



- **ACME TOWNSHIP PLANNING COMMISSION MEETING**
- **PLAZA TENT** (Outdoor white tent located at the corner of Valleyway & S Village Dr)  
  - **on Grand Traverse Resort & Spa Grounds (100 Grand Traverse Blvd Acme, MI 49610)**
  - **August 8, 2022 7:00 p.m.**

**CALL TO ORDER WITH PLEDGE OF ALLEGIANCE 7:00**

**ROLL CALL: Present; D. Rosa, S. Feringa, J. Challendar, D. VanHouten, K. Wentzloff, J. Aukerman, M. Timmins**

**Staff Present: John Iacoangeli Planner Beckett & Raeder; Jeff Jocks, Legal counsel; Marcie Timmins, recording secretary**

**LIMITED PUBLIC COMMENT:** Members of the public may address the Commission regarding any subject of community interest during public comment periods by filling out a Public Comment Card and submitting it to the Secretary. 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

Opened at 7:04

Brian Kelly- turned in written comments, please see attached. Spoke of his and the community support for the housing component, wants safeguards for the appearance of them. Went over the 2012 community survey and how it goes against how community members responded in the survey.

Jim Goran- went over the conforming projects that the community supports. As well as the lack of support for self-storage and warehousing. Went over the plan that he submitted for correspondence. Believes the PD is being applied for to get around non-conforming pieces Strathmore is wanting to add, warehousing and light industrial.

Kris Goran- Continued going over the open market plan that Jim Goran began explaining.

Dave Sexton- Owner of Pickle-U, Supports Strathmore. Supports the empty buildings being reused instead of sitting empty. They are trying to partner with Silver Sneakers so seniors could use the facilities without any cost to them.

Rachelle Babcock- No to self storage and warehousing. Supports street level residential units.

Pat Salathiel- Spoke about the history of Acme. Doesn’t support self storage in a mixed use district.

Christine Arnold- Supports the re-development of Tom’s and Kmart. Thinks the apartments will hide the old buildings and doesn’t believe it will become a high traffic area.

George Wildman- endorses the Strathmore plan, a little concerned about self-storage.

Glenn Arnold- Acme needs progress. Believes the only reason for so much storage space is the lack of businesses in need of office space.

Public comment closes at 7:25

**A. APPROVAL OF AGENDA: Motion by Timmins, support by Aukerman to approve the agenda with the addition of item F.8 Acme Strong. Motion carries**

**B. INQUIRY AS TO CONFLICTS OF INTEREST: none**

**C. SPECIAL PRESENTATIONS: none**

**D. RECEIVE AND FILE:**

**1. RECEIVE AND FILE**

**a. Draft Board Meeting Minutes 7.5.22**

**Motion by Timmins, support by Rosa to receive and file Board meeting minutes 7/5/22**

**Motion carries**

**E. APPROVAL OF MINUTES:**

**a. Approve Draft Planning Commission Meeting Minutes 7.11.22**

**Motion by Feringa, support by Timmins to approve the Planning Commission minutes from 7/11/22**

## Motion carries

### F. CORRESPONDENCE:

1. Goran
2. Goran #2
3. Goran #3
4. Garvey
5. Kerkhof
6. Sexton
7. Warnes
8. Acme Strong- Surveys were provided for the public to read through on the tables

### G. PUBLIC HEARINGS:

1. None

### H. OLD BUSINESS:

1. PD 2022-01 Tom's/Kmart – Formal PD Application

John Iacoangeli- Went over the Finding of facts and all the documents that were included within them. Went over the three different motions he pre-wrote for the PC to consider.

Sarah Keever- Went over the modifications made to the plans. Addition of carports they will not create any more impervious spaces, the footprint of parking will remain the same, and ten electric vehicle charging stations. Turnout in the back of Kmart to satisfy some of the comments from Metro Fire.

They are agreeable to the conditions John I. has written up, they may ask for clarification on a couple.

