



**ACME TOWNSHIP PLANNING COMMISSION MEETING
ACME TOWNSHIP HALL
5320 US-31 N, Williamsburg MI 49690
(Former Acme Laundromat at US-31 & Bunker Hill Rd)
April 8, 2019 7:00 p.m.**

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE at 7:00 PM

ROLL CALL: Members present: K. Wentzloff (Chair), S. Feringa (Vice Chair), M. Timmins (Secretary), D. Rosa, D. VanHouten, B. Balentine, D. White

Members excused: none

Staff present: S. Winter, Planning & Zoning Administrator, V. Donn, Recording Secretary

A. LIMITED PUBLIC COMMENT: Opened at 7:01 pm

Brian Kelley, Acme Township, was wondering if there has been any more consideration of paving Bunker Hill Road and stated his concerns if developed the amount of traffic that would increase by it being used as a bypass.

Dr. Angie Keas has a chiropractic care on 4472 Mt. Hope Rd, and said her office has poor visibility and difficult for people to find. She would like to be able to place a sign on M-72 and asked were she should begin to see if this could be discussed. Winter informed her it would need to go to the Zoning Board of Appeals for an ordinance amendment. He will get back with her after speaking with them.

Limited Public Comment closed at 7:08 pm

B. APPROVAL OF AGENDA:

Motion by Timmins to approve the agenda as presented, supported by White. Motion carried unanimously.

C. INQUIRY AS TO CONFLICTS OF INTEREST: None

D. SPECIAL PRESENTATIONS: None

E. CONSENT CALENDAR:

1. RECEIVE AND FILE

- a. Township Board Draft Regular Meeting Minutes 03.05.19
- b. Township Board Draft Special Meeting Minutes 03.19.19
- c. Parks & Trails Committee Draft Regular Meeting Minutes 03.15.19

2. ACTION:

- a. Approve Draft Planning Commission Meeting Minutes 03.11.19

Motion by Feringa to approve the Consent Calendar as presented, supported by Timmins. Motion carried unanimously.

F. ITEMS REMOVED FROM THE CONSENT CALENDAR: None

G. CORRESPONDENCE:

- 1. **Barr Environmental – March 2019 Results: Post-Construction Acme Creek Monitoring, Grand Traverse Town Center, Acme, Michigan**

Winter mentioned the written report is available on request if anyone wants to see it.

H. PUBLIC HEARINGS: None

I. OLD BUSINESS:**1. Master Plan Update**

Winter informed the Board passed a resolution at their last meeting to approve sending the draft Acme Township Community Master Plan for the mandatory 63-day public review. Beckett & Raeder has distributed the notice to the required agency and municipalities informing them of the review period and the public hearing date on June 10, 2019. The draft copy is available on the township website for review and a paper copy is available at the town hall as well. Public comments will be compiled along with a staff report and presented for the June 10th public hearing. At the close of the hearing the Planning Commission may choose to adopt the plan.

He asked to have a discussion with the Planning Commission of the possibility of editing the future land use map to change the category from “Agriculture” to “Resort Residential”. He has had numerous conversations with a property owner regarding his farm operation on the west side of US-31. His intent for now is to continue farming the land, however, development pressure along the west side of US-31 is making the use increasingly difficult. In addition, the planned Traverse City to Charlevoix Trail will be running through his property creating another barrier to farming the existing orchard. The property is surrounded on three sides with Resort Residential on the current map, occupied by LochenHeath. Editing the map would make the entirety of the west side of US-31 Resort Residential along this portion of the corridor, providing a consistent set of land development options for the all the property owners. The description of the Resort Residential still prescribes lower density development than would be allowed under “Commercial” and would allow the property owner flexibility as previously approved developments around his property materialize. Under the current zoning the property owner will be allowed to continue farming as he has, while also allowing more flexibility in utilizing development options consistent with its rural setting, such as agritourism.

Census of the Planning Commission was to support the editing on the future land map to change the category from Agriculture to Resort Residential. The change will go to Beckett & Raeder to revise in the Master Plan draft.

J. NEW BUSINESS:**1. SUP 2019-02 – Nature’s ReLeaf Medical Marihuana Provisioning Center (PZR 2019-06)**

An application has been submitted by Brian Chouinard with Natures’ Releaf, for a medical marihuana provisioning center at the existing structure at 4144 M-72 E. This is a use allowed by right in the C: Corridor Commercial district with a medical marihuana license. No exterior work is proposed under the application at this time. The applicant has received a medical marihuana license from the Township for a provisioning center. Since the Applicant is currently not proposing any changes or improvements to the site, there is no requirement to bring the outstanding items into compliance. This is simply a change of use that per the Zoning Ordinance is required to come before the Planning Commission for review. They will be adding an enclosure dumpster with all four sides screened to a height of six feet with cedar or pressure-treated lumber and shall include native, non-invasive shrubs every five lineal feet.

Motion by Timmins to approve Site Plan Review application SPR 2019-03, submitted by Nature’s ReLeaf to occupy and operate an approximately 3,600 square foot licensed medical marihuana center in the existing retail establishment located at 4144 E M-72, Williamsburg, MI 49690, with the following conditions of a dumpster enclosure with all four sides screened to a height of six feet with cedar or pressure-treated lumber and shall include native, non-invasive shrubs every five lineal feet, supported by Feringa. Motion carried unanimously.

2. Zoning Ordinance Amendment 050 – Planned Development Transfer of Development Rights

Winter informed the purpose of this amendment is to address the density transfer issue that has been discussed. As an option to eliminate the sending zone-to-sending zone density transfer. The referenced application was found not be consistent with the application and to not be consistent

with the future land use map. It was discussed at length whether a sending zone-to-sending zone transfer is consistent with the intent and purpose of the planned development article. Although eliminating the sending zone-to-sending zone transfer option, the draft amendment still maintains the option of a receiving zone-to-receiving zone transfer for consideration. He began the amendment process with making changes in grammatical errors, spelling mistakes and providing clarity to the amendment procedures. The commissioners discussed the changes and gave their edits.

Motion by Timmins to set a public hearing for May 13, 2019 to consider recommending approval of Zoning Ordinance Amendment 050 – Planned Development Transfer of Development Rights with amended changes recommended by the Planning Commission, supported by Balentine. Motion carried unanimously.

K. PUBLIC COMMENT & OTHER PC BUSINESS

Public Comment opened at 7:44 pm

Ann Rundhaug, 3733 Bunker Hill Road, said they should use microphones at the meetings so people could hear the conversation better.

Brian Kelley said if the meetings were televised it would give people a better opportunity to hear what was said.

Closed at 7:48 pm

1. **Planning & Zoning Administrator:** Winter reported the Township submitted their MDNR Trust Fund Grant for the trail extension from the existing TART Trail to Meijer and M-72/US-31 intersection. The preliminary scoring will be given in October. Construction at the Township Hall is progressing. This means there will no longer be use of a meeting room. Until further notice, all public meetings will be held at the former Acme Laundromat at the corner of US-31 and Bunker Hill Rd. The Bayside Park open ceremony is Saturday, May 18 at 12:30. Winter announced he has submitted his letter of resignation to the board to be in effect May 30. He has accepted a position with Beckett & Raeder.
2. **Township Board Report:** White reported the Board is working on the annual budget.
3. **Parks & Trails Committee Report – Marcie Timmins:** No report

ADJOURN: Motion to adjourn by Timmins, supported by Balentine. Meeting adjourned at 7:54 pm



ACME TOWNSHIP PLANNING COMMISSION MEETING
ACME TOWNSHIP HALL
5320 US-31 N, Williamsburg MI 49690
(Former Acme Laundromat at US-31 & Bunker Hill Rd)
April 8th, 2019 7:00 p.m.

CALL TO ORDER
WITH PLEDGE OF ALLEGIANCE

ROLL CALL:

- A. LIMITED PUBLIC COMMENT:** Members of the public may address the Commission regarding any subject of community interest during public comment periods by filling out a Public Comment Card and submitting it to the Secretary. Public comments are limited to three minutes per individual. Comments during other portions of the agenda may or may not be entertained at the moderator's discretion
- B. APPROVAL OF AGENDA:**
- C. INQUIRY AS TO CONFLICTS OF INTEREST:**
- D. SPECIAL PRESENTATIONS:**
- E. CONSENT CALENDAR:** The purpose of the consent calendar is to expedite business by grouping non-controversial items together for one Commission motion without discussion. A request to remove any item for discussion later in the agenda from any member of the Commission, staff or public shall be granted.
- 1. RECEIVE AND FILE**
 - a.** Township Board Draft Regular Meeting Minutes 03.05.19
 - b.** Township Board Draft Special Meeting Minutes 03.19.19
 - c.** Parks & Trails Committee Draft Regular Meeting Minutes 03.15.19
 - 2. ACTION:**
 - a.** Approve Draft Planning Commission Meeting Minutes 03.11.19
- F. ITEMS REMOVED FROM THE CONSENT CALENDAR**
- 1.** _____
 - 2.** _____
- G. CORRESPONDENCE:**
- 1.** Barr Environmental – March 2019 Results: Post-Construction Acme Creek Monitoring, Grand Traverse Town Center, Acme, Michigan
- H. PUBLIC HEARINGS:**
- I. OLD BUSINESS:**
- 1.** Master Plan Update
- J. NEW BUSINESS:**
- 1.** SUP 2019-02 – Nature's ReLeaf Medical Marihuana Provisioning Center (PZR 2019-06)
 - 2.** Zoning Ordinance Amendment 050 – Planned Development Transfer of Development Rights
- K. PUBLIC COMMENT & OTHER PC BUSINESS**
- 1.** Planning & Zoning Administrator Report – Shawn Winter
 - 2.** Township Board Report – Doug White
 - 3.** Parks & Trails Committee Report – Marcie Timmins

ADJOURN:

If you are planning to attend and are physically challenged, requiring any special assistance, please notify Cathy Dye, Clerk, within 24 hours of the meeting at 938-1350.



MEMORANDUM

Planning and Zoning

6042 Acme Road | Williamsburg, MI | 49690

Phone: (231) 938-1350 Fax: (231) 938-1510 Web: www.acmetownship.org

To: Acme Township Planning Commission
 From: Shawn Winter, Planning & Zoning Administrator
 CC: Jeff Jocks, Counsel;
 Date: April 3, 2019
 Re: April 8, 2019 Planning Commission Packet Summary

**PLEASE NOTE CHANGE OF VENUE: 5320 US-31 N, Williamsburg, MI 49690
 (former Acme Laundromat at US-31 & Bunker Hill Rd)**

- A. **LIMITED PUBLIC COMMENT:**
 Open: _____ Close: _____
- B. **APPROVAL OF AGENDA:**
 Motion to approve: _____ Support: _____
- C. **INQUIRY AS TO CONFLICTS OF INTEREST:**
 Name: _____ Item: _____
 Name: _____ Item: _____
- D. **SPECIAL PRESENTATIONS:** none
- E. **CONSENT CALENDAR:**
 1. **RECEIVE AND FILE:**
 a. Township Board Draft Regular Meeting Minutes 03.05.19
 b. Township Board Draft Special Meeting Minutes 03.19.19
 c. Parks & Trails Committee Draft Regular Meeting Minutes 03.15.19
 2. **ACTION:**
 a. Approve Draft Planning Commission Meeting Minutes 03.11.19
 Motion to adopt: _____ Support: _____
- F. **ITEMS TO BE REMOVED FROM THE CONSENT CALENDAR:**
 1. _____
 2. _____
- G. **CORRESPONDENCE:**
 1. **Barr Environmental** – March 2019 Results: Post-Construction Acme Creek Monitoring, Grand Traverse Town Center, Acme, Michigan
- H. **PUBLIC HEARINGS:** NONE

I. OLD BUSINESS:**1. Master Plan Update**

The Board passed a resolution at their April 2, 2019 meeting to approve sending the draft Acme Township Community Master Plan out for the mandatory 63-day public review. Beckett & Raeder has distributed the notice to the required agency and municipalities informing them of the review period and the public hearing date on June 10, 2019. The draft copy is available on the township website for review and a paper copy is available at the town hall for review as well.

Public comments received will be presented to the Planning Commission at this meeting and again in April. All comments will be compiled along with a staff report and presented for the June 10th public hearing. At the close of the hearing the Planning Commission may choose to adopt the plan.

A copy of the future land use map, future land use category description for "Resort Residential", and the existing land use map have been included in this packet. I would like to have the discussion with the Planning Commission about the possibility of editing the future land use map to change the category of the subject property indicated on the map from "Agriculture" to "Resort Residential". I have had numerous conversations with the property owner regarding his farm operation on the west side of US-31. His intent for now is to continue farming the land, however, development pressure along the west side of US-31 is making the use increasingly difficult. In addition, the planned Traverse City to Charlevoix Trail will create another barrier to farming the existing orchard. The subject property is surrounded on three sides with Resort Residential on the current map, occupied by LochenHeath. Editing the map as proposed would make the entirety of the west side of US-31 Resort Residential along this portion of the corridor, providing a consistent set of land development options for all the property owners. The description of the Resort Residential still prescribes lower density development than would be allowed under "Commercial" and would allow the property owner flexibility as previously approved developments around his property materialize. Under the current zoning the property owner will be allowed to continue farming as he has, while also allowing more flexibility in utilizing development options consistent with its rural setting, such as agritourism.

J. NEW BUSINESS:**1. SUP 2019-02 – Nature’s ReLeaf Medical Marihuana Provisioning Center (PZR 209-06)**

An application has been received for a medical marihuana provisioning center at an existing establishment previously occupied by the Saddlery at 4144 M-72 E. This is a use allowed by right in the C: Corridor Commercial district with a medical marihuana license. The Applicant possesses a local license at this time.

The existing establishment predates the adoption of the form-based code district and does not meet many of the applicable standards that would be applied to a new construction project. However, since the Applicant is not proposing any changes or improvements to the site at this time, there is no trigger to require bringing the outstanding items into compliance. This is simply a change of use that per the Zoning Ordinance is required to come before the Planning Commission for review.

Suggested Motion for Consideration:

Motion to approve Site Plan Review application SPR 2019-03, submitted by Nature’s ReLeaf to occupy and operate an approximately 3,600 square foot licensed medical marihuana

provisioning center in the existing retail establishment located at 4144 E M-72, Williamsburg, MI 49690, with the following conditions:

1. *The dumpster enclosure shall have all four sides screened to a height of six feet with cedar or pressure-treated lumber and shall include native, non-invasive shrubs every five (5) lineal feet;*
2. **Zoning Ordinance Amendment 050 - Planned Development Transfer of Development Rights**

In light of a recent application before the Planning Commission for a transfer of development rights request, an amendment is being introduced to eliminate the sending zone-to-sending zone density transfer. The referenced application was found not be consistent with the application was found not be consistent with the future land use map in its request, and it was discussed at length whether a sending zone-to-sending zone transfer is consistent with the intent and purpose of the planned development article. Although eliminating the sending zone -to-sending zone transfer option, the draft amendment still maintains the option of a receiving zone-to-receiving zone transfer for consideration.

Since we are beginning the amendment process, I have used this opportunity to make some additional changes. Some are minor in nature: grammatical errors, spelling mistakes, etc. Others provide clarity to the amendment procedures. More discussion will need to take place at the meeting regarding these items.

Suggested Motion for Consideration:

Motion to set a public hearing for May 13, 2019 to consider recommending approval of Zoning Ordinance Amendment 050 – Planned Development Transfer of Development Rights.

K. PUBLIC COMMENT & OTHER PC BUSINESS:

1. **Public Comment:**

Open:
Close:
2. **Planning & Zoning Administrator Report:** Shawn Winter
 - **Permits** (since March 11, 2019)
 - Special Event Permits – 1
 - SE 2019-01 GTRLC Maple Syrup Event, Maple Bay

The Township submitted their MDNR Trust Fund Grant for the trail extension from the existing TART Trail to Meijer and M-72/US-31 intersection. We will find out our preliminary scoring in October.

