

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE JANUARY 17, 2019 MEETING**

A meeting of the Ada Township Planning Commission was held on Thursday, January 17, 2019, at 7:00 p.m. at the Ada Township Offices, 7330 Thornapple River Dr., Ada, MI.

I. CALL TO ORDER

II. ROLL CALL

Present: Burton, Butterfield, Carter, Jacobs, Leisman
Absent: Lunn, Easter (arrived at 7:05 p.m.)
Staff Present: Ferro, Bajdek, Winczewski
Public Present: 11 Members

III. APPROVAL OF AGENDA

Jacobs moved, Carter supported, to approve the agenda as written. Motion passed unanimously.

IV. APPROVAL OF MINUTES OF DECEMBER 20, 2018 MEETING

Burton moved, Carter supported, to approve the minutes of the December 20, 2018 meeting as presented. Motion passed unanimously.

V. PUBLIC HEARINGS

1. Request for Special Use Permit, "Type 2" Home Occupation in the RR Rural Residential Zoning District, to permit Personal Training as a Home Occupation, 201 Honey Creek Ave. NE, Parcel No. 41-15-27-200-054, Reed Dietrich, for property owned by Emily Dietrich

Reed Dietrich was present to state his request. Mr. Dietrich stated he is applying for a Special Use Permit to do personal training out of his garage for his 22 clients. He is a certified personal trainer who likes to help friends and family.

Easter arrived at 7:05 p.m.

Planner/Zoning Administrator, Bajdek, explained that Mr. Dietrich is planning to attach a new garage to his existing home for the use of his personal training business. However, before it is completed, he would like to use a portion of his existing garage which is located on the property and attached to the home via a covered walkway and roof system.

Bajdek explained that Mr. Dietrich will have small group training sessions ranging from 1-3 clients at a time as well as a larger group training session ranging from 5-10 clients once per week. No more than 15 training sessions per week are anticipated.

Bajdek summarized the parcel description and noted that the standards for a "Type II" Home Occupation and Special Use Permit standards have all been met.

Bajdek stated that per the Kent County Road Commission, a commercial driveway approach will be required for the subject operation. The existing residential driveway approach will need to be improved to meet commercial driveway approach requirements.

Bajdek stated that staff recommends approval of the Special Use Permit subject to the conditions outlined

in his staff memo.

Leisman opened the public hearing at 7:08 p.m., no comments were given, public hearing was closed.

Leisman inquired if the potential for 53 additional vehicles on the private road could become a problem.

Burton inquired if there was enough parking for the days where 10 clients will be visiting. Mr. Dietrich stated he has a loop around driveway with plenty of room for 10 vehicles.

Planning Director, Ferro, explained what may be required for a commercial driveway.

Jacobs stated it might be worth considering obtaining the permit from the Kent County Road Commission before starting any construction.

Martha Rushmore, neighbor at 333 Honeycreek, stated Mr. Dietrich has a driveway easement on a small portion of her property and is concerned how this business may impact her financially. Leisman stated those concerns should be addressed with Mr. Dietrich and invited tabling the item for a few minutes so she could speak privately to Mr. Dietrich.

Item was tabled at 7:19 p.m. and resumed at 7:39 p.m.

Mr. Dietrich stated he would like to table the item until the February 21st meeting to give him more time to work out the details of his driveway easement with the Rushmores.

Jacobs moved, Burton supported, to table the request until the February 21st meeting. Motion passed unanimously.

VI. UNFINISHED BUSINESS – None

VII. NEW BUSINESS

1. PVM District Development Plan, Construction of a 4,102 sq. ft., two-story dental building to be located within the Ada West Commercial Condominium, Unit 6, 7167 Headley Street SE, Parcel No. 41-15-28-479-006, Lindsey Vogl, Ada Hills Family Dentistry

Leisman stated for the record that he and Jacobs are patients of Dr. Vogl.

Ken Dixon, Dixon Architecture, presented the plans on behalf of Dr. Vogl. Dixon gave a slide presentation showing the different renderings of the proposed building. Dixon stated he is asking for a departure from lot coverage and rear setback standards, similar to the departures which have been given for other nearby lots.

Dixon stated his client would like to start construction in April and is concerned that the sanitary sewer which is being constructed by the Township will not be completed in time. He is asking that one of the recommended conditions from the Planning Department be removed which states “Sanitary sewer completion is required prior to building permit issuance.”

Easter inquired about parking spaces. Ferro stated he drives by the location frequently and the spaces are less than 50% utilized. There should not be any issues with parking.

Leisman asked for Planning Department’s opinion on Dixon’s request regarding sanitary sewer

completion. Ferro stated an alternative condition could be added requiring a financial guarantee for the cost of the sewer construction from the developer as a means for starting building construction before the sewer is completed.

Bajdek gave a brief summary of the request stating that approval is recommended, subject to the conditions as outlined in the staff memo.