Aukerman-Took note of everyone's public comment; no to warehousing, no to self storage. Talked about a step change going on with retail and how the township needs to embrace it or be left behind. Talked about the warehousing of today, comprised of a retail component, an e-commerce component which means a web presence, and subscription services. An inventory management component, aka in prior year warehousing but not classically defined as heavy processing, or manufacturing of products but a different kind of warehousing, inventory management. And the fourth leg is fulfillment, people picking up or having items shipped out from that inventory. Discussed how this model all started with Whole Foods and is percolating through the retail industry. Costco and Sam's do warehousing with their products. The retail industry has changed. She thinks the new definition of warehousing, unlike the old definition, will bring vibrancy. What is the outlier that doesn't fit, it is self-storage. Questioned if we took the Kmart building and took the tiers marked out for warehousing and self storage, What if we put a challenge out to the developer and all of us to find the next Truly Free type business that can occupy that space, we would have more vibrancy and could continue to evolve into an excellent location for everyone.

Rosa- asked about the provision for the TART Trail, wanted to know if the width could be expanded from 10ft. to 12ft.

Discussion followed John I. added 12ft. trails to the conditions.

Rosa-Discussed condition 7, when the occupancy for self-storage would be granted. Doesn't feel that three buildings is sufficient to feel comfortable that the self-storage aspect is going to not overload the residential aspect. Would like to see at least 4 buildings under construction and a completion date before self-storage is allowed.

Keever- Three buildings are roughly 65 units. Went over the timeline of construction season. Asked for a clarification in condition 7, that underground utilities could be commenced but not completed for the construction of the three buildings, and foundations would be installed for those three. Have the condition modified to have the framing commenced instead of completed. Timeline for the full project

from the time of start is 24-30 months for the site. For all nine buildings.

Discussion followed about how to guarantee that the project is completed in its entirety and isn't just enough to get the self-storage in.

Jeff Jocks - if there is a violation of the approval the township can order the project to be shut down.

Feringa - wanted to clarify that they weren't talking about stopping construction but working continually as long as the weather allowed for the construction season.

Keever- That is correct

Wentzloff discussed the Christ the King sign and where it can be within the new ordinance. Also brought up that the new ordinance allows for multiple families on the main floor.

This PD was all reviewed under the old ordinance.

Discussed the amount of bicycle parking. John I clarified that the minimum they need to provide is ten, and hopes that they will provide more. It is something that can be negotiated.

Wentzloff encourages more bicycle parking spots. Asked about the use for building number 10. Building ten will be used for maintenance.

Wentzloff read the definition of warehousing as it was written in the Finding of Facts, in our ordinance the townships definition has one more sentence, questioning if it was purposely left off. Concerned about what could or couldn't be done in the warehousing area. worried about it becoming an eye sore and a nuisance. Also asked to clarify about vehicles parking in the building.

Keever- Went over the intent they had for the light warehousing. Intent are electricians, plumbers, small scale service related industry jobs that would be going in. Trucks of those who rented would be parked inside. The intent is that the warehouse wouldn't be used as recreational storage, but for the parking of work vehicles.

Rosa- asked about incubator suites for small businesses. If there could be more than the current overhead doors in the back of the building where each business could store their supplies and trucks. Asked about partitioning of some of the self or warehouse-storage space to create more space for the business suites.

Keever- answered yes, that they would welcome more businesses that would fill those spaces.

John I.- Suggested, based on the Chairs comments, that another condition is added. That the township would not want any outdoor storage behind the building. No bulk storage or any type of materials outside.

Aukerman- wants to know if other commissioners would like to also see another business like the Truly Free model go into the Kmart building, which would take the self-storage number down.

If the PC sees some value there, we might look at condition three, and say something there that would increase that space and the developer would have the option to increase the Truly Free type of business occupying the Kmart versus the warehousing plus self-storage.

Timmins- would support adding more of an e-commerce type business and limiting more of the self-storage.

Rosa - would not object to increasing space for e-commerce while reducing self-storage.

Wentzloff- Referenced condition number 9, do the developer have any ideas for a reserve location if another business is interested in moving a location to the development, or would changing one of the housing units to accommodate the business be their plan?

Keever- Likes the option as it is written in condition 9 to have the option to replace one of the housing units. The development is built out and would cause a lot of challenges if another building was added.

