

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE JUNE 21, 2007 MEETING**

A regular meeting of the Ada Township Planning Commission was held on Thursday, June 21, 2007, 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

Present: Commissioners Burton, Butterfield, Gutierrez, Hoeks, Lowry, and Sytsma.

Absent: Chairperson Korth.

Also Present: Planning Director Ferro.

III. APPROVAL OF AGENDA

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

IV. APPROVAL OF MINUTES

Motion by Hoeks, second by Lowry, to approve the May 17 and May 31, 2007 meeting minutes as presented. Motion passed unanimously.

V. PUBLIC HEARINGS

1. Special Use Permit for Private Cemetery in R-2 District, 7100 Ada Drive, Parcel No. 41-15-33-426-004 and 013, RJM Design

Jim Morgan of RJM Design presented the request for special use permit to create a one-acre family cemetery and a two-acre permanent landscape and access easement around the one acre. He noted there are no parcel splits being created. Access to the site would be from the same location as the former residential driveway which was on the site, and there will be a small parking area for 8 vehicles with a driveable walkway around the site which would be used for a larger number of vehicles for services. Morgan spoke about existing vegetation, landscaping, low level landscape lighting, and security lighting. They are also proposing a pedestrian only access to the adjacent family residence. The entire three acres will all be put into a permanent trust so that care, maintenance and landscaping will go on forever.

Ferro stated that cemeteries are a use permitted in the R-1 through R-3 districts with a special use permit. There are no standards specific to this use in the zoning regulations. There are general standards to follow for special use permit. Ferro pointed out that the driveway location has been approved by the Kent County Road Commission, the 8 parking space lot is set back quite far from the road, the parking surface is elevated between 5 and 10 feet above the road. Given the low intensity use, the provisions for parking and access seem adequate. The only site lighting proposed is low-level landscaping lighting and some emergency security lighting. The entire three acres would only have about 10% paved surface, which would generate very little storm runoff. Ferro referred to the special use permit approval standards listed in his June 21, 2007 staff memo.

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

Butterfield asked about the existing trees buffering the parking area and asked for further explanation on the landscaping plan. Hoeks and Lowry both have questions regarding the proposed lighting.

Ferro said he recommends approval subject to three conditions – 1) permitting the site boundary to be revised slightly, to exclude the land split by the driveway that crosses the southwest corner of the

property, 2) limitations on dusk-to-dawn exterior lighting, and 3) the use of concrete burial vaults be required.

Morgan spoke about the security lighting proposed with the idea of having bright lighting which is intended to keep people out of the cemetery. The emergency lighting would likely be activated by actual physical intrusion on the property, such as persons trying to climb the fence. There was discussion regarding different options for the lighting, including lowering of the 10-foot height limit that was suggested by Ferro. Lowry stated one of the goals is to keep the lighting so it is not distracting.

Motion by Hoeks, second by Lowry, to approve the special use permit for private cemetery in the R-2 district, at 7100 Ada Drive, subject to the following conditions:

1. The site boundary may be revised, at the applicant's option, to exclude the driveway which crosses the southwestern corner of the property from the property boundary.
2. Dusk-to-dawn exterior lighting shall be limited to low level landscape lighting from light sources no higher than 6 feet above grade, including security lighting, all being subject to approval by the planning director.
3. All burials, with the exception of cremains, shall use a concrete burial vault.

Motion passed unanimously.

2. Special Use Permit for a 190 Foot Telecommunications Tower in the Industrial (I) District, 6677 Grand River Dr., Parcel No. 41-15-28-100-011, SBA Towers, Inc.

Matthew Jurson, representing the applicant, and Joyce Tiemeyer, SBA Project Director, presented the request for special use permit for a 190-foot telecommunications tower. The carrier has been looking for a site in this general location for 7-10 years. This site is the preferred location because it is a large industrial piece of property and meets all ordinance requirements. The tower will be built to handle seven carriers.

Ferro commented that telecommunication towers are permitted in any district in the Township with a special use permit. He noted that the applicant has submitted letters from five different companies committing to locating on the tower. He stated there are a number of standards for this specific use which are set out in the staff memo. Ferro noted that a visual impact analysis was conducted, by photographing a helium balloon that was tethered at the site to the height of the proposed tower. Copies of the photos are in Commission members packets. Ferro stated the FFA regulations do not require lighting for a tower this size. The applicant has provided documentation showing conformance with the County International Airport Zoning Ordinance.

