

## MINUTES

Cascade Charter Township Planning Commission  
Tuesday, January 18, 2005  
7:30 pm

**ARTICLE 1.** Chairman Goldberg called the meeting to order.  
Members Present: Goldberg, Koessel, Lewis, Logue, MacAllister,  
McDonald, Postma, Robinson  
Members Absent: Richards (excused)  
Others Present: Planning Director Peterson, Planner Deem;  
Admin. Assistant Thompson and those listed on Supplement #1.

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

**ARTICLE 3.** **The agenda was approved on motion by Member Robinson and supported by Member MacAllister. The motion carried.**

**ARTICLE 4.** The Minutes of the January 4, 2005 meeting were corrected on Page 6, Paragraph 1, the second sentence shall read: "Mr. Whitbeck responded no,". With that correction, **Member Lewis supported by Member McDonald moved to approve the Minutes. The motion carried.**

**ARTICLE 5.** **Case #04-2685: Yvonne Dodgson**  
*(PUBLIC HEARING)*

The applicant requested to amend her Special Use Permit to build a 1,320 s.f. accessory building instead of the 1,200 s.f. building that was previously approved. The property is located at 5570 Alaska Avenue.

Planner Deem related the applicant received a Special Use Permit on November 15, 2004 for a 1,200 s.f. accessory building. The applicant would now like to build a larger building. She is proposing a 1,320 s.f. building, an increase of 120 s.f. When this request was before the Planning Commission previously, the main issue was the number of accessory buildings on the property. The applicant created a lot split (as required by the Township) and now has the proper number of accessory buildings on the property. This request came about when the applicant applied for the building permit and the building inspector noticed the increase in square footage. Staff has been in contact with the applicant.

(Member Koessel entered the meeting at 7:03 pm).

Planner Deem related included in the packet is a survey showing the location of the accessory building at 58 feet from the front yard setback. It is required by ordinance to be setback even with the house. On site inspection, Staff saw construction was begun without a building permit. While inspecting the site today, it appears that the location of the accessory building is too close to the front yard setback and not behind the house where it was originally approved. A stop work order will be issued tomorrow by the Building Department. The findings of fact have not changed from the previous Staff Report. Planner Deem then went through the findings of fact as found in the Staff Report. Planner Deem related in speaking with the applicant, she believes the building is behind the front line of the house. Staff feels that if this is true, the applicant would have to provide a survey showing the location of the house and that the accessory building does meet the setback requirements. Staff feels the building needs to be moved in order to meet the setback requirements. In either instance, a new survey needs to be supplied to the township.

Planner Deem recommended approval of the Special Use Permit contingent upon: 1) meeting the Township Ordinance for setback with a survey being supplied; or that the building be moved to comply with the setbacks; and, 2) that the building not be involved directly, or indirectly with any business, trade, occupation or profession.

Chairman Goldberg asked if Staff's recommendation has been communicated to the applicant. Planner Deem responded no, it has not. He inspected the site today and traded voice mails with the applicant. It was obvious that the house was farther back off the road than the accessory building.

Chairman Goldberg related the survey provided has the building location on it and it looks as though a little of the building projects behind.

Member Lewis asked what is the setback supposed to be. Planner Deem responded the building should be in the side yard or setback 200 feet if it is in the front yard. The survey shows the location of the house as being 63 feet off the set back. The minimum setback for the accessory building would be 63 feet.

Chairman Goldberg asked what stage of construction the building is in. Planner Deem responded the posts are in the ground and trusses for the roof are there.

Member McDonald asked how far do you think the building needs to be moved. Planner Deem responded five feet.

The applicant, Mrs. Dodgson of 5570 Alaska Avenue, was present. Mrs. Dodgson related she applied for the Special Use Permit in October and it has been a real ordeal for herself and her builder. She had never done this before. She stated every time we do something we run into something else. Josh (her builder) has not had much experience either. He got one building permit before this. She is very sorry with the situation she is in now. Mrs. Dodgson explained what happened with the survey. The utilities are located on the property line. In front of the house there is a telephone jack, in front of the garage is a telephone pole and that is further toward the road. She thought the pole was 66 feet from the front line. She believes it is only three feet off. The survey shows it at 1/32 of an inch. In looking from the house, it looks like the accessory building is a little bit over but the house is slanted on the property. It is real close.

