



**ACME TOWNSHIP PLANNING COMMISSION MEETING
NEW HOPE CHURCH
5100 BETHESDA COURT, WILLIAMSBURG MI 49690
7:00 p.m. Monday, July 26, 2004**

Meeting called to Order at 7:15 p.m.

Members present: H. Smith (Chair), B. Carstens, D. Hoxsie, D. Krause, P. Salathiel, O. Sherberneau, M. Vermetten

Members excused: None

Staff present: S. Corpe, Recording Secretary
J. Christopherson, Township Counsel
R. Clark, Planning Consultant

Smith noted that a quorum of the Planning Commission is present this evening.

1. Consent Calendar

Motion by Hoxsie, support by Vermetten to approve the Consent Calendar as presented, including:

Receive and File:

Action:

- a) **Approve minutes of June 28, July 1 and July 12, 2004 meetings** (Attachments A, B, C included and incorporated by reference)
- b) **Review and approve agenda, inquiry as to conflicts of interest:** No conflicts of interest noted. **Motion by Sherberneau, support by Hoxsie to approve the agenda as presented. The Chair cast an unanimous ballot, there being no objection.**

Motion carried unanimously.

2. Public Hearings:

- a) **Public Hearing on Application #2004-11P by The Village at Grand Traverse for Special Use Permit approval for a Mixed Use Planned Development on 182 acres of land commonly referred to as "The Rollert Property" located on the south side of M-72, to the east of the Williamsburg Conference Center (formerly the GKC theater) and to the west of Lautner Road, currently zoned R-3, Urban Residential** (Attachment D included and incorporated by reference):

Public Hearing opened at 7:26 p.m.

Smith introduced Ken Petterson, who in turn introduced the applicants. Mr. Petterson serves as legal counsel to them. Beginning with history, a similar plan was submitted to the township and approved, but was challenged in Circuit Court. The judge set aside the ordinance under which the application was brought, although he did not make a ruling regarding the merits of the plan. Significant changes have been made to the plan since the first process and throughout the period during this process. Mr. Petterson believes that the question is whether or not the plan is in keeping with the zoning ordinance, and stated that if so, it must be approved according to state law. The applicants believe that their plan exceeds the ordinance standards, and that

coverage of this issue by the media has been unfair at best. Development is coming to our five-county area. Should it be controlled development that will discourage sprawl? Mr. Petterson stated that the plan is in keeping with the township's Master Plan, even if on a larger scale than the communities listed in the Master Plan as examples of the desired development (Elk Rapids and Suttons Bay.) The applicants believe that they can provide a development that meets local needs in a desirable way. He encouraged close attention to the presentations and that people ask questions of the applicants. He introduced Steve Hayward to make the applicants' presentation.

Mr. Hayward provided a PowerPoint presentation that is available through the township offices as part of the public record. He asked the audience how many of them had seen his presentation at previous meeting, and said that there is both new and old information in tonight's version. He stated that his planning career has been evenly split between public and private-sector work, and that he has created over 90 smart growth development plans in Michigan.

Mr. Hayward stated that this evening's hearing is not about site plan approval, which would be a second hearing process that would have to occur within a year of conceptual plan approval. He stated that the application is a form of planned unit development application pursuant to a broad ordinance and law. He mentioned that the specific mixed-use development ordinance under which the application is brought has been used before (Acme Village), as opposed to the former town center ordinance that had never been used before their application. He stated that the applicants are also seeking to "dispel fiction with fact." He pointed out materials that were available in the foyer geared towards this last goal, and mentioned a website that has been set up to provide additional information (www.villageatgrandtraverse.com) He asserted that the plan meets the tenets of the Master Plan, although there is public information to the contrary. Mr. Hayward stated that Mr. Todd Gokey had filed an affidavit regarding the recent court case stating that the applicants had attempted to coerce his cooperation with the development, but that as stated in yesterday's newspaper Mr. Gokey appears to have changed his story to say that two township officials involved in the meeting had been the ones to do all the talking.

