

**CASCADE CHARTER TOWNSHIP
PLANNING COMMISSION**

**MONDAY, April 7, 2025
6:00 PM**

ARTICLE 5.

Approve the Minutes of the March 10, 2025 Meeting.

MINUTES
CASCADE CHARTER TOWNSHIP PLANNING COMMISSION
SPECIAL MEETING
MONDAY, March 10, 2025
5:30 pm
2870 Jacksmith Ave SE

- ARTICLE 1.** Chairman Rowland called the meeting to order at 5:30 pm.
Members Present: Korstange, Kraemer, Rowland, Cribbs
Members Absent: Bruneau, Midol (Excused)
Others Present: Community Planning and Development Director (CP&D Director) Andrea Hendrick, Planning Assistant Nick Govan.
- ARTICLE 2. Pledge of Allegiance to the Flag**
- ARTICLE 3. Approve the current Agenda**
Motion was made by Vice Chair Kraemer to approve the current agenda. Supported by Treasurer Korstange. Motion carried 4 to 0.
- ARTICLE 4. Disclose any Conflict of Interest**
There were no conflicts of interest.
- ARTICLE 5. Approve the Minutes of the January 20, 2025 Meeting.**
Motion was made by Vice Chair Kraemer to approve the Minutes of the January 20, 2025 meeting. Supported by Treasurer Korstange. Motion carried 4 to 0.
- ARTICLE 6. Acknowledge visitors and those wishing to speak.**
There was no one wishing to speak.
- ARTICLE 7. Case #24-3881 – Set Public Hearing for 1701 Spaulding Zoning Map Amendment**
Applicant: Cascade Charter Township
Property Address: 1701 Spaulding Ave SE
Parcel Number: 41-19-06-327-016
Requested Action: Set Date for Public Hearing on Zoning Map Amendment.
- Community Planning and Development Director Hendrick presented information regarding the 1701 Spaulding zoning map amendment. Director Hendrick explained that after the Planning Commission Meeting in November related to an amendment to the PUD it was concluded that the original requirements of the Planned Unit Development (PUD #97) approved in 2017 were never fulfilled by the developer. After consulting legal counsel, the Township recommended rezoning the property back to its original Agricultural Rural Conservation classification. The Township Board had recommended on February 26, 2025 that the Planning Commission set a public hearing for the review of township-initiated rezoning.
- Director Hendrick proposed an April 7, 2025 public hearing date, noting this would give enough time for noticing and reaching out to the owner of the property.

She also noted the previous applicant for the amendment had withdrawn from the project.

Motion was made by Treasurer Korstange to set the public hearing date for April 7th for 1701 Spaulding Zoning Map Amendment. Supported by Member Cribbs. Motion carried 4 to 0.

ARTICLE 8. Acknowledge visitors and those wishing to speak.

There was no one wishing to speak.

ARTICLE 9. Other Business

- MSU Extension Training

Director Hendrick informed Commissioners of available parliamentary procedure training and future legal mini-sessions. Members Rowland and Korstange discussed the importance of careful commentary during meetings, noting potential legal implications and the need for clear reasoning when denying applications.

Director Hendrick emphasized the importance of documenting decision rationales in both motions and minutes to establish a clear record for potential legal review.

ARTICLE 10. Adjourn

Motion was made by Treasurer Korstange to adjourn. Supported by Member Cribbs, Motion carried 4 to 0. The meeting adjourned at 5:47 pm.

Respectfully submitted,
Andrea Hendrick, Community Planning and Development Director, Recording Secretary

**CASCADE CHARTER TOWNSHIP
PLANNING COMMISSION**

**MONDAY, April 7, 2025
6:00 PM**

ARTICLE 7.

Case #25-3880 – Public Hearing

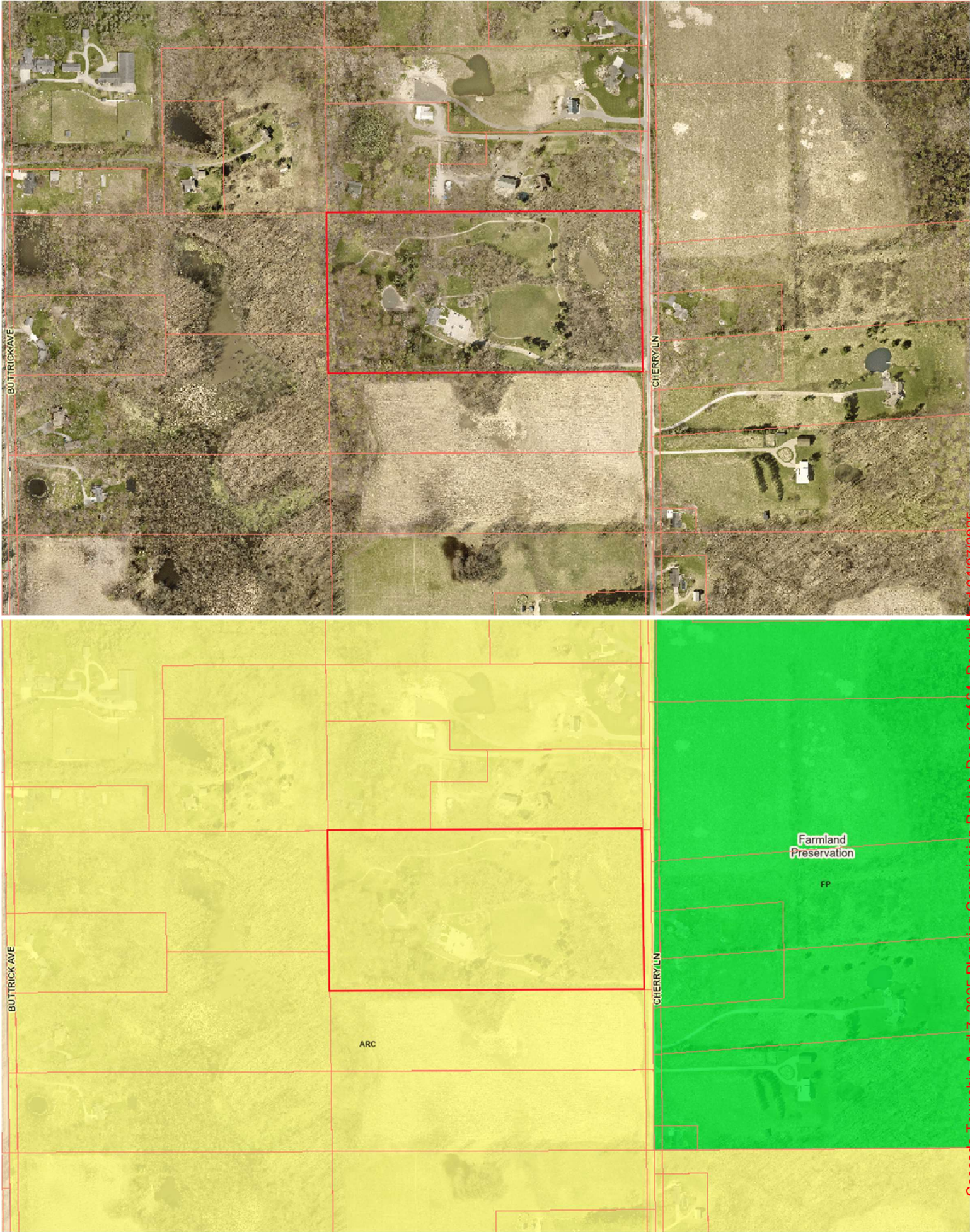
Applicant: Bruce Wright (Shaggy Pines Dog Park)

Property Address: 3895 Cherry Lane SE

Parcel Number: 41-19-23-100-008

Requested Action: Request to amend the previously approved site plan for a Type I Special Use – Accessory Structure greater than 832 sf.

Parcel & Zoning Map





CASCADE CHARTER TOWNSHIP

5920 Tahoe Drive SE Grand Rapids, Michigan 49546-7140

PLANNING DEPARTMENT STAFF REPORT

STAFF REPORT: Case # 24-3880
REPORT DATE: April 2, 2025
PREPARED FOR: Cascade Charter Township Planning Commission
MEETING DATE: April 7, 2025
PREPARED BY: Andrea Hendrick, Planning Director

APPLICATION SUMMARY:

APPLICANT: Applicant: Bruce Wright (Shaggy Pines Dog Park)
Property Owner: Peekaboo Acres LLC

ADDRESS: 3895 Cherry Lane SE, Ada MI 49301

PARCEL NUMBER: 41-19-23-100-008

REQUESTED ACTION: Seeking an amendment to the approved Site Plan associated with the Type I Special Use approval for an accessory building exceeding 832 square feet in area.

REQUIREMENTS: Section 17.06 Special Use Approval Standards - General
Section 17.03.1.a Type I Special Use Standards
Section 21.03 Site Plan Procedure

EXISTING ZONING: ARC, Agriculture Rural Conservation District

GENERAL LOCATION: The subject property is a residential lot located on the west side of Cherry Lane Avenue, south of 36th Street, south of the Quail Ridge Golf Course, east of Buttrick Avenue.

PARCEL SIZE: 19.8 acres

EXISTING LAND USE: Dog park, private (membership required), with current special use approval for a “kennel.”

ADJACENT PROPERTIES: N: ARC, residential home
S: ARC, vacant/farmland
E: ARC, residential home
W: ARC, vacant

PROPERTY HISTORY

Case #02-2533

- 2003-01-21 Planning Commission Hearing Special Use Permit for a Dog Park APPROVED

The conditions of such approval include:

1. The site meets all the Township Engineer's requirements
2. The existing trees on the site remain for screening except as shown on the site plan.
3. The fence be setback 25 feet from the property line
4. Privacy fencing be used to block the view from the two homes on Cherry Lane
5. The lighting on the site was downcast and turned off at 9:00 pm
6. The applicant agrees to alert Staff with site plan alterations in any way

Case #24-3866 Request for a Special Use Permit

- 2024-11-18 Planning Commission Hearing – Tabled
- 2024-12-16 Planning Commission Hearing – Special Use Permit for an accessory building over 832 sf was APPROVED

Current Site Operations

The site currently is improved with an existing clubhouse (which is a renovated residential home), a swimming pond for dogs, and internal walking trails. It is currently operating as a privately owned dog park. The dog park is accessible by membership only. According to assessing records, the original home was built in 1978.

Shaggy Pine Hours of Operation

- | | | |
|----------------------|-------------------|-------------------|
| • Outdoor Activities | Daily: | 7:00 am – 9:00 pm |
| • Indoor Facility | 1-2 Days per week | 4:00 pm – 8:00 pm |

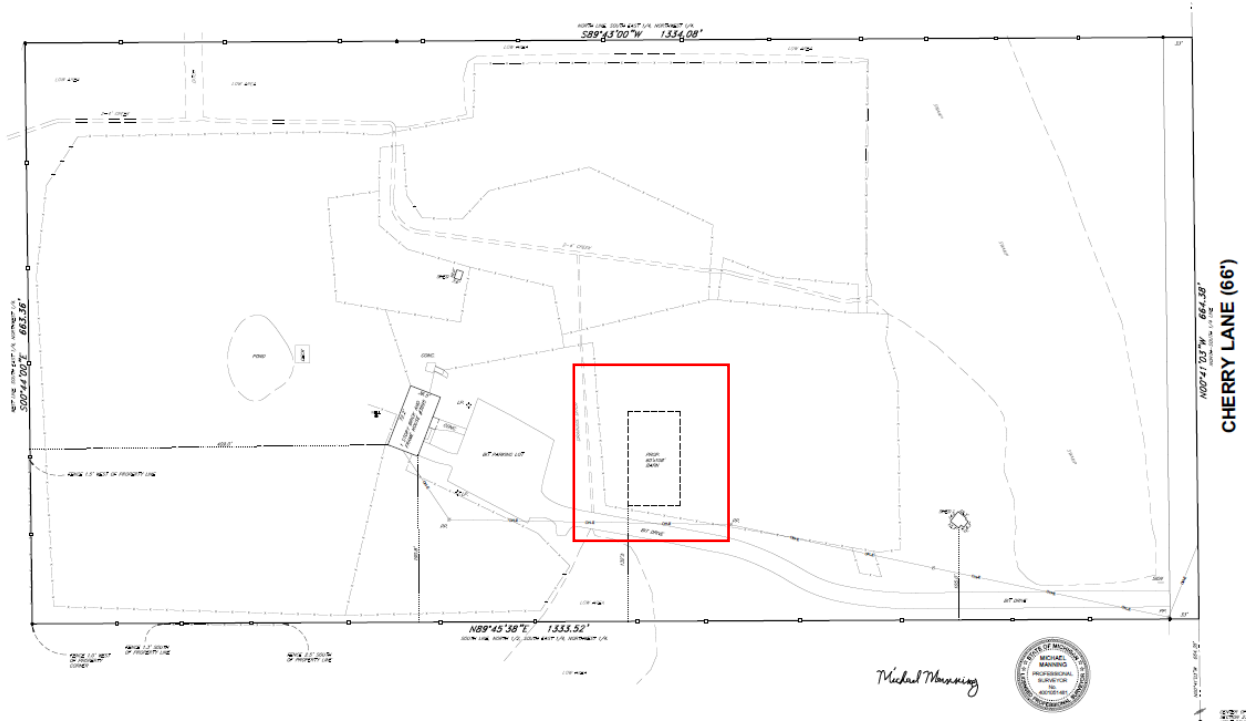
Enforcement

Township files indicate complaints regarding barking dogs back in 2003/2004. Since then, it appears those complaints have been resolved, and no further complaints have been received. The Township has not received complaints or communications regarding screening or lighting, as conditioned upon the special use approval.

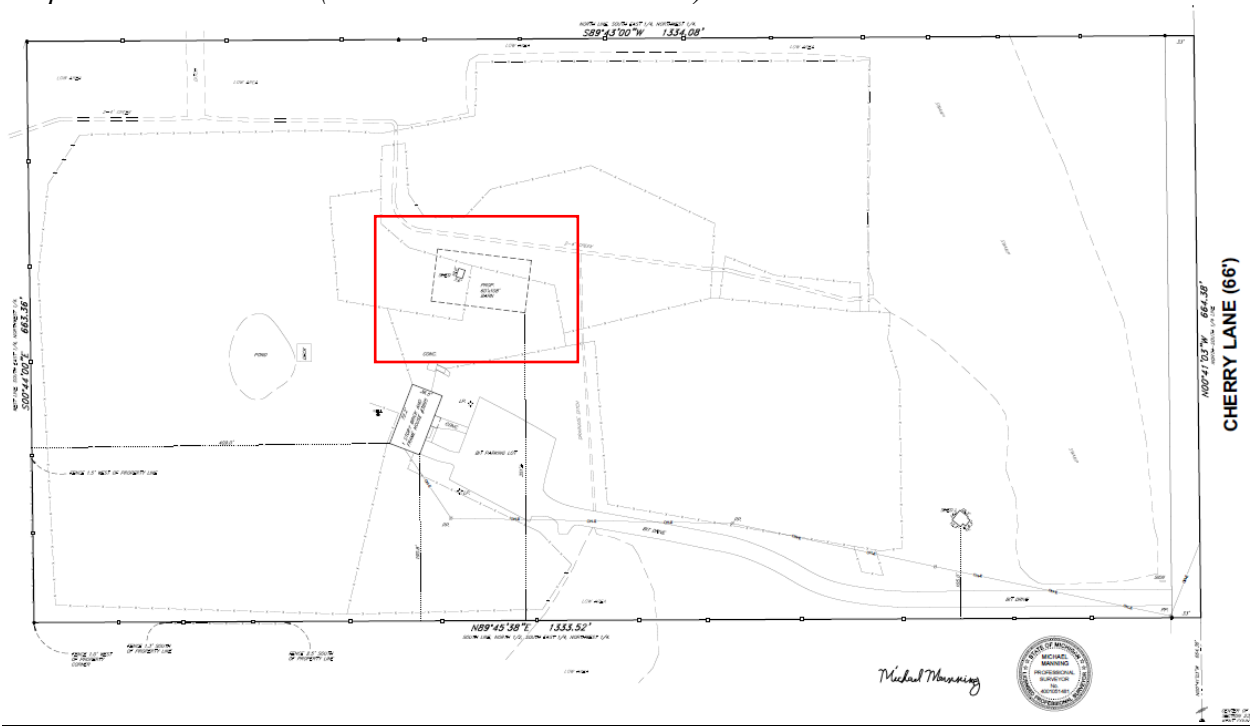
PROPOSED USE

The applicant is proposing to change the approved location of the principal structure. The operations, building dimensions, and other site elements are the same as previously approved. The hearing before the Planning Commission is primarily procedural due to the requirements of Section 21.03 that gives Planning Commission the authority to approve amendment to Site Plans. Furthermore, because the Site Plan was approved as part of the Special Use approval, we noticed and will hold a Public Hearing in accordance with the standards of Section 23.07.

2024-12-16 Approved location (Site Plans dated 2024-12-11)



Proposed New Location (Site Plans dated 2025-02-07)



SECTION 17.06 SPECIAL LAND USE APPROVAL STANDARDS

At the December 16th, 2024, meeting the Planning Commission considered the following factors and ultimately approved the site plan for the accessory building.