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

Andrew Felde, the Township's wireless consultant, referred to a study of existing wireless coverage in the Township which he conducted in 2005. He stated that most of the coverage in the Township is provided from outside Township boundaries – there has only been one multi-carrier tower and one single-carrier tower constructed in the Township, along with co-location sites on previously-existing structures in the Township. The study inventoried the Township's existing wireless infrastructure, and identified areas of weakness in existing coverage. Two areas of weak coverage were identified – the Village area and the Grand River valley in the vicinity of Knapp St. and Pettis Ave.

Felde stated that the proposed tower would provide adequate signal strength to provide wireless service within the interior of buildings in the Village. It would also provide some coverage within the river valley by "looking up" the river valley. Additional coverage may still be needed further north up the river valley.

Hoeks asked if a red light is required with a tower above 200 feet. Felde stated there is a choice between a white strobe light or red light at night. Gutierrez stated it would be nice if the tower could entirely cover Ada Township so that another tower would not be needed down the road and he asked if there is any place to locate one tower and cover the entire Township.

Felde responded that there is no location in the Township to erect a tower which would provide coverage for the whole Township. The signal strength degrades with distance from a tower. Gutierrez asked if the 190 feet is definitely necessary, or could 150 feet work.

Felde stated that the needed height is in part to provide space for multiple wireless carriers. Felde stated that with the 190 feet, and 5 carriers wishing to be located on the tower, the lowest carrier's antennas are located at 150 feet. With a shorter tower, the lowest equipment mounting height may not be sufficient.

Hoeks commented that this proposed location seems to be a good one for such a tower.

Burton commented that she would much rather see a tower with multiple carriers than many single-carrier towers. She asked at what height does lighting become necessary. Felde responded it is 200 feet and over.

Burton asked whether there was any possibility that this standard could change, thereby making lighting a requirement. Felde stated that there is little risk that the standard would change. He commented it is important for the Township to be aware of potential changes to the tower itself that would cause the lighting requirement to apply, such as adding antennas at the top of the tower, in excess of the 200 foot threshold.

Burton suggested that strobe lights not be considered at all. Lowry believes there has been a lot of research on this site and all bases have been covered. Sytsma stated a condition of approval should be that the tower is removed after discontinuation of use.

Ferro pointed out that Chairman Korth's communication to the Commission is that this application be postponed stating he doesn't think the photos presented are enough to understand the impact. Korth's message suggested that the view impact from Grand River Dr. to the west and from the Skyvale developments on Pettis Ave. be evaluated. Ferro stated that the locations Korth is pointing out are far beyond the one-quarter mile significant view impact criteria set out in the zoning rules.

Motion by Burton, second by Hoeks, to approve SBA Towers, Inc.'s request for special use permit for a 190 foot telecommunications tower in the Industrial (I) District, at 6677 Grand River Dr., subject to the following conditions:

1. The 8 trees proposed to be installed on the site shall be a minimum height of 7 feet for evergreen trees, and a minimum caliper size of 2 ½" for deciduous trees.
2. Any exterior site lighting installed on the site shall be motion sensor activated or shall be fully-shielded "cutoff" style fixtures.
3. There shall be no lighting on the tower.
4. If, for any reason, the tower ceases operation or is abandoned, the township may order its removal from the site by the owner of the tower, within three months of notification by the township.
5. If the height required for the tower to serve its intended function decreases from the installed height, due to technological advancement, additional tower installations at other locations, or other factors, the tower shall be lowered to such decreased minimum height.
6. Each carrier's equipment shelter/cabinet shall be labeled with contact information for the carrier. The entry gate to the equipment compound shall be labeled with the facility owner's name, phone number and site ID number.

7. Co-location requests from individual carriers shall be subject to submittal of a site plan application for administrative review and approval by the Planning Director.

Motion passed unanimously.

VI. NEW BUSINESS

1. Site Plan Review, Gymnasium Addition, 6206 Ada Drive, Parcel No. 41-15-32-400-026, Ada Christian School

Dale Boone was present on behalf of Ada Christian School to answer any questions.

