

**CHARTER TOWNSHIP OF GARFIELD
PLANNING COMMISSION MEETING**

Wednesday, April 9, 2025 – 7:00 pm
Garfield Township Hall
3848 Veterans Drive
Traverse City, MI 49684
Ph: (231) 941-1620

A G E N D A

ORDER OF BUSINESS

Call meeting to order

Pledge of Allegiance

Roll call of Board Members

1. Public Comment

Public Comment Guidelines:

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

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

3. Minutes – March 12, 2025 and Revised February 26, 2025

4. Correspondence

5. Reports

- a. Township Board
- b. Planning Commissioners
 - i. Zoning Board of Appeals
 - ii. Parks and Recreation Commission
 - iii. Joint Planning Commission
- c. Staff Report
 - i. PD-2025-25 – Planning Department Monthly Report – April 2025

6. Unfinished Business

- a. PD-2025-29 – Gauthier Site Multi-Family Development Special Use Permit – Public Hearing

7. New Business

- a. PD-2025-30 – Scussel Property A-Agricultural Rezoning – Introduction

8. Public Comment

9. Other Business

10. Items for Next Agenda – April 23, 2025

- a. Proposed Zoning Ordinance Amendments on “Substantial Construction” Definition, Signs, and Lighting – Discussion
b. East Bay Township Beach District Plan – Review
c. 2025 Planning Commission Priorities / Master Plan Implementation Matrix

11. Adjournment

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

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

**CHARTER TOWNSHIP OF GARFIELD
PLANNING COMMISSION MEETING
March 12, 2025**

Call Meeting to Order: Chair DeGood called the March 12, 2025 Planning Commission meeting to order at 7:00pm at the Garfield Township Hall.

Pledge of Allegiance

The Pledge of Allegiance was recited by all in attendance.

Roll Call of Commission Members:

Present: Molly Agostinelli, Joe Robertson, Pat Cline, Cara Eule, Chris DeGood, and Robert Fudge

Absent and Excused: John Racine

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

1. Public Comment (7:01)

None

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

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

Yeas: Robertson, Cline, Fudge, Agostinelli, Eule, DeGood

Nays: None

3. Minutes (7:02)

a. February 26, 2024 Joint Meeting with Township Board

Robertson moved and Fudge seconded to approve the February 26, 2024 Joint Meeting minutes as presented.

Yeas: Robertson, Fudge, Cline, Agostinelli, Eule, DeGood

Nays: None

4. Correspondence (7:02)

Sych noted that East Bay Township served notice that they are amending their Master Plan. A copy of a driveway permit application is also included for the proposed cell tower.

5. Reports (7:03)

Township Board Report

Agostinelli stated that talks with the City regarding the water are moving along and four outstanding permits have been issued to the developers.

Planning Commissioners

- i. Zoning Board of Appeals**
Fudge declared that there was no meeting.
- ii. Parks and Recreation Commission**
DeGood reported that there was no meeting
- iii. Joint Planning Commission**
Agostinelli stated that there was no meeting

Staff Report

- i. PD-2025-19 – Planning Department Monthly Report – March 2025**
Sych stated that a summary of March 2025 Planning Department activities was included in meeting packets and he has been named to the Airport Zoning Commission which is developing a land use plan for the 10 mile radius around the airport. Hannon noted that he is continuing the GIS database of streetlights in the township.

6. Unfinished Business

- a. PD 2025-20 – Tower North Wireless Communication Facility SUP – Follow Up (7:07)**

This application requests a Special Use Permit (SUP) for a wireless communication facility (cell tower) at 2767 Zimmerman Road. The applicants propose a 155-foot-tall monopole tower with associated antenna equipment within a fenced-in compound. Wireless communication facilities are permitted via SUP in the A-Agricultural zoning district. Hannon said that staff has drafted Findings of Fact for commissioner review. The permit for a driveway was submitted to the Road Commission but is intended to be for authorized personnel only.

Robertson moved and Cline seconded THAT the Findings of Fact for application SUP-2024-02, as presented in Planning Department Report 2025-20 and being made a part of this motion, BE ADOPTED.

*Yeas: Robertson, Cline, Eule, Agostinelli, Fudge, DeGood
Nays: None*

*Robertson moved and Cline seconded THAT application SUP-2024-02, submitted by TowerNorth Development, LLC for a Special Use Permit for a wireless communication facility at 2767 Zimmerman Road, on a portion of Parcel #05-019-001-00, BE APPROVED, subject to the following conditions (1-6 as indicated in Planning Department Report 2025-20):
1. The access drive shall only be available for use by authorized personnel.*

2. *An updated site plan shall be submitted with additional landscaping to provide screening along the south lot line, in accordance with the landscaping requirements of the Zoning Ordinance.*
3. *All final reviews from agencies with jurisdiction shall be provided prior to a Land Use Permit being issued.*
4. *All proposed site improvements shall be installed prior to the issuance of a Certificate of Occupancy.*
5. *The applicant shall record promptly the Report and Decision Order (RDO) and any amendment to such order with the Grand Traverse County Register of Deeds in the chain of title for each parcel or portion thereof to which the RDO pertains. A copy of each recorded document shall be filed with the Director of Planning within thirty (30) days of final approval by the Township or approval shall be considered to have expired.*
6. *An updated site plan shall be provided with an elevation sketch of the ground equipment and shelter to demonstrate that they are less than 15 feet in height.*

Yeas: Robertson, Cline, Eule, Fudge, Agostinelli, DeGood

Nays: None

b. PD 2025-22 – Ollie’s Bargain Outlet – C-P District Site Plan Review – Follow-up (7:16)

The site is located at 3350 W South Airport Road at the Grand Traverse Mall and is the tenant space for the former TJ Maxx store. The tenant space is approximately 27,799 square feet in floor area. The proposed Ollie’s Bargain Outlet is another retail use which is proposed to occupy this tenant space. While there is no change in use, the proposed renovation of the tenant space will create a new entrance to the Grand Traverse Mall from the outside. Grand Traverse Mall representative Eddie Bowles said that Ollie’s wanted a separate outdoor entrance due to the large flatbed carts provided for shoppers which would be a danger in the mall area. He spoke regarding the inside access to the space and discussed options to close off that particular inside corridor. He discussed the outdoor entrance to Ollie’s and where it would ideally be located. Commissioners discussed the parking lot as it pertained to the entry and the proposed outdoor stairwell that Ollie’s proposes as well as the surrounding sidewalk area. Signage was also briefly discussed and Sych noted that signage was a separate permit.

Robertson moved and Agostinelli seconded THAT application SPR-2025-01, submitted by Frank Meyers for a retail outlet and new entrance to the Grand Traverse Mall on parcel 05-021-015-00 located at 3350 W. South Airport Road, BE APPROVED, subject to the following conditions:

1. *All agency reviews shall be received and deemed compliant prior to issuing a Land Use Permit or Building Permit.*

2. *All signs are subject to sign permit application and review.*
3. *An updated site plan with parking lot and curbing improvements shall be submitted for Administrative review.*

Yeas: Robertson, Agostinelli, Eule, Fudge, Cline, DeGood
Nays: None

7. New Business

a. PD 2025-22 – Gauthier Site Multi-Family Development Special Use Permit – Introduction (7:51)

Keel Capital LLC is asking for a Special Use Permit for a multi-family development located at 2105 N. US 31 South, Parcel No. 05-021-054-00. The parcel is zoned R-3 Multi-Family Residential and is about 18.98 acres. The future land use map designates this parcel as High Density residential. Will Bartlett spoke and stated that the plan was consistent with the conceptual review except they went from proposing four buildings to three. There will still be 149 units and 100% of the homes will meet the AMI threshold. This is workforce housing which will be subsidized by the Brownfield plan. Engineer Bob Verschaeve explained the topographical areas of the site. Sych talked about the traffic movements on the site and Commissioners discussed the proposed project and asked questions regarding the slopes and curbing near the parking areas.

Agostinelli moved and Cline seconded THAT application SUP-2025-01, submitted by Gosling Czubak Engineering Services, Inc., for a Special Use Permit for an apartment complex at Parcel 05-021-054-00, BE ACCEPTED, and SCHEDULED for a public hearing for the April 9, 2025 Regular Planning Commission meeting.

Yeas: Agostinelli, Cline, Fudge, Eule, Robertson, DeGood
Nays: None

8. Public Comment (8:15)

Emily Fitzgerald of Traverse City, an NMC student, asked about workforce housing and what role the township played to provide such housing.

9. Other Business

a. Election of Vice Chair (8:20)

Cline moved and Robertson seconded to appoint John Racine as Vice Chair.

Yeas: Cline, Robertson, Eule, Fudge, Agostinelli, DeGood
Nays: None

10. Items for Next Agenda – March 26, 2025 (8:22)

- a. Zoning Ordinance Amendments on “Substantial Construction” Definition, Sign and Lighting – Discussion
- b. 2025 Planning Commission Priorities/Master Plan Implementation Matrix

Robertson moved and Cline seconded to cancel the March 26, 2025 Planning Commission meeting due to potential lack of quorum.

*Yeas: Robertson, Cline, Fudge, Agostinelli, Eule, DeGood
Nays: None*

11. Adjournment

Fudge moved to adjourn the meeting at 8:24pm.

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

**CHARTER TOWNSHIP OF GARFIELD
JOINT TOWNSHIP BOARD AND PLANNING COMMISSION MEETING
February 26, 2025**

Call Meeting to Order: Supervisor McManus called the February 26, 2025 Joint Town Board and Planning Commission meeting to order at 6:00pm at the Garfield Township Hall.

Pledge of Allegiance

The Pledge of Allegiance was recited by all in attendance.

Roll Call of Board Members: Molly Agostinelli, Laurie Lapp, Chloe Macomber, Joe McManus, Lanie McManus and Denise Schmuckal

Roll Call of Commission Members:

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

Absent and Excused: Board Member Chuck Korn

Staff Present: Planning Director John Sych and Deputy Planning Director Steve Hannon, and Township Manager Chris Barsheff

1. Public Comment (6:01)

None

2. Review and Approval of the Agenda – Conflict of Interest (6:01)

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

Yeas: Agostinelli, Racine, Cline, Fudge, DeGood, Eule, Robertson, J. McManus, L. McManus, Macomber, Schmuckal, Lapp

Nays: None

3. Minutes (6:02)

a. Planning Commission February 12, 2025 Regular Meeting

Sych noted the second motion on item 6b needs to be revised to state "the revised List of Proposed Permitted Uses as described on page 3 of the PD report 2025-12 recommends "Service Establishment, Business" replace both Retail, Low Volume and Retail, Medium Volume and that Dwelling, Multiple Family be altered by removing "including short- term stays".

Fudge moved and Robertson seconded to approve the February 12, 2025 Planning Commission Regular Meeting minutes as revised.

Yeas: Fudge, Robertson, Cline, Racine, Agostinelli, Eule, DeGood

Nays: None

4. Business**a. Brownfield Housing Tax Increment Financing – Presentation (Anne Jamieson- Urena Grand Traverse County Brownfield Redevelopment Authority) and Discussion (6:03)**

Anne Jamieson-Urena gave Commissioners and Board members an update on the recent new legislation pertaining to the Brownfield program in the state and county. She defined what constitutes a qualified property under the new legislation. Jamieson-Urena also reviewed what could be covered by the Brownfield financing which included housing and municipality infrastructure improvements. She discussed and defined qualified rehabs and tax increment revenues, area medium incomes and explained how all of those worked within a Brownfield funded development. Commissioners and Trustees asked questions and discussed the Brownfield financing.

b. Planning Department Annual Report Update (6:32)

Planner Sych talked about drafting a township policy for proposed Brownfield developments to be so that the township could be prepared when a Brownfield development was proposed. Housing priorities could be determined and then included in a policy along with public infrastructure needs and AMI determination. Sych proposes staff draft a policy first and then possibly form a committee to review such a policy. Trustees and commissioners asked questions about a proposed policy and the tax increment financing.

c. Discussion of Potential Development and Redevelopment Sites (6:51)

Sych reviewed the highlights of 2024 in the Planning Department which included adopting the new Master Plan. The Planning Department kept better track of fees and all planning activity in 2024. Sych proposed that the next step for the Planning Department is to review the zoning ordinance and create mixed use districts. He touched on the redevelopment of the Cherryland Center and talked about the Oleson property zoning. Sych talked about changes in malls and shopping centers throughout the state which could spur on new and interesting development ideas for those outdated plans. Board members and Commissioners asked questions about the Grand Traverse Mall and its future and asked about the potential Lowes connection to the mall property.

5. Public Comment (7:19)

None

6. **Adjournment**

J. McManus adjourned the meeting at 7:20pm.

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

 Charter Township of Garfield Planning Department Report No. 2025-25			
Prepared:	April 1, 2025	Pages:	2
Meeting:	April 8, 2025 – Township Board	Attachments:	<input type="checkbox"/>
Subject:	Planning Department Monthly Report – April 2025		

PURPOSE:

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

DEVELOPMENTS:

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

TowerNorth Wireless Communication Facility – Special Use Permit Review

- *Location:* 2767 Zimmerman Road, west side of Zimmerman Road, north of Silver Lake Road intersection
- *Development Description:* Proposed monopole wireless communication facility (cell tower)
- *Status:* The Planning Commission tabled the application at their 6/12/2024 meeting and requested more information on the application. Commissioners tabled the application at their 7/10/2024 meeting so that the applicant can propose a different location on the site for the proposed tower which meets setback standards for wireless communication facilities and again tabled the application at subsequent meetings on 8/14/2024, 9/11/2024, and 10/9/2024. The applicants proposed a new tower location which was provided to the Planning Commission at their 11/6/2024 meeting. Commissioners reviewed an updated site plan and materials at the 12/11/2024 meeting. The public hearing was held during their 1/8/2025 meeting. During the public hearing, several members of the public expressed concern about the potential negative impacts of the proposed tower, and Commissioners tabled the application and referred questions to the Township Attorney. At the 2/12/2025 meeting, Commissioners reviewed the information from the Township Attorney and directed Staff to prepare draft Findings of Fact. The Planning Commission adopted the Findings of Fact and approved the application with conditions at the 3/12/2025 meeting.

Copper Ridge PUD – Major Amendment

- *Location:* Multiple parcels and addresses; north side of Silver Lake Road near Barnes Road
- *Development Description:* Proposed addition of residential uses to existing development
- *Status:* The Planning Commission held an introduction for the application at their meeting on 11/6/2024. The public hearing was held at their 12/11/2024 meeting. Commissioners motioned for Staff to prepare the draft Findings of Fact for consideration at their 1/8/2025 meeting. There were several outstanding concerns from Commissioners and members of the public and the application was tabled to allow the applicants to address these concerns. At their 2/12/2025 meeting, Commissioners reviewed an updated list of proposed uses which addressed the concerns and forwarded the application to the Township Board. The applicants voluntarily made an additional change to the proposed list of uses in response to further public comments. The Township Board introduced the application on 2/25/2025 and set the public hearing for their 3/25/2025 meeting. The Township Board approved the application with conditions after the public hearing at the 3/25/2025 meeting.

Ollie’s Bargain Outlet – Site Plan Review

- *Location:* 3350 W South Airport Road, part of Grand Traverse Mall, northeast of South Airport and US 31
- *Development Description:* Proposed retailer in former TJ Maxx; proposed outdoor entrance/exit only
- *Status:* Planning Commissioners reviewed the application at the 2/12/2025 meeting; they had some concerns and tabled the application to allow the applicants to respond to their comments. The Planning Commission reviewed the updated information and approved the application with conditions at the 3/12/2025 meeting.

Gauthier Site Multi-Family Development – Special Use Permit Review

- *Location:* 2105 N US 31 South, west side of US 31 at corner of US 31 and McRae Hill Road
- *Development Description:* Proposed 149-unit multi-family apartment complex development
- *Status:* The Planning Commission introduced the application at the 3/12/2025 meeting and scheduled a public hearing for the 4/9/2025 meeting.

Scussel Rezoning – Zoning Map Amendment

- *Location:* 306 West Hammond Road, north side of Hammond Road between Traversefield and Townline
- *Development Description:* Rezoning from Conditional C-G General Commercial to A-Agricultural
- *Status:* The Planning Commission will introduce the application at their 4/9/2025 meeting.

High Tops Night Club and Sports Bar – Site Plan Review

- *Location:* 1776 South Garfield Avenue, north side of West South Airport Road, in the Cherryland Center
- *Development Description:* Proposed concert venue, sports bar restaurant and lounge, and event hall at the former Younkers building in the Cherryland Center.
- *Status:* The Planning Commission will introduce the application at their 5/14/2025 meeting.

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

721 West Blue Star LLC

- *Location:* 721 W Blue Star Drive, east side of US 31
- *Development Description:* Proposed RV vehicle dealership
- *Status:* Approved with conditions

Fifth Third Bank (Sam’s Club PUD) – PUD Administrative Amendment

- *Location:* 3535 West South Airport Road, southwest corner of South Airport Road and US 31
- *Development Description:* Proposed demolition and reconstruction of existing bank site
- *Status:* Under review; additional information requested from applicants

Mutual Gas (US 31)

- *Location:* 2545 N US 31 South, west side of US 31 north of intersection with South Airport Road
- *Development Description:* Proposed addition of a canopy at existing gas station site
- *Status:* Under review; additional information requested from applicants

PLANNING:

Other Planning Department activities include the following items:

- The Planning Commission’s study session for March 26, 2025 was cancelled because of several anticipated absences. The next Planning Commission study session is scheduled for Wednesday April 23, 2025. Topics for this study session will include follow-up regarding potential Zoning Ordinance changes including lighting regulations (Section 517), a potential definition for “substantial construction”, and sign regulations (Section 630). Commissioners will also review the East Bay Beach District Plan, which is a project being conducted by East Bay Township as an update to their Master Plan.

STAFF:

John Sych, AICP, Planning Director
 Email: jsych@garfield-twp.com
 Direct Line: (231) 225-3155

Stephen Hannon, AICP, Deputy Planning Director
 Email: shannon@garfield-twp.com
 Direct Line: (231) 225-3156

		<h2 style="text-align: center;">Charter Township of Garfield</h2> <h3 style="text-align: center;">Planning Department Report No. 2025-29</h3>	
Subject:	Gauthier Site Multi-Family Development Special Use Permit – Public Hearing		
Prepared:	April 2, 2025	Pages:	3
Meeting:	April 9, 2025 - Planning Commission		
File No.	SUP-2025-01		
Applicant:	Keel Capital, LLC		
Agent:	Gosling Czubak Engineering Sciences, Inc. – Robert Verschaeve, P.E.		
Owner:	2105 N US Highway 31 S LLC		

Application Overview	
Parcel No.:	05-021-054-00
Address:	2105 N US 31 South
Acreage:	18.98
Current Zoning:	R-3 - Multi-Family Residential
Proposed Zoning:	N/A
Future Land Use Map:	High Density Residential
Current Use:	Residential Dwellings/Former Commercial
Proposed Use:	Three multi-family residential buildings with a total of 149 dwelling units (Two buildings with 56 dwelling units each and one building with 37 dwelling units). 228 parking spaces will be provided. Outdoor amenities include pavilion, tot lot, fire pit and grills, and picnic tables.
Type of Permitted Use:	Special Use Permit

Attachments	
Completeness Checklist	March 4, 2025
Application Form	February 4, 2025
Approval Criteria/Impact Assessment	February 6, 2025
Site Plan	March 4, 2025
Traffic Impact Assessment	January 2, 2025
MDOT Review Email Message	January 28, 2025
Grand Traverse Metro Fire Review	January 17, 2025
Wetlands Delineation Report (Excerpt – full report is available on file)	September 1, 2023

In this case, the proposed development will generate 820 trips per weekday. The report recommended a southbound right-turn taper be provided at the entrance. The Michigan Department of Transportation (MDOT) reviewed the report and concurred with the need for the right-turn taper along with widening the driveway slightly and other minor construction details.

Non-Motorized Trail

The Township Non-Motorized Plan shows a shared use pathway along US-31. However, the presence of the creek and extensive wetlands prevents any locations for construction of a pathway, particularly along the north side of the driveway entrance. Staff recommend that construction of the pathway be deferred until a design can be configured that works with the adjacent properties, including considering any alternate routes.

Wetlands/Environmental Assessment

Wetlands are located along all sides of the development. A wetlands delineation was prepared for the site, and a 25-foot buffer was provided as required by the Township. The delineation of the wetlands has not been verified by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) as required by the Township. Staff have informed the applicant of this requirement.

Verification by EGLE will most likely not occur until Spring at the earliest, when site conditions are acceptable for inspection. Wetland delineation verification from EGLE may be a condition of approval by the Planning Commission. However, should there be any alteration to the delineation which impacts site layout, including buildings and parking areas, then the condition would require that the site plan return to the Planning Commission for additional review.

Recommended Action

MOTION TO direct staff to prepare Findings of Fact for application SUP-2025-01, submitted by Gosling Czubak Engineering Services, Inc., for a Special Use Permit for a multiple family dwelling development at Parcel 05-021-054-00 subject to the following condition:

1. Provide a wetland delineation verified by the Michigan Department of Environment, Great Lakes, and Energy (EGLE).

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

COMPLETENESS CHECKLIST (ADMINISTRATIVE SITE PLAN / SITE DEVELOPMENT PLAN)

Gauthier Site Multi-Family Development – March 4, 2025

This checklist is intended as a guide for reviewing administrative site plans and site development plans. Each application shall comply with all applicable provisions of the Garfield Township Zoning Ordinance.

Basic Information (Table 956.A)

Zoning Ordinance Standard	Satisfied/ Not Satisfied/ Not Applicable	Staff Comments
1. Applicant's name, address, telephone number and signature	✓	
2. Property owner's name, address, telephone number and signature	✓	
3. Proof of property ownership	✓	
4. Whether there are any options or liens on the property	N/A	
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	N/A	
6. The address and/or parcel number of the property, complete legal description and dimensions of the property, setback lines, gross and net acreages and frontage	✓	
7. A vicinity map showing the area and road network surrounding the property	✓	
8. Name, address and phone number of the preparer of the site plan	✓	
9. Project title or name of the proposed development	✓	
10. Statement of proposed use of land, project completion schedule, any proposed development phasing	✓	
11. Land uses and zoning classification on the subject parcel and adjoining parcels	✓	
12. Seal of the registered engineer, architect, landscape architect, surveyor, or planner who prepared the plan, as well as their name, address and telephone number	✓	

Site Plan Information (Selections from Table 956.B)

Zoning Ordinance Standard	Satisfied/ Not Satisfied/ Not Applicable	Staff Comments
1. North arrow, scale, and date of original submittal and last revision	✓	
2. Boundary dimensions of natural features	✓	
3. Natural features such as woodlots, water bodies, wetlands, high risk erosion areas, slopes over twenty-five percent (25%), beach, drainage, and similar features	✓	
4. Proposed alterations to topography and other natural features	✓	
5. Existing topographic elevations at two-foot intervals except shown at five-foot intervals where slopes exceed 18%	✓	

Zoning Ordinance Standard	Satisfied/ Not Satisfied/ Not Applicable	Staff Comments
7. The location, height and square footage of existing and proposed main and accessory buildings, and other existing structures	✓	Building height is the vertical distance measured from the mean elevation of the finished grade line of the ground about the <u>front</u> of the building to the mean height level between eaves and ridge of gable, hip and gambrel roofs. Building elevations indicate the buildings measure 37 feet in height (3 stories) at <u>front</u> of the building.
8. Location and specifications for any existing or proposed (above or below ground) storage facilities for any chemicals, salts, flammable materials, or hazardous materials. Include any containment structures or clear zones required by county, state or federal government authorities.	N/A	
9. Proposed finish floor and grade line elevations of any structures	✓	
16. Location of neighboring structures that are close to the parcel line or pertinent to the proposal	N/A	
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	N/A	
22. A sign plan indicating the location, size and specifications of all signs and advertising features, including cross sections	N/A	Signs are subject to sign permit review.
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)	✓	An impact statement and an analysis of the approval criteria are provided.

Parking, Loading, and Snow Storage (Table 956.B, Section 551: Parking, and Section 552: Loading)

Zoning Ordinance Standard	Standard for Application	Satisfied/ Not Satisfied/ Not Applicable	Staff Comments
Table 956.B.10. Existing and proposed driveways, including parking areas		✓	
Table 956.B.11. Neighboring driveways and other vehicular circulation features adjacent to the site		N/A	
Table 956.B.12. A dimensional plan indicating the location, size and number of parking spaces of the on-site parking areas, and shared parking areas		✓	
Table 956.B.13. Identification and dimensions of service lanes and service parking, snow storage areas, loading and unloading and docks		✓	
Table 956.B.14. Proposed roads, access easements, sidewalks, bicycle paths, and other vehicular and pedestrian circulation features within and adjacent to the site		✓	
Table 956.B.15. Location of and dimensions of curb cuts, acceleration, deceleration and passing lanes		✓	
<p>Section 551.B – Dimensional Requirements</p> <p>Off-Street Parking Spaces (parallel): Minimum width: 8 feet Maximum width: 9 feet Minimum stall length: 23 feet</p> <p>Off-Street Parking Spaces (all others): Minimum width: 9 feet Maximum width: 10 feet Minimum stall length: 20 feet</p> <p>Minimum width of access aisles internal to a parking lot or structure: described in Table 5-46.</p>	<p>The parking spaces are: <input type="checkbox"/> Parallel <input checked="" type="checkbox"/> At an angle: 90 degrees</p> <p>Requirements of Table 5-46: One-way parking aisles: Minimum width: based on angle of parking spaces <input type="checkbox"/> 0 deg; 12-ft min. width <input type="checkbox"/> 30 deg; 12-ft min. width <input type="checkbox"/> 45 deg; 14-ft min. width <input type="checkbox"/> 60 deg; 14-ft min. width <input type="checkbox"/> 75 deg; 18-ft min. width <input checked="" type="checkbox"/> 90 deg; 20-ft min. width</p> <p>Two-way parking aisles: <input checked="" type="checkbox"/> Minimum width: 20 feet</p>	✓	<p>Typical dimensions of parking spaces: 9 feet x 20 feet. The maneuvering lanes measure 24 and 26 feet wide.</p>

Zoning Ordinance Standard	Standard for Application	Satisfied/ Not Satisfied/ Not Applicable	Staff Comments
<p>Section 551.C – Parking Space Requirements</p> <p>Minimum and maximum parking ratios: established by Table 5-47</p> <p>The Planning Commission may allow additional parking spaces above and beyond the maximum parking ratio if these additional spaces are pervious pavement or similar material. The pervious pavement shall not be located on any slope exceeding 10% over 20 feet and shall be maintained as specified for that type of product.</p>	<p>Land use or most similar land use as listed in Table 5-47: Multi-family residential dwellings</p> <p>Minimum Parking Ratio: 1.5 spaces per dwelling unit</p> <p>Maximum Parking Ratio: 2.0 spaces per dwelling unit</p> <p>Are there additional parking spaces proposed as pervious pavement? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>		<p>149 units x 1.5 spaces/units = 224 spaces. 149 units x 2.0 spaces/units = 298 spaces. 228 spaces are proposed on the site plan.</p>
<p>Section 551.E(6) – Snow Storage</p> <p>Applicability: off-street parking lot area of 2,700 square feet or more</p> <p>Required ratio to be provided: 10 square feet of snow storage per 100 square feet of parking area</p>	<p>Off-street parking area provided: 84,000 sq ft</p> <p>Snow storage area required: 8,400 sq ft</p> <p>Snow storage area provided: 8,800 sq ft</p>	✓	
<p>Section 552 – Loading</p> <p>Required truck loading spaces are described in Table 5-49</p> <p>“Large” truck loading space: Min. overhead clearance: 14 ft. Minimum width: 12 ft. Minimum length: 25 ft.</p> <p>“Small” truck loading space: Min. overhead clearance: 10 ft. Minimum width: 10 ft. Minimum length: 20 ft.</p> <p>Two (2) small truck loading spaces may be provided in place of a large truck loading space</p>	<p>Table 5-49 minimum requirements for truck loading spaces, based on building size (square feet of gross floor area in structure):</p> <p><input type="checkbox"/> 2,000 – 12,500 sq. ft.; 1 small</p> <p><input type="checkbox"/> 12,501 – 25,000 sq. ft.; 2 small</p> <p><input type="checkbox"/> 25,001 – 40,000 sq. ft.; 1 large</p> <p><input type="checkbox"/> 40,001 – 100,000 sq. ft.; 2 large</p> <p><input type="checkbox"/> Each additional 80,000 sq. ft. above 100,000 sq. ft.; 1 large</p>	N/A	

Lighting (Table 956.B.23 and Section 517)

Zoning Ordinance Standard	Standard for Application	Satisfied/ Not Satisfied/ Not Applicable	Staff Comments
Table 956.B.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.		✓	
Section 517.A – Applicability All outdoor lighting shall be installed in conformance with the provisions of this section. Certain light fixtures exempt from this section include decorative lighting, public streetlights, emergency lights, nonconforming existing lights, neon, and flag lighting.		✓	
Section 517.B – Shielding and Filtration Lighting fixtures shall provide glare free area beyond the property line and light shall be confined to the lot from which it originates. All fixtures shall have full cut-off and shall not direct light upwards. Light sources shall be located, and light poles shall be coated, to minimize glare.		✓	The site plan indicates that site lighting will be provided on poles and use LED lighting. The regulations of Section 517 are applicable to the proposed lighting.
Section 517.C(2)(a) – Average Illumination Levels Shall not exceed the foot-candle (fc) levels set forth in Table 5-7 (described as follows): <ul style="list-style-type: none"> • Main Parking Area; 3.0 fc • Peripheral Parking Area; 2.0 fc • Main Drive Areas; 5.0 fc • Directly below lighting fixture; 20.0 fc 		✓	

