted that Township's condition is that all machinery and equipment, except for motor vehicles and trailers used in the conduct of business, shall be stored within a completely enclosed building.

The motor vehicles and trailers shall be stored indoors, out-of-view when not in use for longer than a two (2) week period. The Applicant has reviewed and agreed to this requirement.

The Applicant has stated that the stockpiled materials will be more than 200-feet from the property line. Planner Deem said the Township requires motor vehicles, trailers, and stockpiled materials, such as topsoil, wood mulch, bark, stone, balled and burlapped plant materials and "heeled-in" plant materials, shall be stored a minimum of 100-feet from the property line.

Retail and wholesale sales on the premises to the general public shall be limited to nursery and/or greenhouse stock raised on site. The Applicant has reviewed and agreed to this requirement.

No freestanding light poles shall be erected or lights placed on buildings unless deemed necessary in the special use permit review process for safety reasons. There are no plans to install any free-standing lights. Any building light will be downcast.

Activities on the premises shall be limited to those associated with running a nursery or greenhouse, unless prior special approval is granted by the Township. The Applicant has reviewed and agreed to this requirement.

The storage of any fertilizer, chemical or loosely packed material shall be maintained and contained so as to prevent adverse effects

upon adjacent properties. The Applicant has reviewed and agreed to this requirement.

Staff recommends that the Planning Commission recommends that the Township Board approve the Type II Special Use request to allow a nursery at 9500 Cascade Road.

Chairman Goldberg opened the meeting for questions from the Commission of Staff.

Member MacAllister asked if the elevations and materials of the building have been received and Planner Deem noted the materials have been received but did not bring the information and the Applicant may be able to answer those questions.

Member Lewis asked if the field plant and nursery stock would be back towards Cascade Road, is it 200-feet from Cascade Road? Planner Deem said, no, but this is not the stockpile being referred to. Chairman Goldberg noted this area is growing live plant material. Member Lewis asked how far from Cascade Road this would be and Planner Deem said approximately it is approximately thirty (30) feet from Cascade Road.

Member McDonald noted that the Township's Engineer has reviewed the plans and he shows no concern with the storm water run off, is this due to the drain swill shown on the plans? Planner Deem noted the Township's Engineer required the drain swill and the Applicant have agreed to install it.

Member McDonald asked if the property south of Cascade Road backs up to the highway and Planner Deem noted it does.

Member Robinson asked if the Planning Commission is also approving the ability to sell nursery items at this time since it is mentioned within the application. Planner Deem noted the Applicant is not selling anything from the premises and would have to approach the Commission should he decide to do so in the future.

Applicant Shaun Burket, 9500 Cascade Road, said he is not planning to sell any items at this time and maybe plans to do so within the next three (3) to five (5) years and when the time comes, will go through the proper process for approval.

He also noted that the field stock will be located at least fifty (50) feet from the road to avoid the winter salt spray that could affect the plants from the street plows.

Applicant Burket noted he has agreed to the drainage swill as recommended by the Township's Attorney. He will be using little fertilizer and the run-off will not be contaminated.

The pole barn will be steel with an asphalt shingle roof.

Member Lewis asked if a well will be built on the property and Applicant Burket said no and also noted the remainder of the property will be farmed.

Member McDonald asked for clarification of the building's location on the site plan and Applicant Burket defined the location.

Member McDonald asked if there is another house across from Snow Avenue and Applicant Burket responded by saying there is a house but it appears to be vacant. He plans to make the nursery have a nice roadside presentation to those who drive by; he wants to make it as nice as possible.

Member MacAllister asked if there would be lots of trucks with deliveries and heavy equipment moving in and out of the property. Applicant Burket noted some trucks would be moving in and out of the property.

Member Lewis motioned to open the Public Hearing, supported by Member Robinson. All in favor with none opposed. The Public Hearing was opened.

Chairman Goldberg invited members of the public to address the Commission. Being no public members requested to speak to the Commission, Chairman Goldberg asked Staff if any letters or phone calls were received regarding this case. Planner Deem stated Staff has received two (2) phone calls regarding the project but no objections; no letters were received by Staff.

Member McDonald motioned to close the Public Hearing, supported by Member Lewis. All in favor with none opposed. The Public Hearing was closed.

