

**ADA TOWNSHIP PLANNING COMMISSION MEETING
MINUTES OF THE MARCH 30, 2021 SPECIAL MEETING**

A special meeting of the Ada Township Planning Commission was held on Tuesday, March 30, 2021, at 3:00 p.m., via video/audio-conferencing, in conformance with Public Act 228 of 2020 concerning temporary authorization of remote participation in public meetings.

I. CALL TO ORDER

II. ROLL CALL

Present: Burton, Butterfield, Carter, Easter, Heglund, Jacobs, Korth

Absent: 0

Staff Present: Buckley, Ferro, Murray, Suchy

Others Present: 2

III. APPROVAL OF AGENDA

Moved by Carter, supported by Easter, to approve the agenda as presented.

Motion passed by roll call vote 7-0.

IV. APPROVAL OF MINUTES OF MEETING OF THE MARCH 18, 2021 MEETING

Moved by Carter, supported by Jacobs, to approve the minutes as presented.

Motion passed by roll call vote 7-0.

Ferro pointed out that during a meeting when board members take action on agenda items it is the recommended practice that all members identify their physical location. Commission members response at previous roll call vote:

Burton in Panama City Beach FL

Butterfield in Ada MI

Carter in Ada MI

Easter in Grand Rapids MI

Heglund in Ada MI

Jacobs in Grand Rapids MI

Korth in Ada MI

V. UNFINISHED BUSINESS

1. Preliminary PUD Plan for 3 2-Family Dwellings and 1 1-Family Dwelling on a .6 Acre Site; Request for Rezoning from Village Residential (VR) Zoning District to Village Residential/Planned Unit Development (VR/PUD) Zoning District, Parcel Nos. 41-15-34-179-002 & 003, Ufuk Turan

Ferro stated the proposed Preliminary PUD Plan creates 4 lots to accommodate 3 2-family dwellings and 1-single family dwelling on a .6 acre lot. The request is for a rezoning and approval of a Preliminary PUD Plan. Ferro explained that there is also an accompanying zoning ordinance text amendment proposed that clears up some inconsistency in the current zoning rules for the Village Residential, VR zoning district standards.

Ferro stated the Planning Commission held a public hearing on March 18th on both the zoning ordinance text amendment and the Preliminary PUD Plan and rezoning request. At that time the commission recommended approval of the zoning ordinance text amendment and postponed action on the PUD Plan after discussion of the possibility of imposing occupancy restrictions as to whether the units could be renter occupied vs. owner occupied.

Ferro stated in the postponing action the commission asked for legal counsel input on the question whether that type of condition could be imposed. Ferro stated the commission has been provided today with a separate attorney/client privileged, confidential, communication regarding the legal question on occupancy restrictions, and he encouraged the commission to consider the attorneys opinion in deliberating and taking action on the PUD Plan.

Korth summarized where the board left off at the last meeting and the reason for postponement and said the board comments focused on the fact that the PUD Plan broadly matched the PUD requirements but questioned about a single owner with 7 units and whether there may be rules related to that and thus the reason for legal counsel input. Korth asked Ferro to explain if there are any restrictions for the uses of residential property.

Ferro stated the zoning regulations do not speak of owner occupancy vs. renter occupancy for residential properties in the township and there is no differential treatment between the two. Ferro stated there are already a fair number of rental properties on Fase Street and he shared specific statistics on rental properties on Fase Sreet. Ferro stated that over the past several years Ada has seen a better representation of rental housing in the community

Korth concluded that with the input from legal counsel it has been determined the commission does not have any framework to regulate the occupancy with this application and to pursue their discussion on the PUD for the merits as the PUD stands. Commission members concurred.

Carter stated that it looks to him like each one of the buildings will likely cost over \$400,000 to construct. Dixon stated construction cost for residential right now is about \$200-\$250 per sq. ft. = \$400,000-\$500,000 a unit. Carter said he felt they would get pretty responsible buyers for the units.

