



ACME TOWNSHIP PLANNING COMMISSION MEETING
Acme Township Hall
6042 Acme Road, Williamsburg, Michigan
6:00 p.m. Thursday, January 12, 2012

Meeting called to Order with the Pledge of Allegiance at 6:00 p.m.

Members present: J. Zollinger (Chair), B. Carstens (Vice Chair), C. David, S. Feringa, R. Hardin, V. Tegel, K. Wentzloff (9:06 p.m.) P. Yamaguchi

Members excused: D. White

Staff Present: S. Vreeland, Township Manager/Recording Secretary
P. Kilkenny, Deputy Zoning Administrator & Planner
J. Jocks, Legal Counsel

INQUIRY AS TO CONFLICTS OF INTEREST: None noted.

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

1. Limited Public Comment:

Rob Evina, the owner of Woodland Creek Furniture, apologized for becoming emotional at the last meeting, and commended the Commission for positive progress he heard occurred after he left the meeting. He was emotional because he had to lay some people off who could not afford to get by on unemployment insurance. Mr. Evina feels that roundabouts associated with the VGT project will be beneficial to the community. He hopes that the question of signage size will not prove a major barrier to the project.

Jim Heffner, 4050 Bayberry Lane, noted an article in the *Northern Express* that applauded Acme considering roundabout use. He would welcome a Meijer in Acme. When he visited the Garfield Township store during the holidays he noticed that a bicycle rack was blocking the sidewalk – an example of poor planning. He commends the Commission on working hard to plan well.

Howard Schelde, owner of TraVino at 4341 M-72 E thanked the Board and everyone involved for increasing the public open space on the shoreline. He feels that it's time to ensure that a strong tax base and a balance of economic development are promoted to provide funding for the public parkland. He feels that without a Meijer the existing township businesses will not prosper and new businesses will not come. His restaurant needs other surrounding business to survive and asked that the project be approved.

Dave Halachukas, 4247 Audubon, has been following the progress of this project for many years. With high unemployment rates he expects Meijer and the VGT development to bring needed jobs. He hopes that questions of appropriate sign sizes will not slow progress. Improvements to the bayfront and the coming reopening of the elementary school are positive elements and the Meijer would help as well.

Rachelle Babcock, 4261 Bartlett Road, is hopeful that statements made recently by VGT representatives that they are willing to work with the township will bring positive changes to the project plan. She feels that the question of requiring bike paths and sidewalks along M-72 and Lautner Road should be revisited, and that leaving those elements out is a poor idea. A lack of sidewalks represents a danger to non-motorized public traffic. Perhaps the Meijer

store will be all that ever develops at the VGT or all that develops for years. She urged the Planning Commission not to wait until a future Phase II to require bike and pedestrian path development.

Charlene Abernethy, 4312 Westridge, knows a Meijer is coming and that many people support it, but that does not give them the right to come into the community and develop however they please. They have created more pleasant developments elsewhere. It's just a matter of time before someone is severely hurt or killed with traffic increases coming if there is no bike path or sidewalk. They do not have the right to degrade the water quality of Acme Creek.

2. **Correspondence:** None

3. **Old Business:**

a) **SUP/Site Plan Approval Application #2009-01P - Village at Grand Traverse LLC (continued)**

- [Updated Process Memo/K-Mart Wall Sign Information](#)
- [UPDATED Resolved/Outstanding Review Issues Matrix \(01/03/12\)](#)
- [Environmental Issues Status Update – Dr. Grobbel](#)
- [Proposed Development Standards Guide for Phase I](#)
- [Proposed Development Standards Guide – Common Areas & Graphics & Signage](#)
- [Beckett & Raeder Report re: Proposed Design Guidelines](#)
- [Signage-related information](#)
- [Questions from Commissioner Wentzloff](#)

Township consultant John Iacoangeli addressed the Commission, noting that discussion at the last meeting left off at the point of beginning Phase I design guideline and project signage discussions. The 2004 SUP requires the applicant to submit a more detailed design guideline than that which is part of the 2004 SUP. Earlier drafts were submitted that were deemed incomplete. During a technical meeting several months ago, discussion between the applicant and the project management team was that it might be more efficient for design guidelines to be proposed for each phase that reflect the content of each phase. Since 2009 Iacoangeli has shown the Commission pictures of other Meijer developments throughout the state as examples of design factors to consider. Design aesthetics are a matter of localized preference and should be based on the township Master Plan and local factors, and he cannot advise the Commission on what the township “should” want in this regard. He has also provided the photos to help bring some life to the elevation drawings provided by the applicant. Over the term of the review process Meijer has made some changes to the proposed exterior store design to help break up the façade by introducing color and relief to the design. They have made some changes to front-of-store sidewalk design and to features that connect the parking lot to the storefront that follow some of the recommendations given to them to date. The Commission now needs to discuss what design is right for the community.

