



ACME TOWNSHIP PLANNING COMMISSION MEETING
Acme Township Hall
6042 Acme Road, Williamsburg, Michigan
7:00 p.m. Monday, April 23, 2012

Meeting called to Order with the Pledge of Allegiance at 7:00 p.m.

Members present: J. Zollinger (Chair), B. Carstens (Vice Chair), S. Feringa, R. Hardin, V. Tegel, D. White

Members excused: K. Wentzloff, P. Yamaguchi

Staff Present: S. Vreeland, Township Manager/Recording Secretary
J. Iacoangeli, Planner
J. Jocks, Township Legal Counsel

INQUIRY AS TO CONFLICTS OF INTEREST: None noted.

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

1. **Continuing Education/Special Presentations:** None
2. **Consent Calendar: Motion by Feringa, support by Tegel to approve the Consent Calendar as presented, including:**
 - a) **Receive and File:**
 1. **Draft Unapproved Minutes of:**
 - a. Board [04/3/12](#)
 - b. Shoreline Advisory [3/21/12](#)
 - c. Zoning Board of Appeals [04/12/12](#)
 - d. Planning & Zoning News March 2012
 - b) **Approval:**
 1. **Minutes of the [03/26/12](#) Planning Commission Meeting**

Motion carried unanimously.

3. **Limited Public Comment:** None.
4. **Correspondence:** Zollinger announced that Yamaguchi has tendered her resignation from the Planning Commission effective at the end of her term on July 15. She has an excellent professorship offer overseas. Her position and that of Clare David, who resigned earlier, were due to expire in July and will not be filled until that time.
 - a) **Shoreline Placemaking Leadership Committee:** John Iacoangeli and his firm, Beckett & Raeder, have been hired to conduct the shoreline placemaking process. He explained the role of the leadership committee to assist him and his firm in conducting the process and ensuring that all the right people are at the table and things move along smoothly. He has also recommended that a technical committee be formed later in the process with a variety of local organization and agency representation to weigh in as the plan takes shape.

Tonight the Planning Commission is asked to appoint a representative to the Leadership Committee. Carstens nominated Tegel to serve, and she expressed interest in doing so and approval of the proposed scope of service. Hardin supported the nomination, and with no other nominations the Commission unanimously chose Tegel as their representative.

- b) **Planning and Zoning Services**: John Iacoangeli of Beckett & Raeder was introduced as the township's contract planner at least in the short term. A part-time zoning administrator will be hired. Iacoangeli distributed his business card and encouraged Commissioners to contact him as needed or desired with questions or issues. He will keep office hours at the township with the first date being most of the day on May 10.
5. **Reports:** None
6. **Public Hearings:**

- a) **Proposed Zoning Ordinance Amendment 019 – Request to rezone 4946 M-72 East (Andres property) from R-3 to B-2**: The property requesting rezoning is at the southwest corner of the M-72/Lautner Road intersection and is approximately 1.7 acres in size. The current zoning is R-3, Urban Residential, which matches the Village at Grand Traverse Property. The VGT Property's underlying zoning remains R-3 but a Mixed Use overlay is in place and a Meijer store is due to be developed immediately adjacent to the Andres property on the south side. The land on the east side of Lautner Road is zoned B-3, Planned Shopping Center, and the land on the north side of M-72 is zoned R-3 but in use subject to a PUD overlay by the Village at Grand Traverse. The property is within the area designated on the Future Land Use Map as "town center" mixed use. The minimum lot size requirement is exceeded. This property is within the "M-72 Corridor" so the front yard setback from M-72 is 100', consistent with the VGT property.

Iacoangeli considered the standards for determination and finds that the application meets all of them. The rezoning is consistent with the township Master Plan and general public health, safety and welfare. The approval of the Meijer store reduced the suitability of the site for ongoing residential use, and the market study for the Meijer store indicates that there is additional market for a variety of commercial uses. Iacoangeli recommends approval of the application.

