

**AGENDA**  
**Cascade Charter Township Planning Commission**  
**Monday, November 15, 2021**  
**7:00 pm**  
**2870 Jacksmith Ave**

*Public may access the meeting via video conference software Zoom*  
<https://us02web.zoom.us/j/81834920268>

**Meeting ID:** 818 3492 0268  
**By Phone:** +1 301 715 8592

- 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. Disclose any Conflict of Interest**
- ARTICLE 5. Acknowledge visitors and those wishing to speak.**  
**(Comments are limited to five minutes per speaker)**
- ARTICLE 6. Case 21-3682/Warren**  
**Public Hearing**  
**Property Address: 5650 McCords Ave**  
**Requested Action:** The applicant is requesting approval of a Special Use Permit for an accessory building over 832 sq ft.
- ARTICLE 7. Case #21-3669/John Rabideau/Cascade Roadhouse**  
**Property Address: 6817 Cascade Rd**  
**Requested Action:** The applicant is requesting site plan review for a new 480 square foot covered structure.
- ARTICLE 8. Case #21-3632/Gole Dental Properties**  
**Property Address: 3636 Kraft Ave**  
**Requested Action:** Consider recommendation to Township Board for P.U.D Ordinance Amendment
- ARTICLE 9. Case #21-3681/Patterson Ice Center, LLC**  
**Property Address: 2550 Patterson Ave**  
**Requested Action:** Basic Plan Review for an amendment to the PUD Ordinance to lift a number of existing use and development restrictions.
- ARTICLE 10. Old Business**
- Thornapple Pointe Stormwater Update
- ARTICLE 11. Any Other Business**
- ARTICLE 12. 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*
  - b. *Deny*
  - c. *Approve*
  - d. *Approve with conditions*
  - e. *Recommendation to Township Board*

**STAFF REPORT**

STAFF REPORT: Case #21-3682/Warren  
REPORT DATE: November 8, 2021  
PREPARED FOR: Cascade Charter Township Planning Commission  
MEETING DATE: November 15, 2021  
PREPARED BY: Brian Hilbrands, Planner

APPLICANT:  
Justin Warren  
5650 McCords Ave SE  
Alto, MI 49302

STATUS OF APPLICANT: Property owner

REQUESTED ACTION: The applicant is requesting a special use permit to construct an accessory building larger than 832 square feet.

EXISTING ZONING OF SUBJECT PARCEL(S): ARC

GENERAL LOCATION: East side of McCords Ave, between 52<sup>nd</sup> St and 60<sup>th</sup> St

PARCEL SIZE: Approximately 2.9 acres

EXISTING LAND USE ON THE PROPERTY: Residential

ADJACENT AREA LAND USES: All agricultural

ZONING ON ADJOINING PARCELS: N,S,E – ARC  
W – PUD 70

**STAFF COMMENTS:**

1. The applicant is requesting permission to construct an accessory building on the property. The building will be 49' x 34' including a 5' bump-out, which totals 1,561 sq ft.
2. The building will be 14' tall as measured to the midpoint of the roof.
3. This requires a minimum of a 10-foot setback to the side property lines and 25-feet to the rear property line. The applicant shows a setback of 11' to the closest side property line

and there will be a setback of close to 500' to the rear property line. The building will also have to be at least 10' from any other building.

4. With under 3 acres the applicant is permitted to have one accessory building on the property. There is currently an 8' x 10' shed on the property, and the applicant is applying for a variance to keep the shed and also construct this new building.
5. The applicant has indicated that the building will be used as a workshop and for general storage.
6. During the site visit the applicant indicated that they would prefer to access the building directly from McCords Ave. Any new access from the street would need to be approved by the Kent County Road Commission.
7. The size of the building is "normal" for the zoning district.
8. The building is planned to have shingled roofing and vinyl siding to match the house.
9. Any outdoor lighting will have to meet our standards, requiring it to be shielded and downcast or at a level that is exempted.
10. It should be noted that accessory buildings cannot be used for living space or to run a business.

**Conditions for Special Use Permit Approval**

Upon review of a Type 1 Special Use Permit for an accessory building, Section 17.03(1)(a) of the Zoning Ordinance requires the Planning Commission to consider several factors. I have listed those items for your consideration followed by my comments for each.

| Factors  | Comment  |
|--|--|
| The intended use of the building.  | The applicant has indicated that the building will be used for a workshop and for general storage. |
| The proposed location, type and kind of construction and general architectural character of the building.                                | The building is planned to have vinyl siding and a shingled roof.                                  |
| The size of the building in relation to the house, lot and zoning district.  | The property is about 2.9 acres, and the home has about 2,712 sq. ft. of finished living space.    |
| The type and kind of principal and accessory buildings and structures located on properties which are adjoining and in the general area. | There are other detached buildings in the general area.  |
| The topography and vegetation in the area.   | Mostly flat and partly wooded.   |
| Whether the proposed building will affect the light and air circulation of any adjoining properties.                                     | No impact.   |

|  |   |
|--|---|
| Whether the proposed building will adversely affect the view of any adjoining property owner or occupant.                        | The location of the building would not have an adverse effect on adjoining property views.                                |
| Points of access to the proposed building and their relationship to adjoining properties and the view from the adjacent streets. | The applicant is proposing a new access to the street. This would have to be approved by the Kent County Road Commission. |

**STAFF RECOMMENDATION:**

I recommend that you approve the special use permit as requested with the following conditions. The building should be in compliance with all applicable zoning ordinance regulations, including:

1. The building is not used for living space or to run a business.
2. Any outdoor lighting meets our regulations.
3. Any new access to the street must be approved by the Kent County Road Commission.

Attachments: application package, accessory building inventory



5650 McCords Ave

MCCORDS AVE

60TH ST





# CASCADE CHARTER TOWNSHIP

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

## PLANNING & ZONING APPLICATION

**APPLICANT:** Name: Justin Warren  
Address: 5650 McCords Ave SE  
City & Zip Code Alto 49302  
Telephone: 616-240-1762  
Email Address: justinwarren77@gmail.com

**OWNER: \* (If different from Applicant)**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City & Zip Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email Address: \_\_\_\_\_

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

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

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

**BRIEFLY DESCRIBE YOUR REQUEST:\*\***

Looking to build a shop/barn on the north side of current residence. Barn plans are set to be 11 feet from neighbor's property on the side. Barn plans are set for \$1,561 square feet with a midpoint of 14 feet. Applying for variance in December to keep shed that was build on deceased mothers property

(\*\*Use Attachments if Necessary)

-SEE OTHER SIDE-

**LEGAL DESCRIPTION OF PROPERTY\*\*:**

411936326007 PART OF SW 1/4 COM 1323.38 FT N 89D 48M 12S E ALONG S  
SEC LINE & 2127.56 FT N 0D 18M 18S W ALONG E LINE OF W 1/2 W 1/2 OF  
SW 1/4 FROM SW COR OF SEC TH N ALONG SD E LINE TO N LINE OF S  
400.0 FT OF N 730.0 FT OF NE 1/4 SW 1/4 TH N 89D 59M 32S E 660.0 FT TO E  
LINE OF W 660.0 FT OF NE 1/4 SW 1/4 TH S 0D 18M 18S E 200.0 FT TH S 89D  
59M 40S W 150.85 FT TH S 0D 00M 20S E 22.0 FT TH S 89D 59M 40S W 63.50  
FT TH N 0D 00M 20S W 22.0 FT TH S 89D 59M 40S W 445.50 FT TO BEG \*

(\*\*Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19-19-36-326-007

ADDRESS OF PROPERTY: 5650 McCords Ave. Alto, MI 49302

PRESENT USE OF THE PROPERTY: Primary Residence

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

| Name(s) | Address(es) |
|---------|-------------|
| <hr/>   | <hr/>       |
| <hr/>   | <hr/>       |

**SIGNATURES**

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

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

\_\_\_\_\_  
Owner – Print or Type Name  
(\*If different from Applicant)

\* \_\_\_\_\_  
Owner’s Signature & Date  
(\*If different from Applicant)

Justin Warren  
\_\_\_\_\_  
Applicant – Print or Type Name

*Justin Warren* 10/18/21  
\_\_\_\_\_  
Applicant’s Signature & Date

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





**THE PLANNING STAGE**  
 PHONE: 616-666-1469  
 www.thepanningstage.net  
 Scott Wasserman  
 thepanningstage.com

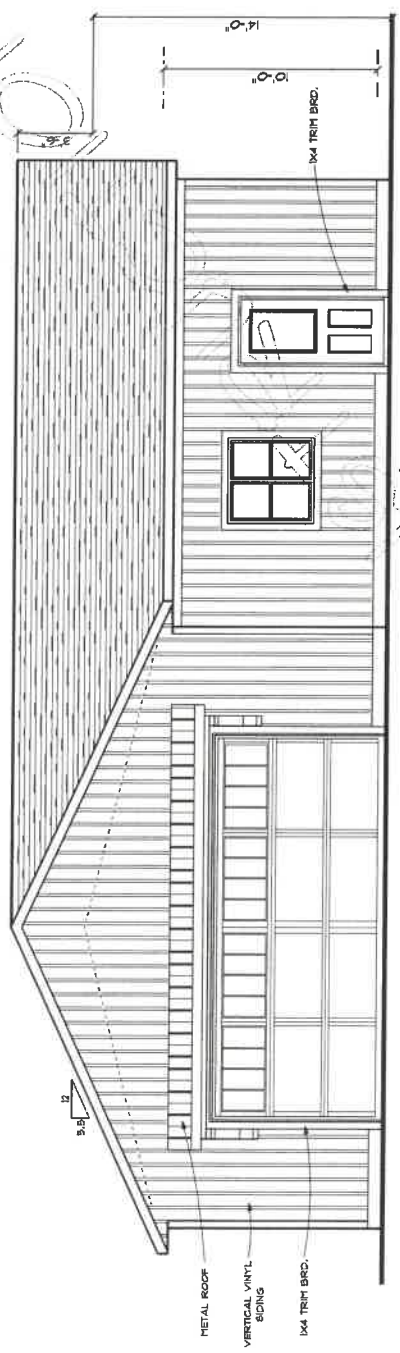
**DRAWN BY:**  
 G.V.  
**CHECKED BY:**  
 P.K.

**WARREN RESIDENCE**  
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 THE PLANNING STAGE

CONCEPT DESIGN OCT. 14, 2021

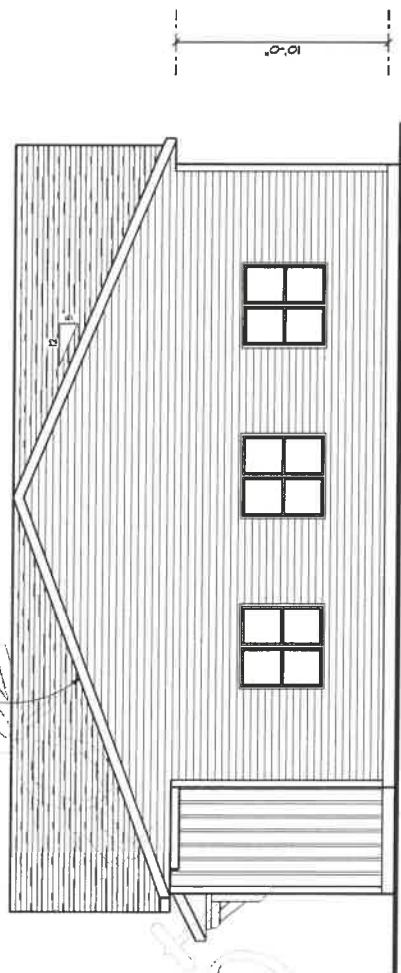
RENDER THE FACT THAT ALL  
 POSSIBLE CAUTION IS TAKEN IN  
 THE PREPARATION OF THESE  
 WE CANNOT ACCEPT LIABILITY AGAINST  
 MECHANICAL, ELECTRICAL,  
 PLUMBING OR OTHER TRADES.  
 THE ARCHITECT IS RESPONSIBLE  
 FOR THE DESIGN AND CONSTRUCTION  
 OF THE BUILDING.

**PROJECT**  
 #211013



**FRONT ELEVATION**

1/4" = 1'-0"



**RIGHT ELEVATION**

1/4" = 1'-0"



**THE PLANNING STAGE**  
 PHONE: 616-566-1469  
 email: theplanningstage.net  
 6001 Yonkersville  
 theplanningstage.com

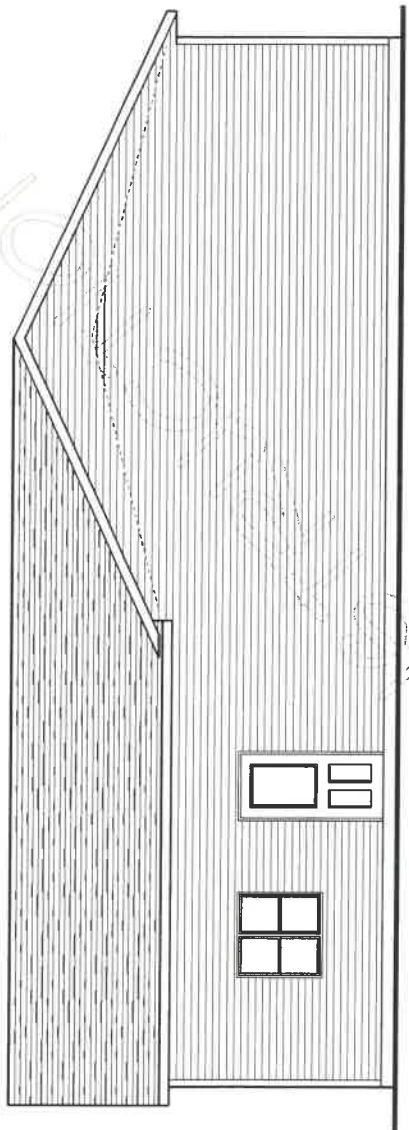
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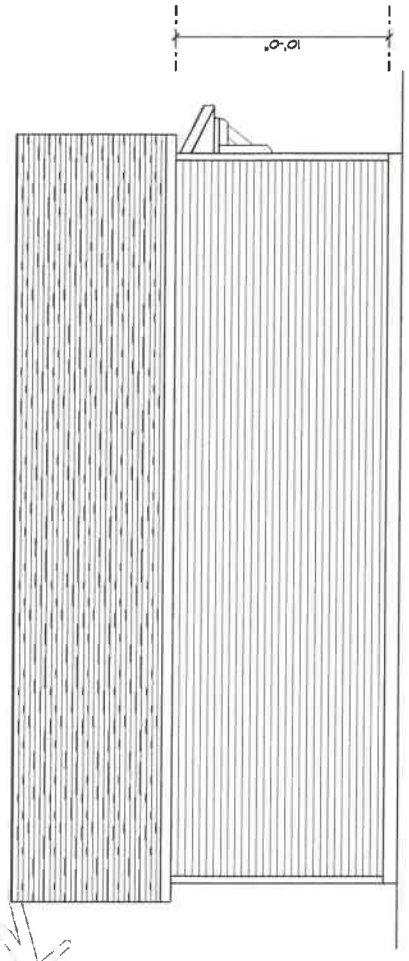
CONCEPT DESIGN OCT. 14, 2021

DESpite THE FACT THAT ALL INFORMATION CONTAINED HEREIN WAS PREPARED BY THE ARCHITECT, THE ARCHITECT MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE, AND WILL NOT BE RESPONSIBLE FOR CHECKING ALL DETAILS AND CONDITIONS PRIOR TO CONSTRUCTION.

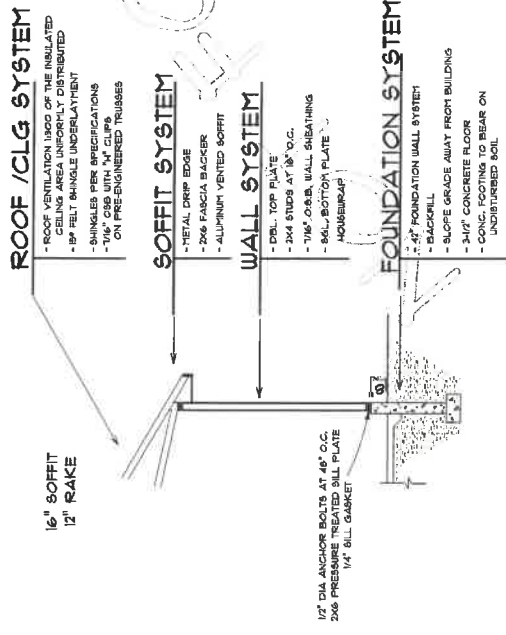
**PROJECT #211013**



**REAR ELEVATION**  
 1/4" = 1'-0"



**LEFT ELEVATION**  
 1/4" = 1'-0"



**WALL SECTION**  
 N.T.S.





**THE PLANNING STAGE**  
 PHONE: 616-966-1469  
 www.thepanningstage.com  
 Email: info@panningstage.com  
 thepanningstage.com

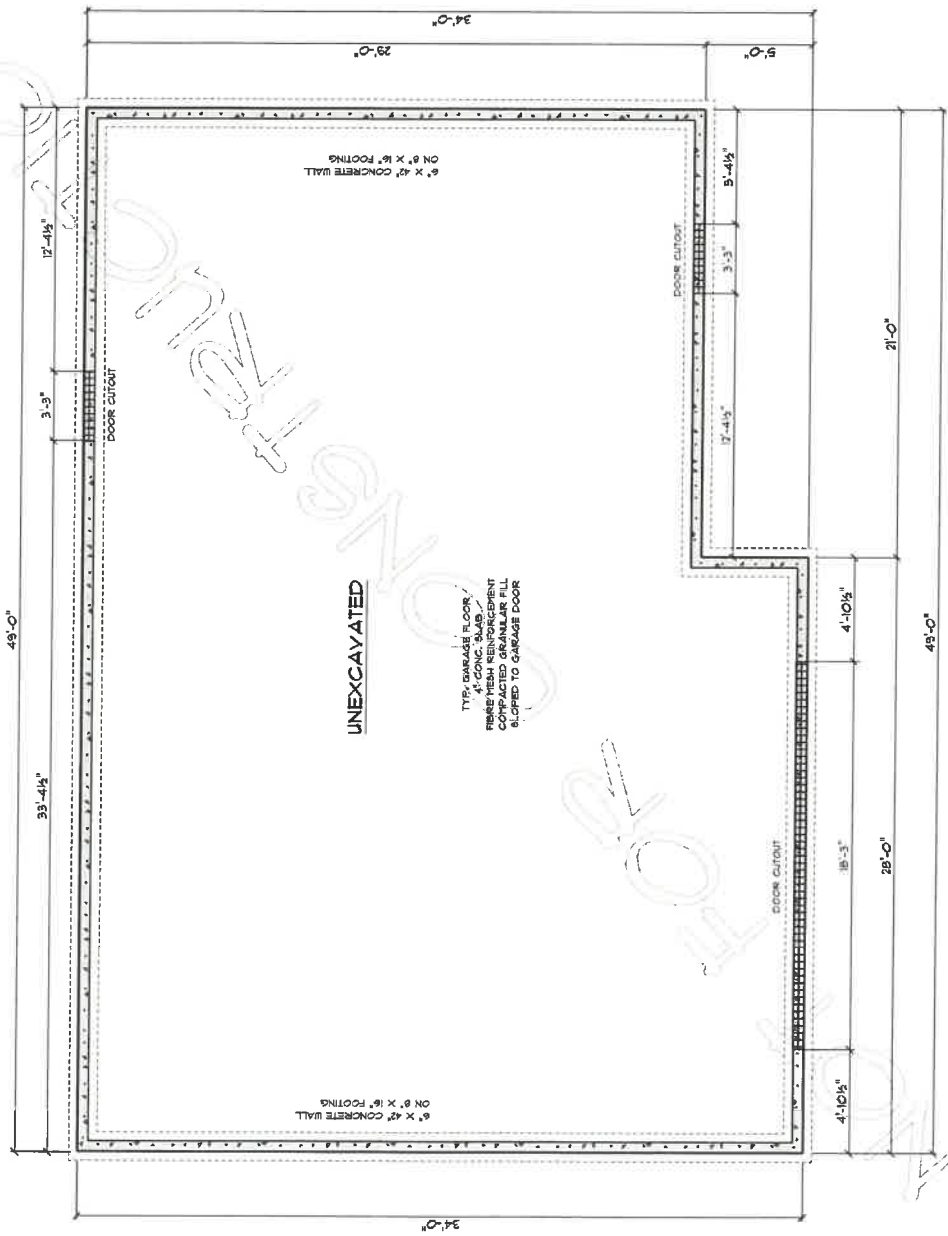
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CONCEPT DESIGN OCT. 14, 2021

DESITE THE FACT THAT ALL INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT TO BE USED AS A BASIS FOR ANY DECISION. THE PREPARATION OF THESE PLANS IS THE SOLE RESPONSIBILITY OF THE ARCHITECT AND THE ARCHITECT DOES NOT WARRANT ANY INFORMATION OR STATEMENTS MADE HEREIN. THE ARCHITECT AND HIS FIRM SHALL NOT BE RESPONSIBLE FOR OMISSIONS, ALL DETAILS AND CONDITIONS SHALL BE AS SHOWN ON THESE PLANS.

