

**ADA TOWNSHIP PLANNING COMMISSION  
MINUTES OF THE JANUARY 28, 2010 SPECIAL MEETING**

Draft

A special meeting of the Ada Township Planning Commission was held on Thursday, January 28, 2010, at 7:30 p.m. at the Ada Township Offices, 7330 Thornapple River Dr., Ada, Michigan.

**I. CALL TO ORDER**

Meeting was called to order by Chairperson Korth at 7:30 p.m.

**II. ROLL CALL**

Easter called the roll. Present: Chairperson Korth, Commissioners Butterfield, Easter, Gutierrez, Lowry, Paul and Treasurer Rhoades. Absent: None. Also present: Planning Director Ferro.

**III. APPROVAL OF AGENDA**

Motion by Easter, second by Lowry, to approve the agenda as presented. Motion passed unanimously.

**IV. PUBLIC HEARINGS**

**1. Proposed Zoning Ordinance Text Amendment - to Article XIX, Planned Unit Development, to revise Sec. 78-446, Description and Purpose, Sec. 78-449, Area, Height, Bulk, Placement and Density Requirements for Residential PUD's and Sec. 78-457, Pre-Application Conference. Proposed by Ada Township Planning Commission**

Ferro gave introductory comments noting that last Fall the Planning Commission proposed changes in zoning regulations wherein the changes would divide the AG District into three different districts and revise the maximum residential density rules to 1 lot per 10 acres in the AG Preservation District, and 1 lot per 5 acres in most of the rest of the AG District, shown as Rural Preservation 1, along with a third district which is mainly land on the west side of the river along the Grand River corridor, Rural Preservation 2 (1 lot per 3 acres). A public hearing was held on the changes last fall and the Commission has been deliberating since that time on whether to approve the changes.

Ferro stated a companion concept has been developed to provide an alternate means for developing property in a manner that preserves a large part of the property as permanent open space and provides an option for development to take place through the PUD zoning process at 1 lot per 3 acres maximum density, when the proposed PUD plan meets the minimum requirement for open space. Ferro stated this hearing tonight is on proposed revisions to the PUD rules and is intended to be a companion to these three new zoning districts. The overall intent is to encourage preservation of open space in rural parts of the Township, provide property owners with an approval mechanism to develop lands under current allowed densities, but to discourage individual fragmented lots by subjecting those to the 1 unit per 10 or 1 unit per 5 restrictions. Ferro also went over a couple of the minor changes set out in the proposed language.

Korth stated that two items listed under Unfinished Business on the Agenda have previously had public hearings and their form has not changed.

The public hearing was opened. The following comments were made:

John McCabe, 8966 4 Mile Road, stated he is against any proposed change to 10 acres. He stated he has no intention to sell his property, but with not knowing what the future might bring, this proposal would limit what he could do. There are a very limited number of people who could purchase 10 acres and this would make Ada a very exclusive area instead of a diverse area.

(Korth clarified that the public hearing is being held on allowing the use of the PUD rules.)

Jamie Ladd, 8800 Conservation, stated it would help everyone if they could give a real life example on 100 acres. (There was then lengthy discussion using this example.)

Cathy Razmus, 7179 3 Mile Road, questioned what could happen in the future with the acreage requirements.

Nevin Zolenski, 5161 3 Mile Road, stated he strongly supports the 1 per 5 and 1 per 10 because it allows property owners who own large lots to have options to develop their land. He believes this would also be financially advantageous for owners of small and large parcels. Property values in the area fluctuate greatly and he does not believe there would be loss. Also, the PUD encourages preservation of the rural character of the area.

Karen Holt, 5701 3 Mile Road, stated that she agrees totally with Nevin's comments. She has seen the area go from beautiful farms to urban sprawl, which has been devastating. She noted that her main concern is disruption to wildlife habitat.

Joel Jannenga, 3274 McCabe Ave., asked for clarification on the Commission's jurisdiction to change rules.

Jamie Ladd, 8800 Conservation, stated he supports what they are trying to accomplish in terms of open space preservation. Regarding the consequences of the 40% rule, he believes there is an opportunity for habitat preservation under these circumstances. He believes they need to encourage this type of planning.