Andy Andres Jr, 1107 Barlow Street, Traverse City stated that his family has been waiting for this rezoning for a long time. He hopes that when the Commission works with a future applicant to develop the property they will encourage retention of some significant mature trees on the site as part of the gateway appeal to the community.

Carstens asked about the sub-surface conditions and the depth of the water table. This property is higher than much of the surrounding land and drains into those other surroundings. The water table depth is uncertain, but there is a basement on the home.

Public Hearing opened at 7:18 p.m.

Zollinger noted a letter in support of the rezoning request from Bob and Kathy Garvey, 6377 Deepwater Point Road.

Jim Heffner, 4050 Bayberry Lane, appreciated the work the township did on the Meijer SUP process and how hard the township and applicants have worked together. He believes it can be a good looking project on paper. Mr. Heffner supports rezoning

of this property to B-2 as consistent with surrounding property use and the Master Plan, but he is concerned about the possibility of the site being used as a gas station in the future. He does not believe this is the way we want to welcome people to our community, and is concerned about how a gas station would interface with the proposed roundabout design for the intersection. He is also concerned about the possibility of an “adult bookstore.” Mr. Heffner respects the property owner seeking the highest and best use for his property, but also wants future development to reflect community values.

Public Hearing closed at 7:23 p.m.

Tegel also wonders how the property will be accessed. She appreciates Mr. Andres’ concern for the mature pines and wondered if they are within the public right-of-way. She wondered if the existing access to Lautner Road would be preserved and whether there is access to the Andres property through the VGT site. She reviewed the township’s standards for approval for gas stations as this was also a concern of hers. In Section 9.6 of the ordinance a lot is required to have 150’ of frontage on a road to contain a gas station and she wondered if the somewhat irregular shape of the lot would work for this use. Iacoangeli stated that his review is based on the consistency of the request with the Master Plan and the Zoning Ordinance overall. The review does not include imagining how a future land use would be sited or which of the allowable uses would be proposed. He agrees that it is unlikely that the site will be accessed from M-72 or possibly even Lautner Road so close to the future roundabout. However, an easement to the Andres property across the VGT property was required as part of the VGT Phase I approval. Since it is likely people will have to go through the larger development to access this property, the site may be less desirable than it would be otherwise. Iacoangeli noted that gas stations require a special use permit, and that as part of the SUP review process the township has the right to request a market study. The Meijer market study indicated that there is not currently market demand for an additional gas station.

Motion by Feringa, support by White to recommend to the Board of Trustees that Zoning Ordinance Amendment 019 changing the zoning of the property at 4946 M-72 East from R-3 to B-2. Motion carried unanimously.

- b) [SUP/Site Plan Application 2012-02P: Goodwill Industries](#): Cecil McNally, Executive Director of Goodwill Industries, Northern Michigan began the applicant’s presentation. They are a local non-profit providing service to over 7,100 people in 2011. They provide meals for Meals on Wheels and Goodwill Inn guests at a rate of over 160,000 meals/year. They work with various industries that employ special needs workers such as Paperworks. Their current retail store on S. Airport Road has reached its capacity to serve the area, and their studies indicate a second store can be supported. Over 70% of the funding for their services comes from their retail store, and the organization as a whole generates about 240 jobs. Those who shop at a Goodwill store might be in need, or they might be comfortable financially and just looking for a bargain.

Bill Crain from Anderson & Crain presented the site plan. The proposed site is that of the former Real Estate One building, which will be removed to make way for a new 12,400 sq. ft. building. The existing curb cut on M-72 would be used. The applicant is working with MDOT regarding the curb cut and possible interconnections to the properties on either side. Existing water retention basins would be used as modified to accommodate the needs of a larger building size. The building would be placed somewhat into a steep bank on the south side of the property to make room for sufficient parking. A two-lane donation drop-off area will be at the northwest corner

of the building. Internal signage will direct traffic flow south along the west side of the site to approach the drop-off so that the cars will be pointed back out at M-72 for efficient exit.