Zoning Ordinance Standard	Standard for Application	Satisfied/ Not Satisfied/ Not Applicable	Staff Comments
<p>Section 517.C(2)(b) – Illumination at Property Line</p> <p>Shall not exceed the levels set forth in Table 5-8:</p> <ul style="list-style-type: none"> Based on whether site is zoned residential or nonresidential Based on whether site adjoins another site with residential or nonresidential zoning Outdoor events adjoining or within 1,000 feet of residential zoning district; maximum 10 fc <p>Exceptions:</p> <ul style="list-style-type: none"> For automobile dealerships: maximum average illumination of 10 fc for paved display areas only For gas stations: maximum illumination of 10 fc under a pump island canopy only, if all light fixtures under such canopy are fully recessed or otherwise fully shielded 	<p>Table 5-8 Illumination Standards at Property Line:</p> <p>Sites in residential zoning districts:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Adjoining a residential zoning district; 0.2 fc <input checked="" type="checkbox"/> Adjoining a nonresidential zoning district; 1.0 fc <p>Sites in nonresidential zoning districts / adjoining another non-residential zoning district along:</p> <ul style="list-style-type: none"> <input type="checkbox"/> An arterial; 2.0 fc <input type="checkbox"/> Collector street; 1.2 fc <input type="checkbox"/> Local street; 1.0 fc <input type="checkbox"/> Property line; 1.0 fc <p>Sites in nonresidential zoning districts / adjoining residential zoning district along:</p> <ul style="list-style-type: none"> <input type="checkbox"/> An arterial; 1.0 fc <input type="checkbox"/> Collector street; 0.6 fc <input type="checkbox"/> Local street; 0.4 fc <input type="checkbox"/> Property line; 0.2 fc 	<p style="text-align: center;">✓</p>	
<p>Section 517.D – Color Temperature</p> <p>All proposed lamps shall emit light measuring 3,500 K or warmer.</p>		<p style="text-align: center;">✓</p>	<p>Lighting fixture sheets indicate a color temperature of 3,000 K</p>
<p>Section 517.E – Prohibitions</p> <p>Prohibitions include mercury-vapor or metal halide fixture and lamps, laser source lights, searchlights, or any light that does not meet shielding and illumination standards.</p>		<p style="text-align: center;">✓</p>	<p>The application indicates the site will use LED lighting. No prohibited light fixtures are proposed.</p>
<p>Section 517.F – Pole Height</p> <p>Unless otherwise permitted by special use permit, the maximum height of any pole-mounted lighting fixture or lamp shall not exceed the maximum permitted height of the zoning district.</p>	<p>Zoning district of the site: R-3</p> <p>Maximum height permitted in the zoning district: 40 feet</p>	<p style="text-align: center;">✓</p>	<p>The site plan indicates light poles will be 25 feet.</p>

Landscaping (Table 956.B.24-25 and Section 530-534)

Zoning Ordinance Standard	Standard for Application	Satisfied/ Not Satisfied/ Not Applicable	Staff Comments
Table 956.B.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		✓	
Table 956.B.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		✓	
<p>Section 530.F – Plant Material Requirements</p> <ul style="list-style-type: none"> • Plant materials – Prohibited/permitted/recommended species shall be based on the Recommended Planting Guidelines for Garfield Township • Mixture of Species – The landscape plan shall contain no more than 25% of any single plant species, per feature. Species shall be planted in a staggered pattern. At least 70% of new plantings shall be native. • No artificial plant materials shall be used. • Plant materials required by this section shall comply with the minimum size requirements of Table 530.F at the time of installation. 		✓	<p>Extensive existing vegetation on all property lines will be maintained and credited to the landscaping requirement.</p> <p>The site plan states that the existing vegetation to be used as buffer shall not be disturbed, reduced, or removed.</p>
<p>Section 530.L. – Credit for Existing Vegetation</p> <p>Existing canopy trees, evergreens, flowering trees, and shrubs shall be protected and incorporated into the site plan wherever feasible. Existing vegetation may be credited as detailed in Table 530.L for the purpose of calculating landscaping compliance.</p>		✓	

Zoning Ordinance Standard	Standard for Application	Satisfied/ Not Satisfied/ Not Applicable	Staff Comments
<p>Section 531 – Landscaping and Buffering</p> <p>Buffer Type “A”:</p> <ul style="list-style-type: none"> One street tree per residential unit along each right-of-way <p>Per 100 linear feet greenspace area:</p> <p>Buffer Type “B”:</p> <ul style="list-style-type: none"> 2 large trees; 1 medium/small tree; 4 shrubs Minimum width: 10 feet <p>Buffer Type “C”:</p> <ul style="list-style-type: none"> 3 large trees; 3 medium/small trees; 1 evergreen/coniferous tree Minimum width: 10 feet <p>Buffer Type “D”:</p> <ul style="list-style-type: none"> 4 large trees; 3 medium/small trees; 3 evergreen/coniferous trees Minimum width: 20 feet <p>Buffer Type “E”:</p> <ul style="list-style-type: none"> 2 large trees; 2 medium/small trees; 3 evergreen/coniferous trees; 30 shrubs Minimum width: 10 feet 	<p>Primary land use type: Industrial</p> <p>North property line:</p> <ul style="list-style-type: none"> Adjacent land use: Commercial Required buffer type: “C” Length of buffer: 1,175’ Required plantings: Extensive existing vegetation <p>East property line:</p> <ul style="list-style-type: none"> Adjacent land use: State Highway/Primary Road Required buffer type: “D” and “C” Length of buffer: 1,200’ Required plantings: Extensive existing vegetation <p>South property line:</p> <ul style="list-style-type: none"> Adjacent land use: Single Family Residential Required buffer type: “D” Length of buffer: 450’ Required plantings: Extensive existing vegetation <p>West property line:</p> <ul style="list-style-type: none"> Adjacent land use: Vacant Required buffer type: “C” Length of buffer: 860’ – of which 262’ will require new vegetation Required plantings: Extensive existing vegetation; 3 large trees; 3 medium/small trees; 1 evergreen/coniferous tree; Minimum width: 10 feet 	<p>✓</p>	<p>The landscaping provided on Sheet C500 is as follows:</p> <p><u>North property line:</u> Extensive existing vegetation</p> <p><u>East property line:</u> Extensive existing vegetation</p> <p><u>South property line:</u> Extensive existing vegetation</p> <p><u>West property line:</u> Extensive existing vegetation 262’ of C buffer:</p> <ul style="list-style-type: none"> 8 large trees 8 medium/small trees 3 evergreen/coniferous tree Minimum width: 10 feet <p>Extensive existing vegetation on all property lines will be maintained and credited to the landscaping requirement.</p>

Zoning Ordinance Standard	Standard for Application	Satisfied/ Not Satisfied/ Not Applicable	Staff Comments
<p>Section 532 – Parking Area Landscaping</p> <p>Applicability – Any parking lot areas with 10 or more parking spaces</p> <p>Requirements:</p> <ul style="list-style-type: none"> • 10-foot wide no-build buffer on perimeter of every parking area not adjacent to a building • 4-foot-high fence for parking lot areas abutting residential zoning • For all parking areas with 2 or more aisles: 10 square feet of interior landscaping is required per parking space; 1 canopy tree per 100 square feet of interior landscaping area 	<p>Number of parking spaces & aisles: 228 spaces in three sections; two of the sections have two aisles</p> <p>Interior landscaping area required: 3,423 sq ft</p> <p>Number of canopy trees required: 34</p> <p>Does the parking lot area abut a residential zoning district? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>✓</p>	<p>35 canopy trees provided in 10-foot-wide landscaping islands</p>
<p>Section 534 – Wetlands</p> <ul style="list-style-type: none"> • Applicability: Any wetland regulated under Part 303 of NREPA, except for where the applicant has a permit from the State to fill/modify a wetland • Delineation of wetland is required, along with verification from the State • No structure, parking lot area, or snow storage area shall be located within 25 feet of a wetland. However, recognized wetlands may be incorporated into a stormwater management strategy. 		<p>NS</p>	<p>Please obtain verification of wetland delineation from EGLE.</p>

Lots (Section 510)

Zoning Ordinance Standard	Standard for Application	Satisfied/ Not Satisfied/ Not Applicable	Staff Comments
<p>Requirements:</p> <ul style="list-style-type: none"> • Each building shall be on a lot 	<p>Zoning district: R-3 Multiple Family Residential</p> <p>Minimum lot width: 100 feet Lot width provided: 416 feet</p> <p>Minimum lot area: 4,000 per dwelling Lot area provided: 774,061 sq ft</p>	<p>✓</p>	<p>149 units proposed. 774,061 sq ft or 17.77 acres provided. 8.4 units per acre proposed.</p>

<p>All lots shall comply with the zoning district regulations, including:</p> <ul style="list-style-type: none"> • The size, width, depth, shape, and orientation of lots • Minimum frontage width on a public or private street 	<p>Minimum frontage: 100 feet Frontage provided: 416 feet Is a land division application needed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>		
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Dumpster Enclosures (Section 516)

Zoning Ordinance Standard	Satisfied/ Not Satisfied/ Not Applicable	Staff Comments
<p>Requirements:</p> <ul style="list-style-type: none"> • Dumpster enclosures shall be finished with the same materials and colors as the exterior finish of the principal structure or shall be concrete block or similar material. • Enclosures shall be four-sided and constructed with an opaque gate constructed of wood or similar material. Chain link fencing shall not be used for any portion of the enclosure or gate. • Minimum wall height of the enclosure: 6 feet 	<p>✓</p>	<p>The site plan / application shows one dumpster enclosure and screening detail.</p>

Non-Motorized Transportation (Section 522)

Zoning Ordinance Standard	Standard for Application	Satisfied/ Not Satisfied/ Not Applicable	Staff Comments
<p>Section 522 – Pedestrian Circulation and Non-Motorized Transportation Plan</p> <p>Public pathways are required for all new development, redevelopments, and amendments with construction costs of \$20,000 or more</p>	<p>Construction cost of proposed new development, redevelopment, or amendment to previously approved development plan: is it greater than \$20,000? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>N/A</p>	<p>The Township Non-Motorized Plan shows a shared use pathway along US-31. However, the location of a creek and wetlands prohibits any upland areas for the construction of the pathway.</p>

Zoning Ordinance Standard	Standard for Application	Satisfied/ Not Satisfied/ Not Applicable	Staff Comments
<p>Requirements:</p> <ul style="list-style-type: none"> The type of pathway required shall be determined through the Township Non-Motorized Plan All sidewalks shall be concrete and shall have a minimum width of 6 feet on arterial or collector roads, and 5 feet elsewhere All bike paths shall be asphalt, and shall have a minimum width of 10 feet 	<p>Type of pathway required as determined via the Garfield Township Non-Motorized Plan:</p> <p>N/A</p> <p>Minimum width required: _____ Width provided: _____</p> <p>Material required: _____ Material provided: _____</p>	N/A	The Township Non-Motorized Plan shows a shared use pathway along US-31. However, the location of a creek and wetlands prohibits any upland areas for the construction of the pathway.
<p>Section 522.C – Bicycle Parking Areas</p> <ul style="list-style-type: none"> Wherever off-street parking is required, a minimum of 2 bicycle parking spaces are required. For parking areas with over 25 motor vehicle spaces, 2 bicycle parking spaces per 25 vehicle parking spaces are required 	<p>Number of motor vehicle parking spaces provided: 228</p> <p>Bicycle parking spaces Required: 9 Provided: 12</p>	✓	

Agency Reviews (Selections from Table 956.B, Sections 523-524)

Zoning Ordinance Standard	Satisfied/ Not Satisfied/ Not Applicable	Staff Comments
<p>Grand Traverse County Soil Erosion and Sedimentation Control</p> <ul style="list-style-type: none"> Section 956.B.6 – Soil erosion and sediment control measures as required by the Grand Traverse County Soil Erosion Department 		Submit to agencies as needed
<p>Township Engineer (Stormwater, Water/Sewer, and Private Roads)</p> <ul style="list-style-type: none"> Section 956.B.17 – Location of water supply lines and/or wells 		Submit to agencies as needed, including stormwater review escrow application and plan

<ul style="list-style-type: none"> • Section 956.B.18 – Location of sanitary sewer lines and/or sanitary sewer disposal systems • Section 956.B.20 – Sealed (2) stormwater plans including the location and design of storm sewers, retention or detention ponds, swales, waste water lines, clean out locations, connection points and treatment systems • See also: Section 523 Stormwater Management and Township Storm Water Control Ordinance (Ordinance No. 49) 		
<p>Other Agency Reviews</p> <ul style="list-style-type: none"> • Section 956.B.19 – Location, specifications, and access to a water supply in the event of a fire emergency (Metro Fire) • Section 956.B.27 – Changes or modifications required for any applicable regulatory agencies’ approvals • Section 524 – Sanitation Requirements (Grand Traverse County Environmental Health) • Driveway permits, construction in right-of-way, and other transportation issues (Michigan Department of Transportation or Grand Traverse County Road Commission) 		<p>Submit to agencies as needed</p>



Charter Township of Garfield

Grand Traverse County

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

SPECIAL USE PERMIT (SUP) APPLICATION

ASSISTANCE

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

ACTION REQUESTED

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

PROJECT / DEVELOPMENT NAME

Gauthier Site Multi-Family Development

APPLICANT INFORMATION

Name: Keel Capital, LLC
Address: 235 North Edgewood Street, Arlington, VA 22201
Phone Number: 414-870-8882
Email: tom@keelcap.com; will@keelcap.com

AGENT INFORMATION

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

OWNER INFORMATION

Name: 2105 N US Highway 31 S LLC
Address: 235 North Edgewood Street, Arlington, VA 22201
Phone Number: 414-870-8882
Email: tom@keelcap.com; will@keelcap.com

CONTACT PERSON

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

Applicant:	
Agent:	Robert Verschaeve, rmverschaeve@goslingczubak.com
Owner:	

PROPERTY INFORMATION

Property Address:	2105 N US 31 South, Traverse City, MI 49684
Property Identification Number:	05-021-054-00
Legal Description:	See sheet C100 of drawings
Zoning District:	R-3 - Multi-Family Residential
Master Plan Future Land Use Designation:	High Density Residential
Area of Property (acres or square feet):	17.77 acres
Existing Use(s):	Single family residential / commercial
Proposed Use(s):	Multi-family residential apartments

PROJECT TIMELINE

Estimated Start Date:	September 2025
Estimated Completion Date:	October 2027

REQUIRED SUBMITTAL ITEMS

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

Application Form:

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

Application Fee:

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

- Fee

Escrow Fee:

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

Site Development Plan:

- 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.

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.

DATA WAIVER

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

SITE PLAN

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

APPROVAL CRITERIA

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

- The proposed use will be consistent with the purpose and intent of the master plan and this ordinance, including all regulations of the applicable zoning district;
- The proposed use will be designed, constructed, operated and maintained so as to be compatible, harmonious and appropriate with the existing or planned character and uses of the neighborhood, adjacent properties and the natural environment;
- The proposed use will not be detrimental, hazardous or disturbing to existing or future adjacent uses or to the public welfare by reason of excessive traffic, noise, dust, gas, smoke, vibration, odor, glare, visual clutter, electrical or electromagnetic interference;
- Potential adverse effects arising from the proposed use on the neighborhood and adjacent properties will be minimized through the provision of adequate parking, the placement of buildings, structures and entrances, as well as the provision and location of screening, fencing, landscaping, buffers or setbacks;
- The proposed use will retain as many natural features of the property as practicable, particularly where the natural features assist in preserving the general character of the neighborhood;

- Adequate public and private infrastructure and services such as streets, water and sewage facilities, drainage structures, police and fire protection, and schools, already exist or will be provided without excessive additional requirements at public cost;
- The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
- The public interest and welfare supporting the proposed use shall be sufficient to outweigh individual interests that are adversely affected by the establishment of the proposed use;
- Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads;
- Adequate measures shall be taken to provide vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks servicing the site in a safe and convenient manner; and
- The proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

IMPACT ASSESSMENT

A written impact statement to include the following information:

- A written illustrative description of the environmental characteristics of the site prior to development, i.e., topography, soils, vegetative cover, drainage, streams, creeks or ponds.
- Types of uses and other man-made facilities.
- The number of people to be housed, employed, visitors or patrons and vehicular and pedestrian traffic.
- Phasing of the project including ultimate development proposals.
- Natural features which will be retained, removed and/or modified including vegetation, drainage, hillsides, streams wetlands, woodlands, wildlife and water. The description of the areas to be changed shall include their effect on the site and adjacent properties. An aerial photo may be used to delineate the areas of change.
- The method to be used to serve the development with water and sanitary sewer facilities.
- The method to be used to control drainage on the site and from the site. This shall include runoff control during periods of construction.
- If the public sewers are not available to the site, the Applicant shall submit a current approval from the Health Department or other responsible public agency indicating approval of plans for sewage treatment.
- The method to be used to control any increase in effluent discharge to the air or any increase in noise level emanating from the site. Consideration of any nuisance that would be created within the site or external to the site whether by reason of dust, noise, fumes vibration, smoke or lights.
- An indication of how the proposed use conforms with existing and potential development patterns and any adverse effects.
- The proposed density in units per acre for residential developments.
Name(s) and address(es) of person(s) responsible for preparation of statement.
- Description of measures to control soil erosion and sedimentation during grading and construction operations and until a permanent ground cover is established. Recommendations for such measures may be obtained from the
- County Soil Erosion and Sedimentation office.
- Type, direction, and intensity of outside lighting.
- General description of deed restrictions, if any.

ADDITIONAL INFORMATION

If applicable, provide the following further information:

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

OTHER INFORMATION

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

REVIEW PROCESS

- Upon submittal of this application, Staff will review the materials submitted and will, within ten (10) working days, forward a determination of completeness to the applicant. If the submission is incomplete or noncompliant with the Zoning Ordinance, it will be returned to the applicant for revision. Once the submission is revised, Staff will again review it for completeness and again forward a determination to the applicant within ten (10) working days. This procedure shall be repeated until a complete submission is received.
- Once the application is deemed to be complete and submitted according to the application deadlines, it will be forwarded to the Planning Commission for review. The Planning Commission will determine if the application is complete and schedule a public hearing.
- Upon holding a public hearing, the Planning Commission may approve, approve with conditions, or deny the proposed special use.
- If approved or approved with conditions, the decision of the Planning Commission shall be incorporated into a written report and decision order.

PERMISSION TO ENTER SUBJECT PROPERTY

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

Owner Signature:	<i>Winters</i>
Applicant Signature:	<i>Winters</i>
Agent Signature:	<i>Robert M. Verschaeve</i> <small>Digitally signed by Robert Verschaeve DN: cn=Robert Verschaeve, o=Coastal Crabak Engineering Sciences, Inc, email=verschaeve@coastalcrabak.com Date: 2025.02.04 17:01:56 -0500</small>
Date:	2/4/25

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.

Will Bartlett on behalf of

IN We 2105 N US Highway 31 S LLC authorize to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.

Owner Signature:	<i>Winters</i>
Date:	2/4/25

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:

Whitman

Date:

2/4/25

Applicant Signature:

Whitman

Date:

2/4/25

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



**Special Use Permit Application
Supplemental Attachment
For
Gauthier Site Multi-Family Development
2105 N. US 31 South**

Approval Criteria:

Description how the proposed use will comply with, meet, or facilitate each of the following Approval Criteria from § 423.E of the Zoning Ordinance:

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 purpose of the R-3 Multi-Family Residential district as stated in the township's zoning ordinance is to provide areas for medium to high density one- and two-family residential dwelling units mixed with a variety of multiple family residential dwelling types, including apartments and group housing, where adequate public facilities and services exist with capacity to serve such development. The township master plan also identifies this parcel as High Density Residential. The proposed project includes 149 units across three buildings and provides the type of development the township plans and ordinances envision for this site. All zoning regulations applicable to the development will be met.

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 buildings will be compatible and harmonious with the neighboring uses in the general vicinity of this site. Commercial uses such as offices, restaurants, and big box retail are developed north and east of the site. Multi-story hotels are also north and east of this site. Multi-story apartment buildings are appropriate and harmonious with these nearby developments. The extensive woodlands that will be retained on the site will provide natural buffering and shielding of the buildings from US-31 and McRae Hill Roads.

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;

The proposed multi-family residential apartment buildings will not be hazardous or disturbing to existing or future uses by reason of the items listed. The included traffic impact assessment does not identify excessive traffic being generated by the site or existing highways being unable to accommodate it. Recommendations for pavement markings at the drive entrance are able to be easily accommodated. Residential apartment buildings do not tend to produce hazardous or disturbing levels of 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;

Adequate parking for the buildings is able to be provided on the site within the requirements outlined in the zoning ordinance. The topography and natural features of the site essentially dictate the building placement to the proposed locations. The previous conceptual review with the Planning Commission had a fourth building located close to the entrance off US-31. Concern regarding this building was heard and the proposed structure arrangement provides for an overall better buffered, screened, and setback site layout.

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

The presence of the creeks, wetlands, and woodlands on this site and the topography present a unique challenge to development. However, the majority of these are able to be retained with this development. Loss of any of these natural features is limited to tree removal. There is no clearing, excavation, or filling of the existing wetlands proposed.

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 existing municipal water and sewer infrastructure is in place along US-31 and can be extended into the site to service the proposed buildings. This infrastructure and stormwater infrastructure within the site will be developed at no cost to the public. Fire suppression will be provided to the buildings and access for fire department apparatus has been reviewed and deemed adequate. The developers also intend to cooperate with the Township and provide an easement on their property at McRae Hill Road for the installation of needed water system infrastructure upgrades to benefit township water users.

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 establishment, maintenance, and operation of the multi-family residential apartment buildings will not be detrimental to or endanger 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;

Housing of the type proposed by this development is in short supply and high demand in Garfield Township and the greater Northern Michigan region. It is highly desirable for the public interest to provide this type of housing option.

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

The design recommendations contained in the included traffic impact assessment have been accommodated by the proposed site plan. They have also been reviewed and deemed adequate by the Michigan Department of Transportation permitting engineer.

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 site plan design provides adequate parking, access and maneuvering lanes, and sidewalks extending from US-31 through the site and to each building in the most logical and convenient manner.

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

The proposed development is contained within its own site, is independent from neighboring sites, and does not impede the orderly development or improvement of any surrounding properties for any uses that may be permitted for those properties.

Impact Assessment:

A written impact statement to include the following information:

A written illustrative description of the environmental characteristics of the site prior to development, i.e., topography, soils, vegetative cover, drainage, streams, creeks or ponds.

The site is currently developed with a several buildings that were used by previous owners as a combination of commercial and residential uses. This developed area of the site is generally located on the high part of a ridge that extends through the middle of the site. Elevations range from 730 near the northeast corner of the parcel to 783 at the west property line. The clear ridge area is bordered by woodland on each side. The wooded areas are on slopes that extend to lower-lying areas occupied by wetlands. The wetlands are formed around two unnamed creeks that traverse west to east through the wetland areas.

Soils at the site are generally identified by the USDA Natural Resources Conservation Service as the Guelph-Nester loam series (Gx) and Leelanau-Kalkaska loamy sands (Lk) within the developable ridge and sloping woodland areas. Soils within the low-lying wetland areas are identified as Carlisle muck (Carae)

Types of uses and other man-made facilities.

The proposed use to be developed on the site is multi-family apartments. There are two 56-unit buildings and one 37-unit building. Management offices and amenities for

residents such as a fitness center and club room will also be included in the smaller building. A pavilion structure and child play structure are also proposed at an outdoor amenity area where a community fire pit, grills, and picnic tables are envisioned.

The number of people to be housed, employed, visitors or patrons and vehicular and pedestrian traffic.

The 149 residential unit project will contain a mixture of studio, one-bedroom, and two-bedroom apartments. Resident population of the community is expected to vary between singles, couples, and small families.

Phasing of the project including ultimate development proposals.

The project will be developed in one phase.

Natural features which will be retained, removed and/or modified including vegetation, drainage, hillsides, streams, wetlands, woodlands, wildlife and water. The description of the areas to be changed shall include their effect on the site and adjacent properties. An aerial photo may be used to delineate the areas of change.

The area of the site that is proposed to be developed is the high ridge area that extends through the middle of the site. Some tree removal will be required along the sides of the ridge area to accommodate site grading for building and access. Most of the existing wooded area hillsides of the site will remain. Wetlands are largely contained within wooded areas without any proposed disturbance or alteration. Some temporary wetland disturbance may occur during water and sewer utility construction. Any temporary wetland disturbance will be permitted through EGLE.

The method used to serve the development with water and sanitary sewer facilities.

Municipal water and sewer exist along the US-31 corridor and currently serve the site. New water and sewer infrastructure is proposed to be built to serve the proposed buildings. Easement accommodations on the parcel for proposed upgrades to the Township's water system infrastructure benefitting the township water customers are also able to be provided by the developers.

The method to control drainage on the site and from the site. This shall include runoff control during construction periods.

Storm water from buildings, drive, and parking areas will be collected by catch basins and storm sewer piping and routed to two detention basins near the entrance to the site. Storm water will be slowly released from the detention basins to adjacent wetland areas. The combined storage volumes and release rates from the detention basins meet the Garfield Township Stormwater Control Ordinance.

If public sewers are not available to the site, the Applicant shall submit a current approval from the Health Department or other responsible public agency indicating approval of plans for sewage treatment.

Not applicable.

The method used to control any increase in effluent discharge to the air or any increase in noise level emanating from the site. Consideration of any nuisance that would be created within the site or external to the site whether by reason of dust, noise, fumes, vibration, smoke or lights.

The proposed use at this site will not cause any increase in effluent discharge to the air or noise level emanating from the site. Typical construction noises can be expected during the removal of the existing structures and construction of the proposed building and improvements.

An indication of how the proposed use conforms with existing and potential development patterns and any adverse effects.

The proposed use is consistent with zoning, planned future land use, and desirable types of development along this US-31 corridor. Prior to April 2022, the site had split zoning of Agricultural within its back and Highway Commercial within its US-31 frontage area. The parcel's location along US-31, environmental conditions, access and impacts of different potential uses led the Planning Commission to recommend and Township Board to rezone the parcel to its current R-3 Multi-Family Residential zoning. Additionally, the recently adopted Future Land Use Map designates this property as High Density Residential (6-10 units/acre). At 149 units on 17.77 acres, the resulting density is 8.38 units/acre. This development fits with the planned vision for the site.

Name and address of person responsible for preparation of this statement.

Robert M. Verschaeve, P.E.
Gosling Czubak Engineering Sciences, Inc.
1280 Business Park Drive
Traverse City, Michigan 49686
231-946-9191
email: rmverschaeve@goslingczubak.com

Description of measures to control soil erosion and sedimentation during grading and construction operations and until a permanent ground cover is established. Recommendations for such measures may be obtained from the County Soil Conservation Service.

The disturbed areas for this project will be kept to the minimum required to construct the proposed improvements. Silt fence, straw wattles, or other appropriate measures will be installed at the limits of disturbance and at critical areas to prevent sediment from leaving the site. Restoration, inlet protection, and any other best management practices will be utilized as site and infrastructure construction progresses. Additionally, contractors will be required to follow soil erosion and sedimentation control permit requirements.

Type, direction and intensity of outside lighting.

Pole mounted, dark sky compliant, LED site lighting is proposed within the parking and drive areas to provide safety and security for residents. A photometric plan and fixture schedule for the site lighting are included with the drawing package.

General description of deed restrictions (including easements) if any.

There will be typical utility easements provided for the infrastructure that services this parcel. An additional easement for the planned township water infrastructure PRV station upgrades is also intended to be provided to the Township.

SPECIAL USE PERMIT SITE PLAN SUBMITTAL

FOR THE

GAUTHIER SITE MULTI-FAMILY DEVELOPMENT

GARFIELD TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN



VICINITY MAP
SCALE

DEVELOPER / APPLICANT

KEEL CAPITAL, LLC
235 NORTH EDGEWOOD STREET, ARLINGTON, VA 22201
WILL BARTLETT
will@keelcap.com
(414) 870-8882
TOM CHARE
tom@keelcap.com

OWNER

2105 N US HIGHWAY 31 S LLC
235 NORTH EDGEWOOD STREET,
ARLINGTON, VA 22201

ENGINEER

GOSLING CZUBAK ENGINEERING SCIENCES, INC.
1280 BUSINESS PARK DRIVE
TRAVERSE CITY, MICHIGAN, 49686-8607
231.946.9191 - 800.968.1062
www.goslingczubak.com info@goslingczubak.com

ARCHITECT

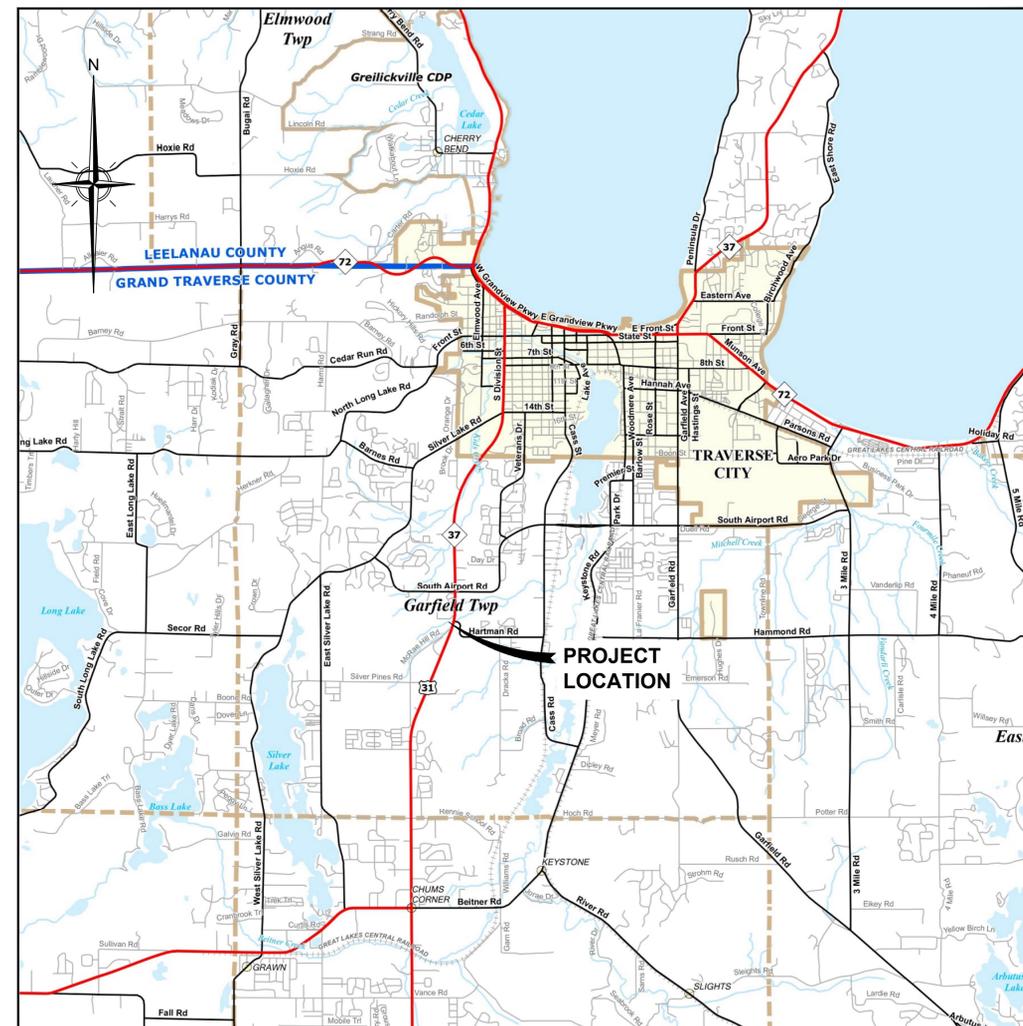
FORMSIX DESIGN
KAYODE AKINSINDE
kay@form6dc.com

UTILITY CONTACTS

NAME OF OWNER	TYPE OF UTILITY
DTE ENERGY GAS CO. LARRY BOURKE ENGINEERING & CONSTRUCTION PLANNING 231-592-3244 lawrence.bourke@dteenergy.com	GAS
CONSUMER'S ENERGY BLAKE WILSON 231-499-9792 BLAKE.WILSON@cmsenergy.com	ELECTRIC
CHARTER COMMUNICATIONS ASHLEY M. MARCOLETTE ashley.marcolette@ccsystems.com	CABLE TV
AT&T C. ANIKA ESTES DESIGN SPECIALIST CE3239@ATT.COM	TELEPHONE
GRAND TRAVERSE COUNTY DEPARTMENT OF PUBLIC WORKS LINDA McCLEARY 231-995-6077 mccleary@gtcountymi.gov	SEWER & WATER



Know what's below.
Call before you dig.

