



ACME TOWNSHIP PLANNING COMMISSION MEETING
Acme Township Hall
6042 Acme Road, Williamsburg, Michigan
7:00 p.m. Monday, December 20, 2010

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

Members present: J. Zollinger (Chair), B. Carstens (Vice Chair), C. David, S. Feringa, D. Krause, V. Tegel, D. White, P. Yamaguchi
Members excused: R. Hardin
Staff Present: S. Vreeland, Township Manager/Recording Secretary
J. Jocks, Legal Counsel

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

INQUIRY AS TO CONFLICTS OF INTEREST: None noted.

1. **Continuing Education – None**

2. **Consent Calendar:**

Motion by David, support by Tegel to approve the Consent Calendar as amended to remove discussion of the November 2010 Planning & Zoning News to New Business for discussion, including:

Receive and File:

- a) **Draft Unapproved Minutes of:**
 - 1. [12/07/10](#) Board
- b) ~~[November 2010](#) Planning & Zoning News~~
- c) [Status Update](#) – VGT-Phase I SUP Application #2009-01P

Action:

- d) Approve [11/29/10](#) Planning Commission meeting minutes
- e) Approve [2011 Planning Commission regular meeting schedule](#)

Motion carried unanimously.

3. **Correspondence:** None

4. **Limited Public Comment:**

Charlene Abernethy, Westridge Drive, expressed concern that the Planning Commission might be “overeager” to approve construction of a Meijer store in the Village at Grand Traverse project. Her concerns related to aesthetics, traffic impacts, non-motorized access and environmental impacts, particularly to lakes and streams. The [text](#) from which she read is attached and incorporated by reference.

5. **Public Hearings:** None

6. **New Business:**

- a) [2010-05P](#) – **Minor Amendment to Woodland Creek Furniture SUP to permit Outdoor Sales:** Business owner Rob Evina was present to support his application. He expressed a question about the proposed parking lot and roadside landscaping plan presented for his request in 2005 to construct a new building for a proposed restaurant. This building was never erected. In 2007 he came for permission to repurpose the former Troutman building as an ice cream shop, which did occur. He

believes that the parking landscaping plan was proposed only as part of the 2005 application that was never fulfilled, and that therefore it should not be applicable. He stated that he was never advised by the former Zoning Administrator that the parking landscaping needed to be done. Therefore, the statement in the staff report that the parking lot development is overdue was surprising to him.

Tegel expressed appreciation for the Woodland Creek businesses, which she has visited frequently with her grandchildren and which she visited again today relative to the application. She is concerned that there is no safe way for people with small children to walk between the various buildings on the site, particularly between the ice cream store and the playground.

David asked if the landscaping plan provided with the staff report is "valid." Mr. Evina stated that he would be glad to work with the township on additional landscaping, but he is concerned about having to provide asphalted parking due to the level of expense. The application for this proposed minor change did not include a landscaping proposal.

Krause complimented Mr. Evina on what he has accomplished with his businesses. There are currently 7 curb cuts on US 31 North. He wondered what would have to be done to have some of these closed, as this seems excessive to him. One would work with MDOT relative to curb closures. Krause noted that as an applicant he is seeking the ability to expand; likewise, the township is seeking an improvement in the site landscaping. Mr. Evina stated that he believes it could cost approximately \$25,000 - \$30,000 each to close a curb cut, and he simply does not have the funds to pursue such a project at this time. He is seeking help to build cash flow for his business.

Yamaguchi observed that there is some landscaping planned for the area immediately around the proposed outdoor showroom area. She also expressed appreciation for the ice cream.

Zollinger asked if it might be appropriate to continue the application for a month to allow time for additional discussion about the landscaping requirements and to see if the curb cut immediately to the north of the ice cream shop could be eliminated through discussion with MDOT.

David asked why there is a need to consider the landscaping question relative to this application. Vreeland replied that it is standard and customary for the township to seek to bring sites into conformance with current ordinance standards when an SUP amendment is sought. The standards for approval include conformance with all ordinance requirements.

Jocks stated that it appears that a landscaping requirement was a condition of SUP amendment approval in 2005 and possibly 2007 as well. Whether or not the former Zoning Administrator addressed this requirement in the interim, it still exists. He confirmed that an amendment to the SUP should conform to ordinance requirements. Jocks stated that the Planning Commission does not have the ability to grant a variance from those ordinance standards.