Mr. Hayward proceeded to highlight the differences between the former and current applications. He displayed a schematic of the Acme Village development and discussed proposed roadway interconnection. Next an aerial photograph with the subject property highlighted appeared. A topographical map slide also depicted Acme Creek and surrounding wetlands. He then highlighted various planning concepts involved with the application.

Mr. Hayward provided a slide showing the Charter for New Urbanism, asserting that most of the tenets are met by the application. He also asserted that the applicants believe they have demonstrated all of the principles of smart growth and all but one of the principles in the Grand Traverse Bay Region Development Guidebook.

Mr. Hayward discussed the changes that have been made to the proposed conceptual plan throughout the three preliminary hearings held to date regarding this application. He displayed statistics regarding the proposed square footage for various types of land uses within the site. He also mentioned a 28-acre creek headwaters preservation area and 225' setback from wetland areas. He stated that the proposed street configuration does employ a gridwork system as suggested by the Master Plan, although some blocks are longer than the suggested 400' so that the street system can work with the site topography. A proposed tunnel connection under M-72 to the G.T.

Resort is desired, as are connections to the TART and to Acme Village. The boulevard-style entrances from Lautner and M-72 lead to roundabouts with architectural features.

Mr. Hayward stated that the applicants intend to fully meet all the township's landscaping requirements. They have received an indication that there may be additional wetlands areas on the property that will be investigated. The concept plan includes civic space for township offices as recommended by the Master Plan (approximately 7,000 sq. ft.), a library and a community college satellite campus. The civic use area would be located near the TART connection and an Audubon birding area. He detailed the range of housing options, the "lifestyle center" retail/restaurant area abutting the main street area, and the proposed anchor uses. The northern anchor retail use is currently proposed to be a Meijer store. Mr. Hayward stated that the applicants' market survey reported that the only underserved market in the local hotel niche would be for high-end facilities, which is what the proposed 250-unit hotel is proposed to be. The mixed-use buildings continue to frame in the three block-long main street and block views of rear parking, but would not all be 75' tall as has been discussed. The internal roads as proposed would not meet County Road standards (minimum 66' wide right-of-way) at their proposed 24' width; therefore, they will be private roadways and privately maintained.

The applicants have learned that there is a significant deer migration corridor along the south side of their property. They would attempt to protect this important resource by screening the key corridor area with pines to create separation from the built environment on the property. Mr. Hayward asserted that there would not be any portions of the site that would experience more than a 5' change from natural to developed grade.

Mr. Hayward provided a comparison to a 350-acre Andres Duany development in Gaithersburg, MD called "The Kentlands." He colored in the commercial portion of the development, which he stated contains 13 units Acme Township would call "big boxes." The commercial portion of the development appeared to be significant portion of the overall development acreage. Mr. Hayward stated that some areas of the Kentlands commercial uses are farther away from the residential uses and therefore less "walkable" than the distances provided for in the subject development. He then displayed close-up views of various portions of the concept plan and described proposed design details. He also provided two aerial photograph of the mall developments in Garfield township. The second depicted 178 acres, an area slightly smaller than the 182 acres of the subject property. He provided a comparison of the numbers of curb cuts in the two areas. Mr. Hayward stated that there is over 1 million sq. ft. of retail space in the GT Mall and the Crossings, compared to the 800,000 sq. ft. the applicant is requesting and contrary to the assertion being circulated that the proposed development is larger than the existing Garfield Township developments. He proceeded to overlay the footprints of the GT Mall and the Crossings on the concept plan of the Village at Grand Traverse, along with the other developments in the 178 acres in Garfield Township, to demonstrate the comparison in sizes. He noted that the proposed development would be set back 100' from the M-72 right-of-way and screened by landscaping. He asserted that the market study obtained by the applicants indicates a "pent-up" need for commercial development on the east side of town, and that the township Master Plan includes a recognition that M-72 is and will remain a key transportation corridor into the local region.

