

AGENDA
Cascade Charter Township Planning Commission
Monday, December 4, 2017
7:00 pm
Cascade Library Wisner Center
2870 Jacksmith Ave. SE

- ARTICLE 1. Call the meeting to order
Record the attendance**
- ARTICLE 2. Pledge of Allegiance to the flag**
- ARTICLE 3. Approve the current Agenda**
- ARTICLE 4. Approve the Minutes of the November 20, 2017 meeting**
- ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items.
(Comments are limited to five minutes per speaker.)**
- ARTICLE 6. Case # 17-3418 Bill Bos
Public Hearing
Property Address: 1674 Spaulding
Requested Action: The applicant is requesting a Type 1 Special Use Permit to allow for a taller fence around the perimeter of the farm to keep deer out.**
- ARTICLE 7. Case # 17-3425 Alpha Lima Ventures
Property Address: 3009 Thornhills Ave. SE
Requested Action: The applicant is requesting to amend the Centennial PUD to allow for 9 additional residential units at the corner of Thornhills and Tahoe.**
- ARTICLE 8. Case # 17-3424 Bentineau Residential
Property Address: 2768 Orange Ave
Requested Action: The applicant is requesting to rezone the property from B1 to R1. The applicant is offering a conditional rezoning for three new homes.**
- ARTICLE 9. Any other business**
- ARTICLE 10. Adjournment**

Meeting Format

- 1. Staff Presentation** *Staff report and recommendation*
- 2. Project presentation-** *Applicant presentation and explanation of project*
 - a. PUBLIC HEARINGS**
 - i. Open Public Hearing.** *Comments are limited to five minutes per speaker; exception may be granted by the chair for representative speakers and applicants*
 - ii. Close public hearing**
- 3. Commission discussion – May ask for clarification from applicant, staff or public**
- 4. Commission decision - Options**
 - a. Table the decision** *d. Approve with conditions*
 - b. Deny** *e. Recommendation to Township Board*
 - c. Approve**

MINUTES
Cascade Charter Township
Planning Commission
Monday, November 20, 2017
7:00 P.M.

ARTICLE 1. Vice Chairman Sperla called the meeting to order at 7:00 P.M.
Members Present: Katsma, Johnson, Lewis, Mead, Rissi and Williams
Members Absent: Pennington and Robinson (E)
Others Present: Community Development Director, Steve Peterson, Township Manager Ben Swayze and those listed on the sign in sheet.

ARTICLE 2. **Pledge of Allegiance.**

ARTICLE 3. **Approve the current Agenda.**

Motion was made by Member Lewis to approve the Agenda. Supported by Member Rissi. Motion carried 7 to 0.

ARTICLE 4. **Approve the Minutes of the November 6, 2017 Meeting.**

Motion was made by Member Rissi to approve the Minutes. Supported by Member Mead. Motion carried 7 to 0.

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

Mr. Ken Carey came forward and stated that he had attended a meeting of the Township Board around May 10, 2017 where he heard a presentation concerning the Michigan Economic Development Corporation and what they do and expressed an interest in why Cascade was one of the last holdouts to join and receive certification. He owns property in the Village. It would be a great benefit for Cascade and the Village.

Township Manager Mr. Ben Swayze was present and addressed this matter. He stated that Cascade has started the process to certification for the Redevelopment Ready Community program, however, the process could take anywhere from 9 months to 3 or 4 years.

ARTICLE 6. **Case #17-3417 Adam Salmon**

Public Hearing

Property Address: 6350 Cascade Road

Requested Action: The Applicant is requesting a Special Use Permit to construct an accessory building in excess of 832 sq. ft.

Director Peterson stated that the Applicant is requesting permission to construct a 30' x 48' accessory building (1,440 sq. ft.). The building will be under 14 feet tall as measured to the midpoint. This requires a minimum of a 10 feet setback from the side and 25 feet

from the rear property lines. The Applicant shows the nearest setback of 45 feet to the side property line.

The purpose of the building will be for storage of lumber, a sawmill and a tractor. Applicant is aware that a business cannot be run from the building.

With more than 3 acres, Applicant is allowed to have two accessory buildings. Two already exist, but the smallest building in the Southwest corner of the property will be removed.

The building is planned to have metal siding and metal roofing. While this is a little unusual for the residential zone, this is not a typical subdivision where it would be out of character.

Director Peterson went on to state that a review of past accessory buildings in the R1 zone on lots of similar size shows that this building is larger than most given the size of the home. That any outdoor lighting will need to meet township standards and that accessory buildings cannot be used for living space or to run a business.

Director Peterson recommends that Applicant's request for a Special Use Permit be granted, however, he recommends that the size of the building be reduced from 1,440 sq. ft. to no more than 1,200 sq. ft. due to fact that the size of the home on the property will be smaller (1,300 sq. ft.) and with the following conditions:

1. Building will not be used for living space or to run a business; and
2. Any outdoor lighting meetings township regulations.

Vice Chairman Sperla asked the Applicant to come forward with any comments.

Mr. Alan Salmon came forward. He showed various photos of his home and existing buildings. Mr. Salmon spoke to the size of the structure he wanted to build. He explained that 1,440 sq. ft. was the smallest he could do because of the size of his sawmill he wished to store. He realizes that the building will be larger than the current home on the property, however, Mr. Salmon stated that down the line, he wanted to replace the home and it would be larger in size than it is currently. He had no problem using wood siding instead of metal if that was preferable. He reiterated his need for the building as storage only. He would not be running a business out of the building. Lumber milling is a hobby of his and currently the existing buildings are not big enough or in good enough shape for what he needs.

Motion was made by Member Rissi to open public hearing. Supported by Member Mead. Motion carried 7 to 0.

No members of the public came forward.

Motion was made by Member Rissi to close public hearing. Supported by Member Mead. Motion carried 7 to 0.

Extensive discussion followed concerning the size of the building, whether there were any wetlands on the property, noise from the sawmill that might impact neighboring properties, and any potential business from Applicant's lumber milling. Some members of the Commission disagreed with Director Peterson's recommendation of reducing the size of the building to 1,200 sq. ft., that Applicant's request did not seem out of line with what has been approved in the past.

Motion was made by Member Rissi to approve Applicant's request for a Special Use Permit to construct an accessory building (1,440 sq. ft.) with the conditions listed by Director Peterson above. Supported by Member Mead. Motion carried 5 to 2.

ARTICLE 7. Case #17-3421 Lacks Enterprises

Property Address: 5460 Cascade Road

Requested Action: The Applicant is requesting to amend the Golfview P.U.D. to allow for a short and mid-term lodging building for out-of-town Lacks employees at the Corporate HQ.

Director Peterson stated that the Applicant is requesting Basic Plan Review in order to add a short and mid-term lodging facility for their out-of-town employees and guests at 5460 Cascade Road.

The project would consist of an approximate 4,300 sq. ft. building and would have 6 apartments. The building would be physically separate from any other building, but would be on the same property as the corporate headquarters building.

Applicant has indicated that this would only be used for their employees and guests. Currently, they have staff from out-of-town stay at surrounding hotels for extended stays.

The property is part of the larger Golfview P.U.D. that has restrictions on the size of the buildings. The most recent amended to the project allowed for the expansion of the corporate headquarters building, but did not have a provision for this additional building.

The Golfview P.U.D. has a complicated history of give and take and has now been completely developed. Some of the concerns relative towards amount of development had to do with the amount of traffic that would be generated by the new development. The thought was to have a mix of uses that would allow for traffic to be distributed at different times, as well as limited "9-5 office traffic" by limiting the amount of offices that could developed. The P.U.D. also tried to adhere to the Cascade Road corridor study from the mid-90's. The intent in part of this corridor plan was to have the buildings look more residential from the road. However, in this case they would actually be putting up a residential building.

The location of the building would sit behind (and lower) than the existing headquarter building. This would make it difficult to see from Cascade Road. The Applicant has provided a couple of elevation drawings, but Director Peterson suggested that they

provide a couple of renderings to show what the building would actually look like from Cascade Road.

The original approved plan for Golfview did include an additional 10,000 sq. ft. building just to the West of the proposed site. This building was eliminated as part of a trade off with the original developer when he could not remove the billboard as originally required.

Since the development of the Golfview P.U.D., Cascade Road has been improved to include a center turn lane at the entrance. For this reason, and the relatively small scope of this project, Director Peterson does not feel a traffic study is needed.

The current Master Plan designation for this property is Mixed Use. This designation is a reflection of the uses that are already there. This project does not change that and would not be inconsistent with the Master Plan.

The Applicant has indicated that the storm water from the site will be addressed and improved to comply with the township's storm water ordinance.

Director Peterson stated that if the Planning Commission finds that all of the procedural information has been provided by the Applicant, then this matter would proceed to a public hearing and consideration of a Preliminary Development Plan. It will be at that stage of the review process that the merits of the request will be considered and the detailed site plans will be required and reviewed.

Therefore, before proceeding to the Preliminary Development Plan review (Public Hearing), Director Peterson recommends that the Applicant address the following:

1. Provide the required site plan information;
2. Revise the site plan to include the necessary storm water information; and
3. Provide a rendering to show what the new building would look like from Cascade Road.

Vice Chairman Sperla asked the Applicant to come forward with any comments.

Mr. Justin Longstreth of Moore & Bruggink and Mr. Patrick Knight came forward to show a couple of rough renderings of what the building would look like, to explain that it would consist of 6 suites and a couple of conference rooms and that the need was to house out-of-town guests and employees for short term durations because of the convenience to the main headquarters on site.

No formal action is required at this time. Planning Commission members gave Applicant their feedback and this will proceed towards the next step in the process which is the public hearing.

ARTICLE 8. Case #16:3419 Innovative Design, Mark Tomasik

Property Address: 6759 Cascade Road

Requested Action: The Applicant is requesting to amend P.U.D. 19 to allow for a revised site plan to accommodate a drive-thru coffee business for Starbucks.

Director Peterson stated that the Applicant is requesting a Basic Plan Review in order to amend the Thornapple Centre P.U.D. to add a drive-thru coffee business and amend the site plan to accommodate the change. This change would essentially break the existing building into two separate buildings. This allows for the coffee drive-thru at the end of the building. This is being done in essentially the same footprint as the existing building, so we would actually have a decrease in building square footage on the site.

Cascade Township does not allow for restaurants to have a drive-thru. Is Starbucks considered a restaurant? After inspection of other Starbuck facilities, Director Peterson determined that it is not a restaurant based on the definition in the zoning ordinance. If the Planning Commission determines otherwise, then the appropriate plan would be to ask the Zoning Board of Appeals to overturn his interpretation.

As a result of the redevelopment of the site, the developer is required to install a sidewalk from the pathway along Cascade Road to their sidewalk at the front of the building.

The project does create some new traffic flow around the building to accommodate the drive-thru. However, it appears that it would be done with minimal impact on the public road system. Director Peterson suggests that the existing curb cut out to the main entry drive be realigned with the drive-thru, as well as the inclusion of some landscape islands in the parking lot to help with traffic flow in the parking lot. Although the added traffic is a change to the site, he does not feel a full traffic study is warranted. However, he did suggest that they provide information from Starbucks on the expected traffic generation from the site so the township can evaluate the need, if any, for other possible changes.

Although it appears that no added impervious areas are being added, the Township Engineer will need to review and approve the revised storm water plan for the site to ensure compliance with the storm water ordinance.

The changes also include a slight change to the wall sign. The current development included rectangles on top of each entrance that the developer could use. They appear to want to make a change to that. They should provide plans showing the existing sign allowance and what they are asking for. Although a small change, this could be problematic for the rest of the project depending on what the change would be. This also begs the question about signage in the development and the need to make changes for the entry way. Others in the development have expressed interest in making changes to the overall sign package. These changes should be included in the P.U.D. amendment. Drawings that the developer had put together had been submitted some time ago. These show not only some of their ideas for entry signs into the project, but also a traffic circle fountain on the project. This redevelopment should allow for that to happen.

The Fire Department will need to review and approve the site plan.

Other projects that have separated buildings like this has resulted in building code issues. The Applicant should have their architect review these changes now, to avoid any issue during permitting.

The DDA Director will need to review and approve the site plan.

Director Peterson stated that if the Planning Commission finds that all of the procedural information has been provided by the Applicant, then this matter would proceed to a public hearing and consideration of a Preliminary Development Plan. It will be at that stage of the review process that the merits of the request will be considered and the detailed site plans will be required and reviewed.

Therefore, before proceeding to the Preliminary Development Plan review (Public Hearing), Director Peterson recommends that the Applicant address the following:

1. Provide the traffic generation information from Starbucks;
2. Realign the drive and drive-thru with landscape island to improve traffic flow through the site;
3. Comply with comments from the DDA and Fire Department;
4. Have the developer's architect review the plans for any building code issues;
5. Provide documentation that the existing wall signage is the same as what is being proposed;
6. Coordinate meeting with the other owners in the development to address the main entry sign changes;
7. Agree to an easement to allow for the proposed traffic circle;
8. Include a sidewalk connection from Cascade Road to the front of the building; and
9. Receive approval from the Township Engineer.

Once the above items are satisfied, a public hearing will be set to consider the amendments.

Vice Chairman Sperla asked the Applicant to come forward with any comments.

Mr. Mark Tomasik came forward to present renderings of what the drive-thru and surrounding property would look like. He let the members of the Planning Commission know that he agreed with Director Peterson's assessment that Starbucks is not qualified as a restaurant. They have only accessory food and do not prepare food from scratch on site. He spoke to Mr. Peterson's suggestion that the main entry drive be realigned with the drive-thru to help traffic flow to which he did not see a problem.

Some discussion followed.

Formal action was not required. The Planning Commission asked Applicant to address Director Peterson's list above, so that this could proceed to public hearing.

