

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE MAY 19, 2016 MEETING**

A meeting of the Ada Township Planning Commission was held on Thursday, May 19, 2016, 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 Leisman at 7:00 p.m.

II. ROLL CALL

Present: Commissioners Easter, Heglund, Lunn, Lowry, Leisman, Butterfield, and Jacobs
Staff Present: Planning Director Ferro, Planner/Zoning Administrator Bajdek

III. APPROVAL OF AGENDA

Motion by Jacobs, supported by Heglund, to approve the agenda as presented. Motion passed unanimously.

IV. APPROVAL OF MINUTES OF APRIL 21, 2016 MEETING

Motion by Jacobs, supported by Easter, to approve the April 21 meeting minutes. Motion passed unanimously.

V. PUBLIC HEARING

Preliminary PUD Plan, 24,396 SF Medical Office Building, 7130 East Fulton St., Unit 10, Ada West Commercial Condominium, Spectrum Health

Jeff Meyers, Spectrum Health Director of Real Estate Development commented on items that had been discussed at the previous meeting. He stated there was discussion at the meeting of community involvement and Tina Fries Decker, President of Spectrum Health Hospital Group, will convey a little bit more about our commitment to the community. Ken Dixon and Jack Barr will cover changes made to the plan since the last meeting.

Tina Fries Decker stated Spectrum Health is extremely excited about Envision Ada and the future for Ada and what can be done here. Our facility brings primary care and other services close to home, providing convenient access, but we are also a partner for health and wellness needs. She stated they have become the lead sponsor for the Farmers Market in Ada. Our mission statement is to help improve the health of the community, and we feel that being here and partnering with Envision Ada, and all the work we're doing for health and wellness really serves that mission.

Ken Dixon, Dixon Architecture, gave a brief overview of the building, stating we've designed the building to meet the Envision Ada program, which defines a desired architectural character from the 1860's to the 1940's. Dixon stated this building has a unique style and character compared to typical Spectrum Health facilities.

Jack Barr, Nederveld, noted changes that have been made since the last meeting; the non-motorized trail has been extended along the frontage of Fulton, will go across the parking lot, and there is a sidewalk being built along the east side of the service drive. We now have sidewalk extensions coming out from our building for emergency tying into that more public sidewalk. We added a screened in area for the generator and mechanicals. The building has been moved to the south in order to avoid power lines along Fulton Street. He stated the storm water management system has been revised to direct all storm water to the storm water detention system being built in the parking lot. We hope to put in new trees that aren't in

proximity to the power lines. He stated we do want to have further discussion on two items: one, the water main looping; and two, improvements to a deceleration lane on Fulton Street.

Jeff Meyers stated that wraps up our comments, and we ask that you recommend approval to the Township Board.

Leisman opened the Public Hearing.

Noelle DiVozzo, Bronson Street, stated her concern is lighting, and she hopes there is a way to minimize the amount of light shining on the back of her house. She stated an immediate care would be nice for the community.

Ellen Carpenter, 677 Abby Mill Dr. SE, stated what she likes about the community is there are a wide range of services. Having health care facilities for primary care physicians seems to make sense and help balance the needs of the community, along with retail.

With no further comments Leisman closed the Public Hearing.

Ferro stated in this PUD Plan the only variation from normal C-1 zoning district standards that are proposed here include two things. One is the building footprint of over 12,000 square feet exceeds the maximum building footprint standard, which is 8,000 square feet. The second variation is the setback from the Fulton Street right-of-way, which has now been increased to nine feet. He stated with regard to utilities it is the Township utility director's expectation that the applicant will be responsible for the cost of looping the water main, which is likely something that would be required by the Michigan DEQ.

He stated a complete landscaping plan is required as part of a final PUD Plan submittal, which the applicant has submitted. The increased setback of the building from Fulton Street provides room within the property boundaries for ornamental trees in front of the building. We have not seen any architectural detail for the refuse container enclosure, and that will be required in the final PUD submittal. Ferro stated he would encourage the applicant to try to get as much as they can from MDOT in terms of what they will allow across the property boundary for screening of that enclosure.

