

CHARTER TOWNSHIP OF GARFIELD PLANNING COMMISSION MEETING

Wednesday, January 10, 2024 at 7:00 pm
Garfield Township Hall
3848 Veterans Drive
Traverse City, MI 49684
Ph: (231) 941-1620

AMENDED AGENDA

ORDER OF BUSINESS

Call meeting to order

Pledge of Allegiance

Roll call of Board Members

Election of Officers

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 – December 13, 2023

4. Correspondence

5. Reports

- a. Township Board
- b. Planning Commissioners
 - i. Zoning Board of Appeals
 - ii. Parks and Recreation Commission
 - iii. Joint Planning Commission
- c. Staff Report
 - i. PD 2024-1 – Planning Department Monthly Report – January 2024
 - ii. Master Plan Announcement

6. Unfinished Business

- a. PD 2024-3 – Commercial District Housing Development Amendment – Public Hearing
- b. PD 2024-4 – Lederer R-1 Rezoning – Findings of Fact

7. New Business

- a. PD 2024-5 – Culver Meadows Senior Living Conditional Rezoning – Introduction

8. Public Comment

9. Other Business

10. Items for Next Agenda – January 10, 2024

- a. Master Plan Update – Review of Complete Draft
- b. 2023 Planning Commission Annual Report

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
December 13, 2023**

Call Meeting to Order: Chair Racine called the December 13, 2023 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: Joe McManus, Molly Agostinelli, Pat Cline, Joe Robertson, John Racine, and Robert Fudge

Absent and Excused: Chris DeGood

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

1. Public Comment (7:00)

None

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

Fudge declared a conflict with item 7b.

Agostinelli moved and Cline seconded to approve the agenda as presented.

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

Nays: None

3. Minutes (7:02)

a. November 8, 2023 Regular Meeting

Fudge moved and Robertson seconded to approve the November 8, 2023 Regular Meeting minutes as presented.

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

Nays: None

4. Correspondence (7:02)

None

5. Reports (7:02)

Township Board Report

Agostinelli stated that the Township Board approved Racine and Robertson for another term on the Planning Commission. She added that the Township is looking at new projects for bike paths and trails, specifically one at South Airport Road and Barlow streets.

Planning Commissioners

- i. Zoning Board of Appeals**
Fudge had no report.
- ii. Parks and Recreation Commission**
Hannon stated that the Parks and Rec Commission discussed a Buffalo Ridge Trail extension.
- iii. Joint Planning Commission**
McManus said there will be a quarterly meeting in January.

Staff Report

- i. PD 2023-142 – Planning Department Monthly Report – December 2023**
Sych stated that the monthly report was included in packets.
- ii. Master Plan Announcement**
Sych stated that the Master Plan is still being worked on and updates continue to be posted on the website.

6. Unfinished Business

- a. PD 2023-139 – Lederer R-1 Rezoning – Public Hearing (7:05)**
The applicant has requested rezoning of their parcel (ID #05-020-004-10) at 4220 Eastward Drive from the A-Agricultural district to the R-1 One-Family Residential district via the Zoning Map Amendment process, without restriction. This parcel is located at the corner of Eastward Drive and South Airport Road and is about 3.8 acres in size. Upon preliminary review of the Master Plan and Future Land Use designation for the subject site, Staff is of the opinion that this proposed Map Amendment is justifiable.
Racine opened the public hearing at 7:07pm. Seeing no one wishing to speak, the public hearing was closed. Commissioners discussed the rezoning and asked questions about lot splits and curb cuts.

Agostinelli moved and Robertson seconded TO direct Staff to draft Findings of Fact, to be reviewed at the January 10, 2024 Planning Commission meeting, for application Z-2023-03, submitted by Dan Lederer to rezone Parcel #05-020-004-10, located at 4220 Eastward Drive, from the A-Agricultural zoning district to the R-1 One-Family Residential zoning district.

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

7. New Business

a. PD 2023-140 – Traverse Symphony Orchestra – Site Plan Review (7:15)

The project is to construct a music school, including a large rehearsal room, in a portion of the existing Traverse City Curling Center building (formerly the Kmart store) in the Cherryland Center. The portion of the building for the proposed school covers 10,260 square feet and will be accessed on the west side of the existing building. Professional studios (including music) and auditorium or assembly hall are uses permitted by right in the C-P Planned Shopping Center district. Kevin Byrne of the Curling Club stated that this project is part of a three-prong plan of theirs for the Cherryland Center revitalization. Jerry Tomczak with Cunningham Limp Construction reviewed the project and pointed out where the Traverse Symphony Orchestra (TSO) would go. He showed what the space will look like with practice rooms, and rehearsal space. Kedrick Merwin representing the TSO, stated that this would be a great benefit to the community. He is developing programs for all ages. Sych stated that a three-year sidewalk deferral would be in order and an additional bike rack would be required.

McManus moved and Robertson seconded THAT application SPR 2023-12, submitted by Cunningham Limp, on behalf of the Traverse Symphony Orchestra, to construct a music school on the parcel 05-014-049-20, BE APPROVED, subject to the following conditions:

- 1. Based on the proposed location of the bicycle racks, a physical barrier is required around the racks in accordance with Section 522.C(3) of the Zoning Ordinance and locate the racks closer to the building entrance. One additional bicycle rack is required for a total of four bicycle racks.*
- 2. Required internal sidewalks and the sidewalk along Garfield Avenue shall be deferred until future uses and buildings are established on the site in a coordinated manner at the discretion of the Planning Commission and required in an amendment to the site plan. Deferral shall be no more than three years in length from May 11, 2022. A sidewalk plan shall be developed subject to staff review.*
- 3. Installation of a landscaping buffer shall be deferred until future uses and buildings are established on the site in a coordinated manner at the discretion of the Planning Commission and required in an amendment to the site plan. Deferral shall be no more than three years in length from May 11, 2022. A landscaping plan shall be developed subject to staff review.*
- 4. All agency reviews, including review by the Township Engineer, shall be received, and deemed compliant prior to issuing a Land Use Permit or Building Permit.*

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

b. PD 2023-138 – BATA/RCHC Transit-Oriented Mixed-Use PUD – Minor Amendment (7:46)

The proposed amendment relates only to the multi-family buildings of the residential phase of the PUD. Other uses in the phase including the single-family residential lots, the café/neighborhood commercial building, childcare center, and open spaces, remain unchanged. The Traverse City Housing Commission (TCHC) and Smith & Henzy Affordable Group, Inc. have entered into a master development services agreement to develop The Flats at Carriage Commons. The Flats at Carriage Commons will have a total of 210 units of multi-family residential units as approved. There is no proposed increase in the number of dwelling units. Currently, it is projected that this will occur over the course of four distinct phases subject to available and secured funding from MSHDA. Phase I will contain 48 units across two residential buildings with a new clubhouse and outdoor amenities. This proposed amendment will shift the location, size, and height of the multi-family buildings within the established road network, parking lots, and open spaces and accommodate new architecture and new unit mixes. Phases 2, 3, and 4 will be different types of three- and four-story buildings. Karl Fulmer, Director of TCHC, stated that the additional clubhouse is driving the changes to the site. Commissioners discussed the amendment and asked questions.

Robertson moved and Agostinelli seconded THAT Findings of Fact for application PUD 2020-02-B, included in PD Report 2023-138 and forming part of this motion, BE APPROVED.

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

Robertson moved and Agostinelli seconded THAT application PUD 2020-02-B, submitted by the Traverse City Housing Commission to shift the location, size, and height of the multi-family buildings within the established road network, parking lots, and open spaces and accommodate new architecture, new unit mixes, and a new clubhouse for the BATA TCHC Transit-Oriented Mixed-Use PUD on parcel 05-023-042-40, BE APPROVED with the following conditions:

- 1. All agency reviews, including reviews by the Township Engineer and Metro Fire, shall be received, and deemed compliant prior to issuing a Land Use Permit or Building Permit.*
- 2. The previous approvals and conditions associated with that approval remain intact unless adjusted as part of this amendment.*
- 3. The applicant shall record an amended and restated Report and Decision Order (RDO) with the Grand Traverse County Register of Deeds in the chain of title for each parcel or portion thereof to which the RDO pertains. A copy of each recorded document shall be filed with the*

Township within thirty (30) days of final approval by the Township or approval shall be considered to have expired

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

c. PD 2023-137 – Zoning Ordinance Section 725 Proposed Amendment – Introduction (7:59)

Currently, Section 725 has a setback requirement for parking areas in paragraph A.(1)(d). The requirement states: “Parking areas shall not be located within any setback” There are no other developments permitted in the Zoning Ordinance that require such a setback requirement. Such a provision has the potential to disrupt the efficient layout of a proposed site development plan. Staff recommends a change to Article 5 –Development Standards to clarify shared parking arrangements and open space to provide a rear yard. Changes are also recommended to clarify open space and reliance upon the site design requirements and general criteria. It also allows the Planning Department to work with applicants on their design requirements.

McManus moved and Robertson seconded THAT the draft proposed Zoning Ordinance text amendment, as attached to Planning Department Report 2023-137, BE SCHEDULED for a public hearing for the January 10, 2024 Planning Commission Regular Meeting

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

8. Public Comment (8:05)

Ben Smith of Greenstone Lane commented on the proposed Master Plan as it related to the future land use map.

9. Other Business

a. Set 2024 Planning Commission Meeting Schedule (8:10)

Cline moved and Robertson seconded to adopt the 2024 Planning Commission Meeting Schedule.

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

b. Master Plan Update – Review of Complete Draft (8:11)

Hannon said that the complete draft of the proposed Master Plan was given to commissioners to begin review. He discussed the next steps toward implementation and gave commissioners a timeline for implementation. Commissioners briefly discussed the proposed master plan in terms of future land uses and zoning districts.

- 10. Items for Next Agenda – January 10, 2024 (8:35)**
- a. Lederer R-1 Rezoning Findings of Fact
 - b. Culver Meadows Conditional Rezoning Introduction
 - c. Section 725 Zoning Amendment Public Hearing

- 11. Adjournment**
Fudge moved to adjourn the meeting at 8:36 pm.

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

		Charter Township of Garfield	
		Planning Department Report No. 2024-1	
Prepared:	January 3, 2024	Pages:	2
Meeting:	January 9, 2024 Township Board	Attachments:	<input type="checkbox"/>
Subject:	Planning Department Monthly Report – January 2024		

PURPOSE:

Staff provides a monthly report to the Township Board on activities of the Planning Department and the Planning Commission. The presentation of this report also provides a venue for the Township Board to have a dialog with staff about any of the activities or planning-related issues facing the Township.

DEVELOPMENTS:

The Planning Commission is currently conducting the following development review activity:

Lederer Rezoning – Zoning Map Amendment

- *Location:* 4220 Eastward Drive, adjacent to South Airport Road south of Silver Lake Road
- *Development Description:* Rezoning from A-Agricultural to R-1 One-Family Residential
- *Status:* The Planning Commission held an introduction at their 11/8/2023 meeting and held a public hearing at their 12/13/2023 meeting. The Commissioners will review Findings of Fact at their 1/10/2024 meeting.

BATA / Traverse City Housing Commission (TCHC) PUD – Minor Amendment

- *Location:* East side of LaFranier Road, north of Hammond Road
- *Development Description:* This PUD was originally approved in 2022 and included 210 housing units as part of a mixed-use development. The applicants request a Minor Amendment to adjust the layout of the housing units and propose the addition of a clubhouse.
- *Status:* The Planning Commission approved the request with conditions at their 12/13/2023 meeting.

Traverse Symphony Orchestra – Site Plan Review

- *Location:* 1712 South Garfield Avenue, north of South Airport Road, back portion of Traverse City Curling Club (former Kmart) property
- *Development Description:* Proposed community music school and rehearsal space
- *Status:* The Planning Commission approved the request with conditions at their 12/13/2023 meeting.

Culver Meadows Senior Living – Conditional Rezoning

- *Location:* 1611 N West Silver Lake Road, south of intersection with Secor Road
- *Development Description:* Proposed adult foster care facility for no more than 20 adults and childcare center for no more than 12 children adjacent to the existing Culver Meadows Senior Living facility
- *Status:* The Planning Commission will hold an introduction for this application at their 1/10/2024 meeting.

3066 North Garfield Road – Special Use Permit Review

- *Location:* Southeast corner of North Garfield Road and Duell Road, south of South Airport Road
- *Development Description:* Commercial district housing development with 20 apartment units
- *Status:* The project was introduced at 10/11/2023 Planning Commission meeting. Commissioners generally supported the concept of the project, but the project as presented would not meet one of the standards within Section 725 of the Zoning Ordinance. Commissioners tabled the application at their 11/8/2023 meeting.

