

**ADA TOWNSHIP PLANNING COMMISSION  
MINUTES OF THE NOVEMBER 18, 2010 MEETING**

A meeting of the Ada Township Planning Commission was held on Thursday November 18, 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 Korth at 7:30p.m.

**II. ROLL CALL**

Present: Chairperson Korth, Commissioners Easter, Lowry, Paul, Lunn, and Treasurer Rhoades.

Absent: Commissioner Butterfield.

Also present: Planning Director Ferro

**III. AMENDMENT TO AGENDA**

Korth stated he would like to change the agenda to include a motion to thank Gutierrez for his 6 years on the Commission. We also need to take elect officers for the coming year. Korth noted this was previously postponed for a month.

**IV. ELECTION OF OFFICERS**

Korth stated the elected officers are chairperson, a vice chair and secretary. Terms are for 1 year, from October to the end of September.

Lowry nominated Korth as Chairperson and Butterfield as Vice Chairperson. Korth questioned whether Butterfield should be nominated at this time as she was not present to indicate her willingness to serve in the position.

Easter stated she would like to recommend Korth as Chairman and Paul as Vice-Chairperson.

Ferro went over the Bylaws which state "at the October meeting each year the commission shall elect from its membership a chairperson, a vice chairperson and a secretary. All officers shall serve a term of one year or until their successors are selected and assume office. All officers shall be eligible for re-election for consecutive terms for the same office or for other offices." Ferro further reviewed the duties of each officer as set forth in the Bylaws.

Korth commented that with Butterfield not present perhaps we should wait a month until all commissioners are present.

Motion by Easter, second by Paul to postpone election of officers to the December meeting. Motion passed unanimously.

**V. APPROVAL OF AGENDA**

Motion by Paul, second by Lowry to approve the Agenda as amended. Motion passed unanimously.

**VI. APPROVAL OF MINUTES OF THE OCTOBER 20, 2010 MEETING**

Motion by Lowry, second by Paul to approve the October 20, 2010 meeting minutes. Motion passed unanimously.

## **VII. RESOLUTION OF APPRECIATION TO DAVID GUTIERREZ**

Ferro distributed a proposed Resolution recognizing David Gutierrez for his 6 years of service on the Commission. Motion by Easter, second by Rhoades to approve the resolution of appreciation. Motion passed unanimously.

## **VIII. PUBLIC HEARINGS**

None.

## **IX. UNFINISHED BUSINESS**

### **1. 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**

Korth noted that the applicant was not present.

Ferro stated this item was postponed indefinitely at the October meeting. Pending development of other alternatives for consideration by the commission of either a zoning text amendment or a revised proposal by the applicant, neither of which are ready yet for consideration, Ferro recommended postponing action.

Ferro noted two aspects of their proposal don't comply so it can't be approved as they proposed. The two are displaying aspects outdoors regardless of whether you can see it, and the second was their sign request.

Motion by Paul, second by Lowry to postpone indefinitely, pending further information from the Planning Director. Motion passed unanimously.

## **X. NEW BUSINESS**

None.

## **XI. PUBLIC COMMENT**

Korth opened the meeting for public comment.

Nevin Zolenski, 6151 3 Mile Road, asked the commission to consider the issue that was just postponed with due diligence and much thought. He stated he has concern that the current ordinances in place are there for a reason. He believes liberties are taken by some people that have not been enforced. Amending the ordinance may result in other people coming forward with similar requests. Zolenski stated he believes the zoning rules regarding home-based businesses are good as they are and do not need to be changed.

## **XII. REPORTS FROM COMMISSION MEMBERS/STAFF**

Lowry stated that at the planning conference in October he learned that we have currently 300,000 cell towers in the United States, and that this is expected to go to 1 million very shortly. He stated we will be besieged with that very soon and wants everyone to be aware that it is coming. He noted the second thing coming is the LED signs and rules and guidelines need to be set up regarding how long do you keep it lit, how much power is in there, etc.

