



ADA TOWNSHIP PLANNING COMMISSION MINUTES OF THE MEETING AUGUST 17, 2023

A regular meeting of the Ada Township Planning Commission was held on Thursday, August 17, 2023, at 5:30 p.m., at the Ada Township Hall Assembly Room, 7330 Thornapple River Dr., 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, Kluting, Korth, Moyer

Members Absent: Easter, Jacobs

Staff Present: Buckley, Said, Suchy

Others Present: 14

III. APPROVAL OF AGENDA

Moved by Burton, supported by Moyer, to approve the agenda as presented. Motion carried.

IV. APPROVAL OF MINUTES OF JULY 20, 2023, REGULAR MEETING

Moved by Moyer, supported by Butterfield, to approve the July 20, 2023, Regular Meeting minutes as presented. Motion carried.

V. PUBLIC HEARING

1. Request for amendments to an approved Planned Unit Development (PUD), Ken Dixon of Dixon Architecture on behalf of Ufuk Turan, 7510, 7518, 7520 and 7524 Fase Street SE, Parcel Nos. 41-15-34-179-014, 015, 016, and 017

Chip Clark with Dixon Architecture, representing Ufuk Turan, stated that he had some updated plans to offer as a supplement to the proposed project that Mr. Turan would like to share after the Planning Staff report/summary.

Planning Director Said summarized the staff report and explained that the PUD was approved in 2021 and he went over details of what was previously approved vs. the requested amendments; the applicants request proposes to convert the approved single-family home to be constructed at 7524 Fase Street to a two-family "stacked" dwelling structure with a front-loaded garage.

Said stated that Planning Staff reviewed the proposed amendments and met with Mr. Turan and identified concerns about the concept of adding an additional unit: proposed amendment does not meet the key zoning and land use aspects of the PUD Standards, the transition of land uses within the property line, lot coverage, and that the project would significantly exceed the allowed

density of the district.

Said concluded that due to the concerns mentioned, Planning Staff does not support the requested PUD amendments and noted that the existing approved PUD represents an effective example of a project incorporating a creative design with housing variety and an internal land-use/density transition that does not burden adjacent properties.

Korth opened the public hearing at 5:43 p.m.

Deb Emery, 7534 Fase Street, shared concern about the amount of fill being used at the site (next door to her). She claims that the overall height of the structure is about 15 ft. higher than her house and there does not appear to be a retaining wall. She is concerned for her property and stormwater run-off. (staff note: elevation information shows that the elevations for her home and the PUD structures are about the same.)

Mark Pflug, 7588 Fase Street, said that this project has morphed over time and he shared concern of density and traffic. He said it would be unwise to grant a second dwelling unit on that one property and he encouraged the Planning Commission to not modify the current approved PUD.

Matthew Donald, 7575 Fase Street, said he has the same feeling as neighbor Mark and that the PUD should not be modified.

Planning Director Said informed that he received a phone call from Nevin Zolenski, 6151 3 Mile Road, voicing his opinion that he is opposed to adding more units and the request should not be approved.

There was no other public comment and the public hearing was closed at 5:49 p.m.

Mr. Turan explained about the fill amount/concern and said that the requirements from FEMA (Federal Emergency Management Agency) changed in February, 2023, with an updated mandatory floodplain requirement of a higher fill amount than it was in 2021 when he was approved. Mr. Turan went over the renderings of his proposed changes and said that the façade, footprint, and height are the same and the only visual change is the garage door.

There was discussion among the Commissioners, Planning Staff, and Mr. Turan regarding the amount of fill required at the properties (the elevation when PUD was approved vs. elevation requirements now), the overall height of the gable/roof, and the possibility of tabling a decision to allow the Planning Staff to do further research on the legal perspective and engineering perspective with regards to FEMA and elevation issues.

Moved by Moyer, supported by Burton, to postpone action to allow Planning Staff to obtain answers to the questions discussed at this meeting. Motion carried.

2. Amendments to an approved PVM District Development Plan including amended departures, Oxbow Ada, LLC, 7535 and 7567 Fase Street SE, Parcel Nos. 41-15-34-180-008 and 41-15-34-200-036

Brad Rottschafer with Mosaic Properties and representing Oxbow LLC, shared the history of the PVM approval in September 2022 and that currently construction is underway, and said that in between time, they refined some architectural changes and improvements. He explained some

details of the proposed changes (which cause the need to request some size departures) and said he is not increasing density, and do not have any significant changes, basically just made some improvements.

Said referred to the staff report and went over renderings of the specific modifications proposed; further clarifications on units, sizes, and some minor layout modifications of building envelope and lot concepts, and the project no longer has a pool proposed but instead a community garden. Said stated that it is important to note that a large stormwater management pond is being provided on the site and the elevation level approved by FEMA (Federal Emergency Management Agency) and EGLE (Environment, Great Lakes, and Energy Water Resources Division).