ARTICLE 9. Any other business

a. Discussion of possible sign ordinance amendments

Director Peterson stated that in response to comments heard from businesses and in community surveys, as well as the recent Supreme Court decision regarding the need to address the regulation of signs on a content neutral basis, staff had conducted a series of meetings with business/property owners to discuss amendments to the sign ordinance. At the last meeting, he distributed copies of the proposed changes for the Planning Commission to review. Director Peterson then went through each amendment with the members to be certain each was understood. He then went on to say that this will now be set for public hearing where further discussion will take place.

b. Resolution of support to adopt the Cascade Charter Township capital improvement plan 2018 – 2023.

Mr. Ben Swayze presented and gave an overview of the Capital Improvement Plan for the 6 years of 2018 – 2023 and answered any questions presented by the members.

Motion was made by Member Mead to support the resolution to adopt the Cascade Charter Township capital improvement plan from 2018 – 2023 and forward recommendation to the Township Board. Supported by Member Johnson. A roll call was conducted. Motion was carried 7 to 0.

ARTICLE 10. Adjournment

Motion was made by Member Mead to adjourn. Supported by Member Johnson. Motion carried 7 to 0. The meeting was adjourned at 9:40 p.m.

Respectfully submitted,
Scott Rissi, Secretary

STAFF REPORT

TO: Cascade Charter Township Planning Commission
FROM: Steve Peterson, Community Development Director
REPORT DATE: November 21, 2017
MEETING DATE: December 4, 2017
CASE: #17-3418/Bos

GENERAL INFORMATION

APPLICANT:

Bill Bos
1674 Spaulding Ave
Cascade MI 49546

- A. **Status of Applicant:** Property Owner
- B. **Property Location:** East side of Spaulding Ave between Burton and Cascade Rd
- C. **Requested Action:** Install an 8 foot tall fence around the perimeter of the farm.
- D. **Existing Zoning on Subject Parcel:** ARC
- E. **Zoning on Adjoining Parcels:** All R-1
- F. **Existing Land Use on Subject Parcel:** Farm.
- G. **Adjacent Area Land Uses:** All Residential

STAFF ANALYSIS

- A. The applicant is requesting a Type I special use permit to allow for a taller fence around the perimeter of the farm in order to keep deer out.
- B. The applicant is allowed to have a 4 foot tall fence in the front yard and 6 feet elsewhere but would like to go to the maximum of 8 feet. Because they would like to go over 4 and 6 feet respectively they need a special use permit.
- C. Fences do not require a building permit but are required to comply with 4.30 of the Zoning Ordinance.

- D. We have granted other permits for taller fences including the need to keep deer out.
- E. The township has tried to preserve what little agricultural use we have and have identified the farm uses on Spaulding as our "farmers markets". Allowing the farmer to have a taller fence to keep the deer out would be consistent with that goal.
- F. They have indicated that it would be a wire fence.
- G. The fence would only be permitted on the property lines and would not be able to be placed in the Kent County Road right-of-way along Spaulding.
- H. With a Type I special use permit the Planning Commission may allow the height of the fence to increase to 8 feet. I have copied for you the section from our ordinance that provides the criteria for you to evaluate the taller fence request.

Conditions for Special Use Permit Approval

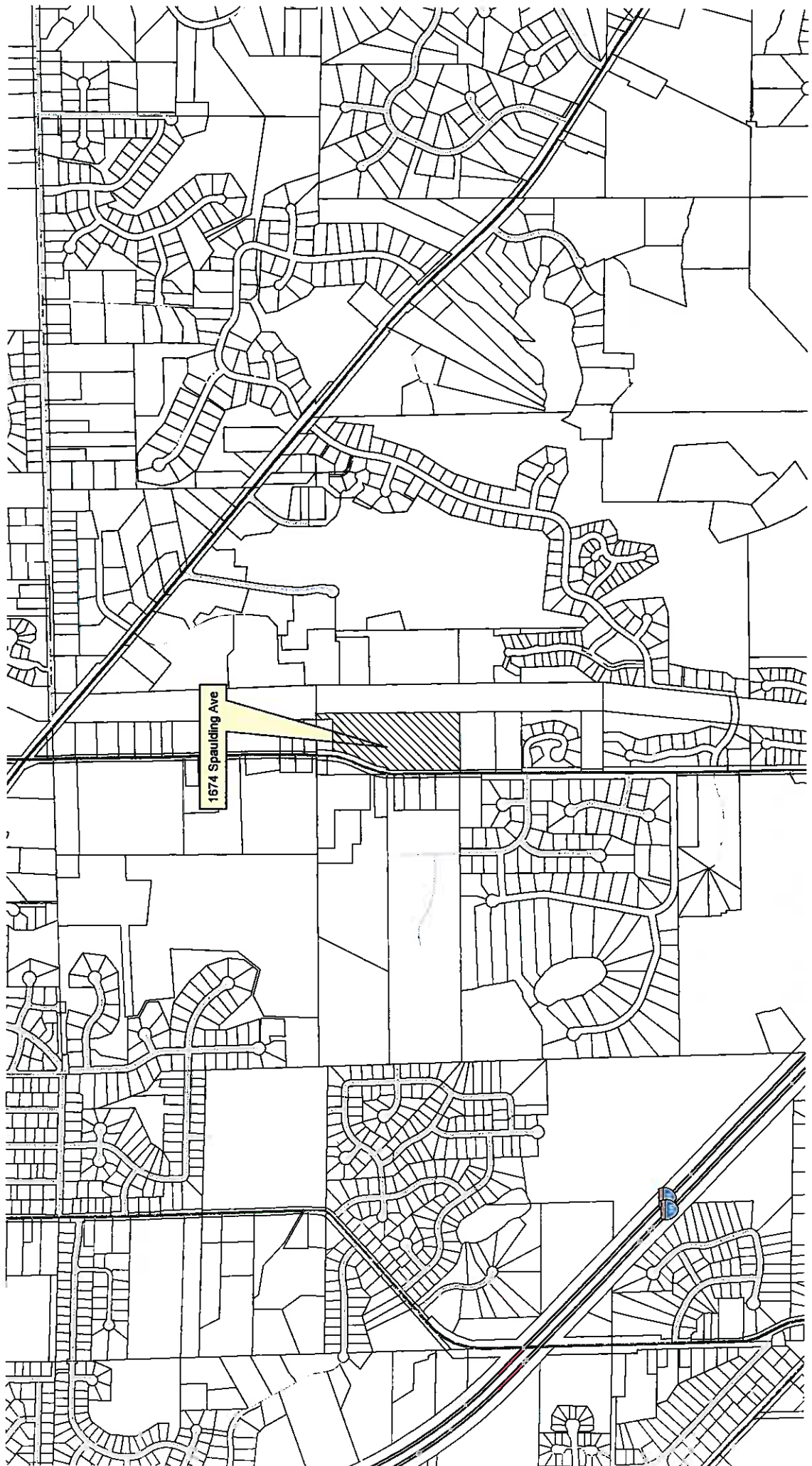
Amended by Ord No 5 of 2012 (7/25/12)

Due to the unusual circumstances related to the property location or use of the fence, the height of a fence may be increased to a height of eight (8) feet as measured from final grade in all agricultural, office and residential zoning districts and up to ten (10) feet, as measured from average grade in all other zoning districts. Upon review of a special use permit for additional fence height the Planning Commission shall consider the following.

Standard	Comment
To what extent the impact of additional height has on adjoining neighbors.	Little if any. Although noticeable the location of the adjoin homes and driveways would not be impacted by the taller fence.
Whether the additional height severely impacts light and ventilation from flowing onto the adjoining properties.	I do not believe this would be an issue for the taller fence.
Whether the increased height creates a traffic hazard.	The additional height would not create a traffic hazard given the location of the ROW.
Whether the increased height creates a fire, safety hazard.	The Fire Chief has indicated that the increase in height would not create a fire/safety hazard.
Whether the increased height violates any known property restrictions (i.e. plat restrictions, deed restrictions, covenants, etc.).	The Township is unaware of any deed restrictions that would prohibit this fence. They have provided an easement demonstrating the ability to place the fence in the consumers property.

Staff recommends that the Planning Commission approve a 6 foot tall fence in the front yard as proposed.

Attachments: application package
Section 4.30 of the zoning ord



Steve

From: Bill Bos <bbos1576@gmail.com>
Sent: Friday, November 10, 2017 1:25 PM
To: Steve
Subject: Re: tall fence permit

Here is a description of the deer fence. Deer fence is what it is called by the suppliers. The fence will be 12.5 gauge wire, 8' tall with 20 horizontal wires, with vertical stays 6" apart. Thanks Bill

On Fri, Nov 10, 2017 at 9:21 AM, Bill Bos <bbos1576@gmail.com> wrote:
Been working on it. Pictures coming my way soon.

On Nov 10, 2017 9:07 AM, "Steve" <Steve@cascadetwp.com> wrote:

Bill, just a reminder that I need your details of the fence for the meeting on 12/4. I would like to have the information before the Thanksgiving break.

Steve Peterson

Cascade Charter Township

Community Development Director

[2865 Thornhills SE](#)

[Cascade MI 49546](#)

[616-949-0224](#)



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan
49546-7140

PLANNING & ZONING APPLICATION

APPLICANT: Name: Bill Bos Jr.
 Address: 1674 Spaulding.
 City & Zip Code: Grand Rapids MI 49546
 Telephone: 616-949-0407
 Email Address: bbos1576@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
<input checked="" type="checkbox"/> Special Use Permit	<input type="checkbox"/> Subdivision 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:**

Fence - 8' Deer Fence.

(**Use Attachments if Necessary)

-SEE OTHER SIDE-

LEGAL DESCRIPTION OF PROPERTY**:

See Attachment

(**Use Attachments If Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 06 401 003

ADDRESS OF PROPERTY: 1674 Spaulding

PRESENT USE OF THE PROPERTY: Agriculture

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.)

Dorothy Bas

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

Dorothy Bas 10/23/17
Owner's Signature & Date (*If different from Applicant)

Bill Bas Jr

Applicant - Print or Type Name

William J Bas 10/23/17
Applicant's Signature & Date

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

CASCADE CHARTER TOWNSHIP

2017 SUMMER

Bill# 61516

<p align="center">MESSAGE TO TAXPAYER</p> <p>PAYMENT INFO PERSON 2865 THORNHILLS AVE SE BUSINESS HOURS 8 TO 5 MON-FRI CLOSED JULY 4TH & SEPTEMBER 4TH INFORMATION 616-949-6944 LAST DAY TO PAY WITHOUT INTEREST IS SEP 14TH POSTMARKS ARE NOT ACCEPTED! USE CASCADETWP.COM TO PAY ONLINE FOR MORE INFORMATION SEE THE ENCLOSED NOTICE</p>	<p align="center">PAYMENT INFORMATION</p> <p>Last day to pay without interest 9/14/2017</p> <p>Pay by mail to GASCADE CHARTER TOWNSHIP KENNETH B PEIRCE, TREASURER 2865 THORNHILLS AVE SE GRAND RAPIDS, MI 49546-7140</p> <p>Princ Residence Exemption Has Reduced Bill By \$1190.43</p>																														
<p align="center">PROPERTY INFORMATION</p> <p>Property Assessed To BOS WILLIAM J TRUST & BOS DOROTHY C TRUST 1674 SPAULDING AVE SE GRAND RAPIDS, MI 49546-6340</p> <p align="center">FOREST HILLS SCHOOL DIST.</p> <p>Prop# 41-19-06-401-003 SCHOOL 41110 Prop Addr 1674 SPAULDING AVE SE</p> <p>Legal Description</p> <p>NW 1/4 SE 1/4 EX E 760 FT & EX THAT PART LYING 43.0 FT EITHER SIDE OF A LINE COM 175.03 FT 90D 00M 00S E ALONG E& W 1/4 LINE & 101.73 FT S 1D 54M 00S W FROM CEN OF SEC TH SWLY 258.71 FT ALONG A 651.09 FT RAD CURVE TO RT /LONG CHORD BEARS S 13D 17M 00S W 257.01 FT/ TH S 24D 40M 00S W 122.03 FT TH SWLY 284.09 FT ALONG A 651.09 FT RAD CURVE TO LT /LONG CHORD BEARS S 12D 10M 00S W 281.84 FT/ TO PT OF ENDING OF SD LINE & EX THAT PART OF S 40.0 FT OF N 492.0 FT LYING W OF A LINE 43.0 FT W FROM & PAR WITH A LINE COM 175.03 FT 90D 00M 00S E ALONG E&W 1/4 LINE & 101.73 FT S 1D 54M 00S W FROM CEN OF SEC TH SWLY 258.71 FT ALONG A 651</p>	<p align="center">TAX DETAIL</p> <p>Taxable Value \$132,271.00 State Equalized Value \$245,900.00 Class 40i P R E / M B T % 100</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>Taxes are based upon Taxable Value 1 mill equals \$1.00 per \$1000 of Taxable Value Amounts with no millage are either Special Assessments or other charges added to this bill</p> </div> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">DESCRIPTION</th> <th style="text-align: right;">MILLAGE</th> <th style="text-align: right;">AMOUNT</th> </tr> </thead> <tbody> <tr> <td>FOREST HILLS D</td> <td style="text-align: right;">3.80000</td> <td style="text-align: right;">\$502.62</td> </tr> <tr> <td>FOREST HILLS O</td> <td style="text-align: right;">9.00000</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td>FOREST HILLS R</td> <td style="text-align: right;">0.50000</td> <td style="text-align: right;">\$66.13</td> </tr> <tr> <td>KENT INTERM SCH</td> <td style="text-align: right;">5.66940</td> <td style="text-align: right;">\$749.89</td> </tr> <tr> <td>GR COMMUNITY GOL</td> <td style="text-align: right;">1.77880</td> <td style="text-align: right;">\$235.28</td> </tr> <tr> <td>STATE EDUCATION</td> <td style="text-align: right;">6.00000</td> <td style="text-align: right;">\$793.62</td> </tr> <tr> <td>KENT COUNTY OPER</td> <td style="text-align: right;">4.28030</td> <td style="text-align: right;">\$566.15</td> </tr> </tbody> </table> <table style="width:100%;"> <tr> <td style="text-align: right;">Total Tax</td> <td style="text-align: right;">\$2,913.69</td> </tr> <tr> <td style="text-align: right;">Administration Fee</td> <td style="text-align: right;">\$29.13</td> </tr> <tr> <td style="text-align: right;">TOTAL AMOUNT DUE</td> <td style="text-align: right;">\$2,942.82</td> </tr> </table>	DESCRIPTION	MILLAGE	AMOUNT	FOREST HILLS D	3.80000	\$502.62	FOREST HILLS O	9.00000	\$0.00	FOREST HILLS R	0.50000	\$66.13	KENT INTERM SCH	5.66940	\$749.89	GR COMMUNITY GOL	1.77880	\$235.28	STATE EDUCATION	6.00000	\$793.62	KENT COUNTY OPER	4.28030	\$566.15	Total Tax	\$2,913.69	Administration Fee	\$29.13	TOTAL AMOUNT DUE	\$2,942.82
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<p align="center">OPERATING FISCAL YEARS</p> <p>The taxes on bill will be used for governmental operations for the following fiscal year(s)</p> <table style="width:100%;"> <tr> <td>County</td> <td>01/01/2018 - 12/31/2018</td> </tr> <tr> <td>City/Twp/Village</td> <td>01/01/2018 - 12/31/2018</td> </tr> <tr> <td>School</td> <td>07/01/2017 - 06/30/2018</td> </tr> <tr> <td>State</td> <td>10/01/2017 - 09/30/2018</td> </tr> </table> <p>Does NOT affect when the tax is due or its amount</p>	County	01/01/2018 - 12/31/2018	City/Twp/Village	01/01/2018 - 12/31/2018	School	07/01/2017 - 06/30/2018	State	10/01/2017 - 09/30/2018																							
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School	07/01/2017 - 06/30/2018																														
State	10/01/2017 - 09/30/2018																														

