



**ACME TOWNSHIP PLANNING COMMISSION MEETING  
WILLIAMSBURG BANQUET AND CONFERENCE CENTER  
4230 EAST M-72, WILLIAMSBURG  
7:00 p.m. Monday, August 29, 2011**

Meeting called to Order with the Pledge of Allegiance at 7:02 p.m.

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

**Members excused:** None

**Staff Present:** S. Vreeland, Township Manager/Recording Secretary  
P. Kilkenny, Deputy Zoning Administrator & Planner  
K. Redman, Legal Counsel

**INQUIRY AS TO CONFLICTS OF INTEREST:** None noted.

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

1. **Continuing Education/Special Presentations:** None
2. **Consent Calendar:** Motion by David, support by White to approve the Consent Calendar as presented, including:
  - a) **Receive and File:**
    1. **Draft Unapproved Minutes of:**
      - a. Shoreline Advisory 08/17/11
      2. Planning, Zoning & Administrative Update – S. Vreeland
  - b) **Action:**
    1. Approve 08/22/11 Planning Commission meeting minutes

Motion carried unanimously.

3. **Limited Public Comment:** None

4. **Correspondence:** None

5. **Reports:** None

6. **Public Hearings:**

- a) Proposed Zoning Ordinance Amendment 016 (B-2 District Hotel/Motel and assisted living uses; correction to Schedule of Regulations): Vreeland provided a brief summary of the proposed ordinance amendment, which would correct some typographical errors in the Schedule of Regulations made during the 2008 ordinance update, add back hotel and motel uses to the B-2 district (accidentally removed during the 2008 ordinance update), and amend/expand the regulations for a range of adult assisted living and skilled care facilities. Yamaguchi asked if there is a difference between the definitions of “assisted living family facility” and “assisted living group facility” other than the number of residents who can be served; there is not. David asked why the two different definitions would be needed. Vreeland stated that the difference would normally be that the smaller facilities would be allowed in

some residential districts, while the larger facilities might only be found to be suitable for more dense residential districts and/or commercial districts.

**Public Hearing opened at 7:08 p.m.**

John Dickerson, 5084 Arrowhead Court stated an opinion that the definitions under discussion were poorly written and inappropriate, being “stuffed definitions.” He complained about copies of the proposed ordinance not being available to the public at the meeting, although he didn’t know how it had previously been made available. Zollinger noted that the ordinance amendment was published in the newspaper and made available to the public online and at the township hall.

**Public hearing closed at 7:10 p.m.**

**Motion by Hardin, support by Tegel to recommend approval of Proposed Ordinance Amendment 016 to the Board of Trustees. Motion carried unanimously.**

**b) SUP/Site Plan Approval Application #2009-01P - Village at Grand Traverse LLC**

- [Staff Memo](#) (process update)
- [Application Materials](#)

J.R. Anderson of Anderson Real Estate, Cincinnati OH presented the VGT Phase I application, including key roadways, sewer and water infrastructure, all stormwater control elements for the entire 182-acre property, a Meijer store and off-site improvements to M-72 East and Lautner Road. He mentioned that over the past 24 months, three versions of the application have been reviewed by township staff, legal counsel and consultants, as well as representatives from MDOT, the County Road Commission, Metro Emergency Services Authority and the County Drain Commissioner’s office. The VGT has worked with Meijer Inc. to design the proposed store. Mr. Anderson enumerated the various different elements of the application, including environmental, traffic and market studies.

Mr. Anderson stated that an agreement is in place to purchase water service from the GT Band of Ottawa & Chippewa Indians. A sewer capacity survey had been performed that confirms there is sufficient capacity in necessary elements of the township sewer system to handle the anticipated sanitary flows from the proposed Meijer store. **The applicant intends to use best management practices for stormwater control.**

There has been significant discussion between the township, applicants and road agencies regarding traffic impacts on the local road network. After extensive modeling, two potential types of improvements to M-72 and S. Lautner Roads have been proposed and the applicant has asked for an indication from the township and agencies as to which is the preferred solution. One involves the use of indirect left turns and traffic signals at key intersections. Left turns would be prohibited out of the project at several proposed intersection points. The second solution, which is preferred by the applicant, employs a roundabout at the M-72/Lautner intersection and medians dividing the west- and eastbound lanes. This solution would eliminate the need for the indirect left turns and keep traffic flowing at all times.

