

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE OCTOBER 6, 2011 SPECIAL MEETING**

A special meeting of the Ada Township Planning Commission was held on Thursday, October 6, 2011 at 4:00 p.m. at the Ada Township Offices, 7330 Thornapple River Dr., Ada, MI.

I. CALL TO ORDER

Meeting was called to order by Korth at 4:00 p.m.

II. ROLL CALL

Present: Chairperson Korth, Commissioners Lowry, Hoeks, Easter, and Lunn, and Planning Director Ferro. Absent: Commissioner Butterfield and Treasurer Rhoades.

III. APPROVAL OF AGENDA

Motion by Easter, second by Lunn, to approve the Agenda. Motion passed unanimously.

IV. NEW BUSINESS

Site Plan Review, Expansion of Existing Parking Area by 96 Spaces, 7575 East Fulton St., Parcel No. 41-15-28-401-016, Owen Ames Kimball Co., for Amway Corp.

Tracy Ezell, staff architect and Project Tech for the Amway project from Owen Ames Kimball, stated that the request is for expansion of an existing parking area that doesn't necessarily serve the building addition that is going on adjacent to it. The expanded parking is for the manufacturing facility to the north, numbered building 58. Ezell stated with some jobs being added they are requesting the addition of this parking to maximize the parking within the new rail spur that is currently being installed. Ezell also stated they have worked with the engineer regarding compliance to the slopes and grades and the drainage, etc.

Planning Director Ferro stated there is a slight revision to the plan that was handed out, and that was reconfiguration and expansion of the size of the landscape islands in the parking lot to conform with our landscaping standards. Ferro stated the proposed parking expansion conforms with all the dimensional standards in the zoning rules for parking layout and setbacks from property lines. He stated from a visible impact standpoint most of this lot is three to four feet below the grade of the rail spur that is being installed between the highway and the parking lot, so the rail spur will substantially shield the parking area from view from the road.

Ferro stated there is exterior lighting proposed with LED cutoff fixtures, several new in the parking area and a couple of wall-mounted fixtures that were shown on the plans for the warehouse expansion to the west. Ferro stated the parking area is over 100 feet from Fulton Street and will be negligibly visible from Fulton, and that he recommends approval.

Ferro also stated his recommendation is subject to one condition - that a DEQ flood plain permit is required for this project since a portion of the new pavement falls within the 100 year flood plain. Ferro added there is no fill proposed, so it has no negative impact on flood volume storage area, but any excavation in a flood plain requires a permit. He stated it is an expedited permit process that happens in the Grand Rapids office in about ten days. Ferro stated he recommended approval, subject to the condition that DEQ and Township flood plain permits are both obtained prior to site work.

Hoeks asked how many square feet of impervious area is being added. Ferro responded a little over one-half acre.

Hoeks also asked if the existing impoundment area is adequate for runoff of that, plus storage for any sorbitol spill in the event of a catastrophic event.

Ferro stated the parking area will be served by storm sewers, and they run off toward the main plant, toward the north and east. He stated he believes the storm sewers discharge into the impoundment on the Amway campus, although he has not seen documentation of that and does not know that with certainty. Ferro stated there is no storm water detention required in this location, and the artificial impoundment that is behind the plant, between the plant and the river, serves as a pre-treatment function before runoff goes into the river. Ferro stated regarding the sorbitol, there is 100% containment of a rail car's volume of sorbitol in the rail shed addition to the building.

Tracy Ezell stated the sorbitol is delivered in a heated rail car that maintains the sorbitol liquid at 130 degrees. He added that below about 80 degrees the sorbitol becomes a gel basically, so we have provided for 100% containment. He stated the concrete walls are tall enough, and there are booms that go in front of the overhead door to contain the sorbitol while it solidifies, so to speak. He stated there are four drains for clean-out purposes in the rail shed, but they also have valves that remain in a closed position, and the method of operation involves allowing any spilled material to solidify within the holding area. He stated it can then be shoveled into containers, so that very little of the sorbitol will actually go into the storm drain in the event of a spill.

