

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE JUNE 20, 2019 MEETING**

A meeting of the Ada Township Planning Commission was held on Thursday, June 20, 2019, 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 (arrived at 7:44 p.m.), Jacobs, Leisman

Absent: Easter, Heglund

Staff Present: Ferro, Bajdek, Winczewski

Public Present: 2 Members

III. APPROVAL OF AGENDA

Moved by Butterfield, supported by Jacobs, to approve the agenda as written. Motion passed unanimously.

IV. APPROVAL OF MINUTES OF MAY 9, 2019 MEETING

Moved by Jacobs, supported by Butterfield, to approve the minutes of the May 9, 2019 meeting as presented. Motion passed unanimously.

V. PUBLIC HEARINGS

1. Request for a Special Use Permit for a "Type 2" Home Occupation in the AGP Agricultural Preservation Zoning District, to permit Outdoor Yoga as a Home Occupation, 2821 Boynton Ave. NE, Parcel No. 41-15-01-400-022, Lisa Johnson

Applicant, Lisa Johnson, presented her request. Ms. Johnson stated she is in the process of becoming a yoga instructor. She has been raising goats for around 11 years and using them for dairy. She would now like to put her yoga and goat background together and offer Goat Yoga to the West Michigan area. Ms. Johnson stated that in addition to yoga therapy these classes are considered animal assisted therapy. Classes will be 90 minutes long taking place 3 times per week, possibly increasing to 5 times per week, and hold 15-20 participants per class.

Butterfield asked Ms. Johnson how many goats she has. Ms. Johnson stated she has 6 goats. Leisman asked what the maximum number of goats would be for a class of 20 people. Ms. Johnson stated probably 6 dwarf goats.

Chair Leisman opened the public hearing at 7:13 P.M. Being that there were no public comments, the public hearing was closed.

Planner/Zoning Administrator, Bajdek, noted that no correspondence or phone calls were received from any neighbors regarding this Special Use request.

Bajdek summarized the applicant's request as outlined in his staff memo stating that Ms. Johnson is initially planning to conduct 3 classes per week with approximately 15-20 clients per class but anticipates an expansion to 5 classes per week, with the same number of clients per class, in the future. Ms. Johnson will be the only member of the household engaging in the proposed operation as an employee, however, 1 other individual outside of the household will be engaged in the operation.

The proposed home occupation is classified in the zoning rules as a “Type II” Home Occupation because clients of the business would be coming to the residential premises and is therefore subject to a special use permit approval by the Planning Commission.

Bajdek stated that Type II Home Occupations must comply with all of the standards as outlined in his staff memo, in addition to the general standards for special use permit approval. There are no characteristics of the proposed use that would conflict with these standards. The proposed home occupation would not alter the essential character of the area and it is staff’s opinion that the proposed use would be harmonious with the character of the area.

Bajdek noted that per the Kent County Road Commission, the existing Boynton Avenue residential driveway approach will need to be widened to 24 feet in width with 20-foot radii at the right-of-way; however, it can remain gravel. The existing culvert would also need to be extended to accommodate the widening.

Bajdek stated that staff is recommending approval of the Special Use subject to 3 conditions as outlined in the staff memo.

Bajdek noted that Ms. Johnson highlighted where the goat yoga would take place on her property and it will be in areas south and west of her home in a lawn area between her home and pond as well as an area between the pond and Boynton Avenue.

Leisman raised a concern that home occupations typically do not take place outside. Because of that, standards 4, 5, and 6 which talk about it not being visible, may be an issue. Leisman suggested that another condition be added to the approval which states exactly where the yoga will take place on the property so as not to be visible by the neighbors.

Bajdek stated that standard #4 states, “There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of the Type II home occupation, other than signs as permitted in Article XXVI of Chapter 78.” Staff believes this standard is met. The yoga activity is the only change happening on the property; there will be no permanent changes to the property, only a temporary presence of people and their yoga mats during each class.