Member Robinson motioned for recommendation to the Township Board for approval of the Type II Special Use

request to allow a nursery at 9500 Cascade Road with the condition:

1) The building will be forty-feet by seventy-feet (40' x 70'). Member McDonald supported the motion with the following Staff comments:

- 1) The proposed building will be more than 200-feet from any property line.**
- 2) The proposed building will be for storage of equipment.**
- 3) Motor vehicles and trailers shall be stored indoors, out-of-view when not in use for longer than a two-week period.**
- 4) Stockpiled materials will be more than 200-feet from the property line.**
- 5) Retail and wholesale sales on the premises to the general public shall be limited to nursery and/or greenhouse stock raised on site.**
- 6) No freestanding light and any building light will be downcast.**
- 7) Activities on the premises shall be limited to those associated with running a nursery or greenhouse unless prior special approval is granted by the Township. All in favor with none opposed. Motion carried.**
- 8) The storage of any fertilizer, chemical or loosely packed material shall be maintained and contained so as to present adverse effects upon adjacent properties.**

All in favor with none opposed. Motion carried.

ARTICLE 6.

Case #06-2798: Zoning Ordinance Amendment, Similar Use (PUBLIC HEARING)

Proposed Amendments to the Special Use Sections of the Zoning Ordinance

Planning Director Peterson said Staff is recommending some semi-procedural amendments that would impact several different chapters of the Zoning Ordinance. The idea of this amendment would be to include "catch all" for other uses not listed but similar to others already listed to be processed as a Special Use.

Staff has already made these changes to the B1 Zoning District and the Township Attorney has recommended we make these changes to other zoning districts as well. Our original thought was to wait until we are working on a particular chapter and fold these changes into the amendments we are currently working on. However, it seems that the other amendments may take some time and Staff would like to take care of the rest of the zoning districts now.

Planning Director Peterson said Staff is recommending the Planning Commission recommend approval of these amendments to the Township Board for their consideration. He also noted that Staff has not received any written public comments.

He said after holding the Public Hearing, the Commission can make a recommendation to the Township Board where they will consider the recommendation for adoption.

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

No public members wished to speak and Chairman Goldberg asked Staff if any letters or phone calls were received. Planning Director Peterson said Staff did not receive any letters or phone calls regarding the amendments.

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

Member McDonald motioned for recommendation to the Township Board for approval of the proposed amendments to the Special Use Sections of the Zoning Ordinance, supported by Member Robinson. All in favor with none opposed. Motion carried.

ARTICLE 7.

Case #06-2802: AJV Ventures, LLC

The Applicant is seeking tentative preliminary approval to create a site condominium with 10-lots in the R-1 Zone.

Planner Deem said the Applicant is seeking tentative preliminary approval to create a site condominium with ten (10) lots in the R-1 Zone located at 6155 Cascade Road. The property is located at the Northwest corner of Cascade Road and Beard.

The Applicant is looking to develop this site into a 10-unit site condominium named Haven Hills. The minimum lot width will be 90-feet with an average lot width of 117-feet. The minimum setbacks for the site condominium will meet the R-1 Zoning requirements of 35-feet for the front yard, 25-feet for the rear yard and a minimum of 10-feet for the side yard with both sides combining to be at least 25-feet.

Planner Deem noted on this property, there is .57 acres of wetlands the Applicant will be preserving. .90 acres is road right of way and the total developable acreage for this property is 8.53 acres.

Twenty-five percent (25%) open space of the developable acreage is 2.13 acres; the Applicant is providing 2.95 acres for open space. The open space is accessed by Cascade Road.

The subdivision requires a minimum of four trees per lot; this needs to be identified on the site plan.

The lot will be accessed off a private drive, Haven Hill Drive, which connects to Beard Drive; the drive meets the private road standards.

The Master Plan has identified this area as Residential low density. The suggested density is one (1) to three (3) units per acre. This project has a proposed density of 1.0 unit per acre.

Utilities will be extended from Cascade Road, along Beard Drive to the north property line for this project. The Township Board Utility Subcommittee has reviewed this plan. The Township Board Utility Subcommittee has reviewed this plan. It is their recommendation that the developer be responsible to extend utilities along Beard as opposed to the Township being in charge of the project.

Planner Deem noted the Fire Department has reviewed the plans. They require that if a gate entrance is to be installed that it gains approval from the Fire Department.

The Township Engineer has reviewed the plan and has requested some minor clarifications on the site plan. His final comments need to be addressed prior to Township Board approval.

It is the Township's policy to require development along Cascade Road to install a center lane on Cascade Road. The Township is asking the developer to extend the center turn lane for access to Beard Drive. The Township would then extend the center turn lane past Mont Rue Drive; this will need to be indicated on the site plan. A letter from the Applicant's attorney has been received and they are questioning why the developer is responsible for the center turn lane.

