

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE NOVEMBER 15, 2007 MEETING**

A regular meeting of the Ada Township Planning Commission was held on Thursday, November 15, 2007, at the Ada Township Offices, 7330 Thornapple River Dr., Ada, Michigan.

I. CALL TO ORDER

Meeting was called to order by Korth at 7:30 p.m.

II. ROLL CALL

Present: Chairperson Korth, Commissioners Burton, Butterfield, Gutierrez, Hoeks, Lowry and Sytsma.
Also Present: Planning Director Ferro.

III. APPROVAL OF AGENDA

Motion by Hoeks, second by Sytsma, to approve the agenda, with the addition of approval of minutes for the October 29, November 1 and November 6 meetings. Motion passed unanimously.

IV. APPROVAL OF MINUTES, OCTOBER 25, OCTOBER 29, NOVEMBER 1 AND NOVEMBER 6 MEETINGS.

Hoeks suggested adding a parenthetical remark to the November 1 minutes, to the motion for adjournment to a special meeting on November 2, to indicate that the November 2 meeting was later cancelled due to insufficient public notice.

Hoeks also suggested amending the November 6 minutes, to the motion to adopt the Resolution approving the Master Plan, to add the phrase "and to forward the Plan to the Board of Trustees."

Sytsma moved, seconded by Burton, to approve the minutes of the October 25, October 29, November 1 and November 6 minutes, with the changes suggested by Hoeks.

Motion passed unanimously.

V. ELECTION OF OFFICERS

It was moved by Sytsma, seconded by Burton, to re-elect the current officers, that being Korth, Chairman, Gutierrez, Vice-Chairman and Hoeks, Secretary. Motion passed unanimously.

VI. PUBLIC HEARINGS

1. Proposal by Ada Township Planning Commission to Rezone Lands in the Ada Village Area from C-1 and C-2 to C-1/PUD and C-2/PUD

Chairman Korth recused himself from participation on this agenda item, after disclosing that he is an owner of property that is included in the lands proposed for rezoning, and that pursuant to the Commission Bylaws, this is automatically considered a conflict of interest.

Ferro provided an overview of the intent and effect of the proposed rezoning. He pointed out that along with the rezoning, it is proposed that exemptions from the application of the PUD regulations be adopted so that there is a simplified review and approval process for small, minor improvements to existing properties.

The public hearing was opened, with the following comment made:

1. Doug Kniff, Village property owner, stated this is a large blanket rezoning, but he sees the advantages to this. He asked about additional requirements businesses would have to meet if there were any changes to the property, etc. If there is an intrusion for the property owner, he feels there should be some means of subsidy or abatement commensurate with the additional expense of complying with the PUD rules. If this would not be the case, he stated he would not be in favor of it.

The public hearing was closed.

Burton asked what the reaction was from the business community at the recent meeting. Ferro responded that after the explanation was given of the purpose and intent of the rezoning, there was a lot more understanding and less concern. Gutierrez stated if the business owners were not happy with this, they most likely would have been present at tonight's meeting to voice their concern.

Ferro stated at the time they noticed the rezoning, they did not have the text amendment prepared. They will consult with legal counsel and determine whether the Commission may need to hold another public hearing on this.

Motion by Hoeks, second by Sytsma, to recommend approval of the rezoning of lands in the Ada Village area from C-1 and C-2 to C-1/PUD and C-2/PUD, with the general understanding that this will move forward, but is subject to questions raised above prior to going to the Board. Motion passed unanimously.

VII. UNFINISHED BUSINESS

1. **Preliminary PUD Plan, 82 Attached Condominium Units on 20.3 Acres, 5584 Ada Dr., 5575, 5595 and 5607 Hall St., Parcel Nos. 41-15-31-426-016 and 41-15-31-476-008, 009 and 010, Covenant Developments, LLC**

Korth noted that a public hearing has already been held on this application, but took a count of those present who wished to speak.

