

MINUTES

Cascade Charter Township Planning Commission
Monday, August 17, 2015
7:00 P.M.

ARTICLE 1. Chairman Pennington called the meeting to order at 7:00 PM.
Members Present: Lewis, Mead, Pennington, Rissi, Robinson, Sperla, Williams
Members Absent: Waalkes (Excused) and Hammond (Excused)
Others Present: Community Development Director, Steve Peterson, and others listed on the sign in sheet.

ARTICLE 2. Pledge of Allegiance to the flag.

ARTICLE 3. Approve the current Agenda.

**Motion by Member Lewis to approve the Agenda. Support by Member Mead.
Motion carried 7-0.**

ARTICLE 4. Approve the Minutes of the July 20, 2015 meeting.

Motion by Member Mead to approve the minutes of the July 20, 2015 meeting as written. Support by Member Rissi. Motion carried 7-0.

ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items (Comments are limited to five minutes per speaker.)

Dawn Dotson and Sam Zarou of 7399 Lime Hollow, stated that they are home owners that live in Cascade Township and would like access to the river. They have access at the Dam for Kayaks, but would like to have access for their Jet Skis. According to the DNR the Township used to have access at the dam.

Chairman Pennington suggested that they bring their concerns to the Township Board.

**ARTICLE 6. Case #15-3229 RJV Ventures
Public Hearing**

Property Address: 3000 Thornhills Avenue SE

Requested Action: The Applicant is requesting to amend PUD #55 to permit 10 single family detached homes.

Director Peterson presented the case. This is the property on Thornhills Avenue on the east side of the street. The Applicant is following up from the March meeting on the PUD Amendment for Sentinel Pointe, which originated in the

1980's and was set aside for a 40 unit Elderly Housing Facility. The proposal is to amend the PUD to allow 10 single family detached condominiums instead of the 40 unit Elderly Housing Facility. Examples of similar projects would be Watermark, Park Place, Summit, Heathmoor, Meadowwood, Gate House, High Ridge and Forest Hills Condominiums. Director Peterson wanted to point out how they are similar in how they are being developed with the spacing and the setbacks from the road. All very common condominium projects, not what we would see in our low density areas, they are in our transitional areas. The reduction in the units accommodates spacing and are similar to other condominium projects. Using the Master Plan as the guide for our densities, 4-6 units per acre is the guideline which will project up to 30 units, well within the Community Residential category for this project.

A Storm Water Plan has been developed using the pond on the southern side of the property. They developed the plan meeting the Storm Water Ordinance with the Township Engineers. Another item from the Master Plan is the development plan for the Community Residential project where we want to see more public roads. The issue is maintenance for these roads. The intent is to make sure the private roads are maintained properly. Also, it was discussed that there be a connection to the Library. After reviewing with the developers it was taken off the plan to avoid any conflict with the future township hill project.

Traffic statistics per the Kent County Road Commission have shown that the counts are low with 5000 at the most recent count. The capacity is 22,000 to 25,000.

Director Peterson reviewed the standards for the PUD designation.

The total impact of the project is difficult to measure compared to the approved 40 unit project due to the lack of details from the original plan. However, it is being developed into a more traditional condominium development with greenspace interspersed throughout the entire project rather than just around the perimeter.

The Planning Commission could either amend the current PUD to allow the 10 unit site or it could be broken out on its own. We would have to amend the current PUD either way as we would want to adjust the amount of units allowed in the PUD.

The Township Engineer will discuss the Storm water report but there were a couple items that I wanted to point out regarding the neighbors report on the site.

- To use the standards in the Ordinance for the evaluation.

- The idea of exploring the use of swales behind the units to help direct the water to the catch basins that are around the outside of the site.
- Require a \$250,000 Bond to guarantee the success of the project or to clean it up if it fails. We have not required this in the past.
- Market Study to see if there is a need for the project. We have not required this in the past if the project complies with the Master Plan.

Staff is comfortable with the plan before you and I am recommending approval of the PUD. With your approval of the project with the conditions stated, the Ordinance would be drafted for your approval before being forwarded to the Township Board.

Member Williams asked if there were any other Senior Living facilities planned for Cascade Township. Director Peterson stated that no one has come forward with any at this moment. There are other areas suitable within the Township for similar projects.

Nathan Torrey, Township Engineer (FTC & H) came forward regarding the Storm Water Drainage Plan. The existing drainage patterns has the site broken into thirds. The SE portion drains SE toward the Thornapple Hills County drain. The SW portion drains to the South to the County Drain. The central portion drains to the W-NW towards the high area where water may pond. There is a swale and several catch basins that tie into an existing storm sewer system and discharge to the County drain just downstream of Thornhills Avenue.

