

CHARTER TOWNSHIP OF GARFIELD PLANNING COMMISSION MEETING

Wednesday, August 10, 2022 at 7:00 pm
Garfield Township Hall
3848 Veterans Drive
Traverse City, MI 49684
Ph: (231) 941-1620

A G E N D A

ORDER OF BUSINESS

Call meeting to order

Pledge of Allegiance

Roll call of Board Members

1. Public Comment

Public Comment Guidelines:

Any person shall be permitted to address a meeting of The Planning Commission, which is required to be open to the public under the provision of the Michigan Open Meetings Act, as amended. (MCLA 15.261, et.seq.) Public Comment shall be carried out in accordance with the following Commission Rules and Procedures: a.) any person wishing to address the Commission is requested to state his or her name and address. b.) No person shall be allowed to speak more than once on the same matter, excluding time needed to answer Commissioner's questions. Where constrained by available time the Chairperson may limit the amount of time each person will be allowed to speak to (3) minutes. 1.) The Chairperson may at his or her own discretion, extend the amount of time any person is allowed to speak. 2.) Whenever a Group wishes to address a Committee, the Chairperson may require that the Group designate a spokesperson; the Chairperson shall control the amount of time the spokesperson shall be allowed to speak when constrained by available time. Note: If you are here for a Public Hearing, please hold your comments until that Public Hearing time.

2. Review and Approval of the Agenda – Conflict of Interest

3. Minutes – July 27, 2022

4. Correspondence

5. Reports

- a. Township Board
- b. Planning Commissioners
- c. Staff Report

6. Unfinished Business

- a. PD 2022-75 – Kensington Park PURD – Major Amend – Public Hearing / Preliminary Review
- b. PD 2022-76 – Zoning Ordinance Proposed Amendments – Public Hearing
- c. PD 2022-77 – Hammond Road Apartments R-3 Rezoning – Findings of Fact
- d. PD 2022-78 – 7 Brew 2537 North US 31 – Special Use Permit – Update

7. **New Business**

8. **Public Comment**

9. **Other Business**

- a. Rescheduling October 12 Regular Meeting – Discussion

10. **Items for Next Agenda – August 24, 2022**

- a. Master Plan Update – Other Topics
- b. Zoning Ordinance – Drive-Through Standards – Discussion

11. **Adjournment**

**Joe Robertson, Secretary
Garfield Township Planning Commission
3848 Veterans Drive
Traverse City, MI 49684**

The Garfield Township Board will provide necessary reasonable auxiliary aids and services, such as signers for hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities upon the provision of reasonable advance notice to the Garfield Township Board. Individuals with disabilities requiring auxiliary aids or services should contact the Garfield Township Board by writing or calling Lanie McManus, Clerk, Ph: (231) 941-1620.

**CHARTER TOWNSHIP OF GARFIELD
PLANNING COMMISSION MEETING
July 27, 2022**

Call Meeting to Order: Vice Chair McManus called the July 27, 2022 Planning Commission meeting to order at 7:00pm at the Garfield Township Hall.

Pledge of Allegiance

The Pledge of Allegiance was recited by all in attendance.

Roll Call of Commission Members:

Present: Molly Agostinelli, Joe Robertson, Pat Cline, Joe McManus, and Robert Fudge

Absent and Excused: John Racine, Chris DeGood

Staff Present: Planning Director John Sych and Planning Director Steve Hannon

1. Public Comment (7:00)

None

2. Review and Approval of the Agenda – Conflict of Interest (7:01)

Fudge moved and Robertson seconded to approve the agenda as presented

Yeas: Fudge, Robertson, Agostinelli, McManus, Cline

Nays: None

4. Minutes (7:02)

a. July 13, 2022 Regular Meeting

Agostinelli moved and Cline seconded to approve the July 13, 2022 Regular Meeting minutes as presented.

Yeas: Agostinelli, Cline, Fudge, McManus, Robertson,

Nays: None

4. Correspondence (7:02)

None

5. Reports (7:02)

Township Board Report

Agostinelli reported that PILOT programs were discussed and the Board talked about limiting PILOTS to a certain percentage in the Township.

Planning Commissioners

No reports

Staff Report

Sych said that on August 10th there will be a public open house at Kirkbride Hall from 3-6pm to gain feedback on the Commons Natural Area planning process. Hannon added that there was a celebration for Boardman Lake Loop trail donors which Township representatives attended. A public celebration for the Loop trail will occur in mid-August.

6. Unfinished Business

None

7. New Business**a. PD 2022-69 – Master Plan Update – Future Land Use and Infrastructure (7:08)**

Township Engineer Jennifer Graham gave a broad overview of the water and sewer systems in the Township and explained how they are integrally related to the State of Michigan and EGLE compliance. Graham shared a PowerPoint which covered water and sewer infrastructure in the Township, water capacity and project funding. She sees more growth in the area thus more need for water and sewer infrastructure. Sych commented on the developments that are ongoing and having utilities available would make a variety of uses possible on the Oleson's property as well as the property behind Sam's Club. Graham indicated that a future surface water plant could be located in the township and shared with Elmwood Township.

b. PD 2022-70 East Bay Township Master Plan – Review and Discussion (7:55)

Neighboring community East Bay Township has drafted their Master Plan and in accordance with the Planning Enabling Act, has asked for feedback from its community neighbors. Sych talked about the large Mitchell Creek watershed and how it affected the development patterns in East Bay Township. The Hammond Road corridor was discussed as was the South Airport Road corridor. The Townline Road corridor was discussed but development could be challenging in that location because of the wetlands. Commissioners discussed the bordering corridors and compared zoning designations in each township. They discussed pending developments in East Bay Township that would affect the corridors.

Agostinelli moved and Fudge seconded THAT Planning Staff is directed to prepare and send a letter to East Bay Township outlining the comments of the Planning Commission.

*Yeas: Agostinelli, Fudge, Robertson, Cline, McManus
Nays: None*

8. Public Comment (8:18)

None

9. Other Business: (8:18)

None


10. Items for Next Agenda – August 10, 2022 (8:18)

- a. Kensington Park PURD – Major Amendment – Public Hearing/Preliminary Review
- b. Zoning Ordinance Proposed Amendments – Public Hearing
- c. Hammond Road Apartments R-3 rezoning – Findings of Fact
- d. 7 Brew 2537 North US 31 – Special Use Permit

11. Adjournment

Fudge moved to adjourn the meeting at 8:19pm.

Joe Robertson, Secretary
Garfield Township Planning
Commission
3848 Veterans Drive
Traverse City, MI 49684

		Charter Township of Garfield	
		Planning Department Report No. 2022-75	
Prepared:	August 3, 2022	Pages:	5
Meeting:	August 10, 2022 Planning Commission	Attachments:	<input checked="" type="checkbox"/>
Subject:	Kensington Park PURD – Major Amendment – Public Hearing / Preliminary Approval		
File No.:	SUP 2002-06-E	Parcel No.	n/a
Applicant:	Patrick Rokosz & Ryan McCoon		
Agent:	Community Planning & Land Use Consulting, LLC		
Owner:	The Carson Group, LLC		

OVERVIEW:

The Kensington Park Planned Unit Residential Development (PURD) project was originally approved by the Planning Commission in June 2003 and has since been amended several times, as follows:

- April 25, 2003 – original approval (SUP 2002-06)
- March 19, 2004 – amended SUP for second phase / Homestretch project (SUP 2002-06-A)
- November 8, 2005 – amended SUP to include an additional lot in the PURD (SUP 2002-06-B)
- October 24, 2012 – amended SUP for multi-family / Carson Square project (SUP 2002-06-C)

In 2021, applicants on behalf of Kensington Park applied for a Minor Amendment (SUP 2002-06-D) for a request to remove the requirement for sidewalk installation, which was withdrawn.

This new application (SUP 2002-06-E) requests a Major Amendment to the Kensington Park PURD. The details of this application are summarized as follows:

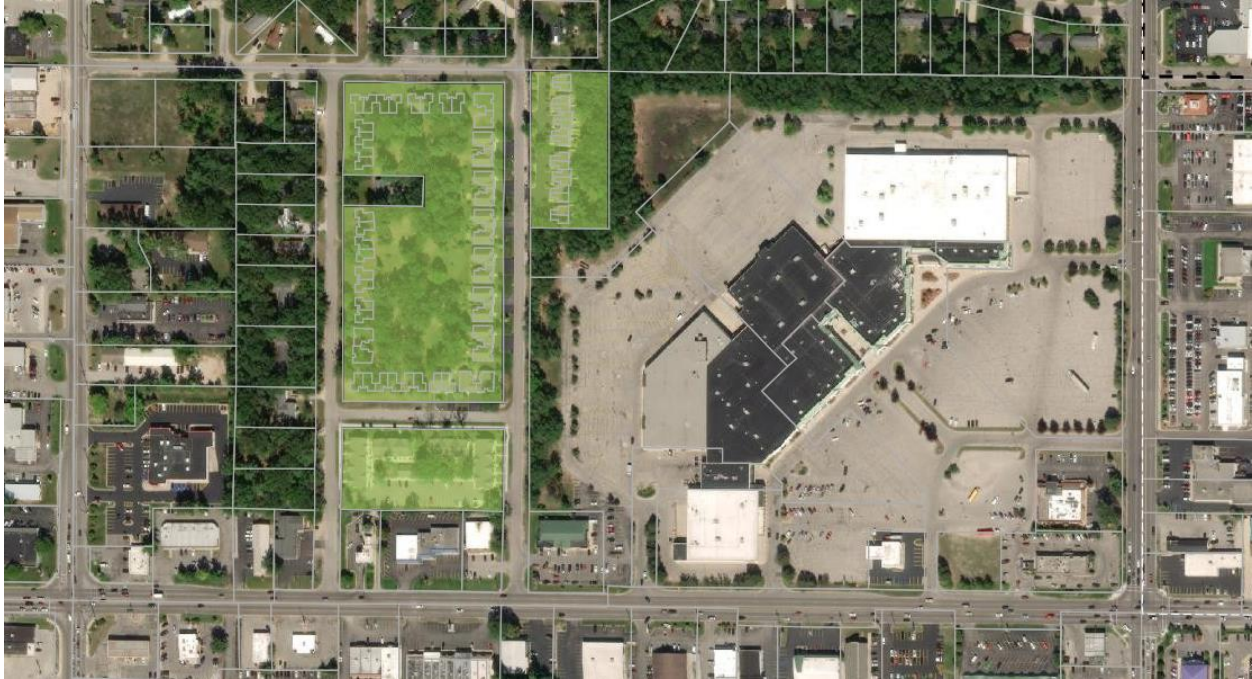
- The proposal would accommodate expanded building footprints for several yet-to-be-built duplex units, with single-story structures to be built instead of previously approved two-story structures.
- Overall square footage of the structures would remain roughly the same.
- Project density would also decrease slightly with one fewer unit being built along Carson Street.
- The requirement for constructing sidewalks on Carson Street, Linden Avenue, Floresta Street, and Woodward Avenue, forming a loop around this phase of the PURD, remains in place.

The application was introduced to the Planning Commission at their July 13, 2022 regular meeting, and the Commissioners set a public hearing for this application for August 10, 2022 meeting. This public hearing is part of the preliminary review process for the proposed PURD amendment.

SUBJECT PROPERTY:

The Kensington Park PURD is located west of the Cherryland Center site. The main portion of the project is roughly bounded by Carson Street, Linden Avenue, Floresta Street, and Woodward Avenue. East of this portion is a second phase of the project done by Homestretch. South of the main portion is Carson Square apartments done by Goodwill Industries.

Aerial view of the Kensington Park PURD site (highlighted in yellow)



PURD AMENDMENTS:

According to Section 427.E of the Zoning Ordinance, amendments to an approved Planned Unit Residential Development shall be considered according to the review procedure of Section 423.G and review criteria of Section 427.D(4). An application for major amendment is covered by Section 423.G(6) as follows:

REVIEW PROCEUDRES FOR MAJOR AMENDMENTS:

Any proposed amendment other than those provided for in § 423.G.(4) Administrative Amendments and § 4.23.G.(5) Minor Amendments are considered a major amendment and shall be approved in the same manner and under the same procedures as are applicable to the issuance of the original special use permit approval.

For the purposes of this section, “major amendments” include but are not necessarily limited to changes that:

- (a) Increase the number of dwelling units, floor area, height, impervious surface development, or any additional land-use disturbance other than as provided for in subsections (4) or (5), above;*
- (b) Introduce different land uses than that requested in the application;*
- (c) Request larger land area than indicated in the original application;*
- (d) Request greater relief than that requested in the application;*
- (e) Allow any decrease in buffer or transition areas, reduction in landscaping, reduction of required yards, or any change in the design characteristics or materials used in construction of the structures;*
- (f) Reduce or eliminate conditions attached to a legislative or quasi-judicial development order; or*
- (g) Reduce or eliminate pedestrian circulation.*

The applicants propose to change the previously approved two-story duplexes to one-story, which would result in a significant increase in impervious surface. Thus, it is appropriate to consider the application as a proposed major amendment. The review process for a major amendment is the same as for an entirely new PURD application.

A PURD is reviewed in two phases: preliminary and final. Preliminary review procedures for the Planning Commission are described in Section 427.B.(3) as follows:

- (a) *The Planning Commission shall hold a public hearing on the PURD.*
- (b) *Following review and public hearing on the application, the Planning Commission shall approve or deny the request for preliminary planned unit residential development approval. Preliminary recommendation of a planned unit development shall specify all conditions that must be satisfied prior to submission of the planned unit residential development under §426.C., Final Review and Decision.*
- (c) *Preliminary plans may not be altered or amended except as required by final engineering and authorized by the Director of Planning.*
- (d) *Pursuant to § 425.L(3), preliminary approvals are valid for 12 months and not subject to an extension. Preliminary approval shall expire automatically.*

This application is placed on this meeting's agenda to hold the public hearing and to conduct preliminary review of the application. This application is also being reviewed by relevant outside agencies including the Township Engineer. If the application receives preliminary approval, any outstanding issues shall be addressed during the final review process.

FINDINGS OF FACT:

The proposed Findings of Fact evaluate the application by the standards of Section 427.D(4) of the Zoning Ordinance as described below:

(4) General Criteria

The PURD is intended to encourage well designed neighborhoods that emphasize safe movement of pedestrian traffic and open areas that encourage active lifestyles and quality of life. The Planning Commission shall determine if the project meets the following standards of approval:

- (a) *The project is compatible and harmonious with adjacent and surrounding land uses and properties;*

*The Planning Commission may find this standard to be **MET** for the following reasons:*

- The proposal is to construct several one-story duplex units instead of previously approved two-story duplex units and to slightly reduce the overall density.
- The proposed use remains the same as in the previous approval for the PURD.
- The proposed amendment enables the PURD to remain compatible and harmonious with the adjacent and surrounding land uses and properties in the neighborhood.

- (b) *The project minimizes motorized / non-motorized conflict points and creates a separation of pedestrian and vehicular traffic;*

*The Planning Commission may find this standard to be **MET** for the following reasons:*

- As described within the application, the applicant has obtained written support from the association to install sidewalks in front of existing homes and will also construct sidewalks in front of new homes to eventually complete the neighborhood loop. Constructing these sidewalks around Carson Street, Linden Avenue, Floresta Street, and Woodward Avenue is in accordance with the original site plan approval for this project and will greatly enhance pedestrian safety, minimize conflict points, and provide a separation of pedestrian and vehicular traffic.

- The applicant has updated the site plan to connect the sidewalks at the corner of Floresta Street and Linden Avenue, per comments from the Planning Commission at their regular meeting on July 13, 2022.
- Per Section 522.A.(5) of the Zoning Ordinance, “The Township engineer shall review and approve proposed construction materials and design of all pathways.” Sidewalk design is also subject to ADA accessibility requirements.

(c) *The development consolidates and maximizes useable open space while encouraging neighborhood interaction;*

*The Planning Commission may find this standard to be **MET** for the following reasons:*

- The Kensington Park PURD is designed with a central open space behind all the homes on Carson Street, Linden Avenue, Floresta Street, and Woodward Avenue.
- The proposed amendment is only to alter the designs of some of the buildings and maintains the consolidated usable open space at the center of this block. No other changes to the site are proposed as part of this amendment.

(d) *The proposed use will retain as many natural features of the property as practicable, particularly where the natural features assist in preserving the general character of the neighborhood;*

*The Planning Commission may find this standard to be **MET** for the following reasons:*

- The central open space will be retained even though the proposed redesigned buildings will increase the building envelope and impervious surface. No other changes are proposed as part of this amendment.
- There are no known specific natural features on the site of concern to be preserved.

(e) *The development is compatible with the intent and purpose of the adopted master plan.*

*The Planning Commission may find this standard to be **MET** for the following reasons:*

- The Future Land Use Map in the Master Plan designates the subject area as High Density Residential. The PURD and proposed amendment are compatible with this designation.
- Further, there are other goals in the Master Plan which support the development, including a goal from the Implementation section stating to: “Continue to use the Township’s Zoning Ordinance to encourage a wide variety of housing types and densities, as well as the mixing of residential uses with commercial and light-industrial uses where compatible.”

STAFF COMMENT:

In addition to the Planning Commission review, this application is subject to other reviews by the Township Engineer and other relevant agencies. The applicant has submitted information to the Township Engineer regarding stormwater management, which will be affected by the changing of building layouts and increase in impervious surface.

Also, it should be acknowledged that consideration of the proposed amendment does not remove any other requirements from previous approvals for this site such as landscaping, sidewalks, and other site elements. The application indicates that there is an understanding that the sidewalks will be constructed around the block of Carson Street, Linden Avenue, Floresta Street, and Woodward Avenue.

The sidewalk design is subject to review by the Township Engineer and subject to standards including ADA accessibility requirements. As shown on the site plan, the sidewalks are proposed to be constructed through the driveways serving the new buildings, but not constructed through the driveways for the buildings that are already there. The review by the Township Engineer will determine if the proposed sidewalk design meets all the applicable standards.

Other than the changes to buildings as proposed in the application, no other changes to the Kensington Park PURD are described.

NEXT STEPS:

Final review shall address all conditions of preliminary approval as required by the Planning Commission. The Planning Commission may hold a public hearing on the final PURD if desired. If ultimately approved, the PURD approval shall be incorporated in a Report and Decision Order (RDO) and shall be recorded with the Grand Traverse County Register of Deeds.

ACTION REQUESTED:

If, following discussion, the Planning Commission is prepared to decide on the proposed Major Amendment to the PURD, the following motion is suggested:

MOTION THAT application SUP-2022-06-E, submitted by Patrick Rokosz & Ryan McCoon, for a major amendment to the Kensington Park Planned Unit Residential Development, receive PRELIMINARY APPROVAL, subject to the following conditions:

1. Consideration of the proposed amendment does not remove any other requirements from previous approvals for this site such as landscaping, sidewalks, and other site elements.
2. Sidewalk design is subject to review approval by the Township Engineer per Section 522.A(5) of the Zoning Ordinance including the materials, design, location, and ADA accessibility requirements. The sidewalk details shall be submitted to the Township Engineer.
3. For the final review, the applicant shall obtain any necessary reviews or approvals from the Township Engineer, Grand Traverse Metro Fire Department, Grand Traverse County Department of Public Works, Grand Traverse County Road Commission, and Grand Traverse County Soil Erosion and Sedimentation Control.

Any additional information the Planning Commission deems necessary should be added to this motion.

Attachments:

1. Planned Development Application – Major Amendment and supplemental information dated June 8, 2022.
2. Site Plan (resubmitted) including updated sidewalks dated July 19, 2022.

APPLICATION FOR HEARING

Charter Township of Garfield Planning Commission
Grand Traverse County, Michigan

**Kensington Park PURD Amendment Request
Application Narrative**

Subject Property: Kensington Park PURD - Kensington West Condominium
Zoning District: R-3 Multiple Family, with PURD Overlay

Owner: Kensington West Condo Association
Agent: Community Planning and Land Use Consulting, LLC

Summary of Request:

The application requests an amendment to the Kensington Park Planned Unit Residential Development (PURD) to accommodate expanded building footprints for a number of yet-to-be-built duplex units within the Kensington West Condominium.

The purpose of the request is to allow single-story residences to be built in lieu of presently approved two-story structures, while retaining a similar square footage of living space per unit. In doing so, the building footprint will increase, but the overall square footage of the structures will remain roughly the same.

Specifically, the amendment requests expanded footprints for Buildings 3, 4, 5, 6, 7, 11, 19, 20, and 21. The project density will decrease slightly, as five units would be built along Carson Street to the west of existing Building 2, rather than six as currently approved.

Of note, the Kensington Park PURD includes three separate condominium entities. In addition to Kensington West, the development also includes Carson Square (to the south) and the Kensington Park East Condominium (to the east/northeast). This application affects only certain remaining, unbuilt lots within the Kensington Park West

Condo, in the area bounded by Linden Avenue to the west, Floresta Street to the north, Woodward Avenue to the east, and Carson Street to the south.