Photos of various stores provided by Iacoangeli for examples were displayed on a screen. They demonstrate design elements such as breaking the façade up into components so that it doesn't present a long start wall. Yamaguchi noted that earth-toned colors in brown and tan are proposed for the building, which she finds commendable and something that will fit into the proposed landscaping. She likes the proposed use of glass and peaked roof areas that contrast with flat roof areas. The applicant displayed some boards with the proposed store façade design. Yamaguchi stated that one of the store designs often discussed has been the Hartland Township

store. That store uses a significant amount of brick. Commissioner Wentzloff's question/statement #4 submitted this evening expresses that brick might not fit into the existing community character as it is seldom used in newer construction here. Yamaguchi feels that while yellow brick was used downtown in days past, it's not as relevant today. By contrast, Carstens feels that brick gives a classy look and that concrete panel design that he associates with strip malls and is much less attractive. He noted the use of new brick façade work on various storefronts in downtown Traverse City. Acme Township is trying to encourage a town center, not a strip mall. He appreciates some facets of the proposed Meijer store design, which is similar to the store in Bear Creek Township. However, the Master Plan calls for Acme to develop in an unique way, so he doesn't feel the store design here should copy that in other places.

There was some discussion about the maximum allowable height of the store according to the 2004 SUP, which is 35' unless there is parking provided under the building. The heights of the proposed peaked glass entryway features may be as much as 39' tall to the tops of the peaks. There was some question about how building height should be measured, as in some communities a peaked roof height is measured by an averaging method. The SUP does not specify the method for measuring the official building height.

Zollinger feels that the building aesthetics are a difficult issue because different people have different tastes. Some people like brick, or Colonial, or Georgian-style architecture, and some do not. He feels we need to understand what architectural features would help create and maintain an unique, upscale look that can fit in to future development as well.

Iacoangeli noted that the components of a project help define whether it is an urban or suburban big box. The difference between a building in a parking lot and a building in a development is largely found in landscaping and the provision of sidewalks and bike paths and other amenities that would now or in the future connect it to other elements of the development or the larger community. Those elements reduce the commercial strip/big box atmosphere.

VGT consultant Terry Boyd noted that most of the front elevation of the building is proposed to be brickwork in appearance (actual construction is stamped concrete panels.) The elevation boards show portions of the façade but don't include the landscaped parking islands that help break up the look of the façade from the distance and create more of a traditional feel that reduces the massive appearance of the large building.

David recalls that universal design guidelines that are comprehensive and observed throughout the phases of the development are a requirement of the 2004 SUP, and he does not want to see this requirement and concept abandoned. He is concerned that this is what will occur if the development guide is permitted to be approved by phases. When the project was conceived the developers didn't know what the first phase would be but they made a commitment to a comprehensive development design for all phases and he feels they should be held to that commitment. Zollinger asked for clarification, as his understanding is that the design guideline came in two sets: one for lighting, landscaping and signage amenities to be consistent throughout the development, and the other a set of design guidelines just for Phase I. Rather than looking at design guidelines for all phases now that might generate a request for change in 10 years, considering phased guidelines would allow the commission to be flexible to the environment of the times at each phase but still able to ensure

compatibility with prior phases. Iacoangeli suggested that architectural variety will add character and interest to the community. Key elements that will tie the variety together will be the landscaping, lighting and signage.

David is concerned that parts of the proposed building elevation might go to a height of 39', exceeding the 35' requirement. He would not want to casually violate the terms of our ordinance. Zollinger asked what the guiding documents say. Jocks reported that Section 5.4, bullet point 3 of the SUP specifies that the normal ordinance standards for building heights must be met, and that 35' building heights must be specifically observed unless there is under building parking. He also noted that Section 7.3 of the 2004 zoning ordinance allows for ornamental portions of buildings to exceed normal height requirements as long as they comprise no more than 20% of the gross roof area. The design as proposed does seem to extend beyond 35', and there is a question as to whether the elements exceeding the height could be considered ornamental in nature.

Yamaguchi expressed no concerns regarding the proposed architectural design. Carstens feels that positive progress has been made with the design and that aesthetics are largely a matter of taste. Hardin wondered how tall the parking lot island landscaping trees will grow and if they will conflict with the proposed parking lot lighting design to create problematic shadows. Iacoangeli responded that this normally does not pose a problem, and that lights will often be physically separate from the tree locations.

