



**ACME TOWNSHIP PLANNING COMMISSION MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
7:00 p.m. Monday, August 29, 2005**

Meeting called to Order 7:00 p.m.

- Members present:** O. Sherberneau (Chair), B. Carstens, C. David, D. Krause, J. Pulcifer, E. Takayama, M. Vermetten
Members excused: R. Hardin, D. Morgan
Staff present: S. Corpe, Office & Planning Coordinator/Recording Secretary
J. Hull, Zoning Administrator
J. Christopherson, Township Counsel
J. Iacoangeli, Consulting Planner

1. Consent Calendar:

Motion by Vermetten, support by David to approve the Consent Calendar as presented, including:

Receive and File:

- a) Draft unapproved minutes of the 08/09/05 Regular Board of Trustees Meeting
- b) Planning Commissioner's Journal Summer 2005

Action:

- c) Approve minutes of the 07/25/05 regular meeting
- d) Review and approve agenda, inquiry as to conflicts of interest: Approved with Takayama expressing a conflict of interest regarding Application #2004-9P, as he has done design work for Dale Hunter's personal residence for pay.

Motion carried unanimously.

2. Limited Public Comment: None

3. Preliminary Hearing:

- a) Application #2004-9P by Dental Arts/Dale Hunter, 8456 Elk Lake Road, Williamsburg MI, for SUP/Site Plan Approval for conversion of a single-family residence at 3635 Kirkland Court to a dental laboratory, said property being currently zoned B-1S, Business Shoreline District: Josh Standfest of Elmer's Construction was present with Mr. Hunter in support of the application. The location is on a private drive just south of Bunker Hill Road. There is an existing residence built in 1954. Dental labs are a permitted use by SUP in the B-1S district. Dental Arts Laboratory produces dentures and similar products for use by dentists. Mr. Standfest has provided a copy of Michigan Public Health Code Section 333.16643, which states that a dental lab may not solicit walk-in business from the general public. This is important in light of the parking requirements for this use in conjunction with site development. The applicant has determined that there are no site modifications required to satisfy the Soil Erosion or Metro Fire Departments. He plans to update the exterior of the building and perhaps add a pitched roof at some point. A building of this size and use is required by the Zoning Ordinance to provide 6 parking spaces; the applicant is asking to be permitted to develop a maximum of 5 spaces. There are 3 full-time employees, and one space might be needed for deliveries, and there are currently five spaces available at the site. The ordinance also requires that a barrier-free parking space be provided, and barrier-free provisions are required for entrance

into the building by the Construction Code Department as well that will necessitate some interior and exterior remodeling. The applicant is also asking permission to retain the parking where it is in the front of the building, although the ordinance does not currently permit this type of development. The property is on a private road easement and other neighboring buildings have traditionally utilized parking in front.

Another facet of the application concerns landscaping. The ordinance requires enhanced landscaping when a commercial use abuts a business use. In this case, the site is naturally buffered in distance from the Scenic Hills subdivision uphill to the east by the railroad bed and the TART. The applicant is requesting permission to install 3 deciduous trees for their landscaping plan on the east side of the lot, which would provide some shielding for the residential uses and shade for TART users as well.

David asked Mr. Standfest to reconfirm some of the reasons why the applicant would like to provide 5 parking spaces instead of 6. Mr. Standfest stated that development of the extra space might cause some enhanced soil erosion requirements to come into effect, and might require infringement into the property setback area. There will be 1 full-time employee and 2 part-time employees, and as required by law there will be no walk-in traffic to and from the business. Jobs are picked up and delivered back to the requesting dentist's office. Krause stated that he believes there should be no problem with the reduction in parking request.

Krause asked if the barrier-free access will be through the existing breezeway. Mr. Standfest stated this to be the case, noting that the doorway will have to be widened to meet requirements.