NOTE: Considering the request for the new 70x108 barn style building, the existing building, the former residential home and member clubhouse, is now considered ACCESSORY to the principal structure. The principal structure, the new barn style building, is determined as such given the larger size and varied activities to occur within the building.

Section 17.03.1.a Upon review of each Type I special use permit request for an accessory building in excess of 200 square feet, or a detached private garage in excess of 832 square feet, the Planning Commission shall consider the following:

	STANDARD	STAFF RESPONSE
Factors Considered during previous approval – December 16 th Staff Memo	The intended use of the building.	The applicant has stated that the building will not be used. But intends to keep the building. If anything, the building may be used for additional storage, if needed.
	The proposed location, type and kind of construction, and general architectural character of the building.	The building, a former residential home, has been used for several years as a member clubhouse. The exterior of the building has not changed from the residential character. As such the size, location, and general architectural character is consistent with the ARC Zoning District and adjacent properties.
	The size of the building in relation to the house, lot, and zoning district.	The lot is over 19 acres in size. The former residential home is approximately 1,872 square feet in area. The size and location of the building is appropriate for the ARC District and the surrounding character.
	The type and kind of principal and accessory buildings and structures located on properties which are adjoining and in the general area.	Majority of the principal and accessory uses in the ARC District, and adjoining properties, are residential. The accessory structure (the former residential home) is consistent with the general area, given its former residential nature and lack of changes to the exterior.
	The topography and vegetation of the general area.	The site includes a myriad of mature growth trees and natural vegetation. No trees or other vegetation is planned to be removed as a component of this Special Use request.
	Whether the proposed building will affect the light and air circulation of any adjoining building or properties	This structure has been in existence on the property since the 70's. Considering the site's size, over 19 acres in area, the site's natural vegetation and mature growth trees, and robust setbacks from each property line, it is not likely that the location of the existing structure will cause adverse effects with regard to light and air circulation.

Whether the proposed building will adversely affect the view of any adjoining property owner or occupant.	Considering the site's size, over 19 acres in area, the site's natural vegetation and mature growth trees, and robust setbacks from each property line, it is not likely that the location of the existing structure will cause adverse effects with regard to views of neighbors.
Points of access to the proposed building and their relationship to adjoining properties and the view from adjacent streets.	The building is accessed from a driveway off Cherry Lane (over 800 feet back). The driveway appears to be about 18 feet in width. The building is not easily viewed from the street, especially in spring and summer months with full foliage.

2024-12-16 Planning Commission Motion

Motion was made by Member Bruneau to APPROVE Case Number 24-3866, for a Type I Special Use Permit for an accessory building over 832 sf located at 3895 Cherry Lane with the following conditions:

1. All outdoor lighting shall comply with requirements of the Township ordinance.
2. All stormwater runoff shall be retained on site.
3. The accessory building shall only be utilized for accessory activities, incidental to the principal use, and shall not be used as a residential dwelling.
4. The applicant receives permits and approvals for all required construction activities from the Township Planning Department and Building Department.
5. The general rules and regulations as documented in the application regarding keying of gates, refuse pickup, and vaccinations shall be the baseline. If any of those changes including hour of operations, they must come back before the Planning Commission for approval.
6. There shall be no boarding on parcel 41-19-23-100-008.

Supported by Treasurer Korstange. Motion carried 3 to 1.

Yeas: Bruneau, Moxley, Korstange

Nays: Richardson

CONSIDERATIONS

The Planning Commission should deliberate and determine the following:

- The Planning Commission, today, shall consider whether the relocation of the building prevents the new application from meeting any of the previously approved requirements.

Section 17.03.1.a Upon review of each Type I special use permit request for an accessory building in excess of 200 square feet, or a detached private garage in excess of 832 square feet, the Planning Commission shall consider the following:

STANDARD	STAFF RESPONSE
The intended use of the building.	No change to the intent of the building is proposed. This standard would still be met with the change in location of the primary building.

<p>The proposed location, type and kind of construction, and general architectural character of the building.</p>	<p>The kind of construction and general architecture would not change. This standard would not be impacted by the change in building location.</p>
<p>The size of the building in relation to the house, lot, and zoning district.</p>	<p>The change in the primary structure location would not impact conformance with this standard as the accessory building location would not change and the proposed primary building would be constructed further from the nearest property line and any neighbor who may be impacted.</p>
<p>The type and kind of principal and accessory buildings and structures located on properties which are adjoining and in the general area.</p>	<p>The location change of the proposed building will have no impact on this standard. The Planning Commission has already considered this standard and finds that the proposed buildings on this site are compatible.</p>
<p>The topography and vegetation of the general area.</p>	<p>Both the previous and new proposed location of the principal building were well screened and situations on flat areas of the site that would not negatively impact existing vegetation. The location change of the building will have no impact on this standard.</p>
<p>Whether the proposed building will affect the light and air circulation of any adjoining building or properties</p>	<p>The proposed location change will further decrease the potential of impacting adjoining properties and buildings as it will be located further from the nearest adjacent property than previously proposed.</p>
<p>Whether the proposed building will adversely affect the view of any adjoining property owner or occupant.</p>	<p>The proposed location change will further decrease the potential of causing adverse effects regarding views of neighbors for the same reason mentioned above.</p>
<p>Points of access to the proposed building and their relationship to adjoining properties and the view from adjacent streets.</p>	<p>The proposed location changes will place the building further in the center of the property. The size of the site, and large mature tree line on the east side of the site mitigate any viewshed issues.</p>

RECOMMENDATIONS

The Cascade Planning Department recommends that the Planning Commission APPROVE the request to amend the Site Plan associated with the previously approved Special Use Permit.

Sample Motion

Based on the previous findings of the Planning Commission on December 16th, 2024, and the determination that the amendments to the site plan do not impact the requirements of approval from *Section 17.03.1.a*, I make a motion to approve Case# 25-3880 an amendment to the Site Plan associated with the Special Use approval for an accessory building over 832 sf located at 3895 Cherry Lane SE with the following conditions:

- 1) The previous conditions from Case #02-2533 & 24-3866 remain in effect.

ATTACHMENTS

1. Application
2. Applicant Narrative
3. Site Plans 02-07-2025
4. Floor Plans & Renderings 12-09-2025
5. 2003-01-21 Planning Commission Minutes
6. 2003-02-12 Township Board Minutes
7. 2024-12-16 Planning Commission Minutes



Received

CASCADE CHARTER TOWNSHIP

FEB 13 2025

Cascade Charter Township
Planning Department

5920 Tahoe Dr. SE, Grand Rapids,
Michigan 49546-7140

PLANNING & ZONING APPLICATION

APPLICANT:

Name: BRUCE WRIGHT

Address: 3895 CHERRY LANE

City & Zip Code: ADA, MI 49301

Telephone: 215 431 9620

Email Address: BTWRIGHT24@GMAIL.COM

OWNER: * (If different from Applicant)

Name: _____

Address: _____

City & Zip Code: _____

Telephone: _____

Email Address: _____

NATURE OF THE REQUEST: (Please check the appropriate box or boxes)

- | | |
|--|--|
| <input type="checkbox"/> Administrative Appeal | <input type="checkbox"/> Administrative Site Plan Review |
| <input type="checkbox"/> Deferred Parking | <input type="checkbox"/> P.U.D. – Rezoning * |
| <input type="checkbox"/> P.U.D. – Site Condominium * | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Site Plan Review * | <input type="checkbox"/> Sign Variance Subdivision |
| <input checked="" type="checkbox"/> <i>Amld</i> Special Use Permit | <input type="checkbox"/> Plat Review * |
| <input type="checkbox"/> Zoning Variance | <input type="checkbox"/> Other: _____ * |

*** Requires an initial submission of 5 copies of the completed site plan**

BRIEFLY DESCRIBE YOUR REQUEST:**

ATTACHED.

(**Use Attachments if Necessary)

-SEE OTHER SIDE-

LEGAL DESCRIPTION OF PROPERTY**:

N 1/2 SE 1/4 NW 1/4 * SEC 23 T6N R10W

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 - 23 - 100 - 008

ADDRESS OF PROPERTY: 3895 CHERRY LANE, ADA, MT 49301

PRESENT USE OF THE PROPERTY: SHAGGY PINES DOG PARK

NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:

Name(s)

Address(es)

SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) also agree to reimburse the Cascade Charter Township for all costs, including consultant costs, to review this request in a timely manner. I (we) understand that these costs may also include administrative reviews which may occur after the Township has taken action on my (our) request.

I (we) the undersigned also acknowledge that the proposed project does not violate any known property restrictions (i.e. plat restrictions, deed restrictions, covenants, etc.)

Owner - Print or Type Name
(*If different from Applicant)

BRUCE J. WRIGHT
Applicant - Print or Type Name

*
Owner's Signature & Date
(*If different from Applicant)

[Signature]
Applicant's Signature & Date

PLEASE ATTACH ALL REQUIRED DOCUMENTS NOTED IN THE PROCESS REVIEW SHEET - THANK YOU

Rev. 7/27/21

Attachment to Planning and Zoning Application

3895 Cherry Lane SE - Ada, MI 49301

Proposed Construction of Storage and Training Building

This proposal is to construct a new building on the property at 3895 Cherry Lane SE in Ada to support the existing Shaggy Pines Dog Park (SPDP) operations. SPDP has operated for over 20 years under a special use permit which was approved in 2003. SPDP is a unique facility in the area that provides over 15 acres of wooded, fenced-in land for members to walk and exercise their dogs. The park is open daily from 7am to 9pm and currently has about 250 active members. Over the past twenty years no significant investment has been made to the physical facilities of the park, which has led to congestion for the members and lack of adequate storage for the equipment required for general maintenance and upkeep (tractor, mowers, golf cart, etc...). Additionally, some of the park activities such as training classes and pet day-care are hindered in inclement weather by the lack of adequate indoor facilities.

The proposed new building would be a 70'x108' barn style construction, with a peak of 28'. It would provide storage for the park's equipment, a maintenance workshop to support repairs and improvements on the property, and an indoor training room to allow for dog training classes year-round and in inclement weather. It would also provide an improved space for the park's clubhouse, reception area and office. All of the park's operations would now be run out of this new facility. Training classes would continue to be offered 1 or 2 days per week in the evenings between 4 and 8 pm. Classes normally accommodate 4-8 dogs per session.

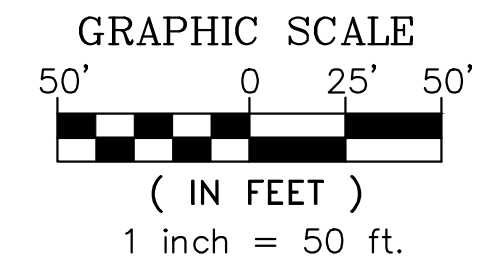
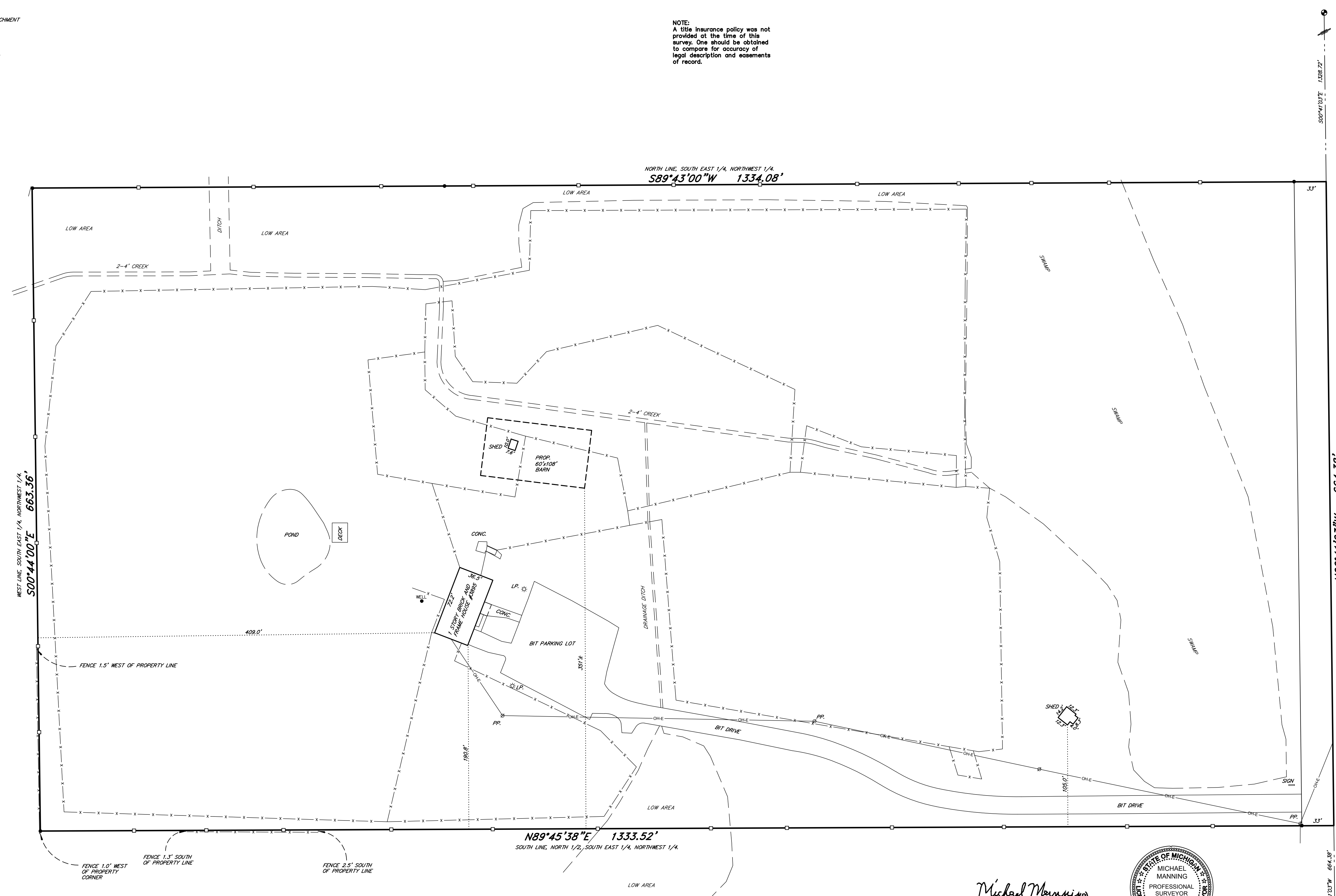
No additional staff are anticipated to support the new facility and no immediate increase in patrons will result from the proposed building, however the new construction will provide an improved experience for existing members and allow for steady growth in the future.

A site plan of the 20 acre lot has been attached which shows the position of the proposed building. It is located approximately 720 feet from Cherry Lane and 260 feet from the nearest neighboring property line.

- LEGEND**
- - IRON STAKE - SET
 - - IRON FOUND
 - - WOOD STAKE
 - - WOOD STAKE
 - R - RECORDED DIMENSION
 - D - DEED DIMENSION
 - P - PLATTED DIMENSION
 - M - MEASURED DIMENSION
 - CL - CENTER LINE
 - CC - CORNER OF CONCRETE
 - EB - EDGE OF BITUMINOUS
 - EC - EDGE OF CONCRETE
 - EG - EDGE OF GRAVEL
 - G - GROUND ELEVATION
 - GTR - FLOW LINE OF GUTTER
 - ONE - OVERHEAD ELEC/UTILITY LINE
 - LP - LIGHT POLE
 - EX - EX. CONTOUR LINE
 - CONC - CONCRETE
 - BIT - BITUMINOUS PAVEMENT
 - ENCR - PROPERTY LINE ENCROACHMENT
 - UTIL - UTILITY
 - ELEC - ELECTRIC
 - RET - RETAINING WALL
 - P.A. - PROPERTY LINE
 - P.V.M.T. - PAVEMENT
 - W.S. - WATER SERVICE LATERAL
 - BM - BENCHMARK
 - W.V. - WATER VALVE
 - HYD. - FIRE HYDRANT
 - CB - CATCH BASIN
 - MH - MANHOLE

LEGAL DESCRIPTION
 FROM TAX RECORD: The North 1/2 of the Southeast 1/4 of the Northwest 1/4, Section 23, T6N, R10W, Cascade Township, Kent County, Michigan.

NOTE:
 A title insurance policy was not provided at the time of this survey. One should be obtained to compare for accuracy of legal description and easements of record.



Michael Manning



I hereby certify that the buildings and improvements are located entirely thereon and that said buildings and improvements are within the property lines and that there are no existing encroachments upon the lands and property described unless otherwise shown hereon.