Wentzloff- addressing Trustee Aukerman's comment on the balance of the total of self-storage and warehouse. Is that something that if there were a tenant interested the possibility of replacing part of the warehousing or self-storage could be replaced with or is the financial viability of the project still hinged on the cash flow of self-storage?

Jacob Chappelle- understands the reservations for self-storage. They are not in the self-storage business, really interested in the housing component. They looked at uses that allows them to pay for the Kmart to provide housing, and uses that work with other uses in the building. Self-storage has become important to us to stabilize the Kmart and provide a use inside the Kmart that insulated the flexible warehouse space from the retail in front. That is a little context as to why we are pushing on self-storage. It really is an important component even though visually it doesn't seem that important.

Wentzloff asked the same question about warehousing.

Jacob Chappelle- Self-storage is purely a means to devise space that we can not find a use for, we want to create as many opportunities for local companies and families to use this project. If they truly wanted to do the self storage it would go all the way back. It is only in areas we can't access or economically figuring out someone going in the middle. They can't find anything to go in the middle. They really want the back part to be flexible warehousing. They still want the back part to be flexible warehousing.

Wentzloff- asked John I. about putting in conditions to outline exactly what the warehousing means

Wentzloff asked if anyone was comfortable making a motion. As no one was, she asked about clarifying the conditions we spoke of this evening and come back at the next meeting.

Keever-They are concerned about moving this project on in a timely manner. There are only two or three conditions they would like clarification on. Most of the conditions in the report are acceptable, and I haven't heard of any other issues on those. Would be acceptable to dive into those conditions and work something out. Feels like they don't have much more information to give.

Wentzloff and Feringa express concern that working things out tonight are short citing the community.

John I.- Asked that we go through the list of 14 conditions and tell him and Jeff Jocks which ones are acceptable and then they can work on the ones that we think need some further refinement.

Went through the 14 conditions. Wentzloff wanted no storage of materials outside. John I. will add that under the warehousing.

Condition number 1- no comments

Condition number 2- easement for TART Trails- Rosa would like the language to allow for a 12 foot wide trail. John I. discussed adding room on either side of the trail to maintain it. The easement has to be agreed upon by TART and the applicant. TART will pick the number based on their standards.

Conditions 3 and 4- Wentzloff would like some guidance on the proper language to address these two conditions. Aukerman is wondering if the new definition can fit more with the Truly Free model than warehousing. Wentzloff would like Jeff and John to put restrictions on it to avoid any nuisance, but it would be a commercial opportunity that has some excessive storage that goes along with it.

Aukerman addressed the language in point 3 that addressed the square footage of the warehousing. Asked if warehousing could occupy more room by taking some of the square footage off from the self-storage. She is uncomfortable with the amount of self-storage. The 35,800 square feet of self-storage seems like a wide buffer zone.

Jacob Chappelle - Doesn't think it is feasible in the next couple of years. If a business like Truly Free walked in they would love to reduce that section (self-storage). Self-storage is just a means to define the spaces we have no idea what to do with. There is no economic reason for self-storage. Concerned that a national credit tenant who would be able to offset the cost to change and finance that doesn't exist, especially now. Same with e-commerce.

John I.- based on Jean's comments, look at number 9 that talks about if there is an interest for a freestanding building they can substitute one of the residential buildings. Feels there can be a similar statement that says in the event of other retailers or e-commerce retail is interested in the building the applicant is willing or can substitute portions of the warehousing or self-storage as long as they don't generate trip generation above that maximum level. Put the same condition inside the building that we have outside the building.

Jacob Chappelle- The deeper into the building the more challenging it is to find a tenant that is not just heavy industrial warehousing which we are not interested in. They are interested in the plumbers and electricians.

Wentzloff- warehousing space in number 3 is limited to 22,000 sq. ft. Lease given to the men's shed and that is 2,450 sq. ft. that should be added to the warehousing space in case they disband.

John I classifies the GT Men's shed as warehousing.

Wentzloff- clarified the term, limited and not to exceed and asked if that wording should be in number 3 also.

Jeff Jocks made a note.

Condition number 5- Rosa asked about the danger of parking in the buildings as far as fires go.

