

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE JULY 20, 2017 MEETING**

A meeting of the Ada Township Planning Commission was held on Thursday, July 20, 2017, 7:00 p.m. at the Ada Township Offices, 7330 Thornapple River Dr., Ada, MI.

I. CALL TO ORDER

Meeting was called to order by Commissioner Butterfield at 7:00 p.m.

II. ROLL CALL

Present: Commissioners Butterfield, Burton, Lunn, Easter, and Jacobs (arrived at 7:06)

Absent: Leisman

Staff Present: Planning Director Ferro, Planner/Zoning Administrator Brent Bajdek

III. APPROVAL OF AGENDA

Moved by Lunn, supported by Easter, to approve the agenda as presented. Motion passed unanimously.

IV. APPROVAL OF MINUTES OF JUNE 15, 2017

Moved by Lunn, supported by Burton, to approve the June 15, 2017 Meeting minutes as presented.

Motion passed unanimously.

V. PUBLIC HEARINGS

Request for Special Use Permit to Allow an Accessory Building with a Sidewall Height of 13 feet, 72 Alta Dale Ave. NE, Parcel No. 41-15-29-177-006, Berghuis Construction LLC, for Joel & Kelli Ruiter

Josh Berghuis, Berghuis Construction, explained that his clients desire to construction a flat roofed accessory building with a sidewall height of 13 feet that would match the existing house.

Bajdek summarized his staff report.

Butterfield opened the public hearing; with no comments the public hearing was closed.

Moved by Lunn, supported by Burton, to approve the request for Special Use Permit to allow an Accessory Building with a Sidewall Height of 13 feet, at 72 Alta Dale Ave. NE, with the condition that any exterior lighting on the building be of a non-glaring style, subject to approval by the Planning Department. Motion passed unanimously.

Request for Special Use Permit for 21,000 sq. ft. of Additional Building Space and Parking Lot Expansion to the Existing Church Facility, 655 Spaulding Ave. SE, Parcel No. 41-15-31-177-001, Integrated Architecture, for Keystone Community Church

Darrel DeHaan, Integrated Architecture, explained the scope of the expansion project, related to the structure, which includes an expanded worship space, a new studio space, classrooms, and a new entry.

Rob Berends, Nederveld, reviewed the site improvements related to the project; an expanded parking area is proposed to the southwest of the existing parking area, as well as secondary gated access is planned to connect to West Village Trail. He explained that after discussions with the church and representatives of the West Village homeowners association it was determined that the secondary access should be in the location of initially approved plan and that it will be primarily utilized of Sundays, with exceptions for special events.

Bajdek reported, per the applicant, the existing off-street parking area severely underserves the needs of the congregation and the additional growth that is projected. The minimum parking standard for a church facility is one space per three seats. Currently 150 parking spaces are required based on the existing assembly space of 450 seats, and the assembly space at 981 seats will require 327 parking spaces. The amount of the existing parking spaces is 278, proposed are 545 spaces, and future is 659 spaces, which exceeds the minimum standards by greater than 25%. An exception approval is required from the Planning commission due to the proposed total number of parking spaces exceeding the minimum standards. Churches are allowed in residential zoning districts, with approval of a special use permit by the Planning Commission as long as required standards are met.

Butterfield opened the public hearing.

Tom Smith, 5164 Clear Springs Dr., asked if any consideration was being given to the increased amount of traffic, parking, left or right hand turn lanes on Ada Drive to facilitate the entrance and exit of vehicles.

Berends stated turn lanes have not been requested, and we have not studied that. Generally speaking its Sunday morning use, and a traffic study was not required nor requested, but we could have it looked at.

Kevin Moran, 5176 Clear Springs Dr., stated there is no turn lane on Spaulding; there is a little bit of congestion and if you're doubling the size of the church there could be a problem. He asked if any thought or consideration had gone into trying to preserve as many trees as possible, and how far back do you plan on clear cutting to accommodate the growth to the north?

Berends stated that with the reconfiguration that has been done to the drive location, the impact to the woods along Spaulding Avenue would be non-existent; there is no grading planned there. Along West Village Drive there is a three foot berm with a lot of evergreens on it, and we're only going to do grading and removal of trees right where the driveway is, probably about 50 feet wide.

Ferro asked what about where the building footprint is for the addition, and fill slope.

Berends stated there is tree removal there.