Tegel noted the relative roofline heights of various portions of the proposed façade, and that most of the heights are below the required 35'. She is concerned about portions that exceed the maximum allowable height particularly because the building is proposed to be set at one of the highest points on the property, so any additional height will be all the more notable. She is also concerned about any deviation from ordinance requirements that isn't well substantiated.

Feringa feels that it is important to consider how official roof heights are defined in the ordinance. He encouraged some flexibility in the interpretation. He also noted that brick is a traditional building material for the area, and the mix of brick and smoother materials creates an interesting contrast. Zollinger asked Jocks to read the first part of Section 7.3 of the ordinance again. He noted that the Planning Commission does not have the discretion to vary the zoning ordinance; only the ZBA does. The Commission must apply the ordinance. The question at hand here is whether or not the proposed 39' tall building elements can appropriately be considered. The ordinance definition of building height was read aloud. Iacoangeli stated that his interpretation is that when the SUP was approved it could have simply said that the height of all buildings would be as provided in the zoning ordinance. Instead the SUP added a condition that the height of all buildings would be 35' unless there was parking beneath them. If the peak is 39' as proposed, he feels the applicant should drop the height 4' to comply with the SUP. The peaks are over the entrance ways, and serve a function of showing people where the entrances are. Hence he would not determine them to be ornamental. The peaked areas do not extend the full depth of the building, but only go back about 20'.

Motion by David, support by Tegel that the township requires the building to observe the SUP maximum height requirement of 35' in all details. Motion failed by a vote of 3 in favor (Tegel, Carstens, David) and 4 opposed (Feringa, Hardin, Yamaguchi, Zollinger.)

Tegel asked whether the heights of two taller portions of the building would cause them to exceed 20% of the gross roof area. Boyd reported that 38,000 sq. ft. would be 20% of the gross roof area. The gross roof area of the peaked areas would be 320 sq. ft. or 2% of the overall gross roof area.

Motion by Feringa, support by Carstens to accept the elevations as presented. Motion carried by a vote of 5 in favor (Carstens, Feringa, Hardin, Yamaguchi, Zollinger) and 2 opposed (David, Tegel).

Discussion turned the development guidelines for signage and the specific signage proposed for the Meijer store. The 2004 SUP Section 5.21 states that the signage for the development will comply to the extent practical with the 2004 zoning ordinance requirements for the business zoning districts and of a size appropriate to the development and for visibility. The proposed wall and freestanding sign sizes are in excess of 2004 zoning ordinance standards.

Jocks stated that the standard for review of this issue is Section 5.21 of the 2004 Zoning Ordinance is that the language of this section is “squishy” and not as well-defined as one would want in an ordinance. The Commission must determine whether the proposed signage meets the requirements of the business districts to the extent practical and whether it is appropriate to the size and character of the development with an overarching guideline of ensuring visibility. This does not mean that it necessarily has to be large. Zollinger thinks of this issue two ways. He noted that there are proposed design guidelines for just Phase I and also for future phases. He suggested that initial discussion be focused on the proposed Phase I sign guidelines.

Boyd noted that the language says that the signage will be reviewed by the Planning Commission and approved by the Board and asked if any motion should carefully reflect this language. Zollinger reminded everyone that Commission motions regarding SUP applications represent recommendations to the Board rather than a firm approval or denial. Applicant’s attorney Ken Petterson stated that the applicant suggests that the Commission is not required to make a recommendation as to signage. Zollinger and Jocks both stated that they believe the Board will be looking for a detailed recommendation as to all aspects of the application from the Commission. Zollinger further noted that whatever the Commission recommends this evening the Board may make a different final decision.

Applicant representative Steve Schooler introduced Simon Wolf from Signplicity, creator of the proposed signage plan for the Meijer store. Mr. Wolf stated he is a Planning Commissioner for Elmira Township. He handed out an **excerpt from the United States Sign Council Model On-Premise Sign Code** for Commissioner consideration. He stated that this independent body does much signage research. Their goal was to propose acceptable signage neither too large nor too small that promotes safety in way finding. He referred to page 39 of the handout, table 3 about parallel signs (wall signs) This table has recommended signage sizes relative to how far away from the road way the building wall is located and expressed in percentage of overall elevation area. Over 13,000 sq. ft. of signage would be permitted under these guidelines, but he said Meijer is requesting approximately only 600 sq. ft. He stated that they are asking for only about 3% of the area of the elevation of the front of the store in signage. Mr. Wolf stated that he was originally designing larger signage but was asked by the applicant to reduce the signage sizes.

