

MINUTES

Cascade Charter Township Planning Commission
Monday, February 1, 2010
7:00 p.m.

ARTICLE 1. Chairman Waalkes called the meeting to order at 7:00 p.m.
Members Present: Waalkes, Hammond, Logue, Pennington, Sperla, Williams.
Members Absent: Lewis (excused), McCarthy (excused), Robinson (excused).
Others Present: Township Planning Director Peterson, Recording Secretary Hern and Members of the Public.

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

ARTICLE 3. Approval of the Agenda for the February 1, 2010 Planning Commission Meeting.

Chairman Waalkes requested a motion for the approval of the February 1, 2010 Agenda.

Motion was made by Member Sperla and supported by Member Hammond to approve the Agenda as presented. Motion carried unanimously.

ARTICLE 4. Case # 10-2983: Farmland Preservation Amendments/ Rezoning

Requested Action: Consider amendments to Zoning Map and Zoning Ordinance for the new Transitional Industrial Zoning District

(PUBLIC HEARING)

Planning Director Peterson displayed a map of the area, noting the part of Cascade Township that connects to a Farmland Preservation District in Lowell.

This project was developed as a result of last year's Master Plan and a Farmland Preservation District was one of the concepts derived from the Master Plan. The District would allow property owners in the district to take advantage of government programs that are available, such as the Purchase of Development Rights Program. Included within the Commissions' packets is a copy of a letter from the county that notes Cascade Township residents are now eligible to apply for the program.

Planning Director Peterson noted that the Planning Commission last discussed this project at the December 7, 2009 Planning Commission Meeting. At that meeting, the Commission held an Advisory Public Hearing to explain the proposal and get input

from property owners. The meeting was well attended and the idea seemed to be well received. Based on that fact, Staff has not made any changes to the amendments since that time.

Planning Director Peterson noted the amendments include both the Zoning Map and the Zoning Ordinance with the intent to mimic the underlying Agricultural Zoning that already exists.

The big change in the Subdivision Ordinance was the aspect of still allowing for the development to occur as it currently does in the ARC with some component of open space but now the Farmland Preservation would require some component of Farmland Preservation for the open space.

In regards to calculating density, it is the same formula that is used in the ARC today; just the open space component changes it from Open Space to Farmland Preservation.

Private streets are required to be treated as special land uses and would have to come before the Planning Commission for approval. Currently private roads are an allowed use permitted by right.

Since the Public Notices have been distributed, the Township has received a few phone calls with questions that staff has been able to answer.

Staff is recommending that the Commission forward to the Township Board the amendments to the Zoning Map and Zoning Ordinance as presented.

Member Pennington recalled some residents that expressed an interest to be included within the district in the area south of 52nd Street. He asked if their request was considered or if they need to come into the Township Offices and request rezoning? Planning Director Peterson said that the Township's Zoning map changes were based on a county map done by the Grand Valley Metro Council and the Master Plan map, so no changes were made to the proposed district.

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

Property owners by Quiggle Ave. and Cascade Rd., noting the property on the map, said their concern is with the Farmland Preservation Zoning as he bought the land to develop as residential in the future.

Planning Director Peterson noted that the land can still be developed into residential and the only difference with the Farmland Preservation is that today, is that there must be some component of Farmland preservation for open Space. The unplatted lot splits remain the same at 100,000-square feet.

Tom Rooks of 9244 36th Street asked if tree farms are included within the Farmland Preservation? Planning Director Peterson state they we are not proposing to change the definition of a farm, so if it meets our definition that a tree farm woud qualify.

Member Pennington motioned to close the Public Hearing supported by Member Hammond. All in favor, motion carried. The Public Hearing was closed.

Motion was made by Member Sperla to forward to the Township Board a favorable recommendation to approve the amendments to the Zoning Map and Zoning Ordinance for a new Farmland Preservation District and supported by Member Pennington. Motion carried unanimously.

ARTICLE 5.

Case # 10-2984: Transitional Industrial Amendments/ Rezoning

Requested Action: Consideration of amendments to Zoning Map and Zoning Ordinance for the new Transitional Industrial Zoning District

(PUBLIC HEARING)

Planning Director Peterson noted this case is a product of the Master Plan noting that the Township only had one (1) Industrial District and comments heard was for providing some flexibility in these areas based on the economy and different things happening in the market.