**PROJECT #211013**



**FOUNDATION PLAN**  
 1/4" = 1'-0"



Accessory Building Inventory 2010-2021 (9/14/21)

| Case    | Name                    | address                | Zoning | accessory building sq.ft | acres | home (FLS) |
|---------|-------------------------|------------------------|--------|--------------------------|-------|------------|
| 11-3029 | Korhorn                 | 3480 Buttrick Ave      | ARC    | 900                      | 2.5   | 1,800      |
| 11-3052 | Buckius                 | 4900 Streamside Point  | ARC    | 2,304                    | 4.5   | 3,500      |
| 10 2999 | Downing                 | 1400 Windy Ridge       | ARC    | 1,728                    | 5.6   | 2,600      |
| 10 3010 | Pepin                   | 5640 McCords           | ARC    | 2,400                    | 10    | 3,000      |
| 10 3017 | Halfmann                | 4590 Quiggle Ave       | ARC    | 1,020                    | 3.6   | 3,000      |
| 12-3070 | Thornapple Pointe GC    | 7211 48th St           | ARC    |                          |       |            |
| 12-3073 | Burd                    | 5630 Buttrick Ave      | ARC    | 1,200                    | 4.9   | 2,700      |
| 12-3077 | Morris                  | 5225 Buttrick Ave      | ARC    | 2,432                    | 5     | 2,000      |
| 12-3101 | Hilbrands               | 6482 52nd St           | ARC    | 1,536                    | 80    | 1,500      |
| 13-3145 | harold Cornelisse       | 8773 Running Deer Lane | ARC    | 1,440                    | 10    | 2,200      |
| 14-3216 | Gary Jehnke             | 5766 Buttrick Ave      | ARC    | 1,920                    | 7.6   | 1,800      |
| 15-3239 | Chad Weldy              | 9575 52nd St           | ARC    | 1,728                    | 2.3   | 2,400      |
| 15-3256 | Robert Harmon           | 4150 Cherry Lane       | ARC    | 1,536                    | 7.8   | 3,100      |
| 15-3260 | Jay Nehls               | 3100 Foxfire Lane      | ARC    | 1,575                    | 5     | 4,000      |
| 15-3267 | Paul Kucharczyk         | 9150 52nd St           | ARC    | 1,728                    | 2.9   | 1,500      |
| 16-3315 | Roelofs                 | 9554 52nd St           | ARC    | 4,864                    | 4.4   | 3,700      |
| 17-3379 | Shaffer                 | 8665 28th st           | ARC    | 1,066                    | 2.5   | 2,500      |
| 17-3404 | Teppo                   | 3777 Cherry Lane       | ARC    | 2,720                    | 8.3   | 3,000      |
| 17-3411 | Ruby                    | 8358 28th St           | ARC    | 2,192                    | 1.9   | 2,500      |
| 18-3439 | McConnell               | 5470 McCords           | ARC    | 15,120                   | 160   | 1,600      |
| 18-3448 | Van note                | 8233 28th St           | ARC    | 1,800                    | 4.3   | 2,500      |
| 18-3482 | Seeley                  | 9404 28th St           | ARC    | 1,680                    | 17    | 2,800      |
| 18-3483 | Hillman                 | 8790 52nd St           | ARC    | 2,688                    | 4     | 2,800      |
| 18-3486 | DeMeester               | 9478 Grand River Dr    | ARC    | 3,136                    | 12    | 3,300      |
| 18-3496 | Eisen                   | 7233 60th              | ARC    | 1,728                    | 4.4   | 2,300      |
| 19-3511 | Doering                 | 5500 McCords Ave       | ARC    | 1,200                    | 160   | 1,600      |
| 19-3524 | Tolan                   | 8505 60th St           | ARC    | 1,600                    | 11    | 2,100      |
| 19-3529 | Hulst                   | 3717 Cherry Lane       | ARC    | 1,600                    | 8     | 3,300      |
| 19-3530 | Howard                  | 8125 45th St           | ARC    | 1,200                    | 2.9   | 2,900      |
| 19-3546 | Swift                   | 8730 52nd St           | ARC    | 1,344                    | 2.5   | 2,600      |
| 20-3589 | Dykhouse                | 2645 Meadow Crossing   | ARC    | 1,634                    | 13    | 7,900      |
| 20-3598 | Maslowski               | 9585 60th St           | ARC    | 1,296                    | 2     | 1,900      |
| 20-3601 | Poolman                 | 6667 60th St           | ARC    | 4,288                    | 4.5   | 3,800      |
| 20-3616 | Staples                 | 5288 Buttrick Ave      | ARC    | 1,300                    | 2.3   | 4,500      |
| 21-3637 | Seely                   | 4200 Cherry Ln         | ARC    | 1,224                    | 0.97  | 1,100      |
| 21-3638 | Davis Flia Construction | 6541 60th St           | ARC    | 4,000                    | 14.7  | 2,900      |

Accessory Building Inventory 2010-2021 (9/14/21)

|         |                       |                          |        |       |      |        |
|---------|-----------------------|--------------------------|--------|-------|------|--------|
| 21-3659 | Lange                 | 9205 28th St             | ARC    | 1,600 | 3.4  | 2,800  |
| 21-3664 | Eggleston             | 9091 36th St             | ARC    | 1,680 | 9.2  | 2,900  |
| 12-3076 | Lash                  | 8951 Cascade Rd          | FP     | 1,680 | 2.4  | 1,800  |
| 15-3265 | Randy Gaskin          | 3505 Snow Ave            | FP     | 1,536 | 2    | 1,400  |
| 18-3443 | Carpenter             | 8650 36th St             | FP     | 1,560 | 15   | 3,400  |
| 19-3531 | Beatson               | 9100 Cascade Rd          | FP     | 3,200 | 15   | 2,600  |
| 20-3600 | Grzywacz              | 8683 Cascade Rd          | FP     | 1,440 | 3.7  | 4,000  |
| 21-3625 | Randall Burri Builder | 4670 Quiggle Ave         | FP     | 1,728 | 3.6  | 1,700  |
| 13-3161 | Epique Homes          | 1415 Ballybunion Dr      | PUD    | 4,500 | 6    | 6,600  |
| 16-3314 | Reynolds              | 5701 Buttrick Ave        | PUD 52 | 1,256 | 2.2  | 2,500  |
| 18-3494 | Stibitz               | 3494 Bloomington Hills   | PUD 66 | 1,500 | 1.39 | 2,200  |
| 10 3008 | Koetje/Proos          | 8091 Ashwood Dr          | PUD 89 | 1,120 | 2.5  | 4,520  |
| 19-3561 | Hayes                 | 3570 Buttrick Ave        | PUD 61 | 1,200 | 2.2  | 2,600  |
| 21-3619 | Krause                | 2439 Sturbridge Dr       | PUD 65 | 1,728 | 6.6  | 4,000  |
| 21-3631 | Bigger                | 4983 Clear Ridge Dr      | PUD 72 | 1,200 | 1.2  | 2,800  |
| 10 3001 | Ike                   | 4390 Whitneyville        | R1     | 1,200 | 3.8  | 1,000  |
| 10 3014 | Borisch               | 5333/5200 Dayenu         | R1     | 2,304 | 44   | 6,000  |
| 12-3082 | DeVos                 | 2020 Devonwood Lane      | R1     | 8,500 | 35   | 17,000 |
| 14-3184 | Jon DeGraff           | 6960 Thornview           | R1     | 1,520 | 4.6  | 3,500  |
| 14-3185 | James Hackett         | 1547 Briarcliff Dr       | R1     | 1,400 | 2.2  | 7,500  |
| 14-3190 | Aaron Schaap          | 1910 Laraway Lake Dr     | R1     | 2,604 | 13   | 8,200  |
| 14-3197 | John Shipley          | 7373 Biscayne Way        | R1     | 1,000 | 2.6  | 3,200  |
| 15-3241 | John Borisch          | 5200 Dayenu Dr           | R1     | 3,000 | 9    | 6,000  |
| 15-3253 | Derek Benedict        | 1961 Steketee Woods Lane | R1     | 1,936 | 2.9  | 6,900  |
| 15-3257 | Jeff Shull            | 7500 Buttrick Park Dr    | R1     | 1,440 | 3.03 | 3,600  |
| 15-3290 | Hockstra              | 1350 Briarcliff          | R1     | 1,232 | 1    | 4,000  |
| 16-3301 | Keeler                | 8100 45th st             | R1     | 1,504 | 1.2  | 2,500  |
| 16-3311 | Borisch               | 5292 Dayenu              | R1     | 5,000 | 3.8  | 5,000  |
| 16-3337 | Romence               | 5752 Hall St             | R1     | 1,200 | 1.7  | 2,200  |
| 16-3352 | Rise                  | 8200 48th st             | R1     | 1,600 | 1.05 | 3,000  |
| 17-3383 | Popp                  | 1360 Briarcliff          | R1     | 1,200 | 1.16 | 4,800  |
| 17-3417 | Salmon                | 6350 Cascade Rd          | R1     | 1,440 | 4.6  | 1,300  |
| 18-3452 | Kortman               | 4555 Little Harbor Dr    | R1     | 1,296 | 0.95 | 3,000  |
| 18-3474 | Rowland               | 4250 Whitneyville Ave    | R1     | 1,300 | 5    | 2,800  |
| 18-3480 | Stachowiak            | 7871 Shadybrook          | R1     | 1,800 | 2    | 2,200  |
| 18-3481 | Doezema               | 5625 Alaska Ave          | R1     | 1,944 | 5    | 2,000  |
| 19-3567 | Brinks                | 1596 Buttrick Ave        | R1     | 1,296 | 1.5  | 2,700  |

Accessory Building Inventory 2010-2021 (9/14/21)

|         |        |                   |        |                          |       |            |
|---------|--------|-------------------|--------|--------------------------|-------|------------|
| 20-3595 | Mayton | 1468 Buttrick Ave | R1     | 1,326                    | 1.8   | 4,700      |
| 21-3621 | Engler | 7080 Hidden Ridge | R1     | 3,312                    | 4.4   | 7,000      |
| 21-3652 | Waugh  | 7630 Cascade Rd   | R1     | 1,200                    | 1.8   | 2,000      |
| 11-3028 | Slauer | 3824 Goodwood Dr  | R2     | 900                      | 0.88  | 3,500      |
| Case    | Name   | address           | Zoning | accessory building sq.ft | acres | home (FLS) |
| Avg     |        |                   |        | 2,112                    | 10.88 | 3,396      |
| Avg ARC |        |                   |        | 2,281                    | 16.35 | 2,768      |
| Avg FP  |        |                   |        | 1,857                    | 6.95  | 2,483      |
| Avg PUD |        |                   |        | 1,786                    | 3.16  | 3,603      |
| Avg R1  |        |                   |        | 2,062                    | 6.28  | 4,484      |

## MEMORANDUM

To: Cascade Charter Township Planning Commission  
From: Brian Hilbrands, Planner  
Subject: 21-3669/John Rabideau/Cascade Roadhouse  
Meeting Date: November 15, 2021

At the Planning Commission meeting on November 8, 2021 the decision was made to Table any further decision on the site plan review for a 480 square foot canopy structure at 6817 Cascade Road. The Planning Commission asked that the applicant provide additional information regarding the use of the structure and outdoor seating area, specifically if it would be altered to allow for year-round use.

The applicant has indicated to staff that they would prefer to use that area year-round, similar to how they use the interior courtyard at the rear of the restaurant. Staff then told the applicant that the site plan will come back before the Planning Commission at the November 15 meeting and they should be in attendance to answer any questions the Planning Commission might have.

The original staff report with staff recommendation and conditions is attached, along with the application.

Attachments: 9/2/2021 Staff Report  
Application  
Site Plans  
Township Engineer letter  
Draft 10/12/21 ZBA Minutes

## STAFF REPORT

STAFF REPORT: Case #21-3669/John Rabideau/Cascade Roadhouse  
REPORT DATE: November 2, 2021  
PREPARED FOR: Cascade Charter Township Planning Commission  
MEETING DATE: November 8, 2021  
PREPARED BY: Brian Hilbrands, Planner

### APPLICANT:

John Rabideau/Cascade Roadhouse  
6817 Cascade Rd SE  
Grand Rapids, MI 49546

STATUS  
OF APPLICANT: Owner

REQUESTED ACTION: Site plan review for a new 480 sq ft covered structure.

EXISTING ZONING OF  
SUBJECT PARCEL(S): B-1

GENERAL LOCATION: The property is located on Cascade Road, north of Orange Ave.

PARCEL SIZE: Approximately 1 acre

EXISTING LAND USE  
ON THE PROPERTY: Commercial – Cascade Roadhouse

ADJACENT AREA  
LAND USES: All Commercial

ZONING ON  
ADJOINING PARCELS: N – PUD 19  
S,E,W – B-1

### STAFF COMMENTS:

1. The applicant is requesting site plan approval to construct an approximately 480 sq ft covered structure/canopy over the existing outdoor seating area at the Cascade Roadhouse restaurant. The site plan was reviewed under Section 21.07 of the Site Plan Review Chapter of the Zoning Ordinance.
2. The canopy will be approximately 24' x 20' and slope from a height of 10' in the rear to 8' in the front. It will not be physically attached to the existing building but will cover the

outdoor seating area. The canopy will be made of transparent panels placed on a steel-framed structure.

3. The addition complies with all of the required height, area, and parking regulations of the B1 zoning. The structure would be within the required front yard setback area, and the applicant has received a variance from the Zoning Board of Appeals for the setback at the October 12, 2021, ZBA meeting.
4. The site plan has been reviewed by the Fire Department. They do not have an issue with the canopy, but since the applicant is enclosing the patio area, they will need to ensure that that area meets the fire code. This can be addressed when they apply for a building permit.
5. The township engineer has reviewed and approved the plans, and their comments are included in your packet. The applicant will need to submit a stormwater maintenance agreement to the Township.
6. No new landscaping is being shown.
7. Any new outdoor lighting will need to comply with Township regulations.

**Section 21.07: Criteria For Site Plan Approval:**

The Planning Commission shall use the following criteria in evaluating a site plan submittal:

1. Whether the required information has been furnished in sufficiently complete and understandable form to allow an accurate description of the proposed use(s) and structure(s) in terms of density, location, area, height, bulk, placement, setbacks, performance characteristics, parking, and traffic circulation.
2. Whether there are ways in which the configuration of uses and structures can be changed which would improve the impact of the development on adjoining and nearby properties, persons, and activities, and on the community, while allowing reasonable use of the property within the scope of district regulations and other regulations of this Ordinance that are applicable to the property and proposed use and structures.
3. The extent to which natural features and characteristics of the large trees, natural groves, watercourses, and similar will be preserved; the regard given to existing natural features that would add attractiveness to the property and environs if they were preserved; the preservation of natural drainage systems the dedication and/or provision, where appropriate, of scenic easements, natural buffering, and other techniques for preservation and enhancement of the physical environment.

**STAFF RECOMMENDATION:**

Staff is recommending Site Plan Approval for the 480 sq. ft. covered structure with the following conditions:

1. The applicant complies with the Township Engineer letter dated October 26, 2021, and all necessary permits are obtained before construction begins.
2. Record the stormwater maintenance agreement.
3. Any exterior lighting will need to meet Township regulations.

