

ACME TOWNSHIP PLANNING COMMISSION REMOTE ZOOM MEETING AGENDA 6042 Acme Road, Williamsburg MI 49690 Tuesday, June 8, 2020 7:00 p.m.

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE at 7:02 pm

ROLL CALL: Members present: K. Wentzloff (Chair), S. Feringa (Vice Chair), M. Timmins, D. Rosa,

D. VanHouten, B. Balentine, J. Aukerman

Members excused: None

Staff present: L. Wolf, Planning & Zoning Administrator, S. Winter, Planning Consultant Becker & Raeder,

J. Jocks, Legal Counsel, V. Donn, Recording Secretary

A. LIMITED PUBLIC COMMENT: Open at 7:05pm

Jim Stevens, Acme Mini Storage M72, opposed self-storage in former Kmart building. His concern is the commercial market is down and another self-storage in the area would cause hardship.

Brian, Kelley, Acme resident, voiced his concerns on there is no document to compare the zoning ordinance process on what has changed to the current ordinance. Nothing has been in the packet.

Limited Public Comment closed at 7:11 pm

- B. APPROVAL OF AGENDA: Motion by Timmins to approve the agenda as presented with the addition to G. Correspondence, 13. Brian Kelley, 14. Brian Kelley, 15. Mary Raymer, 16. John & Irene Stuart, 17. Joy Landis, supported by Balentine. Roll call motion carried unanimously.
- C. INQUIRY AS TO CONFLICTS OF INTEREST: None
- **D. SPECIAL PRESENTATIONS:** None
- E. CONSENT CALENDAR:
 - 1. RECEIVE AND FILE
 - **a.** Township Board Regular Meeting Minutes 05.12.20
 - 2. ACTION:
 - **a.** Approve Draft Planning Commission Meeting Minutes 5.11.20
 - **b.** Approve Draft Planning Commission Special Meeting Minutes 05.26.20

Motion by Timmins to approve the Consent Calendar as presented, supported by Balentine. Roll call motion carried unanimously.

F. ITEMS REMOVED FROM THE CONSENT CALENDAR: None

G. CORRESPONDENCE:

- 1. Rachelle Babcock
- 2. Arlene Beall
- 3. Patricia Bernard
- 4. CCATs
- 5. Distributed flyer
- 6. Jan Fusi
- 7. Jim & Kris Goran
- 8. Karen Howie
- 9. C.J. Kalil

- 10. Susan Kozlowski
- 11. Christy Lundgren & Heather Spooner
- 12. Watershed Center
- 13. Brian Kelley (1) Wentzloff read out loud for the record
- 14. Brian Kelley (2) Wentzloff read out loud for the record
- 15. Mary Raymer Wentzloff read out loud for the record
- 16. John & Irene Stuart, Wentzloff read out loud for the record
- 17. Joy Landis, Wentzloff read out loud for the record

Wentzloff informed no one is to enter private property without permission from the owner. Any questions regarding the properties that are being discussed, are to be directed to the township. All those who have property within 300 feet of the PD application sites have been notified twice by mail, advertised in the Record Eagle and on the township website. The post office notified the township that people were stuffing flyers in personal mailboxes and that is not permissible. Any correspondence must be sent by first class mail. The Planning Commission does work on behalf of the township and its citizen, please keep in mind of that when you are making assumptions on the work that we are doing going forward. No emails or texts are to be sent to the Planning Commission's personal email or phone. Any correspondence is to be sent to the emails that are used for township business and can be found at acmetownship.org.

The Planning Commission has always followed procedures for Public Hearings, the motivation for having them up front is to allow the public to comment in a timely fashion and not have to stay through the entire meeting since thy can last for several hours. She will look at the Bylaws and address that.

H. PUBLIC HEARINGS:

1. PD 2019-01 Lormax Stern – Planned Development (former Kmart): Open at 7:25 pm

James Stevens, Acme Mini Storage M-72, is opposed to the project and sees it as a problem for those who already have been in the storage business. He feels it does not help Acme Township or the residents.

Rachelle Babcock, 4261 Bartlett Rd, stated this area is a prime spot and the amenities allowed there should be for shopping, living, working, walkability with a neighborhood feel about it.

Brian Kelley, Acme resident, wanted to say for the record the meeting is not following the Bylaws where the applicant presents their project first and then the public gets to respond to that. He is opposed to the Kmart project and where the primary use is not defined. He does not see how it is good for the master plan if it is rezoned. It could lead to other properties nearby to be allowed to do this as well.

Jim Goran, AAA Storage, 6631 & 6719 M-72, he is opposed to the storage project and sees it not zoned for warehousing. It does not fit in the master plan zoning and there is no need for B-4 in that area. It should be a walkable area and not open it up for potential further sprawling.

Mary Rohn, Acme resident, it does not make sense to have this project. It is not a B-4 area and is not what the residents want there.

Public Hearing closed at 7:37 pm

2. SUP 2020-01 Prism Power Partners Solar Energy Farm Special Use/Site Plan Review Opened at 7:37 pm

Wentzloff stated there is no updates on this project from the last meeting and the applicants are not on the call.

Rachelle Babcock, 4261 Bartlett Rd., the applicants should do a soil boring test before coming to

the next meeting. She hopes they are not creating new runoffs for stormwater in the creek. We should be taking care of the environment and Yuba Creek.

Brian Kelley, Acme resident, there is nothing in the plan showing the slope views for the packet. Applicants should clarify some of the plan views. There is a wetland in the northwest corner on the adjacent property not being shown in their plan sheet. Soil erosion control in the ordinance states on earth change activity.

Mary Rohn, Acme resident, it would be risky to do anything on this property that would destroy the creek and effect the waters leading to the bay. There should be an environmental engineer review at the expense of the applicant.

Public Hearing closed at 7:47 pm

I. OLD BUSINESS:

1. SPR 2020- 05 – PC review of Satellite Dish 4620 US 31 N

Wentzloff informed the updates for the review are in the packet and Jack Turner was on the call to respond to any questions.

Wolf stated since the report was put on the website the stormwater review had been received. She read off the review from Gosling Czubak and it showed the dish requirements to be efficient to meet the stormwater ordinance. There is a note that a signoff of soil erosion would be required.

The PC discussed the type of landscaping to help conceal the dish without interfering with its reception and would not block the visibility of cars pulling in and out of the parking lot.

Wentzloff pointed out on the plan it still showed the dish pole as 8' instead of 4', a total of 14' for both the dish and pole. Turner stated it was missed on the plan and he will have them correct that.

Timmins wanted to be sure the dish would not be a disturbance to the wetlands, by leaving the trees that are already there. Turner said they would not change that area.

Feringa suggested to do a non-deciduous scrub for the landscaping so as not to block the visibility of those driving into the parking area.

Wentzloff noted in the review completed by Bob Verschaeve with Gosling Czubak, it has a 25-year storm event and asked Jocks if that met the stormwater ordinance requirements that has 100 year back to back event.

Jocks stated the ordinance does have back to back 100-year stormwater review with approval of conditions. It can be a condition upon approval from Gosling Czubak with Wolf as staff, that the review meets the stormwater requirements.

Winter stated in this case it does reference in the ordinance the 25-year storm event could be proper for this project.

Motion by Timmins to approve the installation of the satellite dish at 4620 US 31 N as indicated on the site plan (revised 06/01/20 subject to the following conditions:

- Staff will confirm with Gosling Czubak the stormwater review meets the townships ordinance requirements and approval by Bob Verschaeve.
- The applicant will be responsible for the cost of the stormwater review. No land use permit will be issued until payment is received.
- A bond shall be submitted to the township for the cost of removal prior to the issuance of a land use permit.
- No disturbance of vegetation between the satellite dish area and wetlands
- Non-deciduous scrubs will replace the landscaping around the fencing for shading

- Correct the plan showing the 14 ft. for the satellite dish and post
- Review of soil erosion and permit

Supported by Aukerman. Roll call motion carried unanimously.

2. PD 2019-01 Lormax Stern – Planned Development (former Kmart)

Winter stated in the packet is a set of draft development conditions taking into account what the applicant has request to do to the property after hearing the concerns from the PC and community. This is not a rezoning of the property it is a Plan Development application, which in the ordinance does allow with township approval for certain uses. The list shows the uses that are allowed on the site with a definition for some clarity.

For the existing building could include outdoor sales like a nursery, call center, or sports center. The townhouses mentioned in the draft development conditions are a conception at this point, this is being explored for something in the future. In the stormwater management section, it requires for any new buildings on the property to be treated with low impact development. The existing stormwater basin is a non-conforming structure for today's ordinance. A new structure should be treated as the zoning ordinance requires in relation to the stormwater ordinance.

A phasing plan was put together for the developer on what the township would like to see come from the property.

Daniel Stern, Lomax Stern, informed there has been a change from a commercial building up by the street to proposing residential use. Commercial is going to be soft for some time and that is why there was a shift. Not looking to store anything outside except maybe a nursery. Considering having it being used for a Call Center, he has a tenant at another property that is doing this. Maybe the site could have a sport training facility. The long-term plan was to have climate control storage. He would like to use it to store boats, nothing would be outside. He is 100% committed to work on the application for the townhouses and beautifying the property.

Jocks confirmed this is not rezoning the property. The PC needs to be cautious on what is allowed and how and not let it be too expansive. The purpose of the PD is not to be a defect of rezoning from another district, but is allowing some variance from what the existing zoning already allows to achieve a larger product. The PD is allowed in the zoning ordinance and is not something that others can use once it is approved to change the zoning in the entire district. In the review and considerations, look at how much it does allow for change. Keep it as narrow and limited as possible. It should not be an open door to allow all or a large amount of uses from another district that would otherwise not be allowed. The intent is to allow something that would otherwise not be allow in order for the project to go, not the entire project to allow different uses in its own district.

Timmins asked if the property were sold, would the new owner have to follow the PD phases?

Wentzloff said they would need to do the phases as planned under the PD.

Jocks said the PD can be revoked for failure to follow the phasing requirements. The township does have that authority. If the developer wanted out of it after the first phase was completed, that request should be denied. They are subject to the PD as a whole, unless a new or amended plan met the requirements.

Stern stated they have trimmed down the uses that would be allowed on the property. Somehow a rumor was started that he bought the property as a temporary exchange property, this is not true. He has been upfront with the community on his intentions and the developer for the storage that was at the beginning no longer exists. He is doing the project now as Lormax Stern.

The PC discussed the uses that would be good fit for the site from the Regulated Uses and Dimensions list Winter provided Stern of possible options.

Wentzloff stated the phasing plan is what is lacking in the application.

Jocks said the Planning Commission is responsible for the approval or denial of this project. PC should be satisfied with the phasing plan and its clarification. It is critical to assure to not approve the project for a use and then once that is completed nothing else happens. There should be a drawing showing a clear description of what is going to be done with each of the phases.

Stern stated the only part of the phasing he can't confirm at this time is the partnership with Homestretch. They are doing the application for funding with MSHA, but it is not guaranteed they will receive it. In the PD he can commit to the access for Bata Bus, trail along the frontage, landscaping by the entrance, rehab of the Kmart building, and put in the application for the housing. He said with today's market this is all he can commit to at this time.

Wentzloff noted without having a phasing plan it is hard to assess what they have been presented for the PD. The housing would be an amendment in the PD if the funding goes through.

Wolf suggested having Jon Stimson with Homestretch give a presentation in July to explain what they are about.

Jon Stimson, Executive Director with Homestretch, explained funding with MSHA on the project could take at least a year. The townhouses are for people that fit in the financial guidelines, or maybe senior citizens that want to downsize.

Jocks said looking at the plan he doesn't see clarification of phase one. This would need to be done.

The PC census was they did not feel comfortable to pass it on to the board at this point until the phases are more defined.

Winter said the phases and establishing the uses is what is still needed.

Wolf stated once the PD is initiated than that PD is valid. You can extend or amendment the agreement. Once you build the first phase than he would be locked in to the agreement and good to go.

Stern will not have warehousing in the former Kmart building, but would like to consider temporary storage for smaller boats and jet ski storage on trailers as overflow from his Northport building. It would give him some revenue from his investment until he can get the property developed. He would not need to make any changes to the building to do this.

Jocks said there should be a condition on a limited timeframe as a temporary use. Questions should be answered on the details as part of the review.

Daniel Stern had said if he was not able to do indoor storage for cars and boats in the old Kmart building, that would be a deal breaker for him.

The PC felt it could be a possibility to use the Kmart building with a timeframe of 24 months for boat storage and would like to see more details in writing of what is involved.

Feringa, stated he did not see the project as a PD but a rezone

Wentzloff recommended to have the phases clarify and to keep the Public Hearing open to be continued at the next scheduled Planning Commission meeting. The plan needs to be more acceptable with phases completed.

Motion by Balentine to keep the public hearing opened for PD 2019-01 Lormax Stern – Planned Development (former Kmart) for the next scheduled Planning Commission meeting, supported by Timmins. Roll call motion carried unanimously.

3. SUP 2020-01 Prism Power Partners Solar Energy Farm Special Use/site Plan Review

Wentzloff stated there has been no updates to discuss. She recommends keeping the public hearing opened for the regular July Planning Commission meeting after the requirements are completed.

Motion by Timmins to keep the public hearing open for Prism Power Trailside Solar Farm until the July Planning Commission meeting, supported Balentine. Roll call motion carried unanimously.

4. Zoning Ordinance Review Continued Discussion Article 3 (time permitting) – postponed

J. NEW BUSINESS:

- 1. Zoning Ordinance Review Article 4 (time permitting) postponed
- K. PUBLIC COMMENT & OTHER PC BUSINESS: Open at 10:23 pm

Brian Kelley, Acme resident, voiced the PD for the Lormax Stern project should be complete.

Public comment closed at 10:26 pm

- 1. Planning & Zoning Administrator Report: No report
- 2. Township Board Report: no report
- **3. Parks & Trails Committee:** Wolf informed there will be a Parks and Trails meeting next Monday at 4:00 pm at Shelter #3 in Sayler Park.

ADJOURN: Motion by Balentine to adjourn, supported by Timmins. Roll call motion adjourned 10:28 pm

ACME TOWNSHIP

PUBLIC NOTICE OF MEETING BY TELEPHONE CONFERENCE CALL FOR THE ACME TOWNSHIP SPEICAL PLANNING COMMMISSION MEETING MONDAY, June 8, 2020 AT 7:00 PM

On March 18, 2020, Governor Whitmer issued Executive Order No. 2020-15 authorizing remote participation in public meetings and hearings for public bodies and other governmental entities by telephonic conferencing in a manner in which both the general public and the members of the public body may participate by electronic means.

The Acme Township Planning Commission is holding its June 8, 2020 Special Meeting by telephonic conference in the interest of the public health, safety, and welfare during the Coronavirus outbreak to limit in-person contact and interaction. There will be no physical meeting location.

To implement this mitigation strategy and to allow the public to attend Planning Commission meetings remotely, the Township Board authorizes Planning Commission members, Township staff, and members of the public to attend by telephonic conference as follows:

Call in number: 1-312-626-6799
 Enter Meeting ID: 825 8977 1340 #

3. Press # again when asked if you are a participant

The conference call meeting will begin as soon as the Planning Commission has logged on.

Upon opening the meeting, the Planning Commission will recite the Pledge of Allegiance and then take roll call of the Planning Commission members present. The chair will then ask for the names or identifying information of all members of the public participating on the conference call. The chair will then open Public Comment by calling on each member of the public on the conference call to allow for each person to provide comment in an orderly fashion. The meeting will then continue pursuant to the agenda. The chair will allow further Public Comment as deemed necessary and then again at the end of the meeting.

The meeting packet is available at acmetownship.org under the "Current Meeting Minutes" tab.

If you require special assistance or auxiliary aids and services to attend the meeting by telephone conference, please contact Clerk Cathy Dye within 24 hours of the meeting at 938-1350 or cdye@acmetownship.org.



ACME TOWNSHIP PLANNING COMMISSION SPECIAL REMOTE ZOOM MEETING AGENDA

6042 Acme Road, Williamsburg MI 49690 June 8, 2020 7:00 p.m.

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE

ROLL CALL:

- A. LIMITED PUBLIC COMMENT: The chair will ask for the names or identifying information of all members of the public participating on the conference call. The chair will then open Public Comment by calling on each member of the public on the conference call to allow for each person to provide comment in an orderly fashion Public comments are limited to three minutes per individual. Comments during other portions of the agenda may or may not be entertained at the moderator's discretion.
- **B.** APPROVAL OF AGENDA:
- C. INQUIRY AS TO CONFLICTS OF INTEREST:
- D. SPECIAL PRESENTATIONS:
- E. CONSENT CALENDAR: The purpose of the consent calendar is to expedite business by grouping non-controversial items together for one Commission motion without discussion. A request to remove any item for discussion later in the agenda from any member of the Commission, staff or public shall be granted.
 - 1. RECEIVE AND FILE
 - a. Township Board Regular Meeting Minutes 05.12.20
 - 2. ACTION:
 - **a.** Approve Draft Planning Commission Meeting Minutes 05.11.20
 - **b.** Approval Draft Planning Commission Special Meeting Minutes 05.26.20

F.	ITEMS	REMOVED FROM THE CONSENT CALENDAR
	1.	
	2.	
	3.	

G. CORRESPONDENCE:

- 1. Babcock
- 2. Beall
- 3. Bernard
- 4. CCATs
- **5.** Distributed flyer
- **6.** Fusi
- 7. Goran
- **8.** Howie
- **9.** Kalil
- 10. Kozlowski
- 11. Lundgren & Spooner
- 12. Watershed Center

H. PUBLIC HEARINGS:

- 1. PD 2019-01 Lormax Stern Planned Development (former Kmart)
- 2. SUP 2020-01 Prism Power Partners Solar Energy Farm Special Use/Site Plan Review

I. OLD BUSINESS:

1. SPR 2020-05 – PC review of Satellite Dish 4620 US 31 N

- 2. PD 2019-01 Lormax Stern Planned Development (former Kmart)
- 3. SUP 2020-01 Prism Power Partners Solar Energy Farm Special Use/Site Plan Review
- 4. Zoning Ordinance Review Continued Discussion Article 3 (time permitting)

J. NEW BUSINESS:

1. Zoning Ordinance Review Article 4 (time permitting)

K. PUBLIC COMMENT & OTHER PC BUSINESS

- 1. Planning & Zoning Administrator Report Lindsey Wolf
- 2. Township Board Report Jean Aukerman
- 3. Parks & Trails Committee Report Marcie Timmins

ADJOURN:



MEMORANDUM Planning and Zoning 6042 Acme Road | Williamsburg, MI | 49690

6042 Acme Road | Williamsburg, MI | 49690 **Phone**: (231) 938-1350 **Fax**: (231) 938-1510 **Web**: <u>www.acmetownship.org</u>

To:	Acme Township Planning Commission							
From:	Lindsey Wolf, Planning & Zoning Administrator							
Date:	June 3	June 3, 2020						
Re:	June 8, 2020 Planning Commission Packet Summary							
Α.	LIMITED PUBLIC COMMENT:							
	Open:							
В.	APPROVAL OF AGENDA:							
	Motio	on to approve: Support:						
C.	INQUIRY AS TO CONFLICTS OF INTEREST:							
	Name	: Item:						
	Name	: Item:						
D.	SPECI	AL PRESENTATIONS: none						
_								
E.		ENT CALENDAR:						
	1.	1. RECEIVE AND FILE:						
	•	a. Township Board Regular Meeting Minutes 05.12.20						
	2.							
		a. Approve Draft Planning Commission Meeting Minutes 05.11.20						
	b. Approve Draft Planning Commission Special Meeting Minutes 05.26.20							
	Motio	on to adopt: Support:						
F.	ITEMS TO BE REMOVED FROM THE CONSENT CALENDAR:							
	1.							
	2.							
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G.	<u>COKK</u> 1.	ESPONDENCE: Babcock						
	1. 2.	Beall						
	3.	Bernard						
	4. CCATs							
		5. Distributed flyer						
	6.	Fusi						
	7. Goran							
	8.	Howie						
	9.	Kalil						
	10. Kozlowski							
		11. Lundgren & Spooner						
	12.							

H. **PUBLIC HEARINGS:**

- 1. PD 2019-01 Lormax Stern Planned Development (former Kmart)
- 2. SUP 2020-01 Prism Power Partners Solar Energy Farm Special Use/Site Plan Review

I. OLD BUSINESS:

1. SPR 2020-05 – PC Review of Satellite Dish

Staff has received a request for the installation of a large satellite dish (18' high x 10' wide) to accommodate the offices of a radio station at 4620 US 31 North. The use of a professional office will remain the same – and is a use by right within the district. There will be no external changes to the property with the exception of the installation of the satellite dish. The dish poses some challenges as follows:

- The Acme Township Zoning Ordinance provides little language pertaining to accessory structures within the C: Corridor Commercial District. It does not contain language to prohibit the installation of the dish.
- Due to the size it will be highly visible from US 31 N and from the neighboring properties of 5 mile road.
- It cannot be placed in another location on the property would not allow it to function properly due to trees, the existing building, and ravine.
- The radio station will be leasing the space. It would be beneficial to the township to require a bond for removal and restoration of the area when the dish is no longer in use.

Minor modifications to an existing site plan may be brought before the Planning Commission without a formal application. After discussion with legal counsel it was advised to bring this item for the Planning Commission for their recommendations and conditions of approval.

Discussion was had at the May 11th and May 26th Planning Commission Meeting: Census was to have Jack Turner get the answers asked by the PC for the amount of the impervious surface, application of the stormwater ordinance, distance from neighboring property, visual screening, lessen height options, lighting, and overhead powerline location, to discuss either at the May 26 or June 8 meeting. Answers to the questions are included in detail in Planning & Zoning Report No. 2020-06.

SUGGESTED MOTION FOR CONSIDERATION:

Motion to approve the installation of the satellite dish at 4620 US 31 N as indicated on the site plan (revised 06/01/20) subject to the following conditions:

- Receive stormwater approval from Gosling Czubak.
- The applicant will be responsible for the cost of the stormwater review. No land use permit will be issued until payment is received.
- A bond shall be submitted to the township for the cost of removal prior to the issuance of a land use permit.

2. PD 2019-01 Lormax Stern - Planned Development (former Kmart)

A public hearing was held on May 26, 2020 for a planned development for reuse of the former Kmart property (6455 US-31 N) with a mixture of commercial and residential opportunities. Discussion was had on refining the uses and providing a phasing plan. A motion was made by Timmins to keep the public hearing open for PD 2019-01 for the June 8, 2020 Planning Commission meeting. All members were in support. A detailed report has been provided by the township Planning Consultant, Shawn Winter. He has provided several recommendations regarding land uses and phasing plan.

SUGGESTED MOTION FOR CONSIDERATION:

Winter states that at this point, the developer has addressed a number of the concerns and recommendations from previous review meetings. If the Planning Commission is satisfied with the draft development conditions, along with any revisions including addressing the items above, then a recommendation of approval to the Township Board would be appropriate.

3. SUP 2020-01 - Prism Power Partners Solar Energy Farm Special Use/Site Plan Review

A public hearing was held on May 26, 2020 for a special use permit and site plan approval to construct a 51-acre solar energy farm on the property located near the corner of E M-72 and Bates Road (parcel ID: 28-01-002-002-02). Detailed discussion was held on the concerns of the sensitivity of neighboring Yuba Creek. Soil erosion, stormwater, and restoration were a vital concern. A motion was made by Aukerman to keep the public hearing open for Prism Power Trailside Solar until June 8, 2020 to discuss outstanding subjects again so the PC can make a decision. All members were in support.

SUGGESTED MOTION FOR CONSIDERATION:

No additional materials have been provided at this time. Staff recommends that the public hearing be kept open until the regular July 13, 2020 Planning Commission meeting.

	4.	Zoning Ordinance Review	w: Continued Discussion on Article 3 (time per	rmitting)		
J.	NEW BUSINESS:					
	1.					
K.	PUBLIC COMMENT & OTHER PC BUSINESS:					
	1.	Public Comment:				
		Open:	Close:			
	2.	Planning & Zoning Administrator Report: Lindsey Wolf				
	3.	Township Board Report: Jean Aukerman				
	4.	. Parks & Trails Committee Report: Marcie Timmins				
L.	ADIOURN:					
	Motion	to adjourn:	Support:			



ACME TOWNSHIP REGULAR BOARD MEETING 6042 Acme Rd., Williamsburg MI 49690 Remote Zoom Meeting Tuesday, May 12, 2020 7:00 p.m.

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

ROLL CALL: Members present: D. White, C. Dye, A. Jenema, J. Aukerman, P. Scott, D. Nelson, D. Hoxsie

Members excused: none

Staff present: J. Jocks, Legal Counsel, L. Wolf, Planning & Zoning Administrator, V. Donn,

Recording Secretary

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

Brian Kelley, Acme resident, stated his concerns with learning of the contamination of the grounds from the gas station by Bayside Park. He questioned the easement they use and said it should be eliminated.

Public comment closed at 7:04 pm

B. APPROVAL OF AGENDA:

Motion by Aukerman to approve the agenda as presented with the addition to L. Old Business, 2. Stormwater Ordinance, supported by Dye. Roll call motion carried unanimously.

C. APPROVAL OF BOARD MINUTES: Regular meeting 4/7/20 and special meeting 4/28/20.

Aukerman would like to have in the regular meeting minutes of 4/7/20 revised to have the misspelled word mileage to millage corrected in D. Approval of Board Minutes 4/7/20, motion by Scott, and also under F. Reports, e. County, G. Lapointe's report in the first sentence. Also, the rewording of under L. Old Business, American Waste 5-year proposal to say as highlighted.

White talked to American Waste to extend the agreement proposal. They have increased the monthly fee from \$13.57 to \$14.00 for weekly pick up of the 96-gallon cart and recycling. 30-gallon budget bag weekly pickup with recycling is now \$7.05 per month. Budget bags, purchased by customer, are \$3.00 each. There has not been a price increase with them since May 2011. It has a 3% a year increase with a 5-year agreement. White is recommending the board to approve the extension agreement.

Motion by Nelson to approve the regular Board meeting minutes of 4/7/20 and special meeting minutes of 4/28/20 as presented with the corrections recommended by Aukerman, supported by Aukerman. Roll call motion carried unanimously.

D. INQUIRY AS TO CONFLICTS OF INTEREST: None

E. REPORTS

- **a.** Clerk: Dye reported she is getting prepared for the August 4 election and trying to go forward with safety procedures concerning Covid-19. She is waiting to hear from the State for new rules and regulations for upcoming elections.
- b. Parks: No report
- c. Legal Counsel Jocks reported on the status of the conservation easement with Mr. Engle. He has had discussions with Kelly Drake, the Michigan Assistant Attorney General and the Department of Agriculture. Ms. Drake is currently working on drafting a complaint to file in circuit court to enforce the easement. As soon as he receives it, he will be moving forward. The coronavirus has slowed getting this completed. He is also working on various issues with the Planning Commissioners.
- d. Sheriff: No report
- **c.** County: G. Lapointe reported the coronavirus has dominated the commissioner's agenda. Grand Traverse has been less impacted with cases than other areas in the state. There has been questions on the amount of testing that have been said will be done and if there is the capability to do all of them. There are no testing standards right now. The health department is working overtime on the project. The commissioners discussed ways to help half of the county employees with a possible type of hazard bonus, but it was defeated. It was felt the bounus would not be taken well with so many confined at home and no income coming in.

He has submitted a draft letter to be forward to the Governor Whitmer as a request for regional or county-based businesses to reopen.

The new Senior Citizen Center was discussed. The building and land used now is owned by the city. The new center was given the approval to move ahead when it was told it would be funded by private donations and then was changed to have a millage for the expense. The current location does not give room for expansion and parking is an issue. It was suggested to research on the demographics of participants using the facility and other questions before it goes on the November ballot.

f. Supervisor: No report

F. SPECIAL PRESENTATIONS: None

- G. CONSENT CALENDAR:
 - 1. RECEIVE AND FILE:
 - a. Treasurer's Report
 - b. Clerk's Revenue/Expenditure Report and Balance Sheet
 - c. RecycleSmart May newsletter
 - d. Draft Unapproved meeting minutes
 - 1. Planning Commission 4/13/20
 - 2. APPROVAL:
 - 1. Accounts Payable Prepaid of \$195,341.20 and Current to be approved of \$46,705.16 (Recommend approval: Clerk, C. Dye)

Motion by Scott to approve the Consent Calendar as present, supported by Dye. Roll call motion carried unanimously.

- H. ITEMS REMOVED FROM THE CONSENT CALENDAR: None
- I. CORRESPONDENCE: None
- J. PUBLIC HEARING: None
- K. NEW BUSINESS:

1. Restrictive covenant- Acme Shell Minimart

Jocks informed sometime in the early 1990s there was a gas leakage from underground storage tanks from the gas station next to Bayside Park. Jay Zollinger was contacted in April 2018 by Peter Neithercut, PE, with Wood Environment & Infrastructure Solutions suggesting the township sign a Restrictive Covenant because of contamination caused by the gas station that flowed from ground water into Bayside Park. Zollinger asked Jocks for his advice. Jocks told him not to sign until they know what was going on. After a meeting with Peter Neithercut, it was realized more information was needed. The township hired Peter Lepczyk, Senior Hydrogeologist with Fishbeck, Traverse City, to evaluate the data and standards of the contamination that has been there for 25 years or more. Someone in the 90's noticed there was a leak from the gas station and the DNR got involved and test wells were put on the property. They worked on the scope of the contamination over the course of the years.

Jocks said at this point, the Township could not file a lawsuit over any of the contamination because of the statute of limitations. He recommended not to sign the restrictive covenant requested by Schmuckal Oil, it could also potentially give the oil company permission to come on the township property in the future.

Peter Lepczyk was in attendance for questions and to give the analysis of the situation. He said he was given two documents to evaluate, the leak of underground assessment report from the Acme Shell Mini Mart and the draft of the Restrictive Covenant. He felt the assessment report was done in accordance with EGLE standards practices in Michigan. The earlier reports from the 90s were not available to assess. At that time, the underground tanks were removed, and the ground was treated. There has been monitoring of the groundwater flow across the property to see the impacted of contamination into the park.

The summary of his research was there were no acute or imminent threats to human health, or the environment that were identified on the Bayside Park property. He said while the contaminants have moved towards the Bay, they have decreased in concentration. He reviewed the summary and graph of gasoline indicators in the groundwater that was completed in November 2018 with the board. It was a mature plume that has gone on for decades and should be decreasing.

He mentioned the portable drinking water from that area may have a smell or offensive taste to it,

but it doesn't have any health base concerns.

He stated the Restrictive Covenant is a practice when closing out an underground storage tank. It would limit installing wells for portable drinking or irrigation and prohibit activities such as constructing new structures.

