

**CHARTER TOWNSHIP OF GARFIELD  
PLANNING COMMISSION MEETING**

Wednesday, December 11, 2024 at 7:00 pm  
Garfield Township Hall  
3848 Veterans Drive  
Traverse City, MI 49684  
Ph: (231) 941-1620

**A G E N D A**

**ORDER OF BUSINESS**

**Call meeting to order**

**Pledge of Allegiance**

**Roll call of Board Members**

**1. Public Comment**

**Public Comment Guidelines:**

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

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

**3. Minutes – November 6, 2024**

**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 2024-107 – Planning Department Monthly Report – December 2024



**6. Unfinished Business**

- a. PD 2024-108 – Copper Ridge PUD Major Amendment – Public Hearing
- b. PD 2024-109 – Cherryland Humane Society SUP Major Amendment – Public Hearing
- c. PD 2024-110 – Cherryland Center Comprehensive Development Plan – Site Plan Review
- d. PD 2024-105 – Two Brothers Dog Park Café – Site Plan Review
- e. PD 2024-111 – K-1 Speed / High Tops – Site Plan Review Amendment – Withdrawal
- f. PD 2024-112 – Tower North Wireless Communication Facility SUP – Updated Site Plan

**7. New Business**

**8. Public Comment**

**9. Other Business**

- a. 2025 Meeting Schedule

**10. Items for Next Agenda**

**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  
November 6, 2024**

**Call Meeting to Order:** Chair McManus called the November 6, 2024 Planning Commission meeting to order at 7:00pm at the Garfield Township Hall.

**Pledge of Allegiance**

The Pledge of Allegiance was recited by all in attendance.

**Roll Call of Commission Members:**

Present: Molly Agostinelli, Joe Robertson, John Racine, Chris DeGood, Pat Cline, Robert Fudge and Joe McManus

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

**1. Public Comment (7:01)**

Chris Barsheff, the new Township Manager, introduced himself to the Planning Commission.

**2. Review and Approval of the Agenda – Conflict of Interest (7:02)**

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

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

*Nays: None*

**3. Minutes (7:03)**

**a. October 23, 2024 Regular Meeting**

*Fudge moved and Robertson seconded to approve the October 23, 2024 Regular Meeting minutes as presented.*

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

*Nays: None*

**4. Correspondence (7:03)**

None

**5. Reports (7:03)**

**Township Board Report**

Agostinelli stated that there was no board meeting but the election ran smoothly.

**Planning Commissioners**

**i. Zoning Board of Appeals**

Fudge said that there was no meeting.



- ii. **Parks and Recreation Commission**  
DeGood reported that there was no meeting.
- iii. **Joint Planning Commission**  
Racine stated that there was no meeting.

**Staff Report**

- i. **PD 2024-94 – Planning Department Report – November 2024**  
Sych stated that his report was submitted in writing.

**6. Unfinished Business**

- a. **PD 2024-95 – Angel Care Child Care/Church of the Living God SUP – Findings of Fact (7:05)**

This application by Angel Care Child Care requests the use of an existing church building at 1514 Birmley Road for a child care center as an additional use. Child care centers are permitted via Special Use Permit in the A-Agricultural zoning district. No new construction is planned. Angel Care Child Care proposes to have “up to 60 children in the center and 15+ staff members.” Staff provided Findings of Fact to Commissioners.

*Racine moved and Agostinelli seconded THAT the Findings of Fact for application SUP-2024-03, as presented in Planning Department Report 2024-95 and being made a part of this motion, BE ADOPTED.*

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

*Racine moved and Agostinelli seconded THAT application SUP-2024-03, submitted by Angel Care Child Care for a Special Use Permit for a child care center at Parcel 05-026-014-10 at 1514 Birmley Road, BE APPROVED, subject to the following conditions (1-3 as indicated in Planning Department Report 2024-95).*

- 1. All final reviews from agencies with jurisdiction shall be provided prior to a Land Use Permit being issued.*
- 2. All proposed site improvements shall be installed prior to the issuance of a Certificate of Occupancy.*
- 3. The applicant shall record promptly the Report and Decision Order (RDO) and any amendment to such order 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 Director of Planning within thirty (30) days of final approval by the Township or approval shall be considered to have expired.*

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



**b. PD 2024-72 – Tower North Wireless Communication Facility SUP – Action (7:09)**

On October 29, 2024, Staff received a sketch showing an updated tower location. The new tower location is depicted as 158 feet from the property line and 246 feet from the existing house on the property. There is an 80-foot by 100-foot area surrounding the tower, which is presumably an enlargement of the 60-foot by 60-foot fenced compound from the previous submittal. Staff are of the opinion that by providing an updated proposed location, the applicant has proceeded “meaningfully towards application completion or application decision” regarding Section 404 of the Zoning Ordinance. However, since the full set of the updated site plan drawings have yet to be submitted, it is not advised to un-table the application or schedule a public hearing yet. If the applicant can submit updated site plan drawings for the December 2024 Planning Commission meeting, and if the plans are acceptable to the Commission, a public hearing could potentially be set for January 2025.

*Agostinelli moved and DeGood seconded to keep the Tower North Wireless Communication application tabled for 120 days and during that time, staff will determine if progress is being made towards completion.*

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

**c. PD 2024-81 - K-1 Speed/High Tops – Site Plan Review Amendment – Update (7:17)**

Sych reported that the applicant has no new information and wants to continue to table the application and that the unresolved issues with the application have not yet been addressed.

**7. New Business**

**a. PD 2024-98 – Cherryland Center Comprehensive Development Plan – Site Plan Review (7:22)**

The subject parcels that comprise the Cherryland Center are zoned C-P Planned Shopping Center. The intent of the C-P District is for the development of planned centers located on a single, unified site and are designed and constructed as an integrated unit for shopping and other business activity. The 1998 conversion of the mall to a strip center was the last time the Comprehensive Development Plan was updated and approved for Cherryland Center. Recently, one of the property owners, Cherryland Center LLC, prepared a draft Comprehensive Development Plan for the Cherryland Center and has submitted it for Conceptual Review and the updated plan has been provided. Staff said that the reciprocal easement agreement or another means to show ordinance standards are met as well as the parking space count. Bob Verschaeve with Gosling Czubak addressed the parking and stated with more uses



being added, the parking requirements would still be met. Commissioners discussed the easements, parking requirements and the inclusion of the Jimmy John's site in this plan. Eric Engel, representing the Two Brothers Dog Park Café, asked that their site review not be delayed any further since other uses were out through and reviewed before their proposal. Ingle further asked that all businesses be subject to the same requirements for the proposed development plan. After discussion, the applicants will bring further plans to commissioners for the December meeting and the Two Brothers site plan can be heard the same night.

*DeGood moved and Robertson seconded THAT application SPR 2024-14, submitted by Cherryland Center LLC, for an updated comprehensive development plan for the Cherryland Center, BE TABLED and brought back for the Planning Commission meeting in December, subject to providing the following information (1 thorough 2 as indicated in PD 2024-98):*

- 1. An updated reciprocal easement agreement addressing cross-access and drives; stormwater management; parking areas; and signage.*
- 2. Revised parking calculations to include only existing uses as of this date.*

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

**b. PD 2024-2024-99 Copper Ridge PUD Major Amendment – Introduction (8:21)**

A request to amend the PUD is being considered according to Section 423.G of the Zoning Ordinance that incorporates different land uses in locations than requested in the original application and the potential to increase the number of residential dwelling units. The proposed amendment is the conversion of three building locations in the Copper Ridge Professional Center from office to office, commercial, or residential, and the conversion of one building location in the Copper Ridge Retail Marketplace from retail and office to office, commercial or residential. The applicants would be restoring up to 90 residential units and this amendment would give flexibility for what could be built on the site. Applicant Sara Keever stated that the original PUD had a higher density for residential units and this would bring back some of those originally proposed residential units back to the PUD. Commissioners asked questions regarding the placement of residential uses in relation to the other office and commercial uses. Commissioners also asked about the range of uses that could be used so any proposed use is compatible with rest of the nearby uses. Dennis Fedorinchik stated that there is a list in the Master Deed of acceptable uses and he will forward it to staff.



*Racine moved and Fudge seconded THAT application SUP-2000-08-O, submitted by Sarah Keever, on behalf of Copper Ridge LLC, for a Special Use Permit amendment of the Copper Ridge Planned Unit Development, BE ACCEPTED, and SCHEDULED for a public hearing at the regular Planning Commission meeting on December 11, 2024.*

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

**c. Cherryland Center 24/7 Golf – Site Plan Review (8:37)**

The project is to construct an indoor entertainment center in a portion of the existing Traverse City Curling Center building (formerly the Kmart store) in the Cherryland Center. The portion of the building (Unit A2) for the proposed indoor entertainment center covers 3,749 square feet and will be accessed on the south side of the existing building. An indoor entertainment center is a use permitted by right in the C-P Planned Shopping Center district. Commissioners discussed the proposed site plan and the use.

*Agostinelli moved and Cline seconded THAT application SPR 2024-12, submitted by Kevin Query, on behalf of 24-7 Golf, to construct an indoor entertainment center on the parcel 05-014-049-21, BE APPROVED, subject to the following conditions (1-4 as indicated in Planning Department Report 2024-100):*

- 1. A minimum of two (2) bicycle parking spaces are required in accordance with Section 522.C(3) of the Zoning Ordinance.*
- 2. Required sidewalks 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. Landscaping requirements shall be deferred until future uses and buildings are established on the site 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 shall be received and deemed compliant prior to issuing a Land Use Permit or Building Permit.*

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

**d. Cherryland Humane Society SUP Major Amendment – Introduction (8:46)**

This application requests a Special Use Permit (SUP) Major Amendment for an addition to the Cherryland Humane Society's existing facility at 1750 Ahlberg Drive. According to the application, the scope of work consists of



two (2) building additions totaling 9,006 square feet to an existing 14,168-square-foot building. Kyle Richter from CHS spoke and addressed the conditions and stated that all items could be addressed quickly.

*DeGood moved and Robertson seconded THAT application SUP-2001-05-A for a Special Use Permit for the expansion of the existing Cherryland Humane Society facility at 1750 Ahlberg Drive BE Set for Public Hearing on December 11, 2024 and that the applicant will address the following items (1-9 as listed in Planning Department Report 2024-101).*

- 1. The proposed building needs to be adjusted to fall within the side yard setback.*
- 2. A cut sheet of the proposed lighting fixtures shall be provided to ensure that the fixtures are properly shielded, have a full cut-off, and meet the color temperature standard.*
- 3. The landscape plan needs to include details of any existing landscaping intended for the landscaping requirements, especially the six (6) trees on the east lot line, to determine the appropriate credit based on Table 530.L.*
- 4. The landscaping plan needs to be updated to identify the correct required buffer.*
- 5. Any new landscaping material on the east lot line should not be placed in the easement area for the extension of Ahlberg Drive.*
- 6. The landscape plan needs to be updated to reflect its correct scale.*
- 7. The traffic generation for the remainder of the building area needs to be accounted for and additional parking may need to be provided.*
- 8. The applicant should clarify how the snow storage area will be accessed.*
- 9. The site plan shall include details of any proposed dumpster enclosure to ensure the standards of Section 516 are met.*

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

*Nays: None*

**8. Public Comment (9:05)**

Jan Freeman of Eagles View Condominium Association commented on the Copper Ridge application.

**9. Other Business (9:11)**

None

**10. Items for Next Agenda – December 11, 2024 (9:11)**

Staff indicated that a Tower North Update, a High Tops update, the Copper Ridge PUD, the Cherryland Humane Society, and the Cherryland Comprehensive Development Plan would all be on the December 11<sup>th</sup> agenda.

McManus thanked the Planning Commissioners for his time served on the Planning Commission.




11. **Adjournment**

*Fudge moved to adjourn the meeting at 9:13pm.*

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



 <b>Charter Township of Garfield</b> <b>Planning Department Report No. 2024-107</b>		
Prepared:	December 3, 2024, 2024	Pages: 3
Meeting:	December 10, 2024 Township Board	Attachments: <input type="checkbox"/>
Subject:	Planning Department Monthly Report – December 2024	

**PURPOSE:**

This monthly report is offered by the Staff 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:

***Angel Care Child Care / Church of the Living God – Special Use Permit Review***

- *Location:* 1514 Birmley Road, north side of Birmley Road east of Keystone Road
- *Development Description:* Proposed child care center within existing church
- *Status:* The Planning Commission had an introduction for the application at their 9/11/2024 meeting and held the public hearing at their 10/9/2024 meeting. The Planning Commission reviewed and adopted the Findings of Fact and approved the application with conditions at their 11/6/2024 meeting.

***TowerNorth Wireless Communication Facility – Special Use Permit Review***

- *Location:* 2767 Zimmerman Road, west side of Zimmerman Road, north of Silver Lake Road intersection
- *Development Description:* Proposed monopole wireless communication facility (cell tower)
- *Status:* The Planning Commission tabled the application at their 6/12/2024 meeting and requested more information on the application. Commissioners tabled the application at their 7/10/2024 meeting so that the applicant can propose a different location on the site for the proposed tower which meets setback standards for wireless communication facilities. The Commissioners again tabled the application at their meetings on 8/14/2024, 9/11/2024, and 10/9/2024. The applicants proposed a new tower location which was provided to the Planning Commission at their 11/6/2024 meeting. The applicants are preparing an updated site plan and materials for review at the 12/11/2024 Planning Commission meeting.

***K1 Speed / High Tops – Site Plan Review Amendment***

- *Location:* 1212 W South Airport Road, north side of South Airport Road west of Garfield Avenue
- *Development Description:* Proposed bar/tavern and nightclub at former Sears in Cherryland Center
- *Status:* The Planning Commission tabled the application at their 9/11/2024 meeting based on concerns about the impact of the project on the neighboring residential area; the application remained tabled at the 10/9/2024 and 11/6/2024 meetings. Commissioners will again review the application at their meeting on 12/11/2024.

***Cherryland Center Comprehensive Development Plan – Site Plan Review***

- *Location:* Multiple parcels and addresses; north side of South Airport Road west of Garfield Avenue
- *Development Description:* Proposed comprehensive development plan for entire Cherryland Center site
- *Status:* The Planning Commission reviewed the application at the 11/6/2024 meeting and asked for additional information to be provided for review at the 12/11/2024 meeting.

***Two Brothers Dog Park Café – Site Plan Review***

- *Location:* 1776 S Garfield Avenue; north side of South Airport Road west of Garfield Avenue
- *Development Description:* Proposed café and taphouse with indoor/outdoor dog park areas
- *Status:* The Planning Commission will review the application at their meeting on 12/11/2024.



***Copper Ridge PUD – Major Amendment***

- *Location:* Multiple parcels and addresses; north side of Silver Lake Road near Barnes Road
- *Development Description:* Proposed addition of residential uses to existing development
- *Status:* The Planning Commission held an introduction for the application at their meeting on 11/6/2024 and scheduled a public hearing for their 12/11/2024 meeting.

***Cherryland Humane Society – Special Use Permit Major Amendment Review***

- *Location:* 1750 Ahlberg Drive; southeast of the intersection of Hammond Road and Keystone Road
- *Development Description:* Proposed building additions to existing humane society building
- *Status:* The Planning Commission held an introduction for the application at their meeting on 11/6/2024 and scheduled a public hearing for their 12/11/2024 meeting.

***Cherryland Center 24/7 Golf – Site Plan Review***

- *Location:* 1712 S Garfield Ave; west side of Garfield Avenue and north of South Airport Road
- *Development Description:* Proposed indoor golf recreation facility in part of Cherryland Center
- *Status:* The Planning Commission approved the application with conditions at their meeting on 11/6/2024.

The Planning Department is also currently conducting the following administrative development review activity:

***Historic Barns Park: Barn 206 Renovation and Connector***

- *Location:* 1500 Red Drive, northwest of the intersection of Silver Lake Road and Silver Drive
- *Development Description:* Proposed renovations of an existing barn and additional connector between barns
- *Status:* Approved with conditions

***Resurrection Life Church Addition – PUD Administrative Amendment***

- *Location:* 2586 Crossing Circle, part of the Grand Traverse Crossings PUD
- *Development Description:* Proposed addition to existing church building
- *Status:* Approved with conditions

***Creekside Community Church – SUP Administrative Amendment***

- *Location:* 3686 W South Airport Road, north side of South Airport Road west of US 31
- *Development Description:* Proposed redesign of parking lot
- *Status:* Approved with conditions

***Unit 32 Hammond Industrial Centre***

- *Location:* 1407 Industry Drive; south of Hammond Road near LaFranier Road
- *Development Description:* Proposed car detailing shop
- *Status:* Approved with conditions

***Ridge45 Multi-Family Housing – SUP Administrative Amendment***

- *Location:* 1532 West Hammond Road, west of LaFranier Road
- *Development Description:* Request to replace a previously approved maintenance building with a pavilion and two pickleball courts, and relocate previously approved dumpster enclosures and a dog park
- *Status:* Approved with conditions

***Renew It Group***

- *Location:* 302 N US 31 South; east side of US 31 north of Rennie School Road
- *Development Description:* Proposed showroom and warehouse for deck supply / construction business
- *Status:* Under review; additional information requested from applicants



***Striker Supply***

- *Location:* 141 Memorial South Commons; east side of US 31 north of Rennie School Road
- *Development Description:* Proposed rental and retail outlet for concrete product supplier business
- *Status:* Under review; additional information requested from applicants

**PLANNING:**

Other Planning Department activities include the following items:


- The Planning Commission did not have a study session in November 2024. Commissioners previously had recommended legal review of the Zoning Ordinance sign regulations to the Township Board, considering the recent federal case law regarding sign regulations, and discussed several potential definitions for “substantial construction” which is an undefined phrase within the Zoning Ordinance. Consideration of these items will continue at the January 2024 study session.
- The Planning Department is gathering data to build a GIS database of the streetlights in Garfield Township. Three entities provide streetlights in the Township: Cherryland Electric Cooperative, Consumers Energy, and Traverse City Light & Power.

**STAFF:**

John Sych, AICP, Planning Director  
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 <b>Charter Township of Garfield</b> <b>Planning Department Report No. 2024-108</b>			
Prepared:	December 4, 2024	Pages:	3
Meeting:	December 11, 2024 Planning Commission	Attachments:	<input checked="" type="checkbox"/>
Subject:	Copper Ridge PUD Major Amendment – Public Hearing		
Applicant:	Copper Ridge LLC / Constance Deneweth		
Agent:	Northview 22 LLC / Sarah Kever		
Owner:	Copper Ridge LLC / Constance Deneweth		
File No.	SUP-2000-08-O		
Parcel No.	05-096-900-00 and associated Copper Ridge parcels		

**PURPOSE OF APPLICATION:**

Approved in 2000, the Copper Ridge Planned Unit Development (PUD) is a mixed-use development, including medical clinics, offices, commercial establishments, and single family and multi-family residential. A request to amend the PUD is being considered according to Section 423.G of the Zoning Ordinance that incorporates different land uses in locations than requested in the original application and the potential to increase the number of residential dwelling units. With these proposed changes, Staff has determined that this amendment constitutes a major amendment which requires a public hearing, Planning Commission review and recommendation, and Township Board approval. There are four unbuilt locations that are being adjusted to accommodate three primary land uses: office, commercial, and residential.

**SUBJECT PROPERTY:**

The Copper Ridge PUD is located on the north side of Silver Lake Road, northeast of Barnes Road.

*Aerial image of the Copper Ridge PUD property (property lines highlighted in blue):*





**SITE DESIGN AND ZONING COMPLIANCE OVERVIEW:**

The proposed amendment is the conversion of three building locations in the Copper Ridge Professional Center from office to office, commercial, or residential, and the conversion of one building location in the Copper Ridge Retail Marketplace from retail and office to office, commercial or residential.

No change in the previously approved building footprints is being proposed and most requirements are currently met by the current development. However, staff does offer the following comments regarding site design and compliance with the Zoning Ordinance:

*Written Consent*

With an application to amend an approved PUD, the application shall include written consent to the application by the owner(s) of at least sixty (60) percent of approved development sites or land area within the planned development. In this case, Copper Ridge LLC, the managing entity of the Copper Ridge PUD, has obtained the necessary signatures.

*Residential Use*

Since its original approval in 2000, the PUD was amended resulting in a reduction in the total number of residential units. The original PUD had proposed 183 residential units. The PUD was amended to accommodate only 93 residential units.

This proposed amendment to the PUD would return residential units to the four remaining unbuilt locations. The increase in residential would result in up to 90 new residential units and thus potentially restore the number of residential units back to 183 total units.

*Commercial Use*

The proposed amendment would allow for commercial use in the office areas that would be complimentary to the existing campus. For instance, short-stay medical recovery units would be complimentary to the Copper Ridge Surgery Center. The existing building footprint or foundations of the unbuilt locations along with the existing development form, drives, parking areas, and infrastructure also determine the appropriateness of the build-out of these locations.

*Commercial Use - Building 10*

In its introductory review, the Planning Commission was concerned about the compatibility of uses between the site noted as Building 10 and the Copper Village residential development to the west of the Building 10 location. The applicant submitted the following information regarding limitations on uses for the development of the Building 10 location:

“Generally compatible commercial uses within Building 10, but not including automobile-oriented uses, drive-throughs, any outdoor type sales or establishments open late like an entertainment venue or bar.”

*Vehicular Parking*

Based on the following analysis, the demand for parking and the required parking will be less with the conversion from office to multi-family residential.

- Current use: Office
  - Minimum required spaces: 1 for each two hundred (200) square feet of floor area
  - Maximum required spaces: 1 for each one hundred (150) square feet of floor area
  - An 800-square foot office requires a minimum of 4 spaces and a maximum 5 spaces



- Proposed use: Multi-family Residential
  - Minimum required spaces: 1.5 per dwelling unit
  - Maximum required spaces: 2.0 per dwelling unit
  - An 800-square foot apartment requires a minimum of 1.5 spaces and a maximum 2 spaces

For the most part, the existing parking areas will continue to support the existing buildings and new buildings except for Building No. 4. A new parking lot is proposed immediately north of Building No. 4 (see parking lot labeled “To Be Built”).

#### *Access to Commons Natural Area*

In its original application, a component of the PUD was to provide a trailhead for the Grand Traverse Commons Natural Area, a park owned by the Township. Access to the park is a considerable amenity to the PUD. The trailhead, consisting of about seven parking spaces, is located immediately north of Building No. 4. Currently, that parking location is being improved by the Township along with a new trail segment to the park. Installation of a new sidewalk from the existing trail along Silver Lake Road to the trailhead would provide improved pedestrian connectivity for the PUD and surrounding area. At a minimum, the inclusion of the trailhead in directional signage would help users find the trailhead.

#### *Administrative Site Plan Review*

Administrative Site Plan Review will be required for the build out of the four remaining locations. This process was recently applied to the construction of Building No. 7, home to West Front Primary Care PLLC.

#### **RECOMMENDATION:**

The purpose of this item being placed on tonight’s agenda is to hold a public hearing on the major amendment application. If, following the public hearing, the Planning Commission is prepared to direct Staff to draft Findings of Fact for the application, then the following motion is offered for consideration:

MOTION TO direct Staff to prepare Findings of Fact for application SUP-2000-08-O for consideration at the January 8, 2025 Regular Meeting of the Planning Commission subject to amend the proposed uses within the Copper Ridge Planned Unit Development.

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

#### **Attachments:**

1. Copper Ridge PUD Major Amendment with Signature Pages dated October 10, 2024
2. Copper Ridge PUD Major Amendment Narrative dated October 7, 2024
3. Copper Ridge PUD Major Amendment Written Impact and Approval Criteria
4. Copper Ridge PUD Site Plan (Exhibit 1) dated October 1, 2024
5. Copper Ridge PUD Commercial Uses for Building 10 dated December 4, 2024



Copper ridge Amendment to the PUD  
11/13/2024

I have reviewed the essence of CopperRidge's request to amend the PUD to add residential use to the 4 vacant units. I agree with the amendment.

Unit #	signature & printed name	date
28-05-096-002-06	Constance A. Deneweth, Constance Deneweth, managing mbr Copper Ridge LLC	10-1-2024
" 096-002-07	Constance A. Deneweth, Constance Deneweth, managing mbr Copper Ridge LLC	10-1-2024
" 096-002-12	Constance A. Deneweth, Constance Deneweth, managing member Copper Ridge LLC	10-1-24
096-002-15	Constance A. Deneweth, Constance Deneweth, managing mbr Copper Ridge LLC	10-1-24
096-003-00	Constance A. Deneweth, Constance Deneweth, managing mbr Copper Ridge LLC	10-1-24
096-004-00	Constance A. Deneweth, Constance Deneweth, managing mbr Copper Ridge LLC	10-1-24
096-010-00	Constance A. Deneweth, Constance Deneweth, managing mbr Copper Ridge LLC	10-1-24
097-001-02	Constance A. Deneweth, Constance Deneweth, managing mbr Copper Ridge LLC	10-1-24
097-001-03	Constance A. Deneweth, Constance Deneweth, managing mbr Copper Ridge LLC	10-1-24
097-001-05	Constance A. Deneweth, Constance Deneweth, Managing mbr Copper Ridge LLC	10-1-24
097-004-00	Constance A. Deneweth, Constance Deneweth, managing mbr Copper Ridge LLC	10-1-24
097-001-05	see email approval Jill Holden, Rex Holden, 3DJRH properties LLC	9-26-24
096-002-13	see email approval Elmers Rob, Donnell, TTT properties LLC	9-25-24
096-002-11	Donald B. Herrmann, MANAGING MEMBER DONALD B. HERRMANN, DBH PROPERTIES LLC	10-1-24
096-002-17	Jonathan Voortenga - member LLC JLP, Properties LLC	John Voortenga
096-002-08	Mark Bondy, member WB & B prop mgmt LLC	10-1-24
096-002-10	Mark Bondy, member WB & B prop mgmt LLC Mark Bondy.	10-1-24



## Ashley Rokos

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**From:** Robert Donnell <RD2678@TEAMELMERS.COM>  
**Sent:** Wednesday, September 25, 2024 10:40 AM  
**To:** Ashley Rokos  
**Subject:** RE: Copper Ridge request for amendment to the PUD

Good morning, Ashley,

Request approved from Team Elmer's.

Thank you for the update,

Rob Donnell

**From:** Ashley Rokos <ashley@phoenixpropertytr.com>  
**Sent:** Wednesday, September 25, 2024 10:07 AM  
**Subject:** Copper Ridge request for amendment to the PUD

Some people who received this message don't often get email from [ashley@phoenixpropertytr.com](mailto:ashley@phoenixpropertytr.com). [Learn why this is important](#)

Hello Copper Ridge Condo unit owners,

In light of the fact that office space is not in high demand, the owners of Copper Ridge LLC are planning to amend our PUD with Garfield Township by requesting that we receive approval for adding Residential Use to our remaining 4 vacant lots. This will take 4 or 5 meetings at Garfield Township the first of which is planned for November 13, 2024 at 7 pm, at the township hall on Veterans Drive.

The **attached site plan** is a recap of the project and a broad overview of what we're proposing.

After going through the records on file and looking at recorded condominium documents, we've prepared a revised site plan that represents the most current layout, to the best of our ability- number of units, condominium divisions, and the parking areas yet to be built. This has been a consolidation of plans done by Gosling, Elmer's, GFA and Mansfield over the past 25 years .

The original PUD shows 59 residential units in Eagles View and was amended/consolidated to 55 units. Copper Village Condominium was originally at 124 and is down to 38 units.

Overall, the density has significantly decreased.



Copper ridge Amendment to the PUD  
11/13/2024

I have reviewed the essence of CopperRidge's request to amend the PUD to add residential use to the 4 vacant units. I agree with the amendment.

Unit #

signature & printed name

date

4075 Copper Ridge

Randy Howell & Derik King, Members/  
Owners, ECI Healthcare Properties  
NORTH, LLC

10.1.24

28-05-0916-008 00

*Randy N. Howell*

*Derik*



## Ashley Rokos

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**From:** rexholden <speedjump@protonmail.com>  
**Sent:** Thursday, September 26, 2024 1:08 AM  
**To:** Ashley Rokos  
**Subject:** Re: Copper Ridge request for amendment to the PUD

That is ok with me Ashly, Rex Holden. Im in S Africa so I hope this email works for you.

On Wed, Sep 25, 2024 at 4:06 PM, Ashley Rokos <[ashley@phoenixpropertyptr.com](mailto:ashley@phoenixpropertyptr.com)> wrote:

Hello Copper Ridge Condo unit owners,

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Overall, the density has significantly decreased.

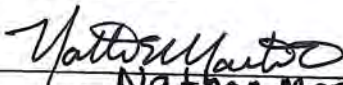
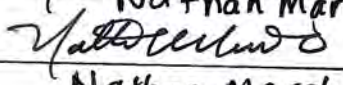

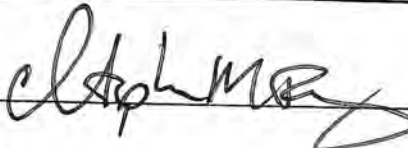
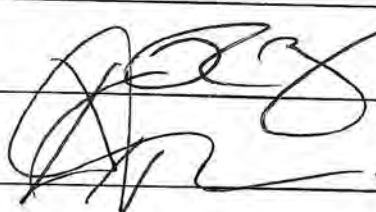
As you know, this PUD has (4) vacant approved lots or units/buildings left to be built. Only foundations are in for 3 and 4. Retail 4 and Unit 10 are vacant. There are 3 approved parking lots (shown on the attached exhibit) that will be constructed at the time of the new construction to serve the new units.

Eagles View is getting close to being built out, and Copper Village Condominium has 19 of the approved 38 units to be constructed yet.



Copper ridge Amendment to the PUD  
11/13/2024

I have reviewed the essence of CopperRidge's request to amend the PUD to add residential use to the 4 vacant units. I agree with the amendment.

Unit #	signature & printed name	date	
05-096-007-00	 Nathan March Copper Ridge Opportunity Building Rep	10/01/24	(Bldg F)
05-044-005-00	 Nathan March Nathan March President	10/01/24	(Suite in Surgery CTR)
096-002-01	 Derek Rice, member D BR Properties LLC		(Rice)
096-002-16	 Chris Ray, member RAYBAR Properties LLC		(RAY)
096-002-14	Steve Grinnel, President TYJUTI Corp Inc		Steve Grinnel
096-002-19	 Robb Meyer, member WAM, LLC		meyer
096-002-20 } 096-002-18 } 096-002-02 }	member David Amalfitano RCCA, LLC		Amalfi
096-002-33	Holly Gallagher, member Gus & Clara's Paradise LLC		Holly
097-001-01	Hometown Grice's Hometown properties		



Copper ridge Amendment to the PUD  
11/13/2024

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Unit #

signature & printed name

date

28-05-044-001-00 CRSC Tina Piotrowski Tina Piotrowski 10/1/24  
28-05-044-002-00 TAA Suite Tina Piotrowski Tina Piotrowski 10/1/24  
28-05-044-005-02, 03 and 04  
Bldg D. # 242. Copper Restrooms C. J. J. 10/1/24  
Building A 4020 Copper View Suite 240 [Signature]



Copper ridge Amendment to the PUD  
11/13/2024

I have reviewed the essence of CopperRidge's request to amend the PUD to add residential use to the 4 vacant units. I agree with the amendment.

Unit #

signature & printed name

date

28-05-096-005-05	JULIA MISKYTE	4110 Copper Ridge LLC	10-2-24
096-005-06	GRETA MISKYTE	4110 Copper Ridge LLC	10-2-24



Copper ridge Amendment to the PUD  
11/13/2024

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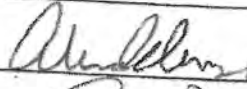
Unit #

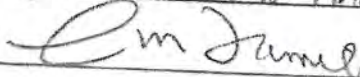
signature & printed name

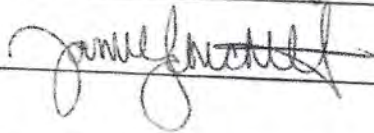
date

28-05-096-005-07

Thirby Asset Group LLC 10-2-24

 Andrew Adams DO

 Jim Turner

 Jimmie Smith



Cooper ridge Amendment to the PUD  
11/13/2024

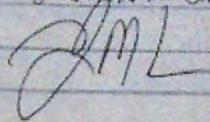
I have reviewed the essence of Copperridge's request to amend the PUD to add residential use  
to the 4 vacant units. I agree with the amendment.

Unit #

signature & printed name

date

28-05-096-005-08 Bryan M. Ursu IWA Properties LLC 10-2-2024

 10/2/24



Copper ridge Amendment to the PUD  
11/13/2024

I have reviewed the essence of CopperRidge's request to amend the PUD to add residential use to the 4 vacant units. I agree with the amendment.

Unit #

signature & printed name

date

R2

Kirk R Smith  
Independent Bank By Kirk R Smith FVP 10-3-2024

20-05-097-002-00



# Copper Ridge, Planned Unit Development

Proposed Amendment to PUD and SUP

October 7, 2024

## Introduction

Copper Ridge, a planned unit development project, was first approved in 2000. The original parcel, over 70 acres, was a mixed-use development that contained Professional and medical offices, Surgery Center, Retail and other Commercial areas (bank, eating establishment, pharmacy), a church parcel for future senior apartments and assisted living facility, and a mixed combination of Residential uses. Single family homes and multi-family homes were proposed.

Over the years, Garfield Township has approved amendments to the development, and Copper Ridge has become a successful adaptive reuse of the old Grand Traverse Road Commission site. Today, the mixed-use development is a thriving hub of medical and professional offices, retail/commercial, and residential properties.

## Proposed Amendment

There are four (4) approved footprints/units that have not been built.

### Existing:

- Professional Offices 2 and 3 have foundations only constructed
- Professional Office 10 is a vacant site
- Retail and Office R4 is a vacant site

The original PUD was approved for 124 multi-family style units in Copper Village Condominium but was amended down to 38 units. Eagles View was approved for 59 but has been consolidated to 55 units, currently. The residential density was decreased overall. However, changes in the region over the years have created a demand for more residential uses of all types once again. Copper Ridge has to opportunity to introduce that use back into the remaining (4) units.

### Proposed:

<b><u>Building Pad</u></b>	<b><u>Proposed Use</u></b>	<b><u>Residential Units (allowance)</u></b>
Buildings 2 and 3	Office, commercial and residential	Up to 30 res. units in each
Building 10	Office, commercial and residential	Up to 22 res. units
Building R4	Office, commercial and residential	Up to 8 res. units

The residential types of units could be a mix of apartments, condominiums and short-stay medical recovery units.

No changes to the approved plans are proposed other than the addition of the proposed residential use to the existing building footprints.



The approved design/engineered plans on file show the grading, drainage and stormwater, utilities, parking layout and access, landscaping, sidewalks, etc. The designed and approved plans remain in effect and will be unchanged.

**Parking:**

There are 3 approved parking lots (shown on the included exhibit) that will be constructed at the time of the new construction to serve the new buildings.

The number of proposed parking spaces were approved in the original PUD and were based on Office and Retail calculations. Those parking calculations are for a higher density than what would be required for residential, so the parking lots provided will meet the standards for office, retail and residential units.

**Conclusion**

A PUD allows for flexibility and innovation. By allowing additional residential use within the mixed-use campus, which is proximity to walking trails accessed by a sidewalk network, medical facilities, offices and retail uses, both existing and future, this amendment meets the very objectives identified in Section 426.A and 426.E and will help the continued success of Copper Ridge. Limited to no impact (pursuant to 426.A and 426.E) to this existing development or surrounding area is expected, as this was a planned unit development based on meeting the criteria and already included mixed use, including residential. Greater residential density was originally approved but modified to a lesser density over the years. The proposed residential option will fulfil the original intent and meet the design parameters and criteria.

**Project Information:**

**Applicant:**

Copper Ridge, LLC  
9590 Edgewood Ave,  
Traverse City, MI 49684  
231-590-3901

**Agent:**

Northview 22, LLC  
9908 E Walters Dr.  
Traverse City, MI 49684  
231-342-4016

**Legal Description:**

Units 1-10 of Copper Ridge Professional Center  
AND  
Units 1-6 of Copper Ridge Retail Marketplace  
AND



Units 1-38 of Copper Village Condominium

AND

Units 1-55 Eagles View Condominium

AND

Part of the Northeast  $\frac{1}{4}$  of Section 17 and part of the Southeast  $\frac{1}{4}$  of Section 8; T27N space R 11 W. Commencing at the northeast corner of said section 17. Thence S 00 degrees 02 minutes 16 seconds West 659.05 feet. Thence N 83 degrees 30 minutes 08 seconds W 571.98 feet. Thence N 00 degrees 05 minutes 09 seconds E 197.37 feet. Thence N 89 degrees 58 minutes 31 seconds W 214.46 feet. Thence N 00 degrees 43 minutes 41 seconds W 367.96 feet to the point of beginning. Thence N 00 degrees 42 minutes 13 second W 245.05 feet. Thence N 87 degrees 25 minutes 28 seconds space E 323.08 feet. Thence South 0 degrees 4 minutes 08 seconds W 312.18 feet. Thence N 89 degrees 54 minutes 12 seconds West 52.31 feet. Thence 81.51 feet along a curve left (R = 48' CA= 97 degrees 17 minutes 39 seconds CHD = N 40 degrees 50 minutes East 72.06 feet). Thence S 89 degrees 30 minutes 10 seconds W 219.95 feet to the POINT OF BEGINNING.

AND

Part of the southeast quarter of Section 8 and part of the northeast quarter of section 17; T27N R11W. Commencing at the northeast corner of section 17. Thence S 00 degrees 01 minutes 48 seconds E 659.14 feet. Thence N 83 degrees 30 minutes 08 seconds W 904.78 feet to the point of beginning. Thence N 83 degrees 30 minutes 08 seconds W 163.28 feet. Thence 55.72 feet along a curve to the right (R = 3437.75' CHD = N 83 degrees 02 minutes 16 seconds W). Thence N 00 degrees 30 minutes 15 seconds E 234.11 feet. Thence N 81 degrees 04 minutes 47 seconds W 200.86 feet. Thence N 00 degrees 04 minutes 39 seconds E 236.72 feet. Thence N 88 degrees 37 minutes 19 seconds E 407.59 feet. Thence N 00 degrees 34 minutes 25 seconds W 230.46 feet. Thence N 87 degrees 25 minutes 28 seconds E 116.47 feet. Thence S 00 degrees 43 minutes 41 seconds east 613.03 feet. Thence N 89 degrees 58 minutes 31 seconds W 60.17 feet. Thence as 74 degrees 44 minutes 15 seconds West 57.43 feet. Thence S 00 degrees 03 minutes 17 seconds W 144.60 feet to the POINT OF BEGINNING.

AND

Part of the Southeast  $\frac{1}{4}$  of Section 8 & part of the Southwest  $\frac{1}{4}$  of Section 9, T27N, R11W: Commencing at the SE corner of Section 8; thence N 0 DEG 7' W 1314.33' to the POINT OF BEGINNING; thence N 88 DEG 42' E 659.34', thence S 0 DEG 8' E 151.99', thence N 89 DEG 24' W 118.95', thence S 52 DEG 11' W 336.15', thence N 67 DEG 28' W 210.25', thence N 55 DEG 3' W 444.63', thence N 88 DEG 41' E 283.66' to the POINT OF BEGINNING.

Acreage: 77 acres, more or less.

Request for waiver, per Section 424, D:

Submittal waiver for Site Plan:



"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 of or enlargement of an accessory structure
  - a. *None*
2. The enlargement of a principal building by less than 20% of its existing gross floor area, provided such an enlargement will not be result in a requirement for additional off-street parking
  - a. *No enlargement is proposed*
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."
  - a. *Proposed additional use (residential) will not increase impervious surface, additional off-street parking, site access or any other characteristics that are a violation of this ordinance.*



## **Written Impact and Approval Criteria**

### **Written Impact**

A PUD allows for flexibility and innovation. By allowing additional residential use within the mixed-use campus, which is proximity to walking trails accessed by a sidewalk network, medical facilities, offices and retail uses, both existing and future, this amendment meets the very objectives identified in Section 426.A and 426.E and will help the continued success of Copper Ridge. Limited to no impact (pursuant to 426.A and 426.E) to this existing development or surrounding area is expected, as this was a planned unit development based on meeting the criteria and already included mixed use, including residential and retail. Greater residential density was originally approved but modified to a lesser density over the years. The proposed residential option will fulfil the original intent and meet the design parameters and criteria.

### **426.A**

#### **Eligibility:**

An application for a planned unit development may be submitted on any parcel or contiguous parcels within the Township where the site meets one (1) or more of the following criteria:

- (a) Mixed or varied uses are proposed that cannot be achieved under a single zoning district;
  - a. Yes
- (b) The site exhibits unusual topography or a unique setting within the community;
  - a. Yes- in original PUD this was demonstrated.
- (c) Innovation and variety of design are proposed that are not achievable under the current zoning districts of this ordinance;
  - a. N/A: this is an existing PUD
- (d) Additional amenities are made possible by and incorporated within the development;
  - a. Yes
- (e) A substantial public benefit is proposed within or as a result of the project;
  - a. Yes- this has been demonstrated over many years since Copper Ridge was approved and constructed.
- (f) A cross-jurisdictional development is proposed that warrants flexibility in terms of design and layout.
  - a. N/A

### **426.E:**

#### **(3) Objectives:**

The following objectives shall be considered in reviewing any application for a planned unit development:



- (a) To permit flexibility in the regulation of land development;
  - a. Allowing mixed-use is meeting the very definition of flexibility- bringing back residential density as a part of the mixed-use to the PUD is desirable and beneficial. Flexibility is addressed by the ability to share parking at “off-hours” and utilize the areas already defined in the PUD to be used as office, commercial, and/or residential.
- (b) To encourage innovation in land use and variety in design, layout, and type of structures constructed;
  - a. Copper Ridge PUD was an innovative approach to a previously disturbed land. Disturbed land was reused and the slopes of the land allowed for multi-level “stair stepping” of buildings, creating less disturbance and views from many angles. The proposed allowance of residential to this innovative development is in line with the entire development approach.
- (c) To achieve economy and efficiency in the use of land, natural resources, energy, and the providing of public services and utilities;
  - a. The benefit of this proposal is that the infrastructure, utilities, roads, parking, sidewalks, and even foundations are already in place- this approach minimizes further impact in the region and uses what is already provided in terms of land, energy, public services and utilities.
- (d) To encourage useful open space; to provide improved housing, employment, and shopping opportunities particularly suited to the needs of the Grand Traverse Region;
  - a. The need for housing continues in the region- the PUD, which already had been approved with higher residential density, will bring back that use to buildings that are available and will serve a need to the community.
- (e) To encourage the innovative use, re-use, and improvement of existing sites and buildings;
  - a. Copper Ridge is a re-use site (originally) and this proposed use is a use that can be seen as an improvement to the existing site and proposed buildings.
- (f) To permit development in accordance with the policies and objectives of the Charter Township of Garfield Master Plan.
  - a. 2024 Master Plan denotes this portion as Mixed Use Center.
    - i. *“The Mixed-Use Center future land use designation is for large areas with a mix of commercial, residential, and/or public / semi-public uses. The most appropriate zoning for these areas may be determined by compatibility with the zoning of the surrounding area. The Township could consider creating new mixed-use districts to achieve the intent of this designation.”*
  - b. The proposed allowance meets the policies and objectives of Mixed-Use Center by the definition above.

**(4) Criteria:**

- (a) The uses will be compatible with the natural environment, and with adjacent and surrounding land uses and properties, and will not have an adverse economic, social or environmental impact on adjacent and surrounding land uses and properties; Article 4, Page 4-43 Charter Township of Garfield Zoning Ordinance
  - a. Copper Ridge PUD has created a well utilized and needed mixed use development in the area, providing a beneficial impact on the region. At the time of construction,



many upgrades were made to the area and infrastructure. This proposed use will not detract from the compatibility of the PUD or surrounding areas.

- (b) The uses will be compatible with the capacity of existing public services and facilities, or of planned and feasible future public services and facilities, and such use is consistent with the public health, safety and welfare of the Township residents;
  - a. This was addressed in the original PUD review and ultimate approval. High density residential was approved and over time, units were eliminated. The proposed use introduces them back into the PUD.
- (c) The uses and development are warranted by the design of additional amenities made possible with, and incorporated by, the development proposal;
  - a. Copper Ridge provides open space, sidewalks and trails connected to community recreational trails within the community.
- (d) Insofar as practicable, the landscape shall be preserved in its natural state by minimizing tree and soil disturbance and removal;
  - a. No additional disturbance will occur beyond what was already approved for the (4) building pads and parking lots.
- (e) Existing important natural, historical and architectural features within the development shall be preserved;
  - a. Copper Ridge PUD preserved sensitive and wooded slopes to the north and west of the project. This remains.
- (f) Proposed buildings shall be sited harmoniously to the terrain and to other buildings in the vicinity that have a visual relationship to the proposed buildings;
  - a. No changes are proposed to the building locations already approved and depicted.
- (g) With respect to vehicular and pedestrian circulation and parking, special attention shall be given to the location and number of access points to public streets, minimizing potential motorized/non-motorized conflict points, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, and the arrangement of parking areas that are safe and convenient and, insofar as is practicable, do not detract from the design of proposed structures and neighboring properties;
  - a. Considerable study and design occurred during the creation of Copper Ridge PUD. No proposed changes to circulation or parking will occur beyond the completion of the remaining parking lots to service the remaining buildings. Further, cross-access parking easements have been secured with an adjacent property (church property) to create additional shared parking due to the hours of operation between uses.
- (h) Landscaping is provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property and, where applicable, to create a pleasant pedestrian scale outdoor environment;
  - a. All proposed landscaping has already been planted and remaining landscaping for the remaining (4) buildings will be planted upon the completion of construction.
- (i) The development consolidates and maximizes useable open space;
  - a. No change proposed.
- (j) The benefits of the development are not achievable under any single zoning classification
  - a. Yes, this mixed use contains varying uses that were not allowed under single zoning classification at the time of the PUD creation and adoption.



- (k) The development is compatible with the intent and purpose of the adopted master plan.
  - a. 2024 Master Plan denotes this portion as Mixed Use Center.
    - i. *“The Mixed-Use Center future land use designation is for large areas with a mix of commercial, residential, and/or public / semi-public uses. The most appropriate zoning for these areas may be determined by compatibility with the zoning of the surrounding area. The Township could consider creating new mixed-use districts to achieve the intent of this designation.”*
  - b. The proposed allowance meets the policies and objectives of Mixed-Use Center by the definition above.

## **Section 423**

### **E. Approval Criteria**

A special use is permitted only if the applicant demonstrates that:

- (1) The proposed use will be consistent with the purpose and intent of the master plan and this ordinance, including all regulations of the applicable zoning district;
  - a. *This current PUD is consistent with the master plan, which denotes the areas contained within the PUD as Mixed Use, Low and High Residential Density.*
- (2) The proposed use will be designed, constructed, operated and maintained so as to be compatible, harmonious and appropriate with the existing or planned character and uses of the neighborhood, adjacent properties and the natural environment;
  - a. *As with any Mixed Use development, the proposed addition of Residential types of uses are completely cohesive within the development area. The ability to place residents within this type of community, with access to a variety of amenities already available is vital. The approved PUD already has a mix of residential uses, and the need for more is evident.*
- (3) The proposed use will not be detrimental, hazardous or disturbing to existing or future adjacent uses or to the public welfare by reason of excessive traffic, noise, dust, gas, smoke, vibration, odor, glare, visual clutter, electrical or electromagnetic interference;
  - a. *Uses already in place are professional offices, retail spaces, eating establishments, and a mix of residential. Adding additional residential will not be detrimental, but rather enhance this thriving community.*
- (4) Potential adverse effects arising from the proposed use on the neighborhood and adjacent properties will be minimized through the provision of adequate parking, the placement of buildings, structures and entrances, as well as the provision and location of screening, fencing, landscaping, buffers or setbacks;
  - a. *The proposed additional residential use is a good fit for the PUD, as parking is shared between business and residential, placement of structures have already been approved and will be landscaped according to approved PUD plans.*
- (5) The proposed use will retain as many natural features of the property as practicable, particularly where the natural features assist in preserving the general character of the neighborhood;
  - a. *No changes will be made to the natural features that were not already approved and planned for in the original PUD.*



- (6) Adequate public and private infrastructure and services such as streets, water and sewage facilities, drainage structures, police and fire protection, and schools, already exist or will be provided without excessive additional requirements at public cost;
- a. *Additional residential uses should not require upgrades to any public utilities but if availability of sewer or water is limited in any way, the number of units proposed will be limited to what is available or upgrades will be necessary. Owner/applicant to work with Township Engineer, if necessary.*
- (7) The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
- a. *As this is already a Mixed Use development, the additional use of residential within already approved building footprints will not be a detrimental effect.*
- (8) The public interest and welfare supporting the proposed use shall be sufficient to outweigh individual interests that are adversely affected by the establishment of the proposed use;
- a. *Housing is needed in this community; by allowing a mix of residential uses to this development will be a benefit to all.*
- (9) Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads; Charter Township of Garfield Zoning Ordinance Article 4, Page 4-24
- a. *N/A. This is an approved and constructed PUD with ingress and egress established.*
- (10) Adequate measures shall be taken to provide vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks servicing the site in a safe and convenient manner; and
- a. *Internal streets and sidewalks are in place, with additional planned (and approved) parking lots and sidewalks to be constructed to meet the need of the new buildings and uses.*
- (11) The proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.
- a. *The proposed residential option within the PUD will not impede the surrounding property.*





EXISTING

- 1 SURGERY CENTER AND MEDICAL OFFICES  
6.93 AC.- 2 STORY BUILDING  
INITIAL FOOTPRINT: 46,689 SF  
EXPANDED FOOTPRINT: 55,000 SF  
  
INITIAL PARKING: 359 SPACES  
EXPANDED PARKING: 384 SPACES  
  
PROFESSIONAL OFFICES  
11.9 AC. 191, 720 SF GROSS AREA  
PARKING 636  
  
2 97,520 GROSS AREA (UPPER AND SECOND FLOOR)  
3 FOOTPRINTS 49,530 SF  
3 STORY EAST - 1 STORY WEST  
4 100 PARKING SPACES @ LOWER LEVEL  
PARKING 243 = 1 SPACES / 401 SF (INCL LOWER)  
  
5 62,800 SF GROSS AREA  
6 FOOTPRINTS 31,340 SF  
3 STORY EAST - 1 STORY WEST  
62 PARKING SPACES @ LOWER LEVEL  
PARKING 244 = 1 SPACES / 257 SF  
  
7 31,400 SF GROSS AREA  
FOOTPRINTS 15,670 SF  
3 STORY EAST - 1 STORY WEST  
31 PARKING SPACES @ LOWER LEVEL  
PARKING 149 = 1 SPACES / 210 SF  
  
8 3.1 AC  
36,350 SF GROSS FLOOR AREA  
1 & 2 STORY  
10 169 PARKING SPACES = 1 SPACE / 215 SF

COPPER RIDGE PROFESSIONAL CENTER

COPPER RIDGE RETAIL MARKETPLACE

RESIDENTIAL (EAGLES VIEW CONDOMINIUM AND COPPER VILLAGE CONDOMINIUM)

- R1 RETAIL & OFFICES  
R2 5.06 ACRES  
R3 37,765 ESTIMATED GROSS FLOOR AREA  
R4 194 PARKING SPACES = 1 SPACE / 195 SF  
  
COPPER VILLAGE CONDOMINIUM (38 units)  
EAGLES VIEW CONDOMINIUM (55 units)

PROPOSED AMENDMENT

- 3 USES: OFFICE, RETAIL OR RESIDENTIAL  
4 USES: OFFICE, RETAIL OR RESIDENTIAL  
10 USES: OFFICE, RETAIL OR RESIDENTIAL  
R4 USES: OFFICE, RETAIL OR RESIDENTIAL

PROJECT MANAGER

PLAN DATE: 8/29/2024

LOCATION: PART OF SECTIONS 8, 9, 16, & 17, GARFIELD TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN

PROJECT: COPPER RIDGE PLANNED UNIT DEVELOPMENT

CLIENT: COPPER RIDGE, LLC  
9590 EDGEWOOD  
TRAVERSE CITY, MI 49684

PROJECT NO.: 2019-100

P.O. BOX 3342  
TRAVERSE CITY MI 49685



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**From:** Sarah Keever <sarah@northview22.com>  
**Sent:** Wednesday, December 4, 2024 1:46 PM  
**To:** John Sych; Steve Hannon  
**Cc:** connie.deneweth@gmail.com  
**Subject:** Copper Ridge, Commercial Uses

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

To: John Sych, Steve Hannon and Planning Commission.

In response to the planning commissions question about what type of commercial uses may be allowed in Building 10:

“Generally compatible commercial uses within Building 10, but not including automobile-oriented uses, drive-throughs, any outdoor type sales or establishments open late like an entertainment venue or bar.”

Please provide this information for the upcoming December 11<sup>th</sup> Planning Commission meeting. If you have further questions, please contact Connie Deneweth or me.

Sincerely,  
Sarah Keever


**Northview 22, LLC**  
p 231.342.4016  
[www.northview22.com](http://www.northview22.com)

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 <b>Charter Township of Garfield</b> <b>Planning Department Report No. 2024-109</b>		
Prepared:	December 4, 2024	Pages: 7
Meeting:	December 11, 2024 Planning Commission	Attachments: <input checked="" type="checkbox"/>
Subject:	Cherryland Humane Society Special Use Permit Major Amendment – Public Hearing	
File No.	SUP-2001-05-A	Parcel No. 05-026-006-20
Applicant / Agent:	RCI   Richter Construction Inc. / Kyle Richter	
Owner:	Cherryland Humane Society / Bruce Vargo	

**BRIEF OVERVIEW:**

- 1750 Ahlberg Drive – southeast of intersection of Hammond Road and Keystone Road
- Approximately 5.05 acres in area
- Existing humane society building
- A-Agricultural zoning district

**PURPOSE OF APPLICATION:**

This application requests a Special Use Permit (SUP) Major Amendment for an addition to the Cherryland Humane Society's existing facility at 1750 Ahlberg Drive. According to the application, the scope of work consists of two (2) building additions totaling 9,006 square feet to an existing 14,168-square-foot building. Aerial images of the site are shown below.

*Zoomed-in aerial image of the subject property (property lines highlighted in blue):*





*Zoomed-out aerial image of the subject property (property lines highlighted in blue):*



#### **APPLICATION HISTORY:**

The application was reviewed or is scheduled for review at the following meetings:

- November 6, 2024 Planning Commission – Introduction / Set Public Hearing
- December 11, 2024 Planning Commission – Public Hearing

#### **SITE DESIGN AND ZONING COMPLIANCE OVERVIEW:**

In approving any special use permit pursuant to Section 423, the Planning Commission may impose such reasonable standards, conditions, or requirements, in addition to or that supersede any standard specified in this ordinance, as it may deem necessary to protect the public interest and welfare. Such additional standards may include, but need not be limited to:

- a) Financing
- b) Availability of adequate public facilities or services
- c) Dedication of land
- d) Reservation of land
- e) Creation of special assessment districts
- f) Creation of restrictive covenants or easements
- g) Special setbacks
- h) Yard requirements
- i) Increased screening or landscaping requirements
- j) Area requirements
- k) Development phasing; or
- l) Standards pertaining to traffic, circulation, noise, lighting, hours of operation, protection of environmentally sensitive areas, and similar characteristics.



**STAFF COMMENTS:**

At their November 6, 2024 meeting, the Planning Commission held the introduction for this application. There were several items missing or needing clarification in the application and on the site plan documents. The applicant gave a verbal response to several of these items before the Planning Commission scheduled the public hearing for the December 11, 2024 meeting. Staff received updated site plans on November 14, 2024 and offer the following comments on the updated site plans regarding site design and compliance with the Zoning Ordinance:

*Access and Frontage*

The address of the site is 1750 Ahlberg Drive; access to the site is from Ahlberg Drive. The site has frontage on Hammond Road but does not have and cannot gain access to Hammond Road. The applicant requested that the south boundary be considered as the front lot line, however the Zoning Ordinance requires at least 110 feet of frontage as a minimum lot width. The applicants prepared and recorded an easement to extend Ahlberg Drive into their site which will provide 110 feet of frontage, although no new road construction is anticipated as part of this application. A copy of this easement is attached to this report.

*Building*

According to the updated site plan, the scope of work consists of two (2) building additions totaling 9,256 square feet to an existing 14,071 square-foot building. The south lot line is considered the front yard based on the easement provided as described above. The east lot line is considered a side yard. The updated site plan set, including Sheet C-1, has been corrected so that the entire building falls within the side yard setback.

*Lighting*

The site plan set includes an Electrical Site Plan (Sheet SE2.1) and Site Lighting Photometrics (Sheet SLC) to demonstrate site lighting. The applicant has also submitted a cut sheet of the proposed lighting fixtures. The lighting standards of Section 517 of the Zoning Ordinance are described by the following:

<b><i>Lighting Standard</i></b>	<b><i>Subject Site</i></b>
<i>A. Applicability</i> – All outdoor lighting shall be installed in conformance with the provisions of this section. Certain light fixtures exempt from this section include decorative lighting, public streetlights, emergency lights, nonconforming existing lights, neon, and flag lighting.	None of these exceptions are expected to apply to this site, so all lighting for this site is subject to the requirements of this section.
<i>B. Shielding and Filtration</i> – Lighting fixtures shall provide glare free area beyond the property line and light shall be confined to the lot from which it originates. All fixtures shall have full cut-off and shall not direct light upwards. Light sources shall be located, and light poles shall be coated, to minimize glare.	The applicant has now submitted a cut sheet of the proposed lighting fixtures. As designed, the light fixtures will be properly shielded and will be fully cut off.



<b><i>Lighting Standard</i></b>	<b><i>Subject Site</i></b>
<b><i>C. Illumination</i></b> – Average illumination levels shall not exceed 3.0 foot-candles for the main parking area, 2.0 foot-candles for the peripheral parking area, 5.0 foot-candles for the main drive areas, and 20.0 foot-candles directly below the lighting fixture. Illumination shall also not exceed 1.0 foot-candles adjoining another nonresidential zoning district along a local street or property line. Average lighting values ranging from 0.5 to 1.5 foot-candles are recommended.	Site lighting photometrics are provided on Sheet SLC. The highest illumination level is at the southeast corner of the proposed addition at 8.3 foot-candles. Other lights on the building show maximum illumination levels of 6.8 and 4.8 foot-candles. The illumination levels around the parking lot lights reach a maximum of 1.4 foot-candles. Illumination level standards appear to be met based on the information provided.
<b><i>D. Color Temperature</i></b> – All proposed lamps shall emit light measuring 3,500 K or warmer on the Kelvin scale.	The applicant has now submitted a cut sheet of the proposed lighting fixtures. The proposed fixtures will have a color temperature of 3,000 K which meets this standard.
<b><i>E. Prohibitions</i></b> – Prohibitions include mercury-vapor or metal halide fixture and lamps, laser source lights, searchlights, or any light that does not meet shielding and illumination standards.	No prohibited light fixtures are proposed.
<b><i>F. Pole Height</i></b> – All pole-mounted lighting shall not exceed the maximum permitted height of the zoning district.	Light poles are shown on Sheet SE2.1 and shown with a height of 22.5 feet above the finished grade. The maximum height in the A-Agricultural zoning district is 35 feet.

### *Landscaping*

Landscaping requirements are described by the following for each length of greenspace area (e.g., without including the ingress and egress drives) for each lot line and for the parking lot interior area. The closest type of use in Table 531.1 is Commercial given that it encompasses uses such as kennels. Staff comments on the proposed landscaping are provided after the following table.

<b><i>Lot Line (Length)</i></b>	<b><i>Adjacent Land Use</i></b>	<b><i>Buffer Planting Requirement</i></b>	<b><i>Amount Required</i></b>	<b><i>Amount Provided</i></b>
North (500 ft.)	Arterial Road	Type “D” * Ground cover as specified in Section 530.J, plus * 4 large trees, 3 medium or small trees, and 3 evergreen or coniferous trees per 100 linear feet of greenspace * Minimum width: 20 feet	20 large trees 15 med./small trees 15 evergreen trees 20-foot width	12 proposed canopy trees 8 existing canopy trees* 8 proposed med./small trees 7 existing med./small trees* 15 proposed evergreen trees 20-foot width (narrowest)
East (355 ft.)	Vacant	Type “C” * Ground cover as specified in Section 530.J, plus * 3 large trees, 3 medium or small trees, and 1 evergreen	11 large trees 11 med./small trees 4 evergreen trees 10-foot width	6 existing evergreen trees* 5 proposed canopy trees 9 proposed med./small trees 6 proposed shrubs 5-foot width (narrowest)



South (421 ft.)	Office and Vacant	or coniferous tree per 100 linear feet of greenspace * Minimum width: 10 feet	13 large trees 13 med./small trees 5 evergreen trees 10-foot width	Existing landscaping provided*
West (427 ft.)	Primary Road		13 large trees 13 med./small trees 5 evergreen trees 10-foot width	Existing landscaping provided*
* As claimed by applicant on the landscaping plan				

- The proposed landscaping plan has been updated, specifically with changes proposed for the buffer along the east lot line.
- Section 530.C of the Zoning Ordinance states that “When a building or parking lot is enlarged, the requirements of greenspace apply on an incremental basis such that landscaping shall be required in the same proportion that the enlarged building area or off-street parking area has to the existing development (e.g., a 10 percent increase requires 10 percent of the required landscaping).” The scope of work consists of two (2) building additions totaling 9,256 square feet to an existing 14,071-square-foot building, which is an approximately 66% increase.
- Section 530.L of the Zoning Ordinance states that “Existing canopy trees, evergreens, flowering trees, and shrubs shall be protected and incorporated into the site plan wherever feasible. Existing vegetation may be credited as detailed in Table 530.L for the purpose of calculating landscaping compliance provided that the plants are in healthy growing condition, are at least the minimum size, are the appropriate species, and are located within (or will be relocated to) the required buffer area.”

