



ACME TOWNSHIP PLANNING COMMISSION MEETING
Acme Township Hall
6042 Acme Road, Williamsburg, Michigan
7:00 p.m. Monday, May 21, 2012

Meeting called to Order with the Pledge of Allegiance at 7:05 p.m.

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

Members excused: P. Yamaguchi

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

INQUIRY AS TO CONFLICTS OF INTEREST: None noted.

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

1. **Continuing Education/Special Presentations:** None
2. **Consent Calendar:** Motion by Feringa, support by White to approve the Consent Calendar as amended to remove the Planning & Zoning News for discussion, including:
 - a) **Receive and File:**
 1. **Draft Unapproved Minutes of:**
 - a. Board [05/01/12](#)
 - b. Zoning Board of Appeals [5/3/12](#)
 2. ~~Planning & Zoning News April 2012~~
 - b) **Approval:**
 1. Minutes of the [04/23/12](#) Planning Commission Meeting

Motion carried unanimously.

3. **Limited Public Comment:** None

4. **Correspondence:** None

5. **Reports:** None

6. **Public Hearings:** None

7. **New Business:**

- a) **[SUP Minor Amendment 2012-03P](#) - Change in use from car dealership to brewery at 6060 US 31 North:** The applicant would like to open a microbrewery on the property formerly used by the Fox Motors car dealership. The building would be used for production and distribution, and would have a tasting and retail sales area as well. No food would be produced on site but people would be encouraged to bring or order in food from other local establishments. Iacoangeli reported that according to the applicant's business plan the use of the property would not be any more intense than the previous use. The proposal would make use of a property that is currently

vacant. He recommends approving the requested SUP minor amendment.

Zollinger noted that there is parking for 27, and asked if there is room for overflow parking if business grows substantially. He also asked how the spent grains and other brewing ingredients will be stored so as not to produce nuisance odors. Iacoangeli stated that there will be no storage outside and all activities will be conducted inside. The operation will be small to start, and the applicant may not yet have a complete concept of how the business may grow over time. Iacoangeli believes there is sufficient space for the early stages of the project as well as room for later expansion. There is land on the site available for development of additional parking if needed, and the township could work with him at such time. A motion this evening could include a requirement that the applicant work with the township if parking becomes problematic. The property includes two of the 50' wide platted lots on the east side of Gilbert Avenue that Fox Motors intended to expand parking to at one time. This area could be developed as parking in the future as long it is screened appropriately from the surrounding residential land uses.

White asked if the proposal would include a tasting room, and it would. A person would be able to come in and taste, or to order drinks as at any bar, and to purchase products at retail to take for off-site consumption. No food will be produced on site. The concept is similar to that of Right Brain Brewery in the Warehouse district in Traverse City.

Hardin reported that brewing produces relatively low odors and all of the equipment is sanitized between batches of beer.

Tegel reported that Right Brain Brewery shares a parking lot with a nearby bank. She asked if the township would be able to consider shared parking between this site and another nearby site to help reduce impervious surface levels if a suitable situation arises. She also asked if the brewery would be more than 500' from the Catholic church.

Wentzloff mentioned that she had thought about the potential impact of shipping trucks on the adjacent residential neighborhood.

Hardin asked about the hours of operation. The hours proposed by the applicant are somewhat different than those suggested by Iacoangeli. Iacoangeli was attempting to suggest some standardization to the hours, and to distinguish between the schedules for the production side of the business and the taproom operation. General concern was expressed that there be no production after 10:00 p.m. There was also concern about whether deliveries might be made near a residential neighborhood overnight as often happens with large retailers or grocery stores. Iacoangeli recommended that for this land use it should be possible to schedule deliveries and shipments during daytime business hours, and that it would be reasonable to limit truck traffic associated with the land use after 10:00 p.m. based on potential impacts to the neighborhood.

Vreeland mentioned that there could be impacts to the residential neighborhood on Acme Road west of US 31 from this property as well. When Fox Motors was in operation, there were complaints from the residents of those areas when the internally-lit signage was left on overnight. These signs had light backgrounds that are no longer permitted for internally-lit signs, and it would be possible to require that window treatments be used to contain light from late-night taproom operations from bothering the residents to the west. Iacoangeli observed that some of the

brewing equipment might be located where it would be visible externally as a way to demonstrate the presence of the business, so they might want to use some internal lighting.