Yamaguchi asked about the true size of the overall Meijer signage, as different

materials received by the township over time have had different figures. Mr. Wolf stated that the main Meijer emblem was originally proposed to be approximately 500 sq. ft., but in the current proposal the size would be 312 sq. ft. The proposed Meijer emblem on the rear of the building would be slightly over 100 sq. ft. The letter “j” on the front (west face) of the building would be 15’ tall.

Jocks noted that the sign code distributed was reviewed and considered in creating the most recent update of the township signage requirements approximately 2 years ago by the Commission. While it cannot be relied upon by the township as a standard to evaluate this proposal, it can be a tool for the Commission to think about visibility. It is only one tool among many available from various sources.

Yamaguchi also asked about where the main Meijer logo would sit on the front of the building, and he noted that it would not be facing a main road. It will face a parking lot and small interior roads. It might be seen by people traveling east on M-72, but a much smaller sign on the rear of the building would be seen by those traveling west on M-72.

Zollinger asked what the size of the second biggest sign on the storefront would be. “Fresh” would be 58 sq. ft., and “Home” would be 51 sq. ft. “Pharmacy” would be 55 sq. ft.

Carstens stated that in the long run there will be more than one roundabout used on nearby roads, and they will slow the travel speeds on M-72 down from the current 55 mph. Part of visibility is the travel speed on the roadway, and since this will ultimately be slower than it is today the sign should not need to be as large as proposed. Boyd offered that speed is a factor, but so is maneuvering. Perhaps the maneuvering to enter a roundabout is a detriment to visibility because it may be a distraction.

David submitted some statements about this issue several months ago. He observed that the main entry sign is proposed to be 25 sq. ft. but the ordinance calls for a maximum of 12 sq. ft. Why would a larger sign be needed? Mr. Wolf claimed that visibility on a very large parcel of land adjacent to a high speed road requires the larger sign. David believes the ordinance standards need to be protected. He further observed that the township signage regulations allow only one freestanding sign per development along each adjacent main thoroughfare. The proposed signage plan provides for two freestanding signs which does not seem to comport with the ordinance. Mr. Wolf referred to the document he provided, page 37 for the recommendations that he based the proposed signage plan upon. The guidelines he used recommend one freestanding sign for every 300’ of road frontage.

Zollinger asked if any landscaping or ornamental walls are planned to be placed around the freestanding sign(s); Iacoangeli stated that he was surprised by the notable lack of design elements to visually signify the main entrance to the development.

David noted that the standard ordinance requirements are that wall signage will not exceed the lesser of 100 sq. ft. or 20% of wall area per elevation. He is concerned again about protection of the township ordinance standards under the current proposal. He also noted that the 2004 ordinance does not allow the individual store names in a planned shopping center to be displayed on the freestanding sign identifying the development.

Yamaguchi mentioned her concern that the proposed wall signage for the Meijer

store will not be visible from M-72 due to distance from the road and the maturing of project landscaping. The people who will see that signage will be those inside the development where plans call for a neo-traditional development with many pedestrians. At first she thought the big red sign would be too much, but she has come to think that a maximum 100 sq. ft. sign on such a big building would be ridiculously small. The Commission should consider what size signage is appropriate for a larger building. Yamaguchi noted that Wentzloff's comments express a concern that the overall signage plan for the rest of the development provides for excessive signage. Yamaguchi agrees that signage for the development excluding the Meijer building should conform to the requirements of the 2004 Zoning Ordinance.

David feels that this development is clearly a planned shopping center, and that the ordinance clearly indicates that only the development name for a shopping center may be displayed in the freestanding sign. Therefore the Meijer logo should not be permitted on the freestanding sign. Mr. Wolf stated that the applicant is trying to respect the ordinance, but this is a unique project subject to SUP review. He is trying to offer a plan recommendation as a signage professional that may or may not be what is approved.

Carstens expressed general agreement with Yamaguchi's comments.

Kilkenny pointed out that the proposed monument signs are actually approximately 44 sq. ft. in size, and that the dimensions given in the plan saying that they are 21.8 sq. ft. are a typographical error.

Iacoangeli indicated that Yamaguchi's comments about the proposed size of the Meijer wall signage are probably appropriate given the bulk of the building. However, he feels that the proposed 25' tall entry sign should be dropped to being a ground sign, as this is not a strip mall development where one would find a very tall sign visible from great distances. The proposed secondary freestanding sign with the Meijer logo could set a precedent, and other elements of the development might ask for freestanding logo signs on M-72 as well. The perimeter signage for the property should be geared towards the development as a whole and not towards the individual tenants. He asked the Commission to remain mindful that the Meijer wall signage and the project-wide freestanding signage are separate components to be considered.

