



ACME TOWNSHIP PLANNING COMMISSION MEETING
Acme Township Hall
6042 Acme Road, Williamsburg, Michigan
7:00 p.m. Monday, February 22, 2010

Meeting called to Order with the Pledge of Allegiance at 7:03 p.m.

Members present: M. Vermetten (Chair), B. Carstens (Vice Chair), C. David, S. Feringa, R. Hardin, D. Krause, D. White, J. Zollinger
Members excused: P. Yamaguchi
Staff Present: J. Hull, Zoning Administrator
S. Vreeland, Township Manager/Recording Secretary
J. Jocks, Legal Counsel

INQUIRY AS TO CONFLICTS OF INTEREST: None noted.

APPROVAL OF AGENDA: Motion by Carstens, support by Zollinger to approve the agenda as presented. Motion carried unanimously.

1. Consent Calendar:

Motion by Feringa, support by Carstens to approve the Consent Calendar as amended, including:

Receive and File:

a) Draft Unapproved Minutes of:

1. 02/02/10 Board Meeting
2. 01/13/10 and 01/20/10 Shoreline Advisory Fund Subcommittee
3. 01/13/10 Shoreline Advisory
4. 01/18/10 and 02/16/10 Farmland Advisory
5. 01/15/10 and 02/05/10 Heritage Advisory

b) Planning & Zoning News January 2010

c) Status Update—VGT-Phase I SUP Application #2009-01P

Action:

d) ~~Approve 01/25/10 Planning Commission meeting minutes~~

Motion carried unanimously.

2. Correspondence: None

3. Limited Public Comment:

Pat Salathiel, 4888 Five Mile Road, has been interested in signage for many years. She feels that the proposed draft is excellent in many ways. She also suggests that the Commission consider looking at lower maximum sign heights as many communities now do. In Traverse City they now allow sign area bonuses if the sign height is kept at 8' or below. Snow can be an issue, but looking at the new downtown Holiday Inn sign their sign is very low, near the road and has not been covered up or damaged.

4. Public Hearings:

a) Ordinance Amendment to §7.4 Signs:

Public Hearing opened and closed at 7:10 p.m., there being no public comment.

There was discussion about Mrs. Salathiel's idea about offering a sign size bonus for keeping sign height shorter. The observation was made that the idea is somewhat like offering density bonuses for clustered housing development. Krause proposed that the sign height maximum be modified from 12' to 10' and offer a bonus for lowering the sign height to a maximum 8'. David wondered if the township could simply require the shorter height limit without offering a size bonus. Feringa likes the idea of offering an incentive for a shorter sign but would not want to make the ordinance simply restrictive to a lower height. Hardin suggested having a maximum height of 10' but not specifying a required lower height for the size bonus.

Carstens reviewed Peninsula Township's size requirements and their maximum height, even for billboards, is 10'. He also observed that Garfield Township has adopted the New Designs for Growth design guidelines. All townships have been encouraged to adopt these guidelines. County Planning Director John Sych opined when asked that shorter signs are more desirable but did not list reasons why. Carstens reviewed the New Designs for Growth Guidebook and found at least 12 places throughout the document where sign design is discussed and depicted visually along with the rationale. The examples were context sensitive. Carstens believes that referencing the New Designs guidebook within the ordinance would be beneficial as a way for staff to convey the community's design desires. He also hears from other area planners that Acme's sign ordinance is the local "gold standard."

Vermetten noted that not all townships have the diversity of land use that Acme does. We have now and are likely to have in the future various business areas located along roads with different speed limits. How do speed limits and road design affect the need for different sign heights and sizes for safe readability? Hull reviewed a copy of standards from the US Sign Council, which quotes from a study stating that if a sign is at or below 5' above grade a view of it may be blocked by other vehicles on a road and not be legible. Standards are for any wording on signs to be at least 7' above grade to ensure visibility, which matches the Federal Highway Administration Standard for official directional and way finding signs on urban roadways.

Motion by Krause, support by David to amend Sections 7.4.3.k to permit signs no taller than 10' tall with a 20% sign size bonus for a sign height of 8' or below.

Feringa observed that this change would also impact Section 7.4.6.c.2. Jocks agreed because Section 7.4.3.k affects every sign in the township, and he asked if the intent is to give a bonus to all signs in the township, even those for which different sign size standards apply, or if the intent is only to apply the bonus to commercial district signs. If the latter is the case then the motion should be withdrawn and restated to amend Section 7.4.3.k to permit signs no taller than 10' and 7.4.6.c.2 to permit a 20% size bonus.

Motion withdrawn by Krause.

Motion by Krause, support by David to amend Section 7.4.3.k to permit signs no taller than 10' and to amend Section 7.4.6.c.2 to permit a maximum sign height of 10' and to grant a sign size bonus of 20% in area to signs that are a maximum of 8' tall.

White is concerned about having a maximum sign height of 10', preferring the currently proposed 12' height.