The applicant is not present this evening, probably due to a scheduling misunderstanding because the meeting is a week earlier than usual. Vreeland is confident that he intended to be present for the discussion. Since there are a number of questions and he is not present to help answer them, perhaps continuing the deliberations to the next meeting would be helpful. The applicant has not indicated urgency to have a decision.

Motion by Carstens, support by White to continue the deliberations regarding application 2012-03P to the June meeting. Motion carried by a vote of 5 in favor (Carstens, Hardin, Feringa, Tegel, White) and 2 opposed (Wentzloff, Zollinger).

- b) **Potential Zoning Ordinance Amendment – Loading & Unloading Space Requirements:** Iacoangeli reported that during reviews of the Meijer and Goodwill projects, it has been apparent that the township's current loading and unloading space requirements are excessive. His report demonstrates the number of such spaces that would have been required for each project and makes recommendations as to more reasonable standards. One positive effect of an amendment would be to reduce impervious surface requirements for developments. Jocks noted that suggested item 8a would require 1 loading space for each 5,000 sq. ft. of gross floor area plus 1 space for each additional 10,000 sq. ft. of gross floor area. Iacoangeli stated that it should require 1 loading space for the first 5,000 sq. ft. plus 1 for each additional 10,000 sq. ft. for funeral homes and mortuaries.

Hardin asked if the proposed standards would be at the median of common requirements or at the high end; Iacoangeli stated that they would be roughly at the median.

Motion by Carstens, support by Wentzloff to set a public hearing on the proposed zoning ordinance amendment regarding loading and unloading space requirements as amended for the June Planning Commission meeting. Motion carried unanimously.

8. Old Business:

- a) **Potential Zoning Ordinance Amendment - Churches in the B-2 District:** Iacoangeli's proposed changes would allow religious institutions wherever places of public assembly are also be permitted. In the B-1S district, he is proposing that entertainment venues be permitted, but not other types of public assemblage. The goal of these changes would be to prevent potential discrimination against religious assemblies where assemblies are otherwise allowed. Banquet halls tend to take up a lot of space but don't generally generate significant traffic during the day. The goal of the placemaking project in the shoreline district would be to use land efficiently and generate significant traffic, which is why he recommends removing general public assembly uses from this area.

There was discussion about the current pattern of zoning designation along the shoreline corridor, and about the potential inability of new places locating near existing churches to hold liquor licenses. Jocks stated that churches are subject to local zoning, and it is not illegal to state that churches are not allowed in certain zoning districts. There is a higher level of scrutiny generally employed to ensure that if a district allows places of public assembly, religious institutions do not experience

discrimination.

There is significant concern that having a religious institution in the shoreline district would inhibit the ability to have other land uses that might have liquor licenses and be desirable to the placemaking effort. The proposed ordinance amendment would have the immediate effect of moving the area where churches are currently allowed along the shoreline from both sides of US 31 from Five Mile Road north to Bunker Hill Road and the west side only from Bunker Hill Road to M-72 East to only the east side of US 31 N. from Bunker Hill Road to M-72 East. Jocks said it is possible for churches to waive the requirement that liquor licenses not be issued within 500’.

Motion by Feringa, support by White to set a public hearing on the proposed zoning ordinance amendment regarding religious institutions and public assembly places as presented for the June Planning Commission meeting. Motion carried unanimously.

9. Items Removed from Consent Calendar:

- a) **Planning & Zoning News April 2012:** Tegel felt that this particular issue was very timely in terms of the township’s current placemaking effort and upcoming Master Plan review. Many of the examples used are from the Midwest.

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

Zollinger noted that if Commissioners have items they wish to add to an agenda, it would be appreciated if they would be provided at least 7 days before the meeting so that everyone can be prepared.