Bajdek stated that standard #5 states, “Storage of goods, materials, equipment or products associated with the home occupation shall be permitted only within the dwelling or in an enclosed accessory building, or in an outside area enclosed on all sides by a solid fence or wall, so as to be entirely screened from view from surrounding properties and the public road.” Staff believes this standard is met. The home occupation does not have any permanent storage planned.

Bajdek stated that standard #6 states, “Outdoor display of equipment, materials, goods, merchandise or supplies used in the conduct of the home occupation is prohibited.” In staff’s opinion, there is not an outdoor display and this standard is met.

Leisman stated the problem is that the standards do not specify temporary or permanent and these standards apply to Type II Home Occupations across the board.

Ferro asked Ms. Johnson how visible the area for goat yoga will be from the road and neighbors. Ms. Johnson stated that it will likely not be visible from 3 Mile Road.

Leisman suggested adding a condition that states classes will only take place in areas as indicated on the site plan in seasons where there is appropriate vegetation for screening, and also adding a maximum number of goats per class. Ms. Johnson expressed agreement with that condition.

Moved by Butterfield, supported by Jacobs, to approve the Type II Home Occupation for outdoor yoga subject to the following conditions:

1. The number of classes at the residential premises shall be limited to no more than five (5) per week.
2. There shall be a maximum of twenty clients per class and a maximum of 12 dwarf goats per class.
3. The issuance of a driveway permit from the Kent County Road Commission for required improvements necessary to upgrade the existing residential approach and construction of such improvements, prior to the commencement of the outdoor yoga classes being conducted from the property.
4. Classes shall only take place in areas as indicated on the site plan in seasons where there is appropriate vegetation for screening.

Motion passed unanimously.

2. Draft Zoning Ordinance Amendment to Chapter 78, Article I, Section 78-18, of the Ada Township Zoning Regulations of Ada Township Municipal Code, titled "Certain uses prohibited," to add a prohibition on marihuana establishments and marihuana facilities

Leisman stated this is a request to add in the Zoning Ordinance what the Township Board has already done in the General Ordinance which is to prohibit marihuana establishments and marihuana facilities in the Township.

Leisman opened the public hearing at 7:36 P.M. Being that there were no public comments, the public hearing was closed.

Jacobs moved, Burton supported, to recommend to the Township Board to amend Chapter 78, Article I, Section 78-18, of the Ada Township Zoning Regulations to add a prohibition on marihuana establishments and marihuana facilities.

Motion passed unanimously.

VI. UNFINISHED BUSINESS – None

VII. NEW BUSINESS - None

VIII. COMMISSION MEMBER/STAFF REPORTS

Ferro reviewed an updated rendering of the library showing that 9 inch roof cornices have been added to

the flat roof which now satisfies the architectural standards. Also revised is the north elevation with an added window on the lower floor and changes to brick work to give it more texture and alternating depth.

Board discussed and agreed these changes are an improvement.

Burton stated that she could not attend the May meeting where the library/community center was presented and wishes she had been there. She would like it known that the community center was what the community has always wanted, for parties, reunions, meetings, etc., and it is disappointing not to see it on the current plan. She hopes we do not lose our focus for the community center.

Ferro noted that the community center is being included as a “bid alternate” and will be priced out. If enough funds are raised, it will be built. He also noted that the building plan has several small meeting spaces that would accommodate several of the types of activities mentioned by member Burton.

Carter arrived.

IX. PUBLIC COMMENT

Noelle Divozzo, 7115 Bronson St, requested changing the zoning within the Village to prevent higher density development. She does not want to see single homes torn down and replaced with multiple homes on the same size lot.

Leisman requested the Planning department to look into density and lot sizes within the Village and report back to the Commission at a future meeting.

Jacobs asked if there are standards in the zoning rules that regulate the proportion of higher density development in the Village in relation to single-family development. Ferro stated no.

Carter expressed concern about the lack of affordable housing.

X. ADJOURNMENT – Meeting adjourned at 8:00 p.m.

Respectfully submitted,

Jacqueline Smith, Ada Township Clerk