PLANNING:

Other Planning Department activities include the following:

- The Planning Commission held an introduction at their 12/13/2023 meeting for a proposed amendment to Section 725 of the Zoning Ordinance, which proposes some changes to the standards for Commercial District Housing Developments. The amendment includes removing the requirement for parking areas to be located outside of the setback, which is not a general requirement for other uses. It would also include removing the requirement for open space to be designed to provide a rear yard along the longest building length of a given structure. The Planning Commission will hold a public hearing on the amendment at their 1/10/2024 meeting.
- The Planning Commission will review the complete Master Plan draft at their 1/24/2024 study session. The complete Master Plan draft was also uploaded to the Planning Department web page at the following link: <https://www.garfield-twp.com/masterplan.asp/>. This link was also provided to Township residents in the winter Newsletter directing people to the draft Master Plan and encouraging comments and feedback. The Planning Commission is anticipated to review an edited Master Plan draft at their 2/28/2024 study session to forward to the Township Board. The Planning Commission and Township Board are anticipated to hold a joint meeting on 3/27/2024 to review a final draft and to begin the process of adopting the Master Plan.
- On March 30, 2023, Garfield Township applied for a grant from the Michigan Natural Resources Trust Fund (MNRTF) program for the implementation of the Grand Traverse Commons Natural Area Design Plan. The application is for a 1.25-mile universally accessible trail loop beginning and ending at the Red Drive trailhead near Greenspire School. Staff were notified on December 18, 2023 that Garfield Township’s application was among those recommended for funding by the MNRTF Board of Trustees. According to the DNR, “a formal grant offer will be made in the form of a project agreement (PA) after funds are appropriated by the State Legislature” which could take 4-6 months, but that some aspects of the project can begin before the project agreement is finalized. Staff anticipates working on these aspects of the project over the next few months.

STAFF:

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 Direct Line: (231) 225-3155

Stephen Hannon, AICP, Deputy Planning Director
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Charter Township of Garfield Planning Department Report No. 2024-3

Prepared:	January 3, 2024	Pages:	2
Meeting:	January 10, 2024 Planning Commission	Attachments:	<input checked="" type="checkbox"/>
Subject:	Commercial District Housing Development Amendment – Public Hearing		

BACKGROUND:

Section 725 Commercial District Housing Development in the Zoning Ordinance is one way that residential dwellings are provided for in the C-G General Commercial, C-H Highway Commercial, and C-P Planned Shopping Center districts. Commercial District Housing Developments are not permitted in the C-L Local Commercial nor in the C-O Office Commercial districts. Other options for residential dwellings in commercial districts include Section 615 Limited Residential Uses in Commercial Districts, Live-Work Units, and Adult Foster Care, Large Group Home (a family home with residents). The current requirements of Section 725 along with a map showing current locations of the C-G, C-H, and C-P districts are attached.

PROPOSED AMENDMENT:

Currently, Section 725 has a setback requirement for parking areas in paragraph A.(1)(d). The requirement states: “Parking areas shall not be located within any setback” There are no other developments permitted in the Zoning Ordinance that require such a setback requirement. Such a provision has the potential to disrupt the efficient layout of a proposed site development plan. The full paragraph is as follows:

A.(1)(d) Parking requirements shall be as described in the R-3 Multiple Family District. Shared parking agreements as described in § 551 of this Ordinance are supported and encouraged. Parking areas shall not be located within any setback.

The preferred option is to simply strike this requirement from Section 725. However, Staff recommends additional wording changes that would provide more direct, less confusing text since parking requirements and agreements are already provided for in Article 5 – Development Standards. Article 5 – Development Standards apply to all developments regardless of the zoning district. The following text is recommended:

A.(1)(d) Shared parking arrangements shall be encouraged between the residential and commercial uses.

Staff also recommends clarifying the below requirement:

A.(2)(c) Open space shall be designed to provide a rear yard along the longest building length of a given structure.

Paragraph A.(1)(a) in Section 725 provides the Planning Commission with the authority to require specific design elements should they be needed by referencing the site design requirements and general criteria as set forth in § 427, Planned Unit Residential Developments. Specifically, the requirements and criteria include the following:

427.D(3)(a) The site shall be designed in a compact, clustered manner which maximizes the preservation of usable and consolidated open space.

427.D(3)(f) There shall be a direct relationship between the residential use, density, and useable space of each project area, and each such areas shall be self contained. For example, an open area located within a far corner of a high-density setting may not meet the intent of this requirement in providing open space and recreation for a neighboring low-density area of the site. However, centrally located open areas which encourage interaction between residential uses by creating shared park-like settings are supported and encouraged.

427.D(4)(c) The development consolidates and maximizes useable open space while encouraging neighborhood interaction;

Proposed text is as follows:

A.(2)(c) For the purpose of locating open space, the Planning Commission may rely on the site design requirements and general criteria as set forth in § 427, Planned Unit Residential Developments.

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 and consideration of action.

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 2024-3, BE RECOMMENDED FOR ADOPTION by the Township Board.

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

Attachment:

1. Section 725 – Current Language
2. Zoning Map Excerpt – C-G, C-H, and C-P Districts
3. Section 725 – Proposed Amendment

SECTION 725 COMMERCIAL DISTRICT HOUSING DEVELOPMENT

A. REGULATIONS AND CONDITIONS

- (1) Design.
 - (a) Multiple-family residential uses built within commercial zoning districts shall be designed to cohesively integrate with the surrounding commercial uses. For the purpose of making this determination, the Planning Commission may rely on the site design requirements and general criteria as set forth in § 427, Planned Unit Residential Developments.
 - (b) Multi-family structures shall be abutted by open space on at least one side per building.
 - (c) The baseline project density shall be as described in the R-3 Multiple Family Residential Zone. At its discretion, and based upon a determination that the project is designed to meet the intent of this Section, the Planning Commission may authorize increases in density over what is regularly allowable.
 - (d) Parking requirements shall be as described in the R-3 Multiple Family District. Shared parking agreements as described in § 551 of this Ordinance are supported and encouraged. Parking areas shall not be located within any setback.
 - (e) Landscaping shall be as required in Article 5, Table 531.1. In the event that the multi-family project does not sit on its own parcel, the application shall indicate a project boundary area which shall be used for the purpose of landscaping placement.
 - (f) Pedestrian walkways shall be provided within the subject parcel or project boundary for the purpose of providing safe and convenient movement within the site and towards other walkable places of interest such as stores, restaurants, or entertainment.
 - (g) The residential areas of an overall commercial development site shall be adequately, but not overly, lit at night. Applications shall demonstrate that commercial lighting in the vicinity meets the dark sky requirements of this Ordinance in order to minimize impact on the residential area. Where lighting is to be installed for a residential area, average illumination levels of 0.5 to 1.0 foot candle shall be maintained. Existing commercial lighting which illuminates the residential area of the site to this level may be used in lieu of installing additional residential lighting. Common entryways shall be adequately illuminated by wall-pack style lighting fixtures.
- (2) Open Space Requirements.
 - (a) A minimum of fifty square feet per unit of private outdoor space with a minimum dimension of four feet in any direction shall be provided. Private open space shall be accessible directly from the living area of the unit, in the form of a fenced yard, patio, deck, or balcony.
 - (b) A minimum of three hundred square feet per unit of common outdoor open space shall be provided. Required open space shall be consolidated to the extent reasonably possible to provide areas for the residents and/or to help buffer the residential structures from adjacent commercial uses.
 - (c) Open space shall be designed to provide a rear yard along the longest building length of a given structure.
 - (d) Required setback areas shall not be included towards required open space areas; however, placing required open space areas adjacent to setbacks is supported.
- (3) Compatibility. Applications shall describe measures which will be taken to mitigate common commercial impacts such as noise, light, and nighttime operations on the multi-family project.

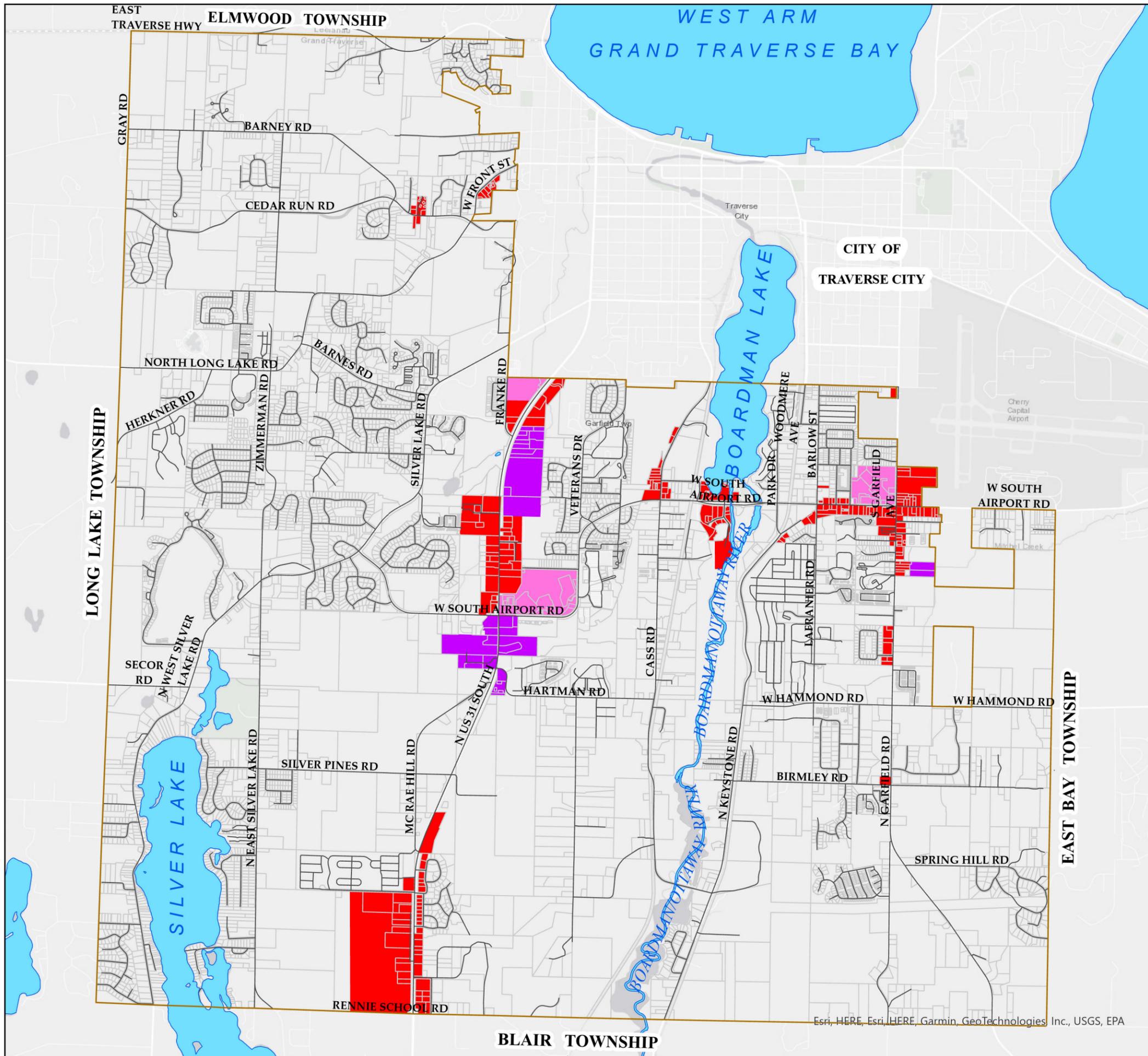
Zoning Map Excerpt C-G, C-H, and C-P

Legend

Zoning Districts selection

Zoning

- C-G - General Commercial
- C-H - Highway Commercial
- C-P - Planned Shopping



Charter Township of Garfield
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NOT A LEGAL SURVEY

This map is based on digital databases prepared by the Charter Township of Garfield. The Township does not provide any warranty, either express or implied, or accept any responsibility for any errors, omissions, or that the information contained in the map or the digital databases is currently or positionally accurate. Always contact a surveyor to be sure of where your property lines are located.