The proposed Meijer store is somewhat over 191,000 sq. ft. with an additional

outdoor garden center. A proposed landscaped pedestrian walkway bisects the proposed 1,071 parking space lot. The total store site area is proposed at 22 acres. Meijer is proposing its latest store façade design; the design for all four sides of the building was displayed and incorporates glass, brick and stone elements. The landscaping plan for the M-72 and Lautner roadsides was displayed, demonstrating groupings of trees and shrubs. Landscaping for the internal key corridor road was also displayed. A landscaping plan for the Meijer parking lot and surrounding area was displayed. Mr. Anderson asserted that the proposed site lighting plan conforms to the township's "dark sky" exterior lighting requirements.

Mr. Anderson stated that VGT is planning an \$8-10 million investment, and Meijer is planning to make an additional \$15 million investment in the site improvements. The store would add 300 jobs with 1/3 being full time. They would propose to begin site work in the spring of 2012 and open in 2013 if final township Board approval is obtained by early November 2011.

Ken Petterson of local law firm Smith Johnson, also an Acme resident, stated that he has been involved as legal counsel for the VGT project since its inception in 2001. He urged the Commission to consider that the VGT has a valid conceptual SUP that allows them to pursue phased SUP approvals. The project has been under review for 24 months at the staff and consultant level and by applicable agencies, and he knows that the Commission has been kept apprised at every point along the way. The applicant looks forward to providing any needed information to facilitate a recommendation by the Commission and make any "reasonable accommodations" to move the project forward. Not everyone will be satisfied with various elements of the application; the appropriate question is whether the requirements of the applicable standards for review have been adequately met.

Mr. Anderson introduced Steve Schooler, the Director of Construction for Anderson Real Estate. Mr. Schooler has been responsible for the ongoing management of the application process from the applicant's perspective.

Zollinger noted that the next scheduled Planning Commission meeting is on September 26.

#### **Public Hearing opened at 7:35 p.m.**

Chuck Steinmetz, 4143 Wolverine Drive expressed appreciation for the applicant addressing some of the traffic issues. He spoke in opposition to the project, expressing concern about many of the roads serving the project currently being 2 lane roads. Mr. Steinmetz did not see a clear indication of the length along the roads that would be improved in association with the project. He is particularly concerned with the residential portions of Lautner Road. Mr. Steinmetz noted that the Planning Commission is charged with looking out for the best interests of the whole community, even under difficult circumstances. He is concerned that the proposed development will change the character of the township permanently, and possibly for the worse.

Cheryl Walton, 11613 Topview Drive, spoke in support of the project so that people living on the east side of town don't have to drive to the west side of town to obtain the types of products that are not carried by other local retailers.

Buzz Whittaker, 4163 Windward Way mentioned the unemployment level in Michigan and how important new business development is to getting people off the

welfare rolls.

John Goss, 11613 Topview Drive has been involved in and a supporter of the project from the beginning. He said that “we do have to subdue the Earth somewhat” and that “we have to think about putting food on the table for our brethren”.

Rachelle Babcock, 4261 Bartlett Road is saddened that “what is natural and beautiful” about Acme Township attracts developers she feels are only interested in their own personal gain to the detriment of the environment. Ms. Babcock is concerned about the viewshed looking towards the bay as one travels westward on M-72. Instead of seeing hay bales in a field, all she might see is the long back wall of the proposed store that she characterized as looking similar to a prison. She stated that the Court of Appeals has specifically mentioned that the township has the ability to scrutinize the application based on traffic, market and environmental factors. Ms. Babcock finds these important factors to Acme residents and appreciates that the township has sought a variety of experts to assist in reviewing the application. The development cannot be stopped, but she hopes the township will be able to mold it into something acceptable.