Please detach along perforation.

Keep the top portion

Bill# 61516

Pay this tax to
 CASCADE CHARTER TOWNSHIP
 KENNETH B PEIRCE, TREASURER
 2865 THORNHILLS AVE SE
 GRAND RAPIDS, MI 49546-7140
 Temp-Return Service Requested

PLEASE RETURN THIS PORTION WITH PAYMENT THANK YOU

Last day to pay without interest 9/14/2017
 After 9/14/2017 additional interest and fees apply

2017 Summer Tax for Prop# 41-19-06-401-003

TAXPAYER NOTE: Is your name & mailing address correct?
 If not, please make the correction(s) below, Thank You.
 Property Addr 1674 SPAULDING AVE SE

Make Check Payable To GASCADE CHARTER TOWNSHIP
TOTAL AMOUNT DUE: \$2,942.82

Amount Remitted _____

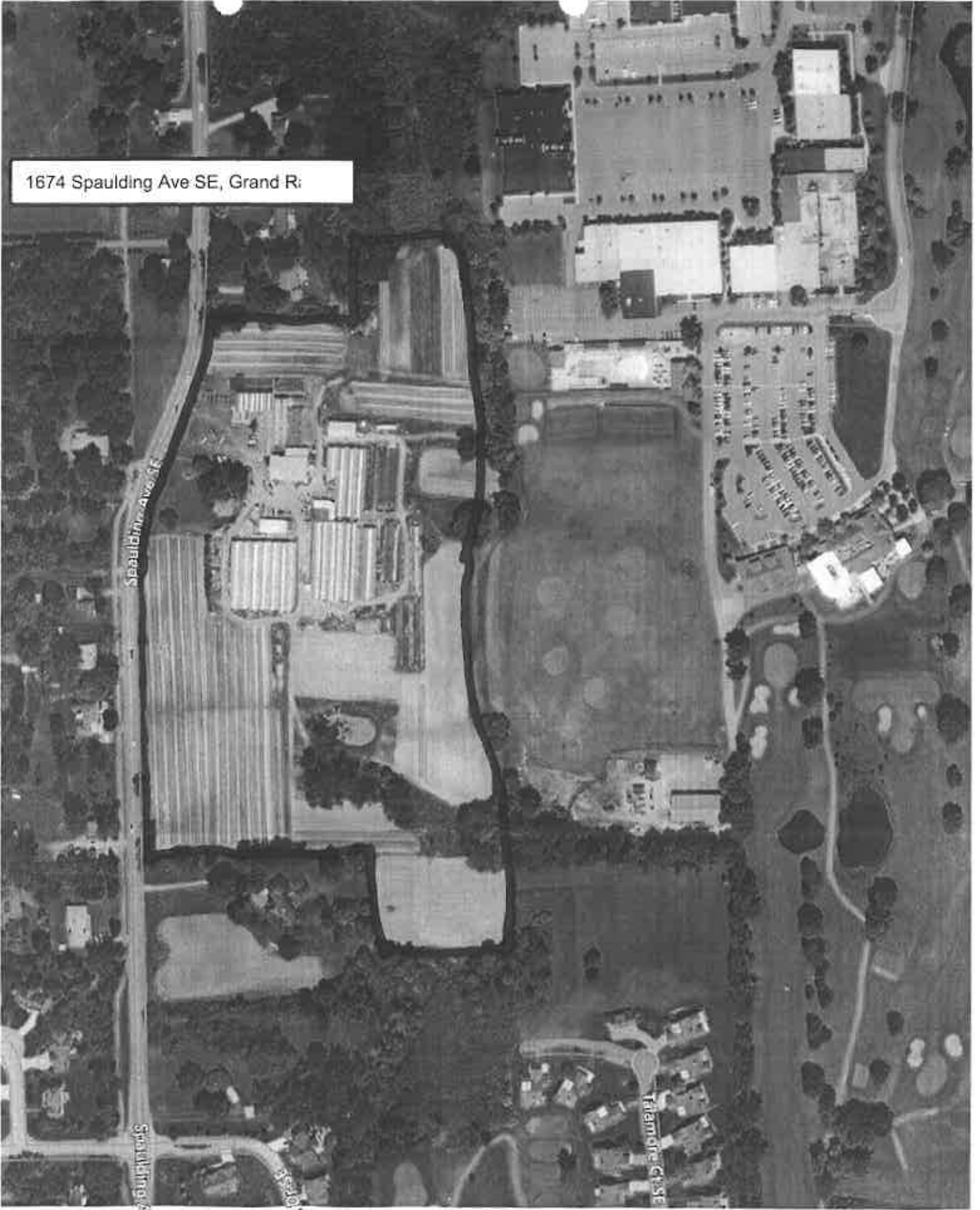
TREASURER NOT RESPONSIBLE FOR PAYMENT ON WRONG PROPERTY.

CASCADE CHARTER TOWNSHIP
 KENNETH B PEIRCE, TREASURER
 2865 THORNHILLS AVE SE
 GRAND RAPIDS, MI 49546-7140

To: BOS WILLIAM J TRUST &
 BOS DOROTHY C TRUST
 1674 SPAULDING AVE SE
 GRAND RAPIDS, MI 49546-6340



1674 Spaulding Ave SE, Grand R:



([http://www.bing.com/maps/?](http://www.bing.com/maps/?cp=42.932652869002716~-85.534567494035&lvl=17&style=a&FORM=BMLOGO)

[cp=42.932652869002716~-85.534567494035&lvl=17&style=a&FORM=BMLOGO](http://www.bing.com/maps/?cp=42.932652869002716~-85.534567494035&lvl=17&style=a&FORM=BMLOGO))

250 feet

50 m

© 2017 HERE, © 2017 Microsoft Corporation

STAFF REPORT

TO: Cascade Charter Township Planning Commission
FROM: Steve Peterson, Planning Director
REPORT DATE: November 29, 2017
MEETING DATE: December 4, 2017
CASE: #17-3425/West Bluffs

GENERAL INFORMATION

- A. Applicant: Alpha Lima Ventures
5000 Kendrick St
Grand Rapids MI 49512
- B. Status of Applicant: Purchaser
- C. General Location: SW corner of Thornhills and Tahoe.
- D. Requested Action: Amend the Centennial PUD to allow for 9 additional residential units at the corner of Thornhills and Tahoe.
- E. Existing Zoning on Subject Parcels: PUD 39
- F. Zoning on Adjoining Parcels:
N- PUD 39
S- PUD 39
E - PUD 55
W- PUD 39
- G. Parcel Size: approximately 2.4 acres
- H. Existing Land Use on Subject Parcel: Vacant
- I. Adjacent Area Land Uses:
N-Forest Hills Condominium
S- Meadows Condominium
E - Sentinel Pointe Retirement
W- Meadows Condominium

STAFF ANALYSIS

1. The applicant is requesting Basic Plan review to amend the Centennial Park PUD to allow 9 more residential units.
2. Originally, this location was planned for a child or adult day care facility. This has obviously never been built. They are now asking that this location be permitted 3 buildings of 3-units each for a total of 9 new units.
3. A lot of discussion went into the total number of units permitted on the redevelopment of the golf course. We permitted a total of 252 units on the redevelopment of the golf course on about 43 acres, plus the day care, lawn maintenance operation, and the recreational uses including the catering operation at the clubhouse.
4. This new amendment would bring the total amount of new residential units for the redevelopment of the golf course to 259 units. On 43 acres this comes to about 6.06 units per acre.
5. Amending the plan to eliminate the daycare and go with 9 new units seems like a reasonable request. During the redevelopment of the golf course the developer originally asked that this corner be allowed some commercial uses and the day care was a compromise from what they originally wanted.
6. The property is zoned PUD #39 Centennial Park and is Master Planned Community Residential. The community residential designation reflects the existing mixed use nature of the park.
7. The site plan shows the setback off from Thornhills at 35 feet. Since Thornhills is a collector road the setback is 43 feet. The plan should be revised to show the correct setback.
8. The project would be serviced by public sewer and water. Some concern was expressed by the City of Grand Rapids relative to the current plan in regards to the pump station that services this development. A new review will need to be done to determine if this change causes a concern for the city.

9. The development of this corner also required the development of sidewalk along Thornhills. Since that time there has been some interest by the DDA to extend sidewalk on Tahoe to Thornhills.
10. This is the same developer who recently did the project on Overlook summit. These new units will be very similar to the project that was built on Overlook Summit.
11. Curb cut location and new street name will need to be approved by the KCRC.
12. The size of the each condominium is about 1,500-1,600 sq ft.
13. Traffic study report from the redevelopment in 2014 indicated that the existing roadways have capacity to handle the redevelopment. The only improvement noted was to clear some vegetation looking north on Thornhills to help sight distance.
14. The KCRC has indicated that a typical two lane road has the capacity for about 8-10,000 trips per day. The current road system has plenty of capacity to handle the traffic from this development. The KCRC has also indicated that they will continue to monitor signal operations around the area.
15. The Township Engineer will need to review the revised plans and provide a report.
16. The applicant has submitted this package as required by Section 16.05 (2) of the Zoning Ordinance for Basic Plan Review.
17. If you find that all of the procedural information has been provided, this application should proceed to a public hearing and consideration of a Preliminary Development Plan. It will be at that stage of the review process that the *merits* of the request will be considered and the detailed site plans will be required and reviewed.

Before proceeding to the Preliminary Development plan review (Public Hearing), I would recommend that the Planning Commission address the following:

1. Review and approved by the Township engineer.
2. Provide review comments from the City of Grand Rapids relative to the pump station

3. KCRC review of curb cut location and street name approved.
4. Pathway on Thornhills and sidewalk on Tahoe.
5. Revise the site plan to show the correct setback off from Thornhills.

Once these items are satisfied a public will be set to consider the amendments.

Attachments: Application package
 Portions of 2009 Master Plan



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan
49546-7140

PLANNING & ZONING APPLICATION

APPLICANT: Name: Alpha Lima Ventures, LLC
Address: 5000 Kendrick St SE
City & Zip Code: Grand Rapids, MI 49512
Telephone: 616.957.3734
Email Address: jaml@ajvinc.com

OWNER: * (If different from Applicant)
Name: Meadowood Development Corp
Address: 550 Kirtland St SW
City & Zip Code: Grand Rapids, MI 49507
Telephone: 616.862.8918
Email Address: chris@pioneerinc.com

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

Administrative Appeal
Deferred Parking
P.U.D. – Site Condominium *
Site Plan Review *
Special Use Permit
Zoning Variance

Administrative Site Plan Review
P.U.D. – Rezoning *
Rezoning
Sign Variance
Subdivision Plat Review *
Other: Amendment to the PUD *

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

BRIEFLY DESCRIBE YOUR REQUEST:**

We would like an Amendment to the PUD to allow 9 condominiums. See the attached preliminary site plan.

(**Use Attachments if Necessary)

-SEE OTHER SIDE-

LEGAL DESCRIPTION OF PROPERTY:**

41-19-18-003 PART OF NW 1/4 OF SEC 16 & PART OF NE 1/4 OF SEC 17 COM AT THE COR OF SEC OF SEC 17 TH S TO QUM 258 E ALONG E BCD LINE 1267.89 FT TO SLYLINE OF TAYOR DR 4 TO BEG OF THIS DESC

- TH BELY ALONG SD SLYLINE 124.95 FT ON A 446.38 FT RAD CURVE TO RT ACNG CHORD BEARS S 74D 09M 40S E 183.58 FT TH S 69D 05M 80S E ALONG SD SLYLINE 134.07 FT

TO WLY LINE OF THORNHILLS AVE TH S 23D 51' 32S W ALONG SD WLY LINE 207.31 FT TH SMLY ALONG SD WLY LINE 61.84 FT ON A 1372.21 FT RAD CURVE TO LT ACNG CHORD BEARS S

22D 49M 20S W 61.85 FT TH N 40D 14M 48S W 276.81 FT TH N 65D 30P 180S W 139.82 FT TH N 60D 59M 42S E 80.71 FT TH N 72D 08M 24S E 282.80 FT TO BEG * SEC'S IN A 17 TON RUDW S-42-A

SPLIT/COMBINED ON 11/28/2013 FROM 41-19-18-152-002, 41-19-17-281-001, 41-19-17-282-001, 41-19-17-282-004, 41-19-17-251-016, 41-19-17-251-019,

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 -16-152-003

ADDRESS OF PROPERTY: 3009 Thornhills Ave SE

PRESENT USE OF THE PROPERTY: Vacant land

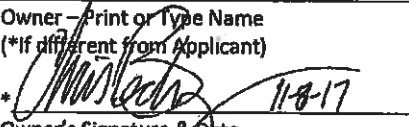
NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:


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.)