Zollinger asked if Mr. Evina would be able to accommodate continuing the application to the January meeting to allow some additional time for discussion and research regarding the application and the history of the site. He stated that it may be possible, although it could make his timing somewhat tight because he needs to have the outdoor showroom installed by sometime in April.

David would be comfortable with only the landscaping proposed right outside of the new showroom area. If the township has been able to live with the overall site as it has existed for many, many years, he expressed uncertainty as to why it should be changed now.

Feringa is wondering if the landscaping plan is specific to something that was never built and if it still applies if the permit has expired.

Motion by Carstens, support by Yamaguchi to continue deliberations as to this application at the January 2011 meeting. Motion carried by a vote of 7 in favor (Carstens, Feringa, Krause, Tegel, White, Yamaguchi, Zollinger) and 1 opposed (David.)

- b) **Potential Zoning Ordinance Amendment - Medical Marijuana facility moratorium:** Tegel noted that an article in yesterday's *Record Eagle* mentioned that there would be a meeting on this issue to be held soon in Paradise Township. She wondered if it would be a good resource for the township and encouraged staff to find out more about the meeting and see if Acme can send representatives. Staff has been approached by two individuals expressing interest in opening medical marijuana facilities in the township. Being informed of this, at the December meeting the Board of Trustees recommended that the Planning Commission consider a moratorium for a period of time sufficient for the township to consider whether it would be prudent to have zoning ordinance standards for medical marijuana facilities and if so what they should be. Jocks prepared a draft 6-month moratorium zoning ordinance and resolution for consideration.

Motion by Carstens, support by Krause to schedule a public hearing for the proposed medical marijuana moratorium ordinance for the January 24 meeting. Motion carried by a vote of 7 in favor (Carstens, David, Krause, Tegel, White, Yamaguchi, Zollinger) and 1 opposed (Feringa).

Tegel asked that the information about the Paradise Township meeting be circulated when obtained so that we can ensure that the township is represented at the meeting if appropriate.

Jocks will prepare some information for consideration regarding a long-term ordinance for the January meeting. He plans to begin with information about the variety of ordinances that exist and his perspective on which models work best.

Carstens asked why Feringa voted against the moratorium. Feringa replied that he is concerned about placing a moratorium on a business deemed legal by the state.

7. **Old Business:**

- a) **Action List Update:** Minor updates were made from last week. Carstens noted item 15 on page 5 of 20, which indicates that the Commission would revisit Section 7.6 (Supplementary Waterfront, Lake, Stream, Flood Plain and Wetlands regulations) and possibly reduce or eliminate it. He recently attended training where it was suggested that the DNRE and Drain Commissioners look more at maintaining appropriate levels of water flow and not enough at impacts on water quality. Carstens believes that it can be appropriate for townships to have regulation of these matters beyond that of other public agencies. These would be good comments to have brought up when the Commission eventually turns to discussion of this section of the ordinance.

- b) **Technical Questions about VGT Phase I Application and M-72 Corridor**

Discussion: David expressed concern that as far as the VGT Application is concerned, that the Planning Commission has been “sidelined.” He is concerned that there will be a “complete package” presented to them that they will be asked to either deny or “rubber stamp”, and that through this method their voice is being stifled.

Tegel is concerned with potential haste in the review of and deliberation about the project. She stated that she does not yet have a complete set of information about the application. The questions regarding the M-72 corridor appear excellent to her, but she feels that she needs longer to make a complete response substantiated by the documentary resources available.

As to the M-72 Corridor, Carstens feels there should be a strong emphasis on the “complete streets” concept, which he heard at a recent traffic summit is also now favored by MDOT.

David expressed support for access management, specifically limiting curb cuts per development to one. He recalls this being a key aspect of the M-72 Corridor Access Management Plan.

Yamaguchi expressed concern about better speed control along the corridor.

Krause mentioned the M-72 Corridor Overlay District ordinance that was proposed around 2004 but was rejected by the Board at that time as possibly helpful. Vreeland recalled this ordinance as being very focused on aesthetic concerns. It proposed significant landscaping and greenery along the corridor, along with enhanced building setback requirements.

Some members of the Commission feel very positively about the use of roundabouts, and some wonder if they would be safe and effective in a high-speed corridor environment.

Tegel asked about level of service, and indicated she is less concerned with wait times than impacts on traffic safety. She supports the use of a “complete streets” concept that accommodates pedestrians and bicycles, especially as the M-72 Corridor transitions into the Shoreline area at its western terminus. She values aesthetic protection, stating that this is cited as a community value in the Master Plan.