Jocks said there is no net benefit for the township to sign the restrictive covenant. Shell would be doing it to reduce their liabilities.

Lepczyk said typically on a project like this they would develop a site model that documents the source of contamination, pathway, and receptors. They would have various sources and pathways in the final assessment report that would provide a matrix. The summary tables would document and evaluate the contamination. For example, vapor intrusion containments are volatile organic compounds they move from contaminated soil, contaminated groundwater, into soil gas so if there was an existing

building or new, it vacuums the containments that are hanging from the soil up into the building space. The contamination source would be the contamination in the groundwater, the pathway would be the volatilization to indoor air, and the receptor would be a resident or office worker in the building. If the township were ever to build over the plume of this area, this is something that would have to be assessed. EGLE would look at the water standards.

Jenema asked for clarification on the graph showing the gasoline indicators in the groundwater.

Lepczyk reviewed the graph provided by Peter Neithercut and felt some of the of assumptions given the criteria may not be accurate. He said the summary sheet that refers to direct contact with the pathways, the concentrations that are in the report are not posing a risk to human health in the dissolve phase.

Jocks suggested to have the township get with EGLE. He would like to get with Supervisor White to reach out to EGLE to monitor.

Jenema suggested to try to get the documents from 1994 on the contamination. She had looked at the historical files at the township and could not find anything.

Lepczyk said if would be good to see the data on concentrations from the 90s to present and see how the levels have decreased.

He said typically there would be a negotiated access agreement with an owner to monitor the data of any testing and keep the township notified.

Jocks said it would be good to have them keep the township in the loop and ask for copies of maintaining the data that they would continue to do. If the declaration of restricted covenant were not signed, they would need to test levels to monitor concentrations that remain.

Lepczyk said the testing being done is by the standards but it would be good to have testing on deeper levels.

Motion by Jenema to not sign the Declaration of Restricted Covenant that has been presented to the township by Acme Shell Mini Mart, supported by Scott. Roll call motion carried unanimously.

Motion by Nelson to have the township Supervisor make a request for pertinent historical data from the site and engage with an ongoing relationship with EGLE and the owners of the property to continue to monitor the situation, supported by Scott. Roll call motion carried unanimously.

2. Resolution #R2020-09 fund budget adjustments for Fire Fund 206 expenditures
Jenema explained this adjustment will make the expenditure total equal to final budget
amount that was approved for Metro Fire of \$822,341.

Motion by Jenema to approve #R2020-09 206 Fire Fund budget amendment, supported by Scott. Roll call motion carried unanimously.

3. North Flight EMS 911 Requests/Response Time report

Paul Owens, General Manager for North Flight EMS, introduced himself as the contact for the township and is available for any questions. He stated he will start to submit a monthly report for the township's review. He explained a confirmation of agreement is required by the State of Michigan for Acme Township to sign. The agreement is the same as the last one that was signed in 2012.

Nelson stated Chief Parker has reviewed the agreement and supports it to be signed.

Motion by Jenema to accept the North Flight EMS Ambulance Agreement, supported by Aukerman. Roll call motion carried unanimously.

4. Request for RFP proposals for IT computer operations

Jenema and White looked at an old RFP for computers and IT operations and made modifications to updated it. They are looking for equipment to be competitive and technically in line with the times. It has been six years since the township received new computers and some are not working properly. The request for qualifications & proposals is to send to companies for pricing and to evaluate the options they can offer. It includes the request for pricing on laptops so staff would to be able to work from home if needed. They are also looking at streaming the township meetings for the internet. She is asking the board for permission to put the RFP out.

Aukerman suggested with the Qualifications & Proposals Section E. 1. Firm Profile, b. Areas of expertise and company capabilities, to add knowledge of and working history with BS&A software and to d. Municipal clients, add number of years they serviced them.

Board gave approval to proceed with proposals.

L. OLD BUSINESS:

1. Continuing discussion on 2020-21 Township Budget

Supervisor White informed the Board that no changes have been made to the budget on the portion reviewed at the previous meeting April 28th. Review of the remaining budget for funds 590, 591, 703,811 continued. It was agreed that there will be a Public Hearing on the budget at the regular board meeting June 2.

2. Stormwater Ordinance

Aukerman reported at the February PC meeting she was asked to be the liaison to update the township stormwater ordinance for a rewrite by 2021. Currently the stormwater ordinance that is in place, was with the involvement of other townships and needs revisions. It was decided to have Acme Township do their own. They need to see where there are holes in the ordinance and ways to reinforce it in the right way and if it should be revise or a complete start over. Jocks had recommended to the PC to hold off on the stormwater ordinance until the zoning ordinance is completed. Because of the Covid-19, the timing to work on the zoning ordinance has been delayed. An estimated of \$4500 would be needed to do the rewrite and White said it was in the budget.

Wolf is looking forward to working with Bob Verschaeve, Engineer with Gosling Czubak on the technical part and on where we are at with Yuba Creek for any improvements for the stormwater ordinance.

Jocks had recommended to hold off until the Zoning Ordinance was completed, but now would like it started right away. Aukerman will start working on it.

PUBLIC COMMENT & OTHER BUSINESS THAT MAY COME BEFORE THE BOARD: Opened at 9:29 pm

Brian Kelley wondered if there were any mediation options that could be obtained like a grant to help with the contamination issue. He didn't see the report that was referred to on the website and asked to have it put there. He also wondered if other gas stations or cleaners should also be looked at.

Public Comment closed at 9:31 pm

ADJOURN: Motion by Scott to adjourn, supported by Hoxsie. Roll call motion carried unanimously. Meeting adjourned at 9:32 pm.

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a document from the official records of the township.

Cathy Dye, CMMC, Acme Township Clerk



ACME TOWNSHIP PLANNING COMMISSION MEETING ACME TOWNSHIP HALL REMOTE ZOOM MEETING AGENDA 6042 Acme Road, Williamsburg MI 49690

Monday, May 11, 2020 7:00 p.m.

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

ROLL CALL: Members present: K. Wentzloff (Chair), S. Feringa (Vice Chair), M. Timmins, D. Rosa,

D. VanHouten, B. Balentine, J. Aukerman

Members excused: None

Staff present: L. Wolf, Planning & Zoning Administrator, S. Winter, Planning Consultant Beckett & Raeder,

V. Donn, Recording Secretary

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

Brian, Kelley, Acme resident, voiced major parts of the stormwater requirements were incomplete and missing in the packet for the KOTI project. He asked to have it brought back to the PC meeting when completed.

Jim Goran, AAA Storage, 6631 & 6719 M-72, he and his wife Kristen do not support the rezoning of the Fisk property.

Limited Public Comment closed at 7:11 pm

- B. APPROVAL OF AGENDA: Motion by Timmins to approve the agenda as presented with the addition to G. Correspondence 3. Brian Kelley Letter, 4. Watershed Center Letter, 5. John Kroupa letter, supported by Balentine. Roll call motion carried unanimously.
- C. INQUIRY AS TO CONFLICTS OF INTEREST: None
- D. SPECIAL PRESENTATIONS: None
- E. CONSENT CALENDAR:
 - 1. RECEIVE AND FILE
 - a. None
 - 2. ACTION:
 - **a.** Approve Draft Planning Commission Special Meeting Minutes 02.24.20
 - **b.** Approve Draft Planning Commission Meeting Minutes 04.13.20

Motion by Timmins to approve the consent calendar as presented, supported by Balentine. Roll call motion carried unanimously.

- F. ITEMS REMOVED FROM THE CONSENT CALENDAR: None
- G. CORRESPONDENCE:
 - 1. Haggard's Plumbing & Heating
 - 2. Jim & Kris Goran
 - 3. Brian Kelley letter Wentzloff read out loud for the record
 - 4. Watershed Center letter Wentzloff read out loud for the record
 - 5. John Kroupa letter Wentzloff read out loud for the record
- H. PUBLIC HEARINGS: Opened at 7:21 pm
 - 1. Zoning Ordinance Amendment #052 Fisk Rezoning Request

Jeff Jocks explained the rules for doing a public hearing remotely. The open time is offered to anyone for an opportunity to speak and each person's intent of what they discussed to be written in the meeting minutes.

John Kroupa, Nomad Properties Holdings, 6578 M-72, does not support the rezoning of the Fisk property from A-1 agricultural to B-4 material processing. He is concerned with the environmental encroachment on Yuba Creek for any future uses that might occur.

Brian Kelley, Acme resident, stated he has heard from some of the residents who live near the project are not in support of the rezoning. That section already has a traffic issue and he has concerns with the increase it will create. He is opposed of the rezoning and feels the township should not be giving up an agriculture property to B-4 zoning. There are adjacent wetlands there that are not compatible with industrial.

Closed at 7:27 pm

I. OLD BUSINESS:

1. Zoning Ordinance Amendment #052 Fisk Rezoning Request

Jody Fisk stated one of the reasons they are requesting the change is because the property is only 3.50 acres and is under the agriculture requirements of 5 acres. The rezoning is for a business that supplies the needs for people with disabilities. It would be a showroom of equipment of home modifications for those to stay independent in their homes and not for industrial use.

Wentzloff informed when considering the rezoning request any uses under that ordinance that would be allowed. We are looking at this independently of any specific site plan or use that is being proposed. Keep in mind if we do rezone, there is no requirement of that use going forward. With the rezoning as agricultural a large building could be built on it without restrictions for stormwater.

Timmins commented to allow B4 with a special use permit, it would have to come to the PC for approval if there were any changes in the type of use in the future.

Wolf informed due to the proximately to Yuba Creek it is subject to a site plan review regardless of what the development is.

Rosa noted the parcel looked landlock between properties on each side making it less useful for agriculture.

Aukerman asked John Kroupa now that he knows the intent and property size not to be conducive for agricultural, if that lessens his concerns?

John Kroupa stated his concern is looking at the long term. If the property gets rezone and gets resold, it could change to some other use.

Wentzloff added any future use for B-4 would have to be one that is outlined in the township ordinance.

Jocks stated the minimum acreage question needs to be examined. This parcel was not created after the adoption of the ordinance when the 5-acre requirement was put in place. Because of that, agriculture uses would not be prohibited. The future land use map is what the PC adopted, which is a consideration with the zoning amending for that parcel. To rezone in a way that is inconsistent with the master plan is to determine if that corner and property surrounding it is the appropriate use of that area.

Wolf informed for the site and soil erosion review all of that would need to come to the PC and the Township Board for a final rezoning approval.

Motion by Timmins to send proposed Zoning Ordinance Amendment 052 to rezone approximately 3.60-acres from A-1: Agricultural to B-4: Material Processing for the property located at 5990 Bates Road, Parcel ID 28-01-002-031-00, owned by Jody Fisk/M72 Bates, LLC to the Township Board for approval, supported by Balentine. Roll call carried unanimously.

J. NEW BUSINESS:

1. SPR 2020-04 KOTI Planned Development Phase 1

Winter gave an overview of the submitted site plan review application for Phase 1 of the KOTI Planned Development, consisting of 14 single-family residential units in two separate clusters one on the east side and one on the west side, between Acme Creek portions on the property. This site plan review is different than most the Planning Commission reviews since it has been reviewed for consistency with the previously approved planned development and subsequent amendment. The specific conditions spelled out in the development agreement that was part of that approval, and the applicable standards of the Acme Township Zoning Ordinance. It includes grading, necessary infrastructure improvements, landscaping, and site lighting.

Applicant has indicated that all necessary agencies have received copies of the site plans and he is awaiting approval and/or permits. Due to the current executive orders from the coronavirus, many agencies are currently not processing permit applications. Each agency, perhaps except for EGLE, reviewed the conceptual plans as part of the PD review and approval process. It is recommended that approval of this site plan be conditioned to require all necessary approvals and/or permits prior to issuing a land use permit. Any changes to the site plan because of agency approval and/or permitting outside of what would qualify as an insignificant deviation will need to come back to the Planning Commission for a minor or a major amendment. Also needed is a baseline Acme Creek monitoring report.

Wolf said she has an update from Bob Verschaeve from Gosling Czubak on the stormwater process and an add on. The concern is the outstanding stormwater items and there needs to be a site and soil review.

Nate Elkins, with Influence Design Forum in Traverse City, said the agencies will be giving reports of stormwater and the sewer to township. He informed because of the coronavirus, agencies reviews are not moving through the process quickly.

He explained the stormwater infiltration system will move water using channels and basins as quickly as possible. There will be large basins for the infiltration to create a system with a natural feeling vegetated with native plants. Underground pipes will filter water into the soil. He is working to design a system that will have zero water entering in the creek. Trench channels will be installed to keep the elevations higher as moving across the site. In the future they will be adding a decorative filter system. They also need to have a perk test completed to give to the township.

Wolf let Elkins know an approved stormwater management system permit is required by the Township Engineer.

Winter informed this phase provides the easement to align the entrance to the TART Trail not to construction the bridge the township will do.

Winter asked Elkins back in 2017 EGLE had permits for part 31-33 that had to be submitted, was that still needed?

Elkins said there is no requirement because they are completely removing that. There is a stormwater basin down by the creek with a slow release structure for the wetlands. EGLE wanted

a record of it to show. They are going to modify it and remove the slow release structure.

Winter inquired on future phases for units 13-17 will they be able to do construction to those units with the stormwater system functioning?

Elkins said certain locations will be closed off initially and there will be provisions put in place with a strategy on how to work around it. Anything that needs to, will get a new permit.

Motion by Balentine to adopt the findings of this report and to approve Site Plan Review 2020-04 for the construction of Phase 1 of the KOTI Planned Development as indicated on the submitted plans with the following conditions being met before issuing a land use permit:

- 1. All applicable agency approvals and or permits are submitted to the Zoning Administrator;
- 2. An approval of a stormwater management system by the Township Engineer;
- 3. The species list on the landscape plan be updated to reflect approved species;
- 4. A bond, letter of credit, cash surety or certified check in the amount equal to the material and labor costs to install the plantings on the landscape plan, with the costs prepared by a professional landscaper;
- 5. Submit a baseline water quality report for Acme Creek consistent with the requirements of PD 2016-01 Development Agreement, Exhibit C, Item D.
- 6. Indicate the location and means of refuse collection and disposal for the development;
- 7. Submit an updated set of plans in pdf format and a printed set of full-size plans sealed by a licensed engineer, architect, or landscape architect, signed by the Applicant and the Planning Commission Chair, supported by VanHouten. Roll Call motion carried unanimously.

2. SUP 2020-02/SPR Flintfields Minor Amendment

Dusty Christensen, LLA, with Mansfield Landuse Consultants, Traverse City, was in attendance for questions on the application for the amendments to the: Flintfields Horse Park – Great Lakes Equestrian Festival Horse Show, located at 6535 Bates Road. This request requires approval of a minor amendment to the existing special use permit that governs the development of the property, and its subsequent amendments. The proposed use is consistent with the intent and purpose of the zoning district as well as the future land use category.

He is proposing the following amendments to the existing SUP to approve the property:

- 1. Updated event schedule:
 - a. Extend horse show events from 8 weeks to 10 weeks.
 - b. Donating facility for two additional annual one-day horse show events U of M,
 - MSU, NMC Polo Fundraiser for Scholarships
 - Stepping Stones Horse Show
- 2. 20' x 160' Spectator Pavilion
- 3. V.I.P Pavilion
- 4. Future 24' x 24' Beverage Pavilion
- 5. Future 30' x 50' Pavilion
- 6. Central plaza area and tot-lot and food truck parking areas
- 7. Pedestrian walk between parking lot and arena areas
- 8. Entry features, way-finding signage, arena scoreboards

Wolf asked if there was a phasing plan.

Christensen said the VIP Pavilion and the 20' x 160' Spectator Pavilion with a fire access lane is on the first phase. The remainder will come into play over the next couple of years depending on the owners. Lighting will be to code, but they have not reached a design yet to submit. Currently there is no plan to remove trees or do any additional landscaping. The food trucks will be near the plaza near the activity.

Wolf informed him they need to get food preparation permits from the Health Department for the food trucks.

Motion by Timmins to approve the site plan submitted by Mansfield and Associates for the following minor amendments to the Flintfields Horse Park located at 6535 Bates Road Williamsburg, MI 49690:

- 1. Updated event schedule:
 - e. Extend horse show events from 8 weeks to 10 weeks.
 - f. Donating facility for two additional annual one-day horse show events
 - U of M, MSU, NMC Polo Fundraiser for Scholarships
 - Stepping Stones Horse Show
- 2. 20' x 160' Spectator Pavilion
- 3. V.I.P Pavilion
- 4. Future 24' x 24' Beverage Pavilion
- 5. Future 30' x 50' Pavilion
- 6. Central plaza area and tot-lot and food truck parking areas
- 7. Pedestrian walk between parking lot and arena areas
- 8. Entry features, way-finding signage, arena scoreboards

These amendments are subject to the following conditions prior to the issuance of a land use permit:

- A permit from the Health Department shall be obtained.
- A permit from Soil Erosion shall be obtained.
- Road Commission approval shall be obtained.
- An approval from the township stormwater engineer shall be obtained.
- The addition of any exterior lighting will require a photometric plan subject to departmental subject to Zoning Administrator approval.
- If construction occurs in more than 1 phase a phasing plan shall be provided.

Additional Condition for Approval:

- Overhead entries will not obstruct clearance of emergency vehicles.
- Any onsite food preparation will require a permit from the Health Department.
- Mobile food vendors shall obtain a permit to comply with the Acme Township Mobile Food Vending Ordinance.
- Dates/times of additional events within the 10-week period will need to be provide to the Township and Public Safety in advance to ensure health, safety welfare,
- Current occupancy copy of as built as-builts shall be provided and inspected by the township stormwater engineer to ensure stormwater compliance, supported by Balentine. Roll call motion carried unanimously.

3. SPR 2020-05- PC review of Satellite Dish 4620 US 31 N. (requested by staff/L.Wolf)

Wolf informed there is a request for the installation of a large satellite dish (18' high x 10' wide) to accommodate the offices of a radio station at 4620 US 31 North. The use of the professional office will remain the same and is a use by right within the district. There will be no external changes to the property except for the installation of the satellite dish that will sit on a 14' x 14' pad. The dish poses some challenges. The Township Zoning Ordinance provides little language pertaining to accessory structures within the C: Corridor Commercial District. It does not contain language to prohibit the installation of the dish. Due to the size it will be highly visible from US 31 N and from the neighboring properties of 5 Mile Road. It cannot be placed in another location on the property that would allow it to function properly due to trees, the existing building, and rayine.

Jocks said in the zoning ordinance this is an accessory structure best handle as an amendment to an existing site plan. The accessory is allowed as part of the principal use and is not referred to in the ordinance. There is nothing in the ordinance that restricts it.

Wolf said the radio station will be leasing the space. It would be beneficial to the township to

require a bond for removal and restoration of the area when the dish is no longer in use.

Jocks added you can approve an amendment with considerations.

Jack Turner with RSF Holdings, was in attendance for questions on the project.

Wolf was concern with the property aerial measurements. It did not indicate the right amount of space. Turner was going by what the specifications had. She will get with Fred Campbell who prepared them to answer that question.

Wentzloff said the Watershed commented on the proximately of the pad to the creek and wetlands behind the property.

Wolf told Turner if a stormwater review is required by their engineer, the fee would be the responsibility of the applicant.

Jocks said this is not a building so it may not apply. He said to ask Bob Verschaeve with Gosling Czubek, if there is an issue with the impervious surface and if a stormwater control review is required. Also, if the property line is correct and to check on the setbacks. He added there is little standards for accessory structures. It should fit in the requirements.

The PC discussed ways of visually screening the dish and if the height was necessary.

Census was to have Jack Turner get the answers asked by the PC for the amount of the impervious surface, application of the stormwater ordinance, distance from neighboring property, visual screening, lessen height options, lighting, and overhead powerline location, to discuss either at the May 26 or June 8 meeting.

K. PUBLIC COMMENT & OTHER PC BUSINESS: Open at 9:25 pm

Brian Kelley, Acme resident, voiced his concerns on the KOTI property stormwater permit and the condition of Acme Creek.

Public comment closed at 9:29 pm

- 1. Planning & Zoning Administrator Report: No report
- 2. **Township Board Report:** Jean Aukerman said the board is working on the 2021 budget to be completed by June 30. She will be getting with the board to discuss the RFP for the stormwater ordinance.
- 3. Parks & Trails Committee: No report

ADJOURN: Motion by Balentine to adjourn, supported by Timmins. Roll call motion adjourned 9:31 pm



ACME TOWNSHIP PLANNING COMMISSION SPECIAL REMOTE ZOOM MEETING AGENDA

6042 Acme Road, Williamsburg MI 49690 Tuesday, May 26, 2020 7:00 p.m.

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE at 7:04 pm

ROLL CALL: Members present: K. Wentzloff (Chair), S. Feringa (Vice Chair), M. Timmins, D. Rosa,

D. VanHouten, B. Balentine, J. Aukerman

Members excused: None

Staff present: L. Wolf, Planning & Zoning Administrator, S. Winter, Planning Consultant Becker & Raeder,

J. Jocks, Legal Counsel, V. Donn, Recording Secretary

A. LIMITED PUBLIC COMMENT: Open at 7:05pm

Brian, Kelley, Acme resident, voiced his concerns on the satellite dish and the sloop in the parking lot on what effects it could have with the stormwater running off to the basin by the creek.

Limited Public Comment closed at 7:11 pm

- B. APPROVAL OF AGENDA: Motion by Timmins to approve the agenda as presented with the addition to G. Correspondence, 10. Paul and Amanda Brink email and 11. Brian Kelley email, supported by Aukerman. Roll call motion carried unanimously.
- C. INQUIRY AS TO CONFLICTS OF INTEREST: None
- D. SPECIAL PRESENTATIONS: None
- E. CONSENT CALENDAR:
 - 1. RECEIVE AND FILE
 - a. None
 - 2. ACTION:
 - a. None
- F. ITEMS REMOVED FROM THE CONSENT CALENDAR: None
- **G. CORRESPONDENCE:**
 - 1. Haggard's Plumbing & Heating (2)
 - 2. Jim & Kris Goran (3) 2 in packet one received 5/26
 - 3. Fred & Denny Rohn
 - 4. Mary Raymer
 - 5. Rachelle Babcock
 - 6. Johanna & James Stevens
 - 7. Watershed Center
 - 8. John Zaloudek
 - 9. Bob & Kathy Garvey
 - 10. Paul and Amanda Brink- Wentzloff read out loud for the record
 - 11. Brian Kelley Wentzloff read out loud for the record
- H. PUBLIC HEARINGS: Opened at 7:18 pm
 - 1. PD 2019-01 Lormax Stern Planned Development (former Kmart)

James Stevens, Acme Mini Storage M-72, opposed the project it does not follow the future goals of the township and would put a hardship on other storage business that already exist.

Rachelle Babcock, 4261 Bartlett Rd, opposed the warehouse storage in the project.

Pam Cooper, Acme resident, is opposed of the storage with this project.

Brian Kelley, Acme resident, said the community survey showed industrial warehousing as being very undesirable. He felt the storage was not appropriate for this site and there should not be an open PD of uses on this project. Mr. Stern should come back with a more specific proposal.

Mary Rohn, Acme resident, does not support the project and feels this is not a fit for this area and we need to get back to the master plan goals.

Jim Goran, AAA Storage, 6631 & 6719 M-72, he is opposed to the storage project it is not zoned for warehousing. It does not fit in the master plan zoning, damages current businesses, and would open the door for an out of control sprawling of businesses in that area. His letter was submitted to the packet with his concerns.

Public Hearing closed at 7:32 pm

2. SUP 2020-01 Prism Power Partners Solar Energy Farm Special Use/Site Plan Review Opened at 7:32 pm

Rachelle Babcock, wondered how his property had escaped from special protection of the head waters of Yuba Creek when the master plan went in effect?

Brian Kelley, Acme resident, felt the applicant has not provided the significant required information that protects the headwaters of Yuba Creek which extending to the bay. The impact of the stormwater soil erosion could affect the creek. He suggested the stormwater system should be reviewed by an expert at the applicant's expense.

Dave Hoxsie, 6259 E M-72, has concerns with the effects the project would have on the Yuba Creek and if the temperatures rise it would destroy the fish population.

Mary Rohn, Acme resident, voiced her concerns with the sloop on the property having stormwater running off into the creek which empties into the bay. She feels it is very important to do an environmental impact study on this property.

Public Hearing closed at 7:41 pm

I. OLD BUSINESS:

1. SPR 2020- 05 – PC review of Satellite Dish 4620 US 31 N

Jack Turner was available to respond to questions that were asked at the last PC meeting.

Timmins mention there had been a decrease of the size of the dish platform and the height had been lowered by 4 feet. She inquired where the location of the dish would be on the property.

Turner said the platform and height had been reduced and there is a stake on the property that shows where the dish would be placed, 40-45 feet off the north boundary line.

Rosa asked if tall evergreens could be planted to hide the dish to screen it from the highway.

Turner said the trees would interfere with the reception now that the dish would be 4 feet lower. There will be some kind of landscaping around it.

Feringa stated to be sure not to have the dish under a powerline and to have it placed at the required distance from one.

Turner stated they want to make sure it does not interfere and would be getting with the power company.

Aukerman asked why the radio station at Bunker Hill could use a smaller satellite and this one was larger? Turner said it was discussed and was told this was the size that was needed. However, they were able to lower the dish by four feet.

Timmins inquired about the marsh area with cattails and how close to the edge of the property it is

Turner said he didn't know, there should be a map that would show this area to evaluate.

Wentzloff asked Jocks if the project fells under the size of the structure allowed under a land use permit.

Jocks informed the dish is an ongoing use of property and is different from the land use standards. There would need to be an amendment to the existing property with changes indicated the dish height, pad size, and location at this point. These conditions need to be in a new drawing before considering an approval.

Wentzloff stated the structure would have a requirement of a setback from the wetlands. There is some form of a wetland by the property.

Jocks said in the stormwater ordinance it has as a setback of 50 feet from a watermark, lake or stream. This is a structure not a building. A 16" x 16" pad for the dish does not appear to have a need for a stormwater review. Landscaping would need to have the requirements be acceptable by the PC.

Aukerman suggested to have Bob Verschaeve with Gosling Czubak, take a look and give more information on the stormwater to help the PC on a decision. Also, the location of the dish needs to be determine before approval.

Wentzloff told Turner there is another PC meeting on June 8 for him to update the site plan and get with Wolf for a stormwater review by Bob Verschaeve. The paperwork will need to be given to Wolf in a week to have for the meeting packet.

Turner said he will check on the actual location of the dish, pad size, direction of the antenna, get with Wolf on the landscaping, and with Bob Verschaeve on the stormwater, to have the week prior to the June 8 meeting.

2. PD 2019-01 Lormax Stern – Planned Development (former Kmart)

Winter this is a planned development for reuse of the property of the former Kmart property with uses to be determine. After the last meeting, the applicant took the recommendations that were provided and has resubmitted a revised plan and drawing for review. One item to discuss is the water source on the property. There is a letter from the Grand Traverse Health Department on the feedback of the well status. The site plan review has comments on specific conditions that needed to be addressed. The Planning Commission needs to determine whether the B-3 and B-4 uses on the included list, would be permitted and a good fit for this site. The applicant has been working with Homestretch Housing, a local non-profit housing for affordable townhouses as a component to the plan. This is not being reviewed at this time, it is something the applicant wanted to show in good faith to be considered. The phasing plan at this point has not been submitted, the applicant is waiting to figure what buildings would be first with confirmed tenants. There is no sign plan element that has been submitted at this time. The exterior lighting plan is new and

consistent throughout the property except for the entrance which would be at an acceptable higher brightness. The stormwater management is proposed as using the existing basin, if it can be verified the capacity is there. The utilities may need to be considered and the plants listed for landscaping would need to be approved by the PC. Ownership will be maintained by the property owner. After review and consideration, the PC would need to make a recommendation of their findings and pass them on to the board to make a decision to approve or deny the plan development.

Daniel Stern, with Lormax Stern, stated the original plan did have a climate control storage in the Kmart building, but that developer has pulled out. He would like flexibility of uses for the project. The retail market conditions are extremely tough at this time for commercial developers and will stay that way for a long time. There are a lot of empty stores and probably more to come. He has been working on a residential component for the property if there can be funding. He has been speaking with Jon Stimson, Executive Director with Homestretch Housing, for affordable housing. They are considering having up to 30 units to be at the north end of the site. The issue of the townhouses is they have to be in for funding by October of this year, which means the approval needs to get rolling right away. If not, it would be put off until next year and the project would be sitting with nothing happening.

Jon Stimson informed his board has looked at the project and would like to pursue the funding and invest their revenue to move forward. There is scoring that exist for the funding when applying. Their main source for funding is Michigan State Housing Authority Project, he spoke with them and is prepared to put in a notice of intent to apply. October is the deadline to have things in place with a developer. There is a pilot that has to be put in place on the performance, it would show a 6% of gross revenue from the receipts of the project and property tax to the township. It would give the township nice looking townships in a now vacant site. To start, a market study would need to be done with an analysis and an appraisal.

Stern informed this is a public private partnership. He does not feel comfortable sending money on the project without at least knowing there could be a preliminary approval. They will take the risk with the authorities because it is something the township wants to have done.

Winter said there would need to be a discussion with the board on having a pilot ordinance in place. The application right now doesn't include this housing component, this is a new concept. The PD would have to be amended once the funding was provided. If the housing funding for 30 townhouses units were not approved, Stern would still want to move forward with what has been approved with a lesser number of units.

Winter said required in the ordinance is to have a phasing plan and as of today there is not one. Winter recommended to look at the list of allowed uses proposing a mixed-use plan on what would fit and be appropriate.

Stern stated he understands the community does not want industrial on the property, so he is taking that off the table and looking for other uses. Right now, in this hard market, he has no tenants interested. He stated the phases would be with the housing opponent, the former Kmart building, the lot building called daycare, and an entrance that looks good. Currently he would commitment 100% to the housing units.

The Planning Commission supported the 30 affordable housing units. The uses on the list were discussed eliminating the drive-thru types and which ones would be appropriate for the site.

Jocks said the PD agreement is what is done after the township board approves this with the requirements, conditions, uses, conceptional plan, and phasing plan. It should not be negotiated after the fact what was approved by the PC. What is being approved is what the PC should see in the agreement and not to be negotiated again. In the conceptional plan there should be the intent of what the development is going to be, with the understanding it might be amended.

His recommendation is to always have a phasing plan. It is important to have the commitment from the applicant to insure what is expected from the project and allowed in the township.

Stern said he would commit for the phasing plan, the housing component, street front entrance infrastructure as indicated on the plan. He will work with the township staff on the uses that could be considered for the next PC meeting.

Wentzloff said with some of the details still to be completed, she recommended the public hearing to be continued at the June 8 Planning Commission meeting.