Lastly, in a parallel but separate process, the applicant has met with the Planning Department to discuss sidewalk requirements within the development. The applicant has obtained written support from the association to install sidewalks in front of existing homes, and will also construct sidewalks in front of new homes, in order to eventually complete the neighborhood loop.

Applicant's response to standards of approval:

Amendments to an approved Planned Unit Residential Development shall be considered according to the review procedure of §423.G and the review criteria of §427.D(4) of the ordinance.

This report is intended to address those standards, as well as the standards of the PURD amendment application request form. As such, this report addresses, in order:

- Section 423.E Approval Criteria, as required on the application form;
 - Section 427.D(4) General Criteria;
 - Section 425.J(1)(C) - Planned Development / Condominium Act considerations;
- and

§ 423.E APPROVAL CRITERIA

The proposed use will be consistent with the purpose and intent of the master plan and this ordinance, including all regulations of the applicable zoning district;

- The approved PURD has been deemed compatible with the current master plan and is the remaining phase of the mixed residential development.
- The Master Plan identifies the area as High Density Residential, and the zoning district is R-3 Multiple Family Residential, each of which identifies duplex development as appropriate. Additionally, the Township has approved a PURD for the property including duplex development.

- The subject property is within the Barlow Garfield Neighborhood, a subplan of the Master Plan. The project promotes a number of goals of this subplan, including:
 - Infill development in proximity to the Cherryland Center.
 - Demand for smaller, attached housing units especially for young singles or retired people. In particular, single-story living is of increasing demand for the aging population.
 - Open space / gathering areas to create a sense of community.
 - The overall neighborhood will benefit from investments in sidewalk infrastructure within the project. The project includes construction of sidewalks to meet the intent of the Non-Motorized Transportation Plan.
- The subject property is currently planned, zoned, and approved for two-family residential uses.

The proposed use will be designed, constructed, operated and maintained so as to be compatible, harmonious and appropriate with the existing or planned character and uses of the neighborhood, adjacent properties and the natural environment;

- The two-family residential use is an approved phase of the existing mixed residential Kensington Park PURD. The adjacent phases have been constructed and have been deemed compatible with the current duplex phase.
- The development is located in an established neighborhood area with an existing mix of residential structure types, including one-story and two-story residential buildings, and single-family, two-family, and multiple-family dwelling units.

The proposed use will not be detrimental, hazardous or disturbing to existing or future adjacent uses or to the public welfare by reason of excessive traffic, noise, dust, gas, smoke, vibration, odor, glare, visual clutter, electrical or electromagnetic interference;

- This nuisance standard does not apply.
- The increase in building footprint of the residential duplex units will not be detrimental or create any nuisance concerns.
- The project includes a slight reduction in density.

- The project location is centered within an existing residential neighborhood of similar or the same uses.

Potential adverse effects arising from the proposed use on the neighborhood and adjacent properties will be minimized through the provision of adequate parking, the placement of buildings, structures and entrances, as well as the provision and location of screening, fencing, landscaping, buffers or setbacks;

- This standard does not apply.
- There are no adverse effects from changing building sizes of the approved duplex units.
- Each home will retain its own driveway and garage (as is currently approved) in order to accommodate parking.

The proposed use will retain as many natural features of the property as practicable, particularly where the natural features assist in preserving the general character of the neighborhood;

- The proposed increase in unit size does not negatively affect the natural features of the site.
- The planning commission has determined that the inclusion of an open park area as the general common element of the project meets the intent of this standard.
- The proposed/approved use has not changed.

Adequate public and private infrastructure and services such as streets, water and sewage facilities, drainage structures, police and fire protection, and schools, already exist or will be provided without excessive additional requirements at public cost;

- Infrastructure and services already exist and will be unaffected by the request to increase the approved building footprint.

The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;

- This standard does not apply.
- The use (a two-family residential development) currently exists and is an approved phase of the mixed residential PURD.

The public interest and welfare supporting the proposed use shall be sufficient to outweigh individual interests that are adversely affected by the establishment of the proposed use;

- The increase in building footprint will accommodate single-story living and provide affordable housing units in close proximity to amenities and public transportation.
- The request complies with and follows the Master Plan by providing infill development and a mix of housing in the Cherryland area.
- The proposed/approved use has not changed.

Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads;

- The subject property is an existing residential development project with approved access to existing public roads in an established residential neighborhood.
- All residential units have private access from the public roadway.

Adequate measures shall be taken to provide vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks servicing the site in a safe and convenient manner; and

- The applicant has incorporated a sidewalk network within the development and in accordance with the zoning ordinance.
- The applicant has met with the Planning Department and Grand Traverse County Road Commission to ensure sidewalk construction in the development is properly located and built to meet the intent of the original and amended PURD approvals.
- The site is served by existing public streets.

The proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

- The request is simply to amend an existing number of approved, two-story residential units into single-story residential units. Approval of the request will not impede the orderly development and improvement of surrounding properties.
- A request will complete the project and encourage additional development in the vicinity of the Cherryland Mall.

§ 427.G (4) GENERAL CRITERIA

The PURD is intended to encourage well designed neighborhoods that emphasize safe movement of pedestrian traffic and open areas that encourage active lifestyles and quality of life. The Planning Commission shall determine if the project meets the following standards of approval:

(a) The project is compatible and harmonious with adjacent and surrounding land uses and properties;

- The mixed residential PURD project has been deemed compatible with the adjacent and developed phases of the PURD. In addition, the PURD as whole has been deemed compatible with the single family, two family, and multi-family units adjacent to the project. An increase in building footprint will not change its compatibility.

(b) The project minimizes motorized / non-motorized conflict points and creates a separation of pedestrian and vehicular traffic;

- The project includes proposed sidewalks for existing and proposed units in accordance with the zoning ordinance.

(c) The development consolidates and maximizes useable open space while encouraging neighborhood interaction;

- The application retains an approved park area in the center of the project.

(d) The proposed use will retain as many natural features of the property as practicable, particularly where the natural features assist in preserving the general character of the neighborhood;

- The application retains an approved park space area in the center of the project. This partially wooded, park-like setting encourages community recreation and open space in a public gathering area.

(e) The development is compatible with the intent and purpose of the adopted master plan.

- The approved PURD has been deemed compatible with the current master plan and is the remaining phase of the mixed residential development.
- The Master Plan identifies the area as High Density Residential, and the zoning district is R-3 Multiple Family Residential, each of which identifies duplex development as appropriate.
- The subject property is within the Barlow Garfield Neighborhood, a subplan of the Master Plan. The project promotes a number of goals of this subplan, including:
 - Infill development in proximity to the Cherryland Center.
 - Demand for smaller, attached housing units especially for young singles or retired people. In particular, single-story living is of increasing demand for the aging population.
 - Open park / gathering areas to create a sense of community.
 - The overall neighborhood will benefit from investments in sidewalk infrastructure within the project. The project includes construction of sidewalks to meet the intent of the Non-Motorized Transportation Plan.
- The subject property is currently planned, zoned, and approved for two-family residential uses.

§ 425.J (1)(C) PLANNED DEVELOPMENT CONDOMINIUM CONSIDERATIONS

An amendment for land within a Planned Development which has been subdivided pursuant to the Condominium Act shall also be subject to review in accordance with § 429, Condominium Developments.

- The subject property has been subdivided pursuant to the Condominium Act, and is subject to review in accordance with § 429, *Condominium Developments*.

Conclusion:

The proposed amendment to the Kensington West Planned Unit Residential development is closely aligned with the intent and purpose of the Garfield Township Zoning Ordinance and Master Plan. Thank you for the opportunity to present this project. We look forward to meeting with you.

Enclosed:

Completed Application Form

Owner Authorization Letters

Site Plan



Charter Township of Garfield

Grand Traverse County

3848 VETERANS DRIVE
TRAVERSE CITY, MICHIGAN 49684
PH: (231) 941-1620 • FAX: (231) 941-1588

PLANNED DEVELOPMENT (PD) APPLICATION

ASSISTANCE

This application must be completed in full. An incomplete or improperly prepared application will not be accepted and will result in processing delays. Before submitting an application, it is recommended that you contact the Planning Department to arrange an appointment to discuss your proposed application. Time is often saved by these preliminary discussions. For additional information or assistance in completing this development application, please contact the Planning Department at (231) 941-1620.

ACTION REQUESTED

New Planned Unit Development Application
New Planned Unit Residential Development Application
Major Amendment
Minor Amendment
Administrative Amendment

PROJECT / DEVELOPMENT NAME

APPLICANT INFORMATION

Name:

Address:

Phone Number:

Email:

AGENT INFORMATION

Name:

Address:

Phone Number:

Email:

OWNER INFORMATION

Name:

Address:

Phone Number:

Email:

CONTACT PERSON

Please select one person to be contact person for all correspondence and questions:

Applicant:

Agent:

Owner:

PROPERTY INFORMATION

Property Address:

Property Identification Number:

Legal Description:

Zoning District:

Master Plan Future Land Use Designation:

Area of Property (acres or square feet):

Existing Use(s):

Proposed Use(s):

PROJECT TIMELINE

Estimated Start Date:

Estimated Completion Date:

REQUIRED SUBMITTAL ITEMS

A complete application for a Planned Unit Development Application or a Planned Unit Residential Development Application consists of the following:

Application Form:

One original signed application

One digital copy of the application (PDF only)

Application Fee:

Fees are established by resolution of the Garfield Township Board and are set out in the current Fee Schedule as listed on the Planning Department page of the Township website (<http://www.garfield-twp.com>). Please make check out to Charter Township of Garfield.

Fee

Escrow Fee:

Additional fees may be required if a review by independent professional help is deemed necessary by the Township. If required, such additional fees must be placed in escrow by the applicant in accordance with the escrow policies of the Township and prior to any further processing of this application. Any unused escrow funds shall be returned to the applicant. Please complete an Escrow and Review (ER) Application form.

Site Plan:

Ten complete stapled 11"x17" paper sets (Administrative Amendments require one copy)

Two complete bound 24"x36" paper sets

One digital set (PDF only)

Written Information:

Ten paper copies of the Approval Criteria (Administrative Amendments require one copy)

One digital copy of the Approval Criteria (PDF only)

Ten paper copies of the Impact Assessment (Administrative Amendments require one copy)

One digital copy of the Impact Assessment (PDF only)

Digital items to be delivered via email or USB flash drive

SUBMITTAL DEADLINE

Submittal deadlines are listed on the Planning Department page of the Township website (<http://www.garfield-twp.com>). Please note that the listed dates are the deadlines after which submittals will not be considered for the indicated meeting. Any errors or missing information on an application submitted at the deadline will result in a delay in the processing of the application. An earlier submittal is encouraged to avoid possible delays.

WAIVERS

Submittal Waiver:

At the discretion of the Director of Planning, a Site Development Plan may be waived in any of the following cases when it is determined that the submission would serve no useful purpose:

1. The erection or enlargement of an accessory structure;
2. The enlargement of a principal building by less than 20 percent of its existing gross floor area, provided such enlargement will not result in a requirement for additional off-street parking;
3. A change in principal use where such change would not result in an increase in impervious surface area, additional off-street parking, site access, other external site characteristics or a violation of this ordinance.

Data Waiver:

The Director of Planning may waive a particular element of information or data otherwise required for a Site Development Plan upon a finding that the information or data is not necessary to determine compliance with this ordinance or that such information or data would not bear on the decision of the approval authority.

SITE PLAN

Check that your site plan includes all required elements for a Site Development Plan (SDP). Please use the Required Site Plan Elements Checklist below.

APPROVAL CRITERIA

Indicate on a separate sheet of paper, how the proposed special use will comply with, meet, or facilitate each of the following Approval Criteria from § 423.E of the Zoning Ordinance. The Planning Commission must determine that each of these criteria are satisfied in order to grant approval of a Special Use Permit. A special use is permitted only if the applicant demonstrates that:

The proposed use will be consistent with the purpose and intent of the master plan and this ordinance, including all regulations of the applicable zoning district;

The proposed use will be designed, constructed, operated and maintained so as to be compatible, harmonious and appropriate with the existing or planned character and uses of the neighborhood, adjacent properties and the natural environment;

The proposed use will not be detrimental, hazardous or disturbing to existing or future adjacent uses or to the public welfare by reason of excessive traffic, noise, dust, gas, smoke, vibration, odor, glare, visual clutter, electrical or electromagnetic interference;

Potential adverse effects arising from the proposed use on the neighborhood and adjacent properties will be minimized through the provision of adequate parking, the placement of buildings, structures and entrances, as well as the provision and location of screening, fencing, landscaping, buffers or setbacks;

The proposed use will retain as many natural features of the property as practicable, particularly where the natural features assist in preserving the general character of the neighborhood;

Adequate public and private infrastructure and services such as streets, water and sewage facilities, drainage structures, police and fire protection, and schools, already exist or will be provided without excessive additional requirements at public cost;

The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;

The public interest and welfare supporting the proposed use shall be sufficient to outweigh individual interests that are adversely affected by the establishment of the proposed use;

Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads;

Adequate measures shall be taken to provide vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks servicing the site in a safe and convenient manner; and

The proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

IMPACT ASSESSMENT

1. Planned Unit Developments: A written impact statement of the application as it relates to 426.A and 426.E of the Zoning Ordinance.
2. Planned Unit Residential Developments: A written impact statement of the application as it relates to 427.A and 427.C of the Zoning Ordinance.

ADDITIONAL INFORMATION

If applicable, provide the following further information:

- | | <u>Yes</u> | <u>No</u> | <u>Not
Applicable</u> |
|--|------------|-----------|---------------------------|
| A. <u>Sanitary Sewer Service</u> | | | |
| 1. Does project require extension of public sewer line?
If yes, has a Utility Agreement been prepared? | | | |
| 2. Will a community wastewater system be installed?
If yes, has a Utility Agreement been prepared?
If yes, provide construction plans and specifications | | | |
| 3. Will on-site disposal be used?
If yes, is it depicted on plan? | | | |
| B. <u>Water Service</u> | | | |
| 1. Does project require extension of public water main?
If yes, has a Utility Agreement been prepared? | | | |
| 2. Will a community water supply be installed?
If yes, has a Utility Agreement been prepared?
If yes, provide construction plans and specifications | | | |
| C. <u>Public utility easements required?</u> | | | |
| If yes, show on plan. | | | |
| D. <u>Stormwater Review/Soil Erosion</u> | | | |
| 1. Soil Erosion Plans approved by Soil Erosion Office?
If so, attach approval letter.
If no, are alternate measures shown? | | | |
| 2. Stormwater Plans approved by Township Engineer?
If so, attach approval letter.
If no, are alternate measures shown? | | | |
| Note: Alternate measures must be designed and sealed by a registered Engineer. | | | |
| E. <u>Roads and Circulation</u> | | | |
| 1. Are interior public streets proposed?
If yes, has Road Commission approved (attach letter)? | | | |
| 2. Will public streets connect to adjoining properties or future streets? | | | |
| 3. Are private roads or interior drives proposed? | | | |
| 4. Will private drives connect to adjoining properties service roads? | | | |
| 5. Has the Road Commission or MDOT approved curb cuts?
If yes, attach approved permit. | | | |

OTHER INFORMATION

If there is any other information that you think may be useful in the review of this application, please attach it to this application or explain it on a separate page.

REVIEW PROCESS - PLANNED UNIT DEVELOPMENT - NEW

Preliminary Review and Decision

1. Upon submittal of this application, Staff will review the materials submitted and will, within ten (10) working days, forward a determination of completeness to the applicant. If the submission is incomplete or noncompliant with the Zoning Ordinance, it will be returned to the applicant for revision. Once the submission is revised, Staff will again

review it for completeness and again forward a determination to the applicant within ten (10) working days. This procedure shall be repeated until a complete submission is received.

2. Once the application is deemed to be complete and submitted according to the application deadlines, it will be forwarded to the Planning Commission for review. The Planning Commission will determine if the application is complete and schedule a public hearing.
3. Upon holding a public hearing, the Planning Commission shall submit a written recommendation to the Township Board. A public hearing may be held by the Township Board.
4. The Township Board shall approve, approve with conditions, or deny the request for preliminary Planned Unit Development approval.

Final Review and Decision

5. For Final Approval, the Planning Commission shall review and submit a written recommendation to the Township Board. A public hearing shall be held by the Township Board.
6. The Township Board shall approve, approve with conditions, or deny the request for final Planned Unit Development approval.
7. If approved or approved with conditions, the decision of the Township Board shall be incorporated into a written report and decision order.

REVIEW PROCESS – PLANNED UNIT RESIDENTIAL DEVELOPMENT - NEW

Preliminary Review and Decision

1. Upon submittal of this application, Staff will review the materials submitted and will, within ten (10) working days, forward a determination of completeness to the applicant. If the submission is incomplete or noncompliant with the Zoning Ordinance, it will be returned to the applicant for revision. Once the submission is revised, Staff will again review it for completeness and again forward a determination to the applicant within ten (10) working days. This procedure shall be repeated until a complete submission is received.
2. Once the application is deemed to be complete and submitted according to the application deadlines, it will be forwarded to the Planning Commission for review. The Planning Commission will determine if the application is complete and schedule a public hearing.
3. Upon holding a public hearing, the Planning Commission shall approve, approve with conditions, or deny the request for preliminary Planned Unit Residential Development approval.

Final Review and Decision

4. Final review shall address all conditions imposed by the Planning Commission in the preliminary decision on the planned unit residential development. Submissions for final review and decision shall not be considered until all conditions have been addressed. The Director of Planning or designee shall conduct a completeness review to determine that all conditions of the preliminary decision have been addressed.
5. Once the plans and conditions are deemed substantially complete, the project shall be referred to the Planning Commission for its final review and decision. No application shall be referred to the Planning Commission until this standard has been satisfied. The Planning Commission may hold a public hearing on such application for final review and decision.
6. If approved or approved with conditions, the decision of the Planning Commission shall be incorporated into a written report and decision order.

REVIEW PROCESS – PLANNED DEVELOPMENT – MAJOR AMENDMENT

Any proposed amendment other than those provided for below are considered a major amendment and shall be approved in the same manner and under the same procedures as are applicable to the issuance of the original special use permit approval. Major amendments include but are not necessarily limited to changes that:

1. Increase the number of dwelling units, floor area, height, impervious surface development, or any additional land-use disturbance other than as provided for below;
2. Introduce different land uses than that requested in the application;
3. Request larger land area than indicated in the original application;
4. Request greater relief than that requested in the application;
5. Allow any decrease in buffer or transition areas, reduction in landscaping, reduction of required yards, or any change in the design characteristics or materials used in construction of the structures;
6. Reduce or eliminate conditions attached to a legislative or quasi-judicial development order; or
7. Reduce or eliminate pedestrian circulation.

REVIEW PROCESS – PLANNED DEVELOPMENT – MINOR AMENDMENT

The Planning Commission may authorize the following amendments to an approved development plan without a public hearing:

1. Changes to the timing or phasing of the proposed development, provided that the use and overall geographic land area remains the same and that required public improvements are not delayed.
2. Increases in total building height of greater than five (5) feet provided that maximum height regulations are complied with.
3. Any other proposed amendment which is determined by the Planning Commission to have no detrimental impact on any adjacent property and is not considered or classified a Major Amendment under § 423(6) Major Amendments.

REVIEW PROCESS – PLANNED DEVELOPMENT – ADMINISTRATIVE AMENDMENT

The Director of Planning may authorize the following amendments to an approved site development plan:

1. Shifts in on-site location and changes in size, shape, or configuration of less than 15 percent, or a 15 percent or less change in either impervious surface or floor area over what was originally approved.
2. An increase in total building height of less than five (5) feet, provided that maximum height regulations of the underlying zoning district are met.
3. Minor adjustment of the location of utilities and walkways, provided however that no sidewalks or paths required by the approval authority may be eliminated.
4. The substitution of landscape material provided the substituted materials are of a similar nature and quality and will comply with the standards of § 530, Landscape Materials of Article 5, Development Standards, of this ordinance.
5. Minor revisions to an internal street circulation pattern not increasing the number of lots or lowering the connectivity ratio.

- 6. Minor realignment of ingress and egress locations if required by the Grand Traverse County Road Commission or Michigan Department of Transportation.
- 7. A reduction in the number of proposed lots or the combination of units.

PERMISSION TO ENTER SUBJECT PROPERTY

Permission is hereby granted to Garfield Township staff and Planning Commissioners to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

Owner Signature:

Applicant Signature:

Agent Signature:

Date:

OWNER'S AUTHORIZATION

If the applicant is not the registered owner of the lands that is the subject of this application, the owner(s) must complete the authorization set out below.

I/We _____ authorize to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.

Owner Signature:

Date:

AFFIDAVIT

The undersigned affirms that he/she or they is (are) the owner, or authorized agent of the owner, involved in the application and all of the information submitted in this application, including any supplemental information, is in all respects true and correct. The undersigned further acknowledges that willful misrepresentation of information will terminate this permit application and any permit associated with this document.