SECTION 725 COMMERCIAL DISTRICT HOUSING DEVELOPMENT

A. REGULATIONS AND CONDITIONS

- (1) Design.
 - (a) Multiple-family residential uses built within commercial zoning districts shall be designed to cohesively integrate with the surrounding commercial uses. For the purpose of making this determination, the Planning Commission may rely on the site design requirements and general criteria as set forth in § 427, Planned Unit Residential Developments.
 - (b) Multi-family structures shall be abutted by open space on at least one side per building.
 - (c) The baseline project density shall be as described in the R-3 Multiple Family Residential Zone. At its discretion, and based upon a determination that the project is designed to meet the intent of this Section, the Planning Commission may authorize increases in density over what is regularly allowable.
 - (d) Shared parking arrangements shall be encouraged between the residential and commercial uses.**
 - (e) Landscaping shall be as required in Article 5, Table 531.1. In the event that the multi-family project does not sit on its own parcel, the application shall indicate a project boundary area which shall be used for the purpose of landscaping placement.
 - (f) Pedestrian walkways shall be provided within the subject parcel or project boundary for the purpose of providing safe and convenient movement within the site and towards other walkable places of interest such as stores, restaurants, or entertainment.
 - (g) The residential areas of an overall commercial development site shall be adequately, but not overly, lit at night. Applications shall demonstrate that commercial lighting in the vicinity meets the dark sky requirements of this Ordinance in order to minimize impact on the residential area. Where lighting is to be installed for a residential area, average illumination levels of 0.5 to 1.0 foot candle shall be maintained. Existing commercial lighting which illuminates the residential area of the site to this level may be used in lieu of installing additional residential lighting. Common entryways shall be adequately illuminated by wall-pack style lighting fixtures.
- (2) Open Space Requirements.
 - (a) A minimum of fifty square feet per unit of private outdoor space with a minimum dimension of four feet in any direction shall be provided. Private open space shall be accessible directly from the living area of the unit, in the form of a fenced yard, patio, deck, or balcony.
 - (b) A minimum of three hundred square feet per unit of common outdoor open space shall be provided. Required open space shall be consolidated to the extent reasonably possible to provide areas for the residents and/or to help buffer the residential structures from adjacent commercial uses.
 - (c) For the purpose of locating open space, the Planning Commission may rely on the site design requirements and general criteria as set forth in § 427, Planned Unit Residential Developments.**
 - (d) Required setback areas shall not be included towards required open space areas; however, placing required open space areas adjacent to setbacks is supported.
- (3) Compatibility. Applications shall describe measures which will be taken to mitigate common commercial impacts such as noise, light, and nighttime operations on the multi-family project.

 Charter Township of Garfield Planning Department Report No. 2024-4			
Prepared:	January 3, 2024	Pages:	7
Meeting:	January 10, 2024 Planning Commission	Attachments:	<input checked="" type="checkbox"/>
Subject:	Lederer R-1 Rezoning – Findings of Fact		
File No.:	Z-2023-03		
Parcel Number:	#05-020-004-10		
Applicant / Owner:	Dan Lederer		

PURPOSE OF APPLICATION:

The applicant has requested rezoning of their parcel (ID #05-020-004-10) at 4220 Eastward Drive from the A-Agricultural district to the R-1 One-Family Residential district via the Zoning Map Amendment process, without restriction.

APPLICATION HISTORY:

This application was introduced by the Planning Commission at their November 8, 2023 meeting. A public hearing was held at their December 12, 2023 meeting, with Commissioners directing Staff to prepare the draft Findings of Fact for their January 10, 2024 meeting.

SUBJECT PROPERTY:

This parcel is located at the corner of Eastward Drive and South Airport Road and is about 3.8 acres in size. The site contains a single-family home and has a single curb cut on Eastward Drive.

Google Street View image of subject property from Eastward Drive near South Airport Road intersection



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



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

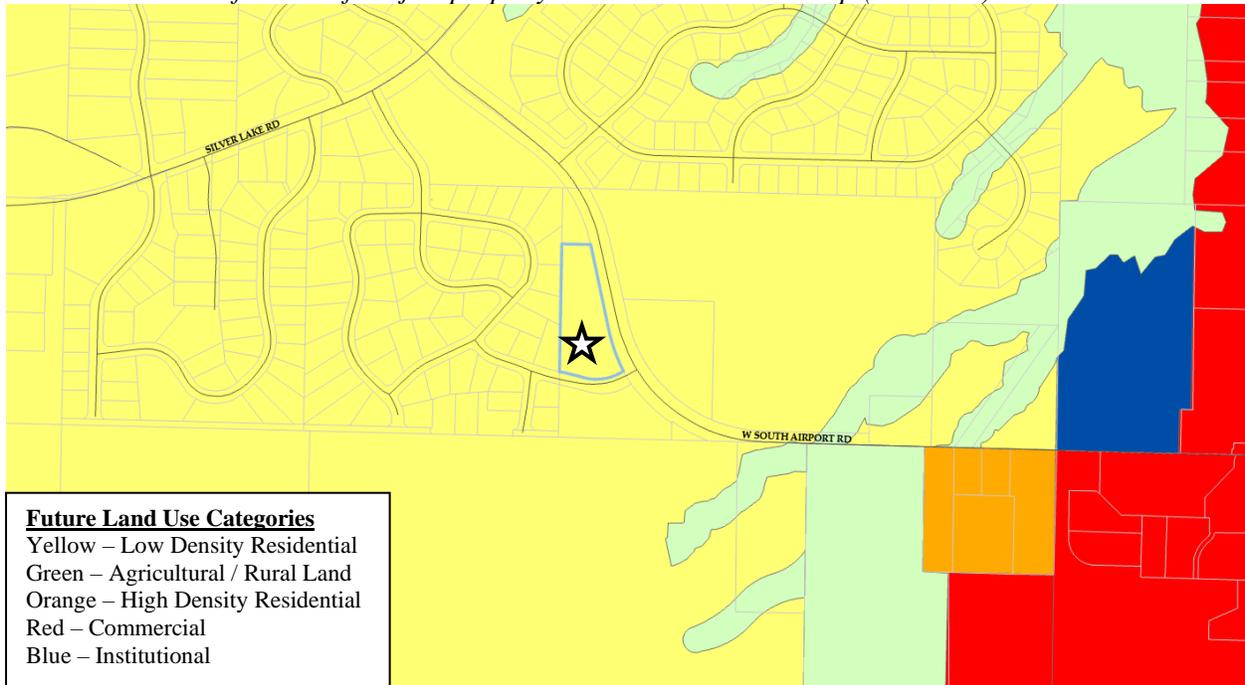


MASTER PLAN CONSIDERATIONS:

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 designation of Low Density Residential on the subject site. The Future Land Use category of Low Density Residential “provides area for traditional single-family residential dwelling units. This includes areas of existing single-family development 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, with less intensive development moving outward towards the more rural and remote areas of the Township...” All adjacent surrounding properties to this subject parcel also have a Future Land Use designation of Low Density Residential.

The most compatible zoning district for the “Low Density Residential” Future Land Use designation is the R-1 One-Family Residential district, with R-R Rural Residential and A-Agricultural districts identified as potentially compatible. The proposed R-1 zoning matches the Future Land Use designation for this parcel.

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



An excerpt from the Zoning Plan for the R-1 zoning designation is provided below.

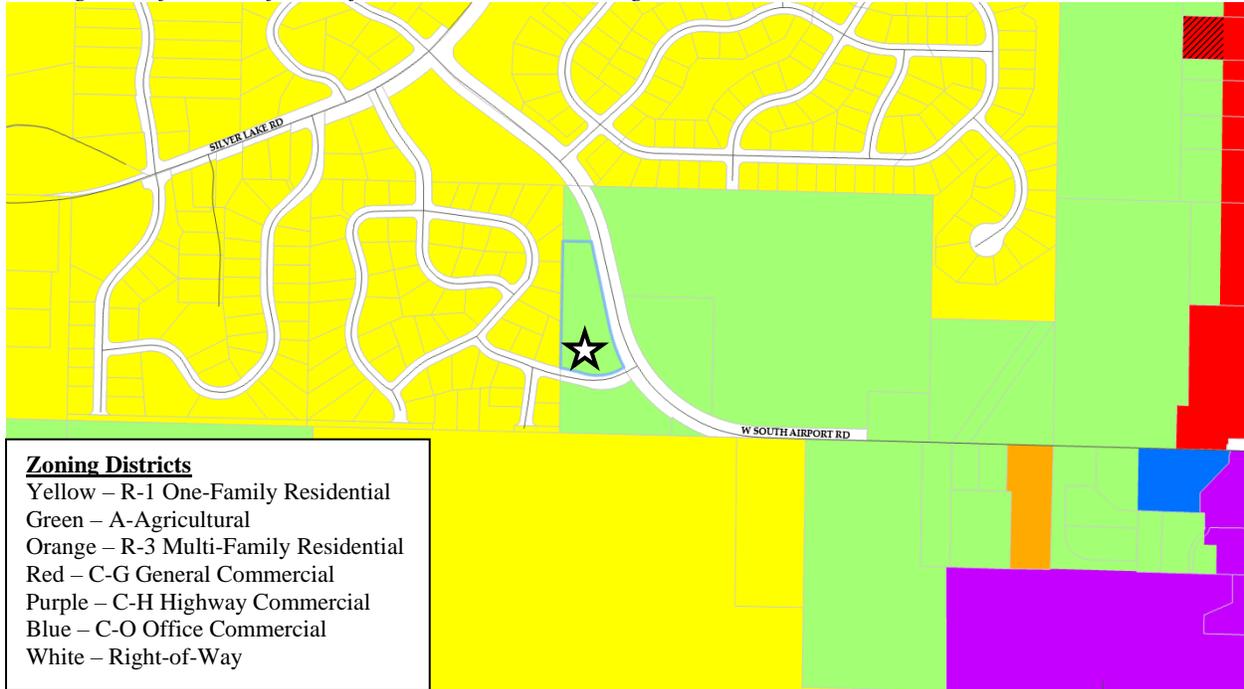
Excerpt from Zoning Plan matching proposed R-1 zoning for the subject property:

Master Plan Designation	Low-Density Residential (1-3 U/A)
[Requested] Zoning	R-1 Multi-Family Residential
Zoning Ordinance District Intent	The R-1 (Single-Family Residential) districts provide areas for low- to medium-density single-family residential dwelling units. The districts include areas of existing single-family developments as well as areas within which such development appears likely and desirable. They are intended to encourage more intense development in and near the core areas of the Township with less intense development moving outward towards the more rural and remote areas of the Township. The R-1 districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and parks that will promote a sense of community and urban vitality.
Potentially Compatible District	R-R (Rural Residential) / A (Agricultural)
Considerations for Downzoning (Less Density)	R-1 properties are intended to encourage traditional neighborhoods for families that prefer to be located outside mixed use and mixed residential areas. These areas are typically designed and located within walking distance to schools and park areas. Larger minimum lot sizes for this purpose would likely be supported and consistent with the Agricultural and Rural Land Zoning classifications.
Considerations for Upzoning (More Density)	A rezoning from R-1 should be discouraged as single family homes and neighborhoods are needed in the Township. A PURD would help increase density and encourage better design.

ZONING FOR SUBJECT SITE AND SURROUNDING SITES:

The zoning for the existing site is A-Agricultural. Zoning for surrounding sites is as follows:

Zoning classifications for subject site and surrounding sites:



Surrounding Properties	Surrounding Zoning
North	A – Agricultural
East	A – Agricultural
South	A – Agricultural
West	R-1 – One-Family Residential

USES OF SUBJECT SITE AND SURROUNDING SITES:

The subject site is currently used for single-family residential. Uses of surrounding sites are as follows:

Surrounding Properties	Surrounding Uses
North	Vacant parcel (Grand Traverse County Road Commission)
East	Two parcels: existing single-family home; vacant parcel
South	Vacant parcel
West	Several single-family homes (Horizons West No. 2 subdivision)

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 Garfield Township Master Plan, the Future Land Use designation for this parcel is Low Density Residential.
- The proposed zoning of R-1 is compatible with the Future Land Use designation of Low Density Residential.
- The Zoning Plan, within the Considerations for Upzoning for the Low Density Residential Future Land Use designation, states that a “rezoning from R-1 should be discouraged as single family homes and neighborhoods are needed in the Township...”

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 proposed zoning of R-1 is compatible with the Future Land Use designation of Low Density Residential.
- The Future Land Use designation on this site is Low Density Residential. Most parcels in the surrounding area also have a Future Land Use designation of Low Density Residential.
- No adverse impacts on neighboring lands are anticipated as part of this request.
- Any future parcel divisions on this site would need to meet the standards of the Township Zoning Ordinance, including dimensional requirements and access management standards.