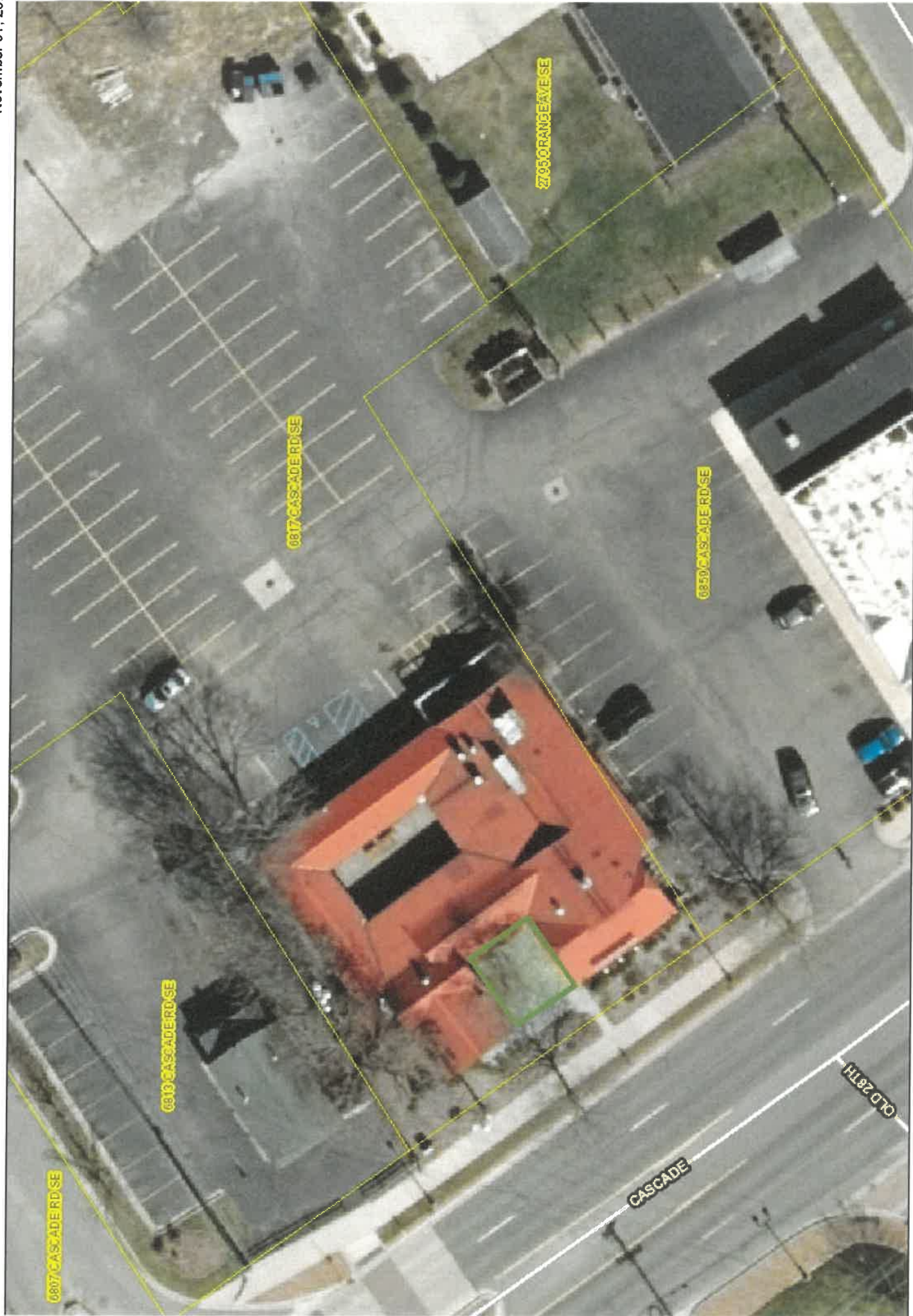
ATTACHMENTS:

Application  
Site Plans  
Township Engineer letter  
Draft 10/12/21 ZBA Minutes



# Kent County Web Map

November 01, 20





Site Plan Review

# CASCADE CHARTER TOWNSHIP

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

## PLANNING & ZONING APPLICATION

**APPLICANT:** Name: John Rabideau / Cascade Roadhouse  
 Address: 6817 Cascade Rd SE  
 City & Zip Code: Grand Rapids, MI 49546  
 Telephone: (616) 581-7575  
 Email Address: jmrabideau@comcast.net

**OWNER: \* (If different from Applicant)**  
 Name: RJR Development LLC  
 Address: 509 Fuller Ave. NE  
 City & Zip Code: Grand Rapids, MI 49509  
 Telephone: (616) 451-4531  
 Email Address: rabideau.management@gmail.com

560<sup>00</sup>  
500<sup>00</sup>

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

|                                     |                             |                                     |                                 |
|-------------------------------------|-----------------------------|-------------------------------------|---------------------------------|
| <input type="checkbox"/>            | Administrative Appeal       | <input checked="" 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 checked="" type="checkbox"/> | Site Plan Review *          | <input type="checkbox"/>            | Sign Variance Subdivision       |
| <input type="checkbox"/>            | Special Use Permit          | <input type="checkbox"/>            | Plat Review *                   |
| <input checked="" type="checkbox"/> | Zoning Variance             | <input type="checkbox"/>            | Other: _____ *                  |

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

BRIEFLY DESCRIBE YOUR REQUEST:\*\*

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(\*\*Use Attachments if Necessary)  
-SEE OTHER SIDE-

**LEGAL DESCRIPTION OF PROPERTY\*\*:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(\*\*Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 - 09-451-038

ADDRESS OF PROPERTY: 6817 Cascade Rd SE, Grand Rapids, MI 49546  
PRESENT USE OF THE PROPERTY: Restaurant

**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.)***

John F. Rabideau

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

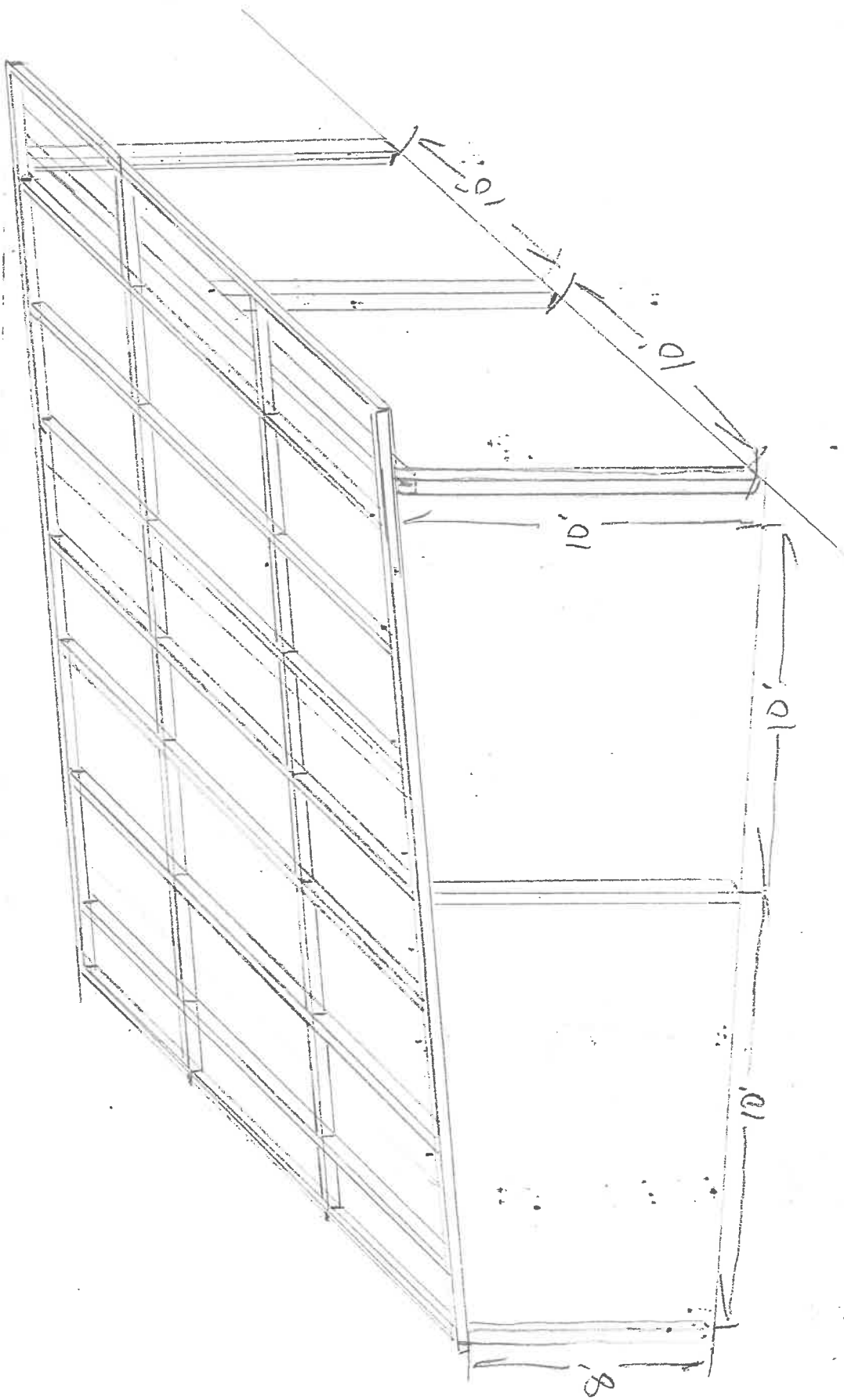
John F. Rabideau

Applicant – Print or Type Name

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

\_\_\_\_\_  
Applicant's Signature & Date

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

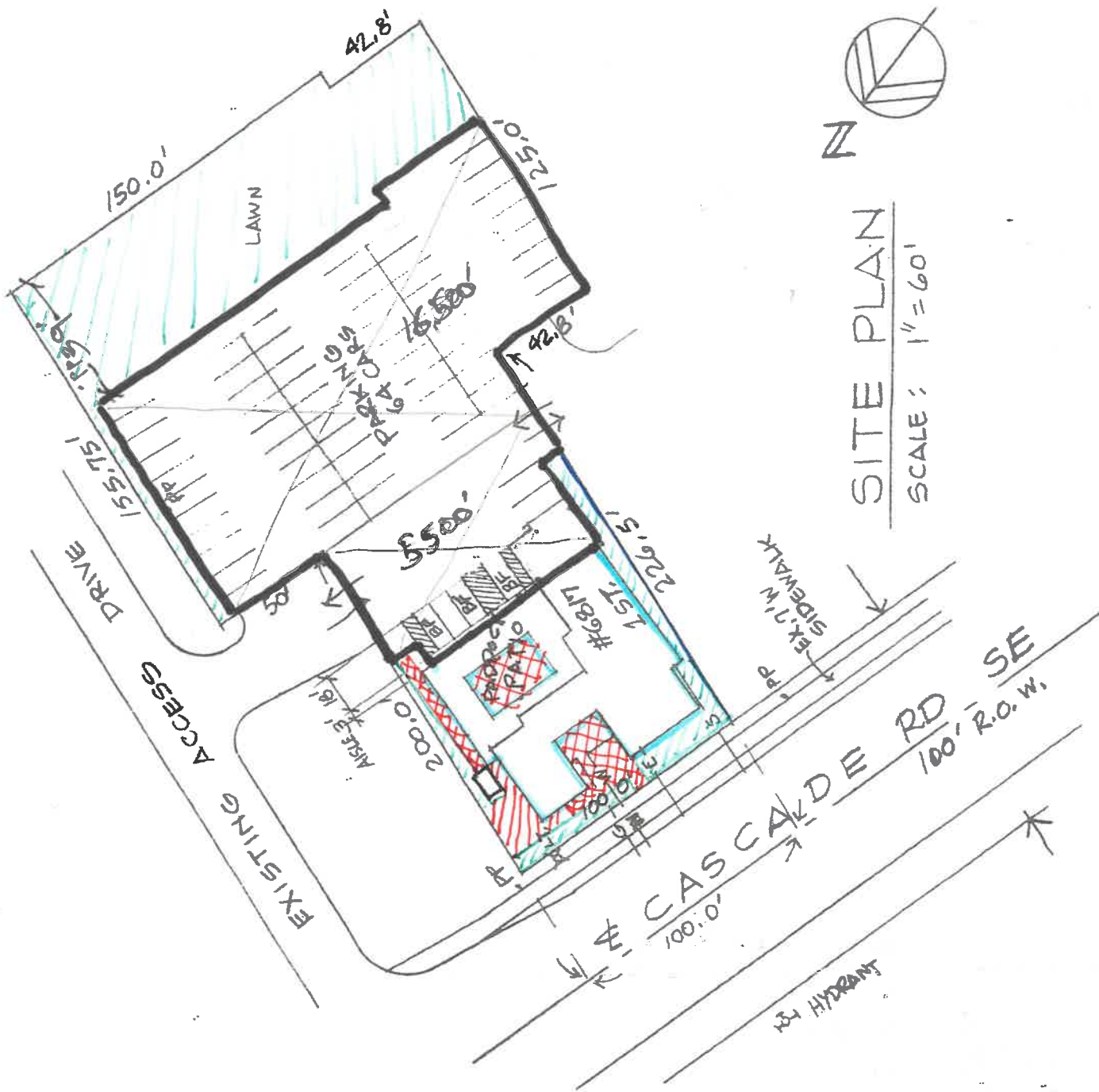


CENTER COURTYARD  
CANOPY









|                    |           |
|--------------------|-----------|
| NET AREA -         | 48,775 SF |
| PAVED - 22000      |           |
| ROOFED - 6181      |           |
| PERMEABLE PAVEMENT |           |
| PROPOSED - 432     |           |
| PAVERS             |           |
|                    | <hr/>     |
| LAWN AREA -        | 29983     |
|                    | <hr/>     |
|                    | 19292     |

#3



#4



#5



October 26, 2021  
Project No. 170168

Brian Hilbrands  
Planner  
Cascade Charter Township  
2865 Thornhills Avenue, SE  
Grand Rapids, MI 49546

### **Cascade Roadhouse Site Plan Review**

Dear Brian:

We have reviewed the site plan for Cascade Roadhouse, submitted by John Rabideau. The proposed project is a new 400-square-foot canopy structure located over an outside dining area on the west side of the restaurant, adjacent to Cascade Drive. The site is in the Thornapple River watershed, subdrainage district Middle Thornapple.

## **Stormwater and Drainage**

### **Flood Control**

The Cascade Charter Township Storm Water Ordinance (SWO), Section 1.04, states the ordinance shall apply to all development that requires any permit for work which will alter the stormwater drainage characteristics of the development site. The site is located in Stormwater Management Zone A, which requires retention of the 100-year storm event and infiltration where possible.

The new canopy is located over an area of existing pavement. There is no increase in impervious area. Therefore, new stormwater retention is not required in accordance with the Township SWO. Stormwater drainage from the new canopy will be discharged by roof drains to the landscaped area in front of the restaurant. This is the existing drainage pattern for the area. New landscaping is proposed for the west side of the restaurant, adjacent to Cascade Road. The applicant provided a site plan indicating the pedestrian path adjacent to Cascade Road would not be impacted by stormwater runoff from the new canopy. The proposed stormwater management design is in accordance with the SWO.

### **Stormwater Runoff**

The applicant provided stormwater calculations indicating there is no increase in impervious area or stormwater runoff from the new canopy. Therefore, the site will not see an increase in rate of stormwater leaving the site.

### **Drainage Plan**

The applicant has submitted drawings, calculations and additional documentation as required in the SWO Section 2.03, Drainage Plan. Please refer to the attached checklist for items and comments on each item. Please note a maintenance agreement is required before construction begins. The agreement should be submitted to the Township for review.

## Utilities

New water or sanitary sewer utilities are not proposed for the canopy project.

## Soil Erosion and Sedimentation Control

A Soil Erosion and Sedimentation Control (SESC) permit through the Kent County Road Commission is required when the project is located within 500 feet of a lake or stream or disturbs more than one acre of land. The proposed project does not meet these requirements, therefore an SESC permit is not required.

## Summary

The proposed stormwater management design meets the Township SWO requirements for new developments. We recommend approval of the site plan from an engineering standpoint.

Sincerely,



**Nathan R. Torrey, PE**  
Senior Civil Engineer

Attachments

By email

Copy: Michael L. Berrevoets, PE – Fishbeck

### **Cascade Charter Township**

Storm Water Ordinance, Ordinance 7 of 2002, as amended by Ordinance No. 2 of 2008, May 14, 2008

*Reviewing Engineer Comments are Italicized*

*OK – Received and Acceptable*

*NA – Not Applicable*

*NR – Not Received, Needs Follow-up, See Comments*

### **Cascade Roadhouse**

#### Drainage Plan Checklist

- OK (1) Location of the development site and water bodies that will receive storm water runoff  
*The canopy project will not increase the impervious area of the site, therefore stormwater retention is not required. Stormwater runoff from the canopy will discharge to the lawn area by roof drains, the similar to the existing drainage patterns.*
- NA (2) Existing and proposed topography of the development site, including the alignment and boundary of the natural drainage courses, with contours having a maximum interval of one foot (using USGS datum). The information shall be superimposed on the pertinent Kent County soil map
- OK (3) Development tributary area to each point of discharge from the development  
*Stormwater calculations and tributary areas were provided by the applicant.*
- NA (4) Calculations for the final peak discharge rates
- OK (5) Calculations for any facility or structure size and configuration  
*Stormwater runoff calculations were provided by the applicant.*
- OK (6) Drawing showing all proposed storm water runoff facilities with existing and final grades  
*The applicant provided a utility plan showing all proposed stormwater runoff facilities.*
- OK (7) The sizes and locations of upstream and downstream culverts serving the major drainage routes flowing into and out of the development site. Any significant off-site and on-site drainage outlet restrictions other than culverts should be noted on the drainage map  
*Offsite drainage areas were not indicated by the applicant.*
- OK (8) An implementation plan for construction and inspection of all storm water runoff facilities necessary to the overall drainage plan, including a schedule of the estimated dates of completing construction of the storm water runoff facilities shown on the plan and an identification of the proposed inspection procedures to ensure that the storm water runoff facilities are constructed in accordance with the approved drainage plan  
*A construction schedule was included on the plans.*
- OK (9) Plan to ensure the effective control of construction site storm water runoff and sediment track-out onto roadways  
*A Soil Erosion and Sedimentation Control (SESC) permit through the Kent County Road Commission is required when the project is located within 500 feet of a lake or stream or disturbs more than one acre of land. The proposed project does not meet these requirements, therefore an SESC permit is not required.*

- OK (10) Drawings, profiles, and specifications for the construction of the storm water runoff facilities reasonably necessary to ensure that storm water runoff will be drained, stored, or otherwise controlled in accordance with this ordinance
- NR (11) Maintenance agreement, in form and substance acceptable to the Township, for ensuring maintenance of any privately owned storm water runoff facilities. The maintenance agreement shall include the developer's written commitment to provide routine, emergency, and long-term maintenance of the facilities and, in the event that the facilities are not maintained in accordance with the approved drainage plan, the agreement shall authorize the Township to maintain any on-site storm water runoff facility as reasonably necessary, at the developer's expense  
*Maintenance agreement was not provided and is required.*
- OK (12) Name of the engineering firm and the registered professional engineer that designed the drainage plan and that will inspect final construction of the storm water runoff facilities
- NA (13) All design information must be compatible for conversion to Grand Valley Regional Geographic Information System (REGIS)  
*This is a privately owned system and will not be uploaded to REGIS.*
- OK (14) Other information necessary for the Township to verify that the drainage plan complies with the Township's design and performance standards for drains and storm water management systems

Buchanan shared that combining the two parcels would give him in excess of 3.2 acres, including the right-of-way that he believes should be included. Even with that being the case, he did not want to combine the two lots as they were each sizable on their own and he wanted to keep them separated so that his options with them were open in the future. He also does not want to wait another month for notices to be sent out and have another public hearing, but he would if that was what was required of him.

Member McDonald shared that he didn't see a problem approving the variance with staff's conditions of 1-3 and that the reason this was a case was that variances set precedents so what they're looking for are exceptional cases. Member McDonald believes that this is an exceptional case in that the boathouse is not a common occurrence and would not fall under the same rules as structures built today.

**Motion to open public hearing by Member Berra. Supported by Member Puplava. Motion carried.**

There was no one who wished to make a comment.

**Motion to close public hearing Member McDonald. Supported by Member Berra. Motion carried.**

**Motion was made by Member McDonald to approve case #21-3665 with staff conditions 1-3: The house is at least 50% complete within one year, a minimum \$10,000 performance bond for the removal of the accessory building if the home is not at least 50% complete within one year is provided, and the bond will be released when the property is in compliance. Staff condition 4 will be struck, allowing boathouse to stay. Supported by Member Milliken. Motion carried 5 to 0.**

**ARTICLE 7. Case #21-3670/John Rabideau/Cascade Roadhouse**

**Property Address:** 6817 Cascade Rd

**Requested Action:** The applicant is requesting a variance for an outdoor seating area closer to the side and front property lines than permitted and the addition of a covered structure closer to the front property line than permitted.

Planner Hilbrands presented the variance. The applicant is looking to expand their outdoor seating area within the front and side yard setback, and also add a covered structure within the front yard setback over the existing seating area. Seating would be located on the North side of the building and include a pergola approximately 1 ft from the side property line and 6 ft from the front property line. A 20' x 20' covered structure would be placed over the current West side patio and not extend beyond the front of the building which is approximately 10 ft from the property line. B1 ordinance requires a 7 ft side yard setback and total of both side yards equaling not less than 16 ft. It also requires a front yard setback between 20-30 ft when along an arterial road such as Cascade Rd. The property was granted a side yard setback in 1994 giving it a setback of zero to the south property line to accommodate an expanded kitchen area as required by the Kent County Health Department in 1994. This outdoor seating area

expansion would result in a total side yard setback of 1 ft. This isn't a frequent request and there was not a variance request involving an outdoor seating going back to at least 2000. The covered structure will not decrease the setback but will still need a variance as it would be within the required front yard setback. Outdoor seating contributes to the village atmosphere that the B1 zoning is meant to create so this request falls in line with what Cascade is trying to do but still requires a variance.