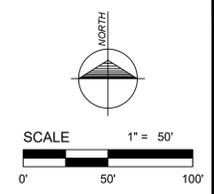


LOCATION MAP
NOT TO SCALE

SHEET LIST TABLE

SHEET NUMBER	SHEET TITLE
C000	COVER SHEET
C001	GENERAL NOTES
C100	EXISTING CONDITIONS & DEMOLITION PLAN
C200	OVERALL SITE PLAN
C201	US-31 ENTRANCE DETAIL
C202	BUILDING 1 DETAILED PLAN
C203	BUILDING 2 DETAILED PLAN
C204	BUILDING 3 DETAILED PLAN
C300	OVERALL GRADING & DRAINAGE PLAN
C400	OVERALL UTILITY PLAN
C500	OVERALL LANDSCAPE PLAN
C600	SITE DETAILS
C601	SITE DETAILS
C602	STANDARD WATER MAIN DETAILS
C603	STANDARD SANITARY SEWER DETAILS
C604	SITE AMENITY IMAGES
CEA1	EMERGENCY ACCESS PLAN
A101	FLOOR PLANS
A102	FLOOR PLANS
A103	ENLARGED FLOOR PLAN
A301	BUILDING ELEVATIONS
A302	BUILDING ELEVATIONS
E1	PHOTOMETRIC PLAN
E2	SCHEDULES





SITE PLAN LEGEND

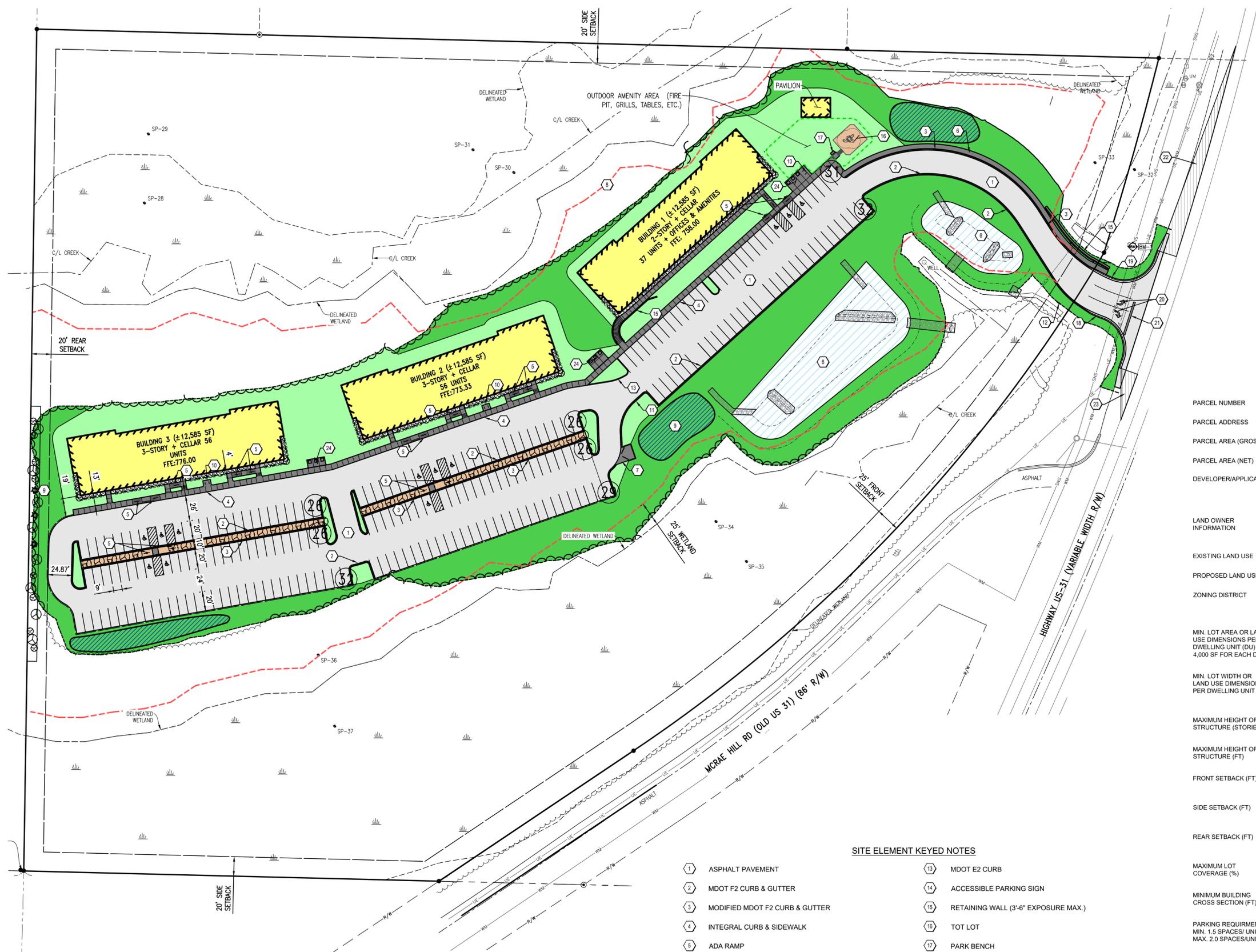
- ASPHALT PAVEMENT
- CONCRETE SURFACE
- MULCH AND/OR GROUND COVER
- NO-MOW RESTORATION SEED MIX
- MAINTAINED LAWN RESTORATION SEED MIX
- STORMWATER BASIN SEED MIX
- SNOW STORAGE
- ZONING WETLAND SETBACK
- OUTDOOR AMENITY AREA
- RETAINING WALL

SITE DATA TABLE

PARCEL NUMBER	05-021-054-00	
PARCEL ADDRESS	2105 N US 31 SOUTH	
PARCEL AREA (GROSS)	17.77 AC	
PARCEL AREA (NET)	17.77 AC	
DEVELOPER/APPLICANT	KEEL CAPITAL, LLC WILL BARTLETT & TOM O'HARE 235 NORTH EDGEWOOD STREET ARLINGTON, VIRGINIA 22201	
LAND OWNER INFORMATION	2105 N US HIGHWAY 31 S LLC 235 NORTH EDGEWOOD STREET, ARLINGTON, VA 22201	
EXISTING LAND USE	SINGLE-FAMILY RESIDENTIAL/COMMERCIAL	
PROPOSED LAND USE	MULTI-FAMILY RESIDENTIAL DWELLINGS	
ZONING DISTRICT	R-3, MULTI-FAMILY RESIDENTIAL	
	REQUIRED	PROPOSED
MIN. LOT AREA OR LAND USE DIMENSIONS PER DWELLING UNIT (DU) 4,000 SF FOR EACH DU)	149 DWELLING UNITS X 4,000 SF/DU= 596,000 SF (13.68 AC)	774,061 SF (17.77 AC)
MIN. LOT WIDTH OR LAND USE DIMENSIONS PER DWELLING UNIT	100 FT	865.04 FT
MAXIMUM HEIGHT OF STRUCTURE (STORIES)	3	3
MAXIMUM HEIGHT OF STRUCTURE (FT)	40	36
FRONT SETBACK (FT)	25 FT (125 FT FROM C/L US-31)	330.7 FT (BUILDING 1)
SIDE SETBACK (FT)	20	49 FT (PAVILION)
REAR SETBACK (FT)	20	37.7 FT (BUILDING 3)
MAXIMUM LOT COVERAGE (%)	35%	5%
MINIMUM BUILDING CROSS SECTION (FT)	24	62.50 FT
PARKING REQUIREMENTS MIN. 1.5 SPACES/UNIT MAX. 2.0 SPACES/UNIT	149 UNITS X 1.5 SPACES/UNITS = 224 SPACES 149 UNITS X 2.0 SPACES/UNIT = 298 SPACES	228 SPACES
GARFIELD TWP BICYCLE PARKING REQUIREMENTS	1 BICYCLE SPACE/25 VEHICLE SPACES = 9 SPACES	12 SPACES
SNOW STORAGE REQUIREMENTS (PROVIDE MIN. 10 SF OF SNOW STORAGE/100 SF OF PARKING AREA)	84,000 SF PARKING X 10 SF SNOW STORAGE/100 SF PARKING = 8,400 SF	8,800 SF
INTERIOR PARKING LOT LANDSCAPING (10 SF/PARKING SPACE)	228 SPACES X 10 SF/SPACE = 2,280 SF	3,929 SF

SITE ELEMENT KEYED NOTES

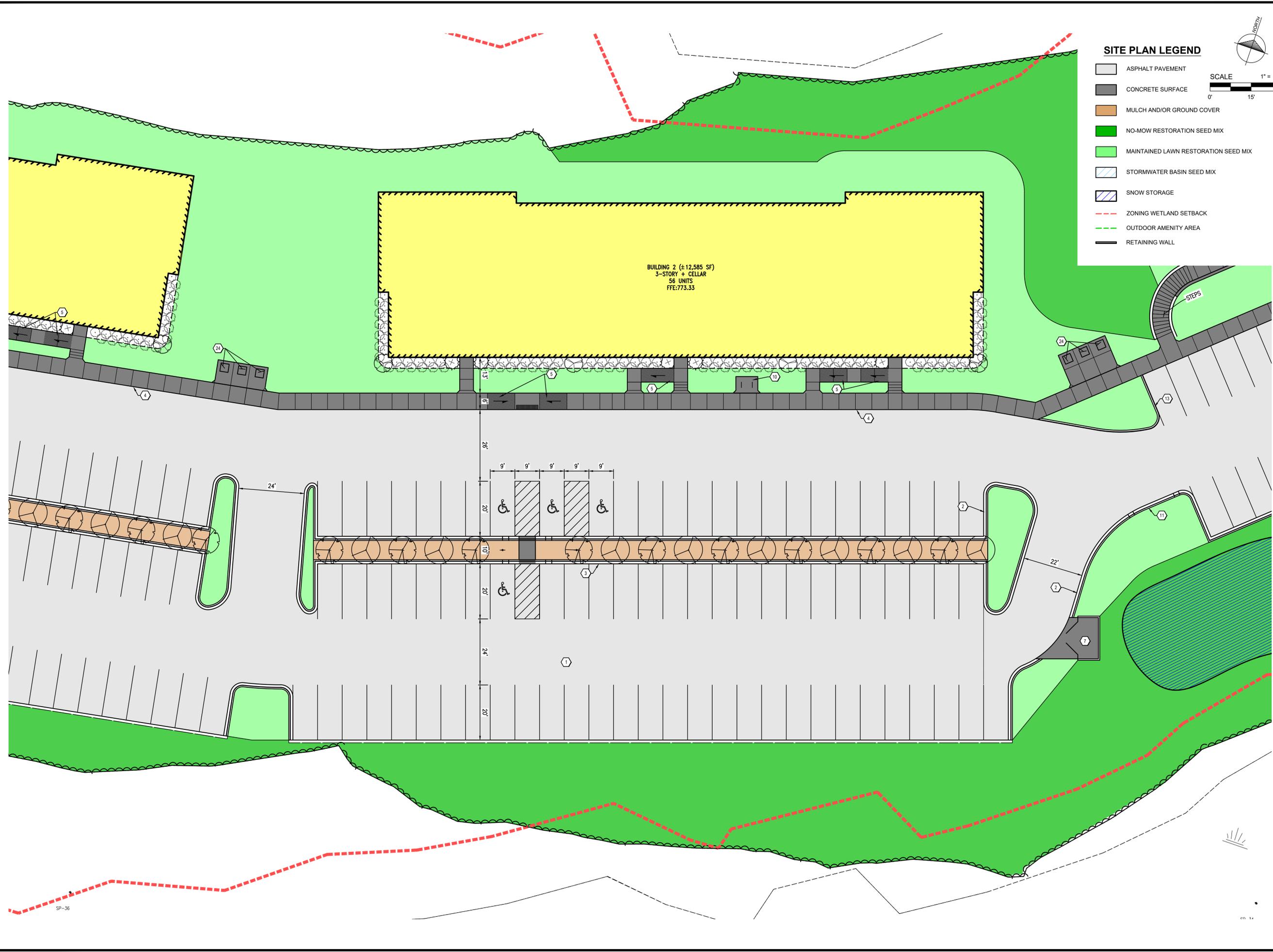
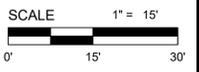
- | | |
|---------------------------------------|--|
| ① ASPHALT PAVEMENT | ⑬ MDOT E2 CURB |
| ② MDOT F2 CURB & GUTTER | ⑭ ACCESSIBLE PARKING SIGN |
| ③ MODIFIED MDOT F2 CURB & GUTTER | ⑮ RETAINING WALL (3'-6" EXPOSURE MAX.) |
| ④ INTEGRAL CURB & SIDEWALK | ⑯ TOT LOT |
| ⑤ ADA RAMP | ⑰ PARK BENCH |
| ⑥ CONCRETE SIDEWALK | ⑱ MDOT B2 CURB & GUTTER |
| ⑦ CONCRETE SLAB & DUMPSTER ENCLOSURE | ⑲ MODIFIED MDOT B2 CURB & GUTTER |
| ⑧ STORM WATER BASIN | ⑳ LEFT/RIGHT TURN ARROWS |
| ⑨ SNOW STORAGE | ㉑ STOP BAR PAVEMENT MARKING |
| ⑩ BIKE PARKING RACK | ㉒ 225' TYPE 2 DECAL TAPER (GEO-650-D) |
| ⑪ DEPRESSED CURB & GUTTER | ㉓ 50' TYPE 2 ACCEL TAPER (GEO-650-D) |
| ⑫ FREESTANDING SIGN MEETING TWP REQ'S | ㉔ MAILBOXES |



**OVERALL SITE PLAN
GAUTHIER SITE MULTI-FAMILY DEVELOPMENT
KEEL CAPITAL, LLC**

SITE PLAN LEGEND

-  ASPHALT PAVEMENT
-  CONCRETE SURFACE
-  MULCH AND/OR GROUND COVER
-  NO-MOW RESTORATION SEED MIX
-  MAINTAINED LAWN RESTORATION SEED MIX
-  STORMWATER BASIN SEED MIX
-  SNOW STORAGE
-  ZONING WETLAND SETBACK
-  OUTDOOR AMENITY AREA
-  RETAINING WALL



No.	Date	Revision	By

BUILDING 2 DETAILED PLAN
GAUTHIER SITE MULTI-FAMILY DEVELOPMENT
 KEEL CAPITAL, LLC

Date Issued: 02-04-2025
 Date Surveyed: 04-10-2024
 Designed By: RMV/AJP
 Drawn By: AJP
 Checked By: RMV
 Scale: AS NOTED
 Original sheet size is 24x36

Location:
 PART OF THE SE 1/4 OF THE SW 1/4
 SECTION 23, T27N, R11W
 GARFIELD TOWNSHIP
 GRAND TRAVERSE COUNTY
 MICHIGAN

Project Number:
 240422

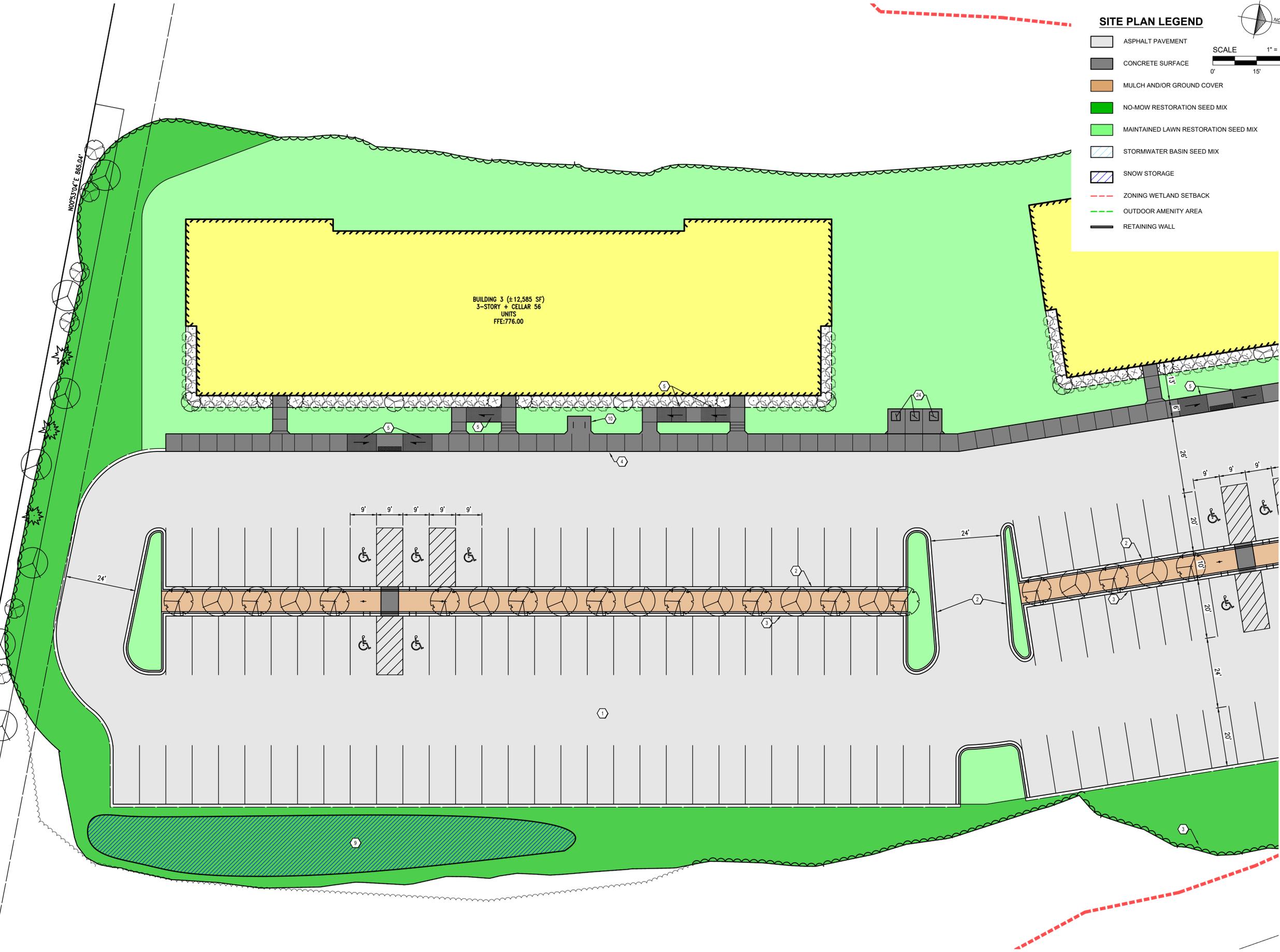
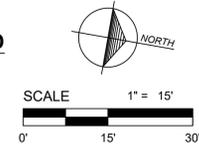
Sheet:
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SP-36

en 24

SITE PLAN LEGEND

- ASPHALT PAVEMENT
- CONCRETE SURFACE
- MULCH AND/OR GROUND COVER
- NO-MOW RESTORATION SEED MIX
- MAINTAINED LAWN RESTORATION SEED MIX
- STORMWATER BASIN SEED MIX
- SNOW STORAGE
- ZONING WETLAND SETBACK
- OUTDOOR AMENITY AREA
- RETAINING WALL



No.	Date	Revision	By

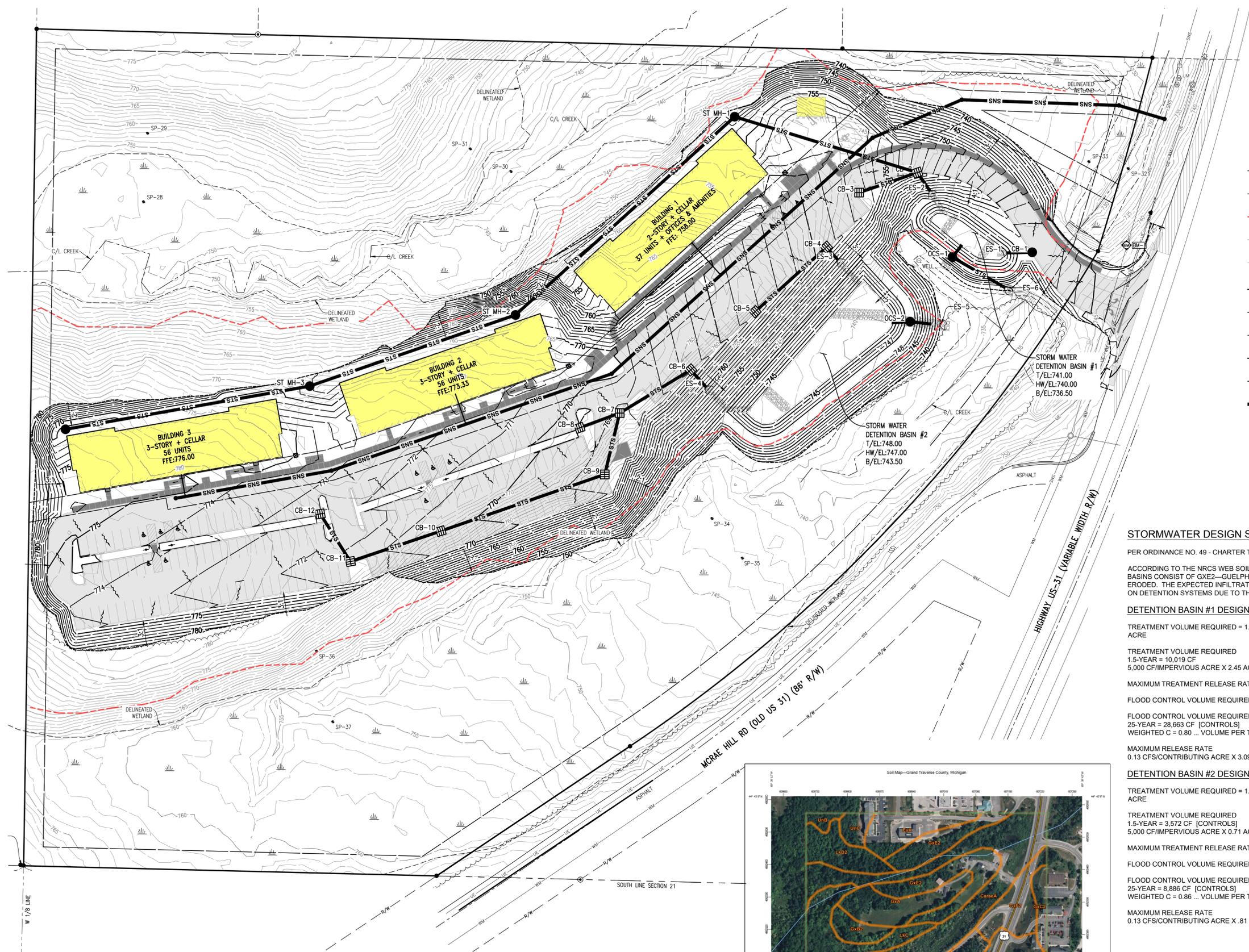
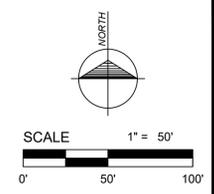
**BUILDING 3 DETAILED PLAN
 GAUTHIER SITE MULTI-FAMILY DEVELOPMENT
 KEEL CAPITAL, LLC**

Date Issued: 02-04-2025
 Date Surveyed: 04-10-2024
 Designed By: RMV/AJP
 Drawn By: AJP
 Checked By: RMV
 Scale: AS NOTED
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 GARFIELD TOWNSHIP
 GRAND TRAVERSE COUNTY
 MICHIGAN

Project Number:
 240422

Sheet:
C204



GRADING PLAN LEGEND

- CENTERLINE OF STREAM
- - - - - EDGE OF WETLANDS
- - - - - ZONING WETLAND SETBACK
- 735--- EXISTING MAJOR CONTOUR
- 736--- EXISTING MINOR CONTOUR
- 735--- PROPOSED MAJOR CONTOUR
- 736--- PROPOSED MINOR CONTOUR
- >--- PROPOSED DRAINAGE FLOW ARROW
- - - - - PROPOSED GRADING LIMITS
- - - - - PROPOSED RIDGE/VALLEY
- STS--- PROPOSED STORM SEWER
- CB--- PROPOSED STORM CATCH BASIN
- PROPOSED STORM MANHOLE
- C--- PROPOSED FLARED END SECTION

STORMWATER DESIGN SUMMARY

PER ORDINANCE NO. 49 - CHARTER TOWNSHIP OF GARFIELD STORM WATER CONTROL ORDINANCE GUIDELINES.

ACCORDING TO THE NRCS WEB SOIL SURVEY, THE ON-SITE SOILS IN THE VICINITY OF THE STORM WATER BASINS CONSIST OF GXE2—GUELPH-NESTER LOAMS WITH 18 TO 25 PERCENT SLOPES, AND MODERATELY ERODED. THE EXPECTED INFILTRATION RATES ARE 0.20 TO 0.57 IN/HR. THE STORM WATER DESIGN IS BASED ON DETENTION SYSTEMS DUE TO THE EXPECTED LOW INFILTRATION RATES.

