



Charter Township of Garfield

Grand Traverse County

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

PLANNED DEVELOPMENT (PD) APPLICATION

ASSISTANCE

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

ACTION REQUESTED

- ☐ New Planned Unit Development Application
- ☐ New Planned Unit Residential Development Application
- ☒ Major Amendment
- ☐ Minor Amendment
- ☐ Administrative Amendment

PROJECT / DEVELOPMENT NAME

Copper Ridge

APPLICANT INFORMATION

Name: Copper Ridge LLC c/o Constance Deneweth
Address: 9590 Edgewood Ave, Traverse City, MI
Phone Number: 231-590-3901
Email: connie.deneweth@gmail.com

AGENT INFORMATION

Name: Northview 22, LLC c/o Sarah Kever
Address: 9908 E Walters Dr, Traverse City, MI
Phone Number: 231-342-4016
Email: sarah@northview22.com

OWNER INFORMATION

Name: Copper Ridge LLC c/o Constance Deneweth
Address: 9590 Edgewood Ave, Traverse City, MI
Phone Number: 231-590-3901
Email: connie.deneweth@gmail.com

CONTACT PERSON

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

Applicant:
Agent: Sarah Keever
Owner:

PROPERTY INFORMATION

Property Address: Multiple
Property Identification Number: Multiple
Legal Description: See attachment
Zoning District: PUD (A and R-1)
Master Plan Future Land Use Designation: Mixed Use, Low Density Res, High Density Res
Area of Property (acres or square feet): 77 ac. +/-
Existing Use(s): Mixed Use PUD
Proposed Use(s): Mixed Use PUD

PROJECT TIMELINE

Estimated Start Date: 2025
Estimated Completion Date: 2026

REQUIRED SUBMITTAL ITEMS

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

Application Form:

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

Application Fee:

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

- ☒ Fee

Escrow Fee:

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

Site Plan:

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

Written Information:

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

Digital items to be delivered via email or USB flash drive

SUBMITTAL DEADLINE

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

WAIVERS

Submittal Waiver:

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

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

Data Waiver:

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

SITE PLAN

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

APPROVAL CRITERIA

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

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

IMPACT ASSESSMENT

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

ADDITIONAL INFORMATION

If applicable, provide the following further information:

	<u>Yes</u>	<u>No</u>	<u>Not Applicable</u>
A. <u>Sanitary Sewer Service</u>			
1. Does project require extension of public sewer line?	<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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 type="checkbox"/>
B. <u>Water Service</u>			
1. Does project require extension of public water main?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, has a Utility Agreement been prepared?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will a community water supply be installed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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. <u>Stormwater Review/Soil Erosion</u>			
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 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 type="checkbox"/>
Note: Alternate measures must be designed and sealed by a registered Engineer.			
E. <u>Roads and Circulation</u>			
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 checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.			

OTHER INFORMATION

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

REVIEW PROCESS - PLANNED UNIT DEVELOPMENT - NEW

Preliminary Review and Decision

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

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

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

Final Review and Decision

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

REVIEW PROCESS – PLANNED UNIT RESIDENTIAL DEVELOPMENT - NEW

Preliminary Review and Decision

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

Final Review and Decision

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

REVIEW PROCESS – PLANNED DEVELOPMENT – MAJOR AMENDMENT

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

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

REVIEW PROCESS – PLANNED DEVELOPMENT – MINOR AMENDMENT

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

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

REVIEW PROCESS – PLANNED DEVELOPMENT – ADMINISTRATIVE AMENDMENT

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

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

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

PERMISSION TO ENTER SUBJECT PROPERTY

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

Owner Signature:	signatures attached
Applicant Signature:	
Agent Signature:	<i>Sam Keener</i>
Date:	10/10/24

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 _____ 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:	signatures attached
Date:	
Applicant Signature:	
Date:	

Required Site Plan Elements Checklist (See § 956 of the Zoning Ordinance) Site Diagram (SD) / Administrative Site Plan (ASP) / Site Development Plan (SDP)		SD	ASP/ SDP
A. Basic Information			
1. Applicant's name, address, telephone number and signature	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Property owner's name, address, telephone number and signature	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Proof of property ownership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Whether there are any options or liens on the property	<input type="checkbox"/>	<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"/>	<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"/>	<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"/>	<input type="checkbox"/>
9. Project title or name of the proposed development	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>
11. Land uses and zoning classification on the subject parcel and adjoining parcels	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Seal of the registered engineer, architect, landscape architect, surveyor, or planner who prepared the plan, as well as their name, address and telephone number			<input type="checkbox"/>
B. Site Plan Information			
1. North arrow, scale, and date of original submittal and last revision	<input type="checkbox"/>	<input type="checkbox"/>	<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"/>	<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"/>	<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"/>	<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"/>	<input type="checkbox"/>
18. Location of sanitary sewer lines and/or sanitary sewer disposal systems	<input type="checkbox"/>	<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"/>

COPPER RIDGE, LLC PLANNED UNIT DEVELOPMENT
APPLICATION TO AMEND the SPECIAL USE PERMIT 8/20/03
Garfield Township, Grand Traverse County, Michigan

NOTE: Bold type indicates revisions or additions to original application.

INTRODUCTION:

Copper Ridge L.L.C. and Maranatha Pentecostal Church of God (Mt. Zion Family Worship Center) are proposing an amendment to **increase the size of the mixed-use development** (entitled "Copper Ridge"), to **76.95 acres** in Sections 8, 9, 16 & 17 of Garfield Township. The proposed development is to be located at the intersection of Silver Lake Road and Barnes Road. The two applicants will retain separate ownerships but develop the project jointly as a Planned Unit Development.

The development (accessed from Silver Lake Road) is characterized by forested, steep terrain on the north and west sides, sand and gravel extraction in the central portion and a series of terraces created by excavation descending to the east boundary. There is an overall elevation difference of 250 feet from west to east. On the lowest terrace the Northern Michigan Surgery Center is currently under construction. In the south corner, Slusher Road separates a triangular parcel, fronting Silver Lake Road from three single family residences, two of which are within the property. The adjacent Maranatha Church (Mt. Zion) property (accessed from Barnes Road) also has steep slopes descending from the west and north, with a small upper terrace for parking, and a larger lower terraced level. The existing 2-story church is built into the slope between these terraces. All existing buildings on both properties would be removed as a part of the development process.

The proposed development will include:

1. An Outpatient Surgery Center (45,460 s.f. initial / with 55,000 s.f. expansion) with upper level Medical Offices (33,630 s.f.), occupying 6.93 acres on the lower terrace.
2. Professional / Medical Offices (180,000 s.f.) Built into the slopes between the first, second and third terraces, occupying 11.9 acres.
3. A Retail Area (**5.41 acres**), located on a triangular site at the intersection of Silver Lake Road and Barnes Road, with neighborhood convenience shopping and/or health-related services, such as a Bank, a pharmacy or urgent care facility. **The previous PUD approved 30,000 sq ft on 3.91 acres. This amendment is seeking approval for 37,765 sq ft on 5.41 acres, adding an additional 1.5 acres to this area. Ultimately the three houses currently located in this area will be demolished.**
4. Multiple Residential, of 34 apartment units will be deleted and service/retail office developed in its place. Future building # 8 is located on the south central portion of the site.

5. **Detached or Attached Residential Condominiums, 54 units in two unit groupings, or 54 units without an adjoining wall, or 27 single family home sites** located on excavated areas in the center of the site and on moderate ridges and valleys in the northwest/west (16.0 acres.) (108,000 s.f.)

6. A 100-unit Senior Apartment building (4/5 stories, 72,000 s.f.), on 2.95 acres of the Mt. Zion (Maranatha) property.

7. An adjacent 24-unit, Assisted Living Facility (14,000 s.f. on 1.4 acres.)

8. A Future Building (26,000 s.f. min., 1-1/2 to 2-1/2 stories) sited between levels of the Mt. Zion (Maranatha) property, on 5.5 acres. Potential Uses: Fitness Center, Senior Apartments (30-50 units) or Extended Care Facility.

9. **A Future office building to share joint parking with the Northland Baptist Church. This is building # 9. Total square feet of 24,000 and 0.6 acres for office footprint only, excluding shared parking.**

10. A 4.4-acre Township Park, traversed by the Garfield Township Recreation Trail.

11. Common Open Space of approximately 14.5 acres.

12. Storm Water Retention Basins - 4.11 acres

Within Copper Ridge all roads will be private, connected and paved, with curb and gutter, meeting the private road standards of the Grand Traverse County Road Commission. Internal trails and walkways will link all parts of the development, and connect to community recreational trails beyond. Vehicular access will be at a main, boulevard entry on Silver Lake Road, and the Barnes Road entry. A temporary emergency access to the project **was constructed**, as part of Phase I, connecting Barnes Road and the former (now abandoned) Slusher Road. This is a gravel surfaced connection with knock-down barriers, designed to allow access by emergency vehicles only in the event that the Silver Lake Road access is blocked. **It will be eliminated when a Barnes Road entrance is completed.** Buildings within the project will be sited to take maximum advantage of views to the east and southeast. Structures should not obscure views from adjacent residences or properties. As an integral part of the development process, disturbed areas, excavating and cutbanks will be regraded, stabilized and reclaimed with plantings of native or compatible trees, shrubs, grasses and ground covers. Landscape plantings will meet the standards of Garfield Township.

Shared parking areas will serve compatible uses, such as professional offices / surgery center/ medical offices to reduce pavement. The impervious development areas (buildings, walks, roads, parking) will comprise **35.27%** of the project, while pervious areas (lawns, woodlands, plantings) will comprise **64.73%**.

A second Entry onto Barnes Road has been added to assist in Retail traffic flow and allow

the Residential Area an additional means of ingress and egress. This will be helpful in light of the fact that the other Barnes Road access is planned as the last phase and internal traffic may need an alternate route prior to the installation of the Maranatha Church access.

SPECIAL USE PERMIT SUBMISSION

8.1.2 PERMIT PROCEDURES:

- 8.1.2 (1) Application has been completed and submitted to the Township Zoning Administrator with a check (if required).
- 8.1.2. (2) (a) 1 The requirements of Section 8.1.3 have been met. Required drawings have been completed and provided. Appropriate agencies have been contacted to ensure compliance with various codes and the adequacy of essential facilities and services.
- 8.1.2 (2) (b) 1 A **Revised Development Plan**, drawn to a scale of 1" equals 100', are included in this submission on Drawing, (see **Exhibit E4.**) Existing features of the site are shown on the Inventory & Analysis Drawing, (see **Exhibit C1.**)
- 8.1.2 (2) (b) 2 Landscape Plans per Township ordinance requirements, for Future **Phases 4 & 5**, will be submitted as part of the site plan approval for each phase of development. General indications of proposed plantings, (shade trees, ornamental trees, evergreen trees, screening and revegetation of disturbed areas) are shown on the **Conceptual Landscape Plan.** (**Exhibit T5.**)
- 8.1.2 (2) (c) Conceptual building plans, sections and elevations, depicting Massing and architectural character, have been provided for typical buildings in the initial phases of the development. Specific building floor plans and elevations for individual buildings will be submitted during site plan approval for each phase. (**See Exhibit M6**)
- 8.1.2 (2) (d) a **EXISTING SITE CHARACTERISTICS**
The **76.95 acre** site consists of two properties currently owned by: **Copper Ridge, LLC (65.43 acres including 1.4 acre easement from Northland Baptist Church)**, with frontage on Silver Lake Road. And the adjacent Maranatha (Mt. Zion) Church (11.52 acres), with access on Barnes Road. The current environmental characteristics of the site are as noted below. (Zones indicated are referenced to the Revised Site Inventory / Analysis Drawing - Exhibit C1.)

Topography:

The site originally consisted of steep, glacially formed terrain, generally sloping from the west / northwest to the east / southeast, with an overall elevation difference of 250 feet and slopes up to 65% in gradient. The west and north portions of the site (Zones 9 & 10) have not been altered by grading or excavation, and are a descending series of ridges with interspersed valleys, primarily covered by dense deciduous forest. The lowest, east part of the **Surgery Center** parcel is a level, man-made terrace (Zone 3), where sand and gravel have been excavated. Immediately to the west is a steep, cutbank of 20 to 50 feet, leading to higher terraced areas (Zones 4 & 6). In the center of the parcel there was an active gravel excavation with steep cutbanks forming a semicircular bowl (Zone 7). 30 feet above is an inactive gravel extraction, also with exposed cut banks (Zone 8). The south corner of the parcel (Zones 1 & 2) gradually slopes 40 feet from the west to Silver Lake Road on the east. The Mt. Zion property has steep slopes descending from the west and north (Zone 10), with a small upper terrace and a larger, level, lower terrace created by grading. From the lower terrace (Zone 11), man-made slopes fall off to the adjacent church property (east) and single family residences on Barnes Road (south.) **The Northland Baptist property (Zone 12) is on a terrace about 30 feet above Slusher Road and 20 feet below the Mt. Zion parcel. (See Exhibit B - Existing Site Topography)**

Soils:

U.S.D.A. soils mapping indicates that soils on-site are very well drained, with a low water table in all areas, except minor over washes of Croswell Loamy Sands. With respect to drainage, freeze-thaw and bearing capacity, all soils are well suited to the development of buildings and roadways. The major limitations for each soil type are severe slopes and potential cave-ins or erosion of cut banks, like those created by gravel / sand extraction, and droughty conditions for lawns and landscaping. It can be assumed that there are still significant deposits of sand and gravel. Detailed information and mapping of the soils is depicted on the Site Inventory / Analysis sheet. (Exhibit C).

Vegetation:

The north part of the site (Zone 9) is steeply sloped, covered by dense deciduous forest, with very limited understory. Typically, the forest is 50 to 75 feet high, with few trees of significant trunk diameter or lumber value. The dominant species is Sugar Maple, mixed with Northern Red Oak, American Ash, Beech, Hickory and Aspen. At the edges of this woodlot, Aspen, Cherry, White Pine and Elm are typical Pioneer species. In the central and western parts of the site (Zones 8, 9 & 10 - including the Mt. Zion parcel) there are emerging clusters of regenerative vegetation areas, with Ash, Elm, White Pine, Aspen, Maple, Cherry, Locust, and

Sumac gradually filling in open field areas. Excavated areas with terraces and exposed cut banks, generally devoid of vegetation, dominate the eastern part of the site (Zones 3, 4, 5 & 6). No known threatened or endangered plant species have been encountered during site inventory / analysis inspections. See Forestry Assessment (Exhibit Q7).

Streams, Wetlands & Drainage:

There are no wetlands, streams, water bodies or flood plains on site. No Michigan DEQ permits are required for development. Although the prevailing drainage pattern is west to east, current runoff from the site is limited by the porous, well-drained soils. A small amount of runoff from Slusher Road and the Road Commission access drive is channeled into a ditch along Silver Lake Road. There are currently two small detention areas on the Mt. Zion parcel and **one on the Northland Baptist Church parcel.**

Habitat:

Wildlife habitat on the site consists of dense deciduous woodland, regenerative woodlands or open field areas. Because there are significant undeveloped areas to the north and east on the Grand Traverse Commons property, there are minor wildlife corridors entering the north, wooded part of the site. The open fields and regenerative woodland edges are likely to support bird and small mammal species typical of the region. The lack of surface water on site is a severe limiting factor to sustaining significant wildlife populations. The areas of sand and gravel excavation are generally barren and are poor wildlife habitat. Silver Lake Road and Barnes Road form barriers to wildlife movement to the south and southeast. Because the north and west parts of the site will be primarily preserved as open space, in their present state, the overall impact on wildlife habitat should be limited.

Views:

Because the site consists of a series of terraces and slopes ascending from east to west, excellent long views to the east and southeast are characteristic of all levels. Beyond the west property line, the existing Fox Craft Subdivision is situated above elevation 980, approximately 60' higher than the highest proposed development within the P.U.D., thus with unimpeded views. The adjacent Northland Baptist Church to the west of Slusher Road is situated at elevation 814, well above any development within the P.U.D and to the east. Views of the development site from the community are primarily from the east. From Silver Lake Road, beginning at U.S. 31, the upper excavated areas are clearly visible. The triangular parcel on Silver Lake Road is very visible from both directions. Views of the site from Barnes Road are minor.

Access:

The site is accessed by a central drive on the curve of Silver Lake Road. Slusher Road (now abandoned) at Silver Lake and Barnes is closed except for emergency vehicles. Access for the existing off-site residence must be maintained as part of the P.U.D. entry. The Mt. Zion parcel has one drive access from Barnes Road, which will be retained and widened. Copper Ridge has purchased an easement across Northland Baptist's Church parcel. A second Entry onto Barnes Road has been added to assist in Retail traffic flow and allow the Residential Area an additional means of ingress and egress. This will be helpful in light of the fact that the other Barnes Road access is planned as the last phase and internal traffic may need an alternate route prior to the installation of the Maranatha Church access.

A traffic signal is located at Barnes and Silver Lake Road. Also, an updated traffic impact analysis from Wade-Trim is attached. (Exhibit P8.)

The northeast corner of the site is currently traversed by an informal trail, used by walkers and mountain bikes. It is the intention of Garfield Township to improve and formalize this trail as a public recreation trail. Continuing into a valley leading north from the site, there is a service drive used infrequently by the State of Michigan for access to a transmitter station. This access must be maintained.

Structures:

Copper Ridge, LLC has 3 - Single Family, Wood Framed Residences with Bituminous Drives on Slusher Road. All of these structures will be removed with the development of the Retail area.

The Maranatha (Mt. Zion) Church parcel contains a 2-story, 5,000 s.f. church building (footprint 2,500 s.f.) and bituminous paved drives and parking (18,650 s.f.)

The north part of the Northland Baptist property and easement to be incorporated in the Amended PUD has 0 sq ft of structures and 26,200 s.f. paving. The Melichar property has 2,640 sq ft of structures and 3,000 sq ft of paving. Existing impervious surfaces on the amended P.U.D. site total 5.64 acres.

