

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE OCTOBER 20, 2010 MEETING**

A meeting of the Ada Township Planning Commission was held on Thursday October 20, 2010 at 7:30 p.m. at the Ada Township Offices, 7330 Thornapple River Dr., Ada, MI.

I. CALL TO ORDER

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

II. ROLL CALL

Present: Chairperson Korth, Commissioners Butterfield, Lowry, Paul, and Treasurer Rhoades.
Absent; Gutierrez and Easter.

Also present: Planning Director Ferro

III. APPROVAL OF AGENDA

Korth suggested that election of officers be postponed to the next meeting, since there are two members absent from tonight's meeting.

It was moved by Paul, seconded by Lowry to approve the agenda, with removal of election of officers. Motion passed unanimously.

IV. APPROVAL OF MINUTES OF THE SEPTEMBER 16, 2010 MEETING

Korth questioned whether the statement made by Paul at the top of page 3 regarding his opposition to a Bronson St. driveway access on the Big Steps Little Feet PUD Plan was accurate. Paul stated that it was a little beyond what he had stated, and that his comment was addressed to clearly identifying the shared access through the auto service center on the existing access easement. Korth suggested revising this sentence to state "we should direct the applicant to come back with another plan with the access easement fully recognized."

It was moved by Rhoades, seconded by Lowry, to approve the September 16, 2010 meeting minutes with the correction as stated by the Chairman. Motion passed unanimously.

V. PUBLIC HEARINGS

1. Preliminary PUD Plan, 9,360 Square Foot Day Care Center on a 2.51 Acre Site, 7030 Fulton St. and part of 7041 Bronson St., Parcel No. 41-15-28-477-039 and 009, Highpoint Real Estate and Development

Steve Witte, Nederveld Associates, presented a revised plan and pointed out some of the changes to the Plan, including:

- 1) shifting of the building to the west to allow two rows of parking along the driveway east of the building;
- 2) preparation of a conceptual plan for the surrounding area, showing a coordinated access system with driveway interconnections with adjoining property;
- 3) addition of a sidewalk on the east side of the Bronson St. driveway, and a crosswalk at the intersection of the north-south and east-west driveways.
- 4) obtaining a driveway location approval letter from the Kent County Road Commission;

Witte stated that they did not wish to add a solid 3-foot high screen between the parking area and Fulton St., as recommended by Ferro, in order to maintain sight lines to the building from the highway.

Korth summarized the subcommittee review process, and noted that a lot of the changes made came out of that process.

Ferro commented that he did not believe that providing a 3-foot high landscape screen between the parking and the road would necessarily hide the building from view. The intent of the landscape standard is to screen parked cars to headlight level. He stated he realizes that the grades drop off adjacent to the parking, but that a level area adjacent to the parking could be provided in order to accommodate a hedge.

Ferro stated that the modifications made to the plan succeed in making the site function and appear as a part of the Village. He noted he has recommended approval, subject to a number of conditions. He reviewed the recommended conditions pertaining to exterior lighting, the access easements shown on the plan, the condition pertaining to allowable uses of the building in addition to a day care center, and the large maple tree that we asked the applicant to locate and preserve if possible.

Lowry asked whether a berm could be placed between the parking area and the highway. Ferro stated he did not believe this would be feasible, due to the grade difference between the parking area and the road.

Korth opened the public hearing. There were no public comments, and the hearing was closed.

Rhoades asked whether communication to Amway requesting a meeting concerning potential future plans for their property to the east has been sent yet.

Korth stated he has no information to share at this time. He noted that the letter we planned to send has not been sent, pending a conversation with the DDA Chairman regarding a coordinated approach, given the DDA Board's interest in this topic. We have attempted communication with Amway in a more informal manner. Ferro stated that his contact has been limited to responding to information requests from Amway's consultant, and that he has communicated to them our interest in seeing a shared access between the day care center property and the land to the east.

Rhoades stated that it may be presumptuous of us to be showing potential buildings on land adjoining the PUD site.