Butterfield stated one of the conditions of the special use permit standards is that the special use shall not change the character of the existing or surrounding area, and our staff didn't feel that this plan changed any of the characteristics of the surrounding area.

DeHaan stated the outline depicts the adjusted tree line with some of the mature hardwoods; while grading we'll protect as many trees as we can, but it's about 50 feet additional to the north into the tree line.

Mark Clark, 646 Spaulding Ave., lives across from the entrance to the church, stated concern with the lighting. The lighting under the eaves along the roof line are super bright; LED lights were put in within the last two weeks, and wonder if they couldn't be on dimmer switches. The traffic along there is very busy, and the speeds are too high for that area. Would like to make sure the new entrance/exit could be closed off because people are using it as a pass-through.

Bajdek reviewed conditions that are proposed relative to lighting.

DeHaan stated they are prepared to address lighting related conditions; discussion has occurred with the Church regarding after hours security and reduced lighting levels. He also reiterated that secondary access would be primarily utilized of Sundays, with exceptions for special events.

Chris Steel, 830 Byerly, stated the left turn lane is very small and very short. Doesn't like all the lights; there is a lot of traffic, which comes down the dead end gravel road she lives on. It would be nice to have a sign to keep people out.

Butterfield explained that the soccer fields will be removed.

Clark asked if there is any consideration for putting the new exit somewhere else.

Berends stated with the woods and the wetlands there is nowhere else to put it.

Butterfield closed the public hearing.

Jacobs stated with regards to Spaulding and Ada Drive we have no control over the speed limit, that would be the Road Commission. When you say the proposed and future parking exceeds the minimum greater than 25%, what is that percent?

Barren stated they are currently parked at 1.85 times the ordinance, and in the changeover they have problems with people parking on grass; the ratio proposed is consistent with that. We also show the future parking does get up to 2.1 times what the ordinance allows.

Ferro stated the 545 spaces they are proposing is 66% higher than the minimum required of 327, without the optional future that they don't want to build now.

Easter stated that she is struggling to understand the magnitude of the expansion.

Jeff Cowen, on the board of Keystone, stated there may be concerts from time to time but there isn't anything in the plans that would necessitate growing a building, a parking lot, and the student area, etc., to accommodate that kind of thing. It is anticipated that this will be the last growth on campus.

Burton expressed concern regarding traffic.

Jacobs stated we need to make sure whatever is decided that we have the proper conditions in place so that everyone agrees. With respect to the rear exit into West Village, if we are going to have provisions that it is gated every day except Sunday, other than for funerals, etc., we need to have a way of making sure that is going to happen.

Cowen stated the West Village and the Keystone developments were developed simultaneously, and the easement was given by the developer, and that easement does have specific provisions about gating, when it can be used, etc.

Ferro stated the addition of the secondary means of access helps take the pressure off the single access that exists, so that lessens the need for widening. Given that the majority of peak usage times are on Sunday, that also lessens the need for those improvements.

Jacobs stated the access agreement is vague because it says "Keystone shall also install a gate to bar traffic from the driveway at such times as the easement shall not be used, pursuant to the terms of this agreement". Our condition in the approval should read: No. 7 ...subject to the conditions set forth in the access easement dated the 27th of October, 2004 and recorded with the Kent County Register of Deeds.

Moved by Lunn, supported by Jacobs, to approve the Special Use Permit for 21,000 sq. ft. additional Building Space and Parking Lot Expansion for Keystone Church, 655 Spaulding Ave. SE, subject to the following conditions:

1. The Planning Commission hereby determines that the number of parking spaces proposed, which exceeds the minimum standards of the zoning ordinance by greater than 25%, is necessary to the operation of the proposed use, based on documentation provided by the applicant, and is hereby approved.
2. A Township storm water permit application shall be submitted, and a permit issued, prior to the issuance of a building permit.
3. Exterior lighting shall be limited to use of “full-cutoff” fixtures.
4. Parking area lighting shall be reduced to a minimal level for security purposes after 10:00 p.m.
5. Final details for setting illumination levels for lighting the parking lot and screening of the parking lot lighting by either landscaping or other physical means shall be approved by the Township Planning Department.
6. The height of pole-mounted light fixtures shall comply with the 20-foot maximum standard of the zoning regulations.
7. The secondary access drive shown on the plan shall be constructed prior to occupancy of the building addition subject to the conditions set forth in the access easement dated October 27, 2004 and recorded with the Kent County Register of Deeds.