Meadowood Development Corp.
 Owner - Print or Type Name
 (*If different from Applicant)
 *  11-8-17
 Owner's Signature & Date
 (*If different from Applicant)

ALPHA LIMA VENTURES, LLC
 Applicant - Print or Type Name

 Applicant's Signature & Date

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

neighborhoods is a primary concern and measures should be taken periodically to assure proper coverage of these services. Private roads should be considered under certain circumstances, such as for the preservation of large stands of trees, or to preserve steep slopes, where drainage and run-off is a concern, or where important natural features have been identified in the Natural Feature Inventory.



COMMUNITY RESIDENTIAL

Description: The community residential land use designation is intended for attached or detached single family and multi-family housing. A project should be designed and developed to provide attractive, up-scale master planned living environments with amenities such as open spaces, walking paths, street trees, street lighting and attractive architectural style. Buildings and structures should be designed to minimize bulk and massing of attached living units.

Location: The community residential land use area primarily serves as a transition from commercial/mixed use and suburban residential uses along 28th Street. However, there are two areas where this use is proposed along the south side of Cascade Road north of Burton.

Desired Uses and Densities: Uses may include attached and detached residential dwellings, including projects that incorporate a variety of housing options, as well as assisted living and retirement communities. Master-planned retirement communities may also incorporate low-impact commercial uses internal and integrated within the development such as personal service establishments (barber shop or hair salon), post office, financial institution and other necessary uses for the convenience of the residents but not available for use by the general public. Development within the community residential area should include a walking system that connects to any existing or planned non-motorized pathway. The Township desires for the community residential areas to be served by mass transit in the future. Water and sewer must be available for new development or redevelopment in this land use category. Additionally, any natural features should be preserved and protected in projects located in the community residential land use area. Only public roads would be permitted in the community residential land use category. Allowable densities would range between 4-6 dwelling units to the acre.

VILLAGE COMMERCIAL

Description: This land use designation is intended to foster a pedestrian-scale, local shopping district confined to the parcels currently zoned for commercial use. It is not the intent of this land use plan to expand commercial uses either north or south along Cascade Road.

THE WEST BLUFFS

CENTENNIAL PARK PUD AMENDMENT



PROJECT LOCATION MAP
THE WEST BLUFFS



Overview – The West Bluffs PUD Amendment

Proposed West Bluffs Condominiums located at 3009 Thornhills Avenue SE), is currently approved as an Adult or Child Daycare use as part of the Centennial Park PUD (Cascade Charter Township Ordinance #3 of 2013).

An amendment to the current PUD is being sought to allow for the proposed Residential Condominium. The West Bluffs Condominiums will be comprised of three (3) condominium buildings, each containing three (3) condominium units, for a total of nine (9) condominium units. A significant amount of open space will be preserved (65%). Additionally, condominiums are far more compatible with the surrounding land uses, which are almost exclusively similar condominium developments.

The site will be serviced by public sanitary sewer and public watermain, along with buried electrical service, cable television service, and natural gas service.

The submittal meets the Basic Plan Submittal Requirements per Section 16.05 of the Cascade Charter Township Zoning Ordinance as follows:

- a. Sketch plan of the Planned Unit Development
⇒ A Site Plan Sketch and Color Illustrative Rendering is included in the submittal packet.
- b. A legal description of the property in question;
⇒ A survey depicting the subject property and legal description is included in the submittal packet.
- c. The total number of acres to be included in the project
⇒ The total project area is 2.4 acres.
- d. A statement of the approximate number of residential units and/or the approximate number, type and square footage of non- residential units
⇒ There will be three (3) residential condominium buildings, each containing three (3) condominium units, for a total of nine (9) condominium units. Gross floor area for each condominium will be approximately 1500-1600 sq ft.
- e. The approximate number of acres to be occupied and or devoted to or by each type of use
⇒ The entire project will be devoted to residential use by the condominium owners (2.4 acres)

- f. The known deviations from the Ordinance regulations to be sought;
 - ⇒ The current PUD Ordinance (Cascade Township Ordinance #3 of 2013) calls for this area to be used as an Adult or Child Daycare, so there is a requested deviation of land use (from Daycare to Residential Condominium).
While the requested land use is a deviation from the current PUD, the proposed use is in conformance with the Township's Master Plan for the area, which calls for the area to be Community Residential.
 - ⇒ Residential Perimeter Setbacks, as described in Ordinance #3 of 2013 call for 35 ft front yards, 25 ft rear yards, and 10 ft/25 ft side yards; and the perimeter setbacks for the project conform to these requirements.
- g. The number of acres to be preserved as open space or recreation space
 - ⇒ There will be a total of 1.56 acres of open space, or 65% of the site.
- h. All known natural resources and natural features proposed to be preserved, lost and/or replaced
 - ⇒ Perimeter trees will be preserved where grading and proper site drainage allow. There are no sensitive environmental areas, such as wetlands, floodplains, water bodies, or excessively steep slopes.



LEGEND

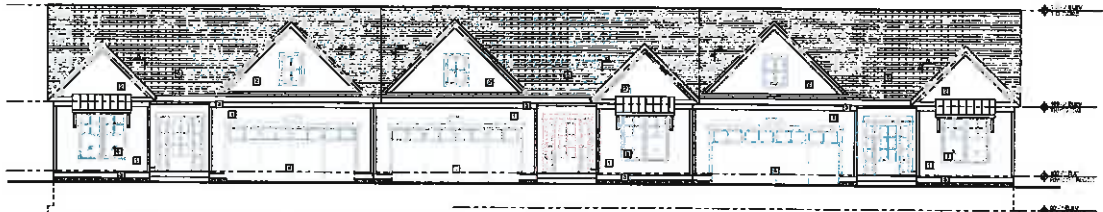
- ① ENTRY
- ② THE BEAMT CONDOMINIUM BUILDING
- ③ WALKWAY
- ④ GUEST PARKING
- ⑤ STORMWATER DETENTION

NOTES

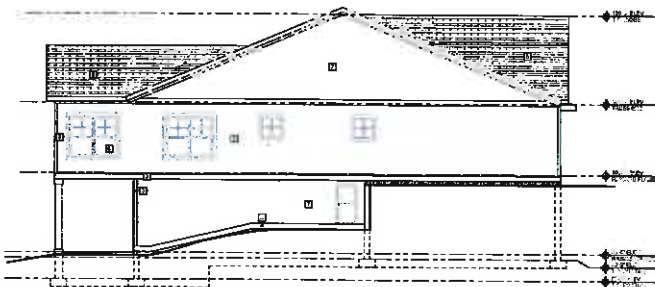
Site Location	4000 The Heights, Suite 100 Grand Rapids, MI 49508
Total Acreage	2.4 ac
Total Units	8
2-Parameter Detention Area	Approx. 170 sq. ft.
Length in ft. side	Approx. 411 ft.

THE WEST BLUFFS
ILLUSTRATIVE PLAN



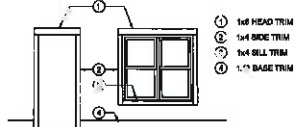


1. Front Elevation



2. Side Elevation (Reverse Similar)

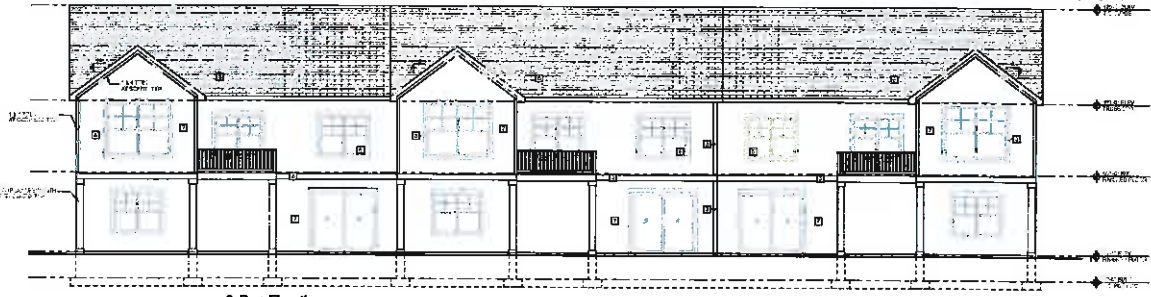
Typical Door & Window Exterior Trims



- 1 1/4" HEAD TRIM
- 2 1/4" SIDE TRIM
- 3 1/4" SILL TRIM
- 4 1 1/2" BASE TRIM

Material Legend

LABEL	MATERIAL	MANUFACTURER	STYLE	COLOR
1	FIBER CEMENT LAP SIDING	CERTAINTEED	TBD	TBD
2	FIBER CEMENT BOARD N BATTEN SIDING	CERTAINTEED	TBD	TBD
3	FIBER CEMENT TRIM BOARD	CERTAINTEED	TBD	TBD
4	INSULATED CARTRIDGE ON DOOR	TBD	PAINTED PANEL	WHITE
5	ARCHITECTURAL FINISH/LINE	CERTAINTED	SOLID	TBD
6	FIBERGLASS WINDOWS	ANDERSON	100 SERIES	WHITE
7	VINYL LAP SIDING	CERTAINTEED	DOUBLE 4"	TBD



3. Rear Elevation



Thornapple Hilltop Townhomes North Building
 Exterior Elevations

Revision:

Plot No. _____
 Issue Date: 10/11/14
 Reviewer: _____
 Designer: K. S. 2013

A4.1

CASCADE CHARTER TOWNSHIP

Ordinance # 3 of 2013

**AN ORDINANCE TO AMEND THE PUD ESTABLISHING
CENTENNIAL PARK
PLANNED UNIT DEVELOPMENT PROJECT.**

Cascade Charter Township Ordains:

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

The application received from Meadowood Development Corporation or its assigns (hereinafter referred to as the "Developer"), to amend the Planned Unit Development designation for the Centennial Park Planned Unit Development Project (herein after referred to as the "Project") was recommended by the Cascade Charter Township Planning Commission for approval on June 17, 2013. The Project is recommended for amendment to the Planned Unit Development permitting a mix of uses including single family, apartments, child and/or adult day care, catering/banquet/recreation, landscaping/ snowplowing/property management and open space. This action requires an amendment to the Cascade Charter Township Zoning Ordinance and Zoning Map to incorporate the Planning Commission's recommendation and the Cascade Charter Township Board of Trustees' action on July 24, 2013

Section II. Legal Description.

The legal description of the Project is contained in the attached Exhibit A:

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 85.1 acres of land. The project is proposed to be developed containing a total of 13 single family (or 14 with one two unit building), a total of 241 apartments including a manager residence, while preserving open space, allowing for the existing catering/banquet/recreational use and allowing as a nonconforming use the existing landscaping/snowplowing/property management use. Much of the open space of the project is being conveyed to the existing Condominium Associations ("Permanent common open space"). In order to complete this action

various condominium associations have already agreed to amend their Planned Unit Development legal description in order to incorporate the open space into their projects.

The regulations contained herein are established to define the procedures necessary to insure 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 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 addressed by this Ordinance, the specifications and requirements of the Cascade Charter Township Zoning Ordinance shall be enforced. Furthermore, all other applicable Cascade Charter Township ordinances shall still govern the Project where applicable.
- B. Except as otherwise provided herein, the Developer and his assigns must meet all applicable provisions 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, including but not limited to:
 - i) Construction of Phase 2 of the apartment development is conditioned upon the City of Grand Rapids approval of increased sewer capacity at the Thornhills lift station. In such event the developer has agreed to construct any and all necessary improvements to accommodate the approval of the City of Grand Rapids when Phase 2 of the apartment development is constructed.
 - ii) Approval of the water system by the City of Grand Rapids is also required.
 - iii) The sidewalk along Charlevoix shall be extended when Phase 2 of the apartment development is constructed, however no off-site sidewalks shall be constructed.
 - iv) The clubhouse and swimming pool for the apartment development shall be constructed before occupancy of the 12th apartment building.
 - v) The Developer shall address all the May 22, 2013 comments from the Township Engineer.
- C. This PUD approval is expressly contingent upon the conditions contained in Section V.B. 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 it 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. The conditions outlined in Section V.B. contained herein 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 and ordinance amendment. If constructed, 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 but may be authorized by the Township in accordance with Section 16.12 and Section 21.04 of the Zoning Ordinance. 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 before any construction occurs on site.**

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:

Meadowood Development Corporation, 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."

H. **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 VI. Documents and Plans.

- A. The Project shall be developed in accordance with the site plan approved and signed by the Township. The site plan shall indicate where each unit will be located and 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 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.
- B. The number of building sites may be reduced or consolidated within the Project upon review and 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 insure compliance with the Cascade Charter Township Zoning Ordinance and this PUD Ordinance. 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.
- C. The Project shall be limited to a maximum of 13 residential sites (or 14 with one two-unit building) and a maximum of 241 apartments, including the manager's residence. The number of building sites within the Project shall not be increased by the Township Board.

Section VII. Permitted Uses.