Mr. Hayward closed by saying that the applicants believe that their development can be one tool in the process of controlling sprawl, but the township will need to undertake other activities as well.

A five-minute recess was called.

After the recess, Smith introduced Russ Clark, the township's planning consultant. He also used a PowerPoint presentation which is available through the township offices and which summarized his report regarding the application.

The presentation quoted passages from the township Master Plan that describes the type of development desired. He also quoted from the specific requirements of Section 8.22, Mixed Use Development, of the zoning ordinance. He stated that the proposed development would remain 24% in open space, and that the required amount of open space is between 20-30%.

The applicant is requesting variances from some requirements of the ordinance:

- A reduction in the number of parking spaces required for all types of land uses.
- An increase in allowable building height from 35' to 75' for the hotel, apartment buildings and some of the mixed-use buildings. He indicated that setback distances from the M-72 right-of-way are up to 150', which would allow for increased building height per the Supplemental Height zoning ordinances.

Mr. Clark identified the proposed construction phasing for the development. He stated that building setbacks from the southern property lines have been increased from 10' to 15', meeting minimum ordinance requirements but perhaps not sufficient. Public agencies that have submitted plan reviews include: DPW (favorable), Soil Erosion (favorable), Metro Fire (favorable for concept phase, additional information required at site plan review), Road Commission (submission found to be standard, suggestions for additional information and considerations provided), MDOT (conceptual approval granted contingent upon further information being consistent with their requirements and that they work in concert with existing concerns regarding M-72 and US 31, additional information requested)

Mr. Clark recommends further inquiry as to whether southern setbacks are sufficient (consider requiring 25'); approval of requested parking ratio reduction with final parking count to be determined during site plan review; road connection to Acme Village; and graphic representation of 75' tall structures prior to height variance approval.

Smith asked if any members of the Commission had questions or comments based on the new information. Krause offered several comments: at the last preliminary hearing he had expressed concerns about the amount of parking requested. He proposes that because Meijer is being specifically considered as one large anchor store, the applicants give serious consideration to elimination of the other requested anchor store. He proposes substitution of two smaller stores along the main street, and creation of additional residential space where the second anchor store would have been. He also asks that a number of the mixed-use buildings be eliminated from the plan. The amount of proposed space within that use classification has nearly doubled since plan inception, and he asks that the amount of space be reduced back to the original amount by eliminating the mixed-use structures near Lautner Road and along M-72 but not immediately flanking the hotel, which seem like outparcels to him. Krause noted that the two northern lifestyle center buildings were moved closer

together which he lauded as eliminating some of the parking in between and making walking easier, and he hoped that they would do the same with the southern lifestyle center structures. He also feels that the residential area still has a suburban-style layout and would encourage them to redesign it along a more New Urbanist-style grid pattern.

Smith stated that these are extensive requests, and asked Mr. Hayward if the applicants would be able to respond immediately or would need some time to consider the suggestions. He asked for other comments.

Carstens stated that he felt Krause's comments were designed to "tweak" the plan in a way that would make the proposed development better resemble the vision in the Town Center Report portion of the Master Plan. He seconded every suggestion. Krause stated that he would want to condition any potential plan approval recommendation on his suggestions being implemented. Carstens approves of any reduction in the percentage of commercial space in the development.

Vermetten congratulated the applicants for implementing most of the suggestions the Commission has made to them to date. He agrees with Krause's suggestions regarding the southern anchor store, proposing that some of the mixed-use buildings be relocated to that area and that they would contain additional apartment housing. He feels that moving west to east within the proposed development results in a decrease in the community feel. He would like to see the southern setback area increased to at least 50' as along Lautner Road to protect the wildlife migration corridor. He has ongoing concerns about protection of the topography and wetlands on site.