DETENTION BASIN #1 DESIGN SUMMARY

TREATMENT VOLUME REQUIRED = 1.5-YEAR, 24-HOUR RAINFALL EVENT (2.06 INCHES) OR 5,000 CF/IMPERVIOUS ACRE

TREATMENT VOLUME REQUIRED
 1.5-YEAR = 10,019 CF
 5,000 CF/IMPERVIOUS ACRE X 2.45 ACRES = 12,266 CF [CONTROLS]

MAXIMUM TREATMENT RELEASE RATE = 0.05 CFS/IMPERVIOUS ACRE X 2.45 ACRES = 0.13 CFS

FLOOD CONTROL VOLUME REQUIRED = 25-YEAR, 24-HOUR STORM (4.89 INCHES) OR AS REQUIRED BY TABLE 6

FLOOD CONTROL VOLUME REQUIRED
 25-YEAR = 28,663 CF [CONTROLS]
 WEIGHTED C = 0.86 ... VOLUME PER TABLE 6 = 8,120 CF/ACRE X 3.09 ACRES = 25,100 CF

MAXIMUM RELEASE RATE
 0.13 CFS/CONTRIBUTING ACRE X 3.09 ACRES = .40 CFS

DETENTION BASIN #2 DESIGN SUMMARY

TREATMENT VOLUME REQUIRED = 1.5-YEAR, 24-HOUR RAINFALL EVENT (2.06 INCHES) OR 5,000 CF/IMPERVIOUS ACRE

TREATMENT VOLUME REQUIRED
 1.5-YEAR = 3,572 CF [CONTROLS]
 5,000 CF/IMPERVIOUS ACRE X 0.71 ACRES = 3,560 CF

MAXIMUM TREATMENT RELEASE RATE = 0.05 CFS/IMPERVIOUS ACRE X 0.71 ACRES = 0.04 CFS

FLOOD CONTROL VOLUME REQUIRED = 25-YEAR, 24-HOUR STORM (4.89 INCHES) OR AS REQUIRED BY TABLE 6

FLOOD CONTROL VOLUME REQUIRED
 25-YEAR = 8,886 CF [CONTROLS]
 WEIGHTED C = 0.86 ... VOLUME PER TABLE 6 = 8,900 CF/ACRE X 0.81 ACRES = 7,203 CF

MAXIMUM RELEASE RATE
 0.13 CFS/CONTRIBUTING ACRE X .81 ACRES = .10 CFS

GRADING & DRAINAGE PLAN NOTES

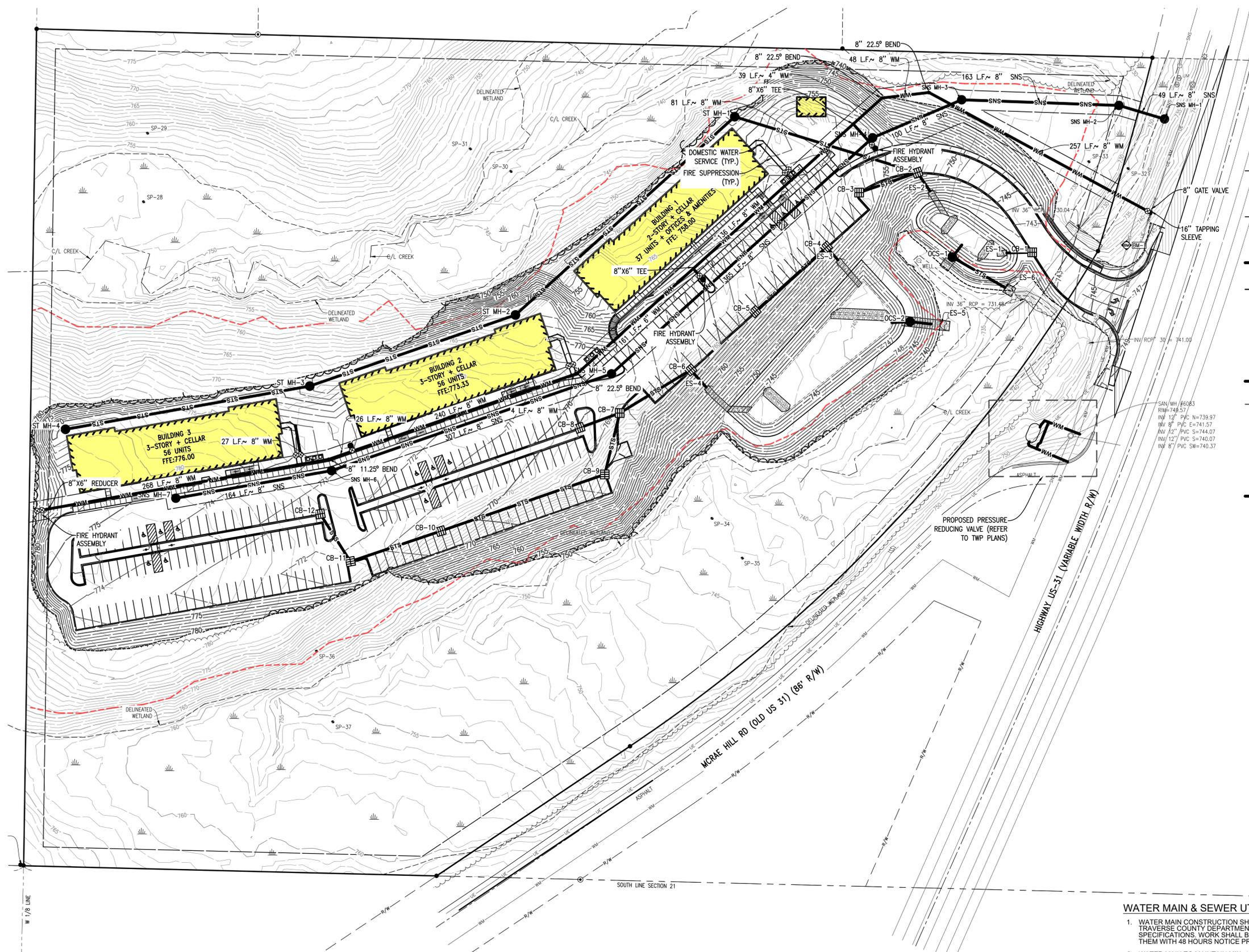
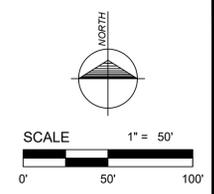
- CONTRACTOR RESPONSIBLE FOR CONSTRUCTION ALL WORK COMPLETED IN CONFORMANCE WITH CURRENT ADA STANDARDS.
- PROPOSED CONTOUR LINES AND SPOT ELEVATIONS REFLECT FINISH GRADES. HOLD DOWN SUBGRADE ELEVATIONS ACCORDINGLY. ADJUST RIM ELEVATIONS OR ALL UTILITIES AFFECTED BY WORK IN THIS CONTRACT. CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE ON THE SITE. ANY AREA THAT APPEARS TO NOT PROPERLY DRAIN SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE LANDSCAPE ARCHITECT/ENGINEER FOR RESOLUTION.
- SPOT GRADES ARE FINISHED HARD SURFACE. SLOPE GRASS PAVEMENT TO MATCH DIRECTION OF ADJOINING CONCRETE SURFACE.



No.	Date	Revision	By

**OVERALL GRADING & DRAINAGE PLAN
 GAUTHIER SITE MULTI-FAMILY DEVELOPMENT
 KEEL CAPITAL, LLC**

Date Issued:	02-04-2025
Date Surveyed:	04-10-2024
Designed By:	RMV/AJP
Drawn By:	AJP
Checked By:	RMV
Scale:	AS NOTED
Original sheet size is 24x36	
Location: PART OF THE SE 1/4 OF THE SW 1/4 SECTION 23, T27N, R11W GARFIELD TOWNSHIP GRAND TRAVERSE COUNTY MICHIGAN	
Project Number:	240422
Sheet:	C300



UTILITY PLAN LEGEND

- UE — PROPOSED UNDERGROUND ELECTRIC SERVICE
- Ⓜ — PROPOSED ELECTRIC METER
- G — PROPOSED UNDERGROUND GAS SERVICE
- Ⓞ — PROPOSED GAS METER
- WM — PROPOSED WATER MAIN
- WS — PROPOSED WATER SERVICE/FIRE SUPPRESSION LINE
- Ⓧ — PROPOSED POST INDICATOR VALVE
- Ⓞ — PROPOSED CURB STOP
- Ⓜ — PROPOSED FIRE HYDRANT ASSEMBLY
- SNS — PROPOSED SANITARY SEWER MAIN
- SNL — PROPOSED SANITARY SEWER LEAD
- Ⓞ — PROPOSED SANITARY CLEAN OUT
- Ⓜ — PROPOSED SANITARY IPP MANHOLE
- STS — PROPOSED STORM SEWER
- Ⓜ — PROPOSED STORM CATCH BASIN
- Ⓜ — PROPOSED STORM MANHOLE
- Ⓜ — PROPOSED FLARED END SECTION

No.	Date	Revision	By

**OVERALL UTILITY PLAN
 GAUTHIER SITE MULTI-FAMILY DEVELOPMENT
 KEEL CAPITAL, LLC**

WATER MAIN & SEWER UTILITY NOTES

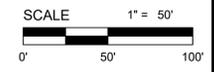
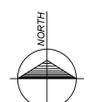
1. WATER MAIN CONSTRUCTION SHALL CONFORM TO CURRENT GARFIELD TOWNSHIP AND GRAND TRAVERSE COUNTY DEPARTMENT OF PUBLIC WORKS (DPW) STANDARD DETAILS AND SPECIFICATIONS. WORK SHALL BE COORDINATED WITH THE TOWNSHIP AND DPW AND PROVIDE THEM WITH 48 HOURS NOTICE PRIOR TO BEGINNING OF CONSTRUCTION.
2. WATER MAIN TO MAINTAIN MIN. 18" VERTICAL AND 10' HORIZONTAL SEPARATION FROM ALL SANITARY AND STORM SEWERS AND STRUCTURES.
3. ALL ON SITE WATER AND SEWER LEADS SHALL MAINTAIN MIN. 18" VERTICAL AND 5' HORIZONTAL SEPARATION FROM EACH OTHER AND RESPECTIVE STORM WATER PIPING, FRENCH DRAINS, ETC. IN COMPLIANCE WITH LOCAL CODES.
4. WATER MAIN SHALL BE RIGID POLYVINYL CHLORIDE BELL AND SPIGOT TYPE PRESSURE PIPE AND FITTINGS SHALL BE DUCTILE IRON PIPE SIZE (DIPS), CONFORM TO AWWA C900/C905 STANDARDS. PRESSURE CLASS 235 PSI, AND DR 18 IN CONFORMANCE WITH THE DPW STANDARD SPECIFICATIONS.
5. PLAN ELEVATIONS BASED ON NAVD88 DATUM.
6. ADDITIONAL WATER MAIN SPECIFICATIONS ARE LOCATED IN THE PROJECT SPECIFICATIONS.

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 SECTION 23, T27N, R11W
 GARFIELD TOWNSHIP
 GRAND TRAVERSE COUNTY
 MICHIGAN

Project Number:
 240422

Sheet:
C400



SITE PLAN LEGEND

- ASPHALT PAVEMENT
- CONCRETE SURFACE
- MULCH AND/OR GROUND COVER
- NO-MOW RESTORATION SEED MIX
- MAINTAINED LAWN RESTORATION SEED MIX
- STORMWATER BASIN SEED MIX
- SNOW STORAGE
- ZONING WETLAND SETBACK
- OUTDOOR AMENITY AREA
- RETAINING WALL

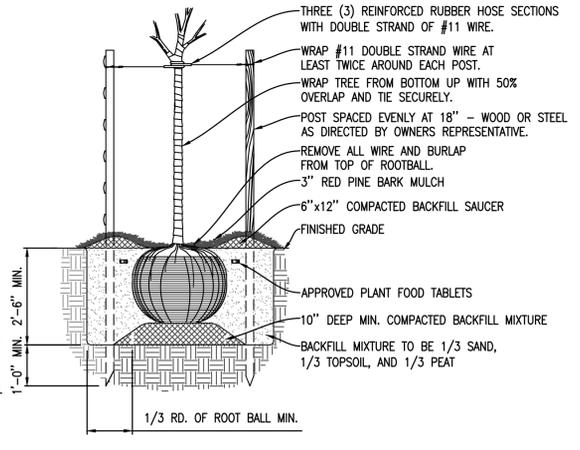
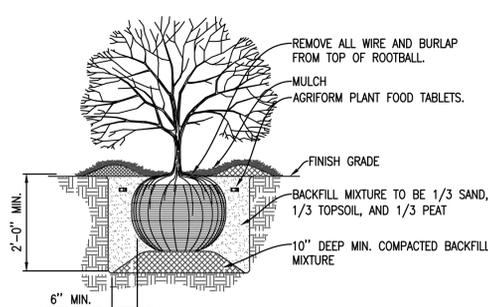
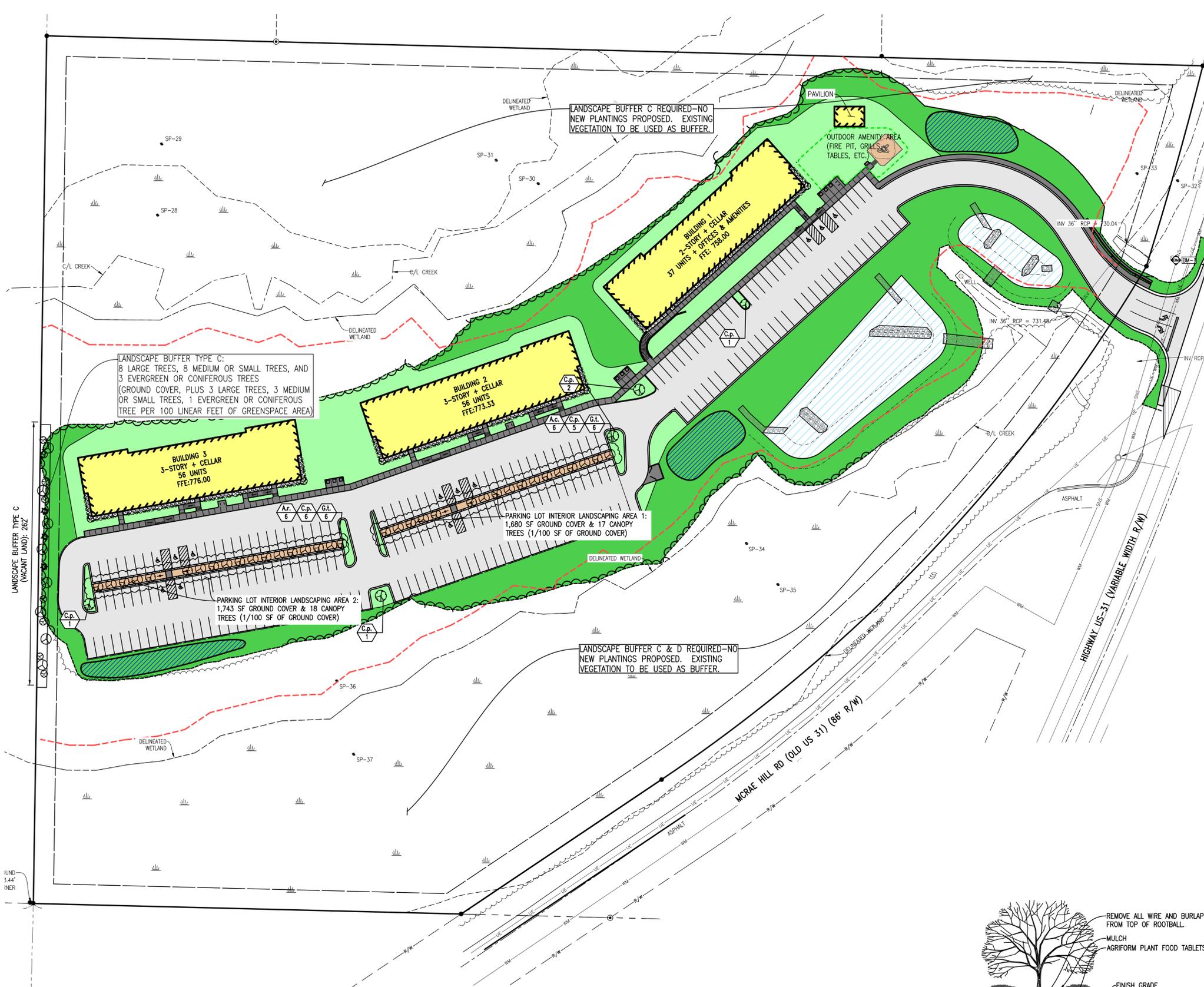
PARKING LOT PLANTING SCHEDULE

Key	Common Name	Required	Qty.	Notes
DECIDUOUS TREES				
A.c.	<i>Ameianchier canadensis</i> Shadblow Serviceberry	7' Ht. B&B	6	Multi-Stem (Min. 3 Stem)
C.p.	<i>Crataegus punctata</i> Dotted Hawthorn	7' Ht. B&B	16	
A.r.	<i>Acer rubrum</i> "October Glory" "October Glory" Red Maple	2.5" Cal.	6	
G.t.	<i>Gleditsia tracanthos</i> var. <i>inermis</i> "Shademaster" Shademaster Honeylocust	2.5" Cal.	12	

TOTAL PARKING LOT CANOPY TREES PROPOSED = 40

LANDSCAPE NOTES

- PROPOSED LANDSCAPING VEGETATION TO CONFORM WITH "RECOMMENDED PLANTING GUIDELINES FOR GARFIELD TOWNSHIP". SELECTED VEGETATION WILL BE NATIVE SPECIES.
- VEGETATIVE BUFFER SCHEDULE PER THE GARFIELD TOWNSHIP ZONING ORDINANCE.
- IF ANY PROTECTED TREES ARE INADVERTENTLY DAMAGED, REPLACEMENT TREES OF THE SAME SPECIES WILL BE PROVIDED AT A SIZE EQUAL TO WHAT IS PROPOSED FOR THAT SPECIES ON THE LANDSCAPE PLANTING PLAN.
- ALL BUILDING FRONT AND REAR YARDS, COMMON AREAS, AND VEGETATIVE BUFFER STRIPS TO HAVE IN-GROUND TURF IRRIGATION FOR LAWNS, AND TRICKLE IRRIGATION FOR PLANTING BEDS AND TREE INSTALLATIONS.
- THE PLANT MATERIAL INTERNAL TO THE SITE THAT IS NOT PART OF THE ZONING ORDINANCE (MINIMUM) BUFFER REQUIREMENTS IS INDICATIVE OF THE APPLICANTS "DESIGN INTENT". HOWEVER THE APPLICANT RESERVES THE RIGHT TO MAKE SUBSTITUTIONS OR DELETIONS AT THEIR SOLE DISCRETION. INTERNAL SITE SELECTED VEGETATION ALSO TO BE NATIVE SPECIES.
- EXISTING VEGETATION IDENTIFIED AS BUFFER SHALL NOT BE DISTURBED, REDUCED, OR REMOVED.



By	Date	No.	Revision

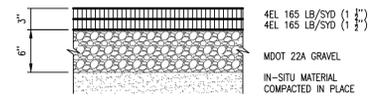
**OVERALL LANDSCAPE PLAN
 GAUTHIER SITE MULTI-FAMILY DEVELOPMENT
 KEEL CAPITAL, LLC**

Date Issued: 02-04-2025
 Date Surveyed: 04-10-2024
 Designed By: RMV/AJP
 Drawn By: AJP
 Checked By: RMV
 Scale: AS NOTED
 Original sheet size is 24x36

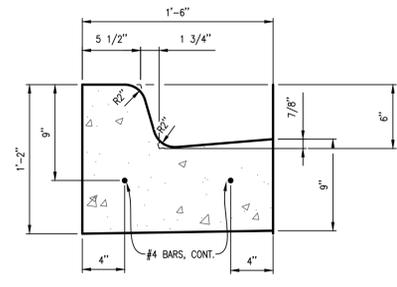
Location:
 PART OF THE SE 1/4 OF THE SW 1/4
 SECTION 23, T27N, R11W
 GARFIELD TOWNSHIP
 GRAND TRAVERSE COUNTY
 MICHIGAN

Project Number:
 240422

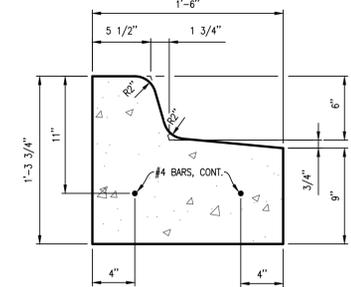
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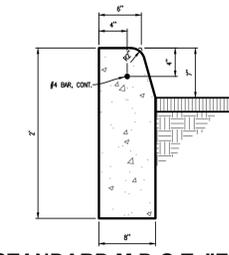
TYPICAL PAVEMENT DETAIL
 NOT TO SCALE



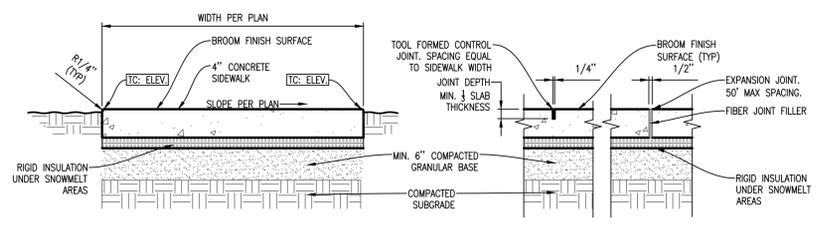
**STANDARD M.D.O.T. "F2"
 CONCRETE CURB & GUTTER DETAIL**
 NOT TO SCALE



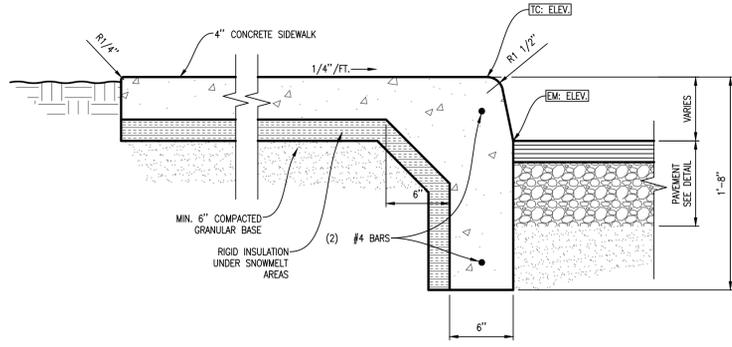
**MODIFIED M.D.O.T. "F2"
 CONCRETE CURB & GUTTER DETAIL**
 NOT TO SCALE



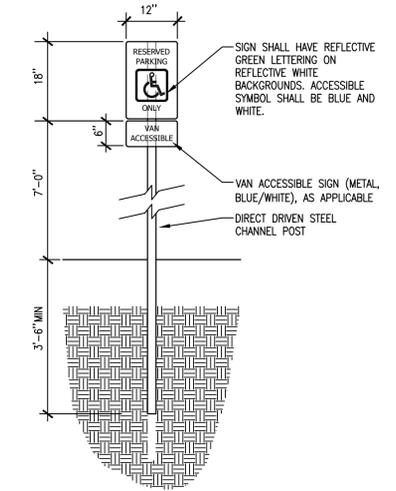
**STANDARD M.D.O.T. "E2"
 CONCRETE CURB & GUTTER DETAIL**
 NOT TO SCALE



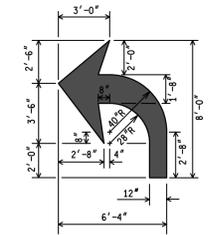
CONCRETE SIDEWALK DETAIL
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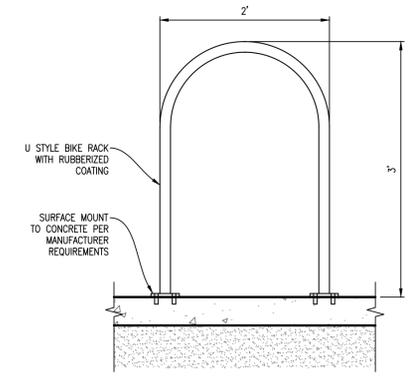
INTEGRAL SIDEWALK AND CURB DETAIL
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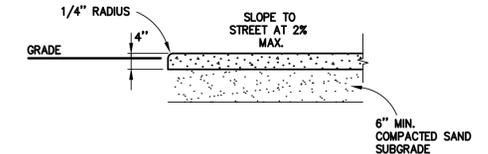
ACCESSIBLE PARKING SIGN DETAIL
 NOT TO SCALE



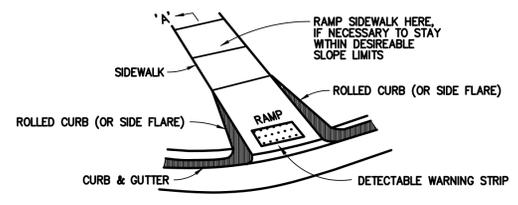
LEFT TURN ARROW DETAIL
 (RIGHT TURN ARROW TO BE REVERSE)
 NOT TO SCALE



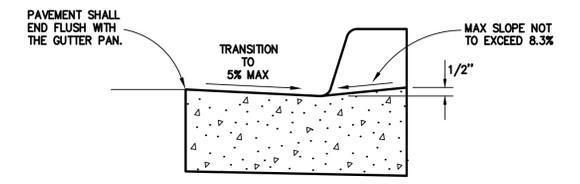
BIKE RACK DETAIL
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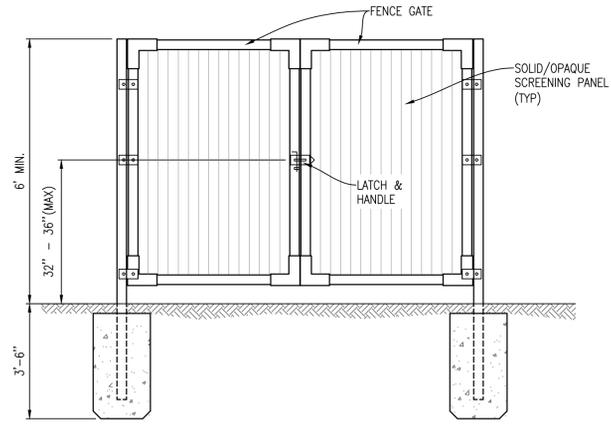
CONCRETE SIDEWALK SECTION



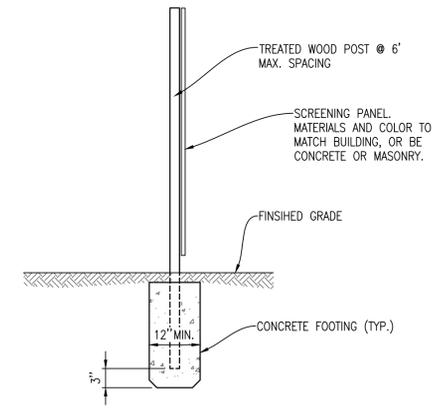
SIDEWALK RAMP



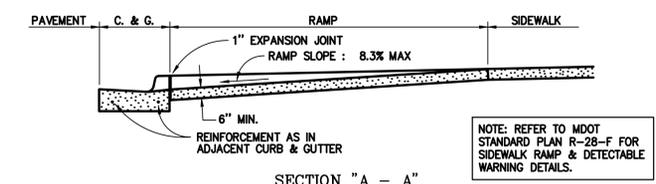
SECTION THRU CURB CUT



FRONT ELEVATION
TRASH SCREENING DETAIL
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SIDE SECTION

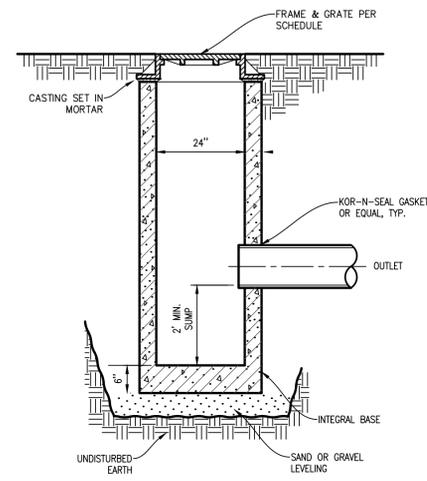


SIDEWALK RAMP DETAIL
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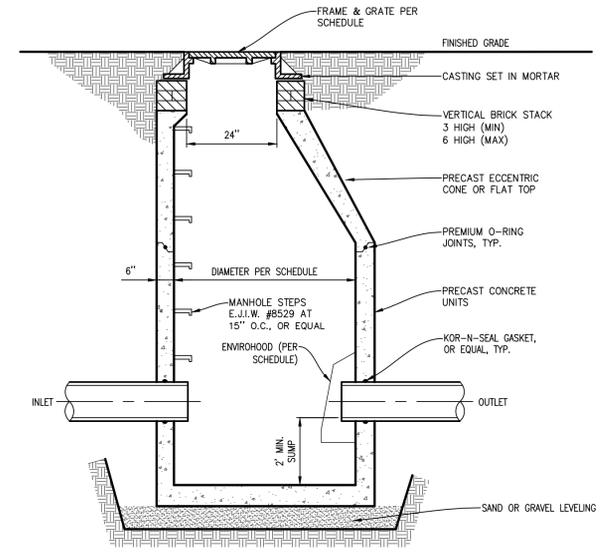
NOTE: REFER TO MDOT STANDARD PLAN R-28-F FOR SIDEWALK RAMP & DETECTABLE WARNING DETAILS.