Ted Smith, 680 McCabe Ave., stated he believes Ada has done a great job developing their community and believes they are going in the right direction. He said that these proposed changes suggest they have been on the wrong track and now they are doing a 180 spin. He believes there will be no more 3-acre parcels in Ada if this is implemented, and these 3-acre parcels are a key component of Ada Township.

The public hearing was closed and Board discussion commenced.

Korth addressed some of the public comments that were made. He spoke about the Egypt Valley site and why it was not included. Ferro stated that there is nothing that guarantees this will be a country club forever. Korth then addressed the issue of lack of notice of the public hearing. The Planning Commission is an appointed Board with no budget and they have to follow the state statutory requirements. He stated he will bring this issue up with the Board again.

Easter stated that anyone can leave their email address and thus can get all notifications in that manner, along with checking the Ada Township website.

Korth said that another question brought up was if it is the Planning Commission who would address a request by a developer for a different density than the zoning would allow. Ferro stated that it would require a public hearing before the Planning Commission, but it would also go before the Township Board. Korth responded to Mr. Ladd's question about who decides where the open space is and noted that the owner of the property presents the proposal of where they would like the open space to be and the Planning Commission would make every effort to support the landowner's request. Korth then stated that the goal is not to change the density – it is to create a manageable framework to ensure that future development at the current density is done in a high quality fashion. The PUD approach has more oversight and there is a mandate from the public to protect what we have and thus, the Planning Commission is trying to create a means to do this.

Rhoades spoke about curb appeal and driveway cuts. He believes we want to reduce the driveway cuts.

Gutierrez clarified that a property owner can go under the PUD rules and get a 3-acre lot as long as they

meet the 40% open space requirement.

Easter stated that they have to work as a community. She believes that this is the best solution and it protects the rural environment and thus protects property values.

Lowry stated he first felt that taking private property rights of individuals and changing those rights does not protect families. By giving them an option to keep the zoning as it is and as it was protecting them along with keeping the rural character of the community. Lowry asked if the 40% open space has to be in one spot or whether it can be spread out. Ferro confirmed that it can be in different areas on the property. Lowry concluded his comments by stating that he is 100% in favor of having an option.

Butterfield noted that this has been a long process with a lot of input from the community. She believes they have come a long way since they started the process and she is comfortable to where they are today with this.

Korth stated that this has been in discussion over several years and what they have focused on is the preservation of the natural features and the feeling of the community. One of the changes proposed is to make the pre-application conference mandatory with the idea of allowing the property owner to be fully informed and fully up to speed on the rules before they spend any money.

Motion by Paul, second by Easter, to approve the amendments to the PUD zoning rules as proposed, the amendment creating the AGP, RP-1 and RP-1 districts, and rezoning of lands as shown on the proposed zoning map to the 3 zoning districts.

Motion passed unanimously.

In conclusion, Trustee Rhoades noted that this will be before the Board at the February 8, 2010 meeting.

## **V. UNFINISHED BUSINESS**

- 1. Proposed Zoning Ordinance Amendments - Revisions to Article VI, Agricultural District, creation of new Article VI-A, Rural Preservation-1 District and Article VI-B, Rural Preservation-2 District, and re-zoning of land to the new districts.**
- 2. Revisions to PUD Regulations, Sec. 78-446, Description and Purpose, Sec. 78-449, Area, height, bulk, placement and density requirements for residential PUD's and Sec. 78-457, Preapplication Conference.**

These two items were discussed above and included with agenda item IV.1.

## **VI. REPORTS FROM COMMISSION MEMBERS/STAFF**

Korth spoke about the Township being required to develop a capital improvements plan. A consultant has been retained to convene several focus group discussions with randomly-selected residents of the community, to provide input in the capital improvement priorities. The Commissioners discussed how the focus groups are going. Ferro noted there is a good cross-section of people involved in the focus groups and believes this will turn out well. There seems to be a strong message to be cautious because of the uncertainty of the economy.

## **VII. PUBLIC COMMENT**

None.

**VIII. ADJOURNMENT**

Motion by Gutierrez, second by Rhoades, to adjourn the meeting at 9:01 p.m. Motion passed unanimously.

Respectfully Submitted,

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Susan Burton, Township Clerk

Rs:lm