Hardin appreciates the lack of "eye-clutter" in the township, and can't think of anyone who has trouble finding businesses in the township, especially his out of state relatives. The bulk of the building itself is a sign. He feels that the township should hold the development closely to the ordinance sign standards.

Carstens noted that the township's sign ordinance is upheld throughout the region as a desirable model, and he praised David for his comments urging that it be upheld as to this development.

Tegel asked to ensure that the development-wide signage will be considered separately from the Meijer specific signage. She read some citations from the master Plan:

- Page 65 references a public town center design workshop that employed a Visual Preference Survey
- Page 67, item 11c says that three important elements of good high-density design identified during the Visual Preference Survey shall be followed in high density areas, including signage sufficient to the purpose of notification while remaining appropriate and harmonious with surroundings.

She feels the master plan supports adhering to the zoning ordinance. She also finds it interesting that the billboard section of the 2004 ordinance does not allow billboards to exceed 300 sq. ft., but the proposed Meijer logo wall sign would be larger than this.

Feringa stated that a lot of work went into the township sign ordinance. He has no problem with a second freestanding sign on M-72 but the proposed size may be a different question. He has no problem with the proposed wall signs.

Tegel asked if Signplicity would be producing all of the signage locally. Mr. Wolf stated that the overall project signage contract has been awarded to him, but at this time the Meijer-specific signage has not.

Zollinger noted that the proposed wall signage is clearly sized in excess of what is allowable under the zoning ordinance. He would personally prefer to see their sizes more in keeping with ordinance standards to set a better standard for the overall development. Aside from that, he has trouble with understanding why the logo on one side of the building should be 320 sq. ft. but on the opposite side it should be 171 sq. ft. He believes that once inside any development people look more at the store than the store signage. Signs should be appropriate to business.

Iacoangeli reviewed the proposed signage for the project in light of the 2004 zoning ordinance. The Commission can recommend acceptance of the signage package, or it can provide guidance to the applicant as to what would be more appropriate. He asked whether the Commission wants to use the new ordinance as the basis for the signage design requirements for this project, since he has heard comments from Commissioners that indicate that they may be considering the newer standards to some extent. Jocks stated that the township gave the applicant the option of whether to have the standards of the 2004 or current ordinance applied to their application. The applicant chose the 2004 ordinance and he believes this should remain the standard. It is true that the Commission has reviewed township signage standards recently, so it is much on your minds. It is also worth noting that the standards in the new ordinance are, for the most part, almost unchanged from the older version. The newer version has some minor design changes, but not many.

Iacoangeli stressed that the applicant needs township guidance on what standards they need to conform to. If the standard is to be the content of the 2004 ordinance, this should be clearly communicated as the acceptable basis for signage development-wide. It must also be made clear whether this standard is expected to apply to all phases of the development.

Hardin wondered how we can be applying an ordinance that will be ancient to future phases. It seems to eliminate flexibility. By the same token, we are talking about allowing flexibility in architectural design standards.

Hardin wondered why the Commission has been talking about forgoing making certain decisions about the project because we don't know what the future shape of the development will bring, but at the same time that unknown design could come 20 years after the ordinance standards that will be applied to it. David asked if it would be possible to specify now that for all future phases of the development the ordinance standards in effect at the time of review would be applied. Zollinger asked the applicant what they might change about their plans if they were to switch to the use of the current ordinance standards rather than the 2004 standards. Schooler stated that

when he was presented with the choice of ordinance at the beginning of this process he was mindful of the past history of the project and afraid to change from the old ordinance to the current one, even though not much different, in case of unforeseen consequences. He offered on behalf of the applicant to change to a 20' height from 25' for the freestanding sign.

Steve Smith said that the applicant is here to cooperate and work with the township. If the sign heights need to be readdressed through additional meeting to obtain meaningful direction, they would consider a shorter monument-style freestanding sign. They want some resolution on the Meijer building signage, as they need to report back to Meijer. Mr. Smith is asking for a vote on the environmental aspects of the project and a vote on the Meijer building and building signs this evening. Once Meijer-specific issues are resolved they are willing to sit down and discuss issues related to other development signage. Mr. Smith also stated that the logo on the west-facing elevation needs to be larger than on the east elevation because it will be centered on the building and farther from the M-72 right-of-way than the one on the east elevation which will be on the building corner closer to the road.

Jocks stated that the SUP does not contemplate phased signage approval; it talks about signage design for the whole development. If the township wanted to go to a phased signage plan, an SUP amendment would be required.

