

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE JUNE 18, 2020 MEETING**

A meeting of the Ada Township Planning Commission was held on Thursday, June 18, 2020, via video/audio-conferencing, in conformance with the Michigan Governor's Executive Order authorizing electronic meetings.

I. CALL TO ORDER

II. ROLL CALL

Present: Burton, Easter, Jacobs, Leisman, Carter
Absent: Heglund (7:03 pm), Butterfield (7:05 pm)
Staff Present: Ferro

III. APPROVAL OF AGENDA

Moved by Jacobs, supported by Easter, to approve the agenda as presented. Motion passed unanimously.

IV. APPROVAL OF MINUTES OF MAY 21, 2020 MEETING

(Heglund joined the meeting at 7:03 p.m.)

Moved by Burton, supported by Easter, to approve the minutes of the May 21, 2020 meeting as presented.

Roll Call:

Yes: Carter, Burton, Easter, Jacobs, Leisman, Heglund

No: None

Absent: Butterfield

Motion passed unanimously.

V. PUBLIC HEARINGS

1. Request for Special Use Permit to allow an accessory building with a sidewall height of 18 ½ feet, in excess of maximum permitted 14 feet, per Sec. 78-20(5) of the zoning regulations, 7587 Conservation St. NE, Parcel No. 41-15-22-270-001, G. Mark, Jr and Valerie B. McAleenan

Mark and Valerie McAleenan, of 7587 Conservation, presented their request. Mark stated they hired an architect for this 2-story accessory building and have worked with him to make sure this fit into the neighborhood. (Commissioner Butterfield joined the meeting at this point.)

The Public Hearing opened at 7:08 pm. There was no public comment and the public hearing was closed.

Planner/Zoning Administrator Brent Bajdek reported the applicants are requesting a sidewall height of 18.5 feet rather than the permitted 14 feet in order to allow for a second level covered porch on the rear of the building. The Planning Commission may authorize increase building height with approval of a special use permit if they determine it is compatible with the surrounding area. He noted there are similar structures in the area. There are no characteristics that would conflict with the special use permit standards as listed in the June 18, 2020 Staff Memo. Bajdek stated that approval is recommended subject to the conditions that any exterior lighting on the building is to be of a non-glaring style and the building shall not be used as a dwelling unit.

Easter asked about the neighbors' buildings that are similar. McAleenan stated there are a number of neighbors that have accessory buildings, and it is their goal to make this building match what has been done in the neighborhood.

Leisman said this was noticed and sent to the neighbors and there have been no adverse comments. He agreed this is a nice building and seems consistent with the area and the Zoning Ordinance.

It was moved by Jacobs, supported by Carter, to approve the Special Use Permit to allow an accessory building with a sidewall height of 18 ½ feet, in excess of maximum permitted 14 feet, per Sec. 78-20(5) of the zoning regulations, at 7587 Conservation St. NE, Parcel No. 41-15-22-270-001, for G. Mark, Jr and Valerie B. McAleenan, subject to the conditions that any exterior lighting on the building shall be on a non-glaring style, subject to approval of the Planning Department, and the building shall not be used as a dwelling unit.

Roll Call:

Yes: Burton, Butterfield, Carter, Easter, Heglund, Jacobs, Leisman

No: None

Absent: None

Motion passed unanimously.

VI. UNFINISHED BUSINESS – None

VII. NEW BUSINESS

1. Final PUD, 92 Multifamily Residential Units on a 9.64-acre site in the (C-1) Village Business Zoning District, 7590 E. Fulton St., Parcel No. 41-15-34-127-003, Wheeler Development Group

Ferro stated the Planning Commission previously recommended approval of the preliminary PUD plan for the proposed development which was also approved by the Township Board. Final PUD plan submittal is now required which sets out the final details on landscaping, grading plan, lighting, along with the changes required to the plan by the conditions of approval. Ferro then summarized the changes as are set out in his June 16, 2020 Memorandum. He stated the project architect is present at the meeting and may have some additional input. Ferro stated he recommends approval of the final PUD plan subject to the conditions carried over from the preliminary plan approval. Ferro pointed out that the elevation sketches show a wall-mounted gooseneck light fixture. However, a different fixture specification was submitted with the application materials. It was clarified by the applicant that the elevation sketch depiction was outdated, and the fixture specification submitted is correct. Ferro displayed night-time images of example buildings with the proposed fixture, from manufacturer's literature, and stated he believes it is an acceptable fixture. The site plan now identifies where the fixtures are located, between each pair of garage doors.

Michael Maier from Wheeler Development Group spoke next stating he appreciates all the input and believes they have come up with a good plan. Mayer added that he has been working with Ferro to get a grant for a bicycle trail and he has been amenable to that. Ferro spoke about the Land and Water Conservation Fund, stating this newly-increased funding source may free up funding from existing DNR grant funds that can be used for trails. Ferro stated the Trail Committee has proposed and the Township Board has approved placement of a trail millage renewal proposal on the August election ballot, and if it is approved by voters, the committee will be making decisions on projects to undertake and grant funding sources.