The applicant proposes to count several existing plantings toward landscaping requirements. The updated landscaping plan shows that the existing trees include three (3) white pines at 30 feet tall and three (3) white pines at 25 feet tall. These trees are on along the east lot line and exceed the evergreen requirements for the east buffer.

- The east landscape buffer also requires 11 large trees and 11 medium/small trees. The applicant is proposing 5 canopy trees and 9 medium/small trees which meets about 64% of this requirement.
- The north landscape buffer requires 20 large trees, 15 medium/small trees, and 15 evergreen trees. The applicant proposes 12 canopy trees, 8 medium/small trees and 15 evergreen trees and notes that there are 8 existing canopy trees and 7 existing medium/small trees. Without the existing trees, the proposed landscaping accounts for 70% of the required landscaping.
- There is an extensive existing landscape area on the west side of the site which covers the west lot line and parts of the north and south lot line. The updated landscaping plan indicates there are 35’ tall red pines in the northwest corner of the site. The rest of this area is mostly 3”-12” hardwoods including oak, apple, and pine.
- The updated landscaping plan no longer shows any new landscaping material along the east lot line in the easement area for the Ahlberg Drive extension and depicts the correct scale of 1” = 30’ as measured on the landscaping plan.



*Parking*

The site plan includes the following information about the building area, including proposed additions of a kennel area (9,250 ft<sup>2</sup>), clinical/care area (5,575 ft<sup>2</sup>), office area (2,966 ft<sup>2</sup>), and training area (5,536 ft<sup>2</sup>) for a total building area of 23,327 ft<sup>2</sup>.

Table 5-47 of the Zoning Ordinance lists parking standards for offices and veterinary clinics but does not list standards for a kennel, training area, or any similar use. The site plan indicates the minimum parking requirement for offices (1 space per 200 ft<sup>2</sup> of floor area; maximum is 1 per 150 ft<sup>2</sup>) and veterinary clinics (1 per 200 ft<sup>2</sup>; maximum is 1 per 150 ft<sup>2</sup>). The applicant has based their parking calculations on just these two uses. For the office area, the minimum is 15 parking spaces, and the maximum is 20 spaces. For the clinical area, the minimum is 28 spaces, and the maximum is 38 spaces. There are 43 spaces shown on the site plan (25 existing; 18 additional proposed). As described by the applicant, the remainder of the space in the building is space for the animals and isn't expected to generate any additional parking demand.

*Snow Storage*

Snow storage is required at a ratio of ten (10) square feet per one hundred (100) square feet of parking area. Sheet C-1 includes snow storage calculations indicating a required snow storage area of 2,739 ft<sup>2</sup> and total snow storage area of 5,583 ft<sup>2</sup> provided.

The updated site plan added an 1,892-square-foot snow storage area next to the westernmost parking spaces with the rest of the snow storage area next to the proposed building addition in the retention basin as shown previously. The Township Engineer may review if the retention basin can be used as part of snow storage.

*Non-Motorized Transportation*

There are some existing internal sidewalks that are proposed to be extended to serve the building additions. The Township's Non-Motorized Plan does not anticipate sidewalks along Ahlberg Drive.

Bicycle parking shall be provided at the rate of 2 bicycle spaces per 25 motor vehicle spaces. Based on this standard, 4 bicycle parking spaces are required. A proposed bike rack is shown at the southeast corner of the existing building. Details of the proposed bike rack are shown on Sheet C-1.

*Dumpster Enclosure*

Dumpster enclosures are subject to Section 516 of the Zoning Ordinance. The site has an existing dumpster enclosure at the edge of the property which is proposed to remain. The site plan also indicates a proposed "screen dumper" at the southwest corner of the proposed building addition. Details for this enclosure have been added to Sheet C-1. The enclosure will be 8' tall, 12' 8" deep, and 14' wide. The sides are proposed to be 8" split face CMU and match the color and pattern of the building. The gates are proposed to be either solid wood or aluminum.

*Signage*

Signs are reviewed by the Township Zoning Administrator. A note on the site plan acknowledges: "Signs are subject to sign permit review."

*Other Reviews*

This application is subject to additional reviews, including but not limited to the Township Engineer and Metro Fire. Sewer and water utility improvements and stormwater improvements will be reviewed by the Township Engineer. An escrow application has been received for engineering review.



**APPROVAL CRITERIA:**

If the Planning Commission directs Staff to prepare Findings of Fact for this application, the findings will be based on the Approval Criteria for special use permits in Section 423.E. According to Section 423.E, special uses are permitted only if the applicant demonstrates that:

- (1) The proposed use will be consistent with the purpose and intent of the master plan and this ordinance, including all regulations of the applicable zoning district;
- (2) The proposed use will be designed, constructed, operated and maintained so as to be compatible, harmonious and appropriate with the existing or planned character and uses of the neighborhood, adjacent properties and the natural environment;
- (3) The proposed use will not be detrimental, hazardous or disturbing to existing or future adjacent uses or to the public welfare by reason of excessive traffic, noise, dust, gas, smoke, vibration, odor, glare, visual clutter, electrical or electromagnetic interference;
- (4) Potential adverse effects arising from the proposed use on the neighborhood and adjacent properties will be minimized through the provision of adequate parking, the placement of buildings, structures and entrances, as well as the provision and location of screening, fencing, landscaping, buffers or setbacks;
- (5) The proposed use will retain as many natural features of the property as practicable, particularly where the natural features assist in preserving the general character of the neighborhood;
- (6) Adequate public and private infrastructure and services such as streets, water and sewage facilities, drainage structures, police and fire protection, and schools, already exist or will be provided without excessive additional requirements at public cost;
- (7) The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
- (8) The public interest and welfare supporting the proposed use shall be sufficient to outweigh individual interests that are adversely affected by the establishment of the proposed use;
- (9) Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads;
- (10) Adequate measures shall be taken to provide vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks servicing the site in a safe and convenient manner; and
- (11) The proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

**ACTION REQUESTED:**

Following the presentation by the applicant and Commissioner discussion, if the Planning Commission is prepared to direct Staff to prepare Findings of Fact, then the following motion is offered for consideration:

MOTION TO direct staff to prepare Findings of Fact for application SUP-2001-05-A for a Special Use Permit for the expansion of the existing Cherryland Humane Society facility at 1750 Ahlberg Drive, for the Planning Commission regular meeting on January 8, 2025.

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

**Attachments:**

1. RCI Designated Agent Authorization Letter dated April 11, 2024
2. Special Use Permit Application dated April 11, 2024
3. Impact Assessment submitted April 22, 2024
4. Approval Criteria submitted April 22, 2024
5. Declaration of Easement for Ingress and Egress recorded September 30, 2024
6. Update Site Plan Set dated November 12, 2024
7. Cut Sheet for Lighting Fixture provided November 14, 2024



**DESIGNATED AGENT AUTHORIZATION LETTER****Designated Agent Information**Kyle Richter, Vice President**Designated Agent and/or Authorized Company Representative***A person who has written authorization from the landowner to sign the application and secure a permit in the landowner's name*

Signature

April 11, 2024

Date

RCI | Richter Construction, Inc.

Company Name

428 W. Commerce Drive, Suite A

Address

Traverse City

City

(231) 668-8497

Phone Number

Kyle@RCI-CGC.com

Email Address

Township/City/Village Garfield TownshipParcel ID # 28-05-026-006-20Site Name Cherryland Humane SocietySite Address 1750 Ahlberg Dr, Traverse City, Michigan 49696**Landowner/Property Owner Information:**Cherryland Humane Society

Print Name

1750 Ahlberg Dr

Address

Traverse City, Michigan 49696


City

(231) 946-5116

Phone Number

bvargo@cherrylandhumane.org

Email Address

Signature 

Bruce Vargo - Board President

Date

4/11/24

*Landowner must sign their name for acceptance by any office. Designating an agent to pull the permit on the landowner's behalf does not dislodge the landowner of enforcement by state or local authorities pursuant to Act 40, Public Act of 1956 as amended, for permission to conduct the activities and to make any improvements as may be necessary as indicated on any Permit Application.*





# Charter Township of Garfield

## Grand Traverse County

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

### SPECIAL USE PERMIT (SUP) 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 and/or Zoning Department to arrange an appointment to discuss your proposed application. Time is often saved by these preliminary discussions. For additional information or assistance in completing this development application, please contact the Planning Department at (231) 941-1620.

#### ACTION REQUESTED

- ☐ New Special Use Permit
- ☒ Major Amendment
- ☐ Minor Amendment
- ☐ Administrative Amendment

#### PROJECT / DEVELOPMENT NAME

Cherryland Humane Society

#### APPLICANT INFORMATION

Name: RCI | Richter Construction, Inc.  
Address: 428 W. Commerce Drive, Suite A - Traverse City, Michigan 49685  
Phone Number: (231) 668-8497  
Email: Kyle@RCI-CGC.com

#### AGENT INFORMATION

Name: RCI | Richter Construction, Inc.  
Address: 428 W. Commerce Drive, Suite A - Traverse City, Michigan 49685  
Phone Number: (231) 668-8497  
Email: Kyle@RCI-CGC.com

#### OWNER INFORMATION

Name: Cherryland Humane Society  
Address: 1750 Ahlberg Dr, Traverse City, Michigan 49696  
Phone Number: (231) 946-5116  
Email: bvargo@cherrylandhumane.org



### CONTACT PERSON

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

<i>Applicant:</i>	Kyle Richter
<i>Agent:</i>	Kyle Richter
<i>Owner:</i>	Bruce Vargo

### PROPERTY INFORMATION

<i>Property Address:</i>	1750 Ahlberg Dr
<i>Property Identification Number:</i>	05-026-006-20
<i>Legal Description:</i>	PT NW1/4 NW1/4 SEC 26 T27N R11W COM NW SEC COR TH S 89DEG 27'E 4
<i>Zoning District:</i>	A - Agricultural
<i>Master Plan Future Land Use Designation:</i>	Commercial
<i>Area of Property (acres or square feet):</i>	23,841 sf
<i>Existing Use(s):</i>	A-3 & B
<i>Proposed Use(s):</i>	A-3 & B

### PROJECT TIMELINE

<i>Estimated Start Date:</i>	April 20, 2024
<i>Estimated Completion Date:</i>	June 1, 2025

### REQUIRED SUBMITTAL ITEMS

A complete application for a Special Use Permit consists of the following:

Application Form:

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

Application Fee:

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

- ☒ Fee

Escrow Fee:

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

Site Development Plan:

- ☐ Ten complete stapled 11"x17" paper sets (Administrative Amendments require one copy)
- ☐ Two complete bound 24"x36" paper sets
- ☐ One digital set (PDF only)



#### Written Information:

- ☐ Ten paper copies of the Approval Criteria (Administrative Amendments require one copy)
- ☐ One digital copy of the Approval Criteria (PDF only)
- ☐ Ten paper copies of the Impact Assessment (Administrative Amendments require one copy)
- ☐ One digital copy of the Impact Assessment (PDF only)

Digital items to be delivered via email or USB flash drive

#### SUBMITTAL DEADLINE

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

#### WAIVERS

##### Submittal Waiver:

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

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

##### Data Waiver:

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

#### SITE PLAN

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

#### APPROVAL CRITERIA

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

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



- ☒ The proposed use will be designed, constructed, operated and maintained so as to be compatible, harmonious and appropriate with the existing or planned character and uses of the neighborhood, adjacent properties and the natural environment;
- ☒ The proposed use will not be detrimental, hazardous or disturbing to existing or future adjacent uses or to the public welfare by reason of excessive traffic, noise, dust, gas, smoke, vibration, odor, glare, visual clutter, electrical or electromagnetic interference;
- ☒ Potential adverse effects arising from the proposed use on the neighborhood and adjacent properties will be minimized through the provision of adequate parking, the placement of buildings, structures and entrances, as well as the provision and location of screening, fencing, landscaping, buffers or setbacks;
- ☒ The proposed use will retain as many natural features of the property as practicable, particularly where the natural features assist in preserving the general character of the neighborhood;
- ☐ Adequate public and private infrastructure and services such as streets, water and sewage facilities, drainage structures, police and fire protection, and schools, already exist or will be provided without excessive additional requirements at public cost;
- ☒ The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
- ☒ The public interest and welfare supporting the proposed use shall be sufficient to outweigh individual interests that are adversely affected by the establishment of the proposed use;
- ☒ Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads;
- ☒ Adequate measures shall be taken to provide vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks servicing the site in a safe and convenient manner; and
- ☐ The proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

#### IMPACT ASSESSMENT

A written impact statement to include the following information:

- ☒ A written illustrative description of the environmental characteristics of the site prior to development, i.e., topography, soils, vegetative cover, drainage, streams, creeks or ponds.
- ☒ Types of uses and other man-made facilities.
- ☒ The number of people to be housed, employed, visitors or patrons and vehicular and pedestrian traffic.
- ☒ Phasing of the project including ultimate development proposals.
- ☒ Natural features which will be retained, removed and/or modified including vegetation, drainage, hillsides, streams wetlands, woodlands, wildlife and water. The description of the areas to be changed shall include their effect on the site and adjacent properties. An aerial photo may be used to delineate the areas of change.
- ☒ The method to be used to serve the development with water and sanitary sewer facilities.
- ☒ The method to be used to control drainage on the site and from the site. This shall include runoff control during periods of construction.
- ☒ If the public sewers are not available to the site, the Applicant shall submit a current approval from the Health Department or other responsible public agency indicating approval of plans for sewage treatment.



- ☒ The method to be used to control any increase in effluent discharge to the air or any increase in noise level emanating from the site. Consideration of any nuisance that would be created within the site or external to the site whether by reason of dust, noise, fumes vibration, smoke or lights.
- ☒ An indication of how the proposed use conforms with existing and potential development patterns and any adverse effects.
- ☒ The proposed density in units per acre for residential developments.
- ☒ Name(s) and address(es) of person(s) responsible for preparation of statement.
- ☒ Description of measures to control soil erosion and sedimentation during grading and construction operations and until a permanent ground cover is established. Recommendations for such measures may be obtained from the County Soil Erosion and Sedimentation office.
- ☒ Type, direction, and intensity of outside lighting.
- ☒ General description of deed restrictions, if any.

#### ADDITIONAL INFORMATION

If applicable, provide the following further information:

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



E. Roads and Circulation

- |   |                          |                                     |                                     |
|---|--------------------------|-------------------------------------|-------------------------------------|
| 1. Are interior public streets proposed?                                  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| If yes, has Road Commission approved (attach letter)?                     | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| 2. Will public streets connect to adjoining properties or future streets? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 3. Are private roads or interior drives proposed?                         | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 4. Will private drives connect to adjoining properties service roads?     | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 5. Has the Road Commission or MDOT approved curb cuts?                    | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 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

- 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.
- 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.
- Upon holding a public hearing, the Planning Commission may approve, approve with conditions, or deny the proposed special use.
- If approved or approved with conditions, the decision of the Planning Commission 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:


4/11/24



### 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 RCI | Richter Construction, Inc. 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:

4/11/24

### 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:

See attached letter of designated agent

Date:



Applicant Signature:



Date:

4/11/24



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
<b>A. Basic Information</b>			
1. Applicant's name, address, telephone number and signature	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
2. Property owner's name, address, telephone number and signature	<input checked="" 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"/>	<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"/>	<input type="checkbox"/>	
<b>B. Site Plan Information</b>			
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"/>	<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"/>	<input type="checkbox"/>	
4. Proposed alterations to topography and other natural features	<input type="checkbox"/>	<input type="checkbox"/>	
5. Existing topographic elevations at two-foot intervals except shown at five-foot intervals where slopes exceed 18%	<input type="checkbox"/>	<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"/>	<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"/>	<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"/>	<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"/>	<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"/>	<input type="checkbox"/>	
15. Location of and dimensions of curb cuts, acceleration, deceleration and passing lanes	<input type="checkbox"/>	<input type="checkbox"/>	
16. Location of neighboring structures that are close to the parcel line or pertinent to the proposal	<input type="checkbox"/>	<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"/>	<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"/>	<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"/>	<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"/>	<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"/>	<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"/>	<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"/>	<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"/>	<input type="checkbox"/>	
27. Changes or modifications required for any applicable regulatory agencies' approvals	<input type="checkbox"/>	<input type="checkbox"/>	



**Impact Assessment**  
**Cherryland Humane Society**  
**1750 Ahlberg Drive, Traverse City, Michigan**  
**Garfield Township, Grand Traverse County**  
**Property ID: 28-05-026-006-20**

1. The existing site the current Cherryland Humane Society facility with main building, parking and stormwater basins.
2. The current zoning is Agricultural District. The Proposed Amendment is for an expansion of the existing facility to add additional cat runs and training area.
3. The proposed use will expand the current use by adding more option for more animals to be housed.
4. The project will be built in one(1) phase of construction. Construction planning on starting June 1, 2024. Access to site is already established with existing infrastructure and access from Ahlberg Drive.
5. Storm water control will be managed within site by way reconstructing existing retention basins. The collection system will use site grading, sheet draining and basins.
6. The site is serviced by public sewer and water. New expansion will utilize existing site sewer and water.
7. The site Stormwater control measures will be handled by enlarging existing retention basins located on the site.
8. Public sewer is available to the site along Alhberg Drive.
9. The proposed site should not create an increase of effluent discharge such as noise, dust, fumes and vibration. Landscaping is existing and site lighting is existing.
10. The proposed use will be approved under the Major Amendment Permit Application process of Garfield Township under the Agricultural Zoning District.
11. Person responsible for preparation of statement:  
William Crain, P.E.  
Crain Engineering, LLC  
7622 Bott Road Buckley, MI 49620
12. The drainage plan meets the Garfield Township stormwater Control ordinance for methods and capacities for run-off control.
13. The site is lighted by ground mounted lights and wall mounted lights on buildings that will be the box type lamps, directed downward with cutoff optics.



**Approval Criteria**  
**Cherryland Humane Society**  
**1750 Ahlberg Drive, Traverse City, Michigan**  
**Garfield Township, Grand Traverse County**  
**Property ID: 28-05-026-006-20**

1. The proposed addition will be an expansion of the existing Cherryland Humane Society facility with additional animal housing and training areas.
2. The proposed use will be an expansion of the existing same use.
3. The proposed use will not be detrimental to existing or future adjacent uses as this is an expansion of an existing use.
4. No adverse effects by placing building and parking expansion as they meet all setbacks and have existing access to the site.
5. The proposed expansion will utilize areas of site that allow for easy expansion and connection to existing features of the site.
6. The existing site utilizes the existing connection to public sewer and water.
7. The proposed use will expand the existing operation on the site.
8. The Cherryland Humane Society services a large area with public interest to help animals in need.
9. Ingress and Egress to the proposed expansion are existing and will be used utilized and allow for emergency services and public access.
10. Vehicle and pedestrian traffic by way of pavement and sidewalks are existing and proposed for new expansion.
11. Proposed use shall not impede orderly development on improvements of surrounding properties.





DocId:8421658

Tx:4266247

2024R-11927

STATE OF MICHIGAN

GRAND TRAVERSE COUNTY

RECORDED 09/30/2024 12:43:51 PM

PEGGY HAINES REGISTER OF DEEDS

PAGE 1 OF 3

### **DECLARATION OF EASEMENT FOR INGRESS AND EGRESS**

This Declaration of Easement made as of the 24<sup>th</sup> day of September, 2024, (the "Declaration") **Cherryland Humane Society**, a Michigan nonprofit corporation of 1750 Ahlberg Drive, Traverse City, MI 49696 (Grantor),

**WHEREAS**, Grantor is the owner of certain "Real Property" being located in the Township of Garfield, County of Grand Traverse and State of Michigan and described as:

That part of the Northwest quarter of the Northwest quarter of Section 26, Town 27 North, Range 11 West, described as:

Commencing at the Northwest corner of said Section 26; thence South 89° 26' 33" East, along the North line of said section, 607.19 feet; thence South 05° 58' 56" West, 255.55 feet to the Point of Beginning; thence South 89° 26' 33" East, parallel with said North line, 390.47 feet; thence South 88° 16' 30" East, 109.65 feet; thence South 01° 26' 25" East, 308.48 feet; thence South 09° 54' 29" West, 110.00 feet to the North line of the North half of the South 660 feet of the Northwest quarter of the Northwest quarter; thence North 89° 33' 15" West, 532.87 feet; thence North 05° 58' 55" East, 422.00 feet to the Point of Beginning. Containing 5.05 acres of land, more or less.

Parcel Number: 28-05-026-006-20

**WHEREAS**, Grantor by this Declaration intends to establish an easement, as described herein, for the benefit of each of the adjacent parcels and any redivisions thereof, in order to provide vehicular, and pedestrian ingress and egress to each of the adjacent parcels. The "Easement Area" is more fully described as:

A 66' wide access easement part of the Northwest quarter, of the Northwest quarter, Section 26, Town 27 North, Range 11 West, Garfield Township, Grand Traverse County, Michigan; the exterior 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°13'15" E a distance of 607.19'; thence S 07°12'12" W a distance of 677.54'; thence S 88°19'57" E a distance of 422.87' to the Point Of Beginning; thence N 11°07'47" E a distance of 66.91'; thence S 88°19'57" E a distance of 110.00'; thence S 11°07'47" W a distance of 66.91'; thence N 88°19'57" W a distance of 110.00' to the Point Of Beginning.



**NOW, THEREFORE**, an easement is hereby established, imposed, and declared upon for the benefit of adjacent parcels as follows:

1. Declarant declares and establishes the following easement (the "Easement"):
  - a. A perpetual nonexclusive easement for the passage and ingress and egress of motor vehicles, pedestrians on the private roadway and driveways constructed within the Easement Area. Any driveway or private roadway constructed on or within the Easement Area shall be available for motor vehicular and pedestrian uses by any party traveling to or from the parcel, but shall not be used for parking of any vehicles at any time or in any manner which would interfere with intended use of the Easement Area as set forth herein.
  - b. The creation of this easement shall not be deemed to restrict or otherwise mandate any configuration of the driveways, and/or private roadway, located within the Easement Area. Those locations and routes may be selected and subsequently revised at the election and sole discretion of the owner of the Easement Area, subject to any required governmental approvals, to connect with other private roadways, public roads, and driveways in any manner which promotes the safe movement of pedestrian, motor vehicle, and traffic in and through the Easement Area. The revised or relocated private roadways and driveways shall be subject to this easement.
  - c. All driveways and private roadways shall be of concrete, asphalt, or other appropriate all-weather surface. Any driveways and private roadway shall be constructed in a manner of sufficient size to comply with all the requirements of the ordinances of the Township of Garfield and any other regularly governmental authority having jurisdiction over the construction. At the time of any repair or reconstruction of any driveways and private roadway within the Easement Area, the owner shall make a diligent effort to avoid unreasonable interference with the vehicular and pedestrian traffic within the Easement Area. The owner shall keep the driveways and private roadway in a clean and neat condition so that the surface is in a smooth and evenly covered conditions and be passable and usable in winter through the removal of snow and ice. No fence, shrubs, or other barrier that prevents or obstructs the passage of pedestrian or vehicular travel shall be constructed across the easement area. However, this provision shall not prohibit the installation of convenience facilities (such as mailbox enclosures, curbing, or forms of landscaping) and forms of traffic controls to the extent the owner wishes to place or construct these improvements and such improvements are in compliance with the ordinances of the Township of Garfield and any other regulatory governmental authority having jurisdiction over the construction of such improvements.
  - d. This easement applies to the private roadway and driveway within the Easement Area and shall not create or affect any parking lots or parking rights on the parcel, unless otherwise specifically enumerated in this Declaration.
2. The use of the easement created herein shall also be for the benefit of the public for the purposes of emergency and other public services.
3. The owner and any guests, invitees, vendor, trade person, or delivery person of the owner shall have the right to use the Easement Area for the ingress and egress of its own property. In addition, the owner may use the subsurface of the easement parcel on its property in any manner provided that such use does not interfere with the use of the Easement as set forth herein. Nothing herein contained shall restrict the right of the owner of the parcel to use the portions of the parcel for other purposes, including the erection of permanent structures, thereon, provided, however, that such use and construction does not interfere with the use of the Easement as provided for herein for the purposes set forth herein.

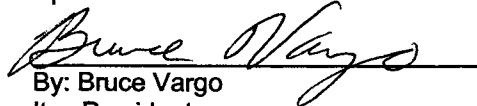


4. All the provisions of this instrument, including the benefits and burdens, run with and against the land described herein and shall be binding upon and inure to the benefit of all future owners of parcel as the case may be, their respective successors, assigns, heirs, executors, administrators, beneficiaries, mortgagees, lessees, sublessees, employees, agents, customers, licensees, and invitees.
5. The owner of the parcel shall be responsible for the costs of maintenance and repair of any driveway or roadways within the Easement Area. Through the use of the Easement, any user of the Easement shall be responsible and liable for any damage caused to the Easement Area as a result of their use of the Easement, ordinary wear and tear excepted.

**IN WITNESS WHEREOF**, the undersigned has executed this Declaration of Easement as of the day and year first above written.

Grantor:

**Cherryland Humane Society**, a Michigan non-profit corporation

  
By: Bruce Vargo  
Its: President

STATE OF MICHIGAN                    )  
  ) ss  
COUNTY OF GRAND TRAVERSE\_\_)

Acknowledged before me on September 24<sup>th</sup>, 2024, by Bruce Vargo, President of Cherryland Humane Society, a Michigan non-profit Corporation on behalf of the Corporation.

Shantell Anderson, Notary Public  
Grand Traverse County, State of Michigan  
Acting in Grand Traverse County, Michigan  
My Commission Expires: 01/29/2028

SHANTELL ANDERSON  
NOTARY PUBLIC, GRAND TRAVERSE COUNTY, MI  
MY COMMISSION EXPIRES: 1-29-2028  
ACTING IN THE COUNTY OF GRAND TRAVERSE

Drafted by, but title not review and no opinion on title given, and return to:

Roy Jay Montney, Jr. Esq.  
Montney Isles, PLC  
1022 E Front Street  
Traverse City, MI 49686  
231-922-9600



SCOPE OF WORK

TWO ADDITIONS- 9,000 TOTAL SF. TO AN EXISTING 14,100 SF. ONE STORY BUILDING. THE EXISTING BUILDING IS AN ANIMAL SHELTER. THE NEW ADDITIONS WILL HOUSE ADDITIONAL ANIMAL SHELTER FACILITIES AND A TRAINING ROOM. THE EXISTING BUILDING IS FULLY FIRE SPRINKLERED AND THE NEW ADDITIONS WILL BE FULLY FIRE SPRINKLERED.

FIRE RATED DESIGN AND SAFETY CRITERIA

USE GROUP: SEPARATED MIXED USE "A-3" AND "B"

CONSTRUCTION TYPE: 5B

OCCUPANCY:  
BUSINESS USES- 20,643 SF/100-207 OCCUPANTS  
TRAINING ROOM- 2,531 SF/15= 169 OCCUPANTS  
316 TOTAL OCCUPANTS

BUILDING HEIGHT: ALLOWABLE= 60 FEET, (2) STORIES  
ACTUAL= 32 FEET, (1) STORIES

BUILDING AREA: ALLOWABLE A-3= 24,000 SF.  
ALLOWABLE B= 36,000 SF.  
ACTUAL= 22,163 SF. (INCREASE FOR OPEN PERIMETER NOT REQUIRED)

PORTABLE FIRE EXTINGUISHERS SHALL BE PROVIDED- 15' MAX TRAVEL DISTANCE.

250' MAX TRAVEL DISTANCE TO EXIT, 15' MAX COMMON PATH OF EGRESS TRAVEL.

CORRIDORS ARE NOT REQUIRED TO BE FIRE RATED BECAUSE THE BUILDING IS FULLY SPRINKLERED.

A-3 & B USES SHALL BE SEPARATED BY A 1-HOUR FIRE RATED FIRE BARRIER- SEE COMPOSITE PLAN FOR LOCATION. DOORS & BORROW LITE IN THIS WALL SHALL BE FIRE RATED- SEE DOOR SCHEDULE. NO OTHER BUILDING ELEMENTS ARE REQUIRED TO BE FIRE RATED.

SEE COMPOSITE PLAN FOR EXITS AND EGRESS ROUTE

THE BUILDING IS FULLY ACCESSIBLE.

PLUMBING FIXTURES:  
A-3- 169 OCCUPANTS  
85 MEN & 85 WOMEN  
MEN- (60) W.C. & (43) LAV REQ'D  
WOMEN- (13) W.C. & (43) LAV REQ'D

B-203 OCCUPANTS  
102 MEN & 102 WOMEN  
MEN- (304) W.C. & (220) LAV  
WOMEN- (304) W.C. & (220) LAV

TOTAL REQUIRED  
MEN- 4 W.C. & 3 LAV  
WOMEN- 5 W.C. & 3 LAV

EXISTING:  
MEN- (2) W.C. & (2) LAV  
WOMEN- (2) W.C. & (2) LAV  
UNISEX- (1) W.C. & (1) LAV

NEW:  
MEN- (3) W.C. & (2) LAV  
WOMEN- (3) W.C. & (2) LAV

A NEW HI LO DRINKING FOUNTAIN IS PROVIDED

THERE ARE MULTIPLE EXISTING & NEW SERVICE SINKS.

GENERAL CONSTRUCTION AND SAFETY

1. ARCHITECT/ENGINEER SHALL NOT BE RESPONSIBLE FOR THE MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES OF CONSTRUCTION SELECTED BY CONTRACTOR.

2. THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. THE ARCHITECT/ENGINEER HAS NO RESPONSIBILITY FOR THE SAFETY OF PERSONNEL OR SAFETY CONDITIONS AT THE SITE.

3. CONTRACTOR AND HIS AGENT(S) SHALL VERIFY ALL INFORMATION AND DIMENSIONS CONTAINED WITHIN THESE CONSTRUCTION DOCUMENTS. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS, INCLUDING BUILDINGS, SITE CONDITIONS, AND SOIL BEARING PRESSURE. ALL ERRORS, OMISSIONS, AND INCONSISTENCIES ARE TO BE REPORTED TO THE ARCHITECT/ENGINEER BEFORE PROCEEDING WITH THE WORK. FAILURE TO DO SO WILL RELEASE THE ARCHITECT/ENGINEER OF ALL RESPONSIBILITY. ANY CHANGES FROM THESE DOCUMENTS IS THE RESPONSIBILITY OF THE CONTRACTOR. THESE DRAWINGS ARE NOT TO BE SCALED. IF INSUFFICIENT INFORMATION EXISTS, CONTACT THE ARCHITECT/ENGINEER FOR CLARIFICATION BEFORE PROCEEDING WITH THE WORK.

4. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS. SHOULD ANY DISCREPANCY BE FOUND, CONTRACTOR SHALL NOTIFY ARCHITECT/ENGINEER IMMEDIATELY OF THE CONDITION.

5. VERIFY LOCATIONS AND ACCESS OF ALL UTILITIES ON SITE WITH ARCHITECT AND OWNER.

6. CLEAR ALL TREES AND OTHER VEGETATION WITHIN BUILDING AREA. CLEAN OUT ALL ROOTS 1" AND LARGER TO 12" BELOW EXISTING GRADE OF SUB-GRADE OF NEW GRADED SURFACE.

7. STOCKPILE AND REUSE ALL TOPSOIL SUITABLE FOR FINISH GRADING. MAINTAIN STOCKPILE IN A MANNER WHICH WILL NOT OBSTRUCT NATURAL FLOW OF DRAINAGE.

8. FINISH GRADING: 6" MIN. TOPSOIL ("BLACK DIRT") HAND RAKED.

GENERAL NOTES

- 1. CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS AT THE SITE PRIOR TO SUBMITTING A BID OR PROCEEDING WITH ANY PORTION OF WORK.
- 2. WHENEVER QUESTIONS ARISE OR CONDITIONS ARE ENCOUNTERED WHICH ARE NOT COVERED OR ARE IN CONFLICT WITH THE CONTRACT DOCUMENTS, CONSULT W/ THE ARCHITECT PRIOR TO TAKING ANY FURTHER ACTION
- 3. ALL DIMENSIONS ARE FACE OF STUD TO FACE OF STUD OR FACE OF MASONRY TO FACE OF MASONRY UNLESS NOTED OTHERWISE.
- 4. ALL CMU AND MASONRY DIMENSIONS ARE BASED ON NOMINAL SIZES TYPICAL UNLESS NOTED OTHERWISE.

INDEX OF DRAWINGS

COVER SHEET & BUILDING CODE DATA

CIVIL

- C-1 SITE PLAN
- C-2 SITE DRAINAGE PLAN
- C-3 SITE DETAILS
- L-1 LANDSCAPE PLAN

ARCHITECTURAL & STRUCTURAL

- A0.1 GENERAL NOTES & DETAILS
- A1.1 COMPOSITE PLAN
- A1.2 DEMOLITION PLAN
- A2.1 FLOOR PLAN- CATERY & TRAINING ROOM
- A2.2 FLOOR PLAN- DOG INTAKE
- A3.1 REFLECTED CEILING PLAN- CATERY & TRAINING ROOM
- A3.2 REFLECTED CEILING PLAN- DOG INTAKE
- A5.1 EXTERIOR ELEVATIONS
- A5.2 EXTERIOR ELEVATIONS
- A5.3 BUILDING SECTIONS
- A5.4 BUILDING SECTIONS
- A6.1 WALL SECTIONS
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- A6.3 WALL SECTIONS
- A8.1 DOOR, WINDOW & BORROW LITE SCHEDULES
- A8.2 DOOR & WINDOW DETAILS
- A9.1 FINISH SCHEDULE & INTERIOR ELEVATIONS
- S2.0 FOUNDATION PLAN- CATERY & TRAINING ROOM
- S2.1 FOUNDATION PLAN- DOG INTAKE & STRUCT. DETAILS & SCHED.
- S2.2 ROOF FRAMING PLAN- CATERY & TRAINING ROOM
- S2.3 ROOF FRAMING PLAN-DOG INTAKE & STRUCT. GEN. NOTES & DETAILS

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- FP1.1 EXISTING FIRE PROTECTION FLOOR PLAN
- FP1.2 FIRE PROTECTION FLOOR PLAN
- PD2.1 PLUMBING DEMOLITION PLAN
- F2.1 PLUMBING FLOOR PLAN
- F2.2 PLUMBING FLOOR PLAN
- F3.1 PLUMBING SCHEDULES & DETAILS
- MD2.1 MECH. DEMOLITION PLAN
- M2.1 MECH. FLOOR PLAN
- M2.2 MECH. FLOOR PLAN
- M3.1 MECH. SCHEDULES & DETAILS
- M3.2 MECH. SCHEDULES

- SE2.1 ELECTRICAL SITE PLAN
- SLC SITE LIGHTING PHOTOMETRICS
- E0.0 ELECTRICAL SCHEDULES & DETAILS
- ED2.1L ELECTRICAL LIGHTING DEMOLITION PLAN
- ED2.1P ELECTRICAL POWER DEMOLITION PLAN
- E2.1L ELECTRICAL LIGHTING FLOOR PLAN
- E2.2L ELECTRICAL LIGHTING FLOOR PLAN
- E2.1P ELECTRICAL POWER FLOOR PLAN
- E2.2P ELECTRICAL POWER FLOOR PLAN
- E3.1 ELECTRICAL SCHEDULES & DETAILS
- E3.2 ELECTRICAL PANEL SCHEDULES

Additions to the Cherryland Humane Society  
1750 Ahlberg RD., Traverse City, MI

STRUCTURAL ENGINEERS

AVANTI ENGINEERING  
459 Hughes Dr Suite E  
Traverse City, Michigan 49696  
231-933-0130

MEP ENGINEERS



1419 Industry Drive  
Traverse City, MI 49696  
P 231.933.0510 F 231.933.3215  
W www.nealisengineering.com

CIVIL ENGINEER

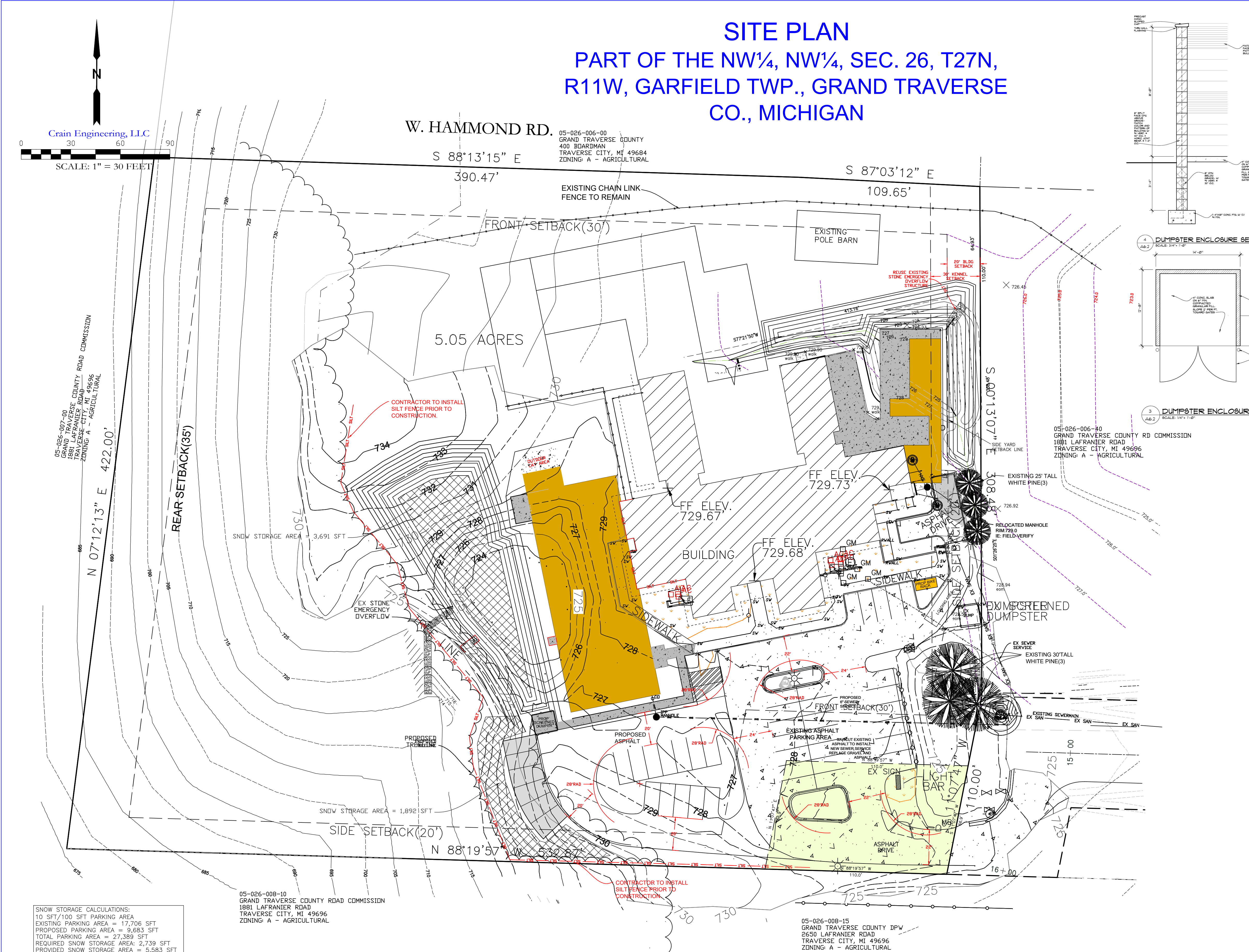
CRAIN ENGINEERING LLC  
7622 BOTT RD.  
BUCKLEY, MI 49620  
H.-231-947-7255  
C.-231-632-4207  
crainengineeringllc@gmail.com

ARCHITECT

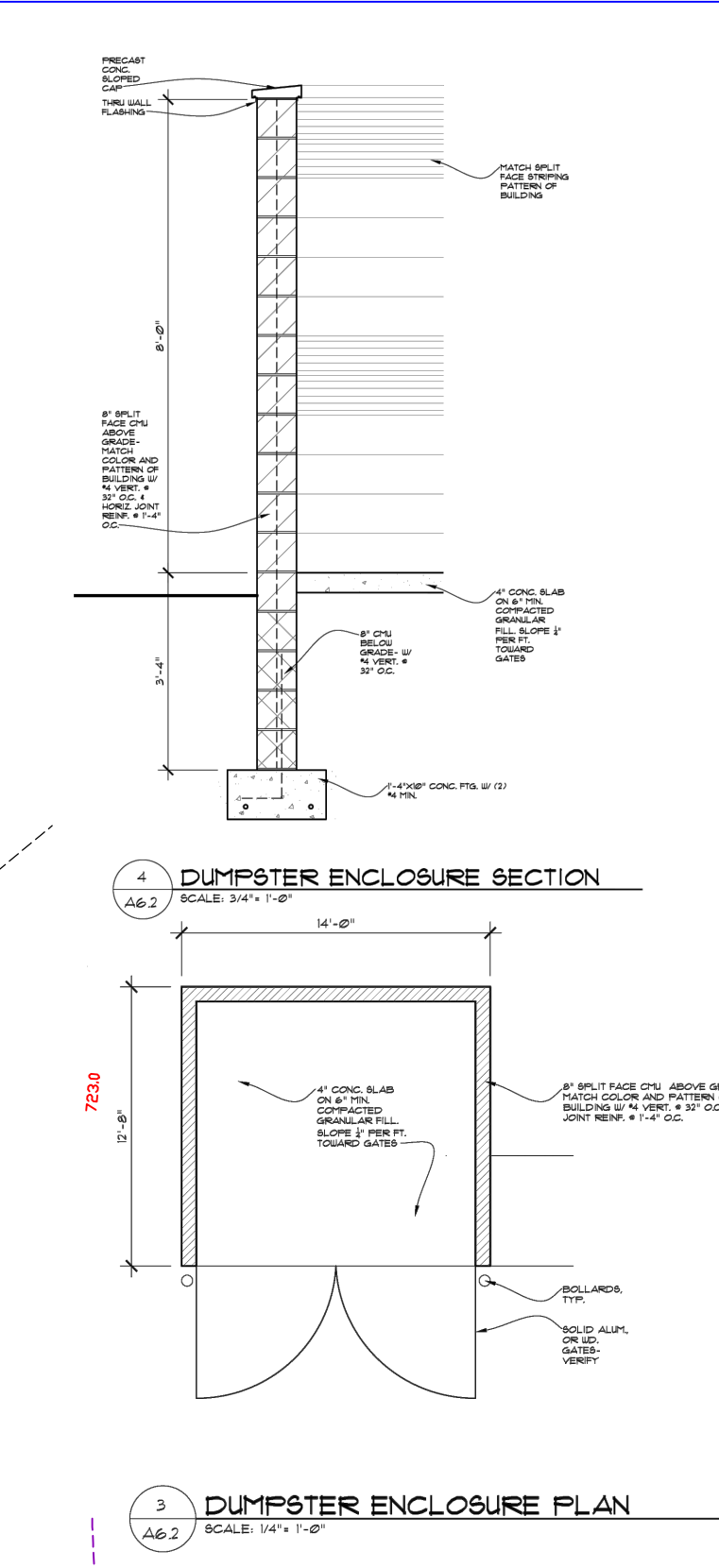
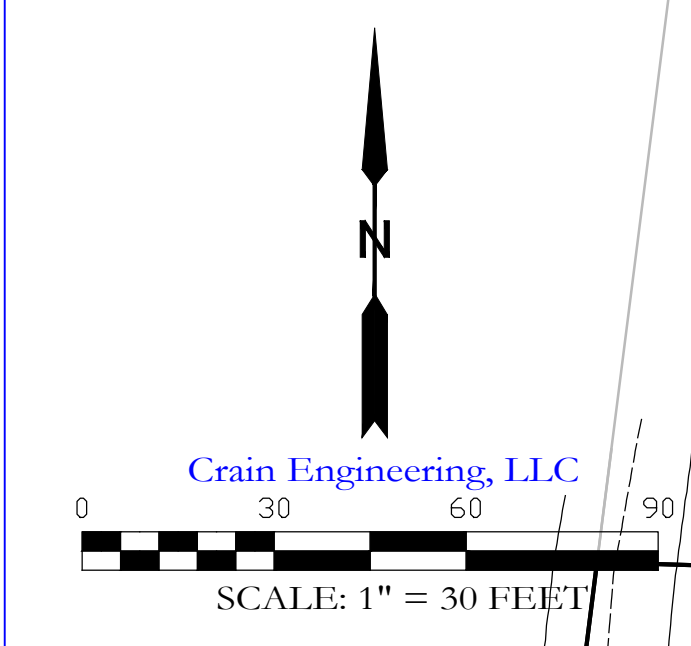
JESSICA VAN HOUZEN STROUD  
RA LEEDAP LLC  
607 W. ORCHARD DR.  
Traverse City, Michigan 49686  
231-631-4376







SITE PLAN  
PART OF THE NW¼, NW¼, SEC. 26, T27N,  
R11W, GARFIELD TWP., GRAND TRAVERSE  
CO., MICHIGAN



SITE DATA

PROPERTY OWNER & APPLICANT:  
CHERRYLAND HUMANE SOCIETY  
1750 AHLBERG DRIVE  
TRAVERSE CITY, MI 49696

PARCEL ADDRESS - 1750 AHLBERG DRIVE  
PARCEL ZONING - A-AGRICULTURAL  
PARCEL NUMBER - 05-026-00-20

SETBACKS:  
FRONT - 30'  
SIDE - 20'  
REAR - 35'

PROPOSED:  
KENNEL ENLARGEMENT

PROPERTY DESCRIPTION:  
PT NW¼ NW¼ SEC 26 T27N R11W COM NW SEC COR TH S 89DEG 27'E 607.19' TH S 05DEG 59'W 255.55' TO POB TH S 05DEG 59'W 422.0' TH S 89DEG 33'E 532.87' TH N 09DEG 54'W 110' TH N 01DEG 27'W 308.48' TH N 89DEG 17'W 109.65' TH N 89DEG 27'W 390.47' TO POB CONTAINS 5.05 ACRES

PARKING:  
TOTAL BLDG AREA: 23,327 SFT  
EXISTING BUILDING AREA: 14,071 SFT  
PROPOSED BUILDING AREA: 9,256 SFT  
KENNEL AREA: 9,250 SFT  
CLINICAL/CARE AREA: 5,575 SFT  
OFFICE AREA: 2,966 SFT  
TRAINING AREA: 5,536 SFT  
1 SPACE/ 200 SFT OFFICE: 15 SPACES  
1 SPACE/ 200 SFT CLINIC AREA: 28 SPACES  
TOTAL SPACES REQUIRED: 43 SPACES  
SPACES PROVIDED: 43 SPACES

PROPOSED BIKE RACK PROVIDED  
5 BIKE RACK PROPOSED (DETAIL ATTACHED)

CONSTRUCTION NOTES

1. THE SOIL EROSION MEASURES SHOWN ARE THE MINIMUM CONTROLS TO BE USED ON THIS PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR TEMPORARY AND PERMANENT SOIL EROSION CONTROL MEASURES TO PROTECT THE DISTURBED AREAS AND ADJACENT PROPERTIES FROM ACCELERATED EROSION AND SEDIMENTATION RESULTING FROM PROJECT CONSTRUCTION AT NO ADDITIONAL COST TO THE OWNER.
2. ALL DISTURBED AREAS SHALL BE TOPSOILED, SEEDED, FERTILIZED AND MULCHED OR SODDED. MULCH BLANKET SHALL BE INSTALLED IN AREAS AS DESIGNATED AND SHALL BE INCIDENTAL TO OTHER ITEMS.
3. CONTRACTOR SHALL OBTAIN SOIL EROSION PERMIT PRIOR TO ANY CONSTRUCTION.
4. PARKING LOT GRADING IN BARRIER FREE AREAS SHALL NOT EXCEED 2% SLOPE.
5. ALL EXCESS TOPSOIL WILL REMAIN WITHIN THE PROPERTY OWNER'S SITE. IF ADDITIONAL TOPSOIL IS AVAILABLE AFTER TOPSOILING THE CONSTRUCTION AREA, IT WILL BE STOCKPILED WITHIN 1000 FEET OF THE CONSTRUCTION AREA IN A DESIGNATED AREA AS DIRECTED BY THE FIELD ENGINEER.
6. THE CONTRACTOR IS RESPONSIBLE FOR ESTABLISHING GROUND COVER ON AREAS DISTURBED BY CONSTRUCTION AND SHALL REPAIR ALL WASHOUTS AND EROSION DURING THE GUARANTEE PERIOD OF ONE (1) YEAR AFTER GROUND COVER IS ESTABLISHED AT NO ADDITIONAL COST TO THE OWNER.
7. CMP CULVERTS SHALL HAVE A MINIMUM OF ONE-FOOT COVER FROM TOP OF PIPE UNLESS OTHERWISE SHOWN ON THE PLAN. THE COVER ABOVE THE PIPE SHALL BE CLEAN AND FREE OF ALL DEBRIS.
8. LIGHTING TO MEET GARFIELD TOWNSHIP DARK SKY ORDINANCE.
9. IRRIGATION TO BE INSTALLED FOR LANDSCAPED AREAS.
10. SIGNS ARE SUBJECT TO SIGN PERMIT REVIEW.

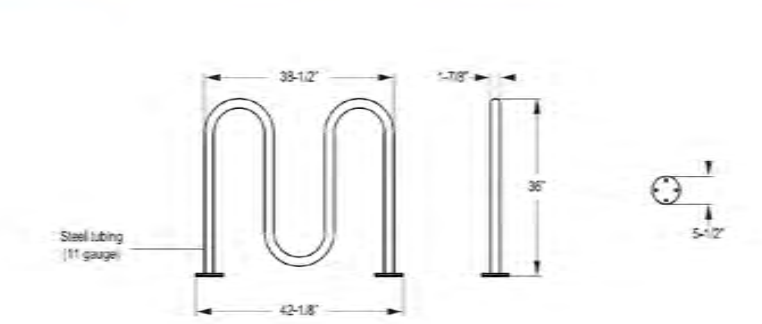
SNOW STORAGE CALCULATIONS:  
10 SFT/100 SFT PARKING AREA  
EXISTING PARKING AREA = 17,706 SFT  
PROPOSED PARKING AREA = 9,683 SFT  
TOTAL PARKING AREA = 27,389 SFT  
REQUIRED SNOW STORAGE AREA: 2,739 SFT  
PROVIDED SNOW STORAGE AREA = 5,583 SFT

05-026-008-10  
GRAND TRAVERSE COUNTY ROAD COMMISSION  
1891 LAFRANIER ROAD  
TRAVERSE CITY, MI 49696  
ZONING: A - AGRICULTURAL

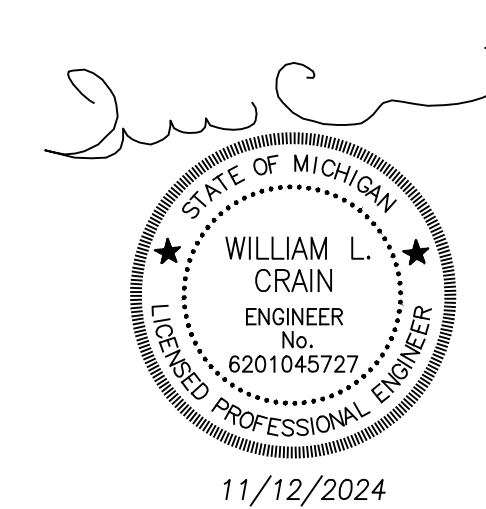
05-026-008-15  
GRAND TRAVERSE COUNTY DPW  
2650 LAFRANIER ROAD  
TRAVERSE CITY, MI 49696  
ZONING: A - AGRICULTURAL

SOIL DATA

- LKA LEELANAU-KALKASKA LOAMY SANDS, 0 TO 2 PERCENT SLOPES  
LKB LEELANAU-KALKASKA LOAMY SANDS, 2 TO 6 PERCENT SLOPES  
LKC LEELANAU-KALKASKA LOAMY SANDS, 6 TO 12 PERCENT SLOPES  
LKF LEELANAU-KALKASKA LOAMY SANDS, 25 TO 45 PERCENT SLOPES



BIKE RACK DETAIL



BENCHMARK  
"X" ON CONCRETE BASE OF LIGHTPOLE  
ELEV. = 730.90'

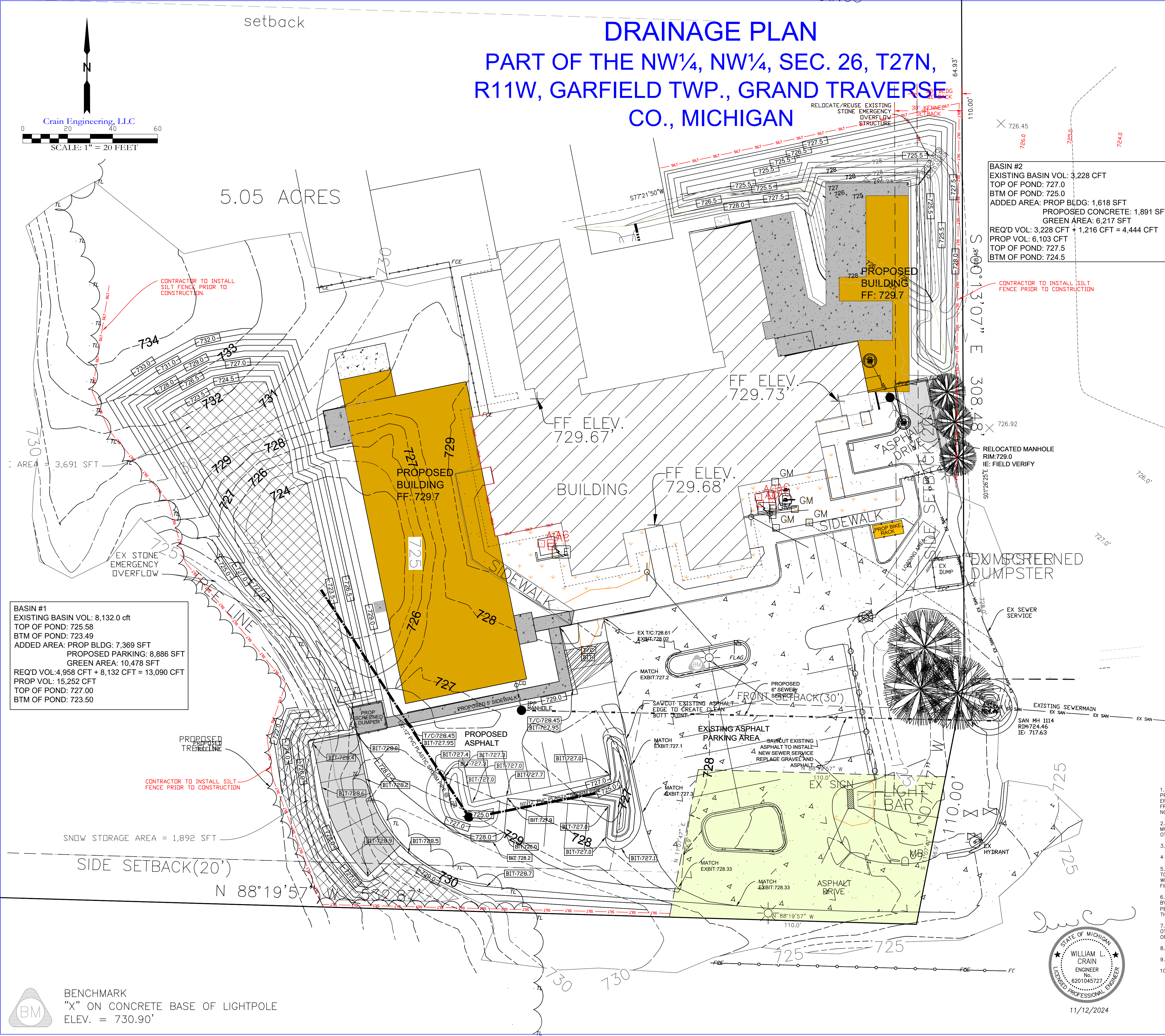
Crain Engineering, LLC  
Engineering, Consulting, & Design  
7622 Bott Road  
Buckley, MI 49620  
Cell: (231) 632-4207  
email: crainengineeringllc@gmail.com

DRWN BY: WLC  
DSGN BY: WLC  
DATE: 9-26-2023  
REV DATE: 4/25/2024  
4/25/2024 TWP REVIEW  
5/3/2024 TWP REVIEW  
10/16/2024 SITE CHANGES  
11/12/2024 PLANNING COMMISSION REVIEW

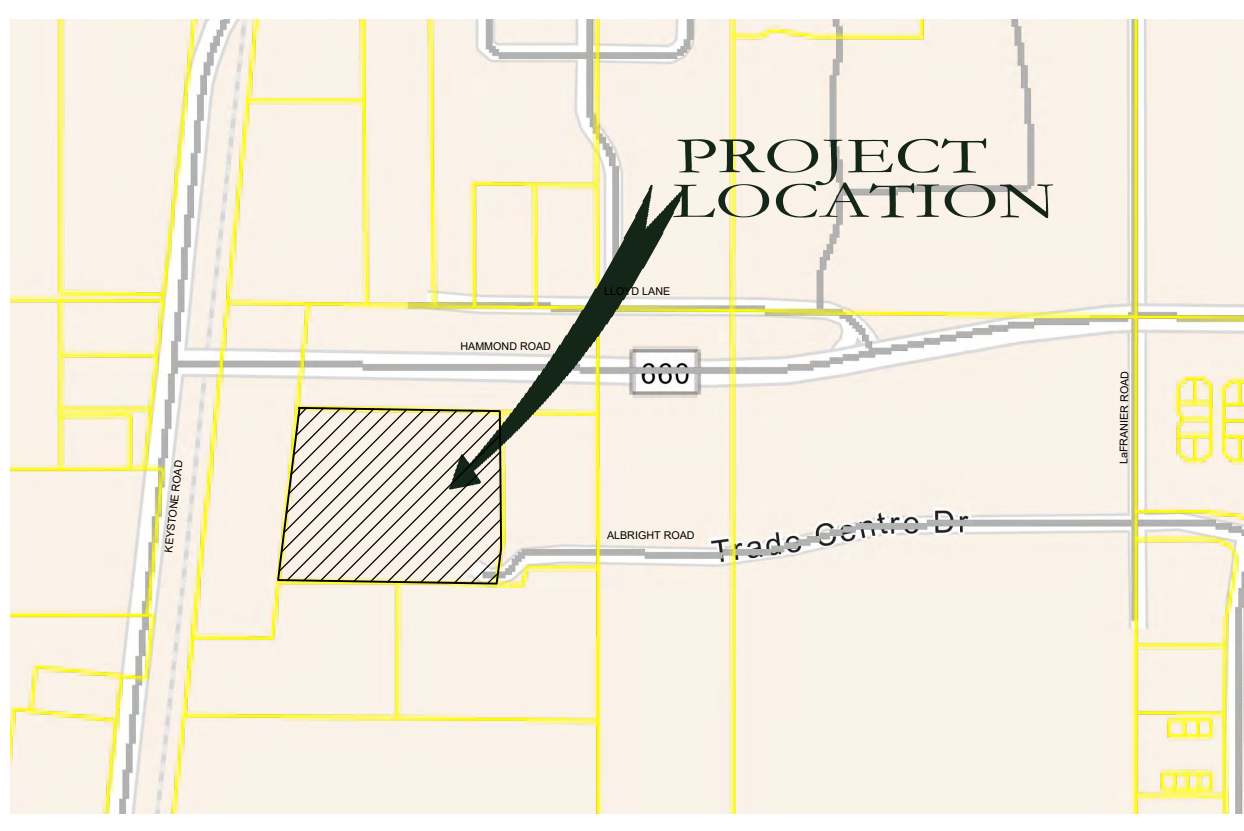
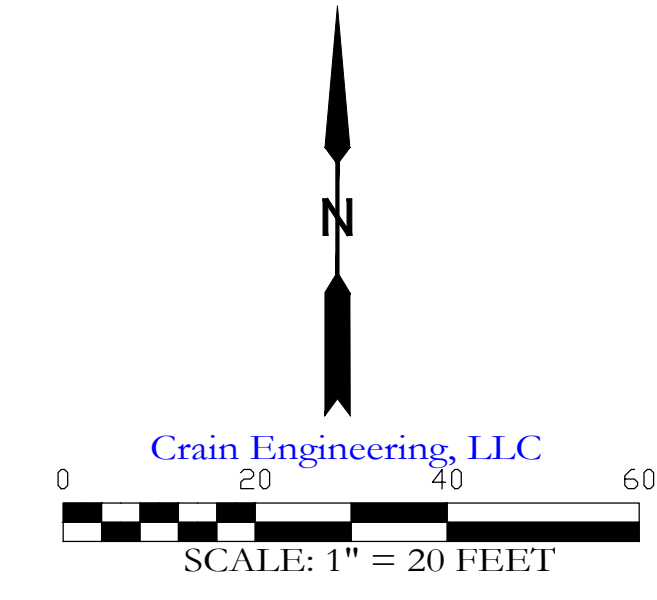
SITEPLAN  
CHERRYLAND HUMANE SOCIETY  
SECTION 26 - TOWN 27 NORTH - RANGE 11 WEST  
GARFIELD TWP., GRAND TRAVERSE COUNTY, MICHIGAN

JOB NUMBER:  
202723  
SHEET C-1





DRAINAGE PLAN  
PART OF THE NW¼, NW¼, SEC. 26, T27N,  
R11W, GARFIELD TWP., GRAND TRAVERSE  
CO., MICHIGAN



BASIN #2  
EXISTING BASIN VOL: 3,228 CFT  
TOP OF POND: 727.0  
BTM OF POND: 725.0  
ADDED AREA: PROP BLDG: 1,618 SFT  
PROPOSED CONCRETE: 1,891 SFT  
GREEN AREA: 6,217 SFT  
REQ'D VOL: 3,228 CFT + 1,216 CFT = 4,444 CFT  
PROP VOL: 6,103 CFT  
TOP OF POND: 727.5  
BTM OF POND: 724.5

BASIN #1  
EXISTING BASIN VOL: 8,132.0 cft  
TOP OF POND: 725.58  
BTM OF POND: 723.49  
ADDED AREA: PROP BLDG: 7,369 SFT  
PROPOSED PARKING: 8,886 SFT  
GREEN AREA: 10,478 SFT  
REQ'D VOL: 4,958 CFT + 8,132 CFT = 13,090 CFT  
PROP VOL: 15,252 CFT  
TOP OF POND: 727.00  
BTM OF POND: 723.50

SITE DATA

PROPERTY OWNER & APPLICANT:

CHERRYLAND HUMANE SOCIETY  
1750 AHLBERG DRIVE  
TRAVERSE CITY, MI 49696

PARCEL ADDRESS - 1750 AHLBERG DRIVE  
PARCEL ZONING - A-AGRICULTURAL  
PARCEL NUMBER - 05-026-00-20

SETBACKS:

FRONT - 50'  
SIDE - 15'  
REAR - 25'

PROPOSED:

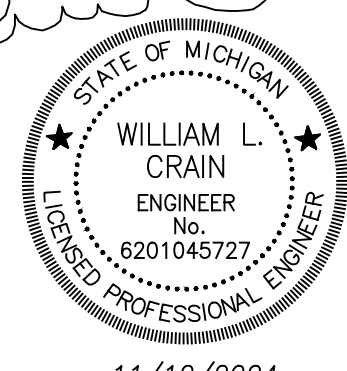
KENNEL ENLARGEMENT

PROPERTY DESCRIPTION:

PT NW¼ NW¼ SEC 26 T27N R11W COM NW SEC COR TH S 89DEG 27'E  
607.19' TH S 05DEG 58'W 255.55' TO POB TH S 05DEG 59'W 422.0' TH S  
89DEG 33'E 532.87' TH N 08DEG 54'W 110' TH N 01DEG 27'W 308.48' TH N  
88DEG 17'W 109.65' TH N 89DEG 27'W 390.47' TO POB CONTAINS 5.05  
ACRES

CONSTRUCTION NOTES

1. THE SOIL EROSION MEASURES SHOWN ARE THE MINIMUM CONTROLS TO BE USED ON THIS PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR TEMPORARY AND PERMANENT SOIL EROSION CONTROL MEASURES TO PROTECT THE DISTURBED AREAS AND ADJACENT PROPERTIES FROM ACCELERATED EROSION AND SEDIMENTATION RESULTING FROM PROJECT CONSTRUCTION AT NO ADDITIONAL COST TO THE OWNER.
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7. CMP CULVERTS SHALL HAVE A MINIMUM OF ONE-FOOT COVER FROM TOP OF PIPE UNLESS OTHERWISE SHOWN ON THE PLAN. THE COVER ABOVE THE PIPE SHALL BE CLEAN AND FREE OF ALL DEBRIS.
8. LIGHTING TO MEET GARFIELD TOWNSHIP DARK SKY ORDINANCE.
9. IRRIGATION TO BE INSTALLED FOR LANDSCAPED AREAS.
10. RETENTION BASIN SIDE SLOPES ARE 1 ON 2.5.