Construction at the Township Hall is progressing with the new office spaces having been framed in and electrical lines installed. However, this means we no longer have a meeting room. Until further notice, all public meetings will be held at the former Acme Laundromat at the corner of US-31 and Bunker Hill Rd.

3. **Township Board Report:** Doug White
4. **Parks & Trails Committee Report:** Marcie Timmins

L. ADJOURN:

Motion to adjourn:

Support:



DRAFT UNAPPROVED

ACME TOWNSHIP REGULAR BOARD MEETING ACME TOWNSHIP HALL 6042 Acme Road, Williamsburg MI 49690 Tuesday, March 5, 7:00 p.m.

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE at 7:00 p.m.

ROLL CALL: Members present: C. Dye, D. Nelson, J. Zollinger, J. Aukerman, D. White, P. Scott
A. Jenema (arrived at 8:40 pm).

Members excused: None

Staff present: V. Donn, Recording Secretary

A. **LIMITED PUBLIC COMMENT:** Open at 7:01 pm

Brian Kelley stated regarding the agenda item disposition of surplus equipment, that many municipalities use a government-only online auction service for this purpose. He voiced his concerns on the environmental impact of further erosion into the creek and bay the new tart trail route could do. (Submitted written comments to be added to packet)

Jason Gillman with the GT Road Commission voiced his concerns on the increase in fuel taxes announced by the governor. Considering the special assessment options for repairs, this could have an effect on the money for the road commission. It would raise the cost and not necessarily be a fix.

Limited Public Comment closed at 7:04 pm

B. **APPROVAL OF AGENDA:**

Zollinger requested adding to the agenda E. Reports, Road Commission and Farmland reports. Adding to C. approval of Special Board meeting meetings 02/21/19.

Motion by Nelson to approve the agenda as presented with the addition E. Reports, Road Commission and Farmland reports and to C. approval of Special Board meeting meetings 02/21/19, supported by White. Motion carried unanimously.

C. **APPROVAL OF BOARD MINUTES:**

The meeting minutes of 02/05/19 and Special Board Meeting 02/21/19

Aukerman noted a correspondence received from Brian Kelley at the Special Board Meeting on 02/21/19 needed to be added under B. Approval of Agenda, following the motion made by White. The correction to Special Board meeting minutes of 02/21/2019 will read "Zollinger informed the board of a correspondence received from Mr. Kelley. It will be added to the packet".

Motion by Nelson to approve the meeting minutes of 02/05/19 and Special Board Meeting 02/21/19 with the correction of adding Brian Kelley's correspondence, supported by Scott. Motion carried unanimously.

D. **INQUIRY AS TO CONFLICTS OF INTEREST:** None

E. **REPORTS**

- a. **Road Commission:** Jason Gillman introduced Brad Kluczynski the new GT Road Commission Manager.

DRAFT UNAPPROVED

Kluczynski informed the East-West Corridor Transportation Study's public input was extended until March 18. There is a link to a survey on the GT Road Commission website, or it can be filled out at the road commission office. After the deadline the consultant will compile the information and sometime in April there will be a public commentary meeting to get the last feedback for proposed solutions. MDOT is interested in putting up signal devices on US-31 and have asked the road commission to join them. It would be designed to enabling vehicles with Bluetooth on how they are moving through the network. There are concerns with TC DDA looking to revise their TIF. It has been expressed to not take anything out of the millage that is not used for the roads. As soon as the construction season starts, they will begin carry over projects from last year. He gave an outline of the improvements to be done to roads in the area.

- b. **Farmland:** Laura Rigan reported she is working on the next two applicants. The township received federal funding last fall which covers 50% of the value. Still needing to be completed is the easement language terms for approval, appraisal reviews and some title issues. The closing is yet to be determined due to the delay from the transaction in December 2018 on the farm bill and with the shut-down. She has met with the rest of the applicants for federal programing due March 31. The appraisals are to be completed by late spring or early summer to get the money allotted. They do have 3-5 years to close the project. Acme is budgeted so there should not be any delays. The state farmland grant preservation is being reactivated this fall for additional matching funds for some of the applications.
- c. **Clerk:** Dye showed a chart of the amount of FOIA requests for audio of the township meetings and miscellaneous items received from 2014 to present. She explained it takes time to do the research for these requests and often come during very busy periods.

Zollinger informed the new FOIA law allows to have a required deposit for these requests. To put audio or video of the township meetings on the website, involves costs with the server and cloud storage.

- d. **Parks:** No report
- e. **Legal Counsel - J. Jocks:** No report
- f. **Sheriff:** No report
- g. **County:** G. LaPointe informed the county pension debt is still an on-going issue, they are looking at investment opportunities for the fund. He did a tour of the county jail and has requested to see the newer Wexford Jail for ideas on design and efficiencies. The airport is looking at creating an airport authority, the discussion will continue. He is on the MDHHS committee, they are working on a new system to improve the services that people need. The board has had discussions on the Code of Ethics and changes of rules of order. Animal Control receives numerous calls each day and is not a program that can be handled by the Sheriff's department.
- h. **Supervisor:** Zollinger reported starting in April, the Metro meeting will be having a voluntary facilitative mediation. They are waiting on the snow to melt before working on the playground equipment at Bayside Park. The scheduling of the township hall construction will begin once they have all the equipment needed. Employee's work areas will need to be temporality moved while the renovation is in process. John Pulcifer Jr. has requested to have an educational session on Hemp CBD oil uses pertaining to the marihuana state licensing. The board has approved for Zollinger to schedule a time to do this.

F. SPECIAL PRESENTATIONS: None

G. CONSENT CALENDAR:

1. RECEIVE AND FILE:

- a. **Treasurer's Report**
- b. **Clerk's Revenue/Expenditure Report and Balance Sheet**
- c. **North Flight January 2019**

DRAFT UNAPPROVED

- d. RecycleSmart February 2019
- e. Draft Unapproved meeting minutes
 - 1. Planning Commission 02/11/19
 - 2. Parks & Trails 2/15/19

2. APPROVAL:

- 1. Accounts Payable Prepaid of \$1,628,887.73 and Current to be approved of \$18,432.34 (Recommend approval: Clerk, C. Dye)

Dye requested to have Current to be approved of \$18,972.43 removed from the Consent Calendar.

Motion by White to approve the Consent Calendar with the removal in 2. Approval 1. Current to be approved of \$18,972.43, supported by Nelson. Roll Call motion carried unanimously.

H. ITEMS REMOVED FROM THE CONSENT CALENDAR:

- Dye explained in the current to approve report KCI Assessment Notices \$540.09 needs to be taken off. It is credit and not an item line to be paid, new total amount should be \$18,432.34.

Motion by Nelson to approve Consent Calendar with revised Current to be approved of \$18,432.34, supported by White. Roll Call motion carried unanimously.

I. CORRESPONDENCE: None

J. PUBLIC HEARING: None

K. NEW BUSINESS:

1. Tart/Acme Work in

Winter gave an update on the project. Beckett & Raeder was contracted for the engineering to do the Acme Connector Trail from Bunker Hill Rd to the property line at Dan Kelly's Koti development. An additional \$20,000 is needed for the engineering of the expanded scope sections that go down Mount Hope Road to M-72 then west down M-72 to the light at US 31 and also a section that goes from Dan Kelly's Koti development to GTTC. There is currently \$45,000 provided through grants and donations for engineering, the \$20,000 additional is needed for engineering of these expanded scope areas of the trail. This would allow this trail to be referred to as Traverse City to Charlevoix Trail. He has met with Julie Clark with TART Trails who suggested to apply for a MDNR Trust Fund Grant with the plan to submit for the maximum amount of \$300,000. This would allow the designed use as a connector for the Traverse City-Charlevoix Trail. The Township is being asked to commit to \$75,000 over three fiscal years towards the project to cover the expanded scope of engineering services, grant/construction administration and construction contributions. Winter said the next steps if the board supports this, is to approve the additional \$20,000 needed for the extended engineering services with Beckett & Raeder, set a special meeting and public hearing on March 19 to review and approve the MDNR-TFG application, and the board commitment of \$75,000 over the next three years. TART will lead the effort to raise the additional funds with the township's assistance on the project.

The board voiced concerns if the grant fund wasn't given. Chris Kushman, Planning & Management Director, TART Trails, explained the \$20,000 is for the engineering, the \$75,000 commitment from the township is contingent on getting the grant. He stated the trail has been in the making for over thirty years and they will continue to extend the trail as the funds come available with grants and donations.

Motion by Aukerman to approve committing to an additional \$20,000 for engineering of Tart Trail, supported by Scott. Roll Call Motion carried unanimously.

Motion by Nelson to set a special public hearing meeting in the evening of March 19, supported by Scott. Motion carried unanimously.

DRAFT UNAPPROVED

2. Flintfields Liquor License. Morrissey - New application.

Zollinger explained Flintfields has been purchased by Morrissey and the application is to get the state liquor license in the new owner's name.

Motion by White to approve the application for Flintfields Liquor License for new owner Morrissey, supported by Dye. Motion carried unanimously.

3. Resolution #R-2019-9 Metro Mediation Change -Add alternative member

Zollinger explained there has been a new ruling at GT Metro meeting on who can be in attendance. It needs to be a Metro member and another alternative. The alternate can't be on the Metro board. Aukerman will be the alternative for Zollinger, White if either Zollinger or Aukerman do not attend and Nelson if one of either Zollinger, Aukerman or White do not attend.

Motion by Jenema to approve Resolution #R-2019-9 Mediation Members for Metro Open Issues, supported by Scott. Motion carried unanimously.

4. Disposition of surplus equipment under \$2500 not in inventory

Zollinger informed there is old pieces of office equipment, wall panels and other items that are no longer needed. The board discussed trying to sell them. Aukerman will research a company that purchases used office equipment and will bring back her findings to the March 19 special meeting.

L. OLD BUSINESS: None

PUBLIC COMMENT & OTHER BUSINESS THAT MAY COME BEFORE THE BOARD:

Opened at 9:07 pm

Brian Kelley stated there are televise meetings done by other townships by a non-profit company organization. He felt the community would support the township having the meetings televised online.

Closed 9:09 pm

Jenema informed Elk Rapids sent a letter regarding property tax administration fees for 2019 be lowered from \$2.50 to \$1.50. There is estimated 500 parcels in the Elk Rapids school district, most are in the Grand Traverse. Zollinger request this item to be put on the March 19 special meeting agenda.

ADJOURN: Motion by Zollinger to adjourn at 9:12 pm



ACME TOWNSHIP SPECIAL BOARD MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
Tuesday, March 19, 7:00 p.m.

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE at 7:00 p.m.

ROLL CALL: Members present: D. Nelson, J. Zollinger, J. Aukerman, P. Scott, A. Jenema

Members excused: D. White, C. Dye

Staff present: Planning & Zoning Administrator, V. Donn, Recording Secretary

A. LIMITED PUBLIC COMMENT: None

B. APPROVAL OF AGENDA:

Motion by Nelson to approve the agenda as presented, supported by Scott. Motion carried unanimously.

C. INQUIRY AS TO CONFLICTS OF INTEREST: None

D. PUBLIC HEARING:

Approval of Application for MDNR Trust Fund Grant, Bunker Hill to M-72 Segment of the TC to Charlevoix Trail segment.

Winter explained the MDNR Natural Resources Trust Fund grant application is for the construction of the Traverse City to Charlevoix Trail: Bunker Hill Road to M-72 Segment. The request will be for the trail segments extending from Bunker Hill Rd to Mount Hope Rd, Mount Hope Rd to M-72 (shared road facility), M-72 between Mount Hope Rd and the US-31/M-72 intersection, and from Mount Hope Rd through Samaritas, Feast of Victory Lutheran Church, Koti development, and the Grand Traverse Town Center. The entire scope of the project is currently being engineered by Beckett & Raeder, who was able to provide an estimate of the project costs for the grant application. The total estimated project costs submitted was \$1,126,356. Winter and Chris Kushman, Planning & Management Director at TART Trails, looked over the estimate and adjusted where they felt appropriate based on historical pricing data from similar projects implemented in the area. The estimated \$65,000 in engineering costs was subtracted from the total, still leaving an additional value for contingency purposes, and the estimated \$26,000 construction and grant administration fee was included. This resulted in a revised estimate of \$1,014,070. He emphasized this new estimate was derived by using Beckett & Raeder's calculations and their own experiences and is only an estimate. True project costs will be known once bids are received. He gave a breakdown of costs on the trail segments with the revised cost for the TART Trails of \$608,391 instead of \$639,000 and total project cost of \$983,381 instead of \$1,014,000. If supported and approved by the Board, the grant application will be submitted requesting the maximum of \$300,000. Acme Township is being asked to commit \$75,000 to the construction costs as matching funds. TART Trails has committed to fundraising the balance through private and public organizations.

George Hermach, 4154 Williamston Court, voiced his support on the trails project.

Pat Salathiel, 4888 Five Mile Rd, supports the trails project and is excited it is moving forward.

John Morris, 4275 Paper Birch Lane, supports the trails project.

Public Hearing closed at 7:15 pm

Motion by Aukerman to approve Resolution # 2019-10 submission of an application for the Michigan Natural Resources Trust Fund, Tart Trail amount \$608,381 and project total \$983,381, supported by Jenema. Roll call motion carried unanimously.

Motion by Nelson to authorize signing the agreement between Acme Township and Traverse Area Recreation and Transportation Trails Inc., supported by Scott. Roll call motion carried unanimously.

E. NEW BUSINESS:

1. Elk Rapids School Summer Taxes Resolution #2019-03

Motion by Jenema to pass Resolution #2019-03 with the modification to the agreement to collect the summer taxes for the school's 2019 tax year, supported by Nelson. Motion carried unanimously.

PUBLIC COMMENT & OTHER BUSINESS THAT MAY COME BEFORE THE BOARD:

Lyndon Salathiel, 4888 Five Mile Rd., thanked the board for their work on the tart trail.

Brian Kelley submitted written comments dated 03.19.19 to be added to the special meeting packet

ADJOURN: Meeting adjourned at 7:27 pm



ACME TOWNSHIP PARKS & TRAILS MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
March 15, 2019 8:30 a.m.

ROLL CALL:**Committee:**

x	Feringa	x	Heflin	x	Heffner	x	Jenema
x	Smith	x	Timmins	x	Wentzloff		
x	Kushman						
x	Winter	x	Donn				

Advisory:**Staff:**

- A. PUBLIC COMMENT:** None
- B. APPROVAL OF AGENDA:** Motion by Timmins to approve the agenda as presented with the addition to D. Correspondence 1. Letter dated 03.14.19 from Brian Kelley, seconded by Heflin. Motion carries.
- C. INQUIRY AS TO CONFLICTS OF INTEREST:** None
- D. CORRESPONDENCE:**
1. Letter dated 03.14.19 from Brian Kelley regarding video recording meetings
- E. ACTION:**
1. Approve Draft Parks & Trails Minutes 02.15.19. Motion by Timmins to approve the minutes from 02.15.19, seconded by Heffner. Motion carries.
- F. OLD BUSINESS:**
1. Trail Updates
 - a. **Michigan Natural Resources Trust Fund Grant**
 Winter informed there is a public hearing at a special meeting on March 19 for the approval to submit for a MDNR Natural Resources Trust Fund application for the construction of the Traverse City-Charlevoix Trail, segment from Bunker Hill Road to M-72. The request will be for the trail segment extending from Bunker Hill Road to Mount Hope Rd., Mount Hope Rd. to M-72, M-72 between Mount Hope Rd and the US-31/M-72 intersection, and from Mount Hope Rd. through Samaritas, Feast of Victory Lutheran Church, Koti development and the Grand Traverse Town Center.
 - i. **Engineering Scope, Public Hearing, Application Submission**
 Beckett & Raeder is engineering the project and provide an estimate of projected costs for the grant application. Costs are just over a million dollars. If supported and approved by the Board, the grant application will be submitted requesting the maximum of \$300,000. Acme Township is being asked to commit \$75,000 to the construction costs as matching funds. TART Trails has committed to fundraising the balance through private and public organizations.
 - b. **Traverse City to Charlevoix Trail**
 - i. **Project Update**
 Winter informed they should know by fall if the grant was approved. If not given or the fundraising does not materialize the plan will be modified.