Jan Carroll, 3854 Village Circle Drive asked if the store is proposed to be built on the west or east side of Lautner Road; this proposal is for construction on the west side of Lautner Road. Ms. Carroll favors the project and feels it will bring good things to Acme and East Bay Townships. She does feel that there is a good and bad design, and she would not propose a design similar to that of the Garfield Township Store. She mentioned a store in Washtenaw County that she feels is very attractive and looks like a village shopping area instead of a big box store. The parking lot is well shielded by trees and shrubs. Basic design is important.

Susan Bondy, 4675 Brackett Road feels that it is time for the township to provide some of the services the public needs. The expense of gas and the danger of driving across town in winter to reach a store that stocks products that the Acme stores will not stock are unwarranted. It is time for more product diversity.

Lee Bussa, 4675 Brackett Road is a happy Acme resident who is thankful for the waterfront preservation project and the visionary work that the Planning Commission does for the community. He supports the proposed project.

Gayle Hanna, 3000 Mt. Vernon Drive, Midland is a property owner and taxpayer in Acme Township since 1983 and her husband has been a lifelong member of the community. She asked whether the parking lot for the proposed store will be impervious or if it will utilize porous paving material wherever possible to cut down on the amount of runoff that needs to be handled. She also asked if the stormwater detention/retention system includes only surface basins or whether there are subsurface facilities, and if so what size. How big are the proposed detention/retention basins, what is the slope of the sides, and how will people be protected from trespass into them and harm. How much landscaping in the parking lot is planned? There is a need for trees to shade and cool the hard surfaces. Ms. Hanna is aware that after Meijers has been in place for a while they sell off outlots to other stores. Is that planned to happen here? As to the potential roundabout, has the proposed design been reviewed by the fire department to ensure their vehicles can navigate them safely and effectively?

Paul Fair, 3265 Scenic Hills Drive has been a resident for 25 years and a taxpayer for longer. His wife’s family, the Stites, dates back to the late 1870s. He recalls the

meetings regarding the project in 2004, at which time he made some comments regarding potential traffic impacts on Bunker Hill Road. He contacted the township offices to obtain records from the past few years regarding the condition of Bunker Hill Road. He found out that there is detailed information about 11 separate segments of Bunker Hill from US 31 to Lautner Road. The studies he reviewed were from 2007, 2009 and 2011, and his own personal observations lead him to feel they are accurate. The pavement is given a condition rating between 1 and 10, 1 being failed and 10 being perfect. 4 of the 6 road segments between Bartlett and Lautner Roads were rated at a “3” throughout the studies. Mr. Fair observed that these segments are 80% of the distance between Brackett and Lautner Roads. He is considering this as the baseline status of Bunker Hill Road prior to Phase I of the VGT project commencing. Mr. Fair sees three current Bunker Hill Road safety concerns: 1) the speed limit is 55 mph between Bartlett and Lautner Roads where the road conditions are worst; 2) it is already unsafe for people to turn from Bartlett Road to Lautner Road; and 3) it is already unsafe for people to turn from Scenic Hills Road to Bunker Hill. In both of the latter two cases one of the key factors is poor sight distance combined with high speeds. Mr. Fair is concerned that these specific conditions are not adequately addressed in the traffic study performed by the applicant, but he expects they may be raised in forthcoming comments by the Road Commission. Mr. Fair could not find any information in the market studies provided to help evaluate whether the projected traffic increases on Bunker Hill Road are valid. He believes that traffic counts taken in May 2010 as a basis for projections are reasonably valid. He would like more information on how the anticipated traffic increases based on future development were calculated. If the numbers are understated it will be to the applicant’s advantage and if the project is approved on that basis it will be too late to correct the problem later. Mr. Fair also believes that the traffic study does not adequately address “collateral damage” to Bunker Hill Road directly attributable to the proposed project, or who will pay for it. The entire community is likely to have to bear the cost.