Staff recommend approval of the variance as requested with the following condition: The expanded outdoor seating area on the north side of the building remains an outdoor "café" seating area and does not become covered or enclosed.

John Rabideau, owner of Cascade Roadhouse, told the board that Planner Hilbrands had explained the request well. Member McDonald asked if Rabideau was comfortable with the one condition of "the expanded outdoor seating area on the North side of the building remaining an outdoor "café" seating area and not becoming covered or enclosed?" Rabideau said that he was comfortable with it.

**Motion to open public hearing by Member McDonald. Supported by Member Puplava. Motion carried.**

Planner Hilbrands said that he got a call from a neighbor of Cascade Roadhouse stating that they were comfortable with the proposed seating area.

**Motion to close public hearing by Member McDonald. Supported by Member Berra. Motion carried.**

**Motion was made by Member McDonald to approve case #21-3670 with the condition staff recommended. Supported by Member Berra. Motion carried 5 to 0.**

**ARTICLE 8. Old Business**

Planner Hilbrands confirmed that the next Zoning Board of Appeals meeting will be November 9, 2021.

**ARTICLE 9. Adjournment**

**Motion to adjourn was made by Member McDonald. Supported by Member Puplava. Motion carried 5 to 0. The meeting was adjourned at 5:52 P.M.**

Respectfully submitted,

Ralph Moxley, Secretary

## MEMORANDUM

To: Cascade Charter Township Planning Commission  
From: Brian Hilbrands, Planner  
Subject: 21-3632/Gole Dental Properties  
Meeting Date: November 15, 2021

After holding a public hearing at the meeting on November 8, 2021, the Planning Commission awarded preliminary approval of the site plan and instructed staff to write the PUD amendment for the project.

The PUD Ordinance Amendments have been reviewed by the applicant and address the approval from the November 8 meeting. I believe that the ordinance amendments accurately reflect your decision from the November 8 meeting. If you agree you should forward a positive recommendation to the Township Board for approval of the PUD amendment and site plan.

The Township Board will hold an additional public hearing to consider your recommendation.

Attachments: Proposed PUD Ordinance Amendments  
Current PUD Ordinance LeTourneau #6 of 1989  
Site Plan

CASCADE CHARTER TOWNSHIP  
**Ordinance #\_\_ of 2021**  
AN ORDINANCE TO AMEND ORDINANCE #6 OF 1989,  
**THE H. LOUIS LETOURNEAU**  
PLANNED UNIT DEVELOPMENT PROJECT

CASCADE CHARTER TOWNSHIP ORDAINS:

Section 1. Amendment to the H. Louis LeTourneau PUD Ordinance

**Section II. Legal Description.**

Section II shall be deleted and replaced with:

The legal description of the Premises is as follows:

THAT PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 20, TOWN 6 NORTH, RANGE 10 WEST, CASCADE TOWNSHIP, KENT COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION 20 S00°41'05"E, 89.11 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 20 AND S87°33'18"E, 43.06 FEET TO THE EASTERLY RIGHT OF WAY LINE OF KRAFT AVENUE AND THE POINT OF BEGINNING; THENCE SOUTHEASTERLY, 228.18 FEET ALONG A 10,060 FOOT RADIUS CURVE TO THE LEFT, THE LONG CHORD OF WHICH BEARS S88°19'38"E, 228.18 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF 36TH STREET; THENCE S00°41'05"E, 263.23 FEET; THENCE S44°23'00"W, 57.15 FEET; THENCE S57°56'33"W, 219.64 FEET TO SAID EAST RIGHT OF WAY LINE OF KRAFT AVENUE; THENCE N00°41'05"W, 427.32 FEET ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 1.839 ACRES OF LAND. SUBJECT TO RESTRICTIONS, EASEMENTS, AND RIGHTS OF WAY OF RECORD.

**Section IV. Permitted Uses.**

Section IV shall be deleted and replaced with:

The permitted use for the H. Louis LeTourneau PUD shall be limited to one (1) 2,500 square foot office building which will house a dental office.

**Section V. Design Standards.**

Section V shall be deleted and replaced with:

For the purposes of this PUD, only one (1) building containing not more than 2,500 square feet shall be permitted. The following design standards shall apply within the H. Louis LeTourneau PUD.

A. Area Regulations

1. The building shall be setback from the street right-of-way a minimum of 70 feet.
2. The side yard setback shall in no case be less than 150 feet.
3. The rear setback shall in no case be less than 100 feet.

B. Height Regulations

The building shall not exceed the height of thirty-five (35) feet as measured in accordance with the Cascade Charter Township Zoning Ordinance.

C. Off Street Parking and Loading Areas

1. All employee parking shall be provided on-site and not on any streets. Such parking areas shall be surfaced prior to occupancy with bituminous concrete or asphalt. Driveways shall be constructed with materials equal to or better than the requirements established by the Kent County Road Commission.
2. The off-street parking area shall be drained so as to prevent drainage onto abutting properties and shall comply with the Township Engineer's letter dated November 2, 2021.
3. Any lighting fixtures used to illuminate off-street parking shall be so arranged as to reflect the light away from adjacent properties, streets or highways.

D. Parking Requirements

1. Off-street parking for the Premises shall accommodate 12 vehicles.
2. Each off-street parking space for automobiles shall be a minimum of 162 square feet in area, with a minimum width of nine (9) feet, exclusive of access drives or aisles. There shall be provided a minimum access drive of twenty (20) feet in width, and where a turning radius is necessary, it shall be of such an arc as to reasonably allow an

unobstructed flow of vehicles. Parking aisles shall be of sufficient width to allow a minimum turning movement into and out of parking spaces. All parking shall be 90-degree parking with a minimum aisles width of 24 feet.

#### E. Signs

No signs shall be placed on the Premises except those specifically permitted below and as allowed by the Cascade Charter Township Sign Ordinance as amended:

1. One (1) freestanding sign containing no more than sixty-four (64) square feet in sign area. The sign must be ground mounted and shall not exceed a height of five (5) feet. The sign shall be located a minimum of twenty-five (25) feet from the pavement of the adjacent roadway(s) and in any event, no closer than five (5) feet to any lot line(s).
2. One (1) wall sign not to exceed fifty (50) square feet in total area. Or, one (1) awning/canopy sign not to exceed thirty-two (32) square feet in total sign area.
3. Directional signs, provided each sign does not exceed five (5) square feet.
4. One (1) construction sign, not to exceed thirty-two (32) square feet in sign area. Such sign may be erected thirty (30) days prior to beginning of construction and shall be removed thirty (30) days following completion of construction.

#### **Section VI. Greenbelt and Landscaping Requirements.**

Section VI shall be deleted and replaced with:

##### A. Minimum Greenbelt and Landscaping Requirements

For the purposes of screening the Premises, the Developer shall provide greenstrips and landscaping materials according to the approved landscaping plan as drawn by Nederveld dated October 7, 2021.

Greenstrips shall be located along the outer perimeter of the Premises to the logical extent possible. Any existing plant material which satisfies the requirements of this section may be counted toward satisfying their respective landscape requirement for the lineal feet in which they occupy. It cannot be credited towards areas that have no significant stands of

trees. The developer is urged to maintain, to the extent possible, all of the existing site landscaping.

#### B. Minimum Plant Size Requirements

For the purposes of this development, all landscaping materials shall meet the following minimum size standards:

| Plant Type      | Size               |
|-----------------|--------------------|
| Canopy Tree     | 2-1/2 inch caliper |
| Understory Tree | 1-1/2 inch caliper |
| Evergreen Tree  | 5 feet (height)    |
| Shrubs          | 24 inches (height) |

All plant species listed in Section 20.11 of the Cascade Township Zoning Ordinance shall not be credited as meeting the landscape requirements contained in this ordinance.

#### C. Other Landscape Requirements

1. Landscaping shall be installed within ninety (90) days of completion of the project, or unless permitted in writing by the Planning Director at a later date.
2. All landscaping shall be hardy plant materials and maintained thereafter in a neat and orderly manner. Withered and/or dead plant materials shall be replaced within a reasonable period of time but no longer than one growing season.
3. The Township shall require that the applicant provide a performance guarantee in the form of a performance bond, letter of credit, or certified check in an amount equal to the estimated cost of the required landscaping improvements. Such guarantee shall be deposited with the Township Clerk at the time of the issuance of the permit authorizing the activity to ensure faithful completion of the improvements indicated on the approved site plan.

#### **Section VII – Site Plan.**

Section VII shall be deleted and replaced with:

The H. Louis LeTourneau PUD shall be subject to all site plan items depicted on the site plan approved by the Township Board and dated October 7, 2021.

Section 2. Effective Date

This PUD Ordinance amendment shall become effective upon publication in the Grand Rapids Press, a newspaper of general circulation within Cascade Charter Township.

Section 3. Effect

The Cascade Charter Township Zoning Ordinance, as amended, and the remainder of Ordinance #6 of 1989, as amended, except as otherwise expressly amended herein, shall remain in full force and effect.

The foregoing Ordinance amendment was offered by Board Member \_\_\_\_\_ supported by Board Member \_\_\_\_\_. The roll call vote being as follows:

YEAS:

NAYS:

ABSENT:

ABSTAIN:

ORDINANCE DECLARED ADOPTED.

\_\_\_\_\_  
Sue Slater  
Cascade Charter Township Clerk

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted at a Regular Meeting of the Cascade Charter Township Board on the \_\_\_th day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
Sue Slater  
Cascade Charter Township Clerk

## **PUD Ordinance - LeTourneau #6 of 1989**

### **CASCADE CHARTER TOWNSHIP**

Ordinance #6 of 1989

**AN ORDINANCE TO AMEND THE CASCADE CHARTER TOWNSHIP ZONING ORDINANCE AND ZONING MAP TO ESTABLISH THE H. LOUIS LETOURNEAU PLANNED UNIT DEVELOPMENT PROJECT**

Cascade Charter Township ordains:

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

That the application received from H. Louis LeTourneau or its assigns (hereafter referred to as the "developer") for Planned Unit Development designation for the proposed Pension Concepts, Inc. office building (hereinafter referred to as the "Premises") was recommended by the Cascade Charter Township Planning Commission for approval on April 17, 1989. The Premises is recommended for rezoning from its former zoning classification thereby requiring this amendment to the Cascade Charter Township Zoning Ordinance and Zoning Map to incorporate the Planning Commission's recommendation and the Cascade Township Board action on April 26, 1989.

Section II. Legal Description

The legal description of the Premises is as follows:

That part of the West ½ of the Northwest ¼ of Section 20, town 6 North, Range 10 West, described as the North 180 feet of the West 271 feet thereof, subject to an easement over the West 33 feet thereof for highway purposes, and further subject to an easement over the North 66 feet thereof for purposes of ingress and egress to those lands lying in the West ½ of the Northwest ¼ of said Section 20 East of the East line of said described property.

AND

That part of the West ½ of the Northwest ¼ of Section 20, Town 6 North, Range 10 West, described as: Commencing 180 feet South of the Northwest corner of said Section; THENCE Easterly parallel with the North line of said Section 271 feet; THENCE South parallel with the west line of said Section 181.18 feet; THENCE South 45 Degrees 01' West 57.15 feet; THENCE South 58 Degrees 40' West 270 feet to the West line of said Section; THENCE North 365 feet to the place of beginning.

Section III. General Provisions

The following provisions shall apply to the aforementioned Premises in addition to those provisions outlined in Chapter XIV of the Cascade Charter Township Zoning Ordinance (Ordinance No. 11 of 1988).

Section IV. Permitted Use

The permitted use for the H. Louis LeTourneau PUD shall be limited to one (1) 2,500 square foot office building which will house Pension concepts, Inc.

Section V. Design Standards

For the purposes of this PUD, only one (1) building containing not more than 2,500 square feet shall be permitted. The following design standards shall apply within the H. Louis LeTourneau PUD.

#### A. Area Regulations

1. The building shall be setback from the street right-of-way a minimum of 80 feet.
2. The side yard setbacks shall in no case be less than 150 feet.
3. The rear setback shall in no case be less than 110 feet.

#### B. Height Regulations

The building shall not exceed the height of thirty-five (35) feet as measured in accordance with the Cascade Charter Township Zoning Ordinance.

#### C. Off Street Parking and Loading Areas

1. All employee parking shall be provided on-site and not on any streets. Such parking areas shall be surfaced prior to occupancy with bituminous concrete or asphalt. Driveways shall be constructed with materials equal to or better than the requirements established by the Kent County Road Commission.
2. Driveways, parking and loading areas shall have curb and gutter. The curb and installation shall be consistent with the requirements established by the Kent County Road Commission.
3. The off-street parking area shall be drained so as to prevent drainage onto abutting properties unless there is a common drainage system shared by all the abutting properties.
4. Any lighting fixtures used to illuminate off-street parking shall be so arranged as to reflect the light away from adjacent properties, streets or highways.

#### D. Parking Requirements

1. Off-street parking for the Premises shall accommodate 12 vehicles.
2. Each off-street parking space for automobiles shall be a minimum of 180 square feet in area, with a minimum width of nine (9) feet, exclusive of access drives or aisles. There shall be provided a minimum access drive of twenty (20) feet in width, and where a turning radius is necessary, it shall be of such an arc as to reasonably allow an unobstructed flow of vehicles. Parking aisles shall be of sufficient width to allow a minimum turning movement into and out of parking spaces. All parking shall be 90 degree parking with a minimum aisles width of 24 feet.

#### E. Signs

No signs shall be placed on the Premises except those specifically permitted below:

1. One (1) freestanding sign containing no more than sixty-four (64) square feet in sign area. The sign must be ground mounted, shall not exceed a height of five (5) feet, and shall be setback a minimum of twenty-five (25) feet from any lot line.

2. One (1) wall sign not to exceed fifty (50) square feet in total area. Or, one (1) awning/canopy sign not to exceed thirty-two (32) square feet in total sign area.

3. Directional signs, provided each sign does not exceed five (5) square feet.

4. One (1) construction sign, not to exceed thirty-two (32) square feet in sign area. Such sign may be erected thirty (30) days prior to beginning of construction and shall be removed thirty (30) days following completion of construction.

## Section VI. Greenbelt and Landscaping Requirements

### A. Minimum Greenbelt and Landscaping Requirements

For the purposes of screening the Premises, the Developer shall provide greenstrips and landscaping materials consistent with the requirements set forth below:

A minimum greenstrip of thirty (30) feet shall be provided along the Kraft Avenue right-of-way and a minimum greenstrip of fifteen (15) feet shall be provided along all other property lines. The minimum landscape materials per 100 lineal feet shall be as follows:

2 Canopy Trees

4 Understory Trees

6 Shrubs

Greenstrips shall be located along the outer perimeter of the Premises to the logical extent possible. Any existing plant material which satisfies the requirements of this section may be counted toward satisfying their respective landscape requirement for the lineal feet in which they occupy. It cannot be credited towards areas that have no significant stands of trees. The developer is urged to maintain, to the extent possible, all of the existing site landscaping.

### B. Minimum Plant Size Requirements

For the purposes of this development, all landscaping materials shall meet the following minimum size standards:

#### Plant Type Size

Canopy Tree 2-1/2 inch caliper

Ornamental Tree 1-1/2 inch caliper

Evergreen Tree 6 feet

Shrubs 24-36 inches

All plant species listed in Section 20.11 of the Cascade Township Zoning Ordinance shall not be credited as meeting the landscape requirements contained in this ordinance.

### C. Other Landscape Requirements

1. Landscaping shall be installed within ninety (90) days of completion of the project, or unless permitted in writing by the Planning Director at a later date.
2. All landscaping shall be hardy plant materials and maintained thereafter in a neat and orderly manner. Withered and/or dead plant materials shall be replaced within a reasonable period of time but no longer than one growing season.
3. The Township shall require that the applicant provide a performance guarantee in the form of a performance bond, letter of credit, or certified check in an amount equal to the estimated cost of the required landscaping improvements. Such guarantee shall be deposited with the Township Clerk at the time of the issuance of the permit authorizing the activity to insure faithful completion of the improvements indicated on the approved site plan.

### Section VII. Site Plan

The H. Louis LeTourneau PUD shall be subject to all site plan items depicted on the site plan approved by the Township Board and signed by the Township Supervisor on April 26, 1989.

### Section VIII. Special Assessment District

A. District Agreement – The developer and/or property owner agrees to the imposition of a special assessment for the construction of a public sanitary sewer to serve the above described property. Until such time as the Special Assessment District is created and the sanitary sewer installed, the developer may utilize an on-site septic system provided all necessary approvals are obtained from the necessary County and State agencies.

B. District Agreement Limitation – The agreement in as much as it deals in part with the establishment of a Special Assessment District under Act 188 of 1954, as amended, is not a waiver of any developer and/or property owner, or his assigns, right to contest the confirmation of any special assessment roll as provided in the Act.

### Section XIX. Agreement

This Agreement is permanent in nature, shall run with the land and shall be binding upon the developer and all subsequent owners of the land and may not be terminated or set aside without prior written consent of the Township.

### Section X. Effective Date

This Ordinance shall become effective upon its publication in the Grand Rapids Press, a newspaper of general circulation within Cascade Township.

THE FOREGOING ORDINANCE WAS OFFERED BY BOARD MEMBER ROWLAND, SUPPORTED BY BOARD MEMBER HENNING. THE ROLL CALL VOTE BEING AS FOLLOWS:

Yeas: Carpenter, Champion, Ellinger, Hansen, Henning, Rowland.

Nays:

Absent: Parrish

Brenda J. Henning

Cascade Charter Township Clerk

#### CERTIFICATION

I hereby certify the foregoing document to be a true copy of an Ordinance adopted at a Regular Meeting of the Cascade Charter Township Board on the 26<sup>th</sup> day of April, 1989.