Kushman reported the deadline for public comments from the Traverse City-Charlevoix Trail open house was that day. So far, the majority of the comments have been that they are satisfied and want the trail.

He gave an update on a project being considered for improvements on a primarily design for a youth-oriented bike trail at the head of the Vasa pathway. They would like to get feedback from a user group and schedule a meeting tentatively in April. It is county property but in Acme Township.

2. Bench Swing

Winter informed the committee needed to make decisions on the shape of the playground and select a color for the Vitriturf. On April 9 a meeting is scheduled with Carl Pietila from LSI, to look at the site and mark the space for the playgroup equipment. A contractor will be needed to install a layer of gravel and put in the footings. Tentatively April 29 & 30 are the community build days. An estimate of 15 volunteers will be needed to help complete the project. The Vitriturf needs to be put down on a dry day. Carl recommended using a blend of half black and another color for the Vitriturf. Black is less expensive than the colors. The committee decided to have a round shape adjusting for trees and the sidewalk. Depending on the cost, the first choice of color for the Vitriturf would be brown, second mix of brown and black and lastly all black.

Motion by Timmins depending on cost, first choice solid brown, second mix of brown and third all black for the Vitriturf, seconded by Jenema. Motion carries.

Heffner showed photo of the bench swing he saw at Glen Arbor Park for the park. He contacted GameTime the company who has the bench and was able to get the freight cost down. The committee pick the bench color with first choice champagne, second beige and third brown. The committee would like to have two, one will be donated, and Winter will check with the board to see if a second one can be purchased.

Motion by Timmins to go with GameTime for the swing benches with the first choice of color champagne, second beige and third brown, seconded by Smith. Motion carries.

Winter said the boulders at the park need to be moved away from the playground area. Feringa said he will put stakes in the ground where they could be moved by with a tractor.

3. Park System Signage

Winter contacted DND signs he will be having a meeting with them to go over specifications to put out to bid.

4. Art In The Park

Smith would like to form a sub-committee for feedback, projects and locations. He suggested to start simple, using small items with a presence of nature and possibly interactive. The committee agreed this is a good way to start. Smith will get back at the next meeting with a possible sub-committee.

Heffner mentioned there is over 200 native plants for the park that are being held indoors to be planted when the weather allows. Members of the garden club will help with the planting. Winter will get with them on the new site plan and clarify planting areas, and what they will be doing and what the township will do. Jenema suggested to place tall plants on the edge of the shoreline to discourage geese from coming up on the lawn.

5. Bayside Park Dedication Ceremony

Winter reported the tent and sound system has been reserved for the open ceremony on Saturday May 18. He will put a budget together for refreshments and cookies. Heflin suggested to send out an email inviting the conservatory contacts, donators, and those who were involved with working on the park to the ceremony. Heffner suggested to have on view the park's future plans requesting donations for additional playground equipment.

G. NEW BUSINESS: None

H. PUBLIC COMMENT: None

ADJOURN: Motion by Timmins to adjourn. Meeting adjourned at 9:58 am



**ACME TOWNSHIP PLANNING COMMISSION MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
March 11th, 2019 7:00 p.m.**

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE at 7:01 pm

ROLL CALL: Members present: K. Wentzloff (Chair), S. Feringa (Vice Chair), M. Timmins (Secretary), D. Rosa, D. VanHouten, B. Balentine, D. White

Members excused: none

Staff present: S. Winter, Planning & Zoning Administrator, C. Karner, Associate Planner, V. Donn, Recording Secretary

A. LIMITED PUBLIC COMMENT: Open at 7:03 pm

Brian Kelley, Acme Township, submitted written comments to be added to the packet and under correspondence in the agenda regarding the Master Plan. He stated is concerns with the proposed addition of gas pumps to the Holiday Shopper on the traffic, lighting, storm water and chemical accidents.

Limited Public Comment closed at 7:05 pm

B. APPROVAL OF AGENDA:

Motion by Timmins to approve the agenda as presented with the addition to G. Correspondence, 2. Brian Kelley comments received 03/11/19 on Master Plan, and moving up to I. New Business 1. Conceptual Review-Holiday Shopper Gas Station and make J. Old Business, 1. Master Plan Update, supported by Balentine. Motion carried unanimously.

C. INQUIRY AS TO CONFLICTS OF INTEREST: None

D. SPECIAL PRESENTATIONS: None

E. CONSENT CALENDAR:

1. RECEIVE AND FILE

- a.** Township Board Draft Regular Meeting Minutes 02.05.19
- b.** Township Board Draft Special Meeting Minutes 02.21.19
- c.** Parks & Trails Committee Draft Regular Meeting Minutes 02.15.19

2. ACTION:

- a.** Approve Draft Planning Commission Meeting Minutes 02.11.19

Winter requested the removal under 2. ACTION, a. Approve Draft Planning Commission Meetings Minutes 02.11.19.

Motion by Timmins to approve the Consent Calendar as presented with removal under 2. ACTION, a. Approve Draft Planning Commission Meeting Minutes 02.11.19, supported by Balentine. Motion carried unanimously.

F. ITEMS REMOVED FROM THE CONSENT CALENDAR

- 1. ACTION, a. Approve Draft Planning Commission Meeting Minutes 02.11.19**

Winter stated White arrived at the 02.11.19 meeting late and was not stated as recused from Under I. Old Business, 1. The SUP 2018-04 -Transfer of Development Rights, Engle Ridge Farm motion, he was listed as absent instead.

Motion made by Timmins to approve Draft Planning Commission Meeting Minutes 02.11.19, supported by White. Motion carried unanimously.

G. CORRESPONDENCE:

1. **MSU Extension – Cultivating Local Farm Economies Workshop**
2. **Brian Kelley comments received 03/11/19 on Master Plan**

H. PUBLIC HEARINGS: None

I. NEW BUSINESS:

1. Conceptual Review – Holiday Shopper Gas Station

Darryl Nelson, 7466 Sayler Rd., owner of the Holiday Shopper stated he is looking to do improvements to the store and corner.

Dan Fleckenstein of RPF Oil Company gave a conceptual review of his proposal to turn the existing Holiday Shopper located at 5320 US-31 N into a gas station and partner with Nelson on the project. The proposal includes renovating the existing store, installing fuel pump islands with a canopy, and possibly a drive thru for takeout food. He is willing to invest in a Kalibrate study to assure that the convenience store will meet the minimum gasoline volume expectations. If the study confirms, he would like to move ahead to a formal permit request.

Wentzloff read a statement that the conceptual planner should not use constitute approval of the application nor should statements made from the planning commission, township staff, or consultants be construed as a position regarding the merits of the application.

Winter stated the property is zoned as part of the form-based code district and would require a special use permit. He suggested recommendations changes for future expansion and to review the standards for gas stations. Location of the driveways leading in would need to be considered because of the traffic turn-in so near to the intersection light. He recommended to talk to MDOT right away on the traffic flow.

The Planning Commission questioned the traffic flow, storm water run offs, lighting, location of the underground gas storage, safety of the tank containers, parking interaction with the Post Office and other businesses. They gave their feedback and recommendations should Mr. Fleckenstein decide to proceed with the formal application process.

J. OLD BUSINESS:

1. Master Plan Update

Winter noted Claire Karner with Beckett & Raeder completed the final draft master plan update with components and Action Plans for implementation.

The Planning Commission made additional revisions and reviewed with Karner the Action Plans. She showed a side-by-side comparison of the old and revised Existing Land Use Map and Future Land Use Map with an explanation of the parcel categories.

Winter informed the next step would be to make a motion requesting the Township Board to approve for distributing and review of the draft plan for a 63-day public comment period, along with a separate motion to set a public hearing date for June 10, 2019. Contingent on the board's approval the timeline would be on April 2, 2019 to have the board review the draft plan and if satisfied pass a resolution to distribute it and begin the 63-day public comment period. Beckett & Raeder would notify the organizations and entities previously notified on the Intent to Plan List that the public comment period is open with a public hearing to be held. Next would be for the staff to collect public comments on the draft plan and distributes them to the Planning

Commission. On June 10, 2019 the Planning Commission is to receive all public comment on the draft plan, a public hearing is held, and a resolution is approved to adopt the plan.

Motion made by Timmins to request the Board of Trustees of Acme Township approve for distribution and review the draft of the “Acme Township Community Master Plan” pursuant to Section 41 (MCL 125.3841) of Public Act 33 of 2008; known as the Michigan Planning Enabling Act, supported by VanHouten. Motion carried unanimously.

Motion made by Timmins to set a public hearing to review the draft “Acme Township Community Master Plan” at the regular Planning Commission meeting on June 10, 2019 at 7:00 pm, supported by Balentine. Motion carried unanimously.

K. PUBLIC COMMENT & OTHER PC BUSINESS

Public Comment Opened at 8:59 pm

Brian Kelley commented on how other townships are televising their meetings for public viewing, and felt Acme should be doing this too. He feels the Planning Commission should revisit the sign ordinance and keep it regulated.

Darryl Nelson voiced his concerns regarding the selling and improvements made to business and houses zoned recreational on the shoreline.

Public Comment Closed at 9:04 pm

1. **Planning & Zoning Administrator Report:** Winter reported Ken Engle withdrew his SUP application for the density transfer from the Bates Rd property to the Sayler Rd property. There is no indication if he plans to move forward with his initial Planned Development without the transfer component. His property is currently listed as a vineyard.

The Township is partnering with TART Trails to apply for a MDNR Trust Fund Grant for the construction of what has formerly been referred to as the Acme Connector Trail. In order to make the project more eligible for the grant, the scope has been increased to include an extension from Dan Kelly’s property to the interior roundabout in the Town Center, and improvement on the south side of M-72 between Mt. Hope Rd and the US-31 intersection. This has resulted in an expanded scope of engineering services provided by Beckett & Raeder, which the Board approved funding. TART has also hired a consultant to help write the grant. A public hearing will be held at a special board meeting on March 19, 2019 at 7:00 pm to review and approve the application.

The township hall will be under construction soon, he will keep everyone informed on when.

He referred to an article in the January Planning & Zoning News on a ZBA case in Mackinac City regarding failure of a zoning administrator and zoning board of appeals to adequately document their conclusions and the rationale therefore, left an inadequate record for the court to review and raised serious questions about their conclusions. He pointed out the importance of determining the finding of facts and why it is done.

2. **Township Board Report – Doug White:** No Report
3. **Parks & Trails Committee Report:** Timmins reported there will be a Parks & Trails Committee meeting on Friday. The Tart Trail open house that was held in February was well attended.

ADJOURN: Motion to adjourn by Timmins, supported by Balentine. Meeting adjourned at 9:10 pm



March 27, 2019

VIA E-MAIL

Mr. John Iacoangeli, Principal
Beckett & Raeder, Inc.
535 West William, Suite 101
Ann Arbor, MI 48013

**RE: MARCH 2019 RESULTS
POST-CONSTRUCTION ACME CREEK MONITORING
GRAND TRAVERSE TOWN CENTER, ACME, MICHIGAN**

Dear Mr. Iacoangeli:

The purpose of this letter is to transmit the results of post-construction surface water monitoring of Acme Creek completed by Barr Engineering (Barr) in March 2019 on behalf of the Village at Grand Traverse, LLC (VGT) at the Grand Traverse Town Center (GTTC) site in Acme Township, Grand Traverse County, Michigan. As you are aware, post-construction monitoring activities were initiated in September 2015. This report presents the results of the second quarter of the fourth year post-construction monitoring event (Year 4/Quarter 2).

Post-construction stream sampling recommendations were outlined in the site development plan for the GTTC (Site Plan Approval for Phase I of the SUP)¹ and later incorporated into a site inspection, monitoring, and maintenance plan submitted to the Township in September 2015 (Monitoring Plan).² The goal of the post-construction monitoring program is to evaluate water quality in Acme Creek over time. To facilitate the monitoring program, two fixed testing locations--one at the upstream point where Acme Creek enters the property and one at the downstream point where Acme Creek leaves the site--have been established (see Figure 1). Baseline (pre-construction) water quality samples were collected from both locations on July 26, 2011.

The Monitoring Plan calls for the receiving water for the GTTC site (Acme Creek) to be monitored for dissolved oxygen concentration, water temperature, specific conductivity, pH, volatile organic compounds (VOCs), total organic carbon (TOC), e. Coli, total dissolved solids (TDS), total suspended solids (TSS), water velocity and elevation. The monitoring was performed on a monthly basis for a period of one year following the completion of construction. Monitoring is scheduled to be performed on a quarterly basis during post-

¹ The Village at Grand Traverse Phase 1, Stormwater Management Recommendations, King & MacGregor Environmental, Inc., December 22, 2011

² Inspection, Monitoring and Maintenance Plan for the Storm Water Management System, Horizon Environmental Corporation, September 2015

construction years 2 through 4 and on a semi-annual basis for post-construction years 5 and beyond. This quarterly (Year 4, Quarter 2) post-construction monitoring event was completed on March 7, 2019. The results of this sampling event along with the results of the pre-construction (baseline) and prior post-construction sampling events are provided on Table 1.

DATA SUMMARY/EVALUATION

Dissolved oxygen, water temperature, specific conductivity and pH were measured at both of the stream gauges using an YSI 556 multi-parameter water quality meter. The data collected at each stream gauge were compared to available water quality standards in the Part 4 Water Quality Standards of Part 31, Water Resources Protection (MCL 324.3101) of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Part 4). The following provides a summary of these results:

- The dissolved oxygen concentrations at both the upstream (13.7 mg/L) and downstream (13.8 mg/L) stream gauges were higher than the minimum standard of 7.0 mg/L specified under Part 4.
- The water temperature at both the upstream (37.8°F) and downstream (37.6°F) stream gauges were nearly identical. Both readings are below the maximum temperature in March specified under Part 4 for streams supporting cold water fish (43°F).
- The pH readings at both the upstream (7.29 S.U.) and downstream (6.66 S.U.) stream gauges were both within the pH range of 6.5 to 9.0 S.U specified under Part 4.

Stream samples were also collected for laboratory analyses of VOCs, TOC, TDS, TSS, e. Coli, and turbidity at both the upstream and downstream stream gauges. Laboratory data sheets are provided in Attachment I. A summary of the results compared to available water quality standards under Part 4 is provided as follows:

- VOCs were below laboratory detection limits at both the upstream and downstream gauges.
- The TDS concentrations at both the upstream (250 mg/L) and downstream (250 mg/L) stream gauges were significantly lower than the maximum TDS standard of 500 mg/L specified under Part 4.
- The upstream e. Coli concentration (40 colonies/100ml) and downstream e. Coli concentrations (20 colonies/100ml) were lower than maximum (300 colonies/100 ml) e.Coli concentration for total body contact.
- There was no significant difference in the TOC, TSS, and turbidity levels observed at the upstream and downstream locations.

Additional stream data, including water velocity and water elevation, were collected as part of this monitoring event. Stream velocities were measured using a Flo-Mate Model 2000 flowmeter. The results of the additional data collected are summarized on Table 1.

