



ACME TOWNSHIP
NEW URBANISM CITIZENS ADVISORY COMMITTEE
Friday, February 17, 2006, 11:00 a.m.
Acme Township Hall
6042 Acme Road, Williamsburg MI 49690,

Meeting called to Order at 11:12 a.m.

Members present: M. Krakow & L. Craig (Co-Chairs), D. Rohn, D. Krause, N. Veliquette
Ex-Officio Members present: A. Andres, Sr., A. Andres, Jr., J. Goss, L. Grant, S. Nowakowski, R. Reinhold, S. Smith
Staff present: S. Corpe, Township Manager/Recording Secretary
N. Edwardson, Recording Secretary

Krakow opened the meeting by thanking everyone who drove through the snow yesterday and today to attend the meeting, particularly Messrs. Smith and Nowakowski.

Limited Public Comment:

Reinhold asked if recent meetings have been approved; Corpe and Krakow responded that some of the earlier minutes have been but that many of the more recent minutes have been received and filed only. The minutes of the most recent meeting on January 31 are prepared but could not be copied because the photocopier is being serviced.

Margy Goss, 4105 Bay Valley Drive read aloud an e-mail she received from Nowakowski on January 4 informing New Urbanism Advisory Members, Steve Hayward and Tim Stoepker and Bill Kurtz. In this letter Mr. Nowakowski asserted that Kurtz had mis-represented earlier discussions regarding how a New Urbanist planner might be paid for by saying the costs would be covered by Meijers and The Village at Grand Traverse (VGT). He accused Kurtz of being “disingenuous” and creating process delays. Nowakowski provided conditions under which they might be willing to participate in the New Urbanist Advisory process, perhaps also relocating the proposed Meijer store to the VGT property. He asserted that if this move occurred Meijer would still expect to develop their property commercially at the proposed density. Nowakowski asked Kurtz to retract the statement he made at the January 4 meeting of this body. Mrs. Goss provided hard copy of the message for the record, which is included and incorporated by reference and available.

Lewis Griffith, Lautner Road stated that this is not the first time the township has sought to hire a planner from a distance, referring to the use of Joel Russell from Massachusetts to assist with the Town Center Report and Ordinance. He believes this was a waste of money, and does not understand why we are trying to engage in a similar activity again. He does not understand why a planner is needed to redesign the VGT when a conceptual plan to guide the project has been approved. He stated that he has been involved in township planning since it began in 1970 and does not like the way the ordinances have been written to describe what cannot be done rather than what can be done. Krakow stated that the Board constituted this advisory as a possible better alternative for resolving issues related to the VGT and Meijer, bringing in the Acme Village property as well. The body is advisory only, and it is possible that nothing will ultimately result from its work. The members of the advisory are all volunteers who have put in long hours seeking a solution that would be acceptable to all parties; the advisory has not attempted to compel anyone to do anything. The goal has been to provide everyone with options that might be more favorable to everyone, not to have any individual directly involved in the long history of conflict over this issue. Krakow introduced the members of the advisory, including the ex officio members. Mr. Griffith questioned whether or not Krakow could

know enough about the history of the township and the situation, since Mr. Griffith has been actively involved in the community for decades and does not feel he's seen Krakow at many meetings. Mr. Griffith stated that when he needs answers to a question he seeks four different people to answer him, and he respects the opinion of the one who provides the most answers to him. Veliquette took exception to Mr. Griffith's perceived attempt to demean a committee and its members who are trying to work for the betterment of the community without having compelled anyone to do anything, and objected to Mr. Griffith's assertion that Veliquette or anybody else has no right to attempt to work for the betterment of the community.