Planner Deem noted this is the first step in the platting process. The Planning Commission is to make a recommendation to the

Township Board for tentative preliminary plat approval. After the Township Board has granted tentative preliminary plat approval, the Applicant will submit their plan to other public agencies including the Road Commission, Drain Commission, and Health Department. After their review, the Applicant will bring the plan back in front of the Planning Commission for final preliminary review. The Planning Commission then makes a recommendation to the Township Board for their final decision.

Staff recommends that the Planning Commission recommend tentative preliminary approval to the Township Board with the following conditions:

- 1) The Engineer's comments are to be addressed prior to the plan taken to the Township Board.
- 2) The four (4) trees per lot need to be indicated on the site plan. Existing trees that the Applicant wishes to count towards these trees need to be indicated on the site plan and are not to be cut down.
- 3) The Center Turn Lane needs to be indicated on the site plan.

Chairman Goldberg asked Staff the type of public notice that was released regarding the case and Planner Deem said notices have been distributed to the neighbors and Staff has received letters and phone calls. Neighbors on Mont Rue seem concerned over trees being cut down.

Applicant Dave VanderSchot noted most of the homesites are located back from Cascade Road and they will extend the utilities to the Northeast edge of the property.

The developer is also proposing landscape islands. He has read Staff's comments and agreed with the conditions with the exception of the installation of the Center Turn Lane and have calculated this part of the project to cost over \$100,000. Applicant VanderSchot noted more than ten (10) lots would receive benefit from the lane and unfair to solely burden this project with the cost.

Member Koessel asked how long the Applicant foresees Beard to be torn up and the Applicant believes maybe two (2) or three (3) days the road may be impassible. Member Koessel noted another ingress and egress at Mont Rue and that should help alleviate the traffic burden when Beard is tore up.

Member McDonald noted two buildings on the site and asked if they would be coming down. The Applicant noted on lot nine (9)

is a pole barn and the other is an old building and both will be removed.

Member McDonald asked if the large spruce would be left and the Applicant noted their intent is preserve as many of the trees as possible. The spruce will remain along with maple and black walnut trees. The developer's goal is to leave as many of the trees alone as possible but they will know more as to which trees will remain once they have been through the design process.

The Applicant was asked his plans regarding storm water runoff and the Applicant said they would be constructing a swale to direct into the basin, they do not anticipate disturbing trees.

Member Robinson noted he feels very strongly that the center lane be installed with this project.

Chairman Goldberg said he does see the center lane being a benefit to the other homes in the area and explained the turn movements of traffic and traffic flow for a better understanding of the recommendation of the center lane. He noted the clear relation of the traffic burden and the ten (10) homes and requested a letter from the Township Attorney with his considerations regarding the issue.

Member Robinson supports hearing from the Township's Attorney regarding this project and suggested tabling the case until the attorney has responded.

Member Postma asked if there is a plan to extend the center lane with the Road Commission or Township? Planning Director Peterson does not believe at this time either government has plans to extend the center lane.

Member Koessel noted the Planning Commission could still recommend approval to the Township Board as they will ask for the Township Attorney's comments and does not feel it is necessary to table this item.

Member Lewis noted that \$100,000 for a center lane does seem high and acknowledges the developer's concern but also noted the speed at which the traffic travels down Cascade Road and in support of the center lane being added during the phase of this project.

Member Richards agrees with everything that the other Commissioners have stated and noted the Commission has requested other developments to install center lanes. She favors the center lane for this project.

Member MacAllister supported the previous comments favoring the installation of the center lane on Cascade Road. She also asked if a pedestrian pathway would be installed into the development? Planner Deem noted it will be a gated community and did not make sense to dead-end the pathway into the ten (10) homes. There are also no long range plans to extend connectivity to Beard or Mont Rue, therefore, a pedestrian pathway, Staff felt, is not necessary.

Member Lewis suggested the Applicant might want to consider foregoing the installation of the gate into the development in lieu of the center turn lane; personally, he would like to see the center turn lane instead of the gate.

Member Robinson motioned to table until the May 15th Planning Commission Meeting, the request for tentative preliminary approval to create a site condominium with 10-lots in the R-1 Zone located at 6155 Cascade Road pending Township Attorney's comments, supported by Member Lewis. Eight in favor with one opposed. Motion carried. Case #06-2802: AJV Ventures tabled until May 15th Commission Meeting with comments received from the Township's Attorney.

ARTICLE 8.

Case #06-2804: Thomas Metzdorf

The Applicant is seeking Site Plan Review for a new Office and Laboratory building in Meadowbrooke.