Owner Signature:

Date:

Applicant Signature:

Date:

Required Site Plan Elements Checklist (See § 956 of the Zoning Ordinance) Site Diagram (SD) / Administrative Site Plan (ASP) / Site Development Plan (SDP)	SD	ASP/ SDP
A. Basic Information		
1. Applicant's name, address, telephone number and signature		
2. Property owner's name, address, telephone number and signature		
3. Proof of property ownership		
4. Whether there are any options or liens on the property		
5. A signed and notarized statement from the owner of the property that the applicant has the right to act as the owner's agent		
6. The address and/or parcel number of the property, complete legal description and dimensions of the property, setback lines, gross and net acreages and frontage		
7. A vicinity map showing the area and road network surrounding the property		
8. Name, address and phone number of the preparer of the site plan		
9. Project title or name of the proposed development		
10. Statement of proposed use of land, project completion schedule, any proposed development phasing		
11. Land uses and zoning classification on the subject parcel and adjoining parcels		
12. Seal of the registered engineer, architect, landscape architect, surveyor, or planner who prepared the plan, as well as their name, address and telephone number		
B. Site Plan Information		
1. North arrow, scale, and date of original submittal and last revision		
2. Boundary dimensions of natural features		
3. Natural features such as woodlots, water bodies, wetlands, high risk erosion areas, slopes over twenty-five percent (25%), beach, drainage, and similar features		
4. Proposed alterations to topography and other natural features		
5. Existing topographic elevations at two-foot intervals except shown at five-foot intervals where slopes exceed 18%		
6. Soil erosion and sediment control measures as required by the Grand Traverse County Soil Erosion Department.		
7. The location, height and square footage of existing and proposed main and accessory buildings, and other existing structures		
8. Location and specifications for any existing or proposed (above or below ground) storage facilities for any chemicals, salts, flammable materials, or hazardous materials. Include any containment structures or clear zones required by county, state or federal government authorities		
9. Proposed finish floor and grade line elevations of any structures <i>*Required only for habitable construction within the floodplain on site diagrams and administrative site plans.</i>	*	
10. Existing and proposed driveways, including parking areas		
11. Neighboring driveways and other vehicular circulation features adjacent to the site		
12. A dimensional plan indicating the location, size and number of parking spaces of the on-site parking areas, and shared parking areas		
13. Identification and dimensions of service lanes and service parking, snow storage areas, loading and unloading and docks		
14. Proposed roads, access easements, sidewalks, bicycle paths, and other vehicular and pedestrian circulation features within and adjacent to the site		
15. Location and dimensions of curb cuts, acceleration, deceleration and passing lanes		
16. Location of neighboring structures that are close to the parcel line or pertinent to the proposal		
17. Location of water supply lines and/or wells		
18. Location of sanitary sewer lines and/or sanitary sewer disposal systems		
19. Location, specifications, and access to a water supply in the event of a fire emergency		
20. Sealed (2) stormwater plans including the location and design of storm sewers, retention or detention ponds, swales, wastewater lines, clean out locations, connection points and treatment systems		
21. A utility plan including the location of all other utilities on the site including but not limited to natural gas, electric, cable TV, telephone and steam		
22. A sign plan indicating the location, size and specifications of all signs and advertising features, including cross sections		
23. A lighting plan including exterior lighting locations with area of illumination illustrated by point values on a photometric plan, Kelvin rating, as well as the type of fixtures and shielding to be used		
24. Proposed location of any open spaces, landscaping and buffering features such as buffer areas, vegetation belts, fences, walls, trash receptacle screening, and other screening features with cross sections shown		
25. A Landscape plan and table identifying the species, size of landscape materials, and number proposed, compared to what is required by the Ordinance. All vegetation to be retained on site must also be indicated, as well as, its typical size by general location or range of sizes as appropriate		
26. Statements regarding the project impacts on existing infrastructure (including traffic capacity, schools, and existing utilities, and on the natural environment on and adjacent to the site)		
27. Changes or modifications required for any applicable regulatory agencies' approvals		

- 6. Minor realignment of ingress and egress locations if required by the Grand Traverse County Road Commission or Michigan Department of Transportation.
- 7. A reduction in the number of proposed lots or the combination of units.

PERMISSION TO ENTER SUBJECT PROPERTY

Permission is hereby granted to Garfield Township staff and Planning Commissioners to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

Owner Signature: DocuSigned by:
Carson Group, LLC Lynne Moon
7ADD2CA94A51463... 6/8/2022 | 10:59 EDT

Applicant Signature: [Signature] 6/6/22

Agent Signature: R. V. R. R., COMMUNITY PLANNING + LAND USE CONSULTING

Date:

OWNER'S AUTHORIZATION

If the applicant is not the registered owner of the lands that is the subject of this application, the owner(s) must complete the authorization set out below.

I/We The Carson Group, Lynne Moon authorize to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.

Owner Signature: DocuSigned by:
Carson Group, LLC Lynne Moon
7ADD2CA94A51463... 6/8/2022 | 10:59 EDT

Date:

AFFIDAVIT

The undersigned affirms that he/she or they is (are) the owner, or authorized agent of the owner, involved in the application and all of the information submitted in this application, including any supplemental information, is in all respects true and correct. The undersigned further acknowledges that willful misrepresentation of information will terminate this permit application and any permit associated with this document.

Owner Signature: DocuSigned by:
Carson Group, LLC Lynne Moon
7ADD2CA94A51463... 6/8/2022 | 10:59 EDT

Date:

Applicant Signature: [Signature] 6/6/22

Date:

OWNER'S AUTHORIZATION LETTER

I/We The Carson Group, LLC Lynne Moon hereby designate Ryan McCoon & Patrick Rokosz
as applicant for the purpose of amendment for PURD,
including authorization to apply for any and all planning and zoning reviews, permitting, etc.,
regarding the application.

Signed:

DocuSigned by:

Carson Group, LLC Lynne Moon

6/6/2022 | 14:36 EDT

Signature: 7ADD2CA94A51463...

Date:

The Carson Group, LLC, Lynne Moon

Print Name:

OWNER'S AUTHORIZATION LETTER

I/We Rebecca Moore hereby designate Ryan McCoon & Patrick Rokosz
as applicant for the purpose of amendment for PURD,
including authorization to apply for any and all planning and zoning reviews, permitting, etc.,
regarding the application.

Signed:

DocuSigned by:

Rebecca Moore

6/6/2022 | 16:36 EDT

9D0B979ACE6C4BE...
Signature:

Date:

Rebecca Moore

Print Name:

From: Patrick Rokosz <Patrick.Rokosz@lmcu.org>
Sent: Tuesday, January 04, 2022 11:43 AM
To: Mark Kwilinski
Cc: Ryan McCoon
Subject: Kensington West

Hello Mark,

- Lynn Moon has hired a consulting firm to work with Garfield Township to resolve the sidewalk issue. Now that the revised subdivision plan is approved, I suspect they will get start dialogue with Garfield Township.
- Once the sidewalk issue is resolved attorney David Rowe will prepare an ammendment to the current master deed to be approved by association members.

Thank you for you cooperation,
Patrick/Ryan

From: Mark Kwilinski <mkwilinski@live.com>
Sent: Tuesday, January 4, 2022 11:30 AM
To: Patrick Rokosz <Patrick.Rokosz@lmcu.org>
Cc: Ryan McCoon <ryan@endurahomes.com>
Subject: RE: Kensington West

WARNING: This email originated outside of LMCU. Do not click links or open attachments unless you know the sender and know the content is safe.

Good morning gentlemen,

Yes, I agree with changing to single story units assuming that the footprint meets the limitations of the lots and the zoning.

I would like to see this as a package including a resolution to the sidewalk issue and either removal from the HOA or a letter of understanding with the HOA.

What's your target date or scheduled meeting to present this to the Planning Commission?

Thanks much,
Mark

From: Patrick Rokosz <Patrick.Rokosz@lmcu.org>
Sent: Tuesday, January 4, 2022 10:08 AM
To: mkwilinski@live.com
Cc: Ryan McCoon <ryan@endurahomes.com>
Subject: Kensington West

Hello Mark,

Please respond to this email with your approval to change your building 6 and building 7 from a two story unit to a single story unit. If we don't hear from you by noon tomorrow we will move forward without making any changes to your buildings/units. Sorry to put a short deadline on this but we have plans to meet with Garfield Township and we need to have a final subdivision plan completed.

Thank you,
Patrick Rokosz
989-239-3315

From: Patrick Rokosz
Sent: Friday, December 17, 2021 12:47 PM
To: 'mkwilinski@live.com' <mkwilinski@live.com>
Cc: Ryan McCoon <ryan@endurahomes.com>
Subject: Kensington West

Hello Mark,

I've tried to reach a few times on your cell. I've attached the revised subdivision print, please review and call me with any questions. Ryan and I would like to sit down with you to discuss the subdivision and building prints. Give me a call when you have a free moment to set up a day and time.

Patrick
989-239-3315

April 14, 2022

To Whom It May Concern,

This letter is to notify you that Kensington West Condominium Association has been made aware and has accepted that there will be sidewalks installed around the four sides of the complex. The financial responsibility to pave sidewalks and make necessary repairs to lawns, sprinkler systems and mailboxes around Carson, Floresta and Linden will be Ryan McCoon and Patrick Rokosz after the successful closing of the vacant lots that they have under contract. The Carson Group and Mary Ann Moore Trust shall bear the financial responsibility of paving Woodward Avenue sidewalk as well as repairs to lawns, sprinkler systems and mailboxes upon the successful closing of the lots that they are selling to Patrick McCoon and Patrick Rokosz.

Please note, we will attend the Garfield Planning board meeting in May of 2022 to approve this action and move forward so the developer of the vacant lots and the purchasers, Patrick Rokosz and Ryan McCoon can complete the condominium project.

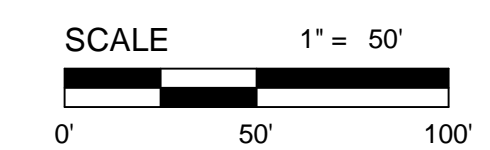
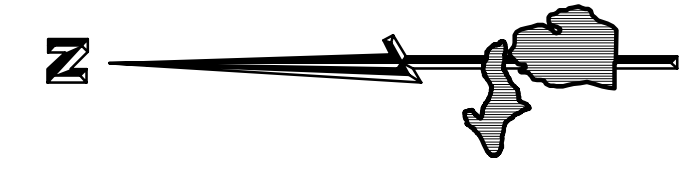
We look forward to having this project up and running and remain positive that it will enhance our already lovely complex.

Thank you.

Sincerely,

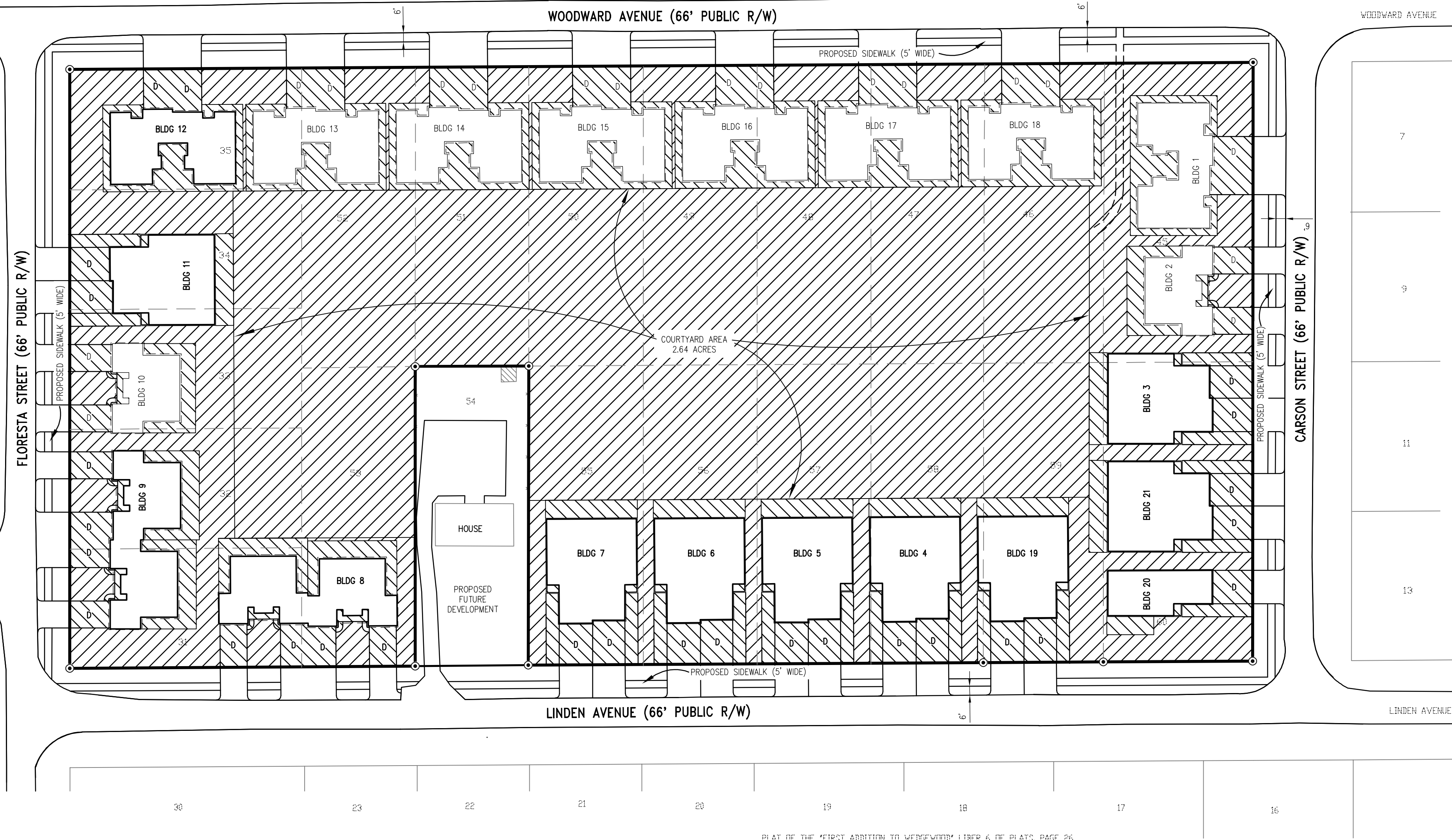
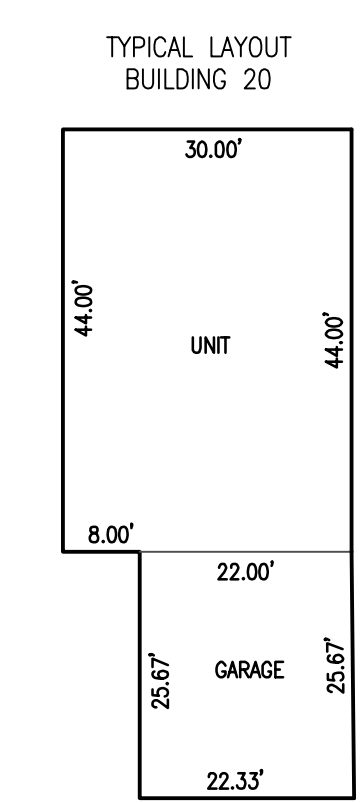
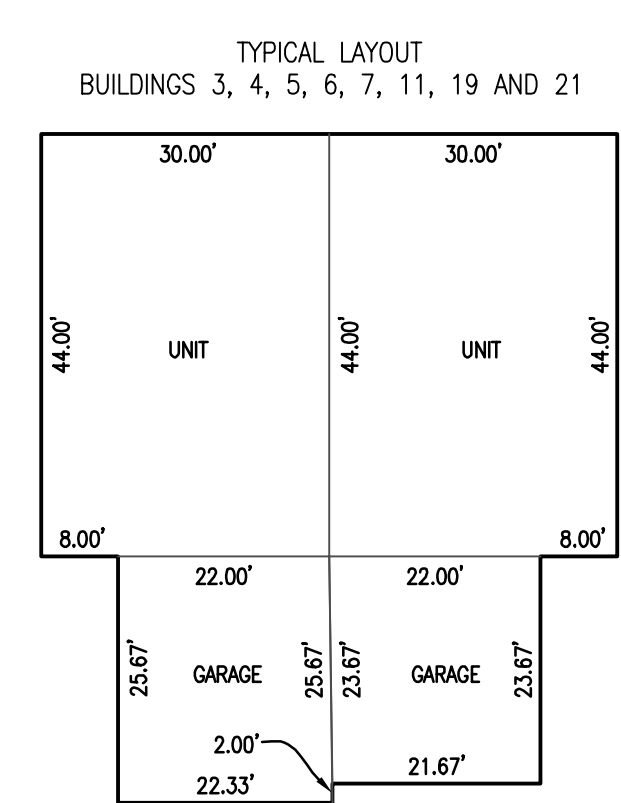
A handwritten signature in cursive script that reads "Carolyn (Ketta) Strand".

Carolyn (Ketta) Strand



LEGEND

- BOUNDARY MONUMENT
- P.O.B. POINT OF BEGINNING
- ▨ GENERAL COMMON ELEMENT
- ▧ LIMITED COMMON ELEMENT
- D DRIVEWAY



BUILDING AREA CHANGES		
BUILDING	PRIOR PLAN	PROPOSED PLAN
BUILDING 3	6344 SQ.FT.	9349 SQ.FT. (INCLUDING BUILDINGS 20 & 21)
BUILDING 4	2119 SQ.FT.	3726 SQ.FT.
BUILDING 5	2119 SQ.FT.	3726 SQ.FT.
BUILDING 6	2119 SQ.FT.	3726 SQ.FT.
BUILDING 7	2119 SQ.FT.	3726 SQ.FT.
BUILDING 8	4232 SQ.FT.	4232 SQ.FT.
BUILDING 9	4232 SQ.FT.	4232 SQ.FT.
BUILDING 11	2119 SQ.FT.	3726 SQ.FT.
BUILDING 12	3409 SQ.FT.	3409 SQ.FT.
BUILDING 19	3409 SQ.FT.	3726 SQ.FT.

- NOTES:
 THE FOLLOWING DIMENSIONAL CONSTRAINTS HAVE BEEN MAINTAINED WHICH IS CONSISTENT WITH PRIOR APPROVAL AND CURRENT RECORDED CONDOMINIUM DRAWINGS
- SIDE DISTANCE BETWEEN BUILDING OR TO ADJACENT PROPERTY LINE - 12'
 - REAR DISTANCE TO ADJACENT BUILDINGS - 30 FEET WITH THE EXCEPTION OF BUILDINGS 20 AND 21 TO 19 IN WHICH CASE 27'
 - FRONT DISTANCE TO BUILDING - 27'
 - 34% OF THE SITE IS COVERED BY BUILDINGS WHICH IS BELOW THE MAXIMUM OF 35%

No.	Date	Revision	By
3	4/22/2022	MOVED SIDEWALKS	CLK
2	4/19/22	MOVED SIDEWALK ALONG EAST SIDE	CLK
1	3/21/22	ADDED SIDEWALK ALONG EAST SIDE	CJP

**KENSINGTON WEST CONDOMINIUM
 CONCEPTUAL SITE PLAN
 PATRICK ROKOSZ**

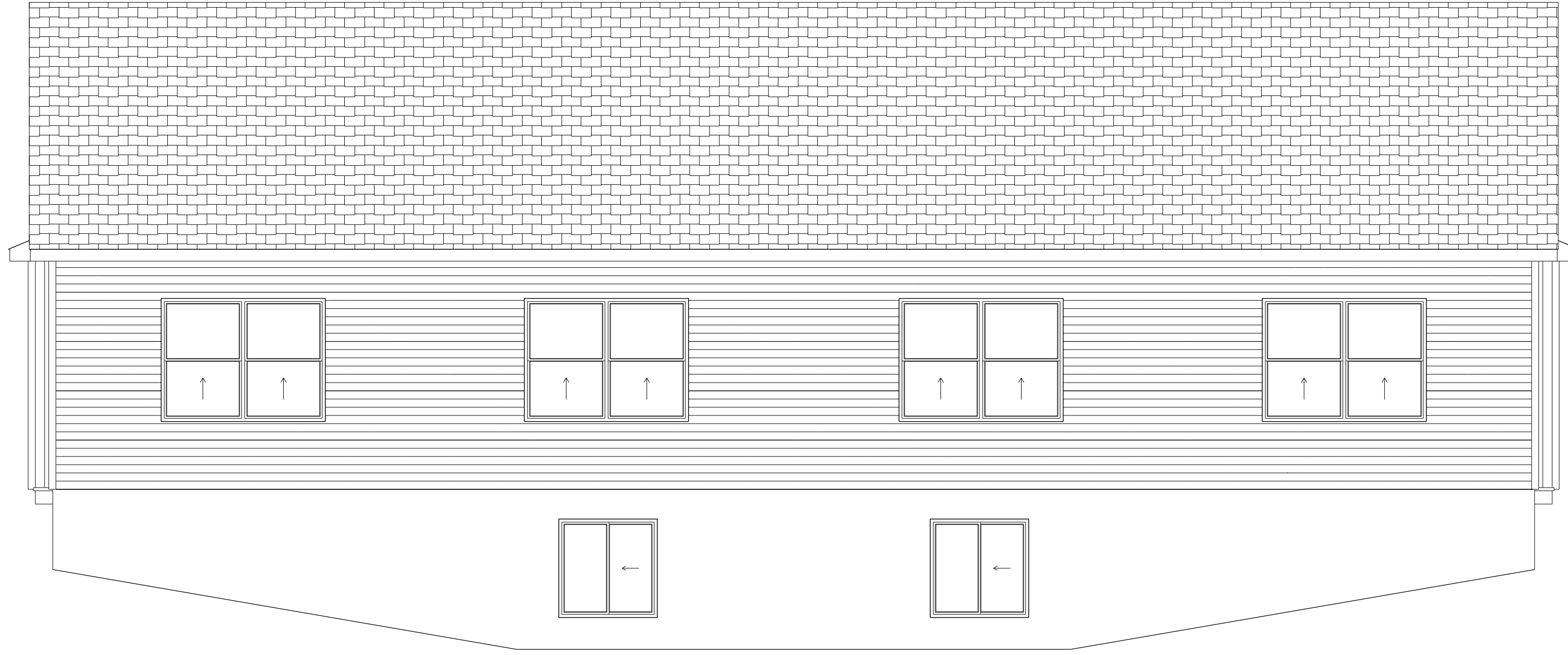
Date Issued: 12/17/2021
 Date Surveyed:
 Designed By:
 Drawn By: CLK
 Checked By: CJP
 Scale: 1"=50'
 Original sheet size is 22x34