Mr. John Iacoangeli

March 27, 2019

Page 3

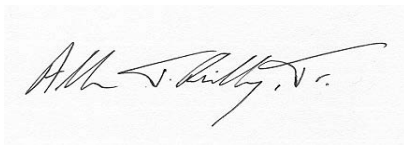
CONCLUSIONS

The results of this quarterly post-construction monitoring event (Year 4/Quarter 2) indicate that water quality in Acme Creek adjacent to the GTTC site meets or exceeds the Part 4 Water Quality Standards prescribed under Part 31 of the Water Resources Protection Section of NREPA (MCL 324.3101).

If you have questions or require additional information regarding this sampling event, please contact me at 616.554.3210.

Sincerely,

BARR ENGINEERING

A handwritten signature in black ink, appearing to read "Allen J. Reilly, Jr.", is written over a light gray rectangular background.

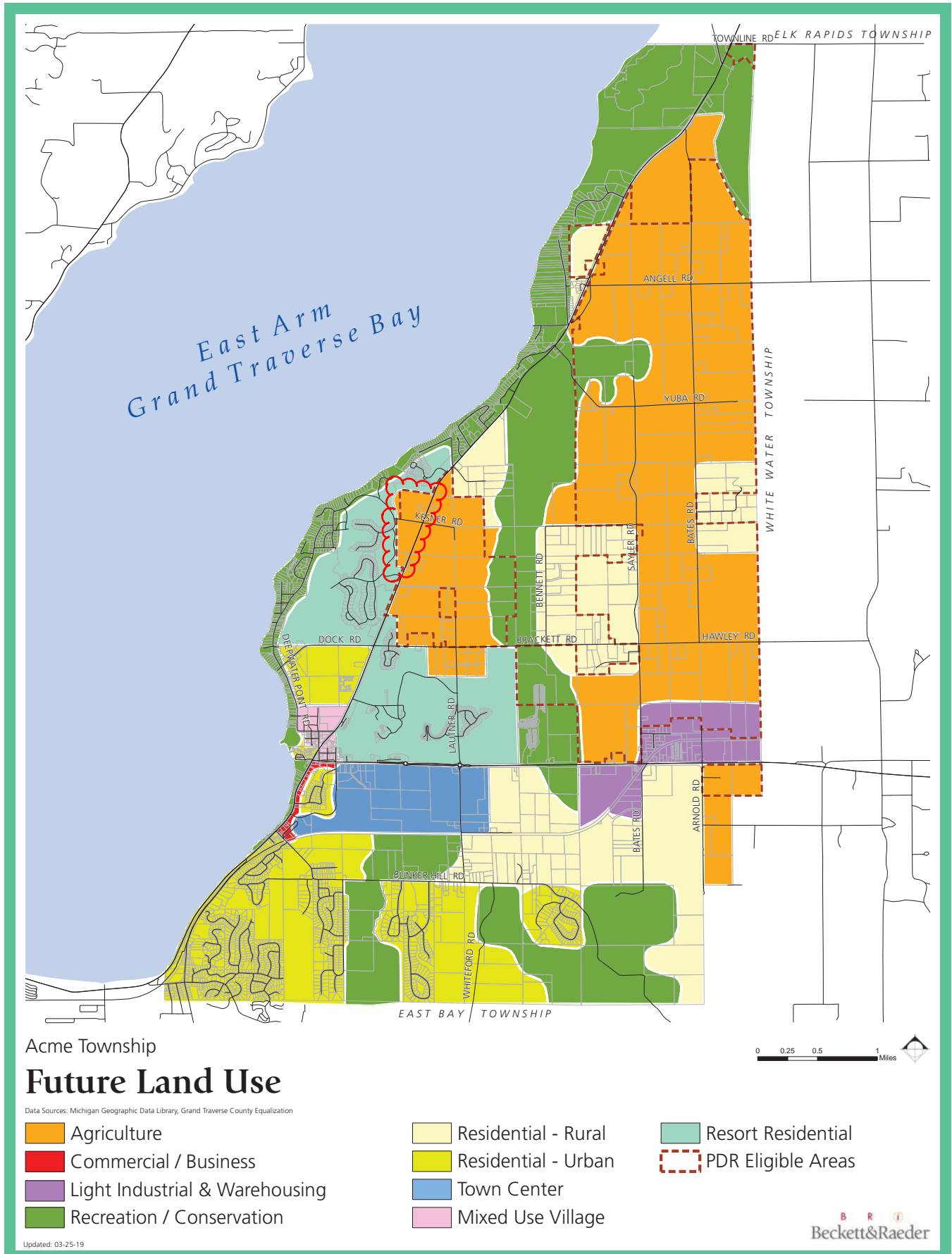
Allen J. Reilly, Jr.

Project Manager

cc: J. Zollinger, Acme Township
S. Schooler, VGT

enclosures

Figure 20. Future land use map



pharmacies, hardware stores, gas stations and automotive service business including supermarkets, general merchandise stores, restaurants (fast and non-fast food types), coffee shops, professional offices of various kinds, and personal service businesses (hair salons, spas and so on).

Resort Residential

This category of land use is set aside for uses that are predominantly residential in nature but are often used by vacationers or on a seasonal basis. The Resort Residential district accommodates some mix of uses including entertainment, restaurants, golf courses, and retail. This land use recognizes the importance of the seasonal economy in Acme Township and sets aside a special category for uses of this nature.

Mixed Use Village

This category of land use encourages the development of an integrated, walkable, mixed-use and mixed housing area located within the former historic Acme Village. This condensed district is intended to be walkable and connected via non-motorized trails and thoughtful sidewalk networks. It will allow residents to live in a variety of housing types, including types that match existing conditions and provide greater density, such as townhouses, apartments, and rowhouses, while being close to essential services and a mix of land uses.

Public infrastructure, water, sanitary sewer, roads, and non-motorized pathways will be required to fully develop and link properties into this cohesive community mixed use district. Sanitary sewer currently serves the district's existing capacity, but with proposed higher density in this area, additional capacity should be considered. Some sidewalks are found along the major corridors but are largely missing along most roads, and evidence of informal sidewalk paths can be seen along residential streets. By increasing mixed housing options, this district can serve the changing needs of Acme residents. Encouraging new residential growth with densities of 10-14 units per acre can help foster housing for a growing workforce and aging population. Limited neighborhood commercial services are located on the corners in established neighborhoods.

Town Center

This category of land use encourages the development of an integrated, walkable, mixed-use, high density area located in the core of the Township as envisioned in the Acme Shores Placemaking Plan. The hallmark of this future land use will be the seamless connection between public and private properties with well-designed buildings and public spaces, streetscapes, landscapes, signage, access and circulation for both motor & non-motorized traffic and pedestrians, facilities for public transportation, low impact storm water control, dark sky sensitive

lighting, and other elements that reflect and add to a vibrant business district.

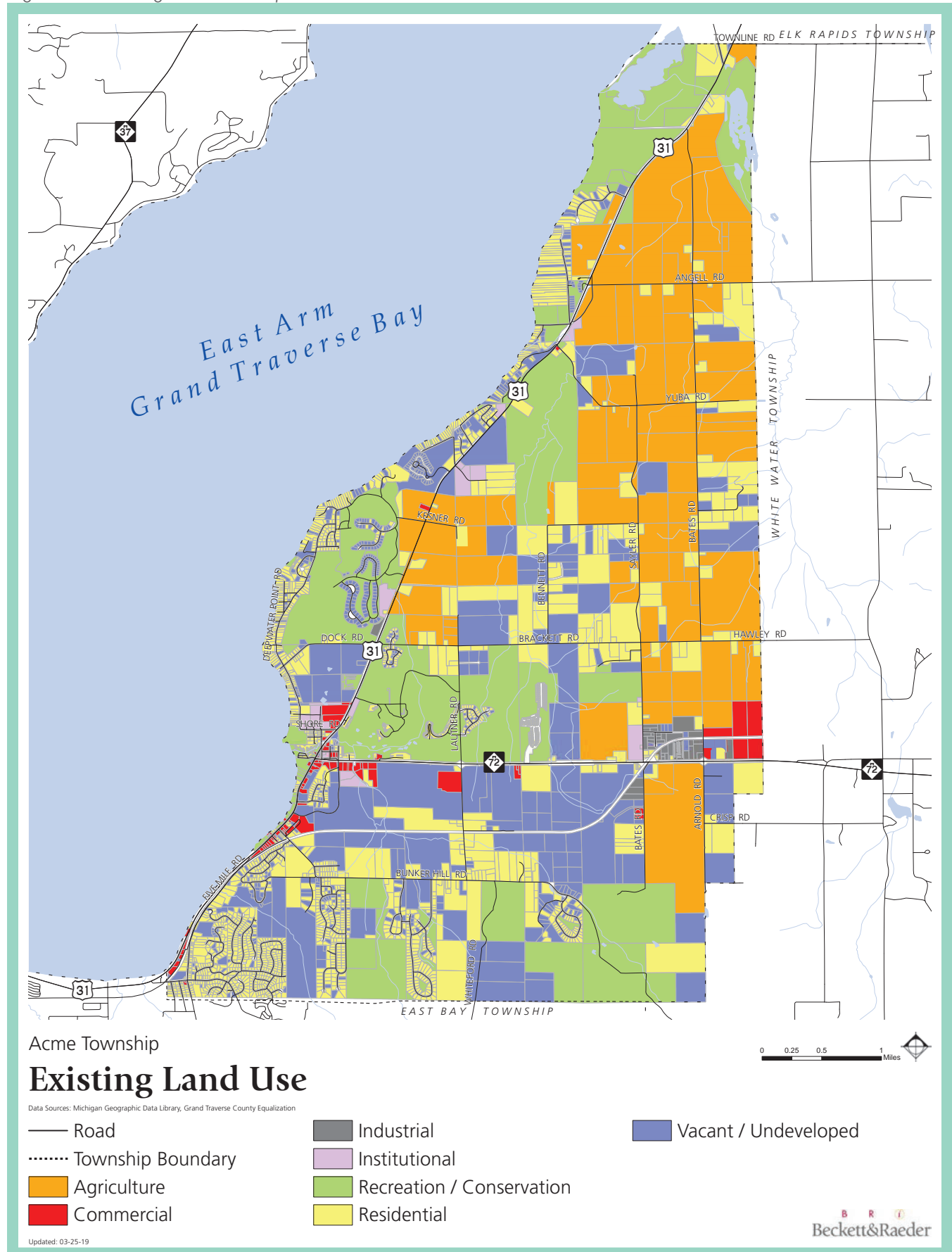
The intended uses in this category include, but are not limited to: general merchandise stores, restaurants (non-fast food types), coffee shops, professional offices of various kinds, motels, furniture stores, and personal service businesses (hair salons, spas and so on). This category also contemplates the possibility of mixed-use with residential dwellings above the first floor. Land uses in the Commercial areas should comport with the policies and actions of the Cornerstones entitled, "Create a Vibrant, High-Quality, Compact Commercial and Mixed Use District," "Focus on Infrastructure Improvement," and "Encourage Recreation-based Tourism."

Light Industrial & Warehousing

The light Industrial and warehousing category encompasses land use for light industrial, trade-related business and warehousing enterprises in the Township. The existing uses currently are located along state highway M-72 and Bates Road (an area comprising some existing development of higher density industrial and business uses).

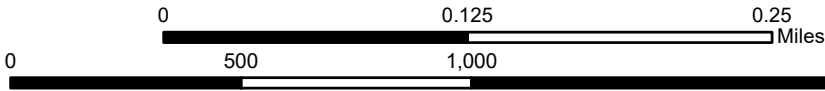
The main objectives of the Industrial land use category are to provide for non-intrusive industrial operations in high density areas that stimulate the economic vitality of the Township

Figure 18. Existing land use map





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



Map Data Sources:
Grand Traverse County,
Michigan Center for Geographic Information
Date: March 22, 2019



Acme Township Planning & Zoning Report No. 2019-06

Prepared:	March 20, 2019	Pages:	10
Meeting:	April 8, 2019	Attachments:	Yes
Subject:	SPR 2019-06 Natures ReLeaf		

Application No.: Site Plan Review (SPR) 2019-06

Project: Nature's ReLeaf
4144 E M-72
Williamsburg, MI 49690

Request: To open a medical marihuana provisioning center in an existing commercial structure

Applicant: Brian Chouinard, Nature's ReLeaf
6850 Williamsbury Circle
Clarkston, MI 48348

Owner: Dan Kelly, Kelly's Restaurants LLC
4240 E M-72
Williamsburg, MI 49690

I. OVERVIEW

General Description and Recommendation

The Applicant is proposing to open a licensed medical marihuana provisioning center in the existing structure that was formerly occupied by The Saddlery at 4144 E M-72. The existing structure is approximately 3,600 sf on a single story with existing parking. The property is zoned C: Corridor Commercial and is located within the US-31/M-72 form-based code district. The proposed use is allowed in the zoning district by right. No exterior work is proposed under the application at this time. The Applicant has received a medical marihuana license from the Township for a provisioning center.

The proposed use is consistent with the intent and purpose of the zoning district as well as the future land use category. Staff recommends approval of the site plan with consideration of the conditions mentioned in the suggested motion at the end of this report.

Subject Property Location

Address	Parcel Number
Parcel A: 4144 E M-72	28-01-102-015-30 (structure)
Parcel B: 4036 E M-72	28-01-102-015-22

Legal Description

Parcel A:

COM NW CNR SEC 2 T27N R10W; S 2 DEG 42' E 167.17'; E 283.2' TO POB; E 191.1'; S 166.48'; S 28 DEG 41' W 38.32'; S 3 DEG 41' E 133.54'; S 9 DEG 22' E 67.42'; W 191.1'; N 400' TO POB.

Parcel B:

COM NW SEC CNR, S 2 DEG 42' E 167.17', N89 DEG 39' E 217.2' TO POB, N 89 DEG 39'E 66', S 0 DEG 20' E 400', S 89 DEG 39' W 66'. N 0 DEG 20' W TO POB. SEC 2 T27NR10W.

Aerial View**Street View****Existing Conditions of Subject Property**

Zoning	Existing Uses
C: Corridor Commercial	Vacant retail establishment formerly occupied by The Saddlery
Area	Existing Permits / Prior Approvals
2.299 acres (total)	SUP 88-10P Down Factory Outlet SUP 2002-2P Amendment to SUP 88-10P for accessory storage building

Site Conditions

Site is relatively flat with a slight downward grad toward the rear (south) of the property. Acme Creek and associated wetlands run to the east of the parcel. Parcel A contains a storage pole barn used by the landlord in addition to the retail establishment. Parcel B includes the driveway entrance to Parcel A and utilities at the rear (south) end.

Adjacent Zoning and Land Uses

Location	Zoning	Land Use
North:	MHN	Multifamily Residential, Jesse Cymann
Northeast:	R-3	Recreation, Grand Traverse Resort & Spa
East:	C	Vacant Retail, Dan Kelly
Southeast:	C	Accessory Building, Dan Kelly
South:	MHN	Institutional, Feast of Victory Lutheran Church
West:	C	Utility, Michigan Bell Telephone Company
Northwest:	MHN	Multifamily Residential, Golf Crest Condominium Common Area

Relationship to Master Plan**Future Land Use Category – Town Center**

This category of land use encourages the development of an integrated, walkable, mixed-use, high density area located in the core of the Township as envisioned in the Acme Shores Placemaking Plan. The hallmark of this future land use will be the seamless connection between public and private properties with well-designed

buildings and public spaces, streetscapes, landscapes, signage, access and circulation for both motor & non-motorized traffic and pedestrians, facilities for public transportation, low impact storm water control, dark sky sensitive lighting, and other elements that reflect and add to a vibrant business district. As noted in the Master Plan, new commercial developments shall take place in high-density areas so that infrastructure installation, wherever needed, will be carried out efficiently. The main objectives in this category is to provide for commercial development in ways that will create an economically healthy and thriving environment for the benefit of all Acme residents and visitors to the Township, and to provide for commercial establishments that not only supply goods and services but also offer employment opportunities to Acme residents. Another objective is to encourage new residential growth with densities upwards of 14 to 18 units per acre.