Ferro pointed out that there was one additional condition added to the recommended motion that was not in the staff memo presented on March 18. Ferro stated that condition #3 was added stating, "the location of the single-family dwelling on the easternmost lot shall be revised to ensure the preservation of the large (50" diameter) oak tree near the northeastern corner of the property."

Moved by Carter, supported by Easter, to recommend approval of the Preliminary PUD based on a determination that the standards referenced for approval contained in the Preliminary PUD Plan are met and subject to the following 6 conditions:

1. Preliminary PUD Plan approval is contingent upon the approval of the proposed Text Amendment to Secs. 78-448 (1) and 78-449 (3) of the Zoning Regulations, to revise provisions concerning uses permitted in a PUD Plan in residential zoning districts, and maximum gross density limits in a planned unit development.
2. The approved PUD Plan shall be carried out in substantial conformance with the following documents submitted by the applicant, except as modified by these conditions of approval: Plan sheets A1.1, A2.1, A4.1, A5.1, and A5.2, as revised 3/12/21, prepared by Dixon Architecture.
3. The location of the single-family dwelling on the easternmost lot shall be revised to ensure the preservation of the large (50" diameter) oak tree near the northeastern corner of the property.
4. A storm water permit application and accompanying construction plans for a storm water management system that discharges to the existing storm beneath Fase Street, shall be submitted, subject to review and approval of a permit by the Planning Department, prior to initiation of site improvements.
5. Floodplain development permits shall be issued by the Michigan EGLE and Ada Township, prior to issuance of a building permit.

6. The submittal and subsequent approval of either a Land Division Application or Condominium Documents. If the lots are to be established as a condominium project, the condominium master deed, condominium subdivision plan and condominium bylaws shall be submitted to the Planning Director for review and determination that they are consistent with the approved plan and these conditions, prior to their being recorded with the Kent County Register of Deeds.

Motion passed by roll call vote 7-0.

Following brief board discussion regarding the rezoning of the property, it was moved by Carter, supported by Burton, to recommend approval of rezoning the property from the VR district to the VR/PUD district. Motion passed by 7-0 roll call vote.

2. Re-consideration of Proposed Zoning Ordinance Text Amendment regarding keeping of poultry in residential zoning districts.

Ferro stated when the recommended ordinance was taken to the township board, there were board member concerns regarding the imposed additional restrictions on the keeping of poultry in the rural zoning districts. Ferro stated the proposed amendment has been revised so it does not add new restrictions in the AG, RR, RP-1 and RP-2 zoning districts, except for a new prohibition on the keeping of roosters.

Ferro explained the details of the proposed changes in the ordinance and said he believes that will satisfy the concerns of the township board.

Jacobs asked if someone already has a rooster in the rural district if they get to keep it. Ferro stated yes, it would be a non-conforming rooster. Heglund asked if roosters are prohibited in all of Ada or certain zoned districts. Ferro clarified that roosters would be prohibited on properties with less than 5 acres and he referred to the restrictions in the staff memo.

Following board discussion regarding the different size properties and their current zoning regulations and how the regulations are enforced, it was moved by Carter, supported by Jacobs, to recommend to the Township Board to approve the amendment as presented. Motion passed by roll call vote 7-0.

VI. COMMISSION MEMBER / STAFF REPORTS

Ferro stated they will be working on a RFP for Master Plan Consultant Services soon.

Korth asked that when the Census information is available does the township do anything formal with that information. Ferro stated that it is information the township looks for because it affects our state revenue sharing, other potential funding sources, and also affects the number of liquor licenses the township is eligible for. Ferro explained that the census data trickles out over a 2-3 year time period. Korth stated that he would be interested in seeing some of the data as it becomes available and recommends the information be shared with the commission.

VII. PUBLIC COMMENT – none

VIII. ADJOURNMENT

Moved by Easter, supported by Carter, to adjourn meeting at 3:50 p.m. Motion passed unanimously.

Respectfully submitted,

Jacqueline Smith, Ada Township Clerk

rs:eb