Utilities:

An existing 8" Sanitary Sewer serves Barnes Road and parallels the right-of-way line on the parcel, along Silver Lake Road.

Environmental Hazards:

The previous owner, Grand Traverse County Road Commission is moving forward to obtain "Closure" with the DEQ for their recognized environmental concerns (that they caused). Accordingly

Copper Ridge, LLC has developed a "Due Care Plan" to make sure that there are no unacceptable environmental exposures to users of the development. With DEQ's guidance and in order to help the Road Commission seek closure we have restricted the use of ground water and provided a cap over areas of chloride contamination in the soil.

8.1.2 (2) (d) b. PROPOSED USES & FACILITIES

The proposed development will contain a Retail Center, a Surgery Center, Medical Offices and Professional Buildings, Service/retail Offices, Future Building (Fitness Center, Senior Apartments or Extended Care Facility), Attached Single Family Residential Condominiums, Senior Apartments, Assisted Living, Common Open Space and a Trailside Park.

8.1.2 (2) (d) c. HOUSING, EMPLOYEES, PATRONS & TRAFFIC

It is anticipated that Employees, Patrons and Users will approximately include the following:

	<u>Units</u>	<u>Residents</u>	<u>Employees</u>	<u>Visitors or Patrons/Day</u>
<u>PHASE I</u>				
Surgery Center (45,460 s.f., initial gross / expandable to 55,000 s.f.)			58	75
Medical Offices (33,630 s.f.)			95	310
Professional Offices #2-7 (150,000 s.f.)			<u>375</u>	<u>1350</u>
Total (229,090 s.f. / 238,630 expanded)			528	1735
<u>PHASE II & III</u>				
Retail & Service Retail (37,765 s.f.)			35	3020
Offices #8 & #9 (36,350 s.f.)			<u>90</u>	<u>325</u>
Total (74,115 s.f.)			<u>125</u>	<u>3,345</u>
<u>PHASE IV</u>				
Future Building / Fitness Center (or Senior Apartments or Extended Care) (26,000 s.f.)			15	375
Senior Apartments	100	150	3	127

Assisted Living (14,000 s.f.)	<u>24</u>	<u>24</u>	<u>10</u>	<u>24</u>
Total (112,000sf)	124	174	28	526
PHASE V				
1 or 2 unit Residential	<u>54</u>	<u>108</u>	-----	<u>64</u>
Total (108,000 s.f.)	54	108		64

TOTALS:

523,205 s.f.

(532,745 s.f.)

178 U

282 R

681 E

5,670 P & V

A Traffic Impact Analysis, detailing trips generated, is attached.

(Exhibit P1.)

An updated Letter of Review for the Revised Plan, by Wade-Trim is attached.

(Exhibit P8.)

8.1.2 (2) (d) d. PHASING

There will be **FIVE** Development Phases or Areas:

Phase I: will include the Surgery Center, Medical and Professional Offices, Retention Areas 1 & 2, and Park.

Phases II & III: will include the Retail Buildings 1 & 2, Office buildings 8& 9, Retail & Service office building 3 and retention areas 7 & 8.

Phase IV: will include the Future Building (Fitness, Extended Care or Senior Apartments) Assisted Living and Retention Areas 5 & 6.

Phase V: will be the Detached or Attached one or two unit Residential Condominiums or single family home sites and Common Open Space Trails.

Note: Project sequencing may require the development to have overlapping phases or reprioritize phases to meet market demand. See **Revised Phasing Plan (Exhibit F1a)**.

8.1.2 (2) (d) e. NATURAL FEATURES IMPACTS

All manmade features, structures and debris onsite will be removed. The main areas of change to natural features are illustrated. A Clearing & Earthwork Plan is attached (Exhibit G).

Topography: (See Exhibit B)

During Phase I of development the lower east terrace level (Zone 3) will require minimal earthwork to remove materials storage piles and the excavation of detention basins. The construction of offices and multiple residential structures on slopes and higher terraces (Zone 4, 5, & 6) will require extensive grading, to create build able sites and to reduce and stabilize steep cut banks left by sand / gravel extraction. The net effect will be to naturalize existing exposed excavation scars. In the center of the site (Zones 7 & 8), extensive grading will also be needed to reduce and naturalize the cut banks and spoil piles left by aggregate extraction, while producing usable building sites for residential units. The retail center area (Zones 1 & 2) will require only minor grading to accommodate buildings and access. The north and northwest (Zone 9) parts of the site will predominantly remain unaltered as open space. Moderate earthwork will be required to construct residential units in 2 valleys penetrating this area. The senior apartments, assisted living and school area (Zone 11) will require minimal to moderate grading, primarily to excavate building foundations and stabilize slopes. Residential units in the west portion of the development (Zone 10) will require intensive grading in limited areas, to create roadbeds and building sites, with contours formed to blend with the existing land forms. All areas subject to grading will be revegetated with native or compatible grasses, shrubs and trees. Appropriate soil erosion control measures will be employed.

Vegetation: (See Exhibits C & Q7)

The primary development areas of the site (Zones 1, 2, 3, 4, 5, 6, 10 and 11) currently are barren or open field, with only a small number of scattered trees, which will largely be retained. Residential development in wooded valley areas (Zone 9) and on ridges will require clearing of approximately 4.0 acres of mature, deciduous woodland, to facilitate grading and construction of buildings and roads. Attached Residential development in the center part of the site (Zones 7 & 8) will entail limited removal of scattered ash, poplar and maple trees at the upper edges of existing cut banks, for contouring. Removal of individual or clustered trees in open field or regenerative stands, will also be required for residential development in Zone 10, near the west boundary. All disturbed areas, not in impervious surface, will be revegetated as part of the development process.

Steep existing cut banks and exposed excavations will be regraded and planted with native or compatible trees, shrubs, ground covers and grasses. The net effect will be the elimination of sizeable excavation and erosion scars currently visible from well beyond the site.

Drainage, Streams & Surface Water:

The completed Development Plan will increase impervious area from the existing **5.64** acres to **27.14** acres, a net addition of **21.5** acres. Runoff from roads, parking and drives will be channeled via storm sewers to retention basins, as indicated on the **Revised Drainage & Soil Erosion Control Plan (Exhibit H1)**.

Due to the porous soil conditions on site, runoff collected in retention areas will readily percolate to the water table below. In normal circumstances, no additional runoff beyond existing levels will drain from the site to adjacent properties.

Wildlife Habitat:

Wildlife habitat on the site consists of dense deciduous woodland, regenerative woodlands or open field areas. Because the north and west forested parts of the site will be primarily preserved as open space, in their present state, the main impact on wildlife habitat will be limited to the loss of some regenerative woodlands and open field edges of existing excavation areas. In balance, currently exposed cut banks and slopes will be revegetated largely with native plant species, providing improved cover for wildlife.

8.1.2 (2) (d) f. WATER & SANITARY SEWER FACILITIES

See **Revised Water System Plan (Exhibit I 1)**.

Municipal water **has been** supplied to the proposed development by the Garfield Township water system. The site will be served by two proposed water mains to be constructed on West Silver Lake Road from near Wyatt Road to Barnes Road. An 8-inch main with a pressure of approximately 60 psi will serve the offices and commercial areas of the site at the lower elevations and a 12-inch main with pressures in the 130 to 135 psi range (at Barnes and West Silver Lake Road) will serve the residential areas and the school at the higher site elevations. The two water mains will function independently of one another, however, a pressure reducing valve vault will be installed on the site to allow flow from the high pressure zone to the lower zone if pressures in the lower zone should fall below a predetermined setting. It may also be necessary to install individual pressure reducing valves on some of the buildings if pressures are greater than desired. The water mains will be constructed as necessary on site to provide adequate water pressure and volume for domestic use and fire protection. Fire hydrants will be installed throughout the project.

The Garfield Township sanitary sewer system has an 8-inch sanitary sewer on West Silver Lake Road that provides service to this site. Sanitary sewers, 8 inches in diameter, will be extended throughout the site to provide gravity service to all buildings. No pumping stations will be required. See **Revised Sanitary Sewer Plan (Exhibit J1)**.

The water mains and sanitary sewers **will continue to be constructed** in accordance with the Grand Traverse County DPW standards and specifications. The appropriate construction permits from the Michigan Department of Environmental Quality will be obtained prior to the commencement of construction. Easements, 20 feet wide, will be granted to the Grand Traverse County DPW for all water mains and sanitary sewers for maintenance of the systems.

The water mains constructed in Phase 1 of the Copper Ridge development will supply water to the proposed retail/office project.

Retail 1 Building will be supplied with water from the low pressure water main. This requires construction of only a water service to the building.

Retail Buildings 2 and 3 can be supplied with water by constructing water service lines from either the low pressure water main or the high pressure water main. The low pressure water main can supply water at approximately 45 psi. If a higher pressure is needed, then the high pressure water main should be used for the water supply. The high pressure main will supply water at approximately 125 psi. This is probably too high so a pressure reducing valve should be installed on the water service lines to the buildings.

Office Building 8 had a water service stub installed in Phase 1 of the Copper Ridge project. Pressure at the building will be nearly 120 psi if it is fed directly from the water main so it is recommended a pressure reducing valve be installed on the service line when it is extended to the building.

Office Building 9 requires a 200 foot extension of the 12 inch water main installed in Phase 1 of the Copper Ridge project. Because the water main pressure will be approximately 110 psi, it is recommended a pressure reducing valve be installed on the water service line to the building. The 12 inch main can be extended in the future to serve future phases of the Copper Ridge development.

A fire hydrant installed in Phase 1 on the low pressure water main in what is now the parking lot between Retail Buildings 1 and 2 must be relocated to an island in the parking lot.

Two sanitary sewer extensions will be required to serve the proposed retail/office project. Approximately 310 lineal feet of 8 inch sewer will be constructed westerly from Silver Lake Road to serve Retail Buildings 1, 2 and 3. An 8 inch sanitary sewer constructed in Phase 1 of the Copper Ridge project will be extended westerly along Penny Lane approximately 155 feet to serve Office Building 9. A sewer stub that was installed in Phase 1 of the Copper Ridge project will be extended to serve Office Building 8.

The water mains and sanitary sewers will be constructed in accordance with the Grand Traverse County DPW standards and specifications. The appropriate construction permits from the Michigan Department of Environmental Quality will be obtained prior to the commencement of construction. Easements, 20 feet wide, will be granted to the Grand Traverse County DPW for all water mains and sanitary sewers for maintenance of the system.

8.1.2 (2) (d) g. DRAINAGE CONTROL

Drainage control will be provided by paved roads with curb, gutter and catch basins and a storm sewer system that will collect the storm water runoff from all the impervious surfaces and carry it to one of the storm water retention basins. The storm sewers will minimize erosion and the retention basins will minimize the impacts of storm water runoff and will maximize recharge of the ground water aquifer.

The drainage design will comply with the requirements of the Grand Traverse County Drain Commissioner. **A letter from the Drain Commissioner regarding review of the Preliminary Drainage and Soil Erosion Plan is attached (See Exhibit V 1.)**

When construction of the project is initiated, appropriate erosion control measures will be installed to minimize and control erosion from soils exposed during construction.

8.1.2 (2) (d) h. UNAVAILABILITY OF PUBLIC SEWERS

Public sanitary sewers are available to serve this project so approval from the health department for a sewage treatment system is not necessary.

8.1.2 (2) (d) i. CONTROL OF NOISE, DUST, FUMES, & POLLUTANTS:

No industrial or manufacturing uses are proposed in the development. No fumes dust, excessive noise, vibrations or smoke will be generated wastes from proposed surgery, center and medical offices will be handled and removed from the site according to State of Michigan Health Department regulations.

The trucks and heavy equipment that are currently operated from this location, along with the large areas of exposed surfaces and gravel pits have been a source of dust, noise, fumes and vibration. The current property use has had vehicle maintenance and some truck traffic at night so there has been significant night lighting as well. Smoke has not been and will not be produced at the site.

The proposed project will reduce these discharges because all traffic surfaces will be paved and other exposed surfaces landscaped or revegetated. Truck and heavy equipment traffic will be essentially eliminated.

Improvements in air and water quality will be realized by: 1. Revegetating or development of exposed excavations and banks, thus reducing dust carried off-site and erosion. 2. Removal of the current Road Commission salt storage areas, fuel storage, materials and construction debris storage, and garage areas, eliminating potential pollutants of ground water and air quality. 3. Elimination of truck and heavy equipment noise, dust, vibration and emissions.

8.1.2 (2) (d) j. CONFORMANCE WITH DEVELOPMENT PATTERNS

Rezoning to return this site to agricultural uses is improbable, due to: 1. the parcel's limited size 2. It's current value 3. Proximity to residential uses 4. Steep terrain

The proposed Planned Unit Development is located on a main access road linking Traverse City with suburban areas, and near major commercial properties along U.S. 31. It is designated in the Garfield Township Comprehensive Land Use Plan as "Moderate Residential." The adjacent Grand Traverse Commons is designated as a Planned Development. South, along Silver Lake Road, there has been considerable recent planned residential development.

The site is strategically situated to provide an accessible location for offices, neighborhood convenience retail businesses and clustered, concentrated residential, as transitional uses between intense commercial development on U.S. 31 to the east and moderate to low density residential to the west and south. The placement of proposed residential on the west part of the project also provides a compatible transition to the adjoining Fox Craft subdivision. Wooded slopes contiguous to the Grand Traverse Commons open space will remain in their natural state.

The proposed Planned Unit Development will provide needed goods and services to this area of the community in a manner which will keep the high density traffic away from the existing residential neighboring areas and will buffer those same residential areas with open space and low density residential on site.

8.1.2 (2) (d) k. AUTHORS OF STATEMENT:

Constance Deneweth
Copper Ridge L.L.C.
9590 Edgewood Ave., Traverse City, MI. 49684

Maranatha Pentecostal Church of God
NA for this amendment

Victor Nelhiebel, Landscape Architecture
809 Center St. Suite 1A, Lansing, MI. 48906

Carl M. Lehto, P.E.
Gosling & Czubak, Engineering Sciences, Inc.
1280 Business Park Dr., Traverse City, Mi. 49686-8607

8.1.2 (2) (d) 1. SOIL EROSION CONTROL MEASURES DURING CONSTRUCTION

The steep slopes on the site will be protected during the construction process. These will be identified on the soil erosion plan along with the recommended protection measures and submitted to the Grand Traverse County Drain commissioner for review and approval prior to construction. The Drain Commissioner will be reviewing and approving the engineering documents for conformance with the county standards and the Part 91 of Act 451 (Formerly Soil Erosion Control Act 347).

Construction of the project will occur in phases of manageable size so there will not be large areas of exposed soils. The storm water retention basins will be constructed before other significant grading is performed. Excavations will be completed as rapidly as possible and the surface restored with non-erosive materials as soon as possible. Silt fences and other appropriate soil erosion control measure will also be installed. As much existing vegetation as possible will be left undisturbed.

8.1.2 (2) (d) m. EXTERIOR LIGHTING

All exterior lighting will conform to Garfield Township Zoning Ordinance Section 7.12 (outdoor lighting). Details and lighting plans will be submitted during the site plan approval process for each phase of development. In general, the intent of lighting will be to illuminate only streets, parking areas during hours of use, building entrances and accent areas of architecture. Lighting will be directed and shielded to restrict light trespass onto adjacent roads and properties.
See Street & Parking Light Fixture Detail (Exhibit M5).

8.1.2 (2) (d) n.

There will be architectural deed restrictions, for the purpose of maintaining high quality in building materials and a relatively uniform appearance to all buildings, grounds and common areas. Deed restrictions will also disallow non-compatible uses and activities which produce noise, fumes, vibrations, industrial effluent or other forms of pollution.

8.1.3. BASIS FOR DETERMINATIONS:

8.1.3 (1) (a) 1. DRAWINGS:

a. Schematic Floor Plans & Elevations - (Revised Exhibit M6).

Schematic Floor Plans & Elevations depicting architectural massing and Character are shown. Final floor plans and elevations for future buildings will be submitted during site plan approval for each phase.

b. Cross Sections

Conceptual site cross sections depicting different levels of the proposed

development, views, treatment of slopes, building scale and earthwork for the proposed development (Exhibit L1, L2 and **Revised Exhibit L3**)

- c. Conceptual Professional Office Building Plans (Exhibit M2)
- d. Refuse Enclosures Detail (Exhibit M3)
- e. Street / Parking Lighting Detail (Exhibit M5)
- f. **Additional Sign Detail (Exhibit M7)**

8.1.3 (1) (a) 2. CHARACTER OF VICINITY:

a. See Site Inventory and Analysis (Exhibit C), Existing Site Sections (Exhibits K1 & K2) and Vicinity Map (Exhibit A).

b. Photographic-see Existing Site Photographs (Exhibit D).

c. Vicinity Character:

The site is located on Silver Lake Road, a main artery, linking Traverse City with suburban areas to the west and southwest. To the north are wooded slopes within the Grand Traverse Commons. To the east are open field slopes gradually descending to the barns on the Commons property. Immediately west is the Foxcraft Estates Subdivision, with low density single family houses at a higher elevation. To the south of the Mt. Zion Church parcel and adjacent are 5 single family houses. South of Barnes Road is medium density single family residences. Between the Mt. Zion Church parcel and Copper Ridge's parcel is the Northland Baptist Church, on an intermediate terrace. Located west of Slusher Road are 3 single family residences, all on the PUD site.

8.1.3 (1) (a) 3. PRESERVATION OF ESSENTIAL CHARACTER

The proposed Copper Ridge P.U.D. is designed to make maximum use of the existing developed and disturbed areas of the site for the most intensive uses. Buildings will be sited on a series of existing slopes and landform terraces to take advantage of the views to the east. No structures within the project will obscure views from adjacent residences or properties. Steep, wooded slopes rising from the development areas of the site to the north and west will be preserved in their natural state as common open space and a Township park. Revegetation of existing disturbed slopes and cut banks will further enhance the site's natural qualities.

Office and retail uses will be concentrated on the east part of the site near Silver Lake Road, with residential uses, making a transition to the existing residences above to the west. Connected internal roads and a system of trails and walks will lessen the vehicular trips off-site.