Krakow asked everyone to review the advisory's Mission Statement and drew attention to the list of ex officio members. He asked if any committee member wanted to make a statement about the process undertaken over the last four months before deliberation about the firms interviewed begins. Andres Jr. feels that there is a very different tack being taken today than at previous meetings – more of an understanding that this is an attempt to seek an alternative solution rather than picking a planner to recommend to the Board and compelling anyone to undertake a course of action. He also stated a problem with proceeding without approving the minutes, feeling that they contain much conflicting information regarding the situation. He believes that if a recommendation to the Board is made that a statement must clearly be made as to what the recommendation means and that it is non-binding upon the landowners. Krakow stated that it has been clear for four months that the advisory has been given the sole charge of providing a recommendation for a planner to hire to the Board, and that their work goes no further than that. They have been asked to recommend who would be best suited to assist the township if a planner is hired to help create a town center design that encompasses multiple landowners. Andres Jr. does not believe that the advisory should forward a recommendation to the Board unless all of the landowners agree to the recommendation and to pursue the process. He believes that Kurtz directed that this is a requirement. Krakow disagreed, feeling that there has been no requirement for 100% buy-in from the involved landowners or commitment to follow-through. Rohn stated that Andres, Jr. and Goss have been present at most meetings and both seemed positive about the process. Goss stated that he has come to the meetings simply to observe what was going on and protect his interests as the part-owner of 182 acres of property in the township. He stated that he does not have the ability to represent the positions of his other partners, nor has he committed to long-term participation in the process. Craig confirmed that the members of the advisory have been volunteering in an attempt to build communication between various factions and to explore the possibility of a cooperative avenue to move forward on some big issues.

Andres Jr. asked: if the advisory chooses a planner to recommend to the Board, noting that Kladder and Kurtz from the Board are present, he asked what the Board intends to do with this recommendation. Veliquette read from the project description and purpose paragraph provided in the RFP sent out to the planning community. It indicates that the township seeks to work cooperatively with the landowners, planner and community. Andres Jr. stated that the landowners fear that anything that occurs will be held or used against them if they choose not to ultimately participate. Craig stated that she has nothing to lose or gain personally from the process; she has been here to work on behalf of the landowners and complete the task given them by the Board. Andres Jr. stated that he is concerned about what the township expects from the landowners in terms of future participation. Krause stated that the advisory exists because for the past five years the concept of a town center has failed to come to fruition. Growth is coming, but there is a strong element in the township that would like to see it occur based on a different model than the proposals that have been presented to date that have ended up in litigation. We are trying to both help the landowners receive a reasonable return on their investment and address community concerns about aesthetics and functions. If this can be accomplished, perhaps the dissenting parties can all come closer together.

Reinhold stated that he has been involved with other committees for the township in the past, having chaired the "Boat Launch Committee." Over time they were challenged over the public nature of their

deliberations, primarily by Paul Brink. This led to a decision that their meetings should be posted and held in accordance with the Open Meetings Act rather than in a more casual manner. The committees that were active were accomplishing goals, and it seemed that the public should have full access to the process. During the process of their meetings they made decisions about how money should be spent on engineering services. The growing public awareness of their work focussed on the committee's role as decision-makers. They were not elected and had no power to make final decisions for the township – only the Board does. Therefore, he recommends that the advisory might consider making its recommendation not by selecting a planner that the committee likes, but someone who would be acceptable to many people and would fit the way things were happening before the current Board administrative took office. This advisory solicited interest from planners, and at this point the selection process is “maturing.” Certain candidates are being weeded out and one will theoretically rise to the top and be recommended. Since the advisory are not elected officials, perhaps it would be good for them to make a list of the merits and weaknesses of each planner and recognize which appears to have the most merits. Then, the full list with the notation of which appears to have most merits should be presented to the Board rather than just one final candidate.

