

MINUTES

Cascade Charter Township Planning Commission

Monday, March 5, 2007

7:00 p.m.

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

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

ARTICLE 3. Chairman McDonald requested motion for approval of the March 5th agenda.

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

ARTICLE 4. Vice-Chairman McDonald requested motion for approval or if there were any corrections to the January 22, 2007 Planning Commission Meeting Minutes.

Being no corrections to the minutes, **Member Lewis motioned for approval of the January 22, 2007 minutes as presented, supported by Member MacAllister.** Vice-Chairman McDonald called to question. **All in favor with none opposed, the motion carried. January 22, 2007 Minutes approved as submitted.**

ARTICLE 5. **Case #07-2855: Sheldon Cleaners**
Address of Property: 6759 28th Street SE
(PUBLIC HEARING)

Requested Action: Special Use Permit to allow a portion of the building to be used for a Dry Cleaning business.

Planning Director Peterson noted the site location of the property is inside the Thornapple Centre complex, the former Blimpie's site at 6759 Cascade Road. Blimpie's will be moving out and the dry cleaners would like to move in. The reason this case is before the Planning Commission is because the Applicant is seeking a Special Use Permit and the Commission needs to send a recommendation to the Township Board.

This case was intended to be heard at the February 20th Planning Commission Meeting at which there was no quorum and the Public Hearing is scheduled for this meeting. The Public Hearing notices were distributed for the February 20th Planning Commission Meeting but no one from the public attended.

Normally a tenant change does not have to go through this process, however, the dry cleaner use is a Special Use and must receive a Special Use Permit prior to occupying the space. Planning Director Peterson said the Applicant is also requesting the addition of a covered porch over the new pick-up window.

Planning Director Peterson said that dry cleaners are permitted in this district with the condition that the cleaners do not operate as a plant for other stores.

Staff recommends that this application be forwarded to the Township Board with a favorable recommendation with the following condition:

1. The dry cleaner is limited to only serving this retail outlet and may not serve as a dry cleaning plant for any other store.

Chairman McDonald opened the meeting for any questions of the Planning Commission to Staff. Being there no questions from the Planning Commission, Chairman McDonald invited the Applicant to approach the Planning Commission.

Applicant, Mark Tomasik of Innovative Design P.C., thanked Staff for their report. He also noted sidewalks on the side of the building that are 18-feet wide and that is where they would like to place the drive-thru. He noted the drawing of the canopy for the drive-thru and said the facility will be utilized for dropping off of dry cleaning and the actual cleaning will be done at the Breton site.

Member Lewis asked the Applicant if he would be closing his other business that is close by and the Applicant said he would be.

Member Lewis asked if the drawing that will be submitted to the Township Board would show the drive-thru with the canopy awning? Applicant Tomasik said he would submit an updated site plan showing the drive-thru and the canopy to the Township Board for their final approval.

Member Koessel clarified that the current Sheldon Cleaners on Thornapple River Drive and Cascade Road would be the one that

will be closing and Applicant Tomasik confirmed that is correct. Member Koessel asked if the one would close simultaneously as this one opened and the Applicant said it would.

Being no other questions of the Applicant, **Member Robinson motioned to open the Public Hearing, supported by Member Richards.** Chairman McDonald called the motion to question; **all in favor with none opposed, Public Hearing opened.**

Chairman McDonald invited the public members to express their comments regarding this case to the Planning Commission. Member Koessel asked Staff if any letters or phone calls were received and Planning Director Peterson stated none. Being there no public comments regarding this case, **Member Lewis motioned to close the Public Hearing with support from Member Robinson. All in favor with none opposed, the Public Hearing was closed.**

Chairman McDonald opened the meeting for discussion or a motion by the Commission.

Member Robinson motioned to send a favorable recommendation to the Township Board regarding the Applicant's request for a Special Use Permit to allow a portion of the building be used for a dry cleaning business on the condition that:

- 1. The dry cleaner is limited to only serving this retail outlet and may not serve as a dry cleaning plant for any other store.**

Member Lewis requested the second condition that:

- 2. The Applicant submit an updated site plan to the Township Board showing the canopy and drive-thru service that they plan to install.**

Member Lewis supported Member Robinson's motion with the two (2) conditions listed.