White stated that he does not view the M-72 Corridor as a place for bicycles.

Zollinger raised the question of completing necessary road improvements for current and longer-term projected traffic needs vs. allowing road improvements in phases. Several Commission members believe that having necessary improvements performed for future buildout at one time up front rather than in phased way is preferable.

Carstens believes that the principles developed by the Community in the Grand Vision process should be followed. These include safe multi-modal transport as well as maintaining aesthetic qualities. Multi-modal transport can provide less expensive travel between work, shopping and homes. He believes that access points to the main road should be limited. Given Mr. Dearing’s comments provided with the memo, he would prefer roundabouts to signalized intersections as being more effective for multimodal traffic, aesthetics and placemaking.

Zollinger posed the question of whether people’s preferences for either signalized intersections or roundabouts is affected by how much land would have to be acquired

from adjacent landowners.

[Carstens](#) stated that divided highways would create a safe haven for pedestrians crossing M-72 halfway across the distance, which might reduce accidents. Feringa noted that there have been a number of pedestrian fatalities at Turtle Creek on which such a configuration might have a positive impact.

Discussion turned to the opportunity for Commissioners to ask general questions. David asked if there has been discussion about the proposed signage for Phase I, which is non-compliant with ordinance standards. Yamaguchi asked if there is thought about a bus transfer station for the development. Zollinger noted that BATA Executive Director Tom Menzel has been involved in discussions with the township, consultants and applicant.

Tegel provided questions to Vreeland and Jocks by [e-mail](#). Her questions included concerns about increased traffic generating increased risk of significant detours being needed if there is an accident along US 31 North between Bunker Hill and Five Mile Roads. She raised a question about the appropriate number of access points on M-72 for the development, and expressed concern that the Traffic Impact Study (TIS) does not display or discuss the impact of increased traffic on each intersection on Bunker Hill Road between US 31 North and Lautner Road. She is particularly concerned about the Bunker Hill/Bartlett intersection. She questioned whether the potential for change in the character of traffic on Bunker Hill from primarily passenger car to an increased mix of heavy trucks has been examined, and whether the impacts of such a change have been examined. She asked if the impact of increased traffic on the Bunker Hill/US 31 Intersection on pedestrians and boat launch users has been fully and appropriately addressed. She asked how non-motorized traffic is being accommodated throughout the site, and why a proposed bicycle rack for the proposed Meijer store is not located conveniently to the main entrance. Tegel noted the absence of a statement of total impervious surface to be created on the site plan, and would like a statement of what this figure would be.

[David](#) asked about the proposed road network improvement discussed in the TIS. By addressing it as they did in the study, are they committing to performing the required network-wide road improvements that are projected to be necessary? Vreeland stated that they are not, nor can the township require them to make such improvements as needed. It was observed that this might require the general public to do so. These concerns are factors that can be and should considered in the application review process.

The staff encouraged the Commission to continue sending any questions their way.

- c) [Correlation of Master Plan to Key Planning Principles and Initiatives](#): Tegel, Carstens and Yamaguchi have been reviewing the Master Plan and comparing it to a variety of public planning documents and principles to see which of the various tenets are already represented in the Master Plan and how. Tegel presented a table of their comparisons so far, and she was encouraged to find that the Master Plan already contains many of the principles espoused in The Grand Vision and New Designs for Growth. A few more sections of the Master Plan need to be reviewed, particularly the Town Center Report section, and Tegel invited other members of the commission to join in the project. They also have not completed a review of the Zoning Ordinance to see how many of the principles have been carried through to the regulations to date. Yamaguchi suggested that some of the issues reviewed in this process could aid in the creation of a new community-wide survey as part of the five-year Master Plan update process.

Jocks suggested that if additional Commissioners agree to assist with the assessment of the Zoning Ordinance, he would be more comfortable if communication between Commissioners on this work occurred within the context of a public meeting, perhaps in the form of a report, rather than simply in private between Commissioners. Various Commissioners volunteered to examine the Zoning Ordinance for various Master Plan policies.

- d) **November 2010 Planning & Zoning News:** Carstens felt that the article on placemaking is important in general and is extraordinarily relevant to things that are happening right now in our region and township. Zollinger and Krause concurred. It is hard to point to a particular area in the township right now as central to or representative of our community, but we have several opportunities right now to change this. Zollinger observed that what each individual finds important to a sense of place can vary according to their personal interests.