Salathiel continues to have concerns about the Lautner Road outparcels and the type of precedent that might be set if this plan is approved before the other steps needed to protect other areas of the township are put in place. She also concurred with many of Krause's comments, including removal of the second anchor store. She would like the township to take its time in completing the approval process to ensure a quality end-result.

Sherberneau's chief remaining concern relates to the number of proposed 75' tall structures.

Smith stated that Meijer had all but received approval to build a store on the east side of Lautner Road. If they relocate into the village center as proposed, and if the applicants agree to deletion of the other proposed anchor store, he sees this as essentially elimination of two potential large retail developments in the area. A connector road between Acme Village and The Village at Grand Traverse would be subject to DEQ and other agency approvals. Because of this he believes the road can be a recommendation, but not a township requirement until their input is received. He understands the intent of including multiple 75' structures to preserve open space and decrease impervious surface. He still likes the idea of 2-3 story buildings topping out at about 35' high, with commercial uses on the first floor and office or commercial uses on the upper floors. He feels that the applicants have "bent over backwards" to meet the township's requests and requirements.

Mr. Hayward stated that the applicants are discussing some of the proposals just made by the Commission, and will respond after the public input has been taken.

Carstens asked Mr. Clark if the open space calculations include the setbacks from the road rights-of way; Mr. Clark responded that it does. Carstens reported that he attended a recent seminar that indicated that these types of areas are not “useful” open spaces. Mr. Clark responded that the township ordinance does not provide significant standards by which to evaluate the usefulness of open space.

Mr. Stuart Mitchell, 10519 US 31 North, has been a resident for 14 years. He does not believe that the proposed community would encourage walking either to it or within it. The Crossings has some of the same physical features but nobody strolls within it. He does not believe Meijer’s is needed in Acme Township, as Tom’s and K-Mart are never full to bursting. Those stores always have parking spaces available. Mr. Mitchell believes that environmentally speaking, there will be 2.2 million sq. ft. of impervious surfaces contributing to pollution of the Acme Creek watershed. The pollution would include water temperature increases that would change the wildlife habitat. The applicant’s size comparison demonstrated to him that the proposed development equals that within Garfield Township, and he believes that rather than controlling development in the M-72 Corridor it will be accelerated. Other properties would become more immediately valuable for commercial development. He is familiar with Meridian Township which has become almost entirely developed, and he believes this is the beginning of the path towards that condition. Now is the time to make a stand and decide how the land should be used; parking or parks. We could grow wildlife and not stores.

Mr. Paul Fair, 3265 Scenic Hills Drive, has lived near Bunker Hill Road for 17 years. Traffic on that road has become a safety hazard, and has grown due to new subdivisions along it and people using it and Lautner Road as an M-72/US 31 bypass. The proposed development’s success would be dependent on increased traffic. What would the impact of this be on Bunker Hill and Lautner Roads? What improvements would be required? Who would pay for them – the developer, township or taxpayers? What will be the impact on basic quality of life? Mr. Fair believes that a well-documented traffic study is required to evaluate these questions, and that the township must require that one be presented prior to making a decision about the application. He believes that a decision should not be contingent upon provision of such a study at a later date. He asked that the Commission not “succumb to pressure for an immediate vote.”

Mr. Bill Hicks, 6873 Deepwater Point Road stated that he has spent much time thinking about this project. He has owned a family cottage on Deepwater Point Road for 60 years, and has been a developer for 63 years. He was one of the original development partners of Meridian Mall. A Meijer store located across from the mall and was always a good neighbor. Mr. Hicks believes that the public hearing deliberations are premature at this time, with too many questions left unanswered. He requested a traffic study, but only an outline of one was available. Until we know the expected additional traffic flows can be handled, he believes the application should be deferred. The township has not received an environmental study other than one funded by a citizens group. The amount of proposed impervious surface is a concern. Mr. Hicks was asked what the prescribed maximum impervious surface area allowed might be, and was told that there is not one for this type of development. Water runoff will include dirt and salt, and would be at a significantly higher volume than currently exists. It would run into a filter system, a pond, a wetlands and ultimately into the creek. The filters might or might not be maintained. The Acme Creek trout habitat could be destroyed, and the blue waters of the Bay might turn brown. He’s not anti-development, but feels that the approval process must be slowed until all the

answers are available.