Public infrastructure, water, sanitary sewer, roads, and non-motorized pathways will be required to fully develop and link properties into a cohesive community mixed use district. For the Town Center to work effectively and efficiently, connections among Acme Village, the Grand Traverse Town Center, the former Lautner Commons project property, and the Grand Traverse Resort and Spa are essential.

The intended uses in this category include, but are not limited to: general merchandise stores, restaurants (non-fast food types), coffee shops, professional offices of various kinds, motels, furniture stores, and personal service businesses (hair salons, spas and so on). This category also contemplates the possibility of mixed-use with residential dwellings above the first floor. Land uses in the Commercial areas should comport with the policies and actions of the Cornerstone entitled, "Create a Vibrant, High-Quality, Compact Commercial and Mixed Use District," "Focus on Infrastructure Improvement," and "Encourage Recreation-based Tourism."

(p. 71 - 72, Acme Township Community Master Plan, adopted August 11, 2014)

II. SUBMITTED APPLICATION MATERIALS

The tables below present the items submitted with the application for the proposed project. These items have been reviewed in accordance with the processes set forth in the Zoning Ordinance

Drawings		
Sheet	Title	Date (revised)
A1.0	Existing Site Plan	03.15.19
A1.0	Existing Floor Plan	02.11.19
A2.0	Demolition and Clearing Plan	03.14.19

Agency Reviews		
Agency	Status	Permit No. (Date)
Grand Traverse Metro Fire	No review required	P-1213-5934-M6558 (01.14.19)

Additional Documentation	
Submitted With Application Packet	
-	Project Narrative

III. ZONING ORDINANCE REVIEW

Listed below are the applicable sections of the Zoning Ordinance that pertain to the proposed project. Items that do not satisfy the standards required by the Zoning Ordinance have been indicated with **bold, red text**.

Zoning District	
§ 6.6.3	Regulatory Plan Categories
C: Corridor Commercial	<p>Intent To provide for a traditional commercial district that promotes mixed use, walkability and transit options, and takes advantage of its location to East Bay.</p> <p>Distinguishing Characteristics Variety of 1 story commercial buildings and 2 to 3 story mixed use buildings with upper stories used for professional offices and residential units. Buildings would be constructed with durable building materials close to the right-of-way with parking on the side or in the rear of the building. Parking lots would be connected with cross access easements and on-site amenities and lighting would be consistent between properties.</p> <p>General Character Predominantly detached buildings, balance between landscape and buildings, presence of pedestrians such as wide sidewalks and pedestrian scale lighting.</p> <p>Desired Form Commercial / Storefronts / Live-Work</p> <p>Building Placement Shallow to medium front and side yard setback</p> <p>Frontage Types Stoops, dooryards, storefronts, and arcade walkways</p> <p>Typical Building Heights 1 to 3 story with some variation and a few taller workplace buildings</p> <p>Type of Public Open Space Parks along East Bay</p> <p>Transit (where available) BATA/TART</p> <p>Note: <i>The proposed use meets the intent of the district and is a use allowed by right. Nature's ReLeaf currently holds a provisioning center license for the C: Corridor Commercial District (MM-2018-01-C-PC). The Applicant is proposing to utilize an existing vacant commercial space and therefore it will not be feasible to meet all the standards of the form-based code district that would apply to a new construction project.</i></p>
§ 6.6.4	Land Use Table
§6.6.4.1	<p>Regulated Uses</p> <ul style="list-style-type: none"> a. Medical Marihuana Provisioning Center. By right in the C (Corridor Commercial) zone. Include that no more than one (1) Provisioning Center may be licensed and operating at any given time, and no more than one (1) license may be issued. SECTION 6.6.4.1 (a) ADDED BY AMENDMENT 045. ADOPTED 10/03/17. EFFECTIVE 12/01/17.

§ 6.6.5.2 Building Placement, Density, and Parking		
Standard	Requirement	Site Plan
Various	Various	Not Applicable – will be using an existing building with no exterior or site modifications.

§ 6.6.5.3 Land Use by Floor		
Standard	Requirement	Site Plan
Ground Floor:	Public/Private Uses, Transportation/Utilities, Office, Commercial, Lodging	Commercial – medical marihuana provisioning center

§ 6.6.6 Special Provisions		
Standard	Requirement	Site Plan
§6.6.6.1 Encroachments	Zero (0) ft	No encroachment
§6.6.6.2 Canopies/Awnings	10 ft encroachment (max)	No encroachment of existing canopies
§6.6.6.3 Site Lighting	Various	2 parking lot light poles with recessed luminaires at the rear of parking lot
§6.6.6.4 Signs	Same as §7.4, except max 6 ft tall	Existing sign will need to comply with height limit if structure is altered
§6.6.6.5 Water Quality & Storm Water	LID technologies	Existing vegetated swales throughout the property
§6.6.6.6 Façade Components & Materials	Various	Not applicable – existing structure w/no external renovations
§6.6.6.7 Parking	<ul style="list-style-type: none"> - Side or rear location - 5 ft setback (min.) from front of building - 10 ft setback from common property line - 5 ft rear setback 	<ul style="list-style-type: none"> - Side parking lot - Approx. 4 ft in front of building (existing) - 10 ft - Approx. 208 ft
§6.6.6.8 Shared Parking	Not applicable	Not applicable
§6.6.6.9 Required Parking	14 spaces	17 spaces w/ 1 ADA (existing)
§6.6.6.10 Site Amenities	2 bicycle loops/racks	None existing

§ 7.4 Signs		
Standard	Requirement	Site Plan
Regulations By Zone – Agricultural District [§7.4.6(d)]	Various – will be reviewed separately	No sign plans indicated

§ 7.5 Off-Street Parking and Loading Regulations

Overview of Existing Parking

Existing parking lot consists of a one-way, asphalt circle drive in the side yard with 10 angled parking spots along the building. 7 additional overflow spots exist on the south end of the parking lot. There is a loading dock and approach on the rear of the building, however, the plans indicate the overhead door will be removed. The island in the center of the circle drive is landscaped with trees and shrubs. There is no buffer right-of-way landscaping along M-72. **An enclosed dumpster addition is indicated but does not include the height, material or required landscaping which is reflected in the motion at the end of the report.**

§ 7.5.6 Landscaping

Overview of Existing Landscaping

Landscaping is limited to the trees and shrubs inside the driveway circle, around the freestanding sign, and along the front of the building. The east and south sides of the property are undisturbed, natural vegetation

§ 7.8 Exterior Lighting Requirements

Standard	Requirement	Site Plan
[\$7.8.3(a)(1)]	Downlighting, cut-off shielding, efficiency, minimum amount necessary, lighting hours	2 parking lot light poles in the rear of the lot with downward facing, recessed luminaires

§ 7.11 Medical Marihuana Facilities

Standard	Requirement	Site Plan
License Requirements [\$7.11.2(a)]	Facility must have a valid license by Acme Twp and the State	Applicant has a provisioning center license issued by Acme Twp. Will not be able to operate until securing a license from the State
Distance Buffers [\$7.11.2(b)(1-4)]	1,000 ft buffer between specific uses	Not within 1,000 ft of any listed uses

IV. SITE PLAN REVIEW

The table below presents the required elements for a site plan review per the Zoning Ordinance, whether included in the site plan drawing, written narrative, or both. A "Yes" indicates item was accounted for, "No" indicates missing item, a blank cell indicates it is not required to be demonstrated in the site plan or narrative.

§ 8.1.4 Application Requirements

Item	Description	Shown On Site Plan	Written Documentation
1.	A description of the environmental characteristics of the site prior to development, i.e.: topography, soils, vegetative cover, drainage, streams, creeks or ponds, as well as, the delineation of these features on the site plan drawing.	n/a	Yes
2.	Types of uses and other man-made facilities		Yes
3.	The number of: people to be housed, employed, visitors or patrons and vehicular and pedestrian traffic		Yes
4.	Phasing of the project, including ultimate development proposals	n/a	Yes

§ 8.1.4 Application Requirements			
Item	Description	Shown On Site Plan	Written Documentation
5.	Natural features which will be retained, removed and/or modified including vegetation, drainage, hillsides, streams, wetlands, woodlands, wildlife and water.	n/a	
6.	The description of the areas to be changed shall include their effect on the site and adjacent properties. An aerial photo may be used to delineate the areas of change.		Yes
7.	The method to be used to serve the development with water and sanitary sewer facilities		Yes
8.	The location, size, and routing of water and sanitary sewer facilities	n/a	
9.	Plans for storm water control and drainage, including measures to be used during construction	n/a	
10.	Storm water calculations; and if requested storm water modeling data.	n/a	Yes
11.	If public sewers are not available to the site the applicant shall submit a current approval from the health department or other responsible public agency indicating approval of plans for sewage treatment.		Yes
12.	The method to be used to control any increase in effluent discharge to the air or any increase in noise level emanating from the site. Consideration of any nuisance that would be created within the site or external to the site whether by reason of dust, noise, fumes, vibration, smoke or lights.		Yes
13.	An indication of how the proposed use conforms to existing and potential development patterns and any adverse effects		Yes
14.	Location of known Air Sheds and how the proposed use impacts this natural feature.	n/a	Yes
15.	Plans to control soil erosion and sedimentation.	n/a	Yes
16.	Incorporation of low impact development storm water technologies and other best management practices such as, but not limited to, rain gardens, rooftop gardens, vegetated swales, cisterns, permeable pavers, porous pavement, and filtered storm water structures.	n/a	Yes
17.	Type, direction, and intensity of outside lighting shown on a photometric plan in compliance with exterior lighting standards.	n/a	Yes
18.	Location of any or required cross access management easements.	n/a	
19.	Location of pedestrian and non-motorized facilities; if required.	n/a	
20.	Landscaping plan	n/a	
21.	General description of deed restrictions and/or cross access management easements, if any or required.		Yes
22.	Name(s) and address(es) of person(s) responsible for preparation of site plan drawings and supporting documentation.	Yes	Yes

§ 8.1.4 Application Requirements

Item	Description	Shown On Site Plan	Written Documentation
23.	Sealed drawings from a licensed architect, engineer, or landscape architect.	No	

§ 8.2 Standards for Site Plan Review

Standard	Finding
a. That the applicant may legally apply for site plan review.	Satisfied: The Applicant has been authorized by the owner of the property
b. That all required information has been provided.	Satisfied: All necessary materials submitted
c. That the proposed development conforms to all regulations of the zoning district in which it is located and all other applicable standards and requirements of this ordinance, including but not limited to all supplementary regulations.	Satisfied: The Applicant is planning on using an existing structure for medical marihuana retail establishment.
d. That the plan meets the requirements of Acme Township for fire and police protection, water supply, sewage disposal or treatment, storm, drainage, and other public facilities and services.	Satisfied: GT Metro Fire – confirmed review is not needed
e. That the plan meets the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured.	Satisfied: LARA – Will need state medical marihuana license prior to operating
f. That natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so indicated on the site plan and at the site per se.	Satisfied: The site will not be disturbed as a result of occupancy.
g. That the proposed development property respects floodways and flood plains on or in the vicinity of the subject property.	Satisfied: No floodplains present on the site
h. That the soil conditions are suitable for excavation and site preparation, and that organic, wet, or other soils which are not suitable for development will either be undisturbed, or modified in an acceptable manner.	Satisfied: No future development proposed.
i. That the proposed development will not cause soil erosion or sedimentation problems.	Satisfied: There will be no soil disturbance
j. That the drainage plan for the proposed development is adequate to handle anticipated storm water runoff, and will not cause undue runoff onto neighboring property or overloading of water courses in the area.	Satisfied: The existing development does contain vegetated bioswales for draining purposes for the existing site improvements
k. That grading or filling will not destroy the character of the property or the surrounding area, and will not adversely affect the adjacent or neighboring properties.	Satisfied: No grading to be performed
l. That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.	Satisfied: No airsheds in close vicinity

§ 8.2 Standards for Site Plan Review	
Standard	Finding
m. That phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility services, drainage, or erosion control.	Satisfied: No phases proposed
n. That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems, and water and sewage facilities.	Satisfied: No expansion proposed
o. That landscaping, fences or walls may be required when appropriate to meet the objectives of this Ordinance.	Satisfied: No additional landscaping proposed
p. That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.	Satisfied: No impact determined
q. That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.	Satisfied: Existing parking and circulation meet the standards of the Ordinance and will not inhibit safety or convenience.
r. That outdoor storage of garbage and refuse is contained, screened from view, and located so as not be a nuisance to the subject property or neighboring properties.	Satisfied: Dumpster enclosure will be added
s. That the proposed site is in accord with the spirit and purpose of this Ordinance, and not inconsistent with, or contrary to, the objectives sought to be accomplished by this Ordinance and the principles of sound planning.	Satisfied: The proposed use and overall plan is consistent with this Ordinance and planning documents with the exceptions included in this report that need to be addressed.

V. REPORT SUMMARY

The Applicant is proposing to reuse the existing commercial establishment at 4144 M-72 for a medical marihuana provisioning center. The Applicant holds the sole provisioning center license for the C: Corridor Commercial district and meets the standards for such an establishment in the district. Furthermore, the use is allowed by right and consistent with the future land use category.

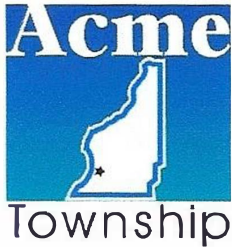
Since the Applicant is proposing to occupy an existing commercial establishment with no improvements to site or expansion of the existing facility, there is no trigger to automatically force the Applicant to bring the development into compliance in areas where it is now deficient. This is the precedent set in the past. This application is coming before the Planning Commission because it is a change of use. Even though the previous use was retail, and the proposed use will be a retail establishment for medical marihuana, medical marihuana provisioning centers are listed as a separate use in the Zoning Ordinance. In fact, if the proposed use was for any other type of retail beside medical marihuana, this application would not come before the Planning Commission. The Planning Commission may impose conditions on the Applicant under Section 8.3 of the Zoning Ordinance:

If the Planning Commission feels certain conditions should be applied under the standards listed above, then an appropriate finding should be established for each required. Otherwise the following motion has been submitted.

Suggested Motion for Consideration:

Motion to approve Site Plan Review application SPR 2019-03, submitted by Nature's ReLeaf to occupy and operate an approximately 3,600 square foot licensed medical marihuana provisioning center in the existing retail establishment located at 4144 E M-72, Williamsburg, MI 49690, with the following conditions:

1. The dumpster enclosure shall have all four sides screened to a height of six feet with cedar or pressure-treated lumber and shall include native, non-invasive shrubs every five (5) lineal feet;



Special Use Permit/Site Plan Review Application

Township of Acme, Grand Traverse County, Michigan

6042 Acme Road, Williamsburg, MI 49690

Phone: (231) 938-1350 Fax: (231) 938-1510 Web: www.acmetownship.org

Planning & Zoning Administrator: Shawn Winter Email: swinter@acmetownship.org

Owner Information (please type or print clearly):

Name: Kelly Restaurants LLC (Dan Kelly) Phone: 231-342-4550

Mailing Address: 4240 M72 E, Williamsburg, MI 49690

City: Williamsburg State: MI Zip: 49690

Email Address: info@cateringbykellys.com

Applicant Information (please type or print

clearly): Name: Nature's ReLeaf, Inc. Phone: 586-663-6867

Mailing Address: 6850 Williamsburg Circle

City: Clarkston State: MI Zip: 48348

Email Address: brian.chounard@comcast.net

A. Property Information:

1. **Address:** 4144 M 72 E, Williamsburg, MI 49690

2. **Parcel Number/Property Description:** 28-01-102-015-30

3. **Current Zoning of Property:** C-1 Commerical district

4. If this project is one phase of a larger development and/or property subject to an existing/previous Site Plan Review, Special Use Permit, or Variance, what is/are the applicable permit number(s)? N/A

5. **Provide proof of current property ownership.** If applicant is not the current property owner, also provide written permission to act as agent of, and complete contact information for the current property owner. ----- Already submitted Property owner affidavit.

