



**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE MEETING APRIL 18, 2024, REGULAR MEETING**

A regular meeting of the Ada Township Planning Commission was held on Thursday, April 18, 2024, at 5:30 p.m., at the Ada Township Hall, 7330 Thornapple River Drive, Ada, Michigan.

I. CALL TO ORDER

Chair Korth called the meeting to order at 5:30 p.m.

II. ROLL CALL

Members Present: Burton, Butterfield, Jacobs, Kluting, Korth, Moyer, VanderVennen
Members Absent: 0
Staff Present: Bajdek, Buckley, Said, Treasurer Moran
Others Present: 12 members of the public

III. APPROVAL OF AGENDA

Korth recommended amending the agenda items for the public hearings due to the number of public members in attendance.

Moved by Butterfield, supported by Jacobs, to approve the agenda with the changed order of items V1 and V2. Motion carried.

IV. APPROVAL OF MINUTES OF MARCH 21, 2024, REGULAR MEETING

Moved by Jacobs, supported by Moyer, to approve the March 21, 2024, Regular Meeting minutes as presented. Motion carried.

V. PUBLIC HEARING

1. Request for Special Use for a proposed addition (multi-purpose space and related site improvements) to St. Robert of Newminster Church and School, 6477 Ada Drive SE, Parcel No. 41-15-33-101-027

Jacobs noted that she works for the same law firm as Mr. Rabaut, but she has no part of that practice group.

Liz Peters, St. Roberts Catholic Church and School, said she was requesting a Special Land Use and she introduced Jim Rabaut, Legal Counsel with Warner Norcross+Judd, and Peter Baldwin, AMDG Architects.

Jim Rabaut, shared history of the St. Roberts School expansion and increase in student body count to 372 students. Mr. Rabaut said that St. Roberts received a generous donation, and they are requesting

Special Use for a proposed addition of a Parish Activity Center and related improvements, which will not increase the size of the school or student count. He explained that realizing an activity center may affect the traffic flow, they re-engaged Progressive to update their traffic study, with the conclusion that Progressive does not anticipate any issue with traffic on Ada Drive.

Peter Baldwin, AMDG Architects, went over specific details on the site plan: proposed parking for 428 spaces (with deferred parking area), the detached storage/maintenance building (1,350 sp. Ft.) will be relocated, addition of two educational flex spaces, and overall building height.

Planning Director Said summarized the staff report and explained that the applicant proposes to amend their existing special use with the addition of activity center and related improvements to the existing site. Said noted that there is no request for additional classroom space nor increases in the student population, and he said that Staff does not anticipate any change of traffic patterns along Ada Drive.

Said stated that the proposed plan shows a deferral of parking in the front area, however, Staff has asked that not be added and have included a note as a condition of approval. Said concluded that the project meets all applicable standards for Special Use and he noted the recommended conditions of approval.

Korth opened the public hearing at 5:46 p.m. Korth noted (for the record) the 11 letters of support that were received by the Planning Department Staff. There was no other public comment and the public hearing was closed.

There was Board discussion regarding the traffic study and related traffic concerns, the use of the facility, and the size/capacity of the space for large events. Ms. Peters confirmed that the parish does not offer space for wedding receptions. Korth mentioned conversations with Planning Director Said and the Kent County Road Commission regarding Ada Drive, and KCRC noted that traffic functions at a reasonably high level there.

Moved by Jacobs, supported by Kluting, to approve the Special Use for the addition of a Parish Activities Center, subject to the following conditions:

1. This Special Use approval is for the existing building, proposed PAC addition, and related improvements only. Further site changes or expansions shall require an amended Special Use review.
2. This approval shall include deferral of seventeen (17) additional spaces as depicted on the "Site & Landscape Plan/Base Parking Option" Plan dated April 5, 2024, prepared by AMDG Architects/First Companies. Prior to any installation of the spaces, the applicant shall obtain Township Planning Department approval of the parking area and landscaping which shall be required to buffer the new parking area.
3. Any significant traffic-generating activities at the campus, including at the Parish Activities Center, shall be scheduled with at least 30 minutes of separation time from the beginning and end of student drop-off and pickup times.
4. The applicant shall revise interior traffic signage to include a "Do Not Enter" restriction in the afternoon of 2 pm to 6 pm, at the western driveway access (to/from Ada Drive).
5. All exterior light fixtures shall be full-horizontal cutoff to control light emission.