No.	Date	Revision	By

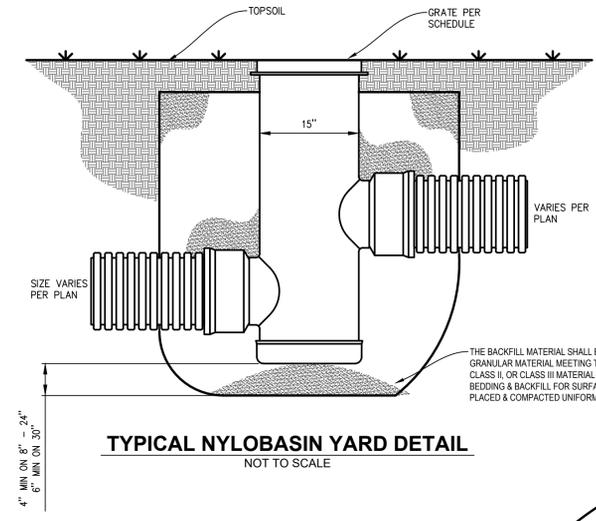
SITE DETAILS
GAUTHIER SITE MULTI-FAMILY DEVELOPMENT
 KEEL CAPITAL, LLC



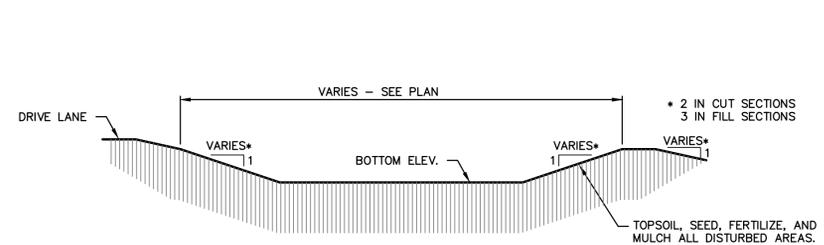
2' DIA. CATCH BASIN DETAIL
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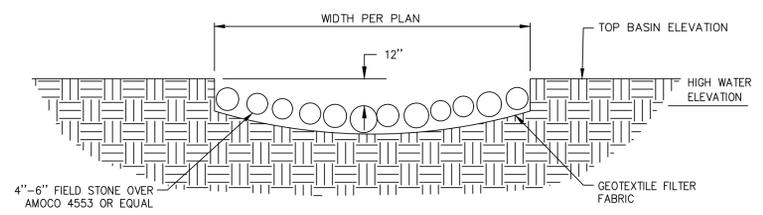
CATCH BASIN / MANHOLE DETAIL
 NOT TO SCALE



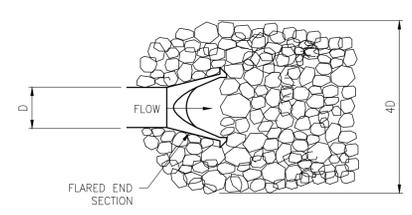
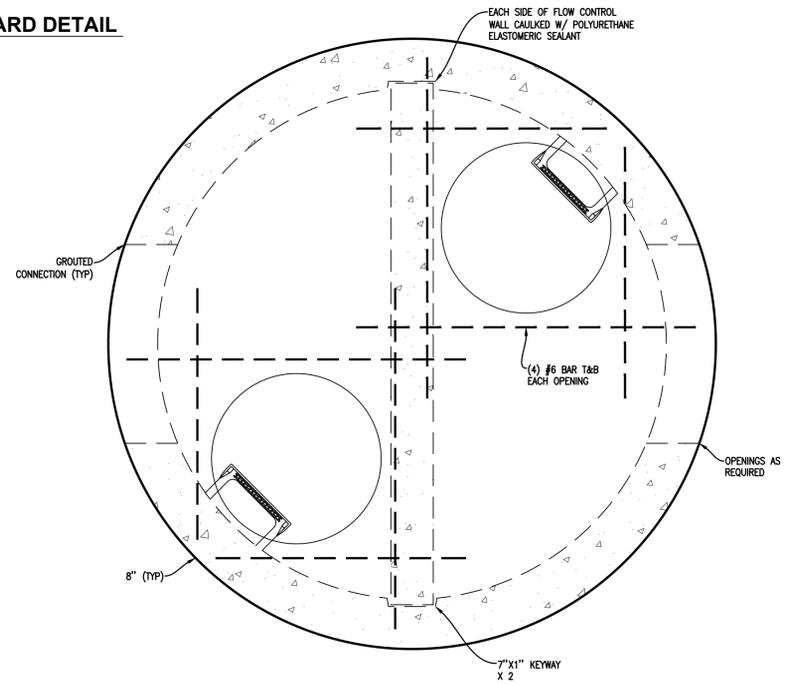
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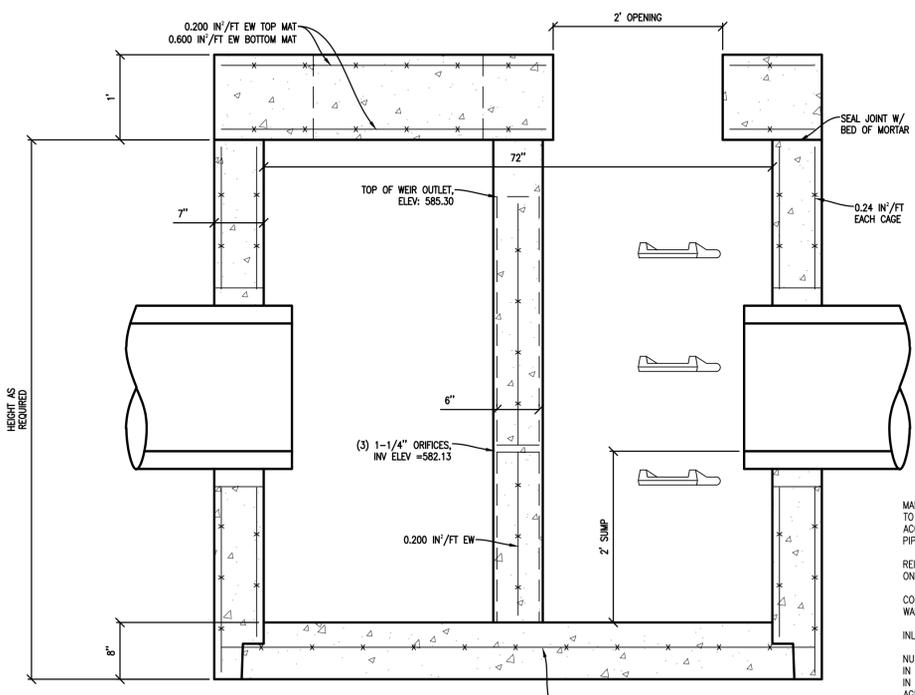
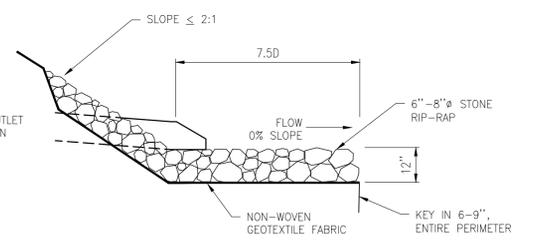
BASIN DETAIL
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EMERGENCY OVERFLOW DETAIL
 NOT TO SCALE



OUTLET PIPE RIP-RAP DISSIPATER DETAIL
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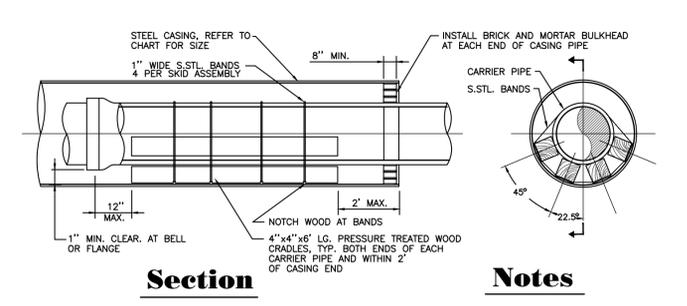
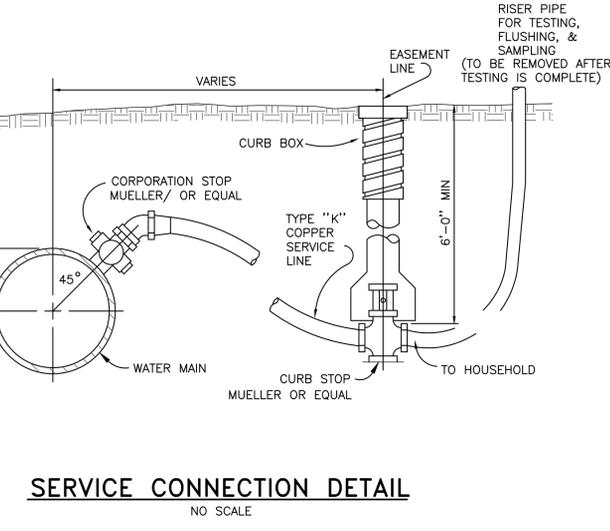
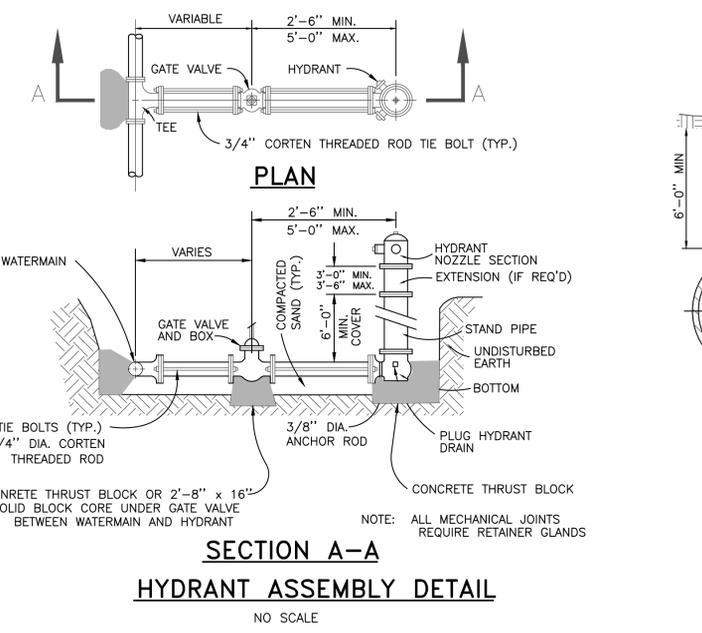
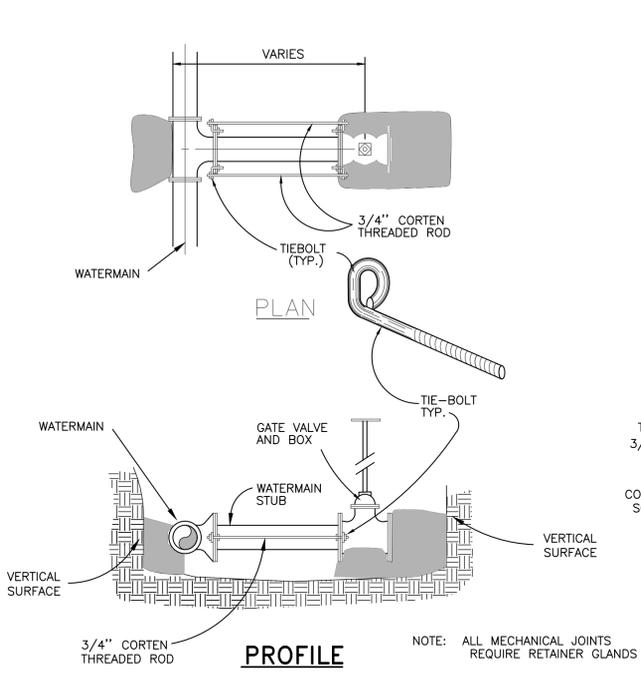


OUTLET CONTROL STRUCTURE DETAIL
 NOT TO SCALE

MANHOLE SECTIONS TO BE MANUFACTURED TO ASTM C-478 SPECIFICATIONS AND IN ACCORDANCE WITH NORTHERN CONCRETE PIPE, INC. (800 222 9918).
 REINFORCING SHOWN FOR SCHEMATIC ONLY. ALL STEEL AREAS ARE MINIMUMS.
 CONTRACTOR TO SEAL BETWEEN PRECAST WALL & BASE W/BUTYL ROPE.
 INLET & OUTLET PIPES SIZE VARIES.
 NUMBER, SIZE AND ELEVATION OF HOLES IN THE FLOW RESTRICTOR WALL SHALL BE IN ACCORDANCE WITH THE GOVERNING AGENCY.

No.	Date	Revision	By

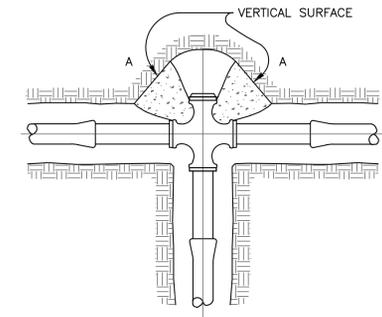
SITE DETAILS
GAUTHIER SITE MULTI-FAMILY DEVELOPMENT
 KEEL CAPITAL, LLC



WATER MAIN

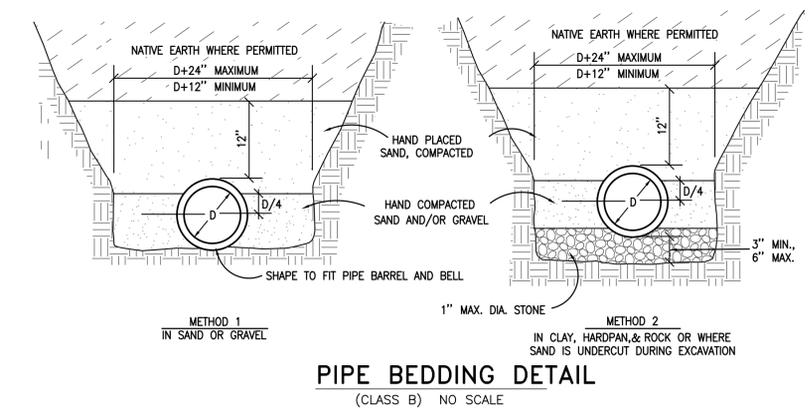
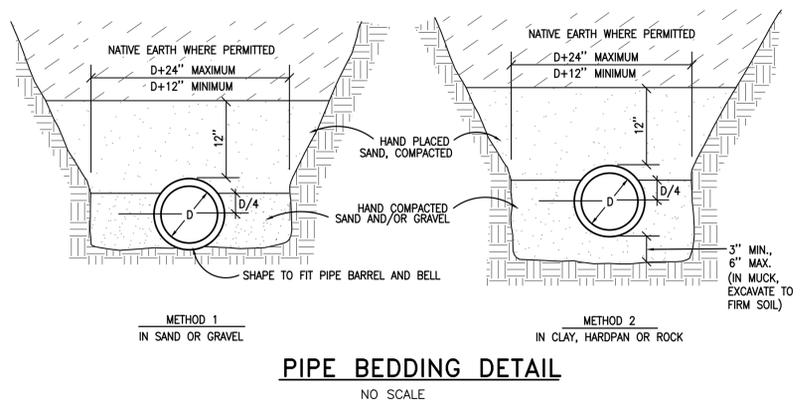
CARRIER PIPE NOMINAL SIZE	CASING PIPE SIZE - ROAD MIN. O.D.	MIN. WALL THK.
6"	18"	0.250"
8"	18"	0.250"
10"	20"	0.250"
12"	22"	0.250"
15"	24"	0.250"

- Notes**
1. 14" AND LARGER CARRIER PIPES REQUIRE 4-4"x4" WOOD SKIDS PER SET, SPACED AS SHOWN ABOVE.
 2. 12" AND SMALLER CARRIER PIPES REQUIRE ONLY 2-4"x4" WOOD SKIDS PER SET, SPACED 30" AWAY FROM THE BOTTOM OF THE CARRIER.
 3. SKID SIZES MAY VARY WITH LARGER SIZE CARRIER PIPES.
 4. MINIMUM CASING SIZE BASED ON STANDARD PUSH-ON JOINT PIPE. CONTRACTOR SHALL VERIFY MINIMUM CLEARANCE REQUIREMENTS FOR THE TYPE OF CARRIER PIPE SPECIFIED AND INSTALL LARGER THAN MINIMUM CASING SIZE FOR REQUIRED CLEARANCE, AT NO ADDITIONAL COST.



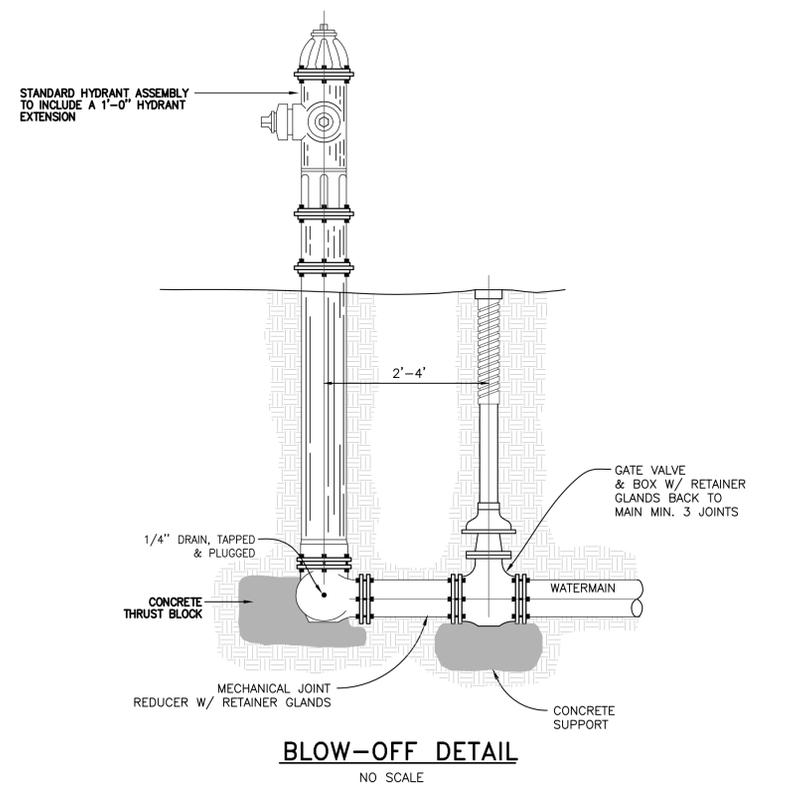
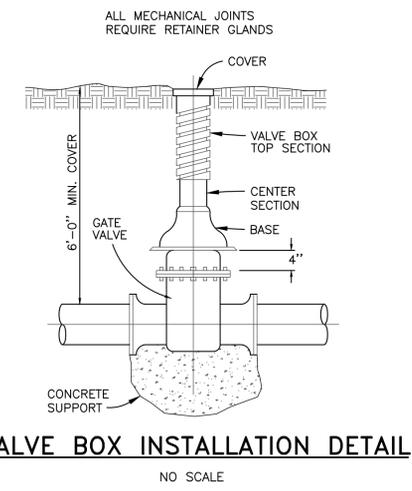
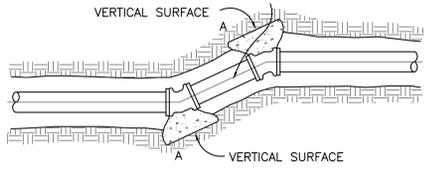
PIPE SIZE	MIN. BEARING SURFACE ON UNDISTURBED SOIL FOR THRUST BLOCKS SURFACE A
4"	1'-0" x 1'-0" = 1.0 SQ.FT.
6"	1'-4" x 1'-0" = 1.8 SQ.FT.
8"	2'-0" x 1'-4" = 2.7 SQ.FT.
10"	1'-10" x 1'-10" = 3.4 SQ.FT.
12"	2'-4" x 2'-4" = 5.4 SQ.FT.
16"	2'-10" x 2'-10" = 8.0 SQ.FT.

ALL MECHANICAL JOINTS REQUIRE RETAINER GLANDS



DEGREE OF BEND IN ELBOW	PIPE SIZE	MIN. BEARING SURFACE ON UNDISTURBED SOIL FOR THRUST BLOCKS SURFACE A
45°	4"	1'-4" x 1'-0" = 1.3 SQ. FT.
45°	6"	1'-8" x 1'-4" = 2.2 SQ. FT.
45°	8"	2'-0" x 2'-0" = 4.0 SQ. FT.
45°	10"	2'-4" x 2'-4" = 5.4 SQ. FT.
45°	12"	2'-8" x 2'-8" = 7.1 SQ. FT.
45°	16"	3'-8" x 3'-8" = 13.5 SQ. FT.
22.5° OR 11.25°	2"	
22.5° OR 11.25°	4"	1'-0" x 0'-8" = 0.7 SQ. FT.
22.5° OR 11.25°	6"	1'-4" x 1'-0" = 1.3 SQ. FT.
22.5° OR 11.25°	8"	1'-8" x 1'-4" = 2.2 SQ. FT.
22.5° OR 11.25°	10"	1'-8" x 1'-8" = 2.8 SQ. FT.
22.5° OR 11.25°	12"	1'-10" x 1'-10" = 3.4 SQ. FT.
22.5° OR 11.25°	16"	2'-8" x 2'-8" = 7.1 SQ. FT.

ALL MECHANICAL JOINTS REQUIRE RETAINER GLANDS
 NOTE: IF THE DISTANCE BETWEEN THESE TWO FITTINGS IS 7 FEET OR LESS TIE BOLTS AND 3/4" CORTEN RODS MUST BE UTILIZED



No.	Date	Revision	By

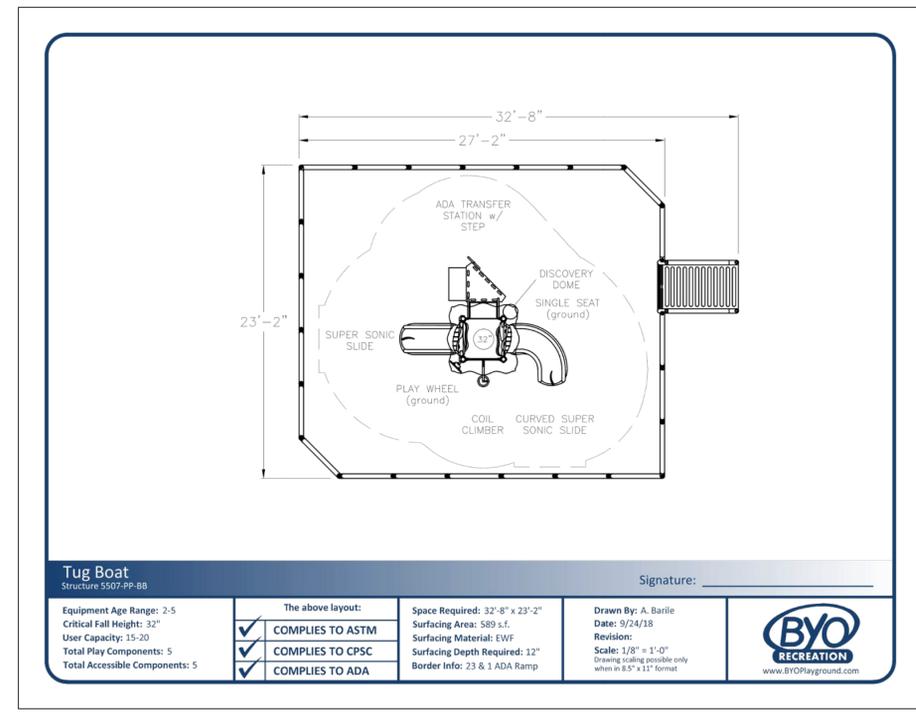
STANDARD WATER MAIN DETAILS
GAUTHIER SITE MULTI-FAMILY DEVELOPMENT
 KEEL CAPITAL, LLC



REPRESENTATIVE TOT LOT STRUCTURE
 NOT TO SCALE



REPRESENTATIVE PAVILLION
 NOT TO SCALE



REPRESENTATIVE TOT LOT PLAN
 NOT TO SCALE



REPRESENTATIVE MAILBOX CLUSTER
 NOT TO SCALE

No.	Date	Revision	By

SITE AMENITY IMAGES
GAUTHIER SITE MULTI-FAMILY DEVELOPMENT
 KEEL CAPITAL, LLC

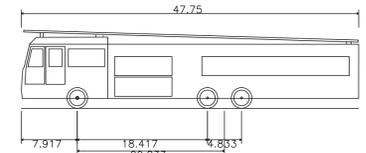
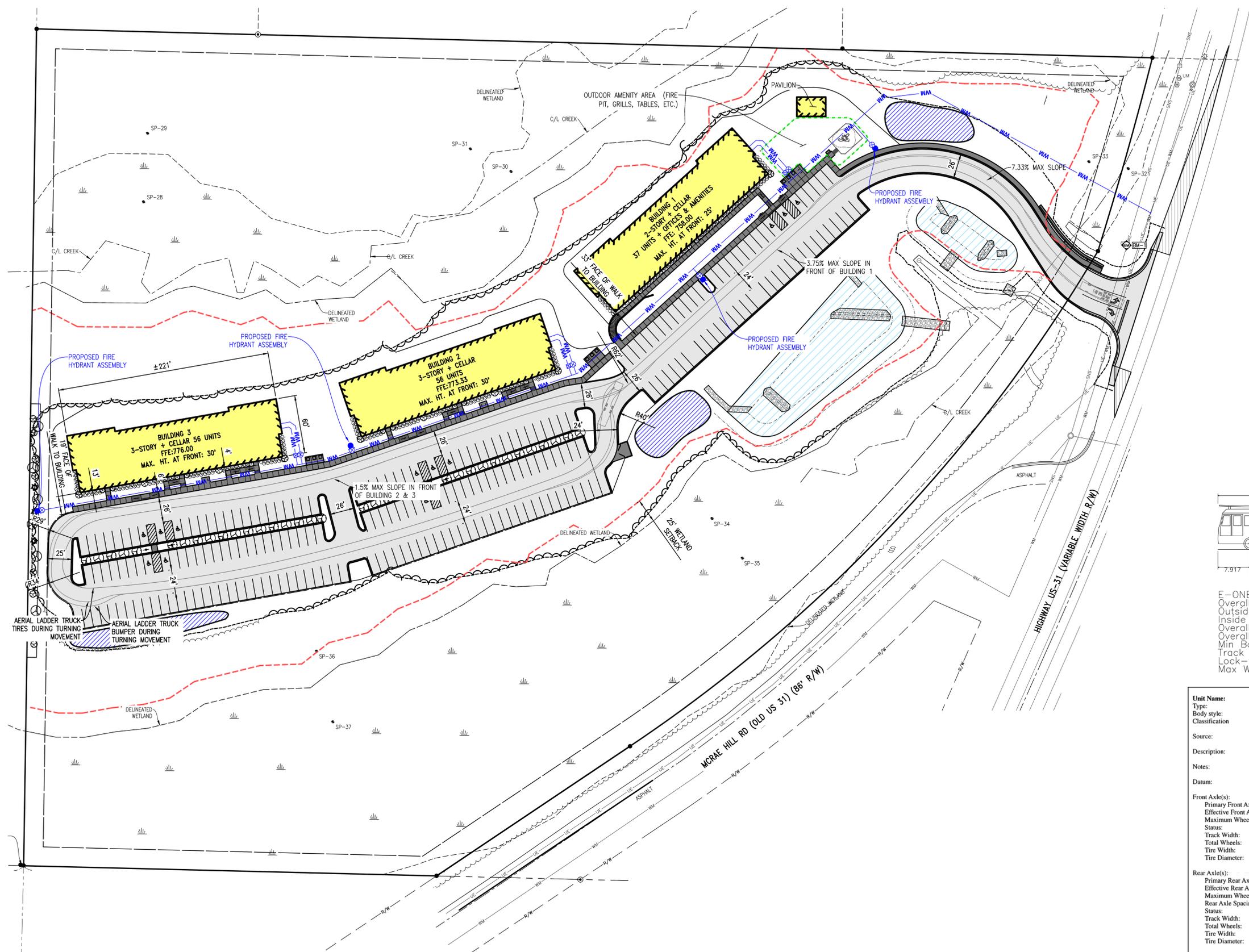
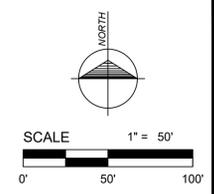
Date Issued: 02-04-2025
 Date Surveyed: 04-10-2024
 Designed By: RMV/AJP
 Drawn By: AJP
 Checked By: RMV
 Scale: AS NOTED

Original sheet size is 24x36

Location:
 PART OF THE SE 1/4 OF THE SW 1/4
 SECTION 23, T27N, R11W
 GARFIELD TOWNSHIP
 GRAND TRAVERSE COUNTY
 MICHIGAN

Project Number:
 240422

Sheet:
C604



E-ONE HP95 Mid Mount
 Overall Length 47.750ft
 Outside Min Radius 40.659ft
 Inside Min Radius 20.559ft
 Overall Width 8.333ft
 Overall Body Height 11.000ft
 Min Body Ground Clearance 1.393ft
 Track Width 8.333ft
 Lock-to-lock time 6.00s
 Max Wheel Angle 45.00°

Unit Name:	E-ONE HP95 Mid Mount Tractor
Type:	Tractor (with driver controlled steering)
Body style:	Fire Tender
Classification:	(Unspecified)
Source:	No data
Description:	No data
Notes:	No data
Datum:	Front Primary Axle
Front Axle(s):	1 Ackerman (axles fixed, wheels turn)
Primary Front Axle Offset:	0.000ft
Effective Front Axle Offset:	0.000ft (Auto Calculated)
Maximum Wheel Angle:	45.000deg (Any Front Wheel)
Status:	Active Non Self-Steered
Track Width:	8.333ft
Total Wheels:	2 (positioned at the ends of the axle)
Tire Width:	0.833ft (Auto Calculated - proportion of Track Width)
Tire Diameter:	2.917ft (Auto Calculated - proportion of Track Width)
Rear Axle(s):	2 Fixed (All axles identical)
Primary Rear Axle Offset:	18.417ft (Innermost Axle behind Front Primary Axle)
Effective Rear Axle Offset:	20.833ft (Auto Calculated)
Maximum Wheel Angle:	Unlimited
Rear Axle Spacing:	4.833ft
Status:	Active Non Self-Steered
Track Width:	8.333ft
Total Wheels:	4 (positioned at the ends of the axle)
Tire Width:	0.833ft (Auto Calculated - proportion of Track Width)
Tire Diameter:	2.917ft (Auto Calculated - proportion of Track Width)
Steering:	Front Axle(s):
Maximum Wheel Angle:	See Front Axles: Maximum Wheel Angle
Calculated Maximum Wheel Angle:	45.000deg
Lock-to-Lock Time (Fwd/Rev):	6.0sec / 6.0sec
Driver / Pilot:	Driver Offset Longitudinally:
Driver / Pilot Offset Laterally:	-2.995ft (in front of Front Primary Axle)
Driver Height:	-1.969ft (Right of Centerline)
Driver Height:	8.202ft (Above ground level)
Front Coupling:	None
Rear Coupling:	None
Body outline (plan):	Outline Type: Rectangle
Offset (X,Y):	-7.917ft, 0.000ft
Length / Width:	47.750ft / 8.333ft