Location:
 KENSINGTON WEST CONDOMINIUM
 NW 1/4 OF THE SE 1/4 OF
 SECTION 14, T27N, R11W
 GARFIELD TOWNSHIP
 GRAND TRAVERSE COUNTY

Project Number:
 2021214001.01

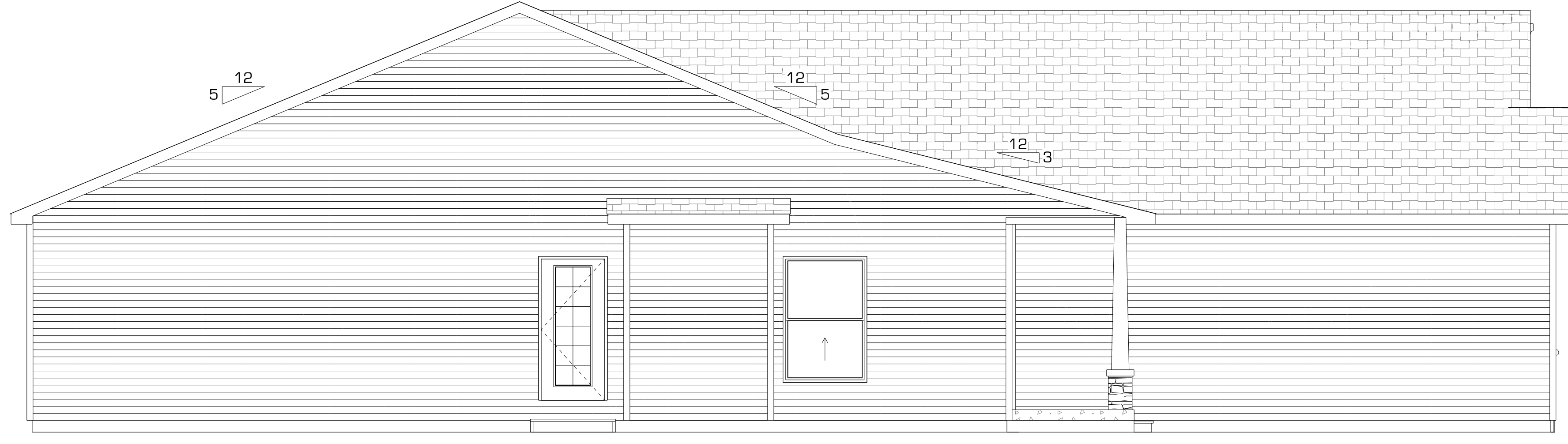


FRONT ELEVATION
SCALE: 1/4" = 1'-0"

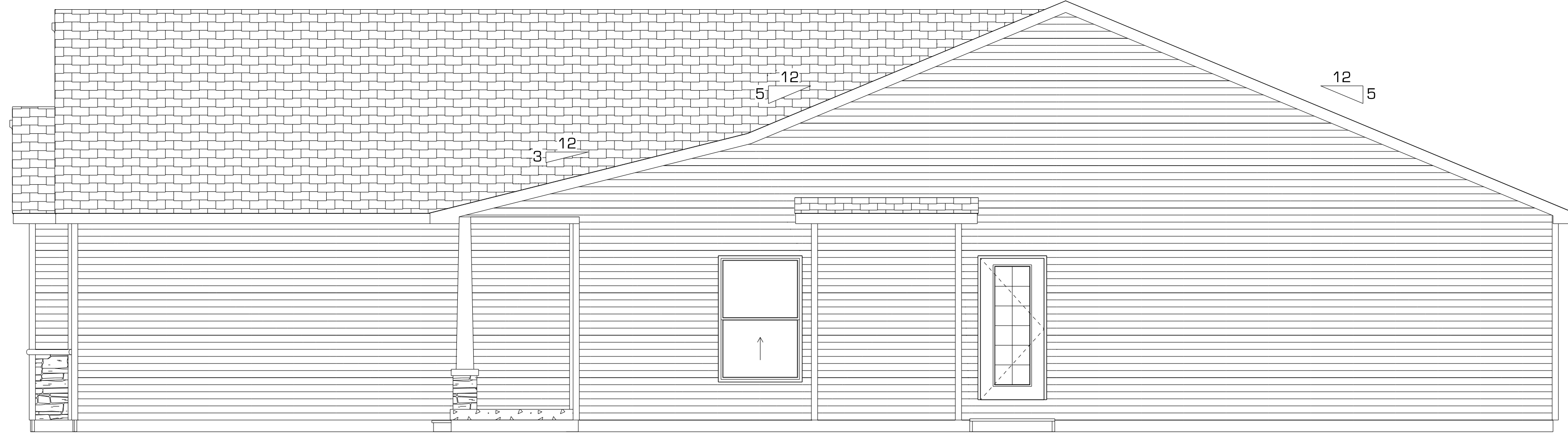


REAR ELEVATION
SCALE: 1/4" = 1'-0"





LEFT ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"





Designing Perfection is not an architect or engineer and construction from these plans should not be undertaken without the assistance of a construction professional. The purchaser and builder of the plan release Designing Perfection from any claims or lawsuits that may arise during the construction of the project. Designing Perfection is not responsible for the accuracy of these drawings in excess of their original purchase price. Therefore, the builder must carefully inspect all dimensions and details in these drawings and assume responsibility for the same.

DESIGNING PERFECTION

800 S POSEYVILLE ROAD
MIDLAND, MI 48840
jacobdesigningperfection.net

**Patrick Rokosz:
Ryan McCoon**

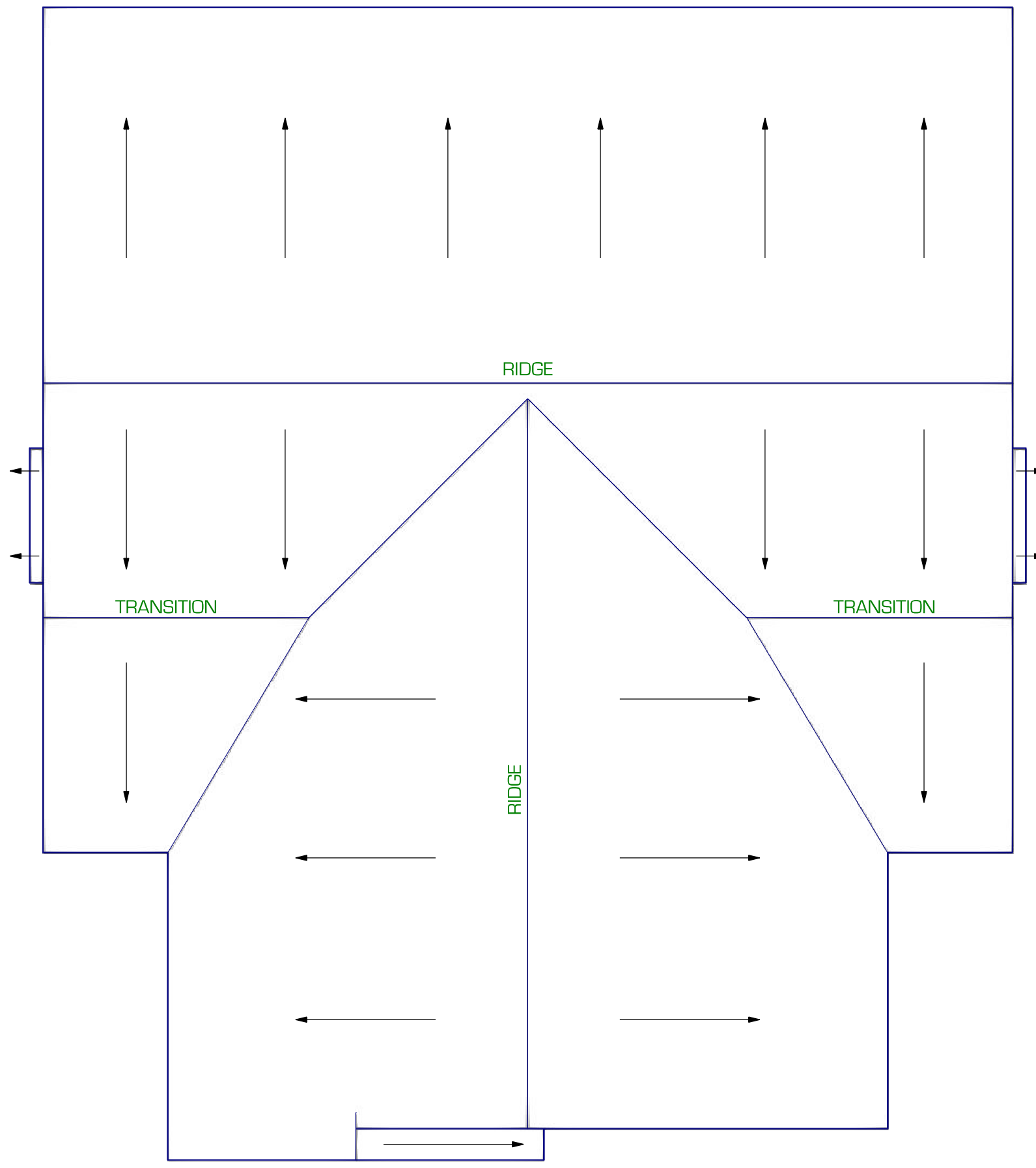
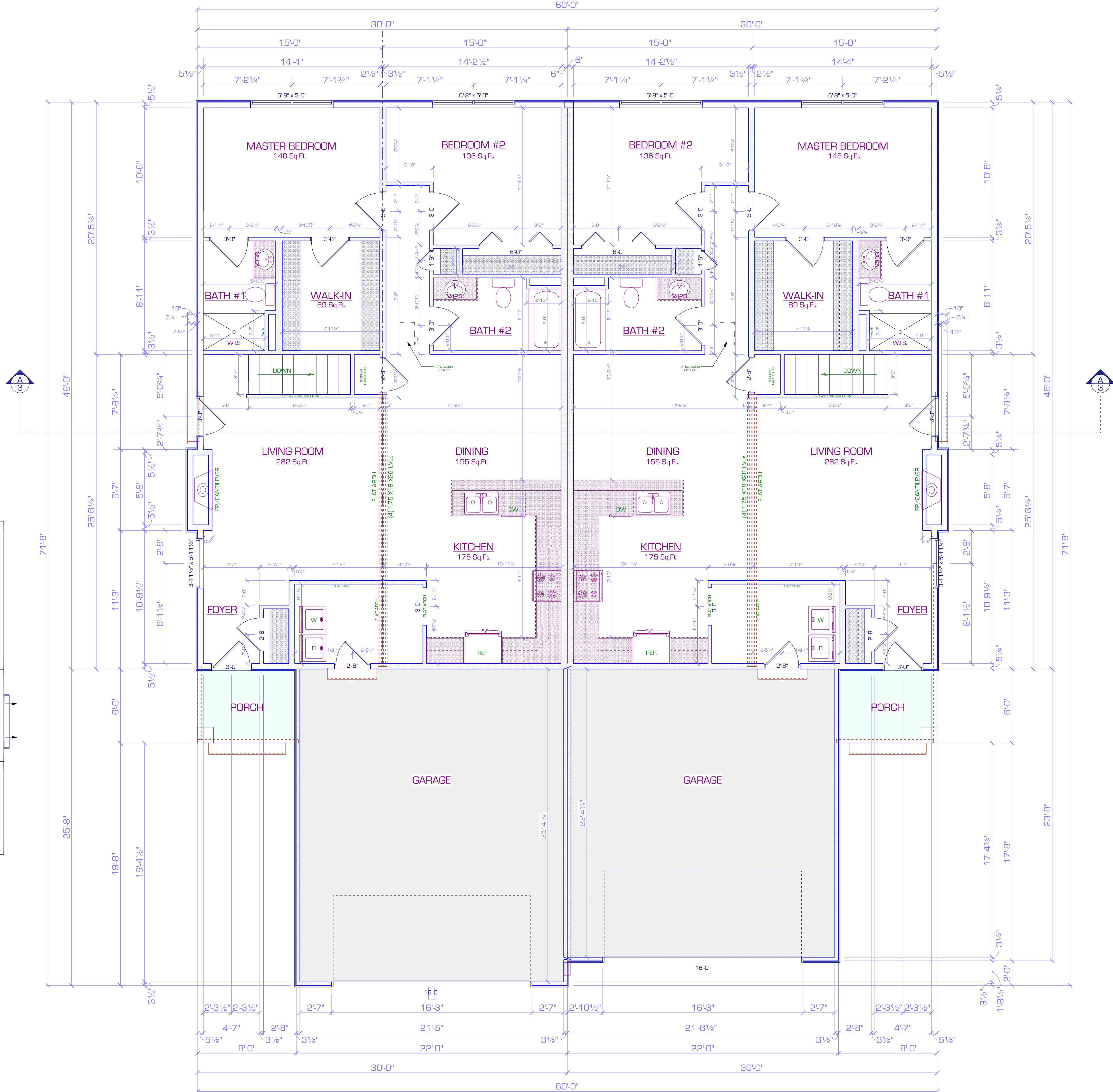
4650 E. Wilder Road
Ray City
MI 48706

SCALE: As Noted
DRAWN BY: JACOB PYLES
DATE: Tuesday, January 11, 2022
APPROVED:

GENERAL NOTES:

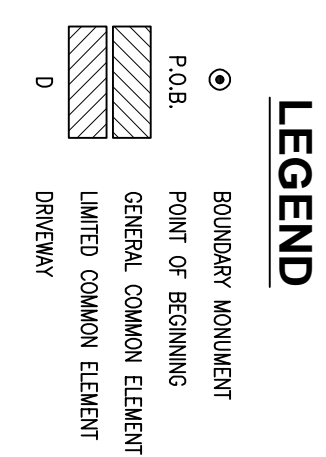
1. GABLE OVERHANGS ARE 12" AND EAVES ARE 24"
2. CLOSETS ARE 2'1" DEEP UNLESS NOTED OTHERWISE
3. EXTERIOR WALLS ARE 2X6 STUDS UNLESS NOTED OTHERWISE
4. WALL HEIGHTS ARE 9' 1-1/8" TALL
5. AREA: 1380 SQ.FT. (EACH UNIT), TOTAL: 2760 SQ.FT.
6. ALL INTERIOR WALLS ARE DIMENSIONED FROM STUD TO STUD
7. FIREPLACE WALL DIMENSIONS TO BE VERIFIED AFTER SELECTION IS MADE
8. FIREPLACE AREA TO BE CANTILEVERED WITH FLOOR SYSTEM
9. ALL INTERIOR WALLS ARE 2X4 STUDS UNLESS NOTED OTHERWISE
10. MINIMUM R-19 EXTERIOR WALL INSULATION
11. MINIMUM R-49 LOOSE FILL INSULATION IN ATTIC
12. ALL HEADERS SIZED BY MATERIAL SUPPLIERS

FLOOR PLAN V3
SCALE: 1/4" = 1'-0"



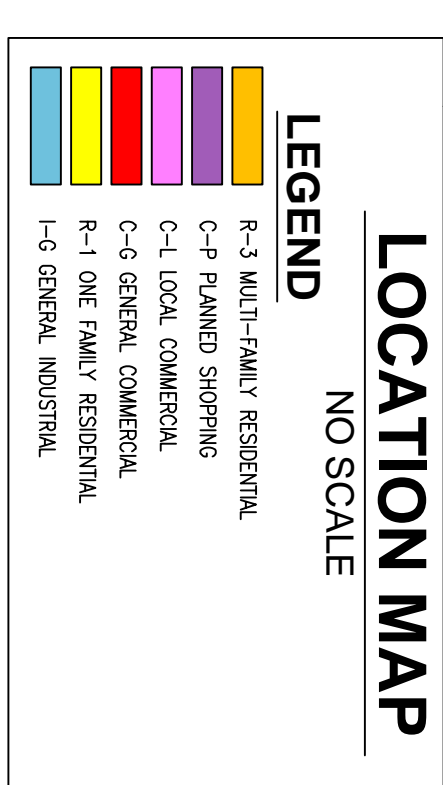
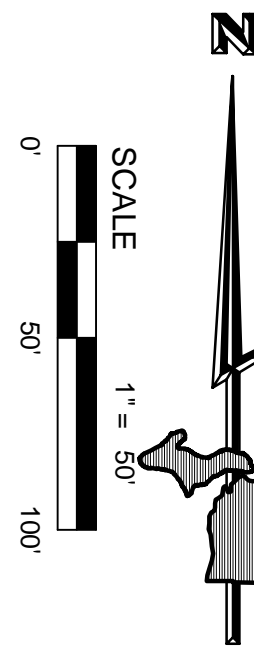
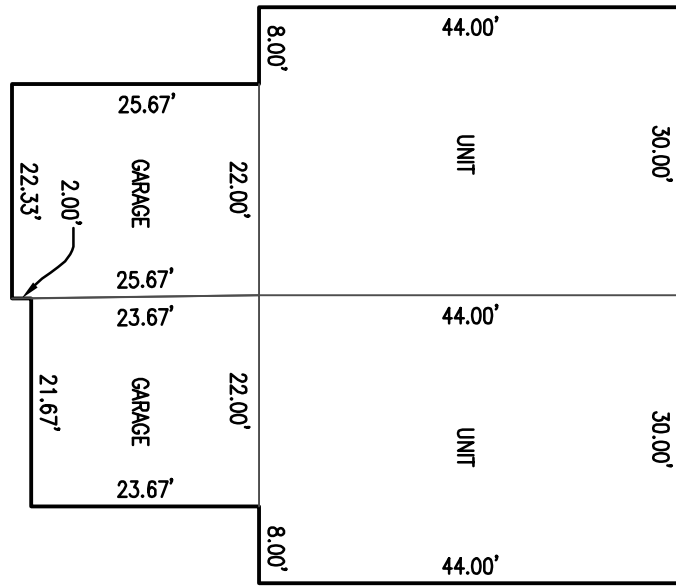
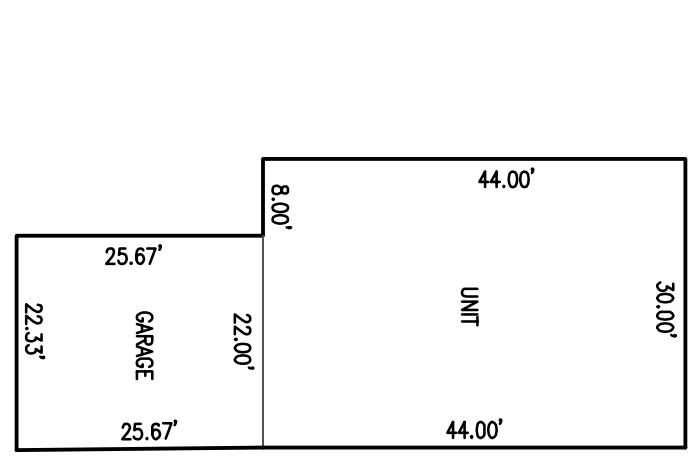
ROOF PLAN
SCALE: 1/8" = 1'-0"

BUILDING	PRIOR PLAN	PROPOSED PLAN
BUILDING 3	6344 SQ.FT.	9349 SQ.FT. (INCLUDING BUILDINGS 20 & 21)
BUILDING 4	2119 SQ.FT.	3726 SQ.FT.
BUILDING 5	2119 SQ.FT.	3726 SQ.FT.
BUILDING 6	2119 SQ.FT.	3726 SQ.FT.
BUILDING 7	2119 SQ.FT.	3726 SQ.FT.
BUILDING 8	4232 SQ.FT.	4232 SQ.FT.
BUILDING 9	4232 SQ.FT.	4232 SQ.FT.
BUILDING 11	3409 SQ.FT.	3409 SQ.FT.
BUILDING 12	3409 SQ.FT.	3409 SQ.FT.
BUILDING 19	3409 SQ.FT.	3726 SQ.FT.