Ferro next read the names and dates of correspondence received since the October 25th meeting:

1. 10/24 email from Dave and Kathy Martin, Wimbrell Court;
2. 10/25 email from Jim and Christy Wojczynski, Foxchase Lane;
3. 10/25 letter from Zero Step (program of Disability Advocates of Kent County);
4. 10/26 email from Jim Keuvelaar, Ada Drive;
5. 10/28 email from Robert Hubbard (no address given);
6. 10/29 e-mail from Judy Biesbrock, Ada Drive;
7. 11/2 email from Norrine Rivers, Paradise Lake Drive;
8. 11/7 letter from John and Donna Vesey, Hall St. SE;
9. 11/8 email from Duane and Nancy Nagel, Far Hill Drive;
10. 11/9 letter from Natalie Spielmaker, Fernridge Drive;
11. 11/11 letter and attached storm water management brochure from Anneke Van der Westen;
12. 11/11 email from Phil Engelsman, Far Hill Drive;
13. 11/14 email from Jeff Larson, Cascade Township, Mourning Dove Ct.
14. 11/14 email from Anthony Sieler, Far Hill Drive;
15. 11/14 email from Joe (William) Butts, Paradise Lake Drive;
16. 11/15 email from Cindy Sieler, Far Hill Drive;
17. 11/15 email from Dan Witt, Paradise Lake Drive;
18. 11/15 email from Judy Biesbrock, Ada Drive;
19. 11/15 unsigned letter labeled as being from "involved citizens"

Hoeks stated he believes it is Planning Commission policy not to accept for the record anonymous correspondence.

It was moved by Hoeks, and seconded by Burton, that the unsigned submission be deleted from the record. Motion passed unanimously)

20. 11/15 letter and attached photos from Don and Marlis Jacoby, Paradise Lake Drive;

Korth stated he did read through all of the submissions and a lot of the comments relate to the desire that this property be park land rather than a development. Korth stated the problem with this is the land is under contract – there are controlling interests in the property which is currently zoned R-2 and the request has to be evaluated as PUD/R-2 zoning. Korth asked the applicant to address the Commission giving current updates and changes to the plan since October 25th.

Peter Engles of Covenant Development stated they have purchase and/or option agreements on all four parcels and are in control of each parcel. Jason VanderKodde, of Nederveld Associates addressed concerns raised at the public hearing as follows:

- Storm water management and impact on private wells – the drainage plan has been approved by the Township Engineer and the Kent County Drain Commissioner's office. The proposed development is at least 20 feet above the known water table. Portions of the site already drain naturally in to Paradise Lake, so nothing would be changed per se. Slightly over one acre will eventually drain into Paradise Lake with the majority (19 acres) draining towards Hall Street.
- Traffic generation impact and controls – the traffic generation report was previously submitted and the total generated is consistent with the underlying zoning. Each entrance has been approved and all entrances will be built at the onset of the project.
- Buffering to existing neighbors – the plan provides far better buffering than that of an R2 or R3 subdivision. It was noted they have provided additional buffering since the earlier plan submittal – have increased buffering to 65 feet and 55 feet. They also believe they have done a good job buffering the cluster on the south end of the site as well.
- Buffering of water tower – the project does not remove the existing buffering of the water tower on the Ada Drive corridor, and east of the water tower, the tree line will remain in place. Overall there is limited impact and they are preserving the existing buffering for the homes.
- Character consistency with existing neighborhood – the impact is dramatically less than an R2 or R3 neighborhood. They are preserving 4.25 acres of trees.
- Why does Ada Township not use this property to help preserve open space? VanderKodde stated that Ada Township does have that opportunity, but the applicants feel the PUD is a great avenue to preserve the open space. The following reasons were set forth as to why the applicant believes the Township did not use this property: (1) Ada Township has identified two other nearby properties with better qualifications for parks to pursue; (2) The Carew property scored low on the Open Space Advisory Board inventory of resources as compared to other property; (3) the Carew property was listed for sale for 4 to 6 months and was investigated by and not pursued by the Township prior to being acquired by the builder; and (4) the Keller property was offered to Gros Ventre residents prior to acquisition and at that point they chose not to purchase the property.