The permitted uses for the Centennial Park PUD as approved by the Township Board on July 24, 2013 and as shown on the Centennial Country Club Redevelopment Plan attached as Exhibit B, are as follows:

- A. Single Family Residences.
 1. Areas 3, 11A, 11B, 12A, 12B, 13, 16, 17 and 19-The single-family residences in these areas will be subject to the deed restrictions in the attached Exhibit C.
 2. Area 10 (Located at the southeast corner of Charlevoix and Meadowood Trails) may be a two family unit, provided it is purchased by the Heathmoor Condominium Association, and enough property is added to the parcel to accommodate the required setbacks; otherwise, it shall be authorized for a single family homesite.

3. Areas 5, 6 and 7 are single-family homesites. In addition, Area 7 may continue as a nonconforming landscaping, snowplowing and property management use.
- B. Adult and/or child day care at the corner of Thornhills/Tahoe.
1. A condition of approval of the PUD requires that the future bike path be graded when the day care building is constructed. An additional condition of approval of the adult and/or child day care use is that the developer or its assigns obtain approval of the building elevations from the Planning Commission.
- C. Apartments.
1. The apartments are broken into two areas. The first area includes 12-10 unit apartment buildings with the allowance for a manager residence and a clubhouse and swimming pool. Phase 1 is limited to a total of 121 apartment maintenance building, trash enclosures (consistent with the Township Zoning Ordinance provisions), mailboxes, signage and other accessory structures reasonably required for multi-building apartment complexes.
 2. Phase 2 of the apartments shall permit 12-10 unit buildings. The developer has agreed to make any and all necessary improvements to the sewer system, including at the Thornhills lift station, in order to receive approval from the City of Grand Rapids to accommodate phase 2 prior to development of the phase 2 apartment complex.
 3. Club house and swimming pool.
 1. Clubhouse and swimming pool must be constructed prior to the occupancy of the 12th building in phase 1.
- D. Banquet/recreational/catering use.
- E. Signs. Provided all signs for the Project shall conform with Section 6.02 of the Cascade Charter Township Sign Ordinance (Ordinance 14 of 1997, as amended).
- F. Exterior Lighting. The developer shall provide street lighting within the premise consistent with the lighting plan. The developer may arrange for such street lighting to be provided and installed by the local public electric utility company. All street lighting shall be consistent with Section 19.19 of the Zoning Ordinance and shall be completed prior to the issuance of any occupancy permit for any building.

- G. Area 7. The landscaping/snowplowing/property management business use on area 7 will be allowed as a legal non-conforming use.

Section VIII. Design Guidelines, Requirements and Limitations.

The Project shall be developed in accordance with the site plan approved by the Township dated July 24, 2013. No alterations, expansions or additions may take place to the Project without an amendment to this Ordinance, unless authorized otherwise herein.

- A. Maximum Number of Residential Units - The maximum number of single family detached units within the Project shall be limited to 13 units, with the ability to add a two unit condominium at area 10 for a total of 14 units. In addition a total of 241 apartment buildings including a manager residence are permitted.
- B. Maximum Building or Structure Height - 35 feet or 2½ stories whichever is the lessee.
- C. Setback Requirements- All buildings and structures shall meet the following minimum setback requirements:
 - a. Residential Units
 - i. Front Yard Setback: 35 feet minimum from the front yard area line.
 - ii. Sideyards (min.): 10 feet from the side yard area line.
 - iii. Sideyards (total): 25 feet minimum
 - iv. Rear Yard: 25 feet minimum from the rear yard area line
 - b. Apartments
 - i. Setbacks for the apartment buildings as shown on the plan dated 5-17-13.
 - ii. Perimeter – 25 feet
 - iii. Golfridge property – 30 feet
 - iv. Between buildings –20 feet
- D. Minimum Floor Area –
 - a. Residential lots - finished livable area above grade level, exclusive of the garage, decks, porches and breezeways
 - i. 1600 sq ft of finished space within a minimum of 960 sq ft on main floor.
 - b. Apartments – 10-unit apartment buildings broken into a mix of one bedroom, two bedroom and three bedroom apartments consistent with the plans submitted June 17, 2013.

- C. Minimum Parking Requirements
 - a. Residential lots - Each residential unit shall have a minimum of two (2) enclosed off-street parking spaces.
 - b. Apartments - Each apartment building shall have at least 8 enclosed parking spaces.

Section IX. Private Street Development.

- A. The Developer has elected to establish private streets to serve the Apartment phase(s) of the Project provided the roads are constructed in accordance with the "Cascade Charter Township Engineering Design Requirements and Standards for Private Streets" and the following specifications:
 - 1. All grades shall be as required by the Cascade Charter Township Engineering Design Requirements and Standards for Private Streets and shall not exceed the grades shown on the approved site plan.
 - 2. The private streets shall be posted with signs stating the street names. These signs shall be consistent with Kent County Road Commission standards and requirements and shall be installed at the Developer's cost.
 - 3. A clear vision triangle shall be established by the Developer to insure safe turning movements from the private streets onto the public roads. This clear vision triangle shall be developed to the specifications established by the Kent County Road Commission.
 - 4. Any private street shall intersect any public road at a 90 degree angle.
 - 5. Copies of any permits required by the Kent County Road Commission to connect the private street to any public road shall be provided to the Township Planning Department by the Developer.
- B. The Developer shall submit a street construction inspection report to ensure that the roads are built according to the approved plans. These reports are required prior to occupancy of any apartment buildings. The developer has also agreed to establish a private escrow account for the long term maintenance of the private roads. Developer shall draft a maintenance plan for the private roads and record it after approval of such provisions by the Cascade Charter Township Planning Department.

- C. In accordance with Section I of the "Cascade Charter Township Engineering Design Requirements and Standards for Private Streets", it shall be the responsibility of the Developer and its successors to fully maintain and keep the private access streets in good repair at all times and to ensure that snow and ice is removed in a timely fashion during the winter.
- D. 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. Sewer and Water – This project will be served by municipal water and municipal Sanitary Sewer.
- 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. The Developer shall also be responsible to provide any necessary easements to the Township for the Pedestrian Path along Tahoe Drive and Thornhills Ave. Said easements shall be recorded with the Kent County Register of Deeds and provided to each utility provider for their records.

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. Developer shall comply with any and all licenses, approvals or permits issued regarding soil erosion control requirements and measures.

Section XIII. Performance Guarantee.

To insure compliance with this Ordinance and any conditions herein, Cascade Township may require reasonable performance guarantees, as authorized under the Township Rural Zoning Enabling Act to insure 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 necessary to insure completion of the improvements. The form, duration and amount of the performance guarantee shall be approved by the Township.

Section XIV. Permanent Common Open Space.

It is the intent of this Project that the permanent common open space areas are to be conveyed to the neighboring Condominium Associations. It is also the intent of this ordinance that these open space areas shall be in a natural setting but that each individual association will be able to decide on what if any improvements can take place in the open space areas. To insure 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 permanent common open space area, with the exception of a driveway that may provide access to area 5 for a single family home site. The access is shown on the approved site plan.

- B. There shall be no draining or filling of the regulated wetlands within this permanent common open space area other than that permitted by the Michigan Department of Environmental Quality, the Kent County Drain Commission and the Township Engineer for the construction of the required infrastructure of this project.

Section XV. 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 planned development.

In relation to the underlying zoning (Centennial Park PUD from 1973) 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 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 "Mixed Use" 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 is under single ownership or control. The Township recognizes that the Developer has also worked with the surrounding associations in order to develop this plan and that the developer may sell any or all of the project after this ordinance is recorded.

Section XVI. Effective Date.

This Ordinance shall become effective upon 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 by Board Member Lewis, supported by Board Member Goodyke. The roll call vote being as follows:

YEAS: Goldberg, Janes, Goodyke, Beahan, Peirce, Lewis, Koessel
NAYS: None
ABSENT: None

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 24th day of July, 2013.

Cascade Charter Township Clerk

DEVELOPER'S CERTIFICATION

"I, _____, 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."

Meadowood Development Corporation

**Centennial Country Club Re-Development Plan
Single Family Deed Restrictions**

1. Houses shall be used exclusively for the residence of single families consistent with zoning requirements and local ordinances.
2. No signs or other advertising devices shall be displayed which are visible from the exterior of any residence or upon the property, including "for sale" signs and political signs, except that one "for sale" sign shall be allowed on each lot until the property is sold.
3. No recreational vehicles, boats or watercraft, trailers, snowmobiles, or like vehicles or equipment shall be stored or parked on the street, driveway or property or any residence for more than one consecutive night and no more than four nights per month.
4. No outside clothesline shall be permitted on the property.
5. "Jungle gyms," basketball hoops, trampolines, and similar outdoor equipment shall not be permitted on the property.
6. The outside property shall not be used for the storage of supplies, trash, receptacles, personal property, trash or refuse of any kind, except that cars may be parked on the driveway.
7. No outside storage buildings, sheds, or lean-tos shall be permitted on the property.
8. No fences shall be permitted.
9. No swimming pools, either above or below ground, shall be permitted; except a small child's pool may be permitted on a deck or patio.

STAFF REPORT

TO: Cascade Charter Township Planning Commission
FROM: Steve Peterson, Community Development Director
REPORT DATE: November 28, 2017
MEETING DATE: December 4, 2017
CASE: #17-3424/2768 Orange Ave

GENERAL INFORMATION

- A. **Applicant:** Bentineau Residential LLC
825 Parchment Dr Suite 400
Grand Rapids MI 49546
- B.
- C. **Status of Applicant:** Developer
- D. **General Location:** Southeast corner of Orange and Peace St.
- E. **Requested Action:** Rezone the property to B1 from R1. The applicant is offering a conditional rezoning for three new homes.
- F. **Existing Zoning on Subject Parcels:** R1 residential.
- G. **Zoning on Adjoining Parcels:**
 - N – R1
 - S – R1
 - E – R1
 - W – Cascade Christian Church PUD
- H. **Parcel Size:** Approximately .75 acres
- I. **Existing Land Use on Subject Parcel:** Vacant
- J. **Adjacent Area Land Uses:**
 - North - Consumers Power substation/Pet Cemetery
 - East - Residential
 - South - Residential
 - West - Church

STAFF ANALYSIS

- A. The applicant is requesting a conditional rezone from R1 to B1. Since we have not done this before there are a few things that are important to point out for a conditional rezoning.
- B. The applicant must offer the contract or conditions. The township cannot place additional conditions on the rezone. This is not a PUD. We essentially review it as a straight rezoning request with conditions the applicant has offered.
- C. The advantage to the township for this process is to know what we are getting when the property is rezoned. This is the only way to do this because the property is not eligible for a PUD rezoning due to the fact that it is less than 2 acres.
- D. Because we have not done this before (neither has the applicant) the applicant has agreed with the following process :
- Plan introduction
 - Public hearing
 - Review of contract, (offered by the applicant) and recommendation to Township Board
 - Township Board public hearing
- E. The standards used to make the decision will be the conventional rezoning criteria.
- F. The rezoning would allow three single family detached homes. The homes would be about 3,000 sq ft of finished living space and an attached 2 car garage. Very typical in terms of size for Cascade.
- G. The property is zoned R1, but is identified in the Master plan as B1.
- H. They have supplied us with a site plan showing the three homes. Currently the plans do NOT meet the minimum sideyard setback. The applicant has indicated that they are working to resolve this and should have a new plan at the meeting that meets our setback requirements.
- I. The property is on the corner of Orange Ave and Peace St. Orange Ave is a public street until Peace street at which point it changes to a private road.
- J. Anytime we have additional lots added to a private street we need to evaluate the private road. While the staff evaluation of the road indicates that the road itself meets our standards, we need to see the private road maintenance agreement as well.
- K. We do not have driveway spacing standards for residential homes, the homes are coming off from the private road section of Orange Ave.

Attachments: Application
 Site plan
 Conditional rezoning information article from M.A.P.
 Master plan excerpts and Map

SITE PLAN REVIEW PROCESS



Planning & Zoning Application

APPLICANT: Name: Bentineau Residential LLC
Address: 825 Parchment Drive SE, Suite 400, Grand Rapids, MI 49546
Telephone: (616) 446-6216
Facsimile: _____

OWNER:* Name: Michael P. Henne
Address: 2700 Orange Ave SE • Grand Rapids, MI 49546
Telephone: 301.801.0505
Facsimile: _____

(*If different from the Applicant)

NATURE OF THE REQUEST (Please check the appropriate box or boxes)	
<input checked="" type="checkbox"/> Administrative Appeal	<input type="checkbox"/> Administrative Site Plan Review
<input type="checkbox"/> Deferred Parking	<input checked="" type="checkbox"/> P.U.D. – Rezoning **
<input type="checkbox"/> P.U.D. – Site Condominium **	<input checked="" type="checkbox"/> Rezoning
<input type="checkbox"/> Site Plan Review **	<input type="checkbox"/> Sign Variance
<input type="checkbox"/> Special Use Permit	<input type="checkbox"/> Subdivision Plat Review **
<input type="checkbox"/> Zoning Variance	<input checked="" type="checkbox"/> Other: <u>conditional rezone</u> **

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

BRIEFLY DESCRIBE YOUR REQUEST:***
Please refer to attached

(***Use Attachments if Necessary)

SITE PLAN REVIEW PROCESS



LEGAL DESCRIPTION OF PROPERTY*:**

Part of the Southeast 1/4 of Section 9, T6N, R10W, Cascade Township, Kent County, Michigan

Lots 1, 2, and 3, Block 1, G.S. Richardson's Plat, according to the Plat thereof, as recorded in Liber 3 of Plats, page 11.