Mr. Dick Smith yielded his time to Mr. Paul Brink, 9617 Winter Road. Mr. Brink chose to address the proposed development phasing. Mr. Clark noted that much of the residential development is proposed to be deferred to the final two phases of construction. He does not support the proposal, but suspects that this would be of concern to those who do. He quoted from an e-mail from the applicants to MR. Clark dated June 15, 2004 indicating that phasing would be driven by market demand. Is it possible that the residential units wouldn't be built for 20 years or perhaps not at all? Market data is required for the commercial elements of the plan, but is it required relative to the residential development? Do we know if anyone would actually want to live in this neighborhood or if a commitment to build any residential units exists at all.

Mr. Mark Nadolski spoke for himself and his mother, Isabelle Nadolski of 3836 Haven Hill Lane. He enumerated some of the reasons why this region is viewed as a "jewel" and why it attracts developers who he believes would destroy the things that are special about our community. He stated that he has also viewed plans for an expansion LochenHeath that involves removal of all of the trees on a parcel of land and substitute over 400 homes. Do we need both developments? Mr. Nadolski believes that this shopping is unnecessary.

Mr. Bob Garvey, 6377 Deepwater Point Road thanked the members of the Commission who recommended scaling down the development this evening. He stated a lack of understanding as to why the public has been discouraged from applauding. Mr. Garvey asked the rest of the applicants to introduce themselves. Mr. Steve Smith, Mr. Jim Goss and Mr. Mike Spaniolo introduced themselves. Mr. Garvey asked how many similar developments the applicants have constructed. Mr. Hayward responded that the team members have participated in construction of Eastwood Town Center as well as other developments. Mr. Garvey wrote this question down at a hearing for the previous applicant and received the answer that none had built a similar development before. Mr. Hayward asserted that the previous question was worded differently. Mr. Garvey asked about the property on the east side of Lautner Road, which is zoned B-3 pursuant to a previous referendum. Mr. Garvey asserted that the Meijer property could contain commercial development. He asked what property lies to the west; Smith replied that Acme Village is there. Mr. Garvey noted that a lawsuit regarding this development is still pending because of previous plans to build a Wal-Mart. Mr. Garvey discussed research regarding the SEV of the property and the fact that the property was purchased by the applicants prior to most of the previous public hearings. He asked if the expected increase in traffic flow would be 17,000 trips. Mr. Garvey read from a vision statement on page 50 of the Master Plan regarding residents' love for the pastoral environment. He stated that a survey was done in 1996 indicating that 92% of respondents favored limited growth within 10 years of the study.

Mr. Ken Petterson, 4217 E. Timberwood Drive, believes that the proposed development will benefit both regional and township residents. Acme residents would not have to drive across town to reach resources, including a Meijer store they have already indicated they desire through referendum. It would create a community center in a place that is currently a 'hodgepodge of buildings up and down US 31.'" Private dollars and private property owners are necessary to accomplish this goal, and therefore any resulting project must be economically viable. Mr. Garvey is a personal injury lawyer who conducted an inquisition and misdirected attention from the key

point: the question is whether or not the application meets ordinance requirements. Do those who insist that the project is not desired have the courage to conduct surveys in densely-populated subdivisions? Mr. Petterson believes that 85% of such residents actually favor the project. He sees this as a debate between those who desire quality development and those who desire none. The idea of raising wildlife on the property is neither feasible nor likely to protect private property values – a concern for everyone in the room. If the project is aligned with the requirements of the ordinance and Master Plan, it should be approved. Some people want no growth at the cost of private property value, and this is the best possible development alternative.