Lunn stated that based on Jim's comment that he doesn't know where the storm water goes, a second condition be that it meet the Township's storm water ordinance design requirements.

Bob Goodheart, Pathfinder Engineering, stated a study was done of the storm water system downstream of the added parking area. He stated they identified the discharge point of the storm sewer system, and evaluated the available capacity to handle the added parking area. He stated, in looking at that, they realized they are in a non-detention-required area, so they don't have to actually detain it. Goodheart stated the main concern was ensuring the capacity of the system is adequate to convey storm water from point A to point B without flooding buildings, etc. Goodheart stated the addition of the parking area results in a couple of inches of added ponding depth on part of their site during a severe storm.

Goodheart also stated they are installing leaching catch basins to provide some storm water infiltration, but did not include that in their storm water calculations, resulting in their calculations being conservative.

Ferro asked if the discharge point is to the impoundment.

Goodheart stated the storm water outlet is to a wetland to the west of Lake Amway, and submitted a plan for Ferro to review. Ferro, after reviewing the plan, stated the outlet is a 60 inch storm sewer. He stated he did not know without looking at the ordinance whether the storm water ordinance requires any pre-treatment before discharging into a wetland.

Lunn stated we should verify that and make it a condition.

Motion by Lunn, second by Hoeks, to approve with the conditions: (1) that the Michigan DEQ and Township flood plain permits shall be issued prior to the initiation of the project, and (2) the plan shall comply with the Township storm sewer ordinance.

Motion passed unanimously.

Revised Final PUD Plan, Conversion of Garage Space to Living Space in Unit 29B, Villas of Ada, Phase 2, Covenant Development

Peter Engles, Covenant Development, stated they have a buyer who falls within their target market, a married couple, 60 plus, with no school age children at home, who wish to convert a garage stall in a 3-stall unit into an entry mud room area as well as an exercise room.

Hoeks asked if the unit is normally a two bedroom unit.

Engles stated it is normally two bedrooms, plus a den. He stated the unit could become a three bedroom unit, with the den becoming a bedroom.

Korth asked how many units are going to have three-stall garages.

Engles stated he believes it is six, or as many as eight three-stall garages out of 128 units in phases 1 and 2 combined.

Easter asked if there has been any reaction from the community about modifying this plan.

Engles stated no, they have not notified the association of the proposed change already added the three-stall garage and they are aware of that. He stated, from a builder's perspective, he sees no issue with that.

Hoeks asked whether Phase 1 had any three-stall garages.

Engles confirmed there are none in Phase 1.

Hoeks stated he was not present when Phase 2 was adopted and stated he is very happy to see the extension of it, but asked why a couple would need a three-stall garage.

Engles stated they get comments from people that they want a stall for a boat or a classic car, and we also hear the husband likes to have space to tinker around. He also stated they have had comments stating "I would move here tomorrow if you had a three-stall garage", so we viewed that as an opportunity.

Hoeks stated this is a real problem for him unless it can be resolved more easily that he can see, but he is concerned about future buyers converting space to multiple additional bedrooms, with a resulting large household size. He asked what is to prevent a family like that from moving in and jam packing a unit, contrary to the "empty-nester" concept.

Korth asked what controls they have at the association level related to some of those questions.

Engles stated to his knowledge it would be illegal to discriminate against numbers of families or generations that live in a home; however, there are several provisions in the bylaws that restrict where vehicles can be parked. Engles stated there are a lot of things in the bylaws that would prevent the issues that you're mentioning.

Ferro commented the zoning rules do have a limit on the number of unrelated persons that can live together. He stated from a societal standpoint we probably don't want to stand in the way of a household providing housing for an elderly parent, which is becoming more and more common.

Hoeks stated he believes this just leaves the door open to pack more grandchildren and great grandchildren in a unit.

Korth asked what the current monthly dues are.

Engles responded \$185 per month.

Korth stated that is one hurdle that acts as a barrier to entry that would discourage persons looking for inexpensive occupancy for multiple persons.