8.1.3 (1) (b) 1. POTENTIAL HAZARDS OR DISTURBANCES:

There will be no hazardous or disturbing activities within the proposed P.U.D. No industrial or manufacturing uses will be allowed. (See section 8.1.2 (2) (d) i.) The types of offices, limited retail uses and residences proposed will be compatible with the residential character for the vicinity.

8.1.3 (1) (b) 2. COMMUNITY BENEFIT:

The proposed medical offices and professional services, potential fitness center, health food/and nutritional retail center will encourage and facilitate the practice of a healthier lifestyle by the surrounding community. Site trails and walks and connections to community trail ways will provide extended opportunities for recreation by residents, patrons and the public.

Neighborhood environmental quality will be improved by the elimination of the current truck and heavy equipment use on the Road Commission property. Together with the revegetation of existing gravel excavations, spoil areas, cut banks, and the removal of salt, fuel and materials storage, this will: a. greatly reduces dust carried off site b. Eliminate truck noise, exhausts and vibrations c. Remove potential pollutants to air and water quality.

8.1.3 (1) (c) 1. TRAFFIC STUDY

A Traffic Impact Analysis has been prepared by Wade-Trim, Engineering (Exhibit P1). **An updated review letter by Wade-Trim is attached (Exhibit P8.)**

8.1.3 (1) (c) 2. POLICE AND FIRE AGENCY REVIEW

The Development Plan for Copper Ridge P.U.D. was submitted to the Grand Traverse County Sheriff's Office and Grand Traverse Metro Fire Department for review. **A Revised Development Plan has been forwarded for review - (Exhibits V1)**

8.1.3 (1) (c) 3. ENGINEERING DOCUMENTS FOR DRAINAGE FACILITIES

A Revised Drainage and Soil Erosion Plan has been prepared by Gosling-Czubak, Engineering Sciences, inc. **(Exhibit H1).**

8.1.3 (1) (c) 4. DRAIN COMMISSIONER'S OPINION

The Revised Drainage and Soil Erosion Plan has been submitted to the Drain Commissioner for review – **(Exhibit V1).**

8.1.3 (1) (d) PUBLIC FACILITIES/SERVICES IMPACTS & COSTS

All roads within the P.U.D. will be private and maintained privately. All storm water runoff generated on site will be channeled to retention basins, and then infiltrate.

8.1.3 (1) (e) HAZARDOUS ACTIVITIES OR CONDITIONS

No uses, activities, processes, materials or conditions in the proposed development will be detrimental to the public. There will be no fumes, odors, glare, effluent, dust, noise or smoke generated. All refuse will be stored in screened receptacles. Bio-wastes generated by medical facilities will be handled and removed from the site according to State of Michigan Health Department regulations.

8.1.3 (2) (a) APPLICANTS OWNERSHIP:

Deeds to the additional parcels and easements are included in the Copper Ridge P.U.D. are attached (Exhibit N4).

8.1.3 (2) (b) VERIFICATION OF SUBMISSION:

By Garfield Township

8.1.3 (2) (c) ZONING PROVISIONS CHECKLIST:

The application is for Special Use Permit & Planned Unit Development. See completed P.U.D. checklist.

8.1.3 (2) (d) PUBLIC AGENCIES LETTERS OF REVIEW:

An amended Development Plan, Water System Plan, Drainage Plan and Sanitary Sewer Plan have been resubmitted to all agencies for review. Exhibits V1 by Gosling-Czubak.

8.1.3 (2) (e) OTHER AGENCIES REVIEW:

A Revised Development Plan has been resubmitted to Gourdie Fraser the Township Engineer for review.

8.1.3 (2) (f) NATURAL RESOURCES INVENTORY:

1. See **Revised Site Inventory & Analysis (Exhibit C1).**
2. Section 8.1.2 (2) (d) e.-Natural Features Impacts
3. See Revised Development Plan (**Exhibit E4**).

8.1.3 (2) (g) FLOODWAYS & OPEN SPACE:

1. There are no flood plains, floodways, streams, water bodies, or wetlands on or adjacent to the site.
2. Existing steep, wooded slopes in the north and west portions of the site will be preserved in their natural state. Trails and other recreational features within the common open space area and the P.U.D. will be managed and maintained privately. A park of approximately 4.4 acres in the northeast part of the site will be dedicated to Garfield Township and maintained by the Township. This park will contain a segment of a public recreation trail, also managed and maintained by the Township.

8.1.3 (2) (h) SOILS

See 8.1.2 (2) (d) - and (Exhibit C).

A review of preliminary soils mapping, by the U.S.D.A., indicates all areas of the property to be suitable for excavation and site preparation. No wet or organic soils are present on soils mapping. While no soil borings have been conducted to date, exposed soil profiles in areas of excavation provide verification of the validity of the U.S.D.A. mapping. Soil testing will be conducted prior to building construction/site plan approval.

8.1.3 (2) (i) SOIL EROSION CONTROLS:

See **Revised Drainage and Soils Erosion Plan (Exhibit H 1)** and (2) (d) 1.

8.1.3 (2) (j) DRAINAGE PLAN:

See **Revised Drainage and Soils Erosion Plan (Exhibit H 1)**. The plan is designed to channel all runoff from impervious areas on site to retention basins, which allow for gradual infiltration into soils.

8.1.3 (2) (k) GRADING:

General grading is indicated on the **Revised Development Plan (Exhibit E4)** and **Clearing and Revised Earthwork Plan (Exhibit G1)**. Specific grading plans for individual phases of the development will be submitted as part of the site plan approval process.

8.1.3 (2) (l) PHASING: See **Revised Phasing Plan (Exhibit, F1a)**.

There will be five Development Phases or Areas:

Phase I: will include the Surgery Center, Medical and Professional Offices, Retention Areas 1 & 2, and Park.

Phase II & III: will include the Retail Buildings 1 & 2, Office buildings 8& 9, Retail & Service office building 3 and retention areas 7 & 8.

Phase IV: will include the Future Building (Fitness, Extended Care or Senior Apartments) Assisted Living and Retention Areas 5 & 6.

Phase V: will be the Detached or Attached Residential Condominiums or single family home sites and Common Open Space Trails.

Note: Project sequencing may require the development to have overlapping phases or reprioritize phases to meet market demand. See **Revised Phasing Plan (Exhibit F1a)**.

<u>USE AREA</u>	<u>UNITS</u>	<u>GROSS FLOOR</u>	<u>PARKING SPACES</u>	<u>SITE</u>
SURGERY CENTER & MEDICAL OFFICES		45,460 (55,000 expanded) 33,630 S.F.	359 initial (384 expanded) (23 future)	6.93AC
PROFESSIONAL OFFICE		150,000 S.F.	585	11.9 AC
RETENTION 1		-----	-----	0.80 AC
RETENTION 2				2.15 AC
TRAIL ACCESS & PARK		-----	6	4.4 AC
<u>PHASE I totals</u>		229,090 S.F. AC (238,630 expanded)	950 initial (975-998 expanded)	26.18
Office bldgs 8 & 9		36,350 S.F.	169	4.5 AC
RETAIL phase 2 &		37,365 S.F.	194	5.41 AC
<u>PHASE 3 totals</u>		74,115 S.F.	363	9.91 AC
1 or 2 unit RESID.	54	108,000 S.F.	116	16.0 AC
OPEN SPACE				14.5 AC
<u>PHASE 5 totals</u>	54	108,000 S.F.	116	30.5 AC
<u>USE AREA</u>	<u>UNITS</u>	<u>GROSS FLOOR</u>	<u>PARKING SPACES</u>	<u>SITE</u>
FUTURE BUILDING (FITNESS)		26,000 S.F.	105	5.16 AC
SENIOR APTS	100	72,000 S.F.	70	2.95 AC
ASSISTED LIVING	24	14,000 S.F.	16	1.4 AC
RETENTION 5 & 6				0.85AC
<u>PHASE 4 totals</u>	124	112,000 S.F.	191	10.36 AC
TOTAL Development	178U	523,205 532,745 Exp	1620 1645 exp 1668 future	76.95 AC

8.1.3 (2) (m) EXPANSION OF PUBLIC FACILITIES:

1. No M.D.O.T. review is required.
2. A copy of the **Revised Development Plan** was submitted to Grand Traverse County Road Commission for review. **Exhibit V1**
3. Review with Township Engineers. The Preliminary Water System and Sanitary Sewer System plans were reviewed by the township engineers .
4. Review with Drain Commissioner. **Exhibit V1**
5. The Preliminary Water System Plan (**Exhibit I 1**) and Preliminary Sanitary Sewer Plan (**Exhibit I 1**) were submitted to the Grand Traverse County D.P.W. **Exhibit V1**

8.1.3 (2) (n) LANDSCAPE PLAN:

Landscape Plans, per Township ordinance requirements, have been submitted as part of the site plan approval process for each future phase of development. General indications of proposed plantings (shade trees, ornamental trees, evergreen screening trees, and revegetation of disturbed areas with native or compatible species are shown on the **Conceptual Landscape Plan (Exhibit t5)**.

8.1.3 (2) (o) PARKING/TRAFFIC FLOW:

See Traffic Impact Analysis (Exhibit P1) and **Updated Traffic Review Letter (P8)** by **Wade-Trim**.

8.1.3 (2) (p) TRAFFIC SAFETY:

See Traffic Impact Analysis (Exhibit P1) and **Updated Traffic Review Letter (P8)** by **Wade-Trim**.

8.1.3 (2) (q) REFUSE ENCLOSURE:

See Exhibit M-3) - Refuse Enclosure

8.1.3 (2) (r) CONFORMANCE WITH ORDINANCE OBJECTIVES:

It is our belief after complete review of the P.U.D. ordinance that the proposed development plan is within the spirit of purposes of this ordinance, the objective it seeks and the principles of sound planning. Specifically, the Copper Ridge P.U.D. meets the intent of the Townships P.U.D. objectives by:

1. Utilizing and reclaiming an existing extractive site, with severe cut banks visible from surrounding areas
2. Conversion of the site from extraction, materials storage and heavy equipment to uses more compatible with the adjacent/nearby residential, school and church.
3. Concentrating site development on disturbed or previously altered areas.
4. Reducing dust, noise and potential pollutants.
5. Innovatively using the terrain of the site to position buildings on slopes and ascending land form terraces to provide views.
6. Preserving existing steep, wooded slopes in their natural state.
7. Connecting to and increasing trail facilities.
8. Layering the intensity of development from convenience retail and office near Silver Lake Road to residential adjacent to existing residences to the west.
9. Providing a mixture of compatible uses, with shared parking, and interconnecting walkways.

P.U.D. SUBMISSION REQUIREMENTS

8.10.2 OBJECTIVES:

8.10.2 (1) FLEXIBILITY:

The severe grades and changes in elevation of the site would prohibit development under conventional zoning. The current Agricultural zoning would severely limit uses and the ability to develop the site to the extent that its value and location dictate. Flexibility in building setbacks, building height regulations, shared parking and parking to square foot ratios, common open space areas and joint drainage/retention make an approach of cluster development with open space preservation viable.

8.10.2 (2) INNOVATION IN DESIGN:

The project is designed to locate intensive uses on existing man-made terraces, disturbed areas and intermediate slopes. Multiple level buildings "stair stepping" distinct elevation changes allow use of otherwise unusable areas, while taking advantage of views at various levels. Intensive use of disturbed areas also allows preservation of large portions of the steep woodland terrain on the north and west portions of the site. In addition, this will also make possible the reclamation, revegetation and "naturalizing" of existing cut banks and gravel/sand excavations.

8.10.2 (3) EFFICIENCY

The intensive use of disturbed and currently altered parts of the site, using building clustering and buildings on slopes preserves the maximum amount of

open space. Concentrated development areas minimize the cost of providing utilities and access. Shared parking for compatible uses decreases the amount of paved area which would be required under conventional zoning. The "stair stepping" method of building structures into slopes also allows more efficient heating and cooling, based on the tempering influence of earth in both summer and winter. In all cases buildings on slopes will be less exposed to winter winds from the west.

8.10.2 (4) (1) OPEN SPACE:

The P.U.D. will have approximately **18.9** acres in common open space, including the proposed Township Park area. A system of internal trails/walks will connect different uses and link to community recreation trails off site. The revegetation and naturalizing of disturbed banks will extend this open space buffer between development clusters on terraces.

8.10.2 (4) (2) HOUSING, EMPLOYMENT AND SHOPPING:

Housing Opportunities and occupancy are estimated as follows:

1. Senior Citizen Apartments	100 Units	150 Estimated Residents
2. Assisted Living	24 Units	24 Residents
3. 1 or 2 unit Residences	54 Units	108 Residents
Total Residential	178 Units	282 Residents

Employees, Patrons, Residents and Visitors will approximately include the following:

	<u>Units</u>	<u>Residents</u>	<u>Employees</u>	<u>Visitors or Patrons/Day</u>
Surgery Center (45,460 s.f., gross) (Expandable to 55,000 s.f.)			58	75
Medical Offices (33,630 s.f.)			95	310
Professional Offices (150,000 s.f.)			<u>375</u>	<u>1350</u>

PHASE I Total

(229,090 s.f.)

(238,630 expanded)

528

1735

Retail and service Retail

(37,765 s.f.)

Office 8 & 9

(36,350 s.f.)

35

3020

90

325

PHASE 2 & 3 Total

(74,115 s.f.)

125

3345

	<u>Units</u>	<u>Residents</u>	<u>Employees</u>	<u>Visitors or Patrons/Day</u>
1 or 2 unit Resid. (108,000 s.f.)	<u>54</u>	<u>108</u>	<u>-----</u>	<u>64</u>
<u>PHASE 5 total</u>	54	108		64

Future Building / Fitness Center (or Senior Apartments or Extended Care Facility)
(26,000 s.f.)

15

375

Senior Apartments 100
(72,000 s.f.)

150

3

127

Assisted Living
(14,000 s.f.)

24

24

10

24

PHASE IV total 124

174

28

526

DEVELOPMENT TOTALS:

523,205 s.f.

178 U

282 R

681 E

5670 P & V

(529,630 expanded)

8.10.2 (5) REUSE OF SITE AND BUILDINGS:

The existing buildings and structures on the site are not compatible for reuse in the proposed development and will be removed. Disturbed areas of the site, including gravel excavations, cutbanks, and spoil materials will be naturalized by regrading and revegetating with native or compatible species of trees, shrubs, grasses and ground covers.

8.10.3 DIMENSIONAL & USE REQUIREMENTS

8.10.3 (1) ALTERATIONS TO ZONING REQUIREMENTS AND STANDARDS

Planned Unit Development zoning is required to allow development where intensive uses are concentrated in disturbed or currently altered areas, while natural, wooded areas are preserved for the benefit of the residents and surrounding community. Specifically, reductions in the ratio of parking to building space and shared parking areas are required. Flexibility in height regulations will allow construction of multi-level buildings set into slopes between levels of the site. Lot size reductions and zero lot lines in the residential parts of the development will allow creation of compact, well-buffered, attached home clusters.

8.10.3 (2) ALTERNATE USES:

The uses proposed will allow economically feasible development of the site and meet community needs in a very accessible location. The proposed medical offices, convenience retail and fitness center will offer goods and services to the surrounding and on-site residential areas. Concentrating the more intensive uses will minimize the impact on the intact natural features of the site.

8.10.4 QUALIFYING CONDITIONS

a. MIXED USE

The proposed P.U.D. will include:

- 1.) An Outpatient Surgery Center with attached Medical Offices
- 2.) Professional/Medical Offices
- 3.) Potential Fitness Center or Extended Care Facility
- 4.) A Retail Center with neighborhood convenience shopping specialty shopping, Banking, and/or health- related services, such as pharmacy or urgent care.
- 5.) One or Two unit Residential Condominiums (54 units)
- 6.) Senior Apartments (100 units)
- 7.) Assisted Living (24 units)
- 8.) A 4.4-acre Township Park

b. UNUSUAL TOPOGRAPHY

The topography of the site rises dramatically from the south and east to the north and west, with a maximum elevation change of 250 feet. The north and west parts of the site are steep, wooded slopes which continue ascending beyond the property lines. In the central and east parts there are man-made terraces and gravel excavations, with steep exposed slopes and cutbanks. The "stair-stepping"

topography allows development at several levels of the site to have excellent views to the east. A P.U.D. approach with intensively developed clusters, will make preservation of natural wooded slopes and use or reclamation of disturbed areas.

c. DIFFICULTY/EXPENSIVE DEVELOPMENT

The need for extensive grading required to prepare building sites and to reclaim and revegetate disturbed areas will make development feasible only if uses can be concentrated.

d. ADVANTAGES OVER CONVENTIONAL ZONING:

Under the current zoning (AI) the site could continue to function as a sand and gravel extraction site, or be divided into large residential parcels.

Development of the site beyond these uses under different zoning classifications would not achieve the economy of land use or site construction that a P.U.D. approach affords. A Planned Unit Development will result in mixed, compatible uses, well integrated with each other and the terrain.

8.10.4 (1) COMPATIBILITY OF USES:

The proposed P.U.D. is designed to make maximum use of the existing developed and disturbed areas of the site. The most intensive uses, such as the surgery center, medical offices, retail center and professional offices will be located in the east part of the property, easily accessed from Silver Lake Road and Barnes Road well separated from existing residential areas to the west and south of the site. The Residential area further west will provide a transition. The Senior Apartments, Assisted Living Facility and Future Building, also lower in intensity of use, will be accessed from Barnes Road, which is more residential in scale. A wooded, common open space on the north and west perimeter will serve as a natural buffer. No structures within the project will obscure views from adjacent residences or properties.

The uses proposed for the site will provide a variety of living options (residences, senior apartments and assisted living) in proximity to health services and convenience retail. These multiple uses will be linked by trails, walks and common open space in an integrated manner. They will be of benefit to residents and the surrounding community. No detrimental activities or processes will be introduced, while existing extractive uses and heavy equipment traffic will be eliminated.