Motion by Vermetten, support by Sherberneau to extend the meeting to 10:30 p.m.

Ms. Virginia Tegel spoke for Mr. John Navin, 4810 Bartlett Road, from his prepared comments, as he recently suffered a stroke. Mr. Navin is concerned about sprawl and traffic issues that have previously been discussed. He is also concerned about what would happen if the Brackett Road rezoning to be voted on August 3 is approved. They live on Bartlett Road and are concerned about the potential increase in traffic on Bunker Hill Road.

Speaking for herself, Ms. Tegel, also of 4810 Bartlett Road, asked if the proposed project is in the best interests of this and future generations. Will the grandson in her arms be proud to bring his children to the development? She is concerned about traffic, stating that this morning they were nearly run over by a double-trailer truck going too fast on Bunker Hill Road. Trucks are operated in a more hazardous way in general than cars. She has heard that the development would provide jobs. Do we have an unemployment problem right now? Could the proposed new jobs support as family, or would they be low-wage service sector jobs. Would the eventual reality match the concept plan? If non-motorized traffic is encouraged, where are the bike racks on the plan. She shops on this side of town and not at Meijer.

Mr. Pat Corcoran lives on M-72 West. If this development is approved, it will increase traffic past his house. As he travels from home to work to shopping he is conscious of traffic. He grew up on Eighth Street in Traverse City. This is not the same small town it was, and he expects that growth will continue. He used to enjoy the Acme drive in theater, and the Tanz Haus, neither of which exists anymore. Growth will come, and it is important that it is in the right place. He would prefer that it not be spread out along the roads. He feels that the development as proposed is a good idea.

Mr. John Kennedy, 3804 Kennedy Place, is opposed to the project. He favored the original village concept, but this one is too big. Twenty years ago, downtown Traverse City was two blocks long by two blocks wide and served four or five counties adequately. This is no longer true. He hopes everyone will go home and consider where they will move to when they sell their land to “big bucks developers” that will still be close enough to Acme to come and shop.

Mrs. Maxine Donick, 4221 N. Five Mile Road, has lived in Acme Township for nearly 60 years and raised her family here. She is in favor of the development. She hasn't seen much growth in the township to date.

Mrs. Judith Azzano and her husband Renzo, 3249 Michael Drive, have lived here for over 30 years. She reminds the township that their first responsibility is to the

constituency who placed them in office. He feels that we are fortunate to count as a local one of the foremost state politicians, Governor William Milliken. He speaks from retirement rarely, but has consistently opposed the proposed project. Many respect his opinions as being well-thought out, and many of the same individuals feel that the rationale for decision-making by the Board and Commission are “thin.” Why not call for a referendum to determine the true will of the citizenship? Why is there such a rush to a decision?

Mr. Wallace Town, 4180 Holiday North Court, stated that a fundamental concept to keep in mind is that the “application is driven by greed, not need.” He believes the development is totally unnecessary, and will generate an immediate traffic jam all the way to Kalkaska. Would the included housing be affordable, or upscale like the hotel? From where would the development users come? From outside the township, not from within. If approved, the development would promote private profits.

Mr. Dan Rosa, 4707 Hampshire Drive, supports the project not because it is needed. He does not believe that it is the commission’s place, or any government’s place, to make business decisions. He believes that we still live in a land of free enterprise. Who here has had to ask permission or a popular vote before creating a business?

Ms. Jo Collins, 9260 Shaw Road, feels that the proposal is not a village. The word to her connotes something rural in character, not something with 75’ tall buildings and a beautiful but highly developed esplanade. She doubts people will wish to look out on the parking lots, or share the sidewalks with 34,000 projected visitors. She received a letter from someone in Milton Township who feels the development would be a disaster for the area and hopes it will be denied. She agrees with the correspondent and hopes further thought will be given prior to any approval.