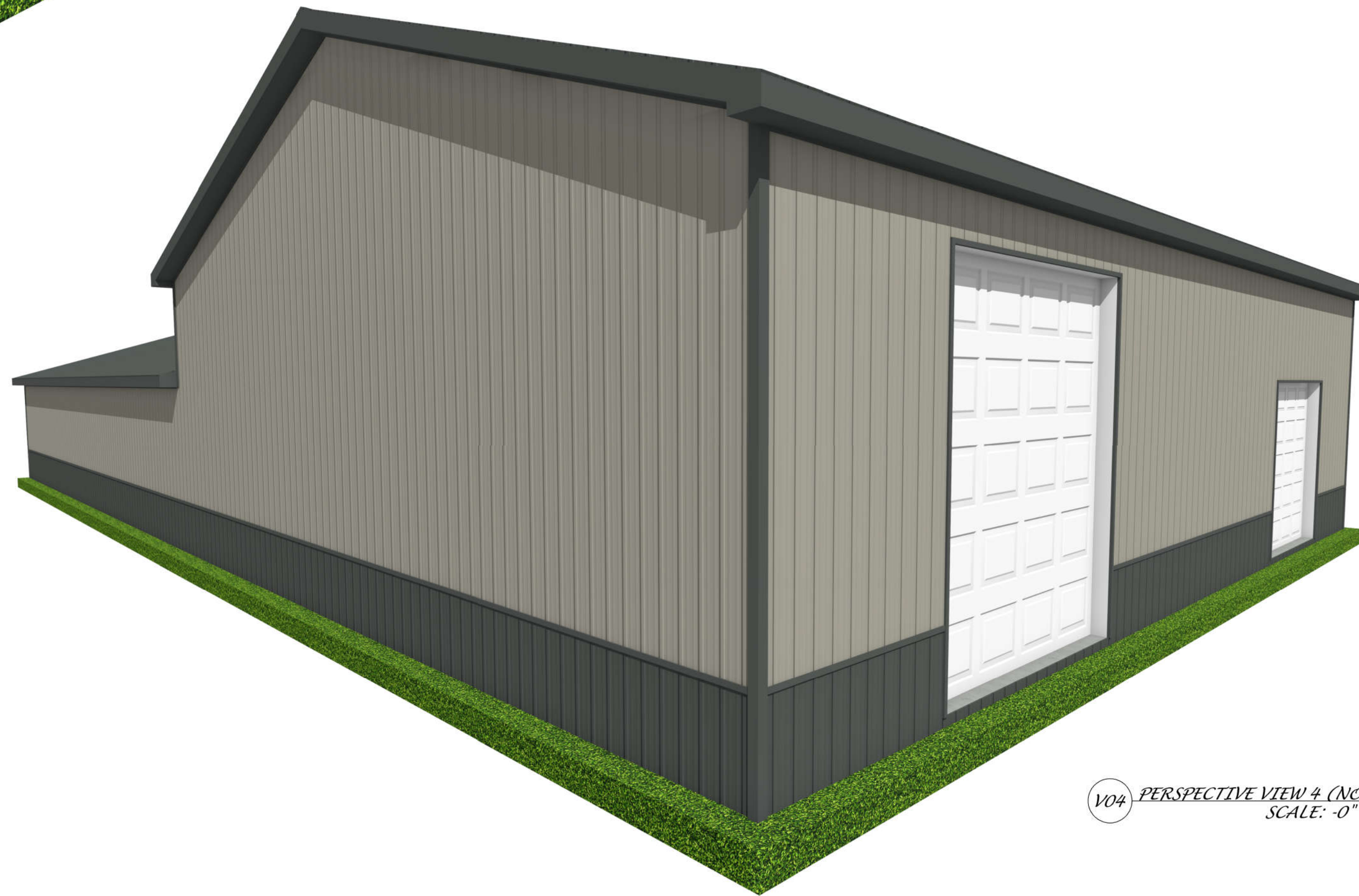
Roosien & Associates SURVEYING AND ENGINEERING 5055 PLAINFIELD AVE. NE GRAND RAPIDS, MI 49525 TEL: (616) 361-7220	DRAWN BY: AM APPROVED BY: MM DATE: JUNE 27, 2024	REVISIONS: February 7, 2025 - move prop. barn September 24, 2024 - add prop. barn dimensions October 14, 2024 - modify prop. barn dimensions December 11, 2024 - modify prop. barn dimensions
	CLIENT: BRUCE WRIGHT 3447 QUIGGLE AVE. SE. ADA, MI 49301 (215)431-9620	
PROJECT NO. 240602		1 of 1



V02 PERSPECTIVE VIEW 2 (NO BACKDROP)
SCALE: 0"



V03 PERSPECTIVE VIEW 3 (NO BACKDROP)
SCALE: 0"



V04 PERSPECTIVE VIEW 4 (NO BACKDROP)
SCALE: 0"

VIEW TYPE KEY	
ID	TITLE
A-#	PAGE NUMBER
P-#	PLAN VIEW
V-#	3D PERSPECTIVE VIEW
E-#	ELEVATION VIEW
S-#	SECTION VIEW
D-#	DETAIL DRAWING
L-#	LAYOUT DRAWING
R-#	SCHEDULE

WRIGHT PROJECT PROJECT	
LABEL	TITLE
A-1	3D VIEW / COVER SHEET
A-2	ELEVATIONS
A-3	FLOOR PLAN

SHEET NO.: A-1
DATE: 12/6/2024
DRAWN BY: LANCE VOORHEES

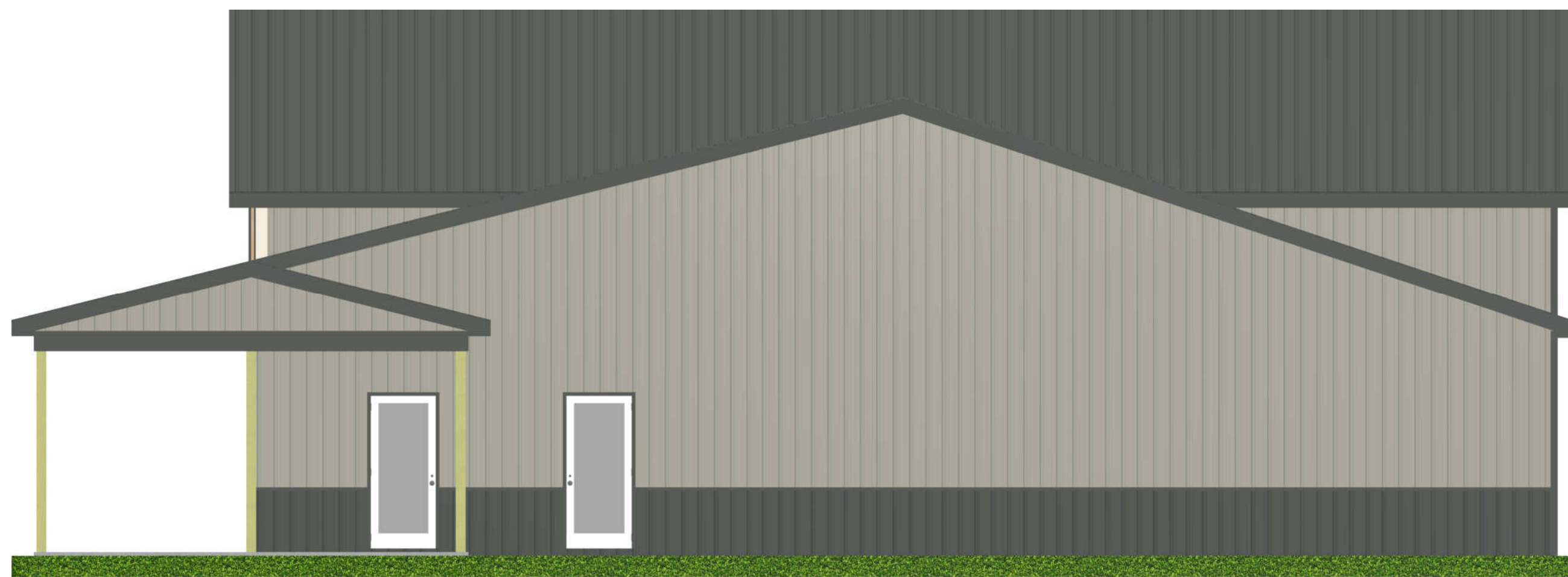
PROPOSED PROJECT FOR:
WRIGHT PROJECT
ATTN: BRUCE WRIGHT
N/A, MICHIGAN #####
PHONE: N/A
E-MAIL: (###) ###-####

3D VIEW / COVER SHEET

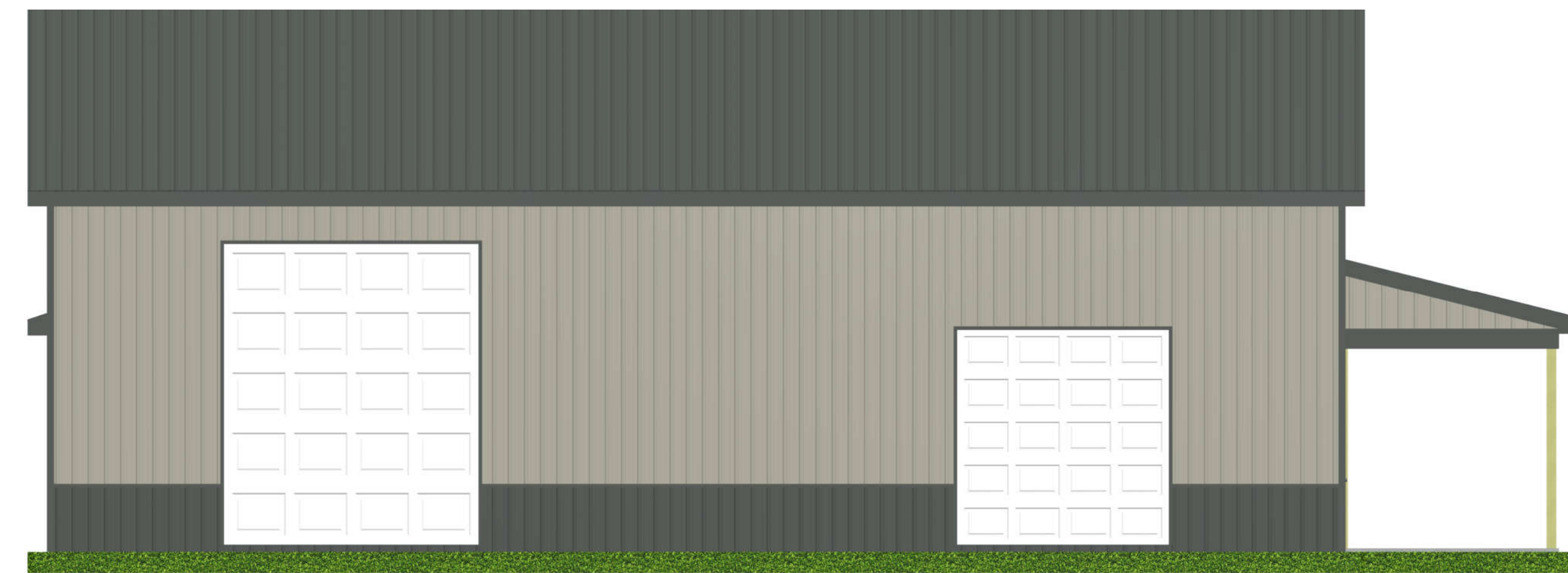
42 PARALLEL CONSTRUCTION
9811 THOMPSON ROAD
LAKE ODESSA, MICHIGAN 48849
TOLL FREE: (800) 693-2754
PHONE: (616) 693-2754
FAX: (616) 693-2930



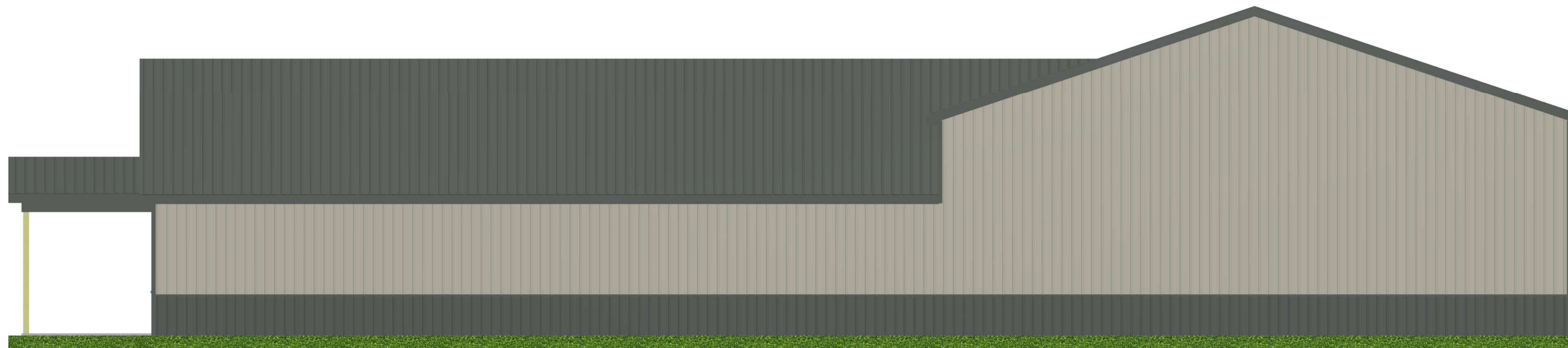
E03 REAR ELEVATION - STANDARD (NO LABEL)
SCALE: 3/16" = 1'-0"



E04 LEFT ELEVATION - STANDARD (NO LABEL)
SCALE: 3/16" = 1'-0"



E02 RIGHT ELEVATION - STANDARD (NO LABEL)
SCALE: 3/16" = 1'-0"



E01 FRONT ELEVATION - STANDARD (NO LABEL)
SCALE: 3/16" = 1'-0"