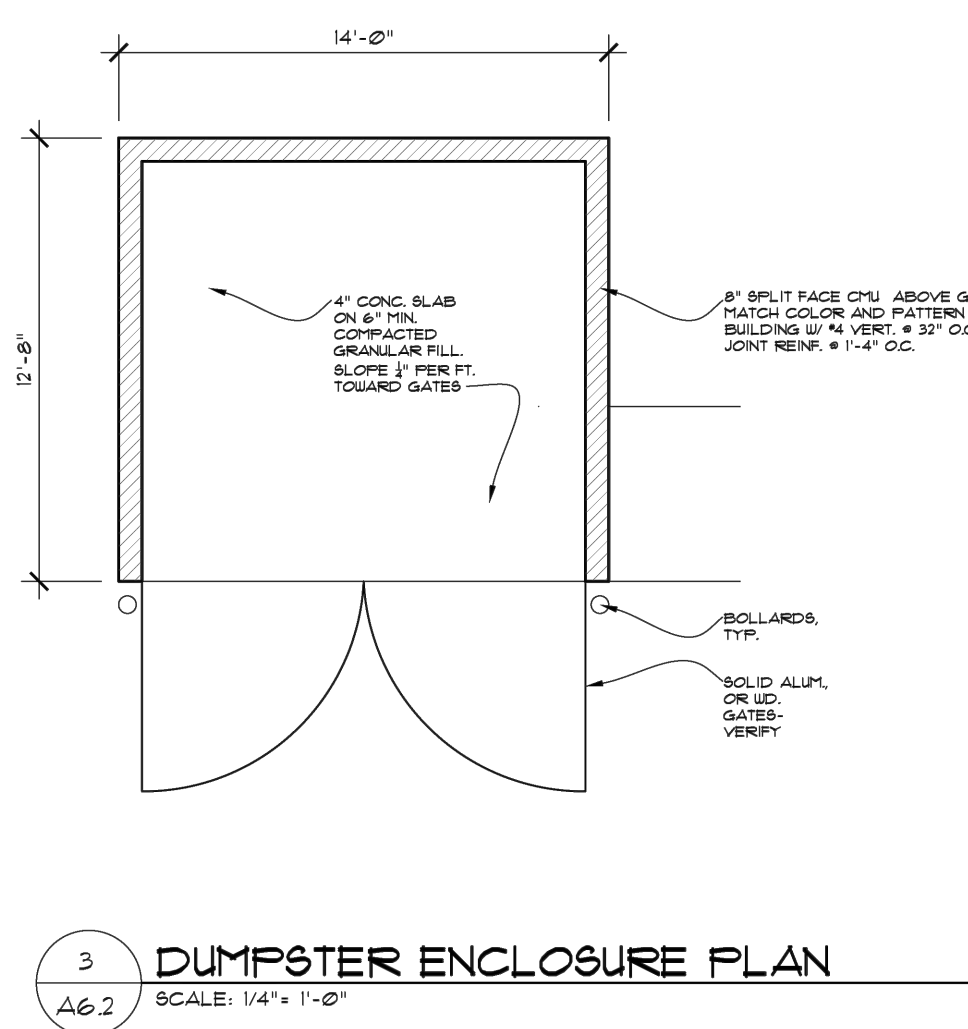
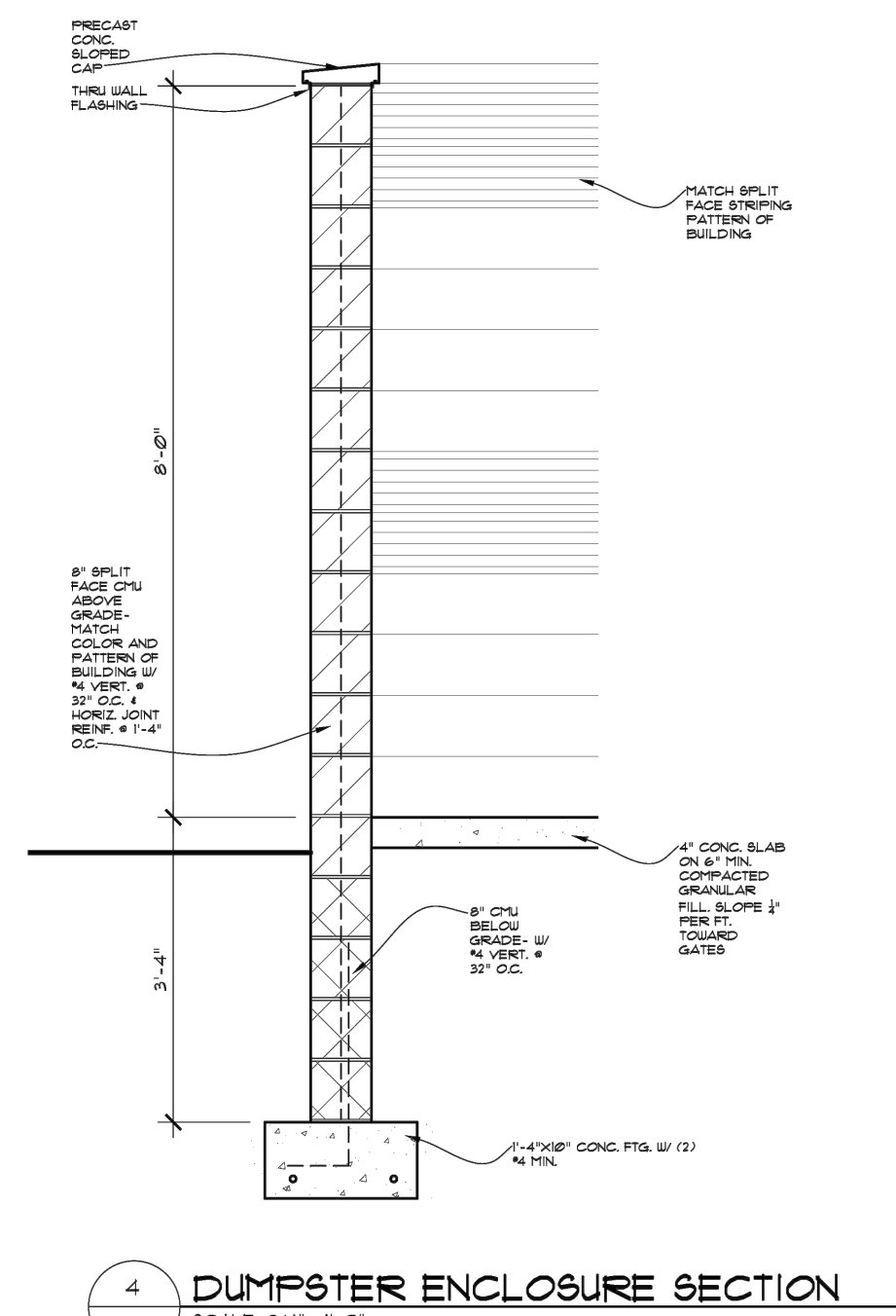
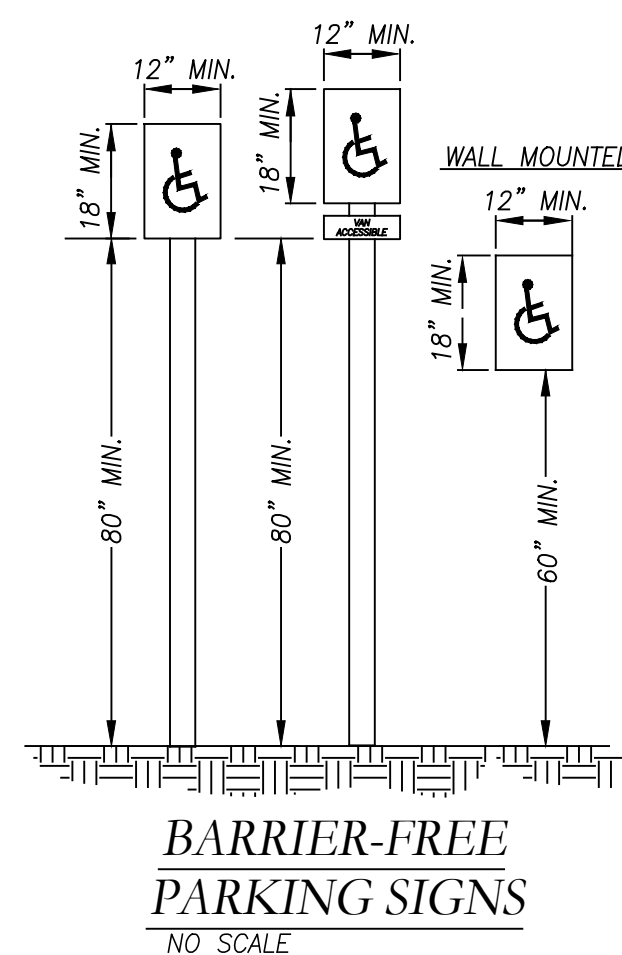
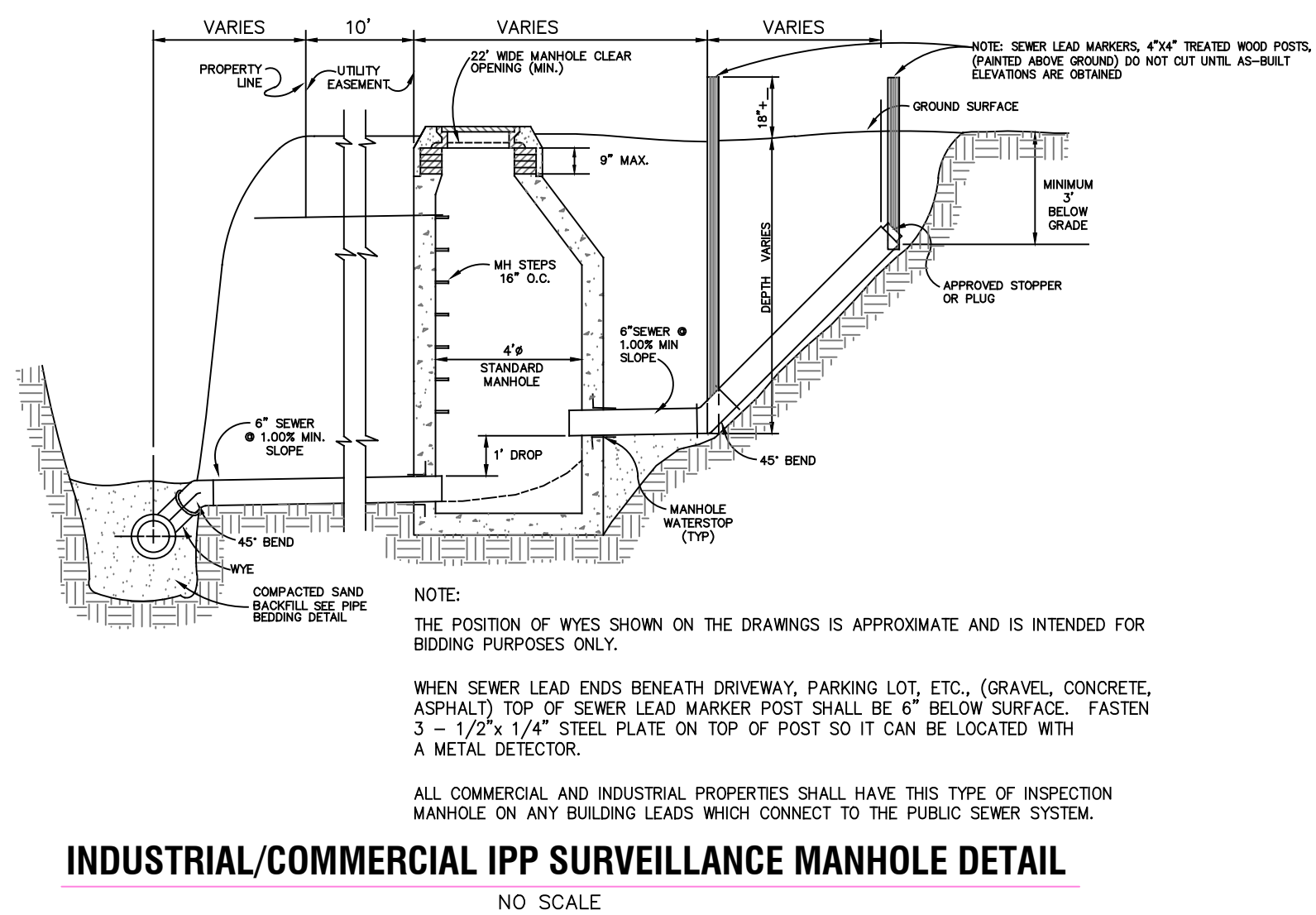
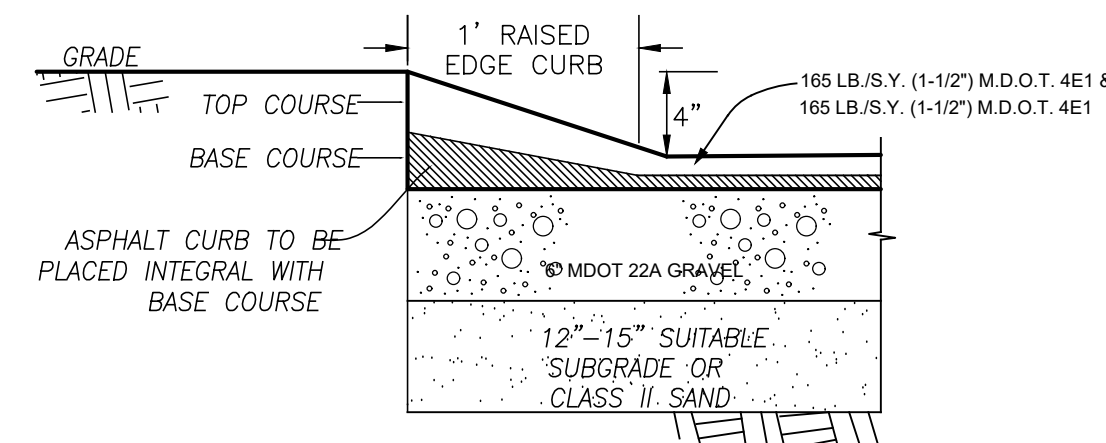
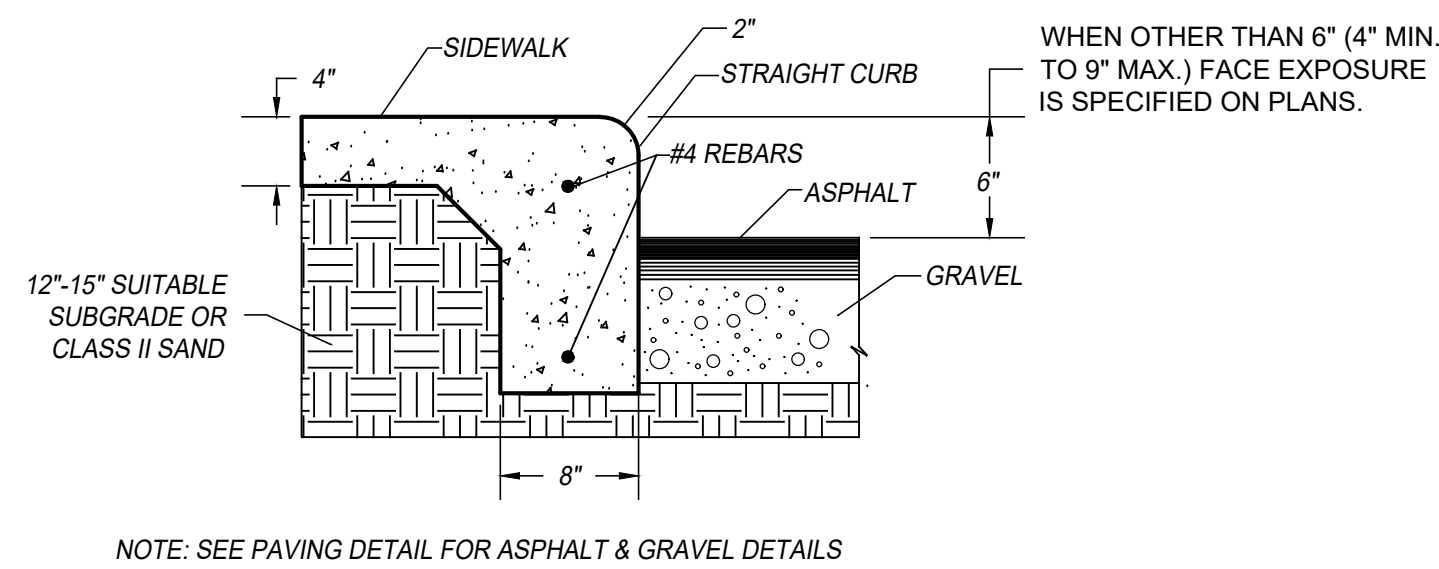
BENCHMARK  
"X" ON CONCRETE BASE OF LIGHTPOLE  
ELEV. = 730.90'

Crain Engineering, LLC  
Engineering, Consulting, & Design  
7622 Bott Road  
Buckley, MI 49620  
Cell: (231) 632-4207  
email: crainengineeringllc@gmail.com

**DRAINAGE PLAN**  
**CHERRYLAND HUMANE SOCIETY**  
SECTION 26 - TOWN 27 NORTH - RANGE 11 WEST  
GARFIELD TWP., GRAND TRAVERSE COUNTY, MICHIGAN

JOB NUMBER:  
**202723**  
SHEET **C-2**





	Area (sf)	CN	Description
	1,891	98	Paved parking, HSG B
	6,217	61	>75% Grass cover, Good, HSG B
*	1,335	98	BLDG
	9,443	74	Weighted Average
	6,217		65.84% Pervious Area
	3,226		34.16% Impervious Area

Summary for Pond P2: Basin #1

Inflow Area = 26,733 sf, 60.80% Impervious, Inflow Depth = 2.23" for 25-year event

Inflow = 2.76 cfs @ 11:50 hrs, Volume = 4,958 cf

Outflow = 0.00 cfs @ 1:00 hrs, Volume = 0 cf, Attenu= 100%, Lag= 0.0 min

Primary = 0.00 cfs @ 1:00 hrs, Volume = 0 cf

Routing by Stor-Ind method, Time Span= 1:00-72:00 hrs, dtr= 0.05 hrs

Peak Elev= 724.67' @ 24:05 hrs Surf Area= 4,759 sf Storage = 4,958 cf

Plug-Flow detention time= (not calculated: initial storage exceeds outflow)

Center-of-Mass det. time= (not calculated: no outflow)

Volume	Invert	Avail.Storage	Storage Description
#1	723.50'	18,651 cf	Custom Stage Data (Prismatic) Listed below (Recalc)
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
723.50	3,691	0	0
724.50	4,593	4,142	4,142
725.50	5,543	5,068	9,210
726.50	6,540	6,042	15,252
727.00	7,056	3,399	18,651

Device	Routing	Invert	Outlet Devices
#1	Primary	726.50'	45.0 deg x 5.0' long x 0.50' rise Sharp-Crested Vee/Trap Weir Cv= 2.56 (C= 3.20)

Primary Outflow Max= 0.00 cfs @ 1:00 hrs HW= 723.50' (Free Discharge)

↳=Sharp-Crested Vee/Trap Weir ( Controls 0.00 cfs)

Summary for Pond P2: BASIN #2

Inflow Area = 9,443 sf, 34.16% Impervious, Inflow Depth = 1.55" for 25-year event

Inflow = 0.69 cfs @ 11:50 hrs, Volume = 1,216 cf

Outflow = 0.00 cfs @ 1:00 hrs, Volume = 0 cf, Attenu= 100%, Lag= 0.0 min

Primary = 0.00 cfs @ 1:00 hrs, Volume = 0 cf

Routing by Stor-Ind method, Time Span= 1:00-72:00 hrs, dtr= 0.05 hrs

Peak Elev= 725.67' @ 24:05 hrs Surf Area= 1,848 sf Storage = 2,116 cf

Plug-Flow detention time= (not calculated: initial storage exceeds outflow)

Center-of-Mass det. time= (not calculated: no outflow)

Volume	Invert	Avail.Storage	Storage Description
#1	724.50'	8,114 cf	Custom Stage Data (Prismatic) Listed below (Recalc)
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
724.50	439	0	0
725.50	1,457	948	948
726.50	2,565	2,011	2,959
727.00	3,723	3,144	6,103
728.00	4,321	2,011	8,114

Device	Routing	Invert	Outlet Devices
#1	Primary	727.50'	45.0 deg x 5.0' long x 0.50' rise Sharp-Crested Vee/Trap Weir Cv= 2.56 (C= 3.20)

Primary Outflow Max= 0.00 cfs @ 1:00 hrs HW= 724.50' (Free Discharge)

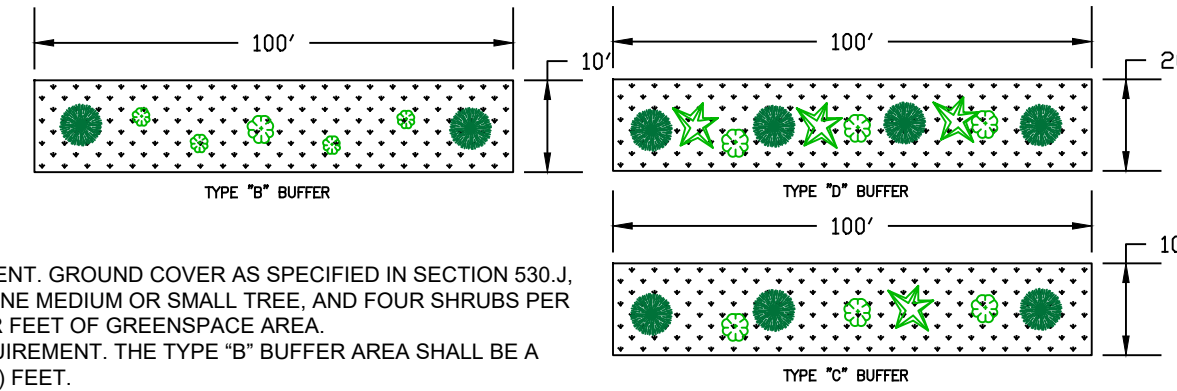
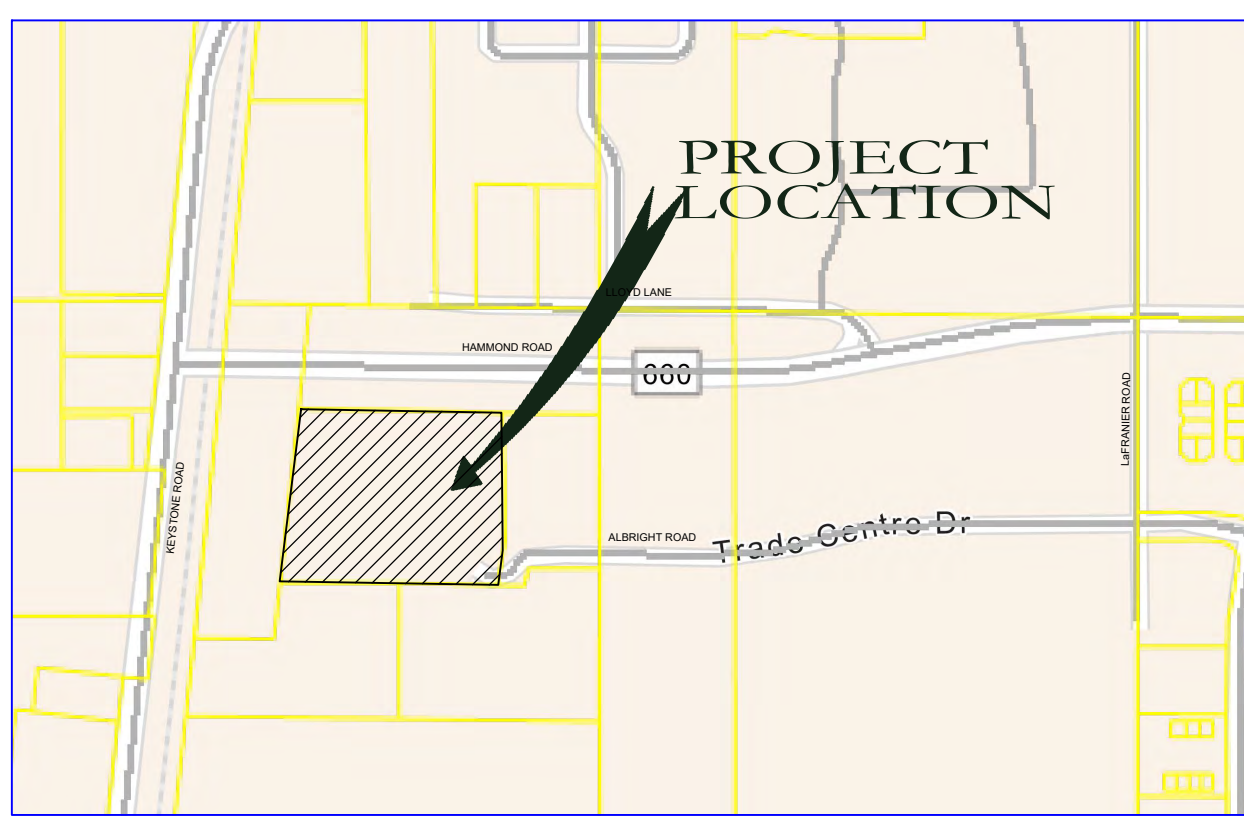
↳=Sharp-Crested Vee/Trap Weir ( Controls 0.00 cfs)



LANDSCAPING PLAN  
PART OF THE NW¼, NW¼, SEC. 26, T27N,  
R11W, GARFIELD TWP., GRAND TRAVERSE  
CO., MICHIGAN

SITE DATA

PROPERTY OWNER & APPLICANT:  
CHERRYLAND HUMANE SOCIETY  
1750 AHLBERG DRIVE  
TRAVERSE CITY, MI 49696  
  
PARCEL ADDRESS - 1750 AHLBERG DRIVE  
PARCEL ZONING - A-AGRICULTURAL  
PARCEL NUMBER - 05-026-00-20



TYPE 'B' BUFFER:  
(1) PLANTING REQUIREMENT. GROUND COVER AS SPECIFIED IN SECTION 530.J, PLUS TWO LARGE TREES, ONE MEDIUM OR SMALL TREE, AND FOUR SHRUBS PER ONE HUNDRED (100) LINEAR FEET OF GREENSPACE AREA.  
(2) MINIMUM WIDTH REQUIREMENT. THE TYPE 'B' BUFFER AREA SHALL BE A MINIMUM WIDTH OF TEN (10) FEET.

TYPE 'D' BUFFER:  
(1) PLANTING REQUIREMENT. GROUND COVER AS SPECIFIED IN SECTION 530.J, PLUS FOUR LARGE TREES, THREE MEDIUM OR SMALL TREES, AND THREE EVERGREEN OR CONIFEROUS TREES PER ONE HUNDRED (100) LINEAR FEET OF GREENSPACE AREA. MINIMUM WIDTH REQUIREMENT. THE TYPE 'D' BUFFER AREA SHALL BE A MINIMUM WIDTH OF TWENTY (20) FEET.

TYPE 'C' BUFFER:  
(1) PLANTING REQUIREMENT. GROUND COVER AS SPECIFIED IN SECTION 530.J, PLUS THREE LARGE TREES, THREE MEDIUM OR SMALL TREES, ONE EVERGREEN OR CONIFEROUS TREE PER ONE HUNDRED (100) LINEAR FEET OF GREEN SPACE AREA.  
(2) MINIMUM WIDTH REQUIREMENT. THE TYPE 'C' BUFFER AREA SHALL BE A MINIMUM WIDTH OF TEN (10)

- LANDSCAPING
- EVERGREENS & CONIFERS  
BLACK SPRUCE, BALSAH FIR
  - CANOPY TREES  
SUGAR MAPLE, NORTHERN RED OAK
  - GROUND COVER SHRUBS  
GROUND JUNIPER, MOUNTAIN HOLLY, SILKY DOGWOOD
  - SMALL TREES/FLowering TREES  
SHABLOW SERVICEBERRY, DOTTED HAWTHORN

PLANT MATERIAL REQUIREMENTS  
(1) PLANT MATERIALS, PROHIBITED, PERMITTED, AND RECOMMENDED SPECIES SHALL BE BASED ON THE CURRENT PUBLICATION OF THE GRAND TRAVERSE REGIONAL INVASIVE SPECIES NETWORK'S RECOMMENDED PLANTING GUIDELINES FOR GARFIELD TOWNSHIP (THE "ISN PLANTING GUIDELINES"). ALL PLANT MATERIAL SHALL BE HARDY TO THE GRAND TRAVERSE AREA, BE FREE OF DISEASE AND INSECTS, AND CONFORM TO THE AMERICAN STANDARD FOR NURSERY STOCK OF THE AMERICAN NURSERYMEN.  
(2) MIXTURE OF SPECIES. THE LANDSCAPE PLAN SHALL NOT CONTAIN MORE THAN TWENTY FIVE (25) PERCENT OF ANY SINGLE PLANT SPECIES, PER FEATURE. SPECIES SHALL BE PLANTED IN A STAGGERED PATTERN SO AS TO ELIMINATE WIDELY VISIBLE LOSS RESULTING FROM A SPECIES-SPECIFIC DISEASE EVENT. AT LEAST SEVENTY (70) PERCENT OF NEW PLANTINGS SHALL BE NATIVE.  
(3) NO ARTIFICIAL PLANT MATERIALS SHALL BE USED TO SATISFY THE REQUIREMENTS OF THIS SECTION.  
(4) PLANT MATERIALS REQUIRED BY THIS SECTION SHALL COMPLY WITH THE MINIMUM SIZE REQUIREMENTS OF TABLE 530.F AND ISN PLANTING GUIDELINES AT THE TIME OF INSTALLATION.

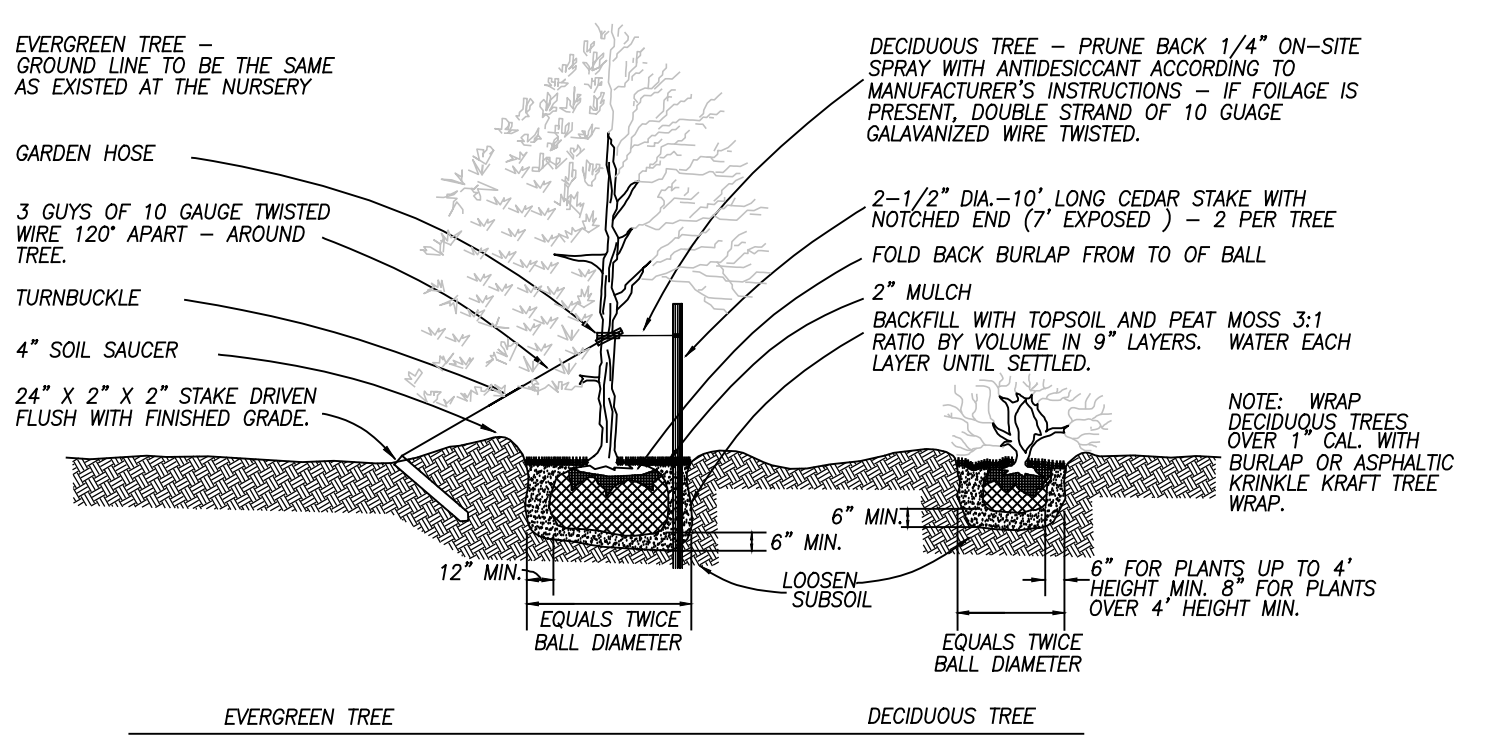
Minimum Greenspace Planting Specifications	
Landscape Feature	Minimum Plant Sizes
Canopy Trees	2 inch caliper
Evergreens and Conifers	6 feet in height; no caliper requirement
Flowering Trees	1-1/2 inch caliper for singletrunk trees; 6 feet in height for multi-trunk trees
Shrubs	5-gallon

PLANTINGS ALONG SOUTH PROPERTY LINE (532')  
REQUIRED: SHRUBS = 22 SHRUBS  
CANOPY TREES = 11 TREES  
MEDIUM TREES = 16 TREES  
PROVIDED: ALL EXISTING

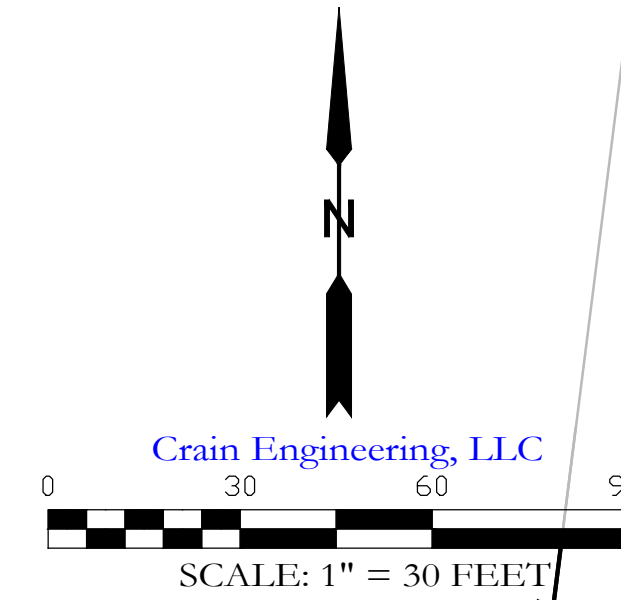
PLANTINGS ALONG NORTH PROPERTY LINE (500.1')  
REQUIRED: EVERGREEN = 15 TREES  
CANOPY TREES = 20 TREES  
MEDIUM TREES = 15 TREES  
PROVIDED: 15 EVERGREEN, 20 CANOPY & 15 MEDIUM EVERGREEN (PROPOSED), CANOPY (12 PROPOSED/8 EXISTING), MEDIUM (8 PROPOSED/7 EXISTING)

PLANTINGS ALONG EAST PROPERTY LINE (308')  
TYPE 'C' BUFFER  
REQUIRED: CANOPY TREES = 9 TREES  
MEDIUM TREES = 9 TREES  
EVERGREEN = 3 TREES  
PROVIDED: 6 CANOPY, 9 MEDIUM, 6 EVERGREEN (EXISTING)

PLANTINGS ALONG WEST PROPERTY LINE (422')  
REQUIRED: SHRUBS = 17 SHRUBS  
CANOPY TREES = 9 TREES  
MEDIUM TREES = 5 TREES  
PROVIDED: ALL EXISTING



PLANTING DETAIL - TREES AND SHRUBS  
NO SCALE



Crain Engineering, LLC  
SCALE: 1" = 30 FEET

05-026-007-00  
GRAND TRAVERSE COUNTY ROAD COMMISSION  
1881 LAFRANIER ROAD  
TRAVERSE CITY, MI 49696  
ZONING: A - AGRICULTURAL

05-026-008-10  
GRAND TRAVERSE COUNTY ROAD COMMISSION  
1881 LAFRANIER ROAD  
TRAVERSE CITY, MI 49696  
ZONING: A - AGRICULTURAL

05-026-008-15  
GRAND TRAVERSE COUNTY DPW  
2650 LAFRANIER ROAD  
TRAVERSE CITY, MI 49696  
ZONING: A - AGRICULTURAL

BENCHMARK  
"X" ON CONCRETE BASE OF LIGHTPOLE  
ELEV. = 730.90'

Crain Engineering, LLC  
Engineering, Consulting, & Design



DRWN BY: WLC  
DSGN BY: WLC  
DATE: 9-26-2023  
REV DATE: 4/11/2024 TWP REVIEW  
4/15/2024 TWP REVIEW  
5/5/2024 TWP REVIEW  
11/12/2024 PLANNING COMMISSION REVIEW

LANDSCAPE PLAN  
CHERRYLAND HUMANE SOCIETY

SECTION 26 - TOWN 27 NORTH - RANGE 11 WEST  
GARFIELD TWP., GRAND TRAVERSE COUNTY, MICHIGAN

JOB NUMBER:  
202723

SHEET L-1

Cell: (231) 632-4207  
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MECHANICAL  
ELECTRICAL  
PLUMBING



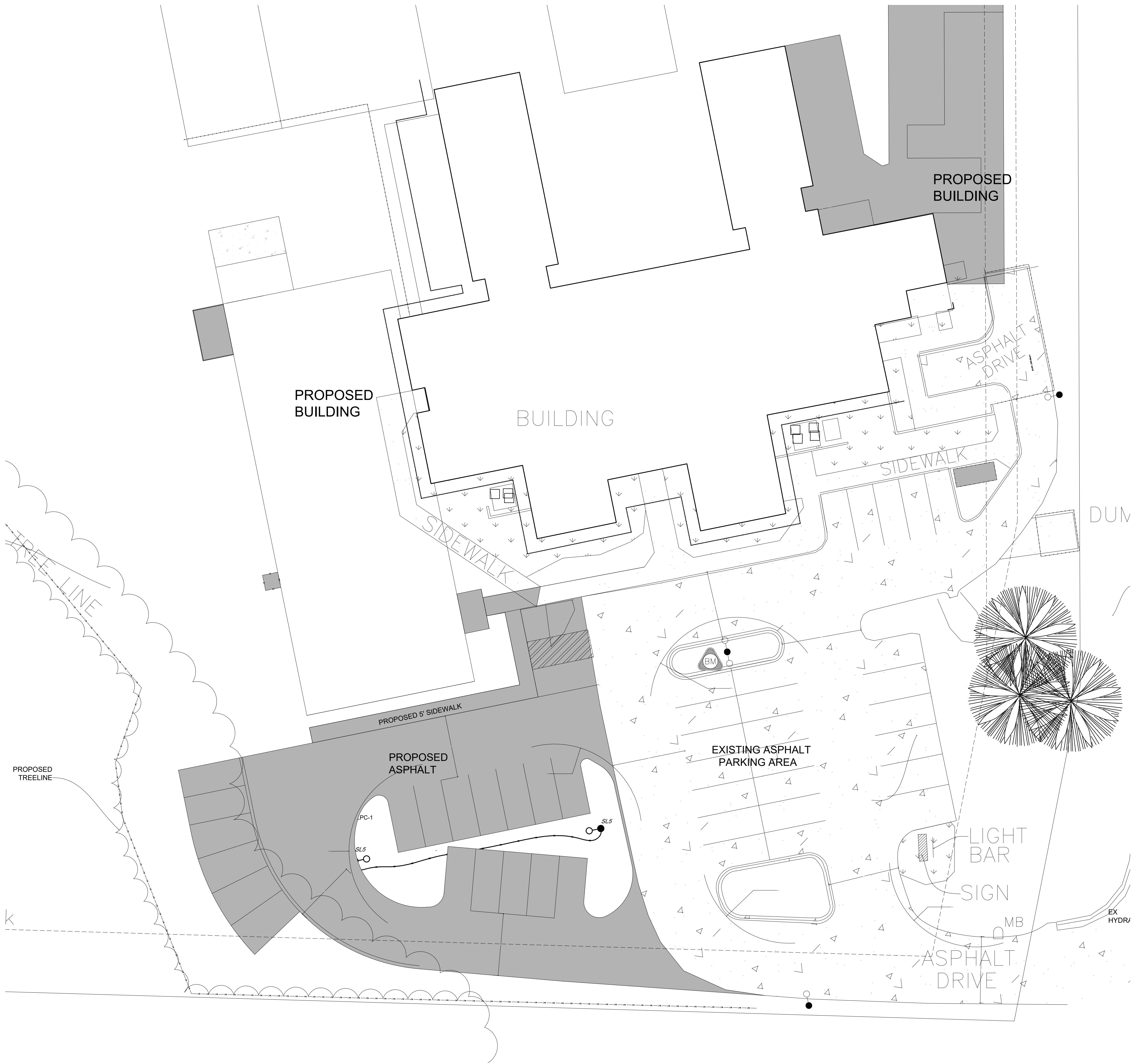
1419 Industry Drive  
Traverse City, MI 49696  
P 231.933.0510 F 231.933.3215  
W www.nealisengineering.com

PROJECT NAME/ADDRESS:  
ADDITION TO THE  
CHERRYLAND HUMANE  
SOCIETY

ISSUE DATES:	
date:	issued for:
5-26-23	Bidding & Construction
4-25-24	Construction

SHEET TITLE:  
ELECTRICAL  
SITE PLAN  
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SHEET NO:  
SE2.1



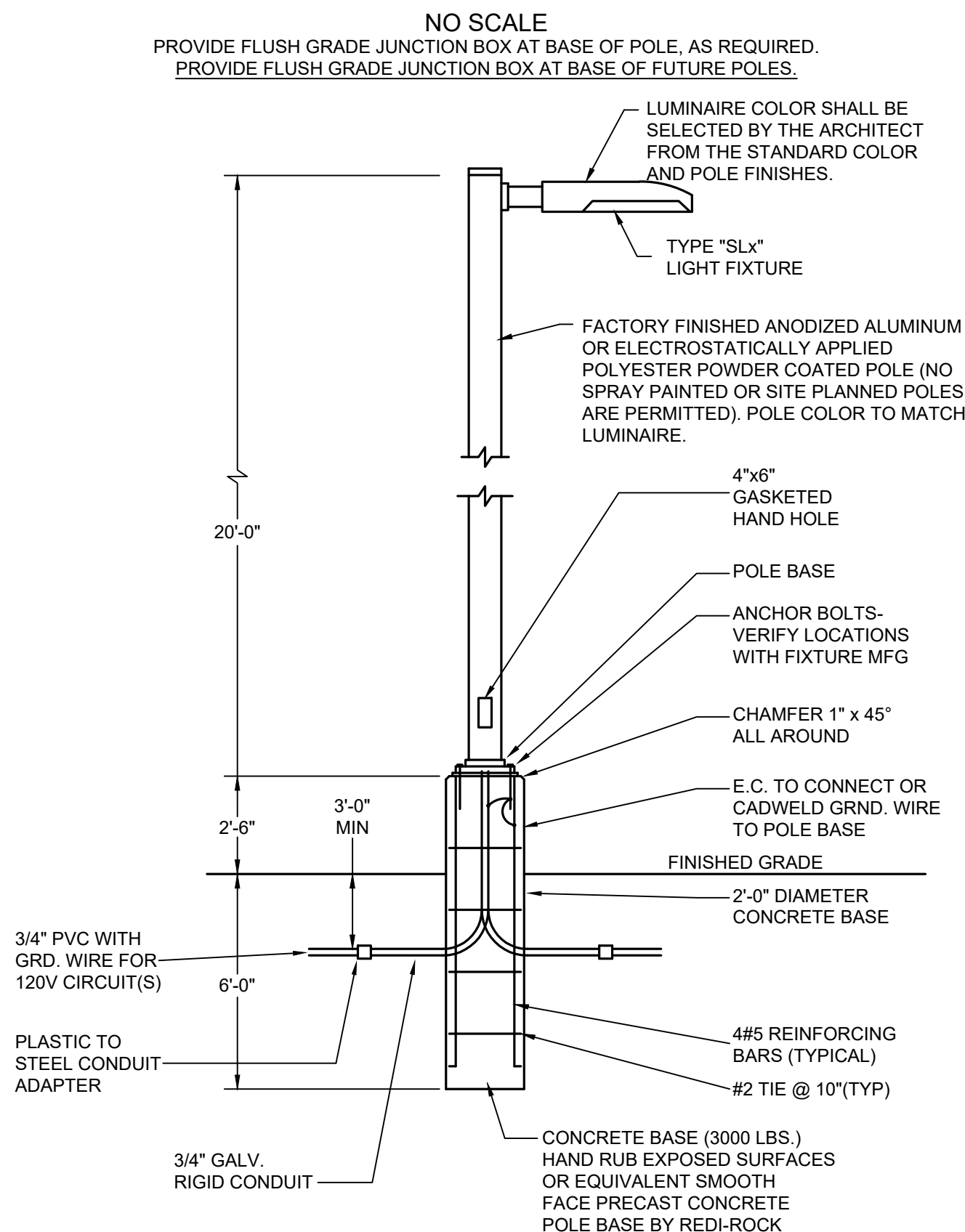
### NOTES:

1. PROPOSED FLUSH-GRADE JUNCTION BOX IN UNPAVED AREAS SHALL BE STANDARD JUNCTION BOX QUAZITE #PT1730BA18, 17"x30" POLYMER CONCRETE BOX WITH OPEN BOTTOM, UL-LISTED, TIER-8 APPLICATION, AND STANDARD GREY FINISH AND #PT1730CA0012 STANDARD COVER WITH 'COMMUNICATIONS' LABEL, OR #PT1730CA0017 STANDARD COVER WITH 'ELECTRIC' LABEL. JUNCTION BOXES SHALL BE PROVIDED WHERE NECESSARY, FOR EASE OF CONDUCTOR PULLING, TO LIMIT THE NUMBER OF CONDUIT BENDS TO LESS THAN 360°, ETC. JUNCTION BOXES SHALL BE PLACED IN UNPAVED AREAS.
2. ALL SITE COMMUNICATIONS CONDUITS SHALL BE PROVIDED WITH 48" SWEEPS.

### EXTERIOR LIGHTING CONTROL: SEQUENCE OF OPERATIONS

1. AUTOMATIC ON: LUMINAIRES TO TURN ON VIA INTEGRATED PHOTOCELLS WHEN NATURAL LIGHT LEVELS DROP BELOW A PRE-PROGRAMMED LEVEL.
2. PARTIAL OFF: LUMINAIRES TO REDUCE TO 50% OUTPUT VIA INTEGRATED MOTION DETECTORS AFTER THIRTY (30) MINUTES OF INACTIVITY.
3. AUTOMATIC FULL OFF: LUMINAIRES TO TURN OFF VIA INTEGRATED PHOTOCELLS WHEN NATURAL LIGHT LEVELS EXCEED A PRE-PROGRAMMED LEVEL.

### TYPE "SL5" LIGHT FIXTURE & CONCRETE BASE DETAIL

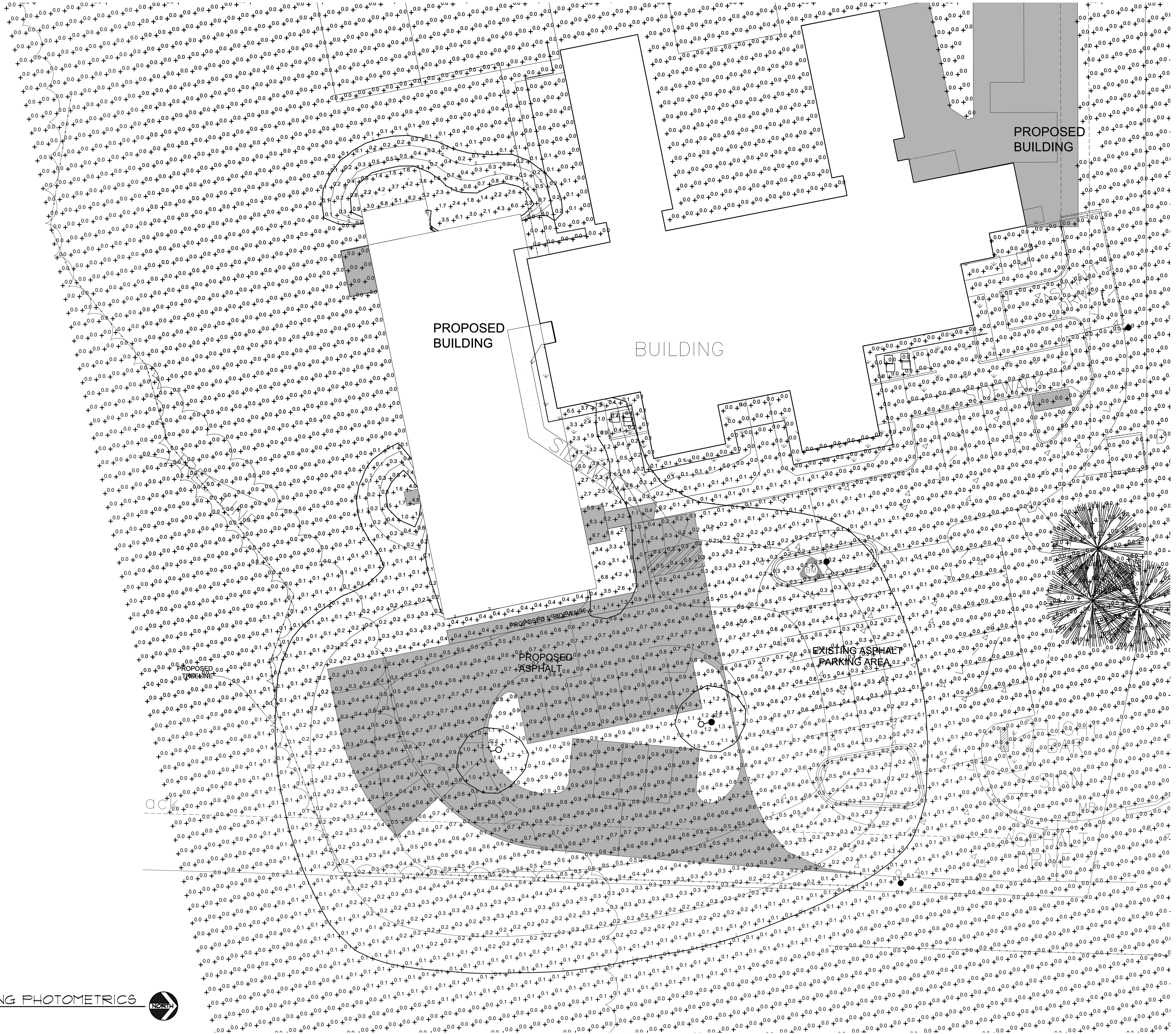


ELECTRICAL SITE PLAN

SCALE: 1/16" = 1'-0"







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PROJECT NAME/ADDRESS:  
ADDITION TO THE  
CHERRYLAND HUMANE  
SOCIETY

ISSUE DATES:

date:

8-26-23  
4-25-24

issued for:

Bidding & Construction  
Construction

SHEET TITLE:

SITE LIGHTING  
PHOTOMETRICS

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SHEET NO:

SLC





# RSX2 LED Area Luminaire

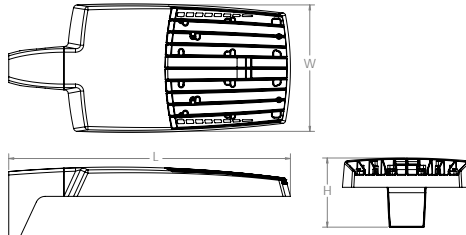


Catalog Number
Notes
Type

Hit the Tab key or mouse over the page to see all interactive elements.

## Specifications

EPA (ft²@0°):	0.69 ft² (0.06 m²)
Length:	29.3" (74.4 cm) (SPA mount)
Width:	13.4" (34.0 cm)
Height:	3.0" (7.6 cm) Main Body 7.2" (18.3 cm) Arm
Weight: (SPA mount)	30.0 lbs (13.6 kg)



## Introduction

The new RSX LED Area family delivers maximum value by providing significant energy savings, long life and outstanding photometric performance at an affordable price. The RSX2 delivers 11,000 to 31,000 lumens allowing it to replace 250W to 1000W HID luminaires.

The RSX features an integral universal mounting mechanism that allows the luminaire to be mounted on most existing drill hole patterns. This "no-drill" solution provides significant labor savings. An easy-access door on the bottom of mounting arm allows for wiring without opening the electrical compartment. A mast arm adaptor, adjustable integral slipfitter and other mounting configurations are available.



Items marked by a shaded background qualify for the Design Select program and ship in 15 days or less. To learn more about Design Select, visit [www.acuitybrands.com/designselect](http://www.acuitybrands.com/designselect).  
\*See ordering tree for details

## Ordering Information

**EXAMPLE:** RSX2 LED P6 40K R3 MVOLT SPA DDBXD

RSX2 LED					
Series	Performance Package	Color Temperature	Distribution	Voltage	Mounting
RSX2 LED	P1	30K 3000K	R2 Type 2 Wide	MVOLT (120V-277V) <sup>2</sup>	SPA Square pole mounting (3.0" min. SQ pole for 1 at 90°, 3.5" min. SQ pole for 2, 3, 4 at 90°)
	P2	40K 4000K	R3 Type 3 Wide	HVOLT (347V-480V) <sup>3</sup>	RPA Round pole mounting (3.2" min. dia. RND pole for 2, 3, 4 at 90°, 3.0" min. dia. RND pole for 1 at 90°, 2 at 180°, 3 at 120°)
	P3	50K 5000K	R3S Type 3 Short	XVOLT (277V-480V) <sup>4</sup>	MA Mast arm adaptor (fits 2-3/8" OD horizontal tenon)
	P4		R4 Type 4 Wide	(use specific voltage for options as noted)	IS Adjustable slipfitter (fits 2-3/8" OD tenon) <sup>6</sup>
	P5		R4S Type 4 Short	120 <sup>3</sup> 277 <sup>5</sup>	WBA Wall bracket <sup>1</sup>
	P6		R5 Type 5 Wide <sup>1</sup>	208 <sup>3</sup> 347 <sup>5</sup>	WBASC Wall bracket with surface conduit box
			R5S Type 5 Short <sup>1</sup>	240 <sup>3</sup> 480 <sup>5</sup>	AASP Adjustable tilt arm square pole mounting <sup>6</sup>
			AFR Automotive Front Row		AARP Adjustable tilt arm round pole mounting <sup>6</sup>
			AFRR90 Automotive Front Row Right Rotated		AAWB Adjustable tilt arm with wall bracket <sup>6</sup>
			AFRL90 Automotive Front Row Left Rotated		AAWSC Adjustable tilt arm wall bracket and surface conduit box <sup>6</sup>

Options		Finish
<b>Shipped Installed</b>		DDBXD Dark Bronze
HS House-side shield <sup>7</sup>		DBLXD Black
PE Photocontrol, button style <sup>8,9</sup>		DNAXD Natural Aluminum
PER7 Seven-wire twist-lock receptacle only (no controls) <sup>9,10,11</sup>		DWHXD White
SF Single fuse (120, 277, 347) <sup>5</sup>		DBBTXD Textured Dark Bronze
DF Double fuse (208, 240, 480) <sup>5</sup>		DBLBXD Textured Black
SPD20KV 20KV Surge pack (10KV standard)		DNATXD Textured Natural Aluminum
FAO Field adjustable output <sup>9</sup>		DWHGXD Textured White
DMG 0-10V dimming extend out back of housing for external control (control ordered separate) <sup>9</sup>		
DS Dual switching <sup>9,12</sup>		
<b>Shipped Installed</b>		
<b>*Standalone and Networked Sensors/Controls (factory default settings, see table page 9)</b>		
NLTAIR2 PIRHN nLight AIR generation 2, with Networked, Bi-Level motion/ambient sensor <sup>9,13,14,15</sup>		
BAA Buy America(n) Act and/or Build America Buy America Qualified		
CCE Coastal Construction <sup>16</sup>		
<b>*Note: NLTAIR2 PIRHN with nLight Air can be used as a standalone dimming sensor with out-of-box settings or as a wireless networked solution. See factory default settings table. Sensor coverage pattern is affected when luminaire is tilted.</b>		
<b>Shipped Separately (requires some field assembly)</b>		
EGS External glare shield <sup>7</sup>		
EGFV External glare full visor (360° around light aperture) <sup>7</sup>		
BS Bird spikes <sup>17</sup>		





## Ordering Information

### Accessories

Ordered and shipped separately.

