

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE NOVEMBER 21, 2019 MEETING**

A meeting of the Ada Township Planning Commission was held on Thursday, November 21, 2019, 7:00 p.m. at the Ada Township Offices, 7330 Thornapple River Dr., Ada, MI.

I. CALL TO ORDER

II. ROLL CALL

Present: Butterfield (arrived at 7:02pm), Carter, Easter, Heglund, Jacobs, Leisman

Absent: Burton

Staff Present: Ferro, Winczewski, Moran

Public Present: 33 Members

III. APPROVAL OF AGENDA

Chairperson, Leisman, recommended handling the Public Hearing and first item of New Business at the same time.

Moved by Heglund, supported by Carter, to approve the agenda as amended. Motion passed unanimously.

Butterfield arrived.

IV. APPROVAL OF MINUTES OF OCTOBER 17, 2019 REGULAR MEETING AND OCTOBER 17, 2019 WORK SESSION

Moved by Carter, supported by Jacobs, to approve the October 17, 2019 regular meeting minutes and work session minutes as presented. Motion passed unanimously.

V. PUBLIC HEARING

- 1. Request for a Special Use Permit to allow Personal Care Service Operations (Day Spa and Salon and Fitness Center) in the (PO) Professional Office Zoning District, Parcel No. 41-15-31-326-045 and 41-15-31-326-039, 1035 and 1037 Spaulding Ave. SE, Ken Dixon of Dixon Architecture on behalf of 1035 Spaulding, LLC**

VI. NEW BUSINESS

- 1. Site Plan Review for an 18,950 sq. ft., 2-story building comprising of a day spa and salon, a fitness studio, and a single business office, located in the (PO) Professional Office district, Parcel Nos. 41-15-31-326-045 and 41-15-31-326-039, 1035 and 1037 Spaulding Ave. SE, Ken Dixon of Dixon Architecture on behalf of 1035 Spaulding, LLC**

Ken Dixon of Dixon Architecture summarized the proposed project. Mr. Dixon stated the current Crown Jewel Spa & Salon near the corner of Spaulding Ave. and Cascade Rd. will be demolished and replaced with this proposed 18,950 sq. ft. building. Each floor will be around 9,800 sq. ft. The first floor will have a spa & salon comprising around 6,500 sq. ft. The remainder of the first floor will be a fitness center. The second floor will comprise one business office. They will have 91 parking spaces which meets the minimum amount of parking spaces required. They will also be meeting the required landscape buffers and greenbelt along Spaulding Ave.

Mr. Dixon stated that in addition to the current access driveway from Spaulding Avenue, they will be

adding an additional driveway to access Cascade Road from an existing 33 ft. easement already established through the edge of the southern adjoining property.

Mr. Dixon stated that they meet all the setback requirements as well as the minimum lot area and width. Mr. Dixon noted that they will be going before the Zoning Board of Appeals for a variance on maximum building height. The maximum height is 30 ft. but a portion of this building will be 35 ft.

Mr. Dixon stated they will have an underground stormwater storage system. The storage tanks will hold around 8,500 cubic feet of stormwater. Mr. Dixon also explained the proposed lighting and building materials.

Easter asked if the curb-cut is already existing on Cascade Road. Mr. Dixon confirmed that it is existing. There will be a new, small retaining wall along the property line.

Easter asked if some of the roof will be a green roof. Mr. Dixon stated that the overhangs will be green.

Heglund asked if underground water retention has been done previously in Ada. Mr. Dixon stated yes and provided several examples.

Carter noted the potential risk of drivers cutting through the parking lot from Spaulding Ave. to make a right-hand turn onto Cascade Rd.

Easter asked about the hours of operation. Mr. Dixon stated the hours will be 8am – 8pm Monday through Saturday, closed Sunday.

Easter asked about signage. Mr. Dixon stated signage has not been finalized and will be obtained by a separate sign permit through the Township.

Easter inquired about the siding. Mr. Dixon explained that it is a metal material made to look like wood. It is durable and long-lasting.

Heglund asked if the 33 ft. easement is across the neighboring properties and if those neighbors are aware of the easement. Mr. Dixon stated the neighbors are aware of the easement and there have been discussions between all parties over the easement.

Ferro asked where the mechanical equipment would be located. Mr. Dixon stated it would be on the rear area of the roof, behind a screen.