It was moved by Carter, supported by Burton, to approve the Final PUD Plan for the East Village Residential PUD, 92 Multifamily Residential Units on a 9.64-acre site in the (C-1) Village Business Zoning District, at 7590 E. Fulton St., Parcel No. 41-15-34-127-003, by Wheeler Development Group, subject to the following conditions:

1. 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 C-101, C-201, C-301, C-401, L-101 and L-102, all dated 5/21/20 and prepared by Progressive AE, and Plan sheet AE1-01, AE1-02, AE1-03 (undated), AE2-01, AE2-02, AE2-03 and AE2-04, all dated 1/23/20 and prepared by Ghafari.
2. The proposed development shall consist of a maximum of 92 residential dwelling units, with the following unit mix by number of bedrooms: 1-bedroom units: 32, 2-bedroom units: 56, 3-bedroom units: 4.
3. A storm water permit application and accompanying construction plans for the storm water management system shall be submitted, subject to review and approval of a permit by the Planning Department, prior to initiation of site improvements.
4. Construction plans for public water and sewer main extensions shall be subject to issuance of required State permits and approval by the Utilities Director, prior to initiation of site improvements, and prior to issuance of building permits.
5. Floodplain development permits shall be issued by the Michigan EGLE and Ada Township, prior to initiation of site improvements and prior to issuance of building permits.
6. Construction plans for the non-motorized trail through the property shall be subject to approval by the Township, prior to construction. The non-motorized trail through the site shall be completed within one (1) year of issuance of any occupancy permits for dwelling units in the PUD. Upon completion of trail construction, the applicant shall grant to Ada Township an easement for public use of the non-motorized trail through the property, in a recordable form acceptable to the Township.

Roll Call:

Yes: Burton, Butterfield, Carter, Easter, Heglund, Jacobs, Leisman

No: None

Absent: None

Motion passed unanimously.

2. Review of PVM District Development Plan, Construction of a 37,610 sq. ft., three-story building to be used for a mixed-use hotel, restaurant, event space and lounge, Units A4 & A5, River Street Commons Condominium, 7415 & 7407 River St. SE, 41-15-34-129-004 & 005, Dixon Architecture on behalf of River Street Commons A4 & A5, LLC

Leisman stated this is the same use as presented before but a different PVM Plan. Ken Dixon presented the plan. Amway Hospitality will be the operator of this hotel, located at the same spot as before. The building will be located mid-block along River Street and will consist of 13,413 square feet on the first level, 12,196 square feet on the second level, and 12,001 square feet on the third level. He presented the site layout and also went over the uses of the building – a restaurant and event space on the lower level (casual/fine dining), a center atrium, a bar area and hotel check-in area, hotel guest rooms, private lounge, fitness area, and meeting area on the second floor, and an additional 14 hotel suites and indoor/outdoor bar on the third level. He stated the building will be serviced by an existing watermain within the development, and stormwater runoff will be directed into the existing River Street Commons storm water system.

Dixon described the departures from PVM district standards that are requested to be approved, including maximum lot width, minimum frontage transparency, permitted exterior materials and prohibition on glass spanning multiple floors.

Carter suggested that with regard to the proposed adjustment to the condo unit boundaries to widen Unit A-4 by incorporating 10 feet of Unit A-3, that the resulting Units A-4 and A-5 should be combined into one unit. Ferro stated he concurred with that recommendation.

Easter stated she feels like the building as a whole just does not make sense and she is not sure this fits with what we are aspiring towards. Commission members discussed the whether the mix of forms, materials and colors was appropriate.

Planner/Zoning Administrator Bajdek summarized comments in his written staff report. He stated that based on the relaxed parking standards contained in the PVM district, for the entire River Street Commons block as a whole, and incorporating the proposed hotel building, 191 parking spaces are required, while there are 198 spaces within the shared on-site parking area in the condominium and in adjoining on-street parking.

Bajdek stated staff is recommending approval subject to the four conditions listed in the June 15, 2020 Staff Memorandum.

There was some discussion and concern regarding parking. Dixon responded stating that the parking provided reflects the fact that there is greater use of services such as Uber and other similar services that reduce parking demand.

Butterfield stated she likes the plan and is excited about the unique setting and design.