ELEVATIONS

42 PARALLEL CONSTRUCTION

9811 THOMPSON ROAD
LAKE ODESSA, MICHIGAN 48849
TOLL FREE : (800) 693-2754
PHONE : (616) 693-2754
FAX : (616) 693-2930

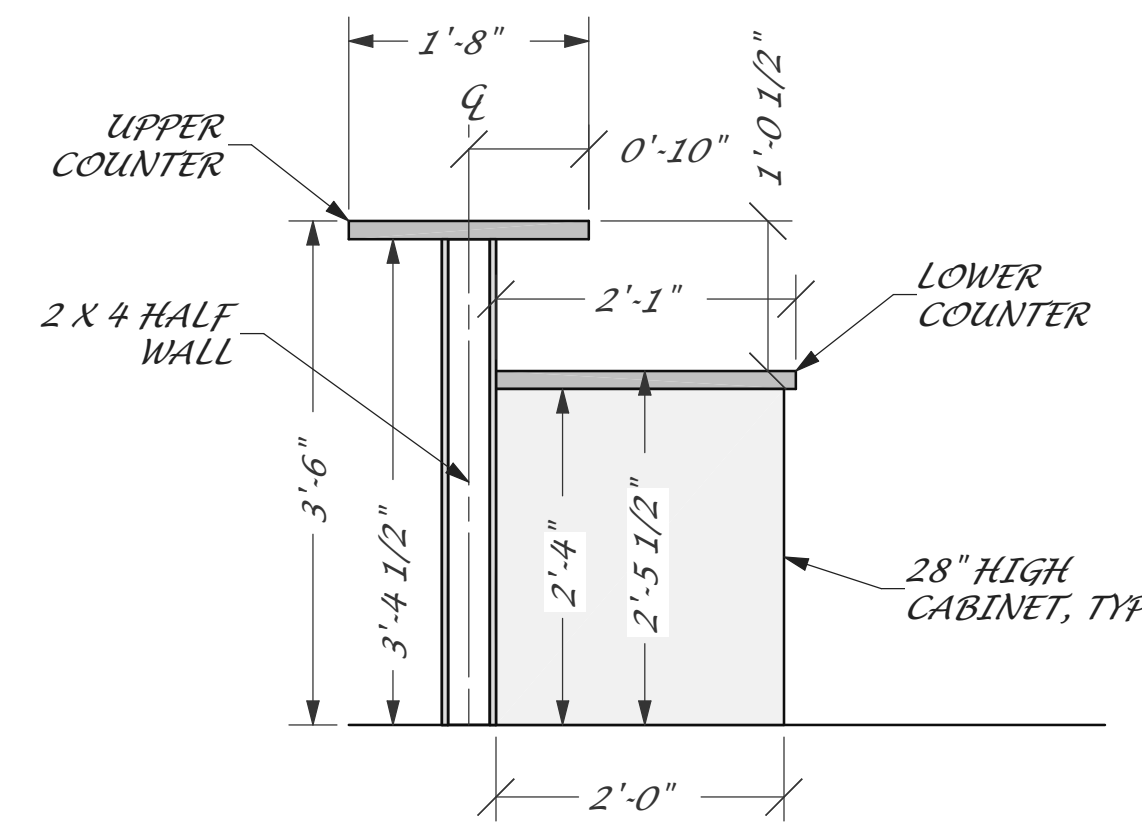
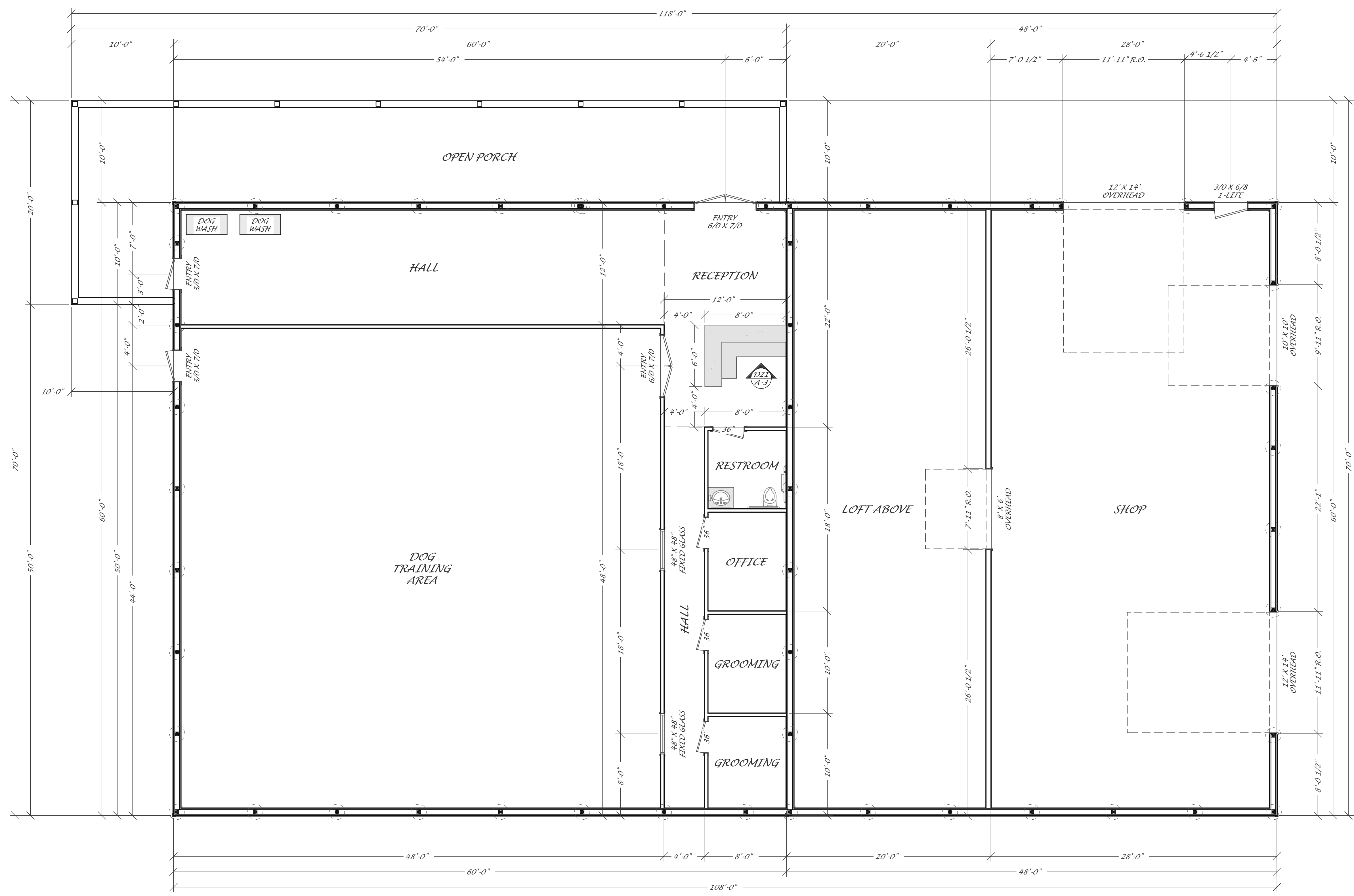
PROPOSED PROJECT FOR:
WRIGHT PROJECT
ATTN : BRUCE WRIGHT
N/A
N/A, MICHIGAN #####
PHONE : N/A

E-MAIL : (###) ###-####

DESIGNED BY:
LANICE
VOORHEES

DATE:
12/6/2024

SHEET NO:
A-2



D21 TYP. RECEPTION COUNTER
SCALE: 3/4" = 1'-0"

P03 FLOOR PLAN - LEVEL 1
SCALE: 3/16" = 1'-0"

SHEET NO.: A-3	DATE: 12/6/2024	DRAWN BY: LANCIE VOORHEES	PROPOSED PROJECT FOR: WRIGHT PROJECT ATTN: BRUCE WRIGHT N/A N/A, MICHIGAN ##### PHONE: N/A E-MAIL: (###) ###-####	FLOOR PLAN	42 PARALLEL CONSTRUCTION 9811 THOMPSON ROAD LAKE ODESSA, MICHIGAN 48849 TOLL FREE: (800) 693-2754 PHONE: (616) 693-2754 FAX: (616) 693-2930
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MINUTES
Cascade Charter Township Planning Commission
Tuesday, January 21, 2003
7:00 pm

ARTICLE 1. Secretary Goldberg called the meeting to order in the absence of the Chairman and Vice Chairman.
Members Present: Erickson, Goldberg, Jones, Lewis, McDonald, Nuereberg
Members Absent: Koessel, MacAllister, Richards (all excused).
Others present: Planning Director Peterson, Planner Deem, Admin. Assistant Thompson and those listed on Supplement #1 (an audience of about 20).

ARTICLE 2. Member Lewis suggested moving the Presentation of Resolutions of Appreciation to a later meeting when all the members and recipients could be present. The members concurred.

ARTICLE 3. **Member Lewis supported by Member McDonald moved to approve the agenda with the deletion of Article 2. The motion carried.**

ARTICLE 4. **The Minutes of the January 6, 2003 meeting were approved as submitted on motion by Member Lewis and supported by Member Nuereberg. The motion carried.**

ARTICLE 5. **Case #02-2533: Pam Stanley
(PUBLIC HEARING)**

The applicant requested a Type II Special Use Permit to build a dog park at 3895 Cherry Lane.

Planner Deem related the applicant is proposing an off leash dog park. This is not going to be kennel. A kennel would need site plan review and a public hearing with the Township Board. The 20 acre site could handle as many as 60 dogs. The entire property will be fenced with chain link fencing. Decorative fencing will be used along the front. Trees will be used with fencing for neighbors along the north property line. The pathway in the rear portion will be lighted as well as the parking lot. The packet contains the proposed rules for the park which addresses barking dogs, owners being responsible for dogs, etc. Owners will be asked to leave the premises if the rules are violated. Planner Deem then went through the factors as listed in the Staff Report to be considered before granting a Special Use Permit. Planner Deem recommended approval of the Special Use Permit and a favorable

recommendation to the Township Board with the two stipulations from the Staff Report.

Member Lewis asked Planner Deem to point out the locations of the two nearest homes. Planner Deem did so.

Member Goldberg asked if the number of 60 dogs comes from the Zoning Ordinance under kennel provisions. Planner Deem responded yes.

Member Goldberg asked if there is an intent to board dogs. Planner Deem responded no.

Member McDonald asked how many dogs does the kennel on Buttrick Avenue service? Planner Deem responded he did not know.

Planner Deem related he received a couple of phone calls regarding the site. One call was concerning noise and the other with a concern of the property becoming a kennel.

Member McDonald related the kennel on Buttrick Avenue is about a half mile away from his home and he seldom, if ever, hears noise from there.

Member Nuereberg asked what is the distance of the proposed parking lot to the two houses to the north? Planner Deem related he did not know.

Member Jones asked is this a commercial private venture? Planner Deem responded yes.

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

Kyle Wilson of Fleis & VandenBrink represented the applicant and related this is intended to be a secure access dog park, fenced in all areas. The area will be free for the dogs to roam. Bags will be provided for the waste. It is an exercise facility for the dogs and will be a members only park. The path location is not final in all areas. The path location may be moved slightly to prevent cutting of large trees, etc. The park will be open from 7:00 am to 9:00 pm.

Member Goldberg asked what type of fence will be used? Mr. Wilson responded a six foot chain link fence with vinyl coating used across the north boundary and front.

Member Jones asked if the dog park will be used year around. Mr. Wilson responded yes. There will be two parking lot lights and a rear path area with timer lights. The path will be lit only during hours of operation.

Member Lewis asked if the inside would be fenced also. Mr. Wilson responded yes with a six foot fence. The swale will be fenced on both sides.

Member Goldberg asked is this a concept that has been used before? The applicant, Pam Stanley of 1405 Thomas, SE, responded yes, she has researched other dog parks in other areas of the country.

Member Jones asked if the park will be limited to a certain number of dogs? Ms. Stanley responded yes.

Mr. Wilson related the park will have a gated entrance. Ms. Stanley related the key will only work during the hours of operation.

Member Nuerenberg asked if the entrance fence would have a spring loaded gate. Ms. Stanley related the site will be fenced and gated. There will be the first gate to go through where you take off the leash and then the second gate goes into the park area itself. With a double gate, Ms. Stanley did not anticipate needing a spring loaded gate.

Member Nuerenberg asked how are you going to monitor there won't be more than 60 dogs in at one time. Ms. Stanley responded the average time a period a dog would use the park is 45 minutes to an hour. She will be in the park office and will monitor who goes in and out.

Member Nuerenberg suggested the key entrance have a system that would count the number of dogs to monitor how many are in the park. If the system is sophiscated enough it should be able to do that.

Member Nuerenberg asked if the paths will be cleaned in the winter. Ms. Stanley related they will be snow blowed in the winter.

Member Nuereberg asked if the house on the property will be a members club or used as a residence. Ms. Stanley related it will be a members club. It will not be used as a residence.

Member Nuereberg asked if the club will have rest room facilities and be up to code. Ms. Stanley responded yes.

Member Jones asked if there are permits from other agencies that are required such as the Health Department, Animal Control, etc. Mr. Wilson responded no. The size of the drainfield may have to be increased and that would be permitted through the Health Department. There is no agency that governs or permits dog parks.

Sue Williams of 7464 Whispering Ridge related she also owns a horse barn on Buttrick Avenue that backs up to this property. She is a huge animal lover and has had a number of show dogs. She observed there are a large majority of dogs who have not received adequate training and socialization. This dog park offers an opportunity for socialization. It also has the opportunity for dogs to establish dominance and fighting.

Ms. Stanley related the park will have four sections, including a small dog area. All male dogs will be required to be neutered.

Mrs. Williams further related there is lots of wildlife in the area. She is worried about deer clearing the six foot fence and adequate fencing being provided. There is a potential for wildlife to be chased and trapped inside the fence with 60 dogs.

Ms. Stanley related it will be staffed for eight hours a day Monday through Friday and probably another eight hours on each weekend day.

Mrs. Williams related people seem to be reacting to the option of having a kennel there, but there are not many in the area.

Kevin Rude of 3777 Cherry Lane related he met with the applicant a few days ago regarding the site plan. He suggested she take the six foot chain link fence and move it 25 feet away off his property line. The reasoning behind that is he has existing trees that are there which will act as a buffer. That would save the cost of removing the trees. There is also an existing deer trail in that area. Moving the fencing in will leave the deer trail alone. Mr. Rude related he is worried about his kids and dog going up to the fence to see the other dogs. He recommended replacing 100 feet of the

chain link fence with a privacy fence of some type. His business partner and neighbor, Brad has a similar request. He would like the applicant to come back and position that fencing. Mr. Rude would also like the hours of operation to start and end a little later. Mr. Rude then asked what will happen with the dog residue and where will it go? Mr. Rude related he is also concerned about liability and bigger dogs breaking the fence. He is a dog lover and believes this is a good idea. He asked if the request could be expanded to an overnight kennel and boarding use. He is in favor of the proposal with modifications to the site plan.

Member Erickson asked what should be the total length of the wood fence? Mr. Rude related 100 feet. The berm and plantings would not be necessary if a privacy fence was installed.

Member Nuereberg asked do you live on the north side this property? Mr. Rude responded yes.

Member Nuereberg asked if a chain link fence with slats would be acceptable? Mr. Rude responded yes.

Member McDonald asked what are the addresses of the homes we are talking about? Mr. Rude responded 3777 and 3779 Cherry Lane.

Ron Bush of 8226 – 36th Street related he feels you are forgetting quite a few houses within the close proximity to this project. There are 6-8 homes would be affected by barking. He is also concerned if this project does not work, there will be 20 acres that could be developed into something else.

Member McDonald related if this was converted to a kennel it would have to come back to us. Planner Deem related yes, it would have to come back and go through the whole process.

Member Goldberg related any use that we typically allow in an agricultural district could go on. For this project, the Special Use Permit being applied for would authorize this use (off leash dog park) and only this use. Another use in the future would have to come back to us.

Planning Director Peterson related the only permitted uses in this zoning district that would not require a Special Use Permit would be a farm or a single family home.

Member McDonald asked when you did this research what were some of the downfalls the other dog parks experienced? Ms. Stanley related nothing came up in speaking with both members and owners. Owners will be required to stay with their dog during their visit to the dog park.

Member McDonald asked regarding the neighbors requests, have you considered their request about moving the fence in and keeping the trees? Ms. Stanley responded yes. We want them to be happy.

Karen Custer, long time resident of Cascade Township, related she knows the applicant real well and will be pleased and proud to have this park in Cascade Township. Mrs. Custer related she just knows this will be a real professional project.

Mr. Stevens of 9390 – 36th Street asked how much area is designated for the park? Member Goldberg responded 20 acres. Mr. Wilson related only 14 of the 20 acres will be fenced.

Robert Beahan of 3148 Thornapple River Drive related when the township did the Master Plan one of the things that came up was the idea of a dog park and the Township funding the park. Here we have somebody privately willing to come in and install a dog park. His concern is with lighting. Hopefully the lights will be night sky friendly and down cast. He believes the project could be a really good situation. Ms. Stanley has done a lot of research and received input from her father who has done projects in the Brighton area.

Member Lewis supported by Member Nuereberg moved to close the public hearing. The motion carried and the public hearing was closed.

Member McDonald related you have met with the residents and agreed to meet their requirements. The lights will go off at 9:00 pm. The chain link fence will blend in. Ms. Stanley related where you enter and come up the driveway it will be decorative fencing.

Member Nuereberg asked is that the only place you are planning on putting the no see through fence. Ms. Stanley responded the rear portion adjacent to the two homes on Cherry Lane will have privacy fencing.

Member Nuereberg asked what about liability. What if a dog were to escape? Ms. Stanley responded we will carry liability

insurance. The owners are required to be with their dogs. Only adults over the age of 18 will be able to come to the park with a dog.

Member Nuereberg asked Mr. Rude what is the distance of your house to this property line? Mr. Rude responded about 60 feet. There is a 15-20 foot existing tree row. My neighbor's home is a little further back.

Member Lewis asked you will be moving the north fence line in by 25 feet? Ms. Stanley responded yes.

Member Goldberg asked Staff if this turns out as a noise problem as a continuing issue, does the township have any enforcement authority? Planning Director Peterson related right now we don't other than the old law that addresses the general disturbing of the peace for any kind of barking dog situation. The Township Board is considering adopting a noise ordinance. The owners could be cited if the park is found to be in violation of an ordinance. Planning Director Peterson suggested having the applicant come back for a one year review of the Special Use Permit to see how things are going.

Member Goldberg related that might be appropriate.

Member Nuereberg asked will you use a marketing ploy to consider having an open house once a month and enable people to use the park once a month. Ms. Stanley related no. We screen each dog and owner. The dogs have to be up to date in their vaccinations. We won't open the doors and let the people in without memberships.

Member Nuereberg then asked if there would be a sign on the property and if it would be lit. Ms. Stanley responded there will be a sign but she hasn't determined the type. Mr. Wilson related it will be a ground mounted sign.

Member Lewis related this is a very unique proposal. We have a Zoning Ordinance that is pretty strict. He feels very comfortable with the applicant showing her cooperation to move the fence to accommodate the needs and wants of people regarding the deer population in that area.

Member Lewis supported by Member McDonald moved to grant the Special Use Permit with the conditions listed in the Staff Report: 1) the site plan meet all of the Township

Engineer's requirements; 2) the existing trees on the site remain for screening except as shown on the site plan; and with an added condition 3) that the site plan show the fence being moved 25 feet to the south.

Member McDonald proposed additional stipulations: 4) in the area of the two homes on Cherry Lane, move the chain link fence in 25 feet and to put the privacy fencing to block the view from the homes; 5) lighting on the site will be downcast and turned off after 9:00 pm; and 6) the applicant agrees to alert Staff with site plan alterations in any way.

Member Lewis accepted the additional conditions.

Member Nuerenberg asked for clarification of the homes addresses and to move the chain link fence in 25 feet for 100 feet in length across from 3777 and 3779 Cherry Lane with a privacy fence.

Ms. Stanley related she was willing to provide 100 feet of privacy fencing for each house.

Member Lewis related he will also accept that as a friendly amendment.

The motion carried.

ARTICLE 6.

Case #02-2521: LSH, Inc./XGR Truck Terminal
(From the Table of January 6, 2003)

The applicant requested site plan approval to construct a truck terminal with office and warehouse space at 5214 Kraft, SE.

Member Lewis supported by Member McDonald moved to remove Case #02-2521 from the Table of January 6, 2003. The motion carried.

Member Jones related he would like to abstain from this matter as his firm has provided services for the applicant in the past.

