



ACME TOWNSHIP PLANNING COMMISSION
SPECIAL MEETING
6042 Acme Road Williamsburg, MI 49690
April 22, 2024 7:00 p.m.

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE 7:01

ROLL CALL: Dan VanHouten, Jack Challender, Steve Feringa, Dan Rosa, Jean Aukerman, Karly Wentloff.

Staff: John Iacoangeli, planner Beckett and Raeder; Lindsey Wolf, Acme Planning and Zoning.

Delayed: Marcie Timmins recording secretary

A. LIMITED PUBLIC COMMENT: Members of the public may address the Commission regarding any subject of community interest during public comment periods by filling out a Public Comment Card and submitting it to the Secretary. Public comments are limited to three minutes per individual. Comments during other portions of the agenda may or may not be entertained at the moderator’s discretion

Opened at 7:03pm

Public comment:

Brian Kelley- Development has unique zoning, as long as all the apartment buildings were built. That should not change to chase brownfield dollars. Talked about how the proposed amendment expands the non conformity of the form based code in this district. Form based code requires parking in the back, the proposed changes have more cars and carports up by the road. Talked about the landscape plan and the size of the shrubs near the carports and how they wouldn’t block them from view. Questioned the removal of mature trees. Questioned removed sidewalks from the plan, gave building 6 as an example. Didn’t think the playground placement near US-31 was a good place for the playground to be located. Discussed the distance of the dog park from the playground. The plans don’t appear to include an accurate wetland delineation, which Acme ordinance requires.

Mark Frick- He remembers the original approval process and people saying not all the housing would get built. Now he is seeing the number decrease from 230 down to 130, not the deal that Acme was told. He doesn’t like that people didn’t get to say anything about the minor amendment a few weeks ago.

Beth Whiting- The housing that is coming is not affordable to their son who makes less than \$30k a year. What is considered affordable housing. Would like the PC to consider the night sky ordinance and a tree ordinance. She would like to see 8 trees planted for every tree cut down.

Closed at 7:12pm

**B. APPROVAL OF AGENDA: Motion by Feringa, support by Challender to approve the agenda with the addition of G.1, G.2 and G.3.
Motion carries unanimously**

C. INQUIRY AS TO CONFLICTS OF INTEREST: None

D. SPECIAL PRESENTATIONS: None

E. RECEIVE AND FILE:

- 1. RECEIVE AND FILE**
 - a. None

F. APPROVAL OF MINUTES:

- a. None

G. CORRESPONDENCE:

- 1. Shields- Wentzloff read for the record, letter attached.
- 2. Goran- Wentzloff read for the record, letter attached.

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3. Kelley- Wentzloff read for the record, letter attached.

H. PUBLIC HEARINGS:

1. None

I. OLD BUSINESS:

1. None

J. NEW BUSINESS:

1. SH East Bay Commons North LLC - PD 2021-01 Amendment Request

Iacoangeli - purpose of tonight's meeting is to determine if the application submitted by the the developer is a minor or major amendment to the PD. If the PC decides the changes are enough to consider it a major amendment then the PC will schedule a public hearing for the review of the application and solicit comments. Tonight's meeting is simply to review the application and make a decision if the changes are enough to warrant a major amendment to the PD.

Wentzloff asked Iacoangeli to give his opinion regarding that.

Iacoangeli- based on the review of the information this would constitute a major amendment.

Keever-Update: Truly Free has been in and operating for over a year. The Men's Shed, one warehouse space and Pickle U are up and operating. Buildings are under construction. They have the completion lined up for the three buildings now under construction. They anticipate to have occupancy in the next 1-2 months and residents can start moving in. They were able to pull the land use permits for buildings 8 and 9. Building pads are being prepared and the foundations will go in as soon as building permits are issued through the county. Asphalt will start going down in the parking lot, weather pending. Sewer and water have gone in.

They are here tonight, because a 1.15 acre property became available for sale in the northeast corner. The Strathmore group acquired that. With that acquisition it was an opportunity to look at the site as a whole and what other uses could go onto the site. Create some more community centered uses. Talked about the 2019 master plan, what Acme has accomplished and how the proposed changes to the Strathmore plan would fit into that. The development was approved at 8.5 units if the change goes through it would be a density of 7.4 and still be a medium density development. 186 apartments were originally approved with this amendment; it would be 162. The Children's museum needs a place to go and Strathmore has looked at creating a space for them. Also reached out to the senior center. This is an opportunity to create a multi generational community.