Korth stated he had sent an email to Ferro on the cell tower issue that perhaps the ordinance should be put on as a discussion point to see if there are changes we want to make based on our own experiences of having to review these cell tower applications.

Community member Zolenski commented that a lot of people are resistant to cell towers because of site pollution and they don't want to look at them, but one of the things that is being done is towers are blended with the environment. A cell tower can be made to look like a 100' tall pine tree.

Korth asked if the billboards that we have could be converted to LED.

Ferro stated it would not be permitted. He noted that the Township does permit static digital boards that are not scrolling or not constantly changing. There is language in the ordinance that prohibits any flashing or intermittent sign. Ferro stated he does not know that it is absolutely foolproof but the language in there does avoid the greatly distracting, flashing, scrolling, moving messages.

Community member Zolenski commented that one of the issues that should be considered is the amount of illumination from a sign.

Ferro stated a priority setting session should be held by the Commission, shortly after the first of the year, at which all of these potential ordinance amendments can be discussed and prioritized.

## **1. Proposed Village Form-Based Code**

Korth stated for clarification Form-Based Code has been on the agenda for many years. Since the charrette was done in 2006 the biggest thing that has occurred that was a stepping stone to this was the Master Plan update and formation of the Downtown Development Authority. The other thing done as part of the charrette process was changing the zoning to mandatory planned unit development zoning which gave the Planning Commission a higher level of discretion toward the applications in order to more successfully maintain the character of the village. Hopefully after discussion about this document tonight we will be able to present this to the public and have a public meeting.

Ferro stated Form-Based zoning represents a change in thinking and approach in how development should be regulated. What should be regulated is the physical form that occurs in new development with less emphasis on strict segregation of different land uses. Form-Based Code pays more attention to desired form and takes much less of a restrictive approach to regulating use. Form-Based Code looks at the form that urban development takes which is the physical arrangement of different intensities of development.

Ferro also explained the Proposed Village Multi-Use Overlay Detail drawings, which show two different alternatives for the areas included in the village Form-Based Code area. The Ada Village Regulating Plan includes the Village Core, the most intensely occupied zone; the Village center, land between the Village Core and M-21; the Village Proper 1, an area with a mix of homes and shops on small lots that are part of the historic Village plat; the Village Proper 2, area designed for detached homes on small lots that are part of the historic Village plat; Village Edge which is primarily residential use; and the Village Preserve, land to remain undeveloped for park use or for open space or natural preservation purposes. The code provides 10-11 different lot types that are assigned to the various regulating plan zones.

Ferro referred to pictures which show examples of buildings and building arrangements and size. He also discussed the dimensional standards and permitted uses for lot types. The general approach is to allow a greater inter-mixing of uses than is typical in conventional zoning. The requirement for off-street parking is reduced to quantities that range from 40% to 80% of the amount required by the conventional standards contained in the current zoning rules.

Ferro stated there is a set of architectural standards that probably need more scrutiny. The emphasis of the new urbanism is that building form and placement on the property is the only thing that counts. It doesn't matter whether it's contemporary or Victorian architecture.

Ferro added the approach taken in the Code as it is drafted now is to provide a fairly short and simple review and approval process in order to provide an incentive for new development to choose to meet these standards in order to have a quicker and more certain review and approval process. There are a couple of exemptions from Planning Commission review. He then discussed the approval process.

Lowry asked if anything could be grand-fathered in.

Ferro replied all existing conditions are allowed to continue.

Ferro stated the form-based code is an alternative that can be chosen by the applicant. They can always choose not to follow these standards and choose to go through a PUD zoning review process, which is a longer process.

Korth stated keep in mind some of the things that might be Live-Work under the PUD might not be considered Live-Work because they're not opting to follow that set of rules, they're opting for something more traditional and it may not be appropriate.

Lowry asked if they did a PUD would that allow them to change the set-back and all that.

Ferro replied yes.

Korth asked how does a homeowner opt to use traditional zoning, they just follow the original set-backs.

Ferro replied a traditional homeowner is just going to be in one zoning district and that's the village residential district on the zoning map.