(***Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19- 09-454-001

ADDRESS OF PROPERTY: 2768 Orange Court

PRESENT USE OF THE PROPERTY: Vacant

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

Name(s)	Address(es)
<u>Beniteau Residential LLC</u>	<u>825 Parchment Drive SE Suite 400</u>
<u>c/o Marcel Burgler</u>	<u>Grand Rapids, MI 49546</u>

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.)

same as applicant
Michael Henne
Owner – Print or Type Name
(*If different from Applicant)

[Signature]
Owner's Signature & Date
(*If different from Applicant) 11-3-17

Marcel Burgler
Applicant – Print or Type Name

[Signature]
Applicant's Signature & Date November - 11/6/2017

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





November 6, 2017

Steve Peterson, Community Development Director
Cascade Township
2865 Thornhills Ave SE
Grand Rapids, MI 49546

RE: Rezoning Petition for 2768 Orange Court

Mr. Peterson

This commentary will supplement our application for a conditional rezone for the 0.75 acre property at 2768 Orange Court in Cascade Township. With respect to this property, and by this letter and application, we voluntarily offer, under the terms of Section 405(1) of the Michigan Zoning Enabling Act, as a condition on our requested rezoning to Village Commercial (as compatible with the B1 Zoning District outlined in the Township Master Plan), that we will restrict the use and development of the land to single-family detached homes as indicated in the submitted plans. Our use and development will be in accordance with the submitted site plan, including building setbacks, density, and land use.

PROJECT SUMMARY:

The existing property at 2768 Orange Court is a 0.75 acre partially wooded site with a natural slope dropping from Orange Court to the rear of the site. The site includes numerous large trees on the rear portion, at the corner of Orange and Peace Street, and along Peace Street. These trees include maples, oaks, and walnuts. This development places homes clustered along Orange Court with small setbacks in order to preserve many of these trees and the natural slope of the site.

The existing site has single-family detached residential to the east and south, a pet cemetery to the north, and Cascade Christian Church to the west.

The existing site has a 30 foot sewer easement along its eastern edge. A storm and sanitary sewer are located in the easement. The site is fully serviced by utilities. Because nothing can be constructed within the 30 foot easement, it creates a large buffer to the neighboring property to the east and forces the proposed homes to be clustered closer to the corner of Orange and Peace.

The existing site has an ingress/egress easement for Consumers Energy along its rear boundary, including a dirt access road running the width of the site. Overhead wires and power poles run along the rear of the site. Both the access road and overhead wires will remain as part of this development.

An existing non-motorized trail runs adjacent to the site's west edge along Peace Street. The proposed site design has clustered the homes on Orange Court in order to preserve this trail and to not construct driveway access through the trail. All driveways access from Orange Court.

The project proposes to add 3 two-story single-family detached homes with attached two-stall garages along Orange Court. Homes will have walk-out basements. Homes are under 35 feet tall. The side yard between homes is 10 feet, and the setback at the Peace Street right-of-way is approximately 14 feet. The homes have a 10 foot deep porch that is setback from the Orange Court right-of-way by 15 feet. The main mass of the homes (not including the porch) is set back 25 feet from the right-of-way. The attached garages are setback from the front of the porch 10 feet in order to minimize their impact on the streetscape.

The rear walkout area of these homes is approximately 90 feet from the rear property line, ensuring that existing trees are preserved.

The project will be a site condominium.

EVALUATION:

Zoning and Master Plan Designations

The subject property currently falls within the R2 Residential Zoning District. Chapter 6 of the Zoning Ordinance provides the intent of this District as follows (page 6-1):

These districts are intended to encourage a suitable environment for residential and compatible supportive uses. To this end they are the most restrictive residential districts permitting low density single family homes and uses and a controlled degree of recreational, religious and educational facilities.

The subject property currently falls within the Village Commercial Future Land Use in the Township Master Plan. The Master Plan describes Village Commercial as follows (page 94):

This land use designation is intended to foster a pedestrian-scale, local shopping district confined to the parcels currently zoned for commercial use. It is not the intent of this land use plan to expand commercial uses either north or south along Cascade Road. The village commercial area is intended to be a walkable commercial district, where architectural style is paramount, but not rigid. Low shrubbery, picket fences and other features should be in place along the roadway to delineate the use and create interest for pedestrians.

The Master Plan further indicates that residential densities would be 6-8 dwelling units per acre, possibly in the form of townhomes (page 94).

The Master Plan's Zoning Plan (page 98) indicates that the Village Commercial Future Land Use corresponds to the current B1 Zoning District.

Chapter 8 of the Zoning Ordinance provides the intent of the B1 District as follows (page 8-1):

This district is intended to promote a village atmosphere, which is built to human scale to encourage attractive street fronts and connecting pedestrian walkways as a first priority while still accommodating vehicular movement. This district is intended to satisfy the land needs for convenience, specialty and personal service type shops and establishments primarily serving those person residing in the surrounding residential areas of the Township. The district is also intended to provide mixed uses with residential above retail or office uses, live/work, and stand-alone attached residential uses. The district is not intended for the location of multi-tenant strict commercial structures which when judged independently would be classified as community wide or regional in scale.

Zoning Requirements for R2 and B1 Districts

R2 Setbacks

Chapter 18 (Table 18-B) of the Zoning Ordinance provides the placement and yard area standards for residential dwellings as follows (page 18-2):

<i>Front yard setback, local:</i>	<i>35 feet (68 feet from street centerline)</i>
<i>Side yard setback:</i>	<i>10 feet minimum on one side 25 feet total both sides</i>
<i>Rear yard setback:</i>	<i>25 feet</i>

B1 Setbacks

Chapter 8 (Table 18-A) of the Zoning Ordinance provides the building setbacks for the B1 District as follows (page 8-2):

<i>Front yard setback, local:</i>	<i>20 feet minimum, 30 feet maximum</i>
<i>Side yard setback:</i>	<i>7 feet minimum, total of two yards not less than 16 feet</i>
<i>Rear yard setback:</i>	<i>30 feet</i>

R2 Building Height

Section 18.03 (page 18-1) indicates structures in R2 shall not exceed 35 feet or 2-1/2 stories.

B1 Building Height

Chapter 18 (Table 18-C) of the Zoning Ordinance provides the height standards for the B1 District (page 18-3):

<i>Maximum Structure Height:</i>	<i>30 feet for residential uses</i>
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R2 Lot Sizes, Area Standards, and Density

Chapter 18 (Table 18-A) of the Zoning Ordinance provides the residential dwelling and lot bulk and area standards for the R2 Zoning District as follows (page 18-1):

<i>Minimum Floor Area:</i>	<i>1300 sf (one-story dwelling) 1600 sf (two-story dwelling)</i>
<i>Minimum Dwelling Width:</i>	<i>20 feet</i>
<i>Minimum Lot Width:</i>	<i>110 feet for unplatted lots</i>
<i>Minimum Lot Area:</i>	<i>40,000 sf for unplatted lots</i>
<i>Maximum Density:</i>	<i>Refers to Subdivision Ordinance*</i>
<i>Maximum Lot Coverage:</i>	<i>25%</i>

**Table 5-2 Subdivision Standards R2 Zoning District (Minimum Lot Width Minimum Lot Area)*

No open space = 95 foot lot width and 36,000 sf lot area

At least 25% open space = 85 foot lot width and 15,000 sf lot area

At least 50% open space = 65 foot lot width and 10,000 sf lot area.

B1 Lot Sizes and Area Standards

Section 8.06 (page 8-2) of the Zoning Ordinance provides minimum lot sizes and areas for the B1 Zoning District.

Minimum Lot Area: *None with approved site plan, otherwise 20,000 sf*
Minimum Lot Width: *100 ft. unless waived for access management techniques*

B1 Density

Section 8.03 (page 8-1) of the Zoning Ordinance provides residential uses permitted by right:

Density: *Up to 3 residential dwelling units per acre*

Section 8.04 (page 8-2) of the Zoning Ordinance provides residential uses permitted by Special Land Use:

Density: *Over 3 residential dwellings units per acre, but under 9 du/acre*

SUMMARY

The application requests a rezone to the Village Commercial Future Land Use designation (as compatible with the B1 Zoning District outlined in the Township Master Plan). The proposed plan includes the following:

- 3 homes on 0.75 acres for a density of 4 dwelling units per acre. This density is permitted by a Special Land Use per Section 8.04 in the B1 District.
- The homes have a side yard setback of 10 feet between each house. The B1 District permits a 7 foot minimum side yard setback with a 16 foot minimum for both yards. The application requests that the 10 foot yard be permitted to cluster homes at Orange Court and preserve the existing trees in the rear of the site.
 - The eastern side yard at the property line is at 30 feet, which meets the standards of the B1 District.
 - The western side yard at Peace Street right-of-way is approximately 14 feet, which meets the 7 foot minimum established in the B1 District. This side yard is adjacent to the non-motorized trail and Peace Street.
- The homes have an approximately 90 foot rear setback. The B1 District requires a 30 foot rear yard setback. The proposed plan nearly triples the rear yard setback requirement.
- The homes have a 15 foot front yard setback from the front porch to the Orange Court right-of-way and a 25 foot front yard setback from the front of the house (not including porch projection) to the Orange Court right-of-way. The B1 District requires a 20 foot minimum front yard setback. The application requests that the 15 foot front porch setback be permitted to cluster homes closer to Orange Court in order to preserve existing trees in the rear of the site, preserve meaningful open space at the rear of the site, and promote a village atmosphere, which is built to human scale to encourage attractive street fronts and connecting pedestrian walkways as a first priority (as outlined in the description of the Village Commercial Future Land Use in the Township Master Plan).

- The proposed development includes 69.2% open space (not including homes, drives, and the existing Consumers access drive). While B1 District does not quantify open space requirements, the underlying zoning of R2 offers varied degrees of performance standards that incentivize smaller lot sizes if more open space is provided.

CASCADE TOWNSHIP REZONING REVIEW PROCESS

Rezoning review process, as outlined in Cascade Township Procedures Manual (page 3-1) is as follows. Application answers each of the considerations below:

When the public hearing is completed, the Planning Commission, will have a discussion among themselves to arrive at a recommendation regarding the request. Before giving their recommendation, the Planning Commission must evaluate the request keeping the following considerations in mind:

- A. Whether a proposed land use change is consistent with the goals, objectives, policies, and intent of the Cascade Township General Development Plan;*

The Township Master Plan envisions this parcel to be Village Commercial. Village Commercial intends to promote a village atmosphere, which is built to human scale to encourage attractive street fronts and connecting pedestrian walkways as a first priority. The proposed plan clusters the three homes along Orange Court with front porches facing the street. These homes are two-story traditionally styled residences that reinforce the street edge. Additionally the homes are consistent to the existing residential pattern to the east and south of the site.

- B. Whether a proposed land use change meets or exceeds all performance and locational standards set forth for the proposed use;*

As outlined above, the side yard setbacks are less than the required standards in between the homes. These smaller setbacks permit the homes to be clustered on Orange Avenue to reinforce the street frontage and human scale, while also preserving meaningful open space to the rear of the site.

Perimeter setbacks at the side yards meet the requirements.

Front yard setbacks are less (15 feet) than the required 20 foot setback if the porch is used as the front of the home. If the façade of the house is used then the setback would be 25 feet. This slightly smaller setback permit the homes to be clustered on Orange Avenue to reinforce the street frontage and human scale, while also preserving meaningful open space to the rear of the site.

C. Whether a proposed land use change is consistent with the densities, intensities, and general uses set forth in the Cascade Township General Development Plan;

As outlined above, the density of the site is 4 dwelling units per acre (3 homes on .75 acres). B1 (the zoning that the Village Commercial is based upon per the Master Plan) permits up to 3 dwellings per acre and allows by Special Land Use over 3 and less than 9 dwelling units per acre. The proposed project provides 3 homes that line Orange Court and help to establish a street frontage. In addition the proposed project preserves over half of the site as open space (69.2%). When open space and Master Plan recommendations are considered the overall density of the site is consistent with the densities envisioned by the Cascade Township General Development Plan.

Permitted uses in the B1 District include residential and the Village Commercial Future Land Use also envisions residential uses. The proposed project is consistent with these residential uses and the existing surrounding residential uses.

D. Whether a proposed land use change will protect, conserve or preserve environmentally critical areas and natural resources;

This proposed land use change and site plan layout preserves over half the site as open space (69.2%) and more importantly seeks to preserve a majority of the existing large caliper maple, oak and walnut trees in the rear and edges of the site.

E. Whether a proposed land use change will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property;

The proposed project is consistent and compatible with the existing surrounding single family residential pattern to the east and south of the site.

F. Whether the location of a proposed land use change places an undue burden upon existing transportation or other services and facilities and will be served by streets with the capacity to carry traffic generated by the development;

The proposed project includes three single family homes along Orange Court. These homes are consistent with the existing residential pattern and are unlikely to burden existing transportation facilities in any meaningful way. The Village Commercial Future Land Use in the Master Plan also envisioned small scale commercial activities for this parcel – the proposed single family residential is less intense than these envisioned uses in regards to trip generation and traffic patterns.