In response to Iacoangeli's plan review some existing trees will be relocated along the south property line as part of the new landscaping plan. Some existing trees will remain in their current locations and be protected during construction. The site is 1.72 acres in size. There has been discussion about the proposed parking layout in terms of traffic and fire truck maneuverability, and several parking islands have been reconfigured accordingly. Snow storage is designated for the southwestern retention basin and a portion of the northwestern retention basins, meeting minimum ordinance requirements for snow storage capacity. Originally one loading area was shown but the plan was modified to show the 5 required by the ordinance including a 2-truck dock, an enlarged parking space and the two donation drop-off spots. The enlarged parking space will be sufficient to hold a 24' delivery van that will be used, but not a full semi-truck. A photometric plan has been provided in response to Iacoangeli's request.

Ray Steffner, Director of Retail for Goodwill, addressed concerns about maneuverability in the site. He stated that for the first 7 years, historical evidence suggests there will be about 50 donations a day. Each drop-off takes an average of 45 seconds. By using a 2-lane drop-off they anticipate little if any actual queuing in the foreseeable future. The construction will be steel, but to promote an "up north" feel a cultured stone façade will be used on the front of the building. Columns at the donation area will be of a dark gray stone and the main entrance will be highlighted with grey stone as well. Other coloration for the building will be "Goodwill Blue." Most of the rear of the building will be blue in an attempt to make it more appealing to the residents of Juniper Hills 45' higher in elevation and to the south. Windows providing natural daylight are included. The color and the roof treatment are two of their trademark design characteristics.

The interior of the building is simple, with two main areas and a corridor connecting the two. The smaller area is for donation processing, with the larger area being the retail space. There is an entry vestibule. The interior floor will be polished concrete and there will be an aggregate sidewalk immediately outside the building.

The signage plan was presented by Andrew Coleman from Signs Now. A freestanding sign will have a base made of the same stone that will be the front building facing. The height has been kept under 8' so that the 20% sign face bonus can be obtained. The sign will be internally lit with a dark background. Small lighted directional signs on the interior of the site with directional arrows will help people with appropriate traffic flow through the site to the donation area. On the west side of the building will be a drop-off area locator and the Goodwill logo. On the north side of the building would be an illuminated "Goodwill" sign, another logo above the main entry door, and an exit sign on the drop-off area.

Mr. Steffner added that building construction and sign lighting is designed to promote energy efficiency, in part so that more funds can be directed back into the community.

Iacoangeli noted that the applicant provided revised plans on Friday in response to his initial review. He has created a checklist for the Commission to aid in understanding his response to the revised materials. He complimented the applicant for their thorough application package and how they have worked with the township and other area approving agencies.

One item noted as outstanding on the checklist is that the 50th parking space at the rear of the lot to be used for a loading area could conflict with required turning radius for fire protection vehicles or even those making a drop-off. In his first review Iacoangeli recommended that the township's loading space requirements are excessive and that if they are approaching the ZBA for a variance anyway they could ask for a reduction in the number of loading spaces.

Iacoangeli has no issue about using retention basins for snow storage, but he noted that the site plan calls for a raised asphalt curb around the parking lot. He is concerned that snow plows could damage the raised curb, so the Commission might recommend that the curb have an opening where the snow would be pushed through. Carstens has read some literature indicating that not having raised curbs can promote natural water infiltration in the environment and be preferable. Mr. Crain stated that the curb will help direct runoff flows towards the two westerly retention basins and meet county and township stormwater control requirements that all runoff be contained on-site. The township's zoning ordinance requires curbs on the interior landscaping islands to protect them and keep the surface stabilized. Iacoangeli added that the proposed islands are too small to recommend that they be designed in an innovative way, and they will be used for signage and traffic flow more than anything.