Andres Sr. stated that from the beginning he has stated he did not want to contribute funding to hire a planner. He feels the only feasible approach is for the three key landowners to meet with a CCAT representative and a Board representative. He asked his son to create some sketches, which he was willing to do. Anyone hired for \$400,000 won't know what all the different parties really want. He feels that the end goal can be accomplished more effectively and less expensively by having the parties sit down together and discuss their needs and desires. Andres Sr. feels that this could resolve hard feelings and would not be a potential waste of time, as this might be. He thinks the whole situation could be resolved within a month rather than over several months. He appreciates the work of the advisory, but he believes that the entire situation is in the hands of the three key landowners. The entire group must be consulted and not just one landowner, and he feels there should be detailed discussion about design and use elements. Craig stated that she is very excited by the three planners who interviewed and feels strongly that their abilities lie in getting the entire community together to attain the goal. This is what the community has not been able to do on its own. The three finalist firms are diverse and they take everyone into consideration. Andres Sr. feels that this can be accomplished less expensively locally, but Craig feels that if this were the case it would have happened already. Andres Sr. stated that he did not believe CCAT and others were willing to sit down and discuss things. Krakow stated that the advisory hoped to foster discussion between all parties, and to date he feels it has been successful in this regard based on looking at who is in the room. The committee honors everybody's rights and seeks only to bring everyone together to seek a common resolution to the situation. They have gathered facts and are preparing to deliver them concisely.

Krakow asked Grant to provide some input, feeling it is important because he has helped the advisory understand what opportunities exist and his observations about the process to date might be valuable. Grant feels that the process has been both challenging and very open. They have been seeking to start bringing different elements of the community together to find a solution that is beneficial to all parties. Three fine firms have been interviewed and each brings strengths and weaknesses to the potential project. All of the meeting minutes are available but have not been formally accepted, they should and can be, and this is not a barrier to progress. He stated that Reinhold's suggested approach would be one acceptable option. It would also be an option to know which particular candidates are and are not acceptable to the individual landowners. He has a strong preferred candidate in his mind above the other two. He feels the advisory has done a great job in a challenging situation, and that there are many areas in the state where there is keen debate about growth issues. He provided a written summary of his thoughts, which favor RTKL due to their strong experience with the retail element. He feels UDA is more about the architecture than the spaces, and that DPZ may be too much oriented towards their own opinion.

Discussion of Candidate Planning Firms (in chronological interview order):

RTKL:

Krause stated that he could be comfortable with any of the three. He felt that RTKL gave a good presentation and has excellent experience, although he does not believe they are the only firm out there that knows retail. Retail is a big part of this project, but there is a significant additional component as well. Krause felt that all three candidates suggested similar approaches, but he preferred the details of the UDA and RTKL approaches to DPZ.

Andres Jr., when asked for his opinion about RTKL, stated he was going to abstain from discussion about the candidates at this time.

Goss was present for all of the discussions and interviews. He stated having no comment about RTKL.

Smith stated having no comment about the process or applicants.

Rohn tried to come up with pluses and minuses from the perspective of what he would expect the developers to prefer based on her understanding of their point of view. She believed that RTKL would be palatable to them, and that all three firms suggest similar processes. She was not as comfortable with RTKL as with UDA and DPZ because she didn't understand clearly who the individuals conducting the process would be. She felt that UDA and DPZ both made commitments to certain top-level individuals running the process, but the partner from RTKL who presented does have a home on Platte Lake and familiarity with the area.

Krakov asked if anyone perceived a down-side to RTKL; Veliquette felt that one for him was that creation of spaces was their highest priority and creation of the architectural look too low on the list for his comfort. Overall Veliquette felt that RTKL had more pluses than minuses because they are relatively close (Chicago) and have demonstrated good return on investment for the landowners.

Craig liked the fact that RTKL mentioned familiarity with working in situations where there are multiple strong points of view to accommodate. Mr. Campbell is familiar with the area and seems to have "done his homework" about Acme.

Krakov noted that RTKL has offices and projects worldwide and has performed some notable projects.

Mr. Griffith stated that he did not see the first two interviews, but he saw the last one. They (DPZ) were from Florida. He has spent time there, and says that things don't move there as fast as they do in other places. Mail is slower. Their climate is also very even all year-round, as is their tourism. Northern Michigan has distinct climates and tourist seasons. He does not feel that the people from Florida can understand what we need up here, and feels that any consultant chosen should be from the northern half of the United States to ensure the viability of any designed project.