He stated the traffic study was revised based on initial comments made, and the revised analysis has been reviewed by our traffic engineer, and he has recommended that a right turn deceleration lane be added on M-21 where traffic would turn right into the service drive.

Ferro stated with regard to site lighting, the parking lot lighting serving the entire west village commercial center will be a full cut-off down lighting fixture, an LED fixture, where there won't be light directed beyond a 90 degree angle from the fixture.

Ferro stated he has recommended approval of the preliminary plan, which would be a recommendation to the Township Board, subject to the eight conditions set forth in his staff report. In regards to the village style light fixtures, a note on the plan states "installed by others" and he would like a clarification of that. He indicated in a condition of approval that those shall be installed either by the applicant or the condominium association prior to occupancy of the building. He then went over the eight conditions in his staff report.

Ray Schneider, traffic engineer at AECOM stated he prepared the traffic study. He stated there is a borderline need for the deceleration lane at the service drive. Spectrum is only adding eight trips to the 32 existing trips during the peak p.m. hour.

Butterfield suggested the trees be larger than the minimum size requirement of 2 ½" caliper, in view of the size of the building.

Following discussion, it was moved by Jacobs, supported by Easter, to approve the Preliminary PUD Plan, for a 24,396 Square Foot Medical Office Building at 7130 East Fulton St., Unit 10, Ada West Commercial Condominium, subject to the following conditions:

1. The building and site improvements shall be completed substantially as shown on the plans titled "Spectrum Health Ada I.C.C., with a revision date of 5-12-16, as modified by these conditions of approval. The Final PUD Plan application shall include plans for additional and detailed landscaping.
2. The plan shall be modified to provide for looping of the 8" water main serving the site by extending it to the north-south service drive, then south on the service drive to connect to the water main in Headley Street, to be completed by the applicant or condominium association as part of the building construction, and completed prior to occupancy.
3. Construction plans and specifications for the water main extension and looping shall be subject to review and approval by the Township Utilities Director, and issuance of a DEQ permit, prior to initiation of construction.
4. Proposed pedestrian lighting shown on the plan shall match the fixture specification of the fixtures on new Headley Street, or an equivalent fixture approved by the Township, and shall be installed by the applicant or the condominium association prior to occupancy of the building.
5. Parking area improvements in the general common element in the Ada West Commercial Condominium and the extension of the 8 foot-wide non-motorized trail along Fulton St. from its current western terminus to the north-south service drive shall be completed prior to occupancy of the building, and shall be subject to review and approval of a final construction plan by the Planning Commission.
6. A storm water permit application shall be submitted and a permit issued by the Township, prior to issuance of a building permit.
7. The applicant or condominium association shall install an eastbound right-turn lane on M-21 at the north-south service drive intersection to Michigan DOT standards, prior to occupancy of the building. Planning Commission approval of the preliminary plan is not dependent on the right-turn lane if determined not necessary by the Township Board.
8. The applicant shall place pavement markings on the north-south service drive to delineate separate northbound left-turn and right-turn lanes and a southbound entry lane, at the M-21 intersection, as recommended by the Township's traffic engineering consultant, prior to occupancy of the building.
9. All lighting shall be cutoff fixtures and shall comply with dark sky requirements, especially at the south portion of the building and parcel. A lighting plan shall be submitted as part of the Final PUD application.

Motion passed unanimously.

VI. UNFINISHED BUSINESS

Amendment to PUD Plan, 2,191 Square Foot Classroom Addition and Parking Addition, Big Steps Little Feet Child Care Center, 7030 East Fulton St., Parcel No. 41-15-28-477-042, 7030 Fulton, LLC

Jack Barr, Nederveld, stated they do not believe the facility will need the potential expansion parking spaces shown on the plan, and that the existing parking supply will be adequate. He noted that the potential expansion parking is now located on the existing Big Steps Little Feet property.

Bajdek stated as far as the parking itself, all of the items have been adequately addressed; modifications have been made to the plan. Bajdek noted that an item not yet addressed is the need for a landscape plan to address damage and loss of plantings that has occurred on the site since the facility was originally completed.

Bajdek stated approval of the proposed revision to the PUD Plan to allow the building expansion as proposed is recommended contingent upon permitting the deferred parking spaces as depicted on the revised site plan, and submittal of the revised landscape plan for the site to be administratively reviewed and approved.