For effect on capacities of public services see letter of review from agencies (Exhibits V1).

8.10.4 (2) SELF-CONTAINED DEVELOPMENT

The site is **expanded to 76.95 acres**, contiguous under two ownerships. An internal system of private roads, walks, and trails will link all parts of the development.

8.10.4. (3) AMENITIES:

As depicted on the Development Plan, a system of internal trails and walks links the various uses/areas on-site and connects to community recreation trails. A Township park and common open space provide further recreational opportunities.

8.10.4 (4) OPEN SPACE:

The proposed development consolidates its major common open space (14.5 acres) on the north and west perimeter of the site, contiguous to neighboring undeveloped woodland slopes. The combined impact of on-site and off-site open space areas is to preserve larger intact portions of the community in their natural state.

8.10.4 (5) LANDSCAPING:

Landscape plans, per Township ordinance requirements, will be submitted as part of the site plan approval process, for each successive phase of development. In particular landscaping will concentrate on 2 areas of special impact:

- a. Reclamation and revegetation of exposed steep slopes, excavations and cut banks to present a natural appearance. This will employ native and compatible species of plants.
- b. Plantings along roads, in parking areas, and adjacent to buildings to extend the woodland character of the surrounding site into developed areas. Species employed in these areas will be salt and urban condition tolerant, with irrigation provided.

Conceptual Landscape Plans for Phase II are submitted as part of this amendment (See Exhibit T5)

- 8.10.4 (6) The main vehicular access to the development will be a very visible boulevard entry of Silver Lake Road, with excellent sight lines. The 2nd and 3rd vehicular accesses from Barnes Road will also be well marked with excellent sight lines. Vehicular circulation within the P.U.D. is linked, to eliminate off-site trips to different areas within the development. See Traffic Impact Analysis (Exhibit P1), **Wade Trim Traffic Review Letter of Revised Plan (Exhibit P8), and Revised Circulation Plan (Exhibit F2a).**

Pedestrian walks and trails within the P.U.D., will be linked to:

- a. A proposed township recreation trail crossing the northeast corner of the site
- b. An existing smaller trail on the Grand Traverse Commons, adjacent to the southeast corner of the site.
- c. A future community **provided** walkway or trail along Silver Lake Road, with provision for crossing at the signaled Silver Lake/Barnes intersection.

8.10.4 (7) PRESERVATION OF FEATURES:

There are no historical or architecturally significant structures on the site. All existing structures will be removed. The primary natural features to be preserved are the wooded slopes on the north and west perimeter of the project. These will be protected as common open space and a township park. A Forestry Assessment (Exhibit Q7) has determined that there are no significant specimen trees or woodland areas which dictate preservation. The Clearing and Earthwork Plan (Exhibit G) indicates areas in which trees will be removed during development. **No significant forest or cover will be removed in the proposed PUD expansion area.**

8.10.5 P.U.D APPLICATION

APPLICATION DOCUMENT:

See **Amended Application for Special Use Permit** and **Planned Unit Development**

8.10.5 (1) VICINITY MAP:

See **Revised Vicinity Map (Exhibit A1)**, **Inventory/Analysis (Exhibit C1)**, **Traffic Impact Analysis (Exhibit P8)**.

8.10.5 (2) BOUNDARY SURVEYS AND LEGAL DESCRIPTIONS: See **Exhibit N4**.

8.10.5 (3) DEVELOPMENT PLANS:

- A1 REVISED VICINITY MAP**
- B1 REVISED SITE TOPOGRAPHY**
- C1 REVISED SITE INVENTORY & ANALYSIS**
- E4 REVISED DEVELOPMENT PLAN**
- F1a REVISED PHASING PLAN**
- F1b REVISED CIRCULATION PLAN**
- F1c VEHICULAR CIRCULATION PLAN**
- G1 REVISED TREE CLEARING & EARTHWORK PLAN**
- H 1 REVISED DRAINAGE & SOIL EROSION PLAN**

- H1a RETAINING WALL DETAIL**
- I 1 REVISED WATER SYSTEM PLAN**
- J 1 REVISED SANITARY SEWER PLAN**
- K 1 REVISED EXISTING SITE SECTIONS - LOCATION**
- L3 SITE SECTIONS: RETAIL & OFFICE (NORTHLAND BAPTIST PARCEL)**
- M3 REFUSE ENCLOSURE**
- M5 STREET / PARKING LIGHTING DETAIL**
- M6 SCHEMATIC BUILDING PLANS & ELEVATIONS**
- M7 ADDITIONAL SIGN DETAIL**
- N4 WARRANTY DEED FROM MELICHAR TO COPPER RIDGE, LLC**
- N5 WARRANTY DEED FROM NORTHLAND BAPTIST TO COPPER RIDGE, LLC**
- N6 SURVEY & LEGAL DESCRIPTION FOR EASEMENT WITH NORTHLAND BAPTIST**
- P8 REVISED TRAFFIC IMPACT REPORT /WADE TRIM**
- P9 BARNES ROAD IMPROVEMENTS**
- Q12a REVISED PARKING SUMMARY**
- Q13 e GENERAL OFFICE USERSHIP AND PARKING DEMAND**
- Q13f RETAIL USERSHIP AND PARKING DEMAND**
- Q14 REVISED PEAK NON-RESIDENTIAL USE**
- S SLUSHER ROAD EMERGENCY ACCESS**
- T5 CONCEPTUAL LANDSCAPE PLANS /HUFFMAN**
- VI AGENCY REVIEWS: CURRENT**

8.10.5 (4) LAND USE AND BUILDING DATA:

- a. **Surgery Center & Medical Offices**
 Outpatient surgery center, owned and operated by Northern Michigan Surgery Center, L.L.C..
 Gross floor area: 45,460 s.f. (expandable to 55,000 s.f.).
 Lower level of a two story structure.

Medical offices on upper level above the surgery center, with physicians' offices and laboratory suites. Gross floor area: 33,360 square feet.
 Maximum building height-37'-6". Floor level 754.0 .
 Initial Parking: 359 spaces. Expanded Parking (with surgery center expansion, if required): 384 spaces. (Note: 23 potential future spaces may be added as demand at Professional Offices requires.)

- b. **Professional Offices**
Professional and medical office suites -150,00 square feet gross floor area (not including lower level parking). 3-story buildings with offices on 3 levels or 3-story buildings with offices on 2 upper levels and parking on the lower level. All buildings accessed from upper level on west and lower level on east. Maximum building height-48 feet above lowest grade entry. Total parking: 585 spaces-1 space per 256 s.f. (Potential for 23 future spaces at Surgery Center, if needed.)
- c. **Future Building (Potential Uses: Fitness Center, Senior Apartments or Extended Care Facility)**
26,000 square foot gross floor area. Building two levels, accessed from both lower and upper level. Maximum building height-35 feet.
Total Parking Potential: 105 spaces.
- d. **Retail Center Buildings 1, 2, & 3**
Neighborhood convenience shopping and health-related retail, such as urgent care, pharmacy, specialty shopping, Banking & health foods. Building 3 is a 2 story building. Buildings 1 & 2 are one story buildings with maximum height of 20 feet. Estimated gross floor area of 37,765 s.f. for all 3 buildings.
Total Parking: 194 estimated-1space per 195 s.f.
- e. **Senior Apartments**
100 apartment units for senior citizens, in one and two bedroom configurations of 600to 800 s.f. per unit. Common social areas, exercise facility and storage areas. 72,000 s.f. gross floor area, not including mechanical storage and service areas in lower level. 4 stories above grade with partial walk-out lower level. Building height from grade: approximately 54 feet.
Total Parking: 70 spaces-1 space per each 2 units, plus 3 employee spaces, plus 17 visitors.
- f. **Assisted Living**
24 assisted living units of 300-350 s.f. each with common dining area, social areas, activity rooms and offices in one-story building with partial walkout lower lever. Building height: approximately 24 feet. Gross floor area of 14,000, not including lower level.
Total Parking: 16 spaces-1 space per 4 units, plus 10 employee spaces.
- h. **1 or 2 Unit Residences**
54 residences in 1 or 2 unit configurations, with attached garages. Total Gross floor area (**not including garage**) of 108,000 s.f. Units with 2 and 3 bedrooms, ranging in floor area from 1,700 to 2,500 one and two story

(average 2,000 s.f. each). Most structures, with walkout lower level or upper level adapted to grades. Maximum building height: 28 feet.
Off street parking for 2 cars per unit: 108 unit spaces, plus 8 visitor spaces,
= 116.

- g. **Office (buildings 8 & 9)**
General and professional offices, service retail. One and 2 story buildings with a maximum height of 39 feet. Gross floor area of 36,350 s.f. Total parking: 169 or 1 space per 215 s.f.

8.10.5 (5) **OWNERSHIP**

The property submitted in the P.U.D. application (65.43 acres) is under an easement or owned by Copper Ridge, L.L.C. The Mt. Zion Church parcel (11.52 acres) is owned by Maranatha Pentecostal Church of God, the Co-applicant. There is an easement granted by Northland Baptist Association to Copper Ridge for access off Barnes Road to the development. 7 Acres of Phase 1 was sold by Copper Ridge to the Northern Michigan Surgery Center, LLC.

8.10.5 (6) **AREA COMPUTATIONS: (see Revised Development Plan - Exhibit E4).**

1. Total PUD Area: **76.95 acres**
2. Open Space (including 4.4-acre Park): **18.9 acres**
3. Parking, Roads, and Walks: **20.76 acres**
4. Buildings and Structure Footprints: **6.38 acres**
5. Impervious Surfaces: **27.14 acres (35.27%)**

8.10.6 ADDITIONAL INFORMATION

8.10.6 (1) **EXISTING VEGETATION**

See Inventory and Analysis (Exhibit C) and Forestry Assessment (Exhibit Q7). See Existing Site Characteristics (Section 8.1.2 (2) (d) a.). Major types of vegetation in woodland and regrowth areas are noted on the Inventory and Analysis Plan. Due to a large number of trees in these areas, individual identification and mapping has not been undertaken. This would be completed in proposed areas of clearing/earthwork as part of site plan approval.

8.10.6 (2) **INTENT & OBJECTIVES**

It is the developers intent and objective to provide the highest quality of health, services, fitness, educational, recreational, and living environment to the local community, while respecting and preserving the natural and aesthetic features of the site.

8.10.6 (3) BUILDING EXTERIORS

All buildings within the P.U.D. will incorporate similar or compatible architectural materials and styles. Specifically these will include earth-toned brick, stone, split-face concrete block, wood siding and standing seam metal roofing. Copper will be used as accent features throughout the development. All structures will be architecturally designed in appearance and function to be in harmony with the site and its surroundings. (See Exhibits M6 for Schematic Building Plans & Elevations)

8.10.6 (4) POPULATION PROFILE

The Retail Center, Surgery Center and Medical Offices will serve all age groups of the community. The Senior Apartments and Assisted Living (and potential extended care facility) will serve senior citizens. The 1 or 2 Unit Residential Condominiums will primarily serve the middle to upper age range of the community.

8.10.6 (5) PROPOSED FINANCING

Conventional bank financing of 80% will be obtained. The investor intends to provide a 20% down payment.

8.10.6 (6) IMPACT ON LOCAL FACILITIES AND SERVICES

a. Traffic:

As indicated by the Traffic Impact Analysis (**Exhibit P8**), there will be a minor impact on Silver Lake Road and Barnes Road, because visits by patrons of the Surgery Center offices and retail uses will be spread evenly out over the entire day. Residents of the Senior Apartments and Assisted Living Facility will be the lowest trip generating segment, with convenience retail, medical and fitness facilities located on site.

Residents of the 1 or 2 Unit Residential Condominiums will be the primary generators of trips originating from the site; however this will be at a lower rate than conventional single family homes.

b. Natural Features:

The design of the P.U.D. will concentrate intensive development on previously disturbed or developed areas, thus retaining the bulk of the existing natural features of the property, including heavily woodland

slopes ascending to the west and north. The 'stair-stepping' of multi-level buildings into existing slopes between man-made terraces will also use an otherwise difficult to maintain space, thus reducing impacts on other parts of the site.

c. Schools:
Impact on public schools should be minimal, because most residents will be senior citizens, couples and singles.

d. Utilities:
See sections 8.1.3 (1) (c) 3, 8.1.3 (1) (d), 8.1.3 (2) (d)

8.10.6 (7) MARKET AND ECONOMIC FEASIBILITY:

Market analyses for the proposed uses of the development appear extremely favorable and generally reflect the growth and interest from all segments to move into the Traverse City region. More specifically, the health, improving lifestyle and medical service providing segments are the strongest growth areas. Because of the strength and demand for these uses, we feel the economic feasibility is extremely strong.

COPPER RIDGE PUD MAJOR AMENDMENT

CURRENT MOTION

MOTION THAT Application SUP-2000-08-O, submitted by Sarah Keever on behalf of Copper Ridge for an amendment to the Copper Ridge Planned Unit Development, BE RECOMMENDED FOR APPROVAL TO THE TOWNSHIP BOARD with the limited uses for Building 10 only listed on the Copper Ridge Planned Unit Development Site Plan.

REVISED MOTION


MOTION THAT Application SUP-2000-08-O, submitted by Sarah Keever on behalf of Copper Ridge for an amendment to the Copper Ridge Planned Unit Development, BE RECOMMENDED FOR APPROVAL TO THE TOWNSHIP BOARD with an amendment to the Copper Ridge Planned Unit Development Site Plan (Exhibit 1) to list the limited uses for Building 10 as provided in PD Report 2025-4.

Copper Ridge PUD Major Amendment

SUP-2000-08-O

Public Comment

TO: Charter Township of Garfield Planning Commission Members

FROM: Suzanne Murphy 
4276 Eagle Vale
Traverse City, MI 49684

DATE: December 11, 2024

RE: Concerns and Considerations Related to SUP Major Amendment to PUD submitted by Copper Ridge, LLC.

I am very concerned about the future impacts to the Eagles View Condominium Association if the Garfield Charter Township Planning Commission and the Garfield Charter Township Elected Board allows changes and/or expansions that are being requested by the Copper Ridge, LLC.

Some of my concerns include, but are not limited to the following:

- 1) Increase in traffic; increase in vehicle accidents because currently many people who visit offices ignore posted stop signs. (I have requested that Copper Ridge add a sign under the stop sign(s) that says, "Incoming vehicles do not stop". To date, it has not happened.
- 2) What additional commercial businesses will be added? What if these businesses are not successful? Lease length? Will the building(s) become an eye sore and possibility for vandalism?
- 3) With increased traffic and the wear and tear on the blacktop, is the Eagles View Condominium Association going to be charged by Copper Ridge, LLC a percentage to resurface the road(s)?
- 4) If newcomers are flight nurses, doctors, staff, etc., will they need the use of a BETA bus? How often (24-7) will that BETA bus circle the office buildings? And circle the proposed new living spaces?
- 5) Are "High Rise" apartment buildings being considered? If so, how many stories high? What will the rent be based upon – current market value? Will they be leased on VRBO sites so that anyone can rent them, not just medical staff and families of patients? What type of living building(s) is proposed – brick? mobile homes? Pre-fab? Etc.?
- 6) What is the value to the residents of Eagle Ridge owners? Will my home's value/assessment decrease because of the changes to the business development? I moved to this development because the property and businesses were established, and inclusions known. This change is not fair to Eagles View Condominium owners.
- 7) Voting on each part of the request from Copper Ridge, LLC needs to be taken, not a "blanket" OK for the whole plan.
- 8) Traffic concerns – more vehicles = more hours per day = more accidents.
- 9) Safety issues – biking and skateboarding/rollerblading, etc. may cause accidents due to the hilly topography. Expanding population into apartments/condos may create more safety calls to the police departments.
- 10) If Copper Ridge, LLC can't fill up their current office buildings, why should they ask to erect more buildings?

From: Steve Hannon
Sent: Wednesday, December 11, 2024 4:39 PM
To: Karen Leaver
Subject: FW: Copper ridge PUD proposal

Hello Karen,

Can you please place a copy of the email below on the PC members' desks as correspondence?

Thanks,

Stephen Hannon, AICP
Deputy Planning Director
Charter Township of Garfield

3848 Veterans Drive
Traverse City, MI 49684
shannon@garfield-twp.com
(231) 225-3156

From: Kendra Mac <kendramac96@gmail.com>
Sent: Wednesday, December 11, 2024 4:00 PM
To: Steve Hannon <shannon@garfieldmi.gov>
Subject: Re: Copper ridge PUD proposal

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Steve and other this may concern,

I am writing this email to express opposition in the proposed Special Use Permit for Copper Ridge LL/ Copper Ridge Planned Unit Development.

My primary concern is the long term affects of the changes being requested. The increase in traffic is certainly something to consider. I currently work at Copper Ridge Surgery Center and the amount of throughput that this development sees each day is growing. Thirlby Clinic is moving to Copper Ridge in February of 2025 we are going to see an increase of traffic due to more patients coming through each day for appointments. Cars frequently run stop signs, pull out in front of people, and speed through the Copper ridge development. I see this on a daily occurrence with my short commute to work. Every week someone pulls out in front of me causing me to hit the brakes despite going the recommended speed limit. The windiness of the established roads creates blind spots and makes it hard to elderly to drive in this area. I am concerned that adding more traffic with commercial and office space is going to cause a strain on the current flow and make the development less safe for those traveling on foot. I frequently take walks to the State hospital grounds and down to the Garden and I have to be extra careful at the stop signs due to many drivers not paying attention. I also have to be cautious at the light as there is no side walk to connect back into the development until you reach the Physical therapy center.

Another issue is the safety of the residences that currently reside in the Copper Ridge Community. Increasing traffic is going to make the surround residential areas less safe and also increase the peripheral noise that already exists with current businesses and traffic. I believe a traffic

study of this area would be greatly beneficial to understand the throughput and the necessary changes that would need to be made with the development of more commercial/office space buildings. I also think the posting of speed limit signs would be necessary.