Chairperson opened the Public Hearing at 7:22 pm.

Paul Drueke, partial owner of adjacent property located at 5181 Cascade Rd. SE, expressed concerns over the wetlands on the east side of the easement and the retaining wall that is proposed in the easement area. Mr. Drueke stated the easement has not been used since 1984 and he believes he does not have to allow the applicant to use it. Mr. Drueke believes it could also be a safety risk for his clients and employees to potentially have 91 additional cars using their Cascade Road driveway.

After no further comments, the Public Hearing was closed at 7:31 pm.

Planning Director, Ferro, summarized the proposed project as stated in the staff reports dated 11/14/19. Ferro stated that day spa, hair salon, and fitness uses are all personal care uses that require a Special Use Permit. There are 4 general standards which must be satisfied which are:

- 1) The special use shall be designed, constructed, operated and maintained in a manner harmonious

with the character of adjacent property and the surrounding area.

- 2) The special use shall not change the essential character of the surrounding area.
- 3) The special use shall not be hazardous to adjacent property, or involve uses, activities, materials or equipment which will be detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes or glare.
- 4) The special use shall not place demands on public services and facilities in excess of capacity.

There are no characteristics of the proposed use that would conflict with these standards.

Ferro stated there is a 10 ft. drainage easement on the west side of the property which does not seem to be in use currently. The underground storm water management system will conform with the standards of the Township Stormwater Ordinance. Ferro stated the parking, lighting and landscaping all appear adequate.

Don DeGroot, Exxel Engineering, confirmed that the proposed retaining wall will extend south of the applicant's property and 40 ft. into Mr. Drueke's property. The wall is for retaining the grades and also for protecting the wetlands. Leisman stated the Planning Commission can only approve what is in the site plan on the applicant's property. Anything on the neighboring property will need to be handled between property owners.

In response to Mr. Drueke's concerns on whether or not the easement rights are still valid, Leisman suggested adding a condition of approval to state that the cross access is optional. Ferro agreed.

Ferro stated that the standards of approval for a Special Use Permit have been met, and recommended approval of the Special Use Permit and Site Plan subject to the 4 conditions as listed in the staff memo dated 11/14/19.

Carter asked if the applicant would need to return to the Planning Commission if they chose not to connect to the driveway easement but instead wanted to change their parking. Ferro stated that would be a minor modification. Board discussed and determined that change could be handled by the Planning Department.

Moved by Easter, supported by Jacobs, to approve the Special Use Permit based on the findings that it meets the 4 general Special Use Permit approval standards as previously stated and to approve the Site Plan subject to the following 6 conditions:

1. The Site Plan shall consist of a 18,950 sq. ft., 2-story building and site improvements as shown on the plans titled "1035 Spaulding Ave. SE (civil drawings) dated October 23, 2019, "1035 Spaulding Mixed-Use Building" (architectural and photometric drawings) dated October 24, 2019, and "1035 Spaulding Mixed-Use Building (landscape drawing) dated November 13, 2019, except as modified in accordance with these conditions of approval.
2. Approval of the stormwater detention system by the Township's consulting engineer, including the submittal of a stormwater permit application and a permit issued by the Township, in compliance with the stormwater ordinance, prior to issuance of a building permit and/or construction of any site improvements.
3. A building height variance granted by the Zoning Board Appeals or the plans being modified to eliminate the clerestory roof monitor to satisfy the maximum building height regulation of 30 feet for the PO Professional Office zoning district.

4. Any pole and/or exterior building mounted light fixtures shall qualify as “full-cutoff” control of light emission, subject to approval of the Planning Department. Fixture specifications shall be submitted for approval, prior to building permit issuance.
5. The west elevation plan shall be modified to show the trellis.
6. Driveway access connection to Cascade Road shall be optional.

Motion passed unanimously.

2. Request to rezone parcel from (R-3) Medium Density Single-Family Residential, to (V-R) Village Residential, Parcel No. 41-15-34-402-008, 7699 Fase St. SE, Chuck Hoyt on behalf of TPR 7699 Fase Street, LLC

Chuck Hoyt of Thornapple Pines Development presented. Mr. Hoyt stated they would like to create a residential neighborhood and make it Village Residential like the rest of the street. They would like to create walkable neighborhoods as described in the Master Plan.

Easter asked if the soil has been tested for contamination. Mr. Hoyt stated it has, and the environmental tests came back negative for any contamination.

