

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE DECEMBER 5, 2007 SPECIAL MEETING**

A special meeting of the Ada Township Planning Commission was held on Wednesday, December 5, 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. Absent: Commissioner Butterfield.

III. APPROVAL OF AGENDA

Motion by Hoeks, second by Sytsma, to approve the agenda, with the addition of setting a date for a public hearing on the proposed M-21 bridge replacement. Motion passed by 6-0 vote, with Butterfield absent at this time..

IV. 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

(Commission member Butterfield arrived at this time.)

Jason VanderKodde of Nederveld Associates was present on behalf of Covenant Development. He gave a brief history of the project stating that at the last meeting they presented changes made on the Hall Street portion of the development. They have since submitted additional information regarding traffic and visual impact concerns. With regard to the .13 acres claimed in the adverse possession lawsuit by Mr. Engelsman, Mr. VanderKodde stated that it does not affect the road or building layout. With regard to the width of the proposed trail easement along Hall St., VanderKodde requested that the required width be removed, and that the needed width be worked on in the future with the Township.

Ferro submitted an 11-page staff report which covered previous information along with some new material. He summarized the new material as follows. At the last meeting, a comparison of impervious area coverage of the proposed development compared to the Paradise Lake neighborhood was requested by the Commission. This comparison information is set out in Ferro's staff memo. The conclusion is that the proposed density of the development and site coverage by impervious area are both somewhat higher for the proposed development than in the existing neighborhood to the east, as would be expected for a development of the type proposed. Ferro stated he believes overall the proposed density and site coverage are acceptable, especially considering that the design of the storm water management system exceeds the Township's minimum design standards. He next spoke about traffic impact assessments, noting that additional assessment information was required because previous reports did not address all of the requirements contained in the PUD regulations, particularly the distribution of projected peak hour traffic between the two access points and existing peak hour traffic volumes on the adjoining streets were not addressed. The applicant has since submitted this additional information.

Ferro next talked about site layout for the proposed buildings which consist of ~~43~~ 22 condominium buildings/82 units and the clubhouse. He spoke about crowded conditions along Hall Street in relation to landscaping wherein there is not much space for landscaping or yard on the north and south sides of the storm water retention ponds adjacent to Hall St. The grading contours are very close to the right-of-way line with 10 feet or less of level ground between the pavement and the edge of the pond. Regarding storm

water management, Ferro stated the Township Engineer has spent a good deal of time reviewing the plans, and has concluded that the applicant's engineer has done a thorough analysis of run-off impact, that the storm detention pond plans meet or exceed Township requirements and can be approved.

As far as site lighting, street lighting is proposed along the private roads through the development. There are a few proposed street light locations that are close to the boundary with the rear yards on Far Hill Drive and these would be recommended to be relocated.

Ferro also mentioned that the applicant submitted an environmental review of the site which was prepared by an environmental consultants. The consultant's report stated that the deciduous woods on the southern portion of the site is a relatively young wood lot and appears to formerly be open land. Ferro referred to aerial photography from 1950 which appears to show that the area was mature woods at that time, which calls into question the consultant's conclusion that the area is a young wood lot.

Ferro next spoke about the standards for approval contained in the PUD rules. He feels the development does conform with the goals and policies stated in the Master Plan. He pointed out that the PUD regulations state that the Commissioners shall prepare a written report stating its conclusions on the request, nature for recommendations and any conditions imposed. Any recommendation to the Township Board should be supported by reference to the zoning rules.

Jeffrey Sluggett, counsel for the developer, spoke regarding the adverse possession claim by Mr. Engelsman. He noted that when the property is closed on, they will have full fee simple ownership of the totality of the property. There will be a dispute relative to the .13 acres, but building permits, etc. would not be held up pending the resolution of this claim. This is a private dispute between private property owners, not the Township. Counsel believes what would happen is they would have to come back and get an amendment to the PUD to cut out that portion of the property if necessary. Otherwise, it would remain included in the PUD, with that .13 portion undisturbed.

VanderKodde next responded to Ferro's comments above. He first spoke about the visual impact of the condominiums as compared to a single family home, noting that the proposed buildings have a much lower profile than typical single-family homes. He stated they would be happy to amend the plan to address the concerns regarding building 21, rather than lose that building. With conventional grading and a boulder wall, this could be accomplished without disturbing the existing vegetation. The units for buildings 19 and 22 could be made into "villa" units, which have a smaller footprint, which would give 14.5 feet of green area instead of sidewalk and building, with a do not disturb area on the east side of building 22. Hoeks asked if buildings 21 and 22 could be combined into a tri-plex which would eliminate the driveway closest to the green area. ~~VanderKodde~~ Engles stated that a tri-plex is not an option.

Sytsma stated she is grateful that the applicant has reduced the number of units from the original plan. She agrees that building 21 should be removed. She stated she is not comfortable with moving forward without the Engelsman property dispute being resolved. Sytsma also said she would like more time to review the environmental assessment.

Lowry questioned the narrowness of the easement for the proposed trail. Lowry also asked the applicants if they are confident they can develop the property without disturbing that .13 acres of property in dispute. VanderKodde stated they are 100% confident. Lowry also commended the applicants on the good job they have done addressing questions.

Butterfield commented that the location of the development in proximity to the Village was a positive feature, and that the location is appropriate for this type of compact development for the 50-plus age group.

Butterfield asked the applicant to address how traffic speeds and the potential for cut-through traffic would be controlled and traffic calming accomplished on the private street through the development. Vanderkodde stated that the hills and curves in the private road, the 22-foot wide road width, a posted 14 mph speed limit, as well as the covered bridge structure at the north end of the development, would all address this.

