

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE FEBRUARY 21, 2013 MEETING**

A meeting of the Ada Township Planning Commission was held on Thursday, February 21, 2013 at 7:30 p.m. at the Ada Township Offices, 7330 Thornapple River Dr., Ada, MI.

I. CALL TO ORDER

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

II. ROLL CALL

Present: Commissioners Butterfield, Jacobs, Korth, Lunn, Leisman

Absent: Commissioners Lowry and Easter

Also Present: Planning Director Ferro

Public: 2

III. APPROVAL OF AGENDA

Motion by Jacobs, supported by Leisman, to approve the Agenda. Motion passed unanimously.

IV. APPROVAL OF MINUTES OF JANUARY 17, 2013 MEETING

Butterfield stated the comment on Page 2, paragraph 8 was made by her not Easter.

Motion by Jacobs, supported by Leisman, to approve the minutes of January 17, 2013 with one change to Page 2, paragraph 8. Motion passed unanimously.

V. PUBLIC HEARING

Request for Special Use Permit for a Type II Home Occupation involving storage of a commercial vehicle within an accessory building, in the R-2 Zoning District, 729 Alta Dale Ave SE, Parcel No. 41-15-32-101-061, Jody Knapp

Tiiu Gumbis, 507 Abbey Mill Drive SE, one of the owners of the property at 729 Alta Dale, was present on behalf of the applicant. Ms. Gumbis stated the request is being made by her son-in-law who would like to continue parking his Matco tool truck in the barn at the back of the property.

Ferro stated the zoning regulations for home occupations govern the types of business activity that can be conducted from a residence, and the rules state that a home occupation that involves use or storage of any large vehicle or use of an accessory building is only permitted with approval of a special use permit by the planning commission. He stated the staff report lists all the standards that must be satisfied in order for a Type II home occupation to be approved, and as described in the applicant's materials he is an independent business owner of a Matco tool dealership and owns and operates a mobile showroom truck that houses his inventory. Ferro stated the truck leaves the house every day, comes back in the evening, and the vehicle is parked inside the accessory building. Ferro stated the use of the accessory building and the truck used in the business are the only characteristics that require "Type II" home occupation approval. He stated in his review of the standards the only one he felt there was no black and white answer as to compliance is the standard stating "no traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood." Ferro stated there is no customer traffic at all; the only traffic is the coming and going of the truck once a day and occasional Federal Express deliveries of tool orders that the applicant places. He stated this was advertised for a public hearing in the newspaper, notices were sent to neighbors within 300 feet, and we have received one item of correspondence from the same neighbor that brought this business to our attention, which is included in the Commission members' packets.

Korth then opened the Public Hearing; with no responses he closed the Public Hearing.

Ferro stated there are several different businesses of this type that are pretty well known - Snap-On Tools being one in addition to Matco. Ferro stated these businesses are commonly carried out as a home occupation. He stated he asked the applicant how many Matco dealers there were in the area and he stated somewhere in the range of five to eight. Ferro stated he also asked him if most of them work out of their homes or whether they have storage units somewhere for their vehicles and inventory, and he stated they basically all work from home and bring their vehicles home. Ferro stated it is a fairly common home occupation, and they probably tend to be located in fairly low density and rural areas. He stated it is less compatible in a subdivision setting. Ferro stated that the character of the neighborhood on Alta Dale Avenue is still somewhat rural.

Ferro stated he recommended approval of the special use permit, subject to compliance with three conditions, as noted in his memo. These include that the truck be stored overnight in the accessory building, that deliveries of inventory by common carrier trucks are prohibited, and business deliveries by small parcel delivery services be limited to no more than three per week. Ferro noted that the applicant has told him that he has already arranged for all large truck deliveries to be made off-the-premises, that all of his business deliveries are from Federal Express, and that any UPS deliveries he receives are for personal items and are not business-related.

Leisman asked whether the truck traffic is limited to one trip out in the morning, one trip in at night, and limited to Monday-Friday.

Gumbis stated yes, five days a week, and typically it goes out pretty early in the morning.

Leisman asked how the truck gets loaded with new parts, does he go somewhere to do that?; how do they physically get from the delivery truck into his truck?