Motion failed by a vote of 4 in favor (Carstens, David, Krause, Zollinger) and 4

opposed (Feringa, Hardin, Vermetten, White).

Motion by Krause, support by Zollinger to amend Section 7.4.6.c.2 to add a sign size bonus of 20% in area to signs that are a maximum of 10' tall.

Vermetten voted no on the first motion because he is concerned about sign readability along M-72 at its current 55 mph speed limit. While he feels the current 20' height maximum is too high, he feels 8' is too low and felt that the 12' proposal made at the last meeting as a compromise was appropriate. Feringa feels that a sign only about 2' higher than the ceiling in the room is appropriate for a 45 mph or higher road. Hardin concurred, and would support having the bonus for sizes under 8'. Krause feels that on small properties with small buildings that a sign potentially taller than the building would be disproportionate. As the township grows and builds out he believes that traffic speeds will slow noticeably. Vermetten would also support a 8' maximum height to receive the size bonus. Carstens noted that the New Designs guidebook agrees with Krause that a tall sign next to shorter buildings would not make sense contextually and that signs need to be compatible with their surroundings. He asked if the ordinance must be concluded this evening, or if a decision on the ordinance could be deferred to allow staff time to evaluate the New Designs for growth guidelines and report back as to whether some of the standards they recommend would strengthen the ordinance if included.

Motion withdrawn by Krause.

Motion by Krause, support by Carstens to continue the public hearing to the following meeting and direct staff to consider incorporating the New Designs for growth design standards. Motion failed by a vote of 3 in favor (Carstens, Feringa, Krause) and 5 opposed (David, Hardin, Vermetten, White, Zollinger).

Motion by Krause, support by David to modify Section 7.4.6.c.2 to permit sign size bonus of 20% in area to signs that are a maximum of 8' tall. Motion carried by a vote of 7 in favor (David, Hardin, Feringa, Krause, Vermetten, White, Zollinger) and 1 opposed (Carstens).

Motion by David, support by Zollinger that the proposed sign ordinance amendment as modified be recommended for approval to the Board of Trustees. Motion carried by a vote of 7 in favor (David, Hardin, Feringa, Krause, Vermetten, White, Zollinger) and 1 opposed (Carstens).

5 Old Business:

- a) **Update on Bates Sub-Area planning:** Hull reported that a brief survey as provided was sent to approximately 85 people. About 20% have responded to date, and while Hull does not want to sway any pending responses so far the majority express concerns about traffic management. Attempts to create a map of the area containing the easements for the new Consumers Energy Power lines have met with some difficulties. Consumers Energy has provided the existing power line easements, but in some cases the easement is the size of a quarter section, where in others they describe a location based on a feature such as a tree in existence at the time. One 1929 easement was placed over all property owned by a certain church. The easements are, in summary, cannot reasonably be mapped. It can be presumed that Consumers will obtain easements as needed to place lines as needed. Materials developed for future meetings will be based on the actual placement of the towers, which have now been erected. Hull has obtained some traffic crash data and is working to obtain more. The Heritage Advisory continues to gather pictures,

interviews and other data that speak to the historic land uses in the Bates area. Feringa reported that he is working with Tribal engineers to gather documents to approve road relocation along the proposed realignment route. Hardin suggested that setbacks from the new power poles be demonstrated on the maps. Hull reported that he had been told by the power company that the setback from the high voltage lines is 40', but Vreeland and Zollinger believe that this might be the figure for local distribution lines and that the setback from high voltage lines may be significantly larger.

Zollinger would like for the Commission to receive a summary of the final set of survey responses prior to development of a public visioning session. He feels that it should be possible to show the easements for the new lines being placed where they actually will exist.

6. New Business:

- a) **Minor Amendment to Mercedes-Benz permit to allow Fox Motors to sell recreational vehicles and used cars:** Hull reported that Fox Motors would like to sell a full range of Yamaha recreational products, such as motorcycles, ATVs, boats, jet skis and snowmobiles at the former Mercedes-Benz dealership. Some used car sales would also occur. The existing Special Use Permit allows 16 cars to be displayed in specific spots on the site, but translating the permissible number of display vehicles and location from cars to recreational products requires thought. Fox Motors has provided a site plan on which proposed display areas, similar to existing display areas, are delineated. Customer parking areas are also delineated. Fox Motors has an 1 8-month lease on an adjacent property that would not be used for commercial purposes at this time.

Jon Cueter, General Manager and Nate Kine, the proposed store manager, were present to answer any questions. The Mercedes dealership has been moved to US 31 South. Retail sales and light repair (oil changes and such) would be performed on site; heavy repairs would be transferred to the main dealership in Garfield Township. There will be showroom as well as outdoor display of motorsport vehicles (motorcycles, ATVs, 4x4s, jet boats, jet skis, snowmobiles). Light repair of vehicles, whether purchased there or not, would be available although the service would not be heavily advertised to the general public.