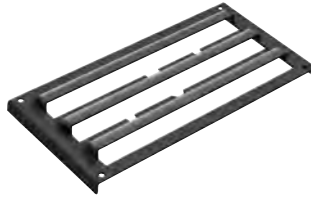
RSX2HS	RSX2 House side shield (includes 2 shields)
RSX2EGS (FINISH) U	External glare shield (specify finish)
RSX2HSAFRR (FINISH) U	RSX2 House side shields for AFR rotated optics (includes 2 shields)
RSX2EGFV (FINISH) U	External glare full visor (specify finish)
RSXRPA (FINISH) U	RSX Universal round pole adaptor plate (specify finish)
RSXWBA (FINISH) U	RSX WBA wall bracket (specify finish) <sup>1</sup>
RSXSGB (FINISH) U	RSX Surface conduit box (specify finish, for use with WBA, WBA not included)
DLL127F 1.5 JU	Photocell -SSL twist-lock (120-277V) <sup>18</sup>
DLL347F 1.5 CUL JU	Photocell -SSL twist-lock (347V) <sup>18</sup>
DLL480F 1.5 CUL JU	Photocell -SSL twist-lock (480V) <sup>18</sup>
DSHORT SBK U	Shorting cap <sup>18</sup>

### NOTES

- Any Type 5 distribution, is not available with WBA.
- MVOLT driver operates on any line voltage from 120-277V (50/60 Hz).
- HVOLT driver operates on any line voltage from 347-480V (50/60 Hz).
- XVOLT driver not available with P1. XVOLT driver operates on any line voltage from 277V-480V (50/60 Hz). XVOLT not available with fusing (SF or DF) and not available with PE.
- Single fuse (SF) requires 120V, 277V or 347V. Double fuse (DF) requires 208V, 240V or 480V.
- Maximum tilt is 90° above horizontal.
- It may be ordered as an accessory.
- Requires MVOLT or 347V.
- Two or more of the following options cannot be combined including PE, DMG, PER7, FAO, DS and NLTAIR2 PIRHN. Exception: PE and FAO can be combined; also PE and DMG can be combined.
- Compatible with standard twist-lock photocells for dusk to dawn operation or advanced control nodes that provide 0-10V dimming signals. Wire 4/Wire 5 wired to dimming leads on driver. Wire6/Wire7 capped inside luminaire. Twistlock photocell ordered and shipped

- as a separate line item from Acuity Brands Controls. See accessories. Shorting Cap included.
- For units with option PER7, the mounting must be restricted to +/- 45° from horizontal aim per ANSI C136.10-2010.
  - DS requires (2) separately switched circuits. DS provides 50/50 fixture operation via (2) different sets of leads using (2) drivers. DS only available with packages P5 and P6.
  - Must be ordered with PIRHN.
  - Requires MVOLT or HVOLT.
  - Must be ordered with NLTAIR2. For additional information on PIRHN visit [here](#).
  - CCE option not available with WBA, WBASC, AASP, AARP, AAWB, AAWBSC, EGS, EGFV and BS.
  - Must be ordered with fixture for factory pre-drilling.
  - Requires luminaire to be specified with PER7 option. Ordered and shipped as a separate line item from Acuity Brands Controls.

## External Shields



House Side Shield



External Glare Shield

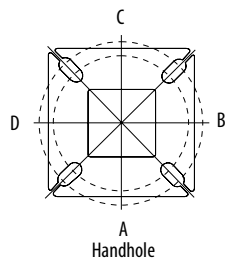


External 360 Full Visor

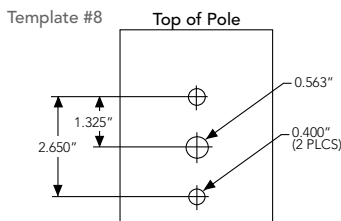
## Pole/Mounting Information

Accessories including bullhorns, cross arms and other adaptors are available under the accessories tab at Lithonia's Outdoor Poles and Arms product page. Click here to visit [Accessories](#).

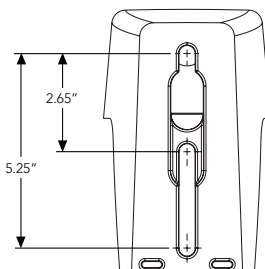
### HANDHOLE ORIENTATION



### RSX POLE DRILLING



### RSX STANDARD ARM & ADJUSTABLE ARM



### Round Tenon Mount - Pole Top Slipfitters










Tenon O.D.	RSX Mounting	Single	2 at 180°	2 at 90°	3 at 120°	3 at 90°	4 at 90°
2 - 3/8"	RPA, AARP	AS3-5 190	AS3-5 280	AS3-5 290	AS3-5 320	AS3-5 390	AS3-5 490
2 - 7/8"	RPA, AARP	AST25-190	AST25-280	AST25-290	AST25-320	AST25-390	AST25-490
4"	RPA, AARP	AST35-190	AST35-280	AST35-290	AST35-320	AST35-390	AST35-490

### Drill/Side Location by Configuration Type

Drilling Template	Mounting Option	Single	2 @ 180	2 @ 90	3 @ 120	3 @ 90	4 @ 90
	Head Location	Side B	Side B & D	Side B & C	Round Pole Only	Side B, C & D	Side A, B, C & D
#8	Drill Nomenclature	DM19AS	DM28AS	DM29AS	DM32AS	DM39AS	DM49AS

### RSX2 - Luminaire EPA

\*Includes luminaire and integral mounting arm. Other tenons, arms, brackets or other accessories are not included in this EPA data.

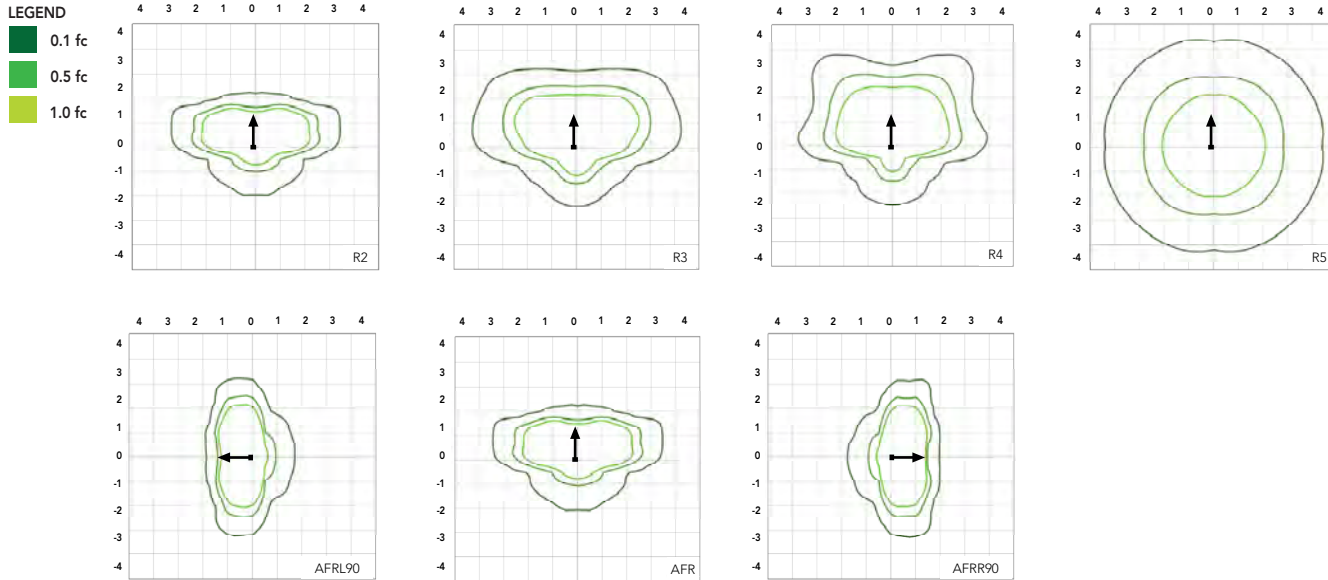
Fixture Quantity & Mounting Configuration		Single	2 @ 90	2 @ 180	3 @ 90	3 @ 120	4 @ 90	2 Side by Side	3 Side by Side	4 Side by Side
Mounting Type	Tilt									
SPA - Square Pole Adaptor	0 °	0.69	1.22	1.27	1.8	1.61	2.39	1.37	2.06	2.74
RPA - Round Pole Adaptor		0.74	1.27	1.37	1.9	1.71	2.49	1.42	2.16	2.84
MA - Mast Arm Adaptor		0.61	1.14	1.11	1.64	1.45	2.23	1.29	1.9	2.58
IS - Integral Slipfitter AASP/AARP - Adjustable Arm Square/Round Pole	0 °	0.69	1.22	1.27	1.8	1.61	2.39	1.37	2.06	2.74
	10°	0.53	1.06	1.05	1.58	1.37	2.08	1.06	1.59	2.12
	20°	0.52	1.02	1.03	1.52	1.33	2.02	1.03	1.55	2.07
	30°	0.64	1.11	1.18	1.63	1.45	2.21	1.27	1.91	2.54
	40°	0.81	1.21	1.35	1.74	1.65	2.39	1.62	2.43	3.23
	45°	0.91	1.25	1.5	1.81	1.75	2.48	1.82	2.73	3.64
	50°	1.34	1.83	2.17	2.61	2.56	3.62	2.68	4.02	5.36
	60°	2.2	2.97	3.57	4.24	4.17	5.89	4.41	6.61	8.82
	70°	2.86	4.13	4.7	5.89	5.71	8.21	5.71	8.57	11.42
	80°	3.4	5.13	5.67	7.34	7.09	10.21	6.79	10.19	13.59
90°	3.85	5.96	6.55	8.58	8.31	11.88	7.70	11.56	15.41	



## Photometric Diagrams

To see complete photometric reports or download .ies files for this product, visit Lithonia Lighting's RSX Area homepage.

Isofootcandle plots for the RSX2 LED P6 40K. Distances are in units of mounting height (30').



## Performance Data

### Lumen Ambient Temperature (LAT) Multipliers

Use these factors to determine relative lumen output for average ambient temperatures from 0-50°C (32-122°F).

Ambient	Ambient	Lumen Multiplier
0°C	32°F	1.05
5°C	41°F	1.04
10°C	50°F	1.03
15°C	59°F	1.02
20°C	68°F	1.01
25°C	77°F	1.00
30°C	86°F	0.99
35°C	95°F	0.98
40°C	104°F	0.97
45°C	113°F	0.96
50°C	122°F	0.95

### Electrical Load

Performance Package	System Watts (W)	Current (A)					
		120V	208V	240V	277V	347V	480V
P1	71W	0.59	0.34	0.30	0.26	0.20	0.15
P2	111W	0.93	0.53	0.46	0.40	0.32	0.23
P3	147W	1.23	0.70	0.61	0.53	0.42	0.31
P4	187W	1.55	0.90	0.78	0.68	0.53	0.38
P5	210W	1.75	1.01	0.87	0.76	0.60	0.44
P6	244W	2.03	1.17	1.01	0.88	0.70	0.51

### Projected LED Lumen Maintenance

Operating Hours	50,000	75,000	100,000
Lumen Maintenance Factor	>0.97	>0.95	>0.92

Values calculated according to IESNA TM-21-11 methodology and valid up to 40°C.



COMMERCIAL OUTDOOR

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Lithonia RSX2 Area LED  
Rev. 10/09/24  
Page 3 of 9



## Performance Data

### Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Contact factory for performance data on any configurations not shown here.

Performance Package	System Watts	Distribution. Type	30K (3000K, 70 CRI)					40K (4000K, 70 CRI)					50K (5000K, 70 CRI)				
			Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW
P1	71W	R2	10,040	2	0	1	139	11,031	2	0	1	153	11,031	2	0	1	153
		R3	10,005	2	0	2	141	10,992	2	0	2	155	10,992	2	0	2	155
		R3S	10,271	2	0	2	143	11,285	2	0	2	157	11,285	2	0	2	157
		R4	10,136	2	0	2	143	11,136	2	0	2	157	11,136	2	0	2	157
		R4S	9,779	2	0	2	138	10,744	2	0	2	151	10,744	2	0	2	151
		R5	10,271	4	0	2	145	11,285	4	0	2	159	11,285	4	0	2	159
		R5S	10,544	3	0	1	149	11,585	3	0	2	163	11,585	3	0	2	163
		AFR	10,026	2	0	1	141	11,016	2	0	1	155	11,016	2	0	1	155
		AFRR90	10,122	3	0	2	140	11,121	3	0	2	154	11,121	3	0	2	154
		AFRL90	10,164	3	0	2	141	11,167	3	0	2	155	11,167	3	0	2	155
P2	111W	R2	15,712	2	0	2	138	17,263	2	0	2	151	17,263	2	0	2	151
		R3	15,657	2	0	3	141	17,202	3	0	3	155	17,202	3	0	3	155
		R3S	16,075	2	0	2	141	17,661	2	0	2	155	17,661	2	0	2	155
		R4	15,862	2	0	3	143	17,427	2	0	3	157	17,427	2	0	3	157
		R4S	15,304	2	0	2	138	16,815	2	0	2	151	16,815	2	0	2	151
		R5	16,075	4	0	2	145	17,661	5	0	3	159	17,661	5	0	3	159
		R5S	16,502	4	0	2	149	18,130	4	0	2	163	18,130	4	0	2	163
		AFR	15,691	2	0	2	141	17,240	2	0	2	155	17,240	2	0	2	155
		AFRR90	15,841	3	0	3	139	17,404	4	0	3	153	17,404	4	0	3	153
		AFRL90	15,907	3	0	3	139	17,477	4	0	3	153	17,477	4	0	3	153
P3	147W	R2	19,855	3	0	2	132	21,814	3	0	2	145	21,814	3	0	2	145
		R3	19,785	3	0	3	135	21,737	3	0	4	148	21,737	3	0	4	148
		R3S	20,312	3	0	3	135	22,317	3	0	3	149	22,317	3	0	3	149
		R4	20,044	3	0	3	136	22,022	3	0	4	150	22,022	3	0	4	150
		R4S	19,339	3	0	3	132	21,247	3	0	3	145	21,247	3	0	3	145
		R5	20,313	5	0	3	138	22,317	5	0	3	152	22,317	5	0	3	152
		R5S	20,852	4	0	2	142	22,910	4	0	2	156	22,910	4	0	2	156
		AFR	19,828	3	0	2	135	21,785	3	0	2	148	21,785	3	0	2	148
		AFRR90	20,017	4	0	3	133	21,992	4	0	3	147	21,992	4	0	3	147
		AFRL90	20,101	4	0	3	134	22,084	4	0	3	147	22,084	4	0	3	147
P4	187W	R2	22,836	3	0	2	120	25,090	3	0	2	132	25,090	3	0	2	132
		R3	22,756	3	0	4	122	25,002	3	0	4	134	25,002	3	0	4	134
		R3S	23,363	3	0	3	123	25,668	3	0	3	135	25,668	3	0	3	135
		R4	23,054	3	0	4	123	25,329	3	0	4	135	25,329	3	0	4	135
		R4S	22,243	3	0	3	119	25,059	3	0	3	134	25,059	3	0	3	134
		R5	23,363	5	0	3	125	25,669	5	0	4	137	25,669	5	0	4	137
		R5S	23,983	4	0	2	128	26,350	4	0	2	141	26,350	4	0	2	141
		AFR	22,806	3	0	2	122	25,056	3	0	2	134	25,056	3	0	2	134
		AFRR90	23,023	4	0	3	121	25,295	4	0	3	133	25,295	4	0	3	133
		AFRL90	23,120	4	0	3	122	25,401	4	0	3	134	25,401	4	0	3	134
P5	210W	R2	26,141	3	0	2	122	28,721	3	0	2	135	28,721	3	0	2	135
		R3	26,049	3	0	4	124	28,620	3	0	4	136	28,620	3	0	4	136
		R3S	26,744	3	0	3	125	29,383	3	0	4	138	29,383	3	0	4	138
		R4	26,390	3	0	4	126	28,994	3	0	4	138	28,994	3	0	4	138
		R4S	25,462	3	0	3	121	27,974	3	0	3	133	27,974	3	0	3	133
		R5	26,744	5	0	4	127	29,383	5	0	4	140	29,383	5	0	4	140
		R5S	27,454	4	0	2	131	30,163	4	0	2	144	30,163	4	0	2	144
		AFR	26,106	3	0	2	124	28,682	3	0	2	137	28,682	3	0	2	137
		AFRR90	26,354	4	0	3	123	28,955	5	0	3	136	28,955	5	0	3	136
		AFRL90	26,465	4	0	3	124	29,077	5	0	3	136	29,077	5	0	3	136
P6	244W	R2	27,646	3	0	2	112	30,374	3	0	2	123	30,374	3	0	2	123
		R3	27,549	3	0	4	113	30,267	3	0	4	124	30,267	3	0	4	124
		R3S	28,283	3	0	3	115	31,075	3	0	4	126	31,075	3	0	4	126
		R4	27,909	3	0	4	114	30,663	3	0	4	126	30,663	3	0	4	126
		R4S	26,928	3	0	3	110	29,585	3	0	3	121	29,585	3	0	3	121
		R5	28,284	5	0	4	116	31,075	5	0	4	127	31,075	5	0	4	127
		R5S	29,035	4	0	2	119	31,900	5	0	3	131	31,900	5	0	3	131
		AFR	27,608	3	0	2	112	30,332	3	0	2	123	30,332	3	0	2	123
		AFRR90	27,872	4	0	3	113	30,622	5	0	3	124	30,622	5	0	3	124
		AFRL90	27,989	4	0	3	113	30,751	5	0	3	125	30,751	5	0	3	125

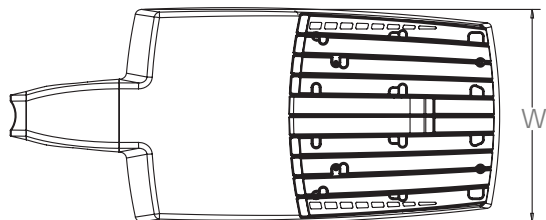


## Dimensions & Weights

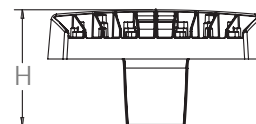
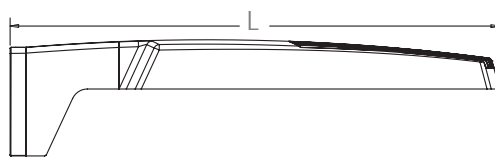
### Luminaire Weight by Mounting Type

Mounting Configuration	Total Luminaire Weight
SPA	30 lbs
RPA	32 lbs
MA	30 lbs
WBA	33 lbs
WBASC	36 lbs
IS	33 lbs
AASP	33 lbs
AARP	35 lbs
AAWB	36 lbs
AAWSC	39 lbs

### RSX2 with Round Pole Adapter (RPA)



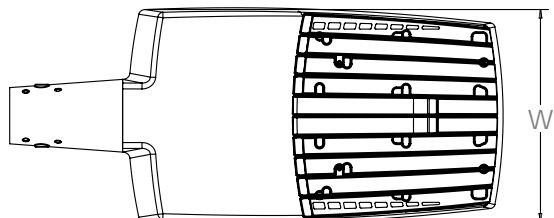
Length: 30.3" (77.0 cm)  
 Width: 13.4" (34.0 cm)  
 Height: 3.0" (7.6 cm) Main Body  
 7.2" (18.3 cm) Arm



Note: RPA — Round Pole mount can also be used to mount on square poles by omitting the round pole adapter plate shown here.



### RSX2 with Mast Arm Adapter (MA)

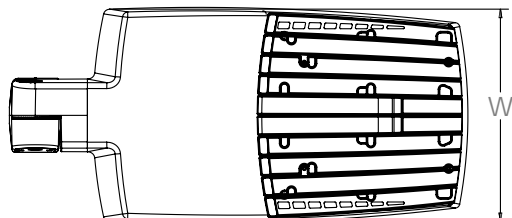


Length: 30.6" (77.7 cm)  
 Width: 13.4" (34.0 cm)  
 Height: 3.0" (7.6 cm) Main Body  
 3.5" (8.9 cm) Arm

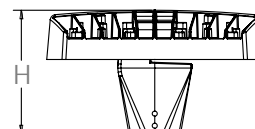
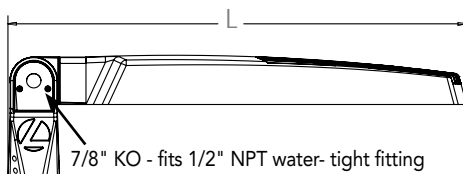


7/16" locking thru bolt/nut provided

### RSX2 with Adjustable Slipfitter (IS)



Length: 28.3" (71.9 cm)  
 Width: 13.4" (34.0 cm)  
 Height: 3.0" (7.6 cm) Main Body  
 7.6" (19.3 cm) Arm

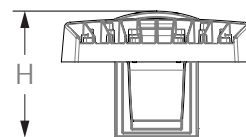
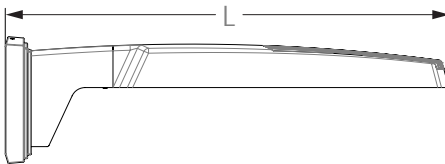
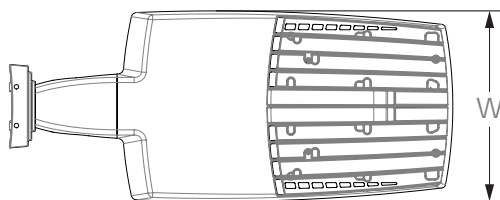


7/8" KO - fits 1/2" NPT water-tight fitting



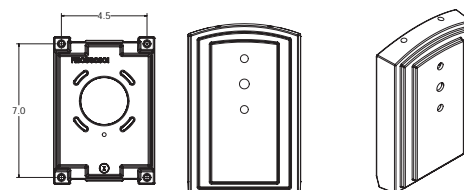
## Dimensions

### RSX2 with Wall Bracket (WBA)

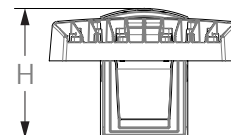
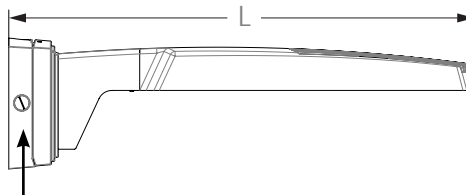
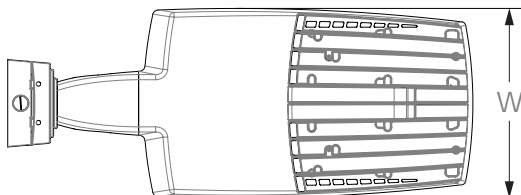


Length: 31.2" (79.2 cm)  
 Width: 13.4" (41.7 cm)  
 Height: 3.0" (7.6 cm) Main Body  
 8.9" (22.6 cm) Arm

#### Wall Bracket (WBA) Mounting Detail



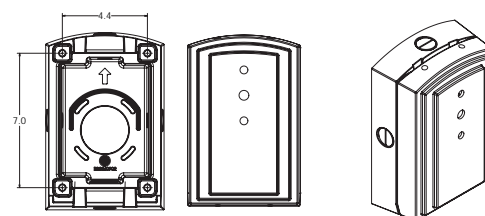
### RSX2 with Wall Bracket with Surface Conduit Box (WBASC)



3/4" NPT taps with plugs - Qty (4) provided

Length: 32.8" (83.3 cm)  
 Width: 13.4" (41.7 cm)  
 Height: 3.0" (7.6 cm) Main Body  
 9.2" (23.4 cm) Arm

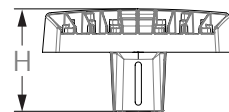
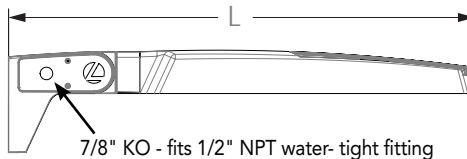
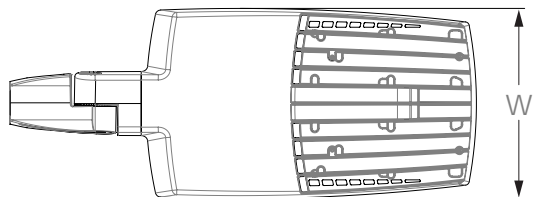
#### Surface Conduit Box (SCB) Mounting Detail



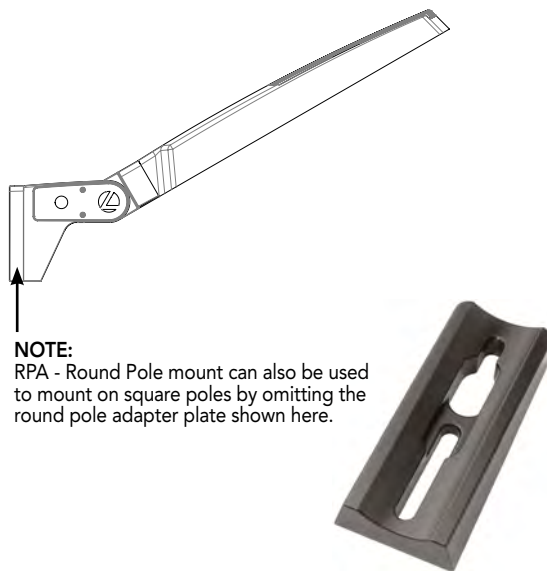


## Dimensions

### RSX2 with Adjustable Tilt Arm - Square or Round Pole (AASP or AARP)



Length: 32.8" (83.3 cm) **AASP**  
 33.8" (85.9 cm) **AARP**  
 Width: 13.4" (34.0 cm)  
 Height: 3.0" (7.6 cm) Main Body  
 7.2" (18.2 cm) Arm



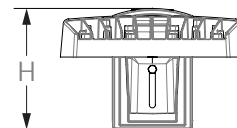
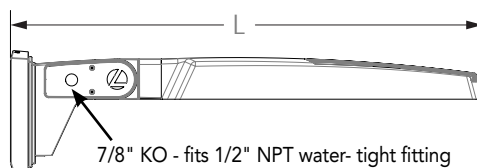
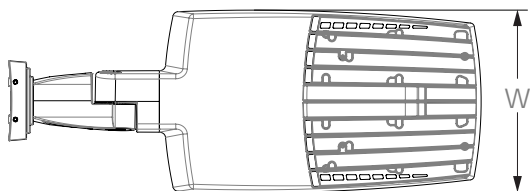
**NOTE:**  
 RPA - Round Pole mount can also be used to mount on square poles by omitting the round pole adapter plate shown here.

#### Notes

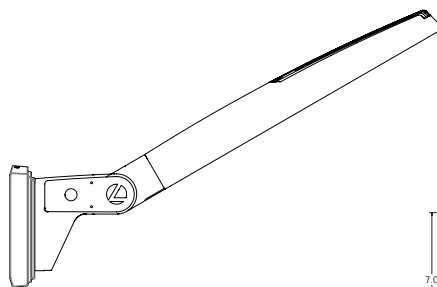
AASP: Requires 3.0" min. square pole for 1 at 90°. Requires 3.5" min. square pole for mounting 2, 3, 4 at 90°.

AARP: Requires 3.2" min. dia. round pole for 2, 3, 4 at 90°. Requires 3.0" min. dia. round pole for mounting 1 at 90°, 2 at 180°, 3 at 120°.

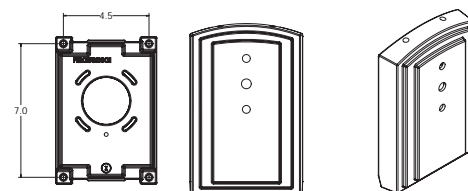
### RSX2 with Adjustable Tilt Arm with Wall Bracket (AAWB)



Length: 34.7" (88.0 cm)  
 Width: 13.4" (34.0 cm)  
 Height: 3.0" (7.6 cm) Main Body  
 8.9" (22.6 cm) Arm



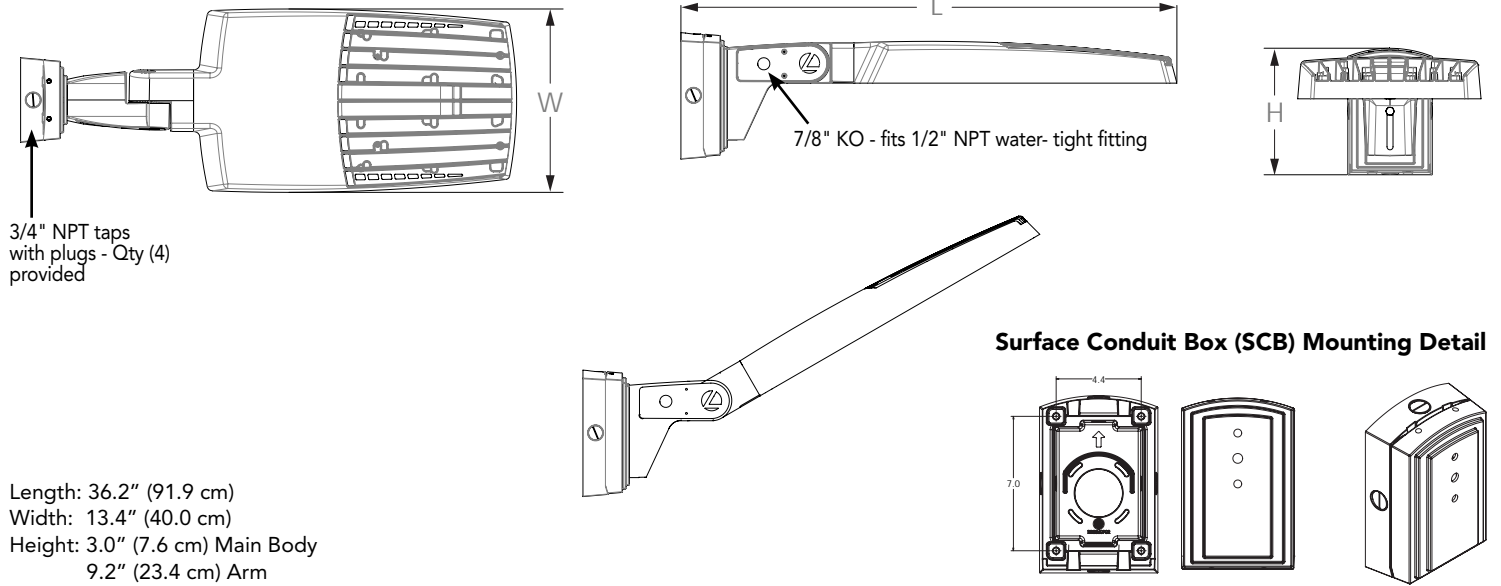
#### Wall Bracket (WBA) Mounting Detail



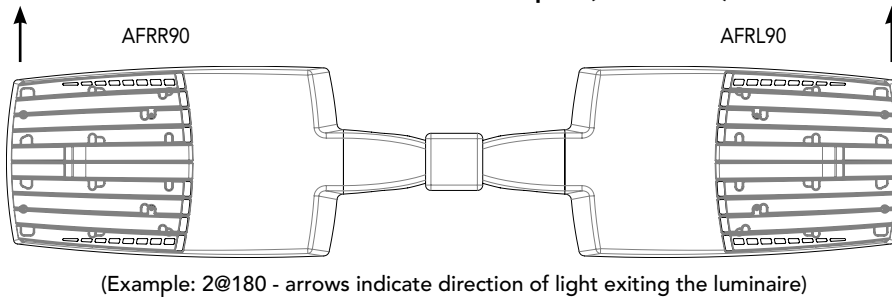


## Dimensions

### RSX2 with Adjustable Tilt Arm with Wall Bracket and Surface Conduit Box (AAWSC)



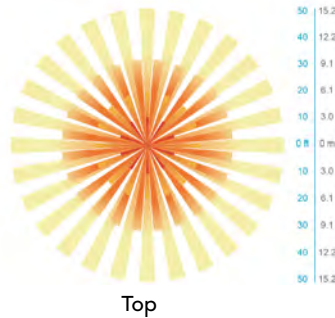
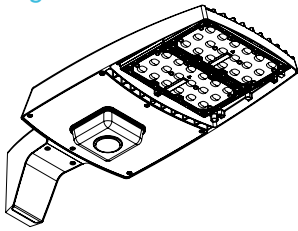
### Automotive Front Row - Rotated Optics (AFRL90/R90)





## nLight Control - Sensor Coverage and Settings

### NLTAIR2 PIRHN nLight Sensor Coverage Pattern nLight PIRHN



Motion Sensor Default Settings - Option PIRHN						
Option	Dimmed State (unoccupied)	High Level (when occupied)	Photocell Operation	Dwell Time (occupancy time delay)	Ramp-up Time (from unoccupied to occupied)	Ramp-down Time (from occupied to unoccupied)
NLTAIR2 PIRHN	Approx. 30% Output	100% Output	Enabled @ 1.5FC	7.5 minutes	3 seconds	5 minutes

\*Note: NLTAIR2 PIRHN default settings including photocell set-point, high/low dim rates, and occupancy sensor time delay are all configurable using the Clairity Pro App. Sensor coverage pattern shown with luminaire at 0°. Sensor coverage pattern is affected when luminaire is tilted.

## FEATURES & SPECIFICATIONS

### INTENDED USE

The RSX LED area family is designed to provide a long-lasting, energy-efficient solution for the one-for-one replacement of existing metal halide or high pressure sodium lighting. The RSX2 delivers 11,000 to 31,000 lumens and is ideal for replacing 250W to 1000W HID pole-mounted luminaires in parking lots and other area lighting applications.

### CONSTRUCTION AND DESIGN

The RSX LED area luminaire features a rugged die-cast aluminum main body that uses heat-dissipating fins and flow-through venting to provide optimal thermal management that both enhances LED performance and extends component life. Integral "no drill" mounting arm allows the luminaire to be mounted on existing pole drillings, greatly reducing installation labor. The light engines and housing are sealed against moisture and environmental contaminants to IP66. The low-profile design results in a low EPA, allowing pole optimization. Vibration rated per ANSI C136.31: 3G Mountings: Include SPA, RPA, MA, IS, AASP, AARP rated for 3G vibration. 1.5G Mountings: Include WBA, WBASC, AAWB and AAWSC rated for 1.5G vibration.

### FINISH

Exterior parts are protected by a zinc-infused Super Durable TGIC thermoset powder coat finish that provides superior resistance to corrosion and weathering. A tightly controlled multi-stage process ensures superior adhesion as well as a minimum finish thickness of 3 mils. The result is a high-quality finish that is warranted not to crack or peel.

### OPTICS

Precision acrylic refractive lenses are engineered for superior application efficiency, distributing the light to where it is needed most. Available in short and wide pattern distributions including Type 2, Type 3, Type 3S, Type 4, Type 4S, Type 5, Type 5S, AFR (Automotive Front Row) and AFR rotated AFR90 and ARFL90.

### COASTAL CONSTRUCTION (CCE)

Optional corrosion resistant construction is engineered with added corrosion protection in materials and/or pre-treatment of base material under super durable paint. Provides additional corrosion protection for applications near coastal areas. Finish is salt spray tested to over 5,000 hours per ASTM B117 with scribe rating of 10. Additional lead-times apply.

### ELECTRICAL

Light engine(s) configurations consist of high-efficacy LEDs mounted on metal-core circuit boards and aluminum heat sinks to maximize heat dissipation. Light engines are IP66 rated. LED lumen maintenance is >L92/100,000 hours. CCT's of 3000K, 4000K and 5000K (minimum 70 CRI) are available. Fixtures ship standard with 0-10v dimming driver. Class 1 electronic drivers ensure system power factor >90% and THD <20%. Easily serviceable 10kV surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).

### STANDARD CONTROLS

The RSX LED area luminaire has a wide assortment of control options. Dusk to dawn controls include MVOLT and 347V button-type photocells and NEMA twist-lock photocell receptacles.

### nLIGHT AIR CONTROLS

The RSX LED area luminaire is also available with nLight® AIR for the ultimate in wireless control. This powerful controls platform provides out-of-the-box basic motion sensing with photocontrol functionality and is suitable for mounting heights up to 40 feet. No commissioning is required when using factory default settings that provide basic stand-alone motion occupancy dimming that is switched on and off with a built-in photocell. See chart above for motion sensor default out-of-the-box settings. For more advanced wireless functionality, such as group dimming, nLight AIR can be commissioned using a smartphone and the easy-to-use CLAIRITY app. nLight AIR equipped luminaires can be grouped, resulting in motion sensor and photocell group response without the need for additional equipment. Scheduled dimming with motion sensor over-ride can be achieved when used with the nLight Eclipse. Additional information about nLight Air can be found [here](#).

### INSTALLATION

Integral "no-drill" mounting arm allows for fast, easy mounting using existing pole drillings. Select the "SPA" option for square poles and the "RPA" option to mount to round poles. Note, the RPA mount can also be used for mounting to square poles by omitting the RPA adapter plate. Select the "MA" option to attach the luminaire to a 2 3/8" horizontal mast arm or the "IS" option for an adjustable slipfitter that mounts on a 2 3/8" OD tenon. The adjustable slipfitter has an integral junction box and offers easy installation. Can be tilted up to 90° above horizontal. Additional mountings are available including a wall bracket, adjustable tilt arm for direct-to-pole and wall and a surface conduit box for wall mount applications.

### LISTINGS

CSA Certified to meet U.S. and Canadian standards. Suitable for wet locations. Rated for -40°C minimum ambient. DesignLights Consortium® (DLC) Premium qualified product and DLC qualified product. Not all versions of this product may be DLC Premium qualified or DLC qualified. Please check the DLC Qualified Products List at [www.designlights.org/QPL](http://www.designlights.org/QPL) to confirm which versions are qualified.

International Dark-Sky Association (IDA) Fixture Seal of Approval (FSA) is available for all products on this page utilizing 3000K color temperature only. US Patent No. D882, 146S

### GOVERNMENT PROCUREMENT

BAA – Buy America(n) Act: Product with the BAA option qualifies as a domestic end product under the Buy American Act as implemented in the FAR and DFARS. Product with the BAA option also qualifies as manufactured in the United States under DOT Buy America regulations. BABA – Build America Buy America: Product with the BAA option also qualifies as produced in the United States under the definitions of the Build America, Buy America Act. Please refer to [www.acuitybrands.com/buy-american](http://www.acuitybrands.com/buy-american) for additional information.

### WARRANTY

5-year limited warranty. This is the only warranty provided and no other statements in this specification sheet create any warranty of any kind. All other express and implied warranties are disclaimed. Complete warranty terms located at: [www.acuitybrands.com/support/warranty/terms-and-conditions](http://www.acuitybrands.com/support/warranty/terms-and-conditions)

**Note:** Actual performance may differ as a result of end-user environment and application. All values are design or typical values, measured under laboratory conditions at 25 °C. Specifications subject to change without notice.




COMMERCIAL OUTDOOR

One Lithonia Way • Conyers, Georgia 30012 • Phone: 1-800-705-SERV (7378) • [www.acuitybrands.com](http://www.acuitybrands.com)  
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Lithonia RSX2 Area LED  
Rev. 10/09/24  
Page 9 of 9



 <b>Charter Township of Garfield</b> <b>Planning Department Report No. 2024-110</b>		
Prepared:	December 4, 2024	Pages: 9
Meeting:	December 11, 2024 Planning Commission	Attachments: <input checked="" type="checkbox"/>
Subject:	Cherryland Center Comprehensive Development Plan - Continued	
Applicant:	Holiday Park Realty / Steve Halm	
Owner:	Cherryland Center LLC	
Agent:	Gosling-Czubak Engineering Sciences, Inc. / Robert Verschaeve, P.E.	
File No.	SPR 2024-14	
Parcel No. – Primary Parcels	05-014-049-00 (Cherryland Center LLC)	
	05-014-049-02 (Cherryland Center LLC)	
	05-014-049-03 (Cherryland Center LLC)	
	05-014-049-08 (Cherryland Center LLC)	
	05-014-049-10 (Traverse Entertainment Group LLC)	
	05-014-049-21 (Traverse City Curling Club)	
Parcel No. – Secondary Parcels	05-014-049-50 (Traverse City Retail Management VI)	
	05-014-049-30 (ARJCO LLC)	
	05-014-049-70 (Copper Falls Holdings LLC)	
	05-014-049-80 (Casciano Development LLC)	
	05-014-049-76 (Wild Apples LLC)	
	05-014-049-40 (1114 W South Airport Road LLC)	
	05-335-002-00 (Family Video Movie Club Inc)	

**PURPOSE OF APPLICATION:**

Applications for development within the C-P Planned Shopping Center shall be reviewed by the Planning Commission for compliance with Article 4, § 424 – Site Plans and Article 5 – Development Standards. Furthermore, a comprehensive development plan may be required for the entire center to establish an approved development pattern within the District.

**BACKGROUND:**

Opened in 1976, the Cherryland Mall (now Cherryland Center) was approved as a single development that includes several parcels and businesses. The Cherryland site boundary was enlarged to the west towards Woodward Avenue in 1980 with the expansion of the Sears store.

The subject parcels that comprise the Cherryland Center are zoned C-P Planned Shopping Center. The intent of the C-P District is for the development of planned centers located on a single, unified site and are designed and constructed as an integrated unit for shopping and other business activity. Over the years, management of uses and development on this site has been in a cohesive manner, including the conversion of the original enclosed shopping mall to a strip center approved by the Township in 1998.

Pursuant to Section 322.D(1) of the Zoning Ordinance, “a comprehensive development plan may be required for the entire center to establish an approved development pattern within the District.” The 1998 conversion of the mall to a strip center was the last time the comprehensive development plan was updated and approved for Cherryland Center.

Following a conceptual review at the October 9, 2024 meeting of the Planning Commission, Cherryland Center LLC, one of three primary property owners, prepared a draft comprehensive development plan for



the Cherryland Center and submitted it for Site Plan Review by the Planning Commission. The Planning Commission reviewed the application at its meeting on November 6, 2024. The application was tabled to allow for time for additional information.

*Aerial photo/parcel map of Cherryland Center with current ownership identified:*



### Cherryland Center Ownership

#### Property Owners

- 1114 W South Airport Road LLC (7Brew)
- ARJCO LLC (Wendy's)
- Casciano Development LLC (Burger King)
- Cherryland Center LLC (V. Kumar Vemulapalli)
- Copper Falls Holdings LLC (Margaritas Grill)
- Family Viedo Movie Club Inc (Jimmy John's / Qdoba / Wild Bill's Tobacco)
- Traverse City Curling Club Inc
- Traverse City Retail Management VI (Starbucks)
- Traverse Entertainment Group LLC (K1 Speed)
- Wild Apples LLC (Biggby)



**FUTURE PHASES:**

The proposed comprehensive development plan identifies future phases of development on Sheets 4, 5, 6, and 7. At this time, the proposed developments are illustrative only and will have to be completed under a separate site plan review application in accordance with the Zoning Ordinance.

**SITE DEVELOPMENT REQUIREMENTS:*****(1) General***

Applications for development, including the comprehensive development plan, within the C-P Planned Shopping Center shall be reviewed by the Planning Commission for compliance with Article 4, § 424 – Site Plans and Article 5 – Development Standards. 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.*

- The application was received by the Township on October 28, 2024. Any outstanding items may potentially be made a condition of site plan approval.

***(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 may be a condition of 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.*

- As this application is for an existing commercial development center, many essential facilities and services are in place.
- The site is accessed from two major county roads and is serviced by existing public sewer and water.
- The site has been used as commercial without overburdening area municipal services.
- The site is served by an existing 8-inch municipal water line and an 8-inch sanitary sewer line.
- Stormwater is managed onsite by an existing retention basin located at the northwest corner of the development. More recent development of the center has included the installation of underground stormwater management systems.

***(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 updated comprehensive development plan recognizes the existing development pattern on the site. There are no known sensitive natural features on the site.
- An existing 50-foot-wide vegetative buffer strip with mature trees is located between the developed portions of Cherryland Center and residences to the north and to the west.

***(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 comprehensive development plan updates the overall plan for the Cherryland Center and is reflective of any changes since 1998 when the plan was last updated. The site is well-established and has been in place for over 40 years.
- The land uses are within the existing shopping center building complex. Changes to the site since 1998 include the following:
  - New development at the corner of South Airport Road and Woodward Avenue
  - Construction of four (4) new outlot developments
  - Redevelopment of the existing Burger King restaurant
- An existing 50-foot-wide vegetative buffer strip is maintained as a buffer between the Cherryland Center and the existing residences to the north and to the west.

*(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 site is well-established and has been in place for over 40 years. The land uses are within the existing shopping center building complex. Outlot development has occurred along the two main roads, Garfield Avenue and South Airport Road.
- There are six (6) existing driveways, three (3) on Garfield Avenue and three (3) on South Airport Road.

*(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.*

- Existing and any proposed land uses rely on existing driveway entrances to the Cherryland Center from South Airport Road and Garfield Avenue.
- Sidewalks are located around the existing shopping center building complex. More recent sidewalks have been installed along the site's frontages on both South Airport Road and Garfield Avenue with additional sidewalk installation along Woodward Avenue. A pedestrian connection is provided between Cherryland Center and Woodward Avenue.

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

- As described above, the development site will use the existing six (6) entrance driveways on Garfield Avenue and South Airport Road which serve the entire Cherryland Center.

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

- The site is an existing development. The extent of the impervious surface is well established and is not expected to increase.



- Stormwater is managed through a large retention basin at the northwest corner of the site and through underground stormwater systems located beneath parking lots. As redevelopment occurs, new landscaping islands will be required to be established and thereby reduce the overall amount of impervious surface.

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

- The redevelopment of the Cherryland Center is governed by the Master Plan which identifies the site as a mixed-use center:
  - Cherryland Center is located on the east side of the Township at the northwest corner of South Airport Road and Garfield Avenue. It's within the oldest commercial area in Garfield and has a strong linear street connection to Traverse City. The center provides extensive opportunity to continue reinvestment in underutilized property and to accept creative approaches to redevelopment, including the addition of new uses such as residential and entertainment.
  - Guiding Principles:
    - Mixed-Use. Mixed-use development is encouraged including commercial, higher density residential, entertainment, office, and public gathering spaces. Consideration shall be given to surrounding existing uses, future land use, and site design to determine the compatibility of proposed uses.
    - Housing. New housing will allow for a diverse selection of unit types and sizes, which will serve the varied housing needs of Garfield.
    - Public Spaces. Development throughout the center will account for public gathering spaces. Establishing these places in either the public realm or within private developments creates a better sense of community and meets the needs of residents and visitors. Improving the overall appearance of the center is encouraged including cleanup of properties, upgrade of infrastructure, and installation of landscaping, sidewalks, and pedestrian scale lighting.
    - Site Design. Sites are to be designed at a scale that encourages a neighborhood character appropriate for the center. Site design will reinforce development principles through consistency in building setback and placement, landscaping and planting elements, and other site features. Positive visual aspects of the built environment promote a safe and attractive center for residents and visitors, project community pride, and help maintain a distinctive image.
    - Building Placement. Placement, scale, and design of buildings should establish a sense of place, while increasing the allowable density of land development creates a critical mass of activity. This critical mass of activity, through density, mix of uses, architectural character, and recreational opportunities draw new investment, visitors, and residents.
    - Connectivity. Development throughout the center will provide connectivity by including sidewalks, internal street connections, cross-access agreements, management of curb cuts, and access to transit services. Currently, a limited number of driveways works successfully in providing smooth access to multiple businesses located at Cherryland Center. This configuration shall be maintained for future development.
    - Parking. Parking areas should be placed in rear or side yards and avoid front yards and other prominent locations. Prominent locations should be



reserved for buildings, landscaping or gathering spaces. Shared parking should also be used whenever possible.

- The site is part of the Barlow Garfield Neighborhood Plan which includes the following development principles for this area:
  - Allow for mixed-use development on primary corridors.
  - Account for public spaces that accommodate a variety of activities.
  - Encourage connectivity through sidewalks, trails, cross-access, and other means.
  - Allow sites to be designed at a scale that encourages a neighborhood character.
  - Allow for new housing with diverse selection of unit types and sizes.
  - Facilitate improvements for public infrastructure upon new development.

The following review of the proposed comprehensive development plan with regards to the relevant sections within Article 5 – Development Standards is provided:

#### *Access Management*

As described above, the development site will use the existing entrance drives on Garfield Avenue and South Airport Road which serve the entire Cherryland Center. This is consistent with the intent of access management standards including encouraging shared drives.

#### *Reciprocal Easement Agreement*

A reciprocal easement agreement was established in 1983 between mall developer Schostak and Sears, Roebuck and Co. to address common elements shared by the Cherryland Center owners. The document is 64 pages long. Specific excerpts from the agreement pertinent to this review are attached. The agreement does address common areas including stormwater drainage, utilities, and commons areas, including parking areas and service drives, parking lot lighting, snow removal, and landscaping. While the original parties that established the agreement are no longer owners in the Cherryland Center, the agreement does apply to “successors and permitted assigns.”

According to Exhibit A in the agreement, the agreement does not include the following outlot parcels: 7Brew (parcel: 05-014-049-40), Biggby (parcel: 05-014-049-76), Burger King (parcel: 05-014-049-80), and Margaritas Grill (parcel: 05-014-049-70). It could be assumed that this map, by precluding those outlets, does not afford these four parcels with access through the Cherryland Center. As redevelopment and development of the Cherryland Center continues, including any infill development, access needs to be provided to maintain operation of the approved planned shopping center and to avoid new driveways onto Garfield Avenue and/or West South Airport Road.

#### *New Parcels*

The creation of new parcels, including creation of any site condominiums, will require review by the Township’s Assessing Department, Planning Department, and Zoning Department.

#### *Parking*

To determine parking for the site, a compilation of all the current uses and expected uses has been completed. See Sheet 3 in the comprehensive development plan. The existing 2024 parking count for the center is 1,480 spaces. This count excludes the outlot parcels which provide their own parking, including 7Brew, Biggby, Burger King, Margaritas Grill, Wendy’s, and Starbucks. There are three approaches provided to determine the parking demand for the entire center:

- 1) Table 5-47. By breaking down the uses in accordance with Table 5-47 in the Zoning Ordinance, the minimum required number of spaces is 1,524 and the maximum number of spaces is 2,627. This approach is the most comprehensive yet does not consider the demand



based on the operation times of the uses. This approach may result in more parking spaces than needed at any given time.

- 2) Shared Parking. By utilizing shared parking standards as provided for in Section 551.C(4) of the Zoning Ordinance, the highest minimum required number of spaces is 1,113. This approach is the most efficient means of determining parking demand.
- 3) Planned Shopping Center Parking. By utilizing the Planned Shopping Center Area designation in Table 5-47, the minimum number of required spaces is 881 and the maximum allowed spaces is 1,761. This approach accommodates the multi-use configuration of the center. However, it is focused mainly on retail commercial use and does not consider other uses such as entertainment uses.

#### *Parking Pavement Evaluation*

Previous pavement inspections were conducted by the Township Engineer for recent site plans. Field investigations identified that the overall base conditions of the lot to be in good working order with the need for maintenance to be implemented only to ensure an additional 5-10 years of life expectancy. This maintenance would be limited to routing, crack filling and seal coating.

#### *Landscaping/Greenspace*

Landscaping on the site can be identified in the following locations:

- 1) Existing Parking Landscape Islands. Sheet 3 on the comprehensive development plan includes an existing parking landscape island inventory. The inventory states there are 37,800 square feet of parking landscape islands or approximately 0.86 acres.
- 2) Vegetative Transition Strip. In addition to the parking landscape islands, there is the vegetative transition strip as required by Section 322.D(6) at the north and west sides of the site containing approximately 503,473 square feet or 11.5 acres of greenspace (not including the retention basin). With the retention basin, there are 544,992 square feet or 12.5 acres of green space.
- 3) Fronts of Buildings. There is existing landscaping along the fronts of the buildings.
- 4) Buffers. The required buffers are in place along the County roads.

#### *Signs*

Proposed signs are shown on Sheet 7 of the comprehensive development plan. The plan proposes four signs for the Cherryland Center:

- 1) Freestanding Signs. Two (2) 100-square-foot free-standing signs (one on Garfield Avenue and one on South Airport Road)
- 2) Monument Signs. Two (2) 40-square-foot monument signs (one on Garfield Avenue and one on South Airport Road)

While signs are permitted under a separate application made to the Zoning Department, directional signs in the C-P Planned Shopping Center district are reviewed by the Planning Commission. The plan proposes eleven (11) 6-square-foot directional signs. Review of the comprehensive development plan may include action on the proposed directional signs.

#### *Lighting*

The site currently has lighting. Any changes to the lighting will have to conform to the Zoning Ordinance.



*Stormwater Management*

As noted above, stormwater is managed onsite by an existing retention basin located at the northwest corner of the center. More recent development of the center has included the installation of underground stormwater management systems.

*Other Items*

Other items will have to be addressed based on the individual uses established in the center as they are use-specific, including dumpster enclosures, bicycle parking spaces, etc.

Finally, the following review of the proposed comprehensive development plan regarding the Site Development Requirements of Section 322.D is provided:

***(2) External Access***

The Cherryland Center will continue to gain its access by six existing driveways along Garfield Avenue and South Airport Road.

***(3) Internal Pedestrian Circulation***

Sheet 3 of the comprehensive development plan provides a pedestrian circulation plan. Future changes, including additional sidewalks, will be required based on new use and building proposals.

***(4) Non-Motorized Pathways***

Sidewalks have been installed along the site's frontages on Garfield Avenue, South Airport Road, and Woodward Avenue in accordance with the Non-Motorized Plan of the Master Plan and Section 522 of the Zoning Ordinance.

***(5) Building Placement***

The building placement is existing development with no proposed changes.

***(6) Vegetative Transition Strip***

A fifty-foot-wide vegetative transition strip is required if the site abuts a residential or agricultural zone. An existing transition strip is in place.

***(7) Service Drives***

Access to the site, including the parking lots, is from existing service drives to a major thoroughfare.

***(8) Prohibited Outdoor Storage***

No outdoor storage is proposed on this site.



**RECOMMENDATION:**

The following motion is offered to approve the application:

MOTION THAT application SPR 2024-14, submitted by Cherryland Center LLC, for an updated comprehensive development plan for the Cherryland Center, BE APPROVED, subject to the following conditions (1 thorough 7 as indicated in PD 2024-110):

1. To ensure operation of the approved planned shopping center, cross-access easements, dedicated maneuvering drives, stormwater facilities, parking areas, and parking lot lighting, and landscaping will be maintained and in accordance with the Zoning Ordinance.
2. Access shall be maintained to ensure operation of the approved planned shopping center, including access to 7Brew (parcel: 05-014-049-40), Biggby (parcel: 05-014-049-76), Burger King (parcel: 05-014-049-80), and Margaritas Grill (parcel: 05-014-049-70).
3. Future phases and proposed development shown on Sheets 4, 5, 6, and 7 of the comprehensive development plan are illustrative only and will require separate site plan review application for each proposal in accordance with the Zoning Ordinance.
4. Creation of new parcels, including any site condominiums, shall be reviewed and approved in accordance with the Zoning Ordinance.
5. Proposed uses and future development shall be reviewed by the Planning Commission in accordance with the Zoning Ordinance.
6. Any changes to outdoor lighting shall be conform to the Zoning Ordinance.
7. All agency reviews shall be received and deemed compliant prior to issuing a Land Use Permit or Building Permit.

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

**Attachments:**

1. Site Plan Review Application – dated October 24, 2024
2. Comprehensive Development Plan set from Gosling Czubak – issued September 9, 2024 – with Sheet 3 issued on December 1, 2024
3. 1983 Cherryland Mall Reciprocal Easement Agreement - Excerpts





# Charter Township of Garfield

## Grand Traverse County

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

### SITE PLAN REVIEW (SPR) 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 and/or Zoning 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

- ☐ Site Diagram Review  
☐ Administrative Site Plan Review  
☒ Site Development Plan Review

#### PROJECT / DEVELOPMENT NAME

Cherryland Center Comprehensive Plan

#### APPLICANT INFORMATION

Name: Holiday Park Realty - Steve Halm  
Address: 6810 S. Cedar Street, Suite 3A, Lansing, MI 48911  
Phone Number: 517-709-3437  
Email: steve@holidayparkrealty.com

#### AGENT INFORMATION

Name: Gosling Czubak Engineering Sciences, Inc. - Robert Verschaeve, P.E.  
Address: 1280 Business Park Drive, Traverse City, MI 49686  
Phone Number: 231-933-5102  
Email: rmverschaeve@goslingczubak.com

#### OWNER INFORMATION

Name: Cherryland Center LLC  
Address: 11320 Chester Rd, Suite 204, Cincinnati, OH 45246  
Phone Number:  
Email: vkvemulapalli@aol.com



### CONTACT PERSON

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

*Applicant:*

*Agent:*

*Owner:*

Robert Verschaeve

### PROPERTY INFORMATION

*Property Address:*

1148 W. South Airport Rd.

*Property Identification Number:*

05-014-049-00, -02, -03, -08, -10, -21

*Legal Description:*

See Plans

*Zoning District:*

C-P Planned Shopping

*Master Plan Future Land Use Designation:*

Mixed Use Center

*Area of Property (acres or square feet):*

35.54 acres

*Existing Use(s):*

Recreation, entertainment, business, shopping

*Proposed Use(s):*

Same

### PROJECT TIMELINE

*Estimated Start Date:*

Upon Approval

*Estimated Completion Date:*

Undetermined. On-going site redevelopment

### REQUIRED SUBMITTAL ITEMS

A complete application for a Site Plan Review consists of the following:

Application Form:

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

Application Fee:

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

- ☐ Fee

Escrow Fee:

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

Site Diagram Review:

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



Administrative Site Plan:

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

Site Development Plan:

- ☐ Two complete bound 24"x36" paper sets
- ☐ One digital set (PDF only)

**Note:** Ten complete stapled 11"x17" paper sets will be required for submittal after completeness review.

Digital items to be delivered via email or USB flash drive

SUBMITTAL DEADLINE

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

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 Diagram (SD), Administrative Site Plan (ASP), or Site Development Plan (SDP). Please use the Required Site Plan Elements Checklist below.

APPROVAL CRITERIA

An administrative site plan or site development plan shall conform to all provisions of the Zoning Ordinance and to the following site development standards which shall be reflected on the plan:

1. Required Information. All required information shall be provided.
2. 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.
3. 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.
4. 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.



## APPROVAL CRITERIA (continued)

5. 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.
6. 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.
7. 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.
8. Shared Drives. Where the opportunity exists, developments shall use shared drives. Unnecessary curb cuts shall not be permitted.
9. Impervious Surfaces. The amount of impervious surface has been limited on the site to the extent practical.
10. Master Plan. The proposal is not in conflict with the land use policies, goals and objectives of the Township Master Plan.

## 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> <span style="color: blue;">Project will utilize existing sanitary sewer service to existing building</span>			
1. Does project require extension of public sewer line?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, has a Utility Agreement been prepared?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will a community wastewater system be installed?	<input type="checkbox"/>	<input 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> <span style="color: blue;">Project will utilize existing water service to existing building</span>			
1. Does project require extension of public water main?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, has a Utility Agreement been prepared?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will a community water supply be installed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, has a Utility Agreement been prepared?	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>
If yes, show on plan.			



D. Stormwater Review/Soil Erosion

- |  |                                     |                                     |                          |
|--|-------------------------------------|-------------------------------------|--------------------------|
| 1. Soil Erosion Plans approved by Soil Erosion Office? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| If so, attach approval letter.                         |                                     |                                     |                          |
| If no, are alternate measures shown?                   | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 2. Stormwater Plans approved by Township Engineer?     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| If so, attach approval letter.                         |                                     |                                     |                          |
| If no, are alternate measures shown?                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

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

Existing storm system. Owner will perform maintenance as noted on plan

E. Roads and Circulation

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

Interior circulation routes are easements are identified on plans

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

- 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.
- 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 may approve, approve with conditions, or deny the application.