Gumbis stated he gets them by FedEx and whatever boxes are delivered he will physically take them and store them in the back. She stated they deliver to the front of the house.

Gumbis stated neither neighbor can see the storage building at the back of the lot.

Leisman stated the idea of having a home occupation in the rural areas is a good idea, but he is concerned with the narrow width of the lot in this case, which is only about 100 feet. He stated the truck is coming in and out every day right along the property line and it looks like it comes 10-20 feet from the neighbor's house. He expressed concern whether the application conforms with the statement of purpose contained in the zoning ordinance for the home occupation regulations, which refers to home occupations having "negligible impacts on the surrounding area." Leisman also referred to the standard of approval which states "there shall be no change in the outside of the building or other visible evidence of the conduct of a home occupation," and whether this standard is satisfied. He stated the burden is on the applicant to show that if they are going to be bringing this big truck in and out at least five days a week, 10 times it's coming in and out, that it will have negligible effects and they won't be able to see it from next door. Leisman stated these are my concerns with this particular situation; this seems like a pretty big deal for the person living there and I'm not sure that's what they bargained for when they bought a 100 foot lot in a residential zone.

Gumbis stated there is some screening there, there are trees, with the exception of where the utility company came through and took down some trees under power lines. She stated there are trees all along the perimeter of the property line, and there's also a stockade fence, 6 feet high. Gumbis also noted the truck is new and very quiet.

Korth asked if they built the barn in back.

Gumbis stated, no, it was already there.

Butterfield asked what recourse we would have to revisit this later if in the future we were to find that there was more of a loading issue in front going on; what would the process be if there was an issue with the number of deliveries.

Ferro stated to revisit it or bring it up for reconsideration there would have to be some clear documented evidence that the conditions of approval would have been violated. He stated the nature of a special use permit is it's not a temporary approval and it's not something we can say is only an approval for a temporary period of time.

Butterfield stated so our conditions would need to be carefully written.

Jacobs asked what the Township's recourse would be if the conditions of approval are not met.

Ferro stated the Township could schedule a public hearing to consider whether the special use permit should be revoked.

Leisman stated that given the narrow width of the neighboring lots, he would prefer to see the property prior to taking action on the request.

Jacobs stated it may be prudent to do that.

Motion by Leisman, supported by Jacobs, to postpone action for one month, pending the arrangement of site visits by Commission members.

Motion passed unanimously.

Capital Improvements Plan, 2013-2018

Ferro presented the proposed annual update of the Capital Improvements Plan. He stated the plan identifies what we want to achieve in terms of capital facility projects over the next six years' timeframe, and going through this process annually is beneficial for a number of reasons.

Korth stated it is also mandated by the state.

Ferro stated that the state law also assigns responsibility to the planning commission for annually developing and approving the capital improvements plan. He stated one of the main benefits of the plan is that it helps the Township anticipate and make sure funding is set aside in advance for future planned projects.

Ferro summarized the assumptions and projections contained in the plan of future revenues and operating expenses, noting that after 3 years of declining or nearly-stagnant property tax revenues, we are anticipating over a 2% increase in the coming year. He also pointed out that state revenue sharing funding has increased, due both to the Township's population increase between 2000 and 2010, and an improved State economy.

Ferro stated another positive trend is the significant balance in the Township's general fund balance.

Ferro reviewed building permit trends showing the significant decline in new home construction that has occurred over the last 5 years.

Jacobs asked how that compares to other communities.

Ferro stated our building trends have been similar to other communities, but that our tax base decline has been modest in comparison to other communities in the area.

Lunn asked if there is a certain amount of the tax base that's generated that's specifically assigned to capital reserves.

Ferro stated not in the General Fund, but the Public Safety Fund has a designated contingency for firefighting equipment.

Ferro summarized the major projects proposed in each of the Township's major funds, and projections of the fund balances for each of the funds over the next 6 years.

Korth stated we should keep in mind that the Capital Improvements Plan is more akin to a Master Plan than it is to a real budget. He stated it's a rolling projection of what could be; it's not set in stone, and every single item on here ultimately has to come in front of the Township Board to be approved one item at a time, so a year from now when we're updating this and we see how 2013-2014 is unfolding we'll have a lot more information.