Ferro gave a brief summary of the subject property and stated a more thorough evaluation of the proposed rezoning will be available at the Public Hearing.

Leisman asked if there is a potential for this property to be connected to Ada Moorings. Ferro stated no, Mr. Hoyt agreed.

Heglund moved, Easter supported, to set a Public Hearing on December 19th. Motion passed unanimously.

VII. COMMISSION MEMBER/STAFF REPORTS

Ferro advised the Commissioners of a discrepancy he found related to the Fulton Woods Corporate Park project heard last month. In reviewing the proposed Master Deed amendment, he noticed that a proposed restriction on use of 6 parking spaces adjacent to Unit 1 does not conform with the overall intent of the original PUD plan which is for all parking to be shared by all unit owners. Ferro stated the applicant has made a revision addressing the issue and is circulating it to the other unit owners for review.

VIII. PUBLIC COMMENT

In anticipation of public comments, Leisman invited Ferro to speak on the recent community discussions involving a gas station which has not come before the Township. No application has come before the Township.

Ferro stated he was approached in September by property owners and a representative of J&H Oil about the possibility of building a gas station at the SE corner of Knapp and Pettis. Ferro stated that he explained to them the steps that would need to be taken to achieve that type of development. It would require an amendment to the Township Master Plan; it would require rezoning; and it would require approval of some type of a development plan. In addition, he pointed out to the property owner and developer that the Township has an adopted Wellhead Protection Plan for the area in question and that would also be an area of concern for the Township. Ferro stated he encouraged the property owner to solicit some neighborhood feedback before they make any decisions to submit a formal application. That resulted in them holding a meeting at Roselle Park on November 18th. That meeting was not a Township

sponsored meeting.

Ferro stated that if they do submit a formal application to the Planning Commission, there will be plenty of notice to neighbors and many opportunities to provide public input. It is premature for the Planning Commission to come to any conclusions on this subject without being presented a formal application. Ferro encouraged everyone to return to speak if/when a formal application is presented.

Leisman stated, as a Planning Commission, they are adamant about following the Master Plan and the Zoning Ordinance. If an applicant asks for changes, the Commission is required to listen. Property owners have a right to ask for changes. However, just because they ask, doesn't mean their request will be approved.

Kelly VanDyke, 5585 Pettis Lane NE, expressed her opposition to the potential gas station should an application be submitted. It doesn't fit with the Master Plan or the current zoning. Ms. VanDyke stated she and many other neighbors are concerned with the environmental impact, the safety of their children, and the safety of their drinking water. Ms. VanDyke asked for clarification over what can be built on the larger parcel in question (2355 Pettis Ave). Ms. VanDyke recalls the homeowner saying that they were told they can not build a home on their property.

Dave Smits, 2323 Grand Valley Dr. NE, expressed gratitude for the beauty of Ada.

Noelle DiVozzo, 7115 Bronson St., encouraged the audience members to get on the email list for Ada Township to stay apprised of all upcoming meetings.

Pat Toll, 8125 2 Mile NE, thanked the Planning Commission for their work.

Becky Carpenter, a resident outside of Ada, stated her family is impacted by Ada's decisions. Her children attend Forest Hills Eastern Schools. Ms. Carpenter stated everything the Township does reaches the surrounding areas and she thanked the Commissioners for what they do.

Ferro stated that the Township maintains an email mailing list which will notify you of upcoming meetings. He encouraged the audience members to get on that email list if they haven't already done so.

In response to Ms. VanDyke's question regarding what the homeowner can build on their larger parcel, Ferro stated he does not recall the property owners ever inquiring about what can/can not be built on that property. From what he understood, the developer did not want to give up any land to allow a house. The developer mentioned the idea of creating a large landscaped berm on the opposite side of the creek.

Ferro stated the larger parcel in question is a part of the Grand Valley Estates Subdivision plat. There is a floodplain boundary shown on the plat map and a drain easement to the Kent County Drain Commissioner. Ferro stated he can not confirm if the parcel has sufficient buildable land outside those restricted areas or not. Ferro stated there is nothing in the zoning rules from the standpoint of minimum lot size and setbacks that would prohibit building a house there.

IX. ADJOURNMENT – Meeting adjourned at 8:12 p.m.

Respectfully submitted,

Jacqueline Smith, Ada Township Clerk
rs:aw