Chairman McDonald called the motion to question. **All were in favor with none opposed. Motion carried.**

ARTICLE 6.

Case # 07-2858: John Koetje

Address of Property: 2350 Buttrick Ave.

(PUBLIC HEARING)

Requested Action: Preliminary Plan Review to rezone approximately 33-acres to Planned Unit Development (P.U.D.) to allow a 13-unit single-family residential Site Condominium Development.

Planning Director Peterson referred to the zoning map on the screen and noted the north property to the site is property owned by Forest Hills Schools and the property to the south is the proposed 13-unit development under consideration. He also noted the ARC Zoning and the R1 Zoning west of Buttrick on the map.

The Applicant is requesting to rezone this property to P.U.D. for a 13-unit single-family detached site condo units.

The property is zoned Agricultural and is Master Planned to go to R1, single-family residential. The Master Plan identified this area, east of Buttrick, as converting to R1 Residential because it is inside the utility service boundary. This is the first request since the 1999 Master Plan was done to have property converted east of Buttrick Avenue.

There are no projects in the Capital Improvement Plan that would be activated as a result of this project.

Planning Director Peterson also said that the Applicant has chosen the "no open space" method for determining minimum lot size; this method requires a minimum lot size of 80,000 square feet. This plan meets the Township's Subdivision Ordinance for density and lot size requirements.

Staff has recommended the Applicant seek P.U.D. rezoning for this project. Staff believes that the P.U.D. rezoning is better for both the Applicant and the Township in order to tie the site plan to the rezoning; if this were a straight rezoning, the tie in could not be done.

The plan also includes an access easement to the Forest Hills Schools' property to the north. Since no school has been built yet, Staff would suggest the developer clearly identify this easement with split rail fence to ensure it does not get lost or occupied by future owners. If and when the school is built, the developer should provide a paved pathway surface for this as well. This could be done with a deposit in escrow for an amount equal to what it would cost for the path.

Planning Director Peterson said the project has a density of approximately .39-units per acre and an average lot size of approximately 99,000-square feet. The minimum lot size for the underlying ARC Zone is 100,000-square feet

The lot sizes of the homes around this subdivision range from approximately two (2) acres to ten (10) acres in size.

The development will be utilizing a new private street. This street is being designed to meet the Township's Private Street Ordinance. The location of the curb cut off from Buttrick Avenue has been reviewed and approved by the Kent County Road Commission (KCRC). The Applicant has spoken with KCRC and this is their preferred location of the entry into the development. Staff is not aware that a street name has been approved yet and this will have to be done prior to the project proceeding.

The development is proposed to be served by private septic and public water. Again, the developer has chosen an option that does not require either utility be extended; they have chosen to extend the water but not the sewer. The Kent County Health Department (KCHD) will need to review the project for its capacity to handle the septic systems for each lot.

Because sewer is not being provided but the project is within the Township's utility service boundary, Staff believes it is appropriate to have the developer enter into a Special Assessment Agreement for future sewer service for these homes.

The Township Engineer is reviewing the stormwater plan and will be providing comments by the Township Engineer, Staff and the developer have met and the plan appears to be acceptable. The Applicant will have to enter into an agreement for maintenance of the stormwater system. For other P.U.D. projects, the Township has incorporated the Stormwater Agreement into the P.U.D. Ordinance.

As with all of the Township's developments, the developer will be required to install an airport recognition statement in the deed restrictions. It would also go into the P.U.D. Ordinance.

The Applicant has not indicated any light poles or street trees on the plan and, historically, the Township does require street tree and has not required projects east of Buttrick Avenue to include street lights.

Planning Director Peterson referred to the outline of standards for the Planning Commissions' consideration.

Staff believes this project meets the requirements for rezoning to P.U.D. since the project meets the Subdivision Ordinance, is

consistent with the Master Plan and the Applicant is extending public water. Staff recommends approval of the plan with the following conditions:

1. Revise the plans to comply with the Township Engineer.
2. Obtain a soil erosion permit prior to any site work.
3. No mineral extraction from the site.
4. Incorporate the Stormwater Agreement in the P.U.D. Ordinance.
5. Approval from KCHD
6. Approval from Michigan Department of Environmental Quality (MDEQ) for the small wetland crossing at the entrance.
7. Provide an airport recognition statement in master Deed and P.U.D. Ordinance.
8. Provide a landscaping bond in the amount of \$12,800 for the street trees.
9. Show the easement for the neighbors' access on the plan and provide documentation of that easement.
10. Agree to participate in the future sewer special assessment district.
11. Have the name of the private street approved by KCRC
12. Provide a split rail fencing or other acceptable provision to identify the access to the school property. Deposit in escrow an amount equal to the cost to pave the path; pathway to be constructed when school property is developed.
13. Provide an evergreen tree buffer adjacent to the home at 2300 Buttrick Ave.