Gutierrez stated he likes the design and layout and believes the applicant has done a good job working with the residents on this project and changes made have been done in a positive way.

Burton reiterated comments made above by other Commissioners and noted she is happy with the plan.

Hoeks noted that there is a by-right development alternative under the existing zoning over which we have very little control. It's very possible we would have vinyl boxes with three levels. He stated that is in contrast to the proposed buildings, which are 15 feet in height to the roof midpoint. Visually, this makes all the difference in the world. Hoeks stated that under the by-right development option, we would have no control of vegetation removal. He also noted that with single-family development, there would be many families with children and teenage drivers. Hoeks stated this type of housing is something that Ada Township has not had and with all things considered, he believes this proposal is far superior than what could be done under the current zoning.

Korth stated the applicants have been the most accommodating group of people ~~ever~~ in front of ~~them~~ him. Korth stated he struggles with the density of this project. He stated he believes that a less dense version of the same development concept would be more consistent with the Master Plan than what is proposed, and that the density should be decreased by 12-14 units.

He went over some numbers and data supporting his conclusion regarding the density. To support his conclusion regarding reducing the density, Korth went over three separate calculations using data provided from Covenant and the township related to neighboring site's site coverage: total possible residents, daily trips generated, and site coverage. Each of these as compared to the current R2 zoning were materially larger. To have the development meet R2 based on these criteria an average 12-14 units would need to be removed while requiring the remaining units to be increased in price by only about \$6,000/ unit to cover the cost of the lower density.

Korth also stated he feels the trails in the road right-of-way are not a good idea, and thus the easement needs to be there so the trail is outside the road right-of-way. Korth stated it is the Commission's responsibility to ensure a development is as effective and compatible with the environment as possible and he believes this plan does not do this. Korth said there is plenty of affordable housing in the Township. Just because this developer has gone above and beyond in accommodating the Township, this does not validate the project; we have to look specifically on the merits of what is going to be there in relation to the citizens around it and with respect to the laws.

Motion by Hoeks, second by Gutierrez, to recommend approval of the Preliminary PUD Plan and rezoning to R-2/PUD, subject to the following conditions:

1. The PUD Plan shall consist of 82 attached condominium units in ~~23~~ 22 buildings, clubhouse, swimming pool and appurtenant facilities, as shown on the plan titled "Option P4, Preliminary PUD Plan for The Villas of Ada," with a revision date of 10/10/07.
2. Approval of the Preliminary PUD Plan shall be contingent upon approval of a sewer extension permit for the development by the Michigan Department of Environmental Quality.
3. The Final PUD Plan shall provide for shifting of Building 22 further from Hall St, in order to

- provide additional space for lawn area, landscaping, non-motorized trail and storm water detention between the building and the road.
4. The applicant shall dedicate to the Township an easement for non-motorized trail purposes, having a width of 15 feet, located immediately outside the Hall St. right-of-way.
 5. All public and private utilities serving the development shall be underground.
 6. Construction plans for public water and sewer mains shall be reviewed and approved by the Utilities Director, prior to initiation of construction, and prior to any building permits being issued.
 7. A storm water permit application shall be submitted by the applicant, and a storm water permit shall be issued by the Township, prior to initiation of site improvements.
 8. Driveway permits shall be issued by the Kent County Road Commission for the Ada Dr. and Hall St. private road entries, incorporating center turn lane and driveway tapers as shown on the PUD Plan, prior to initiation of site improvements, and prior to issuance of any building permits.
 9. Utility easements for public water and sewer mains within the PUD shall be dedicated to the Township, in a form approved by the Utilities Director, and providing that the Township shall not be responsible for the costs of pavement surface repair occasioned by utility repair or replacement, and placing responsibility for these costs on the property owner.
 10. Any exterior lighting of the site shall be of a residential quality and character. A detailed layout plan and fixture specification shall be provided as part of the Final PUD application, and shall be subject to approval of the Planning Commission.
 11. Final landscape plans submitted as part of the Final PUD application shall incorporate the landscape features as shown on Sheets L-1 through L-5, dated 10/25/07, prepared by Design Scapes Landscape Design.
 13. The developer shall enter into a storm water management system maintenance agreement that commits the developer and subsequent owners to maintaining the system in good working order and authorizing the Township to enter the property for inspection of the system and, if necessary, to perform needed maintenance, and providing that the costs of maintenance performed by the Township may be assessed as a lien on the property owners within the development, to be collected in the same manner as ad valorem taxes.
 14. The final grading plan submitted as part of the Final PUD application shall preserve a zone of undisturbed vegetation a minimum of 10 feet in width along the property boundary adjacent to Building 21.

In discussion of the motion, Korth stated he is concerned with the proposed density not being reduced to 70 units. Hoeks stated he does not recall Korth being adamant about the density being reduced in prior meetings. Sytsma stated she has an issue with the density and with water. Burton stated she is not convinced that a reduction in the density would satisfy neighbors' concerns.

Motion carried by a 5 to 2 vote, with Korth and Sytsma voting no.

V. PUBLIC HEARING ON PROPOSED M-21 BRIDGE REPLACEMENT

The Commission discussed a possible date for a public hearing on the proposed bridge replacement, to obtain additional public input on the design of the bridge as it relates to left turns onto Pettis Ave.

V. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

None.

VI. ADJOURNMENT

The meeting adjourned at 10:04 p.m.

(Note: Underlining and overstriking indicate revisions to draft minutes approved by the Commission).

Respectfully submitted,

Deborah Ensing Millhuff, CMC
Ada Township Clerk
rs:lm