Krakov asked Goss, Smith and Nowakowski if they felt that RTKL is competent and could be considered as a key candidate. None of the three gentlemen addressed offered a comment.

UDA:

Krakov has heard comments that UDA was very architecturally-focussed, but weak in the usage of spaces. Krause feels this is an unfair statement and that they are very well-versed in design. He feels that they left materials related to architectural design because they are not generally architects. They

provide a design book to guide the architects that assist with actual building of the project to let them know what elements they can and should use in their design.

Rohn felt UDA was strong in space design and architecture. She felt they were good at clearly describing how they approach their work. Again she tried to think from the landowner perspective and was concerned because to her UDA seemed less oriented towards the commercial element of the project. She regrets that the landowners are refraining from comment about what is important to them and how they felt about the presentations.

Veliquette liked UDA a lot, noting that the form-based coding they would set up could provide for administrative approval as each element entered the development rather than an SUP process for each new tenant. This seems to him a strong advantage in terms of buildout. They seemed less available than RTKL due to their location in Pittsburgh.

Krakov echoed comments by Krause and Veliquette about preparation of a design standards manual that would smooth the actual development process.

Craig liked what UDA had to say about designing space in a way that can accommodate a variety of uses both up front and over time as the marketplace evolves. She noted their statement that the project won't work unless consensus can be reached, and she agrees that this is a key concern.

Krause noted that all of the firms broke down their potential fees by project stages. His work experience was similar, and if at one stage it became clear that he couldn't work successfully with the client, he would exit the situation without future expense to the client. He feels that UDA's phasing approach is strong. He doesn't see their location in Pittsburgh as a barrier, since he believes there will be a maximum of about 4 trips to Acme to work on the project.

DPZ:

Krakov felt that DPZ's process was somewhat different than UDA's or RTKL's in that they schedule about 2 weeks during which all parties are brought in, all information is brought in, and at the end of which the plan exists. He felt that one disadvantage of this firm is that they are not available for 6-8 months. While they are an excellent firm with a lot of "horsepower" he is unsure they are the best fit for Acme. The principals have extensive experience with New Urbanism, but are they a good match?

Krause felt that DPZ had the strongest qualifications, since partner Andres Duany founded the New Urbanist movement. He did not prefer their approach of bringing a team into the township to set up shop and come up with a plan in 9-10 days. He isn't convinced that all concerns can be worked through in 10 days with one landowner, let alone multiple landowners. He prefers the more traditional charrette approach. DPZ was at the bottom of his personal list.

Rohn felt that DPZ's proposed process was a plus. It sounds like an intense 10 days, but she likes the idea of getting the energy going and keeping it high to an immediate conclusion rather than a more drawn out process where there are lulls. Certainly they have a strong reputation and name. She noted that Mr. Antonio stated that many of the big firms work together; DPZ often works with Bob Gibbs and she thought this would be a plus for Goss who has in the past expressed a liking for Mr. Gibbs. She thought about their unavailability until July, but wondered if the UDA and RTKL style processes would really result in resolution any more quickly.

LouAnn Brohl felt that any of the three firms would create a good end project; to her the way they would work with the public was most important. She felt that DPZ was the strongest in this regard and in terms of working with the natural geography and assessing impact of the project on the region. She liked what Mr. Antonio said about entertaining all ideas and having the good ones naturally

perpetuate themselves and the bad ones naturally fading away. The opportunity to work with the Smartcode/transsect planning model seems exciting, while it is also a distinct departure from the land use planning model currently in use in the township. She felt their experience and approach were exciting, and that all firms' credentials being fairly even that methodology is a key deciding factor.