If the Planning Commission approves the plan, the developer would come back to the Commission with the P.U.D. Ordinance that would regulate the project for recommendation to the Township Board.

Chairman McDonald requested clarification of the Applicant's request. The Applicant is requesting the rezoning because the current ordinance states that the minimum square footage per lot is 100,000-square feet per site/lot due to the ARC Zoning and the Applicant is requesting the rezoning so they may go P.U.D. and R1 with a minimum standard of 80,000-square feet per lot. Planning Director Peterson agreed that is a good summary of the Applicant's request but noted that the developer has different options to choose from and is choosing the 80,000-square foot minimum.

Chairman McDonald asked the Planning Commission if they had any questions of Staff, being none he invited the Applicant to state his comments.

Applicant, - Doug Staalsonberg of Exxel Engineering, Inc. said that Staff summarized the project very well and noted that Chairman McDonald's summary at the end is accurate.

The 80,000-square foot, 2-acre, lot size was selected because John Koetje was the developer of the Sturbridge Project that is immediately east and adjacent to this property. Mr. Koetje has experience with the homes in this area and feels the 2-acre lot size is a benefit to the project. This is how the conclusion was drawn for the 80,000-square foot lot sizes and is basically market driven.

Applicant Staalsonberg also noted that the property is Master Planned R1 and to request a rezoning to R1 is consistent with the Township's requirements for development to the east of Buttrick Avenue.

He also noted that the project is providing public water and this is not a requirement of the Township and this is a decision that Mr. Koetje has made and this should be viewed as a benefit to allowing the project's rezoning.

The Applicant has met with the KCRC regarding the driveway into the development and does not have ideal site-distance on Buttrick. Mr. Koetje did not feel that this was the best location for the drive in servicing the thirteen (13) homes and he measured the site distance and said the best location for the drive is opposite of Ashton Drive and are proposing the entrance drive to the north and are looking into doing that. KCRC has also submitted a letter stating that these are their findings as well.

Regarding the Health Department, at least twenty-one soil borings have been taken from the property and have received verbal approval that the developer can obtain on-site septic for the thirteen (13) lots. He is expecting the formal letter from KCHD soon.

The MDEQ has received a letter regarding the wetlands on the property and noted the wetland crossing to gain site access opposite Ashton Drive. The crossing is at the narrowest point of the wetlands and have submitted their application.

The Applicant has submitted their request to the Township to extend the public water main. Brian Vilmont from Fishbeck has approved the request and it is now being passed onto the City of Grand Rapids for their approval of the utility extension.

Lastly, the Kent County Drain Commission typically would not be involved with a project like this since it is a condo unit and previously Fishbeck has supplied their comments and recommendations. The Applicant is not sure if the Planning Commission wants the Drain Commissioner contacted or if to proceed through Fishbeck. Brian Vilmont's letter does note that one of their engineers has met with the developer to discuss drainage options and is comfortable that one can be developed for this project.

Chairman McDonald opened the meeting for questions from the Planning Commission.

Member Lewis asked where the water is coming from and Applicant Staalsonberg said it is coming from across the street, on Buttrick. Member Lewis asked if Buttrick would be tore up to connect to the main and the Applicant said they may be asked to use a boring jack and roads are not cut open anymore and they will work the detail out.

Chairman McDonald asked if the Applicant or Staff know where the existing sewer line extends to and the Applicant noted that the existing sewer is at the entrance to Jonathan Woods, approximately 1,000-feet north from the property. Planning Director Peterson clarified that the sewer goes through the development from the west to the east.

Member Logue asked if due to the proximity of a future school, have they considered an additional pathway through the property for children to use coming from the south and east of the property. Applicant Staalsonberg noted the easement on the lot lines five and six that is approximately 800-feet of dense woods and the south parcel is large but he is unsure of placing a pathway there. Member Logue noted it is an unsure situation but may be considered now during the planning process.