Said concluded that the proposed updated Oxbow project meets the spirit and intent of all the criteria associated with the PVM Overlay District. It also provides an interconnected street network, high-quality public spaces and facades facing streets, and open spaces, and based on those criteria, Staff recommends approval of the request including all requested departures as noted in the staff report.

Korth opened the public hearing at 6:23 p.m.

Kristen Knaus, 7575 Fase Street, referred to the renderings projected on the overhead screens and questioned what some of the little black boxes were.

There was no other public comment and the public hearing was closed at 6:24 p.m.

Mr. Rottschafer addressed the question on the renderings and said that the black boxes in question were single-family homes.

There was discussion among the Commissioners, Planning Staff, and Mr. Rottschafer regarding the transition of density on the site, went over clarifications/comparisons on proposed changes (specifically units 1-5), site elevation, and the completion and maintenance of the walkway to the edge of the development area.

Moved by Burton, supported by Moyer, to approve the requested amendments, including all requested departures, utilizing the standards and conditions noted below:

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 additional departures from the standards of the PVM District, including a height departure for the multi-family "loft" residential building (Units 72-88), and all departures as noted in the attached "Required Departures" tables, which are all hereby approved.
 - b. The approved departures result in a plan that complies with the spirit and intent of the PVM District to a greater degree than would be possible without approval of the departures.
 - c. The project is consistent with the purpose and intent of the PVM District.
 - d. The project will not have a detrimental impact on adjacent property or the surrounding

neighborhood.

- e. The project is necessary and appropriate to accommodate a superior design of the proposed development.
2. The proposed development plan for a new 88-unit mixed residential development with live-work units is hereby approved, subject to the following conditions:
 - a. Prior to the issuance of any building permit, the applicant shall provide funds, in an amount to be approved by the Township, for completion of the walkway to the edge of the development area.
 - b. The applicant shall provide lighting plans consistent with applicable requirements and shall obtain Township Staff approval prior to the issuance of any building permit. Any exterior building-mounted light fixtures shall be full-cutoff to control light emission, or of a low-intensity non-glare light style, subject to approval by Township Staff prior to issuance of a building permit. There shall be no pole-mounted fixtures on this site.
 - c. There shall be no food service, storage, sales, or distribution within the development, specifically including the commercial spaces designated on the plan.
 - d. A stormwater permit application shall be submitted, and a permit issued by the Township in compliance with the stormwater ordinance, prior to the release of any permits.
 - e. A floodplain development permit application shall be submitted, and a permit issued by the Michigan EGLE and Ada Township, prior to the initiation of any site improvements and prior to the release of any permits.
 - f. Except as modified in accordance with these conditions of approval, the building and site improvements shall be completed substantially as shown on the plan set titled "Oxbow", as follows:
 - 1) Site Layout Plan Sheet C-205, dated 07/20/23.
 - 2) Site Layout Comparison Plan Sheet C-207, dated 07/20/23.
 - 3) Site Grading Plan Sheet C-300 dated 07/20/23.
 - 4) Storm Sewer Plan Sheet C-400 dated 07/20/23.
 - 5) Sanitary Sewer & Watermain Plan Sheet C-401 dated 07/20/23.
 - 6) Utility Easement Plan C-402 dated 07/20/23.
 - 7) Details & Specifications C-500 dated 07/20/23.
 - 8) Landscape Plan Sheet L-201 dated 07/20/23.
 - 9) Oxbow Architectural Addendum dated 08/17/23.

Motion carried.

VI. UNFINISHED BUSINESS - none

VII. NEW BUSINESS

1. Final PUD Plan - Planned Unit Development, 12 single-family residential

**home sites in RP-1/PUD zoning district, Hidden Lakes at Ada, LLC,
Paul C. Heule, 3201 Egypt Valley Avenue NE, Parcel No. 41-15-05-400-002**

Jon Male, Exxel Engineering, and Ed Pynnonen, representing developer Paul Heule, presented their request. Mr. Male said that back in the fall they submitted their Preliminary PUD plans and since then they have obtained the necessary approvals and construction plans and is requesting review and approval of the Final PUD Plan.

Said summarized the staff report and explained the Final PUD has a few slight modifications from the Preliminary approval; reduction in length of interior road with private driveway easement extending from cul-de-sac bulb to Lot 6, and a slight realignment of interior road and resulting minor changes to sizes and shapes of lots and open space areas. The applicant indicated that this realignment is due to site contours.

