

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE SEPTEMBER 18, 2014 MEETING**

Draft

A meeting of the Ada Township Planning Commission was held on Thursday, September 18, 2014 at 7:00 p.m. at the Ada Township Offices, 7330 Thornapple River Dr., Ada, MI.

I. CALL TO ORDER

Meeting was called to order by Commissioner Korth 7:00 p.m.

II. ROLL CALL

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

Absent: Easter

Staff Present: Planning Director Ferro.

III. APPROVAL OF AGENDA

Motion by Lowry, supported by Jacobs, to approve the Agenda.

Motion passed unanimously.

IV. APPROVAL OF MINUTES OF AUGUST 21, 2014 MEETING

Motion by Lunn, supported by Leisman, to approve the minutes as presented.

Motion passed unanimously.

V. PUBLIC HEARINGS

None.

VI. UNFINISHED BUSINESS

None.

VII. NEW BUSINESS

Request for Special Use Permit for Type II Home Occupation Permit, for Use of Barn as a Special Event Facility, 3050 Pettis Ave NE, Parcel No. 41-15-05-300-028, Michael Bieker

Michael Bieker, 3050 Pettis Avenue, stated his barn has always been offered to the community for events like fund raisers. About a year ago it was offered to a family friend and once to a family member who had both requested having their weddings there. Bieker stated since then people have started requesting use of the barn, and we began discussing whether this is something we want to do, and if it was something we can do. He stated they decided they would like to do it, so they began looking into whether they could do it. He stated the Type II Home Occupation rules seemed to fit nicely in many respects except when it came to the topics of parking and potential traffic. He stated he is here tonight to answer any questions and generate a discussion around whether it would be appropriate to proceed with a Type II application or whether there is some other avenue that should be pursued.

Jim Ferro, Planning Director stated if we were to proceed with this under the Type II Home Occupation rules as a Special Use Permit it has to be advertised for a public hearing, and this has not yet been advertised for a public hearing, so no action could be taken tonight. Ferro stated his staff report compares the proposed use to the Type II Home Occupation standards in the zoning rules, and the proposed use, using residential property for an event venue, complies with most of those standards, except for the

standards pertaining to parking and potential traffic generation. Ferro stated the standard states there shall be no more than two off-street parking spaces provided for the Home Occupation use, and in this case the applicant isn't proposing to have any improved parking spaces, other than the open field areas on his property. If you take that standard to mean that no more than two visitors at a time shall have vehicles at the premises, then it clearly wouldn't meet that standard, and there would be no use in proceeding. He stated he is familiar with other communities that have specific zoning rules that address use of large accessory buildings in rural and agricultural areas as event venues. Ferro stated he is leaning toward concluding that this proposal doesn't fit the Home Occupation rules, and the best way to address it if we want to permit this type of use would be through some zoning rules specific to that type of activity.

Leisman stated he is generally in favor of the idea. Within the last year Nelson Township did this by developing a new category called Agri Business, which is a special land use in an agricultural district that allows for things such as corn mazes and barn weddings. So, maybe we could develop a new category.

Korth stated we have some level of agri-business ordinance already.

Ferro stated we do have rules for farm markets and ancillary activities, but those rules only apply to properties that are in use for agricultural production. The intent there is to make agricultural land use more viable by providing other means of generating income from agricultural property to supplement farm income, and in some communities it's seen as a way to encourage preservation of historical farm buildings.

Lunn asked if serving alcohol would require a liquor license or permit.

Bieker stated the way they propose handling it is the contract and liability waiver specifically states that a caterer as well as a licensed bartender must be hired.

Ferro stated if a family rents a facility to have an event and they want to serve alcohol and they're not selling it, they're giving it away, it doesn't require any liquor license. Under that circumstance it's up to the facility owner to contractually put something in writing.

Butterfield stated in most facilities that do rent out for weddings, etc., with liquor being consumed you have security, would that be something that is included if you're renting the space.

Bieker stated that is what has been proposed. He stated they are also proposing a limit on size of events.