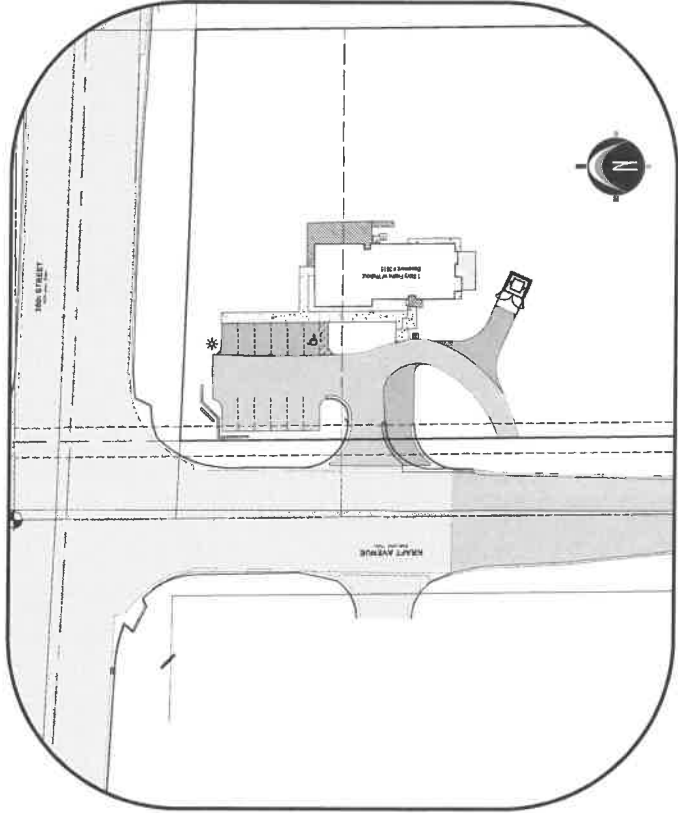
Brenda J. Henning

Cascade Charter Township Clerk

# GOLE DENTAL

CASCADE TOWNSHIP, KENT COUNTY, MICHIGAN

## SITE PLAN



### UTILITY COMPANY CONTACTS

Gas: DTE (810) 964-6268  
 Electric: Consumers Energy (810) 530-4338  
 Telephone: AT&T (810) 555-5555  
 Cable: Comcast (810) 250-0577

**SHEET INDEX**

|  |       |        |
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| Site Layout Plan                           | C-205 | Page 3 |
| Details and Specifications                 | C-500 | Page 4 |
| Driveway Improvement Plan                  | C-700 | Page 5 |
| Building Septic Tank Plan                  | C-800 | Page 6 |
| Site Grading Notes & Details               | L-101 | Page 7 |
| Landscaping Plan                           | L-200 | Page 8 |



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**PREPARED FOR:**  
 Gole Dental Properties LLC  
 Attn: Mr. Phil Gole

750 Ohio Wood Drive NE  
 Grand Rapids, MI 49506

**REVISIONS:**

| No. | Change | Requested By | Date       |
|-----|--------|--------------|------------|
| 1   | 1.0    | PHIL GOLE    | 05/11/2011 |
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**3616 & 3636 KRAFT AVE.**  
**Cover Sheet**

3615 & 3638 KRAFT AVENUE, GRAND RAPIDS, MI 49506  
 PART OF THE NW 1/4 OF SECTION 20, T26N, R10W,  
 CASCADE TOWNSHIP, KENT COUNTY, MICHIGAN

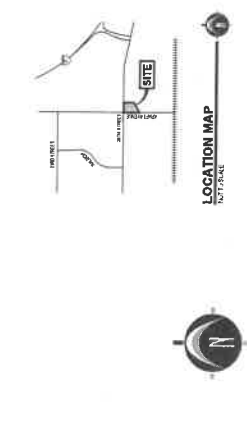
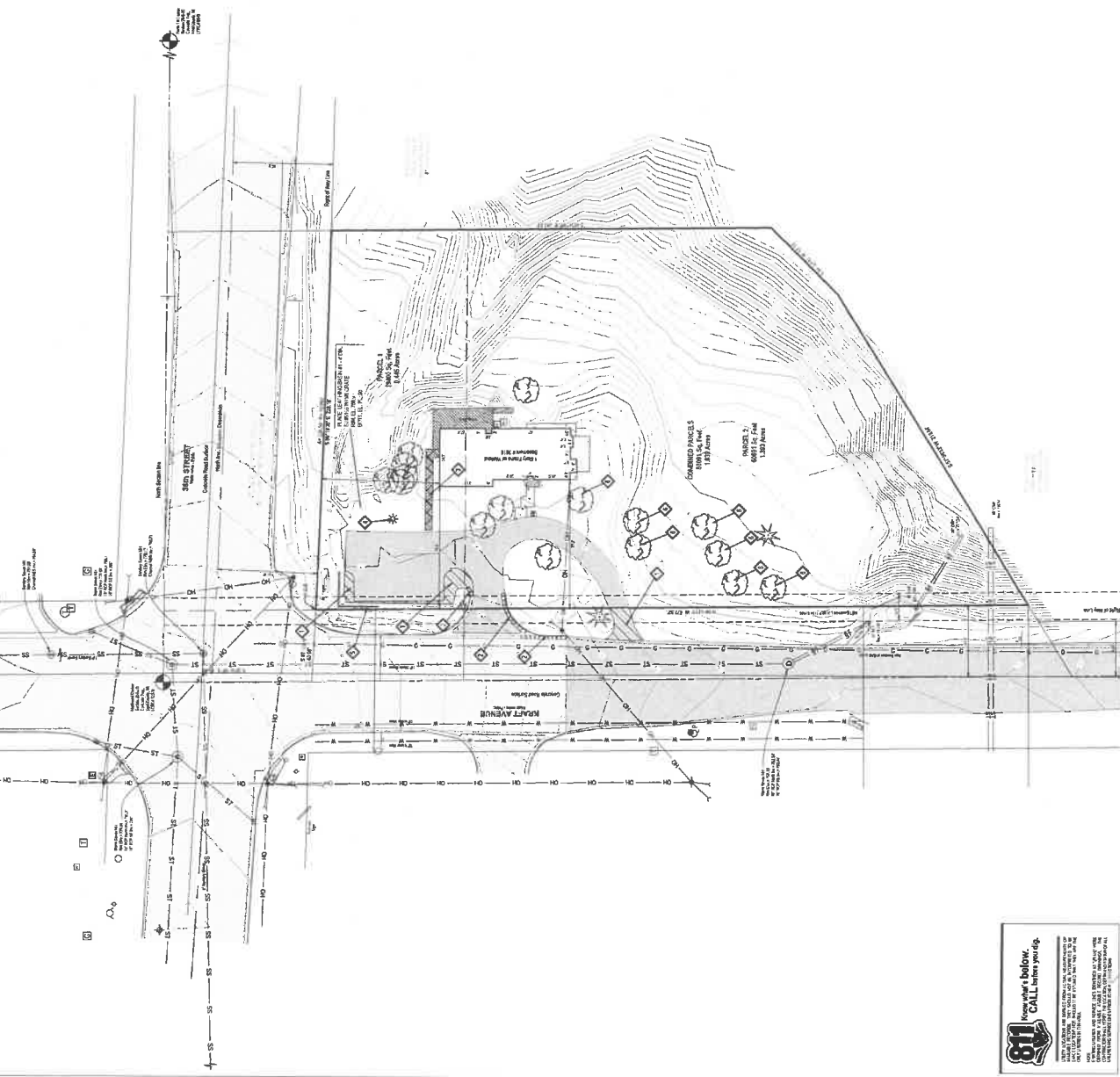
**STAMP:**

STATE OF MICHIGAN  
 CLIENT: ALEXANDER ENGINEERS, INC.  
 PROJECT NO.: 21440333  
 SHEET NO.: C-100  
 SHEET: 1 OF 8

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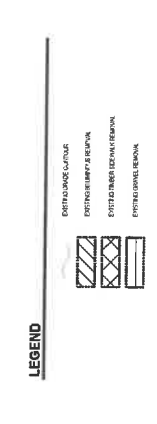


**REMOVAL / DEMOLITION NOTES**

- 1. REMOVE EXISTING EXTERIOR FINISHES
- 2. REMOVE EXISTING EXTERIOR WALLS AND ROOF STRUCTURE
- 3. REMOVE EXISTING INTERIOR FINISHES
- 4. REMOVE EXISTING INTERIOR WALLS
- 5. REMOVE EXISTING FLOORING
- 6. REMOVE EXISTING ROOFING

**REVISIONS:**

| No. | Description  | Date     |
|-----|--------------|----------|
| 1   | ADD NOTES    | 08/11/11 |
| 2   | REVISE NOTES | 08/11/11 |
| 3   | REVISE NOTES | 08/11/11 |
| 4   | REVISE NOTES | 08/11/11 |
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| 8   | REVISE NOTES | 08/11/11 |
| 9   | REVISE NOTES | 08/11/11 |
| 10  | REVISE NOTES | 08/11/11 |



**REMOVAL / DEMOLITION NOTES**

1. ALL EXISTING STRUCTURES SHALL BE DEMOLISHED IN ACCORDANCE WITH THE FOLLOWING NOTES AND THE DEMOLITION PLAN.
2. ALL EXISTING EXTERIOR FINISHES SHALL BE REMOVED AND DISPOSED OF OFF-SITE.
3. ALL EXISTING EXTERIOR WALLS SHALL BE REMOVED AND DISPOSED OF OFF-SITE.
4. ALL EXISTING EXTERIOR ROOFING SHALL BE REMOVED AND DISPOSED OF OFF-SITE.
5. ALL EXISTING INTERIOR FINISHES SHALL BE REMOVED AND DISPOSED OF OFF-SITE.
6. ALL EXISTING INTERIOR WALLS SHALL BE REMOVED AND DISPOSED OF OFF-SITE.
7. ALL EXISTING INTERIOR FLOORING SHALL BE REMOVED AND DISPOSED OF OFF-SITE.
8. ALL EXISTING INTERIOR ROOFING SHALL BE REMOVED AND DISPOSED OF OFF-SITE.
9. ALL EXISTING UTILITIES SHALL BE REMOVED AND DISPOSED OF OFF-SITE.
10. ALL EXISTING DEMOLITION POINTS SHALL BE REMOVED AND DISPOSED OF OFF-SITE.

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 Phone: 616.545.1898

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 INDIANAPOLIS  
 FT. LAUDERDALE

**PREPARED FOR:**  
 Cain Dental Properties, LLC  
 7800 Olive Woods Drive NE  
 Grand Rapids, MI 49508

**3616 & 3636 KRAFT AVE.**  
**Existing Site Conditions Plan**

**STAMP:**

OF MICHIGAN  
 CLIENT  
 A.M.P.U.  
 ENGINEER  
 0024

**PROJECT NO:** 21400333  
**SHEET NO:** C-201  
**SHEET:** 2 OF 8

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## STAFF REPORT

STAFF REPORT: Case #21-3681/Patterson Ice Center  
REPORT DATE: November 10, 2021  
PREPARED FOR: Cascade Charter Township Planning Commission  
MEETING DATE: November 15, 2021  
PREPARED BY: Brian Hilbrands, Planner

### APPLICANT:

Andrew Longcore, Business Law GR  
1555 Knapp St  
Grand Rapids, MI 49505

STATUS OF APPLICANT: Representative for Owner

REQUESTED ACTION: Basic Plan Review for an amendment to the PUD Ordinance to lift a number of existing use and development restrictions.

EXISTING ZONING OF SUBJECT PARCEL(S): PUD 28

PROPERTY ADDRESS: 2550 Patterson Ave

GENERAL LOCATION: East side of Patterson Ave between Burton St and 28<sup>th</sup> St

PARCEL SIZE: Approximately 10.3 acres

EXISTING LAND USE ON THE PROPERTY: Patterson Ice Center

ADJACENT AREA LAND USES: N, W – Residential  
S – Schmozh Brewing, Michfab Machinery, Vesco Oil Corp.  
E – Powell Relocation Group, Cascade Paper Convertor

ZONING ON ADJOINING PARCELS: N – R1 (Residential)  
S – I (Industrial)  
E – PUD 29, I  
W – R1-C (City of Kentwood)

### STAFF COMMENTS:

1. The applicant is requesting Basic Plan Review to amend the existing Planned Unit Development ordinance to lift a number of existing use and development restrictions.

This PUD amendment application is a little different than others we have received in that there are no site improvements being proposed, just amendments to the PUD ordinance.

2. The site was rezoned to PUD in 1994. It was rezoned in order to allow for the existing recreational ice center. As part of that original PUD approval there are a number of use and development restrictions included in the PUD ordinance.
3. Included in your packet is a staff report and minutes from Planning Commission meetings March of 1994 regarding the original approval of the PUD. It appears that there was significant discussion and deliberation regarding the original approval. From a review of those minutes, it looks like the most prominent concerns that were brought up involved traffic capacity along Patterson Avenue and also the impact on property value of neighboring residences. Some of the restrictions on the allowed uses for the site appear to be aimed at limiting traffic concerns. As mentioned in the applicant's narrative, Patterson Avenue has been widened to 5 lanes since the PUD was originally approved.
4. The applicant is requesting a total of 12 amendments to the current PUD ordinance. These focus on increasing the allowed capacity of the project, removing restrictions on what kind of groups and teams can use the facilities, and allowing for the sale of alcohol.
5. The applicant states that the facility contains two ice rinks, one with a seating capacity of 1,184 persons and the other with a seating capacity of just over 800.
6. Currently the ordinance requires that any event with an attendance exceeding 1,184 people shall require approval from the Township as a Special Event. The applicant is requesting that the language be amended to consider a Special Event as one that involves over 2,000 people in the building, at which point they would need to receive approval from the Township. With such a large increase in the requested occupancy the applicant should provide information indicating how parking will be handled, and if the current parking area can accommodate up to 2,000 people. This will also need to be reviewed by the Building and Fire Departments
7. The request is also being made to remove some of the restrictions that prevent collegiate, semi-professional or professional hockey games or game exhibitions, as well as professional or semi-professional pageants or ice shows. They would also like to remove a restriction that limits the use by collegiate hockey clubs or intramural teams to local colleges within the Grand Rapids metropolitan area. It would be helpful to hear from the applicant why this request is needed, what types of groups or teams they would expect to now make use of the facilities, and if local amateur groups and schools will still be provided with enough ice time.
8. If the restrictions on the type of games and exhibitions that are permitted are removed as requested, the applicant should provide some information regarding when they might expect those games to be scheduled, and how it would affect traffic. The applicant should provide data on how much traffic (# of vehicles) is generated during a game, and if this will be increased due to the amendments that they are requesting.

9. The applicant is also requesting to allow for the sale and consumption of alcoholic beverages within the project, and also remove a restriction that requires security guards to be provided for all high school hockey games as well as any other time attendance is expected to exceed 500 or more people. The applicant has stated that they have already received a Class liquor license from the MLCC. The applicant should provide information on why security guards are no longer needed, especially as they are requesting the allowance for the sale of alcohol and an increase in the allowed occupancy of the facility.
10. The applicant has applied for and received temporary use variances on three occasions to serve alcohol at charity events, the most recent of which was in 2015.
11. The applicant has submitted this package as required by Section 16.05 (2) of the Zoning Ordinance for Basic Plan Review.
12. If you find that all 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 applicant submit the following information:

1. Information regarding how parking will be addressed if the permitted occupancy is being increased.
2. Additional narrative addressing why there is the need for increased collegiate, semi-professional and professional use, and if local amateur groups and schools will still be adequately served.
3. Data regarding traffic generated during a game, and if this will be increased due to the proposed amendments.
4. Explanation of why security guards would no longer be needed.

ATTACHMENTS:                      Application  
    Narrative  
    Current PUD Ordinance – Patterson Ice Center #10 of 1994  
    Staff Report and PC Minutes from March, 1994



# CASCADE CHARTER TOWNSHIP

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

## PLANNING & ZONING APPLICATION

**APPLICANT:** Name: Andrew Longcore, Business Law GR  
 Address: 1555 Knapp  
 City & Zip Code Grand Rapids MI 49505  
 Telephone: (616) 528-0007  
 Email Address: alongcore@businesslawgr.com

**OWNER: \* (If different from Applicant)** Patterson Ice Center LLC  
 Name: \_\_\_\_\_  
 Address: 2550 Patterson SE  
 City & Zip Code: Grand Rapids MI 49546  
 Telephone: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

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

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

See attached narrative

BRIEFLY DESCRIBE YOUR REQUEST:\*\*

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(\*\*Use Attachments if Necessary)

-SEE OTHER SIDE-

**LEGAL DESCRIPTION OF PROPERTY\*\*:**

PART OF SWFRL 1/4 COM AT INT OF W SEC LINE & N LINE OF S 80 A. OF  
SWFRL 1/4 TH E ALONG SD N LINE 640 FT TH N 864 FT M/L TO CL OF A  
COUNTY DRAIN TH SWLY ALONG CL OF SD DRAIN TO W SEC LINE TH S  
ALONG W SEC LINE TO BEG EX W 50 FT \* SEC 7 T6N R10W 10.28 A.

(\*\*Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 -07-301-023

ADDRESS OF PROPERTY: 2550 Patterson Drive

PRESENT USE OF THE PROPERTY: Commercial (hockey rink)

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

| Name(s) | Address(es) |
|---------|-------------|
| _____   | _____       |
| _____   | _____       |

**SIGNATURES**

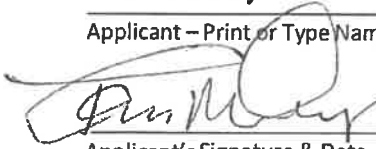
*I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) also agree to reimburse the Cascade Charter Township for all costs, including consultant costs, to review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

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

\_\_\_\_\_  
Owner – Print or Type Name  
(\*If different from Applicant)

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

Tom Mehney  
Applicant – Print or Type Name

 its manager 10/15/21  
Applicant's Signature & Date

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



# 2550 Patterson SE

## PUD AMENDMENT STATEMENT AND NARRATIVE Patterson Ice Center #10 of 1994 September 28, 2021

41-19-07-301-023

### Nature of the project

Patterson Ice Center LLC, is the property owner of the building located at 2550 Patterson Ave SE located within Cascade Township. The subject property is zoned within the Planned Unit Development (PUD) Ordinance #10 of 1994, which was created for the purpose of developing a recreational ice center and ancillary uses. The property is 11 total acres and contains one 65,000sf building with two ice surfaces designed for hockey use. The ice center has been operated successfully under the provisions of the PUD ordinance for over 25 years, hosting countless hockey tournaments, games, clinics, and open skating. After over 25 years of business, Patterson Ice Center LLC has discovered that some operational needs have evolved from what they were in 1994 and hereby requests formal amendment to the PUD Ordinance as required within PUD Ordinance #10 of 1994.

The PUD Ordinance amendments are requested as follows:

### Section VI. Development Restrictions

(A) *"No occupancy or use of the Project shall occur until and unless Patterson Avenue is widened to at least four (4) lanes from the Project's driveway entrance all the way south to Starr Avenue."*

Patterson Avenue has been widened to 4 lanes to Starr Avenue to the south and beyond. Request to remove this language from the Ordinance.

(B) *"High school hockey games shall be limited to evenings on Friday and Saturday only with no games commencing after 9:00 pm. This restriction shall be removed when Patterson Avenue is widened to at least four lanes from the Project all the way north to Burton Street."*

Patterson Avenue has been widened to 4 lanes to Burton Street. Request to remove this language from the Ordinance.



# 2550 Patterson SE

(C) "The Project shall be limited to a building occupancy of 1,184 persons. Any event with an attendance exceeding 1,184 persons shall be considered a "Special Event". Should the Project choose to host a "Special Event", permission from the Cascade Charter Township Board and the Fire Marshall shall be required. A request for a "Special Event" shall be done in writing and shall be submitted to the office of the Township clerk at least forty-five (45) days prior to the anticipated event. The written request shall include a brief description of the event, the anticipated number of persons attending the event, the anticipated seating arrangement and a map of locations where spill over parking will occur. Should parking be required off site from the Project, written verification shall be provided from the affected property owners stating that permission to use their property has been granted. Any approval from the Township for a "Special Event" can contain reasonable conditions."

The capacity of 1,184 persons is for the larger rink at the facility. There is a smaller rink which has a capacity of just over 800. The total maximum capacity, at times when two games are going at once, is 1,984. Request to amend the Ordinance language to consider a "Special Event" as one that involves over 2,000 persons within the building.

## Section VII. Permitted Uses

(D) "School and youth group practices as needed and as a result of foul or unreasonable weather."

Request that "and as a result of foul or unreasonable weather" be removed.

(E) "Professional / Semi-Professional hockey practices, limited to the operating hours before 1:00 pm."

Request that the limitation of operating hours before 1:00 pm be removed.

(F) "Collegiate hockey clubs or intramural teams, limited to local colleges within the Grand Rapids metropolitan area."

Request to eliminate the limitation to local colleges within the Grand Rapids metropolitan area.

## Section VIII. Use Restrictions

(G) Uses determined by the Planning Director as being substantially similar to the uses prohibited above

Request to remove this section of the Ordinance.

(H) "Professional, Semi-professional hockey games or game exhibitions. Exhibitions does not include instructional demonstrations or seminars."



# 2550 Patterson SE

Request to remove this section of the Ordinance. Applicant further requests that all references to "amateur use" be revised to "ice center use" allowing for professional or semi-professional use as necessary.