Hoeks stated if you have four or five wage earners that problem is minuscule.

Korth stated we have to work within the framework of our overall broader laws related to real estate. He stated if they want to hone it, fine tune it, and manage it, that's what their association is for, that's where the barrier is.

Korth asked Engles if it was the intent to permanently have a no-thru traffic sign at each end of the private road.

Engles stated there are no plans to have no-thru traffic signs in the development.

Ferro stated the Commission could address this matter in two ways: (1) take action on this specific unit request only, or (2) set some parameters that would guide staff reviews of any similar request that might come in the future for any of the other three-stall garage units in the Villas. He also stated he did not think there was any major concern or risk of significant change to the character of the development, given the limited number of units that have three-stall garages. He stated we need to be mindful that floor plans were submitted as part of the original PUD and one of the important aspects of this project that appealed to us and contributed to the approval of the project was the target market, type of units, and the lower household size.

Easter asked what happens if this is built as a three-stall garage unit and a future owner proposes to convert a garage stall to finished space.

Ferro stated he had given thought to that, either the initial owner or a subsequent owner could submit their own building permit application to do their own remodeling job and convert a garage stall to living space, and we need guidance on how to handle that in the future, too.

Engles stated that such a change would require association approval.

Ferro stated in one sense the removal of the garage stall tends to have the opposite effect on potential occupancy, compared to the addition of finished living space.

Lunn stated his preference would be to turn this over to staff and have them bring it back to us.

Korth stated, you are moving on approving this one and allow any future ones to be handled by staff?

Lunn stated that would be his motion.

Ferro stated the parameters suggested in his staff report would limit conversion to no more than one garage stall, which has to be contiguous to rest of the finished space in the unit.

Motion by Lunn, second by Lowry, to approve the revised Final PUD Plan, and to authorize staff to review and approve any future conversions, subject to the following limitations:

1. The conversion of a garage stall to finished space is only permitted in units that have 3 garage stalls.
2. No more than 1 garage stall in a 3-stall garage may be converted to finished space, and the stall converted to finished space must be contiguous with the balance of the finished space in the same dwelling unit.

Motion passed by 4-1 vote, with Hoeks opposed.

V. PUBLIC COMMENT

None.

BOARD COMMENT

Korth suggested that the Commission consider communicating with Amway Corp. about the potential for implementing green building projects on the Amway campus, such as converting rooftops to “green” roofs, in order to reduce the runoff impacts from the site. Ferro was requested to draft a communication for review at the next meeting.

Korth brought to the Commission’s attention that the subcommittee originally charged with reviewing the riparian protection regulations no longer has a full membership of three. He stated at this point he does not believe the proposed change to the regulations should be acted upon. He asked if anyone wants to join the Riparian committee and become a member the issue could be worked on further, or we could schedule action on the amendment at next month’s meeting.

Easter stated her inclination is for action to be postponed indefinitely.

Korth stated the exercise of reviewing the ordinance has gone a long way to having people who do mow right up to the edge of creeks think about what they’re doing more so than they ever have, so it has advanced the goal of educating people.

Lunn stated he would join a subcommittee, but he agrees that if the amendment were recommended by the Planning Commission, it would be unlikely to be approved by the Township Board.

Korth stated given the response that is now active on this subject, there is no way the board would approve a change.

Lowry stated it appeared there were many people who did not have a good understanding of the purpose of the regulations, and that more education is needed.

Easter stated she believes we should put our energy into educating.

Korth questioned whether it is the Planning Commission’s responsibility to do this education.

Ferro stated the Open Space Advisory Board has undertaken some of these things.

Hoeks stated if it appears that the Township Board would not want to alienate people on this matter, he would be comfortable with postponing action in favor of continued public education efforts.

Korth stated this should be listed as an agenda item for the October meeting.

VI. ADJOURNMENT

Motion by Lunn, second by Lowry, to adjourn the meeting at 4:50 p.m. Motion passed unanimously.

Respectfully Submitted,

Susan Burton, Township Clerk

SB/dr