Motion by Easter, supported by Jacobs, to approve the Revised PUD Plan for a 2,191 square foot classroom addition and future parking expansion, if needed, subject to the following conditions:

1. Deferral of construction of 9 additional parking spaces, as depicted on the revised site plan, is approved.
2. A revised landscape plan shall be submitted, to be administratively reviewed and approved by planning and zoning staff, to address the loss of plantings that has occurred on the site.

VII. NEW BUSINESS

Site Plan Review, 8 Unit Commercial Site Condominium and Shared Parking Area on 3.18 Acre, Ada Marketplace Square, Portion of 400 Ada Drive and 7580 E. Fulton St., Parcel No.'2 41-15-34-126-011 and 017, GELD, LLC

Steve Teitsma, Progressive AE, stated we are laying the groundwork for future development in accordance with the Envision Ada Master Plan. This area was selected because there are several businesses that need relocation within the shopping center. We are asking for approval to start the groundwork to create parcels. He then described the area they are looking at for development.

Easter asked how new construction would be phased in relation to demolition of existing buildings on the shopping center property.

Teitsma stated there would be significant logistic phasing that would need to be thought through as it develops, and we have put a lot of thought into that because there are businesses that need to remain.

Easter stated you're projecting what the process per square foot could be in these buildings, what is the reaction you are getting.

Teitsma stated he is not personally speaking with them, but he would say it's being warmly received in terms of the development itself being nice looking, and people are eager to move into it.

Leisman stated he would feel better if we were being presented with some idea of what buildings are projected, what type of businesses.

Ferro stated the condominium lot plan shows potential building footprints on each unit, and a couple of them are closer to reality than others. He also noted there is a breakdown of projected square footage by use type shown on the parking demand calculations table. He stated the large building footprint is a proposed specialty grocery store, on the corner of Ada Drive and Fulton Street. He stated he believes the applicant's intent is to demolish the Lake Michigan Credit Union and Sheldon Cleaners buildings this fall to clear the way for bringing in fill and beginning construction on Unit One and Unit Two.

Easter asked what happens to Lake Michigan Credit Union, do they just cease to do business in the village?

Ferro stated he believes there is discussion about either temporarily relocating them within the shopping center, or the credit union not being there for an interim period, while a new location is constructed.

Easter stated there has been talk about trying to eliminate some drive-throughs in the core of the village. She asked whether that conversation is being held with the credit union.

Ferro stated his expectation is there won't be a drive-thru service at the new credit union site.

Leisman asked what needs to be accomplished by the Planning Commission tonight in order to keep the construction schedule moving.

Ferro stated it would be to approve the site condominium plan, which is strictly the condo unit and common area boundaries.

Leisman stated we could table this for a while, and the applicant could figure out what they think would be appropriate to show the Planning Commission as far as what's going to occur there.

Teitsma stated Unit One we are planning to submit to you at the June meeting to discuss site plan approval. Unit Seven would most likely be a brewery with a combination of a restaurant. Unit Six potentially the School House could move into a location like that, and maybe a little piece for retail added on to it. Unit Four would most likely be restaurant use, and that's fairly well defined right now. Unit Three is the most speculative. Unit Two would be a combination of a number of different tenants, and potentially a lot of the people who do need to relocate throughout the shopping center could fit into that; it's most likely a combination of retail.

Ferro stated this is really a seven unit condominium rather than eight as stated on the Agenda. There are a mix of uses assumed and some parking calculations the applicant prepared. The total square footage shown is 68,800 square feet. In talking with Steve Teitsma he has said their intent is to propose use of the PVM standards on all of these sites, using primarily the village block front lot type, which is a typical downtown building lot. All of the lot sizes shown fall within the minimum and maximum lot size standards for village block front lots, except for Units Five and Two, which are slightly less than the minimum lot size for a village block front lot. There are no minimum width requirements for village block front lots, and there's a maximum width of 250 feet and all units comply with that.