Carstens asked if we had officially adopted the M-72 Corridor Access Management Plan. He asked if it was something legislative we must do or as a township we follow. Vreeland said it was a study done for MDOT and we refer to the study. It is a tool we refer to. Carstens wanted to know if it was binding, and was thinking about it as a useful tool to prevent sprawl along the whole of the M-72 corridor. Vreeland offered that the document is a guideline as to where MDOT would prefer to limit curb cuts onto the roadway and where they should be consolidated using shared driveways and/or service drives. The township currently uses it as a guideline for considering applications and could adopt ordinances requiring adherence but has not to date. She also offered the thought that the access management plan is not a tool for preventing development along the corridor, but only for controlling where access points to such development are placed. The tool we use to control where development occurs is the Zoning Ordinance. The current zoning map has some areas zoned for business use along the corridor; however, many areas are still zoned Agricultural. In deciding any potential rezoning request for those areas, one would refer to the Master Plan and the Future Land Use Map.

Carstens also asked about the Stormwater Control Ordinance. He said it does not include the latest and best practices. He would like to see that happen. Iacoangeli commented that part of placemaking will have a water quality component that can be used in a township-wide in ordinance update. Vreeland commented that the township’s current stormwater control ordinance is a police-power ordinance separate from the Zoning Ordinance. It also uses standardized language suggested by the County Drain Commissioner and County Prosecutor several years ago when it was decided that it was inappropriate for the County to continue to have an identical ordinance. Townships were told that if they adopted the provided language the County would continue to administer and enforce the new township-level ordinances, including prosecution if necessary. If we deviate from this standardized language, it is likely that the township will become fully responsible for administration and enforcement, and we would need to identify and hire individuals qualified to do so as current staff does not have the necessary skills. The intergovernmental agreement by which the county administers our

ordinance expires this fall and needs to be renegotiated anyway. Carstens suggested seeking assistance from the Watershed Center in developing a “best management practices” based stormwater control ordinance. Hardin urged consideration of the Board perspective on costs. The budget is lean and we must spend wisely. Iacoangeli said we must deal with water quality by watershed, not by government jurisdiction, or it doesn’t really work.

Tegel feels that the placemaking initiative and Master Plan updates should be topics of discussion at every Planning Commission meeting. She is curious about when the community survey to inform the Master Plan update will be performed. She appreciated receipt of the Waterfront Smart Growth Assessment tool as a member of the Placemaking Leadership Team, and recognizes that it contains information about what the Planning Commission can do to improve its ordinances to employ Smart Growth principles. She wondered if it could be distributed to all the Planning Commissioners. Vreeland stated that it the document was districted to the leadership team with the caution that it still had not been through a final editing process, but she thought it would be valuable for them to have. Many on the leadership team were also involved in the WSGRAT process last fall, so she asked the leadership team for their assistance in suggesting any needed edits but has not received any feedback yet so perhaps it is ready for broader distribution. There never was any intention to keep it from the Planning Commissioners.

Carstens stated that having clean water is important to the placemaking effort. People won’t want to come here if we are constantly closing our beaches due to E Coli breakouts.

Zollinger suggested that Iacoangeli provide placemaking process updates at each Planning Commission meeting. There was discussion primarily between Zollinger and Tegel about a request Tegel e-mailed this morning asking to add several items to the evening’s agenda. Zollinger did not add them because in the past various Commissioners have expressed concerns about being given new topics and/or materials when they arrive at the meeting but have not had time to study them in advance of proposed discussion. Tegel countered that it is difficult to propose additions in advance when agendas and packets are received during the week before the meeting. Zollinger noted that this still leaves time, even if brief, before the day of the meeting to make such a request. Vreeland said that in about 10 out of 12 months a preliminary draft agenda is circulated two weeks prior to the meeting as previously requested by the Commission so that people can prepare or make such requests. It didn’t happen this month due to the shortened time frame between Commission meetings, and she is sorry for that. However, she perceived that Tegel was implying that the agendas are rarely provided well in advance when they are most of the time, and that Vreeland finds this implication disheartening.

Iacoangeli suggested that the local placemaking manual be reproduced for all the Commissioners. Those who attended the Placemaking Summit today received it in PDF format on a CD. He talked about the new placemaking project-specific website at www.acmeshores.org. He encouraged the commissioners to check it out. He said they are continuously posting new information.

Carstens felt that today’s sessions really pointed out the differences in values and perspectives between different generations in the community including the Baby Boomers, Generation X, Generation Y and the Millennials. The Millennials in particular face high college debts and would prefer not to spend up to 25% of their income to own and maintain a car to get around their community. They are seeking urban living experiences with abundant non-automobile based transportation alternatives.

Meeting adjourned at 8:58 p.m.