Tegel was also struck by the article, and commended the G.T. Resort for their *Barefoot* magazine which appeals to a certain demographic of visitor who is likely to be attracted by it to becoming permanent residents. The Resort also provides events that contribute to placemaking for both guests and local residents. One example is their winter sports center, which provides ice skating, cross-country skiing and other events for the community. She found it interesting that the article discussed the impact of private development on placemaking. She feels the examples in the article can help guide Acme in making good decisions. Yamaguchi feels that wineries can help with placemaking and attract people to our community.

8. Public Comment/ Any other Business that may come before the Commission:

Ken Engle, Saylor Road has been listening to the meeting, and notes the need for balance in considerations. It is easy for people to be carried along by their own point of view, when it is important to take a step back and consider a variety of points of view. He was thinking particularly about the discussion about the desired character of the M-72 Corridor from his perspective as a farmer. Acme has made a conscious decision to actively support its agricultural community. Farmers often have to use the M-72 Corridor to get equipment to and from their properties and the sales or repair shop. Many people focus on keeping traffic flowing, but it is also important to consider the creation of breaks in traffic for turning movements or slower vehicles. Mr. Engle stated that as a farmer he also becomes concerned about the concept of mixed uses. In general, farmers find that a mixture of uses near working lands create conflicts, particularly between working farms and residential neighborhoods. There is growing awareness of an important distinction between scenic lands and working lands. He thought about this somewhat during the discussion about the Woodland Creek development. The community needs thriving businesses, which in turn provide needed jobs, so a balance needs to be found between land uses and aesthetic concerns.

MEETING ADJOURNED AT 9:48 P.M.

20 December 2010

To: Planning Board of Acme Township

The pathway to building Village of Grand Traverse has been a difficult one fraught with division of opinions, litigation, loss of time and illegal activities. My concern is that the Planning Board may be tired of dealing with the complexities and with political pressure be overeager to approve all aspects of VGT's SUP.

This would be a horrific course to follow.

Concerns are as follows.

1. Acme is called the gateway to Grand Traverse. What sort of scenic gateway will it be when the first view into Acme is a very ugly big box store if it looks like the Meijer in Garfield Township? What is proposed to create a business more in step with our community? People come to our area in part for the beauty. If Acme were turned into another Division Street why would anyone find Acme special?
2. The town Center is supposed to contribute to a walk able, bike able community. I highly applaud making the TART trail part of the town center. What else is planned? Will the VGT development make Acme more bike and walker friendly, and how?
3. Traffic, traffic, traffic. An increase of the afternoon peak hour of 2,700 trips once Phase 2 is completed? The solution-- build more roadway. Chum's corner here we come.
4. I live off of Bunker Hill Road. Currently it is a death trap in waiting. Township voters turned down increased funds for improvement. How is the extra traffic going to be handled? If VGT has no responsibility for Bunker Hill road, who does? Seems wrong for businesses to make profits at the expense of burdening Acme taxpayers. I have heard said that people won't travel Bunker Hill to access Meijer. I don't believe that. Where are the facts to back up this assertion?
5. What is going to happen to Acme Creek? Is it thoroughly protected in the plan? With increases in the 100 year and 1000 year storms are planners thinking ahead for protecting the creek? With the overflow off impervious surfaces and no trees and open land to help absorb excess, the creek is a likely drainage point. Dirt, Oil, gasoline travels down the creek, into the bay at our Acme shoreline park.

These are a few of my concerns. For the Planning Board to not seriously consider these concerns and rush through granting a SUP for political expediency is leading Acme down the path to rival Division, Chum's Corner. That is what is wrong with not considering the whole effects of this proposed SUP.

Thank you,

Charlene Abernethy

A handwritten signature in cursive script, appearing to read "Charlene Abernethy". The signature is written in dark ink and is positioned to the right of the typed name.

Ideal Vision/Policy for M-72 Corridor

1. We should strive for the highest LOS possible. Given that, I would like to see all modes of transportation accommodated. If VGT is truly intended to be a "village" and not just a Mall, multimodal transportation planning is certainly justifiable. Complete streets/multimodal with with an LOS of less than B is acceptable.

1b. Complete streets/multimodal is also reasonable to provide accessibility to Bates Area, the Casino, to the industrial/business interests on Moore Rd. and the village complex of Williamsburg in Whitewater Twp.

2. Whichever tools/plans best promote/accommodate "Complete streets"/multimodal is the one I would opt for.

3. In the interest of avoiding gridlock, limiting access to fewer points makes a lot of sense. To the extent it promotes flow, it actually promotes access for all modes too.