Chairman Goldberg asked Mrs. Dodgson to address the size change. Mrs. Dodgson related she parks her truck in the attached garage. She noticed in walking through the garage she could hardly get past the truck and felt the building should be bigger. That is the reason she changed the size of the garage and added four feet on the back. When Josh came to get the building permit, he told them the size was changed. The Building Department sent them back to the Planning Commission. Mrs. Dodgson related they are not trying to pull "a fast one" but are dumb about these things and were not aware of the process. They have nothing that tells them what to do next. She did not realize she had to get a survey. There are so many things she does not know. Mrs. Dodgson apologized.

Member Lewis asked did you have a survey done when you bought the property? Mrs. Dodgson responded yes. She related she does not believe the building location is so far off that it will bother anyone. Mrs. Dodgson presented letters from neighbors that are in favor of finishing the building where it is. (The letters are from Chris and Kim Branoff at 5711 Alaska Avenue, Mark and Nancy Curtis of 7501 Alaska Ridge and Scott and Mary VanderVeen of 7550 Alaska Avenue all in favor of the building in its present location).

Member McDonald asked Mrs. Dodgson if she asked the Building Department about what the process was? Mrs. Dodgson responded she did not receive anything. She related there ought to be

something in writing. She has a horse farm there with lots of buildings and barns. This garage is going to fit in very well. She is hoping that she can get it built. She is anxious to use it.

Member MacAllister asked what materials the building will be constructed of. Mrs. Dodgson responded steel siding with cedar trim. It will be brown like the other buildings. The house is cedar. The building will have shingles like the house.

Member MacAllister asked if the drive to the building would be paved. Mrs. Dodgson responded yes. She has extra big windows for the building. She has 4' x 4' windows and some double ones and a 5' x 8' window which will let a lot of light in. There be not be water in the building, just electricity. The garage door faces the road and is going to match the garage door of the attached garage to the house. She wants it to look real nice.

Chairman Goldberg asked the Staff related the correct stage of construction. Mrs. Dodgson responded yes. They stopped when they did not get the building permit. They left the post hole open for the building inspector. They just got a little ahead of themselves.

Member Robinson asked Staff if they started construction before getting a building permit? Planner Deem responded yes.

Mrs. Dodgson related she does not have a building permit yet.

**Member MacAllister supported by Member Lewis moved to open the public hearing. The motion carried and the public hearing was opened.**

The three letters Mrs. Dodgson brought from the neighbors were presented for the record.

There being no one to present to speak on the matter, **Member Robinson supported by Member McDonald moved to close the public hearing. The motion carried and the public hearing was closed.**

Member Koessel related it seems to him we have a practical matter and also have one that needs to go the Zoning Board of Appeals. He asked if that would be the proper procedure. He sees a need for a new, or revised, Special Use Permit for the size and then a front yard setback variance. Planner Deem related the survey attached to the Building Permit application shows the setback being met.

Member Koessel related we either have to make a decision to move the building back or go to the Zoning Board of Appeals. Planner Deem related the Special Use Permit could also be tabled until it has been before the Zoning Board.

Member Koessel related it might be more expeditious to do it that way. They already have posts in the ground and trusses up. Planner Deem related in the past, the Township has made people take down buildings that have been started without a permit.

Chairman Goldberg related it seems if we were to approve the change in size and require that the building be constructed in accordance with the ordinance, it can take one or two forms: either be in conformity or apply for a variance.

Member Robinson related if we do that it is up to the applicant to decide. If they don't get a variance, they will have to move the building.

Member Lewis asked the applicant how flat is the land behind where your building is going to be. Can you move it back without going down hill. Mrs. Dodgson responded it goes down there. It would have to be filled to move the building back.

Member Lewis related that might be a special condition. It may be a reason why that building can't be moved back. That could be a problem at the Zoning Board of Appeals level. Member Lewis related he feels very sorry about what has happened. He has no problem with the increased size of the building. The Ordinance has to be followed unless there is an exceptional circumstance. If we allow this applicant to leave the building where it is, it becomes precedent setting and that is the difficulty.