No further questions from the Planning Commission.

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

Chairman McDonald invited the members of the public to express their comments regarding the project to the Planning Commission.

William Lowen, owner of the property south of the project site this is the same property referred to as the large parcel and also goes to the east. Mr. Lowen said he had a couple of questions. Planning Director Peterson spoke of an easement to the south and it is his understanding Staff is speaking of an easement to the school property to the property being developed, is this correct? There is not another easement that would go to his property, is there? Planning Director Peterson clarified that the easement would not go to his property and referred to the easement by lots one and thirteen. Member Lewis noted the proposed easement for water a water main around lot ten. Applicant Staalsonberg noted that possible easement is no longer applicable to the site as they have spoken with the engineer and referred Mr. Lowen to an update site plan.

Mr. Lowen also noted the considerable amount of water that flows from the east end of the property to the south and into his property and has concern that if the property is built up, he will have water problems. The Applicant noted the collection area that collects on the map and noted the flow of the water drains north and it will not back up onto his property.

Mr. Lowen asked if the wooded area would remain and the Applicant said it would, the trees would not come down.

Scott Hubert, 2298 Buttrick, has a drainage concern as well and noted where his home is located to the property and asked for clarification of the drainage easement. The Applicant noted the flow of the water towards his property and said either the Township Engineer or the Drain Commission would require them to have stormwater retention below ground and explained how the system would work and the approval process.

Mr. Hubert was also concerned with traffic safety and the turn and a dip in the road and has seen numerous accidents on the road. He is concerned with construction traffic along with the residents' vehicles. The Applicant noted that he did mention previously that they met with the Road Commission and the current entrance is the ideal location coming off of Buttrick and allows for 500-feet of sight distance both ways. The Road Commission will advise on deceleration lanes and Mr. Hubert asked if the property owner's driveway is going to be impeded due to the deceleration lane; the Applicant said that Kent County will allow for his driveway. Mr. Hubert noted that his family bought their house to move out of a subdivision and get away from them and purchased their land because this property's previous owner had horses on her land.

Now the area is becoming developed and he is concerned with the traffic and noise being brought into the area. He is also concerned with how many of the units he will see from his property and how close to his property can the owners build. The Applicant noted that most homes would probably be built in the center of the boundaries but the owners can choose to place their homes anywhere within the boundary and clarified that the homes cannot be built any closer than 25-feet to the rear of the property lines. Planning Director Peterson noted that the setbacks are the same for any zoning district, not just applicable for this type of zoning.

Mr. Hubert asked if the Township has ever considered a low-impact development. Planning Director Peterson noted that when the options were developed for the Subdivision Ordinance, the Township has tried to address this by noting that if a developer were not going to do urban forms of development, they could still develop the property but require larger estate lots, which is essentially what the Applicant has chosen the Township's lowest density in an R1 Zoning District that is allowed.

Joe Babiak, 7968 Ashwood, said he was concerned with the intersection but it sounds like KCRC will handle. He is also concerned with the development impacting his water pressure to serve the additional 13-units. Planning Director Peterson assured that the Township's Engineer will address any impact on the water pressure to the current residents.

Mr. Lowen asked if this is the specific design that is being approved this evening? Planning Director Peterson believes that if the project is approved it would probably look very similar to that shown this evening.

Carrie Hayes, 2296 Buttrick, expressed her concerns with children riding their bikes and walking to a possible new elementary school Forest Hills Public Schools were to build on their property. She asked if there is anything the Township could do regarding slowing the speed limit down in that area? Planning Director Peterson said that the KCRC and state police have control over the speed limits on the roads. He noted that the current traffic count of Buttrick is about 3,000 to 4,000 cars per day. Chairman McDonald recommend Mrs. Hayes write a letter to the Road Commission expressing her concerns.

Carol Twist, 2594 Buttrick, said she does not want to see another development go in, there are plenty of developments and too much traffic.

Mr. Hubert asked if Michael Tobin's driveway would have a buffer zone from his entrance and the development's entrance. He asked the developer to consider widening the buffer area and plant additional trees to help block the development.

No other public comments.

