

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE JUNE 18, 2009 MEETING**

A meeting of the Ada Township Planning Commission was held on Thursday, June 18, 2009, at the Ada Township Offices, 7330 Thornapple River Dr., Ada, Michigan.

I. CALL TO ORDER

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

II. ROLL CALL

Hoeks called the roll. Present: Commissioners Butterfield, Easter, Gutierrez, Hoeks and Sytsma. Also present: Planning Director Ferro. Absent: Chairperson Korth and Commissioner Lowry.

III. APPROVAL OF AGENDA

The agenda was approved as presented.

IV. APPROVAL OF MINUTES OF THE MAY 21, 2009 MEETING

Motion by Sytsma, second by Easter, to approve the May 21, 2009 meeting minutes as presented. Motion passed unanimously.

V. PUBLIC HEARINGS

1. Request for special use permit for a ballet studio in the Industrial Zoning District, 6086 East Fulton St, Parcel No. 41-15-29-420-014, DMDV Properties, LLC

Ferro gave an overview of the application, noting it is for a change in the use of an existing building. The building is currently occupied by Redeemer Presbyterian Church, who will be moving out of the facility. The proposed use is not listed as a permitted use in the Industrial Zoning District. Ferro noted that the applicant is requesting the Planning Commission to approve the proposed use, under the ordinance provision that allows the Commission to approve by special use permit, "enterprises or businesses in the same nature or class as those specifically listed" as permitted uses.

Jadi Finley spoke on behalf of the applicant, DMDV Properties, and Liz Henry, Board Member of West Michigan Youth Ballet, also spoke. She noted they are a non-profit company and they promote dance for West Michigan – they are not affiliated with Ada Dance Academy. She noted they are currently using the building at 660 Ada Drive. Performances would not be held at this location.

Gutierrez opened the public hearing. There were no comments and the hearing was then closed.

Hoeks stated he believes this is a good use and would vote in favor of approval. Sytsma, Easter and Gutierrez stated they all agree. Butterfield noted she is in favor of this also and believes this type of use would benefit the community.

Motion by Hoeks, second by Sytsma, to approve DMDV Properties, LLC's request for special use permit for a ballet studio in the Industrial Zoning District at 6086 East Fulton St. (Parcel No. 41-15-29-420-014). Motion passed unanimously.

2. Amendment to use regulations of the PO District, to revise the special use standards for offices of banks, savings and loans, mortgage lenders, and other financial services having drive-through facilities, by removing standard “d” which requires that the lot providing for such use is a corner lot at a signalized intersection; Requested by Flagstar Bank

Tim Stoecker of Dickinson Wright, and Steve Nicholas of Flagstar Bank presented the request. Stoecker stated they would like to add a drive-through service facility to their existing bank branch at 5110 Cascade Road. He spoke briefly about the history of the zoning ordinance provisions regarding bank drive-throughs. He stated their study revealed there would be an average of 53 cars per day, spread out evenly throughout the day. He also commented on Kent County road capacity statistics and noted that traffic generation rates by banks in general have declined by about 50% due to changes in consumer behavior and online banking.

Ferro stated he reviewed the history of how the current requirements of drive-through banks came into being and he gave a summary of his findings. He spoke about the physical changes that have taken place on Cascade Road where there is now a continuous center turn lane which reduces the risk of rear-end collisions due to left-turning vehicles. Ferro said that based on this and the reduced traffic generation rates of banks in general, the Township should have less concern today than it previously did regarding bank drive-through facilities on Cascade Road.

The public hearing was then opened. There were no comments. The hearing was closed.

Butterfield stated she believes things have changed and this makes a lot of sense, but she does not want to set a precedent for any use other than banks. She believes the bank cannot be competitive without having a drive-through. She would like conditions put on the design standards. Hoeks stated this is a reasonable amendment to adopt. Sytsma stated she wants to make sure that the terminology is very specific and that this is only regarding financial institutions. Ferro stated the language is very specific wherein the paragraph being amended only deals with financial institutions.

Motion by Easter, second by Hoeks, to recommend approval of the zoning ordinance amendment of the PO District, to revise the special use standards for offices of banks, savings and loans, mortgage lenders, and other financial services having drive-through facilities, by removing standard “d” which requires that the lot providing for such use is a corner lot at a signalized intersection. Motion passed unanimously.

3. Amendment to Article XXVI of the Zoning Regulations, Signs, to revise rules regarding use of temporary signs, to revise the provisions concerning prohibited signs, and to revise the rules concerning permitted size of wall signs in the PO, C-2, LI and I Districts; Proposed by Ada Township Planning Commission

Ferro stated this amendment was initiated by the Township and it primarily has to do with provisions for temporary business signs in the Township. Ferro summarized the revisions. Ferro passed out two handouts of recent minor revisions made. He stated this has been under consideration and discussion for approximately two years with the purpose of allowing more generous use of temporary signs. The provision for larger wall signs is being proposed to allow a size based on the square footage of the space being advertised, with a 40 square-foot maximum. There is also a provision for sidewalk message signs which includes location specifications (only allowed in the C1 District). There is a new category called Community Special Event Signs. Ferro stated there is language prohibiting pedestrian signs. One other new category of prohibited signs is vehicle signs.