Motion by Timmins to keep the public hearing opened for the PD 2019-01 Lormax Stern – Planned Development (former Kmart) for the June 8 Planning Commission meeting, supported by Balentine. Roll call motion carried unanimously.

3. Prism Power Partners Solar Energy Farm Special Use/site Plan Review

Jeremy Jones, Partner with Prism Power Partners, gave an overview of his company experience and projects they have completed. He along with Tim Jones, Civil Engineer with Atwell LLC and Randall Wood were available for questions. They became interested in this site with it zoned for commercial and saw it was once considered for a shopping center. They are aware of the concerns from the community and have gone through the process of a plan to protect the wetlands and meet the requirements. They are hoping to get a special land use permit approval showing the conditions are met with EGLE, the township's engineer on the stormwater in compliance with the ordinance.

They have had conversations with Grand Traverse County on the soil erosion and at that time it seemed they were comfortable with the soil conditions. The letter they sent did not sound like what we were told, so they will be follow up with them. Metro has been contacted and they reviewed and approved the site. MDOT approved the road entrances, and EGLE approved on the environment wetland delineation. The stormwater review was in compliance with the township ordinance and environmental goals. The site is of native grass. There is no cross easement for the power line it will be done out on the street. The setbacks would be 25-foot from wetland and 50-foot from a water mark in compliance as in the ordinance. They have a plan to ensure no shortcuts will be taken. The projected starting date to stabilize the site would be August, with the solar panels to be put in next spring. There would be a tax bill giving funds to the township and it would increase reusable energy.

Wolf said it had been discussed the last time they came before the PC, that a 6-foot fence with no barbed wire would be around the property. After seeing the site, she feels it is not necessary to fence the entire area. There is active wildlife and it would be better to have it maintain more of the natural properties.

Jeremy Jones said they would agree with that as long as they could fence around the solar panels.

Wolf said regarding the soil erosion review, they are asking to have it approved but it has incomplete conditions. All the information would need to be presented and completed before the PC could consider approval on the project.

Jeremy Jones said they need to confirm the soil erosion with the county. They paid to do soil boring tests for erosion and now there has been a change from the county. In order to comply with what they are asking for, it could cost a lot of money to drill to the depth that is relevant for the county review. They would like to do that at the appropriate time of construction and if something unexpected was found, it could be modified at that time.

Wentzloff stated that the soil erosion control during construction is a very vital concern. She does not feel comfortable with that plan.

Jeremy Jones said it would be helpful for them to know if the county agrees on the plan and on any further concerns. He didn't want to pay to have it done if there will be other objections after. They should have the wetland delineation from EGLE in two weeks.

Balentine asked on the minimum of a setback. Jones said they are working on that with the County to be sure their measurements are correct.

Rosa inquired on if there was any clay soil on the property.

Tim Jones, with Atwell Engineering, said with the soil boring testing it is to figure if there is any clay or sandy soil levels so there is not any disturbance.

Aukerman voiced her concerns with the stormwater and erosion near the creek. She needs to see the review letters before considering an approval.

Tim Jones, said he will be overseeing the project and will make sure the site is functioning properly. All permits will be met with a plan that will be carried out as designed.

Aukerman asked if it rains does the running off water get heated from the panels that could affect the creek?

Jeremy Jones said there would not be a temperature impact. The panels are designed not to get hot and do not capture water

Feringa asked about the vegetated swale and said there are specific plants that work with the filtration.

Jeremy Jones said on the site plan is a description of the native grasses that are within the ordinance and they will look at the plants Feringa suggested.

Wentzloff stated before this can be considered, these items need to be completed, the stormwater review from Bob Verschaeve with the six items that he noted need to be addressed, EGLE soil erosion, and the county soil review.

She recommends keeping the public hearing opened to June 8 after the requirements are completed.

Motion by Aukerman to keep the public hearing open for Prism Power Trailside Solar Farm until June 8 to discuss the outstanding subjects again so the PC can make a decision, supported VanHouten. Roll call motion carried unanimously.

PUBLIC COMMENT & OTHER PC BUSINESS: Open at 10:30 pm

Wentzloff reminded everyone the applicants' properties are private and are not to be trespassed on to do anything independently. Any questions should go through the township.

Rachelle Babcock asked when the property considered for the solar farm zoning was changed to B-3?

Winter informed her it was always zoned B-3. The future master plan land use map is a different document of zoning goals that may have shown differently, but that property has not changed the zoning.

Brenda Wright, Acme resident, voiced her concerns on the satellite dish with the view and wetlands be impacted.

Mary Rohn feels the PC should have an independent study done on the solar project and has concerns on

what it would be done to the creek.

Brian Kelley, Acme resident, voiced there is clay on the solar project property and it will knock over silt fences during a storm and will cause erosion with the sloop on the property.

Public comment closed at 10:42 pm

- 1. Planning & Zoning Administrator Report: No report
- 2. Township Board Report: No report
- 3. Parks & Trails Committee: No report

ADJOURN: Motion by Balentine to adjourn, supported by Timmins. Roll call motion adjourned 10:43 pm

To Acme Township,

Storm water management, and Storm water Ordinances, really are in need of review, and, in some areas need a complete over-haul. I realize this puts more work on our Township Planners during these summer months when so many developments need attending to, and, especially now with Corona Virus wreaking havoc with our town hall meetings. Many thanks for all the extra time you all have had to add to your normal work load.

To help cope with the many projects under review as of right now couldn't we hire a part time storm water /environmental Engineer; just to help get us through these next few months. An engineer could also help with the rewrite of our Storm Water Ordinances too?

Developers have a way of highlighting weak area's of the Townships ordinances in zoned areas for cost saving measures their team wishes to exploit. Not that I can blame them for trying! But, because Acme is surrounded by so much WATER Storm-Water management comes into play three-fourths of the time. Watching this play out time, and time, again at meetings involvied in planed development, and, our Planning Commission struggle time and again with Storm Water issues it seems logical to bring a Storm-Water Engineer on through the remainder of this year at least.

I hope I am not to late in requesting the Township have help with its Storm-Water issues when dealing with all the development before it now and into the future. The flooding problems surrounding us right now make it all the more time sensitive. The future, who knows what this climate change can bring in the way of water.

Thanks again for taking the time to read this letter.

Sincerely,

Rachelle Babcock Acme

Lindsey Wolf

From:

Karly Wentzloff <karly.wentzloff@gmail.com>

Sent:

Monday, June 01, 2020 4:06 PM

To:

Lindsey Wolf

Subject:

Fwd: Proposed rejoining

----- Forwarded message ------

From: Arlene Beall abeall41@gmail.com

Date: Mon, Jun 1, 2020 at 4:03 PM

Subject: Proposed rejoining

To: <karly.wentzloff@gmail.com>

Thank you for making it easy to voice our opinion on the rezoning of the Kmart property. We are definitely against it!
Arlene and Wilbur Beall
6777 Deepwater Point Road
Williamsburg, MI 49690

Sent from my iPad

Karly Wentzloff, Realtor 231.944.9800

Lindsey Wolf

From:

Karly Wentzloff < karly.wentzloff@gmail.com>

Sent:

Tuesday, June 02, 2020 7:59 AM

To:

Lindsey Wolf

Subject:

Fwd: Zoning concerns regarding K-Mart Property/Against Rezoning this property.

more correspondence



Real Estate One | 521 Randolph St. Traverse City, MI 49684 www.karlywentzloff.com | m 231.944.9800 | karly.wentzloff@gmail.com

----- Forwarded message ------

From: Patricia Bernard <patbernard654@gmail.com>

Date: Mon, Jun 1, 2020 at 6:17 PM

Subject: Zoning concerns regarding K-Mart Property/Against Rezoning this property.

To: < karly.wentzloff@gmail.com > Cc: < pathernard654@gmail.com >

Afternoon Karly,

My name is Pat Bernard. My family (VanEpps) have lived in Acme since the 1930s. I reside at 7256 Peaceful Valley Road and feel fortunate to live in Acme Township.

I am responding to the proposal to rezone the K-Mart property from its current zoning status to one that would allow the owners of the property from Bloomfield, MI to build warehouses, low income housing and potentially other structures that fall within the "proposed" zone change such as car washes, marijuana dispensaries, etc. Please know that I am adamantly against rezoning this property for the purpose of building warehouses, affordable housing, and whatever else is allowed under the "proposed" zoning change. I feel such structures would hinder the character of our small community with its beautiful park, several attractive and sought out golf courses, Grand Traverse Resort which attracts tourism, wedding and family reunion destinations, and conferences and Acme's wonderfully agricultural surroundings. The above businesses take pride in maintaining their appearance and provide income and integrity to our community.

At this time Acme already has a variety of housing choices available (apartments, condos, and single family homes). In addition several storage/warehouse businesses are located on M-72. It's also my understanding plans for a variety of housing & business opportunities continues to be a possibility for the property surrounding Meijer.

It is my hope that we (Acme Township Residents) have the final say in how our community grows as opposed to downstate big business. An important goal of Acme residents is to continue to keep improving the integrity & asthetic beauty of Acme and not to mar it with unsightly warehouses and storage units, affordable housing with questionable design an infrastructure which could have environmental impact on ground water, Acme Creek and East Bay.

I do appreciate your time with my response as I've indicated I am against changing current zoning on the K-Mart property. Many residents in Acme report they are against the proposed zoning and structures. It is my hope they share their opinions as well.

Feel free to contact me should you have questions or additional information regarding rezoning, Karly.

Sincerely, Pat Bernard (434) 242-2560

Sent from my iPhone

Lindsey Wolf

From:

Denny Rohn <mdwr06@gmail.com>

Sent:

Thursday, May 28, 2020 2:29 PM

To:

Lindsey Wolf; Karly Wentzloff

Cc:

Dave Starkey; Rachelle Babcock; Charlene Abernethy; Paul Brink

Subject:

Yuba Creek

To the Acme Township Planning Commission:

The Concerned Citizens of Acme Township (CCAT) would like to express their serious concern over the installation of the proposed solar farm project on the property adjacent to the Yuba Creek headwaters. As the township is aware, Yuba Creek is a designated cold water trout stream that empties directly into East Bay. Should the temperature and land movement alter the integrity of the Creek, it would be devastating to existing plant and animal habitat, and the creek and bay would be forever compromised. At the very least, we would ask that the township require an independent impact study be performed at the developer's expense to ensure no harm occurs in the installation or during the lifetime of the proposed solar farm.

The clarity of hindsight, has taught us all very difficult lessons regarding the protection of our township's watersheds and bays. As our planning commissioners, we hope you will see the very risky potential of this project and take actions that will protect our valued waters. We are continually reminded that water quality was the number one rated priority in the last citizen's survey. Thank you for all you do.

Sincerely,
CCAT Board
Paul Brink
Dave Starkey
Charlene Abernethy

Rachelle Babcock\ Denny Rohn

_.

ATTENTION: 7pm June 8 Acme Township Public Hearing

PD 2019-01 Lormax Stern B4 Industrial Zoning Change Request

Proposed rezoning development at the former Kmart location / across from Grand Traverse Resort deviates extensively from current zoning and future plan intent. If Acme Township officials approve, it will allow:

- Large 24-hour Warehousing/Self Storage development
- Low Cost Affordable Housing

Current Zoning



CF: Corridor Flexible

INTENT: To provide for a flexible mixture of retail, office, commercial, residential and institutional uses within walkable and connected neighborhoods. The objective is to create an environment where residents can live, work and shop for day-to-day amenities in the same area.

Future Master Plan

201

Mixed Use Village

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

- Request would make industrial warehousing a part of the living and shopping area of our community
- Plan ONLY proposes Warehousing. Everything else that may be built on the property is "TBD"
- Rezone is not a necessity, as there is currently a generous allotment of Warehousing and Storage zoning in Acme township's M72E B4 corridor
- · This request would be harmful to existing businesses currently operating within the Zoning and Master Plan
- Once a decision is made to allow warehousing it cannot be reversed, any would allow for a variety of
 warehouse buildings in the area. Warehousing in our residential and village development area will
 permanently lessen the appeal for future development of attractive living and retail space.

Acme Township is growing and becoming a vibrant area, thanks to its leaders, its Master Plan and current usage regulations that were carefully designed to maximize its land resources. We strongly urge the Planning Commission and Trustees to adhere to the voter and taxpayer-supported zoning and Master Plan.

It is important that you mail in and voice your opposition or call in and support your town leaders in upholding our township zoning and master plan to oppose this zoning change.

For call-in information, see Acme Township website:

https://www.acmetownship.org/current-meeting-minutes.html

Look under "Planning Commission" > "June 8 Special Meeting Packet"

The first page of packet will have phone-in number and meeting ID number

You can also use Zoom at: https://www.zoom.us/join and enter the 11-digit meeting ID number

Please forward your concerns to Karly Wentzloff by June 2,

Chair ACME TOWNSHIP PLANNING COMMISSION karly.wentzloff@gmail.com at 6042 Acme Road Williamsburg, MI 49690

Topic: Application number PD 2019-01 - Lormax Stern Planned Development Public Hearing Notice



Message by Acme Strong - Taxpayers supporting our master zoning plan



Facebook: @acmestrong

Email: acmetownshipstrong@gmail.com

From:	· · · · · · · · · · · · · · · · · · ·	
Sent:		
To: Subject:		
ousjeet.	No. No.2011ing	
Thank you this will be	added as correspondence to the packet for the next week's meeting.	
Karly		
On Tue, Jun 2, 2020 at 1:	29 PM Jan Fusi <pjfusi1023@gmail.com> wrote:</pjfusi1023@gmail.com>	
Halla Karly	on Fusi <pjfusi1023@gmail.com> wrote: we are AGAINST the PD 2019-01 Lormax Stern B4 Industrial Zoning Change Request.</pjfusi1023@gmail.com>	
Hello Karly,		
We are writing to let yo	u know we are AGAINST the PD 2019-01 Lormax Stern B4 Industrial Zoning Change Request	
,		
If you have any questio	ns or need additional verification, please don't hesitate to contact us.	
Thank you,		
Pete and Jan Fusi		
6798 Deepwater Pt Rd		
Williamsburg, MI 49690		
989-280-8410		

June 2, 2020

Subject: Kmart Lormax Stern Re-Use – Thanks and Continued B4 Storage Opposition – June 8 Submission

Ref: Application number PD 2019-01 – Public Hearing

I want to express our thanks to the Planning Commission for opening the May 26 virtual floor to our rationale for opposing the PD application, along with Jim Stevens, Rochelle Babcock, Pam Cooper, Rhonda Wright, Mary Rohn and Frank Kelley. Chair Karly Wentzloff and Township Council Jeff Jocks highlighted the key facts:

- The applicant purchased the property with the understanding that it was zoned CF/MUV (which offers very generous opportunities for development), and not B3 or B4
- B3 and B4 exceptions should ONLY be considered if the township and residents will benefit substantially from the proposal, and if the proposed development needing exception is in keeping with the Master Plan
- The application had no phasing plan and assurance of the PD beyond the storage component

We appreciate the Planning Commission's leadership and management of the detailed discussion, understanding the impact such a change would have on the future of the township. If we can lend some of our self-storage industry knowledge and local and national Association data to provide additional insight on this rezoning request. In summary, this request appears to be a get-rezoned-and-flip-it real estate deal with no township need addressed or substantial value added.

With historically low interest rates over the last decade, REITs (Real Estate Investment Trusts) and Real Estate Private Equity firms have been buying up and building self-storage properties. They have been focusing on large urban areas and municipalities, but as those markets became oversaturated, these investment groups are now shifting to secondary markets like Traverse City and Acme. The industry is seeing unprecedented capitalization rates/inflated values, driving saturation that is leading (some experts predict) to a bursting of the bubble this decade – possibly sooner with the pandemic effect. These investment groups operate under the 1031 tax rule, which only allows a maximum 180-days between the selling of one property and the purchase of another (to avoid significant depreciation recapture). The 180-day rule does not allow enough time to coax cities and townships into amending a property's zoning, which is why they need brokers to do this pre-work.

Brokers, such as the applicant Mr. Stern's of Mid-America Real Estate Group – Chicago, can realize 2-3x return on their investment instantly, if they can obtain a rezoning to flip the property to these investor groups. Large dividends are paid to the patient broker, but in many cases cities and townships are drained of real value, especially if the commercial storage bubble pops. It also decimates the current businesses committed to the community. After the brokers and developers are gone, B4 deviations leave cities and townships exposed to these deep pocket investment groups where municipalities can easily lose control over these newly opened up B4 zones.

It is evident that the main interest for the zoning change is for storage. The applicant has taken off the table the daycare, the outbuilding restaurants, and any guarantee of connecting to the TART trail, so how the township will benefit here is unclear. Even if some of the items were added back into a phase-in plan, what Acme is getting is still very small. We would also like to see a better plan than putting low-cost housing along our beautiful US31 North branch right across from the iconic Grand Traverse Resort entrance.

We ask that Acme officials ask one main question with respect to the Lomax/Stern Multi-Million rezone property deal:

Is Acme getting substantial and incremental growth in an area this is needed, or is it a deal that cannibalizes the township's existing healthy elements to make happen?

Acme Township has been growing and becoming more vibrant, thanks to its leadership, Master Plan and current usage regulations that were carefully designed to maximize its land. We strongly urge that the Planning Commission and Trustees continue to uphold the voter and taxpayer-supported zoning and Master Plan and not risk opening up the saturation of our healthily developing B4 corridor.

Thank you,

Jim and Kris Goran

Owners of AAA Self Storage



Founders of The Greater Grand Traverse Self Storage Owner's Association



From:

Karly Wentzloff <karly.wentzloff@gmail.com>

Sent:

Wednesday, June 03, 2020 10:07 AM

To:

Karen Howie; Lindsey Wolf

Subject:

Re: PD 2019-01 Lormax Stern B4 Industrial Zoning Change Request

Thank you Karen, this will be added as correspondence to the PC packet for next week's meeting.

Karly

On Tue, Jun 2, 2020 at 11:26 AM Karen Howie < karenfhowie@gmail.com > wrote:

I strongly oppose the requested zoning change. The proposed request belongs in the M72E B4 corridor which is designated for this type of development. Time and talent has been devoted to developing a master plan that meets most needs; this proposal is no exception and should not be given preferential consideration. Thank you.

Karen Howie, Former ZBA Board Member 7265 Deepwater Point Road Williamsburg

From:

Karly Wentzloff <karly.wentzloff@gmail.com>

Sent:

Tuesday, June 02, 2020 9:40 AM

To:

charles kalil; Lindsey Wolf

Subject:

Re: PD 2019-01 Lormax Stern B4 Zoning Change Request

Thank you, I will add this to the planning commission packet as correspondence for our next meeting.

Karly

On Tue, Jun 2, 2020 at 9:00 AM charles kalil < cjkalil1@gmail.com > wrote:

Dear Karly,

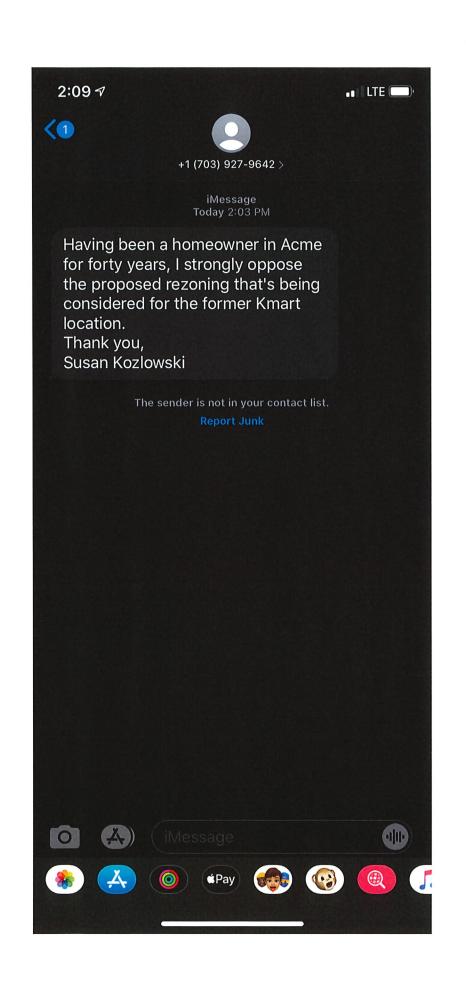
I do not support a zoning change for the above purpose.

I urge you to stress to the Planning Commission and the Trustees

To support the current zoning and Master Plan.

Thank You,

C. J. Kalil



From:

Karly Wentzloff <karly.wentzloff@gmail.com>

Sent:

Wednesday, June 03, 2020 9:29 AM

To:

Christy; Lindsey Wolf

Subject:

Re: Rezoning

yes, correspondence can be received up until 4:00 the day of the meeting for it to be distributed to the Planning Commissioners.

Lindsey, please add this as correspondence.

Thank you, Karly



Real Estate One | 521 Randolph St. Traverse City, MI 49684 www.karlywentzloff.com | m 231.944.9800 | karly.wentzloff@gmail.com

On Wed, Jun 3, 2020 at 9:15 AM Christy < christy.lundgren@gmail.com wrote: Hi Karly,

I hope our tardy email can still be received for next week's public hearing. We are in support of the master plan but would NOT like to open it up to warehouses.

Thank you,

Christy Lundgren and Heather Spooner

From:

Heather Smith hsmith@gtbay.org

Sent:

Saturday, May 30, 2020 4:22 PM

To:

Karly Wentzloff; steve.feringa@live.com; sticksnstonez@gmail.com; danv1953

@hotmail.com; bethfinch50@yahoo.com; atpc7rosa@yahoo.com;

jkaukerman@sbcglobal.net

Cc:

Lindsey Wolf

Subject:

Clarification on The Watershed Center's KOTI Comments

Dear Acme Township Planning Commission,

Thank you for considering our comments from May 11, 2020 regarding the KOTI development proposal. After listening to the meeting, it appears we did not clearly express our concerns with the design of the proposed trail, not the location. We understand this property owner will provide an easement so the township and/or TART can construct the trail, but we wanted to bring up the design since this discussion provided an opportunity to do so.

We are concerned about a <u>paved</u> trail in wetlands and stream setbacks. KOTI site plans on sheet S4.4 (dated 03-03-2020) indicates paved asphalt in the wetland area, albeit a small section of pavement in the wetland footprint. When a trail is proposed in a wetland or along a stream, water quality best practices and ecological integrity support a pervious, raised boardwalk as opposed to paving or asphalt. As the design of this trail moves forward, we hope a boardwalk will be considered for the entire length of the wetland and stream setback area so that natural hydrology and vegetation are preserved to the maximum extent possible.

I appreciate the opportunity to clarify my concerns and apologize that they were not originally understood. The Watershed Center wants to provide clear and open communication with the entire Planning Commission to ensure we can be a helpful resource as you evaluate development proposals and not a hindrance to the decision-making process.

Thank you and wishing you wellness,

Heather Smith Grand Traverse BAYKEEPER 13170 S. West Bay Shore Drive I Traverse City, MI 49684 231.935.1514 x3 www.gtbay.org

Our office is currently closed – all staff are working remotely and are available by email and our main line.



Acme Township Planning & Zoning Report No. 2020-06

Meeting Date: June 8, 2020

Subject: Satellite Dish for Radio Station

SPR #: SPR 2020-05

Date: 5.7.2020; revised 5.20.2020; revised 6.03.2020

Project: Large Satellite Dish Installation

4620 US 31 N

Traverse City, MI 49686

Owner: RSF Holdings, LLC

P.O Box 163

Bloomfield Hills, MI 48303

Request: Planning Commission Recommendation for Installation

GENERAL DESCRIPTION

Staff has received a request for the installation of a large satellite dish (18' high x 10' wide) to accommodate the offices of a radio station at 4620 US 31 North. The use of a professional office will remain the same – and is a use by right within the district. There will be no external changes to the property with the exception of the installation of the satellite dish. The dish poses some challenges as follows:

- The Acme Township Zoning Ordinance provides little language pertaining to accessory structures within the C: Corridor Commercial District. It does not contain language to prohibit the installation of the dish.
- Due to the size it will be highly visible from US 31 N and from the neighboring properties of 5 mile road.
- It cannot be placed in another location on the property would not allow it to function properly due to trees, the existing building, and ravine.
- The radio station will be leasing the space. It would be beneficial to the township to require a bond for removal and restoration of the area when the dish is no longer in use.

Minor modifications to an existing site plan may be brought before the Planning Commission without a formal application. After discussion with legal counsel it was advised to bring this item for the Planning Commission for their recommendations and conditions of approval.

Parcel Number: 28-01-109-005-00

Location: 4620 US 31 N Traverse City, MI 49686

Acres: .97

Zoning District: C: Commercia Corridor
Current Use: Vacant- professional offices
Propose Use: Offices for radio station

Legal Description: N 583' OF GOV LOT 3 LYING BETWEEN FIVE MILE ROAD & US 31 N EXC RR R/W & EXC BEG N LINE GOV LOT 3 & E R/W LINE US 31 N TH SLY ALG R/W 125' TH E TO RR R/W TH N TO N LINE GOV LOT 3 TH W TO POB EXC HWY R/W SEC 9 T27N R10W



Adjacent Zoning & Land Uses

Traffic Access: US 31 N

ZONING ORDINANCE REVIEW

Section 7.2.1 Accessory Buildings provides standards for buildings which by definition are different than accessory structures.

Accessory Buildings: A subordinate building on the same lot with a principal or main building, or the part of the main building occupied by or devoted exclusively to an accessory use.

Accessory Structures: A subordinate structure on the same lot with a principal or main building. Shall include but not be limited to the following: playground equipment, sport courts, children's playhouses, dog houses or similar pet accommodations, fallout shelters, swimming pools, gazebos, barbeque stoves, parking lots, and loading docks and radio and television antennas. Shall not include fences, hunting blinds or signs.

The C: Corridor Commercial district section 6.6.5.2 notes:

6. Air compressors, mechanical pumps, exterior water heaters, utility and telephone company transformers, meters or boxes, garbage cans / dumpsters, storage tanks, and similar equipment shall not be stored or located within any area adjacent to a street right-of-way.

The Section also notes that Impervious coverage cannot exceed 85%.

PLANNING COMMISSION DISCUSSION 5/11/2020

Census was to have Jack Turner get the answers asked by the PC for the amount of the impervious surface, application of the stormwater ordinance, distance from neighboring property, visual screening, lessen height options, lighting, and overhead powerline location, to discuss either at the May 26 or June 8 meeting.

5/20/2020 Jack Turner (property representative) has provided the following in response:

- There will not be a 14 foot x 14 foot concrete pad. The size of that concrete pad will be reduced to 16 inches by 16 inches and that small concrete pad will be surround by landscaping.
- There will not be any lighting on the dish.
- The dish will not located under the electrical line depicted on the site plan.
- The dish will be mounted 4 feet from grade and not 8 feet from grade as originally proposed.
- The dish will be painted forest green to blend into the adjacent tree line.
- A 10 foot diameter dish is required for this particular use.
- The expectation is that the dish will not be located any nearer than 40 feet to the north boundary line, but the actual location will depend on maximizing the strength of signal.

PLANNING COMMISSION DISCUSSION 5/26/2020

Responses to the questions are listed below in red.

Timmins mention there had been a decrease of the size of the dish platform and the height had been lowered by 4 feet. She inquired where the location of the dish would be on the property.

Turner said the platform and height had been reduced and there is a stake on the property that shows where the dish would be placed, 40-45 feet off the north boundary line.

Please refer to site plan for exact dish location. 45' is correct distance (per survey); there is an encroachment of the adjacent property parking lot.

Rosa asked if tall evergreens could be planted to hide the dish to screen it from the highway.

Plantings changed to native species. Four (4) dotted hawthorn trees have been added around the perimeter.

Feringa stated to be sure not to have the dish under a powerline and to have it placed at the required distance from one.

Turner stated they want to make sure it does not interfere and would be getting with the power company.

Aukerman asked why the radio station at Bunker Hill could use a smaller satellite and this one was larger? Turner said it was discussed and was told this was the size that was needed. However, they were able to lower the dish by four feet.

Per Del Reynolds FCC Licensed Broadcast Black Diamond Broadcasting is seeking to use a 10 foot round satellite dish to receive C-Band transmissions for receiving broadcast programming for our radio properties. The 10 foot dish will be approximately 4 feet off the ground and propagated to the Southwest at Satellite at SES-11 which is where the signals originates. Since the satellite is over 22,000 miles away in orbit, it requires a 10 foot dish to have enough receive gain to receive the signal from the satellite reliably for broadcast. Rain, snow and fog all limit the line of site so the size is a must to have the dish large enough to not have rain fade like the smaller dishes. Dish Network and Direct TV have small dishes but when it rains hard or snows they lose signal. We have to have a larger 10 foot dish to ensure that doesn't happen.

Timmins inquired about the marsh area with cattails and how close to the edge of the property it is.

Turner said he didn't know, there should be a map that would show this area to evaluate.

Wentzloff asked Jocks if the project fells under the size of the structure allowed under a land use permit.

Jocks informed the dish is an ongoing use of property and is different from the land use standards. There would need to be an amendment to the existing property with changes indicated the dish height, pad size, and location at this point. These conditions need to be in a new drawing before considering an approval.

Wentzloff stated the structure would have a requirement of a setback from the wetlands. There is some form of a wetland by the property.

Jocks said in the stormwater ordinance it has as a setback of 50 feet from a watermark, lake or stream. This is a structure not a building. A 16" x 16" pad for the dish does not appear to have a need for a stormwater review. Landscaping would need to have the requirements be acceptable by the PC.

Aukerman suggested to have Bob Verschaeve with Gosling Czubak, take a look and give more information on the stormwater to help the PC on a decision. Also, the location of the dish needs to be determine before approval. Wentzloff told Turner there is another PC meeting on June 8 for him to update the site plan and get with Wolf for a stormwater review by Bob Verschaeve. The paperwork will need to be given to Wolf in a week to have for the meeting packet.

Per Bob Verschaeve: I have looked into it and it will require compliance with the storm water ordinance and a review. The two criteria of the Ordinance that trigger compliance is that the proposed earth change is within 500 feet of the East Bay, and it is a commercial use.

The main thing we would be looking at is the amount of impervious surface that replaces pervious surface on the ground and how the runoff from that is addressed. We can work through that with the applicant as they go forward. Stormwater calculations have been provided by Bill Crain, P.E. included in this packet.

It will be the applicant's responsibility to cover the cost of the stormwater review prior the issuance of a land use permit.

Turner said he will check on the actual location of the dish, pad size, direction of the antenna, get with Wolf on the landscaping, and with Bob Verschaeve on the stormwater, to have the week prior to the June 8 meeting.

Please refer to site plan included in this packet.