Ferro commented that it is not entirely accurate to say the Carew property scored low on the Open Space Advisory Board of inventory of resources. The general view was that it probably would score low, but an actual scoring was not conducted.

Vanderkodde continued his comments, as follows:

- Does this meet Township PUD standards? VanderKodde stated this is a definitive yes. They are preserving natural resources, encouraging creative development and aesthetic use of open areas, providing recreational facilities, are in compliance with the master plan goals as approved, and are providing a higher degree of control for the Township Board and Planning Commission.

Ferro asked the applicant what accounts for the difference between the volume of storm water detention per acre for the PUD plan, versus the volume per acre for the single-family development scenarios.

VanderKodde stated that all three plans would be subject to the same storm water ordinance which requires a 25-year storage with low flow outlet. He stated that Mr. Engles has requested a 100-year storage be provided, which exceeds the storm water ordinance standards. It is assumed for the single-family development scenarios that the design would meet the requirements of the Township's ordinance, but not exceed those requirements as is the case with the PUD.

Public comments were taken as follows:

1. John Harris, 5494 Hall Street, asked about drainage and change to the water runoff.
2. Donna VanderPlas, 1080 Gros Ventre Drive, stated the property was never offered to the Gros Ventre residents. She also set forth her concerns regarding water retention in the large area adjacent to her property and what kind of impact it would have on the wells and septic system.
3. Joe Butts, 965 Paradise Lake, asked the Commission, as the property is being developed, what is the rule for enforcing what they propose to build being what is actually built.

Ferro stated that clearing limit stakes are placed on the property prior to starting site work. He stated that Township representatives can inspect the staking to verify compliance with the approved plan, and be present when work is being done, if necessary, to ensure compliance. If there are violations, remedial action would be required to be taken.

In response to comments raised regarding water drainage, Korth stated the Commission relies heavily upon the Township Engineer and the Drain Commissioner to approve drainage aspects of the plan.

VanderKodde described the engineering design for probable storm events. There was discussion about the slow release system, which is intended to release some and allow some to naturally infiltrate.

Ferro stated that due to the work on the Master Plan, he has not been able to thoroughly complete his analysis, review all public comments and prepare a recommendation. Ferro noted that a practical question is whether the development proposed offers benefits to the overall community and to the immediately vicinity compared as developed under the current zoning. He believes it is reasonable to conclude that this would be developed to the maximum permitted in its current zoning. The question is not whether the property should be developed or whether it should be a park – it needs to be evaluated in relation to the zoning regulations.

Gutierrez asked about what happens if a developer does not build according to the plan. Ferro stated there are provisions in the zoning rules. VanderKodde stated they would be happy to enter into a Development Agreement if that would be desired.

Butterfield asked about the applicant building a bike path along the frontage of Hall Street and whether the Township has considered when and on which side of Hall Street the path will be. Ferro stated they

have not gotten that far yet on the Hall Street trail alignment studies, but is something they are looking into.

Hoeks asked if they consulted with Moore & Bruggink on the storm water design. Ferro said yes they have been consulted.

Korth commented about consideration for a development when there are so many houses on the market, the economy, etc. He noted that someone can do with their property what they want as long as its allowed, but we should keep in mind that these homes being proposed are distinctively different and are not competing with the housing stock in the area.

Korth stated he is having a hard time with the difference in impervious coverage of the PUD versus the R-2 development alternative. Korth asked whether data could be compiled to compare the impervious percentage of the proposed PUD to the impervious percentage in the existing Paradise Lake neighborhood.

Ferro indicated that staff could prepare these calculations.