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:	 <small>Digitally signed by Robert Verschuive DN: cn=Robert Verschuive, c=US, o=Geosling Cubak Engineering Sciences, Inc., email=rmverschuive@geoslingcubak.com reason=www.geoslingcubak.com</small>
Date:	10/21/24

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 Cherryland Center LLC 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:	



**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:

<i>David D. Under</i>	
<i>St. A. Elch</i>	
<i>Robert M. Under</i>	<small>Notary Public for the State of Michigan David D. Under, Notary Public Notary Public for the State of Michigan Notary Public for the State of Michigan</small>
10/21/24	

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Date:

<i>David D. Under</i>
10-24-24

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Date:

Applicant Signature:

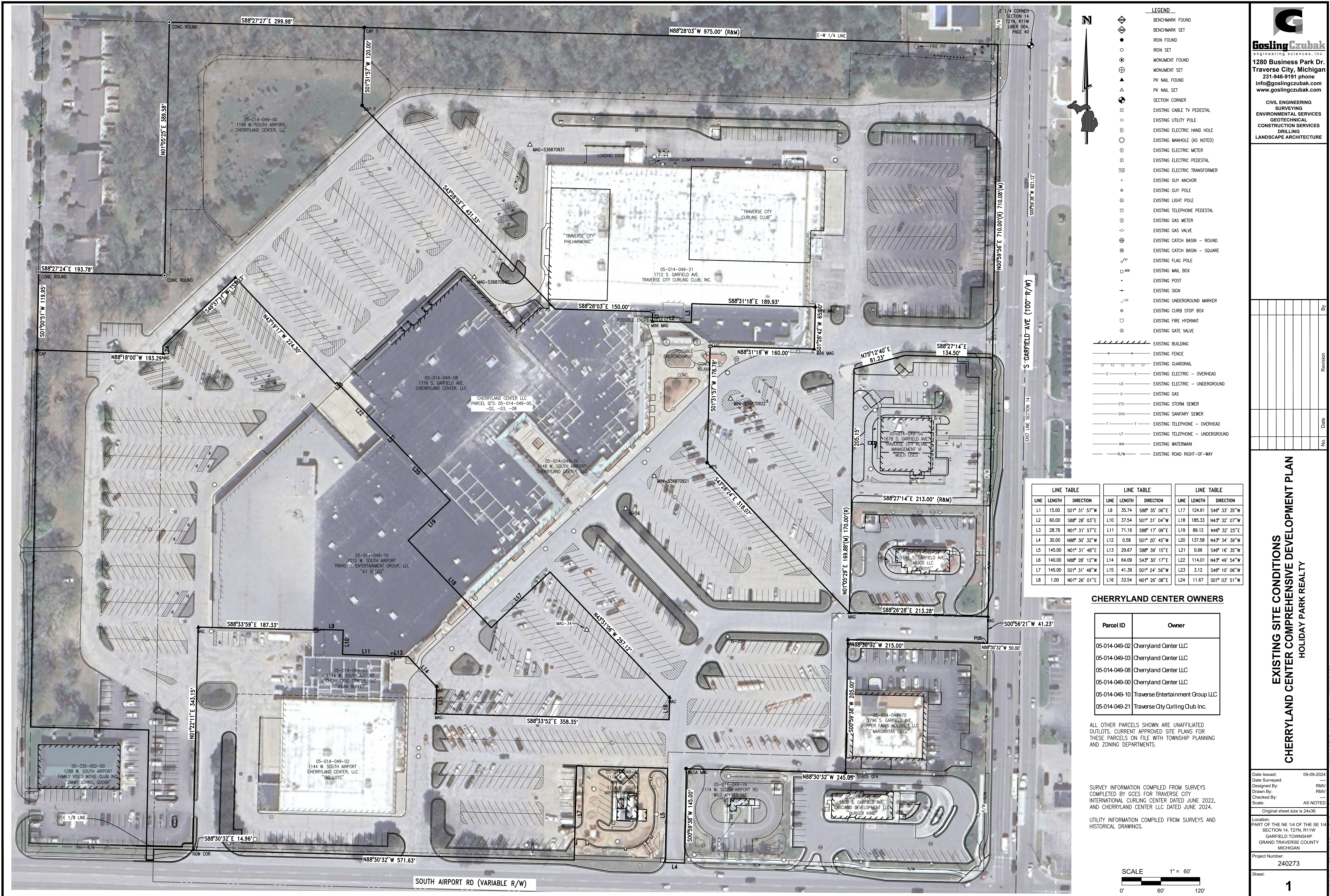
Date:

<i>David D. Under</i>
10-24-24
<i>St. A. Elch</i>
10-24-24

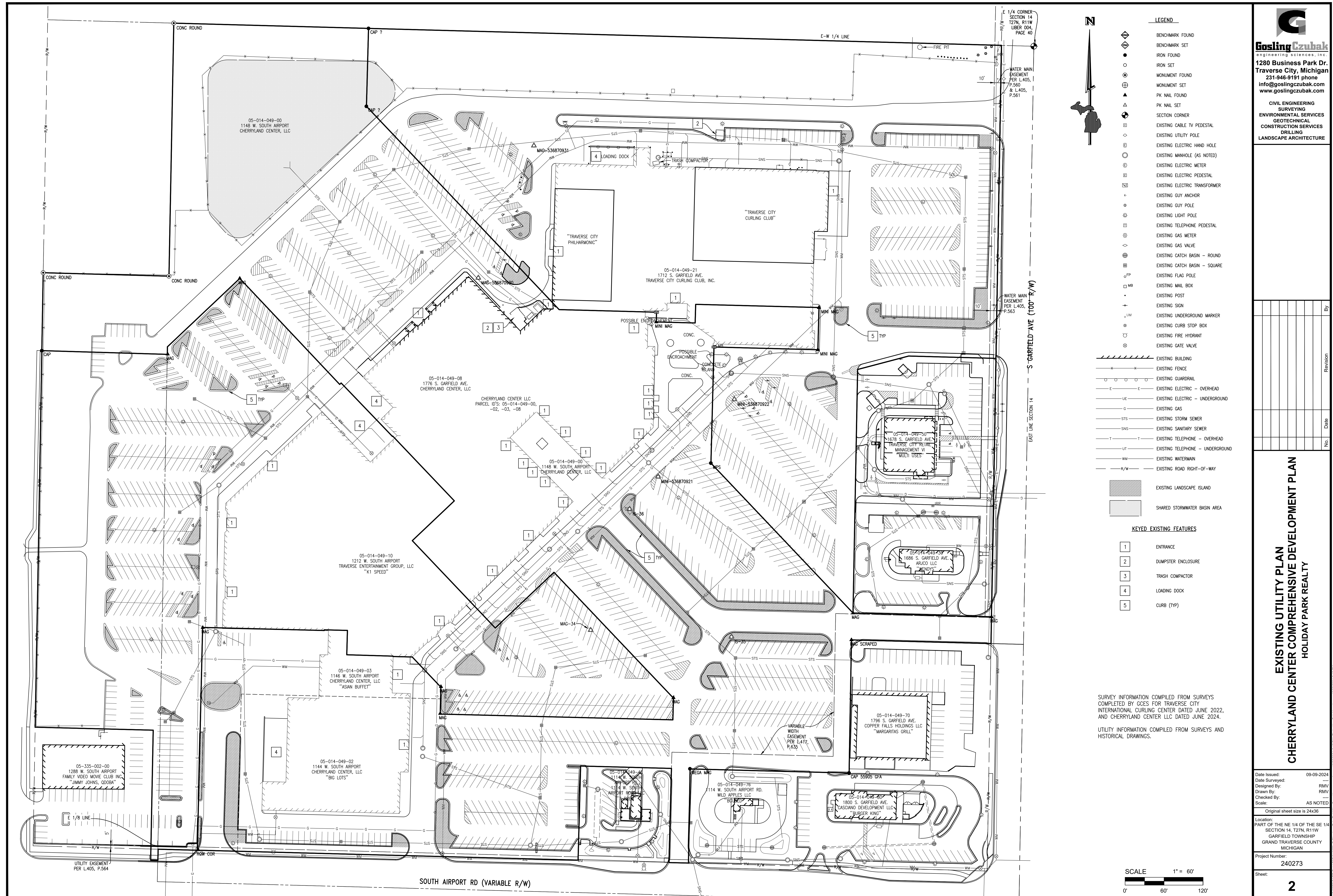


Required Site Plan Elements Checklist (See § 956 of the Zoning Ordinance) Site Diagram (SD) / Administrative Site Plan (ASP) / Site Development Plan (SDP)		SD	ASP/ SDP
<b>A. Basic Information</b>			
1. Applicant's name, address, telephone number and signature		<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Property owner's name, address, telephone number and signature		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Proof of property ownership	Application affidavit signed	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Whether there are any options or liens on the property		<input type="checkbox"/>	<input checked="" 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	Owner signed application	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>
7. A vicinity map showing the area and road network surrounding the property			<input checked="" type="checkbox"/>
8. Name, address and phone number of the preparer of the site plan		<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Project title or name of the proposed development		<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Statement of proposed use of land, project completion schedule, any proposed development phasing		<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Land uses and zoning classification on the subject parcel and adjoining parcels		<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>
<b>B. Site Plan Information</b>			
1. North arrow, scale, and date of original submittal and last revision		<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Boundary dimensions of natural features			<input checked="" 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 checked="" type="checkbox"/>
4. Proposed alterations to topography and other natural features			<input checked="" type="checkbox"/>
5. Existing topographic elevations at two-foot intervals except shown at five-foot intervals where slopes exceed 18%			<input checked="" type="checkbox"/>
6. Soil erosion and sediment control measures as required by the Grand Traverse County Soil Erosion Department. N/A		<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. The location, height and square footage of existing and proposed main and accessory buildings, and other existing structures			<input checked="" 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	N/A		<input checked="" 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>	FFE's T.B.D.	<input type="checkbox"/> *	<input type="checkbox"/>
10. Existing and proposed driveways, including parking areas		<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Neighboring driveways and other vehicular circulation features adjacent to the site			<input checked="" 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 checked="" type="checkbox"/>
13. Identification and dimensions of service lanes and service parking, snow storage areas, loading and unloading and docks			<input checked="" type="checkbox"/>
14. Proposed roads, access easements, sidewalks, bicycle paths, and other vehicular and pedestrian circulation features within and adjacent to the site			<input checked="" type="checkbox"/>
15. Location of and dimensions of curb cuts, acceleration, deceleration and passing lanes			<input checked="" type="checkbox"/>
16. Location of neighboring structures that are close to the parcel line or pertinent to the proposal			<input checked="" type="checkbox"/>
17. Location of water supply lines and/or wells		<input type="checkbox"/>	<input checked="" type="checkbox"/>
18. Location of sanitary sewer lines and/or sanitary sewer disposal systems		<input type="checkbox"/>	<input checked="" type="checkbox"/>
19. Location, specifications, and access to a water supply in the event of a fire emergency			<input checked="" 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	NO CHANGES PROPOSED		<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	NO CHANGES PROPOSED		<input checked="" 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 checked="" 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 checked="" 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	DETAILS T.B.D.		<input checked="" 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 checked="" type="checkbox"/>
27. Changes or modifications required for any applicable regulatory agencies' approvals			<input checked="" type="checkbox"/>

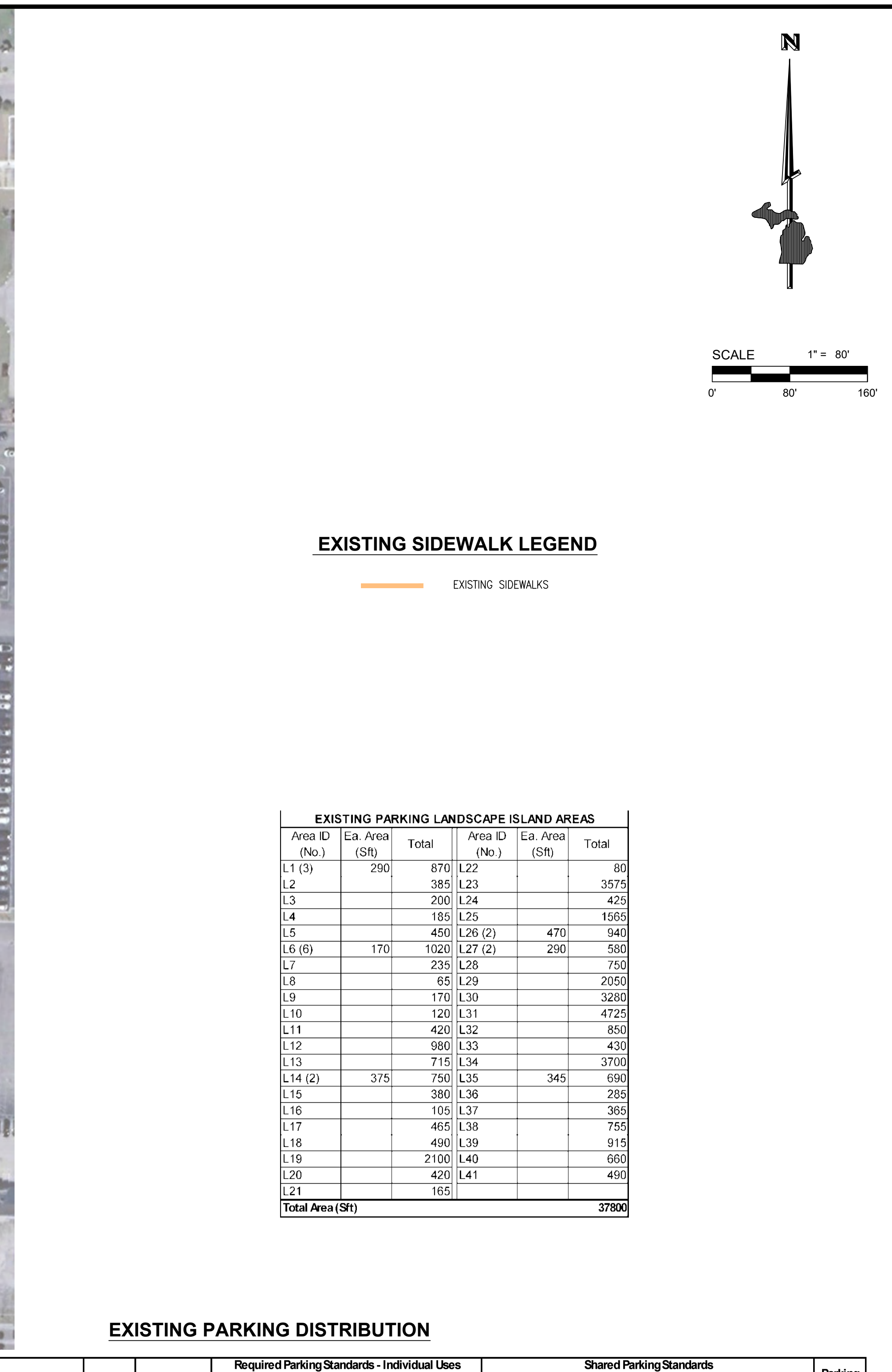












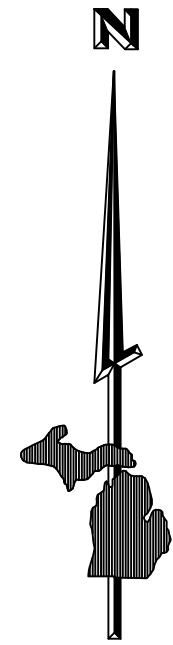
## EXISTING PARKING DISTRIBUTION

Planned Shopping Center Area	343,700	2.5 per 1000 sft	5 per 1000 sft	860	1719	Existing 2024 Parking Count:	1437
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SCALE 1" = 60'

0' 60' 120'

#### LEGEND

- NEW USE AREA (HOTEL)
- FUTURE HOTEL PARCEL AREA
- FUTURE HOUSING DEVELOPMENT
- EXISTING SIDEWALKS
- PROPOSED EXTERNAL & INTERNAL SIDEWALK
- SHARED STORMWATER BASIN AREA
- NEW LANDSCAPE AREA

#### FUTURE PHASE USE AREAS

- HOTEL BUILDING
- HOUSING

#### NOTES

THIS COMPREHENSIVE DEVELOPMENT PLAN REPRESENTS THE GENERAL INTENT AND VISION OF THE CHERRYLAND CENTER LAND OWNERS TO GUIDE THE REDEVELOPMENT EFFORTS OF THE "CHERRYLAND CENTER" PURSUANT TO THE ZONING ORDINANCE TO PROVIDE A VARIETY OF MIXED USES ON A UNIFIED SITE.

LEGAL DOCUMENTS SUCH AS EASEMENTS AND MAINTENANCE AGREEMENTS WILL BE DEVELOPED AND INFORMED BY THIS COMPREHENSIVE PLAN.

DETAILED SITE PLANS FOR FUTURE PHASE USE AREAS TO BE SUBMITTED FOR INDIVIDUAL APPROVAL AND INCLUDE PARKING, LANDSCAPING, SITE LIGHTING, AND ANY OTHER RELATED NECESSARY ITEMS.

HOTEL AREA BUILDING, PARKING, SIDEWALK, AND TRASH AREA REPRESENTATIVE OF GENERAL LAYOUT. ARCHITECTURAL DESIGN AND DETAILS MAY NECESSITATE MODIFICATIONS AND WILL BE CONSISTENT WITH ZONING ORDINANCE PROVISIONS APPROVABLE UNDER SUBMITTED DETAILED SITE PLAN

No.	Date	Revision	By

## FUTURE DEVELOPMENT PHASES CHERRYLAND CENTER COMPREHENSIVE DEVELOPMENT PLAN HOLIDAY PARK REALTY

Date Issued:	09-09-2024
Date Surveyed:	
Designed By:	RMV
Drawn By:	RMV
Checked By:	
Scale:	AS NOTED
Original sheet size is 24x36	
Location:	PART OF THE NE 1/4 OF THE SE 1/4 SECTION 14, T27N, R11W GARFIELD TOWNSHIP GRAND TRAVERSE COUNTY MICHIGAN
Project Number:	240273
Sheet:	5











BOOK 572 PAGE 65

STATE OF MICHIGAN  
GRAND TRAVERSE CO. MI  
RECEIVED FOR RECORD

JUN 7 10 27 AM '83

*James L. Schostak*  
REGISTER OF DEEDS


RECIPROCAL EASEMENT AGREEMENT  
CHERRYLAND MALL  
GARFIELD TOWNSHIP, MICHIGAN

BETWEEN

JEROME L. SCHOSTAK  
d/b/a Traverse City Venture  
and  
SEARS, ROEBUCK AND CO.

DATED: MAY 4, 1983

LM21b






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Existing Sears Store and the other areas leased or available for lease by Developer, and constituting part of the Common Areas.

2.08 Mortgage: The term "Mortgage" shall mean and refer to a conventional permanent mortgage, construction loan mortgage, sale and leaseback financing arrangement and other forms of security instruments securing the repayment of funds advanced and used to construct improvements on the Sears Site or the Developer's Site, including deeds of trust, security deeds and conditional deeds as well as financing statements, security agreements and other documents required under the Uniform Commercial Code.

2.09 Mortgagee: The term "Mortgagee" shall mean and refer to the mortgagee under a conventional permanent mortgage or construction loan mortgage or the owner and lessor under a sale and leaseback financing arrangement provided such entity is an insurance company, bank or trust company, college, university, charitable institution or union, pension, profit or retirement fund or trust, governmental agency or fund, or financial or lending institution whose loans on real estate or with respect thereto are regulated by state or federal law.

2.10 Opening Date: The term "Opening Date" shall mean and refer to the date upon which the Sears Addition is completed and open for business, which, in no event, shall be later than April 1, 1984.

2.11 Parking Lot Improvements: The term "Parking Lot Improvements" shall mean and refer to that part of the Common Areas consisting of entrances, exits, drives, sidewalks, access ways, hard-surfaced paving, striping, marking, signing, traffic control dividers, curbs and gutters, drainage, lighting and landscaped and planted areas, located in the area extending from the sidewalk curb around the buildings to the exterior property lines of the Sites.

2.12 Related Common Area Improvements: The term "Related Common Area Improvements" shall have the meaning set forth in Section 3.01(b) hereof.

2.13 Retention Pond: The term "Retention Pond" shall mean and refer to the area designated as "Retention Pond" on Exhibit A attached hereto, consisting of a basin for the collection and evaporation of storm water run-off



notifies the first party within such thirty (30) day period. The parties shall execute such agreements as shall be required to evidence such termination. All easements granted herein shall exist by virtue of this Agreement without the necessity of confirmation by any other document.

ARTICLE XI  
MAINTENANCE OF FACILITIES, BUILDINGS AND COMMON AREAS

11.01 **Storm Drainage System:** The storm drainage system for the Shopping Center shall be maintained, repaired and replaced as follows:

(a) Each party shall be responsible for the maintenance, repair or replacement, at its sole cost and expense, of the surface level portions of the storm drainage system located on its respective Site, including storm drains and catch basins and all problems observable from the surface (including clean out).

(b) Developer shall be responsible for the maintenance, repair and replacement of the underground portions of the storm drainage system and the Retention Pond. Sears shall reimburse Developer for its "pro rata share," as hereinafter defined, of Developer's costs of operating, maintaining, repairing or replacing the Retention Pond and related storm drainage facilities. Sears' "pro rata share" of such costs shall be such portion of Developer's total costs as the Floor Area of the Sears Building bears to the sum of the Floor Areas of the Sears Building and the Developer's Facilities. The costs of operating, maintaining, repairing or replacing the Retention Pond and related storm drainage facilities shall include all costs and expenses of every kind and nature paid or incurred by Developer for such purpose including, where applicable and without implied limitation, water and other charges, real estate taxes attributable to the Retention Pond, personal property taxes on equipment owned by Developer used in performing such services, together with the amortization (including interest) of the cost of acquiring all such equipment, workmen's compensation insurance, all salaries and compensation in connection with such services (including all fringe benefits) and supplies. There shall not be included in such costs any initial construction costs of a capital nature, depreciation, profit or interest on Developer's investment.

(c) Notwithstanding the provisions of Sections 11.01(a) and (b) hereof, in the event the maintenance, repair or replacement of any



portion of the storm drainage system is attributable solely to the act or omission of one of the parties hereof, such party shall bear all costs and expenses associated with such maintenance, repair or replacement and shall be responsible for any damage to other property occasioned by such act or omission.

11.02 Utility Lines: The utility lines (exclusive of the storm drainage system) for the Shopping Center shall be maintained, repaired and replaced as follows:

(a) Each party shall be responsible for the maintenance, repair or replacement, at its sole cost and expense, of those portions of the utility lines exclusively serving the buildings located, from time to time, on its respective Site whether or not portions of such utility lines shall be located on the other party's Site. Each party shall exercise its right to enter onto the other party's Site in such manner as shall be reasonably required to minimize the interference with the use by such other party and those persons holding under or through them of its respective Site. In the event the party making such repairs shall be required to disturb or damage any improvement located on the Site of the other party hereto, the party making such repairs shall be responsible for the repair of such damage and the restoration of such improvements to the condition which existed prior to making such repairs.

(b) The cost of the maintenance, repair or replacement of any utility lines servicing both the Sears Building and the Developer's Facilities shall be allocated between Sears and the Developer proportionately based upon the square foot Floor Area of the buildings located on each party's respective Site which are serviced by such common utility lines. The need for the repair of any common utility line may be determined by either party serviced by such common utility line and such party shall, upon ten (10) days' prior written notice to the other party, have the right to make such repairs or cause the same to be made. In the event the party receiving such notice shall not concur in the necessity for such repairs, the decision of the Developer shall be binding upon both parties.

(c) Notwithstanding the provisions of Sections 11.02(a) and (b) hereof, in the event the maintenance, repair or replacement of any portion of the common utility lines is attributable solely to the act or



(iii) With respect to the maintenance, repair or replacement of any other Common Building Component, Sears shall pay such portion of the cost thereof as shall be determined by arbitration in accordance with the provisions of Article XXIX hereof. In connection with any such arbitration proceeding, the arbitrator shall be instructed to allocate the cost between the parties in an equitable manner based upon the most reasonable method applicable and shall be required to state the basis for its allocation.

11.04 Common Areas:

(a) Each of the parties shall maintain the Common Areas located on its respective Site (the island bisected by the property line between the Sears Site and the Developer's Site shall be deemed to be located on the Developer's Site for purposes of this Section 11.04(a) only) in a clean and safe condition and repair and replace the same as required with equal material and, in particular, shall:

(i) Cause the parking areas, roads and service drives of the Shopping Center to be repaired, replaced, reconstructed and maintained in good and clean order, including, without limitation, the repair of pot holes and the repairing and replacing of curbs, as and when required;

(ii) Cause the parking lots of the Shopping Center to be re-stripped, as and when required;

(iii) Cause the parking lots of the Shopping Center to be repaired and/or replaced, as and when required;

(iv) Cause the parking lot light poles, including the electric lines to such light poles, to be repaired and the lamps, ballasts and luminaires to be cleaned, maintained, repaired, relamped, rebalasted and/or replaced, as and when required, and cause such light poles to be repainted, as and when required;

(v) Cause the parking lots, roads and service drives upon the Shopping Center to be kept reasonably free of debris, trash and dirt by having the same swept on a regular basis;



(vi) Cause the snow to be plowed and stockpiled or removed when necessary from the parking lots, roads and service drives upon the Shopping Center, as reasonably required, and cause the roads and service drives upon the Shopping Center to be salted as reasonably required due to weather conditions;

(vii) Cause the sprinkling system watering the landscaped and grass areas of the Shopping Center to be repaired and maintained, and repair any breaks in the water lines and replace the valves, heads and other parts of such sprinkler system, as and when required;

(viii) Cause the following services to be provided to the landscaped areas of the Shopping Center: lawn cutting, fertilizing, weeding (control and removal), reseeding or resodding, as needed, normal spring and fall cleanup, pruning and straightening of trees and shrubs, replacing dead trees and shrubs, cultivating landscaped areas, burlap screening of trees and shrubs, as needed for protection during winter, and spraying of trees, shrubs and plants, as needed;

(ix) Provide security and guard service in the exterior Common Areas; and

(x) Clean, maintain, repair, replace and reconstruct nondedicated utility lines (including, but not limited to, common utility facilities) within and serving the Shopping Center and maintain the Retention Pond serving the Shopping Center.

(b) Each of the parties shall keep the Common Areas located on their respective Sites well lighted during such hours of darkness as the stores located within the Shopping Center shall remain open for business and for a period of at least one-half (1/2) hour thereafter but in no case later than 10:00 o'clock p.m. If either party shall desire to have the parking lots lighted after 10:00 o'clock p.m., then the Owner of the other Site shall be required to keep its Common Areas lighted during any period requested, provided that the party so requesting shall pay the entire cost of such lighting based upon hourly usage or some other scientifically accurate method of determining an equitable allocation of costs.

(c) During the period commencing on the date of this Agreement and ending fifteen (15) years thereafter or such longer period as the Mall is open and the Sears Building is operated for retail purposes, Sears shall pay



to Developer, as Sears' share for maintenance and operation of the Mall, the sum of ten (10¢) cents per square foot of that portion of the Floor Area of the Sears Building used by Sears as selling space, payable annually, in advance, on January 1 of each year.

ARTICLE XII  
INSURANCE AND INDEMNIFICATION

12.01 Property Insurance:

(a) Each of the parties hereto shall, at all times during the term of this Agreement, keep or cause to be kept all buildings and other improvements on its respective Site insured, at its expense, against loss or damage by fire, windstorm, hail, explosion, damage from aircraft and vehicles and smoke damage, and such other risks as are from time to time included in "extended coverage" endorsements in Grand Traverse County, Michigan. The limits of liability of such insurance shall be in an amount not less than eighty percent (80%) of the actual replacement cost of the respective buildings and improvements (excluding foundation and excavation costs and cost of underground flues, pipes and drains) sufficient to restore the same to, or replace them with, buildings of at least eighty percent (80%) of the minimum size initially required hereunder and in as good a condition as such were in immediately preceding such destruction with deductibles no larger than are customary and usual for such policies. Notwithstanding any other provision of this Agreement, the owner of any portion of the Shopping Center shall not be liable to any other such owner for any loss or damage to any buildings or other improvements or portions of the Shopping Center owned by such other owner caused by fire or other risk normally covered by the usual form of fire and standard extended coverage insurance available in the State of Michigan, irrespective of any negligence on the part of the other party which may have contributed to such loss or damage or the fact that such party may be self-insured.

(b) The insurance policy required to be maintained by Sears pursuant to Section 12.01(a) hereof shall provide for the waiver of subrogation against Developer and all persons holding through or under Developer. The insurance policy required to be maintained by Developer pursuant to Section 12.01(a) hereof shall provide for the waiver of subrogation against Sears. Each of the parties hereto waives all rights of recovery as against the other party hereto arising from loss or damage caused by any perils which could have been covered by the broadest form of extended coverage insurance available in Michigan.



(c) Current taxes shall be prorated as of the closing date upon the due date basis of the appropriate taxing authority.

(d) Title insurance shall be provided by Sears.

(e) Actual exclusive physical possession of the Sears Site shall be delivered to Developer.

ARTICLE XVI  
TERM OF THIS AGREEMENT

16.01 Expiration: This Agreement and the obligations hereunder shall remain binding from the date hereof and shall continue until the expiration of a period of fifty (50) years after the Opening Date, whereupon this Agreement shall terminate, except as set forth in Section 16.02 hereof.

16.02 Continuing Easements, Rights and Obligations: Notwithstanding anything herein to the contrary, upon the expiration of this Agreement, as provided in Section 16.01 hereof:

(a) The easements granted pursuant to Article X hereof which are expressly stated to be in perpetuity, and the rights and obligations relating thereto, as set forth in Articles X and XI hereof shall continue.

(b) The easements granted pursuant to Article X hereof which are expressly stated to continue so long as the Sears Building and/or the Developer's Facilities shall exist, and the rights and obligations relating thereto, as set forth in Articles X and XI hereof shall continue so long as the improvements in existence at the expiration of this Agreement exist.

(c) Sears and Developer, each for itself, shall continue to insure their respective Sites in not less than the amounts and for the benefit of the parties hereto as set forth in Article XII hereof.

(d) Sears and Developer, each for itself, at any time and so long as each is operating from its respective buildings, shall maintain its respective site in the same manner as provided in Article VIII hereof.



(e) Sears and Developer shall each comply with any and all governmental orders, regulations, ordinances and laws with respect to their respective Sites.

16.03 Defaults: Except as expressly set forth in this Agreement, no default of any nature whatsoever by a party hereto shall cause a termination of this Agreement.

#### ARTICLE XVII DELAYS

Each of the parties shall be excused from performing any obligation or undertaking provided in this Agreement, except any obligation to pay any sums of money under the applicable provisions hereof, in the event and so long as the performance of any such obligation is prevented or delayed, retarded or hindered by act of God, fire, earthquake, floods, explosion, actions of the elements, or general shortage of labor, equipment, facilities, materials or supplies in the open market, failure of transportation, strikes, lockouts, action of labor unions, condemnation, requisition, laws, orders of government or civil or military or naval authorities, or any other cause, whether similar or dissimilar to the foregoing, not within the reasonable control of such party (lack of funds shall not be considered to be beyond the reasonable control of the parties) (herein referred to as an "unavoidable delay"); provided, however, that such party shall only be excused from such performance if it notifies the other party in writing of its claim for postponement or delay hereunder within thirty (30) days after it has knowledge of the event which would excuse it from such performance.

#### ARTICLE XVIII PAYMENT OF TAXES

18.01 Payment: During the term of this Agreement, Sears and Developer shall pay, or cause to be paid, on or before the respective dates when they shall become due and payable (subject to the provisions of Section 18.03 hereof) all real estate taxes and general assessments levied and assessed on their respective Sites and all improvements thereon, including all land and improvements thereon included in Common Areas. Sears and Developer shall, upon request of the other, exhibit for examination, receipts of all taxes and assessments required to be paid by such party pursuant to this Article XVIII.





ARTICLES XXI  
MORTGAGES

21.01 Right to Mortgage: Each party hereto shall have the right to encumber its respective Site by Mortgage and assign its interest in this Agreement as collateral security therefor.

21.02 Subordination: Any and all Mortgages shall be subject and subordinate in all respects to the provisions of this Agreement with the singular exception that any Mortgage shall not be deemed subject and subordinate to liens arising in favor of either party hereto pursuant to the provisions of Section 22.01 and Article XXIV hereof. Notwithstanding the foregoing, any Mortgagee and any purchaser at a foreclosure sale or grantee under a deed in lieu of foreclosure which acquires title to any portion of the Shopping Center as a result of a foreclosure of its Mortgage or deed in lieu of foreclosure shall not be liable and responsible to perform the operating covenants of Article IX hereof and in the event any such person or entity acquires title, the operating covenants applicable to such portion of the Shopping Center set forth in Sections 9.01 or 9.02 hereof, whichever is applicable, shall terminate and be of no further force and effect (unless such land shall be redeemed in accordance with law by the owner thereof).

ARTICLE XXII  
DEFAULTS

22.01 Defaults Which Can Be Cured By The Payment Of Money: In the event either party shall, during the term hereof, default in the full, faithful and punctual performance of any obligations hereunder to be performed by such party which shall be capable of being cured by the payment of money or shall be capable of being performed by the other party hereto, then in such event, the aggrieved party shall give the defaulting party written notice of such default. If the defaulting party shall fail to cure such default within ten (10) days after receipt of such written notice or; if such default shall not be capable of being cured within the aforesaid ten (10) day period, the defaulting party shall fail to commence to cure the same within such ten (10) day period or shall thereafter fail to cure the same with due diligence, then in either of such events the aggrieved party shall have the right to make such payment on behalf of the defaulting party, or to cause such obligation to be performed on behalf of the defaulting party and the amount so paid, or the cost to the aggrieved party of performing such obligation shall be paid to the aggrieved party together with interest thereon at the then current prime



written notice of default during which time such alleged default may be cured by the defaulting party or may be cured by such mortgagee or trustee within an additional five (5) days. A waiver by any party of a breach or a default of any of the terms and conditions of this Agreement by any other party shall not be construed to be a waiver of any subsequent breach or default of the same or any other provisions hereof. Except as otherwise herein provided, no remedy provided in this Agreement (including the exercise of any option exercisable upon default) shall be exclusive, but shall be cumulative (to the extent not inconsistent) with all other remedies herein and at law or in equity.

22.04 No Termination: It is expressly agreed that no breach of the provisions of this Agreement of any kind or nature shall entitle any party to cancel, rescind or otherwise terminate this Agreement, but such limitation shall not affect, in any manner, any other rights or remedies which any party may have hereunder by reason of any breach of the provisions of this Agreement. No breach of the provisions hereof shall defeat or render invalid the lien of any Mortgage made in good faith and for value covering any part of the Shopping Center and any improvements thereon, but the provisions of this Agreement shall be binding upon and effective against any owner of any of the Shopping Center or any portion thereof, whose title is acquired by foreclosure, trustee's sale, tax sale, or any grantee by deed in lieu of foreclosure or trustee's sale.

#### ARTICLE XXIII COVENANTS RUNNING WITH THE LAND

23.01 Covenants Running With the Land: Each and every agreement, covenant, promise, undertaking, condition, easement, right, privilege, option and restriction made, granted or assumed by either party to this Agreement is made by such party not only personally for the benefit of the other party hereto but also as owner of a portion of the Shopping Center owned by such party appurtenant to and for the benefit of the other portions of the Shopping Center. Except as provided in Section 21.02 hereof, every obligation of this Agreement shall run with the land and shall be binding upon the party making or assuming such obligation and such party's successors and permitted assigns and shall inure to the benefit of the other party hereto and its successors and permitted assigns. Except as provided in Section 21.02 hereof, any Mortgagee, including any purchaser at a foreclosure sale or grantee under a deed in lieu of foreclosure, of either Sears, the Developer or their successors or assigns, or any transferee of any



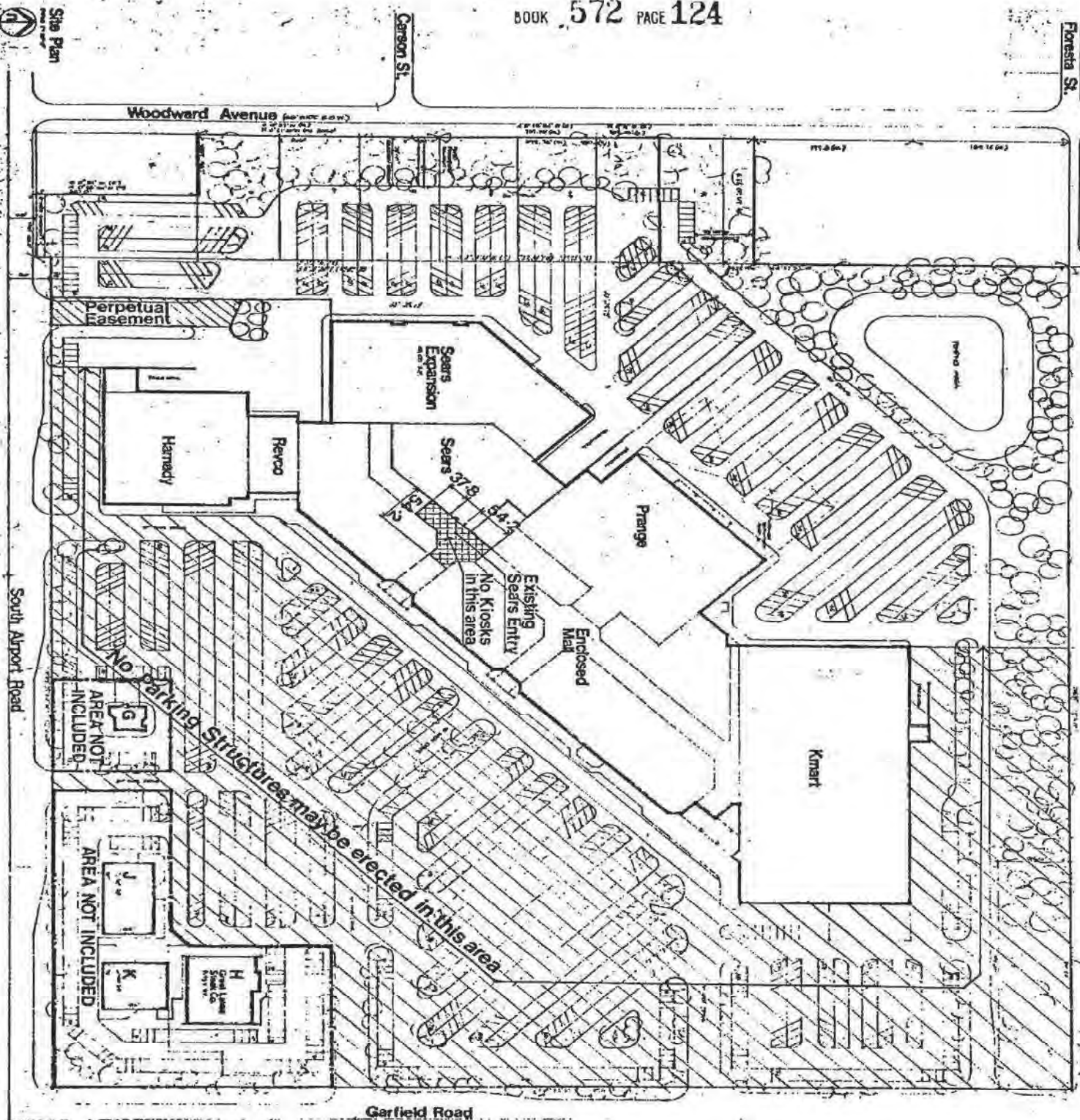
part of the Shopping Center shall automatically be deemed, by acceptance of the title of such Site, or portion thereof, to have assumed all obligations hereof relating thereto, and to have agreed with the then owners of all other portions of the Shopping Center to execute any and all instruments and do any and all things reasonably required to carry out the intention of the provisions hereof; but nothing herein contained shall be deemed to relieve the transferor of such parcel from its obligations hereunder; provided, however, after the Sears Building has been open to the general public for fifteen (15) years after the Opening Date, if Sears shall expressly condition the transfer of its interest in such portion of the Shopping Center on the assumption by the transferee of the obligations imposed on such transferor, such transferor shall upon the completion of such transfer, be relieved of all further liability hereunder except such liability as may have arisen during his period of ownership of the portion of the Shopping Center so conveyed and which remains unsatisfied and except for the operating covenants set forth in Article IX hereof.

23.02 No Dedication: Nothing contained in this Agreement shall be deemed to be a gift or dedication of any portion of the Shopping Center to the general public or for any public use or purpose whatsoever, it being the intention of the parties and their respective successors and assigns and that nothing herein, express or implied, shall confer upon any person, other than the parties hereto and their respective successors and assigns, any rights or remedies under or by reason of this Agreement.

23.03 Amendments: This Agreement may be amended, modified, terminated, enforced or waived (in whole or in part) by a declaration or agreement in writing, executed and acknowledged between the parties hereto and duly recorded in the office of the County Clerk of Grand Traverse County, Michigan, or in such other office as may from time to time by law be charged with the duty of maintaining the public records of Grand Traverse County, Michigan, and shall not otherwise be amended, modified or terminated during the term hereof. No tenants or occupants or mortgagee of any portion of the Shopping Center shall have any rights under or to enforce this Agreement, but they shall be bound by this Agreement and all subsequent amendments hereto.








## Land-Building Data

[illegible]

## Exhibit A



 <b>Charter Township of Garfield</b> <b>Planning Department Report No. 2024-105</b>		
Prepared:	December 4, 2024	Pages: 7
Meeting:	December 11, 2024 Planning Commission	Attachments: <input checked="" type="checkbox"/>
Subject:	Two Brothers Dog Park Cafe Site Plan Review	
Applicant:	Eric Engel	
Owner:	Cherryland Center LLC / Steve Halm	
Agent:	Gosling-Czubak Engineering Sciences, Inc. / Robert Verschaeve, P.E.	
File No.	SPR-2024-16	
Parcel No.	05-014-049-08	

### **PURPOSE OF APPLICATION:**

Applications for development within the C-P Planned Shopping Center district shall be reviewed by the Planning Commission for compliance with Article 4, § 424 – Site Plans and Article 5 – Development Standards.

### **BACKGROUND:**

The site, located at 1776 South Garfield Avenue at the Cherryland Center, is approximately 3.57 acres and is home to the former Younkers building. The entire building is approximately 47,900 square feet in floor area. The proposed Two Brothers Dog Park Café is planned to occupy 7,000 square feet or 15% of the building floor area which will include food and drink service. There are no current plans for the remainder of the building. In addition to the building improvements, a proposed outdoor dog park would occupy approximately 6,000 square feet of what is currently a parking area with maneuvering lanes.

While a dog park is not clearly defined in the Zoning Ordinance, Staff is considering that portion of the project to be defined as a recreational facility. Approximately 260 square feet of the indoor portion of the facility is proposed for kennel and grooming services. It is assumed that these uses are minor in nature and accessory to the proposed primary uses. Bar and restaurant, without drive-through, and recreational facility are uses permitted by right in the C-P district.



*Aerial image of subject property (highlighted in blue)*



**SITE DEVELOPMENT REQUIREMENTS:*****(1) General***

Applications for development within the C-P Planned Shopping Center shall be reviewed by the Planning Commission for compliance with Article 4, § 424 – Site Plans and Article 5 – Development Standards. 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.*

- The application was received by the Township in June 2024 following conceptual review by the Planning Commission. However, review did not commence until the review of the comprehensive development plan for Cherryland Center commenced. This requirement was adhered to since the proposed project includes expanding the footprint of the Cherryland Center building. A completeness review was completed on November 19, 2024. Generally, all the necessary information for review has been provided. Any outstanding items may potentially be made a condition of site plan approval.

***(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 may be a condition of 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.*

- As this application is for a proposed redevelopment of an existing commercial site, many essential facilities and services are in place.
- The site is accessed from two major roads and is serviced by existing public sewer and water.
- The site has been used as commercial without overburdening area municipal services.
- The site is served by an existing 8” municipal water line and an 8” sanitary sewer line.

***(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 use only impacts the existing built portion of the site.
- The existing natural buffer as required in the C-P District will remain intact.
- There are no known sensitive natural features on the site.

***(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 site is a well-established planned shopping center and has been in operation for 48 years.



- The proposed use alters the existing development pattern of the planned shopping center by converting approximately 6,000 square feet of paved parking area into an outdoor dog park.
- The applicant has provided information addressing any concerns about hours of operation and potential noise impacts of the dog park. In addition to the subject site, the information references Wags West which is an existing dog park in a developed area in Traverse City.
- According to the applicant, the hours of operation will be:
  - 11:00 AM to 8:00 PM Monday, Wednesday, Thursday
  - 11:00 AM to 9:00 PM Friday
  - 9:00 AM to 9:00 PM Saturday
  - 9:00 AM to 6:00 PM Sunday
- Township Ordinance No. 47 is a noise ordinance that can be enforced should any issues arise. Based on various limitations within the ordinance, essentially a quiet period has been established in the Township between the hours of 10:00 PM and 6:00 AM. The proposed use will not operate during that time frame.
- Correspondence from neighbors are as follows:
  - A letter of concern dated June 12, 2024 was received from a resident at 912 N. Forestlane Drive during the conceptual review of the project. 912 N. Forestlane Drive is located approximately 1,100 feet from the subject site.
  - A letter of support dated September 23, 2024 has been provided by the Executive Director of the Traverse City Philharmonic. Traverse City Philharmonic is a neighboring tenant that abuts the subject site.

*(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 entrance to the proposed use will be at the rear entrance to the former Younker store.
- The building owner is planning to construct a hallway corridor that extends from the front entrance of the building to the rear entrance thereby providing access within the building as it is subdivided into different uses.
- Both the front and back building entrances have internal sidewalks in front of them which allows for connections to future sidewalks.

*(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 use will rely on existing entrances to the Cherryland Center, including access from Garfield Avenue and South Airport Road.
- New sidewalks along Garfield Avenue, South Airport Road, and Woodward Avenue have been installed. Additional sidewalks will be installed as development occurs at Cherryland Center.

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



- As described above, the development site will use the existing entrance drives on Garfield Avenue and South Airport Road which serve the entire Cherryland Center.
- (i) **Impervious Surfaces.** *The amount of impervious surface has been limited on the site to the extent practical.*
- The site is in an existing development. The proposed dog park will be built on the existing pavement and will remain impervious. The system will be part of the stormwater system. However, six (6) new landscaping islands will be installed in the existing parking lot.
- (j) **Master Plan.** *The proposal is not in conflict with the land use policies, goals and objectives of the Township Master Plan.*
- The proposed use fits with the Future Land Use Map, as the parcel and surrounding vicinity are envisioned as Mixed Use Center (Cherryland Center) which states “Mixed-use development is encouraged including commercial, higher density residential, entertainment, office, and public gathering spaces. Consideration shall be given to surrounding existing uses, future land use, and site design to determine the compatibility of proposed uses.”
  - The site is part of the Barlow Garfield Neighborhood Plan which guides development in this neighborhood of the Township. This plan included several development principles for this neighborhood encompassing the following:
    - Allow for mixed-use development on primary corridors.
    - Account for public spaces that accommodate a variety of activities.
    - Encourage connectivity through sidewalks, trails, cross-access, and other means.
    - Allow sites to be designed at a scale that encourages a neighborhood character.
    - Allow for new housing with diverse selection of unit types and sizes.
    - Facilitate improvements for public infrastructure upon new development.
  - The Barlow Garfield Neighborhood Plan envisions a connected, livable, community center within Garfield Township in this neighborhood. The proposed use activates the site and encourages additional active uses to be part of the site redevelopment.

The following review of the proposal with regards to the relevant sections within Article 5 – Development Standards is also provided:

#### *Access Management*

As described above, the development site will use the existing entrance drives on Garfield Avenue and South Airport Road which serve the entire Cherryland Center. This is consistent with the intent of access management standards including encouraging shared drives.

#### *Parking, Snow Storage, and Bicycle Parking*

The parking requirements for the site are as follows:

<i>Use</i>	<i>Minimum Calculation</i>	<i>Maximum Calculation</i>	<i>Minimum Required</i>	<i>Maximum Permitted</i>
Restaurant and kitchen bar (5,953 sq. ft.)	1 for each one hundred fifty (150) square feet of floor area	1 for each seventy-five (75) square feet of floor area	40 spaces	80 spaces



Kennel (263 sq. ft.)	1 for each two hundred (200) square feet of floor area	1 for each one hundred fifty (150) square feet of floor area	2 spaces	2 spaces
Range of Spaces Required/Permitted			42 spaces	82 spaces
Total Number of Spaces Provided			66 spaces	

Bicycle parking shall be provided at the rate of two (2) bicycle spaces per 25 motor vehicle spaces. The parking lot has 66 motor vehicle spaces which requires five (5) bicycle spaces. The site plan indicates three (3) double racks provided giving space for six (6) bicycles.

In accordance with Section 551.E.6, snow storage is required at the ratio of 10 square feet per 100 square feet of parking area. The site plan describes the parking area as 36,600 square feet which requires 3,660 square feet for snow storage; 3,800 square feet is provided at the north end of the site.

#### *Parking Lot Sealant and Striping*

Based on previous engineering reviews and previous site plan approvals at Cherryland Center, the parking lot, drives, and maneuvering pavement areas shall be sealed and striped.

#### *Dumpster Enclosures*

Two unenclosed dumpsters have been noted on the site. See image below. These dumpsters are proposed in the future, an enclosure would be needed to meet the standards of Section 516.



#### *Lighting*

There are existing lights within the parking lot and along the sidewalk adjacent to the building. The lights along the sidewalk adjacent to the building are nonconforming should be adjusted to comply with Section 517 of the Zoning Ordinance.



*Landscaping*

For this redevelopment, six (6) new landscaped parking lot islands shall be installed at the rear (north side) of the building as noted on the site plan.

*Stormwater Management*

The proposed dog park portion of the project will impact the existing stormwater system. Review by the Township Engineer will be required.

**(2) External Access**

The proposed development will gain its direct access from the existing Cherryland Center entrance drives.

**(3) Internal Pedestrian Circulation**

Section 522 requires pathways and interior sidewalks. The front and back building entrances have internal sidewalks in front of them which allows for connections to future sidewalks along Garfield Avenue, South Airport Road, and Woodward Avenue.

**(4) Non-Motorized Pathways**

Sidewalks have been installed along the site's frontages on Garfield Avenue, South Airport Road, and Woodward Avenue in accordance with the Non-Motorized Plan of the Master Plan and Section 522 of the Zoning Ordinance.

**(5) Building Placement**

The building placement is existing development with no proposed changes.

**(6) Vegetative Transition Strip**

A fifty-foot-wide vegetative transition strip is required if the site abuts a residential or agricultural zone. An existing transition strip is in place.

**(7) Service Drives**

Access to the site, including the parking lots, is from existing service drives to a major thoroughfare.

**(8) Prohibited Outdoor Storage**

The applicant does not propose any outdoor storage on this site.



**RECOMMENDATION:**

Following the applicant presentation and Planning Commission discussion, if Commissioners are prepared to decide on the application, then the following motion in support of approval is offered:

MOTION THAT application SPR-2024-16, submitted by Eric Engel for a bar and restaurant, without drive-through, and recreational facility on parcel 05-014-049-08 located at 1776 South Garfield Avenue, BE APPROVED, subject to the following conditions (1 thorough 4 as indicated in PD 2024-105):

1. The rear parking lot, drives, and maneuvering pavement areas shall be sealed and striped.
2. Dumpster enclosures shall be provided for the two existing onsite dumpsters in accordance with the Zoning Ordinance.
3. The onsite lighting shall be adjusted to comply with the Zoning Ordinance.
4. All agency reviews shall be received and deemed compliant prior to issuing a Land Use Permit or Building Permit.

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

**Attachments:**

1. Site Plan Review Application – dated June 5, 2024
2. Application Supporting Document
3. County Environmental Health Discussion Summary – dated June 29, 2024
4. Sound Concerns Overview – dated September 30, 2024
5. Letter from Frank Greenlaw – dated June 12, 2024
6. Letter from Kedrik Merwin – dated September 23, 2024
7. Site Plan Set from Gosling Czubak – dated July 10, 2024





# Charter Township of Garfield

## Grand Traverse County

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

### SITE PLAN REVIEW (SPR) 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 and/or Zoning 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

- ☐ Site Diagram Review
- ☒ Administrative Site Plan Review
- ☒ Site Development Plan Review

#### PROJECT / DEVELOPMENT NAME

Two Brothers Dog Park Cafe and Taphouse

#### APPLICANT INFORMATION

Name:	Eric Engel
Address:	1412 N West Silver Lake Rd
Phone Number:	517-395-0567
Email:	eric.w.engel@gmail.com

#### AGENT INFORMATION

Name:	Robert Verschaeve
Address:	1280 Business Park Dr, Traverse City, MI 49686
Phone Number:	231.933.5102
Email:	rmverschaeve@goslingczubak.com

#### OWNER INFORMATION

Name:	Cherryland Center LLC
Address:	6810 S Cedar St Lansing MI 48911
Phone Number:	517-709-343
Email:	steve@holidayparkrealty.com



**CONTACT PERSON**

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

*Applicant:*

*Agent:*

*Owner:*

Robert Verschaeve

**PROPERTY INFORMATION**

*Property Address:* 1776 S. GARFIELD, TRAVERSE CITY, MICHIGAN Suite 1

*Property Identification Number:* 05-014-049-08

*Legal Description:* Description on site plan

*Zoning District:* C-P Planned Shopping

*Master Plan Future Land Use Designation:* Commercial

*Area of Property (acres or square feet):* 7,000 sq ft interior buildout + 1 acre exterior park + parking & circulation

*Existing Use(s):* Vacant Retail mall space

*Proposed Use(s):* Dog Park Cafe and Taphouse

**PROJECT TIMELINE**

*Estimated Start Date:* 9/1/2024

*Estimated Completion Date:* 3/30/2025

**REQUIRED SUBMITTAL ITEMS**

A complete application for a Site Plan Review consists of the following:

Application Form:

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

Application Fee:

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

- ☒ Fee

Escrow Fee:

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

Site Diagram Review:

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



**Administrative Site Plan:**

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

**Site Development Plan:**

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

Digital items to be delivered via email or USB flash drive

**SUBMITTAL DEADLINE**

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

**WAIVERS**

**Submittal Waiver:**

At the discretion of the 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 Diagram (SD), Administrative Site Plan (ASP), or Site Development Plan (SDP). Please use the Required Site Plan Elements Checklist below.



## APPROVAL CRITERIA

An administrative site plan or site development plan shall conform to all provisions of the Zoning Ordinance and to the following site development standards which shall be reflected on the plan:

1. **Required Information.** All required information shall be provided.
2. **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.
3. **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.
4. **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.
5. **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.
6. **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.
7. **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.
8. **Shared Drives.** Where the opportunity exists, developments shall use shared drives. Unnecessary curb cuts shall not be permitted.
9. **Impervious Surfaces.** The amount of impervious surface has been limited on the site to the extent practical.
10. **Master Plan.** The proposal is not in conflict with the land use policies, goals and objectives of the Township Master Plan.

## ADDITIONAL INFORMATION

If applicable, provide the following further information:

A. <u>Sanitary Sewer Service</u>	<u>Yes</u>	<u>No</u>	<u>Not Applicable</u>
1. Does project require extension of public sewer line? Existing Sewer Infrastructure	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, is it depicted on plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



## B. Water Service

1. Does project require extension of public water main? Existing water infrastructure ☐ ☒ ☐  
If yes, has a Utility Agreement been prepared? ☐ ☐ ☒
2. Will a community water supply be installed? ☐ ☒ ☐  
If yes, has a Utility Agreement been prepared? ☐ ☐ ☒  
If yes, provide construction plans and specifications

## C. Public utility easements required?

If yes, show on plan.

☐ ☒ ☐

## D. Stormwater Review/Soil Erosion

1. Soil Erosion Plans approved by Soil Erosion Office? ☐ ☐ ☐  
If so, attach approval letter. Will be submitted as required for construction permitting  
If no, are alternate measures shown? ☐ ☐ ☐
2. Stormwater Plans approved by Township Engineer? ☐ ☐ ☐  
If so, attach approval letter. Will be submitted for review as part of the SPR and escrow funds.  
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? Reconfigured parking lot circulation ☒ ☐ ☐
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

- 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.
- 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 may approve, approve with conditions, or deny the application.



### 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:

<i>St. A. Halm</i> (Property Manager)
<i>Eric Engel</i>
<i>Robert Venter</i>
06/05/2024

### 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 Steve Halm 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:

<i>St. A. Halm</i> (Property Manager)
6-5-24

### 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:

<i>St. A. Halm</i> (Property Manager)
6-5-24
<i>Eric Engel</i>
06/05/2024



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
<b>A. Basic Information</b>			
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>B. Site Plan Information</b>			
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"/>	



## Applicable Application Questions:

1. The boundaries of the development site. 90 Ft bump out from the northeast corner of the Yonkers building. 60 Ft wide to the edge of the building.

2. The total number of acres in the project. .25 acres

3. The number of acres to be developed by each type of use.

11. The public facilities intended to serve the planned unit development, such as sewage disposal, water supply, stormwater systems, etc. The yard will be washed once a day and funneled into the stormwater system. Water spout will be exposed from the building to power hoses as well as dog water area.

## Information on the business and space:

Two Brothers Dog Park Cafe and Taphouse will be a member-driven establishment for people who share a close bond with their canine friends. This establishment will offer a safe and engaging space for dogs and their parents, requiring all dogs to be up to date on their vaccinations and validated by the owner or a trainer that the dog is socialized. We will offer all local beers, wines, ciders, and meads on tap. We will also provide a breakfast, lunch, and dinner menu. Food will be consumed in a space with hard separations from any areas containing dogs.

The outdoor space is a 5000 sq ft yard built on the existing pavement. Holes and a trench will be drilled into the existing ash vault to provide drainage and flow drainage to the stormwater. Limestone will then be laid on top of the ash vault, and turf engineered for dog parks will be installed on top of the limestone. The yard will be washed down 1-2 times daily by staff. A cement walkway will bifurcate the space, and we will also have a cement stage for live music. These features can be observed in the attached draft rendering. We would also like the committee to discuss the possibility of Two Brothers having food truck service on Friday/Saturday afternoons, as we will not be offering food that requires hood infrastructure, and we would love to serve pizzas on the weekend.



## 6/29: Environment Health Discussion Summary

On June 24th, the Environmental Health Department was contacted. Information was shared with them in regard to our plans to handle food, separate dogs from food servicing and consumption areas, and our plans for outdoor waste management.

On June 29th: Craig Preston from the Environment Health Department called Eric Engel to discuss what his team concluded after reviewing our information:

- Craig shared that they had no concerns regarding how we were handling outdoor waste.
- Craig shared that they decided to apply the same precautions enforced on K&A's Hopdogs. This includes ensuring a fixed barrier between where food is consumed and where dogs are present.
- After reviewing Two Brothers Plans, Craig shared that their team has no concerns with our current approach.
- The Two Brothers team stated they would share their final designs and renderings with the Environmental Health Department for approval before we start construction.

6-29-2024



# Two Brothers Sound Concerns Overview:

## Concern:

- The township planning committee shared concerns and questions about dog barking and its impacts on nearby residential areas and the Philharmonic.

## Response:

- Our hours of operation are:
  - 11 AM - 8 PM: Monday, Wednesday, Thursday
  - 11 AM - 9 PM Friday
  - 9 AM - 9 PM Saturday
  - 9 AM - 6 PM Sunday
  - The earliest we will open is 9 AM, and the latest we close is at 9 PM. This will ensure that music and barking end by 9 PM, keeping us compliant with the Garfield Sound Ordinance.
- Noise at the nearest residential lot, 420 ft away, should be 40 dB or less, equivalent to a refrigerator hum. 10dB less than plainly audible sound and 20dB less than light road traffic.
- Noise at the Philharmonics, our closest neighbor, should be 49 dB or less. This should be equivalent to a quiet office, quieter than moderate rainfall, and not plainly audible.
- With 7 - 8 ft solid cedar fencing, the noise will be reduced by 6 dB.
- Wags West, which does not use sound-dampening fencing, is 40 ft from the nearest condo building and 130 ft to the nearest single-family residential neighborhood.
- Garfield traffic at 60-90 dB is 50 feet from residential houses.
- When performing sound measurements at Wags West, I could not pick up sound dB from the eight dogs playing in the park, as it was overtaken by the division street traffic, omitting 60 dB to 108 dB of noise. Similar reports from the 2017 Adams County Colorado animal shelter sound study. Where nearby roads produced more noise than the dog parks.

## Noise ordinance and concerns.

- [https://www.garfield-twp.com/downloads/ordinance no 47 noise ordinance signed.pdf](https://www.garfield-twp.com/downloads/ordinance%20no%2047%20noise%20ordinance%20signed.pdf)
  - Continuous and clearly audible from 50 ft is against the ordinance.
  - No loudspeakers/music from 10 PM to 6 AM.
  - Animal continuous and plainly audible from 50 ft away.



### Decline of noise of distance:

- Noise declines an average of six decibels for every doubling of distance. If the noise level is 85 dB at a distance of 5 feet from an outside dog run, then the level from an outside run with no noise abatement measures would be 65 dB at 50 ft, 55.4dB at 150 ft, and 46.94 dB at 400ft away.

### Dog Noise and Distance:

- **Examples of sound dB**
  - 30 dB - A whisper. 40 dB - Refrigerator hum, a quiet office. 50 dB - Moderate rainfall. 60 dB - Normal conversation, dishwashers.
- **A dog's bark can range from 60–110 decibels (dB), with most barks falling between 80–90 dB. 85 dB at 5 M. Same decibels as traffic on Garfield Road.**
  - 55.4 dB at 45 M (150ft): Philharmonics
  - 46 dB at 130 M (420 ft): Nearest residential
  - Garfield traffic at 60-90 dB is 50 feet from residential houses.
- **Sounds after distance and 7ft, -6 dB damping fence. (Can get custom fences to reach -21 dB)**
  - 49 dB at 150ft, Philharmonics
  - 40 dB at 420ft, nearest residential



- The closest distance is 150 ft to Philharmonics
- The closest to residential is 420 ft to 1729 Woodward Ave, Traverse City, MI 49686, and 436 ft to 919 S Forest Lane Dr, Traverse City, MI 49686
- **Specific acoustic fencing:**  
<https://www.fencingandlandscapesupplies.co.uk/acoustic-fencing>
  - Tests carried out on the panel have demonstrated its ability to reduce noise levels by as much as 30 decibels (dB), which is equivalent to reducing the noise from a petrol lawnmower down to the level of normal conversation. A 30dB reduction in noise level is equivalent to an 8-fold reduction in the perceived intensity of the noise.



## Adam County Animal Shelter Sound Study:

- [https://www.adcogov.org/sites/default/files/27%202017%20ACAS\\_Sound%20Study.pdf](https://www.adcogov.org/sites/default/files/27%202017%20ACAS_Sound%20Study.pdf)



AMS COUNTY ANIMAL SHELTER  
QUARED DESIGN

### CAR HORN DECIBEL COUNT AND DISTANCES TO RIVERDALE ROAD

Sound levels were measured in decibels (dB) at determined distances of 10 ft, 100 ft, 200 ft, and 300 ft from the car horn. A typical car horn is 110 dB at 1 meter (3.28 ft). At the distance of 300 ft from the car horn, the sound level had been diminished to 72.1 dB.

The distance from the car horn to the nearest ambient sound study location (123rd & Riverdale) is approximately 1,432 ft. At this point, the car horn (pointed directly towards 123rd & Riverdale) was barely audible to the ear, and at a sound level undifferentiable from the ambient sound level at that location. At night, the car horn was distinguishable from the ambient sound, but caused no noticeable change in the recorded ambient sound level.