Jacobs suggested changing the sewer condition to state that the Utility Director must give permission to allow construction before the sanitary sewer permit is issued. Board discussed and agreed.

Jacobs moved, Burton supported, to approve the development plan, subject to the following findings and conditions:

1. a. The proposed development plan, as modified by the conditions of approval listed below, requires the following “departures” from the standards of the PVM district, which are hereby approved:
 - 1) Sec. 78-476(a) – Maximum lot coverage.
 - 2) Sec. 78-476(a) – Minimum rear setback.
 - b. The above departures result in a plan that complies with the spirit and intent of the PVM District to a greater degree than would be the case without authorization of the departures.
 - c. The proposed alternative is consistent with the purpose and intent of the PVM District.
 - d. The proposed alternative, in comparison to conformance with the PVM district standards, will not have a detrimental impact on adjacent property or the surrounding neighborhood.
 - e. The proposed alternative is necessary and appropriate to accommodate a superior design of the proposed development.
2. The proposed development plan for a 4,102 sq. ft., two-story, dental building, is approved subject to the following conditions:
 - a. The building and site improvements shall be completed substantially as shown on the plan set titled “Ada Hills Family Dentistry,” (civil drawings) dated January 10, 2019 and “Ada Hills Family Dentistry” (architectural drawings) dated January 10, 2019, except as modified in accordance with these conditions of approval.
 - b. Any exterior building mounted light fixtures shall qualify as “full-cutoff” control of light emission or of a low light intensity non-glaring style, subject to approval of the Planning Department. Fixture specifications shall be submitted for approval, prior to building permit issuance.
 - c. Sanitary sewer completion is required prior to building permit issuance unless otherwise approved by the Utility Director.

Motion passed unanimously.

2. Revised PVM District Development Plan, Construction of a 13,075 sq. ft., two-story building to be used for restaurant, retail and office uses, Marketplace Square, Unit B5, 7471 River Street SE, Parcel No. 41-15-34-128-005, Ken Dixon on behalf of Ada Marketplace B-5, LLC

Leisman recommended discussing New Business, Items 2 and 3, simultaneously due to common ownership, the buildings being adjacent to each other, and both items are being presented by the same applicant. Leisman then opened the floor for comments from the Planning Department.

Bajdek gave an overview of the request stating that the ownership group recently determined that “swapping” the previously approved B5 and B6 buildings on Unit 5 and Unit 6 of the subject development would allow for an enhanced utilization of space within the development.

Bajdek stated swapping the buildings is an improvement from the previously approved plans for the following reasons:

- There will be an increased shared/common area between the buildings;
- Unit 6 will have gained access to the private garages from the common drive of the association;
- Restaurant functions planned for the building on Unit 5 will be located adjacent to the existing restaurant operation (Zeytin’s) located on Unit 4, allowing for consolidated deliveries and trash collection.

Ken Dixon gave a slide presentation of the proposed buildings. Dixon stated that swapping the buildings allows for a shared gathering space between the buildings which could be used for outdoor seating or shipping container cafes. Also in this shared space will be 10 feet of landscaping on the B5 side of the building.

Dixon stated the same departures are being requested as before, just for the opposite buildings.

Ferro asked if drivers pulling out of their garage from B6 would have clear view of cars coming around the corner. Dixon stated yes, the building was pushed back 13 feet in order for drivers to be able to see clearly in both directions before exiting their garage.

Carter expressed concerns that there could be problems between tenants regarding the shared space. Ferro pointed out that issues in the common space would need to be handled privately, possibly guided by their association by-laws.

Carter moved, Jacobs supported, to approve the B-5 development plan, subject to the following findings and conditions:

1. The Planning Commission hereby makes the following findings:
 - a. The proposed development plan, as modified by the conditions of approval listed below, requires the following “departure” from the standards of the PVM district, which is hereby approved:
 - 1) Sec. 78-476(a) – Minimum frontage percentage.
 - b. The above departures result in a plan that complies with the spirit and intent of the PVM District to a greater degree than would be the case without authorization of the departures.
 - c. The proposed alternative is consistent with the purpose and intent of the PVM District.

- d. The proposed alternative, in comparison to conformance with the PVM district standards, will not have a detrimental impact on adjacent property or the surrounding neighborhood.
 - e. The proposed alternative is necessary and appropriate to accommodate a superior design of the proposed development.
2. The proposed development plan for a 13,075 sq. ft. building is hereby approved, subject to the following conditions:
- a. The building and site improvements shall be completed substantially as shown on the plan set titled “Ada Marketplace Square Condominium – Unit 5,” (civil drawings) dated December 20, 2018 and “Marketplace Square – B5 Building” (architectural drawings) that includes a revision sheet dated January 11, 2019, except as modified in accordance with these conditions of approval.
 - b. Exterior building mounted light fixtures shall qualify as “full-cutoff” control of light emission or of a low light intensity non-glaring style, subject to approval of the Planning Department. Fixture specifications shall be submitted for approval, prior to building permit issuance.
 - c. Floodplain development permits shall be issued by the Michigan DEQ and Ada Township, prior to issuance of a building permit.