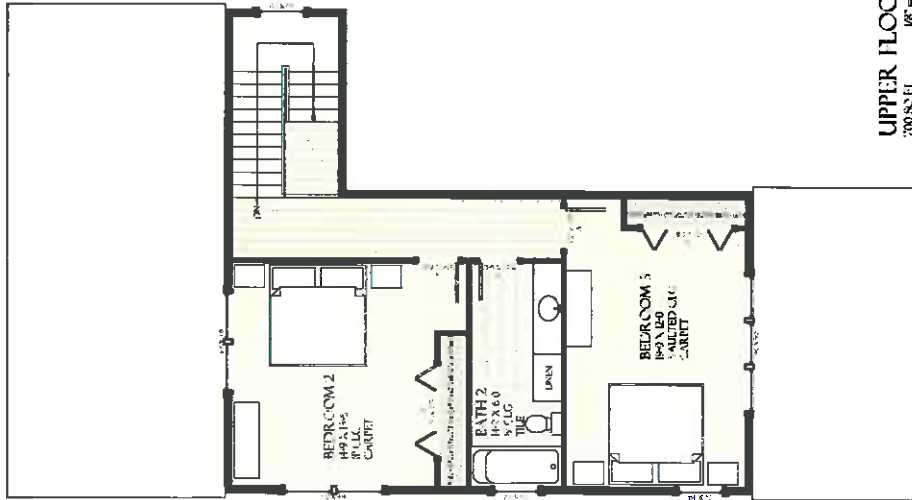
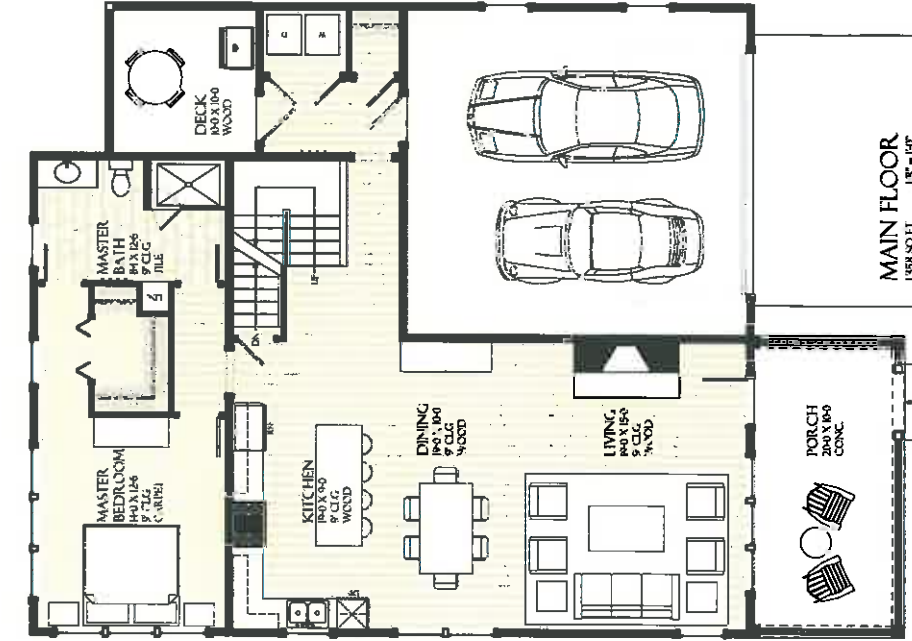
G. Whether a requested use will be in compliance with all applicable General Provisions and Special Use Regulations pertaining to the use, as set forth elsewhere in the Zoning Ordinance; and

The requested rezone is in compliance with all applicable General Provisions and Special Land Use Regulations as outlined above.

H. Whether a proposed change is to rectify errors on the Official Zoning Map.

The requested rezone is not intended to rectify errors to the Official Zoning Map. As outlined above, the requested rezone is primarily consistent with the B1 District and Village Commercial Future Land Use. Exceptions include the smaller internal side yard setbacks, the smaller front yard setback and the slightly increased density in terms of dwelling units per acre which is permitted as a Special Land Use. These requested elements reinforce the vision of the Master Plan, are compatible with surrounding land uses, and preserve natural areas on the site.

DATE	DESCRIPTION



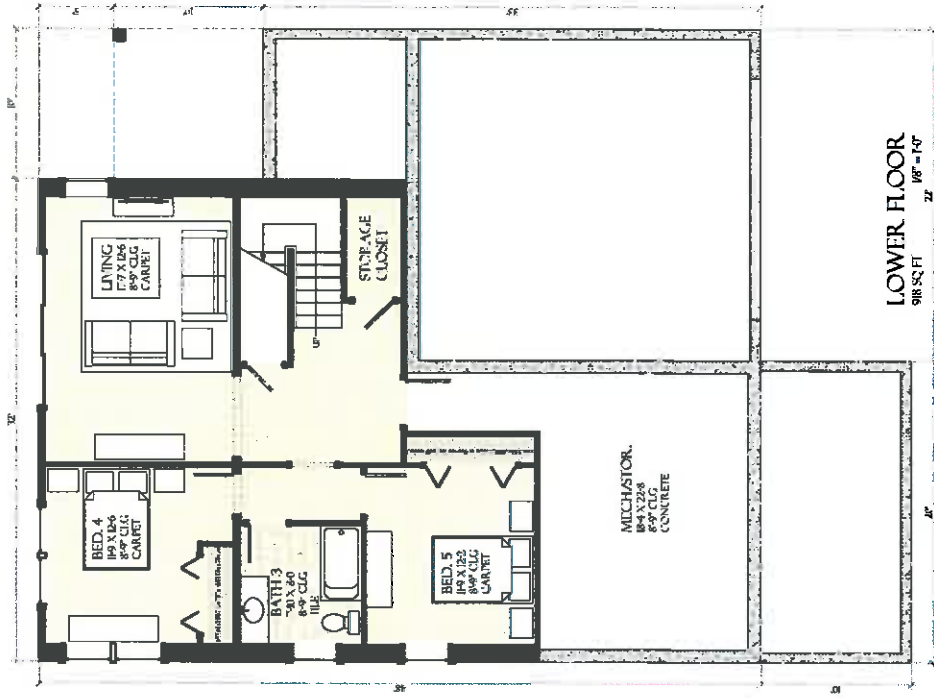
DATE	DESCRIPTION	BY	CHK

**CASCADE
 COTTAGES**

2788 ORANGE AVENUE SE
 GRAND RAPIDS, MI 49508

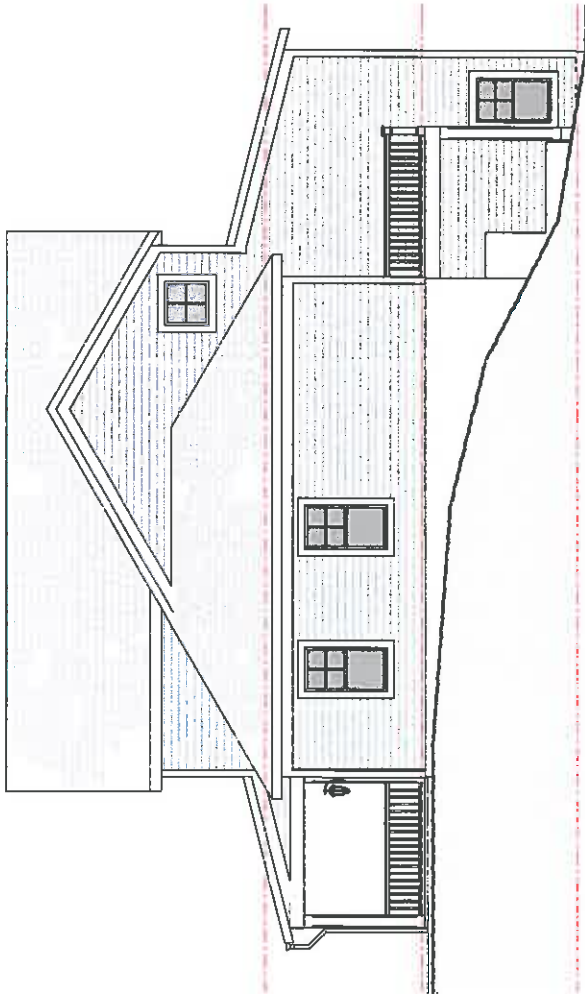
**LOWER FLOOR
 PLAN**

A-3



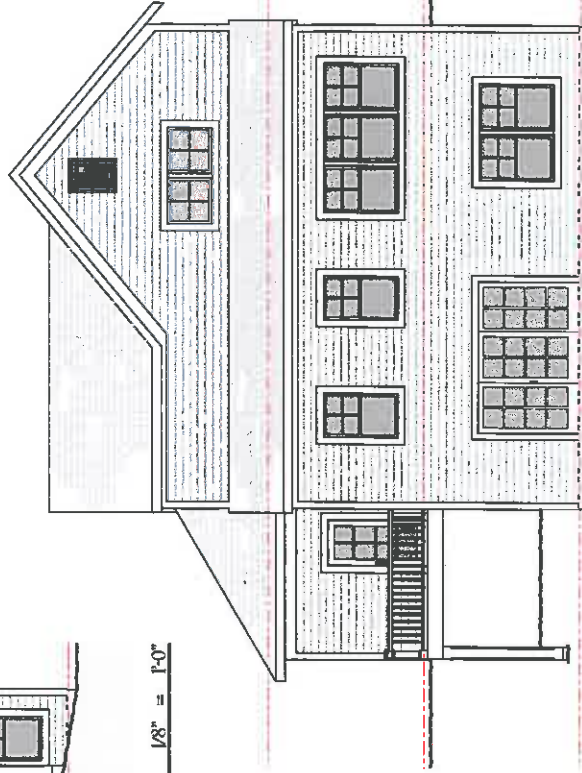
LOWER FLOOR
 918 SQ. FT.
 37'0" x 48'0"

DATE	DESCRIPTION	DR - ARCH
08/11/2011	REVISED PER COMMENTS	
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RIGHT ELEVATION

1/8" = 1'-0"



REAR ELEVATION

1/8" = 1'-0"

Conditional Rezoning

By: Gregory Milliken, AICP

Imagine a situation where a school district has decided to build a new school complex on the outskirts of town, resulting in the abandonment of the long time school building on the main drag near downtown. The current school building sits on 10 acres, is zoned residential (because it is and will always be a school, right?), is situated on the state highway that runs through town, and is surrounded by an established residential neighborhood.

With the school district looking to sell the building, the local hospital has indicated an interest in purchasing the property and reusing the building as an assisted living facility. The community is very supportive of this idea as it allows for the preservation of the important structure and the site while providing a needed service to residents. The problem is that it requires rezoning from single family residential to high density multi-family residential. This is contrary to the Master Plan, and frankly, should the hospital's plans fall through, the prospect of apartments at the site would not be viewed favorably at all.

Therefore, both the applicant and the community know that conventional rezoning would not achieve their goals. In order to achieve the desired zoning while providing the commitments necessary to give the community the comfort to approve the request, the applicants turn to conditional rezoning.

WAIT, WHAT? WE CAN DO CONDITIONAL REZONING?

In the example above, the applicant recognized that the best option to achieve the desired goals was through rezoning. However, it was also recognized that rezoning to multi-family was not going to be approved. Therefore, through conditional rezoning, restrictions placed on the proposal make the request more amenable. Such restrictions can include limitations on the uses permitted at the site, hours of operation, enhanced setbacks, signage, and access. The conditions can also address what will occur in the future when the proposed use and/or applicant leaves the site including whether the conditions will carry forward or whether the site will revert back to the previous single family residential zoning.

As demonstrated here, conditional rezoning allows an applicant an opportunity to make offers in conjunction with their request that will restrict the use or development of the property. These are voluntary offers and cannot be required or coerced by the community.

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WHAT IS KNOWN ABOUT CONDITIONAL REZONING?

Frankly, there is not much experience with conditional rezoning, and opinions are mixed as to its value and usefulness. There are communities that prohibit its use while others welcome it.

Section 405 of Public Act 110 of 2006, as amended (MCL 125.3405) authorizes the use of conditional rezoning in Michigan. This section of the Act provides little guidance to jurisdictions as to how the tool should be used. Further, little guidance has been provided through the Court system. Thus, the instructions provided by most municipal attorneys and community planners has been to tread carefully and cautiously when using conditional rezoning as it is not yet fully defined what can and cannot be done.

That being said, there are a few things that are understood about conditional rezoning that few will disagree about. Most importantly, it is clear that a community cannot require or coerce a condition as a part of a rezoning request. Practically speaking, this means that a Planning Commission cannot suggest conditions be added to a rezoning request. The conditions must be brought forward by the applicant and either approved or denied by the community.

The second clear requirement of the Act is that a community can set a timeframe within which the applicant must comply with the approved conditions. So if as a condition of rezoning approval an applicant commits to removal of an existing curb cut, the community can set a time frame for completion of that requirement.

WHY USE CONDITIONAL REZONING?

Conditional rezoning allows for creative development and use of unique properties that may not fit the exact molds that were cast when the Master Plan and Zoning Ordinance were completed. At a broad level, when the site is considered along with surrounding properties, it may fit well within the designation. But at a micro, site specific level, the unique conditions of the site may make that specific designation less suited to the property than another designation. This may be due to the property's size, road frontage, access, natural features, adjacent land uses, existing improvements, or numerous other reasons.

An applicant will likely consider using conditional rezoning when they expect that a conventional rezoning request will not be viewed favorably. It will be particularly effective if there are specific elements of the request that can be identified as likely to cause discomfort that can be mitigated through conditions.

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Conditional rezoning is also used in instances where the Zoning Ordinance has not quite caught up to the Master Plan. A property may have a Future Land Use designation in the Master Plan that does not correspond to its zoning designation. The proposed use may fit the Future Land Use designation, but there may not yet be ordinance language in place that matches the desired development.

Conditional rezoning allows for rezoning to an existing zoning district with restrictions to ensure it conforms to the community's vision.

WHAT ARE THE CONCERNS WITH CONDITIONAL REZONING?

The most common argument against conditional rezoning is that it undermines the Master Plan and allows "spot zoning". If the community determines through the various public processes that a site should be planned and zoned "Agricultural," then a conditional rezoning to "Commercial" could be contrary to this, particularly when surrounded by agricultural properties. The key for conditional rezoning to work is the conditions. The self-imposed conditions and associated development could be drafted in a manner that allows the request to occur consistent with the goals and objectives of the Master Plan despite the need to change zoning district. If this is the case, the concerns raised may be mitigated.