Ferro suggested removing the broader area plan sheet that shows adjoining properties from the list of plan sheets included in the PUD Plan.

Butterfield asked what prompted Ferro to recommend the condition allowing other uses of the building in addition to the day care center. Ferro stated that it was his recognition that the building could be used for other uses with no physical changes to the site, and there is no reason for the Township to make it cumbersome for a change of use to occur.

Paul stated that the Subcommittee had good communication with the applicant, and he is confident that this site will be a nice transition between the Fire Station and properties to the east.

Butterfield comments on a job well done by the Committee. Butterfield asked whether the landscaping adjacent to the parking requested by Ferro would be at the bottom of the slope or the top. Ferro stated it could be either, as long as the screening extends 3 feet above pavement level.

Lowry comments that the changes show all "T's" crossed and "I's" dotted and doesn't see a problem with the new plan.

Korth asked the applicant what exterior building materials were planned for the building. Brian Sikma, Highpoint Real Estate stated they were not sure whether it would be cement board or vinyl.

Korth suggested a condition requiring that the exterior cladding of the building be cement board siding. Paul concurred with this suggestion.

Ferro pointed out that the recommended motion encompassed both Preliminary PUD Plan approval and Final PUD Plan approval, contingent upon Board approval of the Preliminary Plan.

Ferro also brought up the applicant's inclusion of a proposed directional sign at the east end of the east-west access drive through the auto service center site, and stated that this request was not unreasonable, since it would be located within an access easement that can be considered to be an extension of the applicant's property. He suggested an additional condition of approval to address the allowable height and size of such a sign, as it departs from the provisions of the sign regulations.

Korth proposed an additional condition #13 which will allow for signage at the northwest corner of the access drive intersection with the north-south service drive, not to exceed 4' x 4'.

Korth also stated he is comfortable with the easement conditions as set forth in Ferro's recommendation.

Rhoades suggested a 14th condition clarifying that the area plan showing surrounding properties is not part of the approved PUD Plan, nor are the building footprints of potential townhomes shown on the PUD Plan.

It was moved by Lowry, seconded by Paul to approve the Preliminary PUD Plan, subject to the following 14 conditions as discussed above:

1. Final PUD Plan approval is contingent upon the Township Board's approval of the PUD rezoning and the Preliminary PUD Plan.
2. The development shall consist of a single-story building with a maximum gross square footage of 9,360 square feet, and related site improvements, substantially as shown on the plans submitted, sheets C-201, C-301, L-1 and SE1, and the elevation sketch dated 10/6/10.
3. Allowable uses in the building shall include a day care center, and all uses permitted by right in the C-1 and C-2 zoning districts.
4. A permit authorizing development in a regulated wetland area shall be issued by the Michigan DNRE, prior to issuance of a building permit.
5. A driveway permit for the Bronson St. driveway access shall be issued by the Kent County Road Commission, prior to issuance of a building permit.
6. A fully-executed and recorded easement document providing for shared use of the area labeled on the plans submitted as "proposed ingress/egress easement" for vehicular and pedestrian access to the auto service center site (Parcel No. 41-15-28-477-035 and the site immediately east of the Bronson St. driveway (Parcel No. 41-15-28-477-009) shall be submitted to the Township, prior to issuance of a building permit.
7. Any future additional development along the Bronson St. frontage of the subject property, such as, by illustration, potential townhomes as illustrated on the PUD Plan, shall have access from the

- Bronson St. driveway as delineated by the area labeled as “proposed 25-foot easement for ingress/egress/utilities,” and the appropriate easement shall be executed and recorded at the time of such development.
8. Storm sewer connection shall be subject to approval of the Michigan DOT.
 9. Additional detail concerning building-mounted light fixtures shall be provided, prior to issuance of a building permit, and shall provide for use of cutoff fixtures.
 10. The landscape plan shall be revised to comply with requirements for a 3-foot high “continuous obscuring screen” between the parking area and Fulton St., prior to issuance of a building permit.
 11. An existing maple tree on the subject property, located north of the existing concrete dumpster pad and west of the encroaching asphalt pavement shall be located on the plans, and reasonable effort made to retain the tree shall be made.
 12. The predominant exterior cladding material on the building shall be a fiber-cement board siding, substantially as shown on the elevation rendering submitted, with the exception that color may vary from that shown on the rendering.
 13. A business identification sign shall be permitted to be placed on the south side of the east-west service drive and within the east-west access easement through the adjacent property, with a maximum size of 4’ x 4’ and maximum height of 5 feet.
 14. The PUD Plan sheets shall be revised to remove potential future building footprints of residential townhomes.