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

Bob Kullgren, 8697 Conservation Road, Chairperson of Ada Downtown Development Authority, stated that the Commission needs to find a reasonable way to allow the public to know about activities, events

and businesses in the community. We should think about how we can help the business community; not how we can get rid of signs. Kullgren emphasized the need for adequate signage for the new Farmers Market, which is just getting started. He added he is nervous about sign decisions being in the hands of the zoning administrator. He needs to have people know that the Farmers Market is there.

Bob Gormley, 6449 Brookhill Ct., S.E., Ada Business Association Board Member and co-owner of Ada Hillside Pharmacy, stated he is supportive and is strongly behind this proposal.

The public hearing was closed.

Ferro stated it is the goal to find a publicly visible location to put banners up, but not in an area that involves trespassing. Easter stated that her personal feeling is there may be other alternatives identified and available to the community before we start putting restrictions in place. Ferro stated this amendment relaxes the restrictions. Butterfield stated it is important to enforce this so as to avoid possible liability to the Township by using the trestle. There was some discussion about using banner-type signs. Gutierrez believes the regulations are relaxed from what they were. He also noted that the Commission is concerned about the business community. Easter asked about signs on vehicles and exactly what is allowed and what is prohibited.

Motion by Hoeks, second by Easter, to recommend approval of the Amendment to Article XXVI of the Zoning Regulations, Signs, to revise rules regarding use of temporary signs, to revise the provisions concerning prohibited signs, and to revise the rules concerning permitted size of wall signs in the PO, C-2, LI and I Districts. Motion passed unanimously.

VI. UNFINISHED BUSINESS

None.

VII. NEW BUSINESS

1. Final PUD Plan, Cascade Trails PUD, for Phase 1 Consisting of a 7,947 Square Foot Adult Residential Facility, 5038 Cascade Rd. SE, Parcel No. 41-15-31-376-002, Olivia's Gift.

Dan Henrickson of True North Architecture presented the plan on behalf of Olivia's Gift. He noted they have made a few modifications to the site plan. They have eliminated two parking spaces, moved the dumpster location, linked the sidewalk to the neighboring property and added a garage to the west side of the building to be used for a van and maintenance area.

Ferro handed out the revised plan. He noted the plan addresses suggestions made in his Staff Report. The changes reduce parking slightly and eliminate a large amount of sidewalk that was in the riparian transition zone. The addition of the attached garage adds about 400 square feet to the building and reduces the setback from the west property line to 27 feet. Ferro stated that other than these changes, the plan is identical to the preliminary plan.

Ferro asked the applicant what the purpose is of the pavement off the parking area up to the residential area. Henrickson stated it's just a shape issue and he is still trying to figure it out and it may be eliminated. Gutierrez asked about the retaining wall and having more of a natural transition. Henrickson said he would like to eliminate those completely. Gutierrez stated he would also like the wetland area protected during construction.

Motion by Butterfield, second by Easter, to approve the Final PUD plan, Cascade Trails PUD, for Phase 1 of Olivia's Gift, consisting of a 7,947 square foot adult residential facility at 5038 Cascade Rd. SE (Parcel No. 41-15-31-376-002), subject to the following conditions:

1. A recorded cross-access easement providing access to the Olivia's Gift site shall be provided to the Township, prior to issuance of a building permit.
2. An erosion and sediment control permit issued by the Kent County Road Commission shall be provided, prior to issuance of a building permit.
3. A storm water management permit application shall be submitted, and a permit shall be issued by the Township, prior to issuance of a building permit.
4. Pole-mounted parking area lighting shall have a fixture mounting height no greater than 20 feet above the parking area surface.
5. A final landscape plan shall be submitted for review and approval by the Planning Director, prior to issuance of a building permit.
6. Documentation of a utility easement for access to public water and sewer service from Olde Rhoades Meadows shall be provided, prior to issuance of a building permit.
7. A DEQ wetland permit shall be obtained by the applicant, prior to construction of the wetland overlook deck.

Motion passed unanimously.

VIII. REPORTS FROM COMMISSION MEMBERS/STAFF

Gutierrez stated they received a letter from Tom to Forest Hills Public Schools regarding the improvements at the school and the communications between the Township and the school. Ferro noted that the communications continue to be worked on.

Commissioner Easter raised concern with the potential amount of turnover on the Planning Commission between now and September. She expressed a desire to have Commissioner Korth continue on the Commission and to retain a higher degree of continuity in membership.

Gutierrez commented that in his view, if a member is committed to serving, they should be permitted to continue to serve and not be subject to an arbitrary requirement to step down. He would like to see the Board either eliminate the term limit requirement or extend the limit. He added that the only negative he sees is if there are other parties with a desire to serve, they would be locked out of that opportunity if there is no turnover.

Following discussion, it was moved by Easter, and seconded by Butterfield, to recommend that the Township Board rescind the term limits for Planning Commission members, and re-appoint Commission member Korth for another term. Motion passed unanimously.

IX. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

None.

X. ADJOURNMENT

Motion by Sytsma, second by Easter, to adjourn the meeting at 9:03 p.m. Motion passed unanimously.

Respectfully submitted,

Susan Burton
Ada Township Clerk
rs:lm