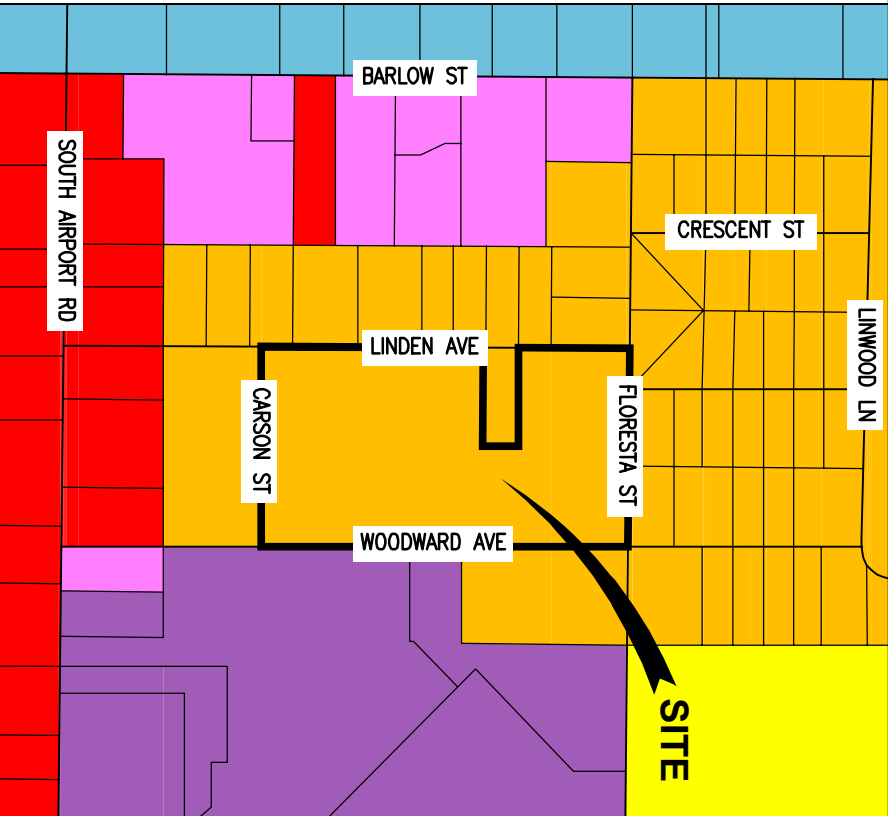


LEGEND

NOTES:
 • ALL DIMENSIONS AND CONSTRAINTS HAVE BEEN MAINTAINED WHICH IS CONSISTENT WITH PRIOR APPROVAL AND CURRENT RECORD CONDOMINIUM DRAWINGS.
 • SIDE DISTANCE BETWEEN BUILDING OR TO ADJACENT PROPERTY LINE = 12'.
 • SIDE DISTANCE BETWEEN BUILDING OR TO ADJACENT PROPERTY LINE = 12'.
 • FRONT DISTANCE TO BUILDING = 27'.
 • 54% OF THE SITE IS COVERED BY BUILDINGS WHICH IS BELOW THE MAXIMUM OF 55%.



LOCATION MAP
NO SCALE




**KENSINGTON WEST CONDOMINIUM
 CONCEPTUAL SITE PLAN
 PATRICK ROKOSZ**

No.	Date	Revision	By
6			
5	07/19/2022	UPDATE SIDEWALKS	CLK
4	07/11/2022	VICINITY MAP	CLK
3	4/22/2022	MOVED SIDEWALKS	CLK
2	4/19/22	MOVED SIDEWALK ALONG EAST SIDE	CLK
1	3/21/22	ADDED SIDEWALK ALONG EAST SIDE	CJP

Date Issued: 12/17/2021
 Drawn By: CLK
 Checked By: CJP
 Scale: 1"=50'
 Original Sheet Size: 22x34

Gosling Czubak
 engineering sciences, inc.
 1280 Business Park Dr.
 Troy, MI 48068
 248-601-1111
 info@goslingczubak.com
 www.goslingczubak.com

CIVIL ENGINEERING
 SURVEYING
 ENVIRONMENTAL SERVICES
 GEOTECHNICAL SERVICES
 CONSTRUCTION SERVICES
 LANDSCAPE ARCHITECTURE

		Charter Township of Garfield	
		Planning Department Report No. 2022-76	
Prepared:	August 3, 2022	Pages:	2
Meeting:	August 10, 2022 Planning Commission	Attachments:	<input checked="" type="checkbox"/>
Subject:	Zoning Ordinance Amendments Package – Public Hearing		

BACKGROUND:

The Planning Commission has been reviewing potential priority updates to the Zoning Ordinance at their past few study sessions. These priorities include clarifying wetland regulations, providing for changeable copy signs in Industrial districts, updating drive-through requirements, and other topics. The proposed amendment was introduced at the Planning Commission meeting on July 13, 2022. Commissioners had a few suggestions to clarify some of the proposed language. These suggestions have been incorporated into the proposed amendment for the public hearing at the August 10, 2022 meeting. Draft language for these proposed changes is attached to this report.

STAFF COMMENT:

The proposed amendment would cover the following topics and sections of the Zoning Ordinance:

- ***Section 516 – Dumpster Enclosures***
 - Prohibit chain link fencing from being used for any portion of the enclosure or gate
- ***Section 534 – Wetlands***
 - Clarify applicability of this section to any wetlands other than those for which an applicant has obtained a valid permit from the State of Michigan to fill or modify such wetland
 - Require delineations of all wetlands and State verification of such delineations
 - Apply wetland setback of 25 feet to snow storage areas
- ***Section 551.E(6) – Snow Storage***
 - Require snow storage areas to be at least 25 feet away from the wetlands and to be outside of any required riparian vegetative buffer
- ***Section 611 – Accessory Uses and Structures***
 - Lower the required separation between an accessory structure and any other structure on the lot from 10 feet to 3 feet
 - Clarify that separation between structures is measured from the furthest projection of the building (e.g., roof / eaves), not the walls
- ***Section 613.A(1)(c) – Outdoor Display***
 - Allow the Zoning Administrator to review areas for outdoor display on administrative site plan reviews instead of the Planning Commission
 - Require that outdoor display areas not be in a no-build buffer zone or required landscaping area, and be located to avoid interference with parking lots, vehicular maneuvering lanes, sidewalks, and pathways
 - Allow the Zoning Administrator the discretion to forward the review of an outdoor display area to the Planning Commission as needed
- ***Section 630 – Signs***
 - Adopt luminance standards for sign lighting for changeable copy signs
 - Allow changeable copy signs in the I-G and I-L zoning districts

PROCESS:

The process for approving a text amendment includes two public hearings: one at the Planning Commission and one at the Township Board. The proposed text amendment is placed on tonight’s Planning Commission agenda for a public hearing after the introduction at the July 13, 2022 regular meeting.

ACTION REQUESTED:

Following discussion and the public hearing, if the Commissioners feel that the proposed amendment to the Zoning Ordinance, as attached to this report, is appropriate, then the following motions are offered for your consideration:

MOTION THAT the proposed amendment to the Garfield Township Zoning Ordinance, as attached to Planning Department Report 2022-76, BE ADOPTED, and

MOTION THAT the proposed amendment to the Garfield Township Zoning Ordinance, as attached to Planning Department Report 2022-76, BE RECOMMENDED FOR ADOPTION by the Township Board.

Any additional information the Planning Commission deems necessary should be added to the motion.

Attachments:

1. Draft Zoning Ordinance language.

Proposed Zoning Ordinance Updates

SECTION 516 DUMPSTER ENCLOSURES

Dumpsters or other refuse or recycling containers which serve developments such as, multi-unit residential buildings, institutional, commercial, office, industrial or mixed use establishments shall be enclosed and such enclosures shall comply with the following requirements:

- A. Such enclosures shall be finished with the same materials and colors as the exterior finish of the principal structure or shall be concrete block or similar material.
- B. The enclosure shall be four-sided and constructed with an opaque gate constructed of wood or similar material, ~~but not including chain link gates with plastic or vinyl type slats.~~ Chain link fencing shall not be used for any portion of the enclosure or gate.
- C. Walls of the enclosure shall be a minimum of 6 feet in height.
- D. Interiors and exteriors of enclosures shall be kept clean and free of debris and clutter.

SECTION 534 WETLANDS

A. ~~Regulated Wetlands~~ Applicability

~~An applicant planning to make any improvements or changes to a regulated wetland within the district must obtain a permit from the DEQ in accordance with~~ This section applies to any wetland which is regulated under Part 303 (Wetlands Protection) of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, except for the following: ~~prior to submitting a site plan or land use permit application under this Zoning Ordinance.~~

- (1) Any wetland or portion of wetland for which an applicant has obtained a permit from the State of Michigan to fill or modify such wetland, where such permit has not expired or otherwise been revoked, and where such permit has been submitted to the Township as part of a site plan or land use permit application in accordance with the provisions of this Zoning Ordinance.

B. Delineation

As part of a site plan or land use permit application submitted in accordance with the provisions of this Zoning Ordinance, such application shall be accompanied by a delineation of all wetlands on the site. This delineation shall be conducted by a professional engineer with relevant expertise. This delineation shall be verified by the State of Michigan. Documentation of such verification shall be submitted to the Township.

~~BC.~~ Wetland Setbacks

~~For a regulated wetland, or for an unregulated wetland area which otherwise meets the criteria to be designated as a wetland, no~~ No structure, ~~or~~ parking lot area, or snow storage area shall be ~~constructed~~ located within twenty-five (25) feet of such wetland. However, recognized wetlands may be incorporated into a stormwater management strategy provided that the wetland values will not be impaired and provided further that incorporation of the wetland will provide a net ecological benefit to groundwater and surface water.

SECTION 551.E(6)

(6) Snow Storage

Whenever a development requiring off street parking has parking areas containing two thousand seven hundred (2,700) square feet or more, provision shall be made for on-site snow storage. Such snow storage shall:

- (a) Be provided at the ratio of ten (10) square feet per one hundred (100) square feet of parking area.

- (b) Be located so as to prevent damage to landscaping required by this ordinance.
- (c) Not occupy required parking spaces or areas that would interfere with the clear visibility of traffic within the site or on adjacent streets.
- (d) Not be located within twenty-five (25) feet of a wetland regulated under Section 534 of this Zoning Ordinance, per Section 534.C.
- (e) Not be located within any required riparian vegetative buffer, per Section 535.C.

SECTION 611 ACCESSORY USES AND STRUCTURES

(+)(2) WITHIN THE “R-1,” “R-2,” AND “R-R” DISTRICTS: Accessory buildings may be erected as part of the principal building or may be connected to it by a roofed-over porch, patio, breezeway, or similar structure, or they may be completely detached. If attached to the principal building, an accessory building shall be made structurally a part of it, and shall comply in all respects with the requirements applicable to the principal building.

An accessory building not attached and not made a part of the principal building shall be permitted provided that:

- (a) The structure is located a minimum of ~~ten (10)~~three (3) feet from any other separate structure on the same lot as measured from the outermost edge of any horizontal projecting element;
- (b) The structure meets the minimum side yard setback, is not located in any front yard, does not exceed more than twenty-five percent (25%) of a required rear yard, and is located a minimum of 10-feet from the rear yard property line;
- (c) The structure shall not exceed a size equal to the ground floor area of the principal building and shall not exceed one (1) story or eighteen (18) feet in height; and
- (d) The structure may not be placed closer to the side street lot line than the side yard setback of the principal building on a corner lot.

SECTION 613 OUTDOOR STORAGE

Unless specifically permitted in this Section, no land in any District shall be used in whole or in part for the storage of unused or discarded equipment or materials, or the storage of unlicensed cars, boats, salvage, waste and junk outside of properly authorized buildings within said District. For purposes of this section, “outdoor storage” is divided into residential and non-residential districts and uses, as described below.

A. Regulations and Conditions

(1) Commercial Districts or Uses

- (a) Except as otherwise noted in this ordinance, commercial activities and accessory uses shall be carried on in completely enclosed buildings or screened areas.
- (b) Outdoor storage of inventory is permitted within the side or rear yard provided such inventory is appropriately screened from public view by a fence, wall, landscaping, or combination thereof, and provided further that no storage may occur within a no-build buffer zone or required landscaping area. Also see § 515, Fences and Walls.
- (c) The ~~Planning Commission~~Zoning Administrator in the case of a site diagram or administrative site plan, or the approval authority in all other cases, may approve designated areas of product display for large inventory items (boats, campers, trailers, snowmobiles, RV’s, swing sets, or similar items) or sales of natural vegetation in the front yard or side yard area for commercial uses, if permitted in the district, provided that such display area shall not be in a no-build buffer zone or required landscaping area, and shall be located to avoid interference with parking lots, vehicular maneuvering lanes, sidewalks, and pathways. The

Zoning Administrator shall retain the right to forward the review of any such proposed display area to the Planning Commission for their review and approval.


SECTION 630.E. Signs Permitted in C-L, C-G, and C-H Commercial Districts

(2) (b) Changeable copy (e.g. LED or manual change). Freestanding signs incorporating manual changeable letter, digital static messages, or images that change are permissible, provided the changeable copy does not exceed 20% of the permitted sign area and provided further that the rate of change between two static messages or images is not less than one (1) hour. The change sequence must be accomplished by means of instantaneous re-pixelization and shall be configured to default to a static display in the event of mechanical or electronic failure. Sign luminance shall not be greater than 4,200 candelas per meter squared beginning one hour after sunrise and continuing until one hour before sunset. Sign luminance shall not be greater than 200 candelas per meter squared at all other times. Sign lighting shall meet the requirements of this Ordinance.

SECTION 630.H. Signs Permitted in I-G and I-L Mixed-Use Industrial Business Districts

In the I-G and I-L Districts the following signs shall be permitted:

(1) All signs as permitted by Section 630.E., ~~with the exception that all changeable copy signs are prohibited.~~

 Charter Township of Garfield Planning Department Report No. 2022-77			
Prepared:	August 3, 2022	Pages:	7
Meeting:	August 10, 2022 Planning Commission	Attachments:	<input checked="" type="checkbox"/>
Subject:	Hammond Road Apartments R-3 Rezoning – Findings of Fact		
File No:	Z-2022-02	Parcels:	05-023-042-50 and 05-023-042-60
Owner / Applicant:	Louis LaFranier Trust & Marvel LaFranier Trust / Outlook Development LLC		

PURPOSE OF APPLICATION:

This application requests the rezoning of land at the northwest of the intersection of Garfield and Hammond Roads, totaling 23.86 acres, from its current zoning of A-Agricultural to the R-3 Multi-Family Residential zoning district via the zoning Map Amendment process, without restriction. The land is further described as parcels 05-023-042-50 and 05-023-042-60. Previously portions of the parent parcel were approved as a Planned Unit Development (PUD) for the BATA/Traverse City Housing Commission Transit-Oriented Mixed-Use Development.

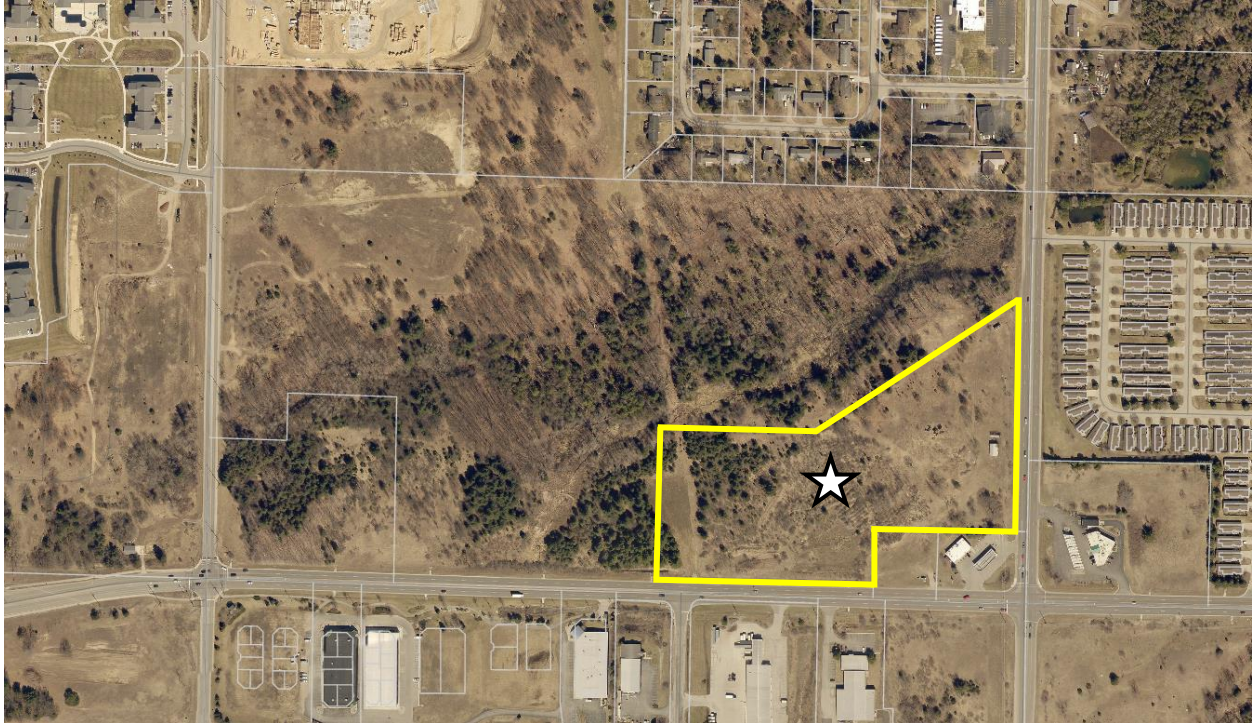
SUBJECT PROPERTY:

Historically, the subject property has been used for agricultural purposes. More recently, the property has not been actively farmed. There are extensive wetlands on the north and west sides of the property.

Zoomed-out aerial view of the subject property (highlighted in yellow)



Zoomed-in aerial view of the subject property (highlighted in yellow)



MASTER PLAN CONSIDERATIONS:

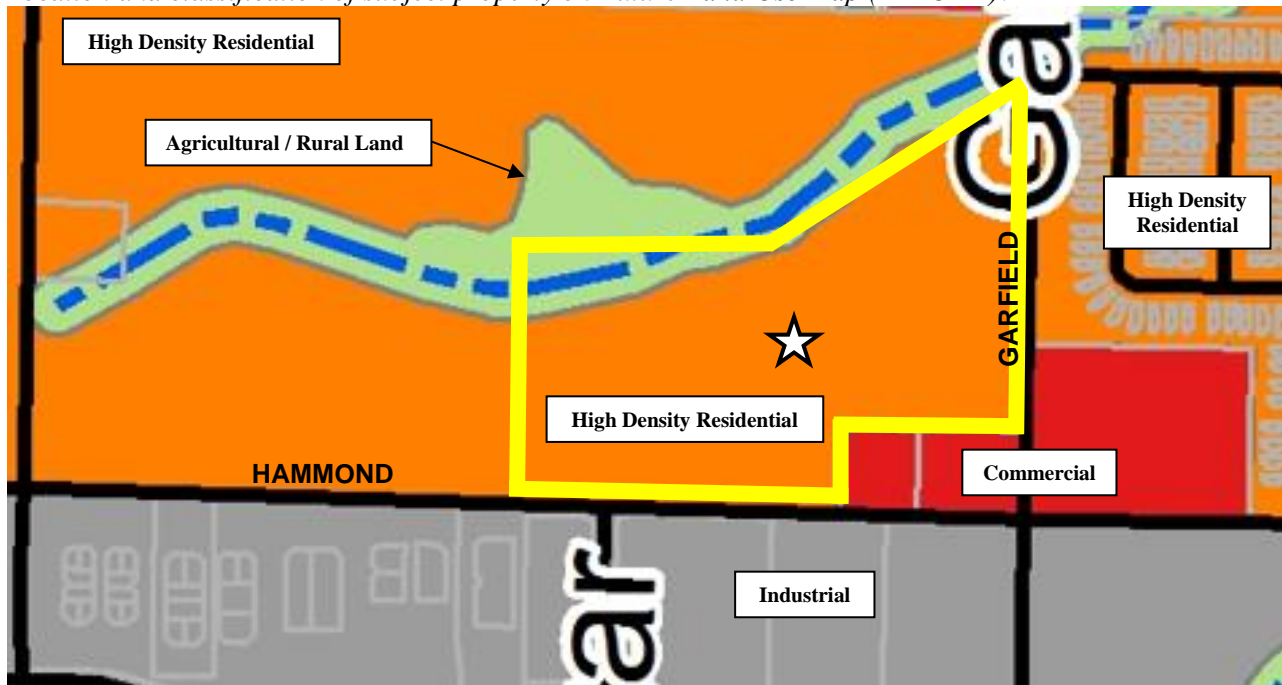
A key factor in considering rezoning requests is whether the request is consistent with the Master Plan. In this case, the Future Land Use Map shows the subject parcel with the designation of “High Density Residential.” This designation is intended to “provide areas for medium- to high-density single and two-family residential dwelling units mixed with a variety of multi-family residential dwelling types, including apartments where adequate public facilities and services exist with capacity to serve such development.” Furthermore, the designation is “intended to encourage more intensive development in and near the core areas of the Township.”