David asked where potential customers and mechanics would be able to conduct test drives without disturbing the nearby residential neighborhood. Mr. Cueter responded that any motorsport test drives would be performed entirely on site, and automobile test drives would use public roads as normal.

Motion by Krause, support by David that Special Use Permit #2003-16P be amended to strike the limitation to a Mercedes Benz dealership and replace it with the sale of new and used automobiles, motorcycles, snowmobiles, watercraft, personal watercraft, generators and all-terrain vehicles, including their respective parts and accessories.

Zollinger noted that the motion does not discuss servicing. Hull understood the existing SUP to already allow for vehicle servicing inherent to a vehicle dealership.

Hardin noted that in recent ordinance revisions we made provision for some outdoor display on commercial properties. He wondered if provisions are made for extensive vehicle display for sales will lead other sorts of businesses to ask for increased outdoor displays. For instance we don't permit gas stations to have stacks of

windshield washer fluid or mulch, but perhaps they will ask. The balance of the Commission generally felt outdoor display is necessary to a vehicle sales facility, but outdoor stacking of goods is not inherent to the function of a gas station.

Motion carried by unanimous roll call vote.

- b) **Status Update – VGT-Phase I SUP Application #2009-01P:** Feringa stated he would like to be reviewing the application materials concurrently with the township consultants so he can be prepared for upcoming Commission discussion, form an independent opinion and keep the process moving along as quickly as possible. He is aware of the page on the website where all of the information is available and has tried to use it, but portions of the application are difficult to read on the computer due to page size and/or the need to magnify portions one screen at a time. Vreeland stated that originally the township requested 25 copies of all application materials from the applicant so that all Commissioners and Board members could have one and be studying along throughout the process. Because the materials are extensive and expensive to reproduce, and because it was mutually expected that there could be some changes to the materials before they were finalized which would have to be copied again at great expense, the applicant asked if they could provide a more limited number of review copies to start with and provide the full number of copies needed after preliminary revisions had been made through the staff review process. The township agreed to their request and accepted 5 complete copies. Vreeland does encourage everyone to be reading the materials and staying up to date throughout the process, and the staff will gladly make some of the paper copies available to anyone who would like to use them. If many people want paper copies all at once we may have to ask the applicant to provide additional sets sooner than otherwise planned.

Jim Goss, 4105 Bay Valley Drive, stated that he has 11 additional copies of the application that he would be glad to provide for distribution.

- c) **Approve 01/25/10 Planning Commission meeting minutes:** Carstens observed that the very last sentence under item c on page 4 of the draft minutes appeared to be incomplete. It was finished with the phrase “will be addressed separately.” On page 6 in the second to last sentence in the first paragraph it appears that the word “date” should really be “data.” Feringa noted that on page 3 in the motion by David that the meeting date should read “February 22” instead of “February 25.”

Motion by Carstens, support by Krause to approve the 01/25/10 minutes as amended. Motion carried unanimously.

7. Public Comment/ Any other Business that may come before the Commission:

Mrs. Salathiel noted that the township has an M-72 Corridor Report and wonders if it discusses the need for taller signage in that area. However she does feel strongly that in a downtown area signs would be more visible if you are driving by and looking down at them rather than looking up into the sun at them.

Vreeland informed the Commission that she believes that in their March meeting packets they may receive offers from the Parks & Recreation Advisory to assist the Commission in creating a trail system plan for the township, which is a goal expressed in the Master Plan, and in planning for the demolition of existing structures and the redevelopment of the three shoreline properties the township expects to acquire between March 1 and June 30. Since the Planning Commission is charged with planning for all aspects of land use in the township it is important for the citizen advisories to work with and through them in assisting the township

with the various tasks assigned to them.

Vreeland also reported that at their March 2 regular meeting the Board will be asked to accept assignment by the Conservancy of the option to purchase the Shoreside Inn property immediately south of Bayside Park. We expect to close on this property during the month of March, and will have 90 days to remove existing structures and open the site to public use. Closing on the remaining two Shoreline Project Phase I properties is expected to occur before June 30. While normally the MDNR Trust Fund would require simultaneous closing on all properties, because they are adjacent to an existing public property we are being permitted to close on them separately as long as we move from north to south so as to create contiguous expanded public parkland. The township has sufficient funding in hand to meet the required 25% grant match for the closing on the first property and is working to complete the rest of the required match funding for Phase I. We expect to have all Phase I properties cleared and open to the public by the end of the summer.

Carstens asked how many Commissioners has the New Designs for Growth Guidebook at home; several indicated that they have it. He is interested in the reaction of staff to the book and noted that one of County Planning's strategic goals is to have every township in the County formally adopt it and incorporate it into their individual planning efforts. They would also like the township to adopt the Ten Principles of Smart Growth.

Meeting adjourned at 8:50 p.m.