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 subject parcel is currently zoned A-Agricultural. The site currently contains a single-family home and is not known to be actively used for farming or agriculture.
- The proposed zoning of R-1 is compatible with the Future Land Use designation of Low Density Residential.
- The Future Land Use designation on this site is Low Density Residential. Most parcels in the surrounding area also have a Future Land Use designation of Low Density Residential.

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:

- No changes in conditions are known which would prevent consideration of this rezoning.

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:

- There are no anticipated adverse impacts on public health, safety, and general welfare.
- 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:

- According to the Garfield Township Master Plan, the Future Land Use designation for this parcel is Low Density Residential.
- The proposed zoning of R-1 is compatible with the Future Land Use designation of Low Density Residential.
- The Zoning Plan, within the Considerations for Upzoning for the Low Density Residential Future Land Use designation, states that a “rezoning from R-1 should be discouraged as single family homes and neighborhoods are needed in the Township...”

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 parcel is approximately 3.8 acres in size, which meets the minimum lot area standard for the R-1 zoning district.
- Although the application is to rezone a single lot, the proposed zoning of R-1 is compatible with the Future Land Use designation of Low Density Residential.
- The subject parcel borders five parcels to the west which are all zoned R-1.
- No issues relating to the size of the tract are anticipated as part of this proposed rezoning.
- Any future parcel divisions on this site would need to meet the standards of the Township Zoning Ordinance, including dimensional requirements and access management standards.

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:

- No other additional factors, besides those mentioned above, are anticipated to impact this proposed rezoning.

ACTION REQUESTED:

The item is placed on tonight’s agenda to consider adopting proposed Findings of Fact for this application. If, following the Planning Commission’s review and discussion of the application, the Commissioners are prepared to adopt Findings of Fact for this application, then the following motion is suggested:

MOTION THAT the Findings of Fact for application Z-2023-03, submitted by Dan Lederer to rezone Parcel #05-020-004-10, located at 4220 Eastward Drive, from the A-Agricultural zoning district to the R-1 One-Family Residential zoning district, as presented in Planning Department Report 2024-4 and being made a part of this motion, BE ADOPTED.

If the Planning Commission is prepared to forward this rezoning application to the Township Board with a recommendation to approve the application, then the following motion is suggested:

MOTION TO RECOMMEND TO the Township Board THAT application Z-2023-03, submitted by Dan Lederer to rezone Parcel #05-020-004-10, located at 4220 Eastward Drive, from the A-Agricultural zoning district to the R-1 One-Family Residential zoning district, 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 September 26, 2023
2. Cover Memo
3. Certificate of Survey



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

APPLICANT INFORMATION

Name:

Address:

Phone Number:

Email:

SAUB	

AGENT INFORMATION

Name:

Address:

Phone Number:

Email:

OWNER INFORMATION

Name:

Address:

Phone Number:

Email:

DAN LEDERER	
4220 EASTWARD DRIVE	
(231) 929-4677	
DAN@LAKESIDE-ENGINEERING.COM	

CONTACT PERSON

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

Applicant:

Agent:

Owner:

DAN L,

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):

4220 EASTWARD DRIVE
05-020-004-10
AGRICULTURAL
LOW DENSITY RESIDENTIAL
3.77
SINGLE FAMILY RESIDENTIAL
SAMC

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 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>
If yes, provide construction plans and specifications			
C. <u>Public utility easements required?</u>	<input type="checkbox"/>	<input 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 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 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:

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	<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"/>

DAN LEDERER
4220 EASTWARD DRIVE
TRAVERSE CITY MI. 49685-8926

THIS PROPERTY IS ZONED
AGRICULTURAL

(THIS IS PROBABLY NOT QUITE CORRECT)

[I AM TRYING TO RIGHT THIS WRONG]

I AM APPLYING FOR A ZONE
CHANGE FROM AGRICULTURAL
TO R1

THANK YOU,

DAN L.

Certificate of Survey

1/8 Corner
Sec. 20, T27N, R11W.
(NE Plat Corner)

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"HORIZONS WEST
(Liber 10, Page 108)

Parcel "B"
1.25 Acres

Parcel "A"
2.42 Acres

One-Story House
With Garage

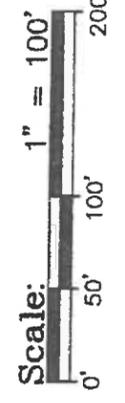
10' Utility
Easement

Asphalt
Driveway

N 00°05'23" W 346.62' (R)
N 00°05'23" W 346.66' (M)
N 76°21'19" W 87.05' (M)
N 81°05'12" W LC= S 81°05'12" W
N 43°28'52" W LC= S 43°28'52" W
N 89°41'55" W 1318.80' (R)
East-West 1/4 Line of Section 20

1/8 Corner
Sec. 20, T27N, R11W.
(SE Plat Corner)

East 1/4 Corner
Sec. 20, T27N, R11W.



L=1.89'
R=821.47'
I=00°07'55"
LC= S 16°12'17" E
1.89'

S 13°05'20" E
311.84'

N 89°54'37" E
213.81'

South Airport Road

LC= S 21°05'58" E
I=17°45'28" R=878.51' L=272.28'

271.19'
L=272.28'

Eastward Drive (66')

- Legend**
- IRON FND
 - IRON SET
 - ▲ P.K. FND.
 - △ P.K. SET
 - ⊙ MONUMENT FND.
 - (R) RECORD
 - (M) MEASURED



I, Neil B. Livasy
do hereby certify that I have surveyed and mapped the herein described parcel(s) of land; that the ratio of closure of the unadjusted field observations is within the accepted limits; and that I have fully complied with the requirements of P.A. 192 of 1970, as amended.

Neil B. Livasy
Neil B. Livasy
Professional Surveyor Number: 31611

Ratio of Closure: 1/10,000
Basis of Bearing: Assumed



584 EAST EIGHTH STREET
TRAVERSE CITY, MI 49686
(231) 947-2555 Fax: 947-4771 (231) 325-2655 Fax: 325-2276
www.GrandTraverseSurveying.com

For:

KELVIN SHAW

Part of the NE 1/4 of Section 20,
T27N, R11W, Garfield Township,
Grand Traverse County, Michigan.

Date: May 8, 2006

Drafted By: BLI

File No.: 06-5088

Sheet: 1 of 3

		Charter Township of Garfield	
		Planning Department Report No. 2024-5	
Prepared:	January 4, 2024	Pages:	8
Meeting:	January 10, 2024 Planning Commission	Attachments:	<input checked="" type="checkbox"/>
Subject:	Culver Meadows Senior Living Conditional Rezoning – Introduction		
File No.	Z-2023-04	Parcel No.	05-030-008-50 and 05-030-008-45
Owner:	Culver Meadows Senior Living, Inc./Brad Jewett		
Applicant:	Culver Meadows Senior Living, Inc./Brad Jewett		

PURPOSE OF APPLICATION:

This application requests the conditional rezoning of Parcels 05-030-008-50 and 05-030-008-45 on N. West Silver Lake Road, totaling roughly 5.14 acres. The request is to conditionally rezone the two parcels from the R-1 – One-Family Residential to the A – Agricultural district for use as an adult foster care, large group home and child care center. This request includes utilizing an existing large group home (Culver Meadows Senior Living facility) and building a new large group home and new child care center.

SUBJECT PARCELS:

Parcel 05-030-008-50 is presently undeveloped open land. Parcel 05-030-008-45 at 1661 N. West Silver Lake Road is currently the site of the Culver Meadows Senior Living facility. The existing Culver Meadows Senior Living facility was approved in 2008 under the previous Zoning Ordinance as a Special Use Permit. The previous Zoning Ordinance had a definition for “Institutions for Human Care” which included adult foster care homes. Since that time, a new Zoning Ordinance was established in 2015 that follows the State of Michigan definitions for adult foster care homes and restricts their application, in conformance with State law, in the Residential zoning districts.

PROCESS FOR CONDITIONAL REZONING:

The process for conditional rezoning is described in Section 422 of the Zoning Ordinance. The procedure for approving a conditional rezoning is the same as for a rezoning and includes the following:

- A landowner may voluntarily offer, in writing, conditions relating to the use and/or development of land for which a rezoning is requested.
- The owner’s offer of conditions shall bear a reasonable and rational relationship to the property for which rezoning is requested.
- 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.
- If the Township Board approves the conditional rezoning request and offer of conditions, the offered conditions shall be incorporated into a formal written Statement of Conditions.
- Any failure to comply with a condition contained within the Statement of Conditions shall constitute a violation of this ordinance and be punishable accordingly, including by rezoning of the property to its base zoning classification.

The proposed Statement of Conditions offered by the applicant is attached to this report, included as part of the Conditional Rezoning Agreement. These conditions would limit use of the subject parcels as an adult foster care, large group home with up to 20 residents and a child care center with up to 12 children. In this case, the conditions would apply to the existing large group home, the new large group home, and the new child care center.

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



Excerpt from Zoning Plan:

Master Plan Designation	Low-Density Residential (1-3 U/A)
[Requested] Zoning	A-Agricultural (with conditions)
Current Zoning	R-1 Single-Family Residential
Zoning Ordinance District Intent	The R-1 (Single-Family Residential) districts provide areas for low- to medium-density single-family residential dwelling units. The districts include areas of existing single-family developments as well as areas within which such development appears likely and desirable. They are intended to encourage more intense development in and near the core areas of the Township with less intense development moving outward towards the more rural and remote areas of the Township. The R-1 districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and parks that will promote a sense of community and urban vitality.
Potentially Compatible District	R-R (Rural Residential) / A (Agricultural)
Considerations for Downzoning (Less Density)	R-1 properties are intended to encourage traditional neighborhoods for families that prefer to be located outside mixed use and mixed residential areas. These areas are typically designed and located within walking distance to schools and park areas. Larger minimum lot sizes for this purpose would likely be supported and consistent with the Agricultural and Rural Land Zoning classifications.
Considerations for Upzoning (More Density)	A rezoning from R-1 should be discouraged as single family homes and neighborhoods are needed in the Township. A PURD would help increase density and encourage better design.

ZONING OF SUBJECT PARCELS AND SURROUNDING PROPERTIES:

Zoning of the subject parcels and surrounding properties is as follows:



EXISTING LAND USE OF SUBJECT PARCELS AND SURROUNDING PROPERTIES:

The southerly subject parcel is an existing adult foster care large group home. The northerly subject parcel is undeveloped, open land.

Direction from Subject Parcels	Existing Land Use
North	Single-family residential
East	Open land/Single-family residential
South	Single family-residential
West	Open land/Wetlands/Single-family residential

STAFF COMMENT:

Upon preliminary review of the Master Plan and Future Land Use designation for the subject parcels, context of zoning and future land uses of properties in the surrounding neighborhood, and other factors, Staff offers the following comments regarding this conditional rezoning request:

- The existing Culver Meadows facility was approved as a Special Use Permit in 2008 and is regarded as an existing non-conforming use under the current R-1 – One-Family Residential zoning.
- The subject parcels will be served by the existing Culver Meadows driveway off West Silver Lake Road, a County primary road.
- The requested zoning, A-Agricultural, is considered potentially compatible with the Future Land Use designation of Low Density Residential in the Master Plan.
- Furthermore, one of the Housing implementation goals in the Master Plan states, “Continue to implement zoning incentives such as density bonuses to encourage the development community to include particular housing types in high demand in the Township, such as single-bedroom apartment units and accessible housing options for seniors and individuals with disabilities.” The existing group home use and the proposed uses provide housing options for seniors and individuals with disabilities in an established residential neighborhood.
- The conditions as proposed in this application would apply to only the subject two parcels.

- Parcel 05-030-008-45 is approximately 2.93 acres with a lot width of 220 feet. This parcel meets the minimum dimensional requirements for both R-1 and A zoning districts. Parcel 05-030-008-50 is approximately 2.21 acres with a lot width of 100 feet based on an access easement. While the parcel meets the minimum dimensional requirements for the R-1 district, the easement will have to be extended to 110 feet to meet the minimum dimensional requirements for A district.

PRELIMINARY APPROVAL CRITERIA DISCUSSION:

A conditional rezoning is subject to review of the same criteria as any other Map Amendment. To focus the discussion on the factors relevant to approving a Map Amendment, the following approval criteria are included below for reference:

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
2. Adverse Impacts on Neighboring Lands
3. Suitability as Presently Zoned
4. Changed Conditions
5. Health, Safety, and Welfare
6. Public Policy
7. Size of Tract
8. Other Factors

SITE DEVELOPMENT REQUIREMENTS:

As part of a Conditional Rezoning application, a site development plan including the information described in Section 956 is required. The following criteria as listed in Section 424.F(1)(a)-(j) of the Zoning Ordinance are offered for consideration by the Planning Commission:

*(a) **Required Information.** All required information shall be provided.*

- Staff has determined the application and site plan to be substantially complete for the purposes of completing this report.