Bonnie Jones, 3250 Moonstone Drive asked what consideration has been given to the M-72/Lautner Road intersection for left turns and a traffic signal.

Paul Felix, 8661 Woodridge Dr. has been a township resident for about 19 years and attended all the big meetings about the project. He is “on the fence” about the proposed project. Some issues that he did not hear discussed this evening that were discussed in the past include: whether or not there will be a gas station and if so if it is appropriately sited. (Zollinger noted that the current proposal does not include a gas station at this time. Mr. Felix asked what the store hours would be, believing that he recalls that Meijer agreed that the store would not be a 24-hour operation, and if this would be the case with this application. The township has historically been concerned with runoff drainage into Acme Creek, and he wonders if this has been adequately addressed. Mr. Felix also believes that at one time Meijer offered a concession on the store size and was willing to move to a smaller footprint. Finally, he is concerned with traffic impacts. If all interested parties are satisfied that traffic impacts can be adequately controlled, he could be in support of the application, but until then he remains on the fence.

Rick Fowler, 2831 Holiday Pines asked what is the role of the Planning Commission in this process? Meijer purchased property over 20 years ago that was zoned for a planned shopping center. Perhaps the township is imposing too many conditions on proposed development; for instance it would seem inappropriate for the township to attempt to regulate the landscaping at a private residence very closely. Mr. Fowler does oppose the idea of a roundabout, particularly one that might be used by visitors

to the area who don't become familiar with it. Mr. Fowler does not believe that the Planning Commission should be unduly concerned with aesthetic details if a property is to be used appropriately as it is zoned. He would also disagree if Meijer were forced to build a large store up close to the Lautner Road right-of-way; as was required with the Kohl's store in Garfield Township, as he finds it unattractive.

Chris Stoppel, 7238 Deepwater Point Road asked how many people have jobs here, how many people's children have jobs here, and how many people's children go to school here. He sees a lot of grey heads in the audience. This community needs jobs to attract younger people.

Dennis Stadel 3518 Kennedy Place supports the project because Meijer is a Michigan corporation started in a small community downstate. He feels they have done many good things for the state, and that they were poorly treated in litigation in the community. As he drives through Acme where there are many empty storefronts, he wonders why anyone would want to prevent a new business and new jobs from coming in.

Ken Pickering, 5001 Arrowhead Court is concerned with potential traffic on Lautner Road north of M-72. He believes that many people coming to shop at Meijer from the Elk Rapids area will not use US 31 because there is no protected left-turn signal at the M-72 intersection. He believes they will take Brackett to Lautner where there are golf cart crossings and more potential traffic conflicts.

Barb Bradford from Bellaire is a member of the Antrim County Planning Commission and has watched this process from the beginning. She is concerned because in the winter M-72 gets very icy as soon as one comes to Arnold Road heading west. Roundabouts can be fine, but if they are covered in ice and snow and people can't see them they could be dangerous in the winter. They may work better in warmer climates. She travels these roads frequently because she shops at the Traverse City Meijer and can't get one built near where she lives.

Ken Schmidt, 599 Hidden Forest Trail, Traverse City has owned Acme property for over 30 years. He supports the proposed project.