Jacob Chappelle- discussed that the small businesses they are targeting, their insurance companies require them to park inside.

Condition number 6- no comments

Condition number 7- Wentzloff asked Jocks to define substantially completed.

Jocks- said that basic framing would mean, basically done, very close to done.

Wentzloff asked how to guarantee the project gets completed.

Jocks- said that would be a separate condition. Not having them completed and still continuing to operate. If we want to deal with that a second condition that addresses how to ensure completion of the entire project.

Jacob Chappelle- talked about wanting to break ground as soon as possible. Reiterated the 24-30 month time frame for the project. Would like the self-storage timeline quicker but also respecting the insurance that the housing will be completed.

Timmins- asked if there was an opposite side and if we let them start all of this and it is not complete in 2 years or 30 months with a certain number of buildings and other components then the self-storage has to stop.

Wentzloff asked if any of the commissioners had a problem working with a sunset timeline on the project instead of a start timeline.

Commissioners agreed to working with a timeline that would stop the self-storage if housing was not completed in a timeframe to be determined.

Jacob Chappelle- reiterated his company's goal of doing housing and the ability to deliver the housing with this project. Components like the warehousing and self-storage need to be on-line for financing partners to help us with moving the entire project together. If this commission would contemplate sunset to ensure all housing is completed in a number of months they would absolutely appreciate it.

Wentzloff asked for timeline suggestions people were comfortable with. Thirty-six months was discussed.

John I ask for clarification on condition number 7 and in lieu of the three buildings needing to be built for occupancy you're just saying that the entire project needs to be done within 30 or 36 months and if not they have to cease and desist the indoor storage facility.

Committee members agreed with that clarification.

Condition 8- no comment

Condition 9- no comment

Condition 10- no comment

Condition 11- no comment

Condition 12- Wentzloff asked about the number of parking spaces they planned to have on site.

Jacob Chappelle- More than ten bike racks. Would welcome input and any number we feel is appropriate.

John I - will evaluate the number of bike parking to recommend.

Condition 13- Everyone is in agreement. Discussion followed about defining what long term rental meant.

Jacob Chappelle- said they are interested in family housing not short term renters

John I and Jeff Jocks will look at it.

Condition 14- no comment

Wentzloff wants to make sure that the, no outdoor storage component is added to the conditions.

Discussed date for a special meeting. Meeting will be 8/22/22. Location to be determined and posted on the website.

**I. NEW BUSINESS:**

1. None

**J. PUBLIC COMMENT & OTHER PC BUSINESS**

**Public comment opened at 9:00pm**

**Sue Higgins-** Had questions about the light Industrial/small business area, will units have water, electricity and bathrooms?

Will they have dumpsters outside? How big of delivery trucks are allowed to access the area? Will there be a limit of no semi's. Will the self storage be climate controlled.

Jim Goran- Believes if self-storage goes in he believes it will never go away. Like the discussion on e-commerce. Likes the idea of 36 months. How would you kick out all the self-storage tenants if they don't finish. Doesn't see it as workable. Feels they should designate some of the self-storage to be storage for the apartment tenants.

Brian Kelly- Doesn't think three buildings are a sufficient guarantee to start the operation of the self-storage. If the housing doesn't get built he believes the township would have a hard time evicting the tenants and shutting down the self storage. Talked about the renting to plumbing and electrical trucks being a new mention in this packet. Questioned how loud that area would be with all the businesses in the back and the noise of the doors. Questioned the hours of operation of the businesses. The risk of storing flammable substances on the trucks that are parked inside. Wants to know on the leases if tenants can sublet.

Wentzloff answered Mrs.Higgins comments- That will be dictated by the building codes and what the use is for the area. They will have dumpsters. The same size trucks that were allowed on the Tom's and Kmart property will be allowed on this development. And self-storage is climate control.

1. Planning & Zoning Administrator Report – Lindsey Wolf-none
2. Township Board Report – Jean Aukerman Board meeting is tomorrow night, 8/9/22, the board will be discussing recreational marijuana.
3. Parks & Trails Committee Report – none

**ADJOURN: Motion by Challendar, support by Timmins to adjourn.**

**Motion carries**