

**MINUTES**  
**CASCADE CHARTER TOWNSHIP REGULAR BOARD MEETING**  
Wednesday, September 28, 2005  
7:00 P.M.

**Article 1.** Supervisor Julien called the meeting to order at 7:00 p.m.  
Present: Supervisor Julien, Clerk Goodyke, Treasurer Carpenter, Trustees Parrish, Currier, Beahan and Koessel.  
Absent: None  
Others Present: Manager Jay Cravens, Planners Peterson and Deem, Deputy Clerk Denise Biegalle, Reporters Wilson and Beller and those listed on Supplement #1.

**Article 2.** Supervisor Julien led the Pledge of Allegiance to the flag.

**Article 3.** The agenda was approved on motion by Clerk Goodyke and supported by Trustee Parrish. The motion carried unanimously.

**Article 4. Approval of Consent Agenda**

- a. Approval of Township Board Minutes
  - 1. Regular Meeting Minutes of 9/14/05.
- b. Receive and File Various Meeting Minutes
  - 1. Planning Commission Meeting Minutes 9/06/05.
- c. Receive and File Various Reports
  - 1. Fire Department Month End Report for August 2005
  - 2. Treasurer's Department Bank Balance Report for July, 2005.
  - 3. Memo from Steve Peterson, Planning Director – re: Per Diem Survey.

The consent agenda was approved on motion by Treasurer Carpenter and supported by Trustee Koessel.

Supervisor Julien requested Planner Peterson to review his memo regarding the per diem survey submitted. Planner Peterson stated that Cascade Township was right in the middle of the road regarding our per diem schedule. Motion carried unanimously.

**Article 5. Financial Actions**

- a. Consider Pay Application No. 2 Dan Vos Construction re: Library Enrichment Center Construction.  
Manager Cravens reviewed the pay application with the Board.  
Motion to approve Pay Application No. 2 to Dan Vos Construction was made by Clerk Goodyke and supported by Trustee Beahan.  
Motion carried unanimously by roll call vote.

**Article 6 Public Actions**

- a. **Public Hearing – Final Consideration for P.U.D. rezoning of 2688 Kraft Ave., 2700 Kraft Ave., and 5703 28<sup>th</sup> St.**

Motion by Trustee Koessel and supported by Trustee Beahan to open the Public Hearings at 7:10 p.m. Motion carried unanimously.

Planner Peterson reviewed the application for the P.U.D. rezoning of the above

mentioned properties. The existing zoning of the properties are B2, General Business. The location was the north side of 28<sup>th</sup> St. between Gordon Food Service and Chatam Woods. The applicant is seeking Planned Unit Development rezoning of approximately 7.5 acres to allow for the development of his vacant property. Planner Peterson believes this project meets the requirements for rezoning to PUD since the property is already zoned and master planned commercial and the limited commercial uses allowed are consistent with those designations. The plan also includes the appropriate buffers to the residential properties to the north and provides for the access drive connections to Kraft Ave. to be continued. Discussion followed.  
No public comment.

**b. Public Hearing – Rezoning to P.U.D., Planned Unit Development in Order to Develop a 14-unit Single Family Home Project named Anderson Woods at the SW Corner of 52<sup>nd</sup> St. and Buttrick Ave.**

Planner Deem reviewed the request by John Halland to rezone to PUD, in order to develop a 14-unit single family home project named Anderson Woods. The current zoning of the property is ARC, Agriculture Rural Conservation. The property location is at the SW corner of 52<sup>nd</sup> and Buttrick Ave. The parcel is 35.91 acres. Planner Deem stated there were two main topics of discussion during the Planning Commission meetings. The first item relates to the density of the project. Using the Subdivision Ordinance, by providing 50% open space in the ARC, this project would be allowed 13.91 units. The applicants are providing an additional 7% open space of developable land. The Planning Commission felt this was a fair trade off to allow the applicant to have an additional .09 units for a total of 14 single-family home units. The second item was the location of the entrance road. The Road Commission has reviewed and approved the location of the entrance road. The neighbor across the street is concerned with car headlights shining into his property. The Road Commission feels that the current location is the best spot for traffic safety, but the entrance could be moved to the North. Planner Deem recommends the Board approve the request.

Public Comments: Kurt Alkema of 5222 Buttrick Ave. was present and conveyed his concerns with car headlights shining into his bedroom if the entrance stayed where it is proposed. Mr. Alkema stated that the developer, the KCRC and Planner Deem had met at the proposed site and discussed the possibility of moving the entrance 80 feet to the north. Mr. Alkema said all parties were in agreement that the entrance could be moved the proposed 80 feet. The Developer John Halland was present and discussed the problems with a pole if the entrance was moved 80 feet to the north. Discussion followed.