Mrs. Dodgson related you do have some garages in front of homes. She asked did those went to the Zoning Board. Member Lewis responded each time we allow one to go through the Zoning Board we run into a precedent setting effect.

Chairman Goldberg related he shares the concern about possibly having to move the building. It would be an expense.

Member McDonald asked would it be feasible for us to approve the larger building and the applicant meet the setback. Mrs. Dodgson's builder related that is rather hard to undo. Mrs.

Dodgson asked what about if we moved the posts and took the wall back?

Member Robinson asked how many posts are there. Mrs. Dodgson's builder responded they are eight feet on center. Then it is going to be downhill a long ways in the back.

Planning Director Peterson related it is acceptable to approve the addition and require the applicant to comply with the Zoning Ordinance.

Member Goldberg related he is reluctant to put the burden on the Zoning Board of Appeals.

Member Robinson related that is what the Zoning Board of Appeals is there for.

Member Koessel related in looking at the drawing and listening to the applicant talk, the house is tilted a little. According to the survey, a portion of the house is setback at 63.1 feet and the other portion is setback 65 feet. He asked what is the distance in front of the accessory building right now. Mrs. Dodgson responded it is 66 feet from the telephone pole. Mrs. Dodgson then spoke about putting the new building on the parcel with all her farms buildings.

Chairman Goldberg related nobody knows how far the building is set back.

Planner Deem related to put the accessory building on a parcel with no principle building is not allowed.

**Member Robinson supported by Member MacAllister moved to approve the applicant's request to construct a 30' x 44' accessory building at 5570 Alaska subject to the following conditions: 1) the applicant meet the Township ordinance for front yard setback ; 2) the building not be involved, directly or indirectly, with any business, trade, occupation or profession and 3) any lighting for the building be downcast.**

Member Lewis related he would like to add another condition onto the motion which was part of the discussion: **4) if the applicant decides to go to the Zoning Board of Appeals, we have an actual measurement (survey) so we know exactly where the building is located.**

**The amendment was accepted by Member Robinson and Member MacAllister. The motion carried.**

**ARTICLE 6.**

**Case #04-2694: Trane West Michigan**

The applicant requested site plan approval to construct a new 63,000 s.f. facility on Lots 29 and 30 of the Meadowbrooke Business Park.

Planning Director Peterson related the property is located on the southwest corner of Corporate Exchange and Corporate Grove Boulevards. The building is proposed at 63,000 s.f. and would house an industrial operation, warehouse, and assembly. The building complies with the setback and landscaping requirements. Planning Director Peterson is asking for a landscape bond in the amount of \$15,000. The property is accessed by three locations which have been approved by the Kent County Road Commission. The Fire Department has reviewed and approved the site plan. The Township Engineer has reviewed and approved the site plan with a few minor technical items. The applicant has submitted a lighting plan in compliance with the Township regulations. A copy of the Meadowbrooke Review Board minutes are in front of you. The only change is Item #3 regarding construction materials.

Planning Director Peterson recommended approval of the site plan with the conditions listed in the Staff Report.

Chairman Goldberg asked about the area marked deferred parking on the rear of the site. Planning Director Peterson related we try to have the applicants identify the spots where deferred parking is.

Chairman Goldberg asked by stating deferred parking on the plan, would we be approving those future plans. Planning Director Peterson related that is what we would be doing.

Member MacAllister asked if there is a landscaping plan. Planning Director Peterson responded yes, it is in your packet. He presented the landscaping plan. He related the Meadowbrooke PUD was written in the late 1980's and our standards for parking were different then.

Gina Paul of Integrated Architecture represented the applicant. Ms. Paul related the building is two-story (27 feet tall) with a small mezzanine for office space. The front two shorter pieces of the building will be used for office and a small retail area. The upper two story portion will house light manufacturing and assembly and warehouse. This company takes parts and pieces and assembles

them at that location. Ms. Paul pointed out the two areas for deferred parking. She related the owners preferred not to have that many spaces. There are 102 spaces shown on the site plan. They would like the deferred areas approved as part of this site plan.

Nathan Vriesman of Prein & Newhof related the Meadowbrooke Review Board will not allow us to use any metal on the front or sides of the building. They will probably be using a pre-cast concrete or dryvit.