Application Number: _____

6. **Proposed Use/Change to Property:** Medical Marijuana Provisioning Center. There will be no changes to the property.

7. **Estimated Start and Completion Dates:** Starting 4/10/2019 through 6/30/2019

B. **Application Packet Requirements:** REFER TO ACME TOWNSHIP ZONING ORDINANCE AND COMPLETE ATTACHED CHECKLIST

C. **Fees:** Include initial fee as required by the Acme Township Ordinance #2004-01. Fees where paid on 03/18/2019

D. **Fee Escrow Policy Acknowledgment:** Provide completed and signed form with initial escrow fee deposit. Signed acknowledgment and submitted escrow check for \$2500.00.

E. **Affidavit:** The undersigned affirms that he/she is the lessee (owner, agent, lessee, or other interested party) involved in this petition and that the foregoing answers, statements and information are in all respects true and, to the best of his/her knowledge, correct. By making this application, the undersigned grants all officials, staff and consultants of Acme Township access to the subject property as required and appropriate to assess site conditions in support of a determination as to the suitability of the proposed project and/or current or future Special Use Permit and Zoning Ordinance compliance.

Signed: B. L. D. Date: 3-19-19

FOR TOWNSHIP USE ONLY

Application Number: _____

Date Received: _____

Public Hearing/Meeting: _____

Date of Advertising: _____

T&A Account: _____

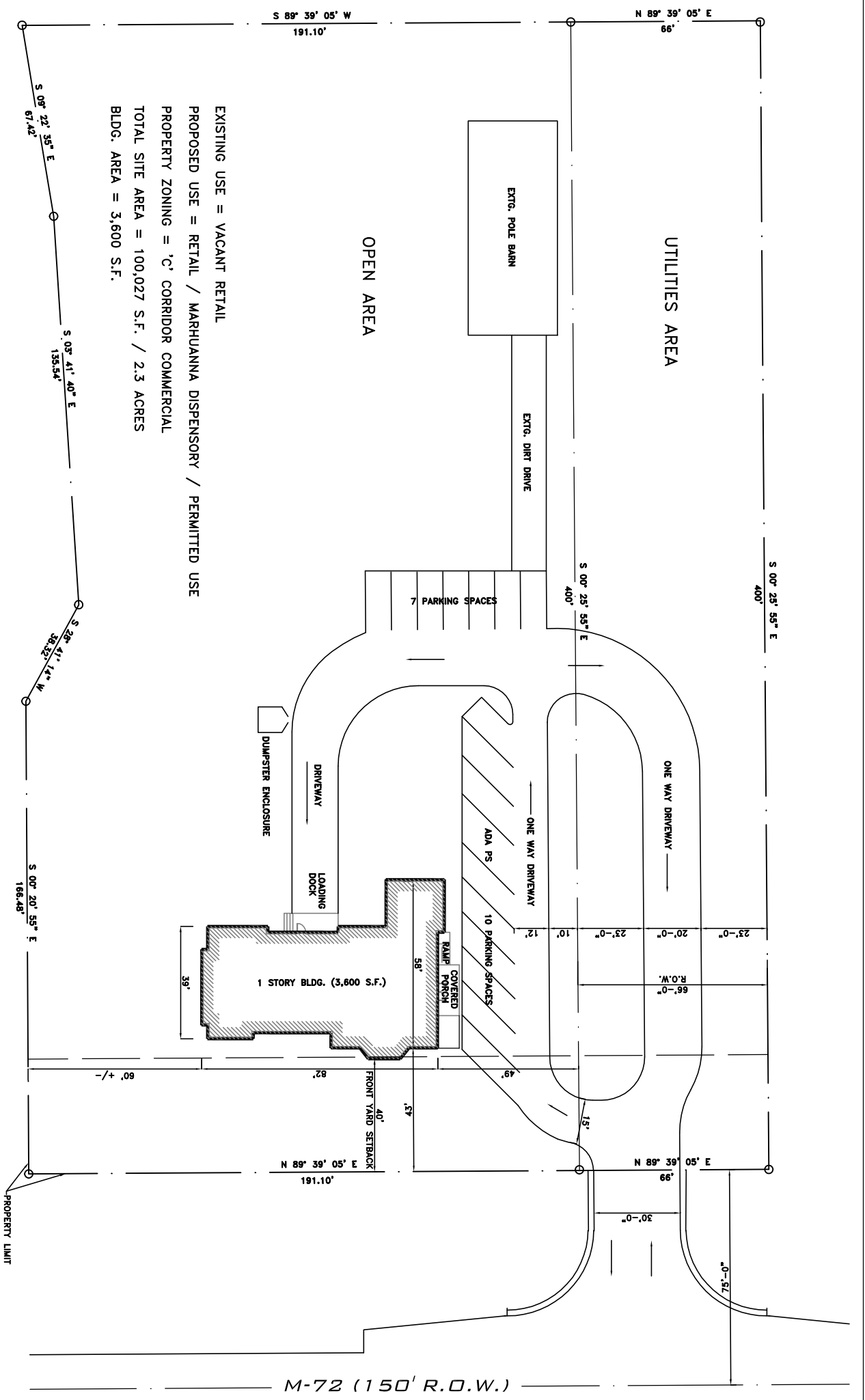
NOTES:

Site Plan Review




4144 M 72 E - Acme Township

1. Current site and building –
 - a. Property is zoned 'C' = commercial corridor
 - b. Property size = 2.3 acres
 - c. Building size = 3,600 s.f.
 - d. Bldg. to Lot Ratio = 3.6%
 - e. Current building is vacant – use to be retail establishment or “Saddlery” sales
 - f. Proposed use – dispensary for marihuana sales / licensed under State of Michigan
 - g. No proposed site improvements planned – existing topography to remain as is condition
2. Types of uses and other man-made facilities –
 - a. Proposed use = retail / sales of marihuana which is a permitted use
3. # of employees, visitors, vehicular & pedestrian traffic –
 - a. Anticipated # of employees = 5
 - b. Anticipated # of visitors = undetermined, since this is a new business / expect 30-40 per day
4. Phasing of project –
 - a. No expansion plans are expected at this time
 - b. Any future expansion plans will comply with Acme Twp. requirements
5. Natural features –
 - a. No removal of existing vegetation, drainage, topography, woodlands, etc. are proposed
 - b. Existing site to remain as is
6. Description of areas to be changed –
 - a. No changes are proposed - existing site remain as is on the already developed site
7. Water, Sanitary –
 - a. Existing utilities already serve the building including public sanitary sewer and water
8. Routing of water, sanitary –
 - a. See #7 above
9. Storm water control, drainage –
 - a. Surface water currently collects in 2 locations on the property in detention ponds prior to discharge into M-72 and stream at east side of property
10. Storm water calculations –
 - a. No new impervious hard surface (i.e. parking lot, drives, sidewalks) proposed, thus existing site to remain as is
11. Public sewer –
 - a. Already services the existing building
 - b. The proposed use will not require additional demand on sanitary sewer or water
 - c. No improvements are necessary and proposed use will not increase the need for enlarging the existing sewer

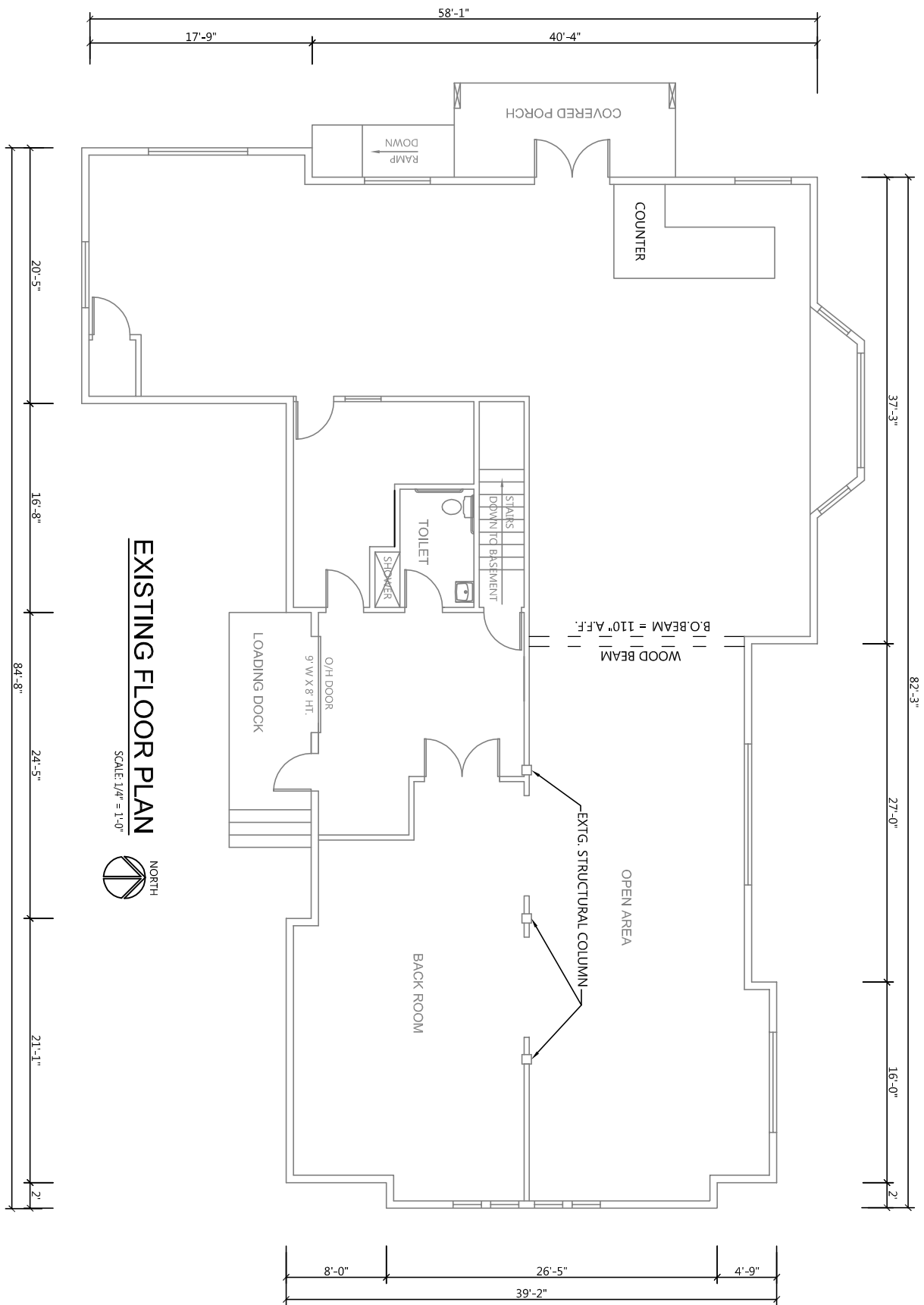
12. Method to control effluent discharge, noise, fumes, dust, vibration, smoke, light, ... and other nuisance –
 - a. No outside sales proposed
 - b. No processing inside the facilities are proposed
 - c. No increase in sewage proposed – using 1 existing toilet for customer use and 1 new toilet for employee use
 - d. No processing equipment proposed
13. How proposed use conforms to existing and potential development patterns and any adverse effects –
 - a. Proposed retail use is consistent with other uses in the area
 - b. Existing businesses in the area are either office, retail or restaurants
 - c. M-72 corridor continues to grow with the retail expansions further east
14. Air Sheds –
 - a. No adverse effect to air/atmosphere are proposed
15. Soil Erosion Control –
 - a. No proposed improvements therefore no soil erosion control methods required
16. Storm water technologies –
 - a. No proposed changes to parking lot, bldg. or landscape, therefore not improvements to storm water management is proposed
17. Type, direction, intensity of outside lighting –
 - a. No proposed changes or addition to the parking lot or driveway lighting is proposed
18. Cross access management –
 - a. No proposed driveway connections to adjacent properties
 - b. Current driveway provides access to the utilities (suspect pump station) further to south
19. Pedestrian and non-motorized facilities –
 - a. No sidewalks currently existing on site or along the M-72 corridor
20. Landscaping –
 - a. Existing site has established vegetation along building and parking lot areas include very large pine trees in the island that separates the drive from the parking lot area
21. Deed restrictions, cross access management easements, etc. –
 - a. Property shares drive way as noted in #18 above
 - b. Not aware of any other easements or restrictions
22. Name of person responsible for preparing the site plan and other related documents –
 - a. Jerry Tomczak, Gazall Lewis & Associates, 503 South Saginaw St., Suite 100, Flint, MI 48502
23. Sealed drawings –
 - a. Available upon request

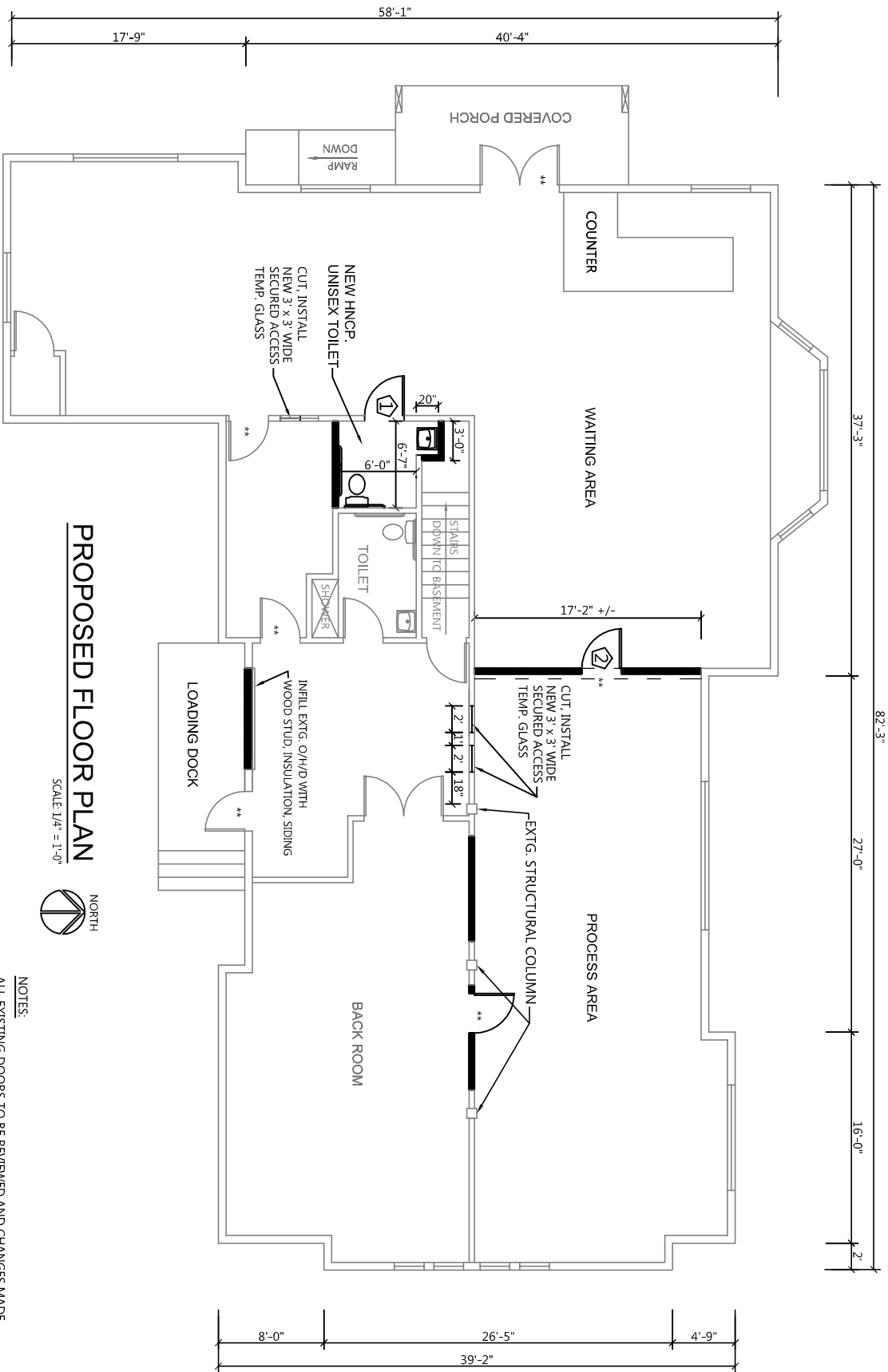


EXISTING USE = VACANT RETAIL
 PROPOSED USE = RETAIL / MARHUANNA DISPENSORY / PERMITTED USE
 PROPERTY ZONING = 'C' CORRIDOR COMMERCIAL
 TOTAL SITE AREA = 100,027 S.F. / 2.3 ACRES
 BLDG. AREA = 3,600 S.F.