3b. I think we should make accommodations for pedestrian and Mass transit along M-72. It will increase accessibility to the Resort as well as Bates, the Casino, Williamsburg, Horses by the the Bay etc..

3. It is very important that the design and function of M-72 mesh with the Regional Grand Vision. It will support attempts to create a sense of place. That will support our attempts to be economically viable and attractive to all segments of society ...particularly younger folks that are just starting out and looking for a place that is affordable while supporting an active, healthy life style.

4. Road infrastructure is more effective, cheaper in the long run, and less disruptive if it is done once, and done right with an eye to the future. Most of the transportation drawings I have seen so far are automobile centric and not "complete streets" which is fine if all you are planning for is a "mall". Building a "mall" and not a village will diminish our attempts at "place making", long range economic viability, and quality of life.
- 6b. Aesthetics and environment are very important. I would think that we want to grow "green"
5. There are likely positive and negative impacts. No time now to elaborate. (There could be a long range payment plan, since much of the advantage will be in the future.)

~bob c.

VGT Application
Questions for staff

December 20, 2010

Clare David

Signs

7.4.1, d-2

“A free-standing sign not more than 32 sq. ft. in sign face area.”
(Meijer proposes 55 sq. ft.)

“.....at least 100 ft. from any district where dwellings are permitted.”
(Surrounded by R-3)

d-6

“Total signage on any one elevation shall not exceed 100 sq. ft.”
(Meijer proposes 500 sq. ft. on front and 200 sq. ft. on another elevation.)

“A free-standing sign along any one thoroughfare.”
(Is a sign proposed along Lautner entrance?)

Prototype Plan

Meijer site plan shows a prototype project with filling station and convenience store. This is obviously a “universal” plan, and not one developed for the Village . The façade is exactly the same as many of their other sites, and makes no effort to reflect the design conventions for VGT mentioned in the application.

Are they amenable to a re-design of the façade?

Traffic Impact

Site plans indicate as many as 6 entrances, and drives, 4 along M-72. We have worked toward limiting all projects to 1 “curb cut”, with additional sub-ordinate drives branching from that.

Progressive AE seems to be recommending a signal at the main entrance, a signal at Lautner Road, and a signal south on Lautner. Too much!!

Please confirm the use of the term, “.... bound.” Does that mean the unit is traveling east or west before the turn, or after?

Sharon Vreeland

From: Virginia Tegel [viriniategel@gmail.com]
Sent: Monday, December 20, 2010 5:31 PM
To: Sharon Vreeland; jeff@envlaw.com
Subject: VGT Phase 1 questions

To: Acme Township Staff

Submitted by: Virginia Tegel

Re: VGT Phase 1 questions

Date: 12/20/2010

NOTE: The following are questions and comments limited in scope primarily to Traffic Study as I do not have complete materials to review at this time.

Traffic Study

US 31 section:

If an accident of serious magnitude should occur on the section between Bunker Hill Rd and Five Mile which blocks traffic from both directions, traffic must be diverted to Williamsburg, Supply and Four Mile Roads, at least 20 miles. Does the increase in traffic for this project put this area at additional risk?

M-72 section:

How many entrances with access in both directions should be allowed for highest safety of users? Consider roundabouts if the project has multiple entrances to increase safety of vehicles, pedestrians, bicyclists, etc?

Bunker Hill section:

Though the information contained in this report is extremely detailed in respect to the study area included, I do not see specific references to subdivision streets accessing Bunker Hill.

Is it appropriate to project Level of Service for these streets in order to address residents' concerns for safety?

Scenic Hills Drive, David Drive and Bartlett Road all have challenges for left hand turns onto Bunker Hill Road that would be exacerbated by increased traffic volume. In particular there is a rise that creates a hidden intersection for vehicles traveling from east to west as they approach Bartlett Rd. How might these situations be accommodated?

I also see no references made to the different types of traffic that could be anticipated on Bunker Hill Road as result of this project which may affect residents' safety: truck, construction traffic and non-residents unfamiliar with area.

An additional area of concern on Bunker Hill Road is the intersection at US 31. Residents and non-residents use the boat launch at this location. With the proposed development of the Shoreline Park and proximity of the Tart Trail, this intersection needs to accommodate pedestrians, bicyclists etc.

Site Plan

It is not clear to me how pedestrians, bicycles, etc have access throughout the site.

Why is the bicycle rack located in the southeast corner of the building away from the main entrance?

What is the percentage of impervious surface?