MDOT has submitted a letter indicating a desire to eliminate left-turning exits from the site. Mr. Crain stated that he is working with Mary Lajko at that agency to allow the access point to remain full-access at this time but requiring it to be converted to full-access in/right-only out at such future point in time when the left-turning exit movements cause concerns. Mr. McNalley noted that Goodwill voluntarily limited exit movements to right turns on S. Airport Road based on their own observations of traffic needs at that area.

Iacoangeli verified that signage on the north wall would total 93 sq. ft. and on the west wall would be 60 sq. ft. The photometric plan is acceptable. He stated that the applicant has also agreed to consider providing cross-access agreements to adjacent parcels.

Metro Emergency Services Authority (MESA) provided a fire prevention review letter expressing concerns about adequate fire truck maneuverability within the site. In a phone conversation between Mr. Steffner and Chief Parker subsequent to the letter being issued the concept that there would be little queuing for drop-offs was discussed. This may have alleviated much of the concern about fire truck maneuverability. Their remaining concern about water supply is outstanding, and is not unique to this site in Acme Township. At this time Goodwill believes its best prospect is to work with the Tribe to try to obtain water from their water system at the M-72/US 31 intersection area, which is about 473' from the proposed building. The larger issue is that the township's commercial development has long needed a public water supply and the demand for same is expected to increase along with interest in development spurred by the approval of the Meijer store. Goodwill would be willing to work with the township in this regard. Zollinger asked if the building is to have sprinklers; it is designed with fire curtains rather than sprinklers and this is an acceptable design standard under construction codes and MESA.

Zollinger noted that a motion regarding the application could be made contingent upon resolution of the fire prevention issue in a way that satisfies the Acme Township Fire Prevention Ordinance.

Carstens asked if the use of any innovative stormwater control techniques might

enhance the function of the retention basins, which are currently very basic in design. This site is relatively close to the bay, and he is concerned about stormwater management. Iacoangeli stated that no soil borings were required, but that the basins currently on site are very shallow. The plan calls for them to be redesigned to a 25-year storm basis. Mr. Crain stated that they will have slow-release features and should be dry most of the time, and will have an emergency overflow features to the MDOT ditching system. Iacoangeli stated that the township could recommend planting the basins with native-species naturalized plants. Vreeland recalled that MDOT had requested 50-year storm design at the Land Development Review Committee meeting; Mr. Crain stated that this has been changed and the final MDOT documents will reflect this.

Hardin noted that at the current donation site there is a trash bin near the dropoff door that can get quite full. Mr. Steffner stated that people sometimes leave materials that wouldn't be accepted overnight, and that Goodwill strives to get it cleaned up as early as possible in the morning. Hardin noted that the ordinance requires Dumpster pads to be fully surrounded by fencing and vegetation. Mr. Steffner reported that they strive to recycle everything possible. They bag building waste and drop it off at a waste facility as part of their normal delivery routes. There will be no Dumpster planned for the site. The key concern is for the residents of Juniper Hills, and it will be difficult to do anything because of the significant elevation difference.

Tegel has questions about water runoff control, as she knows that the existing building had a moisture problem and the new building would be built into the slope that may have contributed to the problem. Mr. Crain noted that a detention basin and emergency overflow to the south of the building will keep water from entering the building and direct it to the northern retention basins and the MDOT ditch as needed.

Tegel noted that at the S. Airport store most of the parking is separated more than it would be at this site from the donation drop-off traffic pattern. She is concerned that most people will have to walk in front of the drop-off traffic to get to the main entrance. Parking lot striping indicating pedestrian walkways was recommended, along with some signage to raise driver awareness.

Tegel stated that she worked with Goodwill when they helped Acme with "green" deconstruction of several shoreline property sites. She asked if they would do something similar with the existing building. Mr. Steffner indicated that they have offered the building to the township for relocation and use if desired. Otherwise they would recycle anything they could use from the building, allow MESA to use it for training, and then remove whatever is left.