Another issue to consider is the noise. This 70 acre development was not structured to accommodate so many buildings and the noise travels fast and loudly through the Copper Ridge Development. This change would disrupt the current residential character and make the development feel less like a community and more like a commercial enterprise.

Lastly, Traverse city needs housing especially for the elderly. Having a development so close to medical access is vital to the elderly population. With the close dr offices, surgery center, and hospital the housing provided to the senior living will allow them to make appointment easier and receive access to services in a timely manner.

Thank you for reading my concerns and thought to this. Attached is the beautiful copper ridge site from years ago.



-Kendra Mac

On Dec 11, 2024, at 1:53 PM, Steve Hannon <shannon@garfieldmi.gov> wrote:

Hello Kendra,

Thanks for your question. I attached their site plan to this email, which they had included with their application. The proposal concerns 4 building sites in the development. The closest one to Tribeca Court is the site next door on City View Drive, but nothing different is proposed for anything on Tribeca Court.

Let me know if you have any other questions.

Thanks,

Stephen Hannon, AICP
Deputy Planning Director
Charter Township of Garfield

3848 Veterans Drive
Traverse City, MI 49684
shannon@garfield-twp.com
(231) 225-3156

From: Kendra Mac <kendramac96@gmail.com>
Sent: Wednesday, December 11, 2024 12:52 PM
To: Steve Hannon <shannon@garfieldmi.gov>
Subject: Copper ridge PUD proposal

Caution! This message was sent from outside your organization.

Stephen,
Is the proposal for copper ridge going to affect the zoning for tribeca ct? I'm trying to get more clarification on this. The letter sent to me highlights all of copper ridge and I just want to make sure I understand what areas are being affected. Thank you!
<image001.jpg>

<Copper Ridge PUD Major Amendment Site Plan 2024-10-10.pdf>

From: Steve Hannon
Sent: Wednesday, December 11, 2024 5:05 PM
To: Karen Leaver
Subject: FW: Copper Ridge PUD Amendment

We received another comment, can you please also make copies of this one for the PC members' desks?

Thanks,

Stephen Hannon, AICP
Deputy Planning Director
Charter Township of Garfield

3848 Veterans Drive
Traverse City, MI 49684
shannon@garfield-twp.com
(231) 225-3156

From: Lauren Rippentrop <laurenmripp@gmail.com>
Sent: Wednesday, December 11, 2024 4:47 PM
To: Steve Hannon <shannon@garfieldmi.gov>
Subject: Copper Ridge PUD Amendment

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Hi Shannon -

My name is Lauren Rippentrop and I am an owner and resident of the Copper Ridge condo association. I am writing to you with my opposition on amending the planned use of the undeveloped parcels in our community.

If the amendment were to pass making the undeveloped land to be used for commercial purposes rather than solely residential use that this will severely impact our community. There are always so many children riding bikes and playing with each other in the common areas that this would cause an unsafe environment for them if there were to be more car traffic as drivers would be passing by the homes. This also pertains to the children's day care center in which would be affected by traffic as well.

I also believe if there were to be more commercial buildings mixed into the residential parcels that this would cause home values to decrease, creating a lot of unhappy homeowners in the association. Let alone make it a lot more unsafe not only for children playing, but people walking their dogs and the potential for higher theft rates and other criminal activities to occur.

Thank you for considering my opinion on the matter.

Lauren Rippentrop

From: Mark Plotzke <markplotzke@gmail.com>
Sent: Wednesday, December 11, 2024 5:25 PM
To: John Sych; Steve Hannon
Cc: Mark Plotzke
Subject: PUD revision request for Copper Ridge

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John and Stephen,

My name is Mark Plotzke & I just found out that we can email our concerns regarding the PUD revision request for Copper Ridge that will be discussed tonight (11-DEC-2024) at the Planning Commission meeting.

Unfortunately I am unable to attend; however, I am expressing my objections and concerns.

First and foremost, I am against changing the PUD revision request. I bought my house in Eagle View with the existing zoning in this HOA "subdivision" and the surrounding property.

I do not want the planning commission to allow more residential, especially apartments and the increase in potential transient non permanent residents in the surrounding areas.

I think changing the PUD would invite more flux, increase traffic at the limited 2 entrances-exits, and have a negative impact on the property values, all which were not part of the original scope and scheme. Consequently, there are safety concerns with regard to the increase in traffic.

Further, another concern is the potential for a low rent complex, group homes, or other less than desirable purposes.

If, the Planning Commission decides to move forward and grant this PUD Revision, will this be a permanent change? And what restrictions will the Planning Commission impose?

Please advise the outcome, the next steps, and if any feedback is allowed after tonight's meeting.

Thank you,
Mark Plotzke
Eagle View Homeowner

From: kathy bowers <kabowers24@yahoo.com>
Sent: Thursday, December 12, 2024 1:18 PM
To: John Sych; Steve Hannon
Subject: PUD Copper Ridge

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Dear John and Steve,

My name is Kathy Bowers and I am a resident in the Eagle View Condominium Association. I am writing to let you know that I am not in favor of the revision of the PUD for Copper Ridge.

While I understand the need for increased affordable housing in Traverse City I believe that this project would have a detrimental impact on our community.

First, the proposed project is just too large for our area. The increase in population density would put a strain on our community, leading to traffic congestion, noise pollution and increases in the already present strain on our public services. Also, this project if it proposes new building structures would result in significant environmental damage destroying natural habitats, and putting wildlife at risk.

Second, the type of housing proposed is quite simply not in keeping with the character of our neighborhood. I believe It would also alter the aesthetic of our area replacing the greenery and open space if large high density complexes are to be built. This change could bring in large numbers of low income residents. By adding more commercial space this would create an influx of people utilizing the services of the commercial buildings. This could ultimately bring increased crime rates and other negative social effects to our community.

Third, I am extremely concerned about the impact this project would have on property values in the surrounding area. For all of the reasons stated above these factors could result in a decrease in property values. This could make it difficult for the current residents to sell their homes and move elsewhere because of the proposed unwanted changes to their community.

Finally, I strongly urge you to reconsider these proposed revisions to the Copper Ridge PUD. I believe this is not the right fit for our neighborhood. I thank you for your attention to this matter.

Sincerely,
Kathy A. Bowers

[Sent from Yahoo Mail for iPhone](#)

From: Joe Fifer <jfifer126@gmail.com>
Sent: Monday, December 16, 2024 8:13 AM
To: John Sych; Steve Hannon
Subject: Copper Ridge PUD revision

Caution! This message was sent from outside your organization.

Mr. Sych and Mr. Hannon,

My name is Joe Fifer, and my wife and I own a home in Copper Ridge, 4154 Aquila. It has come to my attention that there is consideration being given to revise the existing PUD to allow for either high density (apartment) housing and/or commercial use for a tract of land at or near the entrance to our neighborhood. Please consider this note as one of opposition to a PUD revision of this nature. If it goes forward, either high density or more commercial development would simply over tax what is already tight and periodically backed up entry/exit to our neighborhood, especially considering that there are two lights in close proximity to each other on Silver Lake Dr (Barnes Rd and Copper Ridge Dr). I do not think a PUD revision is appropriate and would encourage you to deny it.

Joe Fifer
4154 Aquila Ct.

December 18, 2024

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

RE: Cooper Ridge Planned Unit major amendment

The following are our concerns and questions related to the proposed amendment of the Copper Ridge Planned Unit Development:

1. Of the four unbuilt locations being requested to change the amendment with primary focus to change to residential, what are the breakdowns for each parcel utilizations (i.e. how many of the four locations will be designated for residential building.
2. If residential apartment buildings are anticipated, the following are concerns/questions:
 - height of buildings above grade
 - of the four locations, how many will have below grade parking
 - will the rental units have a predetermined occupancy timeframe; minimum stay such as 6 months, one year, monthly, etc.; high frequency turnover occupancy is a concern related to safety in area;
 - noise level of additional traffic a concern to the local home owners
 - Impact concerns related to increased traffic are decreased property values to home owners; safety with increased traffic; and change in character of Eagles View subdivision
3. Again, of the four remaining unbuilt locations, how many are estimated to be residential and number of units and number of residents per each location; also, will the rent per unit comparable to the average rental unit in the area
4. Are the architectural exterior designs going to be consistent with existing buildings in Copper Ridge
5. Are there any benefits to the Eagles View subdivision?
6. Would a traffic light have to be installed at the Sky View and Barnes intersection
7. Will the existing Copper Ridge buildings stay office and commercial or could they be converted to residential with the proposed amendment; could existing office/residential buildings then be converted to residential and if so, that further increases the above concerns and would not appear consistent for what the initial PUD was intended as.

Best regards,



Bill and Jean Allgaier
4197 Eagles View
Traverse City, MI 49684

From: Lynette LaFave <lynettelaface@yahoo.com>
Sent: Wednesday, December 18, 2024 1:29 PM
To: John Sych; Steve Hannon
Subject: Copper Ridge

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We have been residents of this community since 2012. We are strongly opposed to the suggested changes to Copper Ridge.

Traffic is already an issue in this congested area of health care, businesses and residential housing. Add mail and delivery services to that mix.

Most people in this community are retired senior citizens. Safety is of great concern. We have heard of possible low income housing or a drug rehab center raising concerns of lowered property values and personal and property safety.

Please take our concerns into consideration.

Randy Mikolowski and Lynette LaFave
474 Aquila Ct

From: Mark Deponio <mdeponio@me.com>
Sent: Thursday, January 2, 2025 11:37 AM
To: John Sych
Cc: Jan Freeman; Gary Long; thomas alferi; Terry Husby; Paul Bandrowski; Margaret Podworski; deponiod@gmail.com
Subject: Request that Garfield Township deny the developers request to rezone Copper Ridge parcel

Caution! This message was sent from outside your organization.

Dear John,

I am a long time resident of Garfield Township. I want to compliment the leadership of the township over the past 10 years or more for what I believe to be a sustained pattern of good decisions regarding development in the township. In my opinion the township has benefited greatly from said decisions.

I'd like to contribute some perspective toward making yet one more good planning/development decision. I live in the residential portion of the Copper Ridge development, and I have recently become aware of the request for rezoning of the 4 remaining parcels in the non-residential portion of Copper Ridge.

This letter focuses on one aspect of the requested rezoning, the apparent desire of the Copper Ridge developers to shoehorn a hotel on land next to the church on Meadowview Drive. I can certainly understand why the developers apparently want to put a hotel there. If I were an out of towners, I'd certainly rather stay in a hotel in a quiet higher end residential neighborhood than the other hotels that are located in places that are not residential neighborhoods. This idea is terrible for the adjacent residential property owners and residents, but great for the developers and out of owners. Hotels fit much better along US31 or downtown. Perhaps we could plop a hotel in the middle of Silver Farms or Stoneridge or maybe right in the middle of Slabtown or the many similar places people choose to live precisely because they are quiet residential neighborhoods.

I personally know some of the Copper Ridge developers and respect them. In this case, I'm extremely disappointed that their profit motive is apparently driving them to try to do something that is really inappropriate and highly contrary to the interests of quiet enjoyment and optimization of property values of the people who have already purchased property from them.

I strongly urge Garfield Township to deny this rezoning request. If a petition of the residential property owners in Eagles View would be helpful to facilitate said denial, please let me know and I'll be more than happy to get it for you. Please let me know if that would be helpful to convince the township to deny. Also please acknowledge receipt and review of this letter.

Thank you for your attention to this matter.

Mark Deponio
4238 Eagle View
Traverse City, MI 49684
231-590-7714

From: Janice Freeman <janfreeeeaglevaleboard@gmail.com>
Sent: Saturday, January 4, 2025 9:05 PM
To: John Sych
Subject: Fwd: Copper Ridge PUD Amendment Request

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Jan Freeman
Cell 715 271 9601

Begin forwarded message:

From: Suzanne Murphy <sumur730@aol.com>
Date: January 4, 2025 at 8:38:29 PM EST
To: Janice Freeman <janfreeeeaglevaleboard@gmail.com>
Subject: Re: Copper Ridge PUD Amendment Request

Well-said, Jan. Thanks for your letter. Copper Ridge Dev. is just pushing this too quickly.
Sent from my iPhone

On Jan 4, 2025, at 7:43 PM, Janice Freeman <janfreeeeaglevaleboard@gmail.com>
wrote:

January 2, 2025

Garfield Township Planning Commission Members
C/O Mr. John Sych, AICP
Planning Director
Garfield Township, Michigan
Mr. Stephen Hannon, AICP
Deputy Planning Director
Garfield Township, Michigan

Dear Planning Committee Members, Mr. John Sych and Mr. Stephen Hannon

I write to you to express concerns regarding the changes being requested by Copper Ridge to amend the current PUD to allow residential building on sites on this property.

I urge you to reject this request until more due diligence is obtained including information below and that this information is discussed with the Township Planning staff, community residents and planning commission members. If any specific agreements with these and other criteria is made that they are included in writing to the proposed amendments to the PUD prior to approval.

Criteria to be reviewed on each individual request should include but not be limited to the height of each building, the impact on the unique environment of the area, the specific usage of each building, the impact on the traffic flow in and around the Silver Lake and Barnes Road ingress/egresses, the impact of traffic flow in the entire development, the light pollution resulting from these changes, and the security of the entire area.

Eagle View is an area of family homes. Most of these homes are owned by retirees and mature adults. The potential of having apartment buildings and potentially a hotel close to these areas of fine residential homes is concerning and should not be allowed. The neighborhood has a culture of walkers. Both the

residents and employees of businesses in the development utilize the area for walking. Increase motor vehicle traffic on the narrow curvy roads and potential increase of skateboarding in the area is a very real potential safety hazard for all.

With much respect for the Copper Ridge managers I believe that this plan will negatively impact the neighbors in the area and we have not had the opportunity to discuss this in depth with the Copper Ridge managers, Copper Ridge staff or Township staff.

I have reached out to the developer to have a meeting with the Association. The developer has not responded and I am told this week that she has been traveling over the holidays which is understandable.

In addition, specifics in the current PUD were requested by the Planning Commission members and the Home Owners Association and these have not been obtained at this time either from the Developer and/or management agency.

Please recommend to the Board that this request is denied until information is obtained and good faith discussions have taken place.

Thank you for your time and work on making Garfield Township a better place for all of us to live.

Respectfully,

Jan Freeman
4284 Eagle Vale
Traverse City, Michigan 49684

Jan Freeman
Cell 715 271 9601

From: kswestie <kswestie@gmail.com>
Sent: Monday, January 6, 2025 1:29 PM
To: John Sych
Subject: To Garfield Township Planning Commission re Copper Ridge PUD. Please address in Jan 8 meeting.

Caution! This message was sent from outside your organization.

I am a resident of the Eagles View subdivision in the Copper Ridge area of TC. I am writing to express my strong opposition to a proposed change to the Copper Ridge PUD, specifically the idea of a hotel. I am unable to attend the meeting on January 8 but ask that you pass along my concerns to the committee members.

I am adamantly opposed to a hotel being built in this peaceful, small area of our community. I believe it will adversely affect the property values, safety, traffic and quiet, peaceful character of the community in which I invested in my home. I do not oppose reasonable residential or small (2 stories or less) commercial buildings or residences, of a density which is consistent with what we have now. But changing the character and use of this area with tall buildings, bright commercial lighting and especially bringing a HOTEL to this area is unfair to those of us who have trusted you to maintain the planning and zoning that we relied on when purchasing our homes. I understand the developer wants to maximize the commercial value of this property, but I believe that can be done harmoniously with the current community—if there is not a hotel.

Please keep in mind limiting huge, bright commercial building lighting. The “United We Smile” practice is a welcome addition to the community but the bright neon sign is disruptive to some of my neighbors. I envision issues similar to the TC church parking lot lighting problems if bright commercial lighting is introduced in the proposed commercial buildings. I hope you can address that at the time changes are addressed/allowed.

I hope to meet you all in future meetings, and ask that my concerns be addressed in this week’s meeting.

Dr. Katharine Westie
4162 Eagles View Drive
Traverse City, MI 49684
(231) 632-4282

From: James K Dunn <jkdunn2@chartermi.net>
Sent: Monday, January 6, 2025 1:37 PM
To: John Sych
Subject: Copper Ridge PUD Admendment

Caution! This message was sent from outside your organization.

To: Garfield Planning Commission -

As a resident of the Eagles View neighborhood we are opposed to the zoning changes to the Copper Ridge PUD. The non-specific nature of the amendment will allow Copper Ridge a free hand to do whatever benefits them the most. Increased traffic, lower property values, light and noise pollution to our now quiet neighborhood will be the result.

Jim and Eileen

4178 Aquila Ct

Traverse City

Sent from my iPhone

From: Chris Lee <csdtc@msn.com>
Sent: Tuesday, January 7, 2025 2:14 PM
To: John Sych
Subject: Copper Ridge PUD Request

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Dear Mr.Sych,

As a resident of Eagle Vew Condominium Association, I am very concerned about the PUD request by Copper Ridge for a change in the current property restrictions. I feel that it is very unclear as to the changes that they want to make that would certainly affect the association. Changes could affect traffic, safety, and home values. This change should be fully vetted and be agreeable to all parties in this neighborhood.

Sincerely,
Christine Lee

CURRENT PERMITTED USES

Buildings 3 and 4

- “b. Professional Offices
Professional and medical office suites - 150,00 square feet gross floor area (not including lower level parking). 3-story buildings with offices on 3 levels or 3-story buildings with offices on 2 upper levels and parking on the lower level. All buildings accessed from upper level on west and lower level on east. Maximum building height-48 feet above lowest grade entry. Total parking: 585 spaces-1 space per 256 s.f. (Potential for 23 future spaces at Surgery Center, if needed.)”

Retail Center Building 3

- “d. Retail Center Buildings 1, 2, & 3
Neighborhood convenience shopping and health-related retail, such as urgent care, pharmacy, specialty shopping, Banking & health foods. Building 3 is a 2 story building. Buildings 1 & 2 are one story buildings with maximum height of 20 feet. Estimated gross floor area of 37,765 s.f. for all 3 buildings. Total Parking: 194 estimated-1space per 195 s.f.”