Carstens asked Hull if additional parking or other requirements might come into play if the building were to be modified significantly. Hull stated that as far as parking is required, the ZBA has determined that a site modification does trigger the need to bring the site into conformance with current standards, including the requirement that parking be in the rear. If there is a significant modification to the site a new set of public hearings would be required; if the changes are more modest they could be handled as a minor change by the Board or an insignificant change administratively. Carstens expressed concerns about what would happen if Kirkland Court is paved in the future, and how water runoff would be affected. This road is a private drive and would be maintained by the people using it rather than the Road Commission. Anyone upgrading the road would need to get the appropriate permits from Soil Erosion and other agencies.

Motion by Vermetten, support by Pulcifer to set a public hearing regarding Application #2004-9P by Dental Arts/Dale Hunter, including the requested reduction in the number of parking spaces to 5 to be scheduled for the next regular meeting (September 26).

Motion carried by a vote of 4 in favor (Krause, Pulcifer, Sherberneau, Vermetten), 2 opposed (Carstens, David) and 1 abstaining (Takayama).

4. Continued Discussion/Deliberation:

- a) **Application #2004-3P by Meijer, Inc., 2929 Walker NW, Grand Rapids MI 49544 for SUP/Site Plan Approval for development of a 232,360 sq. ft. grocery/general merchandise store, 2,400 sq. ft. convenience store with 10 gas pumps, and 100,041 sq. ft. of additional commercial space on property located at 5896 Lautner Road (the southeast corner of M-72 East and Lautner Road) and currently zoned B-3, Planned Shopping Center:** Sherberneau asked Iacoangeli to

make his report, which began with a status update. The site plan has been redrawn to remove the proposed gas station somewhat from the M-72/Lautner Road corner and provide for enhanced landscaping around it. A technical meeting was held between the applicant, township, MDOT and Road Commission representatives earlier today, at which it was agreed that more detailed information about the proposed uses in the approximately 100,000 sq. ft. of non-Meijer uses to permit refinement of the traffic study by URS prior to MDOT/Road Commission review. The site plan may also be amended to reflect space needed for anticipated widening of M-72 and Lautner Road to accommodate the increases in traffic flow the project would engender. Iacoangeli suggested that discussion this evening should focus around a list of issues that should be heard by the ZBA which has been prepared by Christopherson, general site development issues and concerns, next steps for the review and marketing as it relates to the proposed gas station and revisions to the original marketing study by Anderson Economic Group (AEG) that have been made.

First for discussion was the traffic model. URS is the applicant's traffic consultant. They used a specialized software product to predict peak AM and PM traffic flows. They were then asked to amplify the traffic study to encompass potential flows from both the proposed Lautner Commons and Village at Grand Traverse (VGT) projects. Due to recent court decisions, which are subject to an appeals process, there is uncertainty about whether or not the VGT will be developed and if so in what form. Therefore Iacoangeli is proposing that the Commission consider traffic issues in light of the current application only.

During this afternoon's meeting, there was much discussion about the potential uses for the outbuildings. Different uses generate different traffic flows and patterns, and different mixes of uses will provide varying overall projection results. ITE (Institute of Transportation Engineers) has a detailed and well-researched listing of the traffic generation characteristics of various land uses. One of the listed uses is a mixed-use shopping center (category 820). However, the traffic flows from this are about one-third as intense and they would be if a third or even more of the outlots were used for sit-down or fast-food restaurants. There has to be some understanding of the permitted mix of uses or significant traffic problems could develop in the future. If the applicant would like to assume a certain trip generation category, he would recommend a specific condition in any resulting SUP that any mix of uses that would provide for more intense traffic flows than the category used could not occur without a new traffic assessment being performed and reviewed as part of a new SUP request. Sherberneau asked if the township has the ability to control the types of uses allowed on a site; Iacoangeli stated that the township absolutely has the right to attach such conditions.