Looking at surrounding properties shows the following Future Land Use designations:

- High Density Residential to the north along Garfield Road
- High Density Residential to the west along Hammond Road
- Agricultural / Rural Land is along the creek/wetland area along the north and west edges of the site
- Commercial at the immediate northwest corner of Garfield and Hammond Roads
- Industrial to the south across Hammond Road
- Commercial and High Density Residential to the east across Garfield Road

The most compatible zoning district for the “High Density Residential” designation is the R-3 Multi-Family Residential zoning district. R-R Rural Residential and R-1 One-Family Residential are both identified as potentially compatible districts. The proposed zoning of R-3 Multi-Family Residential is compatible with the Future Land Use for the subject site. An excerpt from the Zoning Plan for the R-3 zoning designation is provided below.

Location and classification of subject property on Future Land Use Map (“FLUM”):



Excerpt from Zoning Plan matching proposed R-3 zoning for the subject property:

Master Plan Designation	High Density Residential (6-10 units per acre)
[Requested] Zoning	R-3 Multi-Family Residential
Zoning Ordinance District Intent	The R-3 (Multi-Family Residential) districts provide areas for medium- to high-density single- and two-family residential dwelling units mixed with a variety of multi-family residential dwelling types, including apartments where adequate public facilities and services exist with capacity to serve such development. The districts are composed mainly of areas containing an existing mix of these dwelling types as well as areas within which such development appears likely and desirable. They are intended to encourage more intensive development in and near the core areas of the Township. The R-3 districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools, places of worship and parks that will promote a sense of community, urban vitality and the efficient provision of infrastructure. R-3 district regulations are designed to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development in order to preserve environmentally sensitive and natural land areas.
Potentially Compatible District	R-2 Two-Family Residential / R-1 One-Family Residential
Considerations for Downzoning (Less Density)	Allowing a downzoning in designated redevelopment areas may be detrimental to the overall redevelopment plan. In some cases, however, when platted subdivisions are in play, a downzoning may accelerate the redevelopment process. Areas designated as R-3 are typically located close to the City core and amenities. The R-3 district is consistent with the High Density Residential Zoning classification; however, where platted subdivisions are prevalent, an R-1 or R-2 designation may be more appropriate and compatible.
Considerations for Upzoning (More Density)	The R-3 district allows the greatest density possible.

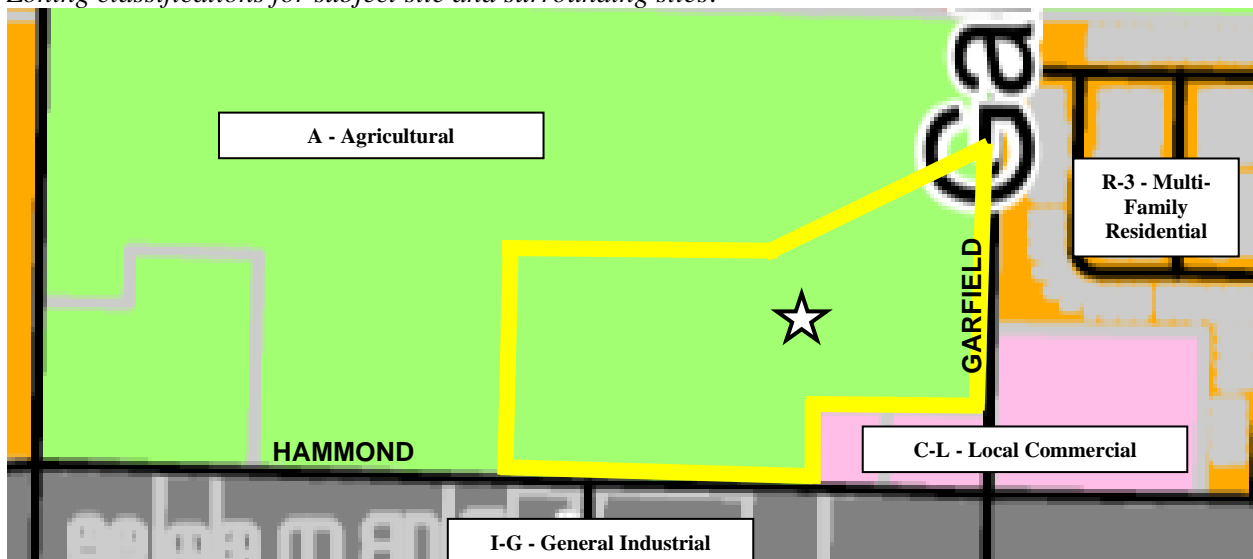
The Future Land Use Map designation for the site is High Density Residential (6-10 units per acre) and the proposed R-3 Multi-Family Residential zoning district is considered the most compatible zoning district for this designation.

ZONING FOR SUBJECT SITE AND SURROUNDING SITES:

The subject property is currently zoned A-Agricultural (shown below in green). Zoning for surrounding sites is as follows:

- North: A – Agricultural
- West: A – Agricultural
- Southeast: C-L – Local Commercial (at northwest corner of Garfield and Hammond Roads)
- South: I-G – General Industrial
- East: R-3 – Multi-Family Residential

Zoning classifications for subject site and surrounding sites:



USES OF SUBJECT SITE AND SURROUNDING SITES:

The subject property has historically been used by the LaFranier family for agricultural use and has more recently been fallow. Uses of the surrounding sites are as follows:

- North: Undeveloped/wetland
- West: Undeveloped/wetland (approved for BATA/TCHC PUD)
- Southeast: Marathon gasoline service station/undeveloped (at northwest corner of Garfield and Hammond Roads)
- South: Industrial, including UPS
- East: Shell gasoline service station/Hammond Place condominiums

FINDINGS OF FACT:

Section 421.E Approval Criteria of Zoning Map Amendment

In its review of an application for rezoning, the Township should consider, but is not necessarily limited to, the criteria as defined in § 421.E (1) Master Plan Consistency through § 421.E (8) Other Factors. No single factor is controlling; instead, each must be weighed in relation to the other standards.

The applicant shall have the burden of justifying the amendment, including identifying specific reasons warranting the amendment, and providing any supporting data and information to address the following:

1. Master Plan Consistency

Rezoning should be consistent with the intent and purpose of the adopted master plan.

The Planning Commission may consider this standard to be **MET** based on the following reasons:

- According to the Master Plan, the Future Land Use designation of the subject site is High Density Residential (6-10 units per acre). The proposed zoning of R-3 Multi-Family Residential is compatible with the Future Land Use designation for the subject parcel. The Master Plan also offers other points to consider including the following:
 - The Master Plan includes a goal to encourage housing options near jobs, services, shopping, and entertainment. This site could offer such opportunity as water and sewer service is available.
 - The Master Plan implementation goals also indicate the desire to provide for housing types which are in demand in the Township and to encourage mixing residential and commercial uses where compatible.

2. Adverse Impacts on Neighboring Lands

The Township shall consider the nature and degree of an adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive. The Township finds and determines that vast acreages of single-use zoning produces uniformity with adverse consequences, such as traffic congestion, air pollution, and social separation. Accordingly, rezoning may promote mixed uses subject to a high degree of design control.

The Planning Commission may consider this standard to be **MET** based on the following reasons:

- The Township shall consider the nature and degree of an adverse impact upon neighboring lands. Multi-family residential provides an acceptable transitional land use from the commercial uses at the intersection of Hammond and Garfield Roads and the industrial uses south of Hammond Road to the single-family residential in the Carriage Hill subdivision to the north. The adjacent land to the north and west was recently approved for the BATA / Traverse City Housing Commission Transit-Oriented Mixed-Use Development and includes a significant amount of multi-family residential.

3. Suitability as Presently Zoned

The Township shall consider the suitability or unsuitability of the tract for its use as presently zoned. This factor, like the others, must often be weighed in relation to the other standards, and instances can exist in which suitably zoned lands may be rezoned upon proof of a real public need, substantially changed conditions in the neighborhood, or to effectuate important goals, objectives, policies, and strategies of the master plan, specification, or this ordinance.

The Planning Commission may consider this standard to be **MET** based on the following reasons:

- The Township shall consider the suitability or unsuitability of the tract for its use as presently zoned. The site is currently zoned A-Agricultural. Given the small area of the subject site and the noticeable amount of development in its vicinity, this site is unlikely to be used for farmland or farming operations.

4. Changed Conditions

The Township shall consider whether any conditions have changed, since the zoning ordinance was adopted, that might justify the amendment.

The Planning Commission may consider this standard to be **MET** based on the following reasons:

- Any changes in conditions since the adoption of the zoning ordinance shall be considered as part of this rezoning request. Recently, multi-family developments, including the BATA/Traverse City Housing Commission Transit-Oriented Mixed-Use Development and Village of LaFranier Woods, were approved on nearby properties that implement the Future Land Use designation for multi-family residential in this area.

5. Health, Safety, and Welfare

The ordinance amendment must bear a substantial relationship to the public health, safety, or general welfare, or must protect and preserve historical and cultural places and areas. The rezoning ordinance may be justified, however, if a substantial public need or purpose exists.

The Planning Commission may consider this standard to be **MET** based on the following reasons:

- As planned, residential use on the site best serves to protect the public health, safety, and welfare.
- Any future development will require stormwater management and setback requirements to protect the water quality of the adjacent wetlands.
- There does not appear to be any nearby historical or cultural places or areas.

6. Public Policy

Certain public policies in favor of the rezoning may be considered. Examples include a need for affordable housing, economic development, mixed-use development, or sustainable environmental features, which are consistent with neighborhood, area, or specific plans.

The Planning Commission may consider this standard to be **MET** based on the following reasons:

- The Master Plan includes several policies, including the following, which encourage different types of housing in the Township:
 - The Master Plan includes a goal to encourage housing options near jobs, services, shopping, and entertainment. This site could offer such opportunity and serve as a buffer area between the commercial and industrial to the south and the residential to the north.
 - The Master Plan implementation goals also indicate the desire to provide for housing types which are in demand in the Township and to encourage mixing residential and commercial uses where compatible.
 - Access will be managed by the Access Management requirements of the Zoning Ordinance which will limit driveways for the subject site to one on Garfield Road and one on Hammond Road regardless of property being divided.

7. Size of Tract

The Township shall consider the size, shape, and characteristics of the tract in relation to the affected neighboring lands. Ordinance amendments shall generally not rezone a single lot when there have been no intervening changes or other saving characteristics. Proof that a small tract is unsuitable

for use as zoned, or that there have been substantial changes in the immediate area, may justify an ordinance amendment.

The Planning Commission may consider this standard to be **MET** based on the following reasons:

- The Township shall consider the size, shape, and characteristics of the tract in relation to the affected neighboring lands. The parcel is about 24 acres. The site has about 762 feet of frontage along Garfield Road and about 1,007 feet of frontage on Hammond Road. Any parceling of this land should be able to meet the minimum standards in the R-3 zoning district.
- The proposed rezoning is not anticipated to have any negative effect on neighboring lands, and future development will be compatible with neighboring land uses.

8. Other Factors

The Township may consider any other factors relevant to a rezoning application under state law.

The Planning Commission may consider this standard to be **MET** based on the following reasons:

- Due to wetlands on the site, any development shall meet the requirements of the Michigan Department of Environment, Great Lakes, and Energy (EGLE) regardless of the zoning designation.

ACTION REQUESTED:

The item is placed on tonight's agenda to consider adopting proposed Findings of Fact for this application. The following motion is suggested:

MOTION THAT the Findings of Fact for application Z-2022-02, as presented in Planning Department Report 2022-77 and being made a part of this motion, BE ADOPTED.

The following motion is suggested to recommend approval of the project to the Township Board:

MOTION TO RECOMMEND TO the Township Board THAT application Z-2022-02 BE APPROVED.

Additional information deemed necessary by the Planning Commission should be added to the motion.

Attachments:

1. Application for Zoning Ordinance Map Amendment dated May 4, 2022, including the following:
 - a. Boundary Survey of Subject Site
 - b. Impact Statement for Zoning Ordinance Map Amendment



Charter Township of Garfield

Grand Traverse County

3848 VETERANS DRIVE
TRAVERSE CITY, MICHIGAN 49684
PH: (231) 941-1620 • FAX: (231) 941-1588

ZONING ORDINANCE AMENDMENT (ZOA) APPLICATION

ASSISTANCE

This application must be completed in full. An incomplete or improperly prepared application will not be accepted and will result in processing delays. Before submitting an application, it is recommended that you contact the Planning Department to arrange an appointment to discuss your proposed application. Time is often saved by these preliminary discussions. For additional information or assistance in completing this development application, please contact the Planning Department at (231) 941-1620.

ACTION REQUESTED

- Map Amendment (Rezoning)
- Text Amendment
- Conditional Rezoning

PROJECT / DEVELOPMENT NAME

HAMMOND ROAD APARTMENTS

APPLICANT INFORMATION

Name: OUTLOOK DEVELOPMENT LLC
Address: 4835 Towne Centre Road, Saginaw, MI 48605
Phone Number: (989) 921-9706
Email: brian@wolgast.com

AGENT INFORMATION

Name: Brian Stadler
Address: 7551 Geddes Road, Saginaw, MI 48609
Phone Number: (989) 233-4656
Email: brian@wolgast.com

OWNER INFORMATION

Name: Louis LaFranier Trust & Marvel LaFranier Trust
Address: 15532 Bluff Road, Traverse City, MI 49686
Phone Number: (231) 250-1896
Email: Dixier@charter.net

CONTACT PERSON

Please select one person to be contact person for all correspondence and questions:

<i>Applicant:</i>	Outlook Development, LLC
<i>Agent:</i>	Brian Stadler
<i>Owner:</i>	Louis LaFranier Trust & Marvel LaFranier Trus

PROPERTY INFORMATION

<i>Property Address:</i>	TBD HAMMOND ROAD W, & GARFIELD ROAD
<i>Property Identification Number:</i>	05-023-042-01
<i>Legal Description:</i>	See Exhibit A
<i>Zoning District:</i>	Agg
<i>Master Plan Future Land Use Designation:</i>	R-3
<i>Area of Property (acres or square feet):</i>	77
<i>Existing Use(s):</i>	Vacant
<i>Proposed Use(s):</i>	R-3

REQUIRED SUBMITTAL ITEMS

A complete application for a Zoning Ordinance Amendment consists of the following:

Application Form:

- One original signed application
- One digital copy of the application (PDF only)

Application Fee:

Fees are established by resolution of the Garfield Township Board and are set out in the current Fee Schedule as listed on the Planning Department page of the Township website (<http://www.garfield-twp.com>). Please make check out to Charter Township of Garfield.

- Fee

Escrow Fee:

Additional fees may be required if a review by independent professional help is deemed necessary by the Township. If required, such additional fees must be placed in escrow by the applicant in accordance with the escrow policies of the Township and prior to any further processing of this application. Any unused escrow funds shall be returned to the applicant. Please complete an Escrow and Review (ER) Application form.

For Map (Rezoning) Amendment only, the following must be included:

Site Diagram

- Ten complete stapled 11"x17" paper sets
- One digital set (PDF) only

Supporting Information

- Ten paper copies of the Impact Statement for Map (Rezoning) Amendment
- One digital copy of the Impact Statement for Map (Rezoning) Amendment (PDP only)

For Text Amendment only, the following must be included:

- Ten paper copies of the Impact Statement for Text Amendment
- One digital copy of the Impact Statement for Text Amendment (PDF only)

For Conditional Rezoning only, the following must be included:

Site Development Plan

- Ten complete stapled 11"x17" paper sets
- Two complete bound 24"x36" paper sets
- One digital set (PDF only)

Supporting Information

- Ten paper copies of the Impact Statement for Conditional Rezoning
- One digital copy of the Impact Statement for Conditional Rezoning (PDF only)
- Ten paper copies of the Offer of Conditions for Conditional Rezoning
- One digital copy of the Offer of Conditions for Conditional Rezoning (PDF only)

Digital items to be delivered via email or USB flash drive

IMPACT STATEMENT FOR ZONING ORDINANCE MAP AMENDMENT

A written impact statement of the application as it relates to § 421.E of the Zoning Ordinance. The applicant shall have the burden of justifying the amendment, including identifying specific reasons warranting the amendment, and providing any supporting data and information.

1. Master Plan Consistency. Rezoning should be consistent with the intent and purpose of the adopted master plan.
2. Adverse Impacts on Neighboring Lands. The Township shall consider the nature and degree of an adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive. The Township finds and determines that vast acreages of single-use zoning produces uniformity with adverse consequences, such as traffic congestion, air pollution, and social separation. Accordingly, rezoning may promote mixed uses subject to a high degree of design control.
3. Suitability as Presently Zoned. The Township shall consider the suitability or unsuitability of the tract for its use as presently zoned. This factor, like the others, must often be weighed in relation to the other standards, and instances can exist in which suitably zoned lands may be rezoned upon proof of a real public need, substantially changed conditions in the neighborhood, or to effectuate important goals, objectives, policies, and strategies of the master plan, specification, or this ordinance.
4. Changed Conditions. The Township shall consider whether any conditions have changed, since the zoning ordinance was adopted, that might justify the amendment.
5. Health, Safety, and Welfare. The ordinance amendment must bear a substantial relationship to the public health, safety, or general welfare, or must protect and preserve historical and cultural places and areas. The rezoning ordinance may be justified, however, if a substantial public need or purpose exists.
6. Public Policy. Certain public policies in favor of the rezoning may be considered. Examples include a need for affordable housing, economic development, mixed-use development, or sustainable environmental features, which are consistent with neighborhood, area, or specific plans.
7. Size of Tract. The Township shall consider the size, shape, and characteristics of the tract in relation to the affected neighboring lands. Ordinance amendments shall generally not rezone a single lot when there have been no

intervening changes or other saving characteristics. Proof that a small tract is unsuitable for use as zoned, or that there have been substantial changes in the immediate area, may justify an ordinance amendment.

8. Other Factors. The Township may consider any other factors relevant to a rezoning application under state law.

IMPACT STATEMENT FOR ZONING ORDINANCE TEXT AMENDMENT

A written impact statement of the application as it relates to § 421.E of the Zoning Ordinance. The applicant shall have the burden of justifying the amendment, including identifying specific reasons warranting the amendment, and providing any supporting data and information.

1. Master Plan Consistency. A text amendment should be consistent with the intent and purpose of the adopted master plan.
2. Changed Conditions. The Township shall consider whether any conditions have changed since the zoning ordinance was adopted that might justify the amendment.
3. Health, Safety, and Welfare. The ordinance amendment must bear a substantial relationship to the public health, safety, or general welfare, or must protect and preserve historical and cultural places and areas.
4. Public Policy. Certain public policies in favor of the rezoning may be considered. Examples include a need for affordable housing, economic development, mixed-use development, or sustainable environmental features, which are consistent with neighborhood, area, or specific plans.
5. Other Factors. The Township may consider any other factors relevant to a zoning text amendment application under state law.

IMPACT STATEMENT FOR CONDITIONAL REZONING

A written impact statement of the application as it relates to § 421.E of the Zoning Ordinance. The applicant shall have the burden of justifying the amendment, including identifying specific reasons warranting the amendment, and providing any supporting data and information.

1. Master Plan Consistency. Rezoning should be consistent with the intent and purpose of the adopted master plan.
2. Adverse Impacts on Neighboring Lands. The Township shall consider the nature and degree of an adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive. The Township finds and determines that vast acreages of single-use zoning produces uniformity with adverse consequences, such as traffic congestion, air pollution, and social separation. Accordingly, rezoning may promote mixed uses subject to a high degree of design control.
3. Suitability as Presently Zoned. The Township shall consider the suitability or unsuitability of the tract for its use as presently zoned. This factor, like the others, must often be weighed in relation to the other standards, and instances can exist in which suitably zoned lands may be rezoned upon proof of a real public need, substantially changed conditions in the neighborhood, or to effectuate important goals, objectives, policies, and strategies of the master plan, specification, or this ordinance.
4. Changed Conditions. The Township shall consider whether any conditions have changed, since the zoning ordinance was adopted, that might justify the amendment.
5. Health, Safety, and Welfare. The ordinance amendment must bear a substantial relationship to the public health, safety, or general welfare, or must protect and preserve historical and cultural places and areas. The rezoning ordinance may be justified, however, if a substantial public need or purpose exists.

6. Public Policy. Certain public policies in favor of the rezoning may be considered. Examples include a need for affordable housing, economic development, mixed-use development, or sustainable environmental features, which are consistent with neighborhood, area, or specific plans.
7. Size of Tract. The Township shall consider the size, shape, and characteristics of the tract in relation to the affected neighboring lands. Ordinance amendments shall generally not rezone a single lot when there have been no intervening changes or other saving characteristics. Proof that a small tract is unsuitable for use as zoned, or that there have been substantial changes in the immediate area, may justify an ordinance amendment.
8. Other Factors. The Township may consider any other factors relevant to a rezoning application under state law.