Building 9

- “g. Office (buildings 8 & 9)
General and professional offices, service retail. One and 2 story buildings with a maximum height of 39 feet. Gross floor area of 36,350 s.f. Total parking: 169 or 1 space per 215 s.f.”

Note: Dimensional requirements (building square footage, parking spaces, etc.) is not being considered as part of this change and will remain as originally approved for the PUD.

PROPOSED PERMITTED USES

Buildings 3 and 4

“Uses: Office, Commercial, or Residential”

Note: These uses will also apply to existing buildings 1,2, 5, 6, 7, and 8

Retail Center Building R4 (formerly Retail Center Building 3)

“Uses: Office, Commercial, or Residential”

Note: These uses will also apply to existing buildings R1, R2, and R3

Building 10 (formerly Building 9)

“Adult Foster Care, Large Group Home
Adult Foster Care Facility
Dwelling, Multiple Family
Financial institution, without drive-through
Live-Work Unit
Medical Office, Clinic
Office
Pet Grooming Establishment
Physical Fitness Facilities
Professional Showroom
Professional Studio
Service Establishment, Personal
Veterinary Hospital”

Note: The above uses are defined in the Township Zoning Ordinance.

January 7, 2025

Garfield Township Planning Commission
3848 Veterans Drive
Traverse City, MI. 49684

RE: Comments for Public Hearing on January 8, 2025 regarding a proposed cellphone tower on property adjacent to the Crown Ridge Condominium Association (2767 Zimmerman Road.)

Commissioners:

I believe a cell phone tower in this proposed location could present a serious health hazard for many of our residents along East Crown Drive. At least a half dozen of our condos fall within a distance of less than 1600' from the proposed tower site. You have been provided with a copy of a professionally conducted study which recommends a minimum distance of 1620 feet between 5G cell phone towers and places of residence. This study highlights the potential for serious injury to health for anyone living closer than this recommended distance from such towers.

There are dozens of other studies that suggest harmful effects to humans from cell tower RF radiation and many scientists have issued warnings regarding these threats to human health.

In light of this information, I am opposed to this proposed cell phone tower due to its proximity to our neighborhood and the threat it could pose to our health. Please reject this proposal and insist that any future cell phone towers be built at safe distances from inhabited buildings.

Sincerely,



David M. Stout
3061 Crown Wood Ct.
Traverse City, MI. 49685



Michigan State University Extension Land Use Series

Restrictions on Zoning Authority

Original version: May 16, 2002

Last revised: March 9, 2021

This publication summarizes the state and federal limitations on zoning in Michigan. Local governments receive power, including authorization for planning and zoning, from the state. The authority to adopt and enforce zoning is granted to local governments through the zoning enabling acts.¹ When authority is granted to a local government, it often comes with strings attached which may require the task to be done a certain way or within certain limitations. In addition, various court cases, other state statutes and the federal code often limit what local governments can do with zoning.

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*“Thirty seven million acres is
all the Michigan we will ever have”*
William G. Milliken

¹ P.A. 110 of 2006, as amended, (being the Michigan Zoning Enabling Act, M.C.L. 125.3101 *et seq.*). (This footnote used to cite the following acts, each repealed as of July 1, 2006: P.A. 183 of 1943, as amended (the County Zoning Act, M.C.L. 125.201 *et seq.*); P.A. 184 of 1943, as amended (the Township Zoning Act, M.C.L. 125.271 *et seq.*); P.A. 207 of 1921, as amended (the City and Village Zoning Act, M.C.L. 125.581 *et seq.*).)

- D. Local zoning can regulate only certain specific aspects of extraction (mining) of natural resources (e.g., gravel, sand and similar pits).⁷¹ Zoning cannot prevent extraction of natural resources unless “very serious consequences”⁷² would occur. Regulations can include government’s reasonable regulation of hours of operation, blasting hours, noise levels, dust control measures, and traffic (not preempted by the nonferrous metallic mineral mining part of the Natural Resources and Environmental Protection Act⁷³). Such regulation shall be reasonable in accommodating customary mining operations. Extraction of minerals supersedes surface rights. (Oil and gas and coal mining cannot be regulated, see 2H and 2I.) Further regulation of mineral extraction might be acceptable if the zoning is for a designated natural river.
- E. Wireless communication antenna⁷⁴ and towers local regulation is preempted, in part by the Federal Communications Act, court cases, and Michigan Zoning Enabling Act. In summary: cannot unreasonably discriminate between different provider companies;⁷⁵ “[t]he regulation of the placement, construction, and modification of personal wireless service facilities . . . shall not prohibit or have the effect of prohibiting the provision of personal wireless services”⁷⁶; regulations cannot be based on “environmental effects of radio frequency emissions to the extent that such facilities comply with the [FCC]’s regulations. . . .”⁷⁷; applications must be acted on within a certain deadlines and decisions shall “be in writing and supported by substantial evidence contained in a written record”⁷⁸ as well as following deadline requirements of local ordinance (if any) and the Michigan Zoning Enabling Act⁷⁹; anyone harmed by a decision to deny a wireless facility permit can bring the issue to court, and the court must hear and rule on the case in an expedited manner⁸⁰; state or local government must allow certain types of expansion of existing wireless facilities⁸¹; arguments concerning the impacts of property values must be documented by an expert, testifying on the record who has conducted a study of the specific site⁸²; and Michigan requires most applications for wireless

⁷¹ Section 205(3)-205(6) of P.A. 110 of 2006, as amended, (being the Michigan Zoning Enabling Act, M.C.L. 125.3206(3)-125.3205(6)).

See also Michigan Attorney General Opinion 7269, September 27, 2012.

⁷² See *Silva v Ada Township*, 416 Mich 153 (1982); *American Aggregates Corp v Highland Twp*, 151 Mich. App. 37; and MCL 125.3205(5).

⁷³ Part 632 of P.A. 451 of 1994, as amended, (being the Nonferrous Metallic Mineral Mining part of the Michigan Natural Resources and Environmental Protection Act, (M.C.L. 324.63203(4)).

⁷⁴ Title 47, Chapter 5, Subchapter III, Section 332(c)(7) of the United States Code (47 USC Sec. 332(c)(7). (See also section 251 of P.A. 179 of 1991, as amended (the Michigan Telecommunications Act, M.C.L. 484.2251). Note that section 251 is repealed, effective December 31, 2005.)

⁷⁵ 47 U.S.C. § 332(c)(7)(B)(i)(I) (2006).

⁷⁶ 47 U.S.C. § 332(c)(7)(B)(i) (2006) and U.S. Court of Appeals Sixth Circuit (691 F.3d 794; 2012 U.S. App. LEXIS 17534, August 21, 2012).

⁷⁷ 47 U.S.C. § 332(c)(7)(B)(iv) (2006).

⁷⁸ 47 U.S.C. §§ 332(c)(7)(B)(ii)-(iii) and *City of Arlington, Texas v. Federal Communications Commission*, U.S. Supreme Court, May 20, 2013.

⁷⁹ Section 514 of P.A. 110 of 2006, as amended, (being the Michigan Zoning Enabling Act, M.C.L. 125.3514).

⁸⁰ 47 U.S.C. § 332(c)(7)(B)(v).

⁸¹ Public Law 112-96—Feb. 22, 2012; 126 U.S.C. 156 and FCC Public Notice DA 12-2047 “Wireless Telecommunications Bureau Offers Guidance on Interpretation of Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012”; January 25, 2013.

⁸² Donna J. Pugh; FOLEY & LARDNER LLP, Chicago office, presenting at the APA national conference, April 15, 2013.

facilities to be a permitted use in the local zoning ordinance with two exceptions as well as state decision deadlines.⁸³

- F. Regulation that (1) unreasonably delay or prevent installation, maintenance or use; (2) unreasonably increase the cost of installation, maintenance or use; or (3) preclude reception of an acceptable quality signal of customer-end antennas to receive signals⁸⁴ (e.g., “dish” antenna one meter or less in diameter,⁸⁵ direct-to-home satellite service, receive or transmit fixed wireless signals, video programming via broadband radio service (wireless cable) and wireless signals, and antenna designed to receive local television broadcasts). Clearly-defined local regulation exclusively for safety (e.g., securely fastened down), historic site protection are exceptions, and may be locally regulated. This does not apply to local AM/FM radio reception antennas, satellite, wireless, WiFi, broadband, amateur “ham” radio,⁸⁶ CB radio, Digital Audio Radio Services “DARS” antennas.)
- G. A local unit of government may regulate the hours of use of fireworks so long as the regulation does not apply to certain holidays and times identified by the Michigan Fireworks Safety Act. The ignition, discharge, and use of consumer fireworks cannot be regulated at certain times around New Years Eve/Day, Memorial Day, July 4th (week of), and Labor Day.⁸⁷
- H. Beginning August 1, 2019, a local unit of government with a population of 100,000 or more or a local unit of government located in a county with a population of 750,000 or more may enact or enforce an ordinance that regulates the use of a temporary structure used in the sale, display, storage, transportation or distribution of fireworks.⁸⁸ A temporary structure includes, but is not limited to, a tent or stand. An ordinance established under this subsection may include, but is not limited to, a restriction on the number of permits issued for a temporary structure, regulation of the distance required between 2 or more temporary structures, or a zoning ordinance that regulates the use of a temporary structure. An ordinance established under this subsection may not prohibit the temporary storage, transportation, or distribution of fireworks by a consumer fireworks certificate holder at a retail location that is a permanent building or structure.⁸⁹
- I. Activity at a publically owned airport under control of an airport authority created by the Airport Authorities Act (Capital Regional Airport in Lansing) which are aeronautical uses are exempt from

⁸³ Section 514 of P.A. 110 of 2006, as amended, (being the Michigan Zoning Enabling Act, M.C.L. 125.3514).

⁸⁴ Section 207 of Public Law 104-104 (Title 47, Chapter 5, Subchapter III, Part I, Section 303 of the United States Code (47 USC Sec. 303), the Communications Act of 1934, as amended); and rules adopted by the Federal Communications Commission (rule 47 C.F.R. Section 1.4000) See: <http://www.fcc.gov/guides/over-air-reception-devices-rule>.

See also U.S. Federal Communications Commission Information Sheet (Dec. 2007), <http://www.fcc.gov/mb/facts/otard.html>, and http://www.hindmansanchez.com/docs/fcc_otard_rule_questions_and_answers_05240652.pdf.

⁸⁵ Title 47, Chapter 5, Subchapter III, Section 303(v) of the United States Code (47 USC Sec. 303) and Federal Communications Commission administrative rules (47 USC Sec. 210(c)).

⁸⁶ But see 47 C.F.R. §97.15.

⁸⁷ Act 635 of 2018, as amended (being the Michigan Fireworks Safety Act, M.C.L. 28.457 (2)) If a local unit of government enacts an ordinance under this subsection, the ordinance shall not regulate the ignition, discharge, or use of consumer fireworks on the following days after 11 a.m.: (a) December 31 until 1 a.m. on January 1 (b) The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days (c) June 29 to July 4 until 11:45 p.m. on each of those days (d) July 5, if that date is a Friday or Saturday, until 11:45 p.m. (e) The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

⁸⁸ M.C.L. 28.457 (4)

⁸⁹ M.C.L. 24.457 (4)

47 USC 332: Mobile services

Text contains those laws in effect on January 7, 2025

From Title 47-TELECOMMUNICATIONS

CHAPTER 5-WIRE OR RADIO COMMUNICATION

SUBCHAPTER III-SPECIAL PROVISIONS RELATING TO RADIO

Part I-General Provisions

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§332. Mobile services**(a) Factors which Commission must consider**

In taking actions to manage the spectrum to be made available for use by the private mobile services, the Commission shall consider, consistent with section 151 of this title, whether such actions will-

- (1) promote the safety of life and property;
- (2) improve the efficiency of spectrum use and reduce the regulatory burden upon spectrum users, based upon sound engineering principles, user operational requirements, and marketplace demands;
- (3) encourage competition and provide services to the largest feasible number of users; or
- (4) increase interservice sharing opportunities between private mobile services and other services.

(b) Advisory coordinating committees

(1) The Commission, in coordinating the assignment of frequencies to stations in the private mobile services and in the fixed services (as defined by the Commission by rule), shall have authority to utilize assistance furnished by advisory coordinating committees consisting of individuals who are not officers or employees of the Federal Government.

(2) The authority of the Commission established in this subsection shall not be subject to or affected by the provisions of part III of title 5 or section 1342 of title 31.

(3) Any person who provides assistance to the Commission under this subsection shall not be considered, by reason of having provided such assistance, a Federal employee.

(4) Any advisory coordinating committee which furnishes assistance to the Commission under this subsection shall not be subject to the provisions of chapter 10 of title 5.

(c) Regulatory treatment of mobile services**(1) Common carrier treatment of commercial mobile services**

(A) A person engaged in the provision of a service that is a commercial mobile service shall, insofar as such person is so engaged, be treated as a common carrier for purposes of this chapter, except for such provisions of subchapter II as the Commission may specify by regulation as inapplicable to that service or person. In prescribing or amending any such regulation, the Commission may not specify any provision of section 201, 202, or 208 of this title, and may specify any other provision only if the Commission determines that-

- (i) enforcement of such provision is not necessary in order to ensure that the charges, practices, classifications, or regulations for or in connection with that service are just and reasonable and are not unjustly or unreasonably discriminatory;
- (ii) enforcement of such provision is not necessary for the protection of consumers; and
- (iii) specifying such provision is consistent with the public interest.

(B) Upon reasonable request of any person providing commercial mobile service, the Commission shall order a common carrier to establish physical connections with such service pursuant to the provisions of section 201 of this title. Except to the extent that the Commission is required to respond to such a request, this subparagraph shall not be construed as a limitation or expansion of the Commission's authority to order interconnection pursuant to this chapter.

(C) As a part of making a determination with respect to the public interest under subparagraph (A)(iii), the Commission shall consider whether the proposed regulation (or amendment thereof) will promote competitive market conditions, including the extent to which such regulation (or amendment) will enhance competition among providers of commercial mobile services. If the Commission determines that such regulation (or amendment) will promote competition among providers of commercial mobile services, such determination may be the basis for a Commission finding that such regulation (or amendment) is in the public interest.

(D) The Commission shall, not later than 180 days after August 10, 1993, complete a rulemaking required to implement this paragraph with respect to the licensing of personal communications services, including making any determinations required by subparagraph (C).

(2) Non-common carrier treatment of private mobile services

A person engaged in the provision of a service that is a private mobile service shall not, insofar as such person is so engaged, be treated as a common carrier for any purpose under this chapter. A common carrier (other than a person that was treated as a provider of a private land mobile service prior to August 10, 1993) shall not provide any dispatch service on any frequency allocated for common carrier service, except to the extent such dispatch service is provided on stations licensed in the domestic public land mobile radio service before January 1, 1982. The Commission may by regulation terminate, in whole or in part, the prohibition contained in the preceding sentence if the Commission determines that such termination will serve the public interest.

(3) State preemption

(A) Notwithstanding sections 152(b) and 221(b) of this title, no State or local government shall have any authority to regulate the entry of or the rates charged by any commercial mobile service or any private mobile service, except that this paragraph shall not prohibit a State from regulating the other terms and conditions of commercial mobile services. Nothing in this subparagraph shall exempt providers of commercial mobile services (where such services are a substitute for land line telephone exchange service for a substantial portion of the communications within such State) from requirements imposed by a State commission on all providers of telecommunications services necessary to ensure the universal availability of telecommunications service at affordable rates. Notwithstanding the first sentence of this subparagraph, a State may petition the Commission for authority to regulate the rates for any commercial mobile service and the Commission shall grant such petition if such State demonstrates that-

- (i) market conditions with respect to such services fail to protect subscribers adequately from unjust and unreasonable rates or rates that are unjustly or unreasonably discriminatory; or
- (ii) such market conditions exist and such service is a replacement for land line telephone exchange service for a substantial portion of the telephone land line exchange service within such State.

The Commission shall provide reasonable opportunity for public comment in response to such petition, and shall, within 9 months after the date of its submission, grant or deny such petition. If the Commission grants such petition, the Commission shall authorize the State to exercise under State law such authority over rates, for such periods of time, as the Commission deems necessary to ensure that such rates are just and reasonable and not unjustly or unreasonably discriminatory.

(B) If a State has in effect on June 1, 1993, any regulation concerning the rates for any commercial mobile service offered in such State on such date, such State may, no later than 1 year after August 10, 1993, petition the Commission requesting that the State be authorized to continue exercising authority over such rates. If a State files such a petition, the State's existing regulation shall, notwithstanding subparagraph (A), remain in effect until the Commission completes all action (including any reconsideration) on such petition. The Commission shall review such petition in accordance with the procedures established in such subparagraph, shall complete all action (including any reconsideration) within 12 months after such petition is filed, and shall grant such petition if the State satisfies the showing required under subparagraph (A)(i) or (A)(ii). If the Commission grants such petition, the Commission shall authorize the State to exercise under State law such authority over rates, for such period of time, as the Commission deems necessary to ensure that such rates are just and reasonable and not unjustly or unreasonably discriminatory. After a reasonable period of time, as determined by the Commission, has elapsed from the issuance of an order under subparagraph (A) or this subparagraph, any interested party may petition the Commission for an order that the exercise of authority by a State pursuant to such subparagraph is no longer necessary to ensure that the rates for commercial mobile services are just and reasonable and not unjustly or unreasonably discriminatory. The Commission shall provide reasonable opportunity for public comment in response to such petition, and shall, within 9 months after the date of its submission, grant or deny such petition in whole or in part.

(4) Regulatory treatment of communications satellite corporation

Nothing in this subsection shall be construed to alter or affect the regulatory treatment required by title IV of the Communications Satellite Act of 1962 [47 U.S.C. 741 et seq.] of the corporation authorized by title III of such Act [47 U.S.C. 731 et seq.].

(5) Space segment capacity

Nothing in this section shall prohibit the Commission from continuing to determine whether the provision of space segment capacity by satellite systems to providers of commercial mobile services shall be treated as common carriage.