*(b) **Outside Agencies.** All applicable standards of outside agencies shall be met and all required permits and approvals from outside agencies shall be secured, or be made a condition of approval.*

- The applicant is required to comply with all agencies with jurisdiction. Agency approvals that are not received may be made conditions of the site plan approval.

*(c) **Essential Facilities and Services.** Adequate essential facilities and services, including highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, and schools, shall be available.*

- The application is expanding an existing group home operation with the construction of a new group home and new child care center by expanding the existing on-site water and by constructing a new septic system.
- The site is accessed from West Silver Lake Road, a County primary road.
- The site has been used for group residential purposes without overburdening municipal services in the area. The proposed use is not expected to be any more intensive to the point of placing undue burden on essential facilities and services.

(d) **Natural Features.** *Sensitive natural features, or existing natural features that provide a buffer between adjoining properties, or assist in preserving the general appearance of the neighborhood, or help control soil erosion or stormwater, shall be preserved to the greatest extent possible.*

- The proposed uses build upon an existing development and building pattern on the site at an appropriate scale for a residential area.
- There are no known sensitive natural features that would be impacted by this project. The existing wetlands to the west will be buffered by a required 35-foot setback. This setback distance exceeds the required wetlands buffer of 25 feet by 10 feet.

(e) **Site Design.** *All buildings and structures shall be designed, situated, constructed, operated and maintained so as to be harmonious, compatible, and appropriate in appearance, with the existing or intended character of the general vicinity. Site design shall minimize adverse effects upon owners and occupants of adjacent properties and the neighborhood.*

- The proposed uses build upon an existing development and building pattern on the site at an appropriate scale for a residential area.
- The site has an established group home that has been in place for 15 years. The number of occupants is limited to 20 residents for each group home. The child care center will be limited to 12 children.

(f) **Orientation.** *Primary buildings or structures shall be oriented so that their main entrance faces the street upon which the lot fronts. If the development is on a corner lot, the main entrance may be oriented to either street or to the corner.*

- The proposed new buildings will provide their front entrances facing West Silver Lake Road.
- The proposed new uses will rely on the existing driveway entrance to the Culver Meadows Senior Living facility.

(g) **Vehicle and Pedestrian Systems.** *The development, where possible, shall provide vehicular and pedestrian circulation systems which reflect and extend the pattern of streets, pedestrian and bicycle ways in the area. A proper relationship between existing and proposed roadways and parking areas shall be demonstrated, and the safety and convenience of pedestrian and vehicular traffic shall be assured. Travelways which connect and serve adjacent development shall be designed appropriately to carry the projected traffic.*

- The proposed new uses will rely on the existing driveway entrance to the Culver Meadows Senior Living facility.
- New parking areas will work with the existing site circulation patterns.
- In this area of the Township, the Non-Motorized Plan identifies bike lanes along West Silver Lake Road.

(h) **Shared Drives.** *Where the opportunity exists, developments shall use shared drives. Unnecessary curb cuts shall not be permitted.*

- The proposed new uses will rely on the existing driveway entrance to the Culver Meadows Senior Living facility. No new curb cuts are proposed.

(i) **Impervious Surfaces.** *The amount of impervious surface has been limited on the site to the extent practical.*

- The proposed parking and site circulation meets the minimum requirements and does not propose excessive impervious surface areas.

(j) **Master Plan.** *The proposal is not in conflict with the land use policies, goals and objectives of the Township Master Plan.*

- The proposal fits with the Master Plan which envisions a wider range of housing options for residents in an established residential area.
- The orientation for the development remains focused on a County arterial road and does not impede or interfere with established single family residential areas.

ARTICLE 5 – DEVELOPMENT STANDARDS:

A review of the proposal regarding the relevant sections of Article 5 – Development Standards is provided. The following information was provided as part of the site plan set with the application:

Access Management

The proposed new uses will rely on the existing driveway entrance to the Culver Meadows Senior Living facility. No new ingress and egress points to West Silver Lake Road are proposed.

Parking

An adult foster care, large group home has a maximum parking requirement of 1 space per dwelling unit and a maximum parking requirement of 2 spaces per dwelling unit. In this case, a minimum of 20 spaces must be provided with a maximum of 40 spaces. The site plan shows 20 spaces.

Child care centers have a minimum parking requirement of 1 space for every three hundred (300) square feet of floor space. There is no maximum parking requirement. With 2,250 square feet of floor space proposed, a minimum of 8 spaces are required. The site plan shows 11 spaces.

Staff also conducted a completeness review of the conditional rezoning application which was sent to the applicant on December 12, 2023. Several items were noted as not provided and required on the site plan; this information is requested on an updated site plan and encompasses the following:

- The legal description for the existing Culver Meadows site (parcel 05-030-008-45) should be included as the Conditional Rezoning application is being considered for both parcels.
- A vicinity map showing the area and road network surrounding the property.
- Natural features such as woodlots, water bodies, wetlands, etc. There are possible wetlands at the west side of the project site. Since there is a setback requirement for wetlands in Section 534 of the Zoning Ordinance. Information about these wetlands, including a verified wetland delineation, may be required.

- Existing and proposed topographic elevations at two-foot intervals. Note that topographic information is required for the stormwater review noted below.
- A dimensional plan indicating the size of parking spaces, driveway widths, maneuvering lane widths, etc.
- Calculation, identification, and dimensions of the snow storage areas. As required by Section 551 of the Zoning Ordinance, a ratio of 10 square feet of snow storage is required per 100 square feet of parking area.
- Existing access easements, including the access to parcel 05-030-008-50, need to be labeled and dimensions provided. Most likely the easement will need to be extended for the parcel by 10 feet to meet the minimum lot width requirement for the A-Agricultural district.
- 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. An application for stormwater review and escrow shall be made for review by the Township Engineer. Stormwater review by the Township Engineer is required prior to the issuance of a Land Use Permit. Please note that other agency reviews are required (i.e., Metro Fire).
- A sign plan is not required at this time. However, the site plan shall state that “Signs are subject to Sign Permit Review.” Also, please note that all signs shall meet the standards of Section 630 of the Zoning Ordinance.
- 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.
- A landscape plan and table identifying the species, size of landscape materials, and number proposed, compared to what is required by the Ordinance. While there is no landscaping required between the two subject parcels, a landscape buffer is required along the north, east and west sides. Any existing plantings can count towards the buffer requirement.

ACTION REQUESTED:

This item is placed on the agenda to introduce the conditional rezoning request and consider scheduling a public hearing for the Planning Commission Regular Meeting on February 14, 2024. Several items noted in the completeness review and this report have yet to be provided by the applicant.

If, after the applicant’s presentation and subsequent discussion, the Planning Commission is prepared to schedule the application for public hearing, then the following motion is suggested:

MOTION THAT application Z-2023-04 BE SCHEDULED for public hearing for the February 14, 2024 Planning Commission regular meeting, subject to the applicant providing additional information as stated in Planning Department Report 2024-5 and in the completeness review for this application dated December 12, 2023.

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

Attachments:

1. Zoning Ordinance Amendment – Conditional Rezoning application – dated November 22, 2023
2. Impact Statement – received December 5, 2023
3. Proposed Conditional Rezoning Agreement and Statement of Conditions – received December 5, 2023
4. Site Development Plan – dated November 29, 2023



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

RECEIVED
DEC 4/5 2023
PLANNING *JKL*

PROJECT / DEVELOPMENT NAME

Culver Meadows Senior Living, Inc.

APPLICANT INFORMATION

Name: Culver Meadows Senior Living, Inc.

Address: 1661 N. West Silver Lake Rd.

Phone Number: 231-633-9421

Email: brad@culvermeadows.com

AGENT INFORMATION

Name: Brad & Trina Jewett

Address: 1745 N. West Silver Lake Rd.

Phone Number: 231-633-9421

Email: brad@culvermeadows.com

OWNER INFORMATION

Name: Brad & Trina Jewett

Address: 1745 N. West Silver Lake Rd.

Phone Number: 231-633-9421

Email: brad@culvermeadows.com

CONTACT PERSON

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

<i>Applicant:</i>	Brad Jewett
<i>Agent:</i>	Brad Jewett
<i>Owner:</i>	Brad & Trina Jewett

PROPERTY INFORMATION

<i>Property Address:</i>	Not determined yet. Will use the driveway of 1661 N. West Silver Lake Rd.		
<i>Property Identification Number:</i>	05-030-008-50		
<i>Legal Description:</i>	On File		
<i>Zoning District:</i>	R1		
<i>Master Plan Future Land Use Designation:</i>	Low Density R1		
<i>Area of Property (acres or square feet):</i>	2.21		
<i>Existing Use(s):</i>	Vacant Land		
<i>Proposed Use(s):</i>	20 Bed Adult Foster Care (AFC) & Licensed 12 Child Day Care Facility		

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 checked="" 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 checked="" type="checkbox"/>
If yes, provide construction plans and specifications			
3. Will on-site disposal be used?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, is it depicted on plan?	<input checked="" 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 checked="" type="checkbox"/>
2. Will a community water supply 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 checked="" type="checkbox"/>
If yes, provide construction plans and specifications			
C. <u>Public utility easements required?</u>			
If yes, show on plan.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D. <u>Stormwater Review/Soil Erosion</u>			
1. Soil Erosion Plans approved by Soil Erosion Office?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If so, attach approval letter.			
If no, are alternate measures shown?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Stormwater Plans approved by Township Engineer?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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:	<i>Brad L Jewett</i>
Applicant Signature:	<i>Brad L Jewett</i>
Agent Signature:	<i>Brad L Jewett</i>
Date:	11/22/23

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 Brad & Trina Jewett 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: Brad L Jewett Trina A Jewett
Date: 11-22-23

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: Brad L Jewett Trina A Jewett
Date: 11-22-23
Applicant Signature: Brad L Jewett
Date: 11-22-23

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"/>

Brad & Trina Jewett / Culver Meadows Senior Living, Inc.
1745 N. West Silver Lake Rd.
Traverse City, MI 49685
231-633-9421
brad@culvermeadows.com

RECEIVED

DEC 15 2023

PLANNING



Charter Township of Garfield
3848 Veterans Drive
Traverse City, MI 49684

Re: Culver Meadows Senior Living Proposed 20 Bed AFC and 12 spot Childcare Facility

Please be advised that Brad & Trina Jewett represents and owns Culver Meadows Senior Living, Inc.

The Jewett's own and operate the existing Culver Meadows Senior Living, Inc. facility and owns property No: 28-05-030-008-50. Property No: 28-05-030-008-50 is the property the proposed 20 Bed AFC and 12 spot Childcare Facility (daycare) will be located on.

The purpose of this letter is to provide specific facts and information supporting Culver Meadows Senior Living, Inc.'s application to amend the current zoning map as it pertains to the property. The amendment seeks to change the property from the current R1 zoning to a conditional Agriculture zoning.

Culver Meadows Senior Living, Inc. was approved for its current facility in 2008, constructed in 2009 and opened on February 01, 2010. Culver Meadows Senior Living, Inc. is locally owned and operated by Brad & Trina Jewett and provides high quality care for elderly Alzheimer, Dementia, and Hospice residents. In order to keep and continue providing high quality care and services to the elderly, Culver Meadows Senior Living, Inc. seeks the opportunity to grow it campus which would also incorporate into the plan a Childcare (daycare) for employees that need childcare while they are at work. Culver Meadows Senior Living, Inc. anticipates that all 12 spots will not be filled by their employees and will then offer the remaining spot to the public. We anticipate operating the Childcare (daycare) facility 24/7/365 which will allow parents the opportunity to have daycare for their children 24/7/365.

In Garfield Townships ordinances, a 20 Bed AFC is allowed in the Agricultural Zoning District. The Agricultural Zoning District requires a special use permit and must comply with applicable regulations and conditions. For the reasons set forth herein, guided by the factors to be considered for an impact statement in Garfield Township Zoning Ordinance the Property should be amended to be a conditional Agricultural Zoning District.

(1) Master Plan

Although the current master plan does have this parcel as R1, the Agricultural Zoning District will allow the proposed project and it will fit the current neighboring property that the current Culver Meadows Senior Living, Inc. sits on. This would be an addition to the current campus and would not negatively impact the surrounding parcels. In this project, the proposed Agricultural Zoning is considered generally compatible by the Master Plan.