Motion passed unanimously.

VI. Rezoning from Rural Residential (RR) to Village Business/Planned Unit Development (C-1/PUD) 7895 Vergennes St., Parcel No. 41-15-34-200-037, and 410 Pettis Ave. SE, Parcel No. 41-15-34-200-007, Proposed by Ada Township Planning Commission

Ferro reviewed the history of this proposal. He stated that at the September meeting, William Hayes, the owner of the property at 7895 Vergennes St. held a reapplication conference with the Planning Commission regarding a commercial PUD rezoning request for that property. Rather than entertain a PUD rezoning proposal for this single property, the Commission initiated a rezoning proposal for both the 7895 Pettis Ave. property and the adjacent property to the west, at 410 Pettis Ave. SE.

Ferro referenced maps included in the Commission members’ packets showing the existing commercially-zoned properties in the vicinity of the subject properties.

Ferro referenced the list of criteria to consider in evaluating a proposed rezoning, contained in his staff report. Ferro stated that the Future Land Use component of the Township Master Plan accommodates the likely continuation of existing commercial uses along Pettis Ave., and modest expansion for commercial uses to include two existing residential sites on the north side of the street, just west of Vergennes St. The Master Plan text states that if either or both of these sites were to change to commercial use, it should be carried out under the Planned Unit Development (PUD) zoning provisions. The Master Plan also encourages that any commercial use of the corner site be accomplished in a way that re-uses the existing residence and garage building, given the unique architectural character of both the residence and accessory building on the property.

Ferro commented on other criteria addressed in his staff report, including capacity of public services, and compatibility with surrounding uses. Ferro stated that lack of public utilities would be a constraint on some types of commercial uses, such as restaurants. With the exception of uses that would generate high waste water volumes, the public facilities in the area are adequate.

Korth opened the public hearing. No public comment was made.

Korth asked Mr. Hayes whether he was familiar with the history of the property at the corner. Mr. Hayes stated he believed the accessory building was used in the past for some type of concrete product construction.

Korth noted that the appearance of the accessory building is commercial in nature. He also noted that to rezone the corner without also addressing the property to the west would leave a residential property “sandwiched” between two commercial sites.

Motion by Lowry, second by Rhoades, to recommend approval of the rezoning of the two subject properties to C-1/PUD.

Motion carried unanimously.

UNFINISHED BUSINESS

VII. Request for Special Use Permit for Type II Home Occupation, for Seasonal Sale of Yard Art and Ornaments, 5451 Knapp St. NE, Parcel No. 41-15-07-276-007, Joe and Stacie Niedzwiecki

Ferro pointed out that a public hearing on this request was made at the September meeting, and action was postponed.

Ferro stated that the applicant’s proposal conflicts with two of the standards for approval of Type II home occupations – the prohibition on outdoor display of merchandise, and the limits on signs for home occupations.

He stated that the applicant would need to either modify their request or the ordinance standards would need to be amended in order for approval to be granted.

Ferro also stated that an amendment that allows limited outdoor display of merchandise, provided it is visually screened by vegetation or other means might be acceptable. He referenced potential amendment language that would accomplish such a change in the regulations. He stated if the Planning Commission wishes to entertain an amendment to the rules, he recommends postponing action.

Korth cautioned that we would not necessarily want to make this change applicable to all zoning districts. Rhoades concurred with this comment.

Motion by Paul, supported by Lowry, to postpone action.