NEXT STEPS

Since there is little guidance provided by the Statute as to how to proceed with a conditional rezoning request, it is best to include language in the Zoning Ordinance that provides such guidance. (Note that not having language regarding conditional rezoning in a Zoning Ordinance does not prohibit the use of conditional rezoning in a community; it is authorized by Section 405 of Public Act 110 of 2006, as amended (MCL 125.3405). Similarly, having language in a Zoning Ordinance does not require the community to accept all such requests.) The Ordinance should indicate that conditional rezoning requests follow the same process and review criteria as conventional rezoning requests. Of particular importance, the application is reviewed at a public hearing of the Planning Commission that shall be noticed in the same manner as a conventional request. The Planning Commission then makes a recommendation to the legislative body for final adoption.

The Zoning Ordinance language should also provide guidance and requirements as to acceptable elements for consideration as a condition of rezoning and elements that are not acceptable. There is little disagreement that any conditions that exceed ordinance requirements – in essence grant a variance through the process – are not acceptable. Similarly, conditions cannot authorize uses within the district that are not otherwise permitted (i.e. use variances). Cash bribes are also not recommended.

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Specific procedural steps unique to conditional rezoning are also often included in such ordinance language. This would include the timing and format of submittal of proposed conditions and process for amending of conditions. Upon completion of the process, it should also be clear what form the conditions will be presented and how they will be recorded. Will a verbal presentation be adequate or is a legal agreement required? It is recommended that upon final adoption of the rezoning and conditions by the legislative body, a formal agreement be signed and recorded with the property.

The most common question asked regarding conditional rezoning is how a community can make an applicant aware of conditional rezoning and potentially provide feedback regarding conditions. Not having a vote in the final decision, Staff may have an ability to provide guidance to an applicant on the use of this technical tool as well as help interpret comments and feedback from the Commission members. Readers should discuss this further with their municipal attorneys and within their individual community as opinions vary across the State.

Conditional rezoning is not a magic elixir; it is not a solution to all unique problems or development situations. But it is a tool available to all communities that should be understood to maximize the effectiveness, in case it's needed.

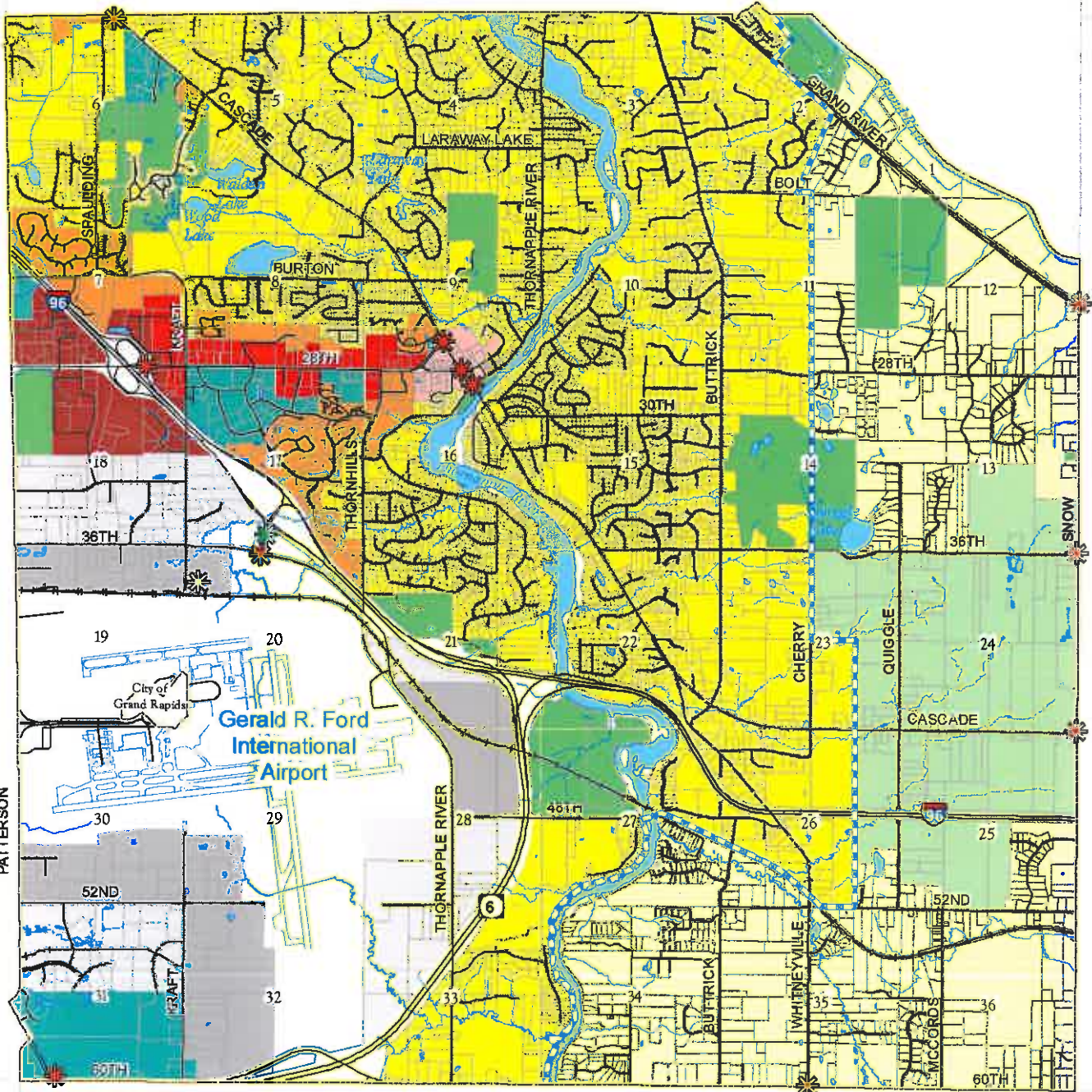
Author Gregory Milliken, AICP is the Planning Director for Oshtemo Charter Township (Kalamazoo County) and is also the Planner & Zoning Administrator for Kalamazoo Charter Township (Kalamazoo County). He has worked as a community planner in the public and private sectors for 15 years in Michigan, Ohio, and Washington.

Ada Twp

City of Kentwood

Lowell Twp

Caledonia Twp



Cascade Charter Township

Kent County, Michigan

Map 15 Future Land Use

Legend

- Gateway Feature
- Park 'n' Ride
- Rail Station
- Utility Service Area

- Farmland Preservation
- Rural Residential
- Suburban Residential
- Community Residential
- Village Commercial
- General Commercial
- Highway Commercial
- Mixed Use
- Heavy Industrial
- Light Industrial
- Community Facility/ Golf Course



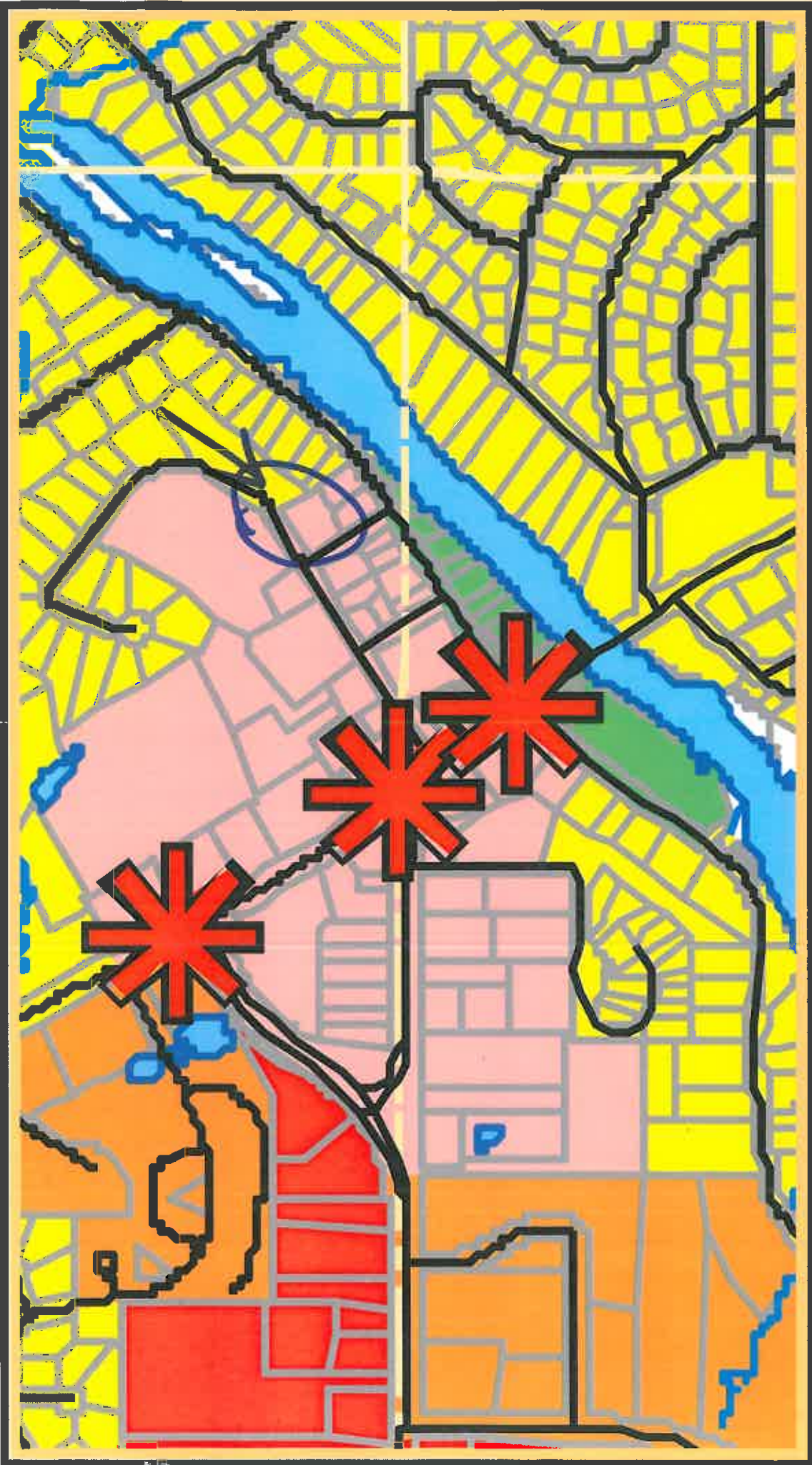
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547 Queen Avenue NW • Grand Rapids, MI 49503

April 22, 2009

NA



neighborhoods is a primary concern and measures should be taken periodically to assure proper coverage of these services. Private roads should be considered under certain circumstances, such as for the preservation of large stands of trees, or to preserve steep slopes, where drainage and run-off is a concern, or where important natural features have been identified in the Natural Feature Inventory.

COMMUNITY RESIDENTIAL

Description: The community residential land use designation is intended for attached or detached single family and multi-family housing. A project should be designed and developed to provide attractive, up-scale master planned living environments with amenities such as open spaces, walking paths, street trees, street lighting and attractive architectural style. Buildings and structures should be designed to minimize bulk and massing of attached living units.

Location: The community residential land use area primarily serves as a transition from commercial/mixed use and suburban residential uses along 28th Street. However, there are two areas where this use is proposed along the south side of Cascade Road north of Burton.

Desired Uses and Densities: Uses may include attached and detached residential dwellings, including projects that incorporate a variety of housing options, as well as assisted living and retirement communities. Master-planned retirement communities may also incorporate low-impact commercial uses internal and integrated within the development such as personal service establishments (barber shop or hair salon), post office, financial institution and other necessary uses for the convenience of the residents but not available for use by the general public. Development within the community residential area should include a walking system that connects to any existing or planned non-motorized pathway. The Township desires for the community residential areas to be served by mass transit in the future. Water and sewer must be available for new development or redevelopment in this land use category. Additionally, any natural features should be preserved and protected in projects located in the community residential land use area. Only public roads would be permitted in the community residential land use category. Allowable densities would range between 4-6 dwelling units to the acre.

VILLAGE COMMERCIAL

Description: This land use designation is intended to foster a pedestrian-scale, local shopping district confined to the parcels currently zoned for commercial use. It is not the intent of this land use plan to expand commercial uses either north or south along Cascade Road.

The village commercial area is intended to be a walkable commercial district, where architectural style is paramount, but not rigid. Low shrubbery, picket fences and other features should be in place along the roadway to delineate the use and create interest for pedestrians.

Location: The village commercial land use category is located at the heart of Cascade Charter Township where Cascade Road, 28th Street and the Thornapple River converge. It is not the intent of this land use category to expand beyond the current commercially-zoned properties along Cascade Road.

Desired Uses and Densities: Desired uses include retail commercial, personal service establishments, eating and drinking establishments, financial institutions, and convenience stores with or without fuel stations. Residential uses are also planned, including above retail or office uses. Townhome, retirement centers, assisted living, and other elderly care facilities are also recommended. Other uses should be phased out and encouraged to locate to a more automobile-oriented commercial corridor. Residential densities would be 6-8 dwelling units to the acre. Pedestrian/bicycle circulation plans should be prepared for new development that includes access from sidewalks and non-motorized paths to any building entry. Bicycle racks are encouraged. Traffic calming, crosswalk demarcations, countdown walk signs, plantings and signage are encouraged at 28th Street and Cascade Road at the Village to create a sense of place for shopping, strolling, biking, and walking. Water and sewer must be available for development in this land use category. Additionally, any natural features should be preserved and protected in projects located in the village commercial land use area. The Township hopes that the village commercial area is served by mass transit in the future.

GENERAL COMMERCIAL

Description: This land use designation is intended to provide goods and services to meet the needs of the immediate neighborhood and the larger region. Facilities will be developed in harmony with the area's natural features and in a scale and form to encourage pedestrian access and to minimize auto-pedestrian conflicts. Cross-access easements and access roads will be encouraged to reduce the proliferation of curb-cuts. In addition, landscape standards and signage limitations will be utilized to promote attractive and functional developments. The current three acre minimum lot area requirement may be reduced for projects that incorporate certain green/eco-friendly building technologies, or provide a specific amount of green space, such as 35%.