(2) Adverse Impacts on Neighboring Parcels / Land

To the south of the property is the existing Culver Meadows Senior Living, Inc. 20 bed facility. To the north is Brad & Trina Jewett's residence, to the east are a few homes on Silver Lake and not visible from the property. To the west is more vacant property currently owned by the Lemcool family and is mixed terrain of woods, vacant land, and few ponds.

If the requested amendment and permit were granted, the nature and degree of adverse impact to these surrounding parcels would be virtually none. The design and current perimeter landscaping would essentially hide most of the campus.

(3) Sustainability as Presently Zoned

As presently zoned, Culver Meadows Senior Living, Inc. cannot meet the increasing need for the services Culver Meadows Senior Living, Inc. provides because the property is zoned R1 and the R1 zoning would only allow a 12 Bed AFC. The sought conditional zoning change would enable Culver Meadows Senior Living, Inc. to remain primarily residential in nature while giving them the ability to provide additional services to the elderly and to families with young children seeking daycare.

(4) Changed Conditions

Culver Meadows Senior Living, Inc does not foresee any change in conditions and in fact, will be harmonious with the currently Culver Meadows Senior Living, Inc facility and the neighborhood.

(5) Health, Safety and Welfare

Culver Meadows Senior Living, Inc. does not foresee any issues with Health, Safety and Welfare. Culver Meadows will continue to and must follow all permitting, licensing, environmental health, and safety codes. Culver Meadows Senior Living, Inc. will improve the Health, Safety, Wellness, and Welfare of some of the most vulnerable people in our community, the elderly.

(6) Public Policy

The United States has experienced and increase in both care for the elderly and childcare (daycare). Grand Traverse County is no exception, and in the last census, the 55 and older population in Grand Traverse County seen the biggest increase. Therefore, it shows the growing need for quality care for those that are aging. Childcare (daycare) is in high demand as there is a shortage of daycare providers. Employers are struggling to fill open job positions, and part of that reason is because potential employees are struggling to find childcare (daycare) for their child or children. By allowing this property to be rezoned and granted the permits necessary, Culver Meadow Senior Living, Inc. will be able to help fill some of the needs our local community is in need of.

(7) Size of Tract

The size of the parcel with Property No. 28-05-030-008-50 is 295.26' on the south line, the west line 325.56', the north line 329.12', the east line 267.34', equaling 2.21 acres.

The size of parcel with Property NO. 28-05-030-008-45, the current Culver Meadows Senior Living, Inc Facility, located at 1661 N. West Silver Lake Rd. Traverse City, MI 49685, and adjacent to the south of the Property No. 2005-030-008-50 is 278.05' on the south line, the west line is 436.91', the north line is 465.13', the east line is 221.45', equaling 2.93 acres.

(8) Other Factors

Operating another facility and a new childcare (daycare) center on the property will not present any adverse effects on the surrounding parcels, nor will it present any impediments to any development of these parcels consistent with their permitted uses. The operation will not be detrimental to public health, safety, comfort, or general welfare. Culver Meadows Senior Living, Inc. already provides adequate parking for its customers and guests. Culver Meadows Senior Living, Inc. adheres to all its SUP requirements, keeps its property clean, beautiful, and well taken care of. Culver Meadows Senior Living, Inc. has never had a complaint about its campus or operation. The proposed new facility and childcare (daycare) center will be set on the back half of the west end of the property and will not have another driveway onto North West Silver Lake Rd.

Any necessary infrastructure, including water, drainage, utilities will adhere to all requirements and be built and installed per all requirements of the codes.

Offer of Conditions

Culver Meadows Senior Living, Inc. application does not authorize any uses of developments that are not permitted in the requested amendment to the Conditional Agricultural Rezoning. By allowing the properties to become a conditional rezoning to Agricultural, Charter Township of Garfield would allow Culver Meadows Senior Living, Inc. the ability to construct, operate, and maintain the property Adult Foster Care Facility (AFC) and Childcare (daycare) center. The operation and use of the new AFC and Childcare (daycare) facility would provide services, be reasonable and compatible with the current Culver Meadows Senior Living, Inc. facility on the adjacent property.

In the event the amendment is granted and Culver Meadows Senior Living, Inc., can move forward with proposed projects, Culver Meadows Senior Living, Inc. would obtain all the proper permits necessary. Culver Meadows Senior Living, Inc., ultimately offers that the Properties would revert to its current zoned district if Culver Meadows Senior Living, Inc. were to no longer operate as its current use and proposed use.

Sincerely,

Culver Meadows Senior Living, Inc.

Brad & Trina Jewett

Brad & Trina Jewett / Culver Meadows Senior Living, Inc.
1745 N. West Silver Lake Rd.
Traverse City, MI 49685
231-633-9421
brad@culvermeadows.com

RECEIVED

DEC 15 2023

PLANNING

HS

Charter Township of Garfield
3848 Veterans Drive
Traverse City, MI 49684

Re: Culver Meadows Senior Living Proposed 20 Bed AFC and 12 spot Childcare Facility

Please be advised that Brad & Trina Jewett represents and owns Culver Meadows Senior Living, Inc.

The Jewett's own and operate the existing Culver Meadows Senior Living, Inc. facility and owns property No: 28-05-030-008-50. Property No: 28-05-030-008-50 is the property the proposed 20 Bed AFC and 12 spot Childcare Facility (daycare) will be located on.

CONDITIONAL REZONING AGREEMENT

This Conditional Rezoning Agreement is entered into by and between Brad & Trina Jewett / Culver Meadows Senior Living, Inc. a Michigan Corporation Company, 1661 N. West Silver Lake Rd. Traverre City, MI 49685 and the Charter Township of Garfield, 3848 Veterans Drive, Traverre City, MI 49684.

Recitals

- A. Brad & Trina Jewett / Culver Meadows Senior Living, Inc. are the owners of the properties described below and located along N. West Silver Lake Rd. Culver Meadows Senior Living, Inc address is 1661 N. West Silver Lake Rd. Traverse City, MI 49685 in the Township of Garfield of Grand Traverse County in the State of Michigan

Property No's. 28-05-030-008-50 & 28-05-030-008-045

Property No. 28-05-030-008-50 Legal Description:

PT NW14 SEC 30 T27N R11W COM NW COR SEC 30 TH S 88DEG 23'15"E 1600.28' TH S 13 DEG 24'28"W 313.16' TH S 13DEG 20'27"W 224.23' TH S 42DEG 47'21"W 75.5' TH S 42DEG 42'37"W 365.69' TO POB THE S 49DEG 28'44"E 329.12' TGE S 32DEG 55'.47"W 276.34' TH N 57DEG 04'13"W 295.25' TH N 11DEG 04'35"E 158.35' THE N 42DEG 36'49"E 166.21' TO POB CONT 2.21AC

Property No. 28-05-030-008-45 Legal Description:

PT NW1/4 SEC 30 T27N R11W COM NW COR SEC 30 TH S 88DEG 23'15"E 1600.28' TH S 13DEG 24'28"W 313.16' TH S 13DEG 20'27"W 224.23' TH S 42DEG 47'21"W 75.5' TH S 42DEG 42'37"W 365.69' TG S 42DEG 36'49"W 166.21' TH S 11DEG 04'35"W 158.35' TO POB TG S 11DEG 04'35"W 436.91' TH S 88DEG 19'28"E 76.05' TH S 88DEG 24'22"E 278.05 TH N 32DEG 55'47"E 221.45' TH N 57DEG 04'13"W 465.13' TO POB CONT 2.93AC

- B. The properties (28-05-030-008-50 & 28-05-030-008-045) is proposed to a Conditional Rezoning Agreement with the date to be determined and this agreement will be updated upon Conditional Rezoning.
- C. The applicant will restrict the use of said property and rezone to a Conditional Rezoning to Agricultural Zoning.
- D. MCL 125.3405 of the zoning enabling act, as amended provides that a landowner may offer use limitations related to the rezoning of the land withing a township pursuant to a Conditional Rezoning Agreement.

MCL 125.3405 Use and development of land as condition to rezoning.

(1) An owner of land may voluntarily offer in writing, and the local unit of government may approve, certain use and development of the land as a condition to a rezoning of the land or an amendment to a zoning map.

(2) In approving the conditions under subsection (1), the local unit of government may establish a time period during which the conditions apply to the land. Except for an extension under subsection (4), if the conditions are not satisfied within the time specified under this subsection, the land shall revert to its former zoning classification.

(3) The local government shall not add to or alter the conditions approved under subsection (1) during the time period specified under subsection (2) of this section.

(4) The time period specified under subsection (2) may be extended upon the application of the landowner and approval of the local unit of government.

(5) A local unit of government shall not require a landowner to offer conditions as a requirement for rezoning. The lack of an offer under subsection (1) shall not otherwise affect a landowner's rights under this act, the ordinances of the local unit of government, or any other laws of this state.

- E. The applicant (Brad & Trina Jewett / Culver Meadows Senior Living, Inc. has requested to enter into the provisions of the Statement of Conditions set forth in this Conditional Rezoning Agreement.
- F. By entering into this Conditional Rezoning Agreement, the applicant *Brad & Trina Jewett / Culver Meadows Senior Living, Inc., and Charter Township of Garfield desire to set forth the parties' obligations with respect to property No's 28-05-030-008-50 & 28-05-030-008-45 and the conditions under which Garfield Township has granted the Conditional Rezoning.

NOW THEREFORE, the applicant (Brad & Trina Jewett / Culver Meadows Senior Living, Inc.) and Charter Township of Garfield hereby declare and agree that property No's: 28-05-030-008-50 & 28-05-030-008-45 shall be held, transferred, sold, conveyed, and occupied subject to the covenants, conditions, restrictions, grants and reservations set forth herein; all of which are for the benefit of Charter Township of Garfield and shall run with and bind the property's and all parties having any right, title or interest in all or any proportion of the properties, as well as heirs, successors and assign.

Agreement and Statement of Conditions

1. The Property shall be rezoned from R1 to Conditional Agricultural Zoning District. With respect to Charter Township of Garfield Zoning Ordinance in effect on the date of this agreement, the Applicant (Brad & Trina Jewett / Culver Meadows Senior Living, Inc.) shall be permitted to conduct the following permitted uses under the Agricultural Zoning District classification, and special uses permitted so long as Charter Township of Garfield grants such special land use permit: 20 Bed Adult Foster Care (Large Group AFC / Home for the Aged) and 12 (Large Group Daycare)
2. The property shall not be used for any use or special us not permitted Charter Township of Garfileld's Zoning Ordinance for the Agricultural District.
3. The property shall revert to the R1 Zoning District if the Applicant (Brad & Trina Jewett / Culver Meadows Senior Living Inc.) cannot viably be used as 2 - 20 Bed (Large Group AFC's / Home for the Aged) and 12 (Large Group Daycare Center).

4. The applicant (Brad & Trina Jewett / Culver Meadows Senior Living, Inc.) shall continuously maintain the properties in compliance with all the conditions set forth in paragraph 1.
5. This Conditional Rezoning Agreement and Statement of Conditions may be recorded by Charter Township of Garfield with the Grand Traverse County Register of Deeds.
6. Nothing in this agreement shall be deemed to prohibit Charter Township of Garfield from rezoning all or any portion of the lands that is subject to the Conditional Rezoning Agreement to another zoning classification. Any rezoning shall be conducted in compliance with Charter Township of Garfield Zoning Ordinance and the Zoning Enabling Act. Upon any rezoning taking effect, the use of the land so rezoned shall conform thereafter to all the requirements regulating use and development within the new zoning district as modified.
7. If the properties are thereafter rezoned to a different zoning classification or to the same zoning classification but with a different or no statement of conditions, the statement of conditions imposed under the Conditional Rezoning Agreement shall cease to be in effect. Upon the Applicants written request, Charter Township of Garfield Township Clerk shall record with the Grand Traverse County Register of Deeds notice that the statement of conditions in this Conditional Rezoning Agreement are not longer in effect.
8. None of the terms contained herein shall be interpreted to require the Applicant to obtain a new Special Use Permit to continue the current operations of the 2 - 20 Bed (Larger Group Home AFC's / Home for the Aged) and the Daycare Center on the properties.

Brad & Trina Jewett / Culver Meadows Senior Living, Inc. hereby attest the conditions imposed by this Conditional Rezoning Agreement were offered voluntarily and are consented to willingly.

Brad & Trina Jewett / Culver Meadows Senior Living, Inc. a Michigan Corporation.