Member Lewis supported by Member McDonald moved to accept Member Jones' abstention. The motion carried with Member Nuerenberg casting a nay vote. (Member Jones took a seat in the audience).

Planner Deem related this request is for a proposed truck terminal which is a use permitted by right in the Industrial Zoning District.

MINUTES
CASCADE CHARTER TOWNSHIP REGULAR BOARD MEETING
Wednesday, February 12, 2003
7:00 P.M.

Article 1. Supervisor Julien called the meeting to order at 7:00 p.m.
Present: Carpenter, Goodyke, Jones, Julien, Kleinheksel, Parrish and Timmons
Absent: None
Others present: Manager Cravens, Planning Director Peterson, Planner Deem, Engineer VerPlank, Grand Rapids Press Reporter Wilson, Deputy Clerk Neve, and those listed on Supplement #1.

Article 2. Supervisor Julien let the Pledge of Allegiance to the Flag.

Article 3. The agenda was approved on motion and support by Clerk Kleinheksel and Trustee Parrish.

Article 4. Approval of the Consent Agenda

- a. Approval of Township Board Minutes
 - 1. Regular Meeting Minutes of 1/22/03
 - 2. 2003 Goal Setting Session Minutes of 1/21/03
- b. Receive and File Minutes of Various Meetings
 - 1. Planning Commission Regular Meeting Minutes of 1/6/03
 - 2. Kent County Road Commission Meeting Minutes of 12/10/02
 - 3. Planning Commission Regular Meeting Minutes of 1/21/03
- c. Receive and File Various Reports
 - 1. Treasurer's Department Bank Balances for December 2002
- d. Receive and File Various Communications
 - 1. Memo from Planning Director Peterson –re: KCRC Five-Year Road Improvement Plans
 - 2. Thank you letter from Representative Glen Steil, Jr.

Trustee Jones supported by Treasurer Carpenter moved to approve. The motion carried.

Article 5. Financial Actions

- a. Consider Approval of Preaudit Public Utilities Funds for December 2002

Trustee Goodyke supported by Treasurer Carpenter moved to approve. The motion carried.

- b. Consider Approval of Preaudit General Fund Revenue and Expenses for December 2002

Treasurer Carpenter supported by Clerk Kleinheksel moved to approve. The motion carried.

- c. Consider Approval of Bills, Transfers, and Payroll for January 2003

Trustee Parrish supported by Clerk Kleinheksel moved to approve. The motion carried.

- d. Consider Approval of Invoice Payment to Kent County Road Commission – re: Thornapple River Drive Projects

Trustee Goodyke supported by Treasurer Carpenter moved to approve. The motion carried unanimously by roll call vote.

Article 6. Public Actions

a. Public Hearing – re: Special Assessment District #29 for Laraway Lake Aquatic Weed Harvesting

Trustee Goodyke supported by Trustee Parrish moved to open the public hearing at 7:10 p.m. The motion carried.

The Township has determined the cost of the improvements to be \$30,953 or \$1,346 for each of the 25 property owners. A second public hearing will be held March 26, 2003.

Mr. Owen Pyle, 1944 Boxthorn, thanked the Board for obtaining costs and moving ahead with the project. He suggested rolling all costs incurred by Mr. Tom Koster, in obtaining easements, into the special assessment district costs. Manager Cravens responded those costs have already been included. The weed contractor will attend the next meeting to answer questions.

Trustee Goodyke supported by Trustee Parrish moved to close the public hearing at 7:17 p.m. The motion carried.

Article 7. Public Comments (None)

Article 8. Unfinished Business

146-2002 Pedestrian Pathway Signage Project

Planning Director Peterson met with four members of the original pathway committee for recommendations regarding signage. The recommendations were to install one large trailhead sign at the library, reduce the size of the small map panels, and indicate the distance of each segment of pathway in miles. Using the recommendations the project cost would be approximately \$40,000.

Clerk Kleinheksel supported by Trustee Parrish moved to authorize staff to obtain bids. The motion carried.

Article 9. New Business

05-2003 Consider Resolution Determining to Make Public Improvements; Approving Plans and Estimate Cost; Determining Special Assessment District and Directing Preparation of Special Assessment Roll for Laraway Lake Aquatic Weed Harvesting Special Assessment District #29

Trustee Goodyke supported by Trustee Parrish moved to approve. The motion carried unanimously by roll call vote.

06-2003 Consider Approval of Type II Special Use Permit for Cherry Lane Dog Park

Planner Deem presented the applicant request for a special use permit to build a dog park on Cherry Lane. Staff recommends approval with the conditions that existing trees remain for screening and lighting on the site be down cast.

John Linton, 3671 Cherry Lane, commented about the number of people who live further than 300 feet from the property, did not receive notice of the meeting, and are very concerned about the possibility of a dog park. He expressed his concern that dogs will fight, bite, and there will be uncontrollable barking. Mr. Linton further stated a good use for the property would be wetlands preserve.

Mr. Kevin Rude, 3777 Chery Lane, lives in the closest house to the project. He is concerned that the Planning Commission did not seem to answer the question of what happens when a dog get out of the fenced area and attacks a child. Mr. Rude feels that Board and Staff are not protecting its citizens.

Mr. Jack Hulst, 3717 Cherry Lane, questioned if an ordinance regarding dog parks would be established since there is not one in effect at present. Supervisor Julien responded he could not imagine there would be a need since he only foresees one dog park in the Township. Mr. Hulst also questioned the previous planning or discussion regarding a dog park. Planning Director Peterson responded the idea was raised as a suggestion by the Parks & Recreation Committee.

Mr. Hulst further expressed his concerns over barking, hours of operation, and fence height.

Karen Custer related she wanted to express some positive comments. She thinks the Township will be very pleased with the professional design and effort going into the project. She views the dog park as an excellent use of the property.

Rob Beahan, 3148 Thornapple River Drive, related he was on the master plan committee. He feels we now have a quality developer that will create a quality park. Mr. Beahan related there may be some other alternatives to secure the parking area so dogs cannot escape but overall he feels the park will be a great benefit to the area.

Applicant Pam Stanley spoke to assure the neighbors that she doesn't want to go into the project as the enemy. She has done extensive research on other dog parks showing no major problems with fencing, barking, dogs escaping or fighting.

Trustee Timmons questioned staff if the permit could be removed if problems arose or conditions were not fulfilled. Planning Director Peterson responded in the affirmative.

Trustee Timmons supported by Trustee Parrish moved to approve the special use permit with the two conditions set forth by staff and the understanding the special use permit could be removed. The motion carried unanimously by roll call vote. .

07-2003 Consider Request from American Heart Association for Heart Walk, September 20, 2003

Trustee Goodyke supported by Trustee Parrish moved to approve. The motion carried unanimously by roll call vote.

08-2003 Consider the 2002 Annual Report from the Planning Department

Trustee Goodyke supported by Treasurer Carpenter moved to approve. The motion carried.

09-2003 Consider Approval to Allow Treasurer Carpenter to Strike Delinquent Personal Property From Tax Rolls

Treasurer Carpenter related this request applies to personal property that has been delinquent for five years.

Trustee Parrish supported by Clerk Kleinheksel moved to approve. The motion carried.

10-2003 Consider Approval of Resolution for the Installation of a Streetlight at the Intersection of 30th Street and Buttrick Avenue

Treasurer Carpenter supported by Trustee Parrish moved to approve. The motion carried unanimously by roll call vote.

11-2003 Consider Construction of the Cascade Road Eastside Sewer

Manager Cravens related over the past 15 months the Utility Subcommittee and engineers at Fishbeck, Thompson, Carr & Huber have discussed the construction of the eastside sewer in conjunction with the Kent County Road Commission improvements to Cascade Road.

Engineer John VerPlank presented sketches of Cascade Road between Wycliffe and 36th Street indicating two phases of sanitary sewer construction.

Phase I project costs are estimated at \$323,600 with 22 direct connections. Phase II costs are \$582,600 with no direct connections but the future possibility of servicing the Hidden Hills development.

Of the 63 property owners surveyed only five responses were received. Supervisor Julien commented he feels the focus should be on providing public water first and extend sanitary sewer only to large tracts of land where developers will build new homes.

Trustee Jones feels the first priority should be to complete the water transmission line second river crossing.

Mrs. Herbert, 7029 Cascade Road, is not interested in connecting to sewer and knows of 8 neighbors who will not connect.

Mrs. Stevens, 7085 Cascade Road, commented age of the homeowners in the area is a concern. Most are senior citizens who cannot afford \$15,000 for connection.

Mr. Faber, 7135 Cascade Road, related his septic is fine, soil is good; sandy soil is a good base for drainage.

Mr. Kantorowski, 7186 Cascade Road, commented that many septic systems along the river are bad and have failed. His system has failed twice. He believes people need to be educated to the advantages of having a sanitary sewer line available.

Trustee Jones supported by Trustee Goodyke moved to postpone construction of an eastside sanitary sewer line on Cascade Road. The motion carried.

Article 10. Manager's Comments

a. Manager Cravens related the Kent County Supervisors met on February 11th and discussed West Nile Virus. The county feels the situation has been overblown.

b. A traffic signal at the Kraft Avenue and Burton Street intersection has been approved.

Article 11. Board Member Comments (None)

Article 12. Adjournment

Trustee Goodyke supported by Clerk Kleinheksel moved to adjourn. The motion carried at 10.35 p.m.

Respectfully submitted,

Jeanie Neve
Deputy Clerk

Approved by:


Marlene Kleinheksel, Clerk


Michael R. Julien, Supervisor

MINUTES
CASCADE CHARTER TOWNSHIP PLANNING COMMISSION
MONDAY, December 16, 2024
7:00 pm
2870 Jacksmith Ave SE

ARTICLE 1. Chair Moxley called the meeting to order at 7:00 pm.
Members Present: Bruneau, Moxley, Richardson, Korstange
Members Absent: Rowland (excused)
Others Present: Community Planning and Development Director (CP&D Director) Andrea Hendrick, Planning Consultant Danielle Bouchard of McKenna, Legal Counsel (LC) Laura Genovich of Foster Swift, Planning Administrative Assistant Nick Govan and others listed on the sign-in sheet.

ARTICLE 2. Pledge of Allegiance to the Flag

ARTICLE 3. Approve the current Agenda

Motion was made by Treasurer Korstange to approve the current agenda. Supported by Member Bruneau. Motion carried 4 to 0.

ARTICLE 4. Disclose any Conflict of Interest

There were no concerns voiced.

ARTICLE 5. Approve the Minutes of the November 17, 2024 Meeting.

Commissioners provided a list of clarifications and changes that needed addressing:

1. Article 1. changing "Vice Chair Rissi" to "Chair Moxley".
2. Article 7. Changing "Bowls" to "Boles".
3. Article 7. Changing "flows into" to "stays in"
4. Article 8. Removal of "a Site Plan of"
5. Article 9, Correcting the Requested Action to reflect the request "Request for a new truck well, loading dock and storage area for display of tiles." changed to "Request for a Type II Special Use Permit for outdoor storage of materials."
6. Article 9. The addition of text to provide more context "Member Bruneau initiated questioning regarding fire access requirements, noting apparent discrepancies between the site plan presentation and current operations. Joel Bodbyl, representing the Lakeland Pallets, addressed these concerns by confirming their eighteen-year operational history at their previous location with annual fire department compliance inspections.

Chair Moxley reported observations from his site visit regarding pallet stack configurations and congestion at the site. Mr. Bodbyl confirmed current stack heights of sixteen feet, he also confirmed working to accommodate the fire departments requests.

The Commission discussed screening requirements, with Mr. Bodbyl requesting consideration of existing natural vegetation while acknowledging potential additional slat screening needs at the westside. CP&D Director

Hendrick clarified the screening recommendation specifically addressed the fences northwest corner visible from Kraft Avenue.”.

7. Article 10. Addition of text to provide more context “Member Bruneau raised concerns about the applications multiple components, suggesting the need to separate the request.”.

Motion was made by Member Bruneau to approve the Minutes of the November 17, 2024 meeting with the edits provided. Supported by Member Richardson. Motion carried 4 to 0.

ARTICLE 6. Acknowledge visitors and those wishing to speak.

Former Planning Commissioner Scott Rissi (7238 Cascade Road) commended Chair Moxley's dedication to both the Planning Commission and Zoning Board of Appeals, specifically highlighting his meticulous documentation of subcommittee proceedings.

Former Planning Commissioner Chris Noordyke (3720 Oak Bluff Drive) acknowledged Chair Moxley's consistent attendance and contributions throughout his tenure, extending congratulations on his retirement and future endeavors.

ARTICLE 7. Case #24-3868

Applicant: Joel Bodbyl (Lakeland Pallets Inc)

Property Address: 3700 Kraft Ave

Parcel Number: 41-19-20-100-015

Requested Action: Request for a Type II Special Use Permit for outdoor storage of materials.

Community Planning & Development Director Hendrick presented the tabled application for the industrial property located at the southeast corner of Kraft Avenue and 36th Street. The Director provided comprehensive background regarding the property's recent variance approval from the Zoning Board of Appeals permitting outdoor storage within setback requirements. Director Hendrick noted the completion of recent site modifications, specifically highlighting the addition of fence slating at the northwest corner of the property. The presentation included review of the complete site plan submission incorporating all administrative review elements.

Following staff presentation, the Commission engaged in detailed discussion with Joel Bodbyl, representing Lakeland Pallets. Member Korstange initiated questioning regarding future plans for the applicant's current location at 3801 Kraft Avenue. Mr. Bodbyl confirmed the property is being actively marketed for lease opportunities.

Member Bruneau raised two specific concerns regarding the application. The first addressed the proposed fire barrier and paved area planned between the parking lot and wooded section. Specifically, the inquiry sought to determine whether the applicant would agree to implement these features if they were established as conditions of approval. The applicant expressed willingness to implement immediate brush clearing activities, noting ongoing discussions with the Fire Department regarding future site expansion plans to the east. Mr. Bodbyl elaborated that Fire Marshal had indicated satisfaction with periodic four-foot gaps throughout the stacks, and the clearing of brush allowing necessary emergency access to the back of the stacks.

Member Bruneau's second inquiry was that of the periodic spacing between rows noting that eight-foot gaps had been discussed in the memo from the Fire Marshal. Mr. Bodbyl provided clarification regarding implemented fire safety measures, specifically confirming the establishment of four-foot spacing between pallet stacks at intervals ranging from 50 to 75 feet, as coordinated with and approved by the Fire Marshal. Mr. Bodbyl clarified that while the site plan does not explicitly depict access spacing due to its dynamic nature based on pallet sizes and inventory fluctuations, the operation maintains consistent four-foot minimum clearances as required by the Fire Marshal.

Member Bruneau emphasized the importance of formally recording the four-foot minimum spacing requirement, as opposed to the originally discussed eight-foot specification, to ensure clear compliance standards moving forward.

Motion was made by Member Bruneau to APPROVE Case Number 24-3868, for a Type II Special Use Permit for outdoor storage of materials for 3700 Kraft Avenue with the following conditions:

- 1. The brush be cleared to provide a four-foot buffer to the east edge of the paved lot, between the pallets and the woods.**
- 2. The applicant maintain access between pallet stacks between 50 and 75 feet long, the width of that access shall be four feet.**

Supported by Member Richardson. Motion carried 4 to 0.

ARTICLE 8.

Case #24-3866

Applicant: Bruce Wright (Shaggy Pines Dog Park)

Property Address: 3895 Cherry Lane

Parcel Number: 41-19-23-100-008

Requested Action 1: Request for Type II Special Use Permit for a "private outdoor recreational use" (Section 7.04.1) to operate a private outdoor recreation dog park.

Requested Action 2: The applicant is also requesting a Type I Special Use Permit for an accessory building over 832 sf.

Planning Consultant Danielle Bouchard presented comprehensive analysis of the application, noting two distinct components requiring Commission consideration: a Type II Special Use Permit for private outdoor recreational use in the ARC district, and a Type I approval for an accessory building exceeding 832 square feet. The subject property, comprising approximately 19.8 acres, currently operates under a 2003 special land use approval originally granted for kennel operations.

The Planning Consultant provided historical context regarding the property's 2003 approval conditions, specifically addressing preservation of existing trees and downcast lighting requirements. Ms. Bouchard noted the current zoning ordinance's absence of specific provisions for dog park facilities, elaborating on staff's analysis of appropriate use classification.

Considerable Commission discussion focused on the regulatory framework for the application. Member Korstange initiated detailed examination of the kennel classification, expressing reservations about potential implications for future operational modifications. Legal Counsel provided clarification

regarding the 2003 approval process, noting the original approval's broad characterization as a "dog park" without specific use category designation.

The applicant Bruce Wright specifically requested removal of the Type II Special Use Permit consideration from the application. Mr. Wright emphasized his desire to maintain the existing operational framework established under the 2003 approval as a kennel and that they would like to seek approval for the proposed Type I Special Use Permit.

Following Mr. Wright's clarification, the Commission redirected focus to the Type I Special Use Permit request for the accessory building.

Extensive discussion ensued regarding the regulatory relationship between the proposed primary structure and existing building. The Commission, with input from Legal Counsel, established that the new barn would serve as the primary structure, with the existing building transitioning to accessory status.