(6) Foreign ownership

The Commission, upon a petition for waiver filed within 6 months after August 10, 1993, may waive the application of section 310(b) of this title to any foreign ownership that lawfully existed before May 24, 1993, of any provider of a private land mobile service that will be treated as a common carrier as a result of the enactment of the Omnibus Budget Reconciliation Act of 1993, but only upon the following conditions:

(A) The extent of foreign ownership interest shall not be increased above the extent which existed on May 24, 1993.

(B) Such waiver shall not permit the subsequent transfer of ownership to any other person in violation of section 310(b) of this title.

(7) Preservation of local zoning authority

(A) General authority

Except as provided in this paragraph, nothing in this chapter shall limit or affect the authority of a State or local government or instrumentality thereof over decisions regarding the placement, construction, and modification of personal wireless service facilities.

(B) Limitations

(i) The regulation of the placement, construction, and modification of personal wireless service facilities by any State or local government or instrumentality thereof-

(I) shall not unreasonably discriminate among providers of functionally equivalent services; and

(II) shall not prohibit or have the effect of prohibiting the provision of personal wireless services.

(ii) A State or local government or instrumentality thereof shall act on any request for authorization to place, construct, or modify personal wireless service facilities within a reasonable period of time after the request is duly filed with such government or instrumentality, taking into account the nature and scope of such request.

(iii) Any decision by a State or local government or instrumentality thereof to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record.

(iv) No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions.

(v) Any person adversely affected by any final action or failure to act by a State or local government or any instrumentality thereof that is inconsistent with this subparagraph may, within 30 days after such action or failure to act, commence an action in any court of competent jurisdiction. The court shall hear and decide such action on an expedited basis. Any person adversely affected by an act or failure to act by a State or local government or any instrumentality thereof that is inconsistent with clause (iv) may petition the Commission for relief.

(C) Definitions

For purposes of this paragraph-

(i) the term "personal wireless services" means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services;

(ii) the term "personal wireless service facilities" means facilities for the provision of personal wireless services; and

(iii) the term "unlicensed wireless service" means the offering of telecommunications services using duly authorized devices which do not require individual licenses, but does not mean the provision of direct-to-home satellite services (as defined in section 303(v) of this title).

(8) Mobile services access

A person engaged in the provision of commercial mobile services, insofar as such person is so engaged, shall not be required to provide equal access to common carriers for the provision of telephone toll services. If the Commission determines that subscribers to such services are denied access to the provider of telephone toll services of the subscribers' choice, and that such denial is contrary to the public interest, convenience, and necessity, then the Commission shall prescribe regulations to afford subscribers unblocked access to the provider of telephone toll services of the subscribers' choice through the use of a carrier identification code assigned to such provider or other mechanism. The requirements for unblocking shall not apply to mobile satellite services unless the Commission finds it to be in the public interest to apply such requirements to such services.

(d) Definitions

For purposes of this section-

(1) the term "commercial mobile service" means any mobile service (as defined in section 153 of this title) that is provided for profit and makes interconnected service available (A) to the public or (B) to such classes of eligible users as to be effectively available to a substantial portion of the public, as specified by regulation by the Commission;

(2) the term "interconnected service" means service that is interconnected with the public switched network (as such terms are defined by regulation by the Commission) or service for which a request for interconnection is pending pursuant to subsection (c)(1)(B); and

(3) the term "private mobile service" means any mobile service (as defined in section 153 of this title) that is not a commercial mobile service or the functional equivalent of a commercial mobile service, as specified by regulation by the Commission.

(June 19, 1934, ch. 652, title III, §332, formerly §331, as added Pub. L. 97-259, title I, §120(a), Sept. 13, 1982, 96 Stat. 1096 ; renumbered §332, Pub. L. 102-385, §25(b), Oct. 5, 1992, 106 Stat. 1502 ; amended Pub. L. 103-66, title VI,

§6002(b)(2)(A), Aug. 10, 1993, 107 Stat. 392 ; Pub. L. 104–104, §3(d)(2), title VII, §§704(a), 705, Feb. 8, 1996, 110 Stat. 61 , 151, 153; Pub. L. 115–141, div. P, title IV, §402(g), Mar. 23, 2018, 132 Stat. 1089 ; Pub. L. 117–286, §4(a) (296), Dec. 27, 2022, 136 Stat. 4338 .)

EDITORIAL NOTES

REFERENCES IN TEXT

Provisions of part III of title 5, referred to in subsec. (b)(2), are classified to section 2101 et seq. of Title 5, Government Organization and Employees.

This chapter, referred to in subsec. (c), was in the original "this Act", meaning act [June 19, 1934, ch. 652](#), 48 Stat. 1064 , known as the Communications Act of 1934, which is classified principally to this chapter. For complete classification of this Act to the Code, see section 609 of this title and Tables.

The Communications Satellite Act of 1962, referred to in subsec. (c)(4), is Pub. L. 87–624, [Aug. 31, 1962](#), 76 Stat. 419 . Titles III and IV of the Act are classified generally to subchapters III (§731 et seq.) and IV (§741 et seq.), respectively, of chapter 6 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 701 of this title and Tables.

The Omnibus Budget Reconciliation Act of 1993, referred to in subsec. (c)(6), is Pub. L. 103–66, [Aug. 10, 1993](#), 107 Stat. 312 . For complete classification of this Act to the Code, see Tables.

CODIFICATION

In subsec. (b)(2), "section 1342 of title 31" substituted for "section 3679(b) of the Revised Statutes (31 U.S.C. 665(b))" on authority of Pub. L. 97–258, [§4\(b\), Sept. 13, 1982](#), 96 Stat. 1067 , the first section of which enacted Title 31, Money and Finance.

AMENDMENTS

2022-Subsec. (b)(4). Pub. L. 117–286 substituted "chapter 10 of title 5." for "the Federal Advisory Committee Act."

2018-Subsec. (c)(1)(C). Pub. L. 115–141 struck out first and second sentences which read as follows: "The Commission shall review competitive market conditions with respect to commercial mobile services and shall include in its annual report an analysis of those conditions. Such analysis shall include an identification of the number of competitors in various commercial mobile services, an analysis of whether or not there is effective competition, an analysis of whether any of such competitors have a dominant share of the market for such services, and a statement of whether additional providers or classes of providers in those services would be likely to enhance competition."

1996-Subsec. (c)(7). Pub. L. 104–104, §704(a), added par. (7).

Subsec. (c)(8). Pub. L. 104–104, §705, added par. (8).

Subsec. (d)(1), (3). Pub. L. 104–104, §3(d)(2), substituted "section 153" for "section 153(n)".

1993-Pub. L. 103–66 struck out "Private land" before "mobile services" in section catchline, struck out "land" before "mobile services" wherever appearing in subsecs. (a) and (b), added subsecs. (c) and (d), and struck out former subsec. (c) which related to service provided by specialized mobile radio, multiple licensed radio dispatch systems, and other radio dispatch systems; common carriers; and rate or entry regulations.

STATUTORY NOTES AND RELATED SUBSIDIARIES

EFFECTIVE DATE OF 1993 AMENDMENT

Pub. L. 103–66, [title VI, §6002\(c\), Aug. 10, 1993](#), 107 Stat. 396 , provided that:

"(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section [amending this section and sections 152, 153, and 309 of this title] are effective on the date of enactment of this Act [Aug. 10, 1993].

"(2) EFFECTIVE DATES OF MOBILE SERVICE AMENDMENTS.—The amendments made by subsection (b)(2) [amending this section and sections 152 and 153 of this title] shall be effective on the date of enactment of this Act [Aug. 10, 1993], except that—

"(A) section 332(c)(3)(A) of the Communications Act of 1934 [subsec. (c)(3)(A) of this section], as amended by such subsection, shall take effect 1 year after such date of enactment; and

"(B) any private land mobile service provided by any person before such date of enactment, and any paging service utilizing frequencies allocated as of January 1, 1993, for private land mobile services, shall, except for purposes of section 332(c)(6) of such Act [subsec. (c)(6) of this section], be treated as a private mobile service until 3 years after such date of enactment."

AVAILABILITY OF PROPERTY

Pub. L. 104–104, [title VII, §704\(c\)](#), [Feb. 8, 1996](#), 110 Stat. 152 , provided that: "Within 180 days of the enactment of this Act [Feb. 8, 1996], the President or his designee shall prescribe procedures by which Federal departments and agencies may make available on a fair, reasonable, and nondiscriminatory basis, property, rights-of-way, and easements under their control for the placement of new telecommunications services that are dependent, in whole or in part, upon the utilization of Federal spectrum rights for the transmission or reception of such services. These procedures may establish a presumption that requests for the use of property, rights-of-way, and easements by duly authorized providers should be granted absent unavoidable direct conflict with the department or agency's mission, or the current or planned use of the property, rights-of-way, and easements in question. Reasonable fees may be charged to providers of such telecommunications services for use of property, rights-of-way, and easements. The Commission shall provide technical support to States to encourage them to make property, rights-of-way, and easements under their jurisdiction available for such purposes."

TRANSITIONAL RULEMAKING FOR MOBILE SERVICE PROVIDERS

Pub. L. 103–66, [title VI, §6002\(d\)\(3\)](#), [Aug. 10, 1993](#), 107 Stat. 397 , provided that: "Within 1 year after the date of enactment of this Act [Aug. 10, 1993], the Federal Communications Commission-

"(A) shall issue such modifications or terminations of the regulations applicable (before the date of enactment of this Act) to private land mobile services as are necessary to implement the amendments made by subsection (b)(2) [amending this section and sections 152 and 153 of this title];

"(B) in the regulations that will, after such date of enactment, apply to a service that was a private land mobile service and that becomes a commercial mobile service (as a consequence of such amendments), shall make such other modifications or terminations as may be necessary and practical to assure that licensees in such service are subjected to technical requirements that are comparable to the technical requirements that apply to licensees that are providers of substantially similar common carrier services;

"(C) shall issue such other regulations as are necessary to implement the amendments made by subsection (b)(2); and

"(D) shall include, in such regulations, modifications, and terminations, such provisions as are necessary to provide for an orderly transition."



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

Adaptive Re-use of Former TJ Max tenant space into **Ollie's Bargain Outlet**

APPLICANT INFORMATION

Name:	Ollie's Bargain Outlet		
Address:	6295 Allentown Blvd., Suite 1, Harrisburg PA		
Phone Number:	248-255-8984		
Email:			

AGENT INFORMATION

Name:	Frank Meyers (GFM Architecture, LLC)		
Address:	1201 S Purpera Ave, STE 301, Gonzales, LA		
Phone Number:	225-754-4345		
Email:	office@gfmarch.com		

OWNER INFORMATION

Name:	Eddie Bowles (GRAND TRAVERSE MALL LLC/BROOKFIELD)		
Address:	350 N. Orleans St, STE 300, Chicago, IL		
Phone Number:	312-960-2822		
Email:	edward.bowles@bpretail.com		

CONTACT PERSON

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

Applicant:

Agent:

Owner:

Frank Meyers

PROPERTY INFORMATION

Property Address:

3350 W South Alrport Rd, Traverse City, MI 49684

Property Identification Number:

05-021-015-00

Legal Description:

Zoning District:

Planned Shopping

Master Plan Future Land Use Designation:

Mixed Use Center

Area of Property (acres or square feet):

4,701,669.77

Existing Use(s):

Mercantile Tenant

Proposed Use(s):

Mercantile Tenant

PROJECT TIMELINE

Estimated Start Date:

Estimated Completion Date:

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>			
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. <u>Water Service</u>			
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			
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 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 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 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 type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Are private roads or interior drives proposed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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. | | | |

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:

 Edward Bowles, Sr Director Tenant Coordination, Brookfield Properties

Applicant Signature:

 , Keith A. Thompson, Ollie's Burgin & Het

Agent Signature:

 Galen F. Meyers, AIA, Architect

Date:

OWNER'S AUTHORIZATION

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

I/We Edward Bowles 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:

1/6/2025

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:

1/6/2025

Applicant Signature:



Date:

01/06/2025

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

Ollie's Bargain Outlet Proposed Use of Former TJ Maxx Tenant Space.

Ollie's Bargain Outlet plans include adaptive re-use of existing mercantile tenant space. Alterations for this space are minimal, with most utilities, partitions, and sales floor to be used as-is with new finishes.

Occupancy is to be same as previous, type M mercantile.

Sales floor is to remain as is in terms of size and location.

For your consideration:

Ollie's will be a new mercantile tenant located in the former anchor location. Due to Ollie's store layout and process by which patrons are welcomed, and purchase products the following adaptations are proposed:

1.) Provide new exterior entrance to anchor location as typical in Mall locations so as to facilitate direct access from parking area provided.

2.) Ollie's utilizes a queue system at checkout which requires all patrons to proceed in an organized manner to the next available register located at the main entrance / access.

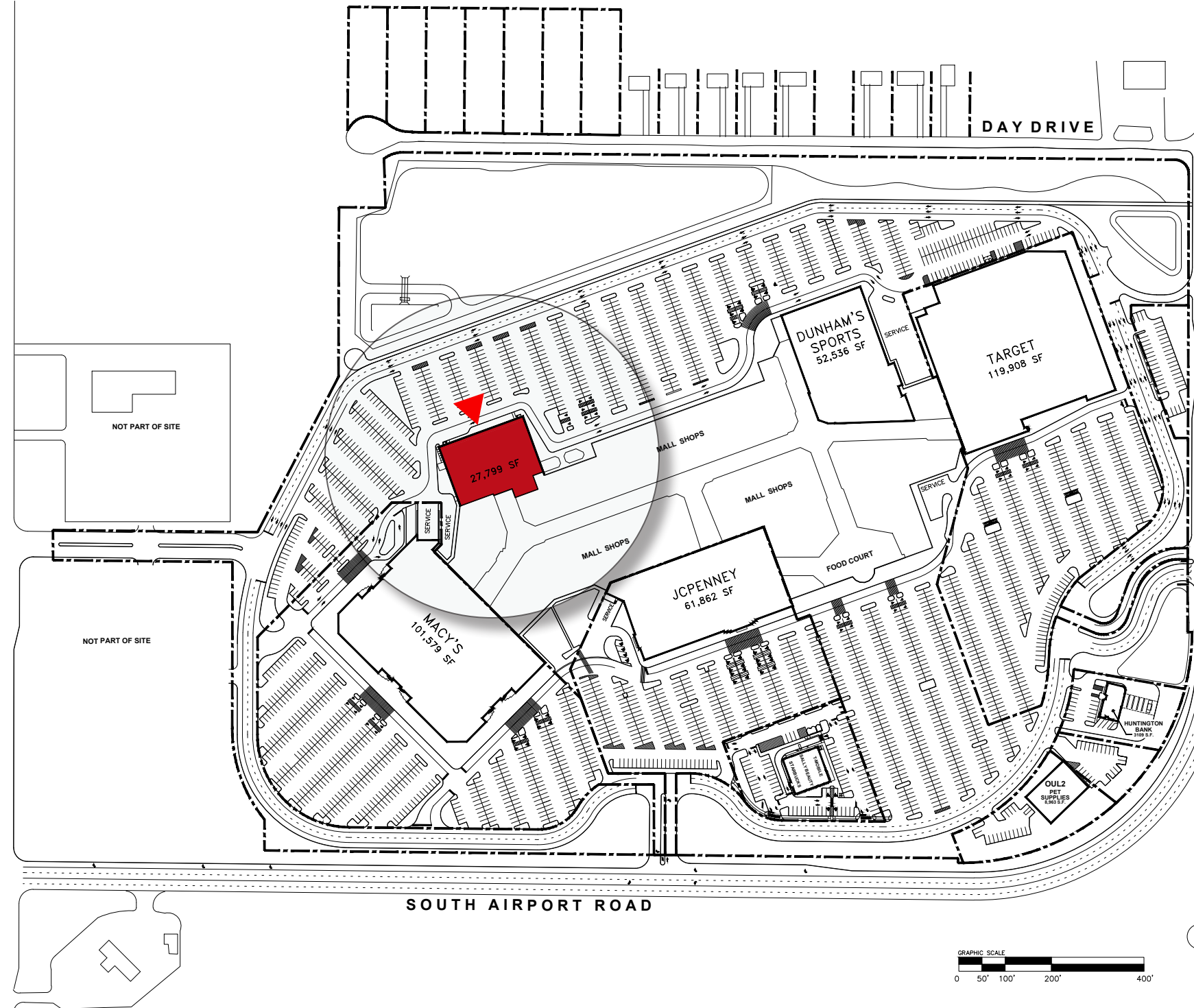
a.) The main access for the store will be the direct access to the exterior parking.

b.) All Ollie's locations typically have one entrance and exit, requiring the removal of the mall concourse entrance. The purpose of this store design is two-fold:

1. Diversity of products sold require all space provided to be utilized.

2. Security - loss prevention. Multiple large exits combined with the previous notation of products make layout difficult.

US 31 & MS 37 HIGHWAYS



Benefit of Proposed Layout

The decline of shopping malls nationally presents a significant challenge, but innovative strategies like integrating outdoor shopping areas with existing interior spaces offer a promising solution. This approach enhances accessibility for customers and creates opportunities to attract new tenants, ultimately extending the lifespan of malls.

For instance, a mall we worked on in Valdosta, Georgia, experienced a significant increase in traffic after incorporating an outdoor shopping component. Customers appreciate the convenience of accessing anchor stores directly from the exterior, while the outdoor space also draws them into the interior food court and other shops. This revitalization strategy has generated renewed interest and extended the viability of the mall.

While the provided example from our site documentation, showing customer activity on a Wednesday morning in a less populated area, offers a snapshot of the mall's success, further data and analysis would strengthen the argument.

All stores shown in the image do not have direct access to the mall concourse.