 By: Brad & Trina Jewett – Owners / President & Vice President

State of Michigan

Grand Traverse County

Acknowledge on the _____ day of _____ 20____, before me personally appeared Brad & Trina Jewett, Owners of Culver Meadows Senior Living, Inc. The organization described in, and which executed the forgoing instrument, and that they signed their names thereto as and for their voluntary act and deed and as and for the voluntary act and deed of said organization.

_____ Print Name

_____ Notary Public

_____ County, MI Acting in Grand Traverse County, Michigan.

My Commission Expires: _____

ZONING INFORMATION

ADULT FOSTER CARE - LARGE GROUP HOME		
PROPERTY ADDRESS	1745 N. WEST SILVER LAKE RD. TRAVERSE CITY, MI. 49685	
PROPERTY ID NUMBER	05-030-008-50	
PROPERTY ZONED	A: AGRICULTURAL (PROPOSED)	
DIMENSIONAL REQUIREMENTS		
	REQUIRED	PROVIDED
MINIMUM LOT AREA	(43560 SF.)	96,268 SF. OR 2.21 ACRES
MINIMUM LOT WIDTH	110 FT	267.34 FT
MAXIMUM HEIGHT	35'-0"	22'-6"
NUMBER OF STORIES	2½ (MAX.)	1 STORY
MINIMUM YARD SETBACKS		
FRONT YARD SETBACK	30'-0"	102'-8"
REAR YARD SETBACK	(35'-0")	168'-1"
SIDE YARD SETBACK	(15'-0")	16'-5", 32'-4"
MINIMUM CROSS SECTION	24 FT.	36 FT.
MAX. IMPERVIOUS SURFACE	N/A	
MAX. LOT COVERAGE	(20%)	
PARKING REQUIREMENTS		
PARKING SETBACK	N/A	N/A
REQUIRED PARKING SPACES	MIN. (1) PER DWELLING UNIT MAX. (2) PER DWELLING UNIT	(24) SPACES

CERTIFICATE OF SURVEY

PART OF THE NW¼ SEC. 30, T.27 N., R.11 W.,
GARFIELD TWP., GRAND TRAVERSE CO., MICHIGAN.

LEGAL DESCRIPTION AS SURVEYED

PARCEL 3

Part of the Northwest quarter, Section 30, Town 27 North, Range 11 West, Garfield Township, Grand Traverse County, Michigan; more fully described as follows: Commencing at the Northwest corner of said section; thence along the North line of said section S 88°23'15" E a distance of 1600.28' (RECORD S 90°00'00" E 1600.28'); thence S 13°24'28" W a distance of 313.16' (RECORD S 11°41'02" W 313.06'); thence S 13°20'27" W a distance of 224.23' (RECORD S 11°41'02" W 224.33'); thence S 42°47'21" W a distance of 75.50' (RECORD S 41°05'50" W); thence S 42°42'37" W a distance of 365.69' (RECORD S 41°05'50" W) to the Point Of Beginning; thence S 49°28'44" E a distance of 329.12'; thence S 32°55'47" W a distance of 267.34'; thence N 57°04'13" W a distance of 295.25'; thence N 11°04'35" E a distance of 158.35' (RECORD N 09°28'25" E); thence N 42°36'49" E a distance of 166.21' (RECORD N 41°05'50" E 166.29') to the Point Of Beginning.

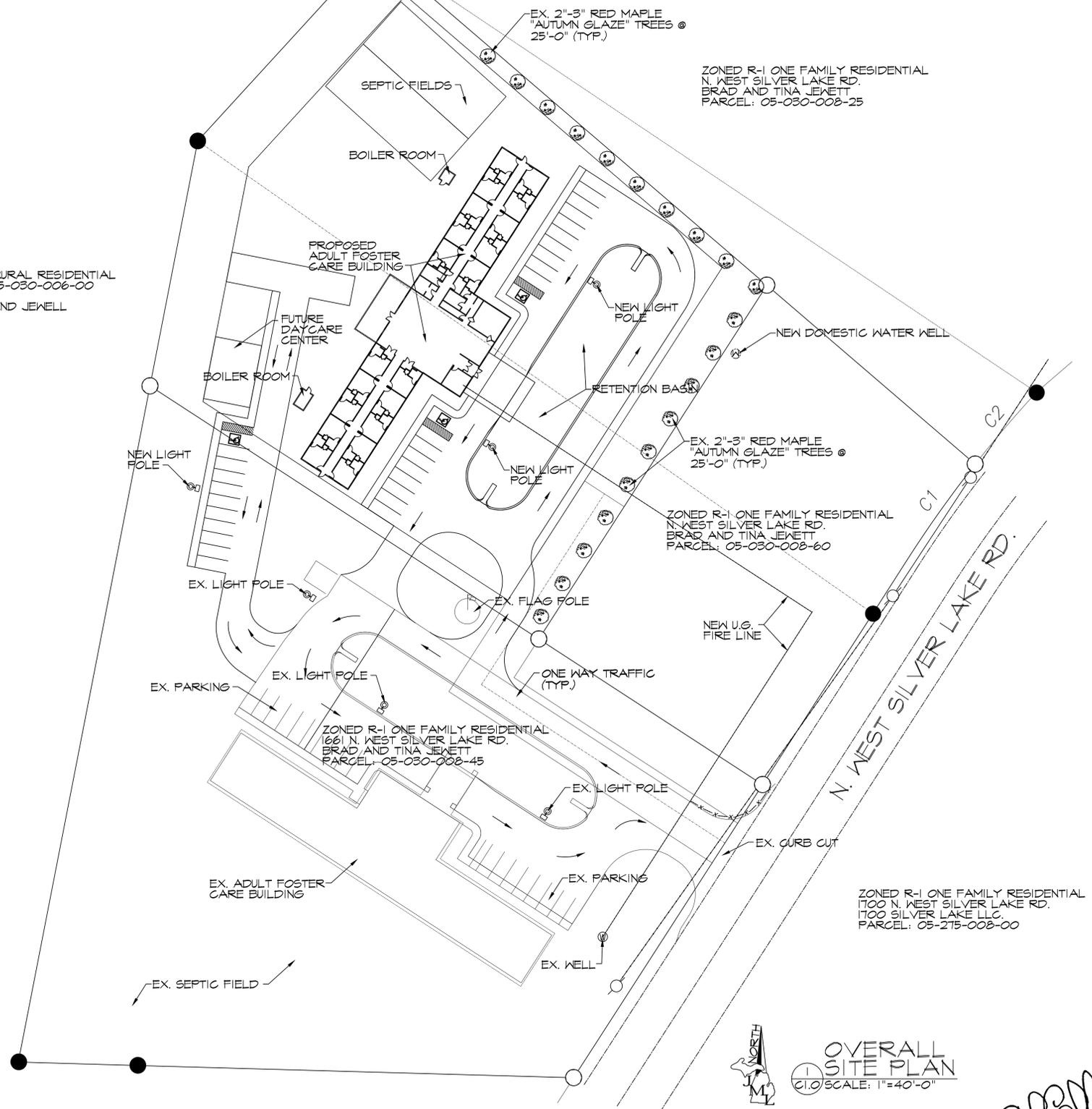
Having an area of 2.21 acres.

Subject to and together with any easements, encroachments and/or restrictions if any.

Subject to a 30' wide easement for ingress, egress and the installation and maintenance of private and public utilities in Part of the Northwest quarter, Section 30, Town 27 North, Range 11 West, Garfield Township, Grand Traverse County, Michigan; the centerline of said easement being more fully described as follows: Commencing at the Northwest corner of said section; thence along the North line of said section S 88°23'15" E a distance of 1600.28' (RECORD S 90°00'00" E 1600.28'); thence S 13°24'28" W a distance of 313.16' (RECORD S 11°41'02" W 313.06'); thence S 13°20'27" W a distance of 224.23' (RECORD S 11°41'02" W 224.33'); thence S 42°47'21" W a distance of 75.50' (RECORD S 41°05'50" W); thence S 42°42'37" W a distance of 365.69' (RECORD S 41°05'50" W); thence S 42°36'49" W a distance of 166.21' (RECORD S 41°05'50" W 166.29'); thence S 11°04'35" W a distance of 158.35' (RECORD S 09°28'25" W); thence S 57°04'13" E a distance of 280.25' to the Point Of Beginning of said centerline; thence the following two courses along said centerline S 32°55'47" W a distance of 44.15'; thence S 57°04'13" E a distance of 164.88' to the Right-Of-Way of West Silver Lake Road and the Point Of Ending and from said Point Of Beginning N 32°55'47" E a distance of 100.00' to the Point Of Ending.

ZONED RR RURAL RESIDENTIAL
PARCEL : 05-030-006-40
5825 SECOR RD.
JOHN AND TANGILA LEMCOOL

ZONED RR RURAL RESIDENTIAL
PARCEL : 05-030-006-00
SECOR RD.
CLIFFORD AND JEWELL
LEMCOOL



OVERALL
SITE PLAN
SCALE: 1"=40'-0"



JML DESIGN GROUP, LTD., 225 E. 16TH STREET, SUITE B, TRAVERSE CITY, MICHIGAN 49684

architect:
CF CAMPBELL
phone: (231) 947-9019
e-mail: cadmin@jmlarchitects.com

revisions:
10/03/23 ISSUED FOR PLANNING
11/29/23 REVISED

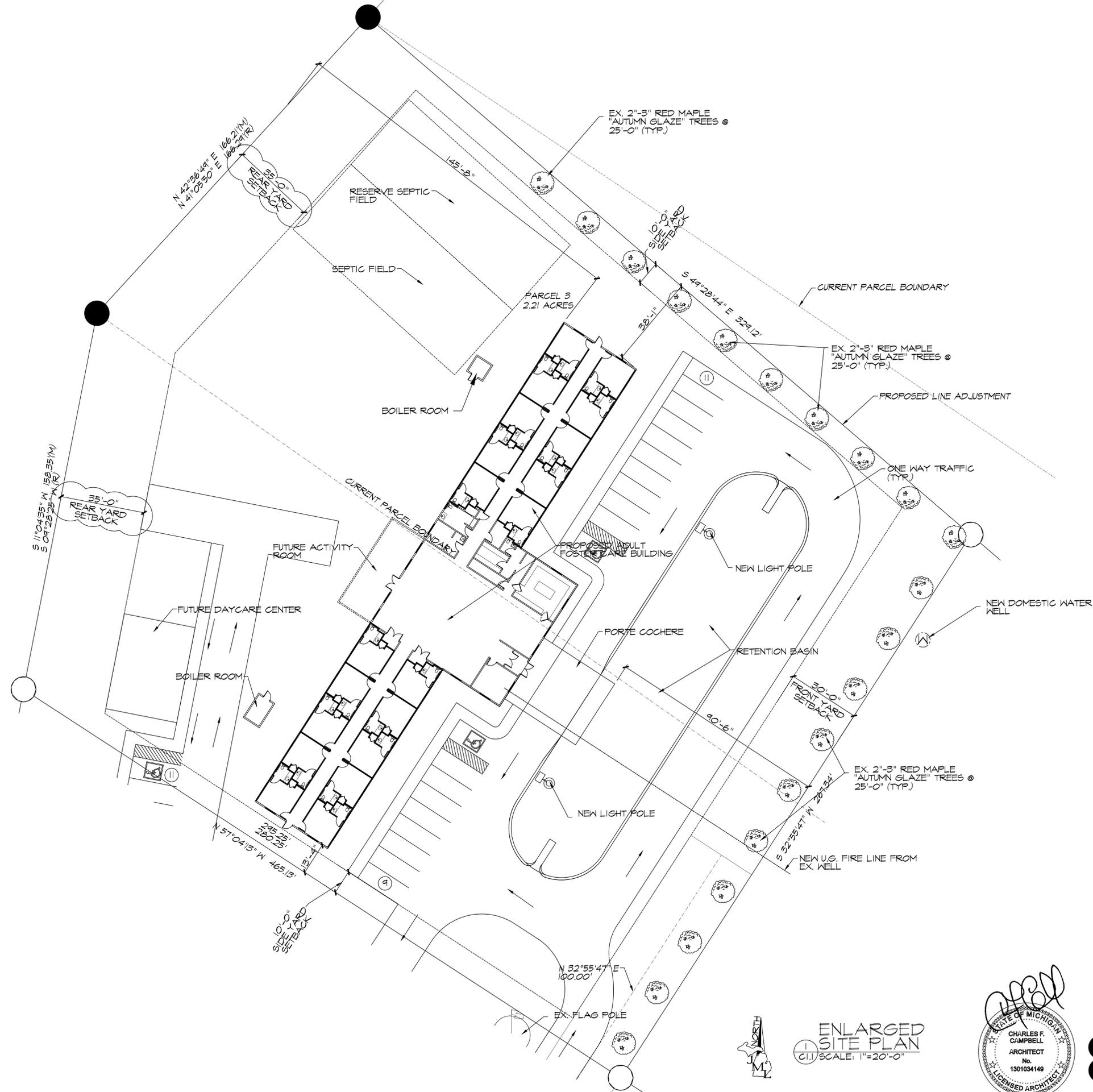
owner information:
MR. BRAD JEWETT
1745 N. SILVER LAKE RD.
TRAVERSE CITY, MI.
49685