Motion passed unanimously.

3. Revised PVM District Development Plan, Construction of a 12,230 sq. ft., two-story building to be used for restaurant, retail and residential uses, Marketplace Square, Unit B6, 7505 River Street SE, Parcel No. 41-15-34-128-006, Ken Dixon on behalf of Ada Marketplace B-6, LLC

This item was discussed with New Business, Item 2. See above.

Leisman asked if there were any questions before a motion is made on B-6.

Carter asked who will be responsible for maintaining the property directly behind the garage. Dixon stated the property manager will be responsible for that area along with all the other common areas. Bajdek stated the residential units will be rentals, not individual condos.

Easter inquired about the transparent storefront departure. Dixon stated that because there will be garages along one wall, faux windows, a mural, or a living wall are being considered. Board discussed who would be responsible for approving what goes in place of the windows and consensus was to have the Planning Department approve.

Carter moved, Jacobs supported, to approve the development plan, subject to the following findings and conditions:

1. The Planning Commission hereby makes the following findings:
 - a. The proposed development plan, as modified by the conditions of approval listed below, requires the following “departure” from the standards of the PVM district, which is hereby approved:
 - 1) Sec. 78-476(a) – Minimum frontage percentage.

- 2) Sec. 78-476(g) – Windows on primary façades.
 - b. The above departures result in a plan that complies with the spirit and intent of the PVM District to a greater degree than would be the case without authorization of the departures.
 - c. The proposed alternative is consistent with the purpose and intent of the PVM District.
 - d. The proposed alternative, in comparison to conformance with the PVM district standards, will not have a detrimental impact on adjacent property or the surrounding neighborhood.
 - e. The proposed alternative is necessary and appropriate to accommodate a superior design of the proposed development.
2. The proposed development plan for a 12,230 sq. ft. building is hereby approved, subject to the following conditions:
 - a. The building and site improvements shall be completed substantially as shown on the plan set titled “Ada Marketplace Square Condominium – Unit 6,” (civil drawings) dated December 20, 2018 and “Marketplace Square – B6 Building” (architectural drawings) that include revision sheets dated January 11, 2019, except as modified in accordance with these conditions of approval.
 - b. Exterior building mounted light fixtures shall qualify as “full-cutoff” control of light emission or of a low light intensity non-glaring style, subject to approval of the Planning Department. Fixture specifications shall be submitted for approval, prior to building permit issuance.
 - c. Floodplain development permits shall be issued by the Michigan DEQ and Ada Township, prior to issuance of a building permit.
 - d. Approval of the windows on a primary facades departure is contingent upon the implementation of faux windows and/or artwork and/or living wall approved by the Planning Department, that shall not become signage, on the south wall of the building at its eastern extent.
 - e. Signage proposed for the north wall of the building, as indicated on the renderings/plans, does not meet the signage regulations of the Zoning Ordinance, as is not included as part of the subject approval.

Motion passed unanimously.

VIII. COMMISSION MEMBER/STAFF REPORTS

Ferro reminded Commissioners of an upcoming educational seminar.

Leisman inquired if the Planning Department has heard if there will be a change of use for Kingma’s. Ferro stated that the Ada Business Association posted on their Facebook page that there will be an announcement of a new tenant in the next few weeks.

IX. PUBLIC COMMENT

Marsha Plafkin, 2150 Buttrick Rd., Ada, and 4415 Lake Michigan Drive, Apt. 512E, Allendale. Ms. Plafkin inquired if this was where she can ask questions about the naming of the library. Leisman informed Ms. Plafkin that questions regarding naming of the library should be addressed to either the Township Board of Trustees or the Downtown Development Authority.

Ken Dixon inquired about regulations for signage that is placed on a building but not used for advertising. Leisman stated he should talk to the Planning Department first and they can determine if it should come to the Planning Commission or the Zoning Board of Appeals.

Noelle Divozzo, 7115 Bronson St. SE, stated she is concerned about the loss of houses in the village. She is worried about the vacant houses near the covered bridge being torn down. Ms. Divozzo asked if the Planning Commission would consider preserving this area with a Historic Preservation zoning change. She would like to see a plan implemented soon to preserve the existing old homes. Ms. Divozzo also expressed disapproval of the higher density townhomes going up behind McDonalds.

Public comment was closed.

Ferro stated he researched zoning rules addressing historic buildings a year ago and did not find much information to create a historic district. There would need to be a study commission implemented to identify the historic resources and the decision would be based on that inventory. Leisman requested the Planning Department do more research on historic districts.

Easter stated she can understand Ms. Divozzo's concerns.

X. ADJOURNMENT – Meeting adjourned at 8:20 p.m.

Respectfully submitted,

Jacqueline Smith, Ada Township Clerk