

MINUTES

Cascade Charter Township Planning Commission
Monday, August 13, 2007
7:00 p.m.

ARTICLE 1. Vice-Chairman Robinson called the meeting to order at 7:00 p.m.
Members Present: Koessel, Lewis, Logue, MacAllister, Postma, Richards, Robinson, Waalkes
Members Absent: McDonald (excused)
Others Present: Planning Director Peterson, Admin. Assistant Hern, and Members of the Public.

ARTICLE 2. Vice-Chairman Robinson led the Pledge of Allegiance to the Flag.

ARTICLE 3. Vice-Chairman Robinson requested motion for approval of the August 13th Agenda.

Member Lewis motioned for approval of the agenda as presented, supported by Member MacAllister. All in favor with none opposed, the motion carried. August 13, 2007 Agenda approved.

ARTICLE 4. Approve the Minutes of the June 18, 2007 Meeting.

Vice-Chairman Robinson opened the meeting for revisions, corrections or a motion for approval of the June 18th minutes.

Member Lewis motioned for approval of the June 18, 2007 Minutes as presented, supported by Member MacAllister. All in favor with none opposed, motion carried.

**ARTICLE 5. Case # 07-2884: Dan and Rhonda Kamphuis
Address of Property: 5800 Thornapple River Dr.
(PUBLIC HEARING)**

Requested Action: The Applicant is requesting the rezoning of 5800 Thornapple River Drive, 7043 60th Street and 7275 60th Street.

The parcel size is approximately 90-acres with approximately 75.24 acres on Thornapple River Drive and 15-acres divided between the three properties of 7043 60th Street, 7305 60th Street and 7275 60th Street; the property also includes approximately 800-feet on the Thornapple River.

The Applicant is requesting a rezoning of approximately 90-acres of land from the current zoning of R-1 Residential to ARC, Agricultural Rural Conservation. The rezoning would allow the Applicant to farm the property which is a use permitted by right in

the ARC zone. The requested rezoning encompasses four pieces of property, all under the same ownership and does not include the 800-foot of Thornapple River frontage also owned by the Applicant.

Planning Director Peterson also noted that the rezoning of this property would allow all the other uses that are permitted in the ARC zone as well as subject the property to the same requirements of the ARC zone. Under the ARC designation, a minimum 100,000-square foot lot is required. The subdivision rules are a little bit different but generally speaking, the same density applies, one (1) lot on approximately 2.29 acres in size.

The Master Plan has a recommendation of Residential on the subject property. One of the goals of the Master Plan was to encourage development in areas where public utilities are available or will be available. At the same time, the Master Plan also recommends the preservation and encouragement of limited farming element in the Township.

The property is inside the Township's utility boundary but currently does not have sewer or water services near by. Planning Director Peterson noted that the closest connection to public utilities for this property is by 52nd Street and Kraft and by the airport near the east side cargo facility; utilities are not planned to be extended in the near future.

The boarder of 60th Street is shared with Caledonia and Staff included their Master Plan for this area. South of 60th Street, Caledonia has this as low density residential. Planning Director Peterson also referred to the Township's Zoning Map for comparison with the Master Plan; the Master Plan indicates future use of the land while the Zoning Map indicates the lands' current zoning.

Currently the Township records show that three of the parcels are currently vacant, there is one property with a home. The largest parcel is approximately 76-acres, one parcel is a little over 6-acres, one is approximately 3.5-acres and the other 5.49-acres. All of these parcels are over the minimum lot size for ACR Zoning if the Commission were to grant the rezoning.

Planning Director Peterson has reviewed the property and the largest parcel is being farmed for corn and trees. In looking at the Zoning Ordinance, the ordinance does not allow farming in the Residential Zone, it is allowed in Agriculture Zone. The Applicant has indicated their wishes to rezone to preserve their right to farm the land as they are currently doing.

Planning Director Peterson noted that after the Planning Commissions' Public Hearing, they would provide a recommendation to the Township Board who would then hold a second Public Hearing to determine the Planning Commissions' recommendation. The Township Board would then issue their final decision regarding the Applicant's request.