Motion passed unanimously.

Proposed Amendments to Article XIX – Planned Unit Development and Article XXVIII – Public Street Access and Private Road and Driveway Standards, Ada Township Planning Commission

Butterfield opened the public hearing; with no comments, the public hearing was closed.

Ferro reported that it was discovered after the Planning Commission recommended approval of the proposed condominium development on Spaulding Ave., between Cascade Rd. and Ada Dr., that the PUD regulations require compliance with the private road standards and that a variation from the private road standards in the approval of a PUD plan is not permitted; the number of dwelling units served by the access roads through the proposed Knoll Condominium development exceeds the limit on number of dwellings being accessed by a private road of 40, which is violated by the 72 units proposed. He stated to address that situation proposed amendment language to the PUD regulations is drafted, and as either an alternative or an accompaniment to the revisions to the PUD rules, a revision to the Private Road Standards that would contain language introduces a maximum length limit on a private road and increases the maximum number of dwelling units accessed by a private road that has two points of connection to a private road from the current limit of 30 to 40, and increases that up to 75.

Either one or both of these amendments together would allow the PUD plan to proceed through review by the Township Board, along with Board consideration of either or both of the amendments to the Private Road Standards and PUD Rules.

Ferro stated his staff report listed a number of communities that provide flexibility in the PUD Regulations in private road design. He reported that several townships had similar language to the language that is being proposed and that the adoption of both amendments would be helpful.

Butterfield opened the public hearing; with no comments, the public hearing was closed.

Lunn commented that we should make both revisions. There will probably be a lot more developments coming that will be longer and larger.

Butterfield stated appreciation for the information on the other townships in the area; it's very helpful to see what we are proposing is not out of character.

Moved by Lunn, supported by Jacobs, to recommend that the Township Board approve the changes made to Amendments to Article XIX – Planned Unit Development and Article XXVIII – Public Street Access and Private Road and Driveway Standards.

Motion passed unanimously.

VI. UNFINISHED BUSINESS

None.

VII. NEW BUSINESS

Review of PVM District Development Plan, 7,952 sq. ft. Commercial Building on a 5,800 sq. ft. Lot, Unit 3, Marketplace Square Site Condominium, 400 Ada Dr. SE, portion of Parcel No. 41-15-34-126-017, CDV5 Properties, LLC

Ken Dixon, Dixon Architecture, explained that the subject 7,952 sq. ft. speculative commercial building has been designed to accommodate retail service type use on the lower level and service or office type use on the second floor. The building will have the same style of historical architecture from the 1860's to the 1940's as the other building that he has designed for the village; it be primarily a brick building with a little bit of modernization. Departures for the frontage percentage and windows on primary facades are required. He clarified that restaurant use is not proposed for the subject building.

Bajdek stated that conformance with the PVM District Standards have been met, except for the minimum frontage percentage, and the windows on the primary façade. Off street parking is located in the common element of the condominium to be shared by all of the condominium units in the development; 106 spaces are currently under construction and eight additional are proposed to be installed shortly. He summarized the parking recap provided in the staff report, based on the parking generation ratios of the recent parking study.

Jacobs questioned if there is no restaurant does that mean that in the future it can be a restaurant, can you do that or do they have to come back for a special use?

Ferro stated we wouldn't restrict that because restaurants are permitted as part of the zoning rules.

Jacobs asked what calculations are we supposed to use, the new parking study calculations or the calculations used by Ken.

Ferro stated the parking generation rates that were determined by our parking consultant as fitting Ada are the best source of information that we have right now. The PVM standards provide a relaxation compared to the normal parking requirements for a free-standing isolated site. The percentage of relaxation allowed in the PVM District is probably excessive. The ratios developed by the parking consultants were based on their analysis of actual parking occupancy counts, and the mix of uses that we currently have in the village. It is anticipated that parking with additional public parking in the village in the future.

Lunn stated don't we have to use our standards as written in our ordinances, and not the parking study when we review these things.

Ferro stated yes, we use the PVM reduced standards which are a little bit over-reduced.

Bajdek stated that based on PVM district parking standards, an estimated 150 parking spaces are required for all units, 1-6, in the condominium development. 45 additional parking spaces will be constructed and onsite parking be provided as well.

Ferro stated that new buildings have required minor departures from the standards and that tells us we have to adjust the standards slightly.