He stated the applicant mentioned there is consideration to relocating the existing school house building into Unit Five, and that could potentially allow that lot to be considered a civic building lot type. With regard to driveway access and parking, there are two driveways on Ada Drive that will be removed. The Road Commission has said they want a greater separation between the first driveway entry and the Fulton Street intersection. Ferro stated two curb cuts would also be removed on Fulton St. The shared parking area has 156 parking spaces, and 19 nearby on-street spaces planned in the future. Based on the standards recommended by the parking consultant, there is a calculated need for 196 spaces.

Ferro stated no grading plan has been submitted. The storm sewer layout shows inlets located within the internal islands, and there a few catch basins on the curb line. We don't have landscape plans yet, and that information will need to come with the phase development plans for individual buildings. Also, the use of decorative lighting needs to be discussed.

Following discussion of the conditions recommended by Ferro, it was moved by Jacobs, supported by Easter, to approve the development plan for a 7 unit site condominium and shared parking area on 3.18 acres, Ada Marketplace Square, subject to the following conditions:

1. The site condominium Master Deed and Bylaws shall be submitted to the Township for review and approval, prior to being recorded with the Kent County Register of Deeds, and prior to issuance of building permits on the subject property.
2. A Township storm water permit application shall be submitted and approved, and a DEQ permit issued for the storm water outfall, prior to issuance of any building permits for construction on individual units, and prior to construction of future parking area phases. A permanent easement for the discharge of the storm water system shall be in place prior to construction.
3. The plan shall be modified to provide a mid-block pedestrian connection between the parking area and River Street, either between Units 5 and 6 or between Units 6 and 7.
4. Construction of the shared parking area shall be subject to review and approval by the Planning Commission, either in a separate zoning application or as part of the development plan application for an individual unit. Plans submitted for review shall include grading plan and details concerning the stormwater infiltration islands/bioswales.
5. A landscape and lighting plan for the entire parking lot shall be presented before approval of an individual building use.
6. Approval of the site condominium survey plan does not constitute approval of conceptual building footprints and building uses depicted on each condominium unit on the Site Grading and Utility Plan, Sheet C300 and the Site Layout/Parking Plan, Sheet C200, or for landscaping, lighting or other improvements that may be required in the site condominium.
7. The condominium documents shall provide that the parking spaces in the general common element shall be shared among all condominium units. No parking shall be restricted to use by any individual unit, and access to all or any portion of the parking spaces shall not be gated or otherwise physically restricted.
8. A phasing plan shall be presented prior to the first application for building development.

Motion passed unanimously.

Site Plan Review, Land Division Creating 5 Lots on 3.6 Acres, 1085 Fernridge Dr., Parcel No. 41-15-31-476-055, Ron McCollum, for Frank and Nancy Letherby

Dan Hula, Hula Engineering, stated he put the drawing together for a land division creating five lots. We went to the Kent County Health Department and got the site approved for well and septic. Since that time it was determined by the Township that public sewer is available. He noted the subject property is 850 feet from Hall Street to the property line, but to get to the last lot we've got to add another 300-400 feet of sewer. He stated instead of having to build the water and sewer lines, they would like to go to the Zoning Board of Appeals and ask for a variance.

Ferro stated the subject property is a large 3.6 acre lot occupied by a single family home at the end of Fernridge Drive, which is a private road cul-de-sac that extends north off Hall Street between Paradise Lake Drive and Cascade Road. The applicant is proposing to divide the site into five lots to create four new single family home sites, in addition to the existing home. The lot sizes range from one-half acre to .87 acres, which is well above the minimum R2 District standards of 19,000 square feet and 120 feet of lot width.

Ferro stated Fernridge Drive currently has 11 homes and the four new lots would increase that to 15, which is the maximum number of home sites permitted by the zoning rules to be accessed off of a dead-end cul-de-sac.

Ferro added the site has moderately rolling terrain, and is wooded. He stated all of the proposed lots have suitable areas for home sites, with minimum setbacks met as shown on the plan.

Ferro stated Fernridge Drive pre-dates our private road standards, and does not conform with all the private road standards. He stated it does have a 66 foot wide private road easement, but the surface width of the actual improved road does not comply with our standards, which require a width of 22 feet for any private road or portion of a private road that accesses four or more homes. He stated the current road width varies from 21 feet at Hall St. to 13 feet for the northernmost 385 feet. He noted it also currently does not have a required cul-de-sac vehicle turnaround.