**c. Public Hearing – Rezoning to P.U.D., Planned Unit Development in Order to Develop a 106-unit Townhome/Cottage Home Project named Turnberry at the SW corner of Burton/Kraft.**

Planner Deem reviewed the history of the request beginning in the Spring of 2004. The original project was proposed for 123 units with a mix of townhomes, cottage homes and apartments. The Board denied the plan. The project is now made up of two different condominium products, townhomes, and cottage homes. The cottage homes are duplexes that are a single story tall. The townhomes are attached condos ranging from three to eight units and are 2 1/2 story tall buildings. There are a total of 18 cottage homes and 88 townhouses for a total of

106 units. The total acreage for the site is 18.23 acres and has a density of 5.8 units per acre. The property is currently zoned R1 Residential. The property is identified in the Master Plan as suitable for our medium density residential category. This allows for up to 4-6 units per acre. At 6 units per acre this property would accommodate 108 units on a gross acreage calculation. The proposed number of units is 106.

The Staff recommends the Township Board follow the Planning Commissions recommendation for approval of the applicants request to rezone the 18.23 acres development due to the fact that this project is consistent with the Cascade Township Comprehensive Plan and meets the standards for a PUD rezoning as indicated in the Cascade Township Zoning Ordinance. The following items will be needed before site work can begin:

- Township Engineer will have to grant final approval.
- A soil erosion control permit will have to be granted.
- The applicant is to enter into a financing agreement with the Township for the construction of the proposed Burton Street sanitary sewer.

Public Comments: Mr. Robert Singer of 2445 Candlewick Ct. requested a re-cap of the problems with the last Burton St. sewer project. Supervisor Julien volunteered to explain. Mr. Singer also had a concern with the townhomes becoming rental properties.

Mr. Rick LaPorte of 6420 Burton St. was present to state that he had some concerns regarding the high density in the location. He also had concerns regarding the “turn-over” scenario of renters vs. homeowners. Mr. LaPorte also commented on the problems the residents of Burton St. experienced during the last sewer project on Burton. Mr. LaPorte reiterated his preference to single family housing in the area.

Judy Genter of 6035 Burton St. stated she felt the project looks nice on paper but appeared to be “smushed” in. Ms. Genter said she didn’t think it looked like it was feasible. Ms. Gunter also agreed with Mr. LaPorte regarding how advantageous it is to have single-family homes.

At this time Supervisor Julien reviewed Cascade’s Master Plan regarding “density”.

Sheri LaPorte of 6420 Burton St. presented concerns with higher density housing. Asking to keep it with the same type of single family homes that are already here. Please keep it with what already exists. Mrs. LaPorte made a comment regarding the developer buying the RV area and the driving range which would increase the probability of more higher density housing. Mrs. LaPorte is asking that the developer come back with something more in line with single-family homes. Supervisor Julien clarified our transition areas within the Master Plan.

Mr. Deol of 2455 Candlewick had concerns regarding the townhouses being rented and the fact that they do not blend well with the neighborhood. Mr. Deol also had concerns with keeping with single family homes in the area.

Betsy White of 5707 Tall Timber asked if the developer how large the townhouses would be and what price range would they be selling in?

Mr. Dennis Johnson, the developer addressed several issues brought up by the residents.

Manager Cravens stated that the rental units that we have in Cascade are disappearing. The trend seems to be going the other way, rather than rentals. Motion by Trustee Beahan and supported by Trustee Koessel to close the public hearing and reconvene into regular session. Motion carried unanimously.



**Article 9. New Business**

**081-2005 Consider Approval of Resolution of Intent to Levy an Additional Millage Rate of 0.0359 Mills.**

Motion by Trustee Koessel and supported by Trustee Beahan to approve the Resolution of Intent to Levy an Additional Millage Rate of 0.0359 Mills. Motion carried unanimously by roll call vote.

**082-2005 Consider Approval of P.U.D. rezoning of 2688 Kraft Ave., 2700 Kraft Ave., and 5703 28<sup>th</sup> St.**

Motion by Trustee Koessel and supported by Clerk Goodyke to approve the PUD rezoning of 2688 Kraft Ave., 2700 Kraft Ave., and 5703 28<sup>th</sup> St. as recommended by the Planning Commission. Motion carried unanimously by roll call vote.

**083-2005 Consider Agreement Renewal for ITP Bus Service for 33<sup>rd</sup> Street and 36<sup>th</sup> Street.**

Motion by Trustee Parrish and supported by Trustee Beahan to approve the Agreement Renewal for ITP Bus Service for 33<sup>rd</sup> Street and 36<sup>th</sup> Street. Trustee Currier inquired why we would fund something that only 28 people participated with? Manager Cravens stated that in the 2005 contract year this route had 10,200 riders. Discussion followed. Motion carried.