Stacie Niedzwiecki pointed out that they have been selling yard art for the past 10 years, and there are other similar type seasonal sales in the community. She stated that one alternative she would like to have considered is some type of authorization other than a home occupation approval.

Motion carried unanimously.

VII. NEW BUSINESS

1. PUD Pre-Application Conference, Villas of Ada Phase 2, 50 Condominium Units on Approximately 13 acres, 5504 and 5550 Ada Drive SE, Parcel No.'s 41-15-31-426-004 and 031 Covenant Two, LLC.

Peter Engles, Covenant Development, stated they appreciate the opportunity to have a pre-application conference. He provided some background information regarding the Villas of Ada and the housing product they offer, as well as their target market – active adults, most with no school-age children.

Engles noted that their residents average 1.6 persons per household, and 1.25 vehicles per household, both significantly lower than township-wide averages. He stated their typical buyer is a local community resident wishing to downsize.

Engles stated they are looking to expand the Villas of Ada to the north and west. He noted that when Phase 1 was planned, they inquired regarding availability of this property, and it was not available for purchase at that time.

Engles stated that they recently were contacted by the owner, and became aware that the adjacent property was now being made available for purchase.

Engles described the layout of the proposed Phase II. He noted that both the Township and the Road Commission discouraged use of a new curb cut to access the Phase II property. As a result, they have secured the small residential parcel located west of their current access, and are proposing use of this property to access Phase II through Phase I.

Jason VanderKodde, from Fishbeck, Thompson, Carr & Huber, reviewed details of the proposed plan, as it relates to the eligibility criteria for PUD zoning contained in the zoning rules.

VanderKodde presented alternative concept plans showing how the property could be developed under either the current R-2 zoning or under R-3 zoning for single family lots. He compared the relative impacts of conventional single family development to the proposed PUD in terms of site impacts and impact on adjoining properties.

VanderKodde described proposed layout of public utilities and the proposed storm water management system.

Ferro asked whether any site runoff would be directed toward the two minor drainage corridors that flow to the west across the adjacent private drive. VanderKodde stated that only the lawn area around the buildings would drain in that direction.

Paul commented that he would want to see the quality of Phase II development to be consistent with Phase I.

VanderKodde stated this would be the case.

Butterfield asked how many units are sold in Phase I, and whether the unit designs would be the same as Phase I.

Engles stated 43 are closed, and a total of 72 units are either closed or under contract. About 20 homes are currently under construction.

Engles stated they would be exactly the same product as Phase I.

Butterfield asked whether the 1.6 persons/household size figure was specific to Ada.

Engles replied that the Villas of Ada figure is slightly higher, at 1.7 or 1.8

Butterfield asked whether their marketing strategy would be changed in response to the current economy.

Engles replied that their target market remains the same as it was at the start of Phase I.

Rhoades commented that a road connection between the end of the Phase II road and Phase I would be desirable.

VanderKodde stated that the grades at the south end of the proposed Phase II would make a road extension difficult. He stated they would explore an emergency access connection with the Fire Chief.

Korth asked what efforts have been made to communicate with the Phase I residents regarding the plan, and with the property owners to the west.

Engles replied they have met with current Villas of Ada owners, and they plan to contact neighbors to the west.

Korth concurred that some type of emergency access connection, as well as a walking trail connection, would be desirable between the end of the Phase II road and Phase I of the development.

COMMISSION MEMBER COMMENTS

Korth commented that the riparian ordinance should be shown as a continuing agenda item, and we need to keep working on this. He also noted that the form-based code should also be on the agenda, with the goal of completing it by the end of the year.

Paul noted that we were anticipating getting some feedback from Amway regarding the applicability of the regulations on their property.

Ferro stated he has not heard any feedback from Amway.

Ferro stated he would provide members with copies of the draft code, and set a goal of completing the code as soon as possible.

VIII. ADJOURNMENT

Motion by Rhoades, second by Lowry to adjourn the meeting at 9:50pm. Motion passed unanimously.

Respectfully Submitted,

Susan Burton, Township Clerk
Rs:JF