SUGGESTED MOTION FOR CONSIDERATION:

Motion to approve the installation of the satellite dish at 4620 US 31 N as indicated on the site plan (revised 06/01/20) subject to the following conditions:

- Receive stormwater approval from Gosling Czubak.
- The applicant will be responsible for the cost of the stormwater review. No land use permit will be issued until payment is received.
- A bond shall be submitted to the township for the cost of removal prior to the issuance of a land use permit.



Design Group, Ltd.

—"Excellence is our Hallmark".

225 E. 16th Street, Suite B • Traverse City, MI 49684 • Phone: (231) 947-9019 • Fax: (231) 947-8738

June 1, 2020

Ms. Lindsey Wolf, Planning and Zoning Administrator Acme Township 6042 Acme Road Williamsburg, Michigan 49690

RE: 4620 US 31 North

Dear Ms. Wolf:

Per the telephone conversation note following revisions to the drawings:

- 1. Concrete slab replaced with footing and pier.
- 2. Storage volume calculated and shown.
- 3. Plantings changed to native Michigan varieties.
- 4. 45' 0" dimension is correct (per survey), therefore, there is an encroachment of the adjacent property parking lot.

If there should be any questions, please contact me.

C.F. Campbell

Cc: Robert Verschaeve, P.E.

Attachments



Crain Engineering, LLC Engineering, Consulting & Design

7622 Bott Road Buckley, MI 49620 Ph: (231) 632-4207 Fax: (231) 263-5762

crainengineeringlic@gmail.com

WILLIAM L CRAIN

ENGINEER No.

Memo

To:

JML Design Group

CC:

From: William Crain - Crain Engineering, LLC.

Date: 6/1/2020

Re: Acme Twp Radio Dish Storm Calculations

Fred,

Assuming a 10 diameter radio dish will have a surface area of 79 sft. Required storage volume as calculated with 3.89" run-off will require 25 cft. By installing a 4' wide by 4' long and 1.5' deep will provide 28 cft of storage volume. See attached calculations.

Bill Crain, P.E.

Project Engineer

Acme Twp Radio Storm Dish 6/1/2020

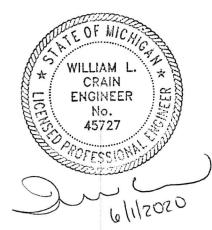
STONE DRAIN # Radio Dish

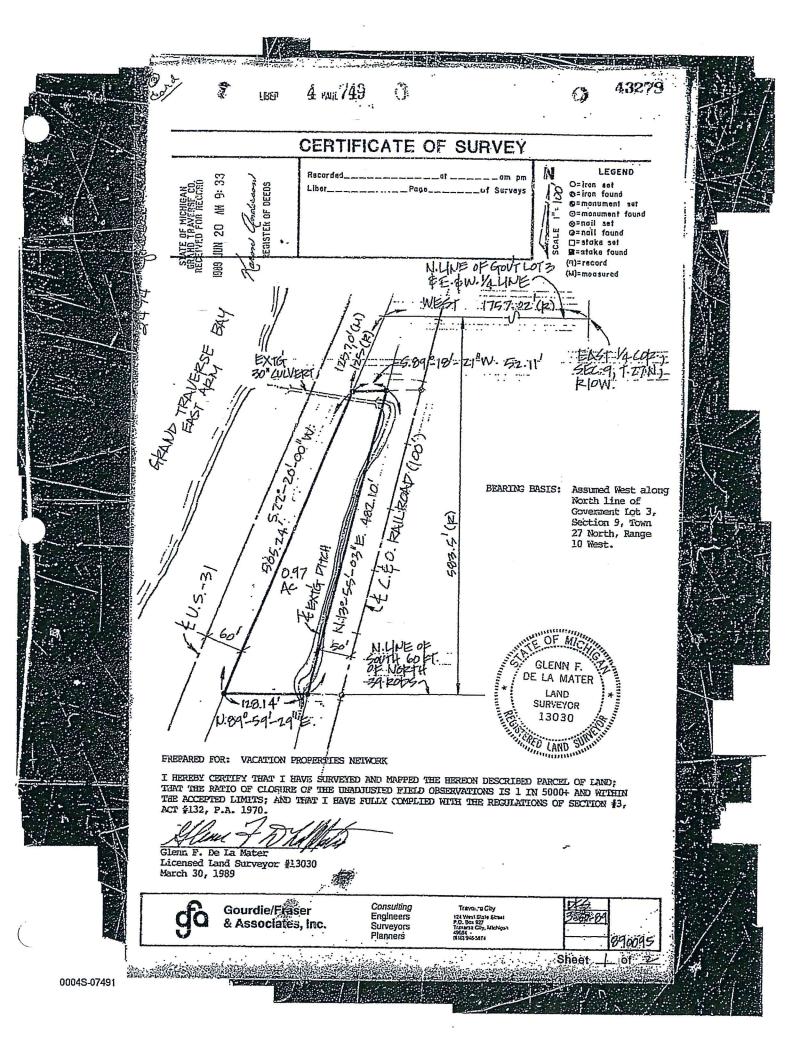
Location

Drainage Area 78.5 sq.ft
Design Inches 3.89 inches
Storage Required 25 cu.ft
Void Ratio for Stone 40 %

Calculated depth based on length & width

Basin Volume	0 cft
Length	4 ft
Width	4 ft
Area	16 sq.ft.
Infiltration	16 cu.ft.
Remaining	9.45 cu.ft.
Depth req.	1.48 ft.
Depth Prov.	1.5 ft
Storage Provided	28 cu.ft.
_	

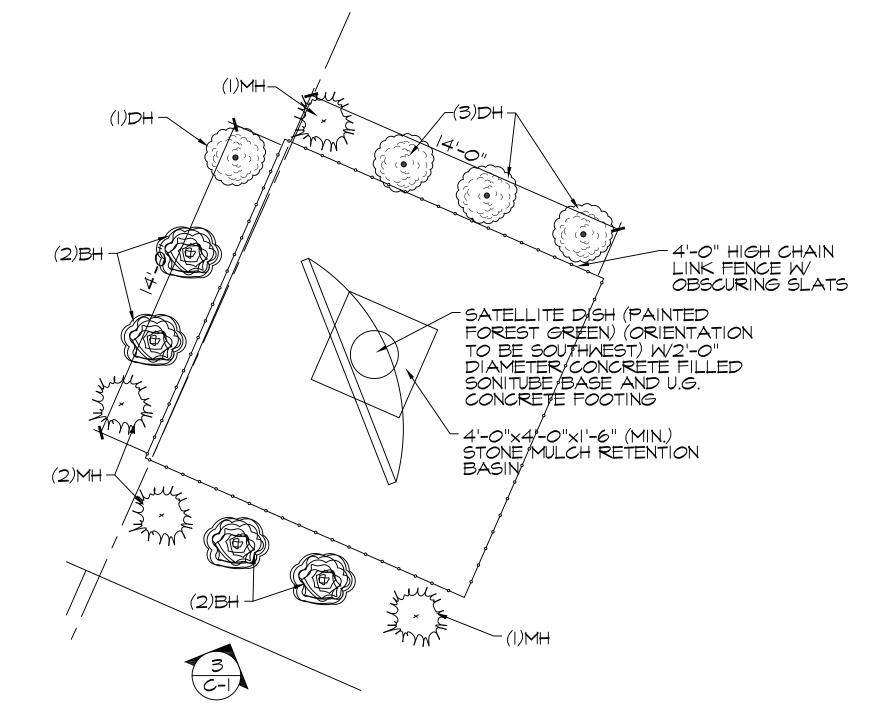




date:

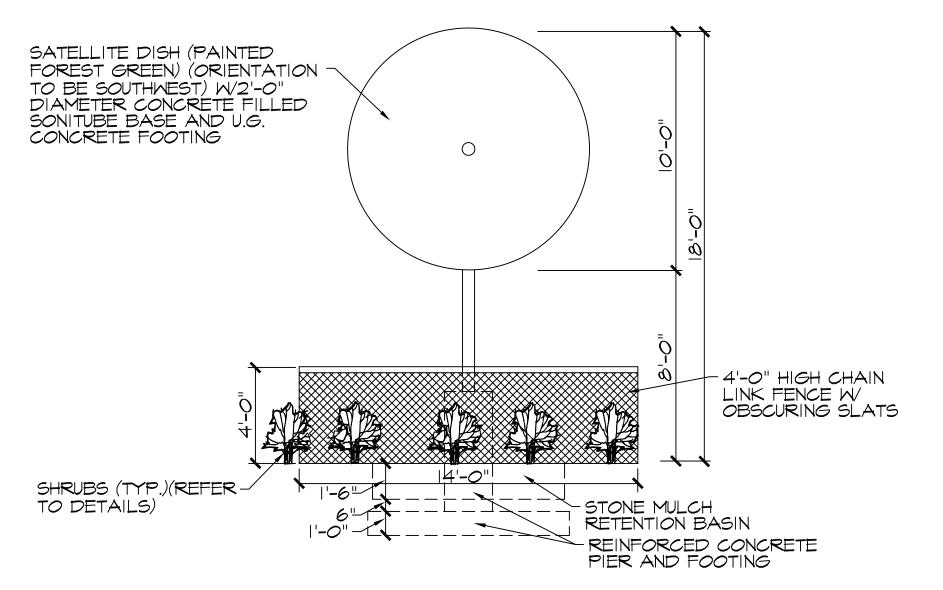
OB/22/20

sheet:

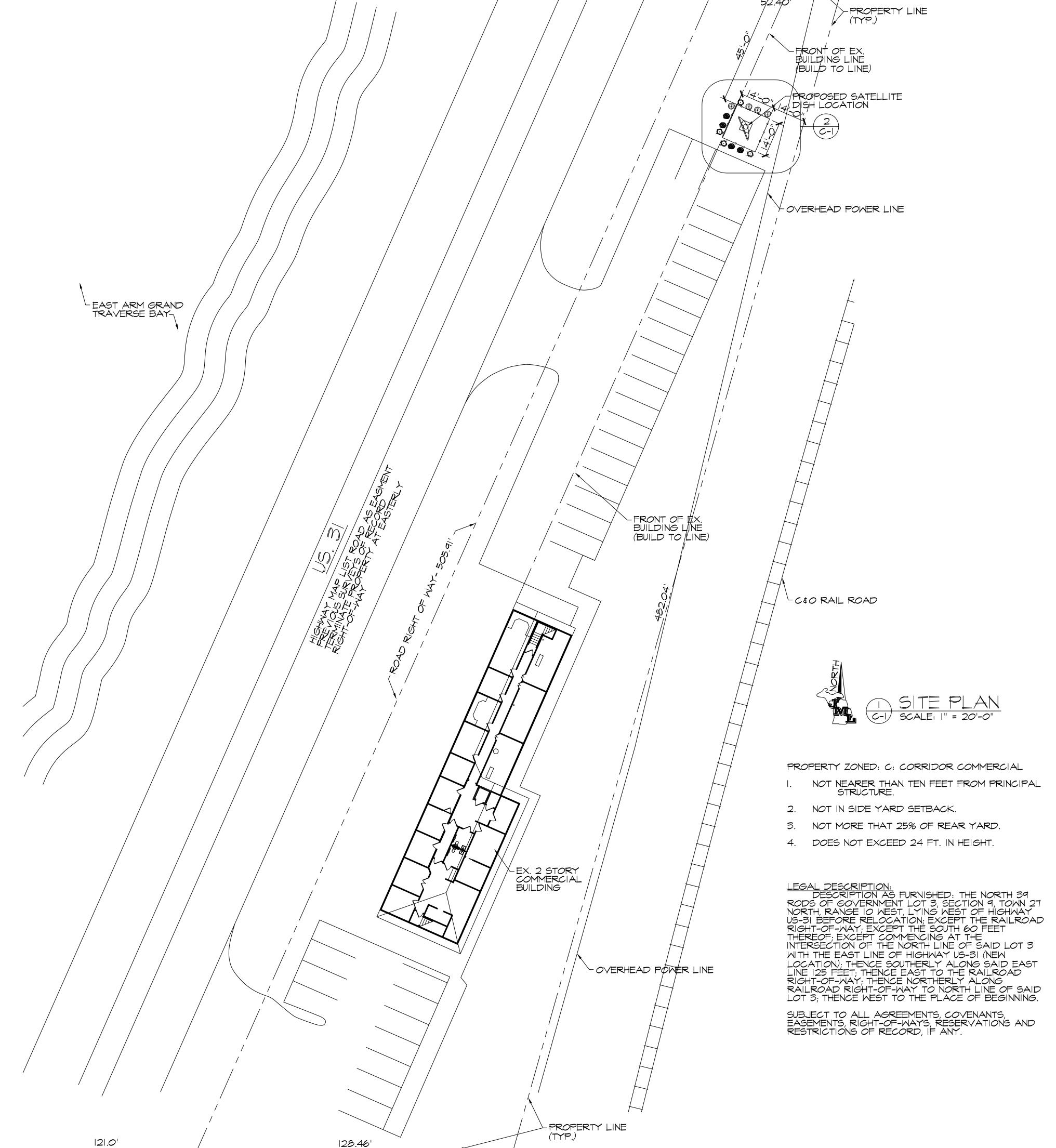


2 PLAN 2 PLAN C-I SCALE: 1/4" = 1'-0"

DECIDUOUS SHRUBS						
MH	MICHIGAN HOLLY ILEX VERTICILLATA	4	2'-3'	CONT.	QUALITY SPECIMEN	
BH	BUSH HONEYSUCKLE DIERVILLA LONICERA	4	5 GAL	CONT.	QUALITY SPECIMEN	
DH	DOTTED HAWTHORN CRATAEGEUS PUNCTATA	4			QUALITY SPECIMEN	







From:

Jack Turner < jrtlaw@umich.edu>

Sent:

Friday, May 29, 2020 11:16 AM

To:

Lindsey Wolf

Subject:

Fwd: 10 foot dish

Follow Up Flag: Flag Status:

Follow up Flagged

Lindsey:

Here's the explanation about why the satellite dish can't be smaller than 10 feet in diameter.

Thanks,

Jack Turner

CONFIDENTIALITY STATEMENT: This electronic message contains information from the law firm of Jack Turner, PLLC, and is confidential and privileged. The information is intended to be for the use of the individual or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify us by telephone (231.348.4500) immediately. Thank you for your cooperation.

----- Forwarded message -----

From: Christopher Redding < cmredding@franklinmgt.com >

Date: Fri, May 29, 2020 at 11:11 AM

Subject: Fwd: 10 foot dish

To: Jack Turner < irtlaw@umich.edu>

Sent from my iPhone

Begin forwarded message:

From: Del Reynolds < reynolds@upnorth.net > Date: May 29, 2020 at 9:02:59 AM EDT

To: "<<u>cmredding@franklinmgt.com</u>>" <cmredding@FranklinMGT.com>

Subject: 10 foot dish

Hello Chris,

Black Diamond Broadcasting is seeking to use a 10 foot round satellite dish to receive C-Band transmissions for receiving broadcast programming for our radio properties. The 10 foot dish will be approximately 4 feet off the ground and propagated to the Southwest at Satellite at SES-11 which is where the signals originates. Since the satellite is over 22,000 miles away in orbit, it requires a 10 foot dish to have enough receive gain to receive the signal from the satellite reliably for broadcast. Rain, snow and fog all limit the line of site so the size is a must to have

the dish large enough to not have rain fade like the smaller dishes. Dish Network and Direct TV have small dishes but when it rains hard or snows they lose signal. We have to have a larger 10 foot dish to ensure that doesn't happen.

Best Regards,

Del Reynolds FCC Licensed Broadcast Engineer 231-290-1107

From: Bob Verschaeve, P.E. <rmverschaeve@goslingczubak.com>

Sent: Monday, June 01, 2020 2:40 PM

To: Lindsey Wolf

Cc:Fred Campbell (jmldg@att.net)Subject:RE: Storm water review required?

Follow Up Flag: Follow up Flag Status: Flagged

Hi Lindsey,

Yes I received this. I also received a call from Fred Campbell Friday afternoon about it too.

I have looked into it and it will require compliance with the storm water ordinance and a review. The two criteria of the Ordinance that trigger compliance is that the proposed earth change is within 500 feet of the East Bay, and it is a commercial use.

The main thing we would be looking at is the amount of impervious surface that replaces pervious surface on the ground and how the runoff from that is addressed. We can work through that with the applicant as they go forward.

Let me know if there are any other questions.

I've copied Fred on this too so he's in the loop since we spoke Friday.

Thanks, Bob

Robert Verschaeve, P.E. | Project Manager Gosling Czubak Engineering Sciences, Inc.

231.946.9191 office | 231.933.5102 direct rmverschaeve@goslingczubak.com | www.goslingczubak.com

Connect with us on LinkedIn!

From: Lindsey Wolf <Zoning@acmetownship.org>

Sent: Monday, June 1, 2020 2:07 PM

To: Bob Verschaeve, P.E. <rmverschaeve@goslingczubak.com>

Subject: FW: Storm water review required?

Hi Bob,

I just wanted to make sure this made it your way.

-Lindsey

From: Lindsey Wolf

Sent: Wednesday, May 27, 2020 3:20 PM

letter of transmittal



Landscape Architecture Planning, Engineering & Environmental Services

Date:

06.03.20

From:

Shawn Winter

To:

Karly Wentzloff, Chair

ACME TOWNSHIP PLANNING COMMISSION

109 East Front Street 304 Traverse City, MI 49684

Project:

Lormax-Stern Planned Development

(i) initiative

Remarks:

Enclosed:

After the comments and discussions at the May 26 Planning Commission meeting, I created a draft set of development conditions applicable to the Lormax-Stern PD. They were submitted to developer, in addition to the Township, for review and feedback. The developer provided comments, to which I replied, and additional feedback followed. The attached draft development conditions include the developer's comments in red, and my replies in blue. The draft development conditions would be used as the basis for a recommendation of approval to the Township Board. Although the document should be reviewed in general, there are some specific items that still need to be addressed to the satisfaction of the Planning Commission and are provided below:

Draft development conditions; application drawings

Land Uses

The draft development conditions list uses allowed anywhere on the site, those requiring a special use permit but not applicable to the existing building, and those specifically allowed within the existing building only. The list is a combination of uses allowed in the base CF zoning district, as well as those from the B-3 and B-4 districts requested by the developer and identified as potentially compatible with the development and surrounding area. Many of the uses in the zoning ordinance are not defined, or in some cases a similar use in two different districts may be listed under a different term. The draft development conditions include a section of definitions to provide clarity to this development. Please review the list to determine if the uses are appropriate, and modify as needed. Specific considerations for the existing building include:

Should outdoor storage tied to a commercial use be allowed in the former garden center adjacent to the existing building?

- What would be allowed to be stored would need to be clearly defined, if allowed at all. Leaving it fairly wide open may lead to reasonable community objections. <u>I</u>

<u>recommend the Planning Commission review the request to determine if it is</u> appropriate and what limitations will need to be applied.

Is there objection to a call center as an allowed use?

- In many respects I see this as similar to an office use. <u>If there are no objections, then I recommend defining the use clearly in the definitions.</u>

Should an indoor storage facility, if allowed, include the storage of boats, RV's, classic cars, etc.?

- The impression I had throughout the review process is that the storage units would be small and intended for personal items such as furniture, business materials, etc. that would minimize any negative impacts the use may have on the development and adjacent properties. My recommendation is to limit the indoor storage to NOT include vehicles.

Should outdoor recreational facilities be allowed?

- I see no objection to using the existing building for an indoor recreational facility, however, I have some concerns with an outdoor recreational facility. The potential outdoor recreational facility uses could be quite broad and impactful in terms of noise, lighting, hours of use, etc. On the other hand, the use may be limited to a passive recreation park. I recommend the Planning Commission explore this as a use and if determined to be acceptable, then specify the intensity of recreational facilities permitted.

Townhomes

The townhome component under review includes those in the original application, not the workforce housing component discussed conceptually at the last meeting. Those units though strongly supported by me, have not been part of the official application to date and therefore are not being reviewed at this time. I encourage the developer to continue pursuing that option, with the Township's support, and amending the PD agreement in the future if the mechanisms to provide it come together.

Stormwater Management

The language, as presented, allows for the use of the existing basin for stormwater management. The zoning ordinance requires LID stormwater technologies be used in this district, making the existing basin somewhat of a nonconforming use. Therefore, all additional new construction will be required to manage it's stormwater runoff with LID technologies.

Phasing Plan

i initiative I have included a phasing plan in the draft development conditions for consideration that are intended to ensure the development achieves the community benefits desired by the Township, while providing a degree of flexibility to the developer. The developer has submitted comments requesting clarification on the extent of the items required in Phase 1. The developer has submitted a schematic drawing to support the Phase 1 requests that I think is appropriate for what was proposed in the draft development conditions. However, I recommend discussing the items identified by the developer for clarification.

i initiative

At this point, the developer has addressed a number of the concerns and recommendations from previous review meetings. If the Planning Commission is satisfied with the draft development conditions, along with any revisions including addressing the items above, then a recommendation of approval to the Township Board would be appropriate.

DEVELOPMENT CONDITIONS - DRAFT Lormax-Stern Planned Development

The following development conditions shall be part of the Lormax-Stern Planned Development (PD 2019-01):

A. Land Uses:

The following uses shall be allowed as indicated below. Definitions for each use follow at the end of this document.

Uses Allowed By-Right Within The Development (including existing building)							
 Multiple Family Dwellings Live/Work Units Home Occupations Public Uses: Critical, Essential & Supporting Educational Institutions Childcare Centers Religious Institutions Cultural Institutions Theaters Parking (public & private) Public Transit Stop Public Transit Station Recreational Facilities 	 Healthcare Services Hospitals & Urgent Care Facilities Mixed Use w/ Residential Above 1st Floor Restaurants without drive throughs Bars, Taverns, & Lounges Microbreweries Small Distilleries Small Wineries Famers' Markets Veterinary Services 	 Hotels/Motels without conference or convention facilities Financial Services without drive throughs Retail: General Food & Beverage without gas stations Professional Services Personal Services Accessory Uses Incidental to Principal Use 					
Uses Permitted Through Additional Special Use Permit Approval (excluding existing building)							
 Retail: Products Produced On-Site Department Outdoor Sales Night Time Operations 	 Outdoor Seating Areas Restaurants with Drive Throughs Financial Services with Drive Throughs 	 Hotels/Motels with Conference or Conventions Facilities 					
Uses Permitted By-Right in the Existing Building Only							
 Retail: Department Products Produced On-Site Outdoor Sales in Existing Outdoor Sales Area Contractor Retail Establishments 	 Nurseries & Garden Centers Indoor Self Storage 	 Computing & Data Processing Centers Research & Development Centers 					

The uses permitted within the entire development site shall also include those that may be added in the future to the CF zoning district through an amendment, as the use is defined in the amendment language.

APPLICANT: Requested additional uses for existing building

- Outdoor storage in garden area only
 - o PLANNER: You'll need to specify what that is the storage of, or an accessory to. The indoor storage use? Building materials for a retail establishment?
 - o APPLICANT: We will not need storage in this area unless it is part of a commercial business.
- Call center
 - o PLANNER: I don't see this as a controversial use
 - o APPLICANT: Great, thank you.
- Office/Medical Office
 - PLANNER: I see these as included under Healthcare Services, Hospitals & Urgent Care Facilities, and Professional Services. If you see these definitions as needing to be expanding lets bring that up for discussion at the meeting.
 - o APPLICANT: Thank you, just wanted to confirm.
- Outdoor recreation facility
 - o PLANNER: did you mean indoor, since we're speaking in the context of the existing Kmart building?
 - APPLICANT: In the B4 district there is a bullet point of "Private or nonprofit indoor and outdoor recreational facility". We would like this flexibility if a recreational tenant is found. thank you.

The following land uses by type and area shall be allowed in the general location as indicated on the conceptual plan:

- 1. Commercial (existing building) 88,272 square feet
- 2. Commercial (new construction) 15,000 square feet
- 3. Residential 24,000 square feet / 12 units (townhome style)
- 4. If the developer wishes to increase items 1. 3. above by up to ten (10%) percent, then the change shall constitute a minor amendment. If the developer wishes to increase items 1. 3. above by more than ten (10%) percent, then the change shall constitute a major amendment.
- **B.** Townhomes: Multifamily townhome residential buildings shall be allowed in the northeast corner of the property in the general location indicated on the conceptual plan. Residential use shall be allowed on the first floor in this location and shall meet the building materials standard in Section 6.6.6.6 of the Acme Township Zoning Ordinance.
 - APPLICANT: As an additional comment, we will provide evidence of two items in regards to the townhome portion of the development:
 - Evidence that we are agreeing to sell approximately 3 acres of land for \$200,000 to try to help the economics work in a public private joint venture to develop components of the project.
 - Evidence of submission of an application for work force housing.
- C. Architecture & Construction: All new development, except for the proposed townhomes, shall meet the design standards of Section 6.6.6.6 Façade Components and Materials in the Acme Township Zoning Ordinance. The design of any façade improvements shall be approved by the Planning Commission as part of the applicable phase.

- **D. Nonmotorized Trail:** A nonmotorized trail shall be provided by the developer along the US 31 frontage in the general location as indicated on the conceptual plan, with the final location being approved by the Planning Commission as part of the Phase 1 site plan review. The developer shall provide an easement to the Township for the nonmotorized trail who will assume ownership and maintenance responsibilities. The trail shall be constructed to meet AASHTO standards.
 - APPLICANT: As long as approved by TART Trails
 - PLANNER: The Planning Commission will work with TART Trails on the final trail design. The township and TART have a strong working relationship and have worked together on numerous trails. TART is even a non-voting ex officio of the township's Parks & Trails Committee.

E. Pedestrian Circulation:

- 1. Sidewalks shall be provided on both sides of all interior drives constructed of concrete with a minimum width of five (5) feet.
- 2. Direct pedestrian connections shall be provided from the sidewalk to each building entrance and each off-street parking area shall provide pedestrian connections to the sidewalk network and building entrances.
- 3. Intersections shall have crosswalks at each corner. The street grade shall rise to meet the sidewalk grade at all crosswalk locations.
- F. Cross Access Easements: The developer agrees to enter into a mutually acceptable access easement agreement for vehicular and nonmotorized traffic with abutting property owners in the general locations indicated on the conceptual plan when those abutting properties are developed, redeveloped, and/or required by Acme Township
- **G.** Public Transit: The developer shall provide the opportunity to locate a transit stop within the development with the exact location to be determined by the Planning Commission as part of Phase 1 site plan review. The location of the transit stop shall be permitted to change with Planning Commission approval.
- **H. Medians:** All medians shall include ornamental landscaping as indicated on the landscape plan and be installed as part of Phase 1.
- I. Exterior Lighting: Exterior lighting shall be provided as proposed on the plan. Pole height, including luminaire shall not exceed fifteen (15) feet. Illumination shall be limited to 4,000 K and 800 lumens. Lighting intensity is permitted to exceed the two (2) fc limit along US 31 right-of-way at the development entrance to the limits proposed in the conceptual plan.

J. Utility Plan:

- 1. <u>Water</u>: Water will be provided by a well system servicing all existing and new developments. The existing Type 2 well may be permitted for use on the existing building through Phase 1. Additional development on the property shall require a Type 1 well system and will be required as part of Phase 2. The developer may opt to hook up to the Tribal water system in the future.
- 2. <u>Sanitary Sewer</u>: The site is currently serviced by a two (2) inch forced main from the lift station in front of the existing building to the manhole on the southeast corner of the property, where it ties into the DPW system. The existing system may be used for Phase 1 if it is determined to be appropriately sized.

- If not, then it shall be upgraded as part of Phase 1. Otherwise, the system will need to upgraded in capacity as determined with each subsequent phase.
- 3. <u>Underground Utilities</u>: In addition to the water and sanitary sewer lines, all electric, communication and natural gas distribution lines shall be buried underground.
- **K. Stormwater Management:** The development shall be allowed to utilize the existing stormwater basin onsite for the existing building upon approval by the Township Engineer that enough capacity is present. All stormwater management associated with new construction on the site shall be addressed through Low Impact Development (LID) stormwater management techniques. The Planning Commission shall approve the proposed LID techniques as required with any site plan review.
- L. Landscape Plan: The landscape plan, including tree islands, shall follow that provided in the conceptual plan, including the proposed species. Any change in species shall meet the native, non-invasive species requirements of the Zoning Ordinance.
- M. Phasing Plan: The property shall be developed based on the following schedule of development and shall not proceed until site plan approval:
 - 1. Phase 1:
 - Nonmotorized trail along US 31
 - Entrance improvements
 - o APPLICANT: Will agree to landscape the entrance as well as along the TART trail.
 - Main interior access drive will curbing, sidewalks, medians, crosswalks, and exterior lighting as prescribed in these conditions or otherwise regulated by the Acme Township Zoning Ordinance.
 - o APPLICANT: Please clarify that this is for the entrance only and does not include the back parking lot as shown on the attached site plan. Please see the explanation below regarding the parking lot in front of the existing building and the reason.
 - Redevelopment and occupancy of fifty (50%) of the existing building (44,136 square feet). The developer may renovate the entire façade of the existing building as part of Phase 1.
 - Parking lot improvements to the main off-street parking area in front of the existing building.
 - o APPLICANT: Please see the attached drawing from Rogvoy Architects showing the sanitary sewer running directly through the middle of the main parking lot which will need reworking when the outlots and/or townhomes are built. Before we can complete this, we will have to understand how many units ultimately get approved for workforce housing. The amount of units approved may change the direction and location.
 - The location of a proposed public transit stop
 - All associated landscape improvements in the areas of Phase 1
 - Any necessary utility upgrades, including stormwater management
 - o APPLICANT: Upgrades will be completed if the use in the back building requires it.

PLANNER: As far as phasing, that is a major concern of the Planning Commission. They want to ensure components depicted in the plan are in fact incorporated, understanding that not everything will be done at once. Their concern is that the Kmart building will be granted permission to be utilized as a land use not currently allowed in the district and nothing else will happen. In the absence of a phasing plan, I proposed the one in the document. Your note mentions clarifying the extent of the improvements circled in Phase 1. I recommend coming to the meeting prepared with what you are willing to do in that initial phase for those items

identified. If you can put it in writing to go in their packets which go out tomorrow even better. I feel fairly confident that without a robust phasing plan that addresses their concerns, they will struggle to approve the PD.