OFFER OF CONDITIONS FOR CONDITIONAL REZONING

A written offer of Conditions as described in § 422.B(3) of the Zoning Ordinance. An owner of land may voluntarily offer, in writing, conditions relating to the use and/or development of land for which a rezoning is requested.

1. The owner's offer of conditions may not purport to authorize uses or developments not permitted in the requested new zoning district.
2. The owner's offer of conditions shall bear a reasonable and rational relationship to the property for which rezoning is requested.
3. Any use or development, proposed as part of an offer of conditions that would require a special land use permit under the terms of this ordinance, may only be commenced if a special land use permit for such use or development is ultimately granted in accordance with the provisions of this ordinance.
4. Any use or development, proposed as part of an offer of conditions that would require a variance under the terms of this ordinance, may only be commenced if a variance for such development is ultimately granted by the Zoning Board of Appeals in accordance with the provisions of this ordinance.
5. Any use or development, proposed as part of an offer of conditions that would require site plan approval under the terms of this ordinance, may only be commenced if site plan approval for such use or development is ultimately granted in accordance with the provisions of this ordinance.
6. The offer of conditions may be amended during the process of rezoning consideration, provided that any amended or additional conditions are entered voluntarily by the owner.

SUBMITTAL DEADLINE

Submittal deadlines are listed on the Planning Department page of the Township website (<http://www.garfield-twp.com>). Please note that the listed dates are the deadlines after which submittals will not be considered for the indicated meeting. Any errors or missing information on an application submitted at the deadline will result in a delay in the processing of the application. An earlier submittal is encouraged to avoid possible delays.

WAIVERS

Submittal Waiver:

At the discretion of the Zoning Administrator in the case of a Site Diagram, or the Director of Planning in the case of an Administrative Site Plan or a Site Development Plan, the requirement to submit a Site Diagram, an Administrative Site Plan or a Site Development Plan may be waived in any of the following cases when it is determined that the submission would serve no useful purpose:

1. The erection or enlargement of an accessory structure;
2. The enlargement of a principal building by less than 20 percent of its existing gross floor area, provided such enlargement will not result in a requirement for additional off-street parking;
3. A change in principal use where such change would not result in an increase in impervious surface area, additional off-street parking, site access, other external site characteristics or a violation of this ordinance.

Data Waiver:

1. The Zoning Administrator may waive a particular element of information or data otherwise required for a Site Diagram upon a finding that the information is not necessary to determine compliance with this ordinance.
2. The Director of Planning may waive a particular element of information or data otherwise required for a Site Development Plan upon a finding that the information or data is not necessary to determine compliance with this ordinance or that such information or data would not bear on the decision of the approval authority.

SITE PLAN

Check that your site plan includes all required elements for a Site Development Plan (SDP). Please use the Required Site Plan Elements Checklist below.

ADDITIONAL INFORMATION

If applicable, provide the following further information:

	<u>Yes</u>	<u>No</u>	<u>Not Applicable</u>
A. <u>Sanitary Sewer Service</u>			
1. Does project require extension of public sewer line?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, has a Utility Agreement been prepared?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will a community wastewater system be installed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, has a Utility Agreement been prepared?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, provide construction plans and specifications			
3. Will on-site disposal be used?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, is it depicted on plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. <u>Water Service</u>			
1. Does project require extension of public water main?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, has a Utility Agreement been prepared?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will a community water supply be installed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, has a Utility Agreement been prepared?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, provide construction plans and specifications			
C. <u>Public utility easements required?</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, show on plan.			
D. <u>Stormwater Review/Soil Erosion</u>			
1. Soil Erosion Plans approved by Soil Erosion Office?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If so, attach approval letter.			
If no, are alternate measures shown?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Stormwater Plans approved by Township Engineer?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If so, attach approval letter.

If no, are alternate measures shown?

Note: Alternate measures must be designed and sealed by a registered Engineer.

E. Roads and Circulation

- 1. Are interior public streets proposed?
 If yes, has Road Commission approved (attach letter)?
- 2. Will public streets connect to adjoining properties or future streets?
- 3. Are private roads or interior drives proposed?
- 4. Will private drives connect to adjoining properties service roads?
- 5. Has the Road Commission or MDOT approved curb cuts?
 If yes, attach approved permit.

OTHER INFORMATION

If there is any other information that you think may be useful in the review of this application, please attach it to this application or explain it on a separate page.

REVIEW PROCESS

- 1. Upon submittal of this application, Staff will review the materials submitted and will, within ten (10) working days, forward a determination of completeness to the applicant. If the submission is incomplete or noncompliant with the Zoning Ordinance, it will be returned to the applicant for revision. Once the submission is revised, Staff will again review it for completeness and again forward a determination to the applicant within ten (10) working days. This procedure shall be repeated until a complete submission is received.
- 2. Once the application is deemed to be complete and submitted according to the application deadlines, it will be forwarded to the Planning Commission for review. The Planning Commission will determine if the application is complete and schedule a public hearing.
- 3. Following the public hearing, the Planning Commission will make a recommendation on the application to the Township Board.
- 4. Prior to making a decision, the Township Board will hold a second public hearing on the application. Following the public hearing, the Township Board will make a decision to approve or deny the application.
- 5. If a Conditional Rezoning is approved or approved with conditions, the decision of the Township Board shall be incorporated into a written report and decision order.

PERMISSION TO ENTER SUBJECT PROPERTY



Permission is hereby granted to Garfield Township staff and Planning Commissioners to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

Owner Signature:

Applicant Signature:

Agent Signature:

Date:

	
5.7.2022	

OWNER'S AUTHORIZATION





If the applicant is not the registered owner of the lands that is the subject of this application, the owner(s) must complete the authorization set out below.

I/We Dixie Roethlisberger on TTEE authorize to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.

Owner Signature: 
Date: 

AFFIDAVIT

The undersigned affirms that he/she or they is (are) the owner, or authorized agent of the owner, involved in the application and all of the information submitted in this application, including any supplemental information, is in all respects true and correct. The undersigned further acknowledges that willful misrepresentation of information will terminate this permit application and any permit associated with this document.

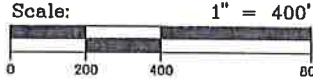
Owner Signature: 
Date: 
Applicant Signature: 
Date: 

Required Site Plan Elements Checklist (See § 956 of the Zoning Ordinance) Site Diagram (SD) / Administrative Site Plan (ASP) / Site Development Plan (SDP)	SD	ASP/ SDP
A. Basic Information		
1. Applicant's name, address, telephone number and signature	<input type="checkbox"/>	<input type="checkbox"/>
2. Property owner's name, address, telephone number and signature	<input type="checkbox"/>	<input type="checkbox"/>
3. Proof of property ownership	<input type="checkbox"/>	<input type="checkbox"/>
4. Whether there are any options or liens on the property	<input type="checkbox"/>	<input type="checkbox"/>
5. A signed and notarized statement from the owner of the property that the applicant has the right to act as the owner's agent	<input type="checkbox"/>	<input type="checkbox"/>
6. The address and/or parcel number of the property, complete legal description and dimensions of the property, setback lines, gross and net acreages and frontage	<input type="checkbox"/>	<input type="checkbox"/>
7. A vicinity map showing the area and road network surrounding the property		<input type="checkbox"/>
8. Name, address and phone number of the preparer of the site plan	<input type="checkbox"/>	<input type="checkbox"/>
9. Project title or name of the proposed development	<input type="checkbox"/>	<input type="checkbox"/>
10. Statement of proposed use of land, project completion schedule, any proposed development phasing	<input type="checkbox"/>	<input type="checkbox"/>
11. Land uses and zoning classification on the subject parcel and adjoining parcels	<input type="checkbox"/>	<input type="checkbox"/>
12. Seal of the registered engineer, architect, landscape architect, surveyor, or planner who prepared the plan, as well as their name, address and telephone number		<input type="checkbox"/>
B. Site Plan Information		
1. North arrow, scale, and date of original submittal and last revision	<input type="checkbox"/>	<input type="checkbox"/>
2. Boundary dimensions of natural features		<input type="checkbox"/>
3. Natural features such as woodlots, water bodies, wetlands, high risk erosion areas, slopes over twenty-five percent (25%), beach, drainage, and similar features		<input type="checkbox"/>
4. Proposed alterations to topography and other natural features		<input type="checkbox"/>
5. Existing topographic elevations at two-foot intervals except shown at five-foot intervals where slopes exceed 18%		<input type="checkbox"/>
6. Soil erosion and sediment control measures as required by the Grand Traverse County Soil Erosion Department.	<input type="checkbox"/>	<input type="checkbox"/>
7. The location, height and square footage of existing and proposed main and accessory buildings, and other existing structures		<input type="checkbox"/>
8. Location and specifications for any existing or proposed (above or below ground) storage facilities for any chemicals, salts, flammable materials, or hazardous materials. Include any containment structures or clear zones required by county, state or federal government authorities		<input type="checkbox"/>
9. Proposed finish floor and grade line elevations of any structures <i>*Required only for habitable construction within the floodplain on site diagrams and administrative site plans.</i>	<input type="checkbox"/> *	<input type="checkbox"/>
10. Existing and proposed driveways, including parking areas	<input type="checkbox"/>	<input type="checkbox"/>
11. Neighboring driveways and other vehicular circulation features adjacent to the site		<input type="checkbox"/>
12. A dimensional plan indicating the location, size and number of parking spaces of the on-site parking areas, and shared parking areas	<input type="checkbox"/>	<input type="checkbox"/>
13. Identification and dimensions of service lanes and service parking, snow storage areas, loading and unloading and docks		<input type="checkbox"/>
14. Proposed roads, access easements, sidewalks, bicycle paths, and other vehicular and pedestrian circulation features within and adjacent to the site		<input type="checkbox"/>
15. Location of and dimensions of curb cuts, acceleration, deceleration and passing lanes		<input type="checkbox"/>
16. Location of neighboring structures that are close to the parcel line or pertinent to the proposal		<input type="checkbox"/>
17. Location of water supply lines and/or wells	<input type="checkbox"/>	<input type="checkbox"/>
18. Location of sanitary sewer lines and/or sanitary sewer disposal systems	<input type="checkbox"/>	<input type="checkbox"/>
19. Location, specifications, and access to a water supply in the event of a fire emergency		<input type="checkbox"/>
20. Sealed (2) stormwater plans including the location and design of storm sewers, retention or detention ponds, swales, wastewater lines, clean out locations, connection points and treatment systems		<input type="checkbox"/>
21. A utility plan including the location of all other utilities on the site including but not limited to natural gas, electric, cable TV, telephone and steam		<input type="checkbox"/>
22. A sign plan indicating the location, size and specifications of all signs and advertising features, including cross sections		<input type="checkbox"/>
23. A lighting plan including exterior lighting locations with area of illumination illustrated by point values on a photometric plan, Kelvin rating, as well as the type of fixtures and shielding to be used		<input type="checkbox"/>
24. Proposed location of any open spaces, landscaping and buffering features such as buffer areas, vegetation belts, fences, walls, trash receptacle screening, and other screening features with cross sections shown		<input type="checkbox"/>
25. A Landscape plan and table identifying the species, size of landscape materials, and number proposed, compared to what is required by the Ordinance. All vegetation to be retained on site must also be indicated, as well as, its typical size by general location or range of sizes as appropriate		<input type="checkbox"/>
26. Statements regarding the project impacts on existing infrastructure (including traffic capacity, schools, and existing utilities, and on the natural environment on and adjacent to the site)		<input type="checkbox"/>
27. Changes or modifications required for any applicable regulatory agencies' approvals		<input type="checkbox"/>

CERTIFICATE OF SURVEY

Legend

- IRON SET
- IRON FOUND
- ⊙ MONUMENT FOUND
- ⊕ GOVERNMENT CORNER
- SECTION CORNER
- ◆ FOUND DNR MONUMENT
- (R) RECORD
- (M) MEASURED



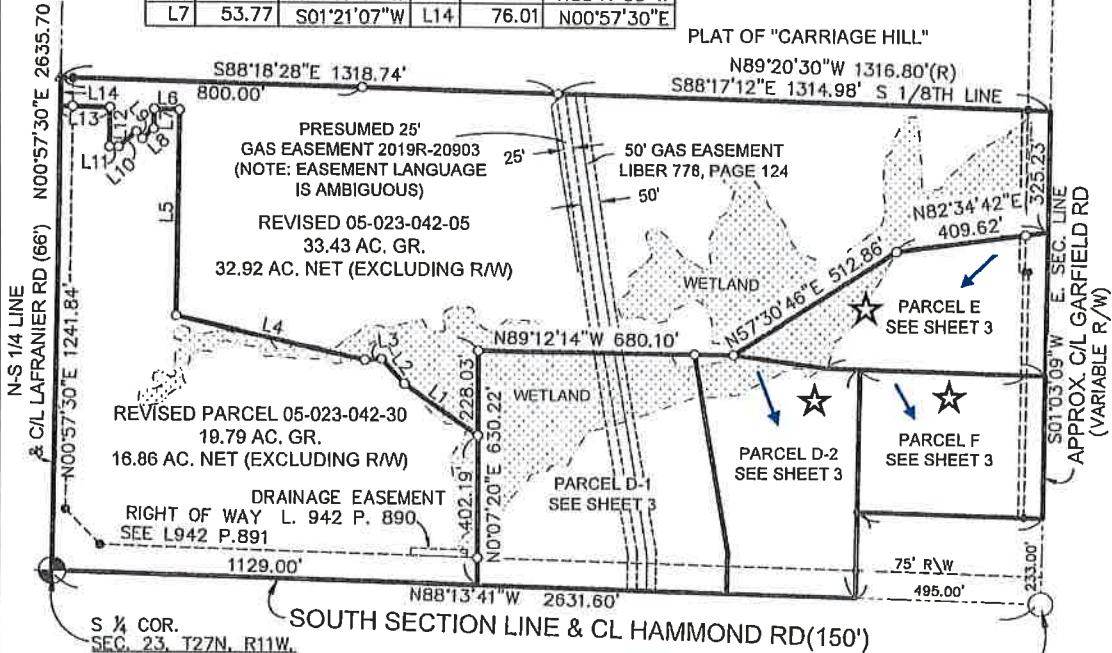
C 1/4 COR.
SEC. 23, T27N, R11W.
IRON OF RECORD IN BOX

Exhibit A
Subject Purchase Parcels
LaFranier Trusts to Outlook Development LLC
Parcels D-2, E, F

SPACE RESERVED FOR REGISTER OF DEEDS

LINE TABLE			LINE TABLE		
LINE	DIST	BEARING	LINE	DIST	BEARING
L1	238.68	N54°56'50"W	L8	40.66	S48°58'54"W
L2	90.69	N42°07'21"W	L9	25.00	N41°01'06"W
L3	44.88	S85°33'20"W	L10	62.36	S49°00'09"W
L4	513.94	N76°54'36"W	L11	23.84	N89°03'38"W
L5	547.80	N00°57'42"E	L12	105.61	N00°57'31"E
L6	67.82	N88°17'53"W	L13	130.98	N88°17'53"W
L7	53.77	S01°21'07"W	L14	76.01	N00°57'30"E

EAST 1/4 COR.
SEC. 23, T27N, R11W.
FD 3-1/2" BRASS CAP
EAST 24.97' P. POLE
S14°E 106.04' 16" W. PINE
S62°W 49.76 10" PEAR
N05°W 68.33' 12" MAPLE



NOTE: All parcels are subject to and together with blanket road and utility connection easements as required by township, during Siteplan approval. Said easement agreements are to be recorded in the R.O.D. post Siteplan approval prior to construction of Infrastructure.



SE COR.
SEC. 23, T27N, R11W.
FD 3-1/2" BRASS CAP
N29W 68.74' GUY POLE
S70W 74.80' P. POLE
S24E 70.07' P. POLE
N28E 102.08' 6" SPRUCE

04-14-22

BASIS OF BEARING: NAD 83 MI CENT SPCS
ESTIMATED ABSOLUTE ACCURACY IS 0.20' PER CORNER

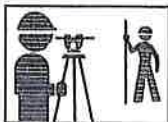
I Jesse E. Mitchell #4001054433 being a Licensed Professional Surveyor, hereby certify that I have surveyed and mapped the parcel(s) heron described and that the relative positional precision of each corner is within the limits accepted by the practice of professional surveying and that all the requirements of P.A. 132 of 1970, as amended, have been complied with.

Jesse E. Mitchell
Professional Surveyor No. 4001054433

This survey plat was prepared for the exclusive use of the person, persons, or entity named in the certificate hereon. Said certificate does not extend to any unnamed third person without an express recertification by the surveyor naming said third person.

CLIENT: LOUIS G & MARVEL R LAFRANIER TRUST
C/O DIXIE ROETHLISBERGER

LOCATION:
PART OF THE SOUTHEAST 1/4, SECTION 23,
TOWN 27 NORTH, RANGE 11 WEST,
GARFIELD TOWNSHIP,
GRAND TRAVERSE COUNTY, MICHIGAN.



BOB MITCHELL & ASSOCIATES
SURVEYING / ENGINEERING
404 West Main Street P.O. Box 306 NORTH 1ST STREET
Kingsley, MI 49649 Harrison, MI 48625
(231) 263-5463 • FAX (231) 263-7921
Toll Free in Michigan 1-800-533-6627
email jesse@mopcivilsurvey.com

DATE: MJC	REVISED DATE: 4/14/2022	FILE NO. 20210403
CK: JEM	PLD. BK. X PG. X	SHEET 1 OF 5

BVS

CERTIFICATE OF SURVEY

Legend



- IRON SET
- IRON FOUND
- ⊙ MONUMENT FOUND
- ⊕ GOVERNMENT CORNER
- SECTION CORNER
- ◆ FOUND DNR MONUMENT
- (R) RECORD
- (M) MEASURED

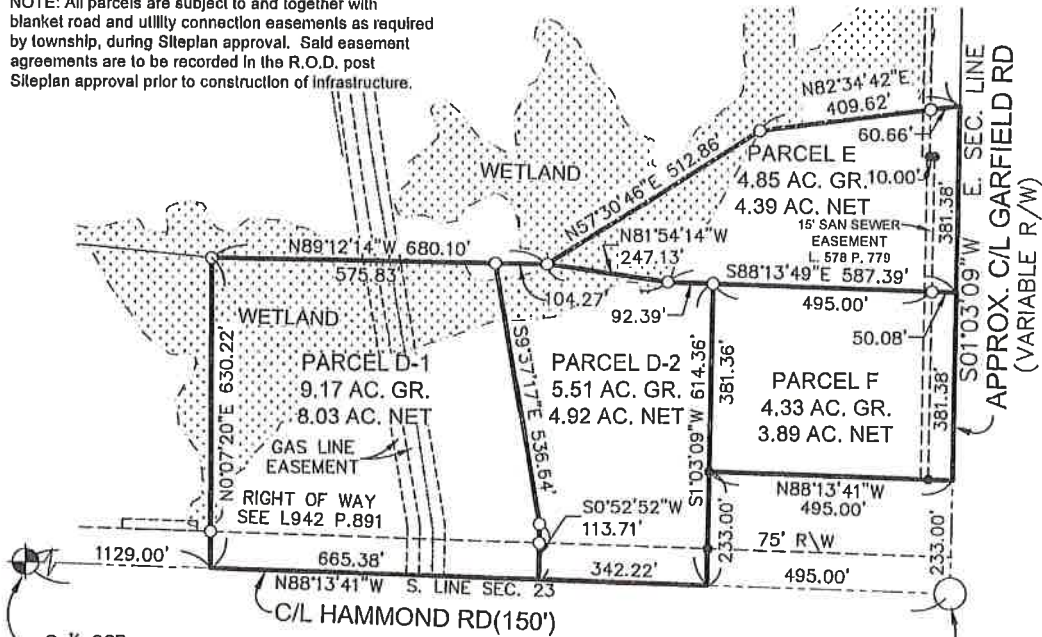


SPACE RESERVED FOR REGISTER OF DEEDS

THIS PROPOSED PARCEL DIVISION IS SUBJECT TO MUNICIPAL APPROVAL PURSUANT TO THE "LAND DIVISION ACT", P.A. 591 OF 1996, AS AMENDED.

NOTE: All parcels are subject to and together with blanket road and utility connection easements as required by township, during Siteplan approval. Said easement agreements are to be recorded in the R.O.D. post Siteplan approval prior to construction of Infrastructure.