Lunn stated that noise generation in a rural area could also be an issue.

Bieker stated the area activity would be inside. He would also anticipate a time limit on events. He stated his experience has been that neighbors have not perceived any noise from previous events.

Lowry stated the main problems he sees are traffic generation, potential problems created by alcohol consumption and potential noise problems. He agrees the Type II home occupation standards don't fit this proposal.

Butterfield asked if there are other communities that have zoning regulations that specifically address these type of issues in non-agricultural areas.

Ferro stated there are three or four examples of building approvals being given for events for use of barns in the last few years, including a recent one in Courtland Township.

Jacobs stated her concern is that our rules state that home occupations must comply with all of the language in the standards.

Korth stated it would be a useful exercise for us and the community to investigate and research everything from alcohol to traffic to our ordinances. My recommendation would be that we develop some framework, and work on it together or develop a subcommittee to work on it with Jim.

Lunn asked what the barn was built for originally.

Bieker stated it was built for tractors. He stated he was quite surprised that there is such a demand from the community to have a place to have large events. He stated they get calls every week, mostly for weddings and fund raisers. He stated they will continue to offer this to the community for fund raisers at no charge.

Korth stated this is interesting because there has been a lot of talk about the facility at Roselle Park and what that should be, and if it was large enough it could be a facility that would be used all the time.

Ferro stated the building at Roselle Park will have a maximum capacity of maybe 100 people.

Korth stated obviously the community is in need of something bigger. Jim, would you prefer to work on this with a subcommittee or on your own, and pull something together for the next meeting?

Ferro stated either one, with a subcommittee we could share data through emails, and at the next meeting I can show you some examples.

Request for Change in Site Plan Approval Conditions, pertaining to installation of landscaped islands in cul-de-sacs and restriction on location of driveway access, Edlyn Lane and Barron Drive, Paul and Heidi Barron

Steve Hanson, representing Paul and Heidi Barron, stated they would like you to consider the green space at Barron Drive and Edlyn Lane in front of where the gate is because no one on the cul-de-sacs want the green space islands; no one is going to use it. He stated these are both private roads, there are eight lots there, and there are only two people driving by each of the required green space islands. Hanson stated the proposed landscaping at the Edlyn Lane entry is going to look nice, it's going to enhance the area, and it will be more of a benefit to the community, so to speak, than islands in a couple of cul-de-sacs that nobody will ever see. The islands also make it more difficult to plow around. We would like to landscape the entry rather than have the green space islands in the cul-de-sacs.

Ferro stated this was originally approved in 2007 with the condition that landscape islands be provided in both cul-de-sac turnaround areas. The development was slow in starting based on the economy and housing market and it was two to three years before construction began on the roads. Edlyn Drive construction plans were submitted in 2012 and the plans didn't show the cul-de-sac island, and we discovered at that time that the island in Barron Dr. had not been installed, and we pointed out to the applicant at that time that both islands needed to be installed. Ferro stated in December 2012 Paul Barron appeared before the Planning Commission requesting removal of the island requirement, and that request was denied. Ferro stated in October 2013 he met with several residents of both cul-de-sacs and heard their sentiments in support of having the requirement removed, and one of the residents addressed the Planning Commission regarding the issue. Ferro stated that feedback from the Commission was that in order for any change in the requirement to be considered a formal request would have to be submitted. A revised site plan application was submitted in July, 2014.

Ferro stated the Planning Commission has required cul-de-sac islands as part of the design on private road cul-de-sacs consistently in the past 10 years. Dimensions used have been reviewed by the Fire Chief and found to be acceptable. Ferro stated the benefits are that they substitute some green space for pavement, provide some visual relief from the big expanse of pavement, and provide some minor environmental benefits in reducing runoff and just getting rid of black pavement that generates heat. From the perspective of property owners one drawback is that there's no water source for irrigation, which makes

maintaining good plant growth a little more difficult. Ferro stated this can be addressed in part by using plant materials that don't require a lot of water.