2. Phase 2:

- At least 5,000 square feet of new development, either as commercial or residential use.
- All off-street parking areas, sidewalks, curbing, access drives, exterior lighting and associated landscaping in the location of the new development.
- Type 1 well system
- Any necessary utility upgrades, including stormwater management

3. Phase 3:

- Additional redevelopment and occupancy of the remainder of the existing building
- Any necessary utility upgrades, including stormwater management

4. Phase 4:

- Additional 5,000 square feet of new development, either as commercial or residential use.
- All off-street parking areas, sidewalks, curbing, access drives, exterior lighting and associated landscaping in the location of the new development.
- Any necessary utility upgrades, including stormwater management

5. <u>Phase 5</u>:

- If 10,000 square feet of new commercial development has occurred without any residential, then at least fifty (50%) of the proposed residential use shall be developed before any new additional commercial development may occur.
- All off-street parking areas, sidewalks, curbing, access drives, exterior lighting and associated landscaping in the location of the new development.
- Any necessary utility upgrades, including stormwater management

6. Phase 6:

- Any remaining commercial or residential development
- All off-street parking areas, sidewalks, curbing, access drives, exterior lighting and associated landscaping in the location of the new development.
- Any necessary utility upgrades, including stormwater management

Nothing in this plan shall prevent the developer from applying for site plan review for any subsequent phases simultaneously. For instance, the developer may apply for Phase 2 and 3 site plan review at the same time. No future phases shall proceed until the prior phases have been completed as presented, or an amendment has been approved to change the phasing plan.

- N. Ownership: The developer proposes to maintain ownership of the entire site, but reserves the right to subdivide the land under the Land Division Ordinance or seek approval of a site condominium development. If the property, or portion thereof, is divided as a site condominium development, then a copy of the HOA bylaws shall be submitted to the Township and include the contact information for the HOA. An updated copy of the HOA bylaws shall be provided to the Township any time they are amended.
- O. Zoning Standards, In General: Except where exemption has been granted in the development agreement, all applicable standards of the Acme Township Zoning Ordinance shall be in effect.
- **P.** Use Definitions: The following definitions apply to the uses identified in this document.

Accessory Uses Incidental to Principal Use: A use that is clearly incidental to, customarily found in connection with, subordinate to, and is located on the same zoning lot as the principal use to which it is exclusively related.

Bars, Taverns & Lounges: A commercial enterprise whose primary activity is the sale of alcoholic beverages to be consumed on the premises. Bars include taverns, night clubs, private clubs, bottle clubs, and similar facilities serving alcoholic liquor. Bars may also include the incidental sale of prepared food and live performances.

Child Care Centers: A facility, other than a private residence, receiving one (1) or more children under thirteen (13) years of age for care for periods of less than 24 hours a day, where the parents or guardians are not immediately available to the child. Child care center includes a facility that provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, before- or after-school program, or drop-in center. Child care center does not include those uses excluded under "Child Care Center" in the Child Care Organization Act (1973 PA 116, MCL 722.111(1)(h).

Computing & Data Processing: An establishment primarily involved in the compiling, storage, and maintenance of documents, records, and other types of information in digital form utilizing a mainframe computer. This term does not include general business offices, computer-related sales establishments, and business or personal services.

Cultural Institutions: A public or non-profit institution that engages in the cultural, intellectual, scientific, environmental, educational, or artistic enrichment of the community. Examples include, but are not limited to museums, libraries, historical societies, art galleries, botanical societies, land conservation organizations, performing art centers, scientific societies, and wildlife conservation societies. Cultural Institutions do not include any school or institution primarily engaged in religious or sectarian activities.

Educational Institution: Any public or private school for kindergarten through twelfth grade, or any colleges or universities, authorized by the State to award degrees.

Farmers Markets: The seasonal selling or offering for sale at retail of home-grown vegetables or produce, occurring in a pre-designated area, where the vendors are generally individuals who have raised the vegetables or produce or have taken the same on consignment for retail sale.

Financial Services: Any trust company, savings bank, industrial bank, savings and loan association, building and loan association, commercial bank, credit union, federal association, investment company, or other business association, which is chartered under federal or state law, solicits, receives, or accepts money or its equivalent on deposit and loans money as a regular business.

Healthcare Services: A clinic, business or institution that offers any type of healthcare to the public which requires as a condition precedent to the rendering of such care the obtaining of a license or other legal authorization. By way of example, without limiting the generality of this definition, healthcare services

include services rendered by chiropractors, dentists, osteopaths, physicians, dieticians, surgeons, podiatrists, physical therapists, counselors, and psychiatrists. Healthcare services does not include a hospital.

Home Occupation: A use incidental and secondary to a property's primary residential use. A home occupation use shall not change the residential character of the property or the neighborhood and shall meet all applicable legal requirements.

Hospitals & Urgent Care Facilities: An institution that is licensed by the State of Michigan to provide inpatient and outpatient medical and surgical services for the sick and injured, and that may include such related facilities as laboratories, medical testing services, training facilities, central service facilities, and staff offices, staff dormitories, or other staff living accommodations, cafeterias and giftshops.

Hotels/Motels (w/o conference or convention facilities): A building occupied as a more or less temporary lodging place for individuals with or without meals in rooms consisting of a minimum of one (1) bedroom and a bath, that are occupied for hire, and typically providing services such as maid service, telephone and secretarial or desk service, the use of furniture, a dining room and general kitchen.

Hotels with Conference or Convention Facilities: A hotel, as defined above, that also includes facilities used for service organizations, business and professional conferences, and seminars limited to accommodations for conference attendees. The accommodations can include sleeping, eating, and recreation. A conference center is not designed to be only utilized by the general public for overnight purposes.

Indoor Self Storage: A building divided into separate compartments used to meet the temporary storage needs of small businesses, apartment dwellers, and other residential uses; and may include climate controlled facilities. Access to individual units is provided on the interior of the building and does not permit outdoor storage.

APPLICANT: Does this include indoor boat storage?

PLANNER: The inclusion of boat storage within an indoor storage facility will need to be addressed with the Planning Commission

APPLICANT: The plan over time is for a portion of the building to have climate controlled individual units. While the building is built out, we plan to have storage for items items such as: boats, jet skis, RV's, classic cars etc.

Live/Work Unit: A single unit (e.g. studio, loft, one-bedroom) consisting of both a residential and commercial/office component that is occupied by the same resident as their primary residence.

Microbreweries: A facility or facilities owned or controlled by a licensed Micro Brewer

Mixed Use w/ Residential Above 1st Floor: Any permitted commercial use with dwelling units occupying the upper stories.

Multiple Family Dwellings: A building designed for and occupied by two (2) or more families living independently in separate dwelling units.

Nurseries & Garden Centers: A space, building or structure, or combination thereof, for the storage of live trees, shrubs or plants offered for retail sale on the premises including products used for gardening or landscaping. The definition of nursery within the meaning of this Ordinance does not include any space, building or structure used for the sale of fruits, vegetables or Christmas trees.

Outdoor Seating Areas: An accessory use subordinate to a permitted principal use.

Parking (Public or Private): An area within a lot or parcel that provides vehicular parking spaces along with adequate drives and aisles for maneuvering, so as to provide safe and convenient access for entrance and exit and for parking of more than three (3) vehicles.

Personal Services: Enterprises serving individual necessities, such as barber shops, beauty salons and spas, clothing rental, coin-operated laundromats, marriage bureaus, massage services by masseurs/masseuses, personal laundry and dry cleaning establishments, pressing, dyeing, tailoring, shoe repair, photographic studios, tattoo parlors, and travel agencies.

Professional Services: A business that offers any type of personal service to the public which requires as a condition precedent to the rendering of such service the obtaining of a license or other legal authorization. By way of example, and without limiting the generality of this definition, professional services include services rendered by certified public accountants, public accountants, engineers, architects, attorneys at law, and life insurance agents. Professional services shall not include healthcare or financial services, or veterinarian clinics.

Public Transit Station: A building, structure, or area designed and used for persons changing transportation modes or routes.

Public Transit Stop: A facility located at selected points along transit routes for passenger pickup, drop off, or transfer, but excluding areas for vehicle repair or storage, which are defined as a public service facility, or bus stops or shelters.

Public Uses: Basic services usually furnished by local government or public utility, but which also may be provided by private enterprise to support the development of the community. Public uses may be categorized as one of the following:

- o <u>Critical</u>: such as, but not limited to fire station, ambulance services, police station, etc., and associated facilities.
- o <u>Essential</u>: the erection, construction, alteration, or maintenance by public utilities or municipal or governmental agencies of underground or overhead gas, electrical, steam, communications, supply, or disposal systems including poles, wires, mains, drains, sewers, pipes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, which are necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies for the public health, safety or general welfare.
- Supporting: such as, but not limited to, Township hall, library, civic center, park, public recreational facility, community center, official government offices, authority office, post office, etc., and associated facilities.

Recreational Facilities: An entity which receives a fee, whether by membership or daily passes, in return for the provision of some active recreational activity including but not limited to: gymnastic facilities, indoor soccer, bike & skate parks, racquet clubs, tennis and pickle ball courts, physical fitness facilities, swimming pools, athletic fields, yoga, spinning, martial arts, and other similar activities related to personal or team athletics, exercise, fitness and including their ancillary support services.

Religious Institutions: A place of worship or religious assembly with related facilities such as the following in any combination: rectory or convent, private school, meeting hall, offices for administration of the institution, licensed child or adult daycare, playground, cemetery.

Retail:

- <u>General</u>: Establishments primarily engaged in retailing new or used goods in general merchandise stores (except department stores, contractor establishments, and wholesale activities). These establishment retail a general line of new or used merchandise, such as apparel, automotive parts, dry goods, hardware, housewares or home furnishings, and other lines in limited amounts, with none of the lines predominating.
- <u>Food & Beverage (w/o gas service stations)</u>: Establishments that retail food and beverage merchandise from fixed point-of-sale locations and have special equipment (e.g., freezers, refrigerated display cases, refrigerators) for displaying food and beverage goods. They have staff trained in the processing and preparing of food products to guarantee the proper storage and sanitary conditions required by regulatory authority. Includes grocery stores, specialty food stores, and beer, wine and liquor stores.
- <u>Products Produced On-Site</u>: Establishments that retail products other than food and beverage produced onsite. The products produced onsite may not be sold onsite exclusively, but may also be distributed to other locations for retail.
- <u>Department</u>: Establishments that have separate departments for general lines of new merchandise, such as apparel, jewelry, home furnishings, and toys, with no one merchandise line predominating, or retail establishments exceeding 10,000 square feet. Department stores may sell perishable groceries, such as fresh fruits, vegetables, and dairy products, but such sales are insignificant.
 Department stores may have separate checkout areas in each department, central customer checkout areas, or both.
- <u>Contractor Retail Establishments</u>: Establishments primarily engaged in retailing new building materials, lawn and garden equipment, and supplies from a fixed point-of-sale location for the construction, repair, maintenance and improvement of the home and associated grounds. May include display of products, and display equipment designed to handle lumber, materials, and related products, garden equipment, and supplies. The staff is usually highly knowledgeable in the use of the specific products being retailed.
- <u>Outdoor Sales:</u> The outdoor standing or placement of immediately usable goods that are available for sale, lease or rental and that are displayed in such manner as to be readily accessible for inspection and removal by the potential customer.
- Night-Time Operation: Any retail establishment operating between 10:00 pm and 7:00 am.

Research & Development Centers: An establishment which conducts research, development, or controlled production of high-technology electronic, industrial, or scientific products or commodities for sale or laboratories conducting educational or medical research or testing. This term includes but is not limited to a biotechnology firm or a manufacturer of nontoxic computer components.

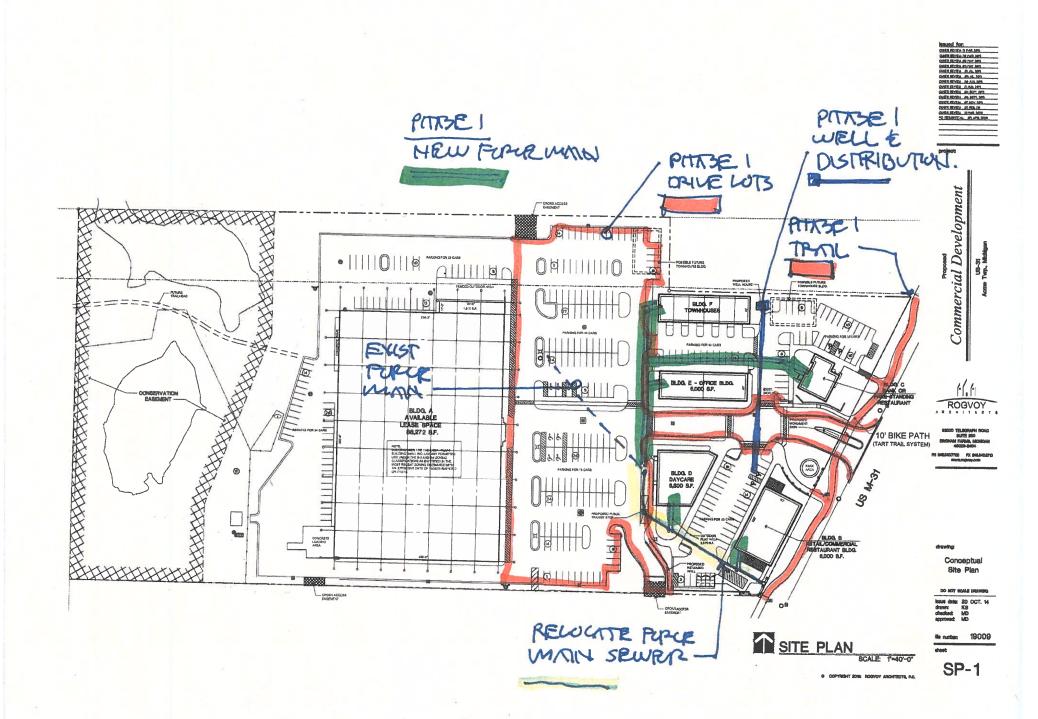
Restaurants: An establishment in which the principal use is the preparation and sale of food and beverage. The food and beverage may be consumed on-site, carried out, or offered for delivery. Restaurants may include the sale of prepared food and beverages to other establishments for resale or consumption.

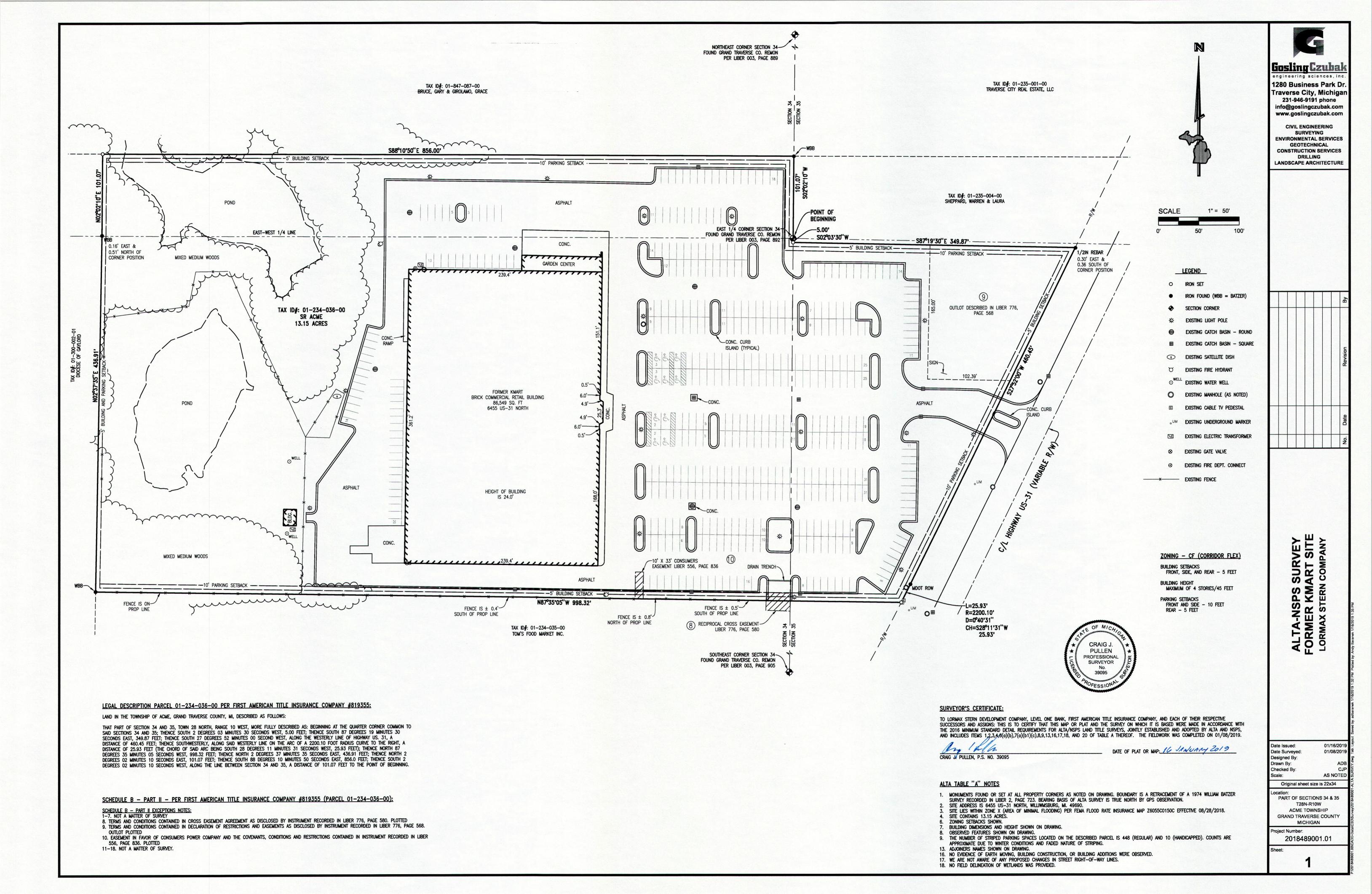
Small Distilleries: A facility or facilities owned or controlled by a licensed Distillery

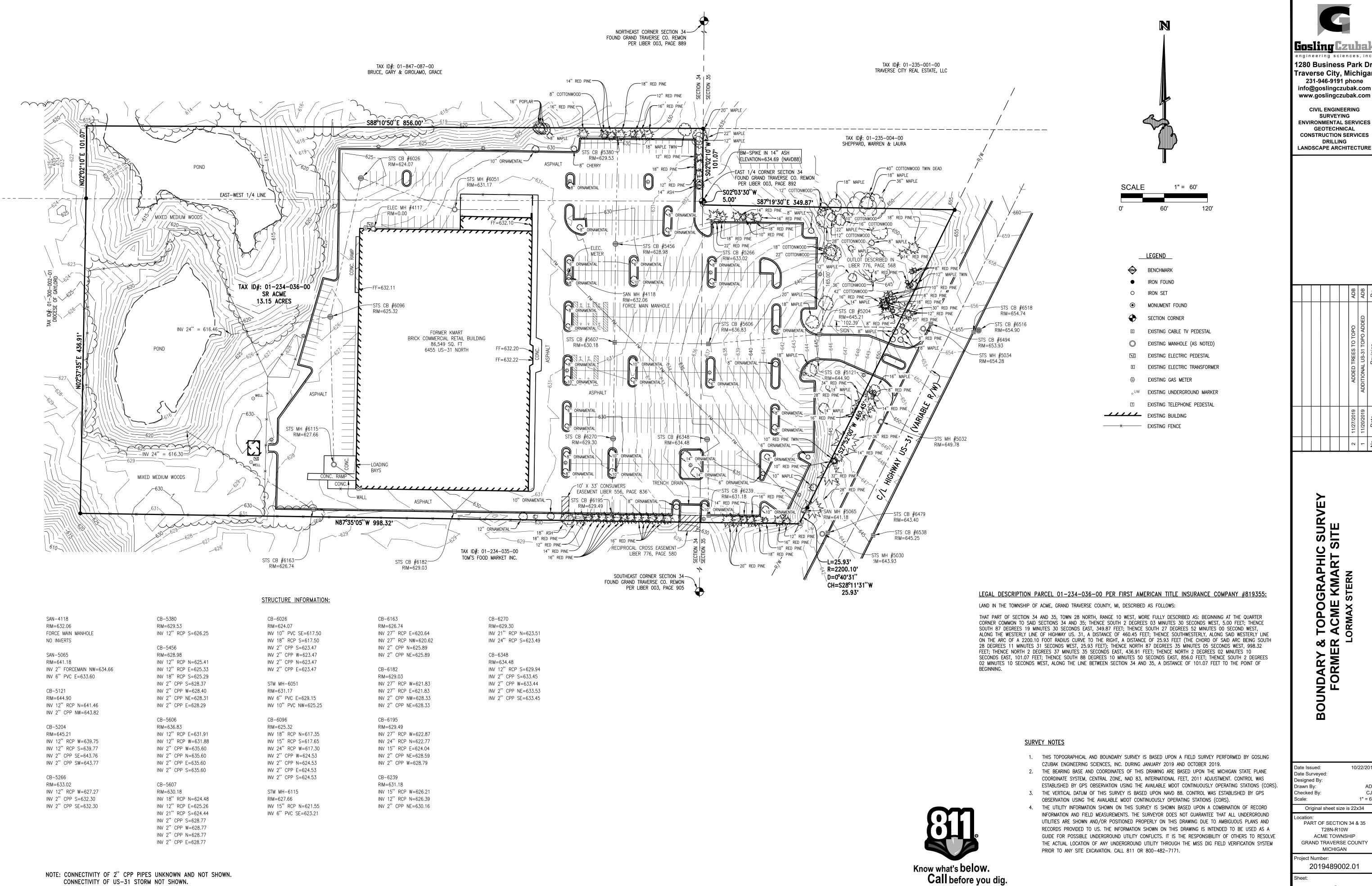
Small Wineries: A facility or facilities owned or controlled by a licensed Small Wine Maker.

Theaters: An outdoor area or, building or part of a building devoted to showing motion pictures, or for dramatic, dance, musical, or other live performances.

Veterinary Services: Establishments of licensed veterinary practitioners engaged in the practice of veterinary medicine, dentistry, or surgery for animals; and establishments primarily engaged in providing testing services for licensed veterinary practitioners. Use as a kennel shall be limited to short-time boarding and shall be only incidental to the principal use.







Liosling Lzubal

1280 Business Park Dr Traverse City, Michigar 231-946-9191 phone info@goslingczubak.com www.goslingczubak.com

CIVIL ENGINEERING SURVEYING **ENVIRONMENTAL SERVICES** GEOTECHNICAL CONSTRUCTION SERVICES DRILLING

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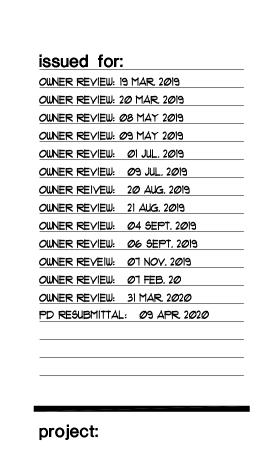
10/22/2019

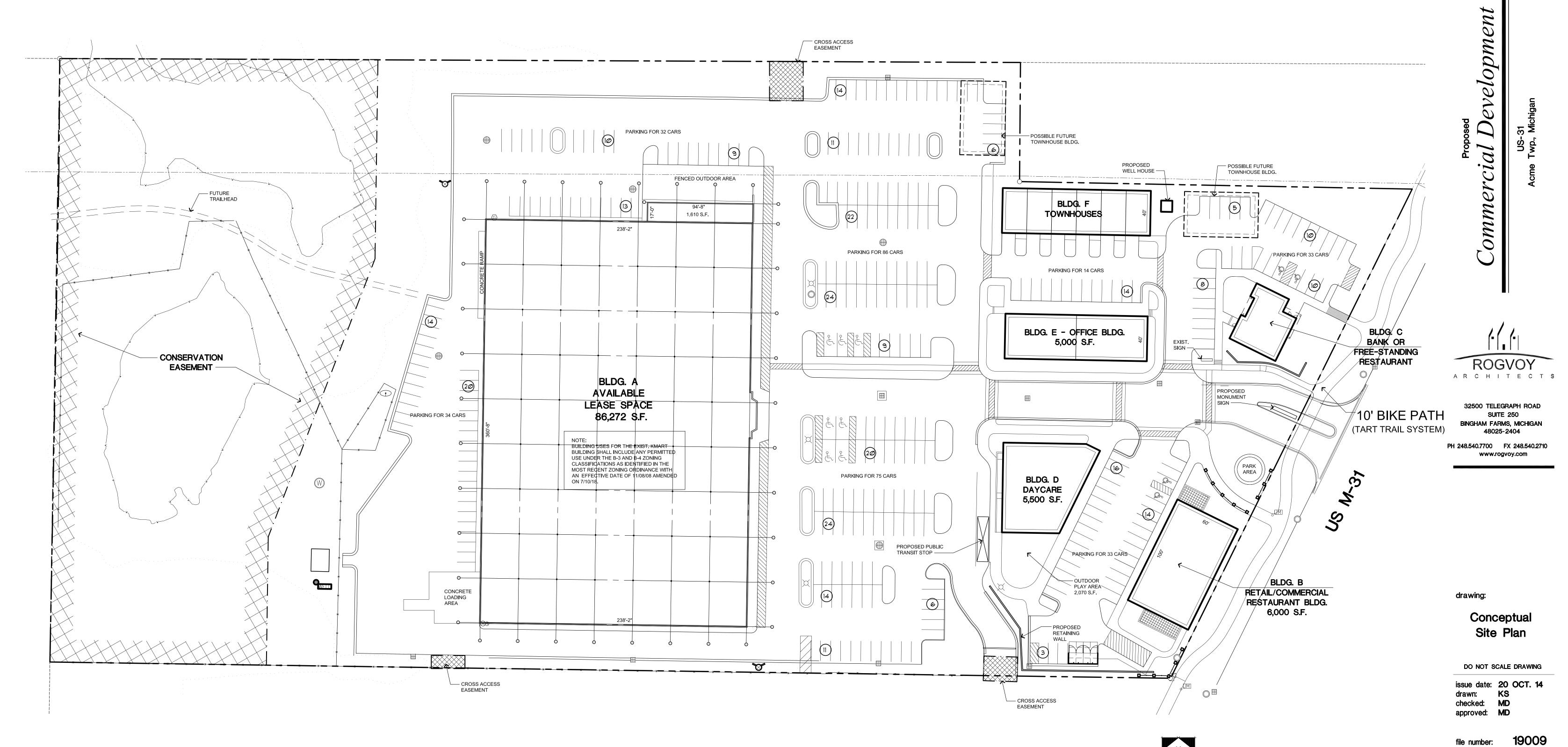
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PART OF SECTION 34 & 35 T28N-R10W ACME TOWNSHIP

GRAND TRAVERSE COUNTY MICHIGAN roject Number:

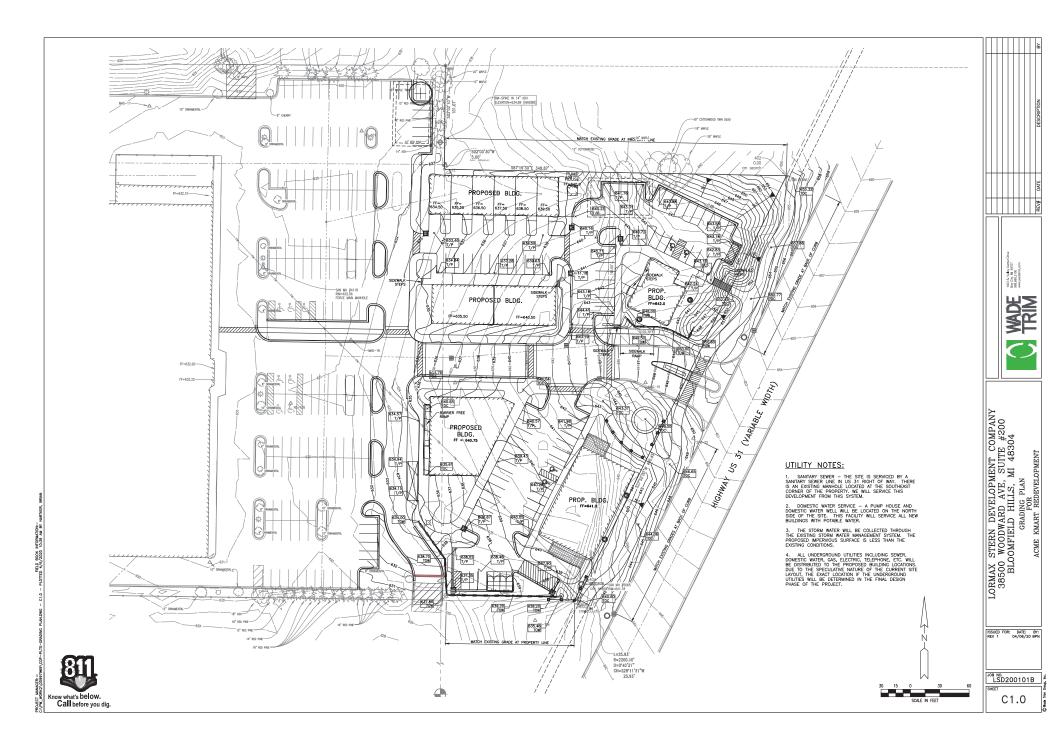
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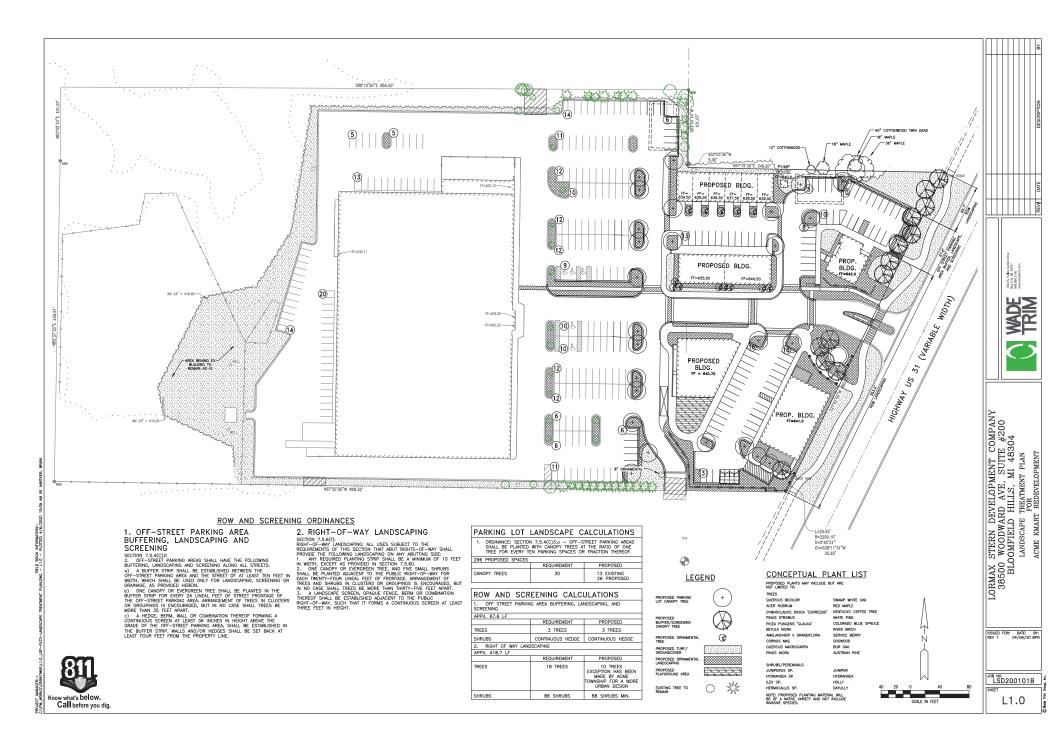