Staff has received input from property owners and based on the comments have made a couple of changes to the proposed Ordinance language for the proposed Transitional Industrial Zone.

The areas considered for rezoning include the area on the north side of 36th Street, north and south sides of 33rd Street and Kraft Avenue between 36th Street and I-96 along with one small area on the south side of 52nd Street between Patterson and Kraft Ave. The area by 52nd Street is considered Meadowbrooke that has mixed uses already and has been used as a positive development in regards to regulations for mixed uses.

One of the changes is to reduce the lot size from 2-acres down to 1-acre in the Transitional Industrial District.

The setbacks have been changed with the front setback going from 100-feet to 50-feet, side yards would remain at 25-feet and rear yards being reduced to 25-foot setbacks as opposed to the 50-foot in Industrial Zoning. The minimum lot width has been reduced to 100-feet as opposed to 200-feet.

Other changes that Staff has made include the limited amount of area eligible for the non-office/industrial uses (i.e. retail, services, and restaurant uses). Staff has changed the areas that are eligible for these uses by restricting them to two (2) key intersections, Kraft Avenue and 36th Street and Kraft Avenue and Patterson Avenue. Staff is proposing that it be limited to an area within a 1,000-foot radius of those intersections and has provided a map showing the result. This change was made based on input received over the concern that this could redevelop as a new retail corridor. Since that was not the intent, Staff wanted to limit the amount of non-industrial/office uses to only a couple of areas, which is in line with what some of the Master Plan comments that were received.

Staff has also eliminated the prohibition on presses over 20-tons. Rather than make it a Special Use Permit, Staff proposes the Commission removes that language. Based on the input received and learning that several businesses already exceed that amount and the fact that the Township has never had a complaint, Staff believes it can be removed.

Staff has also updated the Major Street Map to include new 36th Street and M-6. Not only should the map be updated but the property east of Kraft Avenue on 36th Street would also be eligible under the Key Intersections.

Within the Planning Commissions' packets are Public comments the Township has received.

Staff recommends a favorable recommendation to the Township Board for approval of the amendments to Zoning Map and Zoning Ordinance for the new Transitional Industrial Zoning District.

Motion was made by Member Sperla and supported by Member Logue to open the Public Hearing. Motion carried unanimously and the Public Hearing was opened.

Tarence Lauchie, 3333 Kraft Avenue, said he is planning to open a coffee shop in the shared building with a church located on 33rd Street and Kraft Ave. and asked if this would still be a permitted use. Planning Director Peterson noted that it would not since the area is not within 1,000 feet of the key intersection 36th and Kraft.

Member Hammond supports the 1000-foot radius at major intersections as 36th and Kraft is becoming very congested and is in favor of reviewing a smaller radius at 33rd Street and Kraft Ave.

Member Williams questioned if Kraft Ave. could be more of a corridor and Chairman Waalkes supported noting that it keeps the industrial by the airport. This would allow the properties along Kraft Avenue and 33rd Street down to Glenwood Hills Parkway to be included in the Transitional Industrial Zoning.

Motion was made by Member Hammond and supported by Member Sperla to close the Public Hearing. Motion carried unanimously and the Public Hearing was closed.

Member Sperla summarized that the Commission is supporting two areas that would allow the retail, service, restaurant, etc uses. These areas would be the corner of Patterson and 36th and the Kraft ave frontage from 36th St to Glenwood hills. He questioned if the Kraft Avenue Corridor would be based on frontage and Planning Director Peterson said yes.

Motion was made by Member Hammond for a favorable recommendation to the Township Board to allow the amendments to Zoning Map and Zoning Ordinance as discussed supported by Member Sperla. Motion carried unanimously.

ARTICLE 6.

Any Other Business

Planning Director Peterson noted that the next Planning Commission Meeting is scheduled Tuesday, February 16th.

ARTICLE 7.

Adjournment

Vice-Chairman Waalkes requested a motion for adjournment.

Motion was made by Member Sperla and supported by Member Hammond to adjourn. Motion carried unanimously and the meeting was adjourned at 8:12 p.m.

Respectfully submitted,

Al Pennington, Secretary

Lisa Hern, Recording Secretary