Korth stated the commission should think about that gap and decide whether a change should be proposed with respect to that.

Korth also suggested the pictures should be changed to reflect more the west Michigan area and the village before this is presented to the public. In respect to the architectural standards they are a bit boiler plate and we can do a better job of taking a look at the village and the things that we really like about it and altering this (referring to line #708 and below regarding pitched roofs, eaves, overhangs, etc.). Need to work more on fine-tuning this section.

Korth suggested maybe there should be a sub committee to work just specifically on the architectural standards section and come back with a mark-up version so the commission as a whole could look at the differences.

Korth stated this is a good logical clear progression of the work that was done with the charrette that was overwhelmingly received. Also, perhaps the Fase Street section should be removed and considered separately from the Form-Based Code.

Paul stated he agreed to pull Fase Street off. One of the driving forces to have Form-Based Code is to give the owners of the property the advantage to have different types of zoning. The major goal of the charrette and the push for Form-Based Code was it's an advantage for the community and property owners in those areas to advance the value, livability and connectability of the village itself. Agree the village edge should be included in the Form-Based Code map.

Korth stated the Downtown Development Authority has asked for the Planning Commission to get the Form-Based code completed for a couple of reasons: they are hoping for the opportunity for more small business spaces; secondly they're hoping for more critical mass in terms of people living within close proximity to these shops.

Paul questioned why architectural was brought in and should it be in there.

Ferro responded that in one of the review meetings the consensus was to include architectural.

Korth stated that is correct and the reason is virtually every PUD application worked on within the context of the village the architecture became a big deal.

Community member Zolenski commented you might want to be more specific in terms of façade, and used lighting in the City of Hastings as an example of why architecture matters.

Korth stated he was comfortable with the framework of this; perhaps may want to make a decision tonight on the boundaries and whether to remove Fase Street or leave it in before it goes to public hearing. Also asked if members are interested in working on the architectural part of this or should there be a subcommittee of board members to work on it.

Korth asked for consensus and it was determined to follow the river around and take off Fase Street, but include the ball park.

Korth also asked if everyone wants to work on the architectural stuff as a group after the public hearing.

There was much discussion regarding types of roofs.

Lowry questioned whether the cohesiveness of what is here is important enough.

Rhoades stated maybe that's what needs to be done; go through here line by line and ask "do we have this" and say yes or no, and if it's yes then we leave it and otherwise we try to remove some of them.

Korth responded to comments on building sidings and referred to line #629 which states "clearly visible from the street, many of these standards only apply where clearly visible from the street." Feels all sides of a building are done to the most prevalent material that we allow, so we aren't ending up with one-sided architecture. Or state the materials you don't want to see.

Korth noted the commission needs to look very very carefully at the tables and make sure we understand these and note any discrepancies. As these sections are read try to think very hard about the buildings in town and whether you like them or not and ask questions.

Korth also noted the story heights listed might want to be dropped a foot or so to keep things in scale with the village of Ada.

Ferro will red mark any changes.

Korth asked if anyone was interested in working on a subcommittee to work on the architectural portion of the Form-Based Code. Rhoades, Korth, Ferro will work on the subcommittee and will ask Butterfield if she would like to join.

Korth stated there will be a public hearing next month even though the document may have some red lines in it. Suggested having a Power Point presentation, a cover letter, something that will be more informative to the public. Everyone in the area to be re-zoned will be notified.

Ferro stated adopting the text does not require any notice but adopting the map does.

Paul suggested the web site have an overview of what the Form-Based Code is and the purpose of why. Think it's important it is pointed out that this is an alternative.

**2. Riparian Protection Regulations**

Ferro stated he has no new information at this time.

**XIII. PUBLIC COMMENT**

None.

**XI. ADJOURNMENT**

Motion by Lowry, second by Rhoades to adjourn the meeting at 9:33 p.m. Motion passed unanimously.

Respectfully Submitted,

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Susan Burton, Township Clerk

SB/dr

Note: Revisions to draft minutes approved by Planning Commission are indicated by underscore and overstrike marks.