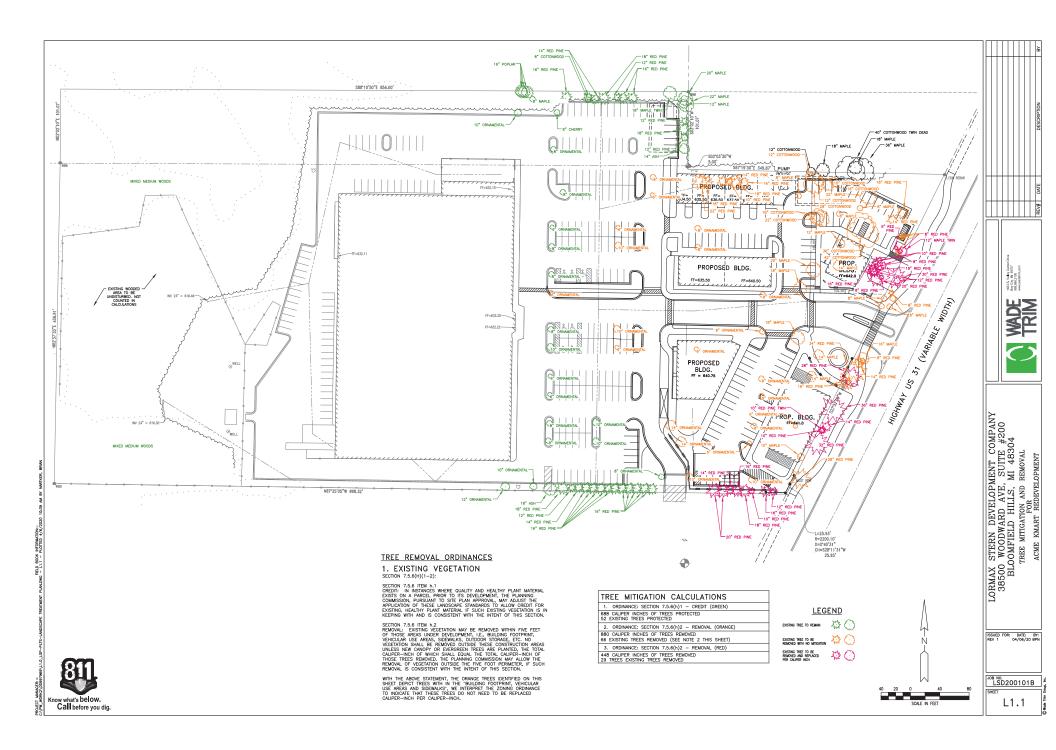


SITE PLAN SCALE: 1"=40'-0"

SP-1







issued for:

OUNER REVIEW: 19 MAR, 2019

OUNER REVIEW: 20 MAR. 2019 OUNER REVIEW: 08 MAY 2019

OUNER REVIEW: 09 MAY 2019

OUNER REVIEW: ØI JUL. 2019 OUNER REVIEW: 09 JUL. 2019 OUNER REIVEW: 20 AUG. 2019

OUNER REVIEW: 21 AUG. 2019

OWNER REVIEW: Ø1 FEB. 20 OUNER REVIEW: 31 MAR. 2020

OUNER REVIEW: Ø4 SEPT. 2019 OUNER REVIEW: Ø6 SEPT. 2019 OWNER REVEIW: ØT NOV. 2019

Designer Date Scale

4/8/2020 Not to Scale Drawing No. Summary

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Mir
Parking Areas/Drives	+	1.6 fc	4.4 fc	0.3 fc	14.7:1	5.3:1
Property Line Calc	+	0.2 fc	3.1 fc	0.0 fc	N/A	N/A

S3 RAR2-320L-140-4K7-3 S3-EX HUBBELL RAR2-320L-140-4K7-OUTDOOR 4W □ | S4 RAR2-320L-140-4K7-4W S4-EX 3 HUBBELL RAR2-320L-140-4K7-OUTDOOR 5QW S5 5 HUBBELL RAR2-320L-140-4K7-OUTDOOR 5QW S5-EX TRP2-24L-70-4K7-4 GeoPak Size 2 TRP2-24L-70-4K7-3 GeoPak Size 2 WM3

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F 1.0 1.2 1.3 1.3 1.4 1.4 1.4 1.4 1.4 1.4 1.3 1.3 1.3 1.3 1.3 1.2 1.1 1.0 0.1 1.3 1.3 1.3 1.3 1.3 1.3 1.2 1.1 TOWNHOUSES †0.0 †0.0 †0.0 † *0.7 *\frac{1}{0.9} *\frac{1}{0.9} *\frac{1}{0.9} *\frac{1}{0.8} *\frac{1}{1.1} *\frac{1}{1.7} *\frac{1}{2.5} *\frac{1}{2.9} *\frac{1}{2.9} *\frac{1}{2.4} *\frac{1}{3.9} *\frac{1}{3.4} *\frac{1}{3.9} * 1.0 1.1 1.3 1.3 1.4 1.4 1.4 1.4 1.3 1.3 1.3 1.3 1.3 1.3 1.3 1.3 1.4 1.4 1.3 1.2 0.1/ †0.0/ †0.0 †0.0 †0.0 *0.0 *0.0 *0.0 *0.0 * *0.9 | *0.7 | *0.6 | *0.5 | *0.4 | *0.3 | *0.3 | *0.3 | *0.3 | *0.3 | *0.3 | *0.3 | *0.3 | *0.3 | *0.3 | *0.3 | *0.3 | *0.3 | *0.3 | *0.9 | *1.4 | *2.0 | *2.3 | *2.3 | *1.5 | *1.3 | *1.6 | *2.0 | *2.1 | *2.3 | *2.6 | *2.8 | *2.9 | *2.9 | *2.6 | *2.8 | *2.9 | *2.9 | *2.6 | *2.8 | *2.9 | *2.9 | *2.6 | *2.8 | *2.9 | *2.9 | *2.6 | *2.8 | *2.9 | *2.9 | *2.6 | *2.8 | *2.9 | *2.9 | *2.6 | *2.8 | *2.9 | *2.9 | *2.6 | *2.8 | *2.9 | *2.9 | *2.6 | *2.8 | *2.9 | *2.9 | *2.8 | *2.9 | *2.9 | *2.8 | *2.9 | *2.9 | *2.8 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2.9 | *2 [†]0.0 [†]0.0 [†]0.0 [†]0.0 1.2 1.3 14 14 1.4 1.4 1.4 1.5 1.5 1.5 1.4 1.4 1.4 1.1. 1.7 1.24 +0.0 +0.0 +0.0 +0.0 1.3 1.4 1.8 1.5 1.5 1.5 1.5 1.5 1.5 1.5 1.5 1.6 1.6 2.25 22 1.6 1.4 1.3 1.7 2.4 2.5 2.8 2.8 2.2 1.8 1.3 1.5 1.8 2.1 26 2.1 1.9 1.4 2.2 3.1 9.9 *0.0 *0.0 *0.0 *(1.4 1.2 1.2 1.1 0 0.8 1.1 1.2 1.3 1.4 1.4 1.3 1.3 1.3 1.4 1.4 1.3 1.3 1.3 1.4 1.4 1.3 1.3 1.3 1.3 1.3 1.3 1.3 1.3 1.2 1.1 0.5 1.2 2.2 3.2 4.1 BLDG. 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KMART PH 248.540.7700 FX 248.540.2710 1.0 1.1 1.3 1.4 1.7 1.9 1.6 1.4 1.4 1.4 1.5 1.5 1.7 1.0 1.9 1.5 1.5 BUILDING SHALL INCLUDE ANY PERMITTED 1.4 1.4 1.3 1.1 0.7 0.4 www.rogvoy.com USE UNDER THE B-3 AND B-4 ZONING 2.2 [†]3.7 [†]3.7 [†]2.8 [†]2.0 CLASSIFICATIONS AS IDENTIFIED IN THE 1.1 *1.0 *0.9 *0.8 *0.7 *0.6 *0.4 MOST RECENT ZONING ORDINANCE WITH AN EFFECTIVE DATE OF 1/08/08 AMENDED *0.0 1.0 1.2 1.3 1.3 1.4 1.4 1.3 ARSINGS OR 45 PARS 4 1.4 1.4 1.5 1.5 1.4 1.4 1.3 *1.1 *0.8 *0.7 *0.6 *0.6 *0.5 *0.4 BLDG. D · Wo. [†]1.8 [†]1.3 [†]0.8 [†]0.7 [†]0.8 [‡]1.0 [†]1.9 [‡]1.1 DAYCARE 0.6 2.1 3.5 3.3 2.6 2.0 7.2 0.4 0.9 2.1 2.8 2.6 2.1 1.5 5,500 S.F. [†]2.7 [†]2.1 [†]1.5 [†]0.9 [†]0.7 [†]1.1 [†]1.8 [†]1.8 [†]1.7 0.7 1.2 1.9 2.3 2 1 1.9 3.6 ⁺3.1 ⁺2.3 ⁺1.7 ⁺1.0 ⁺0.8 ⁺1.2 ⁺2.1 ⁺1.9 ⁺2.3 08 0.9 1.1 1.2 1.2 1.3 24 1.3 1.2 1.2 1.3 1.3 1.3 1.4 1.5 1.5 1.5 1.4 1.4 1.4 1.8 1 0.6 1.0 1.5 1.8 1.9 1.6 1.1 *3.7 *3.6 *2.7 *1.9 *1.1 *0.9 *1.4 *2.2 *2.2 *3.1 *3.5 *3.6 *2.7 *1.8 *1.0 *0.9 *1.4 *2.3 *2.3 *3.2 1.0 1.6 2.0 2.0 1.7 1.1 t *3.3 *3.6 *2.6 *1.9 *1.1 *0.8 *1.2 *2.1 *1.9 *2.4 1.5 2.1 2.5 2.5 1.7 0.8 ⁺3.5 ⁺3.5 ⁺2.6 ⁺1.8 ⁺1.0 ⁺0.7 ⁺1.1 ⁺1.8 ⁺1.8 ⁺1.8 *3.6 *3.7 *2.7 *1.8 *1.0 *0.8 *0.9 *1.2 *1.2 *1.5 1.7 2.5 3.2 3.8 3.2 ** 3.7 **3.3 **2.4 **1.7 **1.0 **0.8 **1.1 **1.5 **1.3 **1.7 1.1 1.9 OUTDOOR 3.6 2.2 O BLDG. B 10 1.2 1.3 1.5 2.1 2.1 1.6 1.5 1.4 1.4 1.4 1.4 1.4 1.4 1.5 1.6 1.8 RETAIL/COMMERCIAL 1.5 2.3 2 3.70 53.7 2.7 drawing: ⁺2.6 ⁺3.4 ⁺3.6 ⁺2 0.5 RESTAURANT BLDG. 10 1.1 1.2 1.3 14 16 1.4 1.3 1.3 1.4 1.4 1.3 1.3 1.3 1.4 16 1.7 *2.4 *2.3 *1.8 *1.3 *0.9 *0.8 *1.3 *2.RE2.0 *2.6 0.06,000 S.F. *0.9 1.0 *1.1 *1.2 *1.3 *1.3 *1.3 *1.3 *1.2 *1.2 *1.2 *1.2 *1.2 *1.2 *1.3 *1.4 *1 Conceptual Site Plan *0.0 *0.0 *0.0 *0.0 *0.0 **\color="10.5-\frac{1}{2}.6-\ 1.3 1.6 **2.6** 2.9 3.6 2.6 03 03 03 03 05 10 1.7 2.0 2.9 3.4 2.4 2.3 2.9 2.3 2.5 2.3 2.0 2.0 2.5 2.6 2.6 3.0 2.5 2.5 2.4 2.0 2.1 2.6 2.6 3.1 3.4 2.9 2.7 2.5 1.7 1.2 0.9 0.8 0.8 0.7 0.7 0.7 0.6 0.6 0.6 0.6 0.6 0.6 DO NOT SCALE DRAWING issue date: 20 OCT. 14 CROSS ACCESS drawn: KS checked: MD approved: MD

SITE PLAN

SCALE: 1"=40'-0"

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SiteSync NX DISTRIBUTED WISCAPE

SPECIFICATIONS CONSTRUCTION

 Rectilinear form mimics the traditional shoebox form factor keeping a similar but updated style and appearance, ideal for · Die-cast housing with hidden vertical heat fins that are optimal for heat dissipation while keeping a clean smooth outer surface

housing with powder coat paint finish OPTICS
- Entire optical aperture illuminates to create a larger luminous surface area resulting in a low glare appearance without sacrificing optical performance 80, 160, 320 or 480 midpower LEDs

· Corrosion resistant die-cast aluminum

 Zero uplight at 0 degrees of tilt Field rotatable optics INSTALLATION

 Standard square arm mount, compatible with B3 drill pattern Optional universal mounting block for ease of installation during retrofit applications. Available as an option or accessory for square and round poles.

· LED drivers have output power over-voltage over-current protection and short circuit protection with auto recovery

Universal 120-277 VAC or 347-480 VAC input voltage, 50/60 Hz

Ambient operating temperature -40°C to 40°C

Drivers have greater than 90% power factor and less than 20% THD

3000K, 4000K or 5000K (70 CRI) CCT

Knuckle arm fitter option available for 2-3/8" OD tenon. Max tilt of 60 degrees with 4 degree adjustable increments. (Restrictions apply for 7-pin options)

wireless available for complete on/off and dimming control 7-pin ANSI C136.41-2013 photocontrol

receptacle option available for twist lock photocontrols or wireless control modules (control accessories sold separately) 0-10V dimming leads available for use with control devices (provided by others, must specify lead length) SiteSync[™] wireless control system is available via 7-pin See ordering information and details at: www.hubbelllighting.com/sitesync

 NX Distributed Intelligence™ available with in fixture wireless control module, features Efficacy Range (LPW) dimming and occupancy sensor Fixture Projected Life (Hours) L70>238K Weights lbs. (kg) 13.5–24 (6.1–10.9)

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TYPE: PROJECT:

CATALOG #:

LOCATION:

PROJECT:

RELATED PRODUCTS

CONTROLS (CONT'D)

CERTIFICATIONS

temperatures

occupancy sensor via 7-pin

· wiSCAPE® available with in fixture wireless

DLC® (DesignLights Consortium Qualified, with some Premium Qualified configurations.

Please refer to the DLC website for specific

Listed to UL1598 and CSA C22.2#250.0-24

· Meets IDA recommendations using 3K CCT

Lumen Range 3,000-32,000

25-227

118-155

HUBBELL Lighting

for wet locations and 40°C ambient

· 3G rated for ANSI C136.31 high

configuration at 0 degrees of tilt

vibration applications

Fixture is IP66 rated

5 year limited warranty

Wattage Range

RELATED PRODUCTS

8 RDI1 GeoPak 8 TRP1 GeoPak 9 QSP1 GeoPak

See <u>HLI Standard Warranty</u> for additional information

product qualifications at www.designlights.org

8 Airo 8 Cimarron LED 8 Ratio Family

CATALOG #:

SIZE 2 - TRP2/QSP2/RDI2

FEATURES Mid sized architectural wallpacks in three stylish shapes

 Capable of replacing up to 400w HID luminaires Type I, II, III and IV distributions for a wide variety of applications Integral battery backup options

Control capabilities offer additional energy savings options

 Zero uplight distributions Inverted mounting capable for under canopy and facade lighting



Page 1/7 Rev. 12/18/19 RARLED-SPEC



SPECIFICATIONS CONSTRUCTION

• Die-cast aluminum housing and door · Seven powder coat standard finishes, plus custom color options

 24 or 32 high power LEDs deliver up to 10,800 lumens Up to 146 lumens per watt Different lenses offer a variety of distribution patterns - Type I, II, III and IV (Forward throw)

 3000K - 70 CRI, 4000K - 70 CRI and 5000K - 70 CRI, CCT nominal INSTALLATION

• Quick-mount adapter with gasket seal provides easy installation to wall or to recessed junction box (4" square junction box), Fixture attaches by two Allen-head hidden forteners for two experiences.

hidden fasteners for tamper resistance Black box accessory available for surface conduit application Optional Dual Drivers & Dual Power Feeds for 50, 70 and 90 watt versions

 120-277, 347 and 480 voltage, 50/60Hz Power factor > 90%

THD (Total Harmonic Distortion) <20%

Ambient operating temperature -40°C to 40°C

Automatically takes fixture off-line when device is consumed Intergral Battery Backup provides emergency lighting for the required 90 minute path of egress Includes a long-life Lithium Iron Phosphate

battery with optional battery heater for cold temperature application Utilizes 4 LEDs in emergency mode with 657 lumens. Each of the 4 LEDs in emergency are designed to function independently in the unlikely event of a single LED malfunction

 Spectron® self-testing/self-diagnostic electronics are included standard Independent dedicated driver and LED array for battery/emergency mode operation

CONTROLS

• Drivers are 0-10V dimming standard Universal button photocontrol for dusk to

KEY DATA Photocell and occupancy sensor options available for complete on/off and dimming Lumen Range 3,200-11,000 Wattage Range 28–87 112-146 Efficacy Range (LPW)

Fixture Projected Life (Hours) Weights lbs. (kg) 16–18 (7.3–8.2)

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Lighting

HUBBELL Outdoor Lighting PROJECT: **RATIO SERIES** CATALOG #: AREA/SITE LIGHTER

ORDERING GUIDE Example: RAR1-80L-25-3K7-2-UNV-ASQ-BL-NXWE-BC CATALOG # ORDERING INFORMATION

		-]-[_]_			-		
Series		l	# LEDs - W	attage	П	CCT/C	CRI	ı	Distri	bution	l	Ot	ptics Rotation	l	Voltage	
RAR1	Ratio Area	1	80L-25	25W - 3,000 Lumens	П	3K7	3000K, 70 CRI	7	2	IES TYPE II	1	E	Blank for no rotation	1	UNV	Universal 120-277V
	Size 1		80L-50	50W - 6,000 Lumens	Ш	4K7	4000K, 70 CRI		3	IES TYPE III		L	Optic rotation left		120	120V
			160L-70	70W - 9,000 Lumens	Ш	5K7	5000K, 70 CRI		4W	IES TYPE IV		R	Optic rotation right		208	208V
			160L-100	100W - 12,000 Lumens	Ш				5QW	IES TYPE V					240	240V
					1										277	277V
RAR2	Ratio Area		320L-110	110W - 15,000 Lumens	Ш										347	347V
	Size 2		320L-140	140W - 18,000 Lumens	Ш										480	480V
			320L-165	165W - 21,000 Lumens	Ш											
			480L-185	185W - 24,000 Lumens	Ш											
			480L-210	210W - 27,000 Lumens	П											
			480L-240	240W - 30,000 Lumens	П											

ORDERING INFORMATION CONTINUED

Mounti	ng	Cold	or	Control Optio	ns Network	Optio	ons
ASQ	Arm mount for square	BL	Black textured	NXWE	NX Wireless Enabled	BC	Backlight control
	pole/flat surface	DB	Dark bronze textured		(module + radio)	CD	Continuous dimming
ASQU	Universal arm mount for square pole/flat surface	GT	Graphite textured	NXSPW_F	NX Wireless, PIR Occ. Sensor, Daylight Harvesting ²	F	Fusing (must specify voltage)
		GYS	Light gray smooth	LIVER F		тв	Terminal block
Mounti	ng Round Poles	PS	Platinum silver smooth	NXSP_F	NX, PIR Occ. Sensor, Daylight Harvesting ²	2PF	2 power feed with 2 drivers3
Α_	Arm mount for round pole ¹	WH	White textured	Control Optio			
A_U	Universal arm mount for round pole ¹	сс	Custom color	SCP-40F	Programmable occupancy sensor ⁴		
Mounti	ng Other			7PR	7-Pin twist lock receptacle		
WB	Wall bracket	1					
MAF	Mast arm fitter for 2-3/8"			7PR-SC	7-Pin receptacle with shorting cap		
	OD horizontal arm			7PR-MD40F	Low voltage sensor for 7PR		
K	Knuckle			7PR-TL	7-Pin PCR with photocontrol		

Replace "_" with "3" for 3.5"-4.13" OD pole, "4" for 4.18"-5.25" OD pole, "5" for 5.5"-6.5" OD pole Replace "_" with "14" for up to 14" mounting height, "30F" for 15-30' mounting height

Not available with 80 LED versions

STOCK ORDERING INFORMATION

Catalog Number	Lumens	Wattage	LED Count	CCT/CRI	Voltage	Distribution	Mounting	Finish
RAR1-100-4K-3	12,000	100W	160L	4000K/70CRI	120-277V	Type 3	Square Arm	Bronze
RAR1-100-4K-4W	12,000	100W	160L	4000K/70CRI	120-277V	Type 4W	Square Arm	Bronze
RAR2-140-4K-3	18,000	140W	320L	4000K/70CRI	120-277V	Type 3	Square Arm	Bronze
RAR2-140-4K-4W	18,000	140W	320L	4000K/70CRI	120-277V	Type 4W	Square Arm	Bronze
RAR2-165-4K-3	21,000	165W	320L	4000K/70CRI	120-277V	Type 3	Square Arm	Bronze
RAR2-165-4K-4W	21,000	165W	320L	4000K/70CRI	120-277V	Type 4W	Square Arm	Bronze

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Example: TRP2-24L30-3K7-2-UNV-DB

DATE:

CATALOG #:

TYPE: PROJECT:

LOCATION:

HUBBELL Outdoor Lighting

ORDERING GUIDE

CATALOG # ORDERING INFORMATION RDI2 Radius | 24L-50 24 LEDs, 50 watts | 3K8 3000K, 80 CRI | 2 TYPE II | 120 120V QSP2 Qtr-sphere 24L-70 24 LEDs, 70 watts 4K7 4000K, 70 CRI 3 TYPE III 208 208V 24L-90 24 LEDs, 90 watts 4K8 4000K, 80 CRI 4 TYPE IV 240 240V 32L-70 32 LEDs, 70 watts 5K7 5000K, 70 CRI 277 277V **UHV**1 347/480V 32L-90 32 LEDs, 90 watts

Color			Control Op	tions Network		Option	5
BL	Black textured	1	PC	Button Photocontrol	1	SF ²	Single fuse & fuse holder
DB	Dark bronze textured		SCP ^{3,4}	Programmable occupancy		DF ²	Double fuse & fuse holde
GT	Graphite textured			sensor, factory default is		E ^{2,6}	Battery pack (0°C)
GR GYS	Gray textured matte Light gray smooth		SCO ²	10% light output Sensor Control, On/Off		EH ^{2,6}	Battery pack (-30°C) with heater
PS	Platinum silver smooth		Spec SCP/	SCO & SWPM Mount Height		2DR ⁵	Dual Drivers
NH	White textured		-8F	Up to 8ft mount height		2PF ^{5,6}	Dual power feeds
cc	Custom color		-20F	Up to 20ft mount height		cs	Comfort shield

Notes: 1 70 & 90 watt versions only 2 Must specify voltage (120, 277 or 347V only for SWP & SWP, 120 or 277V only for E & EH)

27/Y only for E & EH)
 PCU option not applicable, included in sensor
 Must order minimum of one remote control to program dimming settings, 0-10V fully adjustabl dimming with automatic deylight collaration and different time defeal settings
 Not available with 30w version

SWTAB** SiteSync Windows Tablet

SWBRG+ SiteSync Wireless Bridge Node

Must order minimum of one remote control to program dimming settings, 0-10V fully adjustable dimming with automatic daylight calibration and different time delay settings.

When ordering with SiteSync, one of the following interface options must be chosen a ordered separately. Each option contains the SiteSync License, GUI and Bridge Node.

6 Battery option not compatible with 2 power feeds DesignLights Consortium® (DLC) qualified. Please refer to the DLC website

for specific product qualifications at Zero uplight (U0), dark sky, neighbor friendly Drivers IP66 and RoHS compliant

CONTROLS (CONTINUED)
In addition, GeoPak Size 2 can be specified with SiteSync" wireless control system for reduction in energy and

maintenance cost while optimizing light

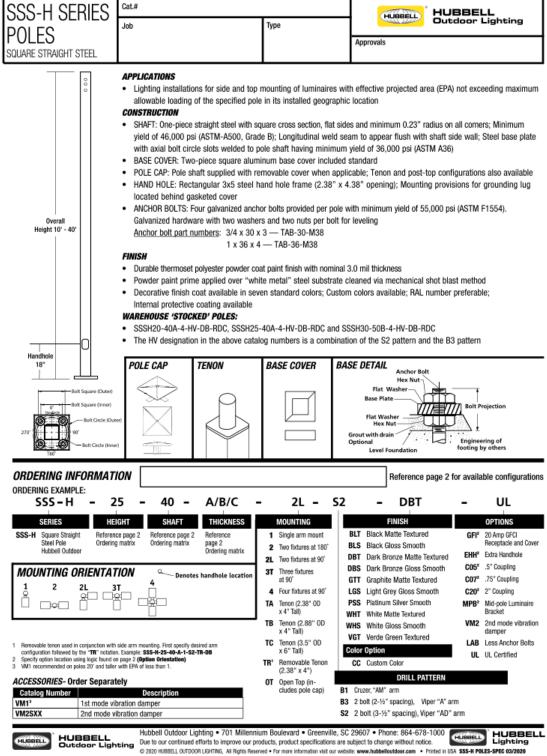
quality 24/7. See ordering information of

CERTIFICATIONS
• IP65 rated housing

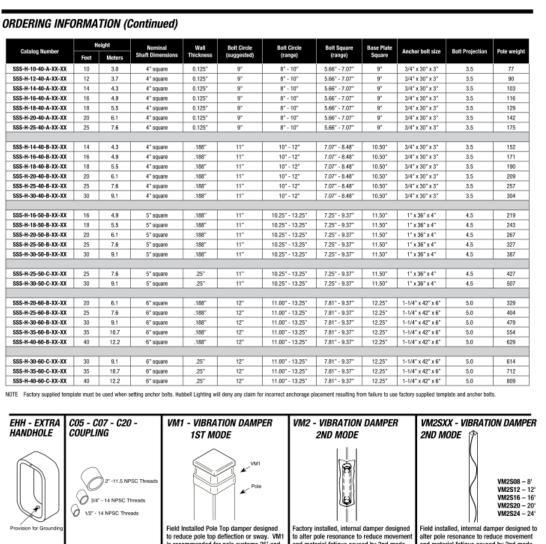
ACCESSORIES (ORDERED SEPARATELY) WARRANTY
- 5 year limited warranty Catalog Number Description SCP-REMOTE* Remote control for SCP option, Order at least one per See <u>HLI Standard Warranty</u> for additional information BB-GEO-XX Black box with 4-1/2" threaded conduit holes, specify finish by replacing "XX" with finish selection, eg. Dark Bronze "DB" SWUSB** SiteSync loaded on USB flash drive (Windows based only)

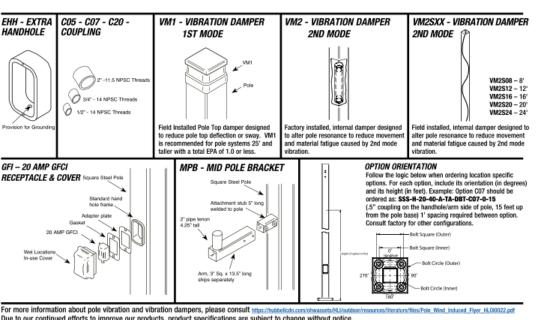
If needed, an additional Bridge No	ode can be ordered
e 2/6 Rev. 02/24/20 2/RDI2/QSP2 LED-SPEC	© 2020 Hubbell Outdoor Lighting, a division of Hubbell Lighting, inc. Specifications subject to change 701 Millennium Blod - Greenville, SC 29607 Tel (86.4 6781000) / Website www.hubbelloutdoor.com











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SS-R POLES-SPEC 03/2020

mercial Site Lay

₹4

Designer

Date

4/8/2020 Scale Not to Scale Drawing No.

Summary

2 of 2



issued for:

project:

mmercial Development

ROGVOY
ARCHITECTS

32500 TELEGRAPH ROAD SUITE 250 BINGHAM FARMS, MICHIGAN 48025-2404

PH 248.540.7700 FX 248.540.2710 www.rogvoy.com



drawing:

Conceptual
Bldg. Elevations
& Floor Plan

DO NOT SCALE DRAWING

issue date: 04 OCT. 19 drawn: KL checked: MD approved: MD

file number:

hook

A-3

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Floor Plan - Bldg. C

2,400 S.F. Scale: 1/8"=1'-0"

PROPOSED
BUILDING C'
2,400 S.F.