Planner Deem began by saying the is seeking Site Plan Review for a 48,500 square foot two-story office building, with a 9,900 square foot laboratory.

This project is in the Meadowbrooke Business Park. Meadowbrooke has reviewed and approved the plans contingent on Township approval. The Township's Engineer has reviewed the project and his comments are within the Commissions' packets.

Planner Deem noted the setbacks for the project stating front yard setback is forty (40) feet; the proposed setback is forty-five (45) feet. The minimum rear and side yard setbacks are each twenty-five (25) feet; the proposed rear yard setback is greater than 200-

feet and the proposed side yard setback is twenty-five (25) feet, meeting Township requirements.

The ingress and egress for the site will be from the existing curb cut located across from Corporate Grove Boulevard. This site meets the parking requirements for the proposed uses.

The landscaping plan meets the Township regulations and the site plan has been reviewed by the Township's Fire Department. The proposed plans address the Fire Department's concerns.

The lighting plan for this project also meets Township regulations.

Staff recommends that the Planning Commission approve the Applicant's request for site plan approval with the condition:

- 1) The Applicant is to receive a soil erosion permit before construction begins.

Chairman Goldberg asked if the Meadowbrooke Review Board has met and reviewed the plan? Planner Deem said they have.

Member Postma asked for clarification as to which site this project is located and Planning Director Peterson said it is where the old train site is located.

Applicant Tom Metzdorf and Tom Tooley, of BETA Design, were available for comments. Applicant Metzdorf thanked Planner Deem for his presentation and available for Commissioner's questions and comments.

Chairman Goldberg asked if the project will bring new jobs to the area and Applicant Metzdorf said they anticipate approximately one hundred (100) new jobs.

Member Robinson motioned for approval to approve the Applicant's request for site plan approval with the condition:

- 1) **The Applicant is to receive a soil erosion permit prior to construction.**

Member Lewis supported the motion. All in favor with none opposed. Motion carried.

ARTICLE 9.

Case #06-2807: Zoning Ordinance Amendment, Antenna
Proposed Amendment to the Zoning Ordinance regarding antennas.

Planning Director Peterson noted Staff is introducing some amendments dealing with Antennas in the Residential zones. The Township does not allow cellular towers or antennas in the residential zones. However, there are existing and may be others in the future, taller structures that could accommodate a cellular antenna in the Residential zones. These structures range from Consumers Power towers, utility poles, church steeples, etc.

Staff is requesting that a public hearing be set to consider a set of amendments that would allow only antennas to co-locate on any existing structures. The Planning Commission would process these requests as a special land use requiring a public hearing. Planning Director Peterson said he has already spoken with the Township Attorney who feels that it is a good idea from a legal perspective to limit the Township's exposure by permitting an antenna and continuing to prohibit towers.

Member Robinson agrees with Staff that the Commission needs to consider the amendments.

Member Koessel asked if the height of the cell towers along Thornapple Drive was an issue, he recalls some problems and Planning Director Peterson noted the height was an issue with the airport and those towers had to meet the airport's height requirements.

Member Koessel questioned the neighborhoods that have underground utilities and there is nothing to co-locate an antenna to, would a tower be built in these areas? Chairman Goldberg clarified that communities such as these, would not be affected by this ordinance and this amendment would simply point the service provider to utilize co-locating an antenna versus erecting a tower.

Planning Director Peterson further noted that this ordinance amendment would not allow for a tower and would only an antenna if it was an existing structure.

Chairman Goldberg requested the Township Attorney's definition of size, height of the antenna and refine the language and provide the benefits of the adoption of the amendments to the Commission.

ARTICLE 10.

Any Other Business

Chairman Goldberg opened the meeting for other business and Member Robinson asked if anyone has heard anything regarding the Supreme Courts' decision regarding the wetlands issue and

Chairman Goldberg thought a final decision should be released by June 30th.

Member Koessel asked if the Halland Development has received anything from the Health Department regarding their project and Planner Deem noted the Health Department still needs to review and has not received any new information since the last meeting.

Member Lewis asked if the flag by the house on Cascade Road could be removed.

Member Postma asked when Spaulding Ave. was scheduled for construction and Planning Director Peterson said they will start sometime in June and plan to complete the project prior to the start of school in the fall.

ARTICLE 11. Adjournment
Member Lewis supported by Member MacAllister moved to adjourn. The motion carried and the meeting was adjourned at 8:18 p.m.

Respectfully submitted,

Claude Robinson, Secretary

Lisa Hern, Recording Secretary