Paul Brink, 9617 Winter Road stated that he is not necessarily opposed to a Meijer store. People seem to want one and it would bring jobs to the community. The issue is not just a Meijer store. Had Meijer made use of the SUP they were granted to build on their own property in 2006, things would be a lot less complicated at this time. Instead they have chosen to build in the VGT project, which means their own property would still be available for development and could potentially contain another big box store at the Lautner/M-72 intersection. He has always hoped the VGT would consider downsizing their proposed project, which in combination with potential development on the Meijer-owned property could create the largest development north of Grand Rapids and one much larger than both the existing malls in Garfield Township. The potential impacts on the community for the future are significant. As observed by township consultant Beckett & Raeder, what happens in Phase I will set the tone for the future phases of the development. The Court of Appeals said the VGT project could proceed in theory, but also said that phased SUP approvals could be denied if they were in opposition to the traffic, market and environmental objectives of the township Master Plan. This is where the township's review process should focus. Traffic should be evaluated not just in terms of M-72 E but in terms of the larger traffic network. What are the potential community impacts

if a new Meijer store creates an empty K-Mart building? Mr. Brink does not necessarily oppose new development, but wishes that the applicants would voluntarily downsize their project to something more in keeping with current economic realities and township goals.

Charlene Abernethy, 4312 Westridge Drive said that Meijer has a bad history with the community. Some say “let bygones be bygones” but she believes that they have bullied the township residents and attempted to rig our elections and that these things are unforgiveable. The courts say that the VGT may pursue future development approvals, but why can’t they do so in a way that is beautiful and in keeping with community values. Why can’t Meijer adopt a store and site plan that the community can be proud of and other communities can envy? Her questions include: what about a bike path for the development and on Lautner and M-72? How much of the landscaping will include native species? How much thought has been put into innovative stormwater management such as bio-retention, grass drainage channels and pervious pavement?

Gene Veliquette, 8369 Elk Lake Road in Whitewater Township feels it is time that the Meijer development proceeds. He does not believe most other communities feel that their Meijer store is a blight. Meijer employee paychecks go to pay for local produce that Meijer stores carry, which further helps the community. Most farmers don’t have time to sell their product at a small farm market on a Saturday afternoon; they are happy to sell their produce for distribution through a 24-hour a day grocery store. 6 Meijer stores were approved in 2005, and 5 were build. Those communities have new jobs and new markets for local produce. We don’t need more boarded up stores and unemployed youth. Property should be used as it is zoned. A court order clearing the way for development in the project was issued several years ago, but not much has happened since then. He needs places to sell his dried fruit, and more customers like Meijer to sell it through so he can hire more people.

David Alexander, 4081 Westridge Dr. has lived in Acme Township for 34 years. He is pleased that the Meijer situation “appears to be coming to a fruitful resolution.” He is pleased that the community is coming together to bring in a great corporation that has provided hundreds of thousands of dollars to Michigan charities.

Ryan Craig, 11465 Woodtop Lane has a wife and five children. To save money on his grocery bill they drive across town to the Meijer store, and it frightens him to put his wife and small children in a car to drive across town for 45 minutes in winter weather. His family business depends on other people having jobs in the community. He supports the Meijer proposal.

Stan Kouchnerkavich, 9680 Cherry Bend Road lives in Leelanau County and strongly encourages the township to approve the Meijer store. He shops at the store in Garfield Township, and if a new one is built here it will take some of the customer pressure off the existing store and make his shopping experience more pleasant. It would contribute to traffic calming in Traverse City because people from Acme would not have to drive across town to the existing store.

Karen Howie, 7265 Deepwater Point Road expressed appreciation for the Commission. She is a lifelong Acme resident and asks all Commissioners to adhere to the applicable regulations without any variances or exceptions to the ordinances. The ordinances make Acme what it is.

Norma Perry, 8859 Birchview Shores Drive noted that the community has been going

through this issue for many years. We have a small population of under 5,000 people. The proposed store would bring many people from other communities to our small community. Do we need this? If we do, she recalls that where she lived in Virginia all stores on major highways had to be setback from the road just as houses must. And, the stores were all hidden by landscaping near the roads. There were small signs out by the road, and you really had to know where you were going. If the store is approved, there should be a significant greenbelt along the road and a more innovative store design should be used. There is no excuse for “not putting up something decent.” Not all community members will shop there; some will support other community stores. But, all of us will have to look at the store.