Burton expressed that she liked the modern design of the building; a little variation is needed.

Motion by Jacob, supported by Burton, to approve the PVM District Development Plan, subject to the following findings and conditions:

1. The Planning Commission hereby makes the following findings:
 - a. The proposed development plan, as modified by the conditions of approval listed below, requires the following “departures” from the standards of the PVM district, which are hereby approved:
 - 1) Sec. 78-476(a) - Minimum frontage percentage.
 - 2) Sec. 78-476(g) – Windows on primary facades.
 - b. The above departures result in a plan that complies with the spirit and intent of the PVM District to a greater degree than would be the case without authorization of the departures.
 - c. The proposed alternative is consistent with the purpose and intent of the PVM District.
 - d. The proposed alternative, in comparison to conformance with the PVM district standards, will not have a detrimental impact on adjacent property or the surrounding neighborhood.
 - e. The proposed alternative is necessary and appropriate to accommodate a superior design of the proposed development.
2. The proposed development plan for a 7,952 sq. ft. commercial building is hereby approved, subject to the following conditions:
 - a. The building and site improvements shall be completed substantially as shown on the plan set titled “MarketPlace Plaza – B3 Building,” (civil drawings) dated June 27, 2017 and “Marketplace Plaza – B3 Building,” (architectural drawings) dated June 29, 2017, except as modified in accordance with these conditions of approval.
 - b. Exterior building mounted light fixtures shall qualify as “full-cutoff” control of light emission or of a low light intensity non-glaring style, subject to approval of the Planning Department. Fixture specifications shall be submitted for approval, prior to building permit issuance.
 - c. Floodplain development permits shall be issued by the Michigan DEQ and Ada Township, prior to issuance of a building permit.

Motion passed unanimously.

Revised Preliminary PUD Plan, 56,070 sq. ft. Commercial Development in 11 Buildings on 4.5 Acre Site, 4920 E. Fulton St., Parcel No. 41-15-30-300-020, The Caves, LLC

Ferro stated after the Planning Commission recommended approval of this Preliminary PUD Plan, but before it went to the Township Board, the applicant proposed some changes to the plan. There was concern about those changes being made after it had been approved that would create some issues at the Township Board with them knowing the Planning Commission hadn’t seen the changes, so it was felt it should come back to the Planning Commission to take a look at.

Tom Reed, The Caves, summarized the proposed changes to the site plan, which included the elimination of second drive from Fulton.

Ferro stated at the south end of the site, adjacent to the railroad tracks, the buildings were shifted from the north side of the east/west access drive to the south side, and the access drive moved to the north side, so the buildings are now placed at the 50-foot setback line to help facilitate drainage. The well got moved. Getting the sewer system to work based on gravity is more preferable than having to rely on a pump system that requires reliable energy and pumps. The Board has already adopted the resolution to exempt the site from mandatory connection to public utilities at this time, subject to the owner entering into an agreement with the Township to participate in a special assessment district on reasonable terms if one is ever proposed, which is not in any plan schedule at this point.

Butterfield asked what about signage, are they going to share with Anderson Brothers?

Ferro stated that they will be subject to existing sign rules.

Motion by Easter, supported by Jacobs, to approve the revised plan with a revision date of June 15, subject to the following conditions (identical to the original conditions of approval):

1. The approval of a Resolution by the Township Board granting an exemption from the public sewer service requirement.
2. That the uses permitted in the PUD shall be limited to uses permitted by right in the Industrial (I) district, with the exception of the following uses, which shall be prohibited:
 1. any manufacturing, fabrication or processing of goods
 2. Professional and administrative offices, including legal, architectural, engineering, accounting, data processing, insurance, real estate, securities brokerage, financial planning and investment advisory services, provided each unit may have an office space not to exceed 225 sq. ft.
 3. Vehicle fleet storage, maintenance and fueling facilities
 4. Offset printing, including ancillary activities such as photocopying and facsimile transmittal services
 5. Commercial photographers' studios, including ancillary portrait photography services as a secondary activity
 6. Churches
 7. Day care centers
 8. Public and private use heliports.
3. A maximum limit of five (5) units permitted to have bathrooms in the development, which includes any common shared bathrooms.
4. All public and private utilities serving the development shall be underground.
5. A complete landscape plan shall be provided as part of the Final PUD application, and shall be subject to approval of the Planning Commission.
6. 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.
7. All lighting fixtures shall be shown on the final PUD plan.
8. There shall be no outside storage.