- The ambient sound on the site masks the sounds reaching Riverdale Road from the proposed building.
- The proposed building shields noise coming from the dog yards on the east side.

**110 dB:** AUTO HORN AT 1 METER, STEEL MILL, RIVETING MACHINE, LIVE ROCK MUSIC

**100 dB:** MOTORCYCLE, FARM TRACTOR, JACKHAMMER, GARBAGE TRUCK

**90 dB:** POWER MOWER, MOTOCYCLE AT 25 FT, NEWSPAPER PRESS

**80 dB:** CITY TRAFFIC, GARBAGE DISPOSAL, DISHWASHER, FOOD BLENDER

**70 dB:** RADIO OR TV AUDIO, VACUUM CLEANER, CAR AT 65 MPH AT 25 FEET

**60 dB:** CONVERSATION IN RESTAURANT, OFFICE, BACKGROUND MUSIC

**50 dB:** QUIET SUBURB, CONVERSATION AT HOME

**40 dB:** LIBRARY, BIRD CALLS, LOWEST LIMIT OF URBAN AMBIENT SOUND



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**From:** Frank Greenlaw <thegreener@yahoo.com>  
**Sent:** Wednesday, June 12, 2024 12:38 PM  
**To:** John Sych  
**Subject:** Urgent include this email in tonight's 6-12-24 planning commission meeting minutes

Do include this email in tonight's minutes. I am Frank Greenlaw and have lived in this Forestlane Subdivision since Jan. 1969 over 55 years. And it's literally just 1 block north of the Cherryland Centre. Also another big residential development is going on just west of and in front of the Younkers store where there is a development that wants to put in a dog park.

I walk with a neighbor almost everyday around our horseshoe sub which is almost a mile around and back and while doing so the dogs at some of these residences start barking and all of a sudden all the dogs in the subdivision start a chorus of barking. I've already had neighbors calling me and asking me if I was the one complaining about their 2 dogs barking as they had someone sent them a mail telling them to silence the constant barking. I told the neighbor I was not the one who sent them a letter and don't know who did.

All this subdivision and the new residential sub in the back of Younkers DONT NEED is a dog park filled with multiple more dogs chiming in with more barking. Plus can you imagine all those dogs doing their daily duties and a south wind comes up drifting into our sub even though they say they will so call clean it up which in the daytime means a lot of wait times before they even do.

As far as I am concerned it's going to create more unnecessary NOISE AND EXCREMENT POLLUTION PERIOD IN two residential areas that are well kept.

So PLEASE DO NOT allow this to happen. I also saw in the Ticker Newsletter I receive almost daily where part of your department is to include more residential homes. This area is NOT A PUBLIC PARK. People that want a dog park can fine a public park and use that.

I am Frank T Greenlaw  
912 N Forestlane Dr  
Traverse City MI 49686  
Phone [231-9475795](tel:231-9475795)

And thank you for reading and passing this email into your minutes tonight June 12, 2024

Frank T. Greenlaw 🍌





Eric Engel &lt;eric.w.engel@gmail.com&gt;

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## Two Brothers Dog Park Cafe Support Note

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**Kedrik Merwin** <kmerwin@tcphil.org>  
To: Eric Engel <eric.w.engel@gmail.com>

Mon, Sep 23, 2024 at 8:56 AM

Hello Eric,

The Traverse City Philharmonic would welcome Two Brothers Dog Park Cafe as a new neighbor. As a family oriented organization we would be delighted to welcome another business to the complex that would extend the family to our pets. Good luck with your buildout. I look forward to lunch in your Cafe in the future! Don't worry about any sound from pets, we have put a lot of soundproofing in our buildout and at this point aren't even hearing airplanes as they go overhead!

Wishing you the best,  
Kedrik

**Dr. Kedrik Merwin**

*Executive Director*

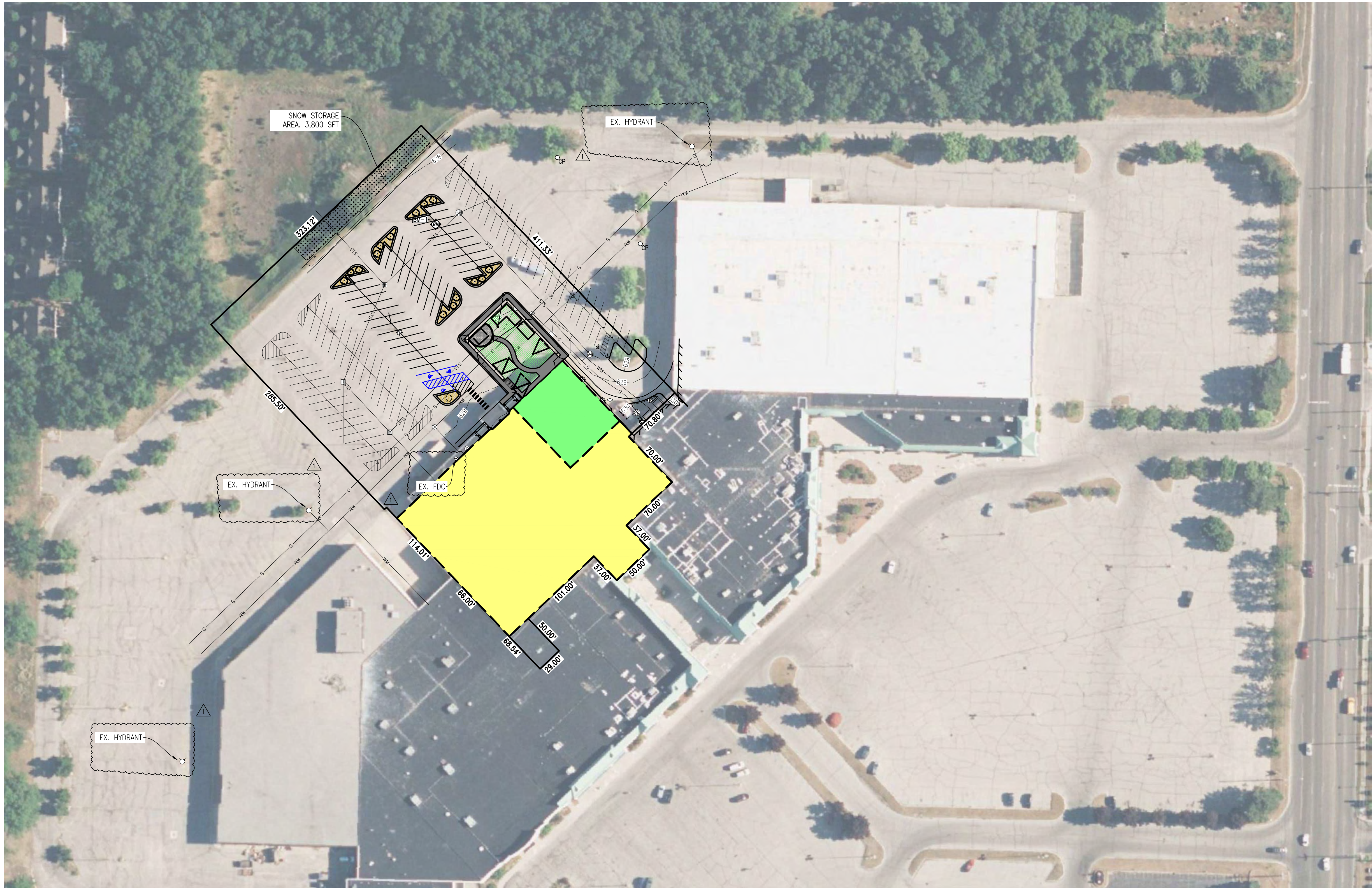
**Traverse City Philharmonic**  
1724 S. Garfield | Traverse City, MI | 49686  
Phone 231-947-7120

[kmerwin@tcphil.org](mailto:kmerwin@tcphil.org)

[www.tcphil.org](http://www.tcphil.org)

[Quoted text hidden]





EXISTING FEATURES LEGEND

- BENCHMARK
- IRON SET
- EXISTING MANHOLE (AS NOTED)
- EXISTING ELECTRIC TRANSFORMER
- EXISTING LIGHT POLE
- EXISTING FIRE DEPARTMENT CONNECT
- EXISTING GAS METER
- EXISTING GAS VALVE
- EXISTING CATCH BASIN - ROUND
- EXISTING CATCH BASIN - SQUARE
- EXISTING POST
- EXISTING SIGN
- EXISTING GATE VALVE
- EXISTING HYDRANT
- EXISTING FENCE
- EXISTING GAS
- EXISTING STORM SEWER
- EXISTING WATER MAIN

SITE DEVELOPMENT LEGEND

- PROPOSED TWO BROTHERS DOG PARK CAFE & TAPHOUSE ±7,000 SFT
- UNDEVELOPED FUTURE TENANT SPACE ±40,900 SFT

SURVEY NOTES

- THIS TOPOGRAPHIC MAP IS BASED UPON A FIELD SURVEY PERFORMED BY GOSLING CZUBAK ENGINEERING SCIENCES, INC. DURING MAY 2024.
- BOUNDARY IS DEPICTED FOR INFORMATIONAL PURPOSES ONLY.
- THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE SEARCH AND THEREFORE THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, RIGHT-OF-WAY TAKINGS AND RESTRICTIVE COVENANTS THAT COULD ENCUMBER THIS PARCEL OF LAND.
- THE BEARING BASE AND COORDINATES OF THIS DRAWING ARE BASED UPON THE MICHIGAN STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83, INTERNATIONAL FEET, 2011 ADJUSTMENT. CONTROL WAS ESTABLISHED BY GPS OBSERVATION USING THE AVAILABLE MDOT CONTINUOUSLY OPERATING STATIONS (CORS).
- THE VERTICAL DATUM OF THIS SURVEY IS BASED UPON NAVD 88. CONTROL WAS ESTABLISHED BY GPS OBSERVATION USING THE AVAILABLE MDOT CONTINUOUSLY OPERATING STATIONS (CORS).
- THE UTILITY INFORMATION SHOWN ON THIS SURVEY IS SHOWN BASED UPON A COMBINATION OF RECORD INFORMATION AND FIELD MEASUREMENTS. THE SURVEYOR DOES NOT GUARANTEE THAT ALL UNDERGROUND UTILITIES ARE SHOWN AND/OR POSITIONED PROPERLY ON THIS DRAWING DUE TO AMBIGUOUS PLANS AND RECORDS PROVIDED TO US. THE INFORMATION SHOWN ON THIS DRAWING IS INTENDED TO BE USED AS A GUIDE FOR POSSIBLE UNDERGROUND UTILITY CONFLICTS. IT IS THE RESPONSIBILITY OF OTHERS TO RESOLVE THE ACTUAL LOCATION OF ANY UNDERGROUND UTILITY THROUGH THE MISS DIG FIELD VERIFICATION SYSTEM PRIOR TO ANY SITE EXCAVATION. CALL 811 OR 800-482-7171.

PROPERTY OWNER:

CHERRYLAND CENTER LLC  
6810 S CEDAR ST.  
LANSING, MI 48911

SITE ADDRESS:

1776 S GARFIELD AVE., SUITE 1  
TRAVERSE CITY, MI 49686

PROJECT APPLICANT:

ERIC ENGEL  
1412 N WEST SILVER LAKE RD  
TRAVERSE CITY, MI 49685

PROPERTY TAX DESCRIPTION:

COMMENCING AT THE E 1/4 CORNER SECTION 14, TOWN 27 NORTH, RANGE 11 WEST; THENCE WEST 1025.07', SOUTH 120' TO THE POINT OF BEGINNING; THENCE SOUTH 45 DEG WEST 323.12', SOUTH 45 DEG EAST 285.5', NORTH 44 DEG 38' EAST 3.12', SOUTH 45 DEG 21' EAST 114.01', SOUTH 44 DEG 44' EAST 66', SOUTH 45 DEG 6' EAST 68.54', NORTH 45 DEG EAST 29', NORTH 45 DEG WEST 50', NORTH 45 DEG EAST 101', SOUTH 45 DEG EAST 37', NORTH 45 DEG WEST 37', NORTH 45 DEG EAST 70', NORTH 45 DEG WEST 70', NORTH 45 DEG EAST 70', NORTH 45 DEG WEST 411.33' TO POB.

SITE DATA TABLE:

PARCEL I.D.	ZONING DISTRICT	PROPOSED USE	APPROVAL MECHANISM	MINIMUM LOT AREA (ACRE)	MINIMUM LOT WIDTH	FRONT SETBACK	SIDE SETBACK	REAR SETBACK	MAX BUILDING HEIGHT
05-014-049-08	C-P - PLANNED SHOPPING	CAFE AND TAPHOUSE	SITE PLAN REVIEW	15,000 SF	60'	30'	30'	30'	30'/4 STORIES

PARKING CALCULATIONS:

PROPOSED USE: CAFE AND TAPHOUSE (RESTAURANT)

PARKING BASED ON AREAS PER THE GARFIELD TOWNSHIP ZONING ORDINANCE:

		MIN	MAX
RESTAURANT:	5,341 SFT	1/150 SFT =36	1/75 SFT =72
KITCHEN BAR:	612 SFT	1/150 SFT =4	1/75 SFT =8
KENNEL:	263 SFT	1/200 SFT =2	1/150 SFT =2

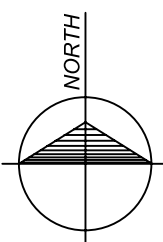
MIN PARKING: 42 SPACES  
MAX PARKING: 82 SPACES

TOTAL PARKING PROVIDED = 66 SPACES  
ADA SPACES PROVIDED = 3 SPACES

REQUIRED BICYCLE PARKING: 2 PER 25 VEHICLE  
MIN. BICYCLE PARKING: 66/25 = 2.6 x 2 = 5.2 = 6 BIKE (3 DOUBLE RACKS)

OVERALL SITE PLAN

SCALE 1" = 60'  
0' 60' 120'



SITE PLAN NOTES:

- SNOW STORAGE AREA PROVIDED AT A RATE OF AT LEAST 10 SF OF STORAGE PER 100 SF OF PARKING AREA. PARKING AREA WITHIN TWO BROTHERS SITE AREA IS ±36,600 SF. SNOW STORAGE PROVIDED IS 3,800 SF (REQUIRED IS 3,660 SF)
- SIGNS ARE SUBJECT TO SIGN PERMIT REVIEW.
- PARKING SPACES AND ALL AISLES SHOWN ON THIS PLAN WITHIN THE TWO BROTHERS SITE AREA ARE SHOWN RE-STRIPED TO CURRENT REQUIREMENTS.
- ANY EXISTING, NON-COMPLIANT LIGHTING WILL BE REMOVED FROM THE SITE.
- ANY PROPOSED LIGHTING WILL BE SHOWN TO MEET APPLICABLE ORDINANCE REQUIREMENTS.

BENCHMARK DATA		
BENCHMARK	DESCRIPTION	ELEVATION (NAVD88)
BM-1	MAG NAIL IN LIGHT POLE	631.04



OVERALL SITE PLAN  
TWO BROTHERS DOG PARK CAFE & TAPHOUSE  
ERIC ENGEL

Date Issued: 06-06-2024  
Date Surveyed: 05-28-2024  
Designed By: RMV  
Drawn By: RMV  
Checked By: ---  
Scale: AS NOTED  
Original sheet size is 22x34

Location:  
PART OF THE SE 1/4  
SECTION 14  
T27N, R11W  
GARFIELD TOWNSHIP  
GRAND TRAVERSE COUNTY, MI

Project Number:  
240260

Sheet:

C1





engineering sciences, inc.  
1280 Business Park Dr.  
Traverse City, Michigan  
231-946-9191 phone  
info@goslingczubak.com  
www.goslingczubak.com

**CIVIL ENGINEERING  
SURVEYING  
ENVIRONMENTAL SERVICES  
GEOTECHNICAL  
CONSTRUCTION SERVICES  
DRILLING  
LANDSCAPE ARCHITECTURE**

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**DEMOLITION PLAN**  
**TWO BROTHERS DOG PARK CAFE & TAPHOUSE**  
**ERIC ENGEL**

Date Issued: 06-06-2024  
Date Surveyed: 05-28-2024  
Designed By: RMY  
Drawn By: RMY  
Checked By: ---  
Scale: AS NOTED

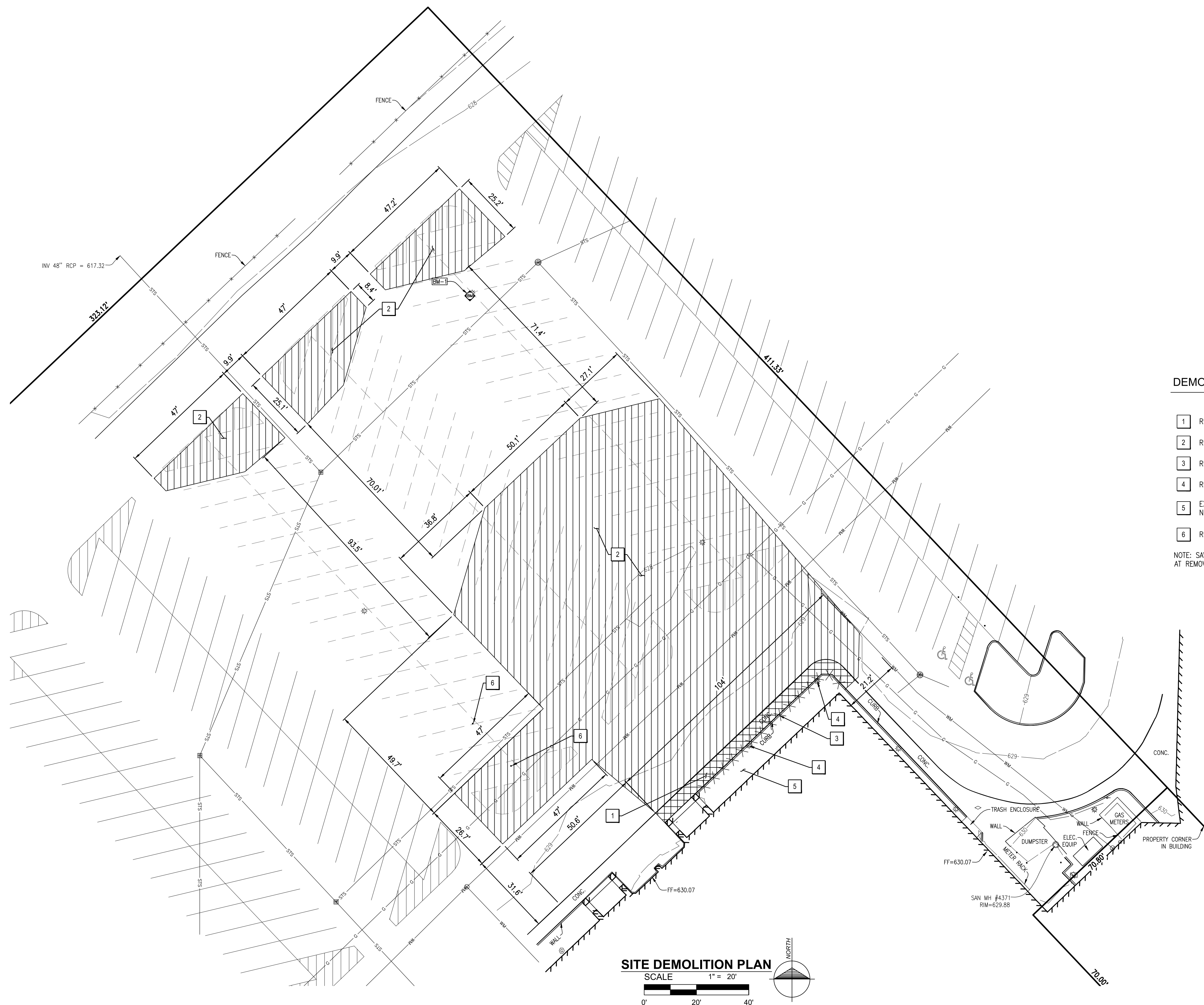
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Location:  
PART OF THE SE 1/4  
SECTION 14  
T27N, R11W  
GARFIELD TOWNSHIP  
GRAND TRAVERSE COUNTY

Project Number: 240260

Sheet:

## C2







STORM STRUCTURE SCHEDULE				
STRUCTURE NUMBER	STRUCTURE DIAMETER	CASTING	RIM ELEV	CONNECTED PIPE INV ELEV
CB #27A-1	48"	EJ 7050 CURB INLET	628.38	15" SW: 620.26 15" NE: 620.26
CB #27C	48"	EJ 7050 CURB INLET	628.04	15" S: 620.82
EX CB #27B	48"	EJ 1040 FRAME W/ TYPE A SOLID COVER	628.91	15" SW: 620.50 15" N: 620.60

LANDSCAPING & GROUND COVER SCHEDULE		
KEY	BOTANICAL NAME COMMON NAME	MIN. REQ'D SIZE
A.r.	<i>Acer rubrum</i> "October Glory" "October Glory" Red Maple	2.5-3" cal.B&B
	NEW MULCH	

DETAILED SITE PLAN  
SCALE 1" = 20'  
0' 20' 40'

SITE PLAN LEGEND	
	PROPOSED PAVEMENT
	PROPOSED CONCRETE SIDEWALK
	PROPOSED K9 GRASS AREA
	PROPOSED MODIFIED CURB
	PROPOSED STORM SEWER
	PROPOSED STORM CATCH BASIN
	PROPOSED STORM MANHOLE

PARKING LANDSCAPE ISLAND AREAS	
AREA ID (NO.)	AREA (SFT)
L1	223
L2	290
L3	290
L4	210
L5	290
L6	290
TOTAL AREA	1593
REQUIRED: 66 SPCS X 10 SFT/EA	660
REQUIRED CANOPY TREES: 1/100 SFT	15.9
PROPOSED TREES	16

CONSTRUCTION KEYED NOTES		
DESCRIPTION	DETAIL #/SHEET	
1 K9 GRASS SYSTEM	1 / C5	
2 CURB AND SIDEWALK AROUND OUTDOOR DOG PARK	2 / C5	
3 STANDARD F4 CURB & GUTTER	3 / C5	
4 MODIFIED F4 CURB & GUTTER	4 / C5	
5 BIKE RACKS	5 / C5	
6 INSTALL NEW CATCH BASIN. SEE STRUCTURE SCHEDULE	6 / C5	
7 REPLACE CATCH BASIN FRAME AND GRATE. SEE STRUCTURE SCHEDULE	6 / C5	
8 INSTALL REINFORCED CONCRETE PIPE STORM SEWER AS NOTED		
9 REPLACE BITUMINOUS PAVEMENT	7 / C5	
10 CONSTRUCT CURB RAMP	8 / C5	
11 HANDICAP PARKING SIGN	9 / C5	
12 HANDICAP PARKING SIGN - VAN ACCESSIBLE (SIDE NOTED)	9 / C5	
13 FIRE LANE SIGN	10 / C5	
14 RECONSTRUCTED SIDEWALK ALONG ENTRANCE STRUCTURE. MATCH PAVEMENT TO CONCRETE INTERFACE AS REMOVED		
15 CONSTRUCT CURB RETURN TO BUILDING. MATCH EXISTING CURB		
16 ELEVATED PATIO	11 / C5	
17 FENCE (TYP). SEE FOUNDATION DETAIL THESE PLANS	1 / C5	
18 PERGOLA-SOLID ROOF. SEE ARCHITECTURAL FOR DETAILS		
19 PERGOLA-TRELLIS ROOF. SEE ARCHITECTURAL FOR DETAILS		
20 SAIL SHADE INSTALLED PER MANUFACTURER DETAILS		

- LANDSCAPING COMPLIANCE NOTES:**
- INTERIOR PARKING LANDSCAPE AREAS ARE SHOWN TO BE PROVIDED BASED ON SECTION 532:
    - ALL PARKING AREAS WITH 2 OR MORE PARKING AISLES SHALL REQUIRE INTERIOR LANDSCAPED AREAS OF AT LEAST 10 SQUARE FEET FOR EACH PARKING SPACE. SUCH INTERIOR LANDSCAPED AREAS SHALL BE LOCATED WITHIN THE PERIMETER OF THE PARKING AREA SURFACE.
    - LANDSCAPING, FOR THE PURPOSES OF THIS SUBSECTION, SHALL MEAN SOME COMBINATION OF PLANTED TREES, SHRUBS, VINES, GROUND COVER, FLOWERS OR LAWNS. IN ADDITION, THE COMBINATION OF DESIGN MAY INCLUDE ROCK GROUND COVER NOT TO EXCEED TWENTY PERCENT (20%) OF THE TOTAL OF ANY LANDSCAPED AREA, EARTH MOUNDS, AND SUCH STRUCTURAL FEATURES AS FOUNTAINS, POOLS, ART WORKS, SCREENS, WALLS, FENCES OR BENCHES, BUT SUCH OBJECTS ALONE SHALL NOT MEET THE REQUIREMENTS OF THIS SUBSECTION.
    - THE SELECTED COMBINATION OF PLANT MATERIALS SHALL BE A HARMONIOUS BLEND OF LIVING DECIDUOUS AND EVERGREEN TREES, SHRUBS AND VINES SO ARRANGED TO PRESENT AN AESTHETICALLY PLEASING WHOLE.
    - EACH INTERIOR LANDSCAPE AREA SHALL INCLUDE 1 OR MORE CANOPY TREES PER EACH 100 SQUARE FEET OF INTERIOR LANDSCAPING AREA.
    - SIGNIFICANTLY MOUNDED ISLANDS OF INTERIOR LANDSCAPE AREA, WHICH LIMIT THE ABILITY OF NATURAL RAINWATER TO REACH THE VEGETATION'S ROOTS, ARE DISCOURAGED.
    - PLANTING STRIPS SHALL BE A MINIMUM OF 10 FEET IN WIDTH.
    - TREES SHALL BE PLANTED WITHIN AN ISLAND AT LEAST 10 FEET WIDE BY 18 FEET DEEP.
    - INTERIOR LANDSCAPE AREAS SHALL BE DESIGNED SO AS TO CREATE MINIMAL INTERFERENCE WITH SNOW REMOVAL.
    - INCORPORATING AND CONSOLIDATING REQUIRED INTERIOR PARKING LOT LANDSCAPING AREAS AS A FUNCTIONAL ELEMENT OF SITE DESIGN IS ENCOURAGED AND IN SOME INSTANCES MAY BE REQUIRED. EXAMPLES MAY INCLUDE INCORPORATING STORMWATER MANAGEMENT, WALKWAYS, OR COMMON AREA WITH REQUIRED INTERIOR LANDSCAPE AREAS.

No.	Date	Revision	By

**DETAILED SITE PLAN**  
**TWO BROTHERS DOG PARK CAFE & TAPHOUSE**  
**ERIC ENGEL**





**CIVIL ENGINEERING  
SURVEYING  
ENVIRONMENTAL SERVICES  
GEOTECHNICAL  
CONSTRUCTION SERVICES  
DRILLING  
LANDSCAPE ARCHITECTURE**

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**GRADING AND DIMENSION PLANS**  
**TWO BROTHERS DOG PARK CAFE & TAPHOUSE**  
**ERIC ENGEL**

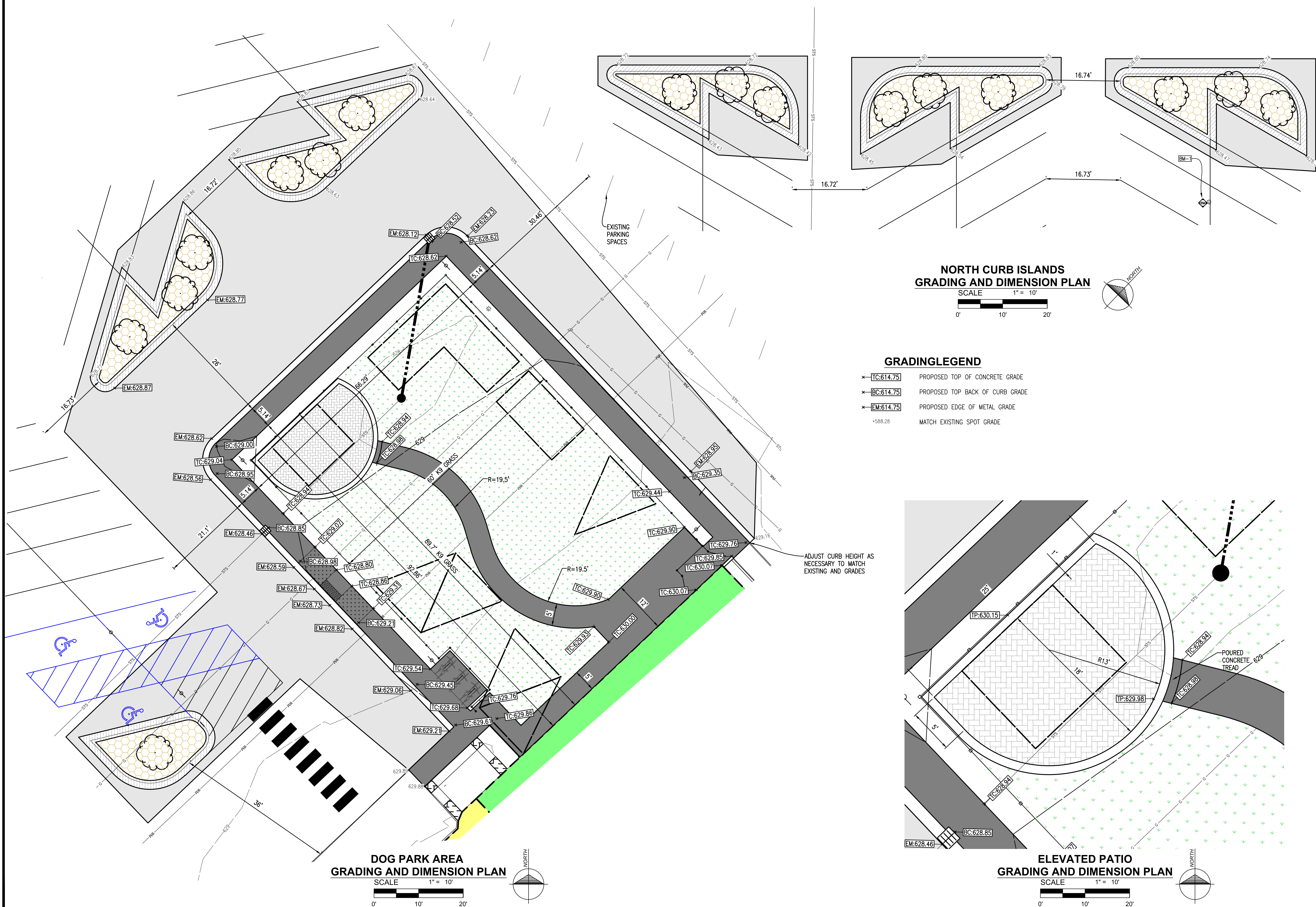
Date Issued:	06-06-2024
Date Surveyed:	05-28-2024
Designed By:	RMV
Drawn By:	RMV
Checked By:	-----
Scale:	AS NOTED

Location:  
PART OF THE SE 1/4  
SECTION 14  
T27N, R11W  
GARFIELD TOWNSHIP  
GRAND TRAVERSE COUNTY, MI

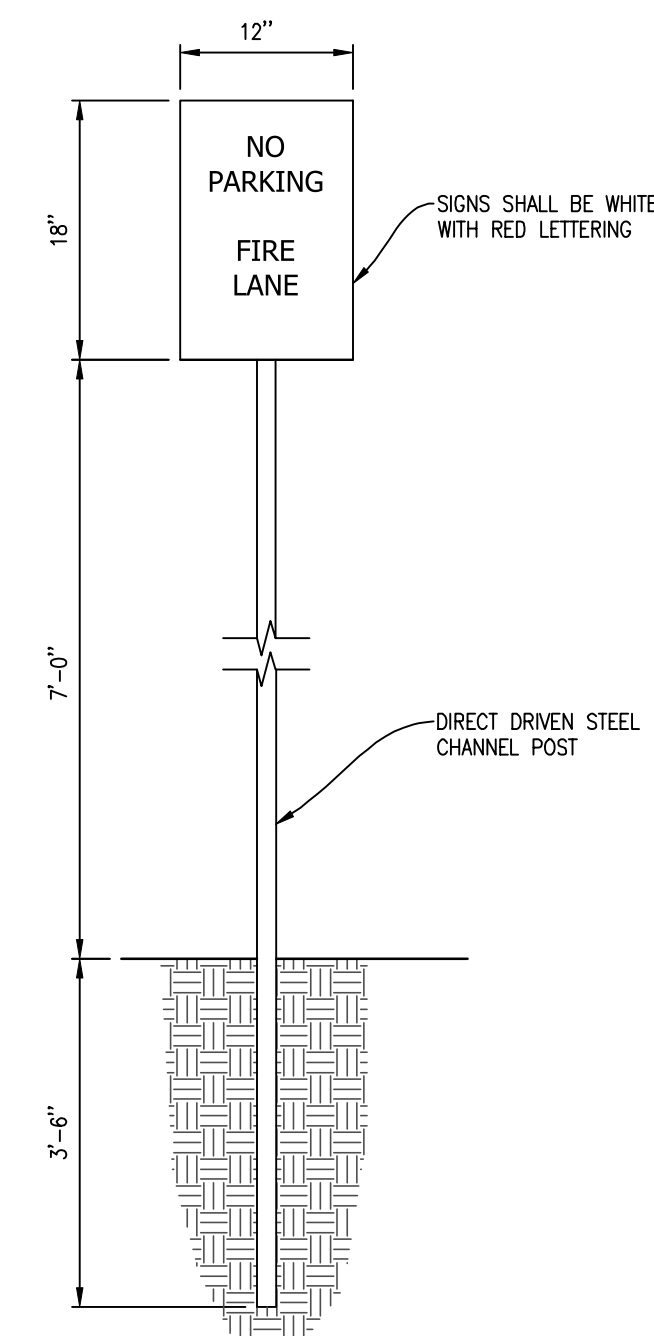
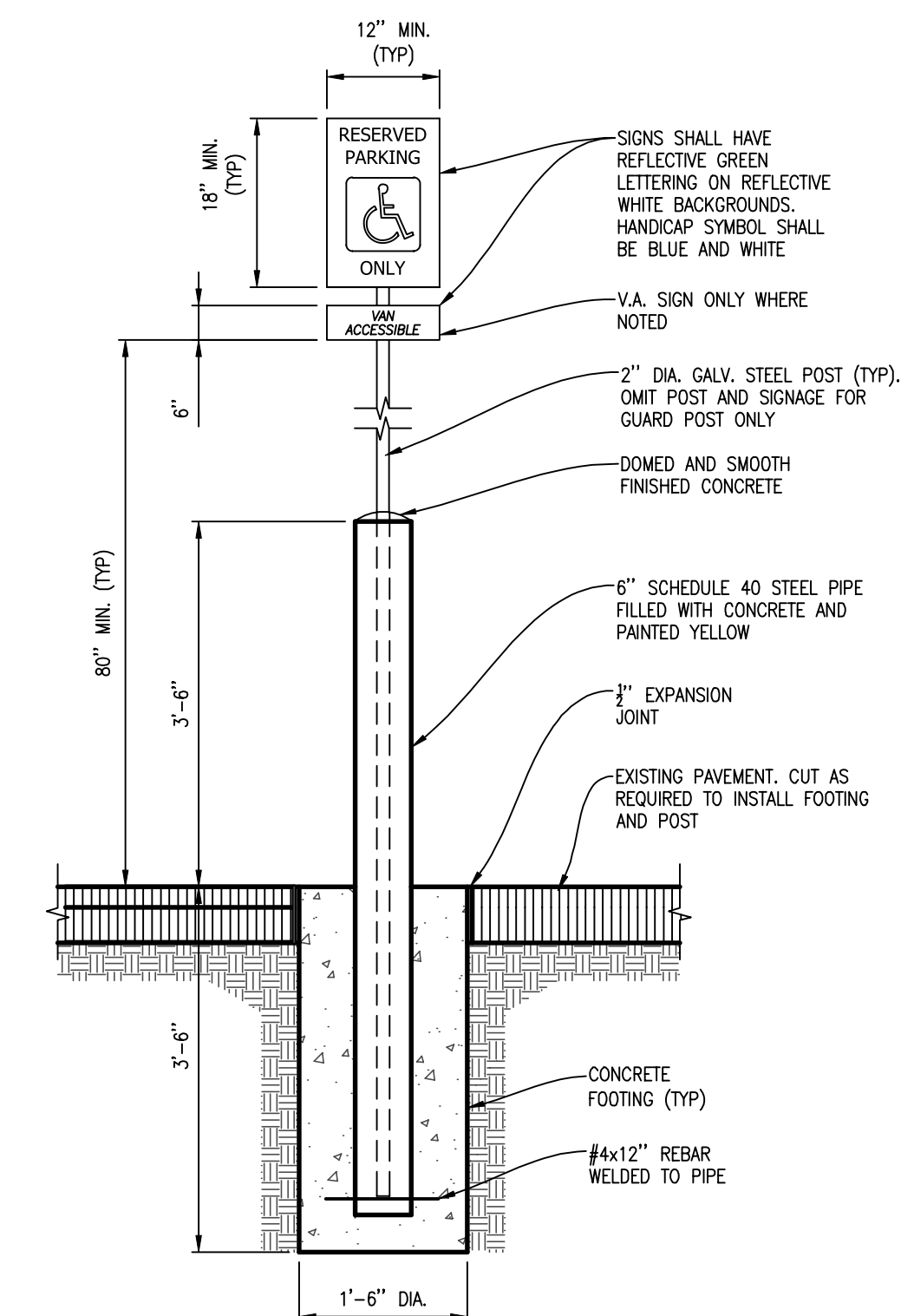
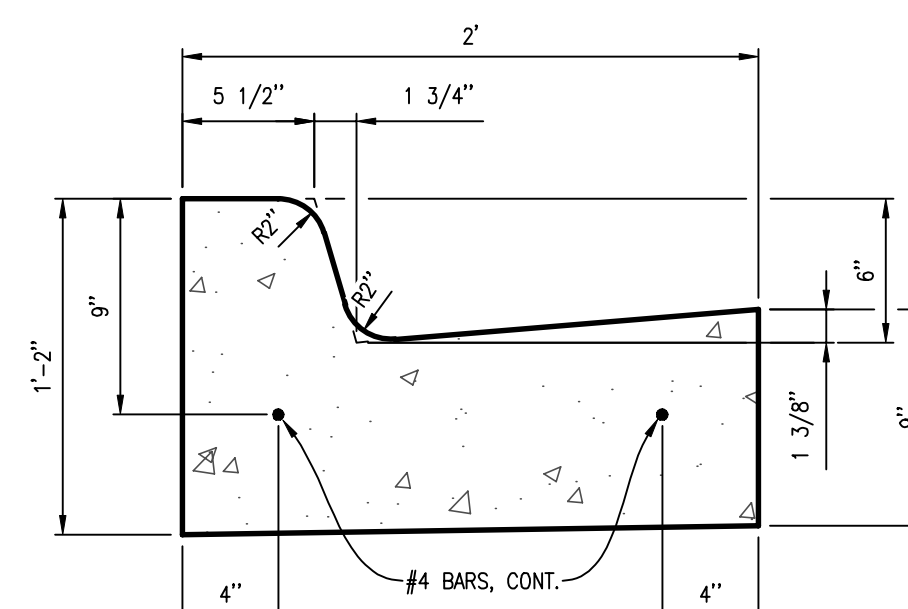
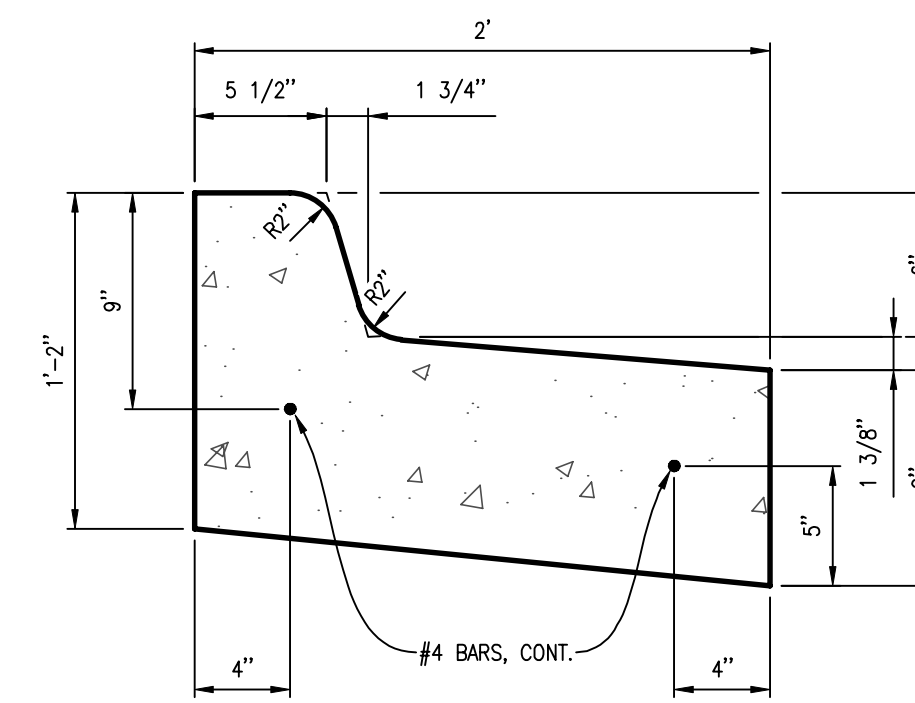
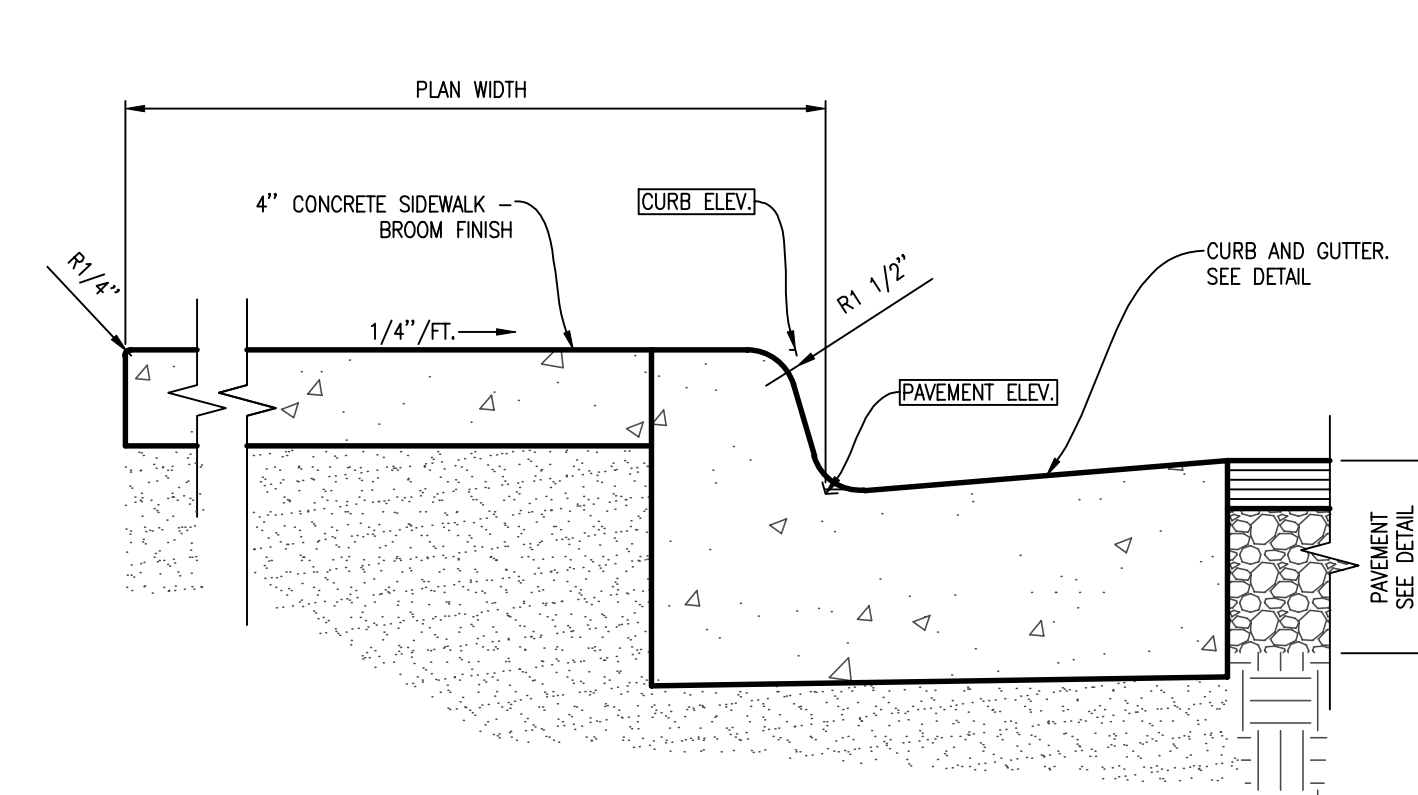
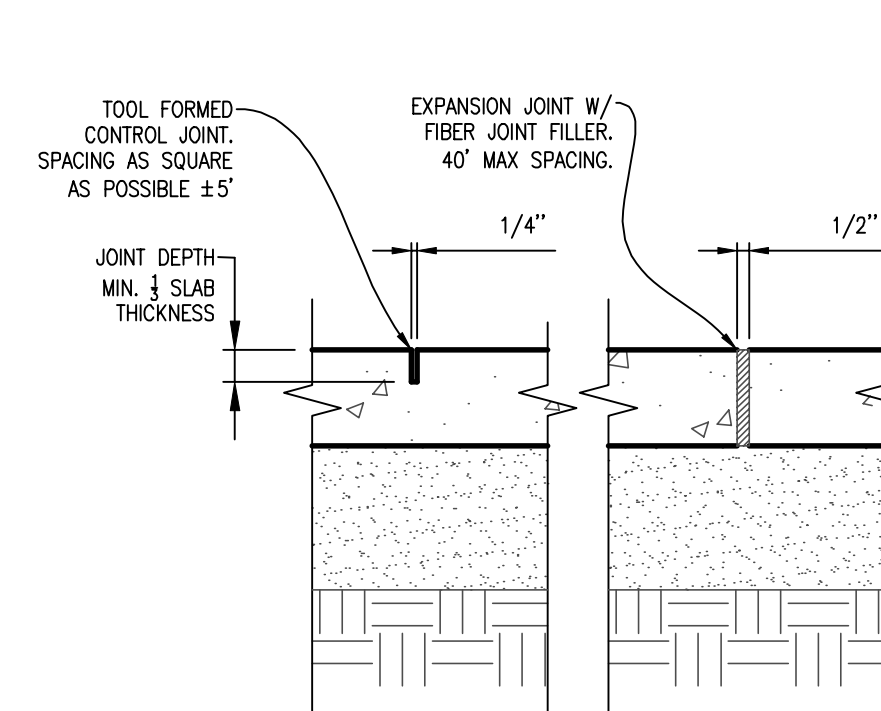
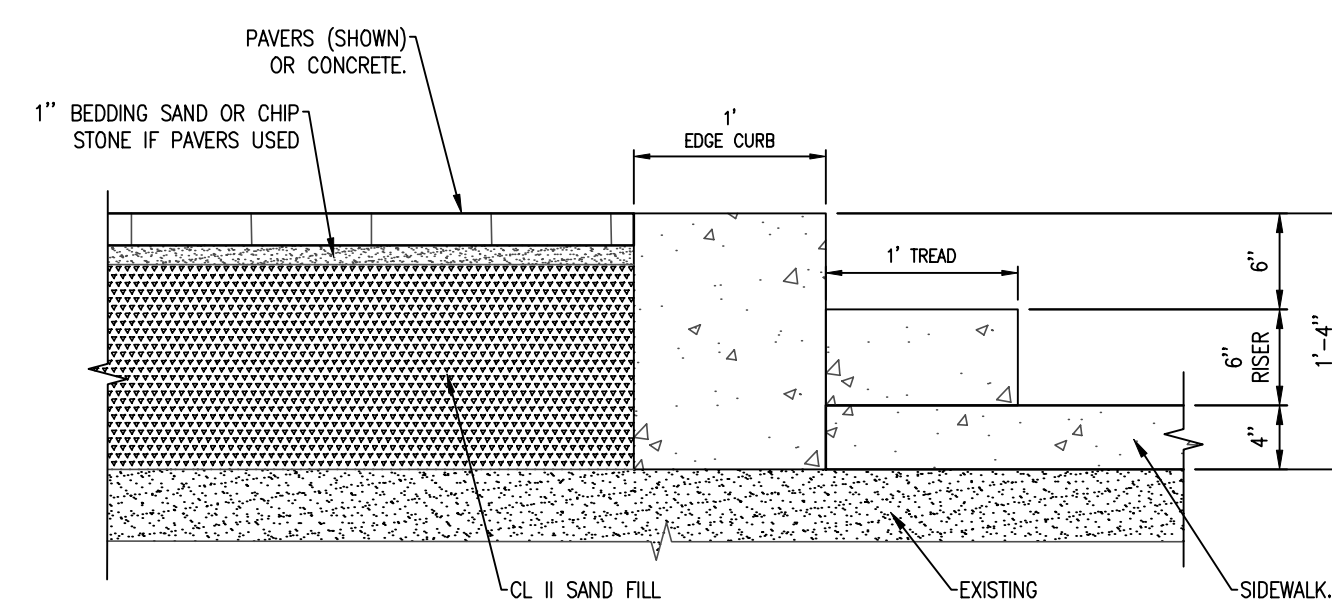
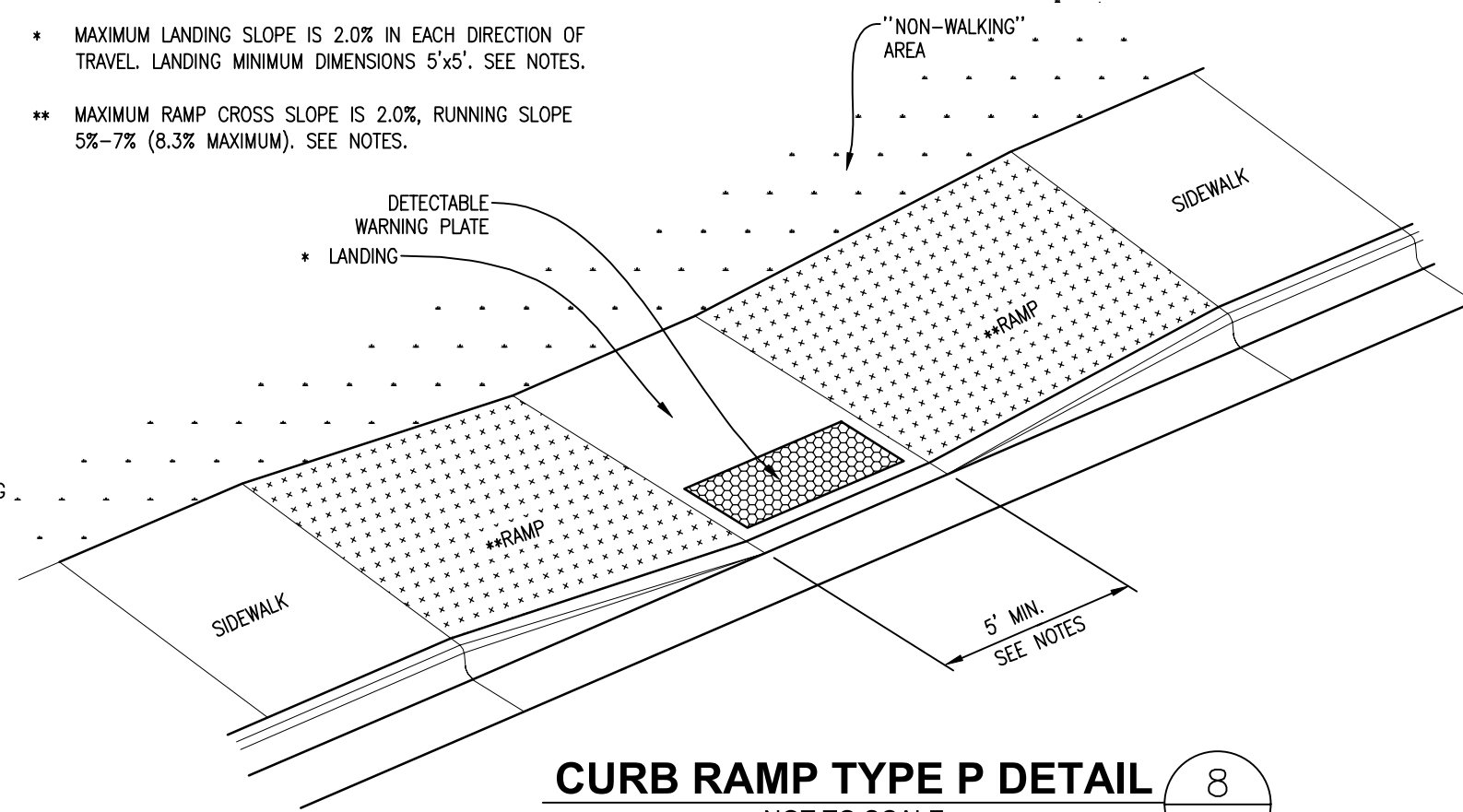
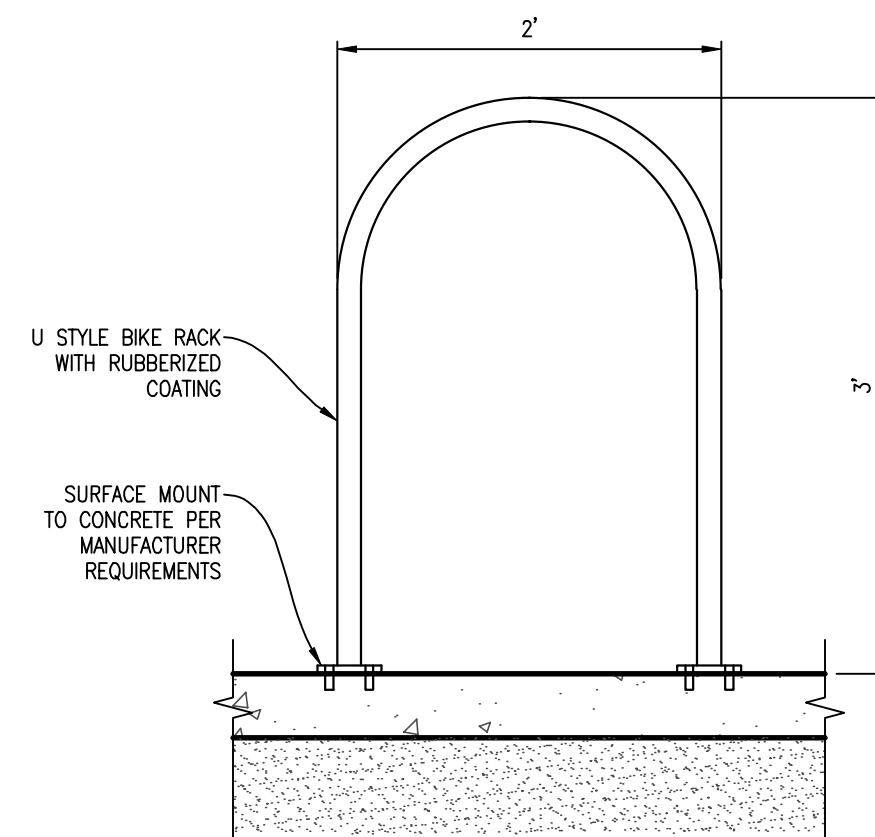
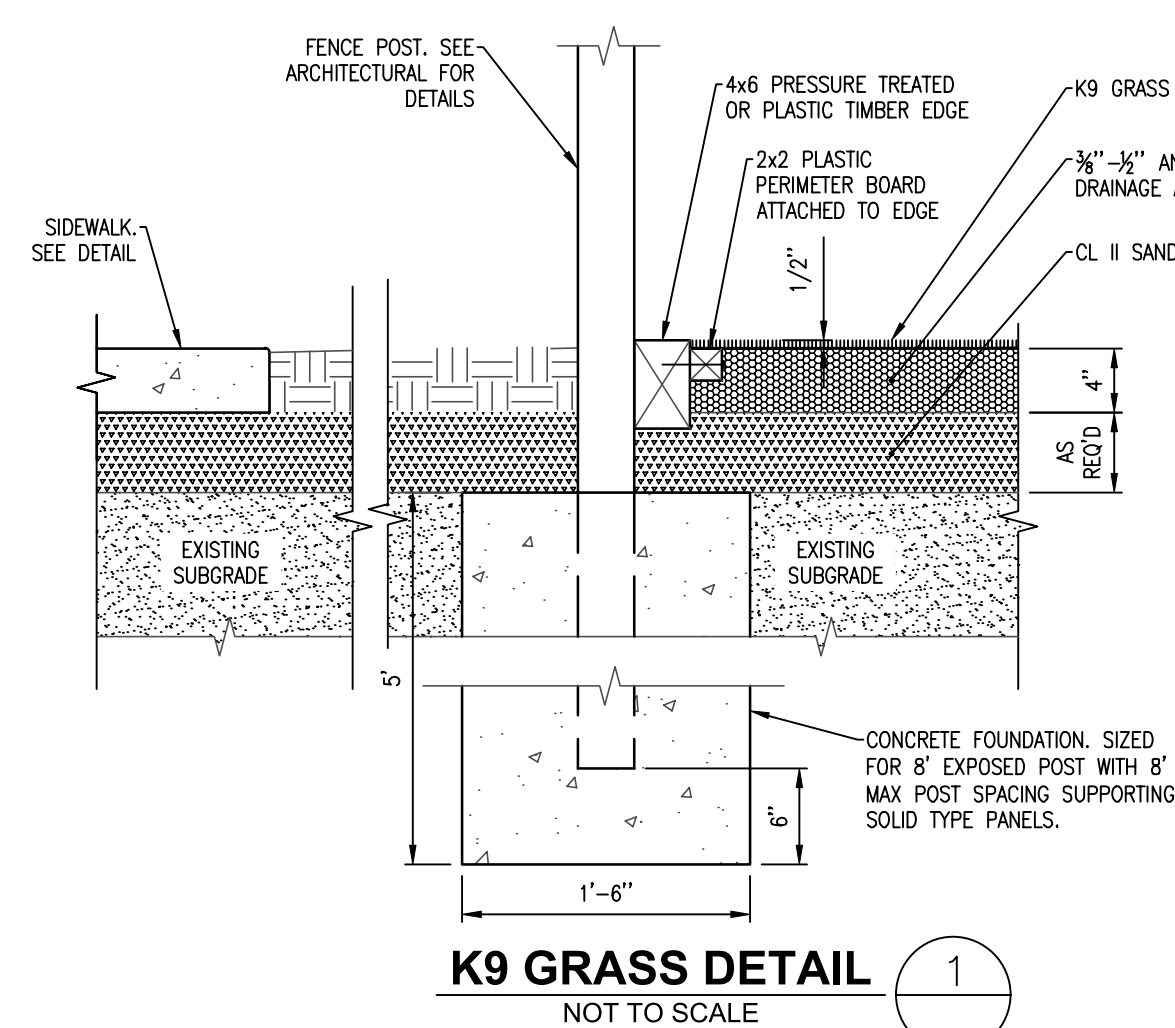
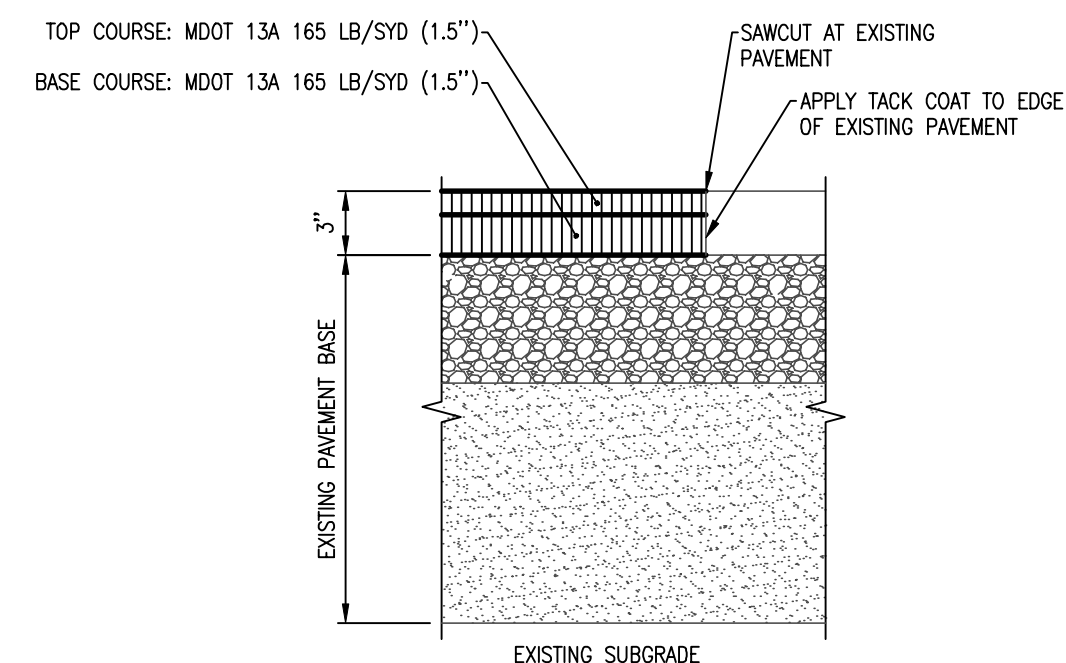
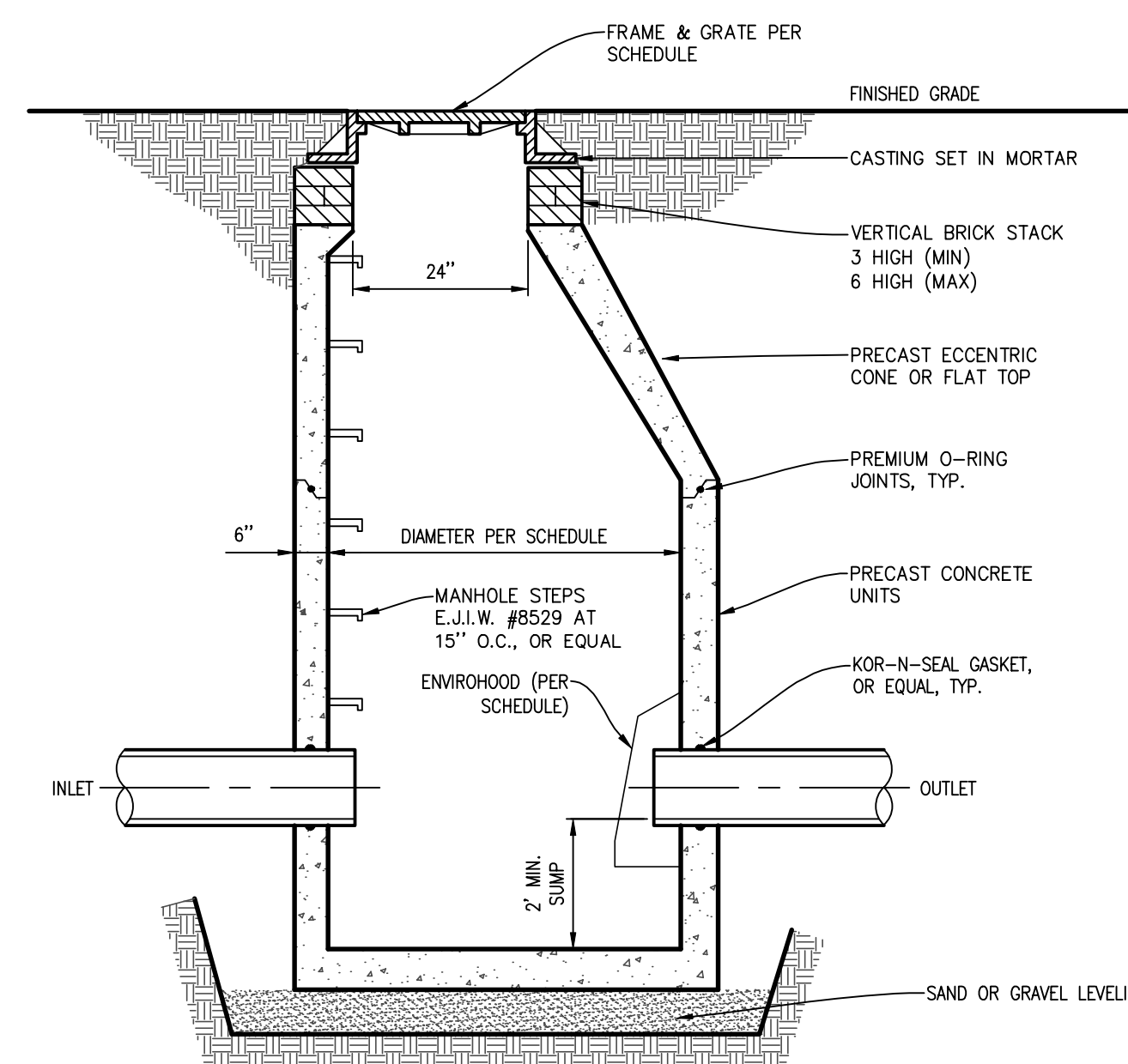
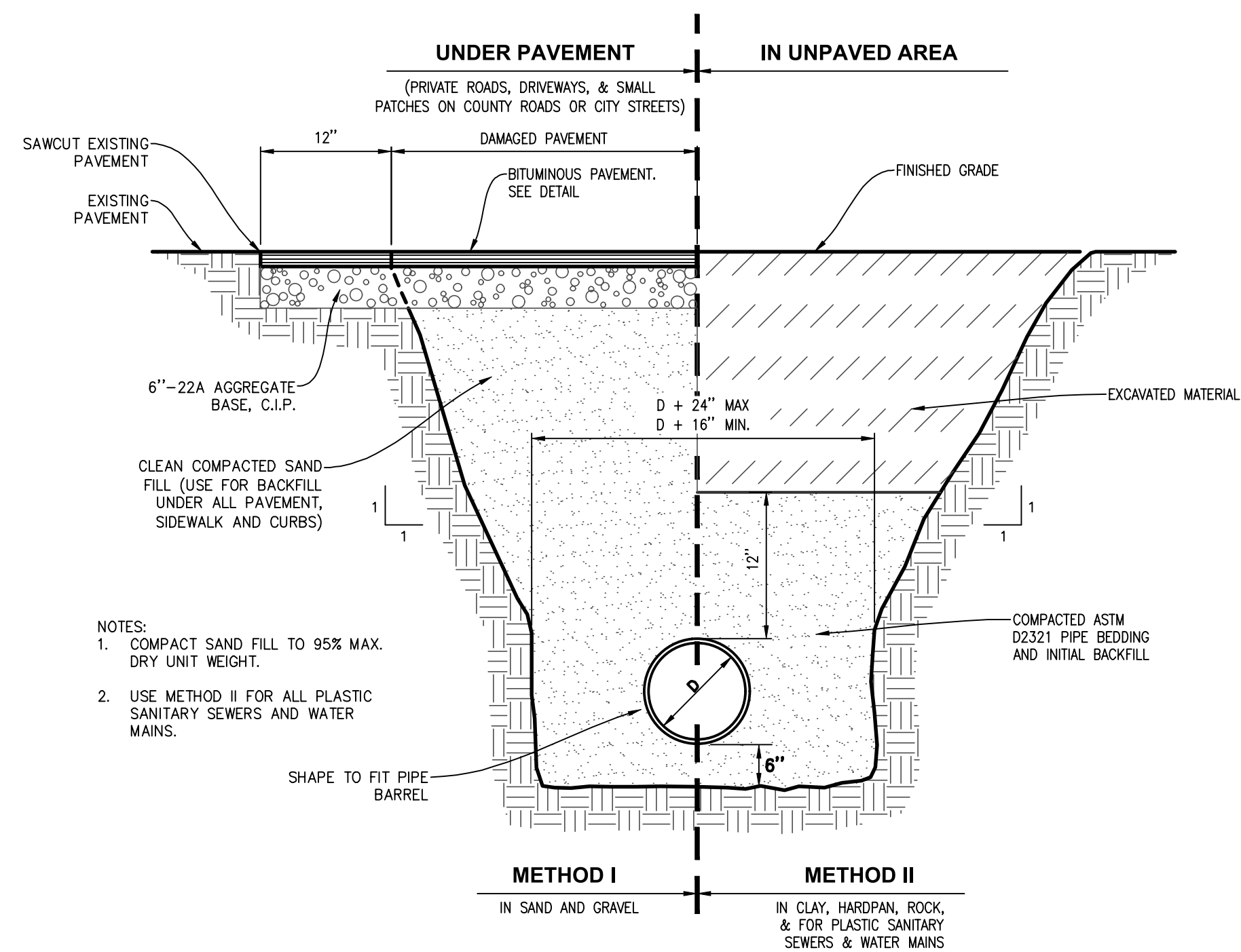
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## C4









 <b>Charter Township of Garfield</b> <b>Planning Department Report No. 2024-111</b>		
Prepared:	December 4, 2024	Pages: 1
Meeting:	December 11, 2024 Planning Commission	Attachments: <input type="checkbox"/>
Subject:	High Tops Bar/Restaurant/Night Club – Site Plan – Withdrawal	
File No.	SPR-2022-21-A	Parcel No. 05-014-049-10
Applicant:	Philip Beehler	
Agent:	Gosling-Czubak Engineering Sciences, Inc. / Robert Verschaeve, P.E.	
Owner:	Traverse Entertainment Group / Ulysses C. Walls, President	

**BRIEF OVERVIEW:**

- 1212 West South Airport Road – in the west side of the K1 Speed Indoor Kart Racing facility in the Cherryland Center
- Approximately 8.48 acres
- C-P Planned Shopping Center zoning district

**APPLICATION HISTORY:**

- September 11, 2024 Planning Commission – Application tabled, more information was requested
- October 9, 2024 Planning Commission – Removed from agenda at the request of the Applicant
- November 6, 2024 Planning Commission – The application remained tabled

**PURPOSE OF APPLICATION:**

The K1 Speed Indoor Kart Racing facility was approved by the Planning Commission on December 14, 2022, and occupies approximately 62% of the building floor area. The proposed High Tops bar, restaurant and nightclub is planned to occupy most of the remaining building floor area. Restaurants, bars, and night clubs are uses permitted by right in the C-P Planned Shopping Center district.