Tim Stoecker, attorney for Meijer, Inc. agreed with Iacoangeli's summary of the situation and handed out a copy of the ITE section for Code 820, Shopping Centers. He stated that the applicant has submitted to an enhanced traffic study submittal for review within the next 2 to 4 weeks. The applicant cannot predict the mix of uses that will eventually occur, and recognizes that at this time they are looking for SUP approval for the overall plan and Site Plan approval for the Meijer store. As each new use is ready to develop on the site it would seek Site Plan approval, and traffic study information would be provided to compare the proposed use to the initial projections and to the Code 820 standard. The current revised traffic study will also provide some indication of road improvements that might handle the new flows and how the costs of these improvements would be paid. As each new mix enters the use the whole, the sum of the traffic impact would not exceed that for Code 820.

Mr. Stoecker stated that he would not agree that each use would require an SUP, just

a Site Plan review. Christopherson stated that to him this would depend on how the SUP under consideration is granted. If the applicant is not willing to commit to a specific mix of uses at this time, he feels that subsequent processes would have to be more than just a site plan review process. Iacoangeli noted that the Planned Shopping Center section of the ordinance states that the proposed uses for the site must be clearly identified as part of the application; if the applicant is saying that they cannot identify those uses now and wishes to be flexible depending on market forces, some higher level of review would still be required at later stages. Mr. Stoepker stated that neither the applicant nor the township would be well-served by having a site that is not safely and effectively accessible. Iacoangeli suggested that perhaps a standard for judging traffic effects would be that a certain level of service (LOS) must be maintained at final buildout, and if the LOS would drop below the determined point additional improvements to meet the required LOS would be made. Mr. Stoepker suggested that any level above the non-functional "F" should be acceptable; Iacoangeli suggested that the details can be hammered out by legal counsel for both sides when the SUP document is developed.

Iacoangeli turned to the market studies submitted, and summarized the differences between the initial report and the revised one submitted 6 weeks. Between the first and second versions, the amount of retail space the regional market could absorb jumped from 800,000 sq. ft. to slightly over 1 million. Between versions the amount of space for specific uses (general grocery, garden center, and gas station) also increased. This leads to a question in his mind as to why the figures and allocations could increase significantly between versions. He noted Hull's detailed study of local gas station prices and discussion of market forces. Iacoangeli recommended that based on the original market study it is not proven that an additional gas station is warranted and supportable, would not have a negative impact on the local market and should be approved for this site. He noted that in 1999 the Meijer application submitted was for a store of around 150,000 sq. ft. and now it is approximately 232,000 sq. ft. He believes there should be some discussion for the record by Meijer of the reasons why this increase has occurred.

Mr. Stoepker stated that the store reviewed in 1999 and referred to in the Town Center Report of the Master Plan was 157,000 sq. ft. of general retail space plus a 32,400 sq. ft. garden center area, so combined the space was approximately 190,000 sq. ft. which is much more comparable to the requested total of 232,000 sq. ft. In 1999 a gas station/convenience store was also requested. Mr. Scott Nowakowski, Meijer, Inc. stated that in 1999 his company was trying out a new store design. After building a few the company found that the smaller format could not compete in the modern superstore marketplace, and the format was abandoned. Stores still under construction at that size were halted, and those built were upsized within a year. Mr. Nowakowski does not believe that the store on this side of town need be as large as the store in Garfield Township, which is over 290,000 sq. ft including the garden center.