Ferro stated the proposed gymnasium addition is approximately 14,000 square feet. The existing driveway that extends around the building perimeter would need to be relocated (with some tree removal). An 1,800 square foot maintenance building is also proposed. Ferro noted that relocation of storm sewers and the water main is also proposed. The new gym will not be highly visible from the perimeter roads. Ferro said that Korth set forth that one concern with this site is how the exterior lighting on the site is operated and whether it can be cut back during evening hours when there is no activity on the site. Korth would also prefer to see the entrances have more of a natural look.

Hoeks spoke about the bright parking lot lighting in the evening. Boone stated the intention is that the lights are turned off with a timer at 10:00 p.m. Hoeks pointed out that when he visited the site, the lights were on after 10:00 p.m. He stated they never received response from Ada Christian School to a letter that was sent regarding this subject in 2005. Hoeks read the condition from the original approval for the school regarding lighting, which states that "site lighting shall be designed and operated to reduce lighting to a minimal level after normal activity hours".

Sytsma stated the school has always been cooperative with requests from the Township. Burton stated she likes the idea of the more natural vegetation at the entrance of the school, as Korth suggests. Gutierrez and Sytsma both would like to see that any significant trees that are removed be replaced.

Motion by Hoeks, second by Sytsma, to approve Ada Christian School's site plan for a gymnasium addition, at 6206 Ada Drive, subject to the following conditions:

1. A plan for supplemental landscape planting on the berm located south of the eastern entry drive shall be submitted for approval by the Planning Director to compensate for any loss of trees resulting from the driveway relocation.
2. The issue of light intensity and pollution shall be resolved to the Planning Director's satisfaction.

Motion passed unanimously.

2. Final PUD Plan, 267 Multiple Family Residential Units on 30.9 Acres, 372 and 420 Spaulding Ave., NE, Parcel No. 41-15-31-201-056 and 060, Miller Valentine

Dale Kraker with Eastbrook Development Company presented the plan. He noted this is the final phase of the Clements Mill project, on a site that was formerly a sand and gravel mining operation. After working with several developers, they have determined that Miller Valentine was the perfect fit for the development. The land that was originally planned for 288 apartment units is now proposed for a mix of condominiums, townhomes and apartments. He stated that Eastbrook Homes would develop 30 townhomes and 27 ranch condominiums units that would be accessed from the eastern part of the Clements Mill development, from Alta Dale and Ada Drive. There would be an emergency-only access lane connecting underneath the power line. The 267 total units proposed is less than the 288 units

permitted under the Settlement Agreement between Eastbrook Homes and Ada Township.

Kevin Hogan of Miller Valentine next presented the plan for the 210 apartment units which would be located west of the power line. There would be 21, 2-story buildings containing 10 units per building. Hogan stated his company has been in the development, property ownership and property management business for over 43 years. Hogan stated they considered many options for developing the property, and feel that the proposed product fits the community best. He stated the building frontages facing the road have the appearance of a large home. There is a private entry and private attached garage for each unit.

Hogan stated they are proposing a product with a premium rent, and the design needs to justify the premium. He noted there is almost 50% green space on the site. They also need a certain number of units to make the development financially feasible. They are also proposing a grand and inviting entry, with a clubhouse with billiard room, exercise facilities, swimming pool and patio area, meeting and party space.

Hogan addressed comments from the Planning Director that were received this evening.

With regard to access location, they would have preferred the access to be across from the West Village entrance, but the grade difference between the site and the road makes this impractical, due to loss of land for grading of the driveway access.

Doug Stalsonburg reviewed changes that have been made to the plan to respond to staff comments:

- Stalsonburg referred to the lot coverage and unit mix calculations. Stalsonburg noted they have now provided a 20-foot no-disturb zone along the south property line, to comply with the buffer standards in the zoning rules.
- They have added an 8-foot section of sidewalk for a certain distance off of Spaulding Ave., and it is now proposed to be constructed of concrete, to contrast with the asphalt drive.
- The mail kiosk and mail pickup area has been moved off the main entry road.
- The retaining wall adjacent to the wetland has been moved some distance away from the wetland edge, to be closer to compliance with the riparian protection standards, even though they are not required to comply with these rules.
- Tree plantings have been added to the cut slope at the south end of the property.