No.	Date	Revision	By

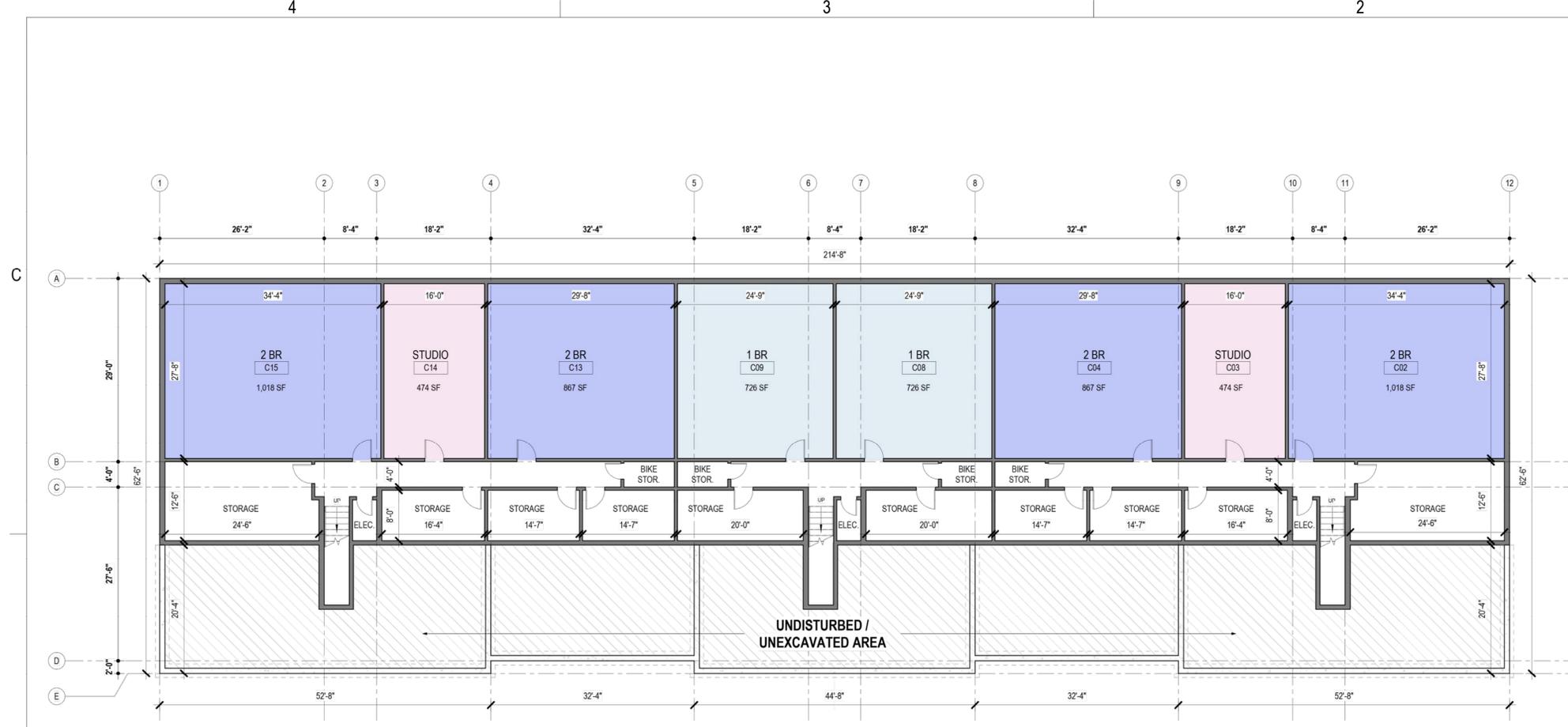
EMERGENCY ACCESS PLAN
GAUTHIER SITE MULTI-FAMILY DEVELOPMENT
 KEEL CAPITAL, LLC

Date Issued: 02-04-2025
 Date Surveyed: 04-10-2024
 Designed By: RMV/AJP
 Drawn By: AJP
 Checked By: RMV
 Scale: AS NOTED
 Original sheet size is 24x36

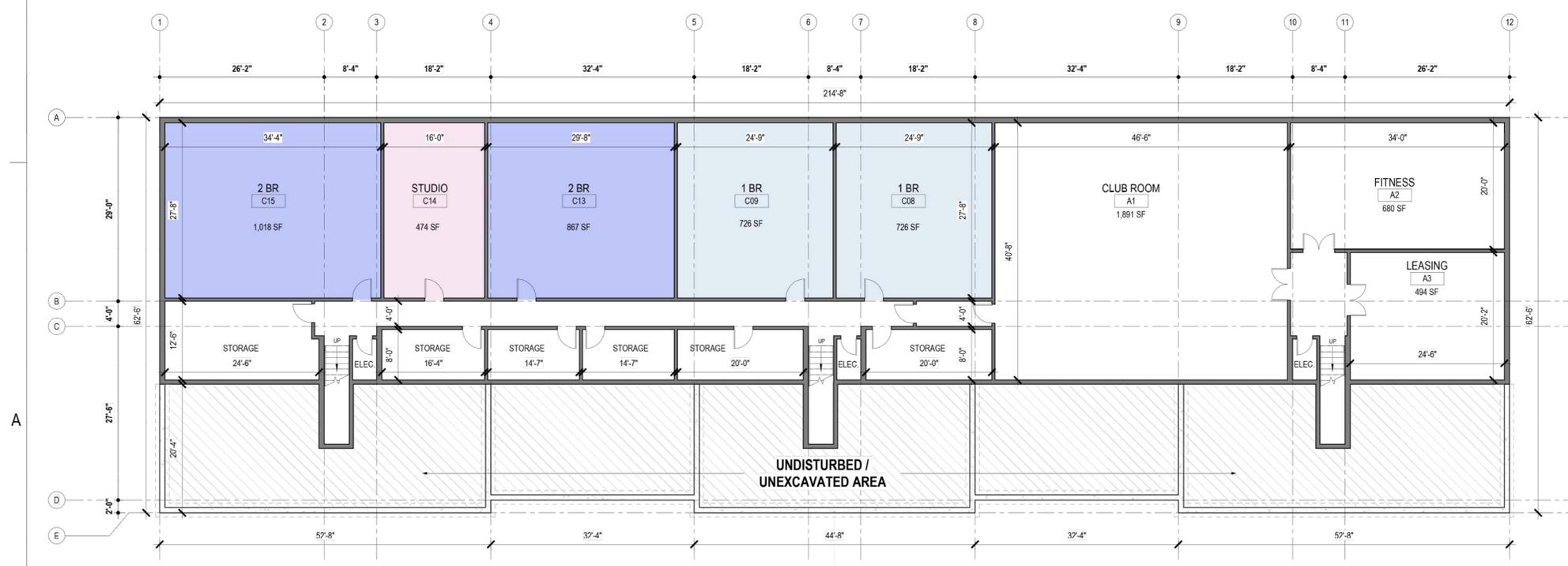
Location:
 PART OF THE SE 1/4 OF THE SW 1/4
 SECTION 23, T27N, R11W
 GARFIELD TOWNSHIP
 GRAND TRAVERSE COUNTY
 MICHIGAN

Project Number:
 240422

Sheet:
CEA1



2 BLDG 3 & 4 - TYP. CELLAR PLAN
3/32" = 1'-0"



1 BLDG 2 - CELLAR PLAN
3/32" = 1'-0"

UNITS - GROSS AREAS & COUNT BY LEVEL (BLDG 2)		
NUMBER	UNIT TYPE	UNIT AREA (GROSS AREA GSF)
C08	1 BR	726 SF
C09	1 BR	726 SF
C13	2 BR	867 SF
C14	STUDIO	474 SF
C15	2 BR	1,018 SF
Grand total: 5		

UNITS - NET AREA (BLDG 2 CELLAR)		
NUMBER	UNIT TYPE	NET AREA (RENTABLE)
C08	1 BR	685 SF
C09	1 BR	685 SF
C13	2 BR	821 SF
C14	STUDIO	443 SF
C15	2 BR	950 SF
Grand total: 5		

UNITS - GROSS AREAS & COUNT BY LEVEL (BLDG 3-4)		
NUMBER	UNIT TYPE	UNIT AREA (GROSS AREA GSF)
C02	2 BR	1,018 SF
C03	STUDIO	474 SF
C04	2 BR	867 SF
C08	1 BR	726 SF
C09	1 BR	726 SF
C13	2 BR	867 SF
C14	STUDIO	474 SF
C15	2 BR	1,018 SF
Grand total: 8		

UNITS - NET AREA (BLDG 3-4 CELLAR)		
NUMBER	UNIT TYPE	NET AREA (RENTABLE)
C02	2 BR	950 SF
C03	STUDIO	443 SF
C04	2 BR	821 SF
C08	1 BR	685 SF
C09	1 BR	685 SF
C13	2 BR	821 SF
C14	STUDIO	443 SF
C15	2 BR	950 SF
Grand total: 8		

- KEY LEGEND**
- 1 BR
 - 2 BR
 - STUDIO

OVERALL CELLAR FOOTPRINT - **9,220 SF***
* EXCLUDING UNDISTURBED AREAS



GAUTHIER MULTI-FAMILY DEVELOPMENT
ADDRESS

DATE	DESCRIPTION

DRAWING TITLE
FLOOR PLANS
STAMP

PROJECT NO.
FS2000xx
DRAWN BY:
Author
SCALE:
3/32" = 1'-0"
DATE:
2024-09-03
DWG. NO.

© FORMSIX DESIGN, LLC
A101

DATE	DESCRIPTION

ENLARGED FLOOR PLAN

STAMP

PROJECT NO.
FS2000xx
DRAWN BY:
Author
SCALE:
3/16" = 1'-0"
DATE:
2024-09-03
DWG. NO.

A103



1 1ST FLOOR
3/16" = 1'-0"

**PHOTOMETRIC EVALUATION
 NOT FOR CONSTRUCTION**
 Based on the information provided, all dimensions and luminaire locations represent a recommended application. The engineer and/or architect must determine the applicability of the layout regarding existing or future field conditions.
 This lighting layout represents illumination levels calculated using laboratory data taken under controlled conditions in accordance with The Illuminating Engineering Society (IES) approved method. Actual performance of a manufacturer's luminaires may vary due to changes in electrical voltage, tolerance in LEDs, and other field conditions. Calculations may not include obstructions such as buildings, curbs, landscaping, or other architectural elements. Future nomenclature may not include mounting hardware or poles. This layout is for photometric evaluation purposes only and should not be used as a construction document or as a final document for ordering product.

DESIGNED FOR:

GAUTHIER SITE MULTI-FAMILY DEVELOPMENT

ADDRESS

SALES

A GRACE

DATE

12.23.2024

DESIGNER

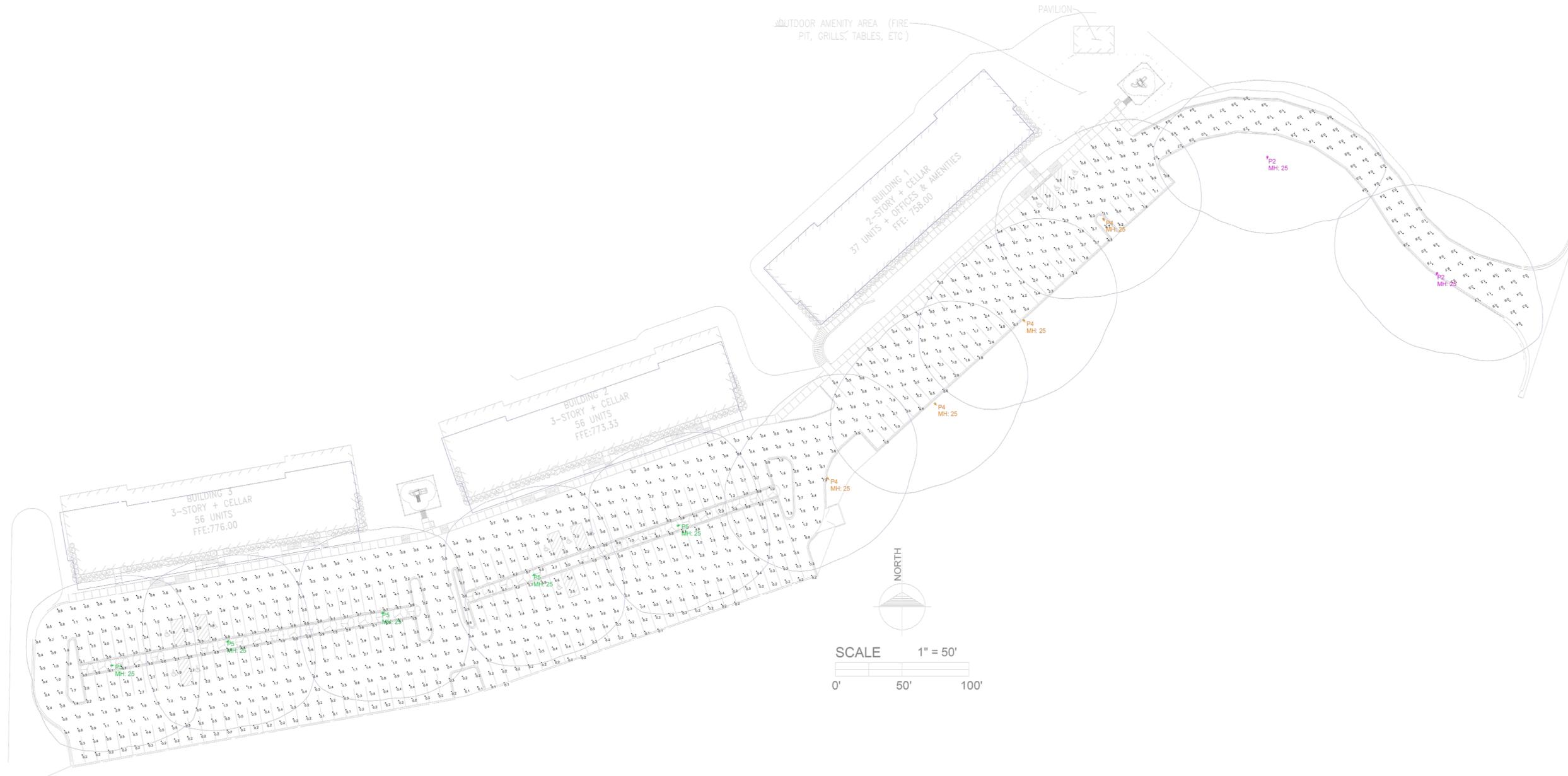
J YONKERS

REVISIONS

DATE	NAME
XX	XX

SHEET

1



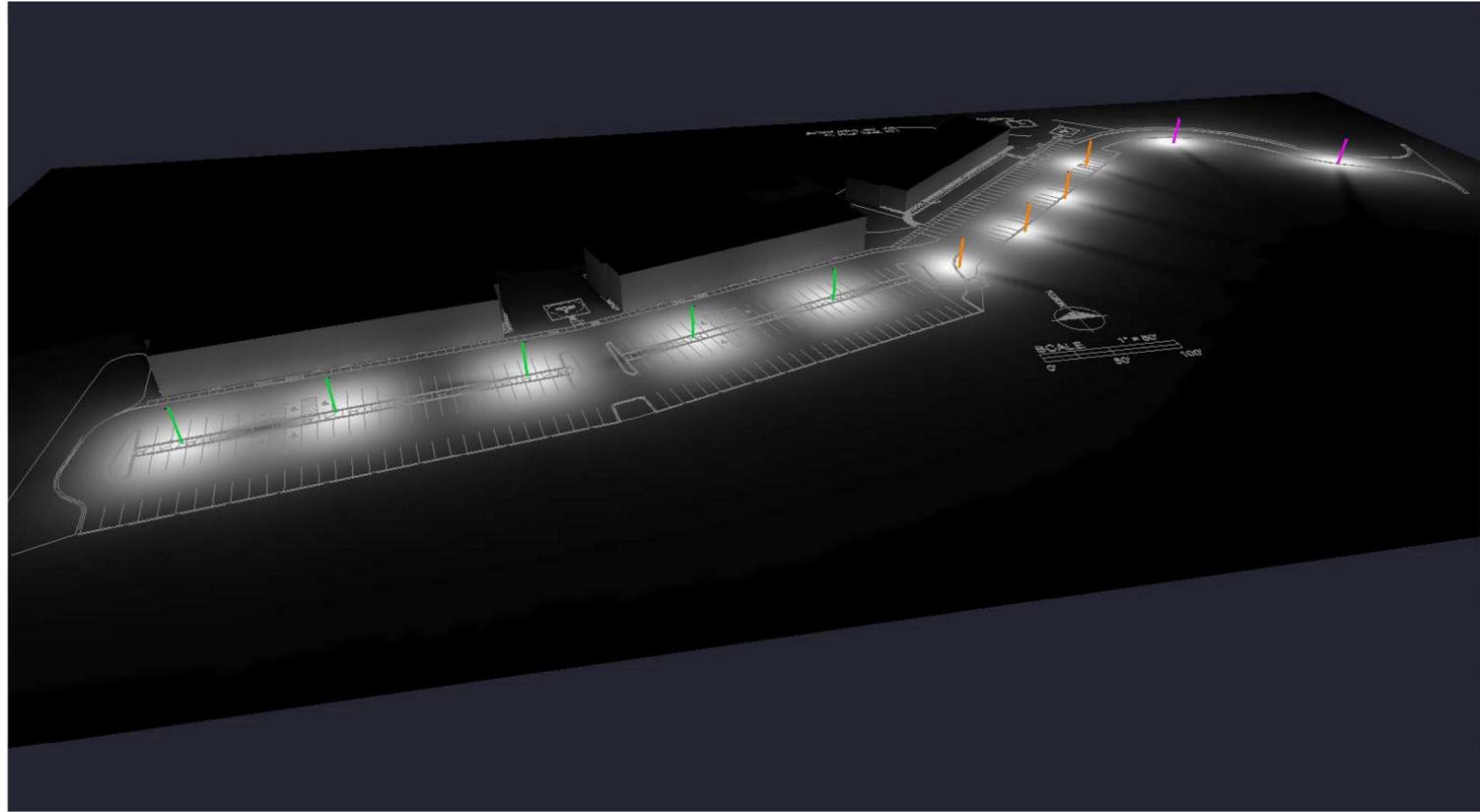
PHOTOMETRIC PLAN

SCALE: NTS

Luminaire Schedule										
Scenario: GEN										
SYMBOL	QTY	LABEL	ARRANGMENT	LLF	[MANUFAC]	DESCRIPTION	MNT HEIGHT	MNT TYPE	TLT WATTS	LUMENS
	2	P2	Single	0.921	ENVISION	LED-ARL3-OPT-5P150-TRI-BL-UNV-T2	25	POLE	300.67	23511
	4	P4	Single	0.921	ENVISION	LED-ARL3-OPT-5P150-TRI-BL-UNV-T4	25	POLE	579.16	22667
	5	P5	Single	0.921	ENVISION	LED-ARL3-OPT-5P150-TRI-BL-UNV-T5	25	POLE	722.665	23683

Calculation Summary							
Scenario: GEN							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
ENTRY	Illuminance	Fc	1.30	7.6	0.2	6.50	38.00
PARKING	Illuminance	Fc	1.61	7.2	0.1	16.10	72.00

NOTES:
- CALC AT GRADE



CTA LIGHTING & CONTROLS
908C West River Center Dr
Comstock Park, MI 49321
616.647.2400
www.cta-lc.com

**PHOTOMETRIC EVALUATION
NOT FOR CONSTRUCTION**
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DESIGNED FOR:

GAUTHIER SITE MULTI-FAMILY DEVELOPMENT
ADDRESS

SALES

A GRACE

DATE

12.23.2024

DESIGNER

J YONKERS

REVISIONS

DATE	NAME
XX	XX

SHEET

2

SCHEDULES

SCALE: NTS

Technical Memo

SUBJECT: Garfield Township Apartments Traffic Impact Assessment

TO: Will Bartlett and Tom O’Hare – Keel Capital, LLC

FROM: Alyssa Wambold, PE, PTOE and Kyle Reidsma, PE, PTOE

DATE: January 2, 2025

PROJECT NO.: 241946

Introduction

On behalf of Keel Capital, LLC, Fishbeck has completed a traffic impact assessment (TIA) for a proposed apartment development with 149 dwelling units (DU) that will be located on the west side of US-31, just north of McRae Hill Road in Garfield Township (Township), Grand Traverse County, Michigan. The proposed development will include three apartment buildings. Two of the apartment buildings will have three stories of living space in the front of the building and four stories of living space in the back of the building. The third building will have two stories of living space in the front of the building and three stories of living space in the back of the building. The additional story of living space in the back of each building is due to the grading of the site, and the additional story is below the grade of the entrance to the building.

The site currently includes several buildings, which will be demolished. The development will utilize the existing driveway on US-31. The development will be constructed in one phase, assumed to be open and fully operational in 2026. The project and site driveway location are displayed in Figure 1, and the proposed site plan is displayed in Figure 2.

This TIA follows the requirements of the Michigan Department of Transportation’s (MDOT) *Geometric Design Guidance* document and the Township’s zoning ordinance. The Township requires a horizon year analysis, 10 years after project completion.

Figure 1 – Project Location and Study Network

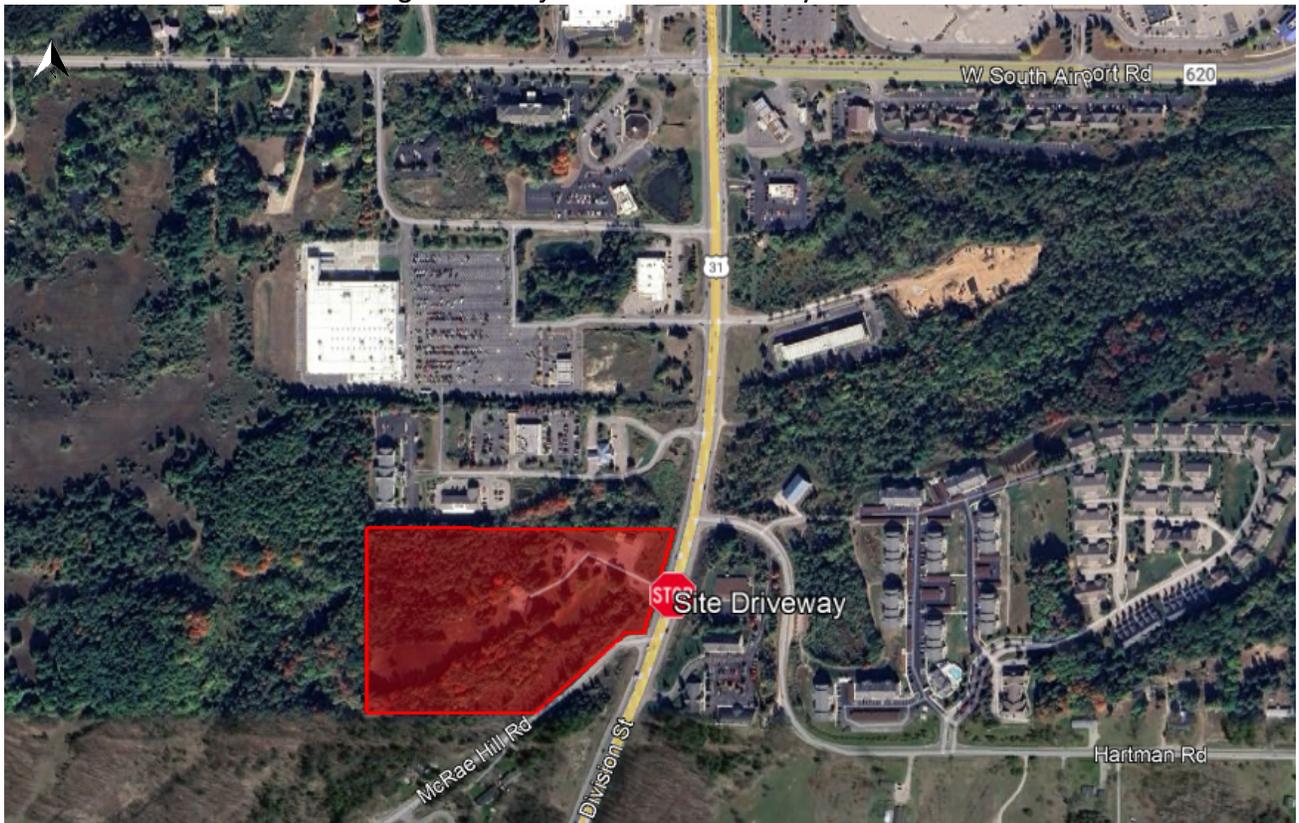
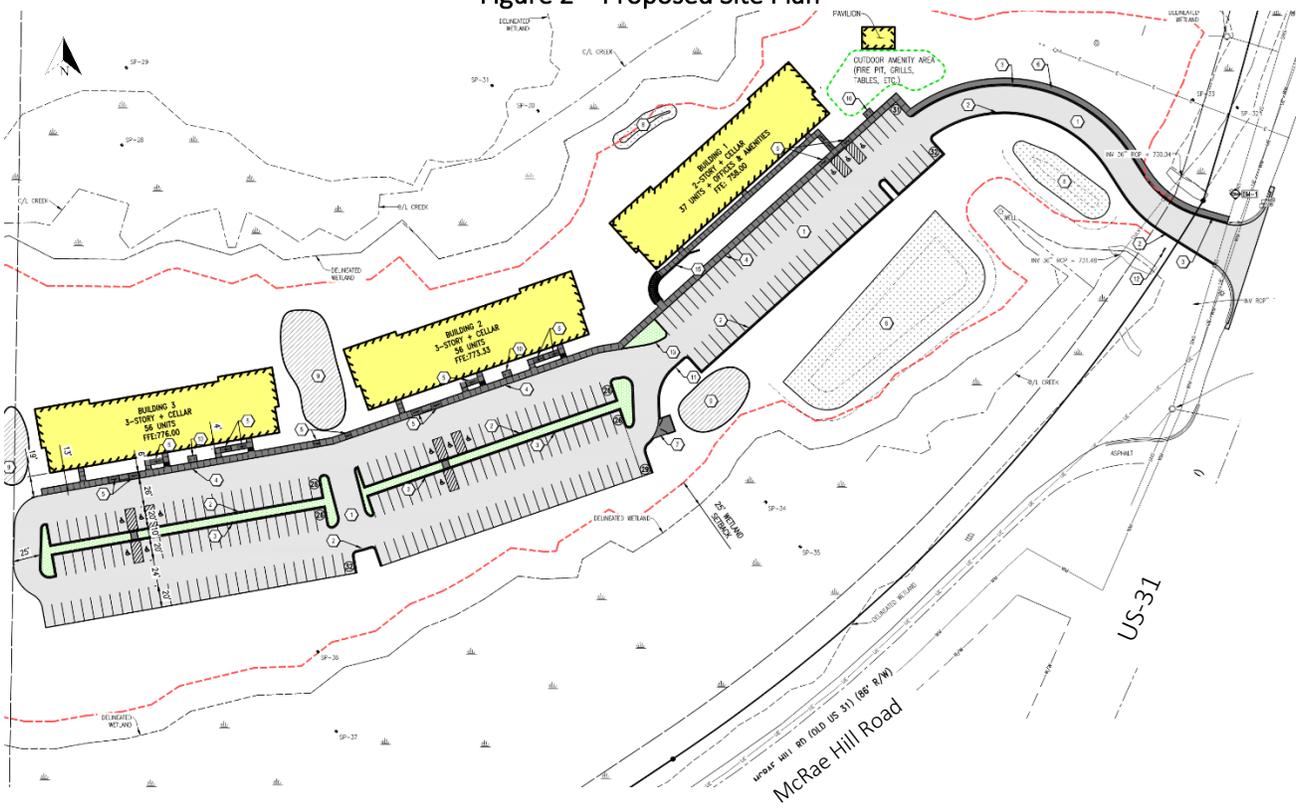


Figure 2 – Proposed Site Plan



Existing Traffic Volumes and Background Traffic Growth

Existing traffic data was provided by MDOT from their Gridsmart traffic camera system. MDOT provided traffic turning movement data at the signalized intersection of US-31 and South Airport Road, approximately 2,000 feet north of the site driveway, between Sunday, July 14, 2024, and Saturday, July 27, 2024. Review of the traffic data revealed that average traffic volumes were nearly identical on Tuesday through Friday, with significantly lower volumes on Saturday and Sunday. Turning movement data from Wednesday, July 24, 2024, was used in this TIA because this day had traffic volumes that were closest to the average volumes seen on Tuesday through Friday. MDOT provided the volume data from two weeks in July, noting that volumes in this area are typically higher in July and would provide a more conservative analysis than collecting traffic volume data in December.

Historical population data from the US Census Bureau was referenced to determine the applicable growth rate for the existing traffic volumes to the project build-out year in 2026 and horizon analysis in 2036. Between 2010 and 2023, the population of Garfield Township grew at a rate of 1.6% per year. Between 2020 and 2023, the growth slowed to a rate of 0.9% per year. To provide a conservative analysis, the more conservative growth rate of 1.6% that occurred during the longer review period (2010-2023) was utilized in this analysis.

The traffic data is provided in Attachment 1.

Trip Generation

Using the information and methodologies specified in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition*, Fishbeck forecast the weekday a.m. and p.m. peak-hour trips associated with the proposed development. Table 1 presents the resulting trip generation for the development. Additional trip generation information is provided in Attachment 2. The difference between the ITE land uses for the multifamily housing is based on the number of floors of living space in the building. The low-rise land use is for up to three stories of living space, and the mid-rise applies to buildings with between four and ten floors of living space.

Table 1 – Trip Generation for Proposed Development

ITE Land Use	LUC	Units	a.m. Peak Hour			p.m. Peak Hour			Weekday
			In	Out	Total	In	Out	Total	
Multifamily Housing (Low-Rise)	220	37 DU	8	26	34	23	13	36	312
Multifamily Housing (Mid-Rise)	221	112 DU	9	29	38	27	17	44	508
		Total	17	55	72	50	30	80	820

LUC Land Use Code

Trip Distribution

The directions that site traffic will travel to and from were based upon existing traffic patterns during the a.m. and p.m. peak hours. The existing traffic patterns reflect the gravity between origins and destinations in the study area and therefore are an accurate indication of where the proposed trips would be coming from and going to. Table 2 provides the probable distribution based on existing traffic patterns. The trip assignment and traffic data are presented in Attachment 3.

Table 2 – Trip Distribution

Direction	Via	a.m. Peak Hour		p.m. Peak Hour	
		To	From	To	From
North	US-31	66%	34%	46%	54%
South	US-31	34%	66%	54%	46%

Turn Lane Guidance

An evaluation was performed in accordance with MDOT guidance to determine if a right-turn deceleration lane should be considered at the site driveway. US-31 has an existing two-way left-turn lane (TWLTL) that will accommodate the northbound (NB) US-31 left-turning traffic into the development. The results of the evaluation indicated that a southbound (SB) right-turn taper is recommended. There is currently a 12-foot paved shoulder along SB US-31 that could be restriped to provide a right-turn taper into the site. All turn-lane evaluation charts are provided in Attachment 4. The results of the analysis are presented in Table 3.