Said referred to the Final PUD Standards and stated that Staff believes that the Final Plan submitted meets these Standards and that there are no objections to approval of the Final PUD Plan, subject to the conditions noted in the staff report, and the addition of a condition that reflects that there will need to be an agreement between the Township and the developer/homeowners association for the perpetual maintenance of the septic system prior to initiation of site improvements (as discussed earlier with applicant/developer).

There was discussion among the Commissioners, Planning Staff, and Mr. Male and Mr. Pynnonen regarding stormwater run-off process and maintenance, stormwater permit, items of the master deed, a change in the language on condition number 5, and a question was raised about what assurance there was that there would be money to maintain the septic system.

Mr. Pynnonen explained the process/language in the maintenance agreement stating they would hire a professional company that manages the wastewater treatment system and the homeowner's association funds that. In the event that the homeowner's association fails to do that, there will be an agreement with the Township that says the Township would have the power to go ahead and hire someone to do that and could put liens on the property to pay for those services.

Moved by Moyer, supported by Burton, to approve the Final PUD plans subject to the following conditions and amendments as mentioned earlier:

1. The approved PUD Plan shall be carried out in substantial conformance with the Hidden Lakes at Ada plans and submittals prepared by Exxel Engineering, as follows:
 - Letters dated June 29, 2023 and July 20, 2023
 - Site Development Plan – Final PUD dated 7/19/23
 - Cover Sheets dated 6/12/23
 - Ada Preservation Trail (Pvt.) dated 6/12/23
 - Kent County Road Commission Driveway Plan dated 4/11/23
 - Overall Grading Plan, Site Grading Plan (West) and Site Grading Plan, all dated 6/12/23
 - Culvert/Wall Details dated 6/12/23
 - Landscape Plan and Main Entrance Landscape Plan (no date)
 - Septic Tank & Drainfield Plan dated 6/12/23
 - Forcemain Plan dated 6/12/23
 - Street Name dated 6/12/23
 - Detention Basin Design worksheets dated 6/16/23

- Watershed Map (no date)
 - Pipe Drainage Map and calculations (no date)
 - Culvert Report dated 6/16/23.
2. The proposed development shall consist of a maximum of 12 single-family dwelling units.
 3. A Township Private Road Permit application, complying with Kent County Road Commission driveway access requirements, shall be submitted and issued, prior the recording of the required condominium documents.
 4. The submittal of completed condominium documents (Master Deed, Subdivision Plan, and Bylaws), to the Planning Department for review and determination that they are consideration with the approved PUD Plan and these conditions, prior to their being recorded with the Kent County Register of Deeds.
 5. Prior to the issuance of any building permits, the applicant shall:
 - a. Submit a storm water permit application and accompanying construction plans for the storm water management system and obtain all required permits including from the Planning Department.
 - b. Submit plans and obtain all required approvals for soil erosion.
 - c. Submit plans and obtain all required approvals for all water supply and sewer (septic) system improvements.
 - d. Submit and obtain Township approval for a written agreement between the Township and the developer/homeowners association for perpetual maintenance of the community septic system.
 6. There shall be no street lighting on the property.
 7. The 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.
 8. A wetland permit shall be obtained from the State of Michigan (EGLE) prior to issuance of any building permit.
 9. The applicant shall finalize an agreement with the Township for dismissal of the previous 1972 court order prior to the issuance of any permits for the site.
 10. Accessory buildings and any other site improvements other than the proposed homes shall be subject to pertinent requirements of the Zoning Ordinance, including for the RP-1 Zoning District as applicable.

Motion carried.

VIII. COMMISSION MEMBER / STAFF REPORTS

Township Manager Suchy shared that the Ada Township Parks Director, Mark Fitzpatrick, has announced his retirement date of November 15, 2023.

Suchy provided updates: River Street property acquisition with a donation made to the Township and pedestrian crossing improvements. He will continue to share additional information at upcoming meetings.

Said mentioned that he would like to introduce an idea to the Planning Commission and ZBA of doing an annual retreat. It would provide opportunities to discuss issues: training on planning and zoning issues, legal issues, and implementation of the Master Plan. Said will follow-up with an email to the PC and ZBA members and work out the framework for making this happen.

Said welcomed new Planning Commissioner, Steve Kluting.

IX. PUBLIC COMMENT

Deb Emery, 7534 Fase Street, said in reference to the elevation on Fase Street, she received a post card back in 2010 from the Dam Authority (for Cascade and Ada dams) that said their elevation was 636.8 inches, and she was still questioning why so much fill was brought in for the new properties next door to her.

X. ADJOURNMENT

Moved by Butterfield, supported by Moyer, to adjourn the meeting at 7:12 p.m. Motion carried.

Respectfully submitted,

Jacqueline Smith, Ada Township Clerk

rs:eb