It was moved by Butterfield, supported by Jacobs, to approve PVM District Development Plan for the construction of a 37,610 sq. ft., three-story building to be used for a mixed-use hotel, restaurant, event space and lounge, Units A4 & A5, River Street Commons Condominium, at 7415 & 7407 River St. SE, 41-15-34-129-004 & 005, by Dixon Architecture on behalf of River Street Commons A4 & A5, LLC, based on the following findings and subject to the following conditions:

A. The Planning Commission hereby makes the following findings:

1. 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:
 - (a) Sec. 78-476(a) – Maximum lot width.
 - (b) Sec. 78-476(g) – Windows on primary facades.
 - (c) Sec. 78-479(b)(2)(a) – Building Walls (exterior) – Materials.
 - (d) Sec. 78-479(b)(2)(b)(1) – Building Walls (exterior) – Wall Openings.
2. 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.
3. The proposed alternative is consistent with the purpose and intent of the PVM District.
4. 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.
5. The proposed alternative is necessary and appropriate to accommodate a superior design of the proposed development.

- B. Approval of the development plan is subject to the following conditions:
1. The building and site improvements shall be completed substantially as shown on the plan set titled “River Street Commons – A4/A5 Building,” (civil drawings) with the most recent revision date of June 09, 2020, “Ada House” (architectural drawings) with the most recent revision date of June 09, 2020, and “Ada House” (landscape drawing) with the most recent revision date of June 09, 2020, except as modified in accordance with these conditions of approval.
 2. 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.
 3. Floodplain development permit shall be issued by the Michigan EGLE and Ada Township, prior to issuance of a building permit.
 4. The condominium documents shall be amended to reflect the combination of Units A4 & A5, as well as an increase in its width by ten (10) feet and a decrease in the width of Unit A3 by ten (10) feet.

Roll Call:

Yes: Burton, Butterfield, Carter, Easter, Heglund, Jacobs, Leisman

No: None

Absent: None

Motion passed unanimously.

3. PUD Pre-Application Conference, Proposal for a PUD site condo comprising of 19 residential sites on 100 acres and served by a private road in the RP-1, Rural Residential-1 Zoning District, 3046 and 3050 Pettis Ave. NE, 41-15-05-300-028 / 029, Michael C. Bieker on behalf of Michael C. Bieker Trust

Ferro stated the PUD zoning rules require as a first step a pre-application conference with the Planning Commission for the purpose of preliminary discussion and feedback regarding the appropriateness, general content and design approach. There will be no formal action taken at tonight’s meeting.

Michael Bieker of 3050 Pettis Avenue presented the PUD plan concept. He stated he lives on this 95-acre parcel. There are two parcels in the PUD site – a 5-acre parcel and a 95.2 acre parcel, both with existing homes, along with several accessory buildings on the 95.2 acre parcel. The proposal is for 19 home sites, ranging from 2.35 acres to 15.36 acres per site.

Ferro presented an aerial photo and summarized his thoughts on the PUD. The PUD regulations have some eligibility requirements for PUD plans wherein certain conditions must exist with regard to the PUD site. The significant question for the Commission to consider is does the land have significant natural or historic features the preservation of which will be enhanced or have other characteristics such that use of the PUD will better achieve the purposes and intent of the zoning rules or protect the public health, safety and welfare. Ferro also noted that the PUD regulations require that a comparison plan be submitted, which the applicant did submit. There was some discussion as to whether 19 sites is a realistic number, or maybe one or two less than that. Ferro suggested widening the open space corridor on the west end of the site, to provide a greater depth of open space along the public road corridor, and further distance of home sites from the road. There are also some significant woodlands on the property – both the PUD and comparison

plan place home sites scattered throughout the woodlands, thus the woodlands would not be left intact on that portion of the site.

Ferro noted that the proposed 19 homes sites slightly exceeds the maximum permitted density, and that the number of lots would need to be reduced to 18 unless the acreage devoted to private road right-of-way could be reduced.

Ferro asked what would become of the existing outbuildings under the PUD plan. Bieker stated they would leave them. Ferro informed him that the zoning rules state you cannot have an accessory building on a lot that does not have a main residential building, and this is an issue that would need to be addressed and resolved in some manner.

Commissioners set forth their comments.

Jacobs asked who would maintain the open space. Ferro state the intent is the PUD would be implemented as a condo development and there would be a homeowner's association responsible for open space. She also asked about approval of the helipad – does that stay with the property? Ferro stated they would want to repeal the special use permit if the PUD plan is implemented, or it may automatically become null and void by virtue of the required minimum acreage for a private use heliport no longer being satisfied.

Easter stated there has always been a compliance issue and she isn't sure how she feels about this. She stated Mr. Bieker does not live at the property, he lives in California, and she is struggling trusting what he says.

Burton said because this is a PUD plan, does that allow for any fudge room for the overall density of 5 acres per parcel if it is just slightly under 5 acres? Ferro stated no it does not, unless the layout can be modified so less land is taken up by the road right-of-way and still conform to the zoning rules.

VIII. COMMISSION MEMBER / STAFF REPORTS – None

IX. PUBLIC COMMENT

There were no public comments.

X. ADJOURNMENT

The meeting was adjourned at approximately 7:55 pm.

Respectfully submitted,

Jacqueline Smith, Ada Township Clerk