Carstens noted that Oleson's is proposing a store in East Bay Township, and that this store would occupy the 28,000 sq. ft. of general grocery space that the first version of the market study said the area could absorb. Oleson's is a popular local grocery chain, and he wonders whether the Meijer store would depend on shoppers from outlying areas such as Kalkaska or Torch Lake to support it. There is already a Tom's in Acme. Carstens questions whether a new grocery store or gas station is needed in Acme. Mr. Stoepker found it interesting that Oleson's would be proposing to build a store in East Bay Township and are undeterred by the common knowledge that a Meijer has asked to develop in Acme Township. He also stated that the initial market study was "conservative" and did not incorporate the expectation that some of the

people shopping at the Garfield Township Meijer will choose not to cross town and would switch to a store on this side of town. He stated that AEG gave an explanation of why they tend to provide conservative reports, and gave again the brief timeline of Meijer's ownership of the Acme property since 1990, initial development application in 1999, proposed relocation to the VGT in 2004 and the current application. No economic analysis refuting the applicant's has been presented. Projected development costs are \$15 million and seems unlikely that Meijer would choose to spend this sum to fail. Mr. Stoepker referred to a passage in the Master Plan that discusses a Meijer plus a 2,400 sq. ft. convenience store.

Mr. Stoepker read Hull's report, and stated that he was at time confused by it. There are 2 stations in Acme Township. Hull's study is regional in nature and notes that several gas stations in the area have ceased operations, but the reasons are unknown. Mr. Stoepker speculated that in some cases it was due to the change from gas stations with on-site mechanics being common to mechanics being located elsewhere, and that in some cases it was due to site contamination/underground tank replacement issues. He is concerned about the township "giving up some of its sovereignty" by deciding what can or can't be built in the township based on what exists outside of the township. Iacoangeli countered by stating that the applicant's market study is based on the entire county, plus some outside areas and not just Acme. Mr. Stoepker recognized this point and restated his concern that by considering uses in other townships, Acme would be diluting its authority.

David noted Mr. Stoepker's repeated comments about the Town Center Report mentioning Meijer specifically. David believes that it was inappropriate to mention a brand-name, and speculated that if someone tried to say that the report specifically said there should not be a Meijer store there would be public outcry. He believes that arguments about mention of the Meijer in the Master Plan should not be a factor. Messrs. Stoepker and Nowakowski stated that the Master Plan should be considered to be calling for a supercenter. Carstens stated that the plan does not call for development of a gas station, and a brief but unfinished debate about the language and concepts of the Master Plan ensued. Takayama stated that the Master Plan is, by its nature, a broad vision. The section of the plan being discussed was a history of the circumstances that were developing in 1999 and should not be necessarily taken as a statement of vision.

Takayama expressed his concerns about gas tanks being installed underground on the site in question, and about how they might essentially be afloat in the hydric soils. He is uncomfortable with the fact that nobody can guarantee that even with the advanced state of gas tank engineering there will not be a spill or other accident. Takayama also noted that he has read that Wal-Mart is testing some smaller store formats in smaller communities, and asked why Meijer isn't trying something similar. Mr. Nowakowski responded that it is far from proven that this format will be successful; perhaps if it takes off Meijer will develop similarly.

Pulcifer asked what information about gas tank safety systems could be provided. Mr. DeGood referred the Commission back to one of his previous letters from June which detailed the way gas tanks are engineered and designed to provide the maximum safety level. David stated a belief that the high water table on site provides additional and exceptional challenges to underground tank location; Mr. DeGood and Mr. Nowakowski denied this. They stated that the water table on the site is 7-8' below grade; Takayama and Carstens stated an impression that the actual average is approximately 3' below grade. Iacoangeli stated that the applicant has recognized that the site is a high water table area and that they will take extra precautions. Carstens stated that his concern is that if there is a leak, gas will not have far to travel

to reach the water table; Mr. Nowakowski expressed frustration and questioned whether the information submitted about the system design had actually been read. Mr. DeGood read from his letter in summary format. The tank may be submerged in the water table, and this may not be a unique or rare situation for gas stations. Perhaps it would be safer if tanks were above ground, but the state dictates that they all be buried.