In reviewing the standards for the rezoning, Staff is comfortable with the request that the Planning Commission recommend approval of the rezoning of approximately 90-acres from R-1 Residential to ARC, Agricultural Rural Conservation.

Vice-Chairman Robinson opened the meeting for any questions of Staff by the Planning Commission. No questions.

Vice-Chairman Robinson invited the Applicant to approach the Planning Commission with any additional comments.

Applicant Dan Kamphuis said that Staff presented the report very well and he does not have any additional comments.

Member Logue asked the Applicant how long he has been farming the property. Applicant Kamphuis said that he purchased the property approximately four (4) years ago and started farming the trees then, it was already being farmed when he purchased the property. Member Logue asked the Applicant that when he bought the property, it was zoned R-1, correct? The Applicant said it was but he was unaware of it.

Member Koessel asked who is farming the property and Applicant Kamphuis clarified that he is farming trees and someone else is farming the corn.

Member Lewis asked if he inherited the property and the Applicant said he purchased it.

There were no further questions of the Applicant by the Planning Commission. Vice-Chairman Robinson requested a motion to open the Public Hearing.

Member Lewis motioned to open the Public Hearing supported by Member Koessel. All in favor with none opposed; the Public Hearing was opened.

Mr. Thomas Williams owns the 7 ½ -acres next to the property said that he has been there a number of years and the property has

always been farmed. He supports rezoning the property to Agricultural.

Randolph Nanzer, 7035 60th Street, said he has been there over 25-years and is shocked that this is not Agricultural Zoning. He is not opposed to rezoning the property.

Member Koessel asked what the Township does when there is a piece of property like this that is farmed where it is not permitted. Does the Township do anything unless the public complains? Planning Director Peterson said that there are many properties out there like this, some are even zoned commercial/industrial, and are being farmed. He personally has never been involved in a situation where farming is being done in an improper zone and has had to shut the farming down or enforce the zoning. He cannot recall anyone from the public complaining about the farming of property.

Vice-Chairman Robinson noted there was a case prior to this one that the Planning Commission rezoned property from an R-1 Residential to an ARC and Planning Director Peterson noted that this was the Township's last straight rezoning for a property on Spaulding for a greenhouse.

Vice-Chairman Robinson asked if any letters or phone calls were received regarding this case and Planning Director Peterson said he did receive one (1) phone call and one (1) visitor inquiring about the case but nothing in opposition.

Mr. Nanzer asked at what point does the Township consider hobby farming vs. regular farming and Planning Director Peterson displayed the conditions designated for farming.

No further questions. Vice-Chairman Robinson requested a motion to close the Public Hearing.

Member MacAllister motioned to close the Public Hearing supported by Member Logue. Vice-Chairman Robinson called the motion to question. All in favor with none opposed, the Public Hearing was closed.

Member Lewis noted under general observation that the reason the Township has not had any problems with farming is because properties are normally farmed for trees or crops, but farming also includes farms such as pig farms. He supports the rezoning of this property but in doing so, all have to understand that this would also allow the owner to establish another type of farm within our guidelines.

Member Lewis motioned for a favorable recommendation to the Township Board to rezone the land use from R-1 Residential to ARC, Agricultural Rural Conservation at 5800 Thronapple River Drive, 7043 60th Street, and 7275 60th Street.

Member Logue asked if the Planning Commission would consider examining the possibility of utility expansion and what impact this rezoning would have on the residential areas already in the area. If there is less demand for the utilities, there is less of a chance they would be extended and noted the Kilmer Neighborhood is in favor of having utilities. Member MacAllister noted that she lives on Kilmer and the cost is significant for the residents to connect to public utilities.

Member Logue noted that he is not in favor of this due to the utility district and the potential of spot-zoning.

Member MacAllister supported the motion. Vice-Chairman Robinson called the motion to question and asked for any other discussion.