Went over the changes. Two story, community engagement building, 16,000 sq. ft. building in the upper north east corner. Because of the 1.15 acres that was purchased. Because of that the removal of apartment buildings 4 and 5 and the relocations of apartment buildings 6 and 7. They were previously planned to be 9 units each but are now 15 units each. Addition of roughly 2600sq. ft. clubhouse. It's an amenity for the community and the tenants of the apartments. Addition of a dog park, relocation of the playground. Discussed the coffee shops and how sit down coffee shops have been replaced by drive through coffee shops. No coffee shops had interest in the property, so that is being proposed to be removed from the Kmart property and a space in the new proposed Children's Museum building will have a space for a coffee shop or other food establishment. Went over what she considers minor changes to the PD. Wall signage, proposing backlit signing to improve visibility, in the rear of the former Kmart building a ramp/truck dock and truck maneuvering areas. Postal station, dumpster added, relocation of the car charging stations, removal of flex office from the old kmart building. Hoping to expand the fitness area and a new tenant that has a golf simulator. Those tenants would take the place of the flex office. The location of the TART trail has been realigned to take into consideration some of

the significant vegetation that does remain. Would like to work with the township to change the trail from concrete to asphalt, it will remain 10 feet wide and extend to the new northernmost property line. Talked about the maintenance challenges of concrete vs. asphalt.

Timmins- Question about the number of apartment units. Minor amendment reduced the number of apartments to 162. Questioned if the actual numbers in the packet were correct.

Keever- Sorry, I just misspoke.

Wentzloff took a strawpoll of the PC as to major or minor amendment.
PC agreed it is a major amendment.

Motion by Feringa, support by Timmins to consider the application submission as a major amendment.

Motion carries unanimously

Chappelle- Discussed the 4 bonded buildings. They are trying to make these units more amenable to families. They need more bedrooms and space. Making it more flexible to accommodate more families. The fourth building will be bonded.

Rosa- Thinks more diverse offerings in that development are better for everyone.

Wentzloff- Read from the conditions we imposed on the PD when it was originally passed. Read Item J, which allows the applicant to substitute residential buildings for free standing retail or restaurants so long as the trip generation does not exceed the trip generation created by the former Tom's/Kmart as enumerated by the traffic impact study dated May, 3, 2022. Applicant will be required to update the conceptual plan noting the substitution and submit a site plan for the proposed project.

Wentzloff - mentioned that there were a lot of rights by use in the corridor flex zones.

Feringa- asked if they had tenants secured for the community building?

Chappelle- at this point we are in talks with and have LOI from the Great Lakes Childrens Museum. They are currently looking for a new space and looking at all their options. Bus turn around and green space is very important. 2000 sq feet is available to loaned out to the greater community. This building would be inner connected to other uses on the site.

Feringa- Dog park and playground. Not a fan of the location right next to a US highway with speeds of 55-60mph. A car could lose control. If the locations are there you need to put some boulders or bullocks there to protect it. I don't think it's a safe location. Looking at it with my architect brain, why don't you take the dog park and playground and the clubhouse and switch it with building 6. You get it away from the main corridor. Worried about that location, I would be very nervous having my kids or even my dog playing along 31.

Keever- talked about the areas being landscaped and fenced off. Not a free area for kids to run into the highway there.

Feringa- reiterated he is more worried about the cars running into the kids and pets. He sees cars going right through roundabouts, sailing through the middle of them.

Chappelle- pointed out he thinks the older trees and the TART trail would provide a buffer. He feels putting those up at the front of the property because they are the most attractive. Feels the greater community would rather see a dog park, playground instead of the side of a building.
Feringa- I would rather see that myself, but if this gets approved make sure you have safety features, it is an accident waiting to happen.

Calhoun-If you look at the drawing there is a pretty good elevation there. It's not just 31 and a flat spot.

Wentzloff- So the car might fly over the dog park.

Feringa- Landscaping, see's room for improvement. You are deleting 25 conifer trees, thinks they should use them as they make good screening.

Timmins- Also had an issue with the number of conifers in the plan. Has more to do with what would naturally grow in that proximity to the shoreline.
Asked for clarification on why they wanted to change the TART trail from concrete to asphalt.
Thought that was written into the first PD.

Chappelle- talked about asphalt being easier to chip out and patch as opposed to taking out a whole pad of cement and replacing that. Also talked about the flexibility of asphalt with tree roots.

Iacoangeli- Item B of the original PD agreement stated the trail would be concrete. Mentioned how over a period of time the edges of asphalt start to deteriorate and crumble. Concrete is a much more uniform surface. It also integrates into the other sidewalk network within the development. Thinks that was the reason it was required during the first application.

Wentzloff- Who is maintaining the section of TART trail on that property once it is built?

Wolf- believes it reverts back to Acme.

Wentzloff- Whoever is responsible for maintaining the trail should have some say.

Iacoangeli- taking out a flag of concrete and fixing it is much easier than bringing in a machine to relay a 10 ft. wide asphalt path. Typically when asphalt is damaged it is not repaired right and someone just comes out with a hot bucket of asphalt and paints it together, it's not going to look right.