EAST 1/4 COR.
 SEC. 23, T27N, R11W.
 FD 3-1/2" BRASS CAP
 EAST 24.97' P. POLE
 S14°E 106.04' 16" W. PINE
 S62°W 49.76' 10" PEAR
 N05°W 68.33' 12" MAPLE



S 1/4 COR.
 SEC. 23, T27N, R11W.
 FD 1/2" REROD IN MON BOX
 S40°E P. POLE 39.76'
 S45°W P. POLE 35.85'
 N56°W 14" ELM 80.50'
 N78°E 22" MAPLE 99.53'

SE COR.
 SEC. 23, T27N, R11W.
 FD 3-1/2" BRASS CAP
 N29°W 68.74' GUY POLE
 S70°W 74.80' P. POLE
 S24°E 70.07' P. POLE
 N28°E 102.08' 6" SPRUCE



04-14-22

[Signature]
 Jesse E. Mitchell
 Professional Surveyor No. 4001054433

BASIS OF BEARING: NAD 83 MI CENT SPCS
 ESTIMATED ABSOLUTE ACCURACY IS 0.20' PER CORNER

I Jesse E. Mitchell #4001054433 being a Licensed Professional Surveyor, hereby certify that I have surveyed and mapped the parcel(s) hereon described and that the relative positional precision of each corner is within the limits accepted by the practice of professional surveying and that all the requirements of P.A. 132 of 1970, as amended, have been complied with.

This survey plat was prepared for the exclusive use of the person, persons, or entity named in the certificate hereon. Said certificate does not extend to any unnamed third person without an express recertification by the surveyor naming said third person.

CLIENT: LOUIS G & MARVEL R LAFRANIER TRUST
 C/O DIXIE ROETHLISBERGER

LOCATION:
 PART OF THE SOUTHEAST 1/4, SECTION 23,
 TOWN 27 NORTH, RANGE 11 WEST,
 GARFIELD TOWNSHIP,
 GRAND TRAVERSE COUNTY, MICHIGAN.



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 SURVEYING / ENGINEERING
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 Kingstey, MI 49849 Harrison, MI 48625
 (231) 263-5463 • FAX (231) 263-7921
 Toll Free in Michigan 1-800-533-6627
 email jesse@mcpicivilsurvey.com

DWN. MJC	REVISED DATE	3.15.2022 9.19.18	FILE NO. 20210403
CK. JEM	F.L.D. BK. X	PG. X	SHEET 2 OF 5

[Handwritten initials]

DESCRIPTION

REVISED 05-023-042-05

Part of South 1/2 of the Southeast 1/4 of Section 23, Town 27 North, Range 11 West, Garfield Township, Grand Traverse County, Michigan, more fully described as: Commencing at the South 1/4 corner of said Section 23; thence North 00°57'30" East, 1241.84 feet, along the North and South 1/4 line of said Section and the centerline of LaFranier Road, to the Point of Beginning; thence North 00°57'30" East, 76.01 feet, along the North and South 1/4 line of said Section and the centerline of LaFranier Road to the South 1/8 line of said Section; thence South 88°18'28" East, 1318.74 feet, along said South 1/8 line; thence South 88°17'12" East, 1314.98 feet, along said South 1/8 line to a point on the East line of said Section and the centerline of Garfield Road; thence South 01°03'09" West, 325.23 feet, along said East line and centerline; thence South 82°34'42" West, 409.62 feet; thence South 57°30'46" West, 512.86 feet; thence North 89°12'14" West, 680.10 feet; thence South 00°07'20" West, 228.03 feet; thence North 54°56'50" West, 238.68 feet; thence North 42°07'21" West, 90.69 feet; thence South 85°33'20" West, 44.88 feet; thence North 76°54'36" West, 513.94 feet; thence North 00°57'42" East, 547.80 feet; thence North 88°17'53" West, 67.82 feet; thence South 01°21'07" West, 53.77 feet; thence South 48°58'54" West, 40.66 feet; thence North 41°01'06" West, 25.00 feet; thence South 49°00'49" West, 62.36 feet; thence North 89°03'38" West, 23.84 feet; thence North 00°57'31" East, 105.61 feet; thence North 88°17'53" West, 130.98 feet, to the Point of Beginning. Contains 33.43 Acres Gross Acres of Land, more or less.

Subject to the right of way for LaFranier Road over the westerly portion thereof. Subject to the right of way for Garfield Avenue over the easterly portion thereof. Subject to other easements or restrictions if any.

SUBJECT TO AND TOGETHER WITH blanket road and utility connection easements as required by township, during Siteplan approval. Said easement agreements are to be recorded in the R.O.D. post Siteplan approval prior to construction of Infrastructure.

SUBJECT TO all agreements, covenants, easements, right-of-ways, reservations and restrictions of record, if any.

REVISED PARCEL 05-023-042-30

Part of South 1/2 of the Southeast 1/4 of Section 23, Town 27 North, Range 11 West, Garfield Township, Grand Traverse County, Michigan, more fully described as: BEGINNING at the South 1/4 corner of said Section 23; thence South 88°13'41" East, along the South line of said section and centerline of Hammond Road, 1129.00 feet; thence North 00°07'20" East, 402.19 feet; thence North 54°56'50" West, 238.68 feet; thence North 42°07'21" West, 90.69 feet; thence South 85°33'20" West, 44.88 feet; thence North 76°54'36" West, 513.94 feet; thence North 00°57'42" East, 547.80 feet; thence North 88°17'53" West, 67.82 feet; thence South 01°21'07" West, 53.77 feet; thence South 48°58'54" West, 40.66 feet; thence North 41°01'06" West, 25.00 feet; thence South 49°00'49" West, 62.36 feet; thence North 89°03'38" West, 23.84 feet; thence North 00°57'31" East, 105.61 feet; thence North 88°17'53" West, 130.98 feet, to the West line of said section; thence South 00°57'30" West, 1241.84 feet, to the Point of Beginning. Contains 19.79 Acres Gross Acres of Land, more or less.

Subject to the right of way for LaFranier Road over the westerly portion thereof. Subject to the right of way for Hammond Road over the Southerly portion thereof. Subject to other easements or restrictions if any.

SUBJECT TO AND TOGETHER WITH blanket road and utility connection easements as required by township, during Siteplan approval. Said easement agreements are to be recorded in the R.O.D. post Siteplan approval prior to construction of Infrastructure.

SUBJECT TO all agreements, covenants, easements, right-of-ways, reservations and restrictions of record, if any.


 Jesse E. Mitchell
 Professional Surveyor No. 4001054433



04-14-22

Handwritten initials

CLIENT: LOUIS G & MARVEL R LAFRANIER TRUST C/O DIXIE ROETHLISBERGER			
LOCATION: PART OF THE SOUTHEAST 1/4, SECTION 23, TOWN 27 NORTH, RANGE 11 WEST, GARFIELD TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN.			
DRAWN: MJC	REVISED DATE: 4.14.2022 9.19.18	FILE NO. 20210403	
CHK: JEM	FLD. BK. X	PG. X	SHEET 3 OF 5

BOB MITCHELL & ASSOCIATES
 SURVEYING / ENGINEERING
 404 West Main Street P.O. Box 306 NORTH 1ST STREET
 Kingsley, MI 49849 Harrison, MI 48825
 (231) 263-5463 • FAX (231) 263-7921
 Toll Free in Michigan 1-800-533-6627
 email jesse@bmacplvaurvey.com

DESCRIPTION

DESCRIPTION: A parcel of land situated in the Township of Garfield, County of Grand Traverse, State of Michigan and described as follows to-wit:

PARCEL "D-1"

Part of the South one-half of the Southeast One-Quarter of Section 23, Town 27 North, Range 11 West, more fully described as: Commencing at the South one-quarter corner of said Section 23; thence South 88°13'41" East, along the South line of said Section 23, 1129.00 feet, to the Point of Beginning; thence North 00°07'20" East, 630.22 feet; thence South 89°12'14" East, 575.83 feet; thence South 09°37'17" East, 536.64 feet; thence South 00°52'52" West, 113.71 feet, to the South line of said section; thence North 88°13'41" West, along said South section line, 665.38 feet, to the Point of Beginning. Said parcel contains 9.17 acres, more or less.

SUBJECT TO AND TOGETHER WITH blanket road and utility connection easements as required by township, during Siteplan approval. Said easement agreements are to be recorded in the R.O.D. post Siteplan approval prior to construction of infrastructure.


SUBJECT TO all agreements, covenants, easements, right-of-ways, reservations and restrictions of record, if any.

PARCEL "D-2" ☆

Part of the South one-half of the Southeast One-Quarter of Section 23, Town 27 North, Range 11 West, more fully described as: Commencing at the South one-quarter corner of said Section 23; thence South 88°13'41" East, along the South line of said Section 23, 1794.38 feet, to the Point of Beginning; thence North 00°52'52" East, 113.71 feet; thence North 09°37'17" West, 536.64 feet; thence South 89°12'14" East, 104.27 feet; thence South 81°54'14" East, 247.13 feet; thence South 88°13'49" East, 92.39 feet; thence South 01°03'09" West 614.36 feet, to the South Line of said section; thence North 88°13'41" West, along said South section line, 342.22 feet, to the Point of Beginning. Said parcel contains 5.51 acres, more or less.

SUBJECT TO AND TOGETHER WITH blanket road and utility connection easements as required by township, during Siteplan approval. Said easement agreements are to be recorded in the R.O.D. post Siteplan approval prior to construction of infrastructure.

SUBJECT TO all agreements, covenants, easements, right-of-ways, reservations and restrictions of record, if any.


 Jesse E. Mitchell
 Professional Surveyor No. 4001054433



08-14-22

BOS

CLIENT: LOUIS G & MARVEL R LAFRANIER TRUST C/O DIXIE ROETHLISBERGER			
LOCATION: PART OF THE SOUTHEAST 1/4, SECTION 23, TOWN 27 NORTH, RANGE 11 WEST, GARFIELD TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN.			
DMR.	MJC	REVISED DATE	3.15.2022 9.19.18
CK.	JEM	FILE NO.	20210403
		FLD. BK. X	PG. X
		SHEET	4 OF 5

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 (231) 263-5463 • FAX (231) 263-7921
 Toll Free in Michigan 1-800-533-6627
 email jesse@mapcivilsurvey.com

DESCRIPTION

DESCRIPTION: A parcel of land situated in the Township of Garfield, County of Grand Traverse, State of Michigan and described as follows to-wit:

PARCEL "E" ★

Part of the South one-half of the Southeast One-Quarter of Section 23, Town 27 North, Range 11 West, more fully described as: Commencing at the South one-quarter corner of said Section 23; thence South 88°13'41" East, along the South line of said Section 23, 1129.00 feet; thence North 00°07'20" East, 630.22 feet; thence South 89°12'14" East, 680.10 feet, to the Point of Beginning; thence North 57°30'46" East, 512.86 feet; thence North 82°34'42" East, 409.62 feet, to the East line of said section; thence South 01°03'09" West, along said East section line, 381.38 feet; thence North 88°13'49" West, 587.39 feet; thence North 81°54'14" West, 247.13 feet, to the Point of Beginning. Said parcel contains 4.85 acres, more or less.

SUBJECT TO AND TOGETHER WITH blanket road and utility connection easements as required by township, during Siteplan approval. Said easement agreements are to be recorded in the R.O.D. post Siteplan approval prior to construction of Infrastructure.

SUBJECT TO all agreements, covenants, easements, right-of-ways, reservations and restrictions of record, if any.

PARCEL "F" ★

Part of the South one-half of the Southeast One-Quarter of Section 23, Town 27 North, Range 11 West, more fully described as: Commencing at the South one-quarter corner of said Section 23; thence South 88°13'41" East, along the South line of said Section 23, 2136.60 feet; thence North 01°03'09" East, 233.00 feet, to the Point of Beginning; thence North 01°03'09" East, 381.36 feet; thence South 88°13'49" East, 495.00 feet, to the East line of said section; thence South 01°03'09" West, along said East section line, 381.38 feet; thence North 88°13'41" West, 495.00 feet, to the Point of Beginning. Said parcel contains 4.33 acres, more or less.

SUBJECT TO AND TOGETHER WITH blanket road and utility connection easements as required by township, during Siteplan approval. Said easement agreements are to be recorded in the R.O.D. post Siteplan approval prior to construction of Infrastructure.

SUBJECT TO all agreements, covenants, easements, right-of-ways, reservations and restrictions of record, if any.



Jesse E. Mitchell
Professional Surveyor No. 4001054433



02/14/22



CLIENT: LOUIS G & MARVEL R LAFRANIER TRUST
C/O DIXIE ROETHLISBERGER

LOCATION:

PART OF THE SOUTHEAST 1/4, SECTION 23,
TOWN 27 NORTH, RANGE 11 WEST,
GARFIELD TOWNSHIP,
GRAND TRAVERSE COUNTY, MICHIGAN.



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DWN.	MJC	REVISED DATE	3.15.2022 9.19.18	FILE NO.	20210403
CK.	JEM	FLD. BK. X	PG. X	SHEET	5 OF 5

Exhibit B

IMPACT STATEMENT FOR ZONING ORDINANCE MAP AMENDMENT A written impact statement of the application as it relates to § 421.E of the Zoning Ordinance. The applicant shall have the burden of justifying the amendment, including identifying specific reasons warranting the amendment, and providing any supporting data and information.

1. Master Plan Consistency. Rezoning should be consistent with the intent and purpose of the adopted master plan.

A. The property seeking rezoning is located in an area designated for R-3 future development.

2. Adverse Impacts on Neighboring Lands. The Township shall consider the nature and degree of an adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive. The Township finds and determines that vast acreages of single-use zoning produces uniformity with adverse consequences, such as traffic congestion, air pollution, and social separation. Accordingly, rezoning may promote mixed uses subject to a high degree of design control.

A. The conditions of the Township's R-3 zoning classification will control the design of any new development. The residential zoning will allow new opportunities for development of greatly needed new workforce housing.

3. Suitability as Presently Zoned. The Township shall consider the suitability or unsuitability of the tract for its use as presently zoned. This factor, like the others, must often be weighed in relation to the other standards, and instances can exist in which suitably zoned lands may be rezoned upon proof of a real public need, substantially changed conditions in the neighborhood, or to effectuate important goals, objectives, policies, and strategies of the master plan, specification, or this ordinance.

A. R-3 zoning will be suitable for the growing demand for more housing in the area. Current AG zoning is no longer the highest and best use for the property.

4. Changed Conditions. The Township shall consider whether any conditions have changed, since the zoning ordinance was adopted, that might justify the amendment.

A. The sustained growth in the area has changed the conditions of the current zoning. The use of the property is no longer agricultural and the demand for increase housing opportunities justifies the amendment.

5. Health, Safety, and Welfare. The ordinance amendment must bear a substantial relationship to the public health, safety, or general welfare, or must protect and preserve historical and cultural places and areas. The rezoning ordinance may be justified, however, if a substantial public need or purpose exists.

A. The rezoning is justified by the public need for new housing alternatives. The public health, safety and welfare will not be diminished and there will be no historical or cultural places impacted.

6. Public Policy. Certain public policies in favor of the rezoning may be considered. Examples include a need for affordable housing, economic development, mixed-use development, or sustainable environmental features, which are consistent with neighborhood, area, or specific plans.


A. The rezoning will allow the development of new affordable housing stock for those employed in the businesses in the surrounding area. Currently, many workers in that area are employed in local business cannot afford the high cost of local housing and are forced to commute considerable distances to find housing.

7. Size of Tract. The Township shall consider the size, shape, and characteristics of the tract in relation to the affected neighboring lands. Ordinance amendments shall generally not rezone a single lot when there have been no For Text Amendment only, the following must be included: intervening changes or other saving characteristics. Proof that a small tract is unsuitable for use as zoned, or that there have been substantial changes in the immediate area, may justify an ordinance amendment.

A. The size of the tract to be rezoned will site 80 new affordable housing units located on over twenty acres of land. Density will be considerably less than R-3 allows.

8. Other Factors. The Township may consider any other factors relevant to a rezoning application under state law.

A. The growing need for workforce, affordable housing is the most relevant factor to be considered

		Charter Township of Garfield Planning Department Report No. 2022-78	
Prepared:	August 3, 2022	Pages:	2
Meeting:	August 10, 2022 Planning Commission	Attachments:	<input checked="" type="checkbox"/>
Subject:	7Brew 2537 North US-31 Special Use Permit - Update		
File No.	SUP 2022-01	Parcel No.	05-021-036-10
Applicant:	2537 N US 31 South LLC – Kevin Myers		
Agent:	BFA, Inc. – John Schebaum		
Owner:	2537 N US 31 South LLC		

BRIEF OVERVIEW:

- Location: 2537 N US-31 South, north of South Airport Road
- Parcel area: 0.46 acres
- Existing land use: Former PNC Bank building with drive-through
- Existing zoning: C-G General Commercial District

PURPOSE OF APPLICATION:

This application requests approval of a Special Use Permit for a proposed 510-square foot drive-through coffee shop with only drive-through and walk-up service, with no dine-in services. Drive-through business uses are permitted via Special Use Permit in the C-G General Commercial District. The site (Parcel ID #05-021-036-10) is occupied by the former PNC Bank building with drive-through.

Aerial image of the subject property (property lines highlighted in blue):



TRAFFIC IMPACT REPORT:

In accordance with Section 618, a traffic impact report has been requested to determine that unsafe or hazardous conditions will not be created by the development as proposed. As requested, the applicant has provided a traffic impact report prepared by Fishbeck. The Township's traffic engineer, OHM Advisors, conducted a review of the traffic impact report. OHM does not recommend approval of the traffic impact study and its recommendations, due to concerns with the report. OHM has requested additional information. See attached memorandum from OHM Advisors dated July 28, 2022.

ACTION REQUESTED:

At the time of preparing this report, Staff was scheduled to have a meeting with the applicant to discuss the traffic study. No updated site information was provided regarding the application. Staff recommends that the application continue to be tabled so that the previously identified issues be addressed prior to a public hearing:

- Traffic Impact Report. Review of an acceptable report.
- Minimum Building Cross Section. This deficiency has a potential to impact the site layout.
- Other Site Plan Issues. Other minor items to be addressed, including lighting and landscaping deficiencies.

As such, the following motion is offered for consideration:

MOTION THAT application SUP 2022-01, submitted by BFA, Inc. for a Special Use Permit for a drive-through restaurant at Parcel 05-021-036-10, BE TABLED to address previously identified site issues.

Any additional information that the Planning Commission determines to be necessary should be added to this motion.

Attachments:

1. Traffic Impact Study Review from OHM Advisors dated July 28, 2022



memorandum

Date: July 28, 2022

To: John Sych, AICP

From: Taryn Juidici, PE &
Stephen Dearing, PE, PTOE

Re: Proposed 7Brew Coffee Shop
Traffic Impact Study Review

We have reviewed the traffic impact study for the proposed 7Brew coffee shop for Garfield Township. The site was formerly occupied by a PNC drive-in bank. The existing shared driveway will be used for the proposed development. The traffic impact study was prepared by Fishbeck and is dated June 8th, 2022.

OHM does not recommend approval of the traffic impact study and its recommendations, due to concerns with the report.

OHM's comments are as follows:

1. TIS Report:
 - a. Please provide the Synchro modeling files for review. We have significant concerns about the adequacy of gaps to allow left turns in and out of the site and want to review the SimTraffic simulations to see if enough information is available, or if it will be required that a field gap study be performed. Please note that if the signal to the north (Lowes / Marketplace Dr) is not part of the model, gap information from the simulation may not be considered adequate.
 - b. A stamp by a current Michigan Professional Engineer with expertise in Traffic Engineering is missing.
 - c. Only the AM peak hour was evaluated within this study. While coffee shops will likely be busiest in the morning, this does not limit the potential traffic impacts to only the morning peak hour. We assume the proposed developments hours of operation will extend beyond the AM peak hour. Analysis of the PM Peak hour should be included.
 - d. In Table 7, an additional column stating the change in delay could be beneficial when comparing baseline versus build conditions.
 - e. As stated in Article 6 of the zoning ordinance, "...the impact of development shall be analyzed for the year after the development is completed and 10 years after the development is completed". In this memo only 2023 baseline and 2023 build conditions were analyzed. Based on the above statement years 2024 and 2034 should also be included in this study.



- f. In the Appendix for the driveway conditions, there are southbound right turning volumes; however, no right turn designation. Under the southbound through category, the lane configuration should be thru, thru & right.
- g. NB US-31 has a double yellow centerline marking up to this site, which precludes use of center lane for 2-way left turns. This is a function of the left turn lane widening to provide the dual SB left lanes at the South Airport intersection. For the purposes of this analysis, delete dedicated NBL lane in the Synchro analysis and show NBT as a shared thru/left. Make this modification for all periods analyzed.

2. Site Plan:

- a. In the outside lane of the drive-thru there is a dimension labeled as 5', which does not seem accurate. Looks like it should be 15'.
- b. It does not appear that the site plan identifies where the order board(s) are being positioned for the two drive thru lanes. This needs to be shown.
- c. There is a circulation concern for garbage trucks. If there are vehicles in the drive-thru the garbage truck will have to wait for the queue to clear to be able to exit the site.
- d. We note that the shared-use driveway north of the Mutual Gas Station, used for that property and also Best Buy, is signed and marked for inbound only traffic. So most all gas station traffic, including the tanker trucks, must exit by way of the shared-use driveway with this site. This site plan should explore ways to harmonize the inbound and exiting traffic of both properties in the short distance of the driveway approach to US-31.