

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE FEBRUARY 15, 2007 MEETING**

A regular meeting of the Ada Township Planning Commission was held on Thursday, February 15, 2007, at the Ada Township Offices, 7330 Thornapple River Dr., Ada, Michigan.

I. CALL TO ORDER

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

II. ROLL CALL

Present: Chairperson Korth, Commissioners Burton, Butterfield, Hoeks, Lowry and Sytsma. Absent: Commissioner Gutierrez. Also Present: Planning Director Ferro.

III. APPROVAL OF AGENDA

Motion by Hoeks, second by Sytsma, to approve the agenda as presented. Motion passed unanimously.

IV. APPROVAL OF MINUTES

Motion by Hoeks, second by Sytsma, to approve the January 18, 2007 Meeting Minutes as presented. Motion passed unanimously.

V. PUBLIC HEARINGS

1. Special Use Permit for a 1,800 Square Foot Accessory Building with a Side Wall Height of 27 Feet, 5530 Michigan St. NE (Parcel No. 41-15-19-200-034), Tom Rinks

Tom Rinks presented his request for special use permit. He first noted he believes Ferro's report is very accurate. The intent is for chickens and possibly horses down the road. He stated it was not their intent to sidestep the ordinance requirements by calling the building an agricultural one. He apologized for any mistakes/misinterpretation made regarding this request in the past. He spoke about appearance of the accessory building and the surrounding area and structures.

Ferro stated that part of the problem here is that the building doesn't comply with zoning standards, whether it is considered an agricultural building housing animals, or whether it is considered a residential accessory building. There was a failure to check out the zoning regulations applicable to the building, either on the part of the applicant or his builder, prior to constructing the building.

Ferro noted that the building was already before the Zoning Board of Appeals for a request for a variance, to permit a building housing animals to be less than 150 feet from the property line. The Zoning Board postponed action, pending a determination whether the building is an agricultural building or a residential accessory building, and possible review by the Planning Commission.

He stated that the Planning Commission has the authority to approve accessory building height and size in excess of the normal limits. Ferro added that the Planning Commission should set aside the fact that the building was built illegally in evaluating the merits of the request. Ferro referred to photos he distributed of the subject building and of other accessory buildings in the area. He noted that the owner has stopped finish work on the building pending resolution of the zoning issues.

The public hearing was opened. Rob Cumming, of 5680 Grand River Drive, spoke in support of the request.

Ferro submitted copies of email messages in support of the request from Karl and Susan Hascall, 5300 Michigan St., NE, and Jeff and Annette Barrett, 901 Grand River Drive.

The hearing was then closed.

Burton questioned why building permits are not required for agricultural buildings. It was noted that this is a provision of State law. Burton stated she believes this request should be approved and she believes this a beautiful structure.

Butterfield stated she is not in favor of the wall height proposed. She would possibly support something of a lesser height.

Lowry noted he is in favor of approval of the request and agreed with Burton on the appearance. Lowry stated that while the structure is taller than what is recommended without a variance, he still believes it should be approved.

Sytsma stated she does not disapprove of the building – it is in keeping with the character of the area, and she would not ask them to tear the building down at this point.

Korth gave points of clarification on this request. He stated he is the board liaison between the Planning Commission and the Zoning Board of Appeals. He felt it was better for the compatibility and aesthetics of the building to be reviewed at the Planning Commission level rather than Zoning Board, which has more limited criteria for decisions.

Korth stated he himself has no issues with the building, although he would like it to be as much in compliance as possible. Korth noted that it is the walkout exposure of the building that creates the height issue. He noted that the berm that is located south of the building effectively screens the view of the walkout level. The whole look and feel of this building is totally what was intended with the accessory building ordinance. He stated that the main issue appears to be whether the building can be used to house animals. He asked Ferro whether this could be addressed by the Planning Commission.

Ferro stated that the issue of housing animals can only be addressed by the Zoning Board, in its consideration of the request for a variance from the setback requirements.

Hoeks stated he felt this was a case in point demonstrating that our system of fines is ineffective.

Motion by Hoeks, second by Burton, to approve the special use permit request by Tom Rinks for a 1,800 square foot accessory building with a side wall height of 27 feet, at 5530 Michigan St. NE (Parcel No. 41-15-19-200-034), subject to the condition that any exterior lighting on the building and or area between the building and the house shall be downward directed and shielded. Motion passed by a vote of 5 to 1, with Butterfield voting no.

VI. OLD BUSINESS

None.

VII. NEW BUSINESS

None.

VIII. REPORTS FROM COMMISSION MEMBERS/STAFF

1. Draft Amendment to Residential Building Height Limits

Korth began by asking whether there has ever been an inventory of the height of historic barns within the township. Ferro stated he does not believe so.

Ferro stated at this point he does not have proposed amendment language. This has been discussed in the past and a hearing was held on an amendment some time ago, and action was postponed.

Nathan Abbott from Falcon Custom Homes was present and spoke regarding his viewpoint. Abbott first gave a brief background of his experience. He spoke regarding how building heights are measured and gave a demonstration on the measurement process. He stated he spoke to several other townships to find out how they measure height. There is no state requirement/code on this.

Hoeks stated an idea would be to go to the system of the average grade level, but the commission may want to stay on a conservative level and make decisions case-by-case. Ferro stated that is how it is handled now, through variances, and this can be quite time consuming.

Korth stated he would recommend this be on a work session wherein they take the time to visit locations and look at structure heights, etc., and then pick up discussion on this at a later date.