Iacoangeli reminded the Commission that part of the SUP process is becoming comfortable with the market study and that the proposed improvements and uses are appropriate in terms of the Master Plan. What occurs on this site will impact how the township evaluates future applications, including VGT. He mentioned again that the question of how the two versions of the market study could vary significantly is something he has paused to consider. Is a gas station warranted or not? Do all Meijer properties have gas stations? Is it appropriate for one to be on the corner, or could it be located more centrally/in a less environmentally sensitive or challenging section of the site? The initial market study said that a new gas station could not be supported, but the second study said that 159,000 sq. ft. of gas station could be supported. Is one warranted or not? If warranted, should it be where proposed or relocated?

Carstens stated that he does not oppose a Meijer presence in the community, but he concerned about scale and the environment. He has not been convinced that Hull's study lacks merit.

Vermetten feels that Meijer is a "proven commodity" that will make marketable improvements. If a gas station will be part of the site, they must design the site in a way that enables them to compete effectively in the market environment. He read Hull's report twice but did not understand it. If a gas station in Blair Township fails because Meijer builds one that is more desirable to the market, that's the way the free market works. He does not oppose inclusion of a gas station on the site, and while he might prefer it to be located differently on the site he would not insist upon it. Hull asked what about his study was confusing; Vermetten feels that more information about the prices and availability of gas from areas such as Kalkaska, Elk Rapids or Rapid City, being directions from which business would likely come, more valuable.

Takayama believes the gas station is unneeded, and he would only consider approving it personally if it were located more internally on the site rather than being on the corner and serving as the welcoming feature to Acme. He thanked Hull for his analysis.

David asked Vermetten to restate his personal preferences for location of a gas station, and Vermetten confirmed his thoughts as being similar to Takayama's in this regard. He isn't sure that just because there's a gas station on the corner of their other sites it has to be done the same way this time, but he isn't necessarily opposed to it.

Pulcifer agreed with Vermetten's comments about the free market and Meijer's need to design in ways that will make them competitive in the market.

Krause stated that he has no objection to a gas station; his interest as is customary with all applications is the aesthetic and landscaping design. Mr. Nowakowski indicated he would appreciate working with Krause and utilizing his expertise in this regard.

A brief recess was called from 8:32 – 8:43 p.m.

Iacoangeli summarized that the majority of the Planning Commission is willing to

consider the gas station. He did hear some concerns about placement of the station that should be discussed. Mr. Stoepker read from the ordinance gas station site development requirements a statement that any gas station should have a main road as a boundary and should be located at the perimeter of a site and away from internal pedestrian pathways, having direct access to traffic arteries. (Section 8.6.3(2)) Vermetten noted that the proposed gas station site is accessible from M-72 via one of 2 driveways for the development from that roadway. There are 3 proposed access points to/from Lautner Road. Takayama felt that Section 8.6 refers to stand-alone gas stations; Mr. Stoepker read from the requirements for Planned Shopping Centers that stated that gas stations shall be developed according to Section 8.6 (Section 8.12.2(1)e). Iacoangeli noted that the requirements for a Planned Shopping Center say that a gas station on the site should be on a boundary but in a place not conflicting with pedestrian pathways, but it does not specify which boundary must be used.

Speaking to internal site pedestrian circulation, Mr. Stoepker stepped to the display site plan and pointed to the sidewalks in various portions of the site. He demonstrated how there are pedestrian routes to the gas station but it does not interfere with walkability between stores. Iacoangeli pointed to the proposed location of the gas station, which has been moved somewhat south of the corner, and suggested that it could be moved just a little bit further south to enhance clear sight areas for automobile traffic and provide an attractive corner for the community. Mr. Nowakowski stated that as proposed the canopy over the pumps would be about 300' from the M-72 roadway, and about 250' from the edge of the current right-of-way. Within this area he feels there would be scope for landscaping to satisfy the township. The adjacent M-72 curb cut is a right in-right out; heading back west out of the site would require using a different curb cut. Sherberneau feels that the gas station siting 300' from M-72 would be adequate.