project location:
N. SILVER LAKE RD.
TRAVERSE CITY, MI.
49685

sheet title:
OVERALL SITE PLAN
project name:
CULVER MEADOWS

preliminary
construction

date:
10/03/23
sheet:
C1.0



ENLARGED
SITE PLAN
C.I.1 SCALE: 1"=20'-0"



preliminary
construction

date:
10/03/23

sheet:
C.I.1

sheet title:
ENLARGED SITE PLAN
project name:
CULVER MEADOWS

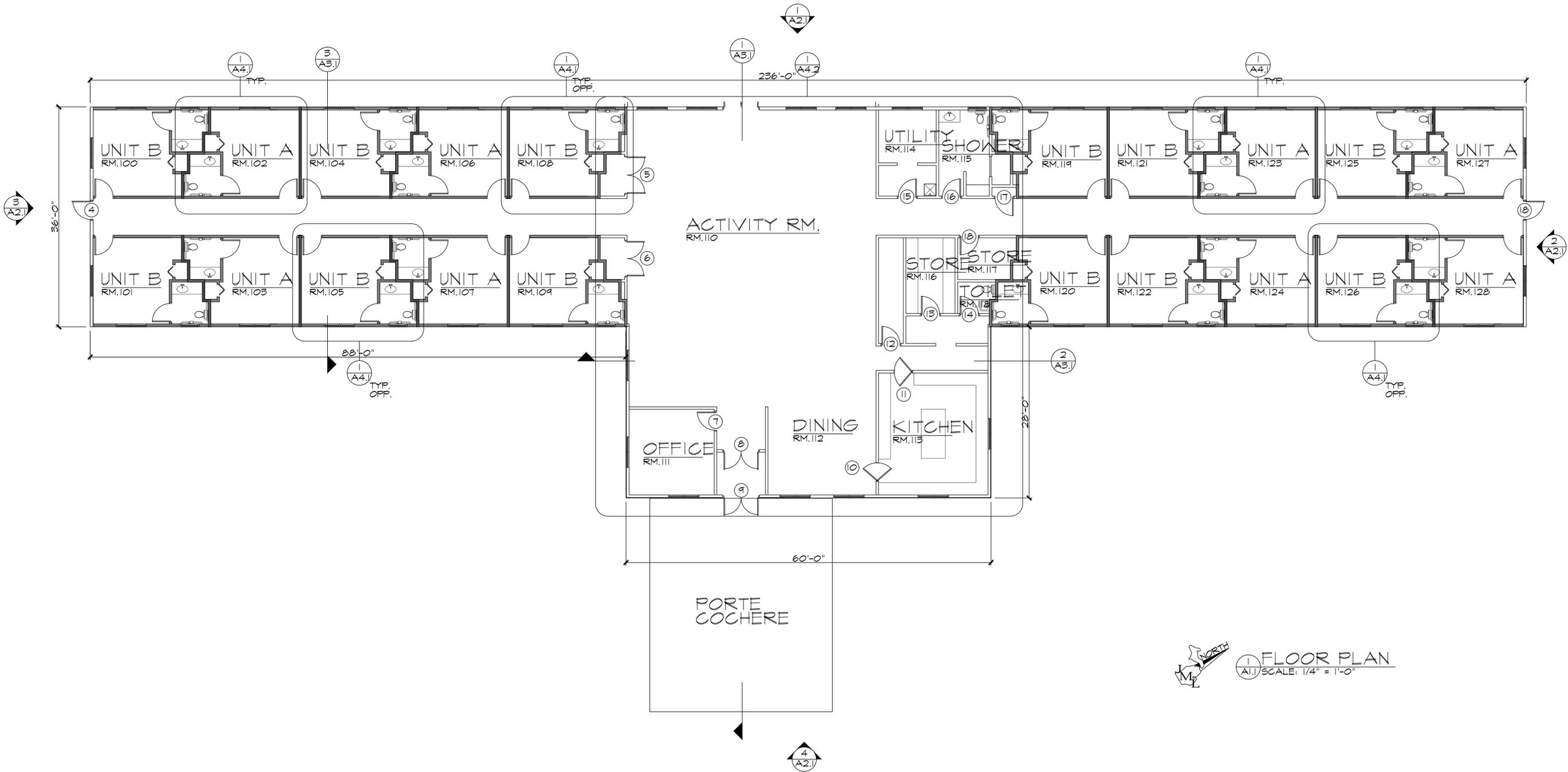
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N SILVER LAKE RD.
TRAVERSE CITY, MI.
49685

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revisions:
10/03/23 ISSUED FOR PLANNING
11/29/23 REVISED

architect:
CF CAMPBELL
phone: (231) 947-9019
e-mail: admin@jmlarchitects.com

drawn:
CFC/JEB/MD




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



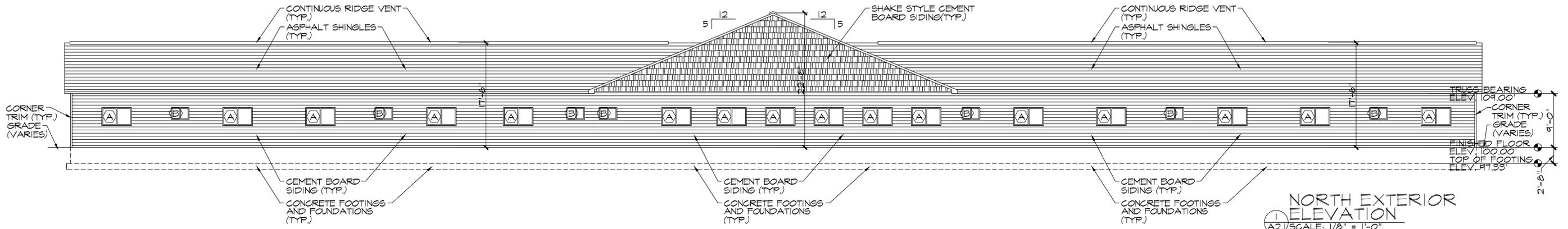
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CULVER MEADOWS

project location:
 N SILVER LAKE RD.
 TRAVERSE CITY, MI.
 49685

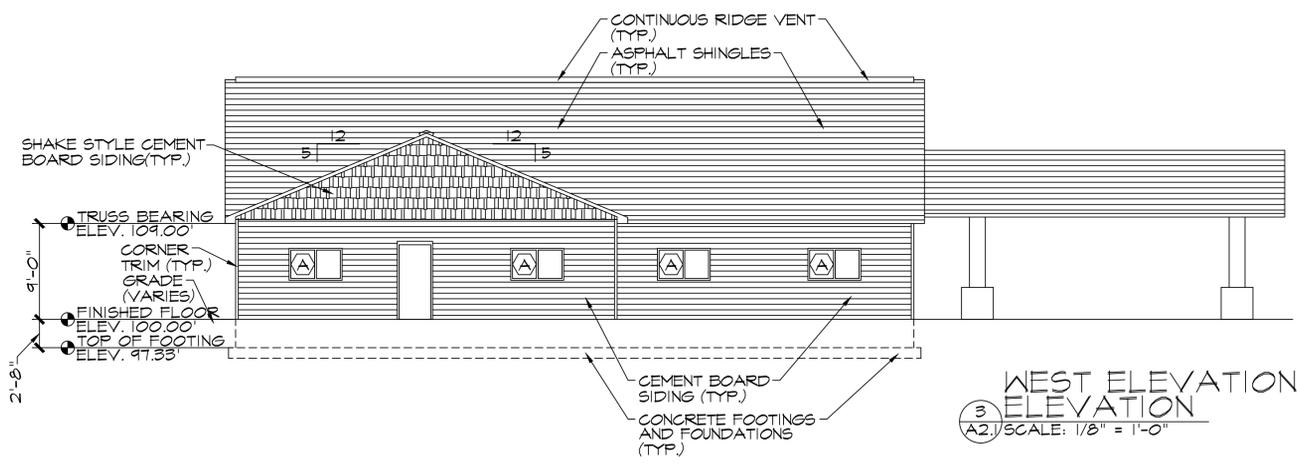
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 phone: (231) 947-9019
 e-mail: admin@jmlarchitects.com

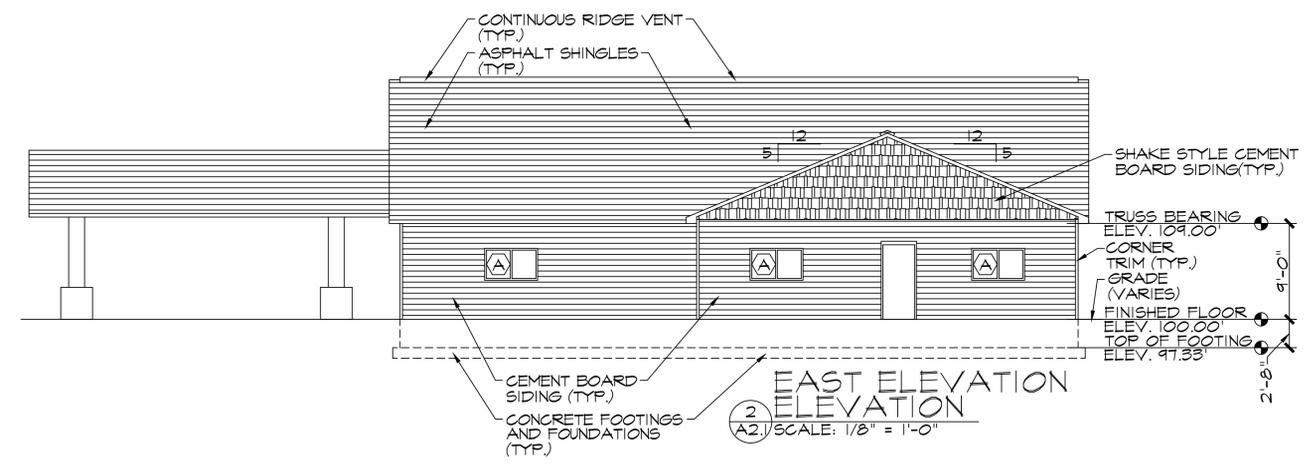
preliminary
 preliminary
 construction
 date:
 10/03/23
 sheet:
 A.I.1



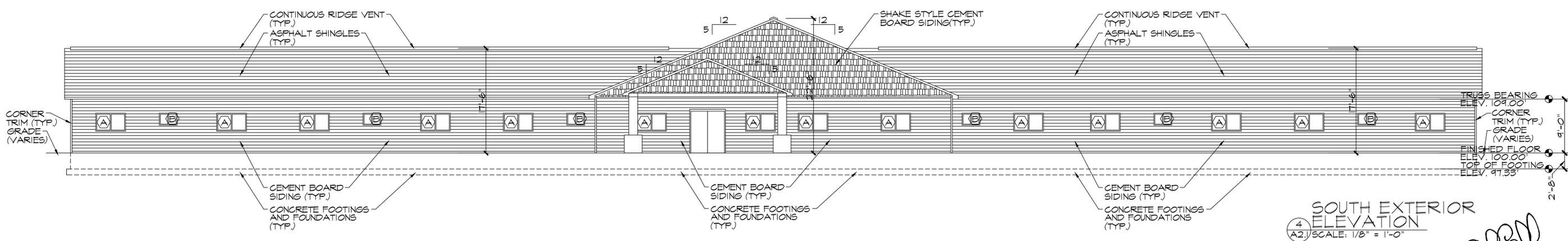
1 NORTH EXTERIOR ELEVATION
A2.1 SCALE: 1/8" = 1'-0"



3 WEST EXTERIOR ELEVATION
A2.1 SCALE: 1/8" = 1'-0"



2 EAST EXTERIOR ELEVATION
A2.1 SCALE: 1/8" = 1'-0"



4 SOUTH EXTERIOR ELEVATION
A2.1 SCALE: 1/8" = 1'-0"