There is an area of offsite flow that comes into the project site. The area to the north of the property drains into the property and continues to the W-NW into existing catch basins and discharge into the county drains to the south.

The proposed plan will collect all surface water and convey it to an infiltration basin at the SW corner of the site. The project is located in Storm Water Management Zone A which requires 100 year detention and infiltration of storm water where possible. The Applicant did size the infiltration pond for the 100 year runoff for the site per the Ordinance requirements. The pond also has an overflow spillway directing water to the County Drain to the south. This emergency spillway is required for all infiltration ponds. The calculations the Applicant provided meets all of our requirements. The plan is to have all impervious systems tied directly into the catch basins including roof drains and parking surfaces. It should be noted that the overall plan does not change the drainage district boundary of the site. This plan is not sending storm water to a different adjacent drain, it is going to the County Drain as projected in the original PUD.

Member Lewis asked if there was any standing water anticipated in the infiltration pond. Engineer Torrey stated that the two infiltration tests showed 6” per hour and 9” inches per hour. The soil should be adequate for infiltration and we should not see any standing water in the infiltration ponds.

Member Mead asked how the flow through from the Township property to the North is being handled. Engineer Torrey has stated that the Applicant is proposing to put in a couple catch basins and an additional swale to improve the channel. Offsite flow will be collected and diverted to the County Drain.

Chairman Pennington asked the Applicant to come forward with comments.

Kyle Wilson, Civil Engineer, Nederveld, spoke on behalf of the Applicant. Also in attendance is Tom Guisti, builder/ developer and partner Raleigh Finkelstein. Since our last meeting in March, we have reduced our plan from 15 to 10 units and have completed the soil tests. We feel that we meet the Township Ordinances. As Steve previously mentioned, this site was previously zoned a PUD for 40 units and we feel 10 units is less dense. We are meeting the Master Plan goal for community residential which is 4-6 units per acre as our project is at two (2) units per acre.

Member Lewis asked what the square footage and price point of the units would be. The Applicant stated the price point is \$500,000-\$600,000 per unit with 2,700 square feet in addition to the garage.

Member Williams stated that there was a purchase agreement for the land with the original application. Has the land since been purchased? The Applicant stated that the purchase agreement is contingent on the approval of the PUD.

Member Lewis made a motion to open the Public Hearing. Support by Member Robinson. Motion carried 7-0.

Chairman Pennington asked if anyone wished to speak to come forward.

Randall Kraker, Varnum Attorney represented Mr. & Mrs. Mark Rohde. They have a concern and objection to the planned site. The site is not like other PUD developments, as far as the look of the site, not the use. We do not think this PUD is compatible with the Master Plan. We have concerns with how the units will fit on the property. Referring to his packet, there is a greater footprint with the proposed 10 units than with the original 40 unit plan and also the severe grading of the site and removal of old growth trees. There was originally an

amendment to PUD 55 for rezoning and there was an objection from the owner of Sentinel Pointe. He refers to Page 93 in his packet, which states with respect to community residents, the natural features should be preserved and protected in projects in residential areas with only public roads permitted. We think this project destroys natural features, has severe grading and the roads are not public. We think there needs to be a request for a new PUD. There is also some evidence that shows that a traffic study should be required on this site. There are some very significant sight impairments such as the hill, curve and guard rail where the access area to the site is located. There has also been significant problems with the Thornapple Drain and you are planning on adding to it. The environmental impact of this addition should be weighed carefully. We have an issue as to who wants to pay \$500,000 To \$600,000 for a backyard that looks at a 12-15 foot retaining wall. There will be significant destruction to the land and trees that is not compatible with what was already approved in the Master Plan. The Finding of Fact shows that a material burden should not be placed on the surrounding land or natural environment. The severe grading and removal of trees will most certainly unfavorably impact the natural environment. In addition, the green area will not be significant as the old growth trees will not be immediately replaced. We respectfully ask that you reject the project.

Chairman Pennington asks if anyone else wished to come forward.

Member Sperla asked why the 40 unit building was never constructed. The Applicant stated that there had been several attempts to build this project but there was not support for the large size of the project. In addition, the property had not been marketed over the last several years.

Member Sperla made a motion to close the Public Hearing. Support by Member Williams. Motion carried 7-0.