2. Master Plan Update – Future Land Use Alternatives

Ferro stated for the last few months they have been discussing how to approach planned land use and residential density north and east of the River. He passed out some correspondence received pertaining to the Master Plan and specific areas of the Township received recently from Dave Schermer and Rob Cumming, and a letter from Jamie Ladd from 2005 asking for consideration of designating the vacant property on the highway (east of the river where the cell phone tower is), to mixed office/light warehouse type of use. The correspondence from Schermer and from Cumming requests that the Plan designate land for higher density residential use on the Fulton St. corridor. Ferro spoke about using land serviced by utilities more efficiently, for more compact growth in selected locations, balanced against community character and the importance of preserving the Township's high quality natural features.

Dave Schermer, 351 Saddleback Drive, spoke stating he has a development interest in Ada Township, and he would like the Commission to consider zoning to allow for affordable condominiums priced under \$300,000, on property on the north side of Fulton St., east of Taos. He believes there is a demand for this type of housing.

Rob Cumming stated there is water and sewer available on Fulton St., from Taos east to Country Homes of Ada. He stated he doesn't believe there is any property in the township currently zoned R-1, and believes land for this type of density should be provided along the Fulton St. corridor. He stated that the beautiful natural features and topography of the Fulton St. corridor can be preserved through appropriate setbacks and building height limits. He stated he does not believe that 2-acre, rural residential zoning is appropriate on Fulton St.

Korth spoke about a recent subcommittee meeting regarding an ordinance requiring maintenance and upkeep of homes in the township. Korth brought up the large supply of aging moderately priced housing in the township, and the need to maintain the values of these properties through re-investment. He stressed that there is not a need for new housing in this region. People are simply moving around. Korth stated they should be thinking about preserving the value of the existing housing stock in the township and balancing the needs of the community.

Hoeks mentioned the necessity of avoiding the negative impacts of tearing down of older homes and rebuilding “McMansions.” Korth stated this could be addressed through form-based zoning rules.

Ferro put together and submitted to the Commissioners three new alternative planned density scenarios for north and east of the river, and went over the alternatives. He reviewed the projections of future growth under buildout conditions for each scenario, and projections of potential added traffic volume on the two bridges across the Grand River. Ferro also noted there are other variations of these three alternatives that could be considered.

The Commission discussed planning factors that influence appropriate density in this area of the Township, including the limited road infrastructure and limited road crossings of the Grand River that are potential bottlenecks, the absence of any plans to extend public utility services to this area, and the views expressed in the 2004 citizen survey.

Lowry mentioned two points made at the “Low Impact Development” workshop he recently attended - that limiting growth on a site does not eliminate the growth, it simply shifts it, and that high and low density are competing products; if you penalize one, you get more of the other.

Korth stated these concepts are not new, but have more refined information than we have had in the past, due to the availability of the REGIS system. The Commissioners discussed the different scenarios in some detail. Korth stated that preservation of the existing quality of life is something else that has been discussed and should be considered.

Ferro stated that if the Master Plan moves toward lowering permitted densities in the rural portions of the Township, it is incumbent upon us to identify areas to encourage a little higher density, in areas close to services and employment centers.

Korth stated that in his view, we should plan for lower densities in the rural portion of the township to slow down land consumption, and do everything possible to maintain a high quality of life in the area.

Hoeks noted that the notion of the “not so big house” does not seem to be catching on in Ada.

Korth stated his opinion on Fulton Street is that he is open to higher density on the west end of the corridor, if there is some real control over the way it is developed – it has to be done in a way that Ada retains an identity and physical separation from the urban area further to the west in Grand Rapids. Korth said that Fulton Street needs to have a real form-based zoning approach, and public comment on this would be recommended.

Korth suggested the Commission try to arrive at some direction to Ferro on the 3 alternatives he presented. The Commission suggested that Option 2 be modified to provide for 1 Unit per 5 acre density along the south side of the Pettis Ave. corridor, adjacent to the Grand River.

Korth asked whether there was still a chance that the County would acquire land from Edie Pettis adjacent to Chief Hazy Cloud Park. Ferro stated he believed there was, if an acceptable price can be agreed upon and approved by the DNR.

3. Discussion of Potential Township-Wide Charrette

Ferro submitted the final report and noted there is a joint work session between the Planning Commission, Township Board and Charrette Board scheduled for Wednesday, February 28 at 4:00 p.m.

4. Status of Development Approval Moratorium

Ferro stated the moratorium on processing of development applications expires at the end of February, and it is clear the Master Plan will not be completed by the end of February. He posed the question to the Commission whether the township should extend the moratorium while they are still working on the Master Plan. Ferro said it should be considered how much development is being put on hold as a result of the moratorium. Ferro stated that there are not a lot of applications waiting to be considered. He mentioned specifically an application for a cell phone tower on Alticor property, and a possible development proposal for an 18 acre site on Ada Drive.

The Commission discussed pending applications, timelines and options. Korth stated he would like to extend it for 3 to 6 months. Ferro stated one general observation is if there were ever a less disruptive time to have a moratorium, now is the best time. Hoeks asked if this has created more time to work on the master plan. Ferro stated it has created some time, although there are other things going on that he has had to work on.

Motion by Burton, second by Sytsma, to recommend to the Township Board to extension of the moratorium for a period of six months, with the stipulation that if the 75-day period expires before the six months/the master plan is finished, the moratorium can be lifted at that point. Motion passed unanimously.

IX. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

None.

X. ADJOURNMENT

Motion by Korth, second by Lowry, to adjourn the meeting at 9:45 p.m. Motion passed unanimously.

Respectfully submitted,

Deborah Ensing Millhuff, CMC
Ada Township Clerk
rs:lm