The Commission conducted thorough examination of infrastructure considerations. Member Bruneau initiated discussion regarding septic system capacity. Mr. Wright confirmed the existing system location between the parking area and proposed construction site, noting builder assessment of potential tie-in capability.

The Commission had questioned the location of the Parking lot and if a pathway would be created to connect to the new building. The Commission Deliberated on the requirements for handicap parking spaces and the distance required. Planning Consultant Bouchard provided clarification regarding ADA compliance requirements, specifically addressing parking accessibility standards requiring "shortest accessible route" without mandating specific distances.

Motion was made by Member Bruneau to APPROVE Case Number 24-3866, for a Type I Special Use Permit for an accessory building over 832 sf located at 3895 Cherry Lane with the following conditions:

- 1. All outdoor lighting shall comply with requirements of the Township ordinance.**
- 2. All stormwater runoff shall be retained on site.**
- 3. The accessory building shall only be utilized for accessory activities, incidental to the principal use, and shall not be used as a residential dwelling.**
- 4. The applicant receives permits and approvals for all required construction activities from the Township Planning Department and Building Department.**
- 5. The general rules and regulations as documented in the application regarding keying of gates, refuse pickup, and vaccinations shall be the baseline. If any of those changes including hour of operations, they must come back before the Planning Commission for approval.**
- 6. There shall be no boarding on parcel 41-19-23-100-008.**

Supported by Treasurer Korstange. Motion carried 3 to 1.

Yeas: Bruneau, Moxley, Korstange

Nays: Richardson

ARTICLE 9. 2025 Proposed Meeting Schedule

Planning Director Hendrick presented the proposed 2025 meeting schedule for Commission consideration. Member Bruneau initiated discussion regarding schedule optimization, noting the current year's extended meeting durations and expressing concern about meeting efficiency and the need for more time with the zoning re-writes.

Member Korstange informed that the Zoning re-write will be going to a subcommittee appointed by the board and then it will come to the Planning Commission at least 30 days prior to being on our agenda and that the Planning Commission will have a full 30 days to review the zoning changes along with the current zoning.

Member Bruneau proposed maintaining two monthly meetings while adjusting dates to accommodate national holidays, citing historical precedent from 2022. Specific attention focused on February and September scheduling, with Member Bruneau suggesting the following modifications:

For February 2025: Adding February 24, 2025

For September 2025: Adding September 22, 2025.

Member Korstange expressed preference for maintaining consistency with traditional first and third Monday scheduling, noting potential impacts on commissioner availability for long-term planning purposes.

Extensive discussion ensued regarding meeting start times, with CP&D Director Hendrick confirming prior polling of commissioners indicated majority support for a 5:30pm start time.

Following thorough deliberation, Member Korstange proposed proceeding with the date schedule as presented, deferring the meeting time to be discussed at the first meeting of January 2025 at 7:00pm. The Commission reached consensus on this approach.

ARTICLE 10. Acknowledge visitors and those wishing to speak.

There was no one wishing to speak.

ARTICLE 11. Other Business

There was no other business.

ARTICLE 12. Adjourn

Motion was made by Member Bruneau to adjourn. Supported by Treasurer Korstange, Motion carried 4 to 0. The meeting adjourned at 8:36 pm.

Respectfully submitted,
Andrea Hendrick, Community Planning and Development Director, Recording Secretary

**CASCADE CHARTER TOWNSHIP
PLANNING COMMISSION**

**MONDAY, April 7, 2025
6:00 PM**

ARTICLE 8.

Case #25-3881 – Public Hearing

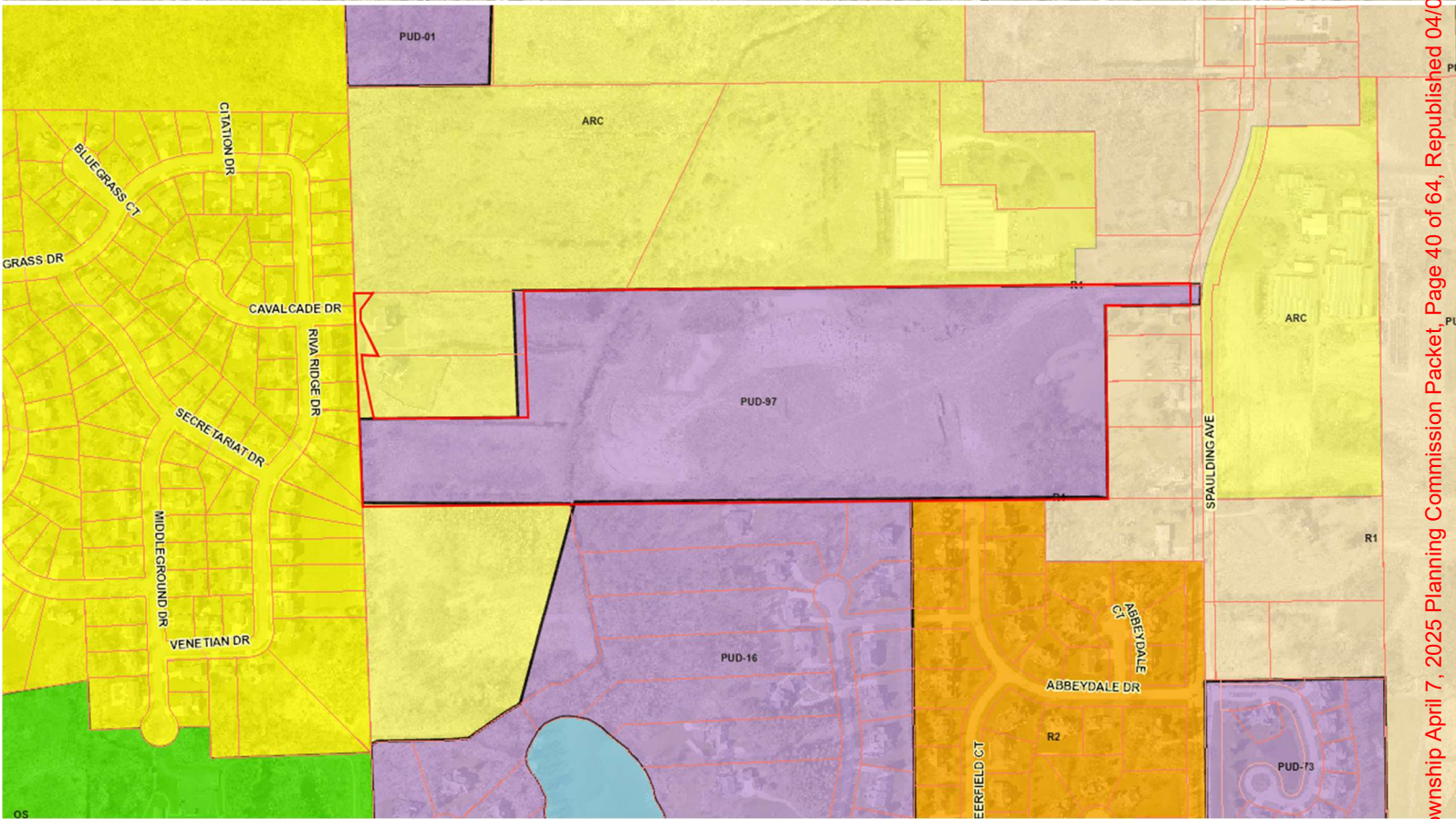
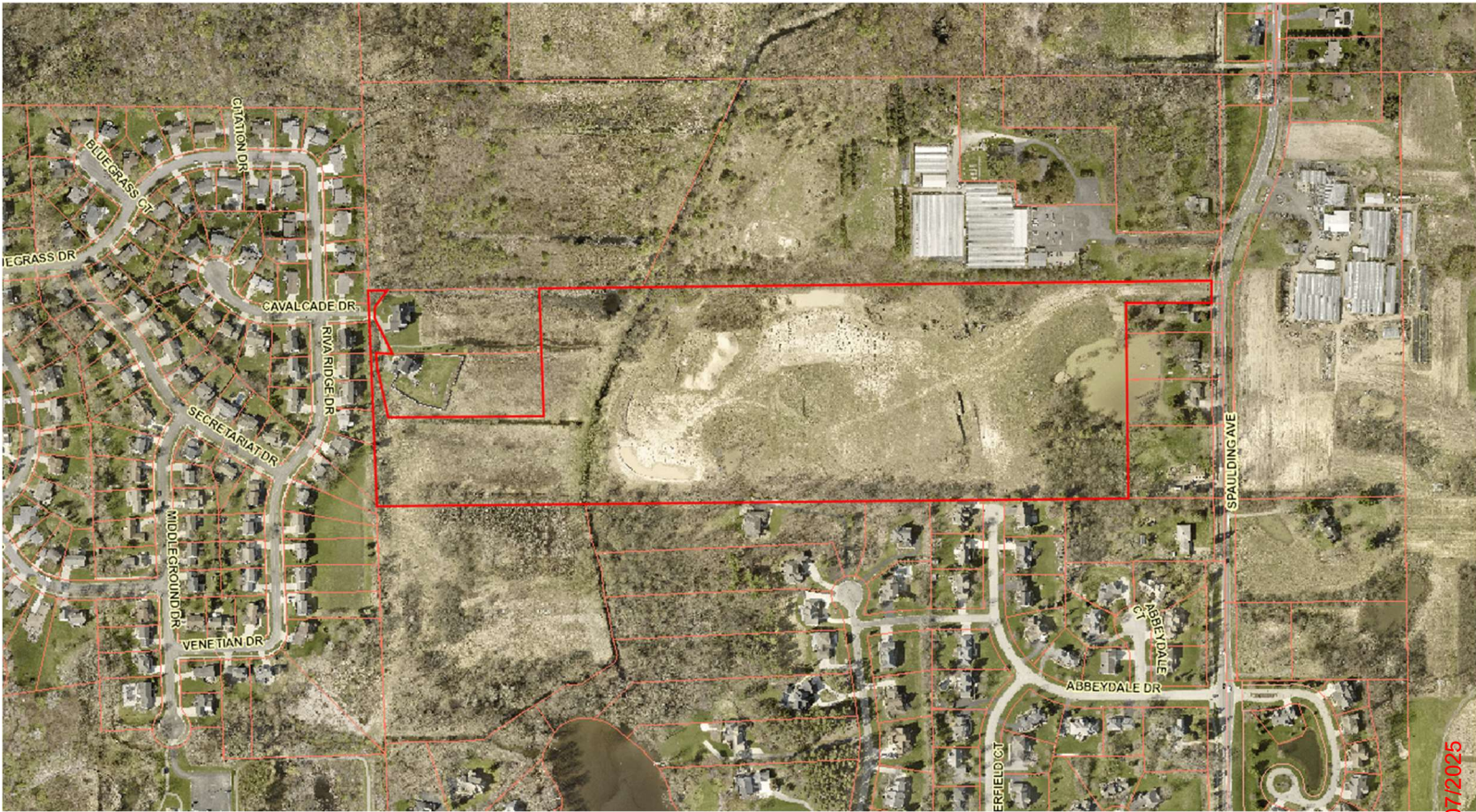
Applicant: Cascade Charter Township

Property Address: 1701 Spaulding Ave SE

Parcel Number: 41-19-06-327-016

Requested Action: Request to rezone from PUD-97 Cascade
One PUD back to Agricultural Rural Preservation
(ARC).

Parcel & Zoning Map





CASCADE CHARTER TOWNSHIP

5920 Tahoe Drive SE Grand Rapids, Michigan 49546-7140

PLANNING DEPARTMENT STAFF REPORT

STAFF REPORT: Case # 25-3881
REPORT DATE: April 2, 2025
PREPARED FOR: Cascade Charter Township Planning Commission
MEETING DATE: April 7, 2025
PREPARED BY: Andrea Hendrick, Community Planning & Development Director

APPLICATION SUMMARY:

APPLICANT: Cascade Township Board of Trustees

ADDRESS: 1701 Spaulding Ave S.E. Grand Rapids, MI 49546

PARCEL NUMBER: 41-19-06-327-016

REQUESTED ACTION: Public Hearing – Rezone the subject address from Cascade One PUD to ARC Agriculture Rural Conservation

REQUIREMENTS: Cascade Charter Township Zoning Ordinance
Section 16.08(2) Commencement & Completion of Construction
Section 16.09 Effect of Approval
Ordinance #10 of 2017 Cascade One PUD (AKA PUD-97)
Section V. Approval Limitations

EXISTING ZONING: PUD-97

GENERAL LOCATION: The subject property is located on the west side of Spaulding between Cascade Road and Abbeydale Drive.

PARCEL SIZE: Approximately 32.2 acres

EXISTING LAND USE: Vacant

ADJACENT PROPERTIES: N: ARC – Greenhouse & MDOT property
W: ARC - Single Family Residential Development
S: PUD 16/R-2 Single Family Residential Development
E: R-1 – Single Family Residential Development

PROPERTY HISTORY

Case #17-3367 Rezoned to PUD 97

- 2017-03-06 Planning Commission Basic Site Plan Review
- 2017-09-11 Planning Commission Public Hearing – Preliminary Review
- 2017-11-01 Township Board Adoption
- 2017-11-02 Adopted Ordinance 10 of 2017

Case #24-3862

- 2024-11-18 Planning Commission Public Hearing – Preliminary Review

Site development and conditions between 2017 & 2024

Parcels excluded from the PUD that remained ARC on the northwest side of the subject property were split. Two single family homes were built. The pathway was constructed on Parcel A (4800 Cavalcade Dr SE – Parcel 41-19-06-327-015) running west to east from Cavalcade Drive up to Martin Beak County Drain. The pathway is currently not maintained and floods often. The previous land was never developed, however, many of the trees were clearcut and the grading was changed. Visible erosion is occurring along with pooling of water throughout the site. The property owner has recently implemented soil erosion measures for the site. The Township has no evidence of SESC being obtained from the County. The 2024 applicant, JTB Homes, is no longer under contract with the property owner. The future of the property is unknown.

2018 Aerial Image of Subject Property



2023 Aerial Image of Subject Property



PUD-97 CASCADE ONE

PUD 97 was adopted by Ordinance 10 of 2017 on November 1, 2017. The following requirements within the original Ordinance are not documented as complete in the Township records:

- *Section V.E.*
Ordinance 10 of 2017 was supposed to be recorded with the Kent County Register of Deeds by the developer. This was never completed.
- *Section V.G.*
A statement by the developer was supposed to be added to the signed statement to the Ordinance before recording it with the County. This was never completed.
- *Section VI.A*
Site Condominium Rules and Bylaws were supposed to be developed and recorded in the Master Deed. No such documents were submitted or recorded.
- *Section VI.B*
A final site plan indicating where each building envelope will be located, along with a full engineering plan, were to be submitted for approval to the Township Engineer. The final plans were supposed to be documented as “Approved” by the Township Engineer. This was never completed.
- *Section XII*
A soil erosion control plan. No soil erosion control plans is found on file.
- *Section XIV.A*
This section mentions an improved site plan dated 9/25/17, however, the case file has no plans submitted with this date. They were not included in any of the recorded packets and are not available digitally or physically.

SECTION 16.08(2) COMMENCEMENT AND COMPLETION OF CONSTRUCTION

Per the referenced section, the Planned Unit Development has expired. Furthermore, this section provides options for extensions to be granted by the Township Board. The applicant has not requested any such extension to the Township Board. Therefore, the Township Board, through the process laid out in this section and the Michigan Zoning Enabling Act, is pursuing rezoning back to the original zoning of the parcel.

2. Commencement and Completion of Construction: Construction shall be commenced within one (1) year following final approval of a Planned Unit Development, or within one (1) year of any other necessary governmental approval for commencement of the project, whichever is later, provided all other necessary approvals have been actively pursued. If construction is not commenced within such time, approval of the final plan for the project shall expire. An extension for a specified period may be granted by the Township Board upon good cause shown if such request is made to the Township Board prior to the expiration of the initial period. Moreover, in the event a final plan has expired, the Township Board may rezone the property in any reasonable manner.

RECOMMENDATION

Staff recommend that the Planning Commission hold the required public hearing and RECOMMEND REZONING of 1701 Spaulding Ave S.E. from PUD-97 to ARC: Agricultural Rural Conservation.

Sample Motion

Motion to recommend the rezoning of 1701 Spaulding from Cascade One PUD to ARC: Agricultural Rural Conservations based on the following findings:

1. The Township Board approved the rezoning of the subject parcel on November 1, 2017.

2. The applicant failed to fulfill the requirements of the PUD
3. The applicant did not commence construction within a year or seek an extension for the Township Board.
4. The Township Board, by resolution, requested the rezoning consistent with Section 16.08(2) of the Cascade Township Zoning Ordinance.