Ayes – 6

Nays – 1 (Currier)

**084-2005 Consider Request from American Cancer Society for Outdoor Gathering Permit and overnight event at the Cascade Recreation Park.**

Planning Director Peterson reviewed the request from the American Cancer Society. The event being proposed was previously held at Ada Park as a result of trying to move it around to get this part of the community to get involved. The event would be held on June 9<sup>th</sup> and 10<sup>th</sup>, a 24-hour event that has never been held before in the park, but is allowed by our Park Ordinance with the Boards permission. The Parks Committee met September 20<sup>th</sup> to discuss the proposal and to provide a recommendation to the Board. The issues that seemed to be of most concern to the Parks Committee were the following:

- Parking
- Music/noise at night
- Communication with neighbors prior to event
- Too big for the Park?
- Closure of park during event.

Parks Committee recommends approval of permit with the following conditions:

1. Work out a letter of agreement with the applicant.
2. Supply a certificate of insurance listing Cascade Township as an additional insured (\$300,000 personal liability – per individual per incident, \$100,000 property damage per incident. No deductible).

Regular Board Meeting Minutes

September 28, 2005

3. Provide a Hold Harmless/Indemnification agreement and waiver of liability.
4. Restrict parking to only the designated parking areas in the park. The Parks Committee would recommend the use of a shuttle service to provide additional access to the park, in order to keep parking in the designated areas only.
5. Provide an additional 7 portable toilets, location to be determined by Cascade and applicant.
6. Adhere to all other Cascade Recreation Park rules.
7. Turn off all music/DJ between the time period of 11 p.m. and 7 a.m.
8. Clean up park and restore park to pre-event conditions.
9. Pay for any additional expenses incurred by the Township as a result of the event.
10. Provide a copy of the letter that went out to the surrounding property owners informing them of the request.
11. Attempt to meet with the neighbors to understand their concerns prior to the Township Board meeting.

Planning Director Peterson stated that the one item that he felt needed discussion was the turning off of the music from 11 p.m. to 7 a.m. Planning Director Peterson felt that what the applicant has responded with in their proposal to turn it down low enough and have someone there giving out his cell phone number seems to be a reasonable approach. It would probably work to give it a shot this year.

Terry Roach from the American Cancer Society addressed the Board regarding the event. Mr. Roach stated that the Cancer Society has met with 31 of the 33 residents regarding the event and have received 100% unanimous support from them, including parking on the streets with several of them offering their driveways. Discussion followed with the following Board concerns:

- American Cancer Society taking precedence over the Youth Soccer program and Softball.
- Music being played 24 hours.
- Parking
- Other places to hold event...Cascade Park not the right place to hold event
- Security

Motion by Trustee Koessel and supported by Clerk Goodyke to approve the permit with the following changes to the recommended conditions made by the Parks Committee:

7. Turn down all music to a level that cannot be heard off park property. Give the neighbors the cell phone of someone who is at the park all night and has the authority to turn down the music if a complaint is made. After a second complaint the music will be turned off.
12. Post signs along the entrance road (Nik Kik Dr.) stating that this area for soccer/baseball/softball parking only.
13. This use will not shut the park down to other uses.

Motion carried by roll call vote.

Ayes – 6

Nays – 1 (Carpenter)

**085-2005 Consider Approval of P.U.D., in Order to Develop a 14-unit Single Family Home Project named Anderson Woods at the SW Corner of 52<sup>nd</sup> St. and Buttrick Ave.**

Supervisor Julien stated that there was one item to discuss related to the location of Anders Trail. Trustee Koessel said the Planning Commission spent a considerable amount of time on this and wanted to know if it was acceptable to the developer to move the driveway as far north as feasible. The developer stated that he would do it, if push came to shove. Motion by Trustee Koessel and supported by Trustee Currier to approve the request with the developer moving the driveway 80 feet to the north, subject to the County Road Commission approval. Discussion followed. Motion carried unanimously by roll call vote.

**086-2005 Consider Approval of P.U.D., in Order to Develop a 106-unit Townhome/Cottage Home Project named Turnberry at the SW corner of Burton/Kraft.**

Trustee Koessel complimented the Developer on his flexibility with the Planning Commission and residents concerns with the project. Trustee Koessel felt the proposal in front of the Board today is very well laid out and very attractive. Motion by Trustee Koessel and supported by Trustee Beahan to approve the request to develop a 106-unit Townhome/Cottage Home Project named Turnberry at the SW corner of Burton/Kraft. Supervisor Julien stated that the developer had made a concession that they would limit rental properties under their bylaws to twenty-five percent of the total project. Supervisor asked Trustee Koessel if he thinks should be included in the motion. Trustee Koessel agreed and amended his motion to revise the P.U.D. proposed language to incorporate that those documents would not allow for more than twenty-five percent of those units be rented at any one time. Discussion followed. Motion carried unanimously by roll call vote.

**Article 10. Manager's Comments (None)**

**Article 11. Board Member Comments (None)**

**Article 12. Adjournment**

Motion by Trustee Parrish and supported by Trustee Currier to adjourn. Motion carried unanimously.

Meeting adjourned at 10:47 p.m.

Respectfully submitted,

Denise M. Biegalle  
Deputy Clerk

Approved by:

---

Ron Goodyke, Clerk

---

Michael R. Julien, Supervisor