DRAWN J.T. CHECKED REVISIONS DATE 3/19/18				EXISTING SITE PLAN  SCALE: 1" = 10' 0 10 20		NEW DEVELOPMENT FOR TITAN PROPERTIES ACME TOWNSHIP, MI				GAZALL, LEWIS & ASSOCIATES ARCHITECTS, INC. MOTT FOUNDATION BUILDING 503 SOUTH SAGINAW STREET SUITE 100 FLINT, MICHIGAN 48502 PHONE (810) 294-6091 FAX (810) 294-6191 GAZALL-LEWIS.COM		COMMISSION 19015 SHEET A1.0	
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M-72 (150' R.O.W.)





PROPOSED FLOOR PLAN

SCALE: 1/4" = 1'-0"



GENERAL INFORMATION

CONSTRUCTION TYPE: TYPE 5B / COMBUSTIBLE / LOAD BEARING WOOD STRUCTURE
 FIRE PROTECTION: NO REQUIRED / NOT PROVIDED
 BUILDING CODE USE GROUP: "MERCANTILE" = M
 TOTAL SQ. FTG. = 3,600
 NEW 2" x 4" NON LOAD BEG. WOOD STUD WALL WITH DRYWALL EACH SIDE SOUND INSULATION BETWEEN WALLS (CMU = 5")

NOTES:

- ALL EXISTING DOORS TO BE REVIEWED AND CHANGES MADE TO PROPERLY SECURE. SECURITY SHUTTERS INSTALLED WHERE APPLICABLE.
- ALL EXISTING WINDOW OPENINGS TO RECEIVE SECURITY SHUTTERS ON INTERIOR SIDE.
- ** THESE DOORS NEED TO ALLOW FOR EGRESS / EXIT PATH IN THE EVENT OF EMERGENCY
- ① NEW RIGHT SWING, 3' WIDE DOOR, PRIVACY LOCK, DOOR CLOSURE
- ② NEW RIGHT SWING, 3' WIDE DOOR, KEYED LOCK, DOOR CLOSURE

DRAWN	
CHECKED	
REVISED DATE	
DATE	3/4/19

GAZALL, LEWIS & ASSOCIATES ARCHITECTS, INC.
 MOTT FOUNDATION BUILDING
 503 SOUTH SAGINAW STREET SUITE 100
 FLINT, MICHIGAN 48502

• PHONE (810) 236-4691
 • FAX (810) 236-5191
 • GAZALL-LEWIS.COM



NEW DEVELOPMENT FOR
TITAN PROPERTIES
 M-72, ACME, MI

COMMISSION
 1902

SHEET

A2.0

GAZALL

Shawn Winter

From: Kathy Fordyce <kfordyce@gtmetrofire.org>
Sent: Thursday, March 21, 2019 10:36 AM
To: Shawn Winter
Subject: RE: Fire Review

Hello Shawn,

As far as a site plan goes, as long as they aren't changing our access they don't need a site plan from us. They may need building plan reviews from the county and from us for the interior work though.

Kathy

Kathy Fordyce
Fire Inspector II / Fire Plans Examiner
Grand Traverse Metro Fire Dept.

TX: 231-947-3000 X 1236
FX: 231-947-8728

From: Shawn Winter [mailto:swinter@acmetownship.org]
Sent: Thursday, March 21, 2019 8:31 AM
To: Kathy Fordyce
Subject: Fire Review

Good morning, Kathy.

I have an applicant applying for site plan review. They intend to use the former retail space occupied by The Saddlery at 4144 M-72 as a medical marihuana provisioning center. They will not be making any changes to the outside of the building, just some minor renovations to the interior. Since this was a retail space and will be occupied, technically, by another retail space, will Metro need to perform a review?

Thanks!

Shawn Winter
Planning & Zoning Administrator
Acme Township
6042 Acme Rd | Williamsburg, MI | 49690
Phone: 231.938.1350 Fax: 231.938.1510
swinter@acmetownship.org

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**ACME TOWNSHIP ZONING ORDINANCE
AMENDMENT 037
ARTICLE XIX – PLANNED DEVELOPMENT**

ARTICLE XIX: PLANNED DEVELOPMENT

19.1 INTENT AND PURPOSE

- a. The Planned Development (PD) option is intended to allow, with Township approval, private or public development which is consistent with the goals and objectives of the Township Master Plan and Future Land Use Map.
- b. The development allowed under this Article shall be considered as an optional means of development only on terms agreeable to the Township.
- c. Use of the PD option will allow flexibility in the control of land development by encouraging innovation through an overall, comprehensive development plan to provide variety in design and layout; to achieve economy and efficiency in the use of land, natural resources, energy and in the provision of public services and utilities; to encourage useful open spaces suited to the needs of the parcel in question; to provide proper housing including workforce housing; ~~and~~ or to provide employment, service and shopping opportunities suited to the needs of the residents of the Township.
- d. It is further intended the PD may be used to allow nonresidential uses of residentially zoned areas; to allow residential uses of nonresidential zoned areas; to permit densities or lot sizes which are different from the applicable district and to allow the mixing of land uses that would otherwise not be allowed; provided other community objectives are met and the resulting development would promote the public health, safety and welfare, reduce sprawl, and be consistent with the Acme Township Community Master Plan and Future Land Use Plan Map.
- e. It is further intended the development will be laid out so the various land uses and building bulk will relate to one another and to adjoining existing and planned uses in such a way that they will be compatible, with no material adverse impact of one use on another.
- f. The number of dwelling units for the PD development shall not exceed the number of dwelling units allowed under the underlying Zoning District, unless there is a density transfer approved by the Township.

19.2 DEFINITIONS

Planned Development (PD): means a specific parcel of land or several contiguous parcels of land, for which a comprehensive physical plan meeting the requirements of this Article, establishing functional use areas, density patterns, a fixed network of streets (where necessary) provisions for

public utilities, drainage and other essential services has been approved by the Township Board which has been, is being, or will be developed under the approved plan.

19.3 CRITERIA FOR QUALIFICATIONS

To qualify for the Planned Development option, it must be demonstrated that all of the following criteria will be met:

- a. The properties are zoned R-1, R-2, R-3, A-1, MHN, C, CF, or B-4 Districts.
- b. The use of this option shall not be for the sole purpose of avoiding the applicable zoning requirements. Any permission given for any activity, building, or use not normally allowed shall result in an improvement to the public health, safety and welfare in the area affected.
- c. The PD shall not be used where the same land use objectives can be carried out by the application of conventional zoning provisions or standards. Problems or constraints presented by applicable zoning provisions shall be identified in the PD application.
- d. The PD option may be effectuated only when the proposed land use will not materially add service and facility loads beyond those considered in the Township Master Plan, and other public agency plans, unless the proponent can prove to the sole satisfaction of the Township that such added loads will be accommodated or mitigated by the proponent as part of the PD.
- e. The PD shall not be allowed solely as a means of increasing density or as a substitute for a variance request; such objectives should be pursued through the normal zoning process by seeking a zoning change or variance.
- f. The PD must meet, as a minimum, five (5) of the following nine (9) objectives of the Township. If the PD involves a density transfer it shall include objective f(9) in addition to its five (5) objectives.
 1. To permanently preserve open space or natural features because of their exceptional characteristics, or because they can provide a permanent transition or buffer between land uses.
 2. To permanently establish land use patterns which are compatible, or which will protect existing or planned uses.
 3. To accept dedication or set aside open space areas in perpetuity.
 4. To provide alternative uses for parcels which can provide transition buffers to residential areas.
 5. To promote the goals and objectives of the Township Master Plan.

6. To foster the aesthetic appearance of the Township through quality building design and site development, provide trees and landscaping beyond minimum requirements; the preservation of unique and/or historic sites or structures; and the provision of open space or other desirable features of a site beyond minimum requirements.
7. To bring about redevelopment of sites where an orderly change of use or requirements is determined to be desirable.
8. To promote the goals and objectives of the Acme Township Placemaking Plan and the US-31 and M-72 Business District zoning.
9. To promote sustainable development especially on parcels with active farmland and orchards as defined by MCL 324.36201 (h), or on parcels that contain unique cultural, historical or natural features which should be preserved.

19.4 USES PERMITTED

- a. A land use plan shall be proposed for the area to be included within the PD. The land use plan shall be defined primarily by the Township Zoning Ordinance Districts that are most applicable to the various land use areas of the PD.
- b. Uses permitted and uses permitted subject to Special Use Permit approval in this Ordinance may be allowed within the districts identified on the PD plan, except that some uses may be specifically prohibited from districts designated on the PD plan. Alternatively, the Township may allow uses not permitted in the district if specifically noted on the PD plan. Conditions applicable to uses permitted subject to Special Use Permit approval shall be used as guidelines for design and layout but may be varied by the Planning Commission provided such conditions are indicated on the PD plan.

19.5 HEIGHT, BULK, DENSITY AND AREA STANDARDS

The standards about height, bulk, density, and setbacks of each district shall be applicable within each district area designated on the plan except as specifically modified and noted on the PD plan.

19.6 DENSITY TRANSFER

Acme Township encourages flexibility in the location and layout of development, within the overall density standards of this Ordinance. The Township therefore will permit residential density to be transferred from one parcel (the "sending parcel") to another (the "receiving parcel"), as provided below. For purposes of this Section, all sending parcel(s) and receiving parcel(s) shall be considered together as one PD parcel.

- a. All density transfers require a Special Use Permit approved by the Township Board, upon the recommendation of the Planning Commission, as part of a PD application. A Special Use Permit application for a density transfer shall be submitted and include:
 1. Signatures by the owners (or their authorized representatives) of the sending and receiving parcels.

2. A proposed development plan (subdivision and/or site plan) for the receiving parcel.
 3. Density calculations for both the sending and receiving parcels.
- b. Upon receipt of a Special Use Permit application for a density transfer the Township shall determine:
1. The number of allowable dwelling units permitted on the receiving parcel(s) based on the current zoning classification.
 2. The number of eligible dwelling units allowed to be transferred to the receiving parcel(s). The transferred dwelling units shall not increase the allowable density by more than 50%.
 3. The number of allowable dwelling units permitted on the sending parcel(s) based on the current zoning classification.
 4. The number of eligible dwelling units allowed to be transferred from the sending parcel(s).
- c. The Township Board, upon recommendation from the Planning Commission, may grant a Special Use Permit allowing the transfer to the receiving parcel(s) of some or all of the allowable residential dwelling units from the sending parcel(s) only if it finds that all of the following have been satisfied:
1. The sending parcels dwelling unit transfers are actual available dwelling units considering all limitations, including wetlands, and those units are documented.
 2. The addition of the transferred dwelling units to the receiving parcel will not increase the maximum allowable density by more than 50%.
 3. The addition of transferred dwelling units ~~and~~ will not adversely affect the area surrounding the receiving parcel.
 4. The density transfer will benefit the Township by protecting developable land with conservation value on the sending parcel(s).
 5. The density transfer will be consistent with the sending and receiving zones designated on the Dwelling Unit Density Transfer Map. Exception may be granted by Township Board, upon the recommendation of the Planning Commission, to allow a density transfer FROM a receiving zone TO a receiving zone, ~~or FROM a sending zone TO a sending zone~~ if:
 - a) The sending parcel(s) is deemed to contain unique natural, cultural, or historical features which should be preserved

- b) The density transfer to the receiving parcel will not place an undue hardship or strain on the Township infrastructure
 - c) The density transfer is in accordance with the Intent and Purpose of this Article
6. The parcel(s) receiving the density transfer will not exceed the land development build out (buildings, parking, setbacks, open space, etc.) prescribed by the Zoning District of the property unless waived by the Planning Commission and Township Board.
7. Sending parcel(s) satisfying the requirements this section shall be executed and recorded in the office of the Grand Traverse County Register of Deeds, reducing the number of dwelling units allowed to be constructed on the sending parcel(s) by the number of dwelling units transferred. This reduction in density shall not prevent the owner(s) of the sending parcel(s) from developing the remaining allowable dwelling units under either an open space or conventional development plan, provided that all open space requirements are satisfied. The land area subject to the land transfer will remain perpetually in an undeveloped state by means of a conservation easement, ~~plat dedication~~, or other legal means that runs with the land, as prescribed by the Township Zoning Ordinance, and approved by the Township.