Table 3 – Turn Lane Evaluation

Intersection	Movement	Existing Treatment	Result
US-31 and Site Driveway	NB Left	TWLTL	Existing TWLTL
	SB Right	None	Taper Recommended

Traffic Operations Analysis Methodology

Synchro was used to perform Highway Capacity Manual (HCM) operational analyses during the a.m. and p.m. peak hours for the site driveway. According to the most recent editions of the HCM, Level of Service (LOS) is a qualitative measure describing operational conditions of a traffic stream or intersection. LOS ranges from A to F, with LOS A representing desirable traffic operations characterized by low delay and LOS F representing extremely poor traffic operations characterized by excessive delays and long vehicle queues. LOS D is generally considered acceptable for most areas. Table 4 presents the HCM LOS criteria for unsignalized intersections. The color coding in the table is used in the operational analysis summary tables later in this report.

Table 4 – LOS Criteria for Unsignalized Intersections

LOS	Average Stopped Vehicle Delay (seconds)
A	≤ 10
B	> 10 and ≤ 15
C	> 15 and ≤ 25
D	> 25 and ≤ 35
E	> 35 and ≤ 50
F	> 50

Traffic Analysis

Synchro models for the study intersection were created based on the existing roadway configurations and traffic controls, as observed in available aerial and street-level imagery. Analysis was completed for the site buildout in 2026 and for a 10-year horizon year in 2036, in accordance with Garfield Township Zoning Ordinance requirements. The resulting LOS and delay for these analyses are provided in Table 5.

Table 5 – LOS Analysis

Approach	LOS/Delay(s)			
	a.m. Peak Hour		p.m. Peak Hour	
	2026 Build	2036 Horizon	2026 Build	2036 Horizon
US-31 and Site Driveway (EB Stop-Controlled)				
EB Site Driveway	C 18.2	C 21.3	D 25.2	D 32.7
NB US-31	A 0.1	A 0.1	A 0.3	A 0.3
SB US-31	Free	Free	Free	Free
Overall	A 0.6	A 0.6	A 0.4	A 0.5

EB eastbound

Further analysis of the LOS results for existing conditions revealed that the overall intersection operates at LOS A and most movements and approaches are expected to operate at an acceptable LOS D or better during both the a.m. and p.m. peak hours, with the following exceptions:

- US-31 and Site Driveway:
 - The EB left-turn movement would operate at LOS E with 36.3 seconds of delay in the p.m. peak hour under 2026 build conditions.
 - The EB left-turn movement would operate at LOS F with 50.0 seconds of delay in the p.m. peak hour under 2036 horizon conditions.

SimTraffic simulations were also reviewed to observe network operations and vehicle queues. For build and horizon conditions, study network operations are acceptable, with no significant vehicle queues or spill-back from available storage lanes.

95th-percentile queue lengths for the NB left-turn movement into the site do not exceed 22 feet (1 vehicle) in the a.m. peak hour and 37 feet (1-2 vehicles) in the p.m. peak hour under 2026 build and 2036 horizon conditions. During the a.m. peak hour, outbound 95th-percentile queue lengths do not exceed 79 feet (3 vehicles) under 2026 build conditions and 89 feet (3-4 vehicles) under 2036 horizon conditions. During the p.m. peak hour, 95th-percentile queue lengths do not exceed 46 feet (2 vehicles) under 2026 build conditions and 93 feet (4 vehicles) under 2036 horizon conditions. The LOS reports and queueing analysis reports are provided in Attachment 5.

Attachment 1

Traffic Data

Intersection	Time period	Year	Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
#X - US-31 (Division Street) and South Airport Road NO ANALYSIS - FOR TRAFFIC CALCULATIONS	a.m. Peak Hour 07/24/24 8:00 - 9:00 a.m.		PHF	0.86			0.85			0.88			0.88			
			% Heavy	2%			2%			2%			2%			
		2024	Existing	109	519	96	208	270	221	100	735	386	181	317	47	
		2024	Existing Adj.	109	519	96	208	270	221	100	735	386	181	317	47	
		2026	Background	113	536	99	215	279	228	103	759	398	187	327	49	
			Bckgrd. Dev. A													
			Bckgrd. Dev. B													
			Bckgrd. Dev. C													
			Total Background	113	536	99	215	279	228	103	759	398	187	327	49	
			Site Generated													
			Pass By													
			Total Site Gen	0	0	0	0	0	0	0	0	0	0	0	0	
			Total Future	113	536	99	215	279	228	103	759	398	187	327	49	

Count Date: 7/24/2024
Count Year: 2024
Existing Adj. Year: 2024

Existing Adjustment Rate: 1.00
Growth Rate: 1.6%
Buildout Year: 2026
Scenario: a.m. Peak Hour

Bckgrd. Dev. A:
Bckgrd. Dev. B:
Bckgrd. Dev. C:

Volume Balancing:

Intersection	Time period	Year	Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
#9001 - US-31 (Division Street) and Site Driveway	a.m. Peak Hour 07/24/24 8:00 - 9:00 a.m.		PHF	0.92						0.88			0.88		
			% Heavy	2%						2%			2%		
		2024	Existing								1221			621	
		2024	Existing Adj.								1221			621	
		2026	Background								1260			641	
			Bckgrd. Dev. A								0			0	
			Bckgrd. Dev. B								0			0	
			Bckgrd. Dev. C								0			0	
			Total Background								1260			641	
			Site Generated	36		19					11				6
			Pass By												
			Total Site Gen	36		19					11	0		0	6
			Total Future	36		19					11	1260		641	6
2036	Horizon	36		19					11	1477		751	6		

Intersection	Time period	Year	Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
#X - US-31 (Division Street) and South Airport Road NO ANALYSIS - FOR TRAFFIC CALCULATIONS	p.m. Peak Hour 07/24/24 4:00 - 5:00 p.m.		PHF	0.88			0.87			0.91			0.92		
			% Heavy	2%			2%			2%			2%		
		2024	Existing	207	491	102	490	682	412	159	526	385	407	684	179
		2024	Existing Adj.	207	491	102	490	682	412	159	526	385	407	684	179
		2026	Background	214	507	105	506	704	425	164	543	397	420	706	185
			Bckgrd. Dev. A												
			Bckgrd. Dev. B												
			Bckgrd. Dev. C												
			Total Background	214	507	105	506	704	425	164	543	397	420	706	185
			Site Generated												
			Pass By												
			Total Site Gen	0	0	0	0	0	0	0	0	0	0	0	0
			Total Future	214	507	105	506	704	425	164	543	397	420	706	185

Count Date: 7/24/2024
Count Year: 2024
Existing Adj. Year: 2024

Existing Adjustment Rate: 1.00
Growth Rate: 1.6%
Buildout Year: 2026
Scenario: p.m. Peak Hour

Bckgrd. Dev. A:
Bckgrd. Dev. B:
Bckgrd. Dev. C:

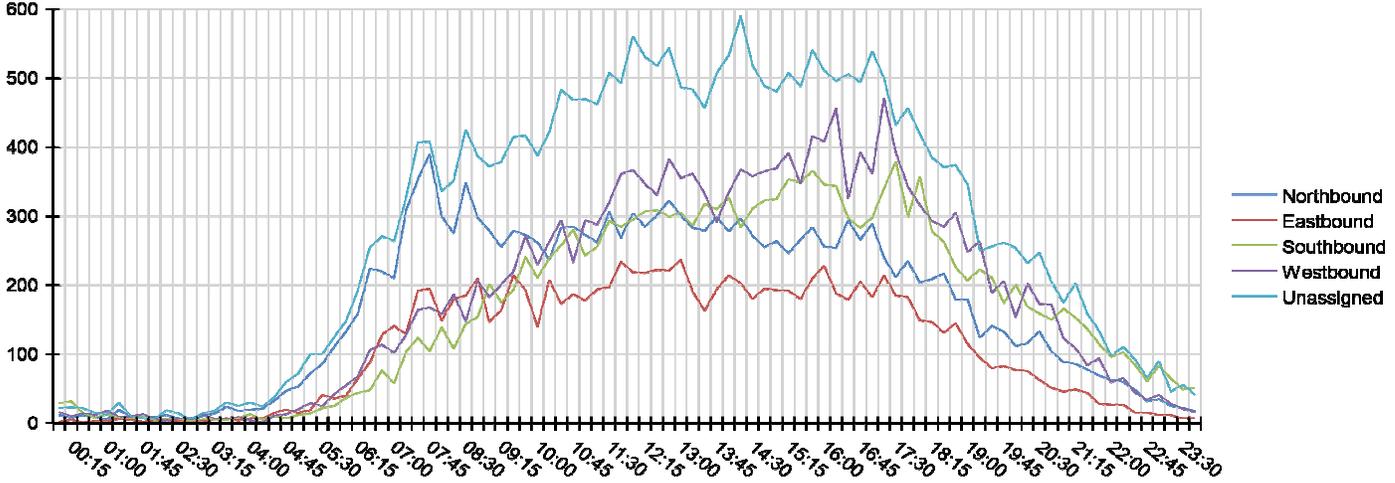
Volume Balancing:

Intersection	Time period	Year	Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
#9001 - US-31 (Division Street) and Site Driveway	p.m. Peak Hour 07/24/24 4:00 - 5:00 p.m.		PHF	0.92						0.91			0.92		
			% Heavy	2%						2%			2%		
		2024	Existing								1070			1276	
		2024	Existing Adj.								1070			1276	
		2026	Background								1104			1317	
			Bckgrd. Dev. A								0			0	
			Bckgrd. Dev. B								0			0	
			Bckgrd. Dev. C								0			0	
			Total Background								1104			1317	
			Site Generated	14		16					23				27
			Pass By												
			Total Site Gen	14		16					23	0		0	27
			Total Future	14		16					23	1104		1317	27
		2036	Horizon	14		16					23	1294		1544	27

	Northbound				Eastbound				Southbound				Westbound				NB	EB	SB	WB	Total
	Right	Through	Left	UTurn	Right	Through	Left	UTurn	Right	Through	Left	UTurn	Right	Through	Left	UTurn					
Sunday, July 14, 2024	4,629	6,739	972	1	793	4,267	1,576		1,278	7,539	2,961	1	3,144	4,046	4,747	1	12,341	6,636	11,779	11,938	42,694
Monday, July 15, 2024	5,953	8,725	1,538		1,201	6,613	2,253		1,855	9,209	4,312		4,524	6,137	6,438	1	16,216	10,067	15,376	17,100	58,759
Tuesday, July 16, 2024	5,933	9,085	1,545	1	1,243	6,868	2,233		1,811	9,150	4,253		4,585	6,297	6,533		16,564	10,344	15,214	17,415	59,537
Wednesday, July 17, 2024	6,150	9,042	1,531		1,282	6,750	2,258	1	1,754	9,352	4,392		4,683	6,178	6,671	1	16,723	10,291	15,498	17,533	60,045
Thursday, July 18, 2024	5,916	8,925	1,549		1,245	6,395	2,250		1,813	9,224	4,246	1	4,430	6,188	6,265	1	16,390	9,890	15,284	16,884	58,448
Friday, July 19, 2024	5,941	9,257	1,465	1	1,177	6,208	2,322	1	1,771	9,544	4,216		4,422	5,784	6,429		16,664	9,708	15,531	16,635	58,538
Saturday, July 20, 2024	4,887	7,592	1,076		893	4,739	1,954		1,559	8,085	3,428	1	3,674	4,389	5,139	2	13,555	7,586	13,073	13,204	47,418
Sunday, July 21, 2024	4,271	6,243	910		805	4,423	1,538		1,317	7,178	2,872	2	3,083	4,201	4,441		11,424	6,766	11,369	11,725	41,284
Monday, July 22, 2024	5,809	8,588	1,485		1,235	6,578	2,144		1,647	8,953	4,379		4,777	6,073	6,079		15,882	9,957	14,979	16,929	57,747
Tuesday, July 23, 2024	6,040	9,123	1,597		1,254	6,581	2,363		1,917	9,394	4,681	5	5,414	6,313	6,139	1	16,760	10,198	15,997	17,867	60,822
Wednesday, July 24, 2024	5,791	8,789	1,586		1,213	6,855	2,381		1,809	9,068	4,844		5,034	6,400	6,028		16,166	10,449	15,721	17,462	59,798
Thursday, July 25, 2024	5,968	9,166	1,537		1,289	6,743	2,353		1,760	9,591	4,702		5,037	6,201	6,256		16,671	10,385	16,053	17,494	60,603
Friday, July 26, 2024	6,160	9,486	1,571		1,261	6,420	2,327		1,729	9,739	4,715		5,089	5,991	6,618		17,217	10,008	16,183	17,698	61,106
Saturday, July 27, 2024	4,815	7,518	1,065	2	884	4,836	1,922		1,489	8,286	3,673	2	4,142	4,496	4,840	2	13,400	7,642	13,450	13,480	47,972
Average - All Days	5,590	8,448	1,388	1	1,127	6,020	2,134	1	1,679	8,879	4,120	2	4,431	5,621	5,902	1	15,427	9,281	14,679	15,955	55,341
Average - Tue-Thur	5,966	9,022	1,558	1	1,254	6,699	2,306	1	1,811	9,297	4,520	3	4,864	6,263	6,315	1	16,546	10,260	15,628	17,443	59,876
Average - Fri	6,051	9,372	1,518	1	1,219	6,314	2,325	1	1,750	9,642	4,466	#DIV/0!	4,756	5,888	6,524	#DIV/0!	16,941	9,858	15,857	17,167	59,822
Average - Sat-Sun	4,651	7,023	1,006	2	844	4,566	1,748	#DIV/0!	1,411	7,772	3,234	2	3,511	4,283	4,792	2	12,680	7,158	12,418	12,587	44,842

Intersection US31,M37 & S AIRPORT ROAD
Date 7/24/2024

	Right	Through	Left	UTurn	Total
Northbound	5791	8789	1586		16166
Eastbound	1213	6855	2381		10449
Southbound	1809	9068	4844		15721
Westbound	5034	6400	6028	1	17463
Unassigned	14155	11902	831	27	26915
Total	28002	43014	15670	28	86714



	Northbound			Eastbound			Southbound			Westbound			Unassigned				
	R	T	L	R	T	L	R	T	L	R	T	L	U	R	T	L	U
00:00	4	5	3		2		3	21	5	2	11	3		7	10	5	
00:15	3	5		1	3	1	3	25	4	4	3	3		13	6	4	
00:30	6	6			1		1	10	3	2	4	8		9	9	4	
00:45	3	4	2	1	2			5	3	2	8	2		5	7	3	
01:00	3	2			3		1	12		2	5	11		6	4	2	
01:15	9	9	2	2	4		2	2	3		3	6		11	16	3	
01:30	2	5	1		4	1	1	5		1	7	2		4	5	1	
01:45	1	9		1	1			10		1	3	9		2	3	2	
02:00	2	7			4			4			5	1		2	4		
02:15	4	8			4			5	1		2	1		6	10	3	
02:30	5	2			3			5		2	3	1		7	6	1	
02:45	1	2	1		3			3		1	5	1		3	3		
03:00	5	6		1	2			4	1	2	3	8		8	4	2	
03:15	4	10		1	4			4	1	1	4	1		7	9	2	
03:30	11	12	1		6	1		5		1	4	1		12	17	1	
03:45	8	10		1	3		1	5	2	2	3	4		13	10	2	
04:00	10	9	1		7			10	3		2	2		9	17	4	
04:15	10	10	1		7			5			1	1		11	12	1	
04:30	12	20	1		14	1		9	2	2	4	5		16	20	2	
04:45	23	24		2	18			6	1	7	5	1		29	31		
05:00	22	31		2	12	1	1	9	2	5	8	7		33	36	3	
05:15	33	37	2		17	2	1	11	2	9	14	6		46	49	5	
05:30	28	57	1	3	34	4	2	15	5	7	10	8		42	49	9	
05:45	38	70	3	1	34	1	1	15	9	7	18	17		53	64	8	
06:00	37	90	6	3	31	6	1	26	10	14	21	20		62	80	4	2
06:15	55	95	9	10	45	10		30	14	30	17	21		93	98	2	
06:30	80	129	15	9	69	10	5	28	15	30	35	41		126	127	2	
06:45	74	130	16	15	95	18	7	51	19	33	37	44		136	132	3	
07:00	69	124	17	14	112	15	7	33	18	36	41	25		134	130		
07:15	93	187	28	15	97	17	7	72	24	51	32	45		169	153	4	
07:30	125	198	30	13	156	23	8	74	42	53	54	57		203	201	3	
07:45	127	245	18	23	148	24	6	64	34	47	68	53		212	192	4	
08:00	93	186	21	15	108	26	9	86	44	37	68	53		164	169	3	
08:15	85	167	23	25	132	23	12	70	26	65	65	57		195	151	6	
08:30	123	201	24	23	134	28	7	86	51	51	51	46		218	201	6	
08:45	85	181	32	33	145	32	19	75	60	68	86	52		211	171	4	1

09:00	98	155	26	17	105	25	19	122	61	58	61	64	200	164	7	1	
09:15	89	137	29	11	118	35	20	92	63	75	67	59	210	165	4		
09:30	87	169	23	14	150	50	34	92	67	76	79	65	219	184	12		
09:45	98	148	27	11	140	42	15	134	92	98	90	84	226	187	4		
10:00	94	157	11	8	98	34	18	120	73	66	87	77	201	177	10		
10:15	90	126	21	14	140	54	28	118	93	74	97	92	210	204	7	1	
10:30	104	152	27	24	115	34	29	128	101	107	92	95	264	210	9		
10:45	128	143	14	18	105	64	24	146	111	75	80	78	246	214	9		
11:00	113	136	24	13	129	36	32	117	94	101	100	93	262	199	8	1	
11:15	106	138	18	19	129	46	29	132	95	103	86	99	257	197	8		
11:30	123	161	22	14	126	57	35	149	109	104	111	105	276	220	12		
11:45	102	145	22	22	151	61	38	150	97	121	115	125	295	189	9		
12:00	128	148	28	25	133	61	33	147	115	117	134	116	319	236	6		
12:15	108	156	21	19	136	63	37	164	106	124	112	111	295	224	12		
12:30	97	180	24	19	145	58	48	146	115	131	94	106	298	212	8		
12:45	113	167	43	11	151	59	46	154	99	123	121	139	297	236	10	1	
13:00	93	174	34	27	142	68	29	161	115	125	121	109	273	203	8	3	
13:15	94	156	33	14	124	53	42	144	100	123	118	121	286	186	12		
13:30	97	154	28	21	107	35	39	172	107	86	112	135	252	198	7		
13:45	120	147	32	22	117	55	32	165	113	89	91	111	264	228	14	1	
14:00	101	139	38	18	140	56	52	171	104	107	103	124	278	241	14		
14:15	120	152	25	33	128	42	39	158	87	130	114	124	326	248	16		
14:30	108	131	33	31	91	58	35	186	90	113	116	129	292	216	11		
14:45	110	118	27	29	129	37	34	183	106	93	123	149	274	205	10		
15:00	99	133	32	24	126	43	26	191	108	97	134	139	258	214	9		
15:15	86	123	37	28	116	48	44	192	118	99	142	151	264	230	14		
15:30	94	143	29	20	120	40	39	203	107	95	129	123	254	220	11	3	
15:45	93	156	35	29	117	64	47	214	105	115	148	153	282	245	14		
16:00	95	121	40	36	132	60	40	199	107	97	164	147	276	214	19	2	
16:15	98	123	33	26	123	39	33	201	110	106	181	170	268	216	10	2	
16:30	108	137	49	21	107	51	60	154	83	101	152	73	288	205	12	1	
16:45	84	145	37	19	129	57	46	130	107	108	185	100	256	225	13		
17:00	116	123	50	24	115	44	54	168	76	93	194	75	284	241	10	4	
17:15	89	114	37	38	125	51	37	225	78	92	194	185	262	228	10		
17:30	76	109	27	31	117	37	43	240	96	86	154	152	236	182	14		
17:45	81	118	36	26	119	38	35	177	87	96	124	123	241	202	14		
18:00	76	102	26	19	88	42	35	220	102	68	137	110	1	212	196	11	
18:15	77	114	18	14	84	49	38	176	64	67	120	106	196	178	11		
18:30	76	121	20	20	74	37	31	159	73	83	100	102	211	151	8	1	
18:45	64	94	21	20	77	48	30	131	65	77	109	119	194	164	16		
19:00	68	87	24	14	78	23	29	126	52	66	97	85	184	151	10	1	
19:15	44	69	11	12	52	31	29	141	53	61	92	111	147	98	5		
19:30	45	83	13	9	51	20	24	134	53	49	67	73	130	114	10	2	
19:45	43	76	14	9	44	30	19	106	49	54	78	74	133	117	12		
20:00	50	51	11	17	44	16	26	130	45	37	59	57	136	104	14		
20:15	43	64	9	16	46	14	15	105	49	42	83	78	122	102	8		
20:30	49	73	11	13	35	15	21	94	44	42	60	71	126	116	5		
20:45	38	56	10	11	30	10	14	95	41	38	72	62	102	98	5		
21:00	27	45	17	8	33	5	13	99	54	29	48	46	74	98	3		
21:15	40	40	6	8	29	12	24	89	40	25	36	48	94	102	7		
21:30	20	46	12	10	29	5	11	79	47	17	33	34	56	86	17		
21:45	22	41	6	6	16	6	11	84	20	17	43	34	53	50	31		
22:00	10	47	6	9	16	2	6	74	16	16	27	16	40	33	24		
22:15	14	41	5	2	19	6	12	74	17	10	32	24	41	43	27		
22:30	14	30	4	1	11	3	7	64	13	16	18	10	35	32	25		
22:45	8	20	4	1	12	2	1	47	13	14	9	11	24	22	19		
23:00	13	19	3	3	9		7	64	12	17	9	15	36	29	25		
23:15	4	20	1		10	2	2	59	4	6	14	8	15	12	19		
23:30	7	11	4	1	3	3	4	40	5	3	14	4	17	24	15		
23:45	6	12			6	1	4	33	14	1	9	6	11	11	19		
Total	5791	8789	1586	1213	6855	2381	1809	9068	4844	5034	6400	6028	1	14155	11902	831	27

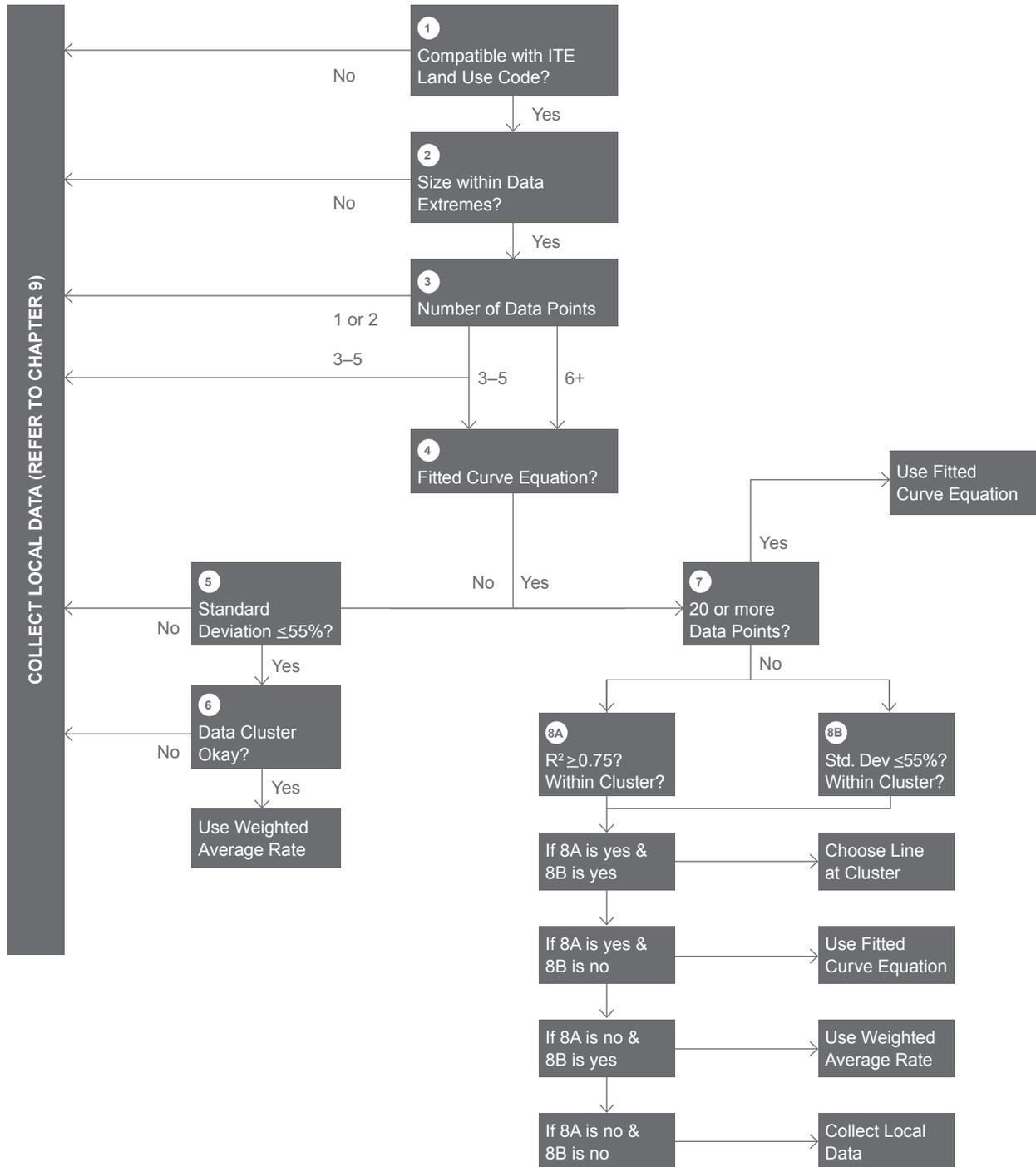
Attachment 2

Trip Generation Calculations

ITE Land Use	Land Use Code	Units	a.m. Peak Hour			p.m. Peak Hour			Weekday
			In	Out	Total	In	Out	Total	
Multifamily Housing (Low-Rise)	220	37 DU	8	26	34	23	13	36	312
Multifamily Housing (Mid-Rise)	221	112 DU	9	29	38	27	17	44	508
Total			17	55	72	50	30	80	820

ITE Land Use	Land Use Code	Units	Time Period	Equation	R2	Rate	Pass-By	Studies	Notes
Multifamily Housing (Low-Rise)	220	37 DU	a.m.	$T=0.31(X)+22.85$	0.79	0.40	-	49	# Studies>20, Use Fitted Curve
			p.m.	$T=0.43(X)+20.55$	0.84	0.51	-	59	# Studies>20, Use Fitted Curve
			Weekday	$T=6.41(X)+75.31$	0.86	6.74	-	22	# Studies>20, Use Fitted Curve
Multifamily Housing (Mid-Rise)	221	112 DU	a.m.	$T=0.44(X)-11.61$	0.91	0.37	-	30	# Studies>20, Use Fitted Curve
			p.m.	$T=0.39(X)+0.34$	0.91	0.39	-	31	# Studies>20, Use Fitted Curve
			Weekday	$T=4.77(X)-46.46$	0.93	4.54	-	11	Choose Line at Cluster. Average Rate higher.

Figure 4.2 Process for Selecting Average Rate or Equation in *Trip Generation Manual* Data



Attachment 3

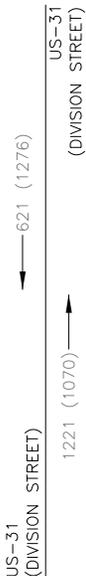
Trip Distribution Figure



NORTH

LEGEND

- LANE ASSIGNMENT
- ▲ STOP CONTROL
- XX a.m. PEAK HOUR
- (XX) p.m. PEAK HOUR



2024 EXISTING TRAFFIC VOLUMES

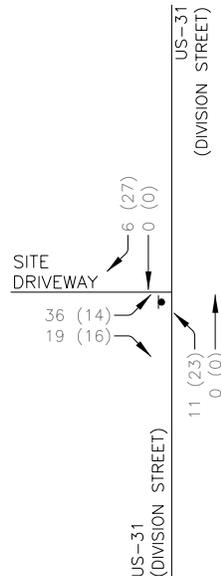
NO SCALE



NORTH

LEGEND

- LANE ASSIGNMENT
- ▲ STOP CONTROL
- XX a.m. PEAK HOUR
- (XX) p.m. PEAK HOUR



TRIP GENERATION VOLUMES

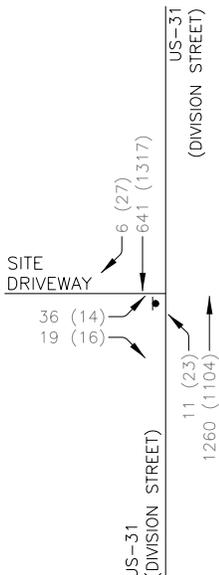
NO SCALE



NORTH

LEGEND

- LANE ASSIGNMENT
- ▲ STOP CONTROL
- XX a.m. PEAK HOUR
- (XX) p.m. PEAK HOUR



2026 FUTURE TRAFFIC VOLUMES

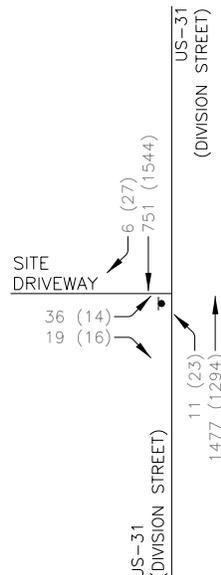
NO SCALE



NORTH

LEGEND

- LANE ASSIGNMENT
- ▲ STOP CONTROL
- XX a.m. PEAK HOUR
- (XX) p.m. PEAK HOUR



2036 HORIZON TRAFFIC VOLUMES

NO SCALE



Engineers | Architects | Scientists | Constructors

Hard copy is Intended to be 8.5"x11" when plotted. Scale(s) Indicated and graphic quality may not be accurate for any other size.

GARFIELD TOWNSHIP APARTMENTS

Garfield Township, MI 49685

Traffic Impact Assessment

PROJECT NO.

241946

FIGURE NO.