The Chair declared a recess from 8:00 – 8:12 p.m.

Tegel asked on what basis the township could consider reviewing the size of the façade signage as suggested, and what the implications are for the future if similar requests are made for façade signage for other project occupants. Jocks noted that the 2004 SUP limits the development to one big box store. It stands to reason that no other store in the project will be as large, so there is an element of uniqueness to this particular building. Secondly, the overall development guidelines contain requirements for building façade signage throughout the rest of the development based on percentages of building lengths and/or elevation areas. Tegel noted that those guidelines also have a hotel category. Jocks stated that recommendation of approval for the Phase I design guidelines will apply to the Meijer building only. Tegel was alert to the concern raised before about additional requests for freestanding signs along M-72. Jocks agreed that it would be hard to deny other tenants such signs if Meijer is granted one, because in that case a unique aspect does not exist. However, the freestanding sign is part of the overall design guideline and not the Phase I design guideline. Tegel does not want the proposed Meijer signage serve as a template for façade signs for future phases of the development. Jocks also urged all parties to stick to the 2004 ordinance for the remainder of the Phase I process; otherwise the entire review process would need to be revisited.

Motion by Yamaguchi, support by David that the Planning Commission recommend approval to the Board of Trustees of the Development Standards Guide for Phase I SUP Submittal Phase I Development Guidelines including all of the signs for the Meijer construction itself to the extent of 671.3 sq. ft. and that all other signs in the Village at Grand Traverse project as found in the Development Standards Guide for Common Areas and Graphics/Signage for The Village at Grand Traverse be redesigned in accordance with the standards in the 2004 zoning ordinance.

David specified that approval would only apply to signs mounted on the Meijer building. Tegel understands that the standards for the common areas would therefore

not be discussed/accepted until revised to conform to 2004 zoning ordinance standards. This understanding was confirmed. Kilkenny noted that the document to be possibly recommended for approval does include in part the proposed monument sign in one of the pictures and that the square footage on that page is not correct at this time.

Motion carried by a vote of 5 in favor (David, Feringa, Tegel, Yamaguchi, Zollinger) and 2 opposed (Carstens, Hardin).

Iacoangeli noted that the applicant will be asked to resubmit all documents recommended for approval, and part of that will be asking the applicant to revise the standards guide for Phase I in accordance with tonight's understanding as part of that.

Dr. Grobbel reported on the status of the environmental issues aspect of the project. He recited the history of this issue since soils testing occurred as requested in November. The applicant submitted a revised conceptual plan on December 22 that incorporated all of Dr. Grobbel's comments. He recommends acceptance of the basis of design for the stormwater management plan subject to the conditions of his January 6 memo. This includes submission of the detailed engineering design documents including hydrographs and retention times for water detention; basins be reshaped to be more natural with engineering designs attached to and incorporated as conditions of the SUP; the December 15 DEQ permit be attached and incorporated as conditions of the SUP, that County Soil Erosion permit documents be provided to the township prior to construction, that the results of the November 2011 soils testing be provided to the township and incorporated as part of the permit, and that future ongoing stormwater and surface water testing requirements be documented and incorporated into the permit requirements.

David recalls discussion that the collection ponds proposed for Phase I will not be sufficient to handle stormwater flows for future phases. He also recalls being cautioned at the outset of the process that the township should ensure that the infrastructure needs of the full development are appropriately considered in a logical sequence. Has this been done, if we believe that the detention basins may have to be moved or redesigned in the future? Dr. Grobbel noted that at each phase the stormwater management plan will have to be updated and expanded, and that approvals granted now will apply only to Phase I and not the future phases. The general character of his recommendations will be continued throughout future phases. Jocks noted that David was referring to the road map memo regarding site plan review that contains language directly from the 2004 SUP. Jocks interprets this to mean that the township should not approve a phase that depends on adequate services to be provided in a future phase. The stormwater plan as proposed for Phase I does not violate this concept because adequately managing stormwater management for Phase I does not depend on infrastructure not to be provided until Phase II or later.

Jocks also noted that placement of the stormwater control features as demonstrated requires an amendment to the layout of the Conceptual Development Plan/SUP. A letter from the applicant requesting this amendment is required and should be brought to the Board of Trustees for action.