Ms. Denny Rohn, 9267 Shaw Road agrees with many of the comments previously made. She is particularly disappointed by the relative lack of environmental impact information other than CCAT requested from Dr. Chris Grobbel. The applicants say that they have a market feasibility study, but it has not been produced. They said at the last meeting that they could not turn it over until the confidential information therein is removed. She feels it should become public intact. What is the confidential information? Why won’t the applicants release the information? She has found many of the applicants’ assertions to be offensive. She does not oppose growth, but feels this isn’t it yet.

Mr. John Heiam, 3947 Haven Hill Lane, feels that there is much agreement in the room: this is a pretty good plan for a shopping area and it is a mixed-use development. The disagreements seem to center on the balance between residential and commercial space. What is the appropriate mix? Should the commercial space include big boxes or should it be all smaller stores? Given that there is disagreement, why is the township reluctant to put the matter to a vote in November. If the township truly wishes to serve all of the citizens and not just wealthy landowners, they would do so.

Mr. Ron Reinhold, 4446 Westridge, generally favors the project and feels the Commission is doing a good job managing the application. He congratulates everyone who attends and participates in the debate. The township Parks & Rec plan sets forth a number of desired items that he would like to mention. He agrees that everyone would like to preserve the rural character of the area, open spaces, wetlands areas and would like increased public access to the bay. The TART could be

extended and provided with various spurs. There could be sports fields, which were deemed to be recreational priorities. Mr. Reinhold serves on several township and county recreational committees. He believes this project can provide recreational opportunities and purchase open spaces and development rights for the township. How do we pay for all the things we desire? There are two options. The first is additional millages (perhaps also needed for basic township operations in the near future). The township will be experiencing cuts in state revenue sharing, which currently provides a substantial portion of the budget. This in turn can make finding grants more difficult, as matching funds are always required. Another funding option rather than millages would be increases in township taxable values. Where else would we put a town center? Where can affordable housing for our children within the township be created? If the development is approved, it would open the door to creation of a downtown development authority (DDA) that would permit re-allocation of existing taxes to fund these goals.

Motion by Hoxsie, support by Vermetten to extend meeting to 10:45 p.m.

Ms. Pat Scharf, 4252 N. Five Mile Road, asked if an additional meeting can be scheduled to extend the public comment? Then applicant took up so much time. She asked if our schools could handle the additional children that would live in the proposed development, or would we need to spend money on additional school space. How much has the lawsuit cost the township to date? Has the developer paid any of this cost? She finds it hard to believe that an adequate traffic study has yet to be performed, as traffic is already terrible. Less parking is requested than is needed. She recalls that the Pinestead Reef had the required amount of parking but constantly the cars using the business overflowed onto other properties and people were bussed to the business. Who would pay for road extensions? She was told at the township hall that perhaps the Tribe might help pay, or the DDA. She has heard that new township offices would be within the development? Would the space be purchased, leased or donated.

Ms. Lois Goldstein, 3947 Haven Hill Lane, noted a slide saying that the Master Plan calls for a "pleasant, pedestrian environment." She does not view this project as meeting this requirement. People from her neighborhood could not walk or bike safely to the project. The applicant spent 1.3 hours describing all of the details about the development except those relating significantly to the lifestyle center. Nobody walks as the Crossings. When did they say that the big box stores would be built. To her it appears that over a third of the land is devoted to two big boxes and to parking lots. She does not believe that Acme Township wants to be a shopping area for outlying communities. If their people want shopping, they should build them in their own towns. She has only lived here for 10 years but feels this is beautiful the way it is. What is preventing a public vote?

Mr. Ron Hardin, 4712 Westridge, stated that \$60,000 will be paid for a police officer. He compared this to the amount that Garfield Township will spend on 10 officers. Garfield is much bigger than we. Crime will go up. Some of the proposal is well thought out but we don't need this.