Ferro stated our zoning rules state that any newly created lot must have vehicular access that conforms with the current private road standards. The applicant is proposing to improve the private road to a 22 foot width for the entire portion that accesses four or more homes; and is proposing the addition of crushed concrete on each side of the existing pavement, which is currently in rather poor condition.

Ferro stated there is an existing private road maintenance agreement that states: "all parties hereto, their successors or assigns, agree to proportion equally among themselves all of the maintenance and upkeep of the above described road, insuring continued maintenance making it safe and suitable for vehicle access to and from the property."

Ferro stated the property is located in the heart of the Township's utility service area. He stated although there are not water and sewer mains on Fernridge Drive, there are water and sewer mains located 850 feet from the subject property, in Hall St. He then read the Township sewer use ordinance, and stated we asked legal counsel for input on the application of the language to this property, and legal counsel provided a letter that concludes the language prohibits issuance of building permits on the proposed lots until public utilities are provided.

He suggested conditions of approval that address the lack of a proper maintenance agreement, and the Township's position that public water and sewer must be installed prior to any building permits being issued for home construction within the development.

Ferro pointed out that the provisions requiring public sewers are not in the zoning ordinance, so an appropriate recourse would not be an application to the Zoning Board of Appeals for a zoning variance by the applicant. He stated that language in the sewer use ordinance states that the Township Board can grant relief to that requirement.

He noted the three conditions as listed in the staff report, and recommended addition of a fourth condition, to state that "the private road shall be improved to conform to the private road standards prior to issuance of any building permits."

Leisman stated agreement with Jim as far as the water and sewer, and if they get relief from the Township Board they can come back.

Ferro suggested adding to condition No. 2, after prior to the issuance of ... "constructed under a special assessment district".

Ferro stated the applicant has discussed with the Township the potential for a special assessment district being established to pay for installation of utilities in Fernridge, and that would involve a special assessment formula that would apply assessments to all of the property owner's payable over probably 15

years. The Township has not expressed any interest in initiating the creation of a special assessment district, but has expressed to the applicant it would consider it if the applicant can convince 50% of the land ownership on the road to sign a petition requesting creation of a special assessment district. Ferro pointed out there are also provisions in the special assessment statute providing that 50% of property ownership on the road can submit a petition to stop the special assessment proceedings.

Leisman invited public comment on the proposed land division.

Robert Dickins, 1181 Fernridge Drive, stated 10 property owners on the road recently met, and 9 expressed no interest in connecting to the sewer system, and one is already connected. He stated three concerns they had: 1. the mandatory sewer service; 2. the proposed road improvement; and 3. potential damage to the road caused by the construction of 4 homes that would be happening.

Dickins stated as far as mandatory sewer service is you don't have access; the easement that was granted before your ordinance took effect only contemplated a road. Dickens stated there are provisions in the sewer ordinance for the Township Board to grant an exemption from the mandatory sewer connection, if there is an extraordinary hardship. He stated this situation exists in the current situation.

Dickens added that improvements to widen the road are clearly for fire access, safety of the people, and ambulance services, etc., and crushed rock is not going to hold up, and is substandard. There is going to have to be an engineering solution to widen the road. He suggested the road plans should be referred to the Fire Department, under Sec. 78-807(4) of the code. He also stated they do have a maintenance agreement for the road and it is recorded with the Register of Deeds.

Matt McCollum, Forest Hills Homes, Builder, stated they will need to have a permanently paved road, and a new private road maintenance agreement.

Lunn suggested a landscape island be put in the cul-de-sac.

Motion by Lunn, supported by Heglund, to approve the Site Plan Review, Land Division Creating 5 Lots on 3.6 Acres, 1085 Fernridge Dr., subject to the following conditions:

1. A private road maintenance agreement satisfying the provisions of the zoning regulations shall be entered into by all lot owners on the subject private road and recorded with the Register of Deeds, prior to issuance of any building permits.
2. Public water and sewer mains shall be installed by the applicant, in compliance with Township design and construction standards, or pursuant to a special assessment district, or a performance guarantee to ensure the construction of such facilities by the applicant be provided to the Township, prior to the issuance of any building permits, unless waived by the Township Board.
3. The private road shall be improved to conform with the Township's private road standards, prior to issuance of any building permits, or a financial guarantee provided by the applicant in an amount approved by the Township engineer.
3. A notice of the above conditions shall be prepared by the applicant, subject to review and approval by the Township, and recorded with the Register of Deeds, prior to the sale of any parcels created by the land division.