Figure 19.1: Dwelling Unit Density Transfer Map

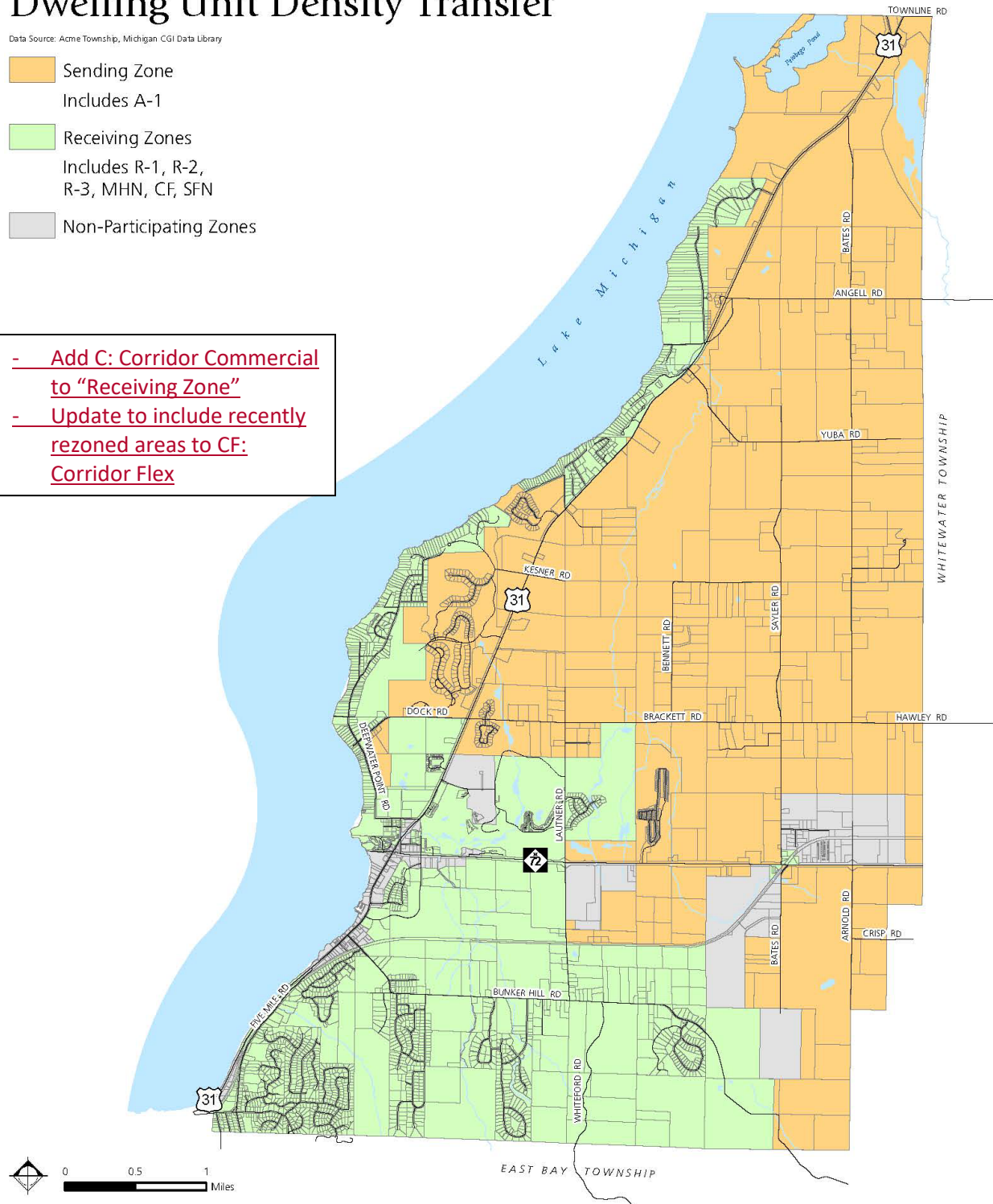
ACME TOWNSHIP

Dwelling Unit Density Transfer

Data Source: Acme Township, Michigan CGI Data Library

- Sending Zone
Includes A-1
- Receiving Zones
Includes R-1, R-2,
R-3, MHN, CF, SFN
- Non-Participating Zones

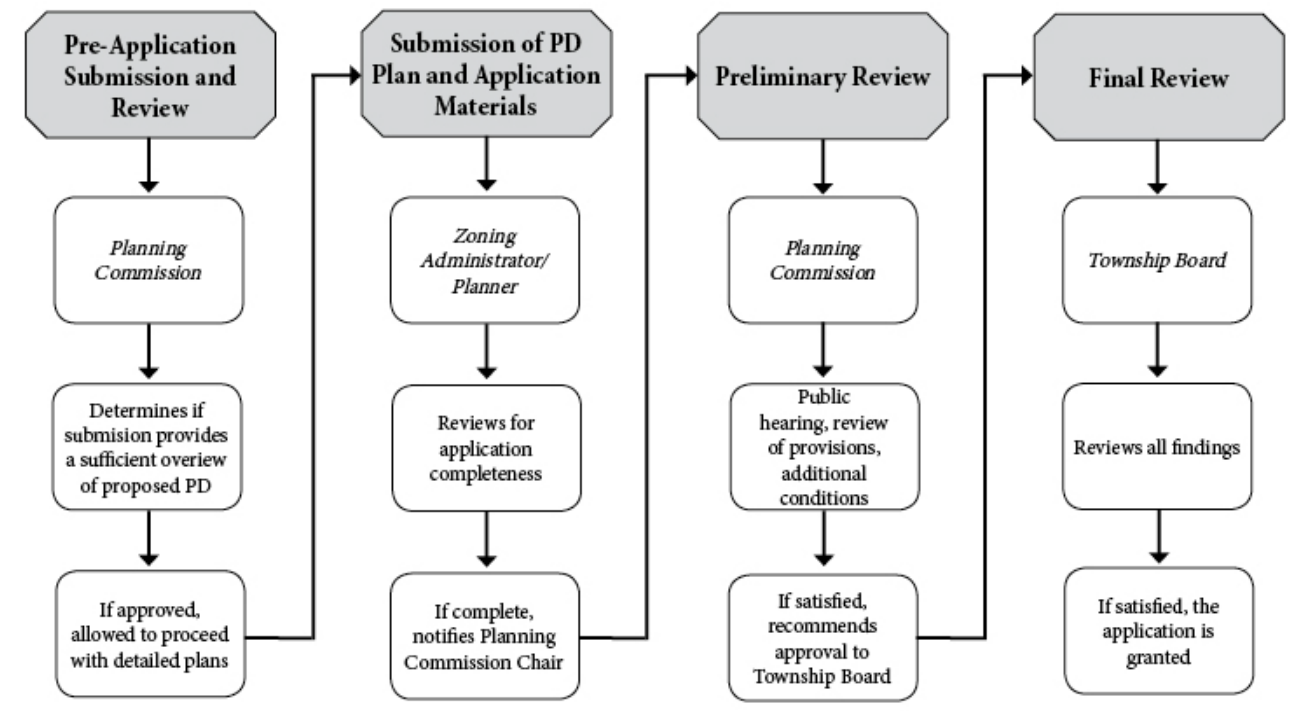
- Add C: Corridor Commercial
to "Receiving Zone"
- Update to include recently
rezoned areas to CF:
Corridor Flex



19.7 PLANNED DEVELOPMENT APPLICATION SUBMISSION AND REVIEW PROCEDURES

The PD application submission and review procedures follow four (4) primary steps: 1) pre-application submission and review, 2) submission of PD plan and application materials, 3) preliminary review and **recommended approval or denial** of the PD, and 4) final review and approval **or denial** of the PD. This procedure is illustrated in the Figure 19.2~~1~~ and elaborated upon in the following subsections. A PD plan involving a density transfer shall have the transfer approved through a Special Use Permit as outlined in Section 19.6 after the pre-application submission and review step.

Figure 19.2: Planned Development Application Submission and Review Process



19.7.1 PRE-APPLICATION SUBMISSION AND REVIEW

- a. Any person owning or controlling land in the Township may make application for consideration of a PD. Such application shall be made by presenting a request for a preliminary determination to whether a parcel qualifies for the PD option.
- b. The request shall be submitted to the Township and the submission shall include the information required below.
 1. Proof the criteria set forth in the Criteria for Qualification section above, are or will be met.
 2. A schematic land use plan containing enough detail to explain the role of open space; location of land use areas, streets providing access to the site, pedestrian and vehicular circulation within the site; dwelling unit density and types; and buildings or floor areas contemplated, as applicable.

3. A plan to protect natural features or preservation of open space or greenbelts.
 4. A storm water management plan incorporating low impact development (LID) water quality technologies, such as, but not limited to, rain gardens, rooftop gardens, vegetated swales, cisterns, permeable pavers, porous pavement, and filtered storm water structures.
 5. The Planning Commission shall review the applicant's request for qualification. If approved, the applicant may then continue to prepare a PD Plan on which a final determination will be ~~determined made~~. ~~An approved request for qualification is not a guarantee for final PD approval.~~
- c. Based on the documentation presented, the Planning Commission shall make a preliminary determination about whether a parcel(s) qualifies for the PD option under the Criteria for Qualification in Section 19.-3. If approved, the applicant may then continue to prepare a PD plan on which a final determination will be made. An approved request for qualification is not a guarantee for final PD approval.

19.7.2 SUBMISSION OF PLANNED DEVELOPMENT PLAN AND APPLICATION MATERIALS

The application, reports, and drawings shall be filed in paper and digital format. All drawings shall be provided to the Township on 24" x 36" prints in AutoCad™, MicroStation, or similar site civil / architectural drawing format requested by the Planning Commission. Other graphics and exhibits, text and tabular information shall be provided in Adobe Acrobat™ "pdf" format. All drawings shall be created at a scale not smaller than one (1) inch equals one hundred (100) feet, unless otherwise approved by the Township.

- a. A proposed PD plan application shall be submitted to the Township for review that contains the following:
1. A boundary survey of the exact acreage prepared by a registered land surveyor or civil engineer.
 2. A topographic map of the entire area at a contour interval of not more than two feet. This map shall show all major stands of trees, bodies of water, wetlands and unbuildable areas
 3. A proposed development plan showing the following, but not limited to:
 - a) Land use areas represented by the Zoning Districts listed as A-1, R-1, R-2, R-3, MHN, C, CF, or B-4 of this Ordinance.
 - b) ~~Vehicular-A~~ circulation plan –including vehicular circulation patterns, major drives and location of vehicular access, parking areas, non-motorized circulation patterns, pedestrian and bicycle facilities, including and cross sections of public and private streets ~~or private places~~.

- c) Transition treatment, including minimum building setbacks to land adjoining the PD and between different land use areas within the PD.
 - d) The general location of nonresidential buildings and parking areas, estimated floor areas, building coverage and number of stories or height.
 - e) The general location of residential unit types and densities and lot sizes by area.
 - f) The general location and type of all Low Impact Development (LID) storm water management technologies.
 - g) Location of all wetlands, water and watercourses, proposed water detention areas and depth to groundwater.
 - h) The boundaries of open space areas that are to be preserved or reserved and an indication of the proposed ownership.
 - i) A schematic landscape treatment plan for open space areas, streets and border/transition areas to adjoining properties.
 - j) A preliminary grading plan, showing the extent of grading and delineating any areas, which are not to be graded or disturbed.
 - k) A public or private water distribution, storm and sanitary sewer plan.
 - l) Elevations of the proposed buildings using durable and traditional building materials shall be used. Materials such as exterior insulation finish system (EIFS), fluted concrete masonry units, concrete panels, panel brick, vinyl siding (?) and scored concrete masonry unit block are not considered durable and traditional building materials.
 - m) A written statement explaining in detail the full intent of the applicant, showing dwelling units types or uses contemplated and resultant population, floor area, parking and supporting documentation, including the intended schedule of development.
- 4. A market study, traffic impact study, and /or environmental impact assessment, if requested by the Planning Commission or Board of Trustees.
 - 5. A pattern book or design guidelines manual if requested by the Planning Commission or Board of Trustees.
- b.** The Township Zoning Administrator and/or Planner will review the PD plan application for completeness. Once deemed complete, the Township Zoning Administrator and/or Planner shall notify the Planning Commission Chair who will place the application on the agenda for a preliminary review by the Planning Commission.

19.7.3 PRELIMINARY REVIEW AND APPROVAL OF PLANNED DEVELOPMENT

Planning Commission Review of Proposed PD Plan:

- a. Upon notification from the Township Zoning Administrator and/or Planner of a complete PD plan application, the Planning Commission shall review the proposed PD plan and make a determination about the proposal's qualification for the PD option and for adherence to the following objectives and requirements:
 1. The proposed PD adheres to the conditions for qualification of the PD option and promotes the land use goals and objectives of the Township.
 2. All applicable provisions of this Article shall be met. If any provision of this Article shall be in conflict with the provisions of any other ~~section~~ Section of this Article, the provisions of this Section shall apply to the lands embraced within a PD area.
 3. There will be at the time of development, an acceptable means of disposing of sanitary sewage and of supplying the development with water and the road network, storm water drainage system, and other public infrastructure and services are satisfactory.
- b. The Planning Commission shall hold a public hearing on the PD plan and shall give notice as provided in Section 9.1.2(c).
- c. After the public hearing and review, the Planning Commission shall report its findings and recommendations to the Township Board.

19.7.4 FINAL REVIEW AND APPROVAL OF PLANNED DEVELOPMENT

- a. On receiving the report and recommendation of the Planning Commission, the Board shall review all findings. If the Board shall decide to grant the application, it shall direct the Township attorney to prepare a PD contract setting forth the conditions on which such approval is based. Once the PD contract is prepared it shall be signed by the Township and the applicant.
- b. The ~~agreement~~ PD contract shall become effective on execution after its approval. The ~~agreement~~ PD Contract shall be recorded at the Grand Traverse County Register of Deeds' office.
- c. ~~Once an area has been included with~~ in a plan ~~for under a PD contract and the Township Board has approved such plan~~, no development may take place in such area nor may any use of it be made except under such plan-PD contract or under a Board-approved amendment, unless the plan-PD contract is terminated.
- ~~e.~~ There may need to be clarity in the procedure for amending the PD contract. It is silent on whether the Planning Commission weighs in on the request. Perhaps it should follow the same procedures as a minor/major amendment.

- d. An approved plan under a PD contract may be terminated by the applicant or the applicant's successors or assigns, before any development within the area involved, by filing with the Township and recording ~~in-at~~ the Grand Traverse County Register of Deeds an affidavit so stating. The approval of the plan under the PD contract shall terminate on such recording.
- e. No approved plan under a PD contract shall be terminated after development begins except with the approval of the Board and of all parties in interest in the land.
- f. Within one year following execution of the PD contract by the Township Board, final plats or site plans for an area embraced within the PD must be filed as provided. If such plats or plans have not been filed within the one-year period, the right to develop the approved plan under the ~~PD contract~~approved plan shall be automatically terminated unless an extension is requested in writing by the applicant and authorized by the Township Board. The Township Board may authorize an extension of up to one (1) year.
- g. The termination of a PD contract involving a density transfer shall nullify the transaction and all transferred densities shall return to the original sending parcel(s). The return of the transferred densities shall be recorded at the Grand Traverse County Register of Deeds' office.

19.8 SUBMISSION OF FINAL PLAT, SITE PLANS; SCHEDULE FOR COMPLETION OF PLANNED DEVELOPMENT

Before any permits are issued for the PD, final plats or site plans and open space plans for a project area shall be submitted to the Township for review and approval by the Planning Commission, and where applicable the Township Board, of the following:

- a. Review and approval of site plans shall comply with Article VIII: Site Plans, as well as this Section except as otherwise modified in the approved ~~plan~~ and PD contract. ~~Review and approval of plats shall comply with Section 5.7 of Article V: Zoning Board of Appeals of the Township Zoning Ordinance as well as the requirements of this Section.~~
- b. Before approving of any final plat or site plan, the Planning Commission shall decide that:
 1. All portions of the project area shown on the approved plan for the PD for use by the public or the residents of lands within the PD have been committed to such uses under the PD contract;
 2. The final plats or site plans are in conformity with the approved contract and plan for the PD;
 3. Provisions have been made under the PD contract to provide for the financing of any improvements shown on the project area plan for open spaces and common areas which are to be provided by the applicant and that maintenance of such improvements is assured under the PD contract.

4. If development of approved final plats or site plans is not substantially completed in three years after approval, further final submittals under the PD shall stop until the part in question is completed or cause can be shown for not completing same.
- c. The applicant shall be required, as the PD is built, to provide the Township with “as built” drawings in both paper and digital format following the same provisions outlined in Section 19.7.

19.9 FEES

Fees for review of PD plans under this Section shall be established by resolution of the Township Board.

19.10 INTERPRETATION OF APPROVAL

Approval of a PD under this Section shall be considered an optional method of development and improvement of property subject to the mutual agreement of the Township and the applicant.

19.11 AMENDMENTS TO PLANNED DEVELOPMENT PLAN

Proposed amendments or changes to an approved PD plan shall be presented to the Planning Commission following the same procedures for amending a Special Use Permit outlined in Section 9.1.4. The Planning Commission shall decide whether the proposed modification is of such minor nature as not to violate the area and density requirements or to affect the overall character of the plan, and in such event may approve or deny the proposed amendment. If the Planning Commission decides the proposed amendment is material in nature, the Planning Commission and Township Board shall review the amendment under the provisions and procedures of this Article as they relate to final approval of the PD.