

Minutes
Cascade Charter Township Planning Commission
Monday, May 6, 2024
7:00 P.M.
2870 Jacksmith Ave SE

- ARTICLE 1.** Chair Moxley called the meeting to order at 7:01 pm.
Members Present: Noordhoek, Richardson, Bruneau, Moxley, Rissi, Noordyke
Members Absent: Rowland (excused)
- Others present: Planning Director Andrea Hendrick, Zoning Administrator (ZA) Madison Smith-Jacoby, and Legal Counsel Leslie Abdoo-Dickinson attended via zoom.
- ARTICLE 2. Pledge of Allegiance to the Flag**
- ARTICLE 3.** Approve the current Agenda
- Member Noordyke recommended moving Article 9 to occur before Article 7.
- Motion was made by Member Noordyke to approve the current agenda with Article 9 moved before Article 7. Supported by Member Rissi.**
- ARTICLE 4. Disclose any conflicts of interest**
- There were no conflicts of interest disclosed.
- ARTICLE 5. Approve the Minutes of the Apr 22, 2024 Meeting**
- Member Rissi suggested a change to Article 6 to change “and how the Planning Department was run in the past”.
- Member Bruneau suggested adding how the department was run in the past and will be moving forward.
- Motion was made by Member Rissi to approve the 5:30pm meeting minutes from April 22, 2024 with the proposed changes. Supported by Member Bruneau. Motion carried 6 to 0.**
- Motion was made by Member Rissi to approve the 7:00pm meeting minutes from April 22, 2024.**
- ARTICLE 6. Acknowledge visitors and those wishing to speak**
- There was no one wishing to speak.
- ARTICLE 9: Case #23-3804**
Applicant: Thomas Kuiper
Property Address: 6660 Old 28th Street SE
Parcel Number: 41-19-16-126-022
Requested Action: Site Plan Review for a new office building

ZA Smith-Jacoby presented the case and explained that the applicant is seeking a Site Plan Review in the B-1 Village Business District. The office building will be 2 stories with a first-story mezzanine for a local law firm. The total area of the building will be 5,419 sf, with a single access drive and parking lot located at the back. The meeting packet includes the village design standards with the Village Design Review Committee (VDRC) recommendations. The entrance that does not technically face the road, and the stone veneer on the exterior will need to be addressed during this meeting.

Member Noordhoek thought that previously, one of the conditions of approval was the main siding carry around on all four sides. ZA Smith-Jacoby agreed but stated this is a new application.

ZA Smith-Jacoby continued the review and said all the standards had been met regarding setbacks, height, off-street parking, parking lot requirements, and site amenities. She recommended adding a bike rack as a condition of approval. Parking spaces are required to be 8.5 ft in width and the applicants proposed 9 ft. The fire department reviewed and saw no concerns. There will be one sign located on the building with the business name. The only outside proposed storage is for the dumpster enclosure which will be 6ft tall brick walls with faux wood solid doors. The Township Engineer gave a requirement of obtaining a stormwater maintenance agreement from the applicant.

Staff recommended approval with the conditions of a \$5,000 landscape bond submitted before construction, a stormwater maintenance agreement submitted and registered with Kent County before construction, and proof of permission to construct on the access drive that slightly encroaches on the southern parcel.

Member Noordhoek asked about the driveway encroachment. ZA Smith-Jacoby said the applicants received the property like that and it was likely the Road Commission had a small oversight on the placement. Member Noordhoek wanted that fixed and questioned if they had legal access across the neighboring property.

Member Bruneau brought up the fact that Old 28th Street has the potential to change the road structure to a one-way or pathway and he questioned how this would integrate with things around it. Planning Director Hendrick said OHM will be creating design concepts for the area. In response to Mr. Kyper stated that he was at the Village Design Review committee meeting and was fully informed of the possible changes to Old 28th Street. Mr. Kyper supported the changes stating that he thinks it's wonderful and it's an exciting time to be at the forefront of the changes.

Member Noordyke suggested increasing the landscaping bond.

Justin Longstreth with Moore & Bruggink Engineers attended the meeting with the applicants, Thomas Kuiper and Holly Jackson. Adding bike racks did not appear to be an issue. He mentioned that the current driveway slightly extends beyond the property line, and they won't alter it since they're not replacing the entire driveway. Longstreth did note they are willing to approach the neighbor for an easement.

Jackson said the previous plans had a significantly taller building with brick on all but one side. The new plans show siding all around the building with the west side having a 2-3ft tall wainscot at the bottom of the building.

Motion was made by Member Noordyke to approve case #23-3804 with the following conditions:

- 1. A Landscape Bond of \$20,000 is submitted prior to construction.**
- 2. A Stormwater Maintenance Agreement is submitted to the Township and then registered with the county prior to construction.**
- 3. Clarification and proof that you have permission to construct an access drive that encroaches on 6690 Old 28th Street (41-19-16-126-023).**
- 4. A bike rack be installed, in accordance with *Section 19.13 Development Standards* of the Cascade Township Zoning Ordinance.**

Supported by Member Rissi. Motion carried 6 to 0.

ARTICLE 7. Case #24-3823 Public Hearing - CANCELED

This portion of the meeting was canceled.

ARTICLE 8. Case #34-3838 Chapter 14 of Zoning Ordinance Text Amendment Requested Action:
Schedule a public hearing for an amendment to Chapter 14 of the Zoning Ordinance for June 3, 2024, Planning Commission meeting per Section 25.02.

Motion was made by Member Noordyke to go into closed session to discuss a confidential attorney-client privileged legal opinion with Township Counsel. Supported by Member Rissi. Motion carried 6 to 0 by roll call vote.

Motion was made by Member Noordyke to move out of the closed session. Supported by Member Noordhoek. Motion carried 6 to 0 by roll call vote.

Motion was made by Member Noordyke to hold a public hearing for the zoning amendment. Supported by Member Rissi. Motion carried 6 to 0.

ARTICLE 10. Acknowledge visitors and those wishing to speak

There was no one wishing to speak.

ARTICLE 11. Other Business

Member Rissi pointed out that Article 8 did not have an applicant listed and requested future applications from Cascade Township with the township named as the applicant.

Chair Moxley asked legal counsel for an update on the recent lawsuit by Ford Airport against Cascade Township. Legal Counsel Abdoo-Dickinson stated that the lawsuit is in the preliminary stages, and they just filed an answer on Thursday to the airport's complaint. Moving forward, they will more than likely be working with the township's insurance carrier regarding coverage issues and next steps. An update will be provided shortly after a response is received by the airport's counsel. The complaint was regarding objections to provisions of the zoning ordinance amendments relating to the AC District, along with Master Plan amendments objections.

Planning Director Hendrick will be compiling comments made by neighboring areas regarding the Master Plan. She is also working closely with Danielle Bouchard to create more organization within the zoning ordinance.

Member Rissi said it would be helpful to have minutes included on cases with prior approvals.

Planning Director Hendrick said the next meeting will consist of an application from an excavating company and Fox Motors. There will be applications for a fence and an expansion of an accessory building.

ARTICLE 12. Adjournment

Motion was made by Member Rissi to adjourn the meeting. Supported by Member Noordyke. The motion passed 6 to 0.