INDICATES BLDG,
OMERHANGICANOPY
ABOVE (TVP.)

proie

Commercial Development

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drawing:

Conceptual
Bldg. Elevations
& Floor Plan

DO NOT SCALE DRAWING

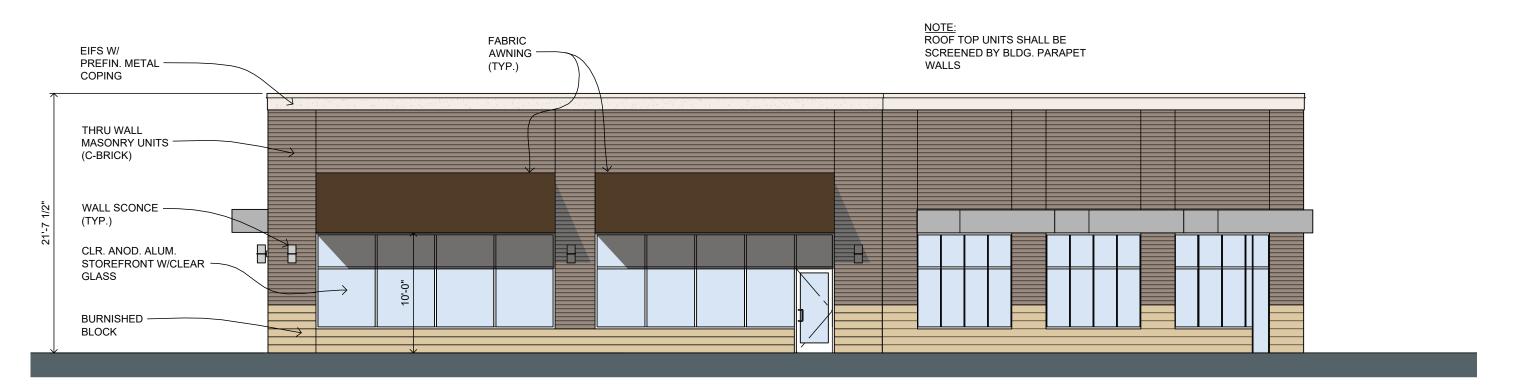
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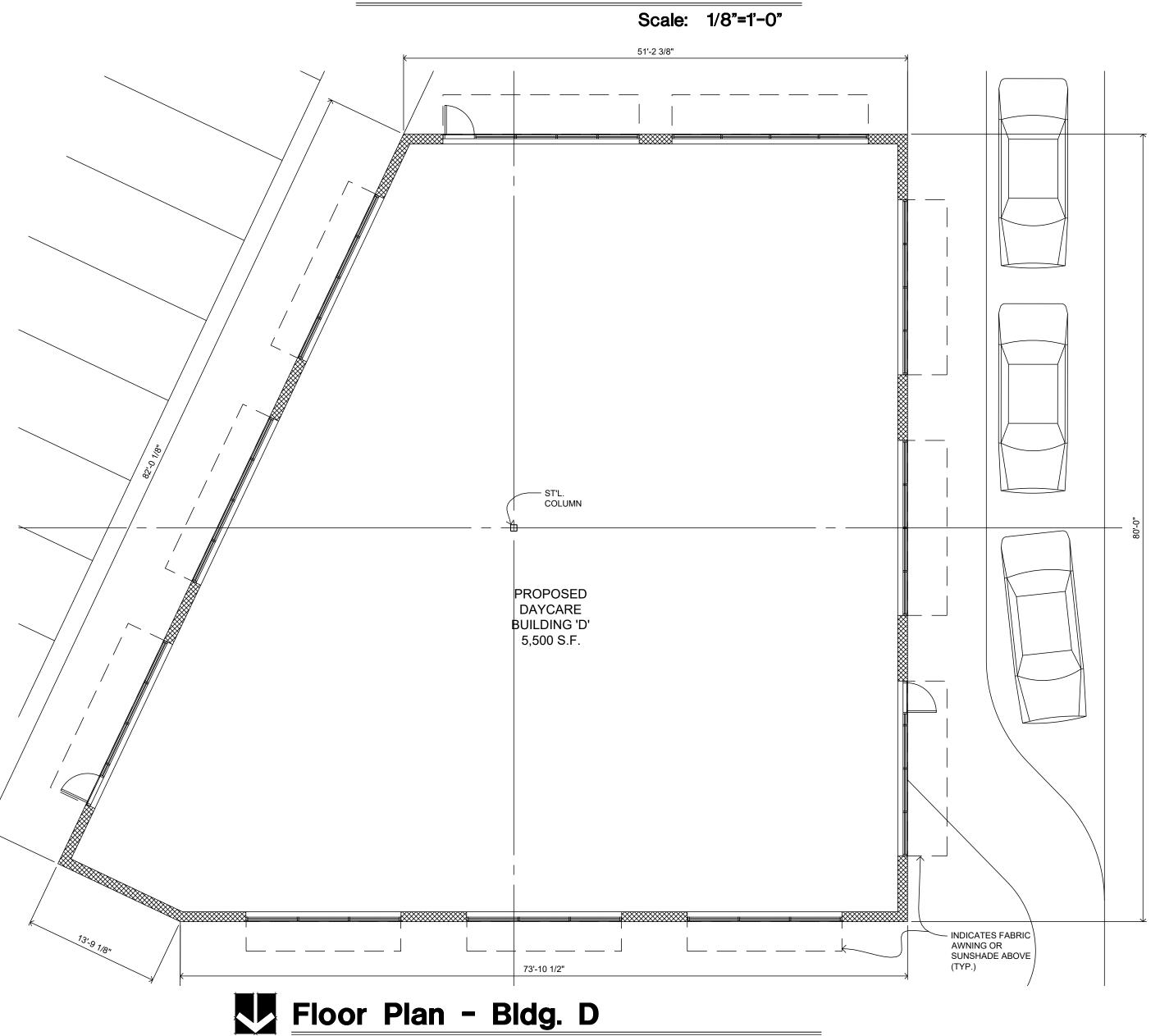
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4-4



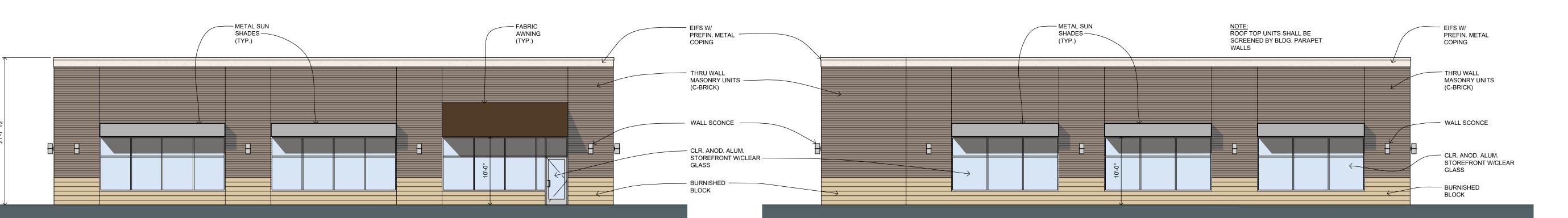
South Elevation





West Elevation

Scale: 1/8"=1'-0"



East Elevation

Scale: 1/8"=1'-0"

North Elevation

5,500 S.F.

Scale: 1/8"=1'-0"

Scale: 1/8"=1'-0"

issued for:

pro

ommercial Development

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drawing:

Conceptual
Bldg. Elevations
& Floor Plan

DO NOT SCALE DRAWING

issue date: 04 OCT. 19 drawn: KL checked: MD approved: MD

file number:

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sheet:

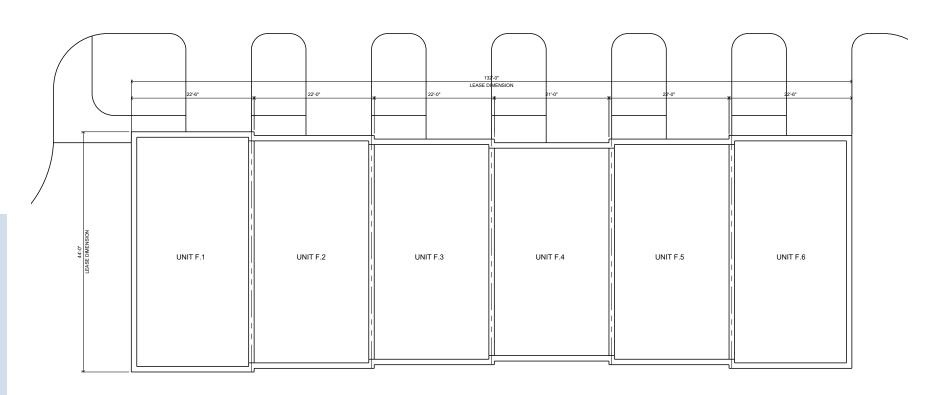
A-5





South Elevation

Scale: 1/8"=1"-0"



West Elevation

Scale: 1/8"=1'-0"







East Elevation

Scale: 1/8"=1'-0"

North Elevation

Scale: 1/8"=1"-0"

Scale: 1/8"=1'-0"

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Proposed Town Houses (Bldg. F)

Commercial Development



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sheet



Article 3: Regulated Uses and Dimensions

- Zoning Districts and Uses 3.1.
- Regulated Uses Table 3.2.
- Compliance with District Regulations 3.3.
- Schedule of Dimensional Requirements 3.4.

3.1 **ZONING DISTRICTS AND USES**

The Regulated Uses Table in this Article lists by land use category (i.e. residential, commercial, etc.) where a particular land use is allowed in a respective zoning district.

3.1.1 INTERPRETING THE REGULATED USES TABLE

- A. <u>Permitted Uses</u>: The symbol [P] indicates land uses permitted by right in a zoning district.
- B. Uses Requiring Special Use Permit: The symbol [S] indicates land uses permitted after review and approval as a special use permit in accordance with Article 9 of this Ordinance.
- C. <u>Uses Requiring Planned Development Approval</u>: The symbol [PD] indicates land development patterns that require Planned Development approval provided in Article 10.
- D. Uses With Supplemental Standards: The symbol [*] indicates land uses that have supplemental regulations provided in Article 7.
- E. Uses Requiring Land Development Option Approval: The symbol [**] indicates land uses or developments that require approval under a land development option in Article 10.
- F. <u>Uses Not Allowed</u>: If a land use type is not allowed in a zoning district, it is blank without a [P], [S] or [PD].
- G. Navigating The Table: If viewing this table electronically, hyperlinks have been included for easy navigation. The hyperlinks are intended to allow a user to click on text of a use to view its definition in Article 14. Clicking on the [P] or [S] with an [*] or [**] is intended to navigate you to the supplemental use standards in Article 7 or land development options in Article 10 applicable to that use.

3.1.2 DETERMINATIONS OF USE

If a proposed use is not clearly listed or identified in the Regulated Uses Table in Section 3.2, the Zoning Administrator shall make a determination as to whether or not the proposed use is similar enough to fit within the definition of an existing listed use and should be accommodated. The determination of the Zoning Administrator regarding unclassified uses may be appealed to the Zoning Board of Appeals for a final determination. If a proposed use is found not be similar enough to an existing listed use to be accommodated, a request to add the proposed use through an amendment may be requested subject to the procedures and standards in Article 13.

3.2 **REGULATED USES TABLE**

				ZONI	NG DIST	RICTS			
REGULATED USES	AG	SFR	SFN	MHN		CS	C	CF	LIW
AGRICULTURAL USES	710								
Agricultural Assembly Space	S*								
Agricultural Processing Facility	P								Р
Agricultural Tourism	P*								
Customary Agricultural Operations	P*	P*	P*	P*	P*	P*	P*	P*	P*
Farm Markets	S				·				
Livestock Auction Yards	S*								
Riding Stables	5*								
RESIDENTIAL USES	THE SECTION				7555	B (Squill)			
Single Family Detached Dwellings	Р	Р	P	Р	Р	Р			
Duplex Dwellings	S	<u> </u>	X	P		P			
Multiple Family Dwellings				P		· ·	Р	Р	
Home Occupations	P*	P*	P*	P*	P*	P*	P*	P*	
Live/Work Units	<u> </u>	- -	<u>'</u>	 '	'	'	P	Р	P
Dwelling Units Above 1st Floor									
Commercial							P	Р	
Manufactured Homes					P				
Manufactured Home Parks		,			5**				
Open Space Preservation Developments	P**	P**	p**	p**	P**				
Temporary Lodging Establishments:	<u>'</u>	'	'	<u> </u>	'				
- Bed & Breakfast Homes	S*	S*	S*	S*		S*			
- Bed & Breakfast Inns	S*	S*	S*	S*		S*			
- Tourist Homes	P*	P*	P*	P*	P*	P*	P*	P*	P*
- Vacation Homes	P*	-	 '	 '		'	P*	P*	 '
Tenant Housing	P						<u>'</u>	<u>'</u>	
Assisted Living Facilities				Р			Р	Р	
State Licensed Residential Facilities:				- '-			<u>'</u>	<u> </u>	
- Adult Daycare Home	Р	Р	Р	Р	Р	Р			
- Adult Foster Care Congregate Facility	<u>'</u>	- ' -	<u> </u>	'	<u>'</u>	<u>'</u>	P	Р	
- Adult Foster Care Family Home	Р	Р	P	Р	P	P		<u>'</u>	
- Adult Foster Care Small Group Home	 '	<u> </u>	S	S	<u>'</u>	<u>'</u>			-
- Adult Foster Care Large Group Home			S	S					<u> </u>
- Family Childcare Home	Р	Р	P	P	Р	Р			
- Group Childcare Home	P	P	P	P	P	P			
- Foster Family Home	P	P	P	P	P	P		 	
- Foster Family Group Home	P	P	P	P	P	P			
- Nursing & Convalescent Home	 '	<u> </u>	<u>'</u>	P			Р	Р	
- Senior Living Facilities	-			P			P	P	
INSTITUTIONAL USES			100000000000000000000000000000000000000					1	
Cemeteries	P	Р	Р				and the same of		A STATE OF THE PARTY OF THE PAR
Cultural Institutions	P	+	F	P		-	Р	P	
Educational Institutions	P	P	P	P		Р	P	P	
Golf Facilities	ς*	S*	F F	1				+-'-	
Private Clubs & Fraternal Organizations	3	1 3		 		P	Р	P	
Public Uses:		-		-		F			
- Critical	P	P	P	P	Р	P	Р	P	P
- Essential	P	P	P	P	P	P	P	P	P
- Supporting	P	P	P	P	P	P	P	P	P
Religious Institutions	S*	S*	F	S*	F	F	P*	P*	
COMMERCIAL USES	3	3		3		3011000			
					BORNES LO		P	Р	
Adult Daycare Facilities Amusement Parks	+	+	-	+			r	S	S
	-		-	-				3	3
Assembly Facilities:	10		11 \\/!!!	<u></u>	1.1.0	<u> </u> - +-4	<u> </u>	1	1.01

P: Permitted Use S: Special Use PD: Planned Development *: Use With Supplemental Standards **: Land Development Options

REGULATED USES	AG	SFR	SFN	ZONI	NG DIST RMH		C	CF	LIW
- Principal Use	Ad) JLIV	SEIN	IVITIN	KIVIII	S	Р	P	S
- Accessory Use	P	P	P	P	Р	P	P	P	P
Automobile Repairs, Major	+-'-	<u> </u>	- '	'	<u>'</u>	'	- '	<u>'</u>	S*
Automobile Repairs, Minor							P*		P*
Automobile Sales & Rentals							<u> </u>		P
Automobile Service Stations							S*		S*
Bars, Taverns, Lounges							P	Р	
Breweries	S						<u>'</u>	<u>'</u>	S
Business Services	-						Р	Р	
Campgrounds	S*						-	<u>'</u>	
Catering Services	1 3	-					Р	P	P
Childcare Centers	-	-	11			-	P	P	
Community Kitchen	P						P	P	
Computing & Data Processing Centers	- r					-	P	P	Р
Distilleries	S						r		S
Domestic Pet Services	- 3						P		<u>э</u> Р
Drive-In or Drive-Through Services	-	-		-			S	S	r
Equipment Rental Establishments	-		-				3	3	P
		-		-			- D	D	Р
Financial Services	-	-				-	Р	Р	D
For-Profit Educational Institutions		-		-			P P	P	Р
Health Care Services & Clinics	-						P	Р	
Hospitals	-							S	
Hotels, Less Than 120 Rooms	-			-			Р	P	
Hotels, More Than 120 Rooms				ļ			S	S	
Kennels	S*	-		-			<u> </u>		S*
Medical Marihuana Establishments:			-						
- Grower	P*								P*
- Processor	P*	ļ					- n.		P*
- Provisioning Center			ļ	ļ		-	P*		P*
- Safety Compliance Facility									P*
- Secure Transporter							L .		P*
Micro Breweries	P*						P*	P*	
Mixed Use Developments:									
- Under 2 Acres							Р	Р	
- Over 2 Acres							PD**	PD**	
Personal Services							Р	Р	
Professional Services							Р	Р	Р
Recreational Facilities							P*	P*	P*
Recycling Collection Stations	Р	Р	Р	Р	Р	Р	Р	Р	Р
Restaurants							Р	Р	
Retail Establishments:									
- Department								S	
- Food & Beverage							Р	Р	
- General							Р	Р	
- Products Produced On Site							Р	Р	Р
Self-Service Machines				P*		P*	P*	P*	P*
Sexually Oriented Businesses	1							S*	S*
Small Distilleries	P*						P*	P*	
Small Wineries	P*	, ,	7	1 1			P*	P*	
Support Laboratories							Р	Р	Р
Tasting Rooms	Р						Р	Р	
Theaters							Р	Р	
Veterinary Services	S						Р	Р	Р
P. Permitted Use S. Special Use PD. Plann	ed Develon	ment *	LISE With	Suppleme	ental Stand	dards **	· Land De	velonment	Ontions

P: Permitted Use S: Special Use PD: Planned Development *: Use With Supplemental Standards **: Land Development Options

DECLUATED LISES				ZONI	NG DIST	RICTS			No.
REGULATED USES	AG	SFR	SFN	MHN	RMH	CS	C	CF	LIW
Wineries	S								S
INDUSTRIAL USES									
Central Cleaning Facilities									S
Contractor Retail Establishments									Р
Contractor Storage Yards									P*
Extractive Industries	S*	S*	S*	S*	S*	S*	S*	S*	S*
Food Production									Р
Freight Terminals									Р
Greenhouses & Nurseries									Р
Industrial Parks									PD**
Manufacturing, Light									Р
Personal Wireless Service Facilities	S*	S*	S*	S*	S*	S*	S*	S*	S*
Recycling Facilities									Р
Research & Development Centers								Р	Р
Self-Storage Facilities									P*
Solar Energy Farms	S*								S*
Warehousing & Distribution									Р
Wholesale Activities									Р
Wind Energy Generation Systems									
- On-Site Use Systems < 66 Feet Tall	P*	P*	P*	P*	P*	P*	P*	P*	P*
- On-Site Use Systems > 66 Feet Tall	S*	S*	S*	S*	S*	S*	S*	S*	S*
- Utility Grid Systems	S*								
TRANSPORTATION USES									
Airports or Airfields	S								
Marinas						S			
Public or Private Off-Street Parking							S	S	
Public Transit Stops	Р	Р	Р	Р	Р	Р	Р	Р	Р
Transportation Equipment Storage									Р
Transit Stations				S			Р	Р	

P: Permitted Use S: Special Use PD: Planned Development *: Use With Supplemental Standards **: Land Development Options

3.3 COMPLIANCE WITH DISTRICT REGULATIONS

- A. No building or structure shall be erected, converted, enlarged, reconstructed, relocated or structurally altered, nor shall any building or land be used except in compliance with the applicable regulations of this Ordinance, including but not limited to conformity with:
 - 1. Uses and purposes permitted in the zoning district it occupies;
 - 2. Height and bulk limits established for such zoning district;
 - 3. Floor area regulations of the zoning district in which it is located;
 - 4. Yard and lot area regulations, and any required off-street parking and loading regulations;
- B. Any required opens space or lot area for any building shall not be used in consideration for satisfying the open space or lot area requirements for any other building.
- C. Every building or structure hereafter erected or structurally altered shall be located on a lot as defined, and in no case shall there be more than one (1) principal building on one (1) lot, except as provided in parts of this Ordinance.

SCHEDULE OF DIMENSIONAL REQUIREMENTS 3.4

The regulations on the following pages of this Section specify parcel dimensions, setback requirements and design standards for parcels in each zoning district.

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3.4.1 AG - Agricultural District

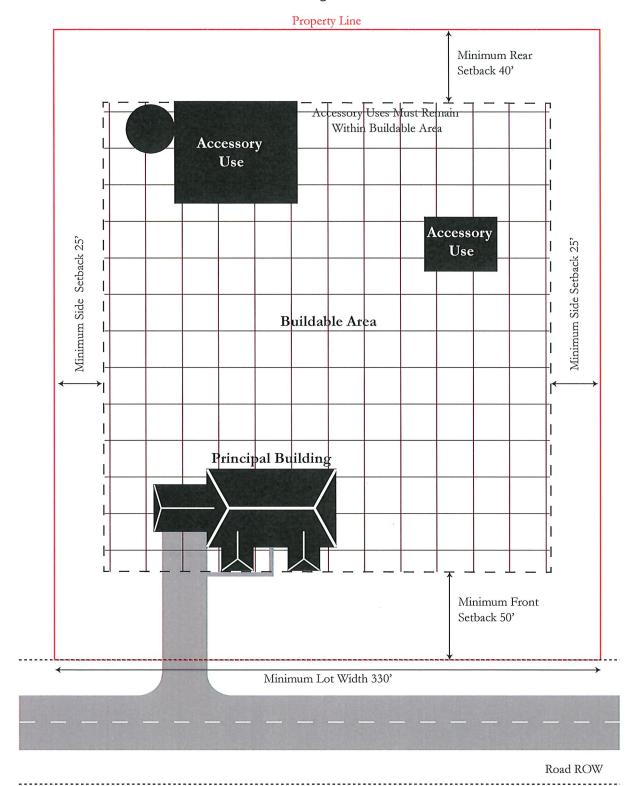
A. <u>Dimensional Requirements</u>:

AG - AGRICULTURAL DISTRICT							
LOT OCCUPATION	STANDARD						
Minimum Lot Width	330 feet						
Minimum Lot Area	5 acres						
Maximum Lot Coverage							
Maximum Impervious Coverage							
Base Density	0.2 dwelling units / acre						
PRINCIPAL BUILDING	STANDARD						
Front Setback	50 feet						
Side Setback	25 feet						
Rear Setback	40 feet						
Maximum Height	35 feet / 2.5 stories						
Minimum Ground Floor Livable Floor Area	500 square feet						
Minimum Floor Area / Unit							
ACCESSORY BUILDING	STANDARD						
Permitted Location	Front, side or rear yard						
Front Setback	50 feet						
Side Setback	25 feet						
Rear Setback	40 feet						
Principal Building Setback	10 feet						
Maximum Height	≤ principal building, except as allowed						
Maximum Ground Floor Area							
PARKING	STANDARD						
Permitted Location	Front, side or rear yard						
Front Setback	50 feet						
Side Setback	25 feet						
Rear Setback	40 feet						

B. Additional Requirements:

- 1. Structures for agricultural uses, such as barns and silos, may be permitted up to one hundred (100) feet in height.
- 2. Waterfront parcels in the AG Agricultural District shall meet the requirements of waterfront properties in Article 5.

AG - Agricultural



3.4.2 SFR - Single Family Rural District

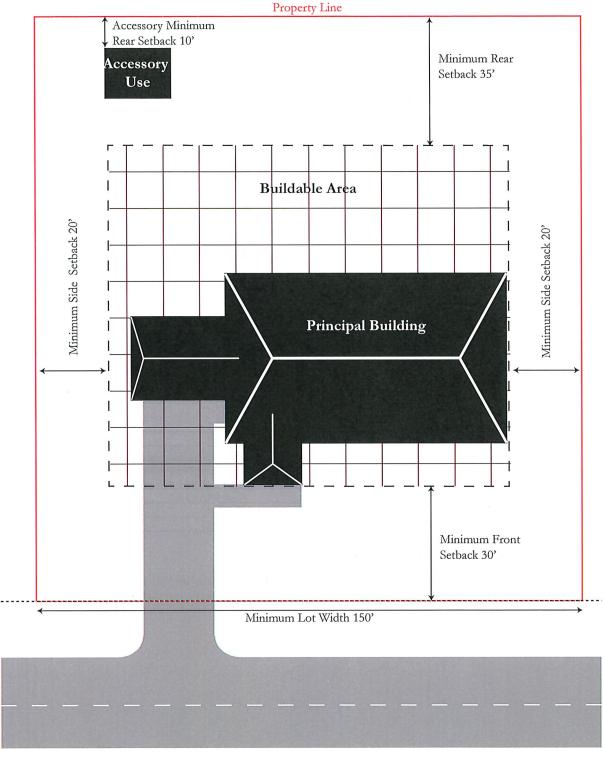
A. <u>Dimensional Requirements</u>:

SFR - SINGLE FAM	IILY RURAL DISTRICT					
LOT OCCUPATION	STANDARD					
Minimum Lot Width	150 feet					
Minimum Lot Area	1 acre					
Maximum Lot Coverage	30%					
Maximum Impervious Coverage	30%					
Base Density	1.0 dwelling units / acre					
PRINCIPAL BUILDING	STANDARD					
Front Setback	30 feet					
Side Setback	20 feet					
Rear Setback	35 feet					
Maximum Height	35 feet / 2.5 stories					
Minimum Ground Floor Livable Floor Area	500 square feet					
Minimum Floor Area / Unit	FHP					
ACCESSORY BUILDING	STANDARD					
Permitted Location	Side or rear yard for non-waterfront properties;					
	Front or side yard for waterfront properties					
Front Setback	15 feet for waterfront properties					
Side Setback	20 feet					
Rear Setback	10 feet					
Principal Building Setback	10 feet					
Maximum Height	24 feet					
Maximum Ground Floor Area	≤ principal building					
PARKING						
	STANDARD					
Permitted Location	Front, side or rear yard					
Permitted Location Front Setback	Front, side or rear yard 30 feet					
Permitted Location	Front, side or rear yard					

B. Additional Requirements:

1. Waterfront parcels in the SFR - Single Family Rural District shall meet the requirements of waterfront properties in Article 5.

SFR - Single Family Rural



Road ROW

3.4.3 SFN - Single Family Neighborhood District

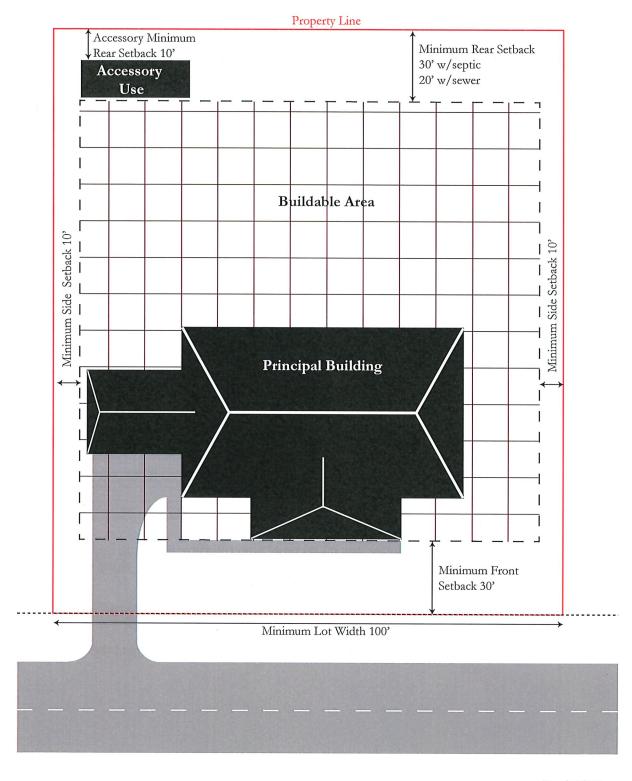
A. <u>Dimensional Requirements</u>:

SFN - SINGLE FAMILY I	NEIGHBORHOOD DISTRICT
LOT OCCUPATION	STANDARD
Minimum Lot Width	100 feet
Minimum Lot Area	10,000 square feet with sewer; 20,000 square feet without sewer
Maximum Lot Coverage	30%
Maximum Impervious Coverage	30%
Base Density	2.9 dwelling units / acre with sewer; 2.2 dwelling units / acre without sewer
PRINCIPAL BUILDING	STANDARD
Front Setback	30 feet
Side Setback	10 feet
Rear Setback	20 feet with sewer; 30 feet without sewer
Maximum Height	35 feet / 2.5 stories
Minimum Ground Floor Livable Floor Area	500 square feet
Minimum Floor Area / Unit	
ACCESSORY BUILDING	STANDARD
Permitted Location	Side or rear yard for non-waterfront properties; Front or side yard for waterfront properties
Front Setback	15 feet for waterfront properties
Side Setback	10 feet
Rear Setback	10 feet
Principal Building Setback	10 feet
Maximum Height	24 feet
Maximum Ground Floor Area	≤ principal building
PARKING	STANDARD
Permitted Location	Front, side or rear yard
Front Setback	30 feet
Side Setback	10 feet
Rear Setback	10 feet

B. Additional Requirements:

1. Waterfront parcels in the SFN - Single Family Neighborhood District shall meet the requirements of waterfront properties in Article 5.

SFN - Single Family Neighborhood



Road ROW

3.4.4 MHN - Mixed Housing Neighborhood District

A. <u>Dimensional Standards</u>:

MHN - MIXED HOUSING	NEIGHBORHOOD DISTRICT
LOT OCCUPATION	STANDARD
Minimum Lot Width	50 feet
Minimum Lot Area	3,630 square feet
Maximum Lot Coverage	60%
Maximum Impervious Coverage	60%
Base Density	12 dwelling units / acre
PRINCIPAL BUILDING	STANDARD
Front Built-To-Line	25 feet
Side Street, Corner Lot Built-To-Line	25 feet
Side Setback	8 feet
Rear Setback	30 feet
Maximum Height	45 feet / 4 stories
Minimum Ground Floor Livable Floor Area	400 square feet
Minimum Floor Area / Unit	400 square feet
ACCESSORY BUILDING	STANDARD
Permitted Location	Rear yard only
Front Setback	
Side Setback	8 feet
Rear Setback	5 feet
Principal Building Setback	10 feet
Maximum Height	24 feet
Maximum Ground Floor Area	≤ principal building
PARKING	STANDARD
Permitted Location	Side or rear yard
Front Setback	
Side Setback	5 feet
Rear Setback	10 feet

B. Additional Requirements:

- 1. The Mixed Housing Neighborhood District shall be subject to the US-31/M-72 Mixed Use Overlay District standards in Article 4, along with all other applicable standards of this Ordinance.
- 2. Waterfront parcels in the MHN Mixed Housing Neighborhood District shall meet the requirements of waterfront properties in Article 5.
- 3. Attached garages shall be a minimum of ten (10) feet behind the built-toline.