Member Robinson motioned to close the Public Hearing, supported by Member Lewis. All were in favor of closing the Public Hearing with none opposed. Public Hearing closed.

Chairman McDonald opened the meeting for discussion or a motion.

Member Lewis said he understands the neighbors' concerns with water, sewer and traffic as the Planning Commission has heard these concerns with other developments. He noted how lucky the neighboring property owners are to have a low density project like this, 13-units on thirty-three (33) acres, going in next to them versus some of the other developments that have gone in. He favors low-density such as this project is proposing and supports being done as a P.U.D. because once a P.U.D., the lots cannot be split in the future to add more units; what you see is what you are going to get. He noted the planner made a good presentation in noting the transition from what is across the street from this development, what this project offers into the ARC Zone. He favors this landowner's development into low density and not hurry the time to build another school and hurry the school busses and another fire department. This is a very low-density project and is in favor of this presentation as it was presented.

Member Robinson said he also agrees with the comments made by Member Lewis.

Chairman McDonald asked for a map of the current ARC and noted that a lot of ARC has disappeared in the past few years. Planning Director Peterson noted the Master Plan area that shows R1, though not all of the property has been developed into R1. He would be more concerned if the property were east of the area planned to change to R1.

Planning Director Peterson also noted, to address one of the public member's concerns, that developers in the past have been asked to help shield housing with additional trees and landscaping. Member Logue also noted that vehicles traveling along the road

may have headlights that shine into the house at night. Planning Director Peterson noted the house of concern and its proximity to the property line and believes some evergreens could help shield the headlights. He believes Staff could work this out with the Applicant before it comes back to the Planning Commission.

Member Koessel said he supports what Member Lewis stated earlier because, those public members in attendance do not realize how fortunate they are to have a project with this low of density, the Applicant could essentially put many more homes on the property. He noted that once the P.U.D. is approved, the property will not change and will remain at thirteen (13) lots. The rezoning is also in the Master Plan and was Master Planned at R1 and asked Mr. Koetje if he would plant some trees along the one property line, Mr. Tobin's house, that has been discussed. Mr. Koetje said he would plant the additional trees.

Member Koessel motioned that the Planning Commission send a favorable recommendation to the Township Board for the rezoning to P.U.D. for the 13-unit single-family residential site condominium development with the twelve (12) conditions listed by Staff, supported by Member Robinson with the addition of a thirteenth condition:

- **The Applicant will add additional trees along the Tobin property.**

Chairman McDonald opened to discussion of the motion. Member Logue believes that now is the time to address the school access through the property as this could create an impact. Member Koessel believes that there is an easement to the north of the property and asked where the potential pathway would go. Member Koessel noted the easement to the east of the project on lots five and six. Planning Director Peterson believes Member Logue is proposing an easement east and west to school if a school were ever built.

Chairman McDonald requested a vote on the motion, **all in favor with none opposed. Motion carried.**

Member Lewis noted the great questions that came out in tonight's meeting and said the Township will be developing the Master Plan and encouraged them to attend meetings regarding the Master Plan and commended them for their interest in the development of Cascade Township.

Chairman McDonald noted to the Public that another Public Hearing would be held at the Township Board Meeting and they would have another chance to voice their input.

ARTICLE 7.

Any Other Business

Chairman McDonald opened the meeting for any other business noting the items on the agenda.

KCRC Five-Year Road Improvement Plans: Planning Director Peterson said he included a summary of the Road Commissions Five-Year Road Improvement Plan within the packets.

Member MacAllister asked when the new traffic light would go in at 36th Street and Thornapple River Drive and Planning Director Peterson said this summer. Member MacAllister asked if anyone has spoken with the Road Commission regarding sidewalk integration and Planning Director Peterson said that we have had those discussions and they do not install new sidewalks with a road reconstruction project unless the local unit pays for them.

Member Logue noted the traffic light in trying to turn left from Burton onto Cascade Road, Member Koessel also noted the sequence of lights on Hall and Spaulding. Planning Director Peterson said he would bring it to the Road Commission's attention.

ARTICLE 8. Adjournment

Chairman McDonald requested a motion for adjournment.

Member Lewis supported by Member Robinson moved to adjourn. The motion carried and the meeting was adjourned at 8:32 p.m.

Respectfully submitted,

Jack Lewis, Secretary

Lisa Hern, Recording Secretary