Gutierrez asked if there was any discussion on a second point of entrance. Stalsonburg noted that with the secondary emergency access provided, the Fire Chief is satisfied with the access proposed. The grade change on the site does not permit a second access. Stalsonburg stated that there is one access point, proposed to be aligned with the entry to the Alticor warehouse on the opposite of Spaulding. The reason for this is so that the access location is where the grade of the street and the grade of the site are similar.

Hogan next spoke about other changes they have made to try to work with the Township in resolving issues. Stepped retaining walls and plantings are proposed to lessen the impact of grade changes. With regard to parking, they have 210 garages, some of which are 2-stall. There are a total of about 550 spaces, in excess of Township requirements, which includes spaces located in the driveways in front of garage doors.

With regard to the proposed landscaping and clearing of the existing vegetation along Spaulding Ave., Hogan noted they are proposing to install 92 quality trees along Spaulding Ave., which he believes is far in excess of the number of quality trees there now.

Hogan stated there will be a pedestrian trail which will run adjacent to the access road through the development, and which will connect to Spaulding Avenue adjacent to the entry. Hogan listed reasons why they do not wish to have a public trail through the middle of the development, including liability, quiet enjoyment and grades. Hogan stated he believes that the mix of 8-foot wide and 5-foot wide trail they are proposing is no different than the situation that already exists in West Village and in the single-family portion of Clements Mill.

Hogan stated they have an investment partner for this project, which makes timing of approval important. The project is on a very short timeframe, and could be lost if approval is delayed far beyond this evening. They believe they have made a concerted effort to meet our concerns.

Ferro gave an overview of the plan. This plan does meet the parameters of the Settlement Agreement pertaining to minimum setbacks, building height, façade materials and bedroom mix.. Ferro stated that the proposed unit size range of about 700 square feet to 1,400 square feet is larger than is typical for apartment projects. The style of the units has changed somewhat from what was originally contemplated in the Settlement Agreement. Ferro stated that if the steep slopes and wetland are excluded, the site coverage by building and pavement is fairly high, even with the attached garages. The steep slopes and wetland account for 10% to 12% of the site area.

Ferro noted that relocating the driveway opposite the entrance to the West Village Development would be preferred aesthetically to the current location opposite the entrance to an 800,000 square foot warehouse, but this would require the driveway entry to extend on a fill slope well into the site. Ferro stated he does not believe the stacked parking is counted as usable parking spaces and needs to look into this further.

Ferro stated that he does not believe that the 5-8 foot wide surface proposed adjacent to the access drive through the development provides a safe or usable trail route suitable for public use and acceptance as a public facility by the Township. The trail was required as part of the Settlement Agreement in order to become part of a larger east-west trail corridor through the Township.

Ferro talked about how this plan was presented to the Township and the community with not much time and room for feedback, etc. -- the plan should have been brought to us at an earlier stage of the development. Ferro spoke regarding the retaining wall, grading, drainage and the pedestrian trail.

The Commission feedback was to try to avoid the clear-cutting and grading of the hillside in the area adjacent to Spaulding Avenue. The retaining walls behind Building 21 would not be very visible from Spaulding Ave. However, except for the 20-foot adjacent to the property line, the goal of preserving the natural vegetation along the hillside has not been met.

Ferro concluded stating he recommends postponing action on this plan. To address the time constraints cited by the applicant, perhaps a future special meeting date could be set.

Hogan responded stating they have met conditions of the Settlement Agreement, presented the plan back in April and made sure they had a plan that was pleasing to the Township. He noted they are under a time constraint and would like to get to the construction stage this summer. He suggested having a special meeting possibly as soon as next week.

Randall Kraker, counsel for Eastbrook Development, reminded the Commission that the Settlement Agreement allows up to 288 units on this site, and the Commission should not lose sight of this fact. He stated he disagrees with the Planner's reading of the Settlement Agreement pertaining to trail width. He also spoke about the width of the pedestrian trail and stated the settlement agreement does not require a particular location for this – it just simply provides there will be one that connects to Spaulding. He stated there were a number of meetings regarding this project with representatives of the Township Board and staff up to a point of amending the Settlement Agreement.

Hoeks noted there is one issue that hasn't been touched on. There has been considerable concern and litigation from those who think that living near power lines emits certain electromagnetic waves. Hoeks asked if this has been taken into consideration. Hogan stated they have absolutely considered this. They have looked heavily into this and they do not believe there will be a marketability issue.

Hoeks next spoke about the bicycle pedestrian trail and does not believe its location connecting to a 4-5 lane road makes sense, nor would it be safe.