Veliquette stated that DPZ undeniably has stature as their strongest selling point with either the community or the landowners. He likes the use of the transsect concept, but recalls Mr. Antonio saying that they then rely on a design book. He liked the proposed DPZ process, echoing Ms. Brohl's comments about the natural lifespan of ideas. Their availability and timeline were a minus for them, as they are so tied up with reconstruction in the south. He recognized Rohn's point that the ultimate finish timeline might be similar across the different approaches. The fees proposed seem to be in keeping with DPZ's stature and level of recognition. Overall DPZ was not his favorite.

Craig thought many of the same things already mentioned. She feels that DPZ was very attuned to the needs of the situation; for instance there was recognition that while there has been a market study relative to the VGT and Meijer properties alone, a market study that encompasses all properties in the proposed study area might produce different results. It is important to know how the opportunities and competitive factors affect everyone. She liked the way they picked up on key infrastructure issues, and feels they could successfully complete the project. Regarding timeline, there is a lot of time behind the current situation and she isn't sure to what extent there is or isn't a hurry to complete the project now. She hasn't had a lot of feedback in this regard but doesn't perceive a "time crunch." She does not necessarily feel ready to rank the three at this time.

Krakov picked up on Craig's comments about timeline. If there isn't a level of cooperation between landowners and community, in a sense the situation will become static and there will be no hurry. If it is possible to create the cooperation, there will be a desire for things to move quickly.

Krakov stated that Grant does not recommend hiring UDA. He asked if perhaps the advisory would be ready to narrow the field from 3 to 2 for ongoing deliberation and asked individuals for their top-two feedback which was as follows:

- Veliquette, Craig, Krause: UDA and RTKL
- Rohn stated again that she had really hoped for feedback from the landowners to help with her decision. Nowakowski stated that because they are in litigation and because there may be ongoing mediation, Meijer can't comment on the candidates or the process. UDA and DPZ.
- Krakow: RTKL and DPZ

Krakov felt that based on this feedback UDA and RTKL were the two leading firms. He further perceives that RTKL is the one firm on almost everybody's list. The group generally concurred with this perception. Krause feels that UDA is a little bit more capable, their process is more "urbanized" and they have done extensive work in the Midwest. Rohn believes that UDA's proposed design guideline book would be a plus for working with individual tenant project development. Veliquette wouldn't mind using DPZ if they used UDA's design standards, as he feels he can't overlook their stature. A town center that just requires administrative approval for each element is a strong factor for him. Krause feels that either UDA or RTKL can bring strong marketability of the project to the table.

Krakov invited public comment. Noelle Knopf, US 31 North asked: if the group favors 75% of one idea and 25% of another, can we ask to have them combined? Krause feels we can't ask this, but firms can choose to partner as their call. Krakow appreciated the idea that two firms might team up to serve our particular situation. Mrs. Goss asked if we could "get two for the price of one," Krakow feels that sometimes this is a possibility. Krause expressed concern that trying to mess two firms that might not naturally mesh could end up in bad design and a failure. Ms. Knopf suggested that we

could at least recommend to desired firms that they work together. Krause feels that RTKL is first and foremost an architectural firm, since that is how they were formed in the 1940's they can provide the complete planning and architectural guideline package. Ms. Knopf also liked the idea of creating a situation where ultimate building approvals could be administrative rather than subject to a lengthy and expensive public hearing process. It could smooth things out across administrations.

Krakov again noted that in general he heard the group favoring UDA and RTKL more than DPZ. UDA and RTKL each have garnered 4 votes, with DPZ receiving only two. Veliquette noted that Grant would have excluded UDA, and factoring that in RTKL would have the most "votes."

