

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE MAY 17, 2018 MEETING**

A meeting of the Ada Township Planning Commission was held on Thursday, May 17, 2018, 7:00 p.m. at the Ada Township Offices, 7330 Thornapple River Dr., Ada, MI.

I. CALL TO ORDER

II. ROLL CALL

Present: Butterfield, Burton, Leisman, Carter
Absent: Easter, Jacobs, Lunn
Staff Present: Ferro, Bajdek, Winczewski
Public Present: 6 Members

III. APPROVAL OF AGENDA

Moved by Carter, supported by Burton, to approve agenda as written. Motion passed unanimously.

IV. APPROVAL OF MINUTES OF APRIL 19, 2018 MEETING

Moved by Butterfield, supported by Burton, to approve the minutes of April 19, 2018 meeting as written. Motion passed unanimously.

V. PUBLIC HEARINGS

1. Proposed amendment to zoning regulations, to add provisions permitting short-term rental of detached single-family homes in all residential zoning districts, with approval of a special use permit by the Planning Commission; and establishing standards for approval.

Planning Director, Ferro, presented a Summary of Proposed Regulations for Short-Term Rental of Residential Property, which was also included in the commissioner's packets.

Leisman opened public hearing at 7:15 p.m.

Betsy Ratzsch of 7653 Fase Street stated she and her husband have lived on Fase Street for the past ten years and she has previously owned a business in Ada for 20 years. They are excited for the possibility to have extra places to stay in the village. They own a small home and having extra places for her guests to stay nearby would be nice. The only concern they had was if a renter had a long vehicle they needed to park such as one with a horse trailer.

Leisman closed public hearing at 7:20 p.m.

Butterfield questioned language in the proposed ordinance which states, "If the property is located in the Village Residential district, the special use permit may only be approved if less than five special use permits for short-term rental use have been previously approved by the planning commission and remain valid."

Butterfield asked why the number of five permits was chosen and also stated she believes it should be one special use permit per owner so the situation doesn't arise where one person obtains all five permits. The owner should be a permanent township resident. On-site parking of two vehicles should be on the property.

Burton stated she agrees with the five-rental limit at one time. She questions the sixty-day per

year limit.

Ferro stated that if it's an unlimited number of days per year, it may be objectionable to neighbors. Burton stated she would not agree to unlimited days and sixty days is a good number to start with.

Carter stated he is concerned that someone who does not want short-term rentals may obtain all five permits just to exclude others from obtaining them.

Ferro stated that potentially a permit would be obtained on a first come basis. It would have an expiration date, if the permit is not used.

Carter stated he's aware of a study done in Silver Lake, in Grand Traverse County, where it was discovered that properties with short-term rental permits have a 25% higher property value. He's concerned that owners here may obtain a permit to increase their property value but not use the permit.

Leisman stated a requirement could be added in subsection (f) to state that a property owner may not have more than two permits. Starting with five in the Village Residential district is acceptable and could be amended in the future if needed.

Butterfield stated she is unclear why rental properties in the Village Residential district are not required to have principal residence exemption.

Leisman stated language could be added to state the special use permit may only be approved if less than five special use permits have been issued for non-owner-occupied properties. Adding a limit of two permits per non-owner-occupied properties could also be added.

Leisman stated another modification that could be made is for subsection (e) pertaining to private roads. Language could be added to state, "The Planning Commission may modify this requirement upon a showing of substantial compliance with this requirement." This would allow a property on a private road to obtain a short-term rental permit with agreement from a majority of neighbors but not necessarily 100%.

Leisman stated he would leave the building and code section 3, subsection 5 of the general ordinance to the Township Board's discretion. For now, keep it related to fire codes.

Moved by Carter, supported by Butterfield, to recommend the two proposed ordinances with the following revisions, to the Township Board for approval:

- Revision to regulatory ordinance to limit the scope of the fire department inspection to compliance with fire code.
- Zoning ordinance change stating the limit of 5 permits in the Village Residential (VR) district will only apply to non-owner-occupied homes and there will be no limit on short-term rentals on owner-occupied residences. Also stating that no more than two permits may be held by any individual owner.
- Add the following sentence to Sec 78-152 (19) d. (2), "The Planning Commission may modify this requirement upon a showing of substantial compliance with this requirement."

Motion carried unanimously.

VI. UNFINISHED BUSINESS – None

VII. NEW BUSINESS

1. Proposal for Zoning Ordinance Amendment, to allow location of a private, non-profit elementary school on land currently zoned Industrial, 155 Spaulding Ave SE, Parcel No. 41-15-30-300-018, Dana Roefer, for Journey Academy.

Ferro stated that schools are not permitted in the Industrial Zoning district. There are two options being considered for Journey Academy's location proposal on Spaulding Avenue in the Industrial District. Option 1) Amendment to zoning ordinance to add public and private schools as a use permitted by special use permit approval in the industrial district. Option 2) Journey Academy could propose use of the "conditional zoning" provisions contained in the state zoning law.

Leisman stated the conditional re-zoning procedure is preferred. It can be for one use. An application for a conditional re-zoning to the industrial zone for the use as a private school. The advantage is it can be quicker and will revert back to industrial zone.

Leisman opened the floor for comments from Journey Academy.

Dana Roefer, Co-Founder and Ada resident, stated she and her husband, Matt, started Journey Academy in 2016 with seven students. They are anticipating having 35 enrolled this fall. They have outgrown their space in Ada Christian School and would like to put portable classrooms on Amway's industrial plot at Spaulding and Fulton for a minimum of two years and a maximum of three years. Their hope after that is to build at a permanent location somewhere in Ada.

Following board discussion, it was decided to schedule a public hearing in June for a conditional zoning provision.

VIII. COMMISSION MEMBER/STAFF REPORTS

None.

IX. PUBLIC COMMENT

None.

X. ADJOURNMENT

Motion by Carter, supported by Butterfield, to adjourn meeting. Motion passed unanimously. Meeting adjourned at 8:08 p.m.

Respectfully submitted,

Jacqueline Smith

Ada Township Clerk