Public Hearing opened at 8:28 p.m.

Rachelle Babcock, 4261 Bartlett Road, asked if walkability has been considered. An existing sidewalk across the site will be retained.

Public Hearing closed at 8:29 p.m.

Carstens asked about a pedestrian connection from the roadside sidewalk to the storefront. He noted the township's emphasis on walkability as a community value. Mr. Steffner offered that the future service connection between parking lots might provide a safe alternative for non-motorized transportation.

Tegel asked a bike rack has been considered. Mr. Steffner noted that they have bike racks at all of their locations.

Motion by Tegel, support by Carstens to recommend approval of SUP/Site Plan application 2012-02P to the Board of Trustees subject to the following conditions: approval by and meeting the conditions of all applicable agencies with emphasis on MDOT and MESA, and inclusion of demarcated pedestrian walkways and a bike rack. Motion carried unanimously.

7. **New Business:** None

8. **Old Business:**

- a) **Discuss churches in the B-2 District:** The township has received an inquiry about a property in the B-2 district from a church. Currently the township does not have this as a listed allowable use, although it was there prior to the most recent updates to that district and leaving it out may have been accidental. Jocks also reported that there is federal law specific to religious land uses. It is possible to have zoning districts that don't permit churches, and he does not believe the township is currently in violation of the federal statute. The standard for excluding such land use from a zoning district is generally higher than it might be for other land uses. Jocks sees no reason why the township would want to exclude the use from the general business district.

Iacoangeli reported that Michigan Liquor Control has regulations that prohibits licensing within 1,000' of a religious land use. This might be one reason for excluding a church from a business district – that a new church coming in could conflict with existing or future liquor license issuance or renewal. Churches are an assembly function, and the ordinance does allow social assembly functions in the B-2 district. Therefore it might be difficult to deny an assembly hall for one use context in the district but not for another.

- b) **PC Action Plan updated through 04/09/2012:** Vreeland reported on additional things to add; loading spaces and perhaps moving some retail in B-2 to site plan review only. This could be based on size or expected traffic generation. Iacoangeli could provide examples of other townships' regulations and help the Commission think through how it could enhance economic development by sizing each process accordingly to the community impact. He will provide a staff report for next month. Zollinger feels that similar reports could be helpful for many of the issues on the action plan list.

Carstens noted that the township asked Meijer to rise to a standard of best environmental management practices for stormwater management, but feels that the zoning ordinance holds applicants to only minimal standards. He would like to give some consideration to incorporating a higher standard in the ordinances. Iacoangeli suggested also considering ordinance enhancements to promote walkability. A "sustainability" chapter could incorporate a range of higher standards for environmental protection and walkability and other similar principles. Having another look at exterior lighting regulations, particularly light sources, may be in order as well.

There was some discussion about the concept of having township standards that exceed those of various agencies. This is permissible, and while some on the Commission feel the township should be consistent with other agencies, other find it desirable in some cases to provide environmental protection of significant value. Iacoangeli added that Michigan regulations require landowners to keep runoff confined to their own property. Other states, particularly in the South, treat stormwater as a public utility and as a larger, regional system that should be managed in common. If stricter standards are applied they should be in the ordinance and

consistent for everyone.

9. Items Removed from Consent Calendar: None

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

Vreeland talked about one of the 2% Grants that we received from the Tribe for the Shoreline. One was for coliform testing at Bayside. The Watershed will manage that along with the storm drains testings. After a storm at three different points we will be doing some water quality testing.

Vreeland talked about the recent ZBA hearing for Ken Schmidt and the Coldwell Banker office building. She said the building that was destroyed by fire will come down. If a new site plan was presented it would be maximum one story, maximum 2400 sq feet, building would be pushed south to the side of the lot with the entrance off Shore Beach Road.

Tegel stated that MSUE Citizen Planner will be conducting a training session in Lansing on sustainability on June 7-8

Meeting adjourned at 9:25 p.m.