(1) *"Professional or semi-professional pageants or ice shows (e.g., Ice Capades, Holiday on Ice or other similar events)."*

Request to remove this section of the Ordinance. Alternately, applicant requests to allow figure skating competitions.

(2) *"Collegiate hockey games or game exhibitions. Exhibitions does not include instructional demonstrations or seminars."*

Request to remove this section of the Ordinance.

## **Section VIII. Use Restrictions**

Note that some of this section is a repeat of the Use Restrictions listed in the above section, with the exception of added restrictions on collegiate sports and outdoor sales events. Request that these two sections be consolidated in amended PUD Ordinance.

(K) *The sale or consumption of alcoholic beverages shall be prohibited within the Project.*

Request to remove this section of the Ordinance. Patterson Ice Center has secured a Class C liquor license from the MLCC and intends to provide beer and wine within the establishment. Modifications to the existing concession stand have been made to accommodate draft beer service and bottles/cans will be available as well. Class C licenses allow for spirits to be provided, but initially only beer and wine are to be served. A temporary secondary concession area to accommodate larger events is anticipated.

(L) *"Security guards shall be provided at all high school hockey games and at any other time the attendance is expected to exceed 500 or more persons. Security shall be at the expense of the developer and shall be provided until one (1) hour after the last hockey game or until the closing of the ice center, whichever is the lesser time period."*

Request to remove this section of the Ordinance.



# 2550 Patterson SE

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Patterson Ice Center, LLC has continuously fulfilled the Ordinance requirements since 1994. As described in the Site Development Standards, proper landscaping and appropriate signage were installed during site construction. The PUD has also demonstrated a recognizable benefit to the community, providing necessary recreation and hockey-specific competition in a location where those uses are highly desired. Patterson Ice Center continues to be compatible with the Cascade Township Master Plan and the spirit and intentions of the PUD. Approval of this amendment will ensure that Patterson Ice Center will be able to continue as a successful member of the Cascade community.

Attachments: PUD Ordinance #10 1994  
PUD Amendment Application



November 10, 2021

Mr. Brian Hilbrands  
Planning Director Cascade Township  
5920 Tahoe Dr SE  
Grand Rapids MI 49546

RE: Patterson Ice Center

Dear Mr. Hilbrands:

This memorandum is in response to your email from 11/2/21 requesting a site plan showing the current parking spaces at the Patterson Ice Center (PIC). Attached is Exhibit A which shows an aerial view of the parking spaces along with individual counts of each section of parking. The total number of striped parking spaces shown is 391.

The parking lot is identical to when the project was approved in 1994. Other than resurfacing and restriping the lot, there has been no increase or decrease of the number of spaces or the size of the parking lot. The PUD from 1994 required a minimum of 396 parking spaces, however in nearly 30 years of business a lack of parking has never been an issue at PIC nor has there ever been a need for overflow parking. There have not been any complaints about blocking traffic on Patterson Ave. because of issues in the parking (i.e. the parking lot has never been so congested that cars are lined up out the driveway onto Patterson Ave.). The current application will not have an impact on the number of required parking spaces. PIC does not anticipate larger crowds and therefore extra vehicles with these requested changes.

PIC also is not asking for the capacity within the building to be increased. The PUD from 1994 contained language which states a "building occupancy of 1,184 persons", however this does align with the fire marshall's approved capacity. The fire marshall's capacity clearly states "Seating Capacity 1184 persons" (see Exhibit B). We would like to request that the PUD language better align with the fire marshall's approved capacity language, stating "No more than 1184 observers. This number will exclude employees and those patrons participating or individuals coaching/assisting participants in activities at the facility. These provisions will not relieve the facility from any requirements set by the fire marshall."

Thank you for your consideration on this matter. Please let me know if you need more information prior to the Planning Commission meeting.

Chuck Hoyt  
Nederveld, Inc

Exhibit A  
Patterson Ice Center Parking Spaces  
391 Total



Exhibit B

Fire Marshall Posted Seating Capacity Counts

**SEATING CAPACITY  
1184 PERSONS**

**N.H.L. RINK AREA  
1033 PERSONS**

**OLYMPIC RINK AREA  
863 PERSONS**

## **PUD Ordinance - Patterson Ice Center #10 of 1994**

### **CASCADE CHARTER TOWNSHIP**

Ordinance 10 of 1994

#### **AN ORDINANCE TO AMEND THE CASCADE CHARTER TOWNSHIP ZONING ORDINANCE AND ZONING MAP TO ESTABLISH THE PATTERSON AVENUE ICE CENTER PLANNED UNIT DEVELOPMENT PROJECT.**

Cascade Charter Township Ordains:

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

The application received from Continental Development Company or their assigns (hereinafter referred to as the "Developer"), for Planned Unit Development designation for the Patterson Avenue Ice Center Project (hereinafter referred to as the "Project") was recommended by the Cascade Charter Township Planning Commission for approval on March 10, 1994. The Project is recommended for rezoning from R-1, Residential to PUD, Planned Unit Development permitting the development of a recreational ice center and its ancillary uses. 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 March 23, 1994.

##### **Section II. Legal Description.**

The legal description of the Project is as follows:

Parcel A:

That part of the SW fractional ¼, Section 7, T6N, R10W, Cascade Township, Kent County, Michigan, commencing 1715 feet North of the SW corner of Section; thence East parallel with the South Section line 640 feet; thence North 524 feet more or less to the centerline of County Drain; thence Southwesterly along said centerline to the West Section line; thence South 293.6 feet to beginning.

Parcel B:

Part of the southwest fractional ¼, commencing 1715 feet North of the Southwest corner of the Section, thence East parallel with the South Section line 640 feet, thence South 340 feet to the North line of the South 80 acres of the Southwest fractional quarter, thence West along the North line of said 80 acres, 640 feet to the West Section line, thence North 340 feet to the place of beginning, Section 7, Town 6 North, Range 10 West, Cascade Township, Kent County, Michigan.

Total Acres A + B = 11.0 Acres

##### **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 11.0 acres of land that is currently being used and occupied by two (2) single family residential homes and their ancillary uses. The purpose of the PUD designation is to allow for the development of an ice center for amateur use (except as otherwise expressly provided herein), that will provide recreational and organized ice sport opportunities to Cascade Township and the greater Grand Rapids metropolitan area.

#### **Section V. Approval Limitations.**

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.

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 operation or use.

This PUD approval is expressly contingent upon all conditions of approval herein remaining fully effective and valid. If any condition imposed herein is determined to be illegal or contrary to law as a result of a successful legal challenge by the Developer or its assigns, or any other party, the Township reserves the right to review the entire project under the PUD provisions of the Cascade Charter Township Zoning Ordinance, and further, to withdraw its approval of this PUD if 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.

All conditions 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.

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.

Failure to comply with the site plan or any condition of approval herein shall be deemed a violation of the Cascade Charter Township Zoning Ordinance.

#### **Section VI. Development Restrictions.**

No occupancy or use of the Project shall occur until and unless Patterson Avenue is widened to at least four (4) lanes from the Project's driveway entrance all the way south to Starr Avenue.

High school hockey games shall be limited to evenings on Friday and Saturday only, with no games commencing after 9:00 pm. This restriction shall be removed when Patterson Avenue is widened to at least four lanes from the Project all the way north to Burton Street.

The Project shall be limited to a building occupancy of 1,184 persons. Any event with an attendance exceeding 1,184 persons shall be considered a "Special Event". Should the Project choose to host a "Special Event", permission from the Cascade Charter Township Board and the Fire Marshall shall be required. A request for a "Special Event" shall be done in writing and shall be submitted to the office of the Township clerk at least forty-five (45) days prior to the anticipated event. The written request shall include a brief description of the event, the anticipated number of persons attending the event, the anticipated seating arrangement and a map of locations where spill over parking will occur. Should parking be required off site from the Project, written verification shall be provided from the affected property owners stating that permission to use their property has been granted. Any approval from the Township for a "Special Event" can contain reasonable conditions.

#### Section VII. Permitted Uses

The permitted uses for the Patterson Avenue Ice Center PUD are as follows:

The Project shall be limited to use as a recreation ice center. The ice arena may have a maximum of two (2) ice surfaces. The dimensions of the ice surfaces shall not exceed the interior main floor plan approved by the Planning Commission.

The Project shall be limited to the following uses by right:

1. All forms of public / private ice skating or in-line skating activities, including games, lessons, coaching and other forms of instruction, but excluding those uses listed in Section VIII below.
2. Volleyball, tennis, and soccer games and practices.
3. School and youth group practices as needed and as a result of foul or unreasonable weather.
4. Professional / Semi-Professional hockey practices, limited to the operating hours before 1:00 pm.
5. Collegiate hockey clubs or intramural teams, limited to local colleges within the Grand Rapids metropolitan area.
6. Food and Drink Concession ancillary to the recreational ice center.
7. Equipment sales and rentals related to the uses permitted above.

#### Section VIII. Use Restrictions.

The following uses are prohibited in the Project:

1. Auctions, Automotive Exhibitions, Close-out Sales, Concerts, Conventions, Flea Markets, Motorized Vehicle Racing, Trade Exhibitions, Trade Shows, or Wholesale Warehouse Sales.

2. Uses determined by the Planning Director as being substantially similar to the uses prohibited above.
3. Professional, Semi-professional hockey games or game exhibitions. Exhibitions does not include instructional demonstrations or seminars.
4. Professional, Semi-professional volleyball, tennis and soccer games, practices or game exhibitions. Exhibitions does not include instructional demonstrations or seminars.
5. Professional or semi-professional pageants or ice shows (e.g., Ice Capades, Holiday on Ice or other similar events).
6. Collegiate hockey games or game exhibitions. Exhibitions does not include instructional demonstrations or seminars.

The Project shall be limited to the following uses by right:

7. All forms of public / private ice skating or in-line skating activities, including games, lessons, coaching and other forms of instruction, but excluding those uses listed in Section VIII below.
8. Volleyball, tennis and soccer games and practices.
9. School and youth group practices as needed and as a result of foul or unseasonable weather.
10. Professional / Semi-professional hockey practices, limited to the operating hours before 1:00 pm.
11. Collegiate hockey clubs or intramural teams, limited to local colleges within the Grand Rapids metropolitan area.
12. Food and Drink Concession ancillary to the recreational ice center.
13. Equipment sales and rentals related to the uses permitted above.

#### Section VIII. Use Restrictions

The following uses are prohibited in the Project:

1. Auctions, Automotive Exhibitions, Close-out Sales, Concerts, Conventions, Flea Markets, Motorized Vehicle Racing, Trade Exhibitions, Trade Shows, or Wholesale Warehouse Sales.
2. Uses determined by the Planning Director as being substantially similar to the uses prohibited above.

3. Professional, Semi-professional hockey games, practices or game exhibitions. Exhibitions does not include instructional demonstrations or seminars.

4. Professional, Semi-professional volleyball, tennis and soccer games, practices or game exhibitions. Exhibitions does not include instructional demonstrations or seminars.

5. Professional or semi-professional pageants or ice shows (e.g., Ice Capades, Holiday on Ice or other similar events).

6. Collegiate hockey games or game exhibitions. Exhibitions does not include instructional demonstrations or seminars.

7. Collegiate volleyball, tennis and soccer games or game exhibitions. Exhibitions does not include instructional demonstrations or seminars.

8. Outdoor Sales and Events, unless approved by the Township Board as a "Special Event" (see Section VI.C, above).

#### Additional Use Restrictions

9. The sale or consumption of alcoholic beverages shall be prohibited within the Project.

10. The Project shall be open for public admission as follows:

a. Sunday – 6:00 am to 11:00 pm

b. Monday through Saturday – 6:00 am  
– 12:00 midnight.

No permitted use may begin after 11:00 pm on Sunday and 12:00 midnight on all other days. All patrons of the Project shall leave the premises no later than one (1) hour after the closing of public admission.

11. Security guards shall be provided at all high school hockey games and at any other time the attendance is expected to exceed 500 or more persons. Security shall be at the expense of the developer and shall be provided until one (1) hour after the last hockey game or until the closing of the ice center, whichever is the lesser time period.

12. No audio speakers or other sound amplification equipment shall be located, placed or installed outside of the ice center building.

#### Section IX. Design Guidelines, Requirements and Limitations

The Project shall be developed in accordance with the site plan approved by the Township Planning Commission. No alterations, expansions or additions may take place to the Project without an amendment to this Ordinance.

A. Site Development Standards:

1. Maximum Height – 35 feet or 2 stories whichever is the lesser.

2. Setback Requirements:

Front: 225 feet

Side: 25 feet

Rear: 50 feet

3. Maximum Building Size – 74,975 square feet.

4. Minimum Number of Parking Spaces – The Project shall provide a minimum of 396 on site parking spaces. In the event the Project shall increase in size additional parking shall be installed consistent with Section 19.21 of the Zoning Ordinance.

B. Signs:

1. One (1) monument style sign not to exceed 32 square feet of total sign face area. The sign shall not exceed five (5) feet in height and shall be setback 25 feet from the future right of way line of Patterson Avenue.

2. Directional signs and construction signs consistent with the Cascade Charter Township Sign Ordinance (Ordinance 12 of 1994, as amended).

Landscaping Bufferyard Requirements:

13. The Project shall be required to install a "D" type landscape bufferyard along the east and south property line of the development and a "G" type landscape bufferyard along the west and north property line of the development, in accordance with Chapter 20 of the Cascade Charter Township Zoning Ordinance. Installation of the bufferyard shall be in accordance with the Landscape Plan approved by the Cascade Charter Township Planning Department.

14. Internal landscaping for the Project's parking lots shall be consistent with the requirements set forth in section 20.09 of the Zoning Ordinance.

15. Landscaping shall be installed within ninety (90) days of completion of the Project, unless otherwise permitted in writing by the Planning Director at a later date.

16. Landscaping materials shall be consistent with Section 20.05 of the Zoning Ordinance.

17. All landscaping shall be hardy plant materials and maintained thereafter in a neat and orderly manner. Withered and/or dead

plant materials shall be replaced within a reasonable period of time but no longer than one growing season.

#### 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 building expansions or infrastructure improvement.

#### Section XI. Utilities

The Project shall be served with public water and public sewer at the developer's expense. The on-site water and sewer design and the connection to the public water and sewer systems shall be approved by the township and the City of Grand Rapids prior to installation. Said improvements shall be consistent with the Sewer and Water Master Plans for Cascade Township.

The Developer shall provide all necessary easements within the Project for telephone, electricity, gas and cable television to the appropriate utility provider without cost. In the event the Township requires additional sewer and water service easements in the future, the Developer shall provide them at all reasonable locations. Said easements shall be recorded with the Kent County Register of Deeds and provided to each utility provider for their records.

#### Section XII. Miscellaneous Development Requirements

Prior to construction, 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 site. This plan shall be reviewed and approved by the Township Engineer prior to commencing any building on the site.

The Township Planning Department shall receive copies of all correspondence and permits from the Kent County Drain Commissioner regarding storm water disposal.

The Township Planning Department shall receive copies of all correspondence and permits from the Michigan Department of Natural Resources regarding wetlands and wetland mitigation on the Project site.

The Developer shall submit sufficient and reasonable financial and marketing information to the Township Attorney to determine the developer's financial capabilities to fully develop and market the Project. All financial and marketing materials considered private in nature or proprietary shall be confidential between the attorney and the developer.

The Developer has agreed to guarantee the current value of all properties located in the Crickside Plat. This guarantee will be in the form of an irrevocable letter of credit or other similar form of financial guarantee from the developer to the affected property owners of land within the Crickside Plat. The irrevocable letter of credit or other type of financial guarantee hereunder shall be in the amount of \$100,000 and shall be in a form approved by the Township Planning Director and Township Attorney. Current value is considered two (2) times the

1994 SEV plus 12 percent (see attached "Exhibit – A"). It is agreed the developer will pay the difference between the property's current value and the selling price. The guarantee presumes that any sale would be a bona fide sale to an unrelated third party and considered an "arms length" transaction. It also presumes the affected property owner will continue normal repair and maintenance of the property in a manner that will not cause a decrease in the current value. This property value guarantee has been suggested by and agreed to by the developer and will remain in effect for five (5) years after the approval of this PUD. If a property owner proposes to sell his or her property for less than the current value, the property owner shall notify the developer in writing of that fact and the listing price at least ten (10) days before so listing the property for sale such that the developer will have the same opportunity to purchase the property for said amount as any other prospective purchaser. Such notice shall also occur for all re-listings of the property below current value. If a property owner wishes to take advantage of this guarantee and the property owner has not sold his or her property within 4-1/2 years of the date of this approval, the property owner shall list the property for sale during the final six (6) months of the guarantee and shall actively and diligently pursue a sale during said six (6) month time period.

### 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 Director may require such guarantees at any time they deem necessary to insure completion of the improvements.

### Section XIV. Consistency With Planned Unit Development (PUD) Standards

The Township 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 a recreational ice center will have on their physical well being and participate in activities offered at the facility.

In relation to the underlying zoning (R1, Residential), 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. Sewer and water service are readily available to the Project. Concerns about the capacity of the road have been alleviated by the Developer agreeing to contribute funds to the widening of Patterson Avenue. Storm water concerns have also been addressed by the Developer providing a storm water detention basin with capacity that meets or exceeds the requirements of the Kent County Drain Commissioner and Township Engineer.

The Project has been determined by the Township to be compatible with the General Development Plan of the Township and with the spirit and intent of the Planned Unit Development Chapter of the Zoning Ordinance by demonstrating that ice centers have been successfully located in residential areas in other communities without a loss in property values. It is also noted that the Patterson Avenue area is in a state of transition, where residential property use may no longer be viable due to the increased amounts of traffic bisecting the neighborhood. The proposed ice center would provide a reasonable transitional use between the industrially zoned properties to its south and east and the residentially zoned properties to the north and west. The proposed ice center also provides recreational benefits to the community, which the General Development Plan advocates.

The Township finds the Project will not result in an unreasonable negative economic impact upon surrounding properties as the developer has agreed to guarantee the values of the residential properties in the Crick side Plat.

The Township finds the Project to have at least as much green and usable open space as would be required by the Township Zoning Ordinance. It is noted that a residential development could in fact require more impervious surfaces and few expanses of usable open space than the proposed Project.

Finally, the Township recognizes the Project will be under single ownership or control. The Township recognizes that Continental Development or its assigns will retain ownership and shall be responsible for the completion of the Project in compliance with this PUD Ordinance and all other ordinances of Cascade Charter Township.

Section XV. 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 VanStrien, supported by Board Member Johnson. The roll call vote being as follows:

YEAS: Boonenberg, Carpenter, Henning, Johnson, Julien and VanStrien

NAYS: None

ABSTAIN: None

ABSENT: Hansen

Brenda J. Henning

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 23<sup>rd</sup> day of March, 1994.

Brenda J. Henning

Cascade Charter Township Clerk

(see Original PUD Ordinance for attached Exhibit "A".)

## MEMORANDUM

TO: Cascade Charter Township Board  
FROM: Jay W. Cravens, Planning Director  
DATE: March 19, 1994  
SUBJECT: Case #93-1702 Continental Development / Patterson Ice Center



Attached with this memorandum you will find a copy of the revised Staff Report sent to the Planning Commission regarding the ice center project. A draft copy of a PUD ordinance is also enclosed for your consideration. You will also find a draft copy of the Planning Commission minutes of March 10th and March 14th.

At the March 10, 1994 meeting, the Planning Commission decided on a 6 - 2 vote to recommend approval of the Patterson Ice Center Project. This approval was based upon Planning Commission members' opinions that the project had changed sufficiently to address their concerns about the traffic capacity of Patterson Avenue, the developer's willingness to guarantee the property values of the residents of the Crickside Plat and the apparent metropolitan need for more recreational ice surfaces.