Ferro stated we scheduled this plan for public input tonight, and we advertised a public hearing. He stated there is one revision he wishes to propose, which is addition of a small transfer in about three years of \$25,000 from the General Fund to the Trail Fund, to prevent the Trail Fund from having a negative balance.

Korth stated obviously the Trail Fund is the most edgy; in 2013-2014 we're going to finish building the trail between Bailey and the new bridge and from the new bridge to Ada Drive.

Butterworth asked whether the recent reduction in the Public Safety millage resulted in a reduction in service levels.

Ferro stated in considering the ballot proposal to renew the Public Safety Millage last year, the Township Board concluded that the fund balance was too high and it needed to be brought down somewhat. The millage reduction was not premised on any reduction in service levels, and no reduction has occurred.

Korth then opened the Public Hearing; with no responses he closed the Public Hearing.

Korth stated this has been a very useful exercise, and this is the third year that Sara and I sat with George and the other Board members to develop this, and each year it gets a little easier and it gets a little more refined.

Motion by Jacobs, supported by Lunn, to approve the Ada Township Capital Improvements Plan as presented for 2013-2019, with revision as proposed by Ferro.

Motion passed unanimously.

VI. UNFINISHED BUSINESS

None.

VII. NEW BUSINESS

None.

VIII. STAFF/COMMITTEE/COMMISSION MEMBER REPORTS

Ada Village Urban Design Plan – Request for Proposals and Consultant Candidates

The Commission reviewed and discussed the Request for Proposals that has been issued by the Township to consultant candidates to assist in completing a design plan for the properties recently acquired by Amway Corp in the Village and the immediately surrounding areas.

Korth stated we need to spend a little bit of time talking about where we are in this process. The DDA is spearheading it, but it is a very significant thing that the planning commission certainly should be aware of, because ultimately this commission is going to be heavily involved with it.

Butterfield asked if there is a public opening of the proposals that people can attend, or is it closed.

Ferro stated there's not a bid opening like there is with construction bids. He noted the Proposals are being reviewed by a DDA Board subcommittee, who will make a recommendation to the DDA Board on firms to be interviewed.

IX. PUBLIC COMMENT

Bernie Veldkamp, 5580 Hall Street, stated he has heard from other people we have this big project that's happening in Ada, and nobody really knows what's going on. He stated it seems like there's no way to get any public input on the selection of who's going to be picked. He stated this is the biggest thing that's happened in Ada, and basically it's down to the DDA. Veldkamp stated wouldn't it be proper for the people who are going to be affected to have at least some knowledge of it

Lunn stated there's a whole stakeholder process within the RFP to reach out to people in the community.

Korth stated the Township Board appoints citizen representatives to the DDA and the planning commission, who are all citizens who have taken time to become directly involved on behalf of the citizens at large.

Ferro stated to say that the public has no idea what's going on is a little inaccurate. He stated there was a front page article in the Cadence regarding the project.

Veldkamp stated everybody he talks to and bring this up with has no idea what's going on.

Ferro stated he agrees there is a need for communication regarding what the process is going to be and how long it's going to take to develop plans, and how we're going to go about it. He stated involving the public is very important in the actual project itself in developing the ideas and refining them and coming up with a preferred plan, but the details and technicality of selecting and hiring a consultant is something that he has not seen public involvement in.

Lunn stated he just went to the Ada Township web site to go through the packet for this evening and the whole RFP is included in there, if anybody is interested.

Jacobs stated we need a little section on our web site that's dedicated to the project.

Korth stated we have done that.

Ferro stated the Cadence article was somewhat inaccurate, in suggesting that the Township is now soliciting design ideas from consultants. He stated we are not soliciting design ideas yet; we're soliciting

proposals from consultants about how they would go about developing plans. He stated the casual reader would conclude we are having plans prepared by consultants, which is not the case.

X. ADJOURNMENT

Motion by Jacobs, second by Lunn to adjourn the meeting at 9:07 p.m. Motion passed unanimously.

Respectfully Submitted,

Susan Burton, Township Clerk

SB/dr