**UPDATE:**

On December 4, 2024, the Township received a letter from the Applicant to withdraw his application from site plan review by the Planning Commission. See attached letter dated December 3, 2024.

**ACTION REQUESTED:**

This item is placed on the Planning Commission agenda to formally accept withdrawal of the application. The following motion is suggested:

MOTION THAT the WITHDRAWAL of application SPR-2022-21-A for the High Tops bar, restaurant, and nightclub, by Phil Beehler, BE ACCEPTED.

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

**Attachments:**

1. Letter from Phil Beehler – dated December 3, 2024



Garfield Township,

12-3-21


I Philip Beehler am requesting to withdraw  
my site plan review application for High Tops  
at the former Sears building located at  
1214 W. South Airport rd.

Thank,

Philip Beehler





 <b>Charter Township of Garfield</b> <b>Planning Department Report No. 2024-112</b>		
Prepared:	December 4, 2024	Pages: 8
Meeting:	December 11, 2024 Planning Commission	Attachments: <input checked="" type="checkbox"/>
Subject:	TowerNorth Wireless Communication Facility Special Use Permit – Updated Site Plan	
File No.	SUP-2024-02	Parcel No. 05-019-001-00 (part)
Applicant:	TowerNorth Development, LLC	
Agent:	Jaime Mathew w/Kimley-Horn and Associates, Inc.	
Owner:	Frank A Bare	

**BRIEF OVERVIEW:**

- 2767 Zimmerman Road – west side of Zimmerman Road north of Silver Lake Road
- Approximately 42.25 acres (entire parcel); approximately 0.23 acres (lease parcel area)
- Portion of one of the parcels containing the existing Alpers gravel mining operation
- A-Agricultural zoning district

**PURPOSE OF APPLICATION:**

This application requests a Special Use Permit (SUP) for a wireless communication facility (cell tower) at 2767 Zimmerman Road. The applicants propose a 155-foot-tall monopole tower with associated antenna equipment within a fenced-in compound. Wireless communication facilities are permitted via SUP in the A-Agricultural zoning district.

*Zoomed-in aerial image of the subject property (property lines highlighted in blue):*





*Zoomed-out aerial image of the subject property (property lines highlighted in blue):*



#### **APPLICATION HISTORY:**

- June 12, 2024 Planning Commission – Application tabled, more information was requested
- July 10, 2024 Planning Commission – Update, application was tabled, applicant was requested to move the proposed location of the tower to meet all setback requirements
- August 14, 2024 Planning Commission – Update #2
- September 11, 2024 Planning Commission – Update #3
- October 7, 2024 Planning Commission – Update #4
- November 6, 2024 Planning Commission – Update #5
- December 11, 2024 Planning Commission – Updated Site Plan

#### **BACKGROUND:**

At the July 10, 2024 meeting, the Planning Commission tabled the application and requested the applicant move the location of the proposed tower, to meet all the setback requirements for wireless communication facilities, before moving the application forward. Per Section 404 of the Zoning Ordinance, the applicants needed to “proceed meaningfully towards application completion or application decision” within 120 days or the application would be considered expired. The application was originally tabled on July 10, 2024 and 120 days later was November 6, 2024, therefore the applicant needed to act before then to avoid expiration of the application.

On October 29, 2024, Staff received a sketch showing an updated tower location which was presented to the Planning Commission at their meeting on November 6, 2024. Commissioners and Staff discussed the updated drawings and Commissioners acknowledged the applicants had proceeded “meaningfully towards application completion or application decision” per Section 404 of the Zoning Ordinance. The applicants had indicated they were working on updated drawings beyond the sketch provided at this meeting and were



anticipating having the full drawings completed for the December 2024 Planning Commission meeting. The Planning Commission motioned to keep the application tabled but did not schedule a public hearing to allow time to review the updated full drawings.

**UPDATE:**

The applicants have provided updated drawings including a site survey, site plan detail, and aerial vicinity plan. The updated drawings show that the proposed tower will be at least 244 feet away from the existing house on the site and at least 160 feet away from the nearest property line to the south. The proposed tower will be 155 feet tall. The tower would be placed within a 60' x 60' fenced-in area with a 6'-high chain link fence. When the application was tabled, one of the main issues was the previously proposed tower location was within 155 feet (the tower height) of both the existing house and the nearest property line to the south.

**SITE DESIGN AND ZONING COMPLIANCE OVERVIEW:**

In approving any special use permit pursuant to Section 423, the Planning Commission may impose such reasonable standards, conditions, or requirements, in addition to or that supersede any standard specified in this ordinance, as it may deem necessary to protect the public interest and welfare. Such additional standards may include, but need not be limited to:

- a) Financing
- b) Availability of adequate public facilities or services
- c) Dedication of land
- d) Reservation of land
- e) Creation of special assessment districts
- f) Creation of restrictive covenants or easements
- g) Special setbacks
- h) Yard requirements
- i) Increased screening or landscaping requirements
- j) Area requirements
- k) Development phasing; or
- l) Standards pertaining to traffic, circulation, noise, lighting, hours of operation, protection of environmentally sensitive areas, and similar characteristics.

**ZONING ORDINANCE STANDARDS FOR WIRELESS COMMUNICATION FACILITIES:**

The Zoning Ordinance includes a set of definitions regarding wireless communications (e.g., collocation, equipment, facility, support structure, and equipment compound). The Zoning Ordinance also includes the following supplemental standards applicable to all wireless communication facilities and antennae within Section 792.F. Staff comments on these standards are as follows:

***(1) Number of Facilities to be Minimized***

- (a) Generally:*** *Antenna supporting structures must be located in a manner that is consistent with township's interest in land-use compatibility. No antenna supporting structure will be permitted unless the applicant demonstrates that the proposed antenna cannot be accommodated on an existing antenna supporting structure.*

There is an existing water tower about 3/4-mile away from this site in the Heritage Estates subdivision with wireless communication equipment on it. At the July 10, 2024 meeting, the Planning Commission discussed information submitted by the applicant about why the Heritage Estates location is not feasible, including the following:



- The water tower is about 68 feet tall which offers a shorter area for providing cell coverage.
- The water tower could be decommissioned in the future and not be available for collocation of wireless communications equipment.
- The water tower site is zoned R-1 One-Family Residential, which does not permit wireless communication facilities, so permitting a new tower at the water tower site is not feasible.
- The water tower is not designed structurally to support an extension for a tower.
- The water tower site is located within a residential neighborhood, which may not be a compatible location for a new tower.

Staff also corresponded with the Township Engineer regarding the water tower. While the water tower is anticipated to be in place for at least the next few years, there is a possibility that the water tower could be decommissioned in the future. Therefore, it appears that the proposed antenna cannot be accommodated on an existing antenna supporting structure.

- (b) **Letters of coordination:** *The applicant must provide documentation that a notice was mailed, via certified mail, to all providers or, where applicable, to owners of existing antenna supporting structures, and that the applicant was unable to secure a lease agreement with a provider to allow the placement of the proposed antennae on an existing structure or building within the geographic search area.*

In their response letter dated July 2, 2024, the applicant provided additional information on the search process for this location and indicated “no existing towers are located within the 0.5-mile search area or within 1.0 mile of the proposed tower location.” The response letter provides additional information on why the water tower in Heritage Estates is not feasible for this project. The water tower is about 3/4-mile from the proposed tower; the next nearest tower is about 1.5 miles away.

- (c) **Additional evidence:** *As appropriate, the following evidence may also be submitted to demonstrate compliance with this section:*
- (i) *That no existing wireless communications facility within the geographic search area meets the applicant’s radio frequency engineering or height requirements;*
  - (ii) *That no building or structure within the geographic search area has sufficient structural strength to support the applicant’s proposed antennae; or*
  - (iii) *That there are other limiting factors that render collocated, surface-mounted, or roof-mounted facilities unsuitable or unreasonable.*

As indicated above, the applicant’s response provides additional information on why the Heritage Estates location is not feasible. The water tower is roughly 3/4 miles from the proposed tower; the next nearest tower is about 1.5 miles away.

## (2) Construction

*Antenna supporting structures shall be constructed utilizing monopole or freestanding lattice type construction only, unless the applicant is able to demonstrate that such a structure cannot accommodate the proposed or future antennae.*

The proposed tower will be a monopole structure.



**(3) Setbacks**

- (a) Antenna supporting structures, equipment enclosures, and ancillary appurtenances must meet the minimum setback requirements for the zoning district in which they are proposed.*

The proposed leased area site is on a parcel zoned as A-Agricultural. The setbacks in the Agricultural zoning district are 30 feet (front), 20 feet (each side), and 35 feet (rear). The proposed tower is about 160 feet from the nearest lot line to the south and the leased area is about 110 feet from the nearest lot line to the south. The proposed tower and leased area appear to meet the minimum setback requirements for the A-Agricultural district.

- (b) In addition to complying with (a) above, antenna supporting structures must also be set back a distance equal to their overall height from the lot line of any lot that contains a residential use, that is vacant but may be used for residential purposes, or that is within a residential zoning district; however, guy-wire anchors need only comply with the provisions of subsection (a), above.*

The proposed wireless tower is on the same parcel as an existing house shown on the site plan, and the parcel is zoned A-Agricultural. The height of the proposed tower is 155 feet. The proposed tower is about 160 feet from the nearest lot line to the south and at least 244 feet away from the existing house on the site.

- (c) The setback requirements specified in (a) and (b) above are minimums. Any proposed wireless communication facility or antenna proposed and requiring SUP application and approval may have a greater setback requirement imposed by the Planning Commission if substantiated by a need to minimize the visual, aesthetic, and public safety impacts of the facility or antenna.*

The Planning Commission may consider additional setbacks if necessary.

**(4) Accommodation of Future Collocations**

- (a) Antenna supporting structures must be designed to accommodate future collocations by at least two (2) additional service providers. A notarized statement by the applicant to this effect shall be provided by the applicant. The exact amount of additional equipment to be accommodated will be agreed upon during the application review and approval process.*

The cover letter indicates the facility will be able to accommodate 2 additional collocations.

- (b) The proposed location of a wireless communication facility shall be adequately sized and configured to allow the placement of at least two (2) additional communication equipment shelters.*

The updated site plan shows 2 20'x12' spaces being reserved for lease areas for others.

- (c) Wireless communication towers shall reserve space on the tower for at least one (1) public safety antenna, and shelter or ground space to accommodate one (1) equipment shelter if deemed necessary.*

The cover letter indicates that the applicants will work with the Township on installing a public safety antenna and ground equipment if deemed necessary.



- (d) *As a condition of approval under this article, the applicant must submit a shared use plan that commits the owner of the proposed antenna supporting structure to accommodate future collocations where reasonable and feasible in light of the criteria set forth in this section.*

The applicants note this requirement and that allowing for collocation is required by the Federal Telecommunication Act of 1996.

- (e) *The provisions of (a) through (d) above shall not apply to Residential Facilities.*

The proposed monopole cell tower is not a Residential Facility.

**(5) Equipment Shelter Design and Height**

*The design and materials used in the construction of the equipment shelter shall, to the extent possible, blend the structure with the surrounding built or natural environment. The equipment shelter shall not exceed fifteen (15) feet in height.*

The cover letter notes the ground equipment will be less than 15 feet in height. The updated site plans need to show an elevation sketch of the ground equipment and shelter.

**(6) Lighting**

- (a) *No lights, signals, or other illumination will be permitted on any antenna supporting structure or ancillary appurtenances unless the applicant demonstrates that lighting is required by the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), or the Michigan Department of Transportation Bureau of Aeronautics (MDOT-BOA). No existing facility or antenna shall be modified in any way which would cause the structure to require lighting unless a SUP is first approved permitting such modification and lighting.*

The applicant states the FAA Determination of No Hazard to Air Navigation indicates that no lighting is needed for aviation safety.

- (b) *Site lighting shall comply with the lighting standards of this Ordinance.*

If any lighting is determined to be needed in the future, it shall meet the lighting standards of Section 517 in the Zoning Ordinance.

**(7) Color**

*Antenna supporting structures and ancillary appurtenances, including transmission lines, must maintain a galvanized grey finish or other contextual or compatible color as determined by the township, except as otherwise required by the FAA, the FCC, or the MDOT-BOA.*

The cover letter states the tower will be designed with galvanized steel and the proposed antennas will be off-white to grey in color. The proposed cables will be routed within the monopole tower but would be grey to black in color.

**(8) Fencing**

*A fence of at least six (6) feet in height from finished grade must be installed in order to enclose the base of the antenna supporting structure and associated equipment enclosures. Access to the antenna supporting structure must be controlled by a locked gate. The fence must be constructed*



*in accordance with §515 Fences and Walls, of this ordinance, except that barbed wire construction may be allowed at the discretion of the applicant.*

The updated site plan shows a 60' x 60' fenced-in area with a 6'-high chain link fence and indicates that there will be a 12-foot-wide double leaf gate and a 4-foot-wide swing gate for the fenced area. There is also a proposed entrance gate for the drive leading up to the leased area, details of which are shown on the site plan.

**(9) Landscaping**

*Wireless communication facilities and antenna shall be effectively screened to obscure views of the tower base, equipment shelter, security fencing, and/or guy wire anchors from adjacent uses and public rights-of-way. In locations where the visual impact of the tower will be minimal or where existing vegetation or topography provide an effective natural screening, the Planning Commission may modify or waive this requirement.*

The cover letter indicates that the existing parcel has pine trees and landscaping along the property lines which provide natural screening. The site plan shows an extensive existing landscape buffer on the south lot line. The updated proposed tower location is beyond the existing landscape buffer and so additional plantings may be necessary to help screen the tower from the south. The updated proposed location is set further back from Zimmerman Road which helps limit the visual impact of the tower on the road right-of-way and to the east.

**(10) Signs**

- (a) Except as provided for in (b) and (c) below, no signs may be placed on antenna supporting structures, ancillary appurtenances, equipment enclosures, or on any fence or wall required by this section.*
- (b) If high voltage is necessary for the operation of proposed wireless communications facilities, "High Voltage—Danger" and "No Trespass" warning signs not greater than one (1) square foot in area must be permanently attached to the fence or wall at intervals of at least forty (40) feet and upon the access gate.*
- (c) A sign not greater than one (1) square foot in area must be attached to the access gate that indicates the following information:*
  - (i) Federal registration number, if applicable;*
  - (ii) Name of owner or contact person; and*
  - (iii) Emergency contact number.*

The cover letter states that no signs are proposed for this project except for a sign with the emergency contact information placed on the equipment cabinet door. Also, a sign with the FCC registration number will be located on the fence gate.



**ACTION REQUESTED:**

Following review of the application materials and Commissioner discussion, if the Planning Commission is comfortable with setting a public hearing for this application, then the following motion is suggested:

MOTION THAT application SUP-2024-02, submitted by TowerNorth Development, LLC for a Special Use Permit for a wireless communication facility at 2767 Zimmerman Road, on a portion of Parcel #05-019-001-00, BE SCHEDULED for a public hearing at the January 8, 2025 Planning Commission Regular Meeting.

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

**Attachments:**

1. Site Survey with most recent revision November 19, 2024
2. Site Survey General Information with most recent revision November 19, 2024
3. Site Plan Detail with most recent revision July 5, 2024
4. Aerial Vicinity Plan with most recent revision November 19, 2024
5. Comment Response Letter from Applicant dated July 2, 2024
6. Application Cover Letter dated May 9, 2024
7. Signed Special Use Permit Application dated May 7, 2024
8. FAA Determination of No Hazard to Air Navigation dated March 4, 2024



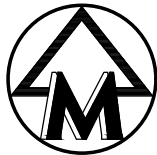
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## LEGEND

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x921.2 EXIST. SPOT ELEVATION  
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-o- U.P. EXIST. UTILITY POLE W/ TRANS.  
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OH EXIST. OVERHEAD UTILITY LINE  
-s- EXIST. SANITARY SEWER  
END SECTION  
HEAD WALL  
CULVERT  
MAILBOX  
SIGN  
TELEPHONE RISER  
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TREE OR BRUSH LIMIT  
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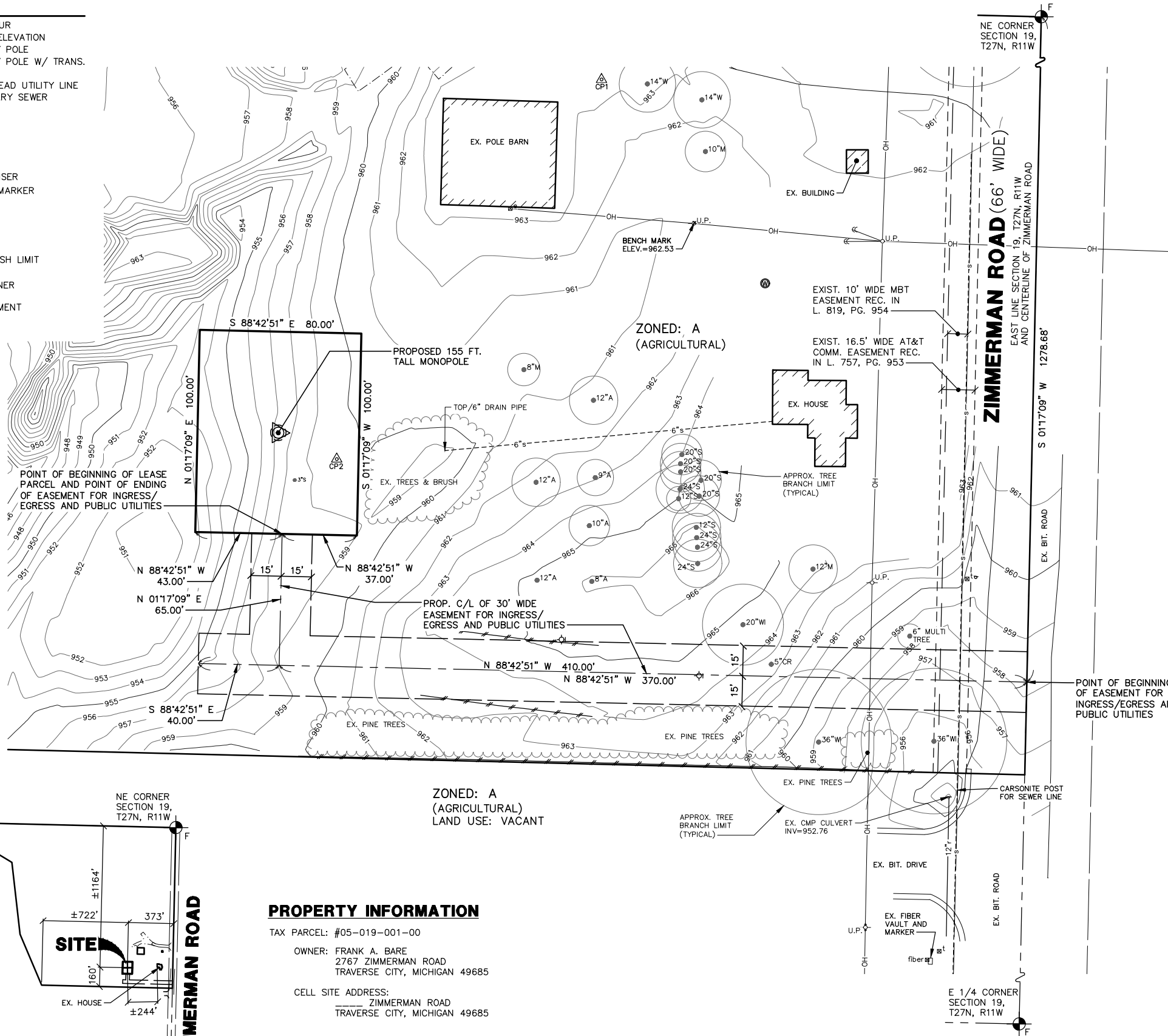
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Call before you dig.



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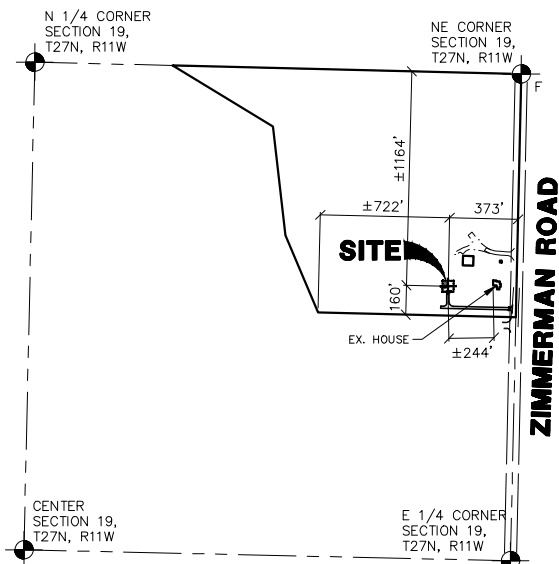


#### LEGEND

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921.60x	PROP. SPOT ELEVATION
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U.P.	EXIST. UTILITY POLE W/ TRANS.
GUY WIRE	GUY WIRE
OH	EXIST. OVERHEAD UTILITY LINE
S-S	EXIST. SANITARY SEWER
END SECTION	END SECTION
HEAD WALL	HEAD WALL
CULVERT	CULVERT
MAILBOX	MAILBOX
SIGN	SIGN
TELEPHONE RISER	TELEPHONE RISER
FIBER OPTIC MARKER	FIBER OPTIC MARKER
WELL	WELL
POST	POST
FENCE	FENCE
SINGLE TREE	SINGLE TREE
TREE OR BRUSH LIMIT	TREE OR BRUSH LIMIT
SECTION CORNER	SECTION CORNER
FOUND MONUMENT	FOUND MONUMENT
CONTROL PT.	CONTROL PT.

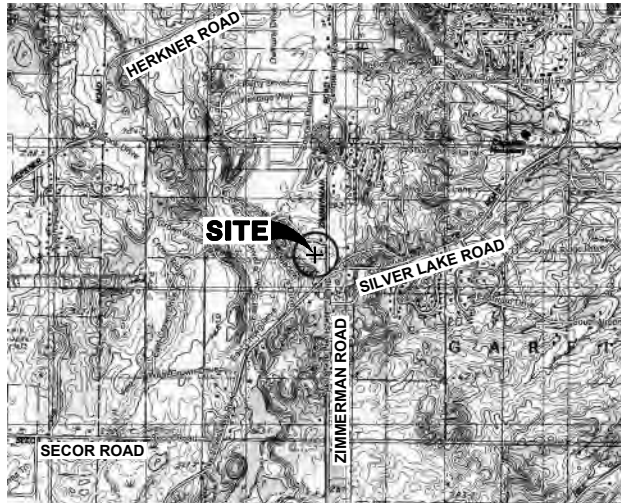
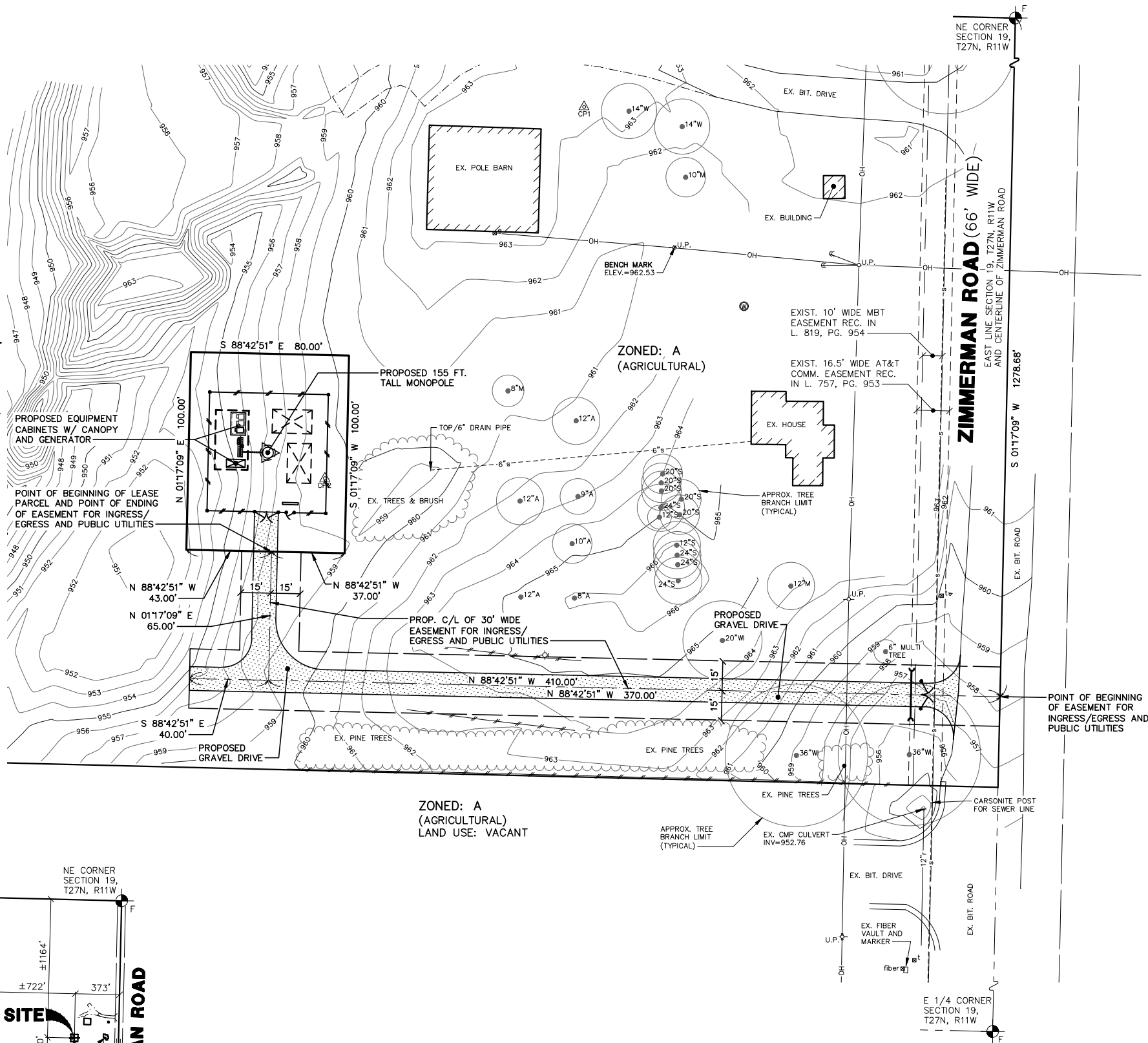
#### TREE LEGEND

A	APPLE
CR	CRABAPPLE
M	MAPLE
S	SPRUCE
W	WILLOW



#### OVERALL PARCEL SKETCH

SCALE: 1"=500'



#### VICINITY SKETCH

SCALE: 1"=2000'



#### LOCATION

LATITUDE 44° 43' 37.6"  
LONGITUDE 85° 40' 40.7"  
GROUND ELEV. @ TOWER BASE = 957.60

#### LEGAL DESCRIPTION OF LEASE PARCEL

Commencing at the Northeast corner of Section 19, T27N, R11W, Garfield Township, Grand Traverse County, Michigan, thence S 01°17'09" W 1278.68 feet along the east line of said Section 19 (also being the centerline of Zimmerman Road, 66 feet wide); thence N 88°42'51" W 370.00 feet; thence N 01°17'09" E 65.00 feet to the POINT OF BEGINNING:

thence N 88°42'51" W 43.00 feet;  
thence N 01°17'09" E 100.00 feet;  
thence S 88°42'51" E 80.00 feet;  
thence S 01°17'09" W 100.00 feet;  
thence N 88°42'51" W 37.00 feet to the POINT OF BEGINNING; being a part of the Northeast 1/4 of Section 19, T27N, R11W, Garfield Township, Grand Traverse County, Michigan; containing 8,000 square feet, or 0.184 acres of land, more or less; subject to easements and restrictions of record, if any;

Together with a 30 foot easement for ingress, egress and public utilities, the centerline of said easement is described as follows:

Commencing at the Northeast corner of Section 19, T27N, R11W, Garfield Township, Grand Traverse County, Michigan, thence S 01°17'09" W 1278.68 feet along the east line of said Section 19 (also being the centerline of Zimmerman Road, 66 feet wide) to the POINT OF BEGINNING:

thence N 88°42'51" W 410.00 feet;  
thence S 88°42'51" E 40.00 feet;  
thence N 01°17'09" E 65.00 feet to the POINT OF ENDING; being part of the Northeast 1/4 of Section 19, T27N, R11W, Garfield Township, Grand Traverse County, Michigan; except any part taken, deeded or used for public road purposes; and subject to easements and restrictions of record, if any.

#### LEGAL DESCRIPTION OF OVERALL PARCEL

(Taken from Title Report)

Part of the North 1/2 of the Northeast 1/4 of Section 19, T27N, R11W, Commencing at the Southeast corner; thence N 89°37' W 1077.08 feet; thence N 23°59' W 455.36 feet; thence N 07°34' W 595.51 feet; thence N 59°45' W 640.68 feet; thence East on the North section line to the Northeast corner of Section 19; thence South to the Point of Beginning. Except road right of way.

#### NOTES

- Rotate all bearings 00°55'31" counter-clockwise to obtain bearings based on True North as determined from global positioning system (GPS).
- This site is not located in a flood area per Flood Insurance Rate Map number 26055C0225C, effective date August 28, 2018.
- This site plan is based on the survey of the existing conditions conducted by Midwestern Consulting, LLC on 11-30-2023.

#### BENCH MARK

Spike in a utility pole located ±70 feet east of the southeast corner of the existing pole barn and ±198 feet northeast of the proposed monopole.  
Elevation: 962.53 (NAVD 88 Datum)

#### PROPERTY INFORMATION

TAX PARCEL: #05-019-001-00

OWNER: FRANK A. BARE  
2767 ZIMMERMAN ROAD  
TRAVERSE CITY, MICHIGAN 49685

CELL SITE ADDRESS:  
ZIMMERMAN ROAD  
TRAVERSE CITY, MICHIGAN 49685

PREPARED BY:  
MIDWESTERN CONSULTING, L.L.C.

SCOTT G. FISHER P.E. #58473

APPLICANTS:  
TOWNORTH DEVELOPMENT  
201 NORTH STREET  
SUITE 301  
W. BRIDGEWATER, MA 02379  
(800) 821-5825 x2



'SILVER LAKE ROAD'  
TN SITE #MI0004-A  
VZW SITE #4090

GARFIELD TOWNSHIP  
GRAND TRAVERSE COUNTY  
MICHIGAN

REV. DATE	REV. DATE	REV. DATE	REV. DATE	REV. DATE	REV. DATE
1. 07/27/24	2. 07/27/24	3. 07/27/24	4. 07/27/24	5. 07/27/24	6. 07/27/24
1. 07/27/24	2. 07/27/24	3. 07/27/24	4. 07/27/24	5. 07/27/24	6. 07/27/24
1. 07/27/24	2. 07/27/24	3. 07/27/24	4. 07/27/24	5. 07/27/24	6. 07/27/24
1. 07/27/24	2. 07/27/24	3. 07/27/24	4. 07/27/24	5. 07/27/24	6. 07/27/24
1. 07/27/24	2. 07/27/24	3. 07/27/24	4. 07/27/24	5. 07/27/24	6. 07/27/24

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C O N S U L T I N G

3815 Plaza Drive  
Ann Arbor, Michigan 48108  
www.midwesternconsulting.com  
(734) 995-0200  
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Institutional • Municipal  
Wireless Communications  
Transportation • Landfill Services



JOB No. 23194-MI0004

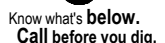
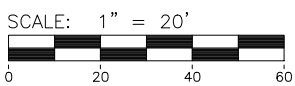
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DATE: 01/30/24	CADD: BLF	ENG: SGF	PM: SGF	TECH: KMW	FILE: 23194_MI0004-SP1
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DATE: 01/30/24	CADD: BLF	ENG: SGF	PM: SGF	TECH: KMW	FILE: 23194_MI0004-SP1

SITE SURVEY  
GENERAL  
INFORMATION

1

SHEET 1 OF 3





1. All site work construction shall be in accordance with current standards and specifications of Garfield Township and the Grand Traverse County Road Commission, where applicable.
2. The proposed equipment cabinet is to be a computerized, unmanned, telephone exchange structure. No water service, sanitary facilities or gas service is needed. Telephone and electrical services will be from an existing utility pole or line adjacent to the site.
3. The proposed equipment cabinet is to have security systems monitored 24 hours per day. The cabinet will also be constructed with bullet resistant materials.
4. There are two, low wattage (21W), LED lights proposed as part of this project. The lights are mounted to the canopy support posts, under the canopy opposite from the equipment cabinet. Lights shall be connected to a technician operated on/off switch with a timer with a one-hour maximum lit duration.
5. There are no signs proposed for this project except for:
  - a. Emergency contact information purposes and FCC "call" sign placed on equipment cabinet door;
  - b. FCC registration number located on fence gate.
6. The cellular antenna and equipment cabinet will be approved by the Federal Communications Commission (FCC) and will not impact any frequency sensitive devices whatsoever. Buyer warrants no adverse radio interference with adjacent land uses.
7. There are no toxic materials used by Lessee on the site. Lessee has no need for outdoor storage or garbage disposal and pick-up.
8. Tower shall be equipped with an anti-climbing device.
9. Maintenance personnel using van type service vehicles enter and exit the site approximately 2 to 4 times per month. No loading or unloading area is needed by them.
10. All areas disturbed by the construction of the tower and cabinet and driveway shall be restored in kind. Contractor is to provide soil erosion control measures as needed or as directed by owner or government agency having jurisdiction.
11. All areas inside of and to 1'-0" outside of the fenced area shall be covered with 3" of crushed limestone placed over "Typar" landscape fabric.
12. Ingress and egress by Lessee's personnel to the site shall be via a proposed gravel drive from Zimmerman Road.
13. The proposed drive shall consist of 3" of MDOT Class 23A crushed limestone aggregate over 10" of 1"x3" crushed concrete or slag over compacted subgrade. The subgrade shall be stripped free of all topsoil and organic material prior to placing aggregate base. Where poor subgrade soils are encountered, a woven geotextile fabric (Mirafi 500X or approved equal) shall be placed so that it is a minimum of 2 ft. wider and longer than the drive which is to be constructed over the poor soils.



## TREE LEGEND

- A APPLE
- CR CRABAPPLE
- M MAPLE
- S SPRUCE
- W WILLOW

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385 Plaza Drive  
Ann Arbor, Michigan 48108  
(734) 995-9200  
[www.midwesternconsulting.com](http://www.midwesternconsulting.com)

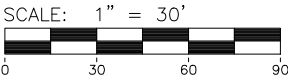
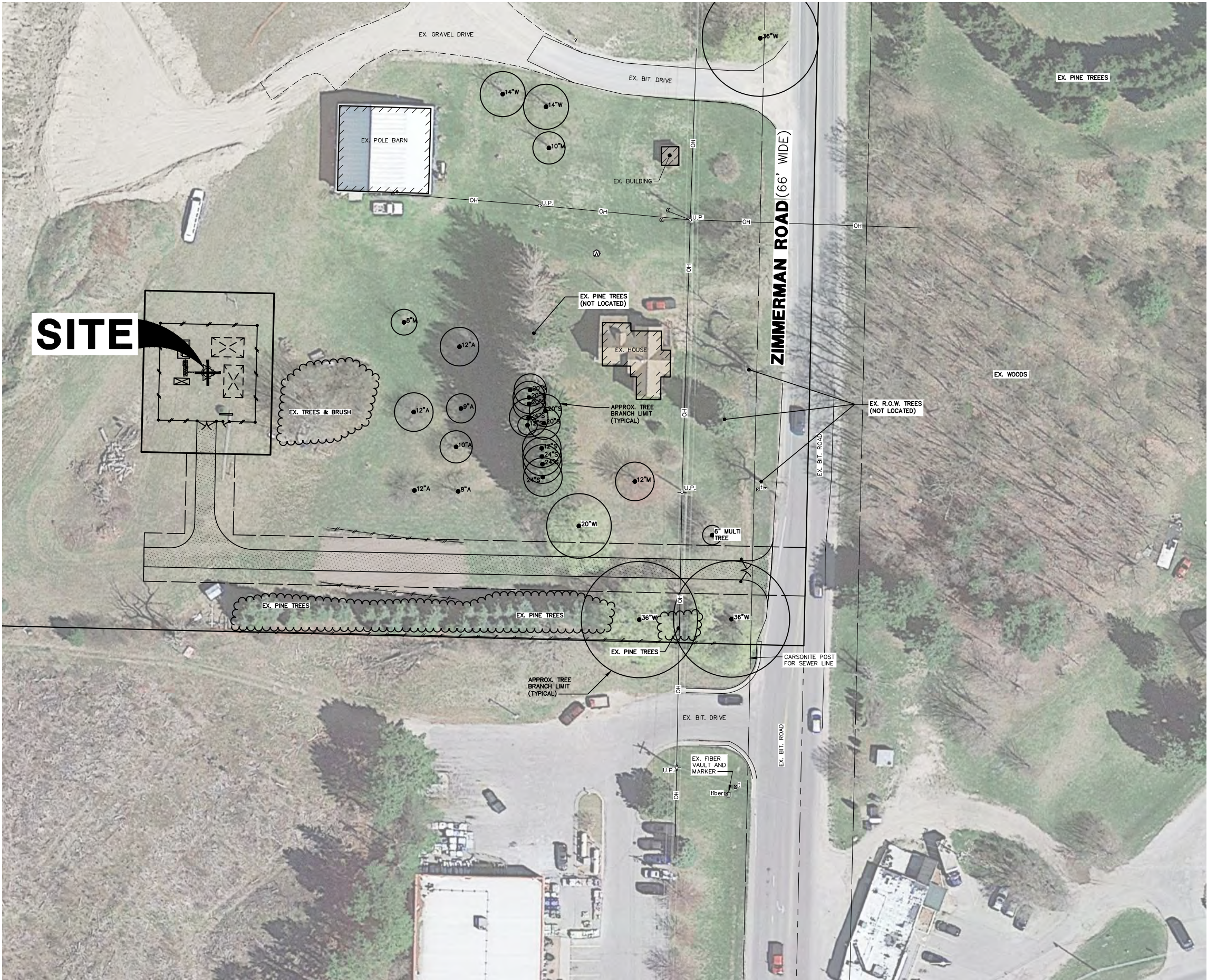
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JOB No.	<b>23194-MI0004</b>
DATE:	01/30/24
CADD:	BLF
ENG:	SGF
PM:	SGF
TECH:	KMW
FILE:	23194_MI0004-SP1
FB#:	552M9

## 2





LEGEND

- U.P. (arrow) EXIST. UTILITY POLE
- U.P. (circle) EXIST. UTILITY POLE W/ TRANS.
- OH (line) EXIST. OVERHEAD UTILITY LINE
- MAILBOX (house icon) MAILBOX
- SIGN (T icon) SIGN
- TELEPHONE RISER (T with dot icon) TELEPHONE RISER
- FIBER (line with dots icon) FIBER OPTIC MARKER
- WELL (circle with cross icon) WELL
- POST (dot icon) POST
- FENCE (line with cross-ticks icon) FENCE
- SINGLE TREE (dot icon) SINGLE TREE
- TREE OR BRUSH LIMIT (cloud icon) TREE OR BRUSH LIMIT

TREE LEGEND

- A APPLE
- CR CRABAPPLE
- M MAPLE
- S SPRUCE
- W WILLOW

APPLICANTS:  
TOWNORTH DEVELOPMENT  
2000 CENTER STREET  
SUITE 301  
W. BRIDGEWATER, MA 02379  
(800) 821-5825 x2



CELLCO PARTNERSHIPS  
2442 NORTHWESTERN HWY.  
SOUTHFIELD, MI 48075  
(248) 915-3000



'SILVER LAKE ROAD'  
TN SITE #MI0004-A  
VZW SITE #4090

GARFIELD TOWNSHIP  
GRAND TRAVERSE COUNTY  
MICHIGAN

REVISIONS:	DATE	BY	DESCRIPTION
1.	07/05/24	SP1	INITIAL DESIGN
2.	11/19/24	SP1	MOVE LEASE PARCEL

MIDWESTERN CONSULTING

3815 Plaza Drive  
Ann Arbor, Michigan 48108  
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JOB No. 23194-MI0004	DATE: 07/05/24
CADD: BLF	ENG: SGF
PM: SGF	TECH: KMW
FILE: 23194_MI0004-SP1	FB#: 552M9

AERIAL  
VICINITY  
PLAN



July 2, 2024

Charter Township of Garfield  
Attn: Stephen Hannon  
3848 Veterans Drive  
Traverse City, MI 49684

**RE: *Application for Special Use Permit – Proposed Wireless Communication Facility***

Dear Members of the Planning Commission:

Please see the below responses to the comments received during the Planning Commission meeting held on June 12, 2024. The answers are listed below in bold and are preceded by the comments or questions discussed during the meeting.

1. The Planning Commission requested renderings (photo simulations) of the proposed tower along Zimmerman Road to visualize the tower location and the existing landscaping/screening.  
**Response: Please see the attached existing vs. proposed photo simulations of the proposed tower from four (4) different vantage points along Zimmerman Road. The renderings show the natural screening of the tower provided by the existing landscaping along Zimmerman Road and the South property line. There are no plans to remove the existing large spruce trees for the construction of the wireless communication facility.**
2. The Planning Commission inquired whether a 50ft+ extension for a colocation on the existing Water Tower would be a feasible alternative.  
**Response: The existing water tower does not meet Verizon's coverage needs in the area based on the height of the water tower. An extension would not be structurally feasible, economically feasible, and would not meet the Township's ordinances based on the reasons below:**
  - The water tower is roughly 68ft tall which is 87ft shorter than the proposed tower height. The proposed tower height was determined by Verizon's Radio Frequency (RF) Engineers as the minimum height required to fill in Verizon's coverage gap and provide better service to the community.
  - During the Planning Commission meeting, the board discussed the future plans to relocate the water tower Southeast of the existing location. If the tower were to be removed or decommissioned at some point, this would result in a loss of coverage to the community, leaving Verizon in the same situation of looking for a new tower location. Since the area is zoned residential and does not permit towers, Verizon would be required to find a new tower location, route new utilities (power and fiber) to the new tower and remove any existing equipment at the water tower site which would be both practically and financially infeasible.
  - Regarding the feasibility of adding a 50ft+ extension to the water tower, the township ordinances (Section 792.A.e) state that we would be required to treat the extension as a new tower since the colocation would *"increase the overall*



*height of the support structure by more than 20ft or 10% of its original approved height, whichever is greater...".* Since the property is zoned residential, which does not permit a new cell tower, we would be required to request a Use Variance since we would not be meeting the township's ordinance. Whereas the location we are proposing in our application does meet the township's ordinances.

- From a construction standpoint, the water tower is not designed to structurally support a 50ft+ steel extension and would require extensive modifications and reinforcements. This would require the existing carrier to remove their equipment on the tower and construct a temporary structure to limit the loss in coverage. Depending on the lease agreement with the existing carrier, they likely also have the first right of refusal any may deny Verizon's request for removing/relocating their equipment in order to construct the extension.
- The existing water tower is also located in a residential community surrounded by houses (and a few recently constructed new homes), so the addition of a 50ft-87ft extension for the antenna equipment would likely not be welcomed by the existing property owners.

3. The Planning Commission stated their concerns with the distance between the proposed tower and the existing residence on the parcel.

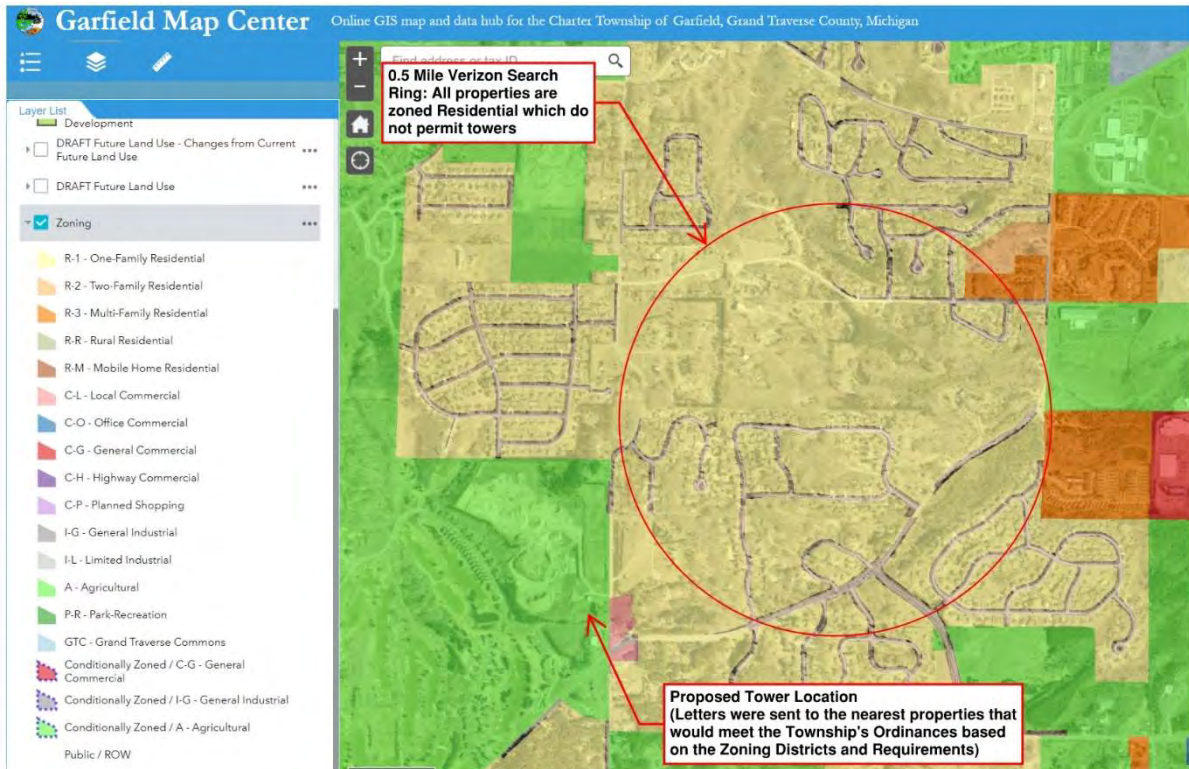
**Response:** TowerNorth is working with both the existing property owner (Frank Bare) and the future property owner (Hexagon Investments, LLC) for this project. The proposed tower location was originally selected by Hexagon Investments and all parties are mutually agreeing to the tower location. If the Planning Commission requires the tower to be setback 155ft from the residence, then we would like to request a waiver/relief of the setback requirement, in order to reduce the setback requirement to 137ft (the current proposed separation from the existing residence). The proposed tower location does meet the setback requirement from all neighboring residential properties and residential zoning districts, which are located along the East and West property lines. The tower will also be designed by a licensed Structural Engineer and is designed to withstand extreme wind loadings. In the event of an extreme weather scenario that would exceed the capacity of the tower, the tower is designed to buckle at certain points along the top half of the tower such that the tower would collapse onto itself within an 80ft fall zone radius.

4. The Planning Commission inquired about how the proposed tower location was selected.

**Response:** When Verizon identifies the need for additional coverage, they will provide us with a search area to either find an existing structure for a colocation or a location for a new tower that would meet their coverage needs. Verizon initially provided the 0.5-mile search radius below, but the area is located entirely within the Residential Zoning District which does not permit cell towers. As a result, we reached out to the nearest property owners in the area that would permit a cell tower based on the zoning ordinances. Based on the interest we received from the property owners, our team selected the proposed location based on Verizon's need and the Township's



ordinances. The proposed location was reviewed by Verizon and was determined to fill in their coverage gaps in this area.



In addition to the comments that were discussed during the Planning Commission meeting, please see our previous responses below addressing the comments from the initial Completeness Review from May 21, 2024 that were not addressed above. Updates to the previous comments are in red.

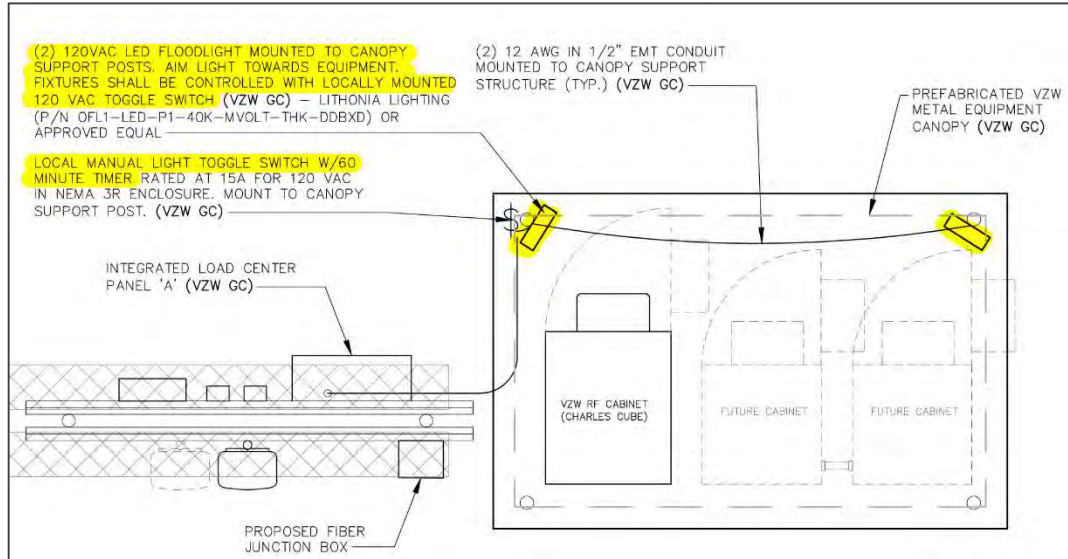
5. Zoning Ordinance Standards – The purpose statement for Section 423 Special Use Permits indicates that every “special use permit application or amendment shall, at a minimum, be required to comply with every requirement contained in each article of this ordinance.” Staff offers comments on the following sections of the Zoning Ordinance:
  - a. Lighting – The site plan notes there “are two, low wattage (21W), LED lights proposed as part of this project.” Please provide details on the proposed lighting including cut sheets for the proposed fixtures and a photometric plan to determine if the lighting standards of Section 517 are met.
 

**Response:** The proposed lights will be located on the equipment canopy/shelter as shown in the example sketch below. The lights are aimed downwards towards the equipment in order to illuminate the area for maintenance personal that may be on site at night. The lights are operated with a toggle switch with a maximum



60-minute timer and would only be on while someone is on site for safety and security purposes. No lighting is proposed on the tower itself.

**07/02/2024 Response: Please see the attached cut sheet for the light fixture. The proposed lights provide 0.5-foot candles at approximately 30ft from the light location based on the mounting height of 8ft above grade with shielding provided by the proposed canopy.**



- b. Stormwater Management – Stormwater shall be detained on site and the stormwater system is subject to review by the Township Engineer. Please provide an escrow application for stormwater review.

**Response: We are reviewing the submittal requirements for the stormwater review and escrow application (stormwater calculations, drainage arrows, and soil information) for our proposed site and we will work directly with the Township Engineer to submit a formal application and/or determine if any additional stormwater management is required.**

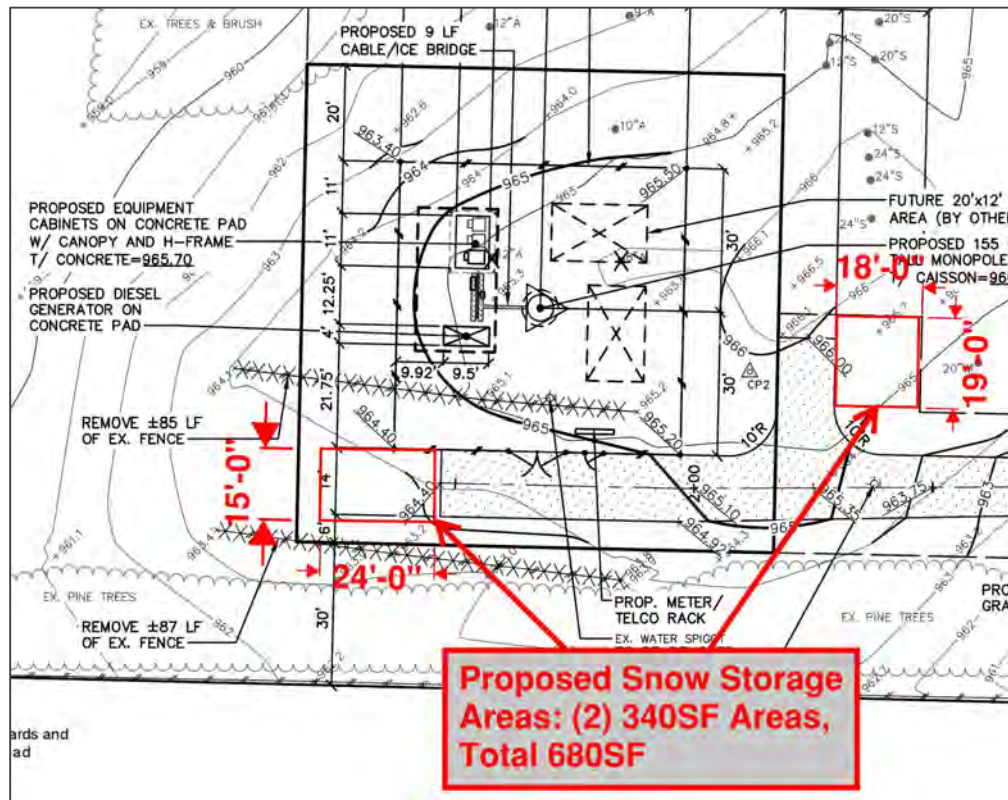
**07/02/2024 Response: We have reached out to the Drain Commissioner on the Stormwater review and permit to ensure that we are meeting the township's requirement in our stormwater management plans. We will provide the final permit approval prior to submitting any building permit applications.**

- c. Snow Storage – The application indicates that a parking space and turnaround area will be installed to provide adequate parking. Snow storage is required for any parking areas with 2,700 square feet or more as described in Section 551.E(6). This is understood to include maneuvering lanes and drives. The site plan shows a proposed gravel drive which appears to take up at least 2,700 square feet. Please indicate on the site plan an area for the snow storage which meets the standards of Section 551.E(6).