Vreeland read the portion of an [e-mail from Bob Garvey](#) relative to the Meijer proposal into the record.

**Motion by Carstens, support by Yamaguchi to recess the Public Hearing to the September 26 meeting. Motion carried unanimously.**

c) **Proposed Zoning Ordinance Amendment 014 – Traverse City Real Estate Rezoning Request (continued from 06/27/11)**

- [Application](#)
- [06/22/11 staff analysis memo as updated 08/19/11](#)
- [Applicant’s blog site](#) (containing their presentation materials)

Harry Wieringa from Fleis & Vandenbrink made the presentation in support of the rezoning application. He said that in listening to the presentation and discussion regarding the Meijer application, he heard over and over again about the concepts of traffic concerns, jobs and natural beauty. He is here this evening to discuss the rezoning of several properties including one that has been owned by Mr. Rick Steckley for many years. Bill Freeman, legal counsel for the project, is present this evening. Brian Silvernail is a real estate consultant also involved on the application team.

Mr. Wieringa characterized the application as being about the future of Acme and being different than the Meijer proposal and how it has captivated the community over the past 10 years. Mr. Wieringa was part of a team that considered this same property for commercial development several years ago but was not as excited about it at that time as they are today. He stated that the applicants are aware that the township is concerned with sustainability and natural preservation. The proposed area to be rezoned is on the west side of US 31 opposite the entrance to the GT Resort and immediately north of the two big box stores in the township, Tom’s and K-Mart. The area under application includes a small office property and a proposed 44-unit housing development. They are proposing that if rezoned and developed a traffic signal would serve the main entrance to the project and the main Resort entrance. They feel that rezoning the land may be beneficial because the housing development, the Cottages at Windward Ridge, has not succeeded. There has been no agriculture on the site for the past 50 years, and there is sewer and water infrastructure available to the location currently. Tribal water serves the Windward Ridge development as does township sanitary sewer, and the land is directly accessible from the US 31 corridor. The applicant believes that rezoning of the land would help to protect water quality in Acme and Yuba Creeks and the bay, and would preserve the rural character of the township.

Displaying a current zoning map of the area, Mr. Wieringa noted that a portion of the

GT Resort Planned Unit Development directly across US 31 to the East is currently zoned B-3, the desired zoning designation for the subject parcels. There is about 80' of grade change throughout the site, and the proposal includes the concept that only about 47 acres of the total land area be used for future commercial development. Mr. Wieringa stated that what is driving the applicant is not the landowners need to develop the property, but an interest in how the community develops in the future and how they perceive the township Master Plan.

Mr. Wieringa displayed an older township zoning map, pointing out where areas currently zoned B-2 and B-3 are located. The applicant is seeking additional rezoning on the west side of US 31 N to the north of existing B-2 zoning that would mirror the B-3 zoning on the east side of the road. Mr. Wieringa acknowledged that the Future Land Use Map (FLUM) for the township shows the subject properties as designated for residential use; however the applicant believes that the FLUM's creation was driven by an attempt to justify the proposed VGT project.

Mr. Wieringa displayed the environmentally sensitive areas map from the township Master Plan. He asserted that most of the subject land is not designated environmentally sensitive, and that an area that was designated such on the map has since been negated by the development of Windward Ridge. He displayed the Acme and Yuba Creek watershed map, showing the subject property as at the extreme east edge of the Grand Traverse Bay watershed and impacting none of three watersheds. The back side of the project is said to be 1,900' from the bay. Mr. Wieringa stated that water generated on the eastern edge of the bay drainage system would be captured by the land area before it even reached a location near the bay.

Mr. Wieringa displayed the Master Plan natural resources and corridor map and asserted that no natural systems exist on the subject property that would be negatively impacted. He also displayed the Master Plan forested zone map which shows a forested area on the property that the applicant plans to leave as a public open space. Mr. Wieringa noted that the staff report mentioned that Windward Ridge is an Open Space Development that contains land already under permanent conservation easement to the township. It would be the applicant's intention to extinguish the site condominium development and persuade the township to agree to swap the existing conserved areas to the woodlot on the western side of the property.