Motion passed unanimously.

Review of Revised PVM District Development Plan, to Include Approval of Proposed Sign Plan, portion of 400 Ada Drive SE, Parcel No. 41-15-34-126-017, Unit 2, Ada Marketplace Square Condominium, Geld, LLC

Brent Distin, Dixon Architecture, reviewed the proposed sign plan for the B2 Building explaining equal recognition of tenants is desired.

Ken Dixon, Dixon Architecture, further explained that much time was spent designing the signage and that there have been so many aspects of meeting the zoning district regulations, what the clients want, and trying to keep the architecture as the principal feature of the building. He stated that the proposed 10 square feet at street level is similar to 12 square feet used for the majority the tenants for his building.

Ferro explained the revised signage rules were developed to fit a wide range of building sizes, up to 20,000 square feet. The maximum size for an individual wall sign is 16 square feet with a maximum allowable aggregate sign area for all wall signs combined for a building based on different size categories.

Buildings over 15,000 square feet are permitted a maximum of 80 square feet of all wall signs combined. The initial draft that was presented to the Planning Commission had a higher limit than the 80 and there was discomfort by the Commission on that higher limit, so the limit was lowered to 80, and there was language added that said “the Planning Commission may as part of a PVM District development plan application authorize a maximum permitted area of all wall signs in excess of the normal 80 square foot limit,” as a footnote in the table.

Lunn stated its 160 square feet more than the 80 feet.

Ferro stated correct, but it’s for potentially 13 tenants, nearly all of which have access on both Ada Drive and from the rear from the parking lot side, either on multiple doors serving that individual suite or access from both sides leading into a shared elevator lobby for the upper floors. Even the second and third floor tenants have access from both sides to the lobby.

Lunn questioned the use of the third floor.

Ferro explained that there was potential for residential use, but it is now going to be a single office user.

Ferro stated in view of the number of tenants and large square footage of wall on the two different facades that the signage and numbers are reasonable.

Jacobs asked if at some point there would be 14 tenants, and a necessity for an additional sign.

Ferro stated there is potential for one of the first floor spaces to be divided, but the footnotes in the proposed plan say they’ll live with this maximum number and size whether that space gets divided or not.

Butterfield asked if they had to center signs over windows, is that by design, is that purposeful.

Ken Dixon, Dixon Architecture, explained that they are working on achieving balance and that two-side blade signs, at least on first floor, are being encouraged for a village feel.

Ferro stated blade signs could be more effective than wall signs for some of these because they are visible both by pedestrians walking down the street and readable by drivers.

Discussion was held the regarding the naming the subject building and permitted illumination of signage.

Moved by Lunn, supported by Jacobs, to approve the wall sign plan as depicted in the drawing titled “Building Elevations – Signage Calculations,” with a revision date of July 19, 2017, and the accompanying letter dated June 23, 2017 is recommended, subject to the following conditions:

1. There shall be a maximum number of 22 wall signs on the building, comprised of a mix of 10 square foot and 12 square foot signs as depicted on the applicant’s submittal.
2. The aggregate area of wall signs shall be no greater than 242 square feet.
3. No tenant shall be permitted more than two wall signs.

Motion passed unanimously.

VIII. COMMISSION MEMBER/STAFF REPORTS

Review of Proposed Regulations for Short Term Rentals, as drafted by John Barr

Discussion was held regarding Short Term Rentals in general, as well as the proposed regulations for Short Term Rentals in Township, as drafted by John Barr. Staff was directed to conduct a review of the drafted regulations and provide a recommendation action on it at the August meeting.

Bajdek presented an elevation rendering for a townhome building in the Riverpoint of Ada development. He stated the gabled pitched roof design differs from the flat roofed designed townhome buildings that were approved by the Planning Commission. It was determined that the proposed design fits the character of the development and that formal approval from the Planning Commission is not necessary.

IX. PUBLIC COMMENT

Noelle DiVozzo, 7115 Bronson, stated her displeasure with the modern portion of the proposed B-3 building, although liked the remaining portion. She also expressed a desire to allow for public comments after all agenda items so that the presenter can hear the comments.

X. ADJOURNMENT

Motion by Easter, supported by Lunn, to adjourn at 9:23 p.m. Motion passed unanimously.

Respectfully submitted,

Jacqueline Smith
Ada Township Clerk

JS/dr