Dr. Grobbel expressed concern about the approved stormwater plan being overlaid on proposed development on the approved Conceptual Development Plan. The removal of the land uses formerly approved for those locations needs to be documented in an updated development plan. Mr. Smith stated that if necessary, the landowner will sacrifice the square footage of land uses displaced by the proposed locations of the

stormwater detention ponds. He stated that they are doing what Dr. Grobbel asked them to do for the stormwater management plan, and this is resulting in the sacrifice of the development square footage. Dr. Grobbel also referred to basins 1 and 2 along Lautner Road, which appear to still be of the originally-suggested shallow retention design rather than being created wetlands such as the updated basins elsewhere would be. He asked if they would be planted with a meadow mixture; Mr. Boyd is uncertain if the plantings could be kept alive. The basins are expected to be dry 90% of the time, and would not have to be mown, but the plantings would provide some stormwater filtering at a cost of a few extra \$100's of dollars.

Carstens asked if the language in the six points of his recent memo covers the suggestions Dr. Grobbel made this evening. The planting of the basins along Lautner Road would have to be specified as a seventh additional conditional point. Dr. Grobbel feels the stormwater management plan has come a long way and the applicant should be commended for working with the township to create what could be a model stormwater management plan for the county.

Tegel asked who will be responsible for reviewing the final engineering drawings for completion and accuracy. Dr. Grobbel expects to review and make the final recommendation on those plans working with staff after the formal review process is complete. Tegel asked about items 5 and 6 and whether they must be provided prior to final SUP approval. Dr. Grobbel stated that item 5 (perk tests) must be provided prior to approval, but item 6 (as built drawings) can't be provided until after construction.

Motion by Carstens, support by Yamaguchi that the Commission recommend that the Board accept Dr. Grobbel's recommendation that the stormwater management plan is suitable pending completion of 7 conditions: 1) final engineered drawings, detailed wetland maintenance/monitoring plans, revised stormwater calculations, hydrograph/retention times for each phase and respective wetland basins be provided and approved by Acme Township prior to construction and/or issuance of land use permit(s); 2) proposed wetland basins be "reshaped" or "naturalized" on final Phase I site plans to be representative of the concept presented in the December 22, 2011 conceptual stormwater plan; 3) copies of VGT's countersigned MDEQ Part 303 Wetland Permit #11-28-0034-P dated December 15, 2011 be provided to Acme Township; 4) copies of future Grand Traverse County stormwater management and soil erosion and sedimentation control permits be provided to Acme Township; 5) copies of the results of Gourdie-Fraser's November 2011 soil investigation/percolation study be provided to Acme Township; 6) as built plans for all phases of proposed stormwater management systems be provided to Acme Township; and 7) the stormwater basins adjacent to Lautner Road must be planted with a meadow mixture . Motion carried by unanimous roll call vote.

Iacoangeli directed discussion to the status of required easements to adjacent parcels and for TART. Jocks reported that final easement documents for TART or the easement templates for the access points to adjacent properties have not yet been described and legal descriptions provided. The updated drawing shows suitable easement locations for the adjacent parcel access points. Iacoangeli did express concern about the location for the reserved sidewalk easement on M-72 because it conflicts with the landscaping plan. He requested that the easement be shown on an updated copy of the landscaping plan.

Iacoangeli mentioned that the review of the Meijer site photometric plan was just

received yesterday. This is a technical issue that still needs to be worked out with the applicant and can be addressed to mutual satisfaction on a staff/consultant level. Height of the light posts is one concern, particularly due to the elevation of the proposed portion of the site. Hardin asked about addressing the question of high pressure sodium vs. metal halide light sources. The 2004 ordinance requires high pressure sodium, while the newer ordinance allows for metal halide which is also the photometric consultant's recommendation. The light source affects the overall photometric plan design. The metal halide source provides for truer colors and greater site user comfort and feelings of safety. The Commission reached consensus to proceed on the basis of metal halide parking lot light sources.

Motion by Yamaguchi, support by David to recommend approval of the Phase I parking lot lighting plan to the Board of Trustees subject to final plan design agreeable to both the applicant and the township planning consultant. Motion carried by unanimous roll call vote.

Yamaguchi noted that the issues matrix should be updated as to the TART easement to note that said easement extends not just east/west along the southern project border but also northwards to the internal roundabout.

Iacoangeli noted that before the final Planning Commission recommendation is made and before Board consideration, all documents must be updated to final form as recommended through township discussion so that everyone is looking at and considering the final form of the documents.

Wentzloff entered the meeting.

Iacoangeli also noted that provision of a point on M-72 to which non-motorized pathways from the project will go and at which a continuation of the pathway can occur on the north side of M-72 in the Resort property must be made.

Zollinger asked the commissioners if they had any additional comments beyond modifying the project-wide signage for the applicant regarding the development-wide design standards. Zollinger asked about Section 3, development standard C where the color of light poles is to be black. He confirmed that the light poles in the Meijer site will also be black. The agreement to change the design of the bike racks should also be incorporated into the document.