On March 14, 1994 the Planning Commission, along with the developer and myself reviewed a preliminary draft of a PUD ordinance for the ice center. At this meeting, the developer was also given the opportunity to comment on this preliminary draft ordinance. During the discussion of the proposed ordinance the developer proposed additional permitted uses for the ice center were added such as: volleyball, tennis, and soccer. After some debate the Planning Commission felt these additional uses would be acceptable.

The only outstanding "disagreement" with the ordinance between the Planning Commission and myself is the hours of operation permitted for the ice center. The developer argues that additional hours are needed to insure greater profitability for the facility. I feel the hours should be somewhat restrictive since the area is transitional between the industrial and neighboring residential area. The area is not a commercial area like 28th Street.

While I continue to feel the use is not appropriate to the area at this given time, the Planning Commission feels otherwise. If the Township Board should approve the request, I would strongly recommend that you review the requirements set forth in Section 16.03 (2) of the Zoning Ordinance and determine how the ice center meets these required standards. These required standards are described in my Staff Report. The developer's legal counsel has also prepared his interpretation of these requirements, which are on the pink sheet of paper. I would suggest the Board look at each set of these interpretations of Section 16.03 (2) and select the response most appropriate to your action.

The attached PUD ordinance has been reviewed by the Township's attorney. I feel the proposed draft allows for the development of the ice center as requested by the developer. It also provides use restrictions which I feel protect the interests of the affected residential property owners and of the Township.

**Attachments:** Staff Report  
P.C. Minutes 3-10-94 (draft)  
P.C. Minutes 3-14-94 (draft)  
Developer Interpretation of 16.03(2)  
Proposed PUD Ordinance

**MINUTES**  
Cascade Charter Township Planning Commission  
Special Meeting  
Thursday, March 10, 1994  
7:30 p.m.

- ARTICLE 1.** Chairman Goodyke called the meeting to order.  
Members Present: Fox, Goldberg, Goodyke, Klynstra, Lewis, MacGergor, Parolini, Parrish, VanStrien.  
Members Absent: None  
Others Present: Jay W. Cravens, Attorney Bloom, and those listed on Supplement #1 (an audience of approximately 155).
- ARTICLE 2.** The agenda was approved on motion by Member Lewis and supported by Member VanStrien. The motion carried.
- ARTICLE 3.** Approve the Minutes:  
a. February 7, 1994 - the minutes were corrected on page 10, paragraph 4, line one to read: "The zoning was R1, low density residential." Page 12, paragraph 5 to read: "Member Lewis withdrew his support to the motion. The motion died for lack of support." With those corrections, Member Lewis supported by Member Klynstra moved to approve the minutes. The motion carried.  
b. February 22, 1994 - Member Klynstra supported by Member Parolini moved to approve. The motion carried.
- ARTICLE 4.** The Township Board Minutes of February 9, 1994 were received and filed.
- ARTICLE 5.** **Case #93-1702: Continential Development/Patterson Ice Center**  
The applicant requested preliminary PUD approval for a 74,975 square foot ice arena in the R1 zoning district. The subject properties are located at 2512 and 2562 Patterson Avenue, S.E.
- Staff related that due to a conflict of interest, Member Goldberg is seated in the audience and will not be participating on the discussion and voting in this request.
- Staff related the proposed facility is to be used as the home ice for East Grand Rapids and Forest Hills High Schools. Other high schools will also be using the facility. The traffic impact analysis showed Saturday afternoon and evening games will generate a large amount of traffic. Staff related he continues to believe that the traffic impact analysis of scenario #2 is most likely the correct one in that 70% of the traffic vehicles will come from the north. Both high schools are north of the facility and will

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primarily use Burton Street as the means of access to the facility. GRETS has placed Patterson Avenue between Burton and 28th Street with 10,000 vehicles per day. The present capacity of Patterson is being reached. On January 25, 1994 the Township officials met with the Road Commission. The Road Commission stated they would widen Patterson Avenue from the ice arena to 28th Street and that would depend upon the developer contributing \$100,000 to those improvements. There are no plans to widen Patterson Avenue north to Burton Street until 1995-96. As mentioned at the last Planning Commission meeting, the Patterson interchange proposal would relieve congestion at I-96 and 28th Street. MDOT and the Federal Highway Administration are not in favor of a Patterson Avenue interchange and that project would be at least 10 years or more away. Patterson Avenue would have an average daily traffic count of 41,900 vehicles. Without an interchange Patterson Avenue can function as a collector road at 14,300 vehicles in the year 2015. Staff related the argument that other ice arenas are located in residential areas in Grand Rapids is not necessarily true. Those areas are not similar to this situation. Staff related he has communicated with 14 ice facilities throughout Michigan as a representative sampling. He found 200' x 85' is regulation NHL size for an ice rink. The proposal in front of the Planning Commission is for one sheet of ice at a size of 200' x 100' and 200' x 85'. No other facility in the State has an olympic size piece of ice. The 1990 census indicates 498,367 persons in the Grand Rapids metropolitan area. Using this standard the metropolitan area should have five ice rinks. At the present time there are three ice rinks. One is also proposed in Byron Township. Belknap may be adding an additional piece of ice. There is a concern for the supply of ice in the short term. Staff related since other schools will be using this facility it should be located in a more geographical location.

Staff then presented his comments regarding the proposed facility for the Planning Commission to consider (as found in the Staff Report) as follows:

- a) Scale down the project to one sheet of ice or have the applicant reasonably demonstrate the market need for two sheets of ice.
- b) Stipulate that the road construction must be implemented concurrently with the construction of the ice arena. If road construction cannot be assured, the project should wait until it can begin.
- c) Limit the uses of the facility. Prohibit ice shows, ice capades, collegiate, semi-professional and professional use of the facility.
- d) Restrict the hours of operation. Require the facility to close at 11:00 pm Sunday through Thursday and 12:00 midnight on Friday and Saturday.

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- e) Prohibit the sale of alcoholic beverages within the PUD.
- f) Require a lower intensity of outdoor lighting to reduce light "spill over" onto adjoining residential uses.

Member Fox asked Staff if he had asked the applicant for a capitalization plan regarding the viability of the project. Attorney Bloom responded the Planning Commission has the authority to do that if they choose. Staff related in the past the Planning Commission has asked for financial records of the Meadowbrooke PUD in 1987. Meadowbrooke was asking for a rezoning of a square mile of property. We also asked for financial records of Highridge Condominiums. Member Fox also stated that it is unusual that all advertising monies be donated to a trust for children.

Member Klynstra asked how likely it would be for 1,000 people to be in the facility at any one time. Staff responded the information is out of the traffic report and we have no way to evaluate it. These are figures provided to us by the applicant.

Member Klynstra stated the contribution of \$100,000 to the Road Commission leads him to believe that if the center goes in the road will be built. He related Staff makes it sound like the \$100,000 will have to be spent anyway. Staff responded the Road Commission indicated that the \$100,000 made available to the Road Commission will widen the road down to Starr Avenue. The road widening is not a priority of the Road Commission.

Member Klynstra stated a non-profit corporation could build this center in a residential area and asked Staff if there was another area that would make as much sense or more sense than this one. Staff related the first one he would pick in a residential setting would be on Cascade Road, north of Burton on the DSN property. The other sites that would be suitable would be commercial and office sites.

Member VanStrien asked what is the construction time table on Patterson Avenue from this site north to Burton Street? Staff responded 1995 or 1996.

Member Lewis related to Staff his report dealt a lot regarding the size of the ice center. He related he can understand that every Planning Commission member is concerned about developing a site suitable for the township. Staff responded he was trying to convey the uniqueness of this and the concern about two sheets of ice when normal is one sheet of ice.

Dave Saboda, the architect, presented a drawing of the building. Mr. Saboda related 396 parking spaces are being provided on the site. The building is 243 feet from Patterson Avenue and 50 feet from the industrial area. Lighting statistics will be provided to Staff. Seating is as follows: 979 bleacher seats, 173 lounge seats, and 32 for the observation deck.

Dave Mehney presented the historical aerial photographs of the area and the zoning history.

Mike Sebastian presented an overview of the land use survey conducted by the developer.

Mark Sisson presented the land use alternatives. He presented a drawing of a possible R1 single family plat. He related the average lot cost would be \$35,000 for a 12,000 square foot lot.

Mr. Mehney spoke regarding the properties they have offers to purchase. The Darcangelo property is bordered on the south and east by industrial uses. It has been listed for sale since 1981. During that time they have had only one written offer and that was for half of the asking price. The Piersma property has been on the market for two to three years. They have received no written offers others than ours. The Piersma property is on the south side of the creek. Continential Development will guarantee the property values. We are going to guarantee their properties no matter what. We are using a figure of double their assessed value plus 12%. Mr. Mehney then read a letter from Mr. O'Neill. Mr. Mehney related there will be no alcoholic beverages permitted on site. And security people will be there controlling crowds both inside and out.

Mr. Lewis related he was impressed with the offer made to the people in the area. He then asked if there was any correlation between the two letters. Mr. Mehney responded no, he spoke to Mr. O'Neill on Monday afternoon after he received the letter.

Lou Rabaut from the Board of GRAHA and a hockey parent presented a slide presentation of the arenas in the Grand Rapids and Detroit areas. The slides showed locations of the arenas and their proximity of residential uses.

Member Fox related she would not use suburban Detroit as a model for good planning.

Mike Sebastian presented traffic figures for the project. He also presented letters from the Road Commission and Terry Schweitzer of the City of Kentwood. Mr. Sebastian related the high school games will be held in the

evenings only on weekends. No high schools games would be held during the week until the road is widened north to Burton Street. They also would like Calvin, GRCC and Grand Valley Colleges to use the facility for their games.

Mark Sisson presented the wetland information. The DNR hearing will be held on March 15, 7:00 pm at the Cascade Township Museum Building. Mr. Sisson presented a topographical map of the site. Mitigation will be provided for the wetlands to be removed. Mr. Sisson presented a letter from the property owner stating the site was relatively dry except for the spring rain season until the Powell Building was constructed.

Mr. Sebastian presented demographic information, results of a Quail Crest phone survey, Rumor/Fact sheet and results of a Northeast Neighborhood Association of Kentwood phone survey.

Mr. Sebastian then addressed the market question raised by Staff. Cascade Ice Center did close nine years ago. Everyone else has experienced a 300% growth rate since that time. He presented a map of a 60 mile radius. In the first 20 mile radius in the year 1998 the population is anticipated to be 843,288. In the 40 mile radius it is anticipated to be 1,155,187. He then indicated on the map the number of ice rinks available. Mr. Sebastian related speed skaters need an olympic size sheet of ice. Mr. Sebastian presented an overhead of the GRAHA players and where they reside. They are coming from a multi-county area.

John Sperla presented standards for the ice center. He related they believe the area is transitional and the township has to look at alternative uses. The problem the neighbors have was not created by this facility but has been existing for years. Only 16% of the site will be structure, 47% will be greenbelt. He stated he believes there is financial viability for two sheets of ice and the facility will be great to have in the community. It will be the home ice for our local high school.

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

Dr. Robert L. Curtis of Burton Street, in Kentwood, related during the presentation he did not hear one thing about the quality of life. There is a very large number of local matters regarding the Burton Street widening. He considered the fact the developer is giving the Road Commission \$100,000 to widen the road to be a bribe. He quoted the definition of a bribe from Webster's Dictionary "a bribe is money or favor given or promised to a person in a position of trust to influence his judgment or conduct." He also had concerns about water runoff with additional asphalt

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being installed. Dr. Curtis also stated there have been a lot of statistics thrown around tonight and he has never seen any correct projections given by the government.

Ruby Rooker of 2456 Patterson Avenue, related her neighbor, Mr. O'Neill, came along and suggested that maybe we should go ahead and support the rink. She related she bought her home two years ago and bought it to stay. The offer by the developer sounds really good but they put a time limit on it of five years. She is concerned that if she puts the house up for sale it may take 11 years to sell it. She is also concerned about increased traffic on Patterson Avenue.

Mike Sebastian related the high school hockey season is 16 weeks in length. That's when the bulk of traffic will occur. He related the offer of home value is only good for five years but if the home value decreases during that time, the guarantee is still good.

Mrs. Rooker related her home value has decreased in the two years she has lived there by \$2,000.

Douglas Terborg of Grand Rapids, related he has been figure skating for five years. During the past year and a half ice time is decreasing to make use of hockey. He related some children who figure skate have to come at 5:00 or 6:00 am for lessons.

Cindy VanGelder of East Grand Rapids commented on the quality of life issue. She related she can't think of any better use of space than to provide recreational skating opportunities. Skating is an outstanding use of a child's time and develops characteristics that are beneficial.

Janet Baxter of the law firm Wheeler, Upham, represented Foote Hills Apartments. These people in the Foote Hills Apartments are neighbors of the site. In the Staff Reports there appears to be no significant difference between the two proposals. There are no changes in the current proposal which currently brings it into compliance with the Zoning Ordinance. The new proposal does not fit within the Zoning Ordinance or the General Development Plan. The proposal does not encourage the use of land in accordance with the character or adaptability nor does it promote conservation of natural features and resources. This is an attempt to shoehorn a very large facility onto a small area which is zoned strictly or low density residential use. There are people living in the area. The proposal does not promote the enhancement of housing or traffic circulation. Instead it will cause increased traffic, congestion and a bottle neck at its entrance. The residents of Foote Hills have told her they need 30 minutes to an hour to exit the driveway and get onto Patterson. She

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feels the ice arena will severely burden the surrounding property owners. Whatever benefit that will come from the arena will benefit Grandville, Grand Rapids Catholic Central, Northview, East Grand Rapids, Forest Hills Central, and three colleges in the surrounding area. The benefit is heavily outweighed by the burdens the ice arena will place squarely on the shoulders of people who live in this area. For this proposal to be acceptable must comply with the Zoning Ordinance and it does not.

Barbara Hiller of 6690 Tricklewood Court, related she has two sons in hockey, one on the Forest Hills Central hockey team. She related it is time to return ice to Cascade Township.

Janet Mason of 6035 Sageburn, Forest Hills School District, she is the president of the Grand Rapids Figure Skating. She related most of the ice time is already filled and she has to turn skaters away. Currently they practice at Belknap.

Jim Koessel of 1540 Hillsboro related he didn't think the developer denies the fact this is not proper zoning and that is why he is seeking a PUD. He related never in his time on the Planning Commission had he seen a presentation by a developer willing to guarantee property values. He felt the welfare of the people has been addressed. The project is needed in the community and is a good use of the property. He urged the Commission to give a favorable recommendation on the project.

Ralph Livingston of 4790 Burton Street (corner of Patterson & Burton) related no one has contacted him nor has he had an opportunity to meet with the developers. He is not in favor of it as it will increase traffic and the quality of life is going to decrease. He moved into the area 15 or 20 years when it was residential. As long as people come into the area and want to turn it into commercial the property values will go down. He doesn't object to an ice arena but suggested the Planning Commission consider utilizing land that has been set aside for this type of activity.

Michelle McCarthy of 2175 Woodburn Drive related she is a figure skating coach. She addressed what it is like to nurture a figure skater and then see them get turned away the next season because they didn't make the cut for resident/non-resident. It is disheartening to the figure skater and to the coach and a waste of talent. She would like to see the rink go up so the skaters can be nurtured and have time to practice.

Henry Emrich of 7755 Aspenwood thanked the developer for the presentation. He responded to Dr. Curtis' comments regarding a bribe. The developers came not looking for a handout and they are putting their time and money into this thing. Regarding Miss Baxter's comments

regarding Foote Hills Apartment he assumes the vacancy rate is quite low. He has two sons who play hockey and to see the family participation is a very good thing and something that this Commission ought to support. He has driven by the site and feels protecting the residential quality by not putting the rink in is nonsense.

Mark Schmidt of 6995 Bridgewater asked what do we define as benefits? We have D & W, Meijer, Daane's. Kentwood ice rink is closed and used for Kentwood residents and the school system. The City of Grand Rapids has one sheet of ice and are committed to the residents of the City. Jolly Roger is a closed rink. It is time to realize Grand Rapids can't do everything. We are one big community and it is time to say this area can support an ice rink and we will have an ice rink open to the general public to serve the area needs.

Celeste Stabile of 1868 Mont-Rue related she moved here from San Diego in October. She related the area there had two ice rinks 20 minutes from their home that were open 365 days per year. They offered hockey, recreational skating, etc. That what kids did during the evenings both during the school year and summer. For moving to this area one of their criteria for a house purchase was hockey. They were told the best area for schools, hockey, and quality of life was Cascade. They were shocked to find public skating for families is not available anywhere in the area.

Mike McDaniels of East Grand Rapids, related he was a co-developer and managing partner of Sentinel Pointe Retirement Community. He related from 20 years experience of real estate development the site is not appropriate for single family development or multi-family housing. The ice rink would be the best available buffer to stop the creeping industrial uses on Patterson Avenue.

Laura Stiles, coach of Forest Hills Central Junior Varsity Hockey Team, related she went to the University of New Hampshire on a four year, full ride hockey scholarship. Women's hockey is up and coming. In 1998 women's hockey will be an olympic sport. The Junior Varsity Hockey team is limited to two hours of practice per week. Cascade has always been known as an example of a model community. Letting this ice rink leave Cascade would be sad. Without hockey she wouldn't have had a full ride scholarship and become the person she is today.

Paul Keck of 1610 Kitzbuhl Court, related he can envision the problems the Planning Commission has in terms of growth. He has lived in Cascade since 1975 and has witnessed situations where development has played into battles. He can see this request from the side of the neighbors and developers. He felt the bottom line is the only way to stop growth is to

buy the surrounding property yourself. These people can get together and purchase the property and control its future growth and development. Unfortunately, that is not the case. Cascade is growing. The most important issue is we grow up ourselves in a very short window of time. All of us basically focus on kids. According to the pie chart, 87% of the rink time will be devoted to kids. We want to keep the kids off of drugs and have an opportunity to do something. He has seen kids completely turn around because of their commitment to an activity. If our issue as adults is to leave something to our children and grandchildren, this is a very good project.

John Bacholder of East Grand Rapids related he is the parent of an East Grand Rapids hockey player. He would like to echo Laura Stiles' statement for the need of this kind of facility to support our high school athletes. Both Forest Hills and East Grand Rapids high schools have reputations for quality schools. The hockey programs are severely disadvantaged for lack of ice time. East Grand Rapids team has two hours of practice time per week. Kentwood practices two hours a day at its own ice arena. We could enhance the quality of our hockey programs with an ice rink like this. This is a relatively small family center ice arena that will produce no more traffic than another softball field or two. He related during this season there have rarely been more than 200 - 300 fans per game. He appreciates your role as planners and acting as stewards for the community. This is a broader issue than just Cascade Township. This is an opportunity to do something wonderful for the community at large.

Rick Hungerford of 1620 Glen Forest related one of the quality of life issues is recreational opportunities. He related this situation to the Forest Hills Aquatic Center and how difficult it was to get that passed. His daughter is a swimmer for Forest Hills and after being in that facility for four years they brought back a state championship. He felt we are looking at a community facility for recreation.

Mike Clem of 7465 Candlewood related he moved to this area last fall as it was a model community. His son has played hockey for six years. Last year they drove to Kalamzoo to find ice time. He is concerned about the residents in the area and their value of life. That area will not be any further devalued than what has been done already by the industrial use. He feels the ice rink would help the area and is a contribution to Cascade.