Mr. Wieringa displayed a picture called the "Summit Place Waterfront Community Vision." This picture represents the applicant's vision for how their proposed development would fit their site and their vision for a future land use plan for portions of the township primarily west of US 31 North. They have noted recent discussion about revitalizing and protecting the existing retail area on the east side of US 31 south of M-72 and integrating newly preserved shorelines and shoreline areas that are the target of future preservation efforts into the community. They perceive a "coastal community orientation." Mr. Wieringa talked about redevelopment of shoreline commercial districts south of M-72 East. He proposed expanding resort residential property in the shoreline area. He proposed a roundabout as a gateway to the township at the south end of the shoreline area approximately where the Bunker Hill/US 31 N. intersection is. They propose a governmental and community center around a roundabout roughly at the intersection of M-72 and Mt. Hope Road. In this area they would also propose specialty shops and restaurants, and larger scale commercial development on the Tom's, K-Mart and subject properties. Mr. Wieringa asserted that redevelopment of this nature in the shoreline area would facilitate the proposed VGT application.

Mr. Wieringa characterized the proposal overall as being “low impact” on the community.

Vreeland briefly summarized her lengthy staff report. The report compares the proposed rezoning to the goals, policies and actions expressed in the township’s Master Plan in detail. It provides a listing of all properties zoned B-2 and B-3 in the township, their level of existing development, and their current occupancy status. It provides estimates on how much commercial development could occur on existing vacant B-3 zoned properties based on the sizes of recent development applications. Her estimate is that approximately 1 million sq. ft. of retail development could occur on properties already zoned B-3 in the township. Additionally she listed the amount of development for which the VGT is already entitled to seek phased SUP development approvals and the amount of development for which Acme Village is entitled to seek phased SUP approvals. The goal in providing this information was to help the Commission evaluate whether the township needs more capacity for this type of development or whether a sufficient amount of available land currently exists. She said that to her the rezoning application appeared to be less an attempt to demonstrate how the proposed rezoning would fit well with the existing Master Plan and more an attempt to promote and create a different Master Plan for the community.

**Public Hearing opened at 9:26 p.m.**

Mr. Whittaker reiterated his earlier comments supporting new commercial development in the township.

Denny Rohn, 9267 Shaw Road felt that the presentation made by the applicant “put the cart before the horse.” The township is not considering a new development, but instead whether or not to zone additional land for large-scale commercial development. Ms. Rohn also stated that as a member of the CCAT board she objected to the use of the CCAT name in the applicant’s video presentation. CCAT does not endorse or approve of the proposal.

Jim Dixon, 8145 Arrowhead Court asked if the application materials are on the internet. They are at a website [www.downtownacmeprogess.com](http://www.downtownacmeprogess.com) as well as the township website. Mr. Dixon asked how much retail space the township needs, and expressed an understanding that the township is seeking to shift the community core to the southwest. This application appears to try to shift development to the northwest instead. He also asked what the proposed development might be like. Zollinger stated that rezoning applications should not depend on development plans that may or may not come to fruition, so the Commission is not seeking or reviewing a specific plan for the site.

James Hanna, 3000 Mt. Vernon Drive, Midland owns property in close proximity to the land proposed for rezoning. His property was not shown on any of the presentation materials, but the presentation showed far-flung properties from throughout the county, which he found of questionable value. Mr. Hanna has questions about existing ponds on the property. 90% of the ponds that were on the property when he was a boy are not there now, and most of the turtles are gone. He asserted that streamlets from the subject properties flow to within a few 100’ of the bay, and he knows this from playing there as a boy. Mr. Hanna wishes that the applicant’s presentation had focused more closely on the subject property. Should this property really be rezoned to a commercial designation?