Ferro stated that factors to consider in evaluating the request include: 1) the area is heavily wooded, and it's largely out of view of the public; 2) Edlyn Drive residents' proposal for landscaping at the entry evidences their preference to invest resources in that area rather than in a cul-de-sac island. He stated he doesn't have any recommendations on this; he believes it's a judgment call for the Planning Commission to make.

Ferro stated he did get a revised plan today from the applicant addressing the comments he had made that there were no sizes specified for the plantings, and those are now shown. He stated he has talked with the applicant about trying to plant materials that are deer resistant and native species that fit the character of Bailey Drive, which is pretty natural.

Leisman stated he doesn't have a strong feeling on this one way or the other.

Lunn stated in the area where he lives there are a couple of large cul-de-sacs with no islands, so it's not consistent within the Township.

Ferro stated that the cul-de-sacs within Ada Woods are public roads, and the County Road Commission does not allow islands in public road cul-de-sacs.

Lowry stated when we set up the rules originally everybody had to do it. He stated he can understand the new plan with the gate and everything and the fact that you're wooded all the way around. If the people that are living in there accept that, and the general public can't see the cul-de-sacs, then I'm for the new plan.

Butterfield stated times change, plans change, and the market changes, and if the residents aren't happy with that she doesn't see any reason to mandate that they have these landscape cul-de-sacs.

Korth stated the problem he has with this is we have an organized process and this developer agreed to the requirement, and we spent a lot of time on it in 2007. He chose to do whatever he wanted to do; if those islands were there and those roads had been built properly when those homeowners came in they wouldn't be thinking about the type of design. He stated his attitude is the islands should be put in because that's what we agreed to.

Motion by Leisman, supported by Jacobs, to approve the revised site plan deleting the requirement for installation of islands in the cul-de-sacs on Barron Dr. and Edlyn Lane.

Motion passed by 5-1 vote, with Korth voting no.

VIII. STAFF/COMMITTEE/COMMISSION MEMBER REPORTS

Proposed Financing Plan for "Envision Ada" Public Improvements

Ferro presented a summary of the proposed financing plan for implementing public improvements contained in the Envision Ada redevelopment plan for the Village. He stated the plan was presented on September 8 at a joint meeting of the Township Board and DDA Board.

Korth stated we do have to take a look at what is going to be built next spring and give our approval, but when are we going to see the latest generation.

Ferro stated it hasn't changed since the last version, but it's near final so I think that will probably come back to you at the next meeting. We don't have all of the property acquired.

Korth stated there was a group that went to the Road Commission, but we haven't heard any final outcome from that meeting concerning road design issues.

Ferro stated we did receive a response from the Road Commission, and he will send that to Tom.

Korth stated he would like to see some closure on a lot of the open items. As we get closer each month we should be seeing a list of the latest generation, we should be seeing a list of the progress that has been made on changes in the plan.

Lunn asked what the schedule is for the Notice of Intent for the proposed bond issue.

Ferro stated that first step was done September 8th, with the DDA Board and Township Board passing resolutions of intent to begin the formal adoption process, and the next target date is in November for the Township Board to adopt a Notice of Intent to issue capital improvement bonds, which starts the 45 day right of referendum period during which a petition can be circulated to call for a referendum vote; if there are no petitions submitted within that 45 days then the Township Board can issue the bond, and the schedule calls for the Township Board to authorize issuance of bonds in early January, and then sale of the bonds will take place in the spring after the bids are in and they know what the bid price is for Phase 1 construction costs.

Korth stated it would be worth the exercise to try to put up a timeline of when this commission has to have this approved by.

Leisman asked if a notice has to be sent out to the surrounding communities to amend the Master Plan.

Ferro stated that hasn't gone out yet, but that can happen at any time.

Korth stated there is another timeline of things this commission needs to be doing so that when the time comes to lift a shovel our job is done.

IX. PUBLIC COMMENT

None.

X. ADJOURNMENT

Motion by Jacobs, supported by Lunn, to adjourn the meeting at 8:12 p.m.

Motion passed unanimously.

Respectfully Submitted,

Susan Burton, Township Clerk

SB/dr