Erick Takayama, 5100 Lautner Road, said that the proposal has been compared to Eastwood Town Center and proposed as a container for future growth. He stated that the *Lansing Town Journal* says that Eastwood development is spilling over into surrounding areas. The township's zoning ordinance still doesn't match the Master Plan, a PDR ordinance is not yet fully developed and the M-72 Corridor Overlay

District ordinance has not been finalized and will do little to control growth. MDOT has yet to finalize plans for the M-72 corridor. Nothing will prevent overflow growth on neighboring properties, and it is not in the community's best interests. Please deny the application until zoning is in place to support the Master Plan. He cited another article in the *Lansing Town Journal* dated 7/22/04 stating that Eastwood Town Center has been sold 2 years after development for about \$85 million dollars.

Carrie Baic, 7850 Windale Drive, has lived in Acme for 15 years and in the county for most of her life. She opposes the development and doesn't agree with planners' statements that the village envisioned in the Master Plan can't be built today. She purchased her property for easy access to the VASA. The proposal doesn't fit her vision of what Acme is all about. She is a resident and she doesn't feel she needs this development as one person previously stated. No growth is not an option, but this isn't the only other option. All she sees in the site plan is blacktop, even if it's divided up into small compartments. The pictures don't describe the traffic, smells or noise. An independent traffic study seems like a good idea, as well as an independent market study. She shops at Toms/K-mart because they are close, and their parking lots are never full. The applicant talks about "quality" of project. This does not necessarily equate to quality of life.

The time reached 10:45 with about 30 more people asking to speak, plus e-mails and written statements. Vermetten expressed concern about extending the meeting further, preferring to continue the public hearing when everyone is fresh and everyone can be heard. Hoxsie concurred.

Smith asked the applicants to respond to the requests made by the Commission earlier in the evening. Mr. Hayward stated that if the meeting is to be continued the applicants would like to reserve their response to that time. He asked that the next meeting occur as soon as possible so that information remains fresh in everyone's mind. He suggested Thursday as one possible option. Carstens stated that a meeting is scheduled for Wednesday for other business, and he does not feel he can be prepared for another meeting on Thursday. Mr. Srdjak, 4308 Baywood Drive, suggested that others wishing to speak, including himself, might write down their comments to expedite the process rather than holding another hearing. Vermetten appreciated the suggestion, but some questions were raised this evening and it would be important for another meeting to be held in the short term so that everyone interested can hear the responses, which may generate further discussion.

Smith noted that facility availability is a factor. If the next meeting is at the hall, fewer people would be able to attend. Vermetten asked if other locations could be investigated. The public likes this venue. Giving proper notice is a concern; meeting notice must be posted at least 18 hours prior to a public meeting. Carstens expressed concern that any notice be not only legal but logistically feasible for the public. Smith asked how much more information is needed, as this process has been ongoing for some time. Vermetten stated that part of that was a previous process, plus this is a first public hearing. Mr. Hayward stated that perhaps the applicants could help arrange an immediate meeting at the Resort. Thursday would be convenient for them. Mr. Hayward also suggested that Mark Nixon, who was taping the proceedings for TCTV2 make his tape available prior to the next meeting so that the applicant's presentation would not have to be repeated, cutting into public comment time.

Smith would like to move forward quickly. Salathiel believes the applicants also need time to adequately respond. Carstens needs the same amount of time. The next few

days must be dedicated to reviewing materials on Wednesday's agenda.

Motion by Hoxsie, support by Salathiel to set the continuation of the Public Hearing on Application #2004-11P for August 5 at 7:00 p.m., place to be determined and posted. The Chair cast an unanimous ballot, there being no objection.

- 4. New Business:**
- 5. Old Business:**
- 6. Any other business that may come before the Commission:**

Meeting adjourned at 10:57 p.m.