Carstens asked for confirmation that the 2004 zoning ordinance provisions relative to signage will govern the design of signs throughout the development except for the Meijer wall signs. He expressed general approval of the common area signage aesthetic. Mr. Wolf asked if the signage standards must be strictly to the 2004 ordinance, specifically the requirement for a maximum 32 sq. ft. freestanding sign. He is concerned because this sign will be fairly far from the right-of-way. Carstens stressed the concepts of placemaking and the Grand Vision and that the 2003 sign ordinance requirements are in keeping with these concepts, which have been widely endorsed by the Governor and the planning community at large. Jocks asked for provided clarification on the 2004 sign ordinance standards to be applied, and recommended that the applicant's revised plan comply with all of the details of sign requirements for the business districts and for planned commercial developments. Discussion will be needed because this project doesn't always fit the mold.

Iacoangeli recommended another applicant/project management/technical team meeting to prepare updated materials. A meeting will be arranged for within a week.

Tegel expressed concern because it often feels to her like this project is being reviewed in an isolated manner, rather than looking at the project and walkability within the context of the project's relationship to the entire community. She has used some tools that one can use to map different points in the community that can be helpful. She also noticed the other day that a sidewalk along M-72 does already exist across the frontage of the Williamsburg Dinner Theater property. There is a gap in the sidewalk to the west of that property before it picks up again shortly to the east of the M-72/US 31 Intersection. Tegel is asking again that the developer volunteer to provide a sidewalk from the proposed main development entranceway on M-72 westerly to connect with the Williamsburg Dinner Theater. This would be about a quarter mile of additional sidewalk. Iacoangeli noted that the applicant was asked to provide an easement area alongside M-72, which they did, knowing that with the significant amount of development that will have to be done to M-72 in this area, it may be possible to ask M-72 to provide enhancement funding to add the sidewalks on the private property at the same time to leverage the private money that will be going into the M-72 corridor road improvements. Tegel is insistent that there is a need for not just an easement but actual M-72 adjacent sidewalk construction in Phase I. Mr. Smith stated that he is working with someone on another project and has a meeting next Monday to look at grant money opportunities for installation in Phase I of sidewalk along M-72 promised by Phase II. However, Mr. Smith felt that it doesn't make sense to make the investment on his frontage if there isn't a cooperative effort with other nearby landowners to make a complete sidewalk to their property from the M-72/US 31 intersection. Iacoangeli and Mr. Smith promoted a cooperative effort between all parties to create a comprehensive solution that will begin to positively affect the character of the community.

David noted that the zoning ordinance requires new development along US 31 and M-72 to provide sidewalks if they are less than 20% of the cost of the rest of the development. We haven't always done a good job of enforcing this requirement. Carstens asked if the verbal commitment of the landowner would be sufficient example of a plan to attract grant funding. Jocks believes that documenting these intentions might be sufficient for many programs.

4. Public Comment/Any other business that may come before the Commission:

Chuck Walter, 6584 Bates Road, said he didn't think that anyone on the Commission was around when the original 2004 SUP was approved. He asserted that the VGT made at least 33 concessions without being asked. He feels that many of the questions being asked by the Commission are repetitious and should not be repeated. He believes these are first-class quality developers and that the process needs to keep moving. Good progress is being made.

Gene Veliquette, Elk Lake Road in Whitewater Township, believes that the township approval process needs to be examined because it takes too long. He believes that it has been over 3 years since the courts said that consideration of the project should proceed. He believes that the township insists that too many factors be considered and provided, and that the zoning ordinance is written such that the township can delay any process for any length of time. He stated that the township has had a good working relationship with his grandfathered business, but that the township has destroyed the possibility of many good jobs. Will the Board be repeating the same questions that have been covered by the Commission? There ought to be a time limit on the Commission's suggestions as well as on public comment, particularly for things that have previously been discussed. Time and effort and money are being wasted in his opinion with little benefit to anyone.

Noelle Knopf, East Bay Township feels that a resolution adopted in 2004 by the township

that allows applicants to be billed for all project review expenses should be reviewed. She believes that developers are being charged exorbitant sums of money for repetitious actions, and that there should be a cap on the maximum that they can be charged.

Zollinger asked if the Commission wants to convene at the normal 7:00 p.m. hour for the January 30 regular meeting, or whether they would like to start at 6:00 p.m. The Commission decided to meet at 6:00 and to make the VGT application the first item on the agenda.

Meeting adjourned at 9:47 p.m.