Vermetten asked Corpe for a status update regarding the proposed M-72 Corridor Overlay District. Corpe reported that last year the Planning Commission forwarded the ordinance to the Board for adoption, but the Board sent it back with concerns. A public forum was held to gather input from the community last November, but this is the last thing that occurred. Corpe has been participating in the New Designs for Growth group working on a sample ordinance that could be used throughout the region and had hoped to coordinate with that effort, but it is moving very slowly. She now feels better about proceeding independently, particularly as the New Designs model is based on the proposed Acme Ordinance. In the meantime, the overlay district is not in effect. It would have required a 100' setback from the M-72 right-of-way for a building the size of the proposed gas station/convenience store.

Iacoangeli recommended reviewing the water table data to see if there are areas of the site where the water table would be somewhat lower and which might be somewhat better for the gas station.

Next month Iacoangeli suggests that it will be possible to discuss the traffic study. He noted that based on comments received last month Meijer has prepared a new proposed elevation. Mr. Nowakowski stated that the new proposal is essentially the exterior design proposed for a store in the VGT, but flipped end for end. There is an attempt to break up the horizontal lines of the building by using a non-linear front and cornice work at varying heights for definition. Entrance areas have taller glass features with hip roofing and canopies. There is provision for an area for shoppers to move or sit in front of the building with trees. The façade would be stamped to resemble brickwork. A decorative fence surrounds the garden center rather than a plain chain link fence.

Iacoangeli asked if some of the stores have windows, and noted that except for entryways there are no windows in the walls. He asked why. Mr. Nowakowski stated that this is the latest design, and that it is what it is. Iacoangeli believes that the new elevation is a definite improvement over the previous design submitted and thanked Meijer for providing in response to the feedback received. He did suggest that for a façade of about 500' in length some windows might be nice. Mr. Nowakowski stated that if there were window features they would be false windows. Mr. Stoepker stated that few stores these days use windows whether true, display or false.

Krause feels that the new design is a vast improvement. It is a very large building, and he feels that dark coloration will make it seem very large. He asked if a somewhat lighter color would be possible to make the building look smaller. Mr. Nowakowski stated that the color is painted on, and the print may be darker than the real color would be. He will see if he can provide a true color sample or what other colors are possible.

Iacoangeli stated that the reason why people across the nation are increasingly concerned about big-box stores is because they are often designed to look like a big box. He truly believes that windows would help to break up the long expanse of painted, cast concrete building. Vermetten believes that windows are not necessarily an aesthetic positive whether real or fake. The interior wall space is needed for offices and/or merchandising. Mr. Nowakowski also added that landscaping along the front of the building would help to break up the space. Iacoangeli noted that the trees won't always be in leaf, and in the winter or early spring the façade could look stark. He agreed with Krause about softening up the coloration. The new elevation is a great step forward, but he feels a little tweaking could still be done.

Iacoangeli noted that a boulevard entrance was proposed for the Commons from Lautner Road at a location that would match up to the proposed entrance to VGT. The boulevard is sinuous and does not center on the proposed Meijer store. He does feel that moving it north just slightly so that it is centered on the Meijer, which would strengthen the visual impact of the Meijer store, would be desirable. Since the VGT is in a fluid state at the moment, the boulevard on the west side of the street could be moved to match the Commons site. Mr. Stoepker stated that the current site plan was created to respond to Commission requests to match up entrances and pedestrian walkways, and expressed some respectful frustration with being asked to move it again. He noted that one cannot even drive directly from the entry boulevard to adjacent outlots; it is an unbroken 250' long entranceway. Iacoangeli's report noted that the VGT approval was set aside by the court and may be appealed; currently there are also negotiations underway. Since the Commons is likely to occur first, why not make it the standard by which additional and adjacent development occurs?