Lowry added that a five-foot wide bike path makes it very difficult for two bikes to pass and this also creates a safety issue. Hogan stated that the path through the rest of the PUD is 5 feet throughout the single family subdivisions. He believes what they are proposing equals or exceeds what is found in the rest of the development. Burton stated because of where the path comes out on Spaulding and the traffic conditions, it is very unsafe. Hogan stated he does not know how to solve that problem as a private entity – this would be in the hands of a governmental entity.

Dale Kraker, Eastbrook Development, emphasized that the 22-foot grade difference between the site and the road at the south end of the development makes it difficult to place the path at the south end of the site. Burton stated there needs to be give and take to meet the Township's needs for safety and continuity in the trail system. Randall Kraker, representing Eastbrook Homes, stated the Township can work with the Road Commission to solve the crossing concerns.

Sytsma stated they need to create a community atmosphere and keep it safe. Sytsma added that she realizes they are legally bound to let them develop the property, and there is a need for affordable housing, but they do not want something that is not a community. Hogan stated they could work on the bike trail connection issue, but he doesn't know how they can deal with crossing a public right-of-way. Ferro stated he agrees with the applicant that it is the Township's responsibility to deal with the crossing issue. The Township can install a trail in the right-of-way and design a crossing.

Hoeks next suggested reducing the site coverage by possibly going to three stories. Hogan stated they did look at three story buildings and other options. Having attached garages/garages under the units creates more green space. He stated he disagrees with Ferro's comment regarding the unit type resulting in a high site coverage by pavement and rooftop. He believes that the type of unit proposed here results in lower than typical site coverage, and that this is the right type of product for the community.

Dennis Blanton, Abbey Mill Dr., president of the Clements Mill Condo Association across the pond from Eastbrook Development's project, stated they see this project as the best thing for their community. They would rather see condos and townhouses across from their development than apartments. He commented on the high speed of traffic on Spaulding Ave. conflicting with a bike path crossing.

Peter Draaisma, 7597 Leonard St. NE, stated that the lighting of the Spaulding Ave. substation is much more glaring and objectionable than the Christian School lighting. He stated that the proposed apartment development appears to be an attractive project overall and would be an asset to the Township.

Motion by Sytsma, second by Hoeks, to postpone action on Miller Valentine's Final PUD plan for 267 multiple family residential units on 30.9 acres, at 372 and 420 Spaulding Ave., NE, and to schedule a work session meeting at 3:00 p.m. on June 25, 2007, noting the major issues to discuss are the retaining walls, transition from the wetlands to the development, and the bike path.

Motion passed unanimously.

3. Consideration of Moratorium on Billboard Permits

Ferro asked for a motion to add a New Business agenda item for the consideration of a moratorium on billboard permits. Motion by Burton, second by Hoeks, to add New Business agenda Item 3. Motion passed unanimously.

Ferro stated a proposal is being made to place a billboard on a vacant lot on Fulton Street east of the Grand River on the south side of the highway between the former Mountain Ridge office building and the river. It would require tree removal for visibility. He would like to request the Commission to consider making a recommendation to the Township Board, to adopt a temporary moratorium on billboard permits. Ferro said that he believes that a billboard in that location could be very detrimental to the visual character of the community. Ferro requests the Planning Commission recommend a 6-month moratorium to the Board, to permit the Planning Commission to conduct an evaluation of the current billboard regulations, and development of possible revisions.

Motion by Sytsma, second by Lowry, to recommend to the Township Board to establish a 6-month moratorium on issuance of billboard permits.

Motion passed unanimously.

VII. REPORTS FROM COMMISSION MEMBERS/STAFF

Sytsma commented that work on the Master Plan has interfered with the Commission's committee work, including the Lighting Committee and Riparian Protection Committee.

Ferro stated that, in conformance with the municipal planning statute, copies of the draft Master Plan revision have been distributed to surrounding communities for review and comment. In addition, a joint work session with the Township Board on the draft Master Plan is scheduled for July 10th, at 4:00 p.m. in the classroom at Ada Township Park.

X. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

None.

XI. ADJOURNMENT

The meeting adjourned at 10:35 p.m.

Respectfully submitted,

Deborah Ensing Millhuff, CMC
Ada Township Clerk
rs:lm