6. No signage is approved with this request.
7. Prior to the issuance of a building permit, the applicant shall obtain Township Engineer review and approval of stormwater plans and shall obtain a stormwater permit.

Motion carried.

2. Proposed Text Amendments to the Zoning Ordinance to: (1) Create provisions for public art and murals; and (2) Provide language for zoning compliance permits for agricultural buildings

Said stated that the proposed 2-part text amendments are two separate requests in one text amendment application. He explained that one part is associated with art and murals, and the other part is associated with language for our zoning compliance permits.

Said stated as it relates to public art and murals, the proposed language does the following: Adds definitions for murals and public art, classifies them as exempt signs, and suggests a maximum area requirement for mural and paintings. He noted that this proposal was brought before the Planning Commission about 3 years ago, but nothing happened from it.

Said explained that the other request regarding agricultural buildings was recommended by the Township Attorney in that it adds language for rare situations where a property owner may claim that they are exempt from zoning requirements for an agricultural building, by adding specific procedures that the property owner must address. Said noted that the subject is highly unlikely to come up, but this language will help minimize future difficulties with such situations.

Korth opened the public hearing at 6:14 p.m. Said noted that he received an email/letter from Baton Collective (Jennifer Bonney) in support of the proposed changes for public art and murals. There was no other public comment and the public hearing was closed at 6:15 p.m.

There was Board discussion about public art and murals and concerns with what is allowed and what is not in the language of an ordinance, and how to regulate the frequency or number of murals. Jacobs mentioned when this subject was brought up years ago, there was a lot of talk about the content in murals. Jacobs said she was unsure of pursuing murals (and the language) and was concerned about what is not being considered or overlooked.

The Commissioners concurred that they should consider a review process and/or request legal counsel to assist in determining to what extent of authority the Planning Commission has. Korth said the Commission may want to consider postponing their review and allow time to put guardrails around the care and management of public art and murals.

Proposed Text Amendments:

- 1) Create provisions for public art and murals: It was moved by Butterfield, supported by Burton, to table review to allow Planning Staff to seek guidance from legal counsel. Motion carried.
- 2) Provide language for zoning compliance permits for agricultural buildings: It was moved by VanderVennen, supported by Kluting, to approve the proposed language. Motion carried. Said stated that final action on this request will be taken by the Township Board.

VI. UNFINISHED BUSINESS

1. Request for Planned Unit Development (PUD) Amendment for expansion and amendment of an existing PUD for a commercial warehouse/storage facility (The Caves) to contain a total of 15 buildings (existing and proposed) on a total of +/- 6.75 acres in the I Industrial District, The Caves LLC, Tom Reed, 4900 and 4920 Fulton Street East, Parcel Nos. 41-15-30-300-019 and 41-15-30-300-020

Korth summarized the application before recusing himself due to a long-term contract with the owner of the facility. Korth stepped out of the room at 6:27 p.m., Vice-Chair Butterfield presided over the meeting.

Vice-Chair Butterfield referred to Staff for their report. Said summarized that the project review was tabled at the March meeting with the idea to schedule a special meeting, but schedules did not allow. Said stated that Staff met with the applicant, Mr. Reed, on several occasions and he has submitted revised site plans based on some of Staff recommendations and conversations from the Planning Commission at the March meeting.

Said went over the revisions to the site plan; side yard setback, building size reduced to provide a 35' setback, landscape plantings, driveways accessing the new buildings, and changed outdoor parking/storage locations. Said noted that Staff does not support either outdoor parking/storage location, as also not supported by the Planning Commissioners at the March meeting. Said stated that the PUD (Planned Unit Development) process is not a right, but a privilege, a privilege that must be earned. Said concluded with additional comments, concerns, and required clarifications, as noted in the staff memo.