Korth suggested postponing action on this for a month. Motion by Hoeks, second by Sytsma, to postpone action on the Preliminary PUD plan and rezoning request to a special meeting to be held on December 5, 2007, at 7:30 p.m.. Motion passed unanimously.

Commission member Sytsma left the meeting at this time.

VIII. NEW BUSINESS

1. Site Plan Review, Renovation of Existing Building for 7,600 Square Foot Restaurant, Removal of Existing Building for Parking Area Re-Configuration, 392 and 396 Pettis Ave., SE, Parcel Nos. 41-15-27-477-010 and 021, Land Development Solutions, for Heidi and Dave Organek

Todd Olin, Land Development Solutions, presented the site plan on behalf of the owners, Heidi and Dave Organek, who were also present.

Olin explained that the applicants are proposing to demolish the existing Lena Lou building, and use the area for added parking and for a new on site waste water disposal system. The existing Honey Creek Ave. driveway nearest the intersection would also be removed.

Olin also described the cosmetic changes proposed to the building.

Ferro asked the applicant where the existing power pole that is proposed to be re-located would be placed.

Mr. Olin stated it would probably be located between the parking and the road.

Korth stated he believed there should be some means provided for pedestrians to enter the building from the rear parking lot, without having to walk in the driveway to the front of the building.

Mr. Olin stated that this could be accomplished.

Lowry commented that the landscaping along Pettis Ave. may interfere with visibility by vehicles at the Honey Creek Ave. intersection. Korth commented that the Viburnum plantings shown could easily reach a height that would block visibility.

It was moved by Burton, seconded by Butterfield, to approve the site plan, subject to the following conditions:

1. A permit for the on-site waste water treatment system shall be issued by the County Health Department, prior to issuance of a building permit.
2. An erosion and sediment control permit shall be issued by the Kent County Road Commission, prior to issuance of a demolition or building permit.
3. Driveway permits shall be issued by the Kent County Road Commission, prior to issuance of a building permit.
4. A storm water permit shall be issued by Ada Township, prior to issuance of a building permit. The method used to provide pre-treatment of storm water prior to discharge from the site shall be determined by staff, and required as part of the storm water permit.
5. The landscape plan shall be revised to provide irrigation of landscaped areas, and a deciduous tree shall be added to the island in the parking lot.
6. The landscape plan shall be modified and maintained to ensure traffic visibility at the Pettis Ave./Honey Creek Ave. intersection.
7. The plan shall be modified to provide a rear customer entrance from the north parking lot; if this is not feasible, a striped walkway shall be provided along the driveway and a sidewalk shall be installed through the landscape island at the northwest corner of the building, to accommodate pedestrians.

Motion passed by 6-0 vote.

2. Site Plan Review of Proposed Land Division Creating Two Lots in the AG District, 9381 Bennett St., SE, Parcel No. 41-15-36-200-061, Andy Vanderweide

Mr. Vanderweide presented the proposed lot split plan.

Ferro commented that since the applicant is proposing to use the lot size averaging provisions of the zoning rules, he believed the plan should be brought before the Commission for review. He commented on the comparable size of adjoining lots to the west and to the south.

It was moved by Gutierrez, seconded by Burton, to approve the proposed land division.

Motion passed by 6-0 vote.

IX. REPORTS FROM COMMISSION MEMBERS/STAFF

1. Discussion of Possible Zoning Ordinance Amendment to Revise Method for Measurement of Building Height.

Korth commented on the two height variance applications recently considered by the Zoning Board of Appeals. He stated that based on the concerns heard from the applicant's, he now believed that we should consider revising our method of height measurement to be consistent with the building code and with other jurisdictions.

Ferro stated he would prepare an amendment for the Commission's consideration.

X. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

There was no public comment.

XI. ADJOURNMENT

The meeting adjourned at 10:50 p.m.

Respectfully submitted,

Deborah Ensing Millhuff, CMC
Ada Township Clerk
rs:lm