Member Mead asked if the 10-12 foot retaining wall was part of the project. Director Peterson stated that there a couple of retaining walls proposed on the project. There will be one around the south as well as along the north side of the site. The topography goes from high to low from north to south. On the north side of the site the homeowners will see more wall than the residents to the south. The wall just exceeds ten feet at its highest point.

Member Mead stated that in his past experience in dealing with governmental PUD's, it has always been in the Ordinance that a major change in a PUD required a majority of all interested parties in that PUD to sign off on it. Do we have something in writing in regards to a major change to a PUD? Director Peterson stated that the standard that we are talking about refers to an existing project. "The proposed development shall be under single ownership or control such that

there is a single person or entity having responsibility for completing the project in conformity with the Ordinance. This provision shall not prohibit a transfer of ownership or control upon due notice to the Planning Director of the Township.” We have never gotten signatures from those that are impacted by the changes. Since this change does not impact the existing Retirement Facility we would not require them to sign off. Member Mead asked if any owners in the development speak in favor of this development. Director Peterson stated that the only comment that he had received was from the Management group at Sentinel Pointe who is opposed.

Member Williams stated for clarification that we could either approve the amendment or request issuing a new PUD. Director Peterson stated that this was correct. Regardless there will have to be an amendment to the current PUD as we do not want a 40 unit Senior Living site still on the books on a site that is no longer available.

Member Sperla asked that if in the 1980’s, the project was going to be phased when it was approved. Director Peterson stated that it was not indicated it would be phased.

Member Sperla asked if Township Engineer felt there was going to be any negative impact on the three homes that are along Thornapple River Drive that we should weigh in our decision. Director Peterson stated that this has not been found to be the case. The issues with Thornhills drain are being addressed regardless of this project. We are working with the DEQ to meet all drain requirements.

Member Rissi stated that if someone wanted to build the 40 unit project, would they still have to come before the Board as it is already in the PUD. Director Peterson stated that they would still need Site Plan Approval for such a project and meet today’s Storm Water Requirements.

Member Mead stated that the 40 unit project had parking for 36. Would that meet today’s standards? Director Peterson stated that the parking would need to be approved by today’s standards. Member Mead stated that theoretically he is concerned that the 36 parking spaces created 8,000 sq. ft. of impervious surface with 17,500 for the building for a total of 25,500 sq. ft. The new project is ¼ the size but just the dwelling and garage is just less than 32,000 sq. ft. This is a significant amount of additional impervious surface being introduced to this development. Director Peterson stated that you have to be careful using a site plan from the 1980’s as we require much more detail today.

The Applicant stated that for clarification they have designed their retention basin to accommodate the 100 year storm and we have the emergency spillway. We are very comfortable with what we have presented.

Member Williams asked about all of the trees that would be removed. Director Peterson stated that with all of the construction and grading that would occur he could not dispute the trees being removed. It would be a similar impact to any other residential site in the area.

Member Sperla asked if there was a detailed landscaping plan. Director Peterson stated that we typically do not require landscaping plans for residential developments. There are some street trees being placed out front. There are no plans to landscape the perimeter of the site.

Member Williams asked why the developer dropped back to 10 sites rather than the 15 that were originally proposed. The Applicant stated this is a better fit for the site. Member Williams asked if this then increased the price of the units. The Applicant stated that this was the price point that was originally planned.

Member Mead asked if it was the Applicants intention to get 100% of the site developed and stabilized prior to construction or are you going incrementally build the site. The Applicant stated that they will build the road and the infrastructure and the site will be completely build ready. Member Mead asked what the time frame for this project would be to be absorbed by the market. The Applicant stated that it would most likely be a two-year build out.

Member Mead asked what the typical bond amount that is given on a project such as this. Director Peterson stated that there typically is not a bond.

Member Lewis stated that everyone has a right to proceed as long as they meet all the requirements. The Applicant meets all of our Ordinances. In that regard, I would support any favorable motion.

Member Lewis made a motion that Case 15:3229 RJV Venture request to amend PUD #55 to permit 10 single family detached homes be approved with the conditions by Staff.

- 1. Sign the Storm Water Maintenance Agreement**
- 2. Review and approval of condominium documents to ensure compliance with Township requirements.**
- 3. Add swale around south side of project as discussed.**

Support by Member Robinson. Motion carried 7-0.

ARTICLE 7. Any other business

There was no new business.

ARTICLE 8. Adjournment

**Motion made by Member Mead to Adjourn. Support by Member Williams.
Motion carried -0. Meeting adjourned at 8:11 PM.**

Respectfully submitted,

Aaron Mead, Secretary
Ann Seykora
Julie Kutchins
Planning Administrative Assistant