Motion passed unanimously.

PUD Pre-Application Conference, 25,000 Square Foot Mixed Use Building on .23 Acres, 518 Ada Drive, Parcel No. 41-15-34-126-007, Douglas Kniff

Ferro stated for proposed development in the village there are two different procedural options available: 1. using the form base standards under the PVM district or 2 submit a PUD plan. Mr. Kniff is interested in submitting a PUD plan application for redevelopment of his property. A required first step in the PUD process is a pre-application conference to present the overall concept without a big investment required in plan preparation in order to obtain feedback from the Planning Commission.

Doug Kniff, 518 Ada Dr., stated the request is for a five story building, with the top three floors being residential condominiums split into two units on each floor, and the second floor would be office space split into two units, and the first floor would be retail space.

Ferro stated the PUD rules allow variation from the conventional zoning district standards. If we look at our Master Plan, it's been the expressed goals in our planning documents to encourage retaining the small scale, small town character of the village. He stated he has some concern that five stories would not conform to that objective. He stated, between parking, all of the policy guidance contained in the current Master Plan, the design Charrette, and the Envision Ada plan, they all suggest that five stories may be too much for the site.

Lunn stated he won't support more than three stories.

Heglund stated he agrees with Lunn.

Jacobs expressed concern about the proposed size of the building and the parking demand.

Easter stated the building looks nice, but should be two stories.

Lowry stated he is very concerned about a five story building and the parking that goes with it.

Leisman stated the planning objectives and the surrounding land uses wouldn't justify going above three stories. He stated he likes the idea of having an independent developer building something like this in the village and having a retail level with other levels. He stated he thinks it adds character to the village.

Revision to Approved Development Plan, Nonna Café, 584 Ada Dr., Parcel No. 41-15-34-105-004, BDR Builders for Two D, LLC

Ferro stated the owner of the Nonna Café is proposing a revision to the site plan to reduce the number of on-site parking spaces from four to two. This is based on modification of the entry ramp into the rear door of the building that was originally shown on the site plan as having a very steep slope. They want to extend the ramp out into the parking area to lower the steepness of the ramp, which conflicts with two parking spaces.

Ferro stated the applicant has offered to compensate for the loss of the two parking spaces by contributing \$9,000 to the Township for use in constructing public parking in the village.

He stated they are also proposing changing the storm water management plan by using a concrete parking area surface rather than sub-surface storm water chambers as originally shown. He noted a leaching catch basin has already been installed, and they want to disperse runoff from the small amount of pavement area to a couple of infiltration swales on each side of the pavement surface with a small portion of it discharging directly to the leaching catch basin. The Township's engineer feels the system they propose for storm water management will function properly provided there are spillways on the retention swales that direct any over-flow to the catch basin.

Ferro noted that the change to the plan would also require approval by the Township Board of an amendment to an existing recorded easement agreement with the Township, to amend a provision requiring 4 parking spaces to be provided on the site.

Motion by Butterfield, supported by Easter, to approve the Revised Development Plan, Nonna Café, 584 Ada Dr. Motion passed unanimously.

VIII. COMMISSION MEMBER/STAFF REPORTS

Sign Regulations Subcommittee Report

Commission member Heglund and Ferro reported on the progress of work on proposed sign code revisions at the Subcommittee level.

PUBLIC COMMENT

Bob Kullgren, Chair of DDA, stated he doesn't think members of the public would support a five story building in the village. Five-stories have no place in the village.

Noelle DiVozzo, Bronson Street agrees that five stories is too high, and even three may be too high. She stated it would be a great idea for large parking lots to have trees.

ADJOURNMENT

Motion by Lunn, supported by Lowry, to adjourn at 10:20 p.m.

Motion passed unanimously.

Respectfully submitted,

Jacqueline Smith
Ada Township Clerk

JS/dr