ATTACHMENTS

1. Cascade Township Board Resolution #7 of 2025
2. Planning Department Staff Memo to Board 2025-02-26
3. [September 11, 2017](#), Planning Commission Minutes
4. [November 1, 2017](#), Board of Trustees Minutes
5. [November 18, 2024](#), Planning Commission Packet (Link only)
6. Cascade One PUD Ordinance #10 of 2017

CASCADE CHARTER TOWNSHIP

RESOLUTION NO. 7-2025

RESOLUTION TO DIRECT THE PLANNING COMMISSION TO CONSIDER AN ORDINANCE TO AMEND THE ZONING ORDINANCE MAP

At a meeting of the Township Board of Cascade Charter Township (the “Township”), Kent County, Michigan, held at the Wisner Center, 2870 Jacksmith Avenue SE, Grand Rapids, Michigan 49546 on the 26th day of February 2025.

PRESENT: Noordhoek, Noordyke, Shipley, Lesperance, Slater, Korstange, Rissi

ABSENT: None

The following preamble and resolution was offered by Trustee Rissi and seconded by Treasurer Korstange.

WHEREAS, pursuant to the Michigan Zoning Enabling Act (“MZEA”), 2006 PA 110, the Township has authority to adopt and amend zoning ordinances regulating the use of land in the Township; and

WHEREAS, the Township desires to amend its Zoning Map to rezone certain real property described in the proposed Ordinance to Amend the Zoning Map (“Proposed Ordinance”), which is attached as **Exhibit A**; and

WHEREAS, pursuant to the MZEA, the Township’s Planning Commission, after holding a public hearing, may make recommendations on zoning ordinance amendments to the Township Board; and

WHEREAS, the Township Board directs the Planning Commission to schedule a public hearing to consider the Proposed Ordinance and make a recommendation to the Township Board.

NOW, THEREFORE, the Township Board of the Cascade Charter Township, Kent County, Michigan, resolves as follows:

1. The Township Board directs the Planning Commission to schedule a public hearing to consider the Proposed Ordinance attached to this resolution as **Exhibit A** and make a recommendation to the Township Board.

2. Any and all resolutions that are in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

YEAS: Noordhoek, Noordyke, Shipley, Lesperance, Slater, Korstange, Rissi

NAYS: None

ABSENT: None

THE RESOLUTION WAS DECLARED ADOPTED.

STATE OF MICHIGAN)
)
COUNTY OF KENT)

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true and complete copy of a resolution adopted by the Township Board of Cascade Charter Township, County of Kent, Michigan, at a regular meeting held on February 26, 2025, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.



Susan B. Slater, Clerk

Cascade Charter Township

EXHIBIT A

CASCADE CHARTER TOWNSHIP

ORDINANCE NO. 2-2025

AN ORDINANCE TO AMEND THE ZONING MAP

CASCADE CHARTER TOWNSHIP ORDAINS:

Section 1. Amendment to Township Zoning Map.

The Township Zoning Map is amended to rezone the following real property:

Parcel No. 41-19-06-327-016

1701 Spaulding Ave. SE, Grand Rapids, Michigan, 49546

Commencing at the Northwest corner of said SW 1/4; thence S02°51'20" E 646.86 feet along the West line of said SW 1/4; thence N88°38'54"E 500.17 feet along the North line of the South 12.00 feet of the North 1/2 of the North 1/2 of said SW 1/4 to the point of beginning; thence N88°38'54"E 2164.63 feet; thence S01°27'49"E 66.00 feet along the N-S 1/4 of said Section 6; thence S88°38'54"W 300.00 feet along the South line of the North 54.0 feet of the South 1/2 of the North 1/2 of said SW 1/4; thence S01°27'49"E 607.22 feet along the West line of the of the East 300.00 feet of said SW 1/4; thence S88°38'32"W 2,348.43 feet along the South line of the North 1/2 of said SW 1/4; thence N02°51'18"W 273.70 feet along the west line of said SW 1/4; thence N88°38'54"E 500.17 feet; thence N02°51'20"W 400.00 feet to the point of beginning.

from Planned Unit Development 97 ("PUD-97") to Agricultural Rural Conservation ("ARC"). Corresponding ARC regulations and land uses are hereby established for the above described property.

Section 2. Validity and Severability.

Should any portion of this Ordinance be found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

Section 3. Repealer.

Any ordinances in conflict with the Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Effective Date.

This Ordinance is effective seven (7) days after publication.

87192:00001:201193539-1

REQUEST FOR BOARD ACTION
MEETING DATE: February 26, 2025

ITEM: Request that the Township Board Initiate a Zoning Map Amendment for 1701 Spaulding Avenue to Rezone to Agricultural Rural Conservation

PRESENTER: Andrea Hendrick, Community Planning & Development Director

INDIVIDUAL PRESENT: Mike Homier, Foster Swift

EXECUTIVE SUMMARY:

In November 2017, the Township approved PUD-97 for 1701 Spaulding, rezoning the 32.2-acre parcel from Agricultural Rural Conservation (ARC) to Planned Unit Development (PUD). The original developer never completed construction or fulfilled required approvals. The PUD has now expired under Township Zoning Ordinance §16.08(2).

In November 2024, the Planning Commission heard a request from JTB Homes and KRG Acquisitions (the “Applicants”) to amend the development of PUD-97, 15.6 acres of a currently vacant 32.2-acre site.

- Modification of the Abbeydale Drive connection to Spaulding Avenue.
- Reduction from two public cul-de-sacs to one with a shared driveway.
- Implementation of a two-phase construction plan.
- Increase from 31 to 34 residential lots.
- Incorporation of public pathway connections and bridge.

Following the Applicants’ presentation in of their proposed amendments and a public hearing, the Planning Commission unanimously moved to reject the application/amendments.

After the hearing, the Planning Department requested a legal opinion to determine the status of the Planned Unit Development in question. Attached you will find the legal opinion provided by Foster Swift and a resolution to amend the subject property back to Agricultural Rural Conservation. Please review and consider. This proactive approach by the Township will create an orderly process for addressing the expired PUD status and considering any future development proposals for the property.

STRATEGIC PLANS/GOALS:

Land Use and Economic Development: Priority 2

Ensure that zoning processes are clear, efficient, and promote both economic development and

Township planning goals.

- Instruct the Planning Director and Planning Commission to conduct a "Lean Zoning" audit of the Zoning Ordinance to remove regulations that do not specifically advance Township priority.

BUDGET IMPLICATIONS: No budget implications.

IMPLEMENTATION PLAN:

The Township must follow the Michigan Zoning Enabling Act for Public Notice. The proposed schedule will provide adequate time for noticing and public engagement.

- March 3, 2025: Planning Commission sets the Public Hearing for April 7th, 2025
- April 7, 2025: Planning Commission Public Hearing
- April 23, 2025: Introduce Ordinance to Amend the Zoning Map
- May 14, 2025: Adopt the Ordinance to Amend the Zoning Map
- Zoning Map Amendment is effective seven (7) days after the Ordinance is published.

DIRECTOR'S RECOMMENDATION: Yes

MANAGER'S RECOMMENDATION: Yes

ACTION REQUESTED: Motion to pass the Resolution to Direct the Planning Commission to Consider an Ordinance to Amend the Zoning Ordinance Map as presented.

MINUTES
Cascade Charter Township
Planning Commission
Monday, September 11, 2017
7:00 P.M.

ARTICLE 1. Secretary Rissi called the meeting to order at 7:00 P.M.
Members Present: Katsma, Johnson, Lewis, Mead, Pennington, Robinson, Sperla and Williams
Members Absent: none
Others Present: Community Development Director, Steve Peterson and those listed on the sign in sheet.

ARTICLE 2. Pledge of Allegiance.

ARTICLE 3. Approve the current Agenda.

Motion was made by Member Mead to approve the Agenda. Supported by Member Lewis. Motion carried 9 to 0.

ARTICLE 4. Approve the Minutes of the August 21, 2017 Meeting.

Motion was made by Member Mead to approve the Minutes as written. Supported by Member Sperla. Motion carried 9 to 0.

ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items.

No visitors who were present wished to speak about non-agenda items.

ARTICLE 6. Case #17-3367 Cascade One LLC

Public Hearing

Property Address: 1701 Spaulding Avenue SE

Requested Action: The Applicant is requesting a Preliminary Approval to Rezone to P.U.D. to allow for a 31 lot plat.

Director Peterson stated that the Applicant is requesting Preliminary approval in order to rezone approximately 36 acres for a new Planned Unit Development called Cascade One. This rezoning request is for 31 single family lots.

This project is similar to the project Applicant applied for in 2014. At that time, the project was proposed for 27 single family lots. Due to the increase in the number of lots and the numerous layout changes, staff determined that this should move forward as a new project, rather than just an update of the old one. The developer has provided all new information for this new project.

The Applicant is requesting to cluster the homes in an open space concept with the development on the upland areas of the property.

The developer is choosing to develop the project under the township's subdivision ordinance using the 25% open space method. This allows lot sizes as small as 25,000 sq. ft. with public and sewer. Since Applicant is seeking approval with lot sizes less than 25,000 sq. ft., they are requesting P.U.D. rezoning. Lots will range in size from 15,000 to 28,000 sq. ft. The developer is also proposing smaller setbacks than normal to accommodate the smaller lot sizes.

Applicant has submitted a test plan showing how they could meet the 50% open space method with 14,500 sq. ft. lots and have 33 lots without needing P.U.D. rezoning approval.

Using the 25% open space development technique for this project, the open space or common areas need to be clearly identified on the plan, along with a plan showing how they calculated the density to make sure it fits with the township's subdivision ordinance.

These lot sizes would compare to those in the Jennydale, Abbeydale, and Tall Pines subdivisions. However, those subdivisions do not provide any open space or common areas.

The subdivision includes the use of new public roads. This is a change from the new project originally presented. The main issue was regarding the slope of the road connecting to Spaulding Avenue. The developer has now received approval from the Kent County Road Commission ("KCRC") for the new road design and will proceed as a public road. The road names will need to be approved by KCRC. This plan also includes a connection to Spaulding and Abbeydale Drive.

The development is proposed to be served by both public sewer and public water. The utility plans have been approved by the Township Engineer. The Township Engineer has also approved the storm water plan for this project.

The plan does include a pedestrian connection from our path on Spaulding through the development to Cavalcade Drive in Kentwood. This will be a private walk that will be open to the public.

The path crosses the Martin Beek Drain. The Kent County Drain Commission ("KCDC") will have to permit the work in the drainage easement. This crossing is planned to be wooden boardwalk and would be part of the general common element to be maintained by the association.

The Applicant is also proposing to connect to the Abbeydale subdivision to the South. This was contemplated when Abbeydale was constructed in the late 80's and early 90's. Due to the topography issue, the development does not plan to connect the north for future development of that area.

The site is impacted by some small wetland areas which should be evaluated for need of any MDEQ permits. As done in the past with other open space developments, the township has tried to include the most sensitive areas within the open space areas. This

helps to protect these areas from being used or disturbed by future owners. The developer has done this on the site, which required the P.U.D. rezoning to allow for some smaller lots than allowed, but this is only because they are keeping some of the drainage system in the common areas.

The plan includes an area about 3.8 acres in size that they are leaving out of the project. This area has direct connection to Cavalcade Drive in Kentwood. This area would be able to accommodate two parcels.

The Applicant has indicated the subdivision will have light poles and street trees in the development.

Director Peterson recommends approval of the plan. If approved, staff will put together the P.U.D. ordinance amendments with the Applicant for the Planning Commission's review so they can then make a recommendation to the Township Board.

Secretary Rissi asked the Applicant to come forward with any comments.

Mr. Barker, owner of Cascade One LLC, and his engineer, Mr. VanKooten, came forward and gave a brief overview and history of the project. They also added that Phase I of the project will consist of lots 1 through 9 off Abbeydale. The other phases will come in time and make their way down toward Spaulding. At that time, the driveway/pedestrian road will be put in connecting to Spaulding. They anticipate Phase I will be completed in the Spring/early Summer 2018, with approximately 1 year between phases.

Motion was made by Member Lewis to open Public Hearing. Supported by Member Robinson. Motion carried 9-0.

Several members of the public came forward to voice a variety of concerns concerning this project, including:

1. **Second Entrance.** There was a consensus that there should be a second road put in at the start of construction (versus later in Phase 3) off of Spaulding that could help handle the flow of construction vehicles in and out of the project. One entrance off of Abbeydale into the project will create increased traffic, traffic backups, as well as a concern for the well-being of children walking to and from school bus stops, as there are no sidewalks.
2. **Pedestrian Connection.** There was a concern about the joint driveway/pedestrian pathway. The public felt the driveway and the pedestrian sidewalk should be separate, mainly for safety reasons.
3. **3.8 Acres Not Included in Project.** There was concern from residents around the 3.8 acres being left alone.
4. **Trees.** Many were disturbed about the clearcutting of so many trees to do this project. Many felt it should be looked at again to save as many trees as possible.

Motion was made by Member Mead to close Public Hearing. Supported by Member Robinson. Motion carried 9-0.

Secretary Rissi invited the Applicant to come forward to address the public's concerns.

Applicant did come forward to try to address the concerns brought forward by the public.

1. **Second Entrance.** The developer agreed to install the road off from Spaulding Ave to provide for construction traffic off from Spaulding rather than using Abbeydale.
2. **Pedestrian Connection.** Applicant feels that they could easily accommodate a separate drive and sidewalk, instead of a joint one.
3. **3.8 Acres.** In reference to the two empty lots they don't plan to use, Applicant didn't feel anything needed to be done and that they would meet the township rules of setbacks.
4. **Trees.** Applicant explained that it is never a good idea to take out trees unless it was necessary. The trees that are being removed are being removed mainly because of regulations they need to follow while building. For example, a retention pond needs to go in, then trees need to be removed. Staff did remind everyone that they would be required to plant street trees with the construction of the homes.

Discussion followed between the Applicant and the board members concerning all of these topics.

Motion was made by Member Sperla to approve Applicant's request for preliminary approval to rezone the P.U.D. to allow for a 31 lot plat, with the following conditions:

1. **Separate driveway and pedestrian sidewalk;**
2. **When the building permit is pulled for the 25th lot, the driveways and sidewalks will be constructed to Cavalcade dr. or no later than within 5 years of the start of the project, whichever is first; and**
3. **The second entrance to Spaulding is moved to Phase I instead of Phase II.**

Supported by Member Robinson. Motion carried 9-0.

ARTICLE 7. Case #16-3309 Reibel PUD-Redwood

Property Address: 6370 28th Street

Requested Action: Recommendation to the Township Board for approval of the P.U.D. amendment and site plan.

Director Peterson stated that at the Public Hearing on August 7, 2017, the Planning Commission awarded preliminary approval of the site plan and instructed staff to write the P.U.D. amendment for the project.

The P.U.D. Ordinance amendment has been reviewed by the Applicant and addresses all of their comments as well as the approval from August 7.

**MINUTES OF THE
CASCADE CHARTER TOWNSHIP
REGULAR BOARD MEETING**

Wednesday, November 1, 2017

7:00 P.M.

- Article 1.** Supervisor Beahan called the meeting to order.
Present: Supervisor Beahan, Clerk Slater, Treasurer Peirce, Trustee McDonald, Lewis and Shipley.
Absent: Trustee Koessel (excused)
Also Present: Manager Swayze, Community Development Director Peterson, Building Official Wilson and those listed in Supplement #1.
- Article 2.** Supervisor Beahan led the Pledge of Allegiance to the Flag.
- Article 3.** Motion was made by Trustee Lewis and supported by Trustee McDonald to approve the agenda as presented. Motion carried.
- Article 4. Presentations**
- a. Daniel Waugh, Citizens Pathway Committee – Pathway Recommendation.**
Daniel Waugh highlighted the recommendations made by the Pathway Committee for the pathway system extensions.
- Article 5. Public Comments-Anything on the Agenda not scheduled for a public hearing. (limit comments to 3 minutes)**
- Article 6. Approval of Consent Agenda**
- a. Receive and File Various Meeting Minutes**
1. Regular Township Board Minutes for 10/25/17.
- b. Receive and File Communications**
1. Letter from Hidden Hills Neighborhood Association – re: Speed signs.
- Motion was made by Clerk Slater and supported by Trustee Lewis to approve the Consent Agenda as presented. Motion carried.
- Article 7. Financial Actions**
- Article 8. Unfinished Business**
- Article 9. New Business**
- 074-2017 a. Public Hearing – Rezone to P.U.D. to allow for 31 lot Subdivision – 1701 Spaulding.**
Motion was made by Trustee McDonald and supported by Trustee Shipley to move into public hearing. Motion carried.
Community Development Director Peterson reviewed the rezone with the Board. Discussion followed.
Ingrid Anastasiu, 1921 Deerfield Ct., HOA President of Abbeydale expressed some concerns regarding safety of our children with traffic going thru our neighborhood.
Jack Sablan, 1850 Abbeydale Ct., addressed the Board regarding the drainage potential might cause issues.
Stacey Zhao, 5091 Abbeydale Dr., voiced concern regarding the extension of Abbeydale Dr. and eliminate the existing cul-de-sac and removing many of the adjacent forests right next to our area.

Motion was made by Trustee Lewis and supported by Trustee Shipley to reconvene into regular session. Motion carried.

b. Consider Ordinance to Amend the Cascade Charter Township Zoning Ordinance and Zoning Map to Establish the Cascade One Planned Unit Development.