Planning Director Peterson related the footprint of the building is staying the same but the mezzanine makes the difference in size. Mr. Vriesman responded yes, when all the totals are added it comes to 68,000 square feet.

Planning Director Peterson related the building is set back 50 feet off the property line and 25 feet of that can be used for parking. This site plan is in compliance with the Township standards. The only question is the smaller amount of deferred parking.

Chairman Goldberg related the site plan shows 101 spaces, 26 spaces short. The applicant is requesting not to build those at this time. He also sees nine deferred spots in the back. He asked if the other spaces would go in the area where it says "deferred lot"? Ms. Paul responded yes.

Planning Director Peterson related that is sufficient to accommodate the 26 spaces. We always encourage deferred spaces. It is at the applicant's discretion to build the deferred parking.

Chairman Goldberg asked Staff if he agrees with the applicant showing the nine spaces on the north side of the property. Planning Director Peterson responded no. These spaces would have to be re-located to an acceptable location, such as along the front of the building.

Chairman Goldberg asked if a revised plan is needed. Mr. Vriesman responded we have met the PUD requirements for Meadowbrooke. He read a portion from the PUD ordinance which addresses side and rear setbacks shall be no less than 25 feet. Parking in the side and rear setbacks shall be allowed if necessary. As for the deferred parking, if you request it, the same section says upon a determination of the Meadowbrooke Review Board and the Planning Commission, up to 25% may be held in reserve. Mr. Vriesman related they have 40 spaces in reserve.



Ms. Paul responded they would like to have the ability to have the future building addition approved at this time. Planning Director Peterson related we have never done that. We have never approved future plans. He suggested putting nine spaces on the ends of the parking aisles.

Member Lewis related we are talking about Meadowbrooke Business Park requirements. He asked aren't we here to satisfy the Township requirements? Planning Director Peterson related that's right. The Meadowbrooke Business Park PUD is a Township requirement just for the Meadowbrooke Business Park.

Member MacAllister asked for clarification of what needs to be approved tonight. Planning Director Peterson responded this group always approves the projects that come in for the Meadowbrooke PUD.

Member McDonald asked Staff if he would you add any other conditions. Planning Director Peterson related you could add a condition that any deferred parking be re-located to a compliant location.

Member MacAllister asked would it make sense to revisit the Meadowbrooke PUD and make changes? Planning Director Peterson related no, normally the request for changes comes from the owners. Otherwise, it would have to be initiated by the Township and some of those owners may not want any modifications.

**Member McDonald supported by Member Lewis moved to approve the site plan as indicated with the following stipulations: 1) the applicant submit a landscape bond in the amount of \$15,000; 2) the applicant combine Lots 29 and 30; 3) the applicant comply with the Township Engineer's letter dated Jan. 13, 2005; 4) the applicant apply for and receive a soil erosion permit prior to construction; and 5) any deferred parking be in locations approved by Staff.**

Member Robinson related he believes there is some misunderstanding about future parking.

**Member McDonald added a condition #6) future building expansion is not included in this site plan approval.**

Member Koessel asked for clarification on the square footage of the building. Planning Director Peterson responded the building has a 63,000 s.f. footprint but with the mezzanine level it has a usable square footage of 68,000.

**The motion carried.**

**ARTICLE 8. 2004 Planning Department Annual Report**

The annual report was received and filed.

Member McDonald asked about the Homeyer Trust. Planning Director Peterson responded we were invited to write a grant proposal. The Township was successful in getting that. The Homeyers put in \$500,000 (depending on how the trust performs in the years ahead) and the Township Board agreed to match that sum. In order to get the grant, we had to submit a proposal of how we would plan to spend the money. It is to preserve natural areas. Properties have been identified.

Member McDonald asked if there is any type of time table for proposed property maintenance code. Planning Director Peterson responded there is a committee through some neighborhood associations working on it.

Member Lewis asked for clarification about evaluating properties for park use as reflected in the Annual Report. Planning Director Peterson responded earlier last year the Park Committee conducted site visits of several township owned properties for potential park use. The Park Committee determined none of the properties were suitable for a park.