Tom Reed, The Caves at 4900-4920 Fulton, said that the Staff report was conclusive, but he still had a few issues open on his end. He asked for clarification on four items: was the setback for Building 24 at 35' side yard acceptable, concerns with the trailer parking/storage area, site uses, and signage.

Said addressed Mr. Reed's request for clarification and confirmed that Staff does not have an objection to the setbacks shown on the revised plan. He said the issue is making sure that there are some trees added to the east side of building 24. The outdoor parking/trailer storage, Staff does not support as it will create a poor precedent for future proposals. As for signage, Staff recommends that no signage be a part of this request in the PUD, and that signage be reviewed separately. Zoning Administrator Bajdek briefly touched on signage regulations. Said added that the applicant has informed Staff of a phasing plan for the project (phase 1-4).

Butterfield moved to Board discussion inviting each member to comment. Butterfield mentioned a need for additional landscaping for building 24. VanderVennen said he had no issue with the reduced setback, he agreed with Staff discussion regarding outdoor storage and setting a poor precedent. Jacobs said she appreciates the change in setback for building 24 but would be opposed to the outside parking. Kluting asked for a few clarifications (setback and uses) and Said responded with explanation. Moyer said his questions were satisfied from information within the staff memo.

Mr. Reed requested an exception to the recommended conditions regarding uses (minor processing of goods) and to allow the outdoor parking/storage area. Said responded that we must deal with the use and what is approved, whether the current owner or future landowner. Said stated the language must be clear and something we can enforce. Said reiterated that this PUD does not include any outdoor parking/trailer storage.

There was additional discussion among Commissioners, Mr. Reed, and Staff regarding the original PUD approval in 2017, the pre-application review in February 2023, the property being zoned I/PUD (Industrial) and the allowed uses, and shared concerns about the outdoor parking/trailer storage.

VanderVennen stated that he agrees with what Said was saying and that he does not think the Planning Commission is deviating from Said's recommendations. VanderVennen said I would tend to make a motion to approve the application with the adjusted setbacks, the added landscaping to the east, and no outdoor storage.

Mr. Reed was not in agreement with some of the recommended conditions and said he would like to request to table review at this time to allow him to consult legal counsel.

Moved by VanderVennen, supported by Burton, to table the PUD application for the Caves. Motion carried.

VII. NEW BUSINESS – none

Korth reentered the meeting at 7:15 p.m.

VIII. COMMISSION MEMBER / STAFF REPORTS

Said recapped that there was discussion at the March meeting about cellular tower requirements. Currently the Township requires a Special Use for all cellular towers. Said received an inquiry from an individual with concerns about the potential for a cellular antenna at the Forest Hills Eastern Middle and High School campus as well as relocation of the athletic fields. Said stated the Township does not have regulating authority over athletic fields on school grounds, however, he is hopeful the school district will communicate with the Township for input. As far as the cellular facilities we do not have an active application at this point.

Following Board discussion, the Commissioners concurred to communicate to the Township Board that the Planning Commission supports and requests further review of the cellular tower matter by the Township Board. In respect to the plans related to the school property, the Planning Department will request a copy of the plans to allow the Planning Commission to review.

Said also informed that the State passed a law that allows for any large-scale solar power or wind generation facilities to be exempt from local zoning. Said stated that there is an opportunity for us to do a Compatible Renewal Energy Ordinance (CREO) which would give us review power, not approval power. The Commissioners concurred they are supportive to pursue the process to obtain the CREO, allowing the opportunity to review plans and broaden communication.

IX. PUBLIC COMMENT

Justin Ellixson-Andrews, 8683 Winding Brook Lane, said he just wanted to express his appreciation for this Commission prioritizing maintaining Ada as a family-friendly community, a safe place and protecting Ada by putting the residents above others. He said he wanted to thank them and shared a genuine 'thank you' to the Planning Commission.

X. ADJOURNMENT

Moved by Jacobs, supported by Burton, to adjourn the meeting at 7:43 p.m. Motion carried.

Respectfully submitted,

Jacqueline Smith, Ada Township Clerk

rs:eb