Supervisor Beahan opened discussion with the Board. Motion was made by Clerk Slater and supported by Trustee McDonald to approve the Ordinance to Amend the Cascade Charter Township Zoning Ordinance and Zoning Map to Establish the Cascade One Planned Unit Development – 1701 Spaulding. Motion carried by roll call vote.

075-2017 Consider Approval of Bid for 60th Street Water Main Connection and authorize the Township Manager to sign the contract documents on behalf of the Township.

Manager Swayze reviewed the water main connection with the Board. Motion was made by Trustee McDonald and supported by Trustee Shipley to approve the Bid for 60th Street Water Main Connection to Dykema Excavators, Inc. in the amount of \$101,309.00, and authorize the Township Manager to sign the contract. Motion carried.

Article 10. Public Comments – Any comments...whether it is on the Agenda or not. (limit comments to 3 minutes)

Diane Cutler, Branch Manager for KDL informed the Board of some events coming up in November at KDL.

Tom Richardson, 3438 N. Applecrest Ct., addressed the Board again on his lack of confidence in Trustee Shipley's ability to carry out his duties based on his failure of oversight related to events in the Fire Department last year. "I continue to have concerns about his service on the Board. I believe it's in the interest of the Township to have a Board of Trustees that is capable of credibly advocating and providing oversight for best practices in all areas. Thus, I continue to believe it would be in the best interest of Cascade Township for Trustee Shipley to resign."

Supervisor Beahan offered an explanation on why the Township Board has not attempted to remove an elected board member. The short answer is "we can't." We have been advised that once a person has been lawfully elected to a public office, that person is entitled to serve in that position under Michigan law unless:

- That person dies or loses the right to serve by being defeated in another election.
- That person ceases to be a resident of the township.
- That person is removed by the Governor for misconduct directly related to the duties of the elected office.
- That person is recalled by voters.

To date, none of those conditions has occurred, so the Township Board is unable to take action. We appreciate your comments and concerns and it is something we share also...on the credibility of this whole Board.

**Article 11. Closed Session
a. To Consider the lease of real property for the Building Inspections Department.**

Motion was made by Trustee McDonald and supported by Trustee Shipley to move into closed session regarding the lease of real property for the Building Inspections Department. Motion carried by roll call vote.

CASCADE CHARTER TOWNSHIP
Ordinance #10 of 2017
AN ORDINANCE TO AMEND THE CASCADE CHARTER TOWNSHIP
ZONING ORDINANCE AND ZONING MAP TO ESTABLISH THE
CASCADE ONE
PLANNED UNIT DEVELOPMENT PROJECT.

Cascade Charter Township (the "Township") Ordains:

Section I. An Amendment to the Cascade Charter Township Zoning Ordinance.

The application received from Dave Barker of Cascade One LLC (hereinafter referred to as the "Developer") for Planned Unit Development designation for the proposed Cascade One Planned Unit Development Project (hereinafter referred to as the "Project") was recommended by the Cascade Charter Township Planning Commission for approval at the September 11, 2017 Planning Commission meeting. The Project is recommended for rezoning from ARC, Agricultural Rural Conservation to PUD, Planned Unit Development, thus permitting a site condominium development. This action requires an amendment to the Cascade Charter Township Zoning Ordinance and Zoning Map to incorporate the Planning Commission's recommendations and the Cascade Charter Township Board of Trustees' action on the November 1, 2017.

Section II. Legal Description.

The legal description of the Project is made up of the following:

That part of the SW 1/4 of Section 6, T5N, R10W, Cascade Township, Kent County, Michigan, described as: Commencing at the Northwest corner of said SW 1/4; thence S02°51'20" E 646.86 feet along the West line of said SW 1/4; thence N88°38'54"E 500.17 feet along the North line of the South 12.00 feet of the North 1/2 of the North 1/2 of said SW 1/4 to the point of beginning; thence N88°38'54"E 2164.63 feet; thence S01°27'49"E 66.00 feet along the N-S 1/4 of said Section 6; thence S88°38'54"W 300.00 feet along the South line of the North 54.0 feet of the South 1/2 of the North 1/2 of said SW 1/4; thence S01°27'49"E 607.22 feet along the West line of the of the East 300.00 feet of said SW 1/4; thence S88°38'32"W 2,348.43 feet along the South line of the North 1/2 of said SW 1/4; thence N02°51'18"W 273.70 feet along the west line of said SW 1/4; thence N88°38'54"E 500.17 feet; thence N02°51'20"W 400.00 feet to the point of beginning.

Section III. General Provisions.

The following provisions shall hereby apply to the Project, in addition to those provisions outlined in Chapter 16 of the Cascade Charter Township Zoning Ordinance (Ordinance No. 11 of 1988, as amended).

Section IV. Purpose.

The Project occupies approximately 36 acres of land in the Township. The Project will be a site condominium development containing 31 single-family site condominium units. Approximately 41% of the property is to be preserved as open space. This technique has been chosen by the Developer to give it and the eventual owners of each unit more control over the Project's aesthetics and appearance. This development technique provides the Developer with the ability to develop the Project in a manner to meet market expectations where more traditional mechanisms such as creating subdivision plats do not.

The regulations contained herein are established to define the procedures necessary to ensure high quality development in the Project. Additionally, they are designed to achieve integration of this development with adjacent land uses.

Section V. Approval Limitations.

- A. The provisions of this Ordinance/Ordinance amendment ("this Ordinance") are not intended as a substitute for the Cascade Charter Township Zoning Ordinance and the General Development Plan, nor do they in any way relieve the Developer from obtaining all approvals and permits required by the Township, except as otherwise expressly provided herein. In the event that a development issue or site plan element is not expressly addressed by this Ordinance, the specifications and requirements of the Cascade Charter Township Zoning Ordinance shall apply. Furthermore, all other applicable Cascade Charter Township ordinances shall still govern the Project where applicable.
- B. Except as expressly otherwise provided herein, the Developer and his assigns must meet all applicable provisions, ordinance requirements, and regulations of Cascade Charter Township, as well as federal and state law, and must obtain all necessary approvals from state and county governmental agencies that are required for construction, operation, or use.
- C. This PUD approval is expressly contingent upon all conditions of approval herein remaining fully effective and valid. If any condition imposed herein is determined to be illegal or contrary to law as a result of a successful legal challenge by the Developer or its assigns, or any other party, the Township reserves the right to review the entire Project under the PUD provisions of the Cascade Charter Township Zoning Ordinance, and further, to withdraw its approval of this PUD if the Township finds that, absent the effect of any condition imposed herein, the PUD no longer meets the standards for PUD approval contained in the Zoning Ordinance.

- D. All conditions contained herein and in the final approved site plan shall be binding upon the Developer, as well as its successors, tenants and assigns. The conditions may be modified or amended only pursuant to a formal amendment of the PUD approval, approved site plan, and ordinance amendment. The Project must be constructed and operated, and all properties therein used, in strict compliance with the PUD approval (including this Ordinance and the final approved site plan), and no deviations can occur without prior formal written approval by the Township. So-called minor deviations shall not occur unilaterally by the Developer or its successors, tenants, or assigns. Any deviation without prior formal written approval by the Township will constitute a violation of this Ordinance and the Cascade Charter Township Zoning Ordinance.
- E. **This approval document shall be recorded with the Kent County Register of Deeds by the Developer prior to construction occurring on site and shall run with and bind the lands involved. Copies of this recorded document shall be supplied by the Developer to the Cascade Charter Township Clerk.**
- F. Failure to comply with the site plan or any condition of approval herein shall be deemed to be both a nuisance per se and a violation of the Cascade Charter Township Zoning Ordinance.
- G. **Prior to recording a copy of this document as specified in Section V(E) hereof, the Developer shall type the following statement onto the end of this document (or add an additional page to the document) as follows, and shall sign and date the same:**

“I, Dave Barker, have fully read the above PUD ordinance amendment, understand its provisions and fully agree with all requirements and conditions contained in the same, on behalf of myself and my assigns, successors and transferees in and to the property involved.”

Section VI. Site Condominium Documents and Plans.

- A. Specific controls relating to architectural elements, common elements of the site condominium project, construction materials, size and space requirements, improvements and out buildings, specific prohibitions and rules of conduct shall be governed by site condominium bylaws and master deed. These restrictions shall become part of this Ordinance by reference.
- B. The Project shall be developed exactly in accordance with the site plan approved and signed by the Township. The site plan shall indicate where each building envelope will be located and shall provide appropriate measurements demonstrating compliance with Section 16.11(2) of the Zoning Ordinance. Engineering plans and documents relating to utilities, topography, drainage, and the survey of the Project shall be reviewed and approved by the Township Engineer. Approval of these documents shall be based upon their meeting the requirements of Section 16.11(4) of the Zoning Ordinance and also meeting

recognized, acceptable engineering standards and practices. Once it has been determined that the plans have met Township requirements, the Township Engineer shall sign and mark these plan documents as "Approved," and forward them to the Developer. Only approved plan documents shall be recorded with the appropriate county and state agencies.

- C. The number of building sites may be reduced or consolidated within the Project only after the review by and written approval of the Township Planning Department. The proposed changes to the site/survey plan to reduce or consolidate building sites shall be reviewed by the Planning Department to ensure compliance with the Cascade Charter Township Zoning Ordinance, this PUD Ordinance, and any other requirements. Once approved by the Planning Department, the amended site/survey shall then be recorded with the Kent County Register of Deeds Office and the appropriate state agencies by the Developer at his cost. A copy of the recorded site/survey plan shall be forwarded to the Planning Department, so that accurate files regarding the development can be maintained.

Section VII. Permitted Uses.

The permitted uses for the Cascade One PUD are as follows:

- A. Single Family Residences.
- B. Accessory buildings customarily incidental to a single family residence, subject to the provisions of Section 4.08 and 4.09 of the Cascade Charter Township Zoning Ordinance, as it may be amended.
- C. Signs. All signs for the Project shall conform with Section 6.02 of the Cascade Charter Township Sign Ordinance (Ordinance 14 of 1997, as amended).

Section VIII. Design Guidelines, Requirements and Limitations.

The Project shall be developed in exact accordance with the site plan approved by the Township. No alterations, expansions or additions may occur as to the Project without a formal amendment to this Ordinance, unless expressly otherwise authorized herein.

- A. Maximum Number of Residential Units - The maximum number of single-family detached site condominium units within the Project shall be limited to thirty-one (31) units.
- B. Maximum Building or Structure Height - 35 feet or 2½ stories whichever is the less.
- C. Setback Requirements

All site condominium buildings and structures shall meet the following minimum setback requirements:

1. Front Yard Setback: 25 feet
2. Side Yard Setback: minimum of 10 feet with both sides totaling at least 20 feet
3. Rear Yard Setback: 25 feet.

D. Minimum Floor Area

Each dwelling on a site condominium unit shall contain a minimum of:

1. One Story & Bi-Level – 1,800 square feet on the main floor, top floor of a bi-level, finished livable area above grade level, exclusive of garages, decks, porches and breezeways.
2. Two Story – 2,000 square feet, with a minimum of 800 square feet on the first floor, finished livable area above grade level, exclusive of garages, decks, porches and breezeways.

E. Street Trees. All street trees shall be planted after each home is constructed in compliance with Township regulations

F. Sidewalks. All sidewalk on the site shall be built along with the homes construction for each lot. All sidewalk must be construed to connect Spaulding Ave to Cavalcade Dr (Kentwood) before the 25th building permit is issued or with five years of the start of the project whichever is first. The sidewalk connecting to Cavalcade must be separated from the proposed drive off from Cavalcade Dr.

Section IX. Public Street Development.

- A. The Developer has chosen to construct public roads to serve this development. these plans must be done in accordance with the Kent County Road Commission.
- B. The developer has agreed to construct the access to Spaulding Ave first to allow all construction traffic to use this entrance rather than the connection to Abbeydale Dr.
- C. No combustible building materials may be erected on the Project until a temporary access road is constructed to within 100 feet of the furthest point of a structure. Such road shall be a minimum 18 feet wide and be able to support 20 tons on a single axle with dual wheels and standard road tires.

Section X. Temporary Buildings.

No structure of a temporary nature; trailer, tent or construction shack shall be constructed, placed or maintained within the Project except accessory to and during construction of any building or infrastructure improvement.

Section XI. Utilities.

- A. Water and Sewer – The individual units in the Project will be served by public sewer and public water. Such systems shall be designed, installed, and maintained pursuant to all applicable requirements of the City of Grand Rapids.
- B. Stormwater Drainage - All proposed stormwater drainage facilities shall be reviewed and approved by the Township Engineer, and the Kent County Drain Commissioner's office, and the Michigan Department of Environmental Quality (if it has jurisdiction) prior to the development of the Project. The Developer shall provide the Township Planning Department with copies of all correspondence and permits received from the Kent County Drain Commissioner and the Michigan Department of Environmental Quality regarding stormwater disposal.
- C. The Developer shall provide all necessary easements within the Project for telephone, electricity, gas and cable television to the appropriate utility provider without cost. Said easements shall be recorded with the Kent County Register of Deeds and be provided to each utility provider for their records.
- D. Exterior Lighting. All street lighting shall either be installed prior to the issuance of any certificate of occupancy for the first building in the Project or paid for prior to the issuance of any certificate of occupancy for the project.

Section XII. Soil Erosion Control Requirements.

The Developer shall submit a soil erosion control plan showing all temporary and permanent soil erosion control measures to be taken before, during, and after construction on the Project. This plan shall be reviewed and approved by the Township Engineer prior to commencing any excavation on the site.

Section XIII. Performance Guarantee.

To ensure compliance with this Ordinance and any conditions herein, the Township may require reasonable performance guarantees to ensure completion of improvements such as, but not limited to, landscaping, drainage, lighting, roads, and utilities. The Township Board, Engineer, or Planning Department may require such guarantees at any time they deem reasonably necessary to ensure completion of the improvements. The form (including the bank or surety involved), duration, and amount of the performance guarantee as shall be approved by the Township.

Section XIV. Permanent Common Open Space.

The permanent common open space area is to remain in its present undeveloped state in perpetuity. To ensure this occurs, the following regulations shall apply to the permanent common open space area:

- A. No buildings, structures, fences, or driveways shall be erected, constructed or placed within the common open space area. All improvements shown on the approved site plan dated 9/25/17, may encroach into this area provided they are consistent with the development plan for this Project.

Section XV. The Gerald R. Ford International Airport.

Within the recorded Master Deed, the Developer shall expressly disclose in writing that the Project is located in the vicinity of the Gerald R. Ford International Airport and that there may be noise, vibration, and property valuation impacts associated with such location.

Section XVI. Consistency of the Master Deed and/or Deed Restrictions/Covenants with the PUD Approval.

If the Project will be a condominium project (in whole or in part), the master deed (and attachments) shall be reviewed and approved by the Township Attorney prior to final recording to ensure consistency with this Ordinance. If some or all of the Project will be governed by deed restrictions/restrictive covenants apart from a condominium master deed, such deed restrictions/restrictive covenants shall be reviewed and approved by the Township Attorney before recording to ensure consistency with this Ordinance.

Section XVII. Consistency With Planned Unit Development (PUD) Standards.

The rezoning to Planned Unit Development will result in a recognizable benefit to the ultimate users of the Project and to the community. Current and future residents will recognize the benefits of a residential development that offers a low-density land use.

In relation to the underlying zoning (ARC) the Township finds the Project will not result in a material increase in the need for public services, facilities and utilities and will not place a material burden upon the subject property and the surrounding properties. The Project is not anticipated to cause undo impact to the stormwater drainage of the surrounding area. All stormwater and soil erosion control plans have been approved by the Township Engineer and the appropriate County and State agencies.

The Project has been determined by the Township to be compatible with the 1999 Comprehensive Plan of the Township and with the spirit and intent of the Planned Unit Development Chapter of the Zoning Ordinance. The Project has been determined to be a "Residential" use, which is consistent with the Cascade Township Comprehensive Plan.

The Township finds the Project will not result in an unreasonable negative economic impact upon surrounding properties.

The Township finds the Project to have at least the same amount of green areas and usable open space than would typically be required by the Township Zoning Ordinance.

Finally, the Township recognizes the Project will be under single ownership or control. The Township recognizes that the Developer or its assigns will retain ownership and control of the

Premises until a majority of the site condominium units are purchased for single family residential purposes.

Section XVIII. Effective Date.

This Ordinance shall become effective seven (7) days after publication of the ordinance, or a summary thereof, in *The Grand Rapids Press*, a newspaper of general circulation within Cascade Charter Township.

The foregoing Ordinance was offered for adoption by Board Member Slater, supported by Board Member McDonald. The roll call vote being as follows:

YEAS: Lewis, Slater, Beahan, Shipley, Peirce, McDonald

NAYS:

ABSENT: Koessel



Sue Slater

Cascade Charter Township Clerk

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted at a Regular Meeting of the Cascade Charter Township Board on the 1st day of November 2017.



Sue Slater

Cascade Charter Township Clerk

“I, Dave Barker, have fully read the above PUD ordinance amendment, understand its provisions and fully agree with all requirements and conditions contained in the same, on behalf of myself and my assigns, successors and transferees in and to the property involved.”

Dave Barker

Date