Response: The proposed gravel drive, parking space and turnaround area is approximately +/-3,400 square feet. Per the standards of 551.E(6), a ratio of 10 square feet per 100 square feet shall be used to determine the on-site storage area, which is approximately 340 square feet. Please see the two (2) proposed snow storage areas below located within the lease area and access easement of the wireless facility. Each area is approximately 340 square feet for a total of 680 square feet.

**07/02/2024 Response: Please see the attached plans showing the proposed snow storage areas outlined in red.**



We trust these responses adequately address your comments. If you have any questions or require any additional information, please reach out to me directly.

Sincerely,

**Jaime Mathew**

**Ph: (630) 487-3489**

**Email: Jaime.mathew@kimley-horn.com**





Expect More. Experience Better.

- SITE NAME: TN-MI0004-A SILVER LAKE ROAD
- PROPOSED 155' GUYED TOWER  
(+4' LIGHTNING ROD) 159' OVERALL
- SITE ADDRESS:(Near) 2767 Zimmerman Road, MI 49685
- TOWER LOCATION: 44.726889, -85.677444  
(44.727067, -85.677493 )

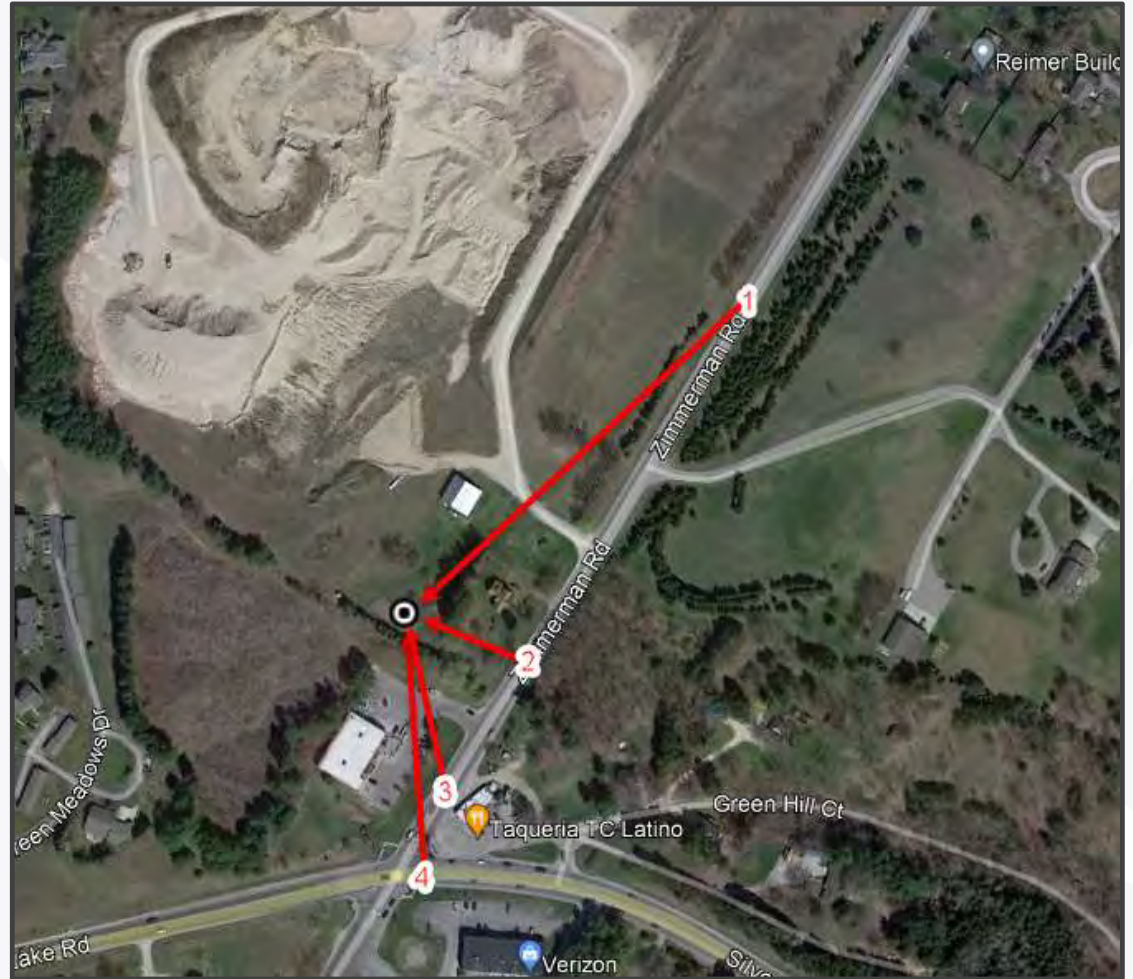
## VISUAL IMPACT ANALYSIS





# AERIAL MAP

- VIEW 1 – LOOKING SW FROM ZIMMERMAN RD  
(Approx 900' from tower)
- VIEW 2 – LOOKING NW AT CENTERLINE OF  
ZIMMERMAN RD  
(Approx 250' from tower)
- VIEW 3 – LOOKING NW FROM ZIMMERMAN RD  
(Approx 350' from tower)
- VIEW 4 – LOOKING NW AT INTERSECTION OF  
ZIMMERMAN RD AND SILVER LAKE ROAD  
(Approx 500' from tower)





# EXISTING VIEW 1

- VIEW 1 – LOOKING SW FROM ZIMMERMAN RD  
(Approx 900' from tower)





# PROPOSED VIEW 1

- VIEW 1 – LOOKING SW FROM ZIMMERMAN RD  
(Approx 900' from tower)





## EXISTING VIEW 2

- VIEW 2 – LOOKING NW AT CENTERLINE OF ZIMMERMAN RD  
(Approx 250' from tower)





## PROPOSED VIEW 2

- VIEW 2 – LOOKING NW AT CENTERLINE OF ZIMMERMAN RD  
(Approx 250' from tower)





## EXISTING VIEW 3

- VIEW 3 – LOOKING NW FROM ZIMMERMAN RD  
(Approx 350' from tower)





## PROPOSED VIEW 3

- VIEW 3 – LOOKING NW FROM  
ZIMMERMAN RD  
(Approx 350' from tower)





## EXISTING VIEW 4

- VIEW 4 – LOOKING NW AT INTERSECTION OF ZIMMERMAN RD AND SILVER LAKE RD (Approx 500' from tower)





## PROPOSED VIEW 4

- VIEW 4 – LOOKING NW AT INTERSECTION OF ZIMMERMAN RD AND SILVER LAKE RD (Approx 500' from tower)







# OFL Size 1 LED Flood Luminaire



Catalog  
Number

Notes

Type

Hit the Tab key or mouse over the page to see all interactive elements.

## Specifications

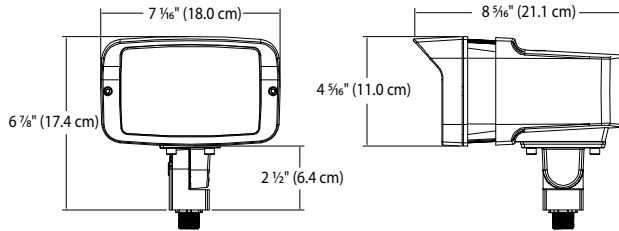
**EPA:** 0.6 ft<sup>2</sup>  
(.06 m<sup>2</sup>)

**Depth:** 8.3"  
(21.1 cm)

**Width:** 7"  
(18 cm)

**Height:** 6.9"  
(17.4 cm)

**Weight:** 5 lbs  
(2.27 kg)



## Introduction

The OFL Size 1 Floodlight delivers up to 4,400 lumens, with a robust design and several mounting options making it perfect for light commercial applications. It's the ideal long-life replacement for 70-150W metal halide floods, with typical energy savings up to 84% and expected service life of over 50,000 hours.

## Ordering Information

**EXAMPLE:** OFL1 LED P1 40K MVOLT YK DDBXD

OFL1 LED					
Series	Performance Package	Color Temperature	Voltage	Mounting	Finish (required)
OFL1 LED	P1 <sup>1</sup>	40K <sup>1</sup> 4000K	MVOLT <sup>2</sup>	YK Yoke	DDBXD Dark bronze

## Accessories

Ordered and shipped separately.

DSXF1/2TS DDBXD U Slipfitter for 1-1/4" to 2-3/8" OD tenons; mates with 1/2" threaded knuckle (specify finish)<sup>2</sup>

FTS CG6 DDBXD U Slipfitter for 2-3/8" to 2-7/8" OD tenons; mates with yoke mount (specify finish)

## NOTES

- P1 40K not available with THK.
- MVOLT driver operates on any line voltage from 120-277V (50/60Hz).

## FEATURES & SPECIFICATIONS

### INTENDED USE

The traditional and robust design of the OFL1 LED floodlight with energy efficient LEDs, is suitable for replacing up to 150W Metal Halide. It is ideal for landscape, signage, and accent lighting in heavy commercial and residential applications.

### CONSTRUCTION

Die-cast aluminum housing has integral heat sink fins to optimize thermal management through conductive and convective cooling. The LED driver is mounted in direct contact with the casting to promote low operating temperature and long life. Housing is completely sealed against moisture and environmental contaminants (IP65). Low EPA (0.6 ft<sup>2</sup>) for optimized wind loading.

### FINISH

Exterior parts are protected by a zinc-infused Super Durable TGIC thermoset powder coat finish that provides superior resistance to corrosion and weathering.

### ELECTRICAL

Light engine(s) consist of chip-on-board (COB) LEDs directly coupled to the housing to maximize heat dissipation and promote long life (50,000 hrs).

### INSTALLATION

Integral adjustable knuckle with 1/2-14NPS threaded pipe, yoke, or slipfitter attachment, facilitates quick and easy installation to a variety of mounting accessories.

### LISTINGS

UL certified to U.S. and Canadian standards. Luminaire is IP65 rated. Rated for -40°C minimum ambient. DesignLights Consortium® (DLC) qualified product. Not all versions of this product may be DLC qualified. Please check the DLC Qualified Products List at [www.designlights.org/QPL](http://www.designlights.org/QPL) to confirm which versions are qualified.

### WARRANTY

5-year limited warranty. Complete warranty terms located at: [www.acuitybrands.com/support/customer-support/terms-and-conditions](http://www.acuitybrands.com/support/customer-support/terms-and-conditions)

**Note:** Actual performance may differ as a result of end-user environment and application. All values are design or typical values, measured under laboratory conditions at 25 °C. Specifications subject to change without notice.



COMMERCIAL OUTDOOR

One Lithonia Way • Conyers, Georgia 30012 • Phone: 1-800-705-SERV (7378) • [www.lithonia.com](http://www.lithonia.com)  
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OFL1 LED  
Rev. 1/23/20



## Performance Data

### Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Contact factory for performance data on any configurations not shown here.

Performance Package	System Watts	Dist. Type	Field Angle		Beam Angle		40K		50K	
			"H	"V	"H	"V	Lumens	LPW	Lumens	LPW
P1	21W	WFL	106	106	71	72	2,295	109	2,333	111
P2	45W	WFL	106	106	71	72	4,451	99	4,466	99

### Lumen Ambient Temperature (LAT) Multipliers

Use these factors to determine relative lumen output for average ambient temperatures from 0-40°C (32-104°F).

Ambient	Lumen Multiplier
0°C	1.06
10°C	1.03
20°C	1.01
25°C	1.00
30°C	0.99
40°C	0.97

### Projected LED Lumen Maintenance

Data references the extrapolated performance projections for the **OFL Flood Size 1** platform based on 9000 hours of LED testing (tested per IESNA LM-80-08 and projected per IESNA TM-21-11).

To calculate LLF, use the lumen maintenance factor that corresponds to the desired number of operating hours below. For other lumen maintenance values, contact factory.

Operating Hours	0	25,000	50,000
Lumen Maintenance Factor	1	0.88	0.78

### Electrical Load

Power Package	System Watts	Current (A)				
		120V	208V	240V	277V	347V
P1	21W	0.21	0.12	0.11	0.1	-
P2	45W	0.41	0.24	0.2	0.19	-

## Photometric Diagrams

To see complete photometric reports or download .ies files for this product, visit [Lithonia Lighting's OFL Series Flood Size 1 homepage](#).

## Mounting, Options and Accessories



THK-Knuckle with 1/2" NPS threaded pipe



YK-Yoke mount



Slipfitter attachment  
DSXF1/2 TS  
H= 2-1/2" (6.3 cm)  
ID= 2-3/8" (6.0 cm)  
OD= 3-1/2" (8.8 cm)



COMMERCIAL OUTDOOR

One Lithonia Way • Conyers, Georgia 30012 • Phone: 1-800-705-SERV (7378) • [www.lithonia.com](http://www.lithonia.com)  
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OFL1 LED  
Rev. 1/23/20





SCALE: 1" = 30'

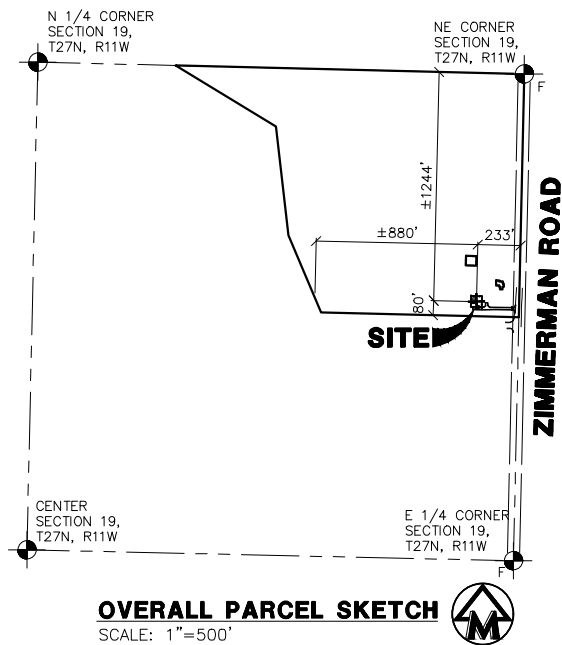


#### LEGEND

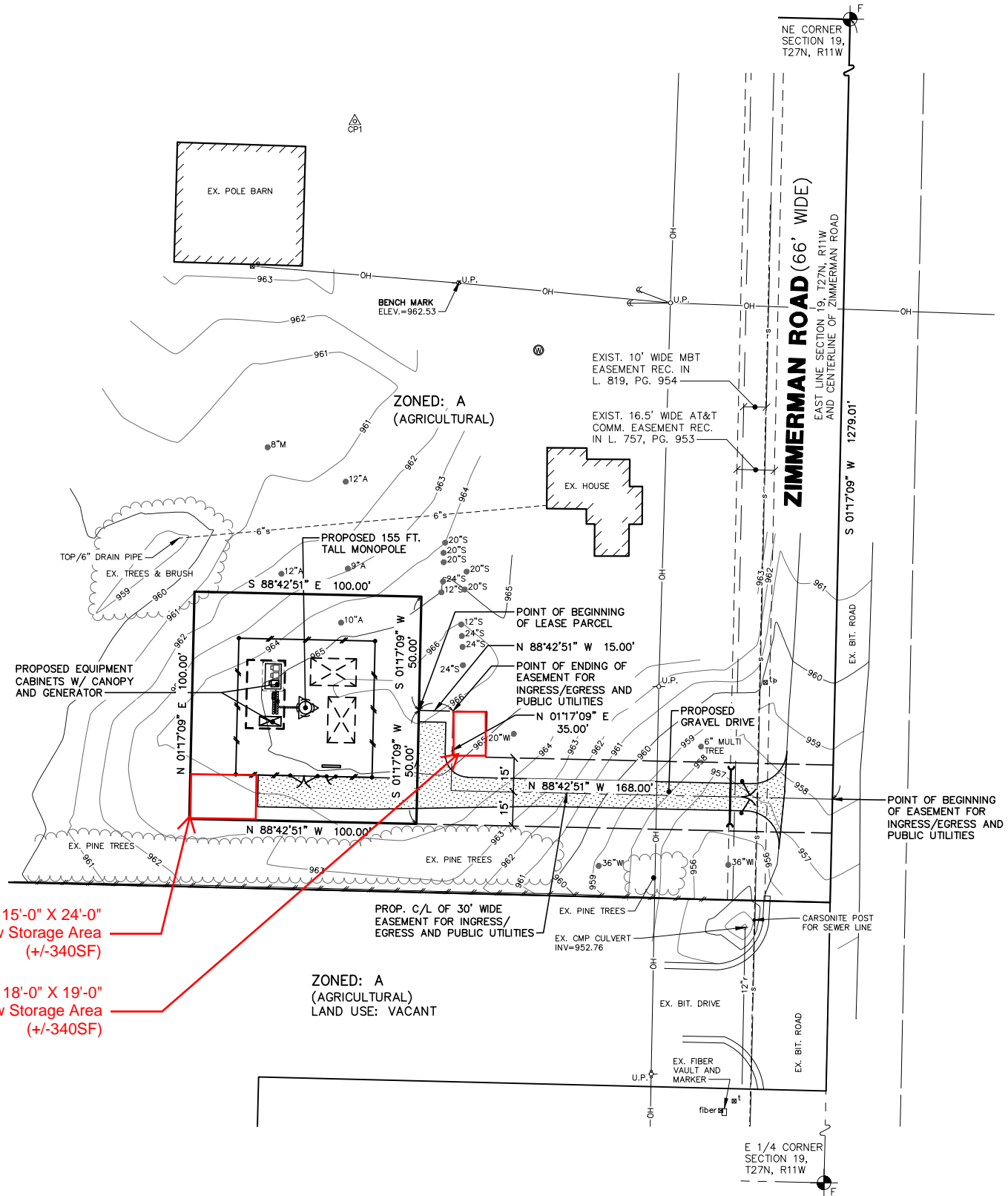
921	EXIST. CONTOUR
921	PROP. CONTOUR
x921.2	EXIST. SPOT ELEVATION
921.60	PROP. SPOT ELEVATION
U.P.	EXIST. UTILITY POLE
U.P.	EXIST. UTILITY POLE W/ TRANS.
	GUY WIRE
OH	EXIST. OVERHEAD UTILITY LINE
s-s	EXIST. SANITARY SEWER
	END SECTION
	HEAD WALL
	CULVERT
	MAILBOX
	SIGN
	TELEPHONE RISER
	FIBER OPTIC MARKER
	WELL
	POST
	FENCE
	SINGLE TREE
	TREE OR BRUSH LIMIT
	SECTION CORNER
	FOUND MONUMENT
	CONTROL PT.

#### TREE LEGEND

A	APPLE
CR	CRABAPPLE
M	MAPLE
S	SPRUCE
W	WILLOW

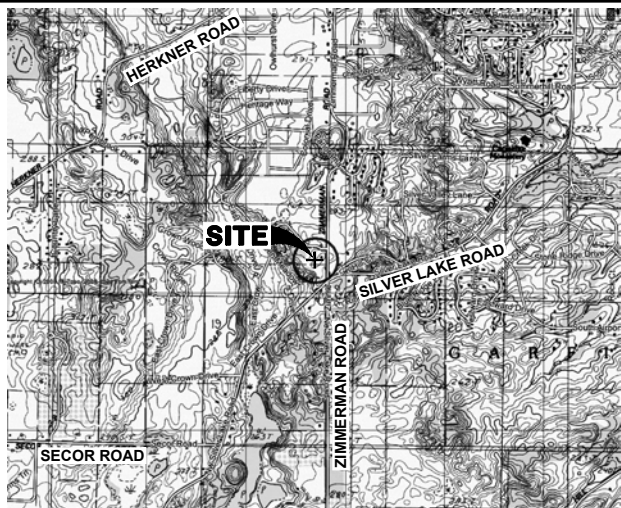


**OVERALL PARCEL SKETCH**  
SCALE: 1"=500'



Proposed 15'-0" X 24'-0" Snow Storage Area (+/-340SF)

Proposed 18'-0" X 19'-0" Snow Storage Area (+/-340SF)



#### VICINITY SKETCH

SCALE: 1"=2000'



#### LOCATION

LATITUDE 44° 43' 36.8"  
LONGITUDE 85° 40' 38.8"  
GROUND ELEV. @ TOWER BASE = 965.90

#### LEGAL DESCRIPTION OF LEASE PARCEL

Commencing at the Northeast corner of Section 19, T27N, R11W, Garfield Township, Grand Traverse County, Michigan, thence S 01°17'09" W 1279.01 feet along the east line of said Section 19 (also being the centerline of Zimmermann Road, 66 feet wide); thence N 88°42'51" W 168.00 feet; thence N 01°17'09" E 35.00 feet; thence N 88°42'51" W 15.00 feet to the POINT OF BEGINNING.

thence S 01°17'09" W 50.00 feet;  
thence N 88°42'51" W 100.00 feet;  
thence N 01°17'09" E 100.00 feet;  
thence S 88°42'51" E 100.00 feet;  
thence S 01°17'09" W 50.00 feet to the POINT OF BEGINNING; being a part of the Northeast 1/4 of Section 19, T27N, R11W, Garfield Township, Grand Traverse County, Michigan; containing 10,000 square feet, or 0.230 acres of land, more or less; subject to easements and restrictions of record, if any;

Together with a 30 foot easement for ingress, egress and public utilities, the centerline of said easement is described as follows

Commencing at the Northeast corner of Section 19, T27N, R11W, Garfield Township, Grand Traverse County, Michigan, thence S 01°17'09" W 1279.01 feet along the east line of said Section 19 (also being the centerline of Zimmermann Road, 66 feet wide) to the POINT OF BEGINNING

thence N 88°42'51" W 168.00 feet;  
thence N 01°17'09" E 35.00 feet to the POINT OF ENDING; being part of the Northeast 1/4 of Section 19, T27N, R11W, Garfield Township, Grand Traverse County, Michigan; except any part taken, dedeed or used for public road purposes; and subject to easements and restrictions of record, if any.

#### LEGAL DESCRIPTION OF OVERALL PARCEL

(Taken from Title Report)

Part of the North 1/2 of the Northeast 1/4 of Section 19, T27N, R11W, Commencing at the Southeast corner; thence N 89°37' W 1077.08 feet; thence N 23°59' W 455.36 feet; thence N 07°34' W 595.51 feet; thence N 59°45' W 640.68 feet; thence East on the North section line to the Northeast corner of Section 19; thence South to the Point of Beginning. Except road right of way.

#### NOTES

1. Rotate all bearings 00°55'31" counter-clockwise to obtain bearings based on True North as determined from global positioning system (GPS).
2. This site is not located in a flood area per Flood Insurance Rate Map number 26055C0225C, effective date August 28, 2018.
3. This site plan is based on the survey of the existing conditions conducted by Midwestern Consulting, LLC on 11-30-2023.

#### BENCH MARK

Spike in a utility pole located ±70 feet east of the southeast corner of the existing pole barn and ±198 feet northeast of the proposed monopole  
Elevation: 962.53 (NAVD 88 Datum)

#### PROPERTY INFORMATION

TAX PARCEL: #05-019-001-00

OWNER: FRANK A. BARE  
2767 ZIMMERMAN ROAD  
TRAVERSE CITY, MICHIGAN 49685

CELL SITE ADDRESS:  
ZIMMERMAN ROAD  
TRAVERSE CITY, MICHIGAN 49685

PREPARED BY:  
MIDWESTERN CONSULTING, L.L.C.

SCOTT G. FISHER P.E. #58473

APPLICANTS:  
TOWN NORTH DEVELOPMENT  
205 NORTH STREET  
SUITE 301  
W. BRIDGEWATER, MA 02779  
(800) 821-5825 x2

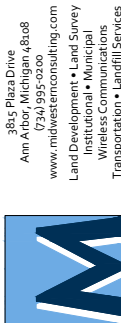


'SILVER LAKE ROAD'  
TN SITE #MI0004-A  
VZW SITE #4090

GARFIELD TOWNSHIP  
GRAND TRAVERSE COUNTY  
MICHIGAN

REV. DATE	REVISIONS	UPDATES
02/27/24	1. DRAWING	1. DRAWING
02/26/24	2. DRAWING	2. DRAWING

MIDWESTERN  
CONSULTING



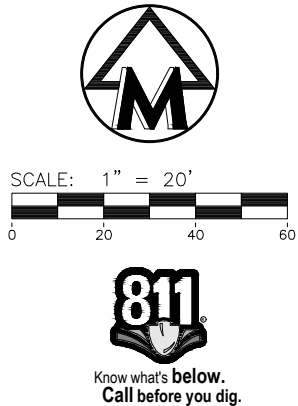
JOB No. 23194-MI0004

DATE: 01/30/24	CADD: BLF
ENG: SGF	ENG: SGF
PM: SGF	TECH: KMW
FILE: 23194_MI0004-SP1	FB#: 552M9

**SITE SURVEY  
GENERAL  
INFORMATION**

1

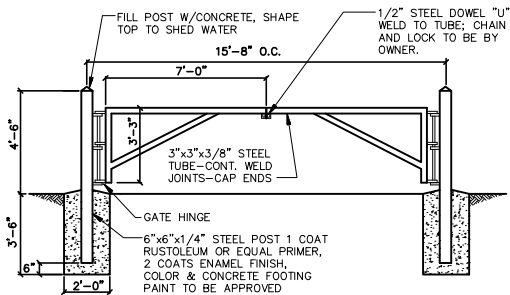




	EXIST. CONTOUR
	PROP. CONTOUR
	EXIST. SPOT ELEVATION
	PROP. SPOT ELEVATION
	EXIST. UTILITY POLE
	EXIST. UTILITY POLE W/ TRANS.
	GUY WIRE
	EXIST. OVERHEAD UTILITY LINE
	EXIST. SANITARY SEWER
	END SECTION
	HEAD WALL
	CULVERT
	MAILBOX
	SIGN
	TELEPHONE RISER
	FIBER OPTIC MARKER
	WELL
	POST
	FENCE
	SINGLE TREE
	TREE TO BE REMOVED
	TREE OR BRUSH LIMIT
	SECTION CORNER
	FOUND MONUMENT
	CONTROL PT.

- A APPLE
- CR CRABAPPLE
- M MAPLE
- S SPRUCE
- W WILLOW

1. All site work construction shall be in accordance with the current standards and specifications of Garfield Township and the Grand Traverse County Road Commission, where applicable
2. The proposed equipment cabinet is to be a computerized, unarmmed, telephone exchange structure. No water service, sanitary facilities or gas service is needed. Telephone and electrical services will be from an existing utility pole or line adjacent to the site.
3. The proposed equipment cabinet is to have security systems monitored 24 hours per day. The cabinet will also be constructed with bullet resistant materials.
4. There are two, low wattage (21WV), LED lights proposed as part of this project. The lights are mounted to the canopy support posts, under the canopy opposite from the equipment cabinet. Lights shall be connected to a technician operated on/off switch with a timer with a one-hour maximum lit duration.
5. There are no signs proposed for this project except for:
  - a. Emergency contact information purposes and FCC "call" sign placed on equipment cabinet door;
  - b. FCC registration number located on fence gate
6. The cellular antenna and equipment cabinet will be approved by the Federal Communications Commission (FCC) and will not impact any frequency sensitive devices whatsoever. Buyer warrants no adverse radio interference with adjacent land uses.
7. There are no toxic materials used by Lessee on the site. Lessee has no need for outdoor storage or garbage disposal and pick-up.
8. Tower shall be equipped with an anti-climbing device.
9. Maintenance personnel using van type service vehicles enter and exit the site approximately 2 to 4 times per month. No loading or unloading area is needed by them.
10. All areas disturbed by the construction of the tower and cabinet and driveway shall be restored in kind. Contractor is to provide soil erosion control measures as needed or as directed by owner or government agency having jurisdiction
11. All areas inside of and to 1'-0" outside of the fenced area shall be covered with 3" of crushed limestone placed over "Tyran" landscape fabric.
12. Ingress and egress by Lessee's personnel to the site shall be via a proposed gravel drive from Zimmerman Road.
13. The proposed drive shall consist of 3" of MDOT Class 23A crushed limestone aggregate over 10" of 1"x3" crushed concrete or slag over compacted subgrade. The subgrade shall be stripped free of all topsoil and organic material prior to placing aggregate base. Where poor subgrade soils are encountered, a woven geotextile fabric (Mirafi 500X or approved equal) shall be placed so that it is a minimum of 2 ft. wider and longer than the drive which is to be constructed over the poor soils.



SCALE:  $1/4" = 1'$





May 9, 2024

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

**RE: Request for Special Use Permit Approval to locate a Wireless Communication Facility (WCF) at Property Address: 2767 Zimmerman Road, Traverse City, MI 49685**

Dear Members of the Planning Commission:

Please accept this letter, along with the attached documents, as part of our formal application for a Special Use Permit approval from **TowerNorth Development, LLC (TowerNorth)** in conjunction with **Verizon Wireless** to install a 155ft monopole tower and associated antenna equipment within a 60ft x 60ft fenced compound located near 2767 Zimmerman Road, Traverse City, MI 49685 (Parcel ID: 05-019-001-00).

Verizon Wireless is looking to enhance their network and to provide improved cellular data and coverage in the Charter Township of Garfield through the installation of a new wireless communication tower in partnership with TowerNorth. The proposed location will provide high-speed wireless broadband access and enhanced E-911 services to the communities in the area between Long Lake and US-31. The proposed infrastructure provides the opportunity for additional cell carriers to improve and expand their coverage while eliminating the need for additional towers within the surrounding area. The proposed service will also improve the emergency services available to the community.

TowerNorth and Verizon Wireless are seeking a Special Use Permit for the wireless communication facility based on the criteria outlined in **Section 792 of the Charter Township of Garfield Zoning Ordinance (Wireless Communications Facilities and Antennae)**. The property of the proposed wireless communication facility is currently Zoned A (Agricultural) which permits wireless communication facilities as a Special Use in accordance with Table 3-4 of the Zoning Ordinance.

TowerNorth and Verizon Wireless are hopeful that the proposed wireless communication facility will assist the Township with their current and future plans of development: in which we believe are to (1) encourage technology access throughout the Township and (2) ensure that adequate infrastructure including emergency services are available for the healthy economic growth of the area.

To limit the visual impact, the tower will be constructed out of galvanized steel and will be designed for a minimum of two (2) additional collocations. In addition, the tower will conform to and be designed under the Federal guidelines and ANSI standards/specifications of wind & ice loadings. Current traffic will not be affected as the proposed facility is unmanned and unstaffed and may be visited by maintenance personnel approximately 2-4 times per month or as needed for servicing. A proposed access road will be installed off Zimmerman Rd.

The proposed wireless communication facility complies with the Special Use standards stated in **Section 792 Part F: Standards Applicable to All Wireless Communication Facilities and Antennae** of the Zoning Ordinance. The proposed tower and associated equipment will operate in a clean and quiet manner. The facility is completely automated and will not create smoke, fumes, odors, dust, glare, noise pollution, unsanitary conditions, surface drainage problems, environmental



nuisances, traffic congestion, threats to morality or public safety, or any other objectional characteristics offensive to the community. To the contrary, the facility will contribute to the improved safety, convenience, comfort and general welfare of the community by providing enhanced communication capabilities and an emergency communications infrastructure. No water services, sanitary facilities, gas services, or garbage disposal/pick-up services are needed. The existing landscaping will be preserved to the greatest extent possible, and all disturbed areas will be restored in kind. Soil erosion control measures will comply with the terms of the County Soil Erosion and Sedimentation Control Standards.

Please review this letter along with all documentation provided in which TowerNorth intends to comply with the Charter Township of Garfield Zoning Ordinance along with the attached documents as requested in **Section 792 Part D: Submission Requirements** and **Table 7-15: Telecommunications Facility – Submittal Requirements** of the Zoning Ordinance.

## **SECTION 792 WIRELESS COMMUNICATIONS FACILITIES AND ANTENNAE**

### **Section 792.D – Submission Requirements:**

1. The requirements as indicated in Table 7-15 (see page 7-21) must be provided with an application for any wireless communications facility or antennae. The application must be signed by the property owner, the applicant, and a provider who will be placing antennae on the proposed wireless communications facility.

**Response: Please find the signed application by the property owner, the applicant, and agent in Exhibit A. Please see Exhibit J for the Affidavit of Intent to Collocate provided by Verizon Wireless who will be placing their antenna equipment on the proposed wireless communications facility. Please see our response to the submittal requirements outlined in Table 7-15 below and where each referenced document can be found in our submittal.**

2. The Zoning Administrator in the case of an administrative approval, or the Planning Commission in the case of a SUP application, may modify the submission requirements where it is determined that certain information is not required or useful in determining compliance with the provisions of this ordinance. A decision to modify certain submission requirements must be in writing and made a part of the application file.

**Response: Noted.**

3. If the property owner is not a provider, the application must include a copy of an executed lease agreement between the applicant or property owner and a provider, or, where no lease agreement has been executed, an affidavit signed by a carrier attesting to an intent to place antennae on the wireless communications facility if the application is approved.

**Response: A lease agreement between the property owner and TowerNorth is currently being developed. Please see Exhibit J for the Affidavit of Intent to Collocate signed by Verizon Wireless attesting to their intent to install their antenna equipment if the proposed facility is approved.**



**Table 7-15: Telecommunications Facility – Submittal Requirements**

<b>Antenna</b>	<b>Required Submissions</b>	<b>Reference(s)</b>
✓	A complete application on a form provided by the department	Exhibit A – Signed SUP Application
✓	The name, address, and telephone contact information for the owner of any proposed or existing antenna supporting structure, and a statement that such information will be updated annually or upon a change of ownership after the application is approved	Letter of Intent, Exhibit A – Signed SUP Application
✓	A survey of the lot completed by a registered land surveyor that shows all existing uses, structures, and improvements	Exhibit B – Site Survey
✓	A site plan of the property showing all proposed uses, structures and improvements	Exhibit C – Site Plans
✓	Antenna heights and power levels of the proposed facility and all other facilities on the subject property, including a statement of the height above sea level of the highest point of the proposed facility	Exhibit C – Site Plans
✓	A graphical representation, and an accompanying statement, of the search area used to locate the proposed facility	Exhibit D – 1/2-Mile Verizon Wireless Search Ring Map
✓	A graphical representation, and an accompanying statement, of the coverage area planned for the cell to be served by the proposed facility along with a service map showing all existing towers and coverage area for those towers in adjacent sections	Exhibit E – RF Coverage Maps, Exhibit F – RF Statement of Network Need
✓	A radio frequency plot indicating the coverage of existing wireless communications sites, and that of the proposed site sufficient to demonstrate geographic search area, coverage prediction, and design radius	Exhibit E – RF Coverage Maps
✓	A statement by a qualified professional engineer specifying the design structural failure modes of the proposed facility, including proof that the proposed antenna supporting structure has been designed so that, in the event of structural failure, the facility will collapse within the boundaries of the lot on which it is located	Exhibit G – Certified Fall Zone Letter
✓	A stamped or sealed structural analysis of the proposed wireless communications facility prepared by a professional engineer, indicating the proposed and future loading capacity of the facility	Exhibit H – Structural Design Report
✓	Proof of a license (and for broadcast structures, a construction development approval) issued by the FCC to transmit radio signals in the township	Exhibit I – FCC Licenses
✓	A shared use plan, including a statement, which indicates the applicant's intent to allow the co-location of other antenna, provided that the cost of modifying the existing tower is borne by the collocating entity and reasonable compensation, is paid by the co-locating entity. In support of this statement, the applicant will make this information reasonably known to service providers.	Letter of Intent, Exhibit C – Site Plans



**Section F. Standards Applicable to All Wireless Communication Facilities and Antennae**

**1. Number of Facilities to be Minimized**

- a. Generally: Antenna supporting structures must be located in a manner that is consistent with township's interest in land-use compatibility. No antenna supporting structure will be permitted unless the applicant demonstrates that the proposed antenna cannot be accommodated on an existing antenna supporting structure.

**Response: Please see Exhibit E for Verizon's RF coverage maps and Exhibit F for an RF Statement of Network need. Verizon first considers whether an existing tower in the area would resolve the service gap, however, there are no existing towers within a mile of the proposed tower location.**

- b. Letters of coordination: The applicant must provide documentation that a notice was mailed, via certified mail, to all providers or, where applicable, to owners of existing antenna supporting structures, and that the applicant was unable to secure a lease agreement with a provider to allow the placement of the proposed antennae on an existing structure or building within the geographic search area.

**Response: Please see Exhibit D for a map of Verizon's 0.5-mile search area that was used to identify any existing towers or potential locations for a new tower. No existing towers are located within the 0.5-mile search area or within 1.0 mile of the proposed tower location.**

- c. Additional evidence: As appropriate, the following evidence may also be submitted to demonstrate compliance with this section:

- i. That no existing wireless communications facility within the geographic search area meets the applicant's radio frequency engineering or height requirements;
- ii. That no building or structure within the geographic search area has sufficient structural strength to support the applicant's proposed antennae; or
- iii. That there are other limiting factors that render collocated, surface-mounted, or roof mounted facilities unsuitable or unreasonable.

**Response: There are no existing towers within a 1.0-mile radius of the proposed tower location or suitable structures that would meet the required antenna centerline to service the coverage gap. The existing towers outside of this area either already have Verizon collocated on the existing tower or are too close to Verizon's existing sites and would cause issues with overlapping coverage and would not effectively fill the coverage gap in service. The proposed tower location is centrally located between the existing Verizon sites as shown in the RF coverage maps in Exhibit E.**

**2. Construction**

Antenna supporting structures shall be constructed utilizing monopole or freestanding lattice type construction only, unless the applicant is able to demonstrate that such a structure cannot accommodate the proposed or future antennae.

**Response: In compliance with this section, the tower will be designed as a monopole tower type.**



**3. Setbacks**

- a. Antenna supporting structures, equipment enclosures, and ancillary appurtenances must meet the minimum setback requirements for the zoning district in which they are proposed.

**Response: The proposed tower and fenced compound are meeting all setback requirements for the Agricultural (A) district (Front: 30ft, Side: 20ft, Back: 35ft). The proposed fenced compound, which contains the tower and all equipment enclosures, has the following approximate setbacks: 149ft Front, 30ft Side, and approximately 860ft Back.**

- b. In addition to complying with (a) above, antenna supporting structures must also be set back a distance equal to their overall height from the lot line of any lot that contains a residential use, that is vacant but may be used for residential purposes, or that is within a residential zoning district; however, guy-wire anchors need only comply with the provisions of subsection (a), above.

**Response: The surrounding properties are currently zoned Agricultural (A) with no existing residential uses as shown on the Zoning Map in Exhibit K. In addition, please refer to the tower fall zone letter in Exhibit G that states that the tower is designed to fall within an 80ft radius, which will contain the tower within the proposed property boundaries.**

- c. The setback requirements specified in (a) and (b) above are minimums. Any proposed wireless communication facility or antenna proposed and requiring SUP application and approval may have a greater setback requirement imposed by the Planning Commission if substantiated by a need to minimize the visual, aesthetic, and public safety impacts of the facility or antenna.

**Response: Noted.**

**4. Accommodation of Future Collocations**

- a. Antenna supporting structures must be designed to accommodate future collocations by at least two (2) additional service providers. A notarized statement by the applicant to this effect shall be provided by the applicant. The exact amount of additional equipment to be accommodated will be agreed upon during the application review and approval process.

**Response: The tower is designed to accommodate a minimum of two additional collocations as shown on page 2 of the Site Plans in Exhibit C.**

- b. The proposed location of a wireless communication facility shall be adequately sized and configured to allow the placement of at least two (2) additional communication equipment shelters.

**Response: The facility is designed to accommodate a minimum of two additional collocations as shown on page 2 of the Site Plans in Exhibit C.**

- c. Wireless communication towers shall reserve space on the tower for at least one (1) public safety antenna, and shelter or ground space to accommodate one (1) equipment shelter if deemed necessary.

**Response: TowerNorth will work with the Township to install at least one (1) public safety antenna and ground equipment if deemed necessary.**

- d. As a condition of approval under this article, the applicant must submit a shared use plan that commits the owner of the proposed antenna supporting structure to



accommodate future collocations where reasonable and feasible in light of the criteria set forth in this section.

**Response: TowerNorth, who will be the owner of the tower, has a business plan that aligns with the requirement mentioned. Their goal is to maximize the number of collocators on this structure. Additionally, the Federal Telecommunication Act of 1996 mandates that structures must allow for collocation.**

- e. The provisions of (a) through (d) above shall not apply to Residential Facilities.

**Response: Noted.**

#### 5. **Equipment Shelter Design and Height**

The design and materials used in the construction of the equipment shelter shall, to the extent possible, blend the structure with the surrounding built or natural environment. The equipment shelter shall not exceed fifteen (15) feet in height.

**Response: In compliance with this section, the ground equipment will be under 15ft in height. No buildings or equipment shelters are proposed. Existing pine trees to the south of the tower will provide natural screening from the neighboring parcel.**

#### 6. **Lighting**

- a. No lights, signals, or other illumination will be permitted on any antenna supporting structure or ancillary appurtenances unless the applicant demonstrates that lighting is required by the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), or the Michigan Department of Transportation Bureau of Aeronautics (MDOT-BOA). No existing facility or antenna shall be modified in any way which would cause the structure to require lighting unless a SUP is first approved permitting such modification and lighting.

**Response: Please see Exhibit L for the FAA Determination of No Hazard to Air Navigation. As part of this evaluation, marking and lighting of the tower is not necessary for aviation safety. However, if the FAA determines at any time that the facility needs to be lit, then we will be required to comply with all federal regulations. In addition, we will provide the Township notice of any requirements.**

- b. Site lighting shall comply with the lighting standards of this Ordinance.

**Response: The proposed site will comply with the lighting standards of this ordinance.**

#### 7. **Color**

Antenna supporting structures and ancillary appurtenances, including transmission lines, must maintain a galvanized grey finish or other contextual or compatible color as determined by the township, except as otherwise required by the FAA, the FCC, or the MDOT-BOA.

**Response: In compliance with this section, the tower will be designed with galvanized steel and the proposed antennas will be off-white to grey in color. The proposed cables will be routed within the monopole tower but would be grey to black in color.**

#### 8. **Fencing**

A fence of at least six (6) feet in height from finished grade must be installed in order to enclose the base of the antenna supporting structure and associated equipment enclosures. Access to



the antenna supporting structure must be controlled by a locked gate. The fence must be constructed in accordance with §515 Fences and Walls, of this ordinance, except that barbed wire construction may be allowed at the discretion of the applicant.

**Response: Please see the Site Plans in Exhibit C for the location and design of the proposed fence enclosing the tower and associated ground equipment. A 6ft chain-link fence with barbed wire at the top of the fence is proposed. The existing trees lining the south property line and road frontage will provide natural screening for the proposed ground equipment.**

**9. Landscaping**

Wireless communication facilities and antenna shall be effectively screened to obscure views of the tower base, equipment shelter, security fencing, and/or guy wire anchors from adjacent uses and public rights-of-way. In locations where the visual impact of the tower will be minimal or where existing vegetation or topography provide an effective natural screening, the Planning Commission may modify or waive this requirement.

**Response: The existing parcel has pine trees and landscaping along the property lines near the proposed tower location which will provide natural screening of the tower and ground equipment from the surrounding properties and public right-of-way.**

**10. Signs**

- a. Except as provided for in (b) and (c) below, no signs may be placed on antenna supporting structures, ancillary appurtenances, equipment enclosures, or on any fence or wall required by this section.
- b. If high voltage is necessary for the operation of proposed wireless communications facilities, "High Voltage—Danger" and "No Trespass" warning signs not greater than one (1) square foot in area must be permanently attached to the fence or wall at intervals of at least forty (40) feet and upon the access gate.
- c. A sign not greater than one (1) square foot in area must be attached to the access gate that indicates the following information:
  - i. Federal registration number, if applicable;
  - ii. Name of owner or contact person; and
  - iii. Emergency contact number.

**Response: There are no signs proposed for this project except for a sign with the emergency contact information placed on the equipment cabinet door. A sign with the FCC registration number will be located on the fence gate. If the federal, state, or local agency requires any additional signage, the proposed wireless facility will comply with their requirements.**

**Section J. Abandonment**

1. **Notice of abandonment:** In the event that all legally approved use of an antenna supporting structure or antenna has been discontinued for a period of six (6) months, the Zoning Administrator may make a preliminary determination of abandonment. In making such a determination, the Zoning Administrator may request documentation and/or affidavits from the property owner regarding the structure's usage, including evidence that use of the structure is imminent. Failure on the part of a property owner to provide updated contact information for



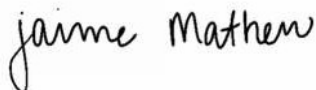
- the owner of the antenna supporting structure for four consecutive years will be presumptive evidence of abandonment. At such time as the Zoning Administrator reasonably determines that an antenna supporting structure or antenna has been abandoned, the Zoning Administrator will provide the property owner with a written notice of abandonment by certified mail.
2. **Declaration of abandonment:** Failure on the part of the property owner to respond to the notice of abandonment within ninety (90) days, or to adequately demonstrate that the structure is not abandoned, will be evidence of abandonment. Based on the foregoing, or on any other relevant evidence before the Zoning Administrator, the Zoning Administrator may make a final determination of abandonment, whereupon a declaration of abandonment will be issued to the property owner by certified mail.
  3. **Removal of facility:** Within one hundred and twenty (120) days of a declaration of abandonment, the property owner must either:
    - a. Reactivate the use of the structure as a wireless communications facility or transfer ownership of the structure to another owner who will make such use of the facility; or
    - b. Dismantle and remove the facility. If the facility remains abandoned upon the expiration of one hundred and twenty (120) days, the township may enter upon the property and remove the facility, with all costs to be borne by the property owner.

**Response: TowerNorth will comply with the ordinance above and will work with the township if any of these issues present themselves. If the owner of the wireless communication facility changes, the new tower owner will provide the updated contact information to the Township for their records.**

In summary, we believe that the proposed wireless communication facility meets the intent of the Charter Township of Garfield Zoning Ordinance for Wireless Communication Facilities found in Section 792 and have provided the necessary information and documents to the Planning Department. We appreciate your review and consideration for a Special Land Use approval.

If you have any questions or require any additional information, please reach out to me directly.

Sincerely,



**Jaime Mathew, P.E. (IL)**  
**Kimley-Horn and Associates, Inc.**  
**Ph: (630) 487-3489**  
**Email: [jaime.mathew@kimley-horn.com](mailto:jaime.mathew@kimley-horn.com)**





# Charter Township of Garfield

## Grand Traverse County

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

### SPECIAL USE PERMIT (SUP) 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 and/or Zoning Department to arrange an appointment to discuss your proposed application. Time is often saved by these preliminary discussions. For additional information or assistance in completing this development application, please contact the Planning Department at (231) 941-1620.

#### ACTION REQUESTED

- ☒ New Special Use Permit  
☐ Major Amendment  
☐ Minor Amendment  
☐ Administrative Amendment

#### PROJECT / DEVELOPMENT NAME

MI0004-A Silver Lake Road

#### APPLICANT INFORMATION

Name: TowerNorth Development, LLC  
Address: 750 West Center Street, Suite 301, West Bridgewater, Massachusetts 02379  
Phone Number: 888-315-0220  
Email: jfrancisco@townorth.com

#### AGENT INFORMATION

Name: Jaime Mathew w/ Kimley-Horn and Associates, Inc.  
Address: 4201 Winfield Road, Suite 600, Warrenville, IL 60555  
Phone Number: 630-487-3489  
Email: jaime.mathew@kimley-horn.com

#### OWNER INFORMATION

Name: Frank A Bare  
Address: 2767 Zimmerman Road, Traverse City, MI 49685  
Phone Number: 231-590-7827  
Email: N/A



### CONTACT PERSON

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

<i>Applicant:</i>	James Francisco (jfrancisco@townorth.com)
<i>Agent:</i>	Jaime Mathew (jaime.mathew@kimley-horn.com)
<i>Owner:</i>	Mathew Alpers (231-218-0739) / Frank Bare (231-590-7827)

### PROPERTY INFORMATION

<i>Property Address:</i>	2767 Zimmerman Road, Traverse City, MI 49685
<i>Property Identification Number:</i>	05-019-001-00
<i>Legal Description:</i>	See attached.
<i>Zoning District:</i>	Agricultural (A)
<i>Master Plan Future Land Use Designation:</i>	Low Density Residential
<i>Area of Property (acres or square feet):</i>	42.25 acres

<i>Existing Use(s):</i>	Commercial - Excavating Business, Residential
<i>Proposed Use(s):</i>	Wireless Communication Facility

### PROJECT TIMELINE

<i>Estimated Start Date:</i>	October 2024
<i>Estimated Completion Date:</i>	December 2024

### REQUIRED SUBMITTAL ITEMS

A complete application for a Special Use Permit consists of the following:

Application Form:

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

Application Fee:

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

- ☐ Fee

Escrow Fee:

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

Site Development Plan:

- ☐ Ten complete stapled 11"x17" paper sets (Administrative Amendments require one copy)
- ☐ Two complete bound 24"x36" paper sets
- ☐ One digital set (PDF only)



#### Written Information:

- ☐ Ten paper copies of the Approval Criteria (Administrative Amendments require one copy)
- ☐ One digital copy of the Approval Criteria (PDF only)
- ☐ Ten paper copies of the Impact Assessment (Administrative Amendments require one copy)
- ☐ One digital copy of the Impact Assessment (PDF only)

Digital items to be delivered via email or USB flash drive

#### SUBMITTAL DEADLINE

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

#### WAIVERS

##### Submittal Waiver:

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

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

##### Data Waiver:

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

#### SITE PLAN

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

#### APPROVAL CRITERIA

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

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



- ☐ The proposed use will be designed, constructed, operated and maintained so as to be compatible, harmonious and appropriate with the existing or planned character and uses of the neighborhood, adjacent properties and the natural environment;
- ☐ The proposed use will not be detrimental, hazardous or disturbing to existing or future adjacent uses or to the public welfare by reason of excessive traffic, noise, dust, gas, smoke, vibration, odor, glare, visual clutter, electrical or electromagnetic interference;
- ☐ Potential adverse effects arising from the proposed use on the neighborhood and adjacent properties will be minimized through the provision of adequate parking, the placement of buildings, structures and entrances, as well as the provision and location of screening, fencing, landscaping, buffers or setbacks;
- ☐ The proposed use will retain as many natural features of the property as practicable, particularly where the natural features assist in preserving the general character of the neighborhood;
- ☐ Adequate public and private infrastructure and services such as streets, water and sewage facilities, drainage structures, police and fire protection, and schools, already exist or will be provided without excessive additional requirements at public cost;
- ☐ The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
- ☐ The public interest and welfare supporting the proposed use shall be sufficient to outweigh individual interests that are adversely affected by the establishment of the proposed use;
- ☐ Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads;
- ☐ Adequate measures shall be taken to provide vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks servicing the site in a safe and convenient manner; and
- ☐ The proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

#### IMPACT ASSESSMENT

A written impact statement to include the following information:

- ☐ A written illustrative description of the environmental characteristics of the site prior to development, i.e., topography, soils, vegetative cover, drainage, streams, creeks or ponds.
- ☐ Types of uses and other man-made facilities.
- ☐ The number of people to be housed, employed, visitors or patrons and vehicular and pedestrian traffic.
- ☐ Phasing of the project including ultimate development proposals.
- ☐ Natural features which will be retained, removed and/or modified including vegetation, drainage, hillsides, streams wetlands, woodlands, wildlife and water. The description of the areas to be changed shall include their effect on the site and adjacent properties. An aerial photo may be used to delineate the areas of change.
- ☐ The method to be used to serve the development with water and sanitary sewer facilities.
- ☐ The method to be used to control drainage on the site and from the site. This shall include runoff control during periods of construction.
- ☐ If the public sewers are not available to the site, the Applicant shall submit a current approval from the Health Department or other responsible public agency indicating approval of plans for sewage treatment.



- ☐ The method to be used to control any increase in effluent discharge to the air or any increase in noise level emanating from the site. Consideration of any nuisance that would be created within the site or external to the site whether by reason of dust, noise, fumes vibration, smoke or lights.
- ☐ An indication of how the proposed use conforms with existing and potential development patterns and any adverse effects.
- ☐ The proposed density in units per acre for residential developments.
- ☐ Name(s) and address(es) of person(s) responsible for preparation of statement.
- ☐ Description of measures to control soil erosion and sedimentation during grading and construction operations and until a permanent ground cover is established. Recommendations for such measures may be obtained from the County Soil Erosion and Sedimentation office.
- ☐ Type, direction, and intensity of outside lighting.
- ☐ General description of deed restrictions, if any.

#### ADDITIONAL INFORMATION

If applicable, provide the following further information:

	<u>Yes</u>	<u>No</u>	<u>Not Applicable</u>
<b>A. <u>Sanitary Sewer Service</u></b>			
1. Does project require extension of public sewer line?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If yes, is it depicted on plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>B. <u>Water Service</u></b>			
1. Does project require extension of public water main?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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			
<b>C. <u>Public utility easements required?</u></b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, show on plan.			
<b>D. <u>Stormwater Review/Soil Erosion</u></b>			
1. Soil Erosion Plans approved by Soil Erosion Office?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If so, attach approval letter.			
If no, are alternate measures shown?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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



#### E. Roads and Circulation

- |   |                                     |                                     |                                     |
|---|-------------------------------------|-------------------------------------|-------------------------------------|
| 1. Are interior public streets proposed?                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| If yes, has Road Commission approved (attach letter)?                     | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 2. Will public streets connect to adjoining properties or future streets? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 3. Are private roads or interior drives proposed?                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| 4. Will private drives connect to adjoining properties service roads?     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 5. Has the Road Commission or MDOT approved curb cuts?                    | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 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.

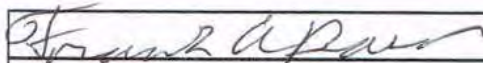
#### REVIEW PROCESS

- 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.
- 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.
- Upon holding a public hearing, the Planning Commission may approve, approve with conditions, or deny the proposed special use.
- If approved or approved with conditions, the decision of the Planning Commission 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:

Jaime Mathew

Digitally signed by Jaime Mathew  
DN: cn=Jaime Mathew, email=jaime.mathew@townshipofgarfield.com, o=Garfield Township, ou=Garfield Township, c=US

Date:

5/7/2024



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 Frank Bare 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:

Frank G Bare

Date:

5/7/2024

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:

Frank G Bare

Date:

Applicant Signature:

Date:

5/7/2024



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
<b>A. Basic Information</b>			
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"/>	<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"/>	<input type="checkbox"/>
<b>B. Site Plan Information</b>			
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"/>	<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"/>	<input type="checkbox"/>
4.	Proposed alterations to topography and other natural features	<input type="checkbox"/>	<input type="checkbox"/>
5.	Existing topographic elevations at two-foot intervals except shown at five-foot intervals where slopes exceed 18%	<input type="checkbox"/>	<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"/>	<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"/>	<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"/>	<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"/>	<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"/>	<input type="checkbox"/>
15.	Location of and dimensions of curb cuts, acceleration, deceleration and passing lanes	<input type="checkbox"/>	<input type="checkbox"/>
16.	Location of neighboring structures that are close to the parcel line or pertinent to the proposal	<input type="checkbox"/>	<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"/>	<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"/>	<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"/>	<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"/>	<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"/>	<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"/>	<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"/>	<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"/>	<input type="checkbox"/>
27.	Changes or modifications required for any applicable regulatory agencies' approvals	<input type="checkbox"/>	<input type="checkbox"/>





Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
10101 Hillwood Parkway  
Fort Worth, TX 76177

Aeronautical Study No.  
2024-AGL-1817-OE

Issued Date: 03/04/2024

Leslie Lindeman  
Palm-Tech Consulting, LLC  
11365 Little Bear Way  
Boca Raton, FL 33428

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower MI0004-A "Silver Lake Road"
Location:	Garfield Township, MI
Latitude:	44-43-36.80N NAD 83
Longitude:	85-40-38.80W
Heights:	966 feet site elevation (SE) 159 feet above ground level (AGL) 1125 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Emissions from this site must be in compliance with the parameters set by collaboration between the FAA and telecommunications companies and reflected in the FAA 5G C band compatibility evaluation process (such as power, frequencies, and tilt angle). Operational use of this frequency band is not objectionable provided the Wireless Providers (WP) obtain and adhere to the parameters established by the FAA 5G C band compatibility evaluation process. **Failure to comply with this condition will void this determination of no hazard.**

**See attachment for additional condition(s) or information.**

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 09/04/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within



6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact Robert Kiser, at (404) 305-6616, or Robert.K-CTR.Kiser@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2024-AGL-1817-OE.

**Signature Control No: 612237024-614602149**

( DNE )

David Maddox

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Frequency Data

Map(s)

cc: FCC



Part 77 authorizes the FAA to evaluate a structure or object's potential electromagnetic effects on air navigation, communication facilities, and other surveillance systems. It also authorizes study of impact on arrival, departure, and en route procedures for aircraft operating under visual or instrument flight rules, as well as the impact on airport traffic capacity at existing public use airports. Broadcast in the 3.7 to 3.98 GHz frequency (5G C band) currently causes errors in certain aircraft radio altimeters and the FAA has determined they cannot be relied upon to perform their intended function when experiencing interference from wireless broadband operations in the 5G C band. The FAA has adopted Airworthiness Directives for all transport and commuter category aircraft equipped with radio altimeters that prohibit certain operations when in the presence of 5G C band

This determination of no hazard is based upon those mitigations implemented by the FAA and operators of transport and commuter category aircraft, and helicopters operating in the vicinity of your proposed location. It is also based on telecommunication industry and FAA collaboration on acceptable power levels and other parameters as reflected in the FAA 5G C band evaluation process.

The FAA 5G C band compatibility evaluation is a data analytics system used by FAA to evaluate operational hazards related to aircraft design. The FAA 5G C band compatibility evaluation process refers to the process in which the telecommunication companies and the FAA have set parameters, such as power output, locations, frequencies, and tilt angles for antenna that mitigate the hazard to aviation. As the telecommunication companies and FAA refine the tools and methodology, the allowable frequencies and power levels may change in the FAA 5G C band compatibility evaluation process. Therefore, your proposal will not have a substantial adverse effect on the safe and efficient use of the navigable airspace by aircraft provided the equipment and emissions are in compliance with the parameters established through the FAA 5G C band compatibility evaluation process.

Any future changes that are not consistent with the parameters listed in the FAA 5G C band compatibility evaluation process will void this determination of no hazard.



# Frequency Data for ASN 2024-AGL-1817-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
6	7	GHz	55	dBW
6	7	GHz	42	dBW
10	11.7	GHz	55	dBW
10	11.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
17.7	19.7	GHz	42	dBW
21.2	23.6	GHz	55	dBW
21.2	23.6	GHz	42	dBW
614	698	MHz	2000	W
614	698	MHz	1000	W
698	806	MHz	1000	W
806	901	MHz	500	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
929	932	MHz	3500	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1850	1910	MHz	1640	W
1850	1990	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2360	MHz	2000	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W
3700	3980	MHz	1640	W









# Charter Township of Garfield

## Grand Traverse County

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

## 2025 PLANNING COMMISSION MEETING DATES

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The Charter Township of Garfield Planning Commission meets on the second and fourth Wednesdays of each month, excepting the months of November and December. All meetings begin at 7:00 pm and are held at the Garfield Township Hall, 3848 Veterans Drive, Traverse City, Michigan. The adopted 2025 meeting schedule is as follows:

### Regular Meeting

January 8, 2025  
February 12, 2025  
March 12, 2025  
April 9, 2025  
May 14, 2025  
June 11, 2025  
July 9, 2025  
August 13, 2025  
September 10, 2025  
October 8, 2025  
November 12, 2025  
December 10, 2025

### Study Session

January 22, 2025  
February 26, 2025  
March 26, 2025  
April 23, 2025  
May 28, 2025  
June 25, 2025  
July 23, 2025  
August 27, 2025  
September 24, 2025  
October 22, 2025

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

Garfield Township 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 Township. Individuals with disabilities requiring auxiliary aids or services should contact Garfield Township by writing or calling Lanie McManus, Clerk, Ph: (231) 941-1620.