Member Koessel believes, considering the goals and objectives of the Township Board has been to review open space and this project is utilizing open space. He acknowledged Member Logue's comments regarding future utility connections but believes that at a point, there may be a demand for development and if that were to happen, the property owners could request to rezone back to R-1 Residential. He believes keeping the property in its present state would serve a lot of good purposes including the preserving of green space.

No further comments. Vice-Chairman Robinson called the motion to question. **The majority was in favor with one (1) opposed, motion carried.**

ARTICLE 6.

Review of Master Land Use Plan – Request for Proposal
Vice-Chairman Robinson indicated that the Planning Commission could review the information tonight included in their packets or review this matter at the next Planning Commission Meeting.

Member Koessel noted he had a couple of clarification points regarding the information.

Member Koessel asked when this would go out and Planning Director Peterson said August 31st for the Requests for Proposals (RFP's), then the Planning Commission can review the RFP's and provide a recommendation to the Township's Board to hire someone to do the Master Plan in mid-November of 2007.

Member Lewis asked if this is the document that the proposals would be based upon and Planning Director Peterson said that is correct.

Member MacAllister was thinking in the area of Transportation to include pedestrian pathways and bus circulation routes leaving the opportunity to help influence alternative transportation. Planning Director Peterson acknowledged that Vice-Chairman Robinson had called him earlier that day, noting the same comments as Member MacAllister and Planning Director Peterson agrees alternative transportation should be included and will also include railroads in the section.

Member MacAllister would also like to see a section regarding sustainability within the document. Member MacAllister thought Staff might want to see if other Townships are including language regarding what other Townships are doing to maintain sustainable growth strategies and appropriate growth.

Member Richards asked how many RFP's the Township anticipates sending out, seems there were quite a few the last time an RFP was distributed. Planning Director Peterson said they would be utilizing a revised list from the last RFP mailing.

Vice-Chairman Robinson asked how long the master plan update process would take and Planning Director Peterson said approximately one (1) year and the plans are to hire someone in late 2007 or early 2008. This is part of the 10-year target since the Township adopted the last master plan in January 1999.

Member Lewis said that when the Township does a Master Plan it seems the Zoning reflects what the Master Plan says and, therefore, the Master Plan becomes very important on the conceptual aspect of the Township. One of the cornerstones the Township has had in the past, that has driven some of the Township's zoning, is density and the Township is coming into a time now where land is not as available as it used to be on 28th Street. His question is if this Master Plan reflects Zoning, and it does as the zoning as the means to get to a Master Plan, he would like to have included within the Master Plan the feelings of the Township residents on density.

Vice-Chairman Robinson asked the Planning Commission to further review the document and at the next meeting the items will be reviewed. Planning Director Peterson said he would make the revisions to the document and include within the Planning Commissions' packets for the next meeting.

ARTICLE 7.

Any Other Business

Vice-Chairman Robinson opened the meeting for any other business.

Member Lewis noted that The Fresh Market has opened up and has been a wonderful success. The problem is that the traffic flow on the site is becoming a problem and was not designed to handle the traffic that is currently using the drive. Member Lewis asked if the Planning Commission could review direction signs, the road layout and wondered if the traffic inside the Waterfall Shoppes is the developer's problem or the Township's? Planning Director Peterson said he could contact the developer and bring the issue to his attention. Member MacAllister supported contacting the developer.

Member Koessel referred back to the Master Plan and wondered if part of the Master Plan could include details regarding parked vehicles in residential side yards. These vehicles are operable and he requested a change in the Ordinance. Member Koessel wondered if this could be included into the Master Plan. Planning Director Peterson suggested doing a survey and includes this item on the survey when polling residents.

ARTICLE 8.

Adjournment

Vice-Chairman Robinson requested a motion for adjournment.

Member Waalkes supported by Member Logue moved to adjourn. The motion carried and the meeting was adjourned at 7:46 p.m.

Respectfully submitted,

Jack Lewis, Secretary

Lisa Hern, Recording Secretary