Sherberneau stated that he likes the boulevard as proposed. Krause would like to have the boulevard centered on the Meijer store. He noted that the location of the opposite VGT entrance was spaced based on the proposed location of a Meijer store on the west side of the street. This condition is now open for redesign. Mr. Nowakowski expressed doubt that the proposed change would be significant enough to really matter; Krause responded with a discussion of principles of architectural balance. Takayama agreed with Krause, stating that a few hundred feet does make a difference in term of walkability. He would favor having a boulevard centered on the building and extended all the way across the parking lot to the store. Mr. Nowakowski stated that it would be a significant inconvenience for Meijer guests, as well as from a snowplowing standpoint, to have the parking lot divided by the boulevard. Takayama disagreed, feeling that if there are a sufficient number of

passthrough areas it would work well, and that there is a through boulevard at the Crossings. Mr. DeGood noted that the boulevard at the Crossings divides areas of the overall development into smaller but relatively unbroken parking sub-areas.

Takayama also thanked Meijer for the new design. He counted 7 canopy trees along the front of a 500' long building, and that the plan shows the trees as being about 20' tall. Realistically the trees required by the ordinance are of a much smaller size, and it is unlikely that the trees Meijer would bring in would be 20' tall to start. Additional tree plantings would be suggested. Krause felt this could be discussed along with the landscaping for the gas station/convenience store. Sherberneau noted that this is a site plan issue that can be deferred until general site layout issues are resolved.

Takayama also suggested that the outlot stores could be arranged in a way that would seem more like a downtown area rather than being arranged in groups of 2. Iacoangeli felt that some flexibility could be employed to encourage the ability for development at the Commons to interrelate to potential development on the VGT site. He also recommended that these issues can be deferred to site plan approval.

David asked Iacoangeli to clarify his recommendation for centering the boulevard on the Meijer store. Iacoangeli replied that it is a matter of the aesthetic desirability of a certain amount of symmetry in design, and having people entering the boulevard seeing the Meijer and its wall sign head-on with the two entrances to either side. Mr. DeGood asked if it would be preferable to have the centerpiece of the structure be the wall signage, or to have it be the southern entrance to the building which is a key feature and currently directly across from the boulevard.

Vermetten expressed agreement with Sherberneau that a winding boulevard would be more attractive than most Meijer entrances. Aesthetics are largely a matter of personal taste. If the property owner wants the first feature noticed to be a dramatic entranceway, what is wrong with that?

Mr. Stoepker expressed appreciation for the issues checklist Iacoangeli prepared, and his understanding that at this point all issues on the first page are a "yes." On the second page the only outstanding issue is the façade color. The gas station is a "yes," with the caveat that before the next meeting the precise location of the gas station particularly in terms of water table throughout the site should be reviewed. The client expects to spend significant dollars during the next month on detailed traffic and road improvement engineering designs and needs to be based on reliable general approval of the plan. The applicant is hoping that at the September meeting the Planning Commission, after reviewing the traffic study and MDOT/Road Commission feedback, will be prepared to forward a recommendation to the Board of Trustees relative to the application.

Iacoangeli noted that some of the issues discussed by the Planning Commission require ZBA approval, and asked Christopherson how this should be handled. Christopherson noted that ZBA approval could be obtained before final Commission action or the Commission could make its recommendation contingent upon needed ZBA approvals. At this point it was noted that there was an outstanding issue regarding the parking lot lighting height. The ordinance contains no specific height limitations. At 32' tall poles lights would be needed every 3 rows; shorter poles would require more poles. Mr. DeGood stated that taller lights will provide more even distribution of light across the total surface at ground level. Iacoangeli stated that lower lights lower the wattage of the bulbs and meets dark sky requirements better. Mr. Nowakowski asked if we want a "forest of lightpoles;" Iacoangeli felt that this would be fine if dark sky principles are enhanced. Krause feels that 32' tall poles

will allow for trees in the islands that would not absorb the lights. Mr. DeGood stated that some lights are in islands, but some would be outside of them. David stated that this does not address the key question of light spilling over into the night sky.