**ARTICLE 7. 2005 Work Plan**

Planning Director Peterson related this work plan is similar to last year's. Staff has attempted to put together a reasonable list of items to accomplish.

Member Lewis related he would like to review the Special Use Permit process and avoid future problems such as our applicant experienced this evening. Planning Director Peterson related that applicant was given written procedure sheets which are given to all Special Use Permit applicants. He would be glad to put those in the next packet for the Commissioners' information.

Member MacAllister related she would like to review sustainable developments and find out what is going on in other townships. Planning Director Peterson related there is a plan for that included in the Subdivision Ordinance. Member MacAllister related she would like to pursue the larger picture including pedestrian traffic, development of land and alternative energy. Planning Director Peterson related we address many of those issues now with our current plan.

Member MacAllister asked what is the time frame for the Master Plan. Planning Director Peterson related we passed our five year limit a couple of years ago and determined we did not need to do a major update. The Master Plan is reviewed every five years. The next review will be in 2008.

Member MacAllister asked if there is anything else we can do about banner signs to help educate compliance. Planning Director Peterson related we have written several letters to our commercial areas to educate them. The banner signs are always going to be a problem. Applicants are told about our sign rules when they make application. Articles are put in the newsletter, and we inform all owners and tenants of commercial properties every few years of our sign regulations.

Member Lewis asked about the construction sign at Noto's restaurant. Planning Director Peterson responded they have a permit for that. They are allowed one construction sign 30 days before until 30 days after construction.

Member Lewis asked if sidewalks should be added to the work plan. Planning Director Peterson related we have an adopted sidewalk plan.

Member Robinson related he has two concerns: 1) there are numerous used cars for sale in parking lots; and 2) noise ordinance. Planning Director Peterson related both of those are general ordinances that do not come through the Planning Commission. The Township Board did adopt the noise ordinance.

Member Robinson asked about the size of parking spaces. Planning Director Peterson related our minimum is 9' x 18'. The bigger spaces you have the more it would conflict with stormwater detention. Chairman Goldberg asked that be put on the work plan for review. He noted the parking spaces at Costco are spacious. He further noted with more people driving bigger vehicles the space size may have to be increased.

Member Postma asked about underground storage for storm water. Planning Director Peterson related we are seeing a few more of those systems, they are becoming more common.

Member MacAllister asked what the zoning is for the area where the 36<sup>th</sup> Street interchange will go. Planning Director Peterson responded it is industrial. That area is impeded by the flight path and topography making it difficult to develop. Member MacAllister asked if there is any plan to revisit the zoning there. Planning Director Peterson related that was done in the Master Plan process. The township was part of the study team and analysis to provide input on that whole process.

Member Logue asked if there is any support for dry hydrants in rural areas. Planning Director Peterson related Old Elm has an underground cistern on top of the hill for fire fighting purposes.

Member Logue related he would like to know what the Fire Department stand is on that. Planning Director Peterson related that is part of site plan review by the Fire Department.

Member Logue asked about an alternate bridge across the Grand River for another north/south corridor. Planning Director Peterson related that is in the very preliminary stage. The township is working with the Grand Valley Metro Council on that issue. Member McDonald related he is opposed such a proposal due to destruction of sensitive areas.

Member McDonald related there is an over flow of water from the Pulte Development on Burton Street flowing on the Forest Hills School property. The Forest Hills Administration building has been unable to use their parking lot. He encouraged everyone to be more strict with these developments. Planning Director Peterson related the issue with Pulte was with the extension of utilities and not the development itself.

Member Koessel related in early March and in September a joint meeting will be held for all the Township Boards and Commissions.

Member McDonald asked Staff if he has heard anything from Ada Township about continuing the bike path to downtown Ada. Planning Director Peterson related he has not heard anything about that.

**ARTICLE 9. Any Other Business**

Members Lewis and Robinson related the Cascade Community Foundation is doing fundraisers. They have a proposal from Viacom (the billboard people) to do three billboards for the CCF for a three week period of time. The foundation is considering that proposal.

**ARTICLE 10. Adjournment**

**Member Lewis supported by Member McDonald moved to adjourn. The motion carried and the meeting was adjourned at 9:10 pm.**

Respectfully submitted,

Tom McDonald, Secretary

TMD:MJT