Frank Castiglione of 2486 Santigo and has lived in Cascade for 26 years. His sons went through the Forest Hills school system and played hockey. He related some hockey facilities throughout the state are beautiful and some are questionable. He has never seen much traffic at any of the rinks. He related he never complained when a nursing home went in or

buy the surrounding property yourself. These people can get together and purchase the property and control its future growth and development. Unfortunately, that is not the case. Cascade is growing. The most important issue is we grow up ourselves in a very short window of time. All of us basically focus on kids. According to the pie chart, 87% of the rink time will be devoted to kids. We want to keep the kids off of drugs and have an opportunity to do something. He has seen kids completely turn around because of their commitment to an activity. If our issue as adults is to leave something to our children and grandchildren, this is a very good project.

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apartments because he respects the judgment of the township, but please give us a hockey rink.

Brad Burger, a Forest Hills resident, related he is in the trenches in the battle for ice time. There is no question the rink would be filled in a heartbeat.

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

Member VanStrien asked what is happening with the property across the driveway on the site? Mike Sebastian related the plan is to put a bridge across and provide wetland mitigation. That is in the process of being reviewed by the DNR.

Member MacGregor asked if information was available on the four properties as to the assessed value now as compared to a couple of years ago? Mike Sebastian related yes, it is in our presentation book. Staff related the property values didn't necessarily decrease. The whole township was reassessed on the land value. The 1993 land values went up and the house values went down.

Member Fox asked Mr. Mehney about the property that was on the market for the last eleven years and what the asking price was and if it was marketed as a residential property. Mr. Mehney related he assumed it was marketed as residential because that is what it was zoned for. In 1988 it was listed for \$148,000; in 1992 it was listed for \$175,000; and in 1993 it was listed for \$165,000.

Tom DeBoer related the property started out being marketed as residential property in the Grand Rapids Real Estate Board. However, it was then listed as a commercial status.

Member Fox related she didn't feel the price reflected a residential property.

Chairman Goodyke related the next step is to vote on this matter and no matter what the outcome this will to the Township Board on March 23.

Member Lewis related it seems everyone has made up their mind and from the first everyone has been favorable with a concept of an ice arena. We have heard from the citizens that it is sound concept. Others members of the board and press have expressed their concerns justifiably. Other factors have been a concern such as traffic, zoning, etc. He related he has been very pleased with the applicant in working with the township and

have been cooperative with the road, moving the building, the guarantee, etc. He related he has been pleased that the questions have been addressed and somewhat solved favorably.

Member Lewis moved to recommend preliminary PUD approval to the Township Board. Member Klynstra supported the motion.

Member Parrish asked if that included the conditions by Staff.

Member Lewis responded no it doesn't. One of the requirements by Staff was requiring one sheet of ice and not two. He is personally opposed to that condition and feels the public hearing indicated there is a great need for ice in this area. Secondly, if there is anything this location offers it is at least a way out if the business fails. This is better than placing it in the middle of a residential area and if it fails it would be a "white elephant". This location with being surrounded on two sides with business and industry there is a safety net of sorts that doesn't exist for other locations. Member Lewis stated his motion is for the rest of the stipulations (b through f) with the ability to add different items to this or delete after the vote.

Chairman Goodyke related the motion then includes all of the Staff stipulations except letter "a". Chairman Goodyke asked that Member Lewis respond to the financial records being examined by the Township Attorney.

Member Lewis related some of the items can be put into the actual PUD Ordinance. Staff related yes, his stipulations as written were suggestions. Staff commented on stipulation number one that they would scale it down "or demonstrate marketability for two sheets of ice."

Chairman Goodyke stated in that case we can leave "a" in.

Staff related the meeting on Monday, March 14 will be to go over the proposed PUD Ordinance for the proposed facility.

John Sperla agreed that the items could be discussed later.

Member Lewis stated he took exception of having a public hearing and conversation during the time a motion is on the floor.

The roll call vote was as follows: VanStrien - yes, Parolini - yes, Parrish - no, Klynstra - yes, Fox - no, Lewis - yes, MacGregor - yes, Goodyke - yes. Member Goldberg abstained. The motion carried.

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**ARTICLE 6. Any Other Business**

None presented.

**ARTICLE 7. Adjournment**

Member Lewis supported by Member MacGregor moved to adjourn. The motion carried and the meeting was adjourned at 10:20 p.m.

Respectfully submitted,

Sandra Frost Parrish  
Secretary

SFP:MJT

**ARTICLE 5.**

**Case #93-1702: Continental Development/Patterson Ice Center  
Discussion and consideration of proposed draft PUD Ordinance for  
Patterson Ice Center**

Due to a conflict of interest, Member Goldberg was excused from the meeting at 8:50 p.m.

Staff briefly went through the proposed PUD Ordinance paragraph by paragraph and suggested the following changes:

Page 1 - Section 1. Take out line 6 and 7 regarding expansion of the church and its related services.

Section IV. Purpose - end of line 2 the word "purpose" is spelled incorrectly.

Page 2 - Section VI. Permitted Uses - A.1. add "and figure skating".  
A. 3. add the word "games" prior to word lessons.

Page 3 - Section VII. Use Restrictions - A.3. add word "pageants, ice shows, etc.)  
6.b. Add "am" to 6:00.

Page 4, Paragraph 4. In the third line take out the word "in".

Staff related that late this afternoon he received a phone call from Roger Laninga, the Drain Commissioner. There is some concern regarding the widening of Patterson Avenue and the storm water drainage. They are concerned that widening will create more impervious surface. They may be looking at tapping into the retention pond for storm water run off. They are going to be looking at other aspects of new development also. At this point there is more concern about how to handle the runoff from the road. Our Township Engineer will look that over.

Member Fox related she has a concern regarding sufficient financial status, etc. One concern is if your facility would go out of business the other use might be an industrial use. She stated she wants to make sure that our Township Attorney reviews the plan to make sure the money is there to keep this project going. She related on Item E of page 5, she would like to have a written clause for the developers personal guarantee if the corporation ceases to exist. Section 16 of the proposed plan is a fact sheet on neighborhood ice rinks. She wants to make sure all advertising monies generated within the PUD are put into the trust for kids and is on-going.

Mike Sebastian related he would like the whole document to refer to the project as "ice center". Section 5 B and C are okay as written. There is a

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parking lot west of the project which holds 40-50 cars and neighbors to the south have agreed to work with us. We would like to change "building permit" to "occupancy permit". We would like to go ahead and widen the road to the extent that we are able to accommodate easement rights to widen Patterson Avenue to Starr Street.

Staff related the whole argument discussed before was the road would be widened concurrently with the construction of the development. Staff related he feels that they had to be done simultaneously. Sometimes people occupy a building without a permit. The concerns are higher there. What I am asking for is that the Road Commission says they can do it in July of 1994 then we know when we can go. The language needs to be written out such that a building permit could be given if we have that type of letter. Staff related he wants to make sure the road will be done in the same year the building is going up.

Mike Sebastian related the Road Commission is going through the process of public hearings. They don't finalize that decision until May 16 and that jeopardizes our October opening.

Dave Mehney related we have to scramble right now to get it open.

Staff related his argument has been the road would be widened concurrently with the ice center construction. As a Planning Commission you have to decide what your recommendation is to the Township Board.

John Sperla related we are prepared to take the risk knowing we can't occupy the building until the road is in. Contracts for the use of the facility are being signed now. We are not going to be able to sign contracts until we can assure them that we will have ice.

Member MacGregor asked what happens if the Road Commission decides it can't get it done by October? Mike Sebastian related we will begin the road construction as soon as possible.

Staff asked the Road Commission will allow you to building their road? Mike Sebastian responded yes. Staff related that's unusual. Mr. Sebastian related the road is a minor inconvenience to us.

Member Klynstra related the developer is taking a significant risk and he is comfortable with that. He felt the developer will do everything he can to get that road widened.

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Mike Sebastian related we will have the slip lane and deceleration and acceleration lane and we will have four of the five lanes the county was going to put in.

Staff related there are a couple of things that are interesting here. That discussion was between the developer and the Road Commission and the Township doesn't know anything more than what has been verified in the Road Commission minutes. Is that they will do the road widening. We don't know the details of what that means. This is the first time they are going to let the developer build the road. This is a county primary road being done by a developer. We need to know the details before that happens. Staff asked what happens if the road doesn't get built and the building is there? The Township is going to have a problem signing off on the occupancy permit.

Mr. Kamminga (in the audience) related we are building Forest Hills Road south of Burton Street. We are building a road and the County and City are funding us. Staff related but that is a new road connecting to a plat. This is not new construction.

Member MacGregor asked if there would be a way to tie the PUD to the occupancy permit? Staff responded we have tried to do that before. It is going to have to take more conversations with the Building Department. If it meets the requirements of the building criteria, the inspectors are nervous about saying no you can't occupy the building.

Mr. Sperla suggested maybe we should just say we will not use the building until the road improvements are made.

Mike Sebastian related we will see to it that the road improvements are done.

Member Fox asked Staff when was the last time you spoke with the Road Commission? Staff responded in January. I think we can work out the ordinance language with Mr. Sperla and the Township Attorney.

Mr. Sebastian also related on page 2, Section VI. Permitted Uses - A. the first line should read "the Project shall be limited to use as a recreational ice center". There is a reason for that. There are more things in the off season that the other sheet of ice may be able to accommodate. As we have not planned demand for the second sheet of ice during the summer, part of our original plan was to allow roller blading, and other indoor activities to take place. We specifically worked with the fire marshal not to have it sprinkled over the ice as ice doesn't burn very well. What we wanted to accomplish was we want to use it for indoor soccer, indoor roller blading, or volleyball

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or similar activities. We don't want that excluded by simply calling it ice skating. I am suggesting B 1 - 6 should be eliminated. And B 1 simply would read "public and private recreational and ice skating activities of all forms including but not limited to figure skating, speed skating, hockey, ice dancing, curling, broom ball, soccer, baseball, softball, rollerblading, volleyball, tennis, walking and calisthenics". We didn't want to eliminate those uses or take 45 days to have those under a "Special Event" category. The ice surface likely to be melted down would be the olympic size rink.

Chairman Goodyke asked what do they do at other ice rinks during the summer? Mike Sebastian related Belknap and Kentwood are both sand floors and can be melted down.. Jolly Roger is melted down during the summer because the building is so inefficient.

Member Klynstra asked why soft ball and things like that. It seems to me that certainly isn't what I was hearing up until this point. In my mind this sounds like competition for Dome World. This sounds so wide open to think we could end up with a softball league inside because that was all of a sudden the state of the art thing to do. Mike Sebastian related you couldn't play softball inside because it's not big enough. Dave Mehney related we would like to use it for practices for schools. We don't want to limit the use for the schools.

Member MacGregor asked are you thinking about in the summer having indoor soccer leagues? Mike Sebastian related AYSO needs room for practices. Member MacGregor related it is kind of a surprise for most of us that you are putting this in front of us now. Your whole presentation was based on such a need for two sheets of ice.

Member Klynstra related if you could be more specific about those things. The list as you read it sound likes virtually nothing is excluded. I am comfortable if what you are doing is to further the goals of those programs. What would make me a little nervous is you say you can't play softball in there but they create games that are very similar to fill the space they have to work with. They play indoor lacrosse on ice arenas. Primarily we are buying into an ice center and these ancillary uses are fine with me if they are for the public good. I see this project benefitting the township and all the neighboring communities but I don't want to get into the Dome World scenario.

Member MacGregor related using the facility for high school practice in an emergency is great but what about the list of all these things.

Member Fox related the Planning Commission has the power to write down a very specific list of what uses will be included.

Staff related six years ago the township had an ice arena next to the Township Hall. That changed to indoor softball leagues. He related he is sure this applicant can do the same thing. When he wrote Section 6 of this Ordinance he was under the impression that it was to be ice. Staff related it is fair that the Planning Commission scrutinize the uses.

Member Klynstra related he would hate to see this facility as competition for Putt-Putt down the road with video machines, golfing things, etc. They may be great uses for the facility but really you put this facility rather sensitively in an area where none of those things are allowed. We wouldn't want to get complaints from people who bought property on 28th Street for the big price where those things are allowed to do what they are doing.

Mike Sebastian related we are just trying to accommodate the needs that people have addressed for inclement weather.

Dave Saboda related we have a special ceiling in there. It has the same texture as duct tape. It's purpose is to stop the humidity from reaching the ceiling, and once we have that in place we can't tolerate any holes in it. It is about 22-24 feet high. You can't hit that ceiling because we would lose it's value with one ball.

Mike Sebastian presented the list for Section VI. Permitted Uses: All the ice skating activities, lessons, coaching, games, and other forms of instruction. Other events: in-line skating, volleyball, tennis, soccer and school and youth group practices. 1) Public/private recreational ice and skating activities of all forms. 2) Other community and youth group activities as needed on an emergency basis. 3) coaching and other forms of instruction. 4) Food and drink concession ancillary to the ice arena. 5) Equipment sales and rental related to the uses permitted above.

Mike Sebastian related for Section VII. Use Restrictions are as follows:

- A. 1. As written no problem.
2. Okay as written.
3. Would like the ability for a semi-pro team to use the ice for practice. Exhibitions and youth programs rely on teams like the Furys and Red Wings to get youth into the programs. Exhibitions are all part of the sport.

Dave Mehney related we will not have semi-pro games there.

Staff related there is concern by some of the Township Board members about the aspect of professional and semi-professional. If professional and semi-professional teams need to use the facility and that is demonstrated

over a period of time, an amendment of the PUD could allow for that. Staff suggested Section VII. A 3. remain as is.

Mike Sebastian related he felt we are selling the community short if we don't allow the exhibitions.

Chairman Goodyke asked how many exhibitions would you have per season. Mike Sebastian responded two.

Member Fox asked if the parking requirements for an exhibition would be different. Staff related for an exhibition you might have a higher occupancy of cars which may actually need a smaller number of spaces.

Dave Mehney asked what is the concern for a professional team practice? Staff responded if they practice there they may ask for it to be their home ice. Dave Mehney responded the facility will not have enough seating capacity for professional teams to play there. Mr. Sperla stated he felt the main concern would be the amount of traffic generated.

Member Fox stated the township bought into this as being a neighborhood ice rink for kids and now with a large list of uses is there going to be any ice time left for the kids?

Mr. Sperla related it is a catch 22 for financial viability. What we are trying to provide for uses in terms of off hours that would make sense.

Dave Mehney related our intent is to have an ice arena for all types of skating. We never knew about the restrictions. This is the first time we could discuss the different types of uses. Ultimately there could be a semi-pro team here for practice only.

Member MacGregor related he had no problem with practices as long as they don't interfere with the original use. Exhibitions should be instructional ice related exhibitions.

Staff related his concern about exhibitions was the aspect of the MSU hockey team play the all stars of the NFL. Staff further related that there are some events where you may want to pack in more seating. There are a lot of places that you could put temporary seating or standing room only. The exit doors are large enough to accommodate additional people. And, as a matter of practicality no one is going to be there saying you can't come in.

Mike Sebastian related our intent is not to eliminate Calvin, Grand Valley or Community College from using the facility. Staff responded intermural sports would be allowed but a Spartan/Wolverine game would not.

A. 6. Hours of operation: Mr. Sebastian related he would like Sunday hours from 6:00 am to 11:00 pm. Monday through Thursday 6:00 am to 12:00 midnight and Friday and Saturday from 6:00 am to 1:00 am. Dave Mehney related he would have no hours. He related the intent of this section is not to disturb the neighbors and believes the township has its own ordinance to cover those uses.

Staff responded the hours are based on a community norm irregardless of Meijers. The hours we are giving are commercial, reasonable hours. If you need additional hours over time you could demonstrate that.

Member Fox related remember there is an apartment complex across the street and is concerned about noise after 11:00 pm.

Member Klynstra asked about the hours of the other ice rinks. Mr. Mehney related Belknap and Kentwood close at 2:00 am.

Staff related you are dealing with adjoining property owners. The Kentwood rink is isolated on the high school campus. Staff related it is not the hours that would cause noise it is car doors slamming, etc. Staff related he will take the hours to the Township Board as written as those hours were requested by a couple of Board members.

A.7. Mike Sebastian related the security guards will be provided at the expense of the high schools and not the developer.

Mike Sebastian related he was unclear of the definition of side yard. Staff explained the Zoning Ordinance defines the rear yard as being opposite the front. The ice center front is on Patterson Avenue. The required bufferyard is 25 feet.

Section XI. Miscellaneous Development Requirements - E. Mr. Mehney related the question is the land to the north of us someday will be something other than residential. Those people, if they work together, will make the maximum dollars for their money. If they don't work together they will hurt a little. If we give a guarantee for 10-15 years, that could cause a person to hold out. They will have to maintain their homes during that time. Mr. Sperla related five years is fine. Staff related it doesn't matter what the building looks like, it is the land that goes up in value.

**DRAFT COPY**

Member Fox related she would like the guarantee to extend the offer for up to eight years. And, she would like a personal guarantee by the developer - not the corporation.

A long discussion ensued regarding the various types of guarantees: liens, letters of credit, mortgages, etc.

Another discussion ensued regarding the property owners wanting a guarantee as several have related they don't want one. Mr. Mehney related if they want the guarantee they will have it whether or not they oppose the project. Staff related they don't have to take the offer, just guaranteeing it makes certain they are not wiped out. Member Fox related she wants the cash to be there and not tied up into mortgages, etc.

Mr. Sebastian related he can set up a letter of credit right now to secure the amount.

A discussion ensued regarding Section XI. D. Staff related our attorney will send a letter saying that the project is financially feasible. No one but our attorney will see the records - they are confidential.

The remainder of the ordinance was approved as written.

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**Brian Hilbrands**

**From:** Berrevoets, Mike <mberrevoets@fishbeck.com>  
**Sent:** Monday, November 8, 2021 8:22 AM  
**To:** Brian Hilbrands  
**Cc:** Adam Feenstra  
**Subject:** FW: Thornapple Point  
**Attachments:** DOC.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Brian,

The developer has completed the grading corrections that were requested. We visited the site Friday afternoon and overall the work they did is what we expected and should correct the runoff issues and bring the site into compliance with what was approved.

The contractor used mulch blanket in the graded swale areas which will provide some protection from erosion until the vegetation starts to take hold. Given it is late in the season the vegetation likely won't happen until next spring. If there is a large rain event it's possible some of the work they completed may erode and need to be repaired. Just something to be aware of and keep an eye on depending on the weather and storm intensity.

Thanks,

**Michael L. Berrevoets, PE | Vice President/Senior Civil Engineer**  
Fishbeck | w: 616.464.3927 | c: 616.299.2126 | [Fishbeck.com](mailto:Fishbeck.com)

**From:** Adam Feenstra <Adam@feenstrainc.com>  
**Sent:** Tuesday, August 24, 2021 2:35 PM  
**To:** Berrevoets, Mike <mberrevoets@fishbeck.com>; Steve@cascadetwp.com  
**Subject:** Thornapple Point

EXTERNAL EMAIL

Mike, Steve,

Attached are a couple sketches of the proposed fixes for Thornapple Point.

1. Extend the berm around the culdesac to ensure water is contained to the catch basin.
2. Cut in a small swale in the back of Lot 6 to direct water to the catch basins. The swale should extend the length of the East line and part of the South line of the lot.
3. Berm up the area behind the catch basin in the SE corner of Lot 6 to ensure water enters the storm sewer.
4. Fill in the back of unit 2 to eliminate the stagnant water.

Respectfully,  
Adam Feenstra  
Feenstra and Associates, Inc.  
(616) 457-7050  
[www.feenstrainc.com](http://www.feenstrainc.com)