MHN - Mixed Housing Neighborhood Property Line \$ Minimum Side Setback 8' Side/Rear Buildable Area Parking Street Parking Principal Building(s) Front Street Built-To-Line 25' ↑ Minimum Side Setback 8' Principal Building(s) Side/Rear Minimum Side Setback 8' Minimum Rear Setback 30' Buildable Area Side/Rear Parking Street Parking Side Street Built-To-Line 25' Principal Building(s) Front Street Built-To-Line 25' Minimum Lot Width 50'

(Illustration not drawn to scale)

Road ROW

3.4.5 RMH - Residential Manufactured Housing District

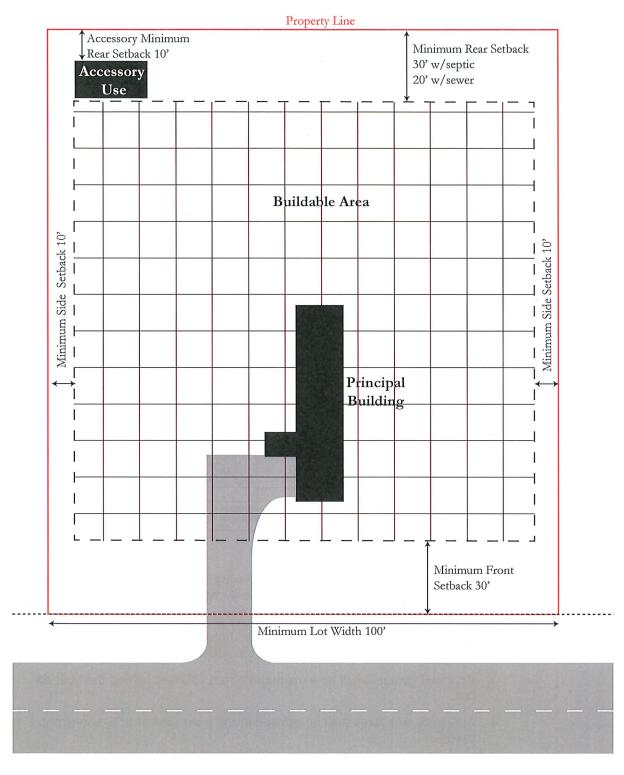
A. <u>Dimensional Standards</u>:

RMH - RESIDENTIAL MANU	FACTURED HOUSING DISTRICT		
LOT OCCUPATION	STANDARD		
Minimum Lot Width	100 feet		
Minimum Lot Area	10,000 square feet with sewer;		
Willimum Lot Area	20,000 square feet without sewer		
Maximum Lot Coverage	30%		
Maximum Impervious Coverage	30%		
Base Density	2.9 dwelling units / acre with sewer;		
base Defisity	2.2 dwelling units / acre without sewer		
PRINCIPAL BUILDING	STANDARD		
Front Setback	30 feet		
Side Setback	10 feet		
Rear Setback	20 feet with sewer;		
	30 feet without sewer		
Maximum Height	35 feet / 2.5 stories		
Minimum Ground Floor Livable Floor Area	500 square feet		
Minimum Floor Area / Unit	A. D. C.		
ACCESSORY BUILDING	STANDARD		
Permitted Location	Side or rear yard only		
Front Setback			
Side Setback	10 feet		
Rear Setback	10 feet		
Principal Building Setback	10 feet		
Maximum Height	24 feet		
Maximum Ground Floor Area	≤ principal building		
PARKING	STANDARD		
Permitted Location	Front, side or rear yard		
Front Setback	30 feet		
Side Setback	10 feet		
Rear Setback	10 feet		

B. Additional Requirements:

1. The requirements for manufactured home communities are prescribed under the land development options in Article 10.

RMH - Residential Manufactured Housing



Road ROW

3.4.6 CS - Corridor Shoreline District

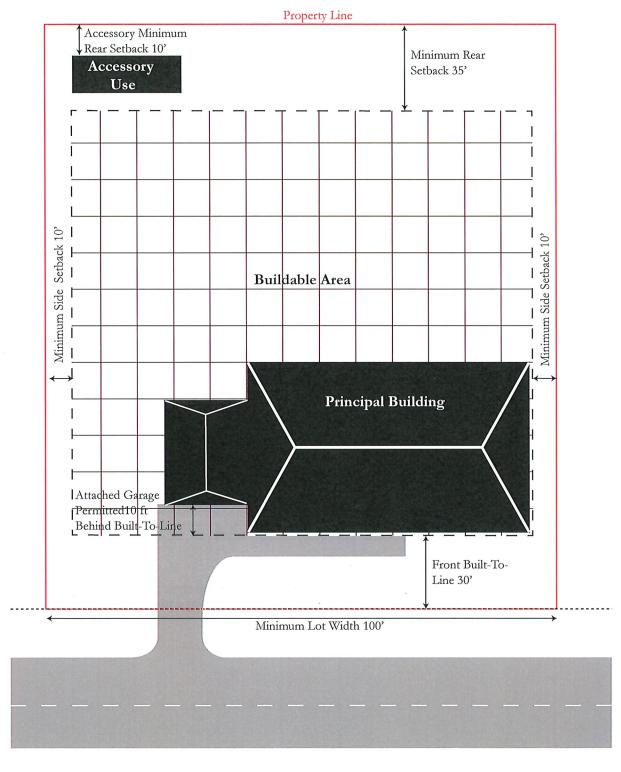
A. Dimensional Standards:

CS - CORRIDOR :	SHORELINE DISTRICT		
LOT OCCUPATION	STANDARD		
Minimum Lot Width	100 feet		
Minimum Lot Area	10,890 square feet		
Maximum Lot Coverage	40%		
Maximum Impervious Coverage	50%		
Base Density	4 dwelling units / acre		
PRINCIPAL BUILDING	STANDARD		
Front Built-To-Line	30 feet		
Side Street, Corner Lot Built-To-Line	25 feet		
Side Setback	10 feet		
Rear Setback	35 feet		
Maximum Height	20 feet / 1 story		
Minimum Ground Floor Livable Floor Area	400 square feet		
Minimum Floor Area / Unit	400 square feet		
ACCESSORY BUILDING	STANDARD		
Permitted Location	Side or rear yard for non-waterfront properties; Front or side yard for waterfront properties		
	Trone or side fara for traterirone properties		
Front Setback			
Front Setback Side Setback	8 feet		
Side Setback Rear Setback			
Side Setback			
Side Setback Rear Setback	8 feet		
Side Setback Rear Setback Principal Building Setback	8 feet 10 feet from built-to-line 24 feet ≤ principal building		
Side Setback Rear Setback Principal Building Setback Maximum Height	8 feet 10 feet from built-to-line 24 feet		
Side Setback Rear Setback Principal Building Setback Maximum Height Maximum Ground Floor Area	8 feet 10 feet from built-to-line 24 feet ≤ principal building		
Side Setback Rear Setback Principal Building Setback Maximum Height Maximum Ground Floor Area	8 feet 10 feet from built-to-line 24 feet ≤ principal building STANIDARD Side yard only for waterfront parcels;		
Side Setback Rear Setback Principal Building Setback Maximum Height Maximum Ground Floor Area PARKING Permitted Location	8 feet 10 feet from built-to-line 24 feet ≤ principal building STANIDARD Side yard only for waterfront parcels;		

B. Additional Requirements:

- 1. The Corridor Shoreline District shall be subject to the US-31/M-72 Mixed Use Overlay District standards in Article 4, along with all other applicable standards of this Ordinance.
- 2. Waterfront parcels in the CS Corridor Shoreline District shall meet the requirements of waterfront properties in Article 5.
- 3. Attached garages shall be a minimum of ten (10) feet behind the built-to-
- 4. Accessory structures shall be allowed in the front yard of non-waterfront parcels.

CS - Corridor Shoreline



Road ROW

3.4.7 C - Corridor Commercial District

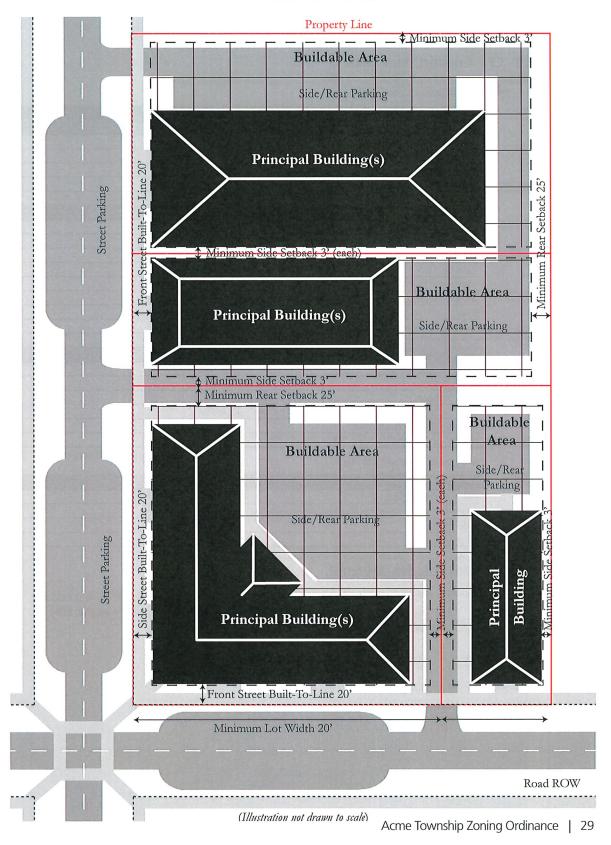
A. <u>Dimensional Standards</u>:

C - CORRIDOR CON	MERCIAL DISTRICT		
LOT OCCUPATION	STANDARD		
Minimum Lot Width	40 feet		
Minimum Lot Area	3,500 square feet		
Maximum Lot Coverage	70%		
Maximum Impervious Coverage	85%		
Base Density	14 dwelling units / acre		
PRINCIPAL BUILDING	STANDARD		
Front Built-To-Line	20 feet		
Side Street, Corner Lot Built-To-Line	20 feet		
Side Setback	3 feet		
Rear Setback	25 feet		
Minimum Front Facade	65% of lot width		
Minimum Side Street Facade	30 % of lot depth		
Maximum Height	35 feet / 3 stories		
Minimum Ground Floor Area	400 square feet		
Minimum Floor Area / Unit	400 square feet		
ACCESSORY BUILDING	STANDARD		
Permitted Location	Rear yard only		
Front Setback			
Side Setback	3 feet		
Rear Setback	10 feet		
Principal Building Setback	10 feet		
Maximum Height	≤ principal building		
Maximum Ground Floor Area	≤ principal building or 2,500 square feet,		
Waximum Ground Hoor Area	whichever is less		
PARKING	STANDARD		
Permitted Location	Side or rear yard only		
Front Setback			
Side Setback	5 feet		
Rear Setback	10 feet		

B. Additional Requirements:

1. The Corridor Commercial District shall be subject to the US-31/M-72 Mixed Use Overlay District standards in Article 4, along with all other applicable standards of this Ordinance.

C - Corridor Commercial



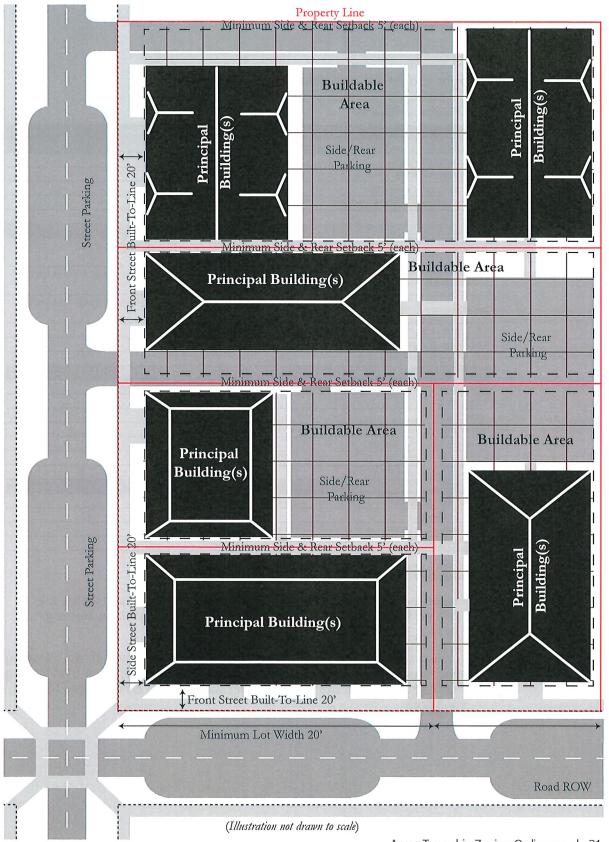
3.4.8 CF - Corridor Flex District

A. <u>Dimensional Standards</u>:

	FLEX DISTRICT		
LOT OCCUPATION	STANDARD		
Minimum Lot Width	40 feet		
Minimum Lot Area	3,000 square feet		
Maximum Lot Coverage	85%		
Maximum Impervious Coverage	100%		
Base Density	18 dwelling units / acre		
PRINCIPAL BUILDING	STANDARD		
Front Built-To-Line	20 feet		
Side Street, Corner Lot Built-To-Line	20 feet		
Side Setback	5 feet		
Rear Setback	5 feet		
Minimum Front Facade	75% of lot width		
Minimum Side Street Facade	50 % of lot depth		
Maximum Height	45 feet / 4 stories		
Minimum Ground Floor Area	400 square feet		
Minimum Floor Area / Unit	400 square feet		
ACCESSORY BUILDING	STANDARD		
Permitted Location	Rear yard only		
Front Setback			
Side Setback	5 feet		
Rear Setback	5 feet		
Principal Building Setback	10 feet		
Maximum Height	≤ principal building		
Maximum Ground Floor Area	≤ principal building or 2,500 square feet,		
Maximum Ground Floor Area	whichever is less		
PARKING	STANDARD		
Permitted Location	Side or rear yard only		
Front Setback			
Side Setback	5 feet		
Rear Setback	5 feet		

B. Additional Requirements:

1. The Corridor Flex District shall be subject to the US-31/M-72 Mixed Use Overlay District standards in Article 4, along with all other applicable standards of this Ordinance.



3.4.9 LIW - Light Industrial and Warehousing District

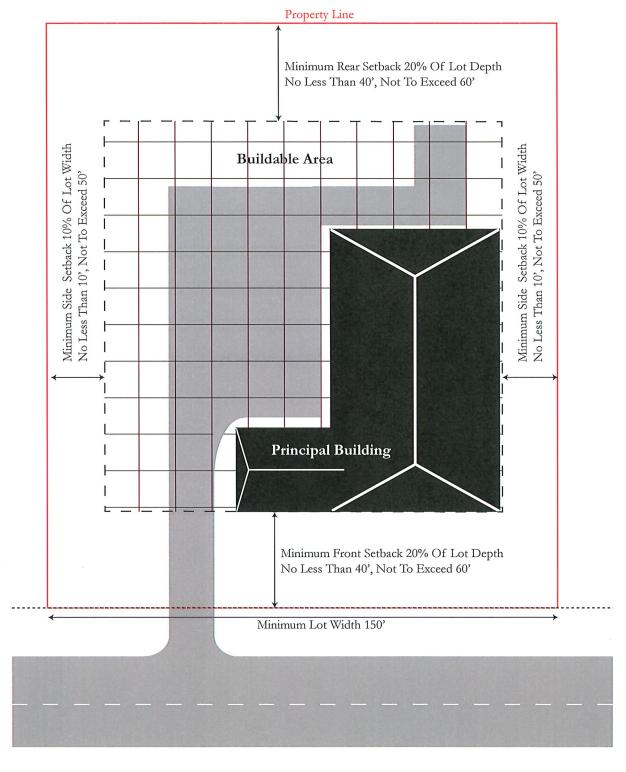
A. Dimensional Standards:

LIW - LIGHT INDUSTRIAL (& WAREHOUSING DISTRICT
LOT OCCUPATION	STANDARD
Minimum Lot Width	150 feet
Minimum Lot Area	
Maximum Lot Coverage	85%
Maximum Impervious Coverage	100%
Base Density	
PRINCIPAL BUILDING	STANDARD
Front Setback	20% of lot depth, not less than 40 feet, not to exceed 60 feet
Side Setback	10% of lot depth, not less than 10 feet, not to exceed 50 feet
Rear Setback	20% of lot depth, not less than 40 feet, not to exceed 60 feet
Maximum Height	45 feet / 4 stories
Minimum Ground Floor Area	A1 A1 PA
Minimum Floor Area / Unit	~~~
ACCESSORY BUILDING	STANDARD
Permitted Location	Rear or side yard
Front Setback	
Side Setback	10 feet
Rear Setback	20 feet
Principal Building Setback	10 feet
Maximum Height	45 feet / 4 stories
Maximum Ground Floor Area	≤ principal building
PARKING	STANDARD
Permitted Location	Side or rear yard only
Front Setback	
Side Setback	10 feet
Rear Setback	10 feet

B. Additional Requirements:

- 1. Except for landscape improvements and necessary drives and walks, the front yard shall remain clear and shall not be used for storage, parking, loading, unloading or necessary structures.
- 2. Loading space is permitted in the rear yard only. In exceptional cases, loading space may be permitted in an interior side yard with approval of the Planning Commission when it can be shown that such location is necessitated by site conditions.

LIW - Light Industrial & Warehousing



Road ROW

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Article 4: Overlay Districts

- 4.1. **Overlay Districts**
- US-31 / M-72 Mixed Use Overlay District 4.2.

4.1 **OVERLAY DISTRICTS**

In addition to the restrictions and requirements of the base zoning district applicable to a particular site, the restrictions of the applicable Overlay District or Districts shall also apply. To the extent there is a conflict between the restrictions or requirements associated with the applicable districts, the restrictions or requirements that most restrictively limit the use of the site shall apply.

4.2 US-31/M-72 MIXED USE OVERLAY DISTRICT

4.2.1 Applicability

The location and extent of the US-31 / M-72 Mixed Use Overlay District shall be the Mixed Housing Neighborhood (MHN), Corridor Shoreline (CS), Corridor Commercial (C) and Corridor Flex (CF) zoning districts as indicated on the Official Zoning Map.

4.2.2 Intent and Purpose

The US-31 / M-72 Mixed Use Overlay District zoning is a departure from traditional zoning in that it focuses less on the use of a parcel and more on how to integrate private and public spaces. The US-31 / M-72 Mixed Use Overlay District zoning intends to merge public infrastructure standards with private development regulations to create a viable business district that is equally shared between cars and pedestrians. Key elements include better land use balance, expanding the uses permitted by right and expediting the review process, bringing buildings closer to the street to facilitate walkability, increasing density of multiple family dwelling units, and the integration of low impact development storm water technologies.

The text and diagrams in the US-31 / M-72 Mixed Use Overlay District address the location and extent of land uses, implement the vision articulated in the Acme Township Placemaking Plan and Community Master Plan processes, and also express community intentions regarding urban form and design. These expressions may differentiate neighborhoods, districts, and corridors, provide for a mixture of land uses and housing types within each, and provide specific measures for regulating relationships between buildings, and between buildings and outdoor public areas, including streets.

4.2.3 General Standards

The Planning Commission shall review each application for the purpose of determining that each proposed use meets the following standards, and in addition, shall find adequate evidence that each use on the proposed location will:

A. Be designed, constructed, operated and maintained so as to insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner.

- B. Be designed to protect natural resources, the health, safety, and welfare and the social and economic well being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
- C. Be related to the valid exercise of the police power, and purposes which are affected by the proposed use or activity.
- D. Be necessary to meet the intent and purpose of this Ordinance, be related to the standards established in the Ordinance for the land use or activity under consideration, and be necessary to insure compliance with those standards.
- E. Meet the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured. The applicant shall have the plan reviewed and approved by the Grand Traverse Metro Fire Department prior to the review by the Planning Commission.
- F. Meet the intent of the Acme Shores Placemaking Plan and Community Master Plan to establish interconnected, walkable and mixed use neighborhoods.

4.2.4 Properties Currently Developed and Occupied

The Regulating Plan encompasses properties that have been developed under the former Acme Township Zoning Ordinance. These properties will likely not comply with the dimensional and form requirements of the US-31 / M-72 Mixed Use Overlay District and will not be considered as nonconforming. If the property changes occupancy after the effective date of this Ordinance it will comply with the applicable section of this Ordinance except Section 6.6.5, "Lot and Building Placement." If the property is demolished, redeveloped, or vacated it will comply with all of the provisions of this Ordinance.

4.2.5 Development Categories, Patterns and Land Use

A. MHN - Mixed Housing Neighborhood

МНМ	I - MIXED HOUSING NEIGHBORHOOD
Intent	This neighborhood will include a variety of housing types including single- and multi-family residential, cluster residential and open space subdivisions, small lot residential, duplex, fourplex, courtyard units and apartments of various types and sizes. All of these residential developments will be designed as walkable neighborhoods with sidewalks and on-street parking. Densities would range from 5 to 12 dwelling units per acre.
Distinguishing	Mix of housing types including attached units.
Characteristics	
General Characteristics	Predominately detached buildings, balance between landscape and buildings, presence of pedestrian amenities such as sidewalks and pedestrian scale lighting.
Desired Form	Residential
Building Placement	Shallow to medium front and side yard setbacks
Frontage Types	Porches, low fences
Typical Building Heights	2 to 3 stories with some variation and a few taller workplace buildings.
Type of Public Open Space	Parks along East Bay and neighborhood parks
Transit (where available)	BATA / TART

B. CS - Corridor Shoreline

	CS - CORRIDOR SHORELINE
Intent	To provide for the continuation of existing businesses and residences along the west side of US-31 as this area evolves into a series of interconnected public and private water-related recreation uses.
Distinguishing Characteristics	Primarily single family residential with walkable development pattern and pedestrian facilities, dominant waterfront landscape character. Includes some scattered commercial uses.
General Characteristics	Detached buildings with landscaped yards, normally adjacent to other residential and some commercial establishments. Commercial uses consist of service or office uses with parking.
Desired Form	Parks and open space
Building Placement	Shallow to medium front and side yard setbacks
Frontage Types	Commercial uses front onto thoroughfare
Typical Building Heights	1 Story
Type of Public Open Space	Parks along East Bay
Transit (where available)	BATA / TART

C. C - Corridor Commercial

	C CORRIDOR COMMERCIAL
	C - CORRIDOR COMMERCIAL
	To provide or a traditional commercial district that promotes
Intent	mixed use, walkability and transit options, and takes advantage
4,000	of its location to East Bay
	Variety of 1 story commercial buildings and 2 to 3 story mixed
	use buildings with upper stories used for professional offices and
Distinguishing	residential units. Buildings would be constructed with durable
Characteristics	building materials close to the right-of-way with parking on
CHAINES	the side or in the rear of the building. Parking lots would be
	connected with cross access easements and on-site amenities and
	lighting would be consistent between properties
deal of the second of the seco	Predominately detached buildings, balance between landscape
General Characteristics	and buildings, presence of pedestrian amenities such as wide
	sidewalks and pedestrian scale lighting.
Desired Form	Commercial, storefronts, live-work units
Building Placement	Shallow to medium front and side yard setbacks
Frontage Types	Stoops, doorways, storefronts and arcade walkways
	1 to 3 story with some variation and a few taller workplace
Typical Building Heights	buildings.
Type of Public Open Space	Parks along East Bay
Transit (where available)	BATA / TART

D. CF - Corridor Flex

	CF - CORRIDOR FLEX
Intent	To provide for a flexible mixture of retail, office, commercial, residential and institutional uses within walkable and connected neighborhoods. The objective is to create an environment where residents can live, work and shop for day-today amenities in the same area.
Distinguishing Characteristics	Retail, workplace and civic activities mixed with attached housing types such as townhouses and apartments all developed at a community scale.
General Characteristics	Predominately attached buildings, landscaping within the public right-of-way, substantial pedestrian activity
Desired Form	Mixed use
Building Placement	Small or no setbacks, buildings oriented to the street with placement and character defining a street wall
Frontage Types	Commercial uses front onto thoroughfare
Typical Building Heights	2 to 4 stories
Type of Public Open Space	Parks, plazas and squares, boulevard median landscaping
Transit (where available)	BATA / TART

4.2.6 General Provisions

The following provisions apply to all developments within the US-31 / M-72 Mixed Use Overlay District:

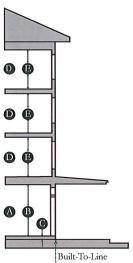
- A. All floors must have a primary ground-floor entrance that faces the primary side of the street.
- B. Residential uses with a primary ground-floor entrance must face the primary side of the street.
- C. Any section along the built-to-line not defined by a building must be defined

by a three (3) foot, six (6) inch high masonry screen wall setback five (5) feet from the built-to-line unless it is an existing parking lot and in that instance the screening wall can be located adjacent to the sidewalk. The area between the built-to-line and the masonry wall setback shall be landscaped, if practical.

- D. Buildable density is determined by the sum of the square footage or acreage used for building(s).
- E. Rear-facing buildings, loading docks, overhead doors intended for the receipt of vehicles or goods, and other service entries are prohibited on street-facing facades.
- F. Air compressors, mechanical pumps, exterior water heaters, utility and telephone company transformers, meters or boxes, garbage cans / dumpsters, storage tanks, and similar equipment shall not be stored or located within any area adjacent to a street right-of-way.
- G. Roof mounted equipment shall be placed behind and away from any required building line and be screened from view from the street.

4.2.7 Land Use Development By Floor

LAND USE	MHN	CS	C	CF
Ground Floor A				
Residential Use	Yes	Yes	No*	No
Public / Private Uses	Yes	Yes	Yes	Yes
Transportation / Utility Uses	Yes	Yes	Yes	Yes
Office Uses	No	No	Yes	Yes
Commercial Uses	No	No	Yes	Yes
Lodging Uses	No	No	Yes	Yes
Ceiling Height (min.) 📵	9'		14'	14'
Finish Level Above Grade (max.)	4'	4'	0"	0"
Upper Floors D				
Residential Uses	Yes	Yes	Yes	Yes
Public / Private Uses	Yes	No	Yes	Yes
Transportation / Utility Uses	No	No	No	No
Office Uses	No	Yes	Yes	Yes
Commercial Uses	No	No	Yes	Yes
Lodging Uses	No	No	Yes	Yes
Ceiling Height (min.)	9'		9'	9'



^{*} Ground floor residential uses shall be allowed in the C: Corridor Commercial district for buildings not located along the built-to-line, provided the placement of buildings along the built-to-line and front facade percentage of lot width requirements have been met.

4.2.8 Canopies and Awnings

Canopies and awnings may be required and may encroach over the built-to-line and/ or setbacks to the maximum extent indicated below, but shall not exceed over the property line:

A. Front: 10 feet

B. Side: 10 feet

C. Rear: 5 feet

4.2.9 Facade Components and Materials (All Buildings Except Residential-

A. Windows and Transparency:

- 1. A minimum of seventy five percent (75%) of the ground floor story front facade between two (2) feet and eight (8) feet above the sidewalk must be comprised of transparent, non-reflective windows into the nonresidential space.
- 2. A minimum of thirty percent (30%) of the upper story facade measured floor to floor shall have transparent, non-reflective, vertically oriented windows.
- B. Facade Ornamentation: All visible elevations shall include decorative features such as cornices, pilasters, and friezes. Building recesses and protrusions will be required on larger buildings to break long uninterrupted building walls.
- C. Facade Massing: Front façades sixty (60) feet wide or more shall incorporate wall offsets of at least two (2) feet in depth (projections or recesses) a minimum of every forty (40) feet. Each required offset shall have a minimum width of twenty (20) feet.

D. Roofs:

- 1. When flat roofs are used, parapet walls with three-dimensional cornice treatments shall be used to conceal the roof and mechanical equipment.
- 2. Asymmetric or dynamic roof forms allude to motion, provide variety and flexibility in nonresidential building design, and allow for unique buildings. Asymmetric or dynamic roof forms shall be permitted on nonresidential buildings as an alternative to flat roofs.
- 3. All roof-based mechanical equipment, as well as vents, pipes, antennas, satellite dishes, and other roof penetrations (with the exception of chimneys), shall be located on the rear elevations or screened with a parapet wall having a three dimensional cornice treatment so as to have a minimal visual impact as seen from public street, existing single family uses, and land zoned for residential and agricultural uses.

E. Customer Entrances:

- 1. Each side of a building facing a public street shall include at least one (1) customer entrance, except that no building shall be required to provide entrances on more than two (2) sides of the structure that face public streets. Buildings fronting two (2) streets on a corner lot may satisfy this requirement by having one (1) customer entrance located at the corner of the building placed at a forty five (45) degree angle to the street intersection.
- 2. Buildings shall have clearly defined, highly visible customer entrances that include no less than three of the following design features:
 - a. Canopies/porticos above the entrance;
 - b. Roof overhangs above the entrance:
 - c. Entry recesses/projections;

- d. Arcades that are physically integrated with the entrance;
- e. Raised corniced parapets above the entrance;
- f. Gabled roof forms or arches above the entrance;
- g. Outdoor plaza adjacent to the entrance having seating and a minimum depth of twenty (20) feet;
- h. Display windows that are directly adjacent to the entrance; or
- i. Architectural details, such as tile work and moldings, that is integrated into the building structure and design and is above and/or directly adjacent to the entrance.

F. Building Materials:

- 1. Use of traditional building materials shall be used. Fluted concrete masonry units and scored concrete masonry unit block, although not considered traditional building materials, may be used but shall not exceed twenty five percent (25%) of the surface square footage of any portion of the building exposed to a public right-of-way, customer access or parking area.
- 2. Materials such as exterior insulation finish system (EIFS), concrete panels, and panel brick are not considered traditional building materials and shall not be used.

4.2.10 Site Lighting

- A. Streetlights shall be of a general type specified by the Township and shall meet the applicable standards in Section 6.5.
- B. Wall pack lighting shall only be used on the rear or side of the building to illuminate exits and loading facilities.
- C. Front facade illumination lighting shall only be used over the customer entry.
- D. Parking lot pole height (including luminaire) shall not exceed the height of the building or twenty seven (27) feet, whichever is less.

4.2.11 Water Quality and Storm Water Management

All projects shall adhere to the Acme Township Storm Water Control Ordinance, as amended, as well as incorporating low impact development (LID) water quality technologies. Low impact development water quality technologies shall include, but are not limited to, rain gardens, rooftop gardens, vegetated swales, cisterns, permeable pavers, porous pavement, and filtered storm water structures and will be required on site as a component of the overall storm water plan. The Planning Commission has the authority to determine the type of LID that will be used as part of the approval process.

4.2.12 Parking

Parking shall conform to provisions of Section 6.2, except as specified below:

A. Location: Parking shall be located behind or adjacent to a building.

- B. Screening: All parking lots shall be screened with a three (3) foot, six (6) inch masonry wall or landscaped hedge row on all sides.
- C. <u>Setbacks</u>: The following parking lot setbacks shall apply:
 - 1. Front setbacks when adjacent to a building shall be five (5) feet if screened by a masonry wall, or ten (10) feet if screened by a landscape hedge, both measured from the facade of the building.
 - 2. Side street setbacks shall be five (5) feet if screened by a masonry wall, or ten (10) feet if screened by a landscape hedge, both measured from the facade of the building.
 - 3. Side setbacks along a common property line shall be ten (10) feet.
 - 4. Rear setbacks shall be five (5) feet.
- D. Cross Access: Where a parking lot abuts an interior and/or common property line the property owner shall provide a cross access easement for the purpose of connecting adjacent parking lots.
- E. <u>Bicycle Parking</u>: Bicycle parking shall be required for every new development and additions or improvements to existing developments that add over one thousand (1,000) square feet of additional impervious surface at the following rate:
 - 1. Two (2) bicycle parking spaces plus one (1) bicycle parking space for every ten (10) vehicle parking spaces.