John Olson, 3846 Bay Valley stated that the Cottages at Windward Ridge property is a nice development and that if the floor plans had been tweaked they would have sold well. He knows Mr. Steckley, but he feels that the township already has a lot of property zoned for business use. What is the community's need? His mother lives at Orchard Creek, a facility in Elmwood Township that offers a spectrum of living circumstances and care for seniors. This kind of housing is needed in Acme and he feels this property would be excellent for that use. Mr. Olson asked the developers to consider other possible highest and best uses for the property.

Mr. Veliquette believes that people still want to come to Acme that are proven businesses and employers. Acme is unique and is at the intersection of two trunkline roads. Nobody knows precisely what would be successful. He believes that it is the township's goal to have the central core of the community move to the southwest, but so far that isn't successful. Mr. Steckley has been successful in creating jobs, and this community needs jobs. Mr. Veliquette believes we need to encourage people to come in and encourage economic turnaround.

Silas Ornsby 2759 Frank Street, Traverse City stated he is an avid outdoorsman. He noted mention of a natural trail in the presentation and wants to check it out. Whatever new development comes to Acme he hopes the community will closely examine the environmental impacts. The enjoyment of the natural land and the bay are this area's strongest assets.

Mr. Brink opposes the rezoning request for two reasons. He believes the township already has sufficient land available that is zoned for big box stores. Also the township developed a FLUM a few years ago. To him it was the closest thing to a township survey in recent years and there was broad public input from many sectors of the community. The product was a thoughtful document that shows the subject properties designated as urban residential. The township has already indicated a preference for how this property should be zoned. If we ignore the FLUM, we might as well throw it out.

Ms. Babcock opposes the rezoning request for the same reasons expressed by Mr. Brink.

Vreeland read an [e-mail from Catherine Kinske Querio](#) supporting the rezoning into the record.

Vreeland also read into the record the remainder of an [e-mail from Bob Garvey](#) that opposed the rezoning application.

An earlier e-mail from Marianne White, 6173 Brackett Road opposing the rezoning application was also read into the record. This e-mail was included in the Commission packets for the evening.

Mr. Silvernail stated that the applicant's Facebook page has received 33 positive comments regarding the proposed project, and documentation will be provided to the township.

**Public Hearing closed at 9:45 p.m.**

David stated that in view of the Commission's familiarity with the Master Plan, the contents of the Future Land Use Map, the abundance of business-zoned property in the township and for reasons stated by citizens in the audience and the staff report.

**Motion by David, support by Carstens that in view of the Commission's familiarity with the Master Plan, the contents of the Future Land Use Map, the abundance of business-zoned property in the township and for the reasons stated by citizens in the audience and the provided staff report, that the Commission recommend to Board that Proposed Zoning Ordinance Amendment 014 be denied.**

Tegel appreciated the developer's vision and the many statements that have been made about job creation. She wished she believed that adding to the commercial zoning the township would make those jobs appear, but as noted in the staff report almost 300 acres are already zoned for high-density commercial development in the township.

**Motion carried unanimously.**

7. **Old Business:** None

8. **New Business:** None

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

David led the Commission in thanking Dan Kelly, Catering by Kellys for offering the use of the Williamsburg Dinner Theater this evening free of charge. The public offered a round of applause.

Mrs. Hanna said that appearances by herself and her husband at the township hall at odd hours can't be convenient, but the staff never turns them away and is unfailingly helpful. She hopes the community appreciates their staff appropriately.

Dr. Lindsey Best and her husband moved to the area 2 years ago from Charlevoix. She is a family practice doctor and geriatrician and her husband is a doctor as well. She loves to go to the beach with her three young children. She is concerned about the three medical marihuana shops in the community she has come to embrace. She works in Bellaire but moved to Acme for the Traverse City schools. She is concerned how Acme appears to people coming to and through our town with the marihuana leaves on the signs. She hopes no additional medical marihuana facilities will open

**Meeting adjourned at 9:52 p.m.**