The applicant indicated it would aim for a ZBA hearing in October with regard to the ability to use metal halide lighting rather than high-pressure sodium as required by the ordinance. There is no height limitation in the ordinance so no variance is needed in this regard. Carstens recommended consulting with Jerry Dobek, a recognized dark sky expert, as to what would be best. Mr. DeGood noted that either way the dark sky standard would be met. Meijer has agreed to prepare a comparative analysis of the photometrics between 22' and 32' poles.

Motion by Vermetten, support by Takayama to continue discussion of Application #2004-3P to the September meeting, at which time final traffic study information should be available, review of the gas station location relative to the water table should be complete, a comparative photometric study will be prepared and detailed landscaping plans prepared for phase 1 site plan approval (the Meijer store and gas store/convenience station).

Carstens asked if the contents of the motion would preclude discussion of other issues at the next meeting.

Motion carried unanimously.

Carstens asked if he heard someone say that VGT is “back on the table.” Nobody recalled such a statement being made. Iacoangeli stated that due to the current status of the VGT, the location of the boulevard does not depend on the VGT plan, but the location of entrance to VGT could depend on the Commons plan. Carstens feels that the “ethos of the Master Plan” was to concentrate development in one central location rather than allowing it to spread along M-72. He is concerned about how sewage will be handled, and how extending sanitary sewer to the Meijer site will impact the rest of the M-72 corridor. He feels there is a “schizophrenic” quality to the Master Plan in this regard. He is concerned that the detention ponds are undersized, but was assured that they have always been designed at a 100-year storm size which allayed his fears.

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

Noelle Knopf, 5795 US 31 North, asked Iacoangeli if adding windows to the store would conflict with the desire to control the outflow of light from the building. Sherberneau noted that it was agreed that no windows would be added.

Lewis Griffith, 5181 Lautner Road, felt that Takayama was concerned about moving a boulevard a few hundred feet, but was also concerned about creating walkability. If people will be deterred from walking around by a distance of an extra 100', he finds this ridiculous.

Dan Hanna, 7239 Lautner Road found it interesting that some of the Commissioners supportive of the Master Plan to a level of religious zeal seem now to be saying that perhaps the plan should be rewritten to be more reflective of community desires.

Margy Goss asked about the proposed amendment to the Master Plan that would add an Agricultural Preservation Area map and a significant amount of new text to the plan. She knows that the date set for the discussion is September 15, but the Planning Commission could rule on the matter that night. She feels that it might be important to have more than one meeting for community discussion and to see how everyone feels. She is concerned that agricultural preservation is being “enshrined” by the changes, but she is uncertain that everyone who is currently a farmer wants to remain a farmer. She realizes that the community

wants to preserve open space and beautiful scenery, but she also wants recognition that there is need for a stronger tax base. Otherwise she fears that existing residents will bear higher tax burdens. She wants answers to how “enshrining agriculture” will increase her taxes. She needs an opportunity to ask questions and hear more good answers.

Dan Rosa, 4707 Hampshire Drive, echoed Mrs. Goss’ comments. After reading the proposed changes in the paper last week he feels it must be that we have the finest farmland in the world. He feels some of the wording praising our agricultural land is excessive.

Chuck Walter, 6584 Bates Road, would like to see other projects that have been pending before the Commission worked on as diligently as the work done on the agricultural section of the Master Plan which is being “rammed down our throats.” He also sees no mention of animal husbandry along with fruit farming.

Corpe mentioned that along with the meeting regarding the proposed Master Plan amendment on September 15, there will be a meeting on September 21 at 7:00 p.m. in the cafeteria at Bertha Vos to begin work on addition of a future land use map to the Master Plan. A list of 66 potential members for a steering committee to direct the work was submitted to Wade-Trim, and 50 of the people on the list will be invited to be on the committee. The meeting is open to the public to observe the process and there will be public comment opportunity.

Meeting adjourned at 9:55 p.m.