Discussed the backlit signs, they don't meet the ordinance.

Aukerman encouraged them to relook at Feringa's comments about the placement of the playground and dog park. She also has a concern about the placement of the dog park and playground.

Asked if the coffee shop would have an outside entrance or if it would only be accessed from inside.

Calhoun- the vestibule would be shared

Aukerman- What would be the maximum occupancy in a four bedroom apartment and how many cars and car ports would be allowed for those units? It may not be a family and you have four people, or more, each with a car.

Calhoun- applied a factor of 1.5 cars across the board. Didn't get into breaking it down by apartment size. He did increase the parking because that could be a consideration with the number of people.

Chappelle- Talked about how they deal with it around campus in East Lansing. They would make sure it's not over parked, they would use permits.

Aukerman- talked about the brownfield dollars discussed in the packet today and the potential to subsidize.

Chappelle- they haven't made a brownfield submission yet. We would be asking the Grand Traverse county, MDEC state of Michigan to support some of the site cost, public infrastructure cost and part of that is the Children's museum and to make a portion of these units truly subsidized, affordable housing. They are hoping to be able to make 1 whole building affordable. It's not a deadline process, they hope to submit something soon.

Aukerman- thinks the museum is a great idea. Has talked with Keever and the senior center and agreed to work with Keever on how to make this all work as the senior center may also have space available in the new township building.

Asked about how they were going to monitor the number of pets.

Chappelle- Dogs have to be registered with the county and the apartment complex. As long as it's not a nuisance it just takes management and a common sense approach to it.

Iacoangeli- asked if the major amendment would be contingent on the brownfield application?

Chappelle- The changes that Keever outlined, everything but the museum they still want to advocate and apply for. Doesn't know what the process would be if they don't get the brownfield money. They would have to probably come back with the changes.

Wentzloff- you are committing to the shape and layout not the tenant. Just to be clear, if that use fell apart the use that would replace it would be something already allowed in the corridor flex.

Wentzloff- looking at the number of bedrooms instead of units. The change in housing units was largely related to the addition of bathrooms and the reconfiguring of units from 2 bedrooms to 3 and 4 bedrooms.

On the bus shelter, is there bike parking anywhere near there? Doesn't see bike parking near the new suggested areas. Thinks there maybe bike parking that just didn't get put on the plan?

Calhoun- He will look, committed to having a certain number of bike parking.

Motion by VanHouten, support by Rosa to set a public hearing for May 13th, subject to finding a proper venue.

Motion carries unanimously

K. PUBLIC COMMENT & OTHER PC BUSINESS

Public comment opened at 8:37pm

Brian Kelley- Wet land delineation needs to be to scale on the plans. Wetland discharge that is not compliant with Acme's ordinance North side set back, talked about the setback 4.5 story apartment is only 17 feet from the property line of the residential parcel to the north. That parcel to the north, that's a single

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family neighborhood. If that property owner wants to develop that someday, can you imagine having this 4.5 story structure 17 feet from your property line? Blocking the southern exposure, that is incompatible with adjacent residential. Too close to the neighboring residential property. Shrubs around the carports, they are only 2-3 feet they won't screen the cars and carports. Does not comply with the form based code.

Joh Iacoangeli- on the aerial photograph that is vacant property. It is single family zoned but no house on it.

Rachelle Babcock- Asked if units 8 and 9 were going to be subsidized? or if the whole project is going to be subsidized now?

Nancy Kaetchen- Appreciates the work the PC does. Supports what Feringa said about the placement of the dog park and playground.

Christy Lundgren- Addressed that she supports the apartments on 31, on a main road. Not in a neighborhood as was proposed at the Bertha Vos location. Asked if the dog park and playground were just for residents of the apartments or community at large? same question for the club house?

Beth Whiting- Wants to see more trees on the property, wants to make sure Acme saves the night sky. Feels people should be directed to Bay Side park not the nature area at Deep Water Point.

Heather Spooner- Would like to have more education for the community to help the meetings not feel so divided and tense. Thinks there is disconnect.

**Doug Landis- Changes to the back of Kmart parking lot, close to the eagle nest. Would like them to look at regulations safeguarding the eagles.
Closed public comment at 8:52**

Wentzloff addressed some of the comments about what is open to the complex residents vs. the whole community. The two buildings being removed from the plan as well as community education. Suggests that Heather reach out to Lindsey Wolf and Trustee Aukerman. Addressing the bald eagle habitat, that area isn't expanding the footprint and should have no impact on the eagles. As of right now nothing on the property is being subsidized and the brownfield has no impact on the PC's approval of this project.

Chappelle- Dog park and playground are only for the residents. The clubhouse is available to be rented by other Acme community members.

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

**ADJOURN: Motion by Timmins, support by Challenger to adjourn.
Motion carries unanimously**