Krakov asked if Andres Jr. would like to comment at this point. Andres Jr. feels that everyone should have learned from Nick Lomako and the process of listening. He heard Krakow say that "this is what the township is requiring" and asked why the township is requiring anything? He thought about some of Rohn's and Craig's comments and about what each party to the situation will demand. He thought about the idea that good ideas will perpetuate and bad ideas will die a natural death, but he feels that already in the situation many of the bad ideas have been perpetuated. He had heard about timeline, but whose timeline? The township's or the landowners', who would have liked to start building three years ago? He does not believe the township has a right to have or impose a timeline. Rohn feels that the advisory is trying to understand what the landowners' timeline is, and the Board would have preferred to receive a recommendation back in December. Andres Jr. feels that the entire community talks about five pieces of property as if the community owns them, which it does not. Krakow stated that nobody is glad that we are all in the situation we are in today, and that we are all trying to do their best with it. Andres Jr. recalled the Beatles song "Nowhere Man" and feels like he is in a "Nowhere Township" where plans are created for things that don't exist. Krakow stressed again that everyone is trying to make the best of a difficult situation.

Proceeding on the basis that it has been established that DPZ is not a strong candidate, Krakow directed discussion towards how to evaluate comparative strengths and weaknesses of the two firms. Veliquette feels that how the planner would work with the community is key. He stated that he would ultimately favor UDA if he can't combine UDA and DPZ. Krakow thinks UDA is a fine firm but he feels that RTKL can draw from many experiences and better incorporate multiple landowners. He was concerned because he recalls UDA mentioning that they hadn't addressed big-box stores before; since this is an element of the local need this is a concern. Design is key for Rohn, which causes her to favor UDA. Veliquette stated appreciation for Krakow's point of view, recognizing that he is attracted to UDAs design principles and wishes we were using them already and that this may not be the key need in the situation. He likes RTKL's diversity of experience and would be willing to rank RTKL his first choice. He has a bias towards form-based coding, but he recognizes that RTKL may be a better fit for what needs to be done here. Krause feels both firms are very qualified and very similar in terms of process. He likes the depth UDA offers as a firm. He subscribes to the *New Urban News* and has for five years; UDA is mentioned in nearly every issue. He prefers UDA but sees the strength RTKL can bring for the reasons stated previously. Rohn recalled UDA's statement about big-boxes that Krakow mentioned; Krause agreed that UDA might be too "academic" for Acme. Krause could be persuaded either way.

Rohn asked if there is any merit to looking at DPZ as an alternative that provides the best that UDA and RTKL has to offer? Krakow expressed some concern about selecting the firm that was least favored by individuals because they couldn't decide between the other two. Veliquette appreciated having Krakow frame the question at hand in terms of what is the best decision for this specific situation.

Krause noted that the proposed project is a "greenfield" project, not urban redevelopment. To him it has some textbook elements and isn't overly complex aside from the matter of multiple land

ownership. This is one reason why he scratched DPZ, feeling that they were more than we needed in the situation and that the other two firms have the right level of benefit to bring to the table.

Andres Jr. feels that the people in the township don't recognize how close they are to a solution on their own, and that they are simply becoming too tired to come to resolution. He agrees with Krause that the situation is a textbook case of filling a blank space and that people in this situation are "starstruck." He is also always disappointed in the way that local communities overlook local talent for projects. He believes the township has "lost its will to see" how close everyone is already to resolution.

A recess was declared between 1:15 and 1:20 p.m.

Veliquette reiterated support for RTKL due to their experience with difficult, multi-party situations. Krause concurred.

Motion by Krause, support by Veliquette to recommend that the Board of Trustees select RTKL as a planner for a town center project. Motion carried by unanimous roll call vote of the regular membership.

Krakov stated that it is officially the advisory's recommendation that the Board of Trustees consider hiring RTKL to work with the landowners and community regarding a town center project. There was discussion about whether or not to amend the motion to specifically state actual work on the project depends on the willingness of the township and the landowners to participate in such a project, but it was deemed to be implicit in the situation. Andres Jr. asked that along with the wording of the motion and vote read back by Corpe that it be underlined that only Krakow, Craig, Krause, Rohn and Veliquette as regular members of the committee cast votes, and that no ex officio members voted.

It was decided to hold a meeting on Monday, February 20 to review and approve the minutes of past meetings.

Meeting adjourned at 1:35 p.m.