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GRAND TRAVERSE
MALL

Box Store Concept

Grand Traverse Mall, Traverse City, MI

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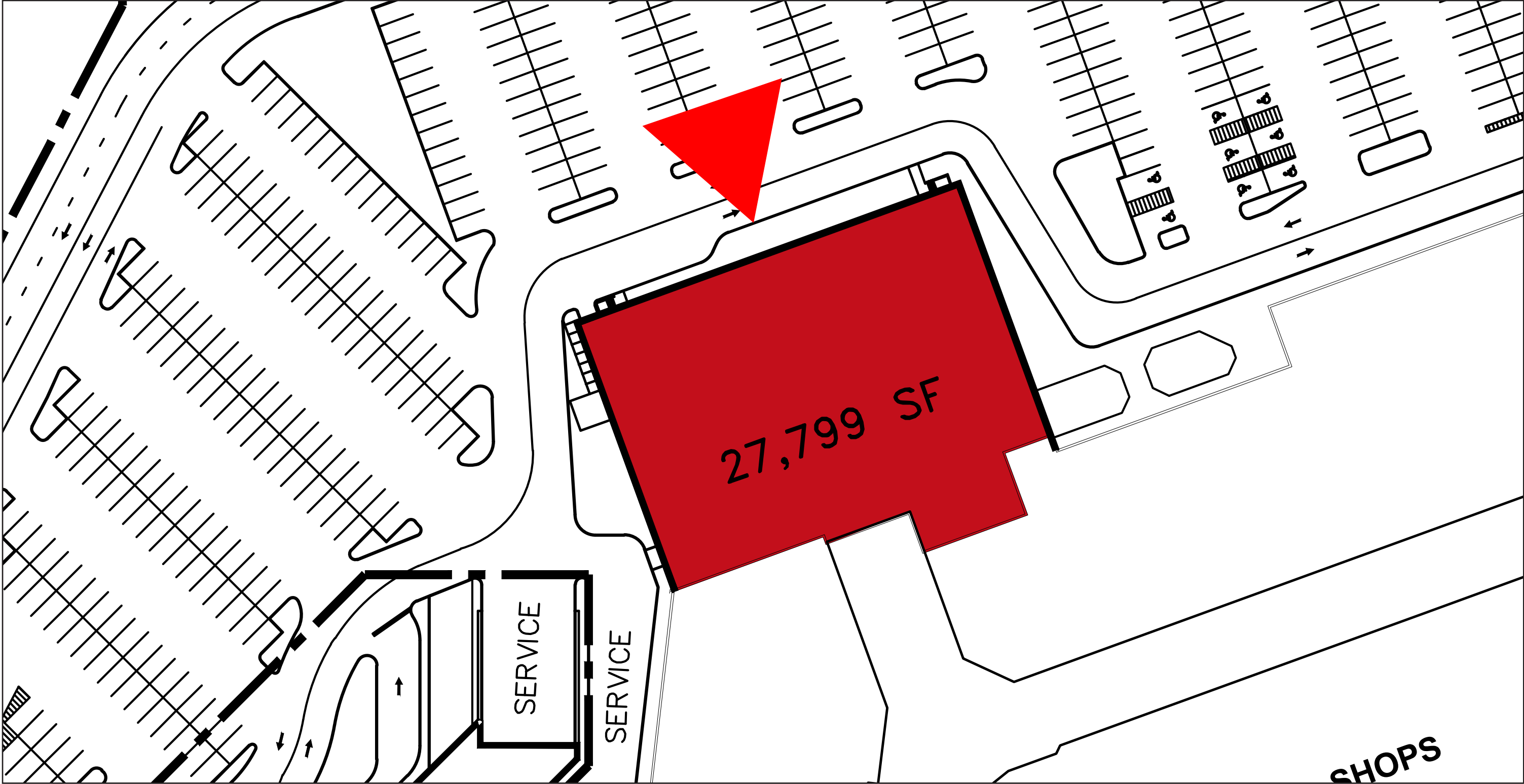
Retail Design and Development

Sr Dir, Leasing - Big Box: Brian Tader

Retail Design: Austin Wyeth

Submittal Date: 10.24.2023





Detailed Plan View 3

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GRAND TRAVERSE MALL

Box Store Concept

Grand Traverse Mall, Traverse City, MI

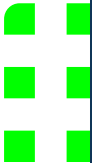
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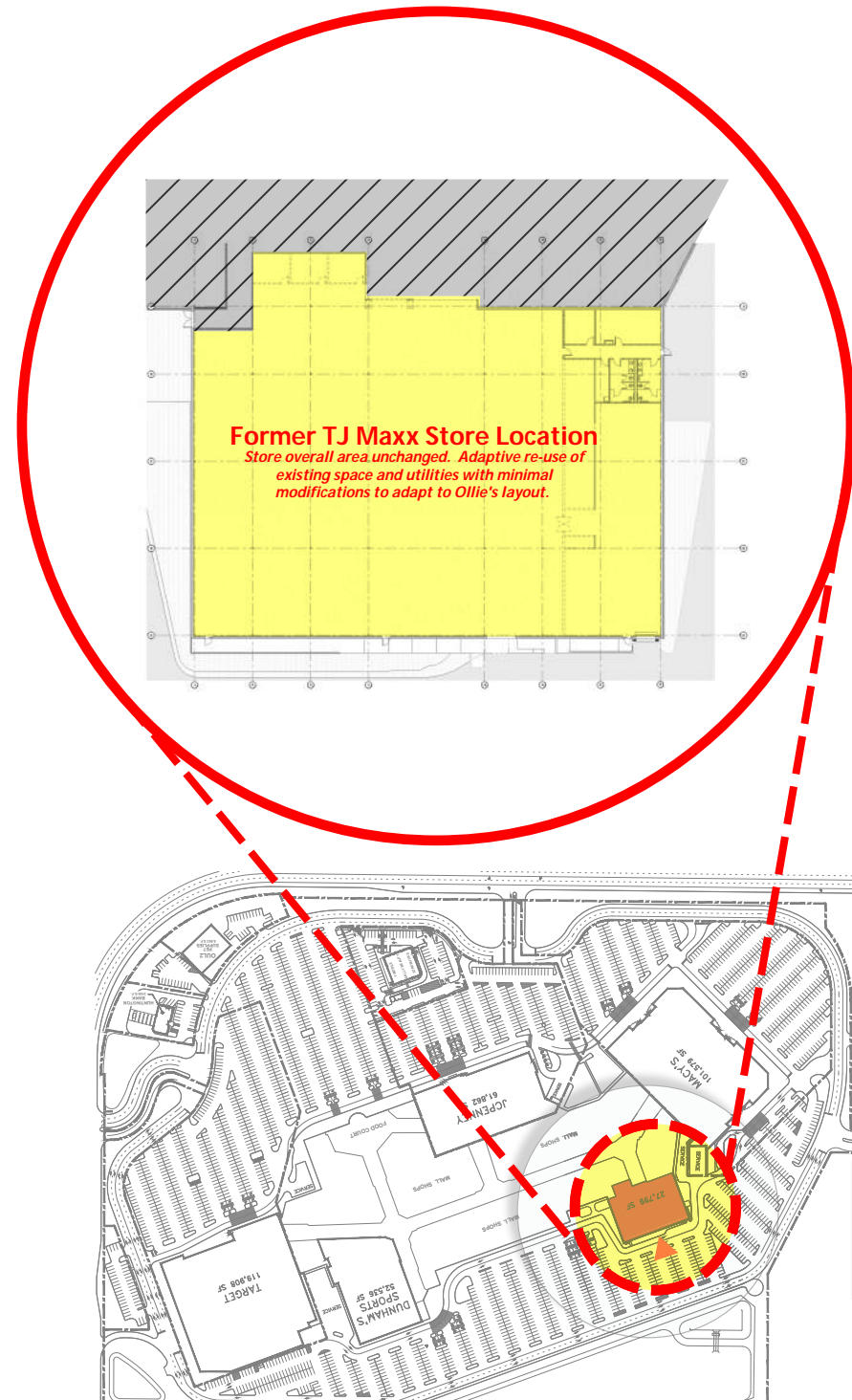
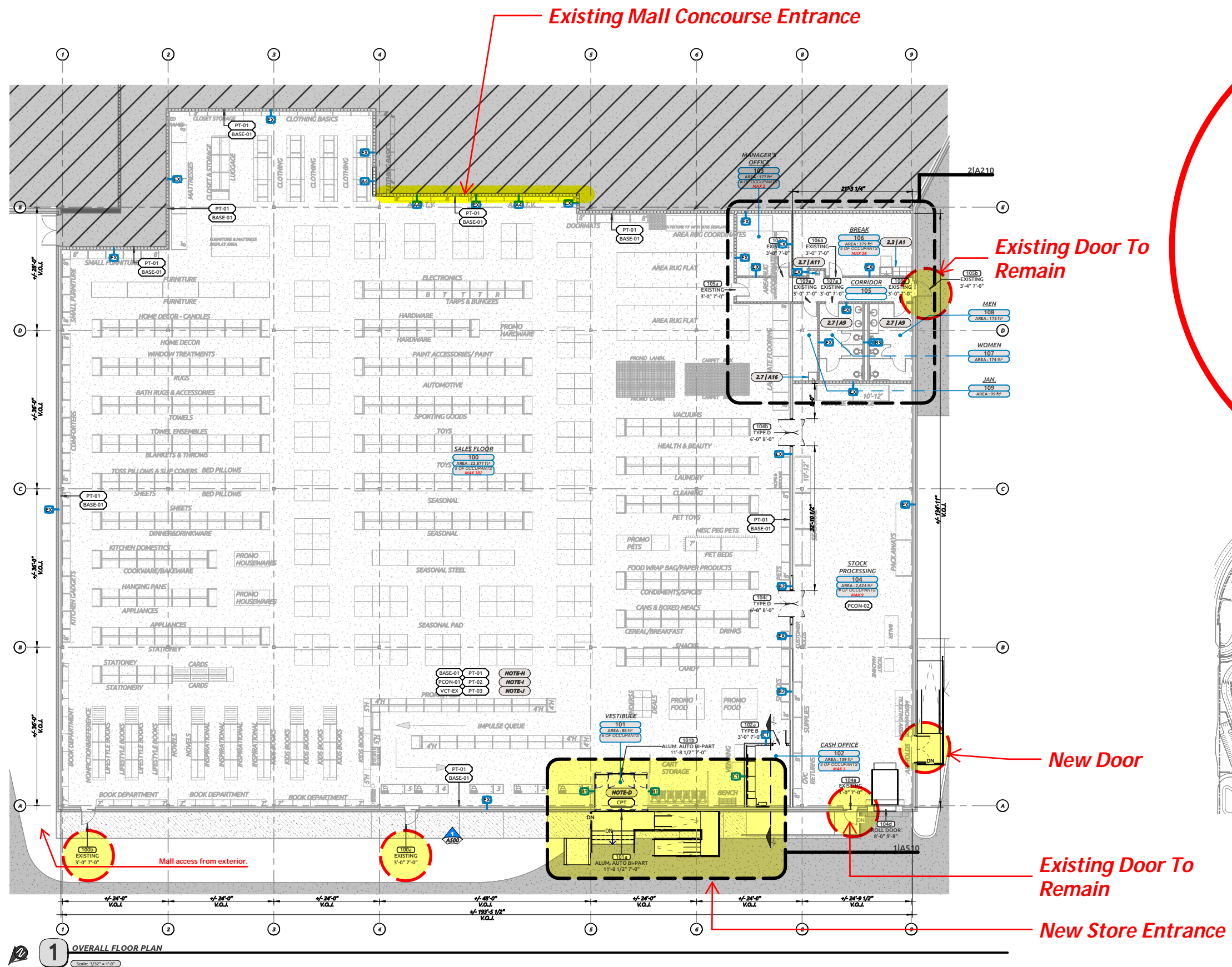
Retail Design and Development

Sr Dir, Leasing - Big Box: Brian Tader

Retail Design: Austin Wyeth

Submittal Date: 10.24.2023





**GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH
SOIL EROSION AND SEDIMENTATION CONTROL
SITE DETERMINATION FORM**

PART 91, SOIL EROSION & SEDIMENTATION CONTROL, ACT 451 OF 1994,
AS AMENDED & GTCHD SOIL EROSION SEDIMENTATION CONTROL ORDINANCE

Office Use Only	Amount: \$ 25.00
	Receipt #: 101412024
	Received By: CMB

NOV 20 2024

Environmental Health

Project Type: ☐ Residential ☒ Commercial

Project Address: 3350 3200 W SOUTH AIRPORT RD City, Zip: TRAVERSE CITY, MI 49684

Tax #: 05-021-015-00 Twp: GARFIELD TOWNSHIP Section: 21

Subdivision: Lot: 21

Size of Earth Change: 260 sq. ft Start Date: 1/2/25 Completion Date: 3/26/25

Name & Distance to Nearest Surface Water, Wetland or Drain:

Describe Project: TENANT IMPROVEMENT PROJECT FOR NEW TENANT IN EXISTING BUILDING.

***** DETERMINATIONS MUST BE SUBMITTED WITH AN ACCURATE SITE PLAN OF PROPOSED WORK*****

Owner's Name: GRAND TRAVERSE MALL LLC/BROOKFIELD PROPERTY PARTNERS LP

Owner's Mailing Address: PO BOX 101042 City, State, Zip: CHICAGO, IL 60610

Owner's Phone: 312.960.5007 Owner's email: Brian.Tader@bpretail.com

Applicant (if other than owner): GALEN FRANK MEYERS

Address: 1201 S PURPERA AVE STE 301 City, State, Zip: GONZALES, LA 70737

Phone: 225.754.4345 Email: OFFICE@GFMARCH.COM

-----DEPARTMENT USE ONLY: COMPLETED BY SANITARIAN-----

THE FOLLOWING CRITERIA APPLY:

SOM PA 451, PART 91 REQUIREMENTS

- ☐ Within 500' of Lake or Stream
☐ Disturb 1 acre or more

GTCHD SESC REQUIREMENTS

- ☐ Within 500' of Regulated Wetland ☐ Slopes of 20% or greater
☐ Within 500' of a County Drain ☐ Group D Hydrologic Soils

Comments: Miller Creek 1900'S, wetland 800' N, 0-2% slope, less than one acre

☐ OFFICE REVIEW ☐ FIELD REVIEW

Based on information provided by the Land Owner, the requirement for a Soil Erosion/Sedimentation Control (SESC) Permit has been reviewed in accordance with Part 91, Act 451 of 1994 and the Grand Traverse County Soil Erosion and Sedimentation Control Ordinance, as amended. Grand Traverse County Health Department, County Enforcing Agency, has determined that a SESC Permit is:

☒ NOT REQUIRED

☐ REQUIRED


Sanitarian Reviewer: [Signature]

Date: 11/20/24

changes to the reproductive system, memory deficits, and impacts to the nervous system.

Jul 16, 2023

Received from Rick Grizzel - Jan. 6, 2025

 Environmental Health Trust
<https://ehtrust.org/health-effects-of-cell-towers-near-ho...>

Health Effects of Cell Towers Near Homes and Schools

 About featured snippets •  Feedback

People also ask :

Is it unhealthy to live close to a cell tower?

Some people have expressed concern that living, working, or going to school near a cell phone tower might increase the risk of cancer or other health problems. At this time, there isn't a lot of evidence to support this idea.

 American Cancer Society
<https://www.cancer.org/.../Radiation-Exposure>

Do Cell Phone Towers Cause Cancer?

Do cell phone towers affect health?

What are the disadvantages of a cell phone tower?

How far should you stay away from cell phone towers?

The distance needed to reduce exposures down to the General Public Precautionary Level of 100 microwatts per meter squared ($\mu\text{W}/\text{m}^2$) is often around a quarter of a mile (1320 feet or 400 meters) or more. Thus, If you find mobile towers located a minimum of 400 meters (0.24 miles) away, you are most likely safe. Nov 14, 2022

 Radia Smart
<https://radiasmart.com/blogs/latest-blog/what-is-the-...>

What is the Safe Distance From Cell Towers? - Radia Smart

How far should your house be from cell tower?

To be sure that you are reducing the exposure levels to 0.5 milligauss (mG) or less, a safety distance of 700 feet may be needed. It could be much less, but sometimes more.

 EMF Center
<https://emfcenter.com/what-distance-is-safe>

What Distance is Safe? - EMF Center

Is it bad to sleep next to your phone?

What are the cons of having cell phone towers in a residential neighborhood?

How to block cell tower radiation?

Do 5g towers have warning signs?

How far should Tower is from a house?

What is the radiation pattern of a cell tower?

the cons of having cell phone towers in a residential neighborhood are



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AI Overview

Learn more

There are several potential cons to having cell phone towers in a residential neighborhood, including:

- **Health concerns:** Some people are concerned about the potential health risks of cell tower radiation exposure. While scientific studies generally indicate that cell tower emissions are within safe limits, some research suggests that RF radiation from cell towers may be linked to:
 - Increased cancer risk
 - Cellular stress
 - Headaches
 - Sleep issues
 - Genetic damage
 - Changes to the reproductive system
 - Memory deficits
 - Impacts to the nervous system
- **Aesthetics:** Some people may find cell towers unattractive and an "eye-sore"
- **Property value:** Homes near cell towers may sell for a discount
- **Lease agreements:** Cell tower lease agreements are often long-term (25 years or more) and can be complex. Property owners may be at a disadvantage when negotiating with cell tower companies. Lease agreements may also come with restrictions on property use
- **Maintenance:** Cell towers require periodic visits from technicians
- **Disturbing neighbors:** Many people are upset when a new tower is proposed
- **Frequent calls and solicitations:** Landowners may be contacted frequently about their tower leases

Health Effects of Cell Towers Near Homes and Schools

Jul 16, 2023 — Cell towers emit a type of radiation. Cell towers have wireless antennas that emit radio frequency (RF) non-ionizing r...

Environmental Health Trust

What Are the 4 Advantages and the 4 Disadvantages of a Cell Tower Lease | Tower Advantage

Dec 8, 2019

Tower Advantage

Pros & Cons of Cell Tower Leases - Vertical Consultants

Health Concerns: Some individuals have raised concerns about potential health risks associated with cell tower radiation exposure.

Cell Tower Lease Consultants

Show all

Generative AI is experimental.