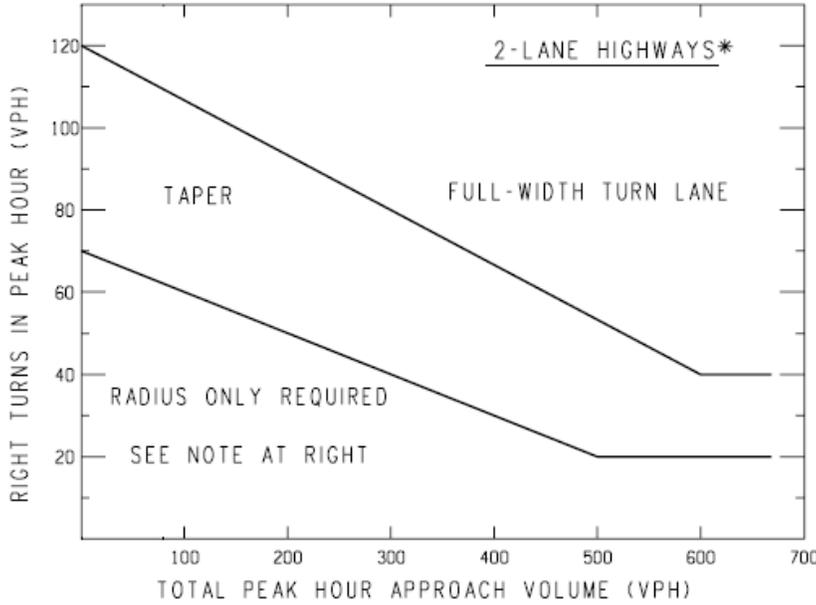
3

Attachment 4

Turn Lane Charts

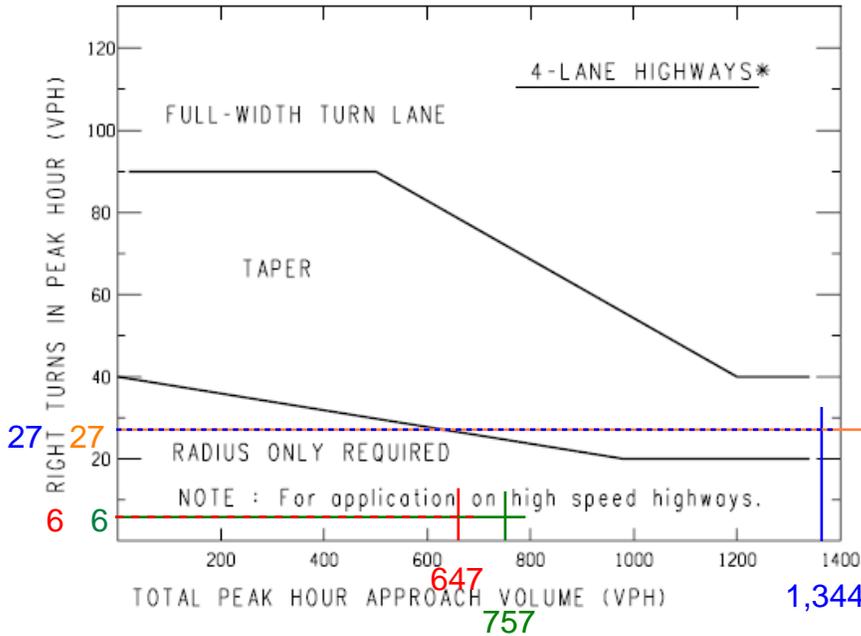
US-31 (Division Street) and Site Driveway

2026 Build a.m. Peak Hour
 2026 Build p.m. Peak Hour
 2036 Horizon a.m. Peak Hour
 2036 Horizon p.m. Peak Hour



NOTE: For posted speeds at or under 45 mph, peak hour right turns greater than 40 vph, and total peak hour approach less than 300 vph, adjust right turn volumes.

Adjust peak hour
 Right turns = Peak hour
 Right turns - 20



*If a center left-turn lane exists (ie 3 or 5 lane roadway), subtract the number of left turns in approach volume from the total approach volume to get an adjusted total approach volume.

Sample Problem: The Design Speed is 55 mph. The Peak Hour Approach Volume is 300 vph. The Number of Right Turns in the Peak Hous is 100 vph. Determine if a right turn lane is recommended.

Solution: Figure indicates that the intersection of 300 vph and 100 vph is located above the upper trend line; thus, a right-turn lane may be recommended.

Attachment 5

LOS Reports

Intersection						
Int Delay, s/veh	0.6					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	36	19	11	1260	641	6
Future Vol, veh/h	36	19	11	1260	641	6
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	50	250	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	88	88	88	88
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	39	21	13	1432	728	7

Major/Minor	Minor2	Major1	Major2			
Conflicting Flow All	1474	368	735	0	-	0
Stage 1	732	-	-	-	-	-
Stage 2	742	-	-	-	-	-
Critical Hdwy	6.84	6.94	4.14	-	-	-
Critical Hdwy Stg 1	5.84	-	-	-	-	-
Critical Hdwy Stg 2	5.84	-	-	-	-	-
Follow-up Hdwy	3.52	3.32	2.22	-	-	-
Pot Cap-1 Maneuver	117	629	866	-	-	-
Stage 1	437	-	-	-	-	-
Stage 2	432	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	115	629	866	-	-	-
Mov Cap-2 Maneuver	249	-	-	-	-	-
Stage 1	430	-	-	-	-	-
Stage 2	432	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	18.2	0.1	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	866	-	249	629	-	-
HCM Lane V/C Ratio	0.014	-	0.157	0.033	-	-
HCM Control Delay (s)	9.2	-	22.1	10.9	-	-
HCM Lane LOS	A	-	C	B	-	-
HCM 95th %tile Q(veh)	0	-	0.5	0.1	-	-

Intersection: 9001: US-31 (Division Street) & Site Driveway

Movement	EB	EB	NB
Directions Served	L	R	L
Maximum Queue (ft)	104	57	26
Average Queue (ft)	34	12	5
95th Queue (ft)	79	40	22
Link Distance (ft)	296		
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)		50	250
Storage Blk Time (%)	14	0	
Queuing Penalty (veh)	3	0	

Network Summary

Network wide Queuing Penalty: 3

Intersection						
Int Delay, s/veh	0.4					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	14	16	23	1104	1317	27
Future Vol, veh/h	14	16	23	1104	1317	27
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	50	250	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	91	91	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	15	17	25	1213	1432	29

Major/Minor	Minor2	Major1	Major2			
Conflicting Flow All	2104	731	1461	0	-	0
Stage 1	1447	-	-	-	-	-
Stage 2	657	-	-	-	-	-
Critical Hdwy	6.84	6.94	4.14	-	-	-
Critical Hdwy Stg 1	5.84	-	-	-	-	-
Critical Hdwy Stg 2	5.84	-	-	-	-	-
Follow-up Hdwy	3.52	3.32	2.22	-	-	-
Pot Cap-1 Maneuver	44	364	458	-	-	-
Stage 1	183	-	-	-	-	-
Stage 2	477	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	42	364	458	-	-	-
Mov Cap-2 Maneuver	130	-	-	-	-	-
Stage 1	173	-	-	-	-	-
Stage 2	477	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	25.2	0.3	0
HCM LOS	D		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	458	-	130	364	-	-
HCM Lane V/C Ratio	0.055	-	0.117	0.048	-	-
HCM Control Delay (s)	13.3	-	36.3	15.4	-	-
HCM Lane LOS	B	-	E	C	-	-
HCM 95th %tile Q(veh)	0.2	-	0.4	0.1	-	-

Intersection: 9001: US-31 (Division Street) & Site Driveway

Movement	EB	EB	NB
Directions Served	L	R	L
Maximum Queue (ft)	62	36	44
Average Queue (ft)	15	10	11
95th Queue (ft)	46	32	34
Link Distance (ft)	296		
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)		50	250
Storage Blk Time (%)	6	0	
Queuing Penalty (veh)	1	0	

Network Summary

Network wide Queuing Penalty: 1

Intersection						
Int Delay, s/veh	0.6					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	36	19	11	1477	751	6
Future Vol, veh/h	36	19	11	1477	751	6
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	50	250	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	88	88	88	88
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	39	21	13	1678	853	7

Major/Minor	Minor2	Major1	Major2			
Conflicting Flow All	1722	430	860	0	-	0
Stage 1	857	-	-	-	-	-
Stage 2	865	-	-	-	-	-
Critical Hdwy	6.84	6.94	4.14	-	-	-
Critical Hdwy Stg 1	5.84	-	-	-	-	-
Critical Hdwy Stg 2	5.84	-	-	-	-	-
Follow-up Hdwy	3.52	3.32	2.22	-	-	-
Pot Cap-1 Maneuver	80	573	777	-	-	-
Stage 1	376	-	-	-	-	-
Stage 2	373	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	79	573	777	-	-	-
Mov Cap-2 Maneuver	206	-	-	-	-	-
Stage 1	370	-	-	-	-	-
Stage 2	373	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	21.3	0.1	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	777	-	206	573	-	-
HCM Lane V/C Ratio	0.016	-	0.19	0.036	-	-
HCM Control Delay (s)	9.7	-	26.5	11.5	-	-
HCM Lane LOS	A	-	D	B	-	-
HCM 95th %tile Q(veh)	0	-	0.7	0.1	-	-

Intersection: 9001: US-31 (Division Street) & Site Driveway

Movement	EB	EB	NB
Directions Served	L	R	L
Maximum Queue (ft)	116	83	31
Average Queue (ft)	37	13	5
95th Queue (ft)	89	50	22
Link Distance (ft)	296		
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)		50	250
Storage Blk Time (%)	19	0	
Queuing Penalty (veh)	4	0	

Network Summary

Network wide Queuing Penalty: 4

Intersection						
Int Delay, s/veh	0.5					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	↙	↗	↙	↑↑	↑↑	
Traffic Vol, veh/h	14	16	23	1294	1544	27
Future Vol, veh/h	14	16	23	1294	1544	27
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	50	250	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	91	91	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	15	17	25	1422	1678	29

Major/Minor	Minor2	Major1	Major2			
Conflicting Flow All	2454	854	1707	0	-	0
Stage 1	1693	-	-	-	-	-
Stage 2	761	-	-	-	-	-
Critical Hdwy	6.84	6.94	4.14	-	-	-
Critical Hdwy Stg 1	5.84	-	-	-	-	-
Critical Hdwy Stg 2	5.84	-	-	-	-	-
Follow-up Hdwy	3.52	3.32	2.22	-	-	-
Pot Cap-1 Maneuver	25	302	368	-	-	-
Stage 1	134	-	-	-	-	-
Stage 2	422	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	23	302	368	-	-	-
Mov Cap-2 Maneuver	95	-	-	-	-	-
Stage 1	125	-	-	-	-	-
Stage 2	422	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	32.7	0.3	0
HCM LOS	D		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	368	-	95	302	-	-
HCM Lane V/C Ratio	0.069	-	0.16	0.058	-	-
HCM Control Delay (s)	15.5	-	50	17.6	-	-
HCM Lane LOS	C	-	F	C	-	-
HCM 95th %tile Q(veh)	0.2	-	0.5	0.2	-	-

Intersection: 9001: US-31 (Division Street) & Site Driveway

Movement	EB	EB	NB
Directions Served	L	R	L
Maximum Queue (ft)	105	72	46
Average Queue (ft)	30	14	13
95th Queue (ft)	93	50	37
Link Distance (ft)	296		
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)		50	250
Storage Blk Time (%)	23	1	
Queuing Penalty (veh)	4	0	

Network Summary

Network wide Queuing Penalty: 4

Bob Verschaeve

From: Fitzpatrick, Connor (MDOT) <FitzpatrickC1@michigan.gov>
Sent: Tuesday, January 28, 2025 1:24 PM
To: Andy Purvis
Cc: Bob Verschaeve; Burzynski, Steve (MDOT); Carpenter, Jessica (MDOT); Phillips, Krista (MDOT)
Subject: RE: 2105 N US Highway 31 S LLC - Multi-Family Development - Driveway

CAUTION: This email originated from outside of GCES. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Andy,

We have reviewed the Traffic Impact Assessment and the attached plans. We agree with the need for a right turn taper into the development. Restriping the shoulder would satisfy this requirement.

Comments:

Submit a pavement marking plan for the proposed taper.

Change the commercial driveway width from 38' to 36'. This would yield 12' lanes for your commercial approach. Submit the details for the Gravity Retaining Wall since part of it will be constructed in the ROW.

Adjust your HMA lift thickness or your mix: 4EL has an application rate of 2" to 2.5". 5EL allows for a 1.5"-2" application rate. (detail 1, sheet C600)

Please submit a MDOT permit and let me know if you need instructions on how to do this.

Thanks,

Connor Fitzpatrick, PE

Staff Engineer

Traverse City Transportation Service Center

Michigan Department of Transportation

616-202-8733

www.Michigan.gov/MDOT



From: Fitzpatrick, Connor (MDOT)
Sent: Monday, January 27, 2025 1:42 PM
To: Andy Purvis <ajpurvis@goslingczubak.com>; Carpenter, Jessica (MDOT) <CarpenterJ7@michigan.gov>
Cc: Bob Verschaeve <rmverschaeve@goslingczubak.com>
Subject: RE: 2105 N US Highway 31 S LLC - Multi-Family Development - Driveway

Hi Andy,

Jessica and I will review this and get back with you by the end of this week. We will let you know if there are any questions.

Connor

From: Andy Purvis <ajpurvis@goslingczubak.com>

Sent: Monday, January 27, 2025 9:35 AM

To: Carpenter, Jessica (MDOT) <CarpenterJ7@michigan.gov>; Fitzpatrick, Connor (MDOT) <FitzpatrickC1@michigan.gov>

Cc: Bob Verschaeve <rmverschaeve@goslingczubak.com>

Subject: 2105 N US Highway 31 S LLC - Multi-Family Development - Driveway

CAUTION: This is an External email. Please send suspicious emails to abuse@michigan.gov

Good morning, Connor and Jessica,

We're working on a proposed multi-family housing development project located at 2105 N US Highway 31 South, in Garfield Township, Grand Traverse County. It's the former truck topper business/residential site located on the west side of US-31, north of McRae Hill Road and just south of Hartman Road.

Fishbeck completed the attached Traffic Impact Assessment for the proposed project. Their assessment recommended a southbound right-turn taper be provided for the project's entrance. It appears the full-width paved shoulder provided along this segment of US 31 will provide the dimensional requirements for the right-turn taper referenced in GEO-650-D. Sheet C201 (5 of 23) of the attached preliminary plans provides further.

The plan is to center the new driveway over the existing 36-inch driveway culvert that crosses the existing ditch/wetland. The new driveway will provide an enter and left-turn and right-turn exit lanes.

The owner is planning on presenting a Special Land Use Permit (SLUP) application to Garfield Township at their March 12, 2025, planning commission meeting. We'd like MDOT to complete a preliminary review of the project and the proposed driveway. We'd like to provide your review in the SLUP application to the Township. Can you please review and let me know if you have any questions? I'd be happy to set up a time to discuss over a conference call if that would help.

Talk to you both soon,

Andy

--

Andrew Purvis, P.E. | Project Engineer
Gosling Czubak Engineering Sciences, Inc.

231.946.9191 office | 231.933-5107 direct
ajpurvis@goslingczubak.com | www.goslingczubak.com

[Connect with us on LinkedIn!](#)



GRAND TRAVERSE METRO FIRE DEPARTMENT

FIRE PREVENTION BUREAU

897 Parsons Road – Traverse City, MI 49686
Phone: (231) 922-2077 Fax: (231) 922-4918 – Website: www.gtfire.org Email: Info@gtfire.org

SITE PLAN REVIEW RECORD

P – 1087 ID # M7737 DATE: 1/17/2025

PROJECT NAME: Gauthier Site Multi-Family Residential Development

PROJECT ADDRESS: 2115 US 31 South

TOWNSHIP: Garfield

APPLICANT NAME: Andy Purvis

APPLICANT COMPANY: Gosling Czubak

APPLICANT ADDRESS: 1208 Business Park Dr.

APPLICANT CITY: Traverse City STATE: Mi ZIP: 49686

APPLICANT PHONE: 946-9191 FAX #

REVIEW FEE: \$94.00

Reviewed By: K. Fordyce

This review is based solely on the materials submitted for review and does not encompass any outstanding information. Compliance with all applicable code provisions is required and is the responsibility of the permit holder. Items not listed on the review do not negate any requirements of the code nor the compliance with same. Inspection requests must be made a minimum of 48 hours prior to needed inspection. This plan review is based on the 2015 International Fire Code, as adopted.



GRAND TRAVERSE METRO FIRE DEPARTMENT

FIRE PREVENTION BUREAU

897 Parsons Road – Traverse City, MI 49686
Phone: (231) 922-2077 Fax: (231) 922-4918 – Website: www.gtfire.org Email: Info@gtfire.org

SITE PLAN REVIEW

ID # M7737

DATE: 1/17/2025

1. 505.1 Address identification.

New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

2. 506.1 Knox Box where required.

Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official.

3. 503.3 Marking of fire lanes.

Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

-Provide “NO PARKING-FIRE LANE” signs. Placement to be discussed with contractor on site.

-Project may proceed with township approval process.

Wetland Delineation Report

Parcel #05-021-054-00

Garfield Township

Grand Traverse County, Michigan

September 1, 2023

Prepared by:

Gosling Czubak Engineering Sciences, Inc.

1280 Business Park Drive

Traverse City, Michigan

(231) 946-9191

www.goslingczubak.com

GCES Project # 2023479001.01

p:\2023479002.00\docs\02-wetland\wetland delineation report gauthier 2023_08.docx



Gosling Czubak
engineering sciences, inc.

CIVIL ENGINEERING

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ENVIRONMENTAL

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DRILLING

LANDSCAPE ARCHITECTURE

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TABLE OF CONTENTS

1.0	BACKGROUND.....	1
2.0	SITE RECONNAISSANCE.....	1
3.0	FINDINGS	2
4.0	CONCLUSIONS.....	3

ATTACHMENTS

- Att. 1 **Site Location Map**
- Att. 2 **Site Plan with Wetland Boundaries**
- Att. 3 **EGLE Wetland Map**
- Att. 4 **Wetland Determination Data Forms**
- Att. 5 **Photographs**

Gosling Czubak Engineering Sciences, Inc. has completed a wetland delineation of parcel #05-021-054-00, located in Section 21, T27N, R11W, Garfield Township, Grand Traverse County, Michigan. The site location is illustrated in Attachment 1. An aerial image of the site showing wetland boundaries is included as Attachment 2.

1.0 BACKGROUND

The area of study includes the entire parcel, to the extent that boundaries could be estimated in the field. The site is bounded by Parcel #05-021-052-00 to the west, commercial property to the north, U.S. Highway 31 to the east, McRae Hill Road to the southeast, and residential property to the south.

A map available from the Michigan Department of Environment, Great Lakes, and Energy (EGLE) shows wetlands identified in the U.S. Fish and Wildlife Service National Wetlands Inventory (NWI), wetlands identified in the Michigan Resource Information System (MIRIS), and “soil areas which include wetland soils” on the parcel. A copy of the EGLE map covering the site and surrounding area is included as Attachment 3.

2.0 SITE RECONNAISSANCE

A reconnaissance was conducted on August 8-9, 2023, to confirm the presence of wetlands and delineate boundaries. Ten representative sample points, SP-28 through SP-37, were selected for evaluation of hydrology, vegetation, and soil. The sample points are distinguished from SP-1 through SP-27, which were located on the adjacent parcels to the west during a separate delineation in May 2023. Observations and rationale supporting the determination of wetlands or uplands are summarized in the U.S. Army Corps of Engineers (USACE) Wetland Determination Data Forms included as Attachment 4.

Pits were dug to examine soil for hydric features and determine the depth to groundwater and/or saturation if present. Vegetation species around each sample point were identified and predominance estimated. The lists of plants should not be considered comprehensive; it is possible that plants are present that were dormant or not readily identifiable at the time of the reconnaissance. Representative photographs are included as Attachment 5.

3.0 FINDINGS

Normal circumstances were present at the time of the reconnaissance; the vegetation, soil, and hydrology did not appear to be significantly influenced by recent human activities or natural phenomena. The depth to water or soil saturation appeared typical for the time of year.

Generally, the ground surface across the parcel is rolling, with significant slopes in some areas. Wetlands occupy lower-lying areas, formed around groundwater discharge areas and two unnamed creeks that traverse the parcel west-to-east. The creeks are tributaries to the Boardman River, based on a review of topographic map features.

Three wetlands, identified as “J”, “K”, and “L”, were found on the parcel, and are distinguished from Wetlands “A” through “I”, which were identified on the neighboring parcels during the April-May 2023 delineation.

Wetland “J”, comprised of 1.69 acres, is represented by sample points SP-28 and SP-30. Accumulation of runoff in a stream floodplain, shallow groundwater, and seepage along the base of hillsides provide hydrologic conditions favorable for wetlands. Forested wetlands were found at SP-28, dominated by cedar (*Thuja occidentalis*) and hemlock (*Tsuga canadensis*). Green ash (*Fraxinus pennsylvanica*) seedlings dominated the herbaceous stratum. Forested wetlands at SP-30 were dominated by quaking aspen (*Populus tremula*) and green ash, with a dense herbaceous stratum dominated by tussock sedge (*Carex stricta*) and late goldenrod (*Solidago gigantea*). Hydric soil features include mucky peat at SP-28 and muck at SP-30.

The upland sample points adjacent to Wetland “J” include SP-29 and SP-31. Both areas are forested, with sugar maple (*Acer saccharum*) predominant at SP-29 and quaking aspen at SP-31. Loamy soil was found at SP-29; sandy soil was found at SP-31. No hydric soil features (organic modified mineral soil, redox features, etc.) were seen at either location. Shallow groundwater, seepage, and/or evidence of surface flooding were not seen at either location.

Wetland “K”, comprised of 4.43 acres, is represented by sample points SP-34, SP-35, and SP-37. Accumulation of runoff in a stream floodplain, shallow groundwater, and seepage provide hydrologic conditions favorable for wetlands. Forested wetlands were found at SP-28, dominated by cedar,

hemlock, and basswood (*Tilia americana*). Green ash dominates the understory, and a dense herbaceous stratum is dominated by meadow horsetail (*Equisetum pratense*) and tussock sedge. Emergent wetlands were found at SP-35, dominated by water horsetail (*Equisetum fluviatile*), sedges (*Carex spp.*), and jewelweed (*Impatiens capensis*). SP-37 was partially forested with cedar and had a dense herbaceous stratum dominated by sensitive fern (*Onoclea sensibilis*), maidenhair fern (*Adiantum pedatum*), meadow horsetail, and tussock sedge. The hydric soil feature observed at this location is the presence of muck at the three wetland sample points.

The upland sample point adjacent to Wetland “K” is SP-36, which is forested with hemlock and beech (*Fagus grandifolia*). The herbaceous stratum is lacking due to the dense, mature tree canopy. Sandy soil was observed at this location with no hydric soil features (organic modified mineral soil, redox features, etc.). Shallow groundwater, seepage, and/or evidence of surface flooding were not observed.

Wetland “L”, comprised of 0.18 acres, is represented by sample point SP-32. Shallow groundwater and seepage provide hydrology supportive of wetlands. Emergent wetlands at SP-32 are dominated by green bulrush (*Scirpus atrovirens*), sedges, twig rush (*Cladium mariscoides*), and red-osier dogwood (*Cornus stolonifera*). The hydric soil features include muck and redox concentrations in underlying loamy soil. Wetland “L” extends off-site to the north where it is contiguous with Wetland “J”. A culvert along Highway 31 connects Wetland “L” with Wetland “K” by drainage.

The upland sample point SP-33 is in a maintained lawn west of Wetland “L”, which is dominated by cultivated grasses. Groundwater was found at 20 inches. A seasonally low wetland water table is not suspected due to the lack of hydric soil features in the upper 6 inches. No evidence of seepage or surface runoff was observed at this location.

4.0 CONCLUSIONS

Wetlands “J”, “K”, and “L” are contiguous with other wetlands and adjacent to two streams that appear to be tributaries of the Boardman River. As such, they are regulated under Part 303 of the *Michigan Natural Resources and Environmental Protection Act* (NREPA). Any placement of fill or structures, excavating, drainage, stumping, grubbing, etc. within the wetlands require a permit from EGLE. Additionally, the unnamed streams are regulated under Part 301, Inland Lakes and Streams, of NREPA.

A Soil Erosion and Sedimentation Control Permit may be needed from Grand Traverse County for activities near streams and wetlands. Garfield Township has additional requirements regarding development near wetlands and streams including: 1) a 25-foot setback from wetlands, 2) stream setbacks, and 3) verification of the wetland delineation by EGLE. Other local rules and regulations may apply.

This wetland delineation reflects our professional opinion of wetland boundaries at the time of the site reconnaissance. Wetland boundaries are subject to change over time as a result of natural and human influences.

Prepared by:

Reviewed by:

Peter Kallioinen

Project Scientist

prkallioinen@goslingczubak.com

www.goslingczubak.com

Adam Segerlind, P.E.

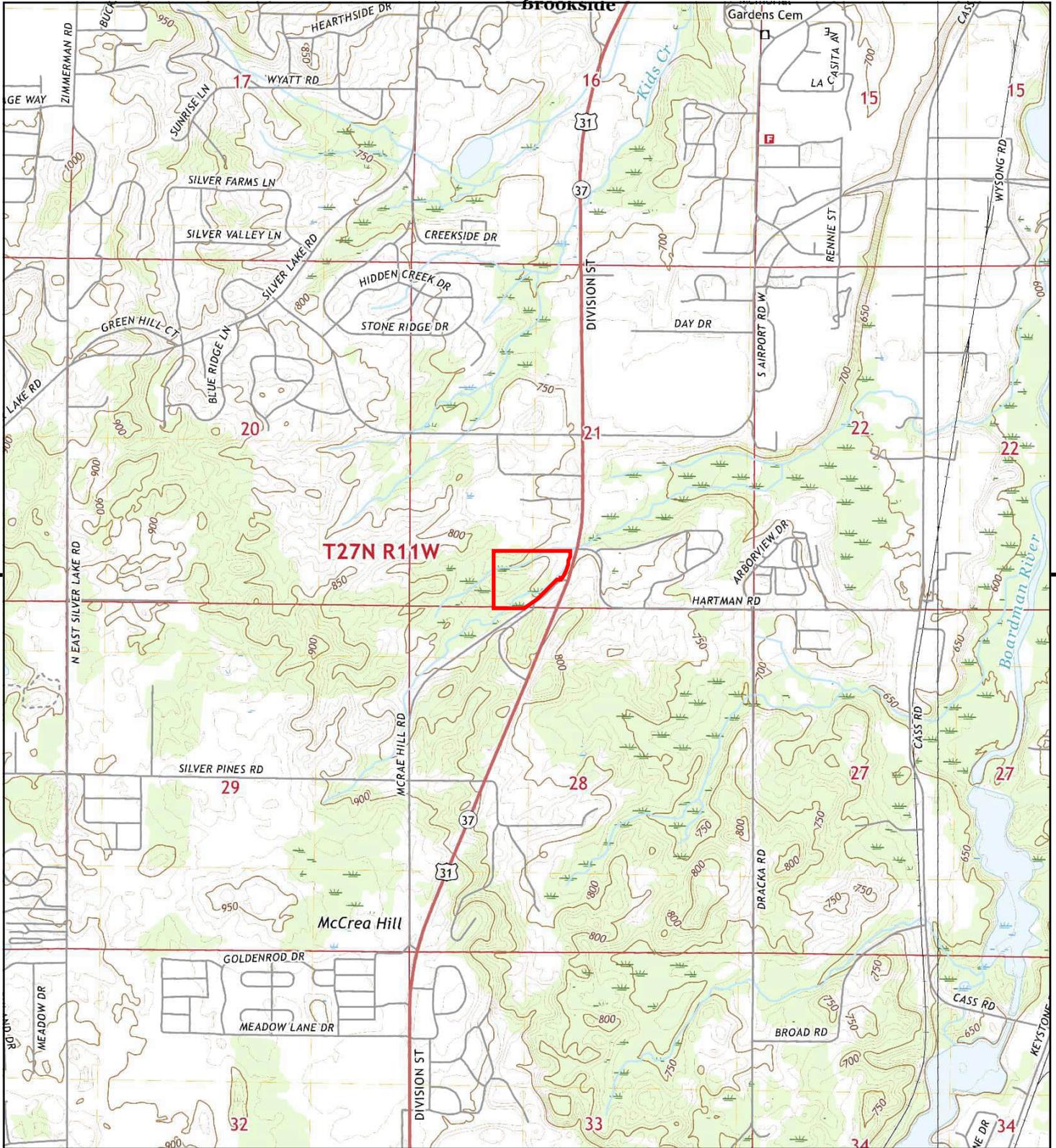
Project Manager

aesegerlind@goslingczubak.com

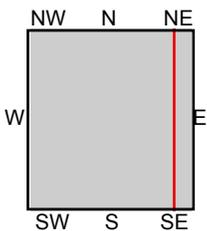
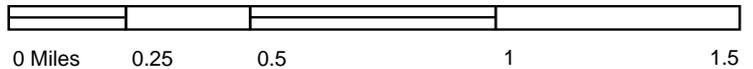
www.goslingczubak.com

Attachment 1

Site Location Map



This report includes information from the following map sheet(s).



TP, Grawn, 2019, 7.5-minute
SE, Mayfield, 2019, 7.5-minute

SITE NAME: 2105 N. US 31 South
ADDRESS: 2105 N. US 31 South
Traverse City, MI 49685
CLIENT: Gosling Czubak



Attachment 2

Site Plan with Wetland Boundaries

P:\2023479002.00\CADD-Data\C3D\2023479002 PS Wetland.dwg Tab: Layout2 Saved by: aesegeind 9/1/2023 10:39 AM Plotted by: Adam E. Segerind, PE 9/1/2023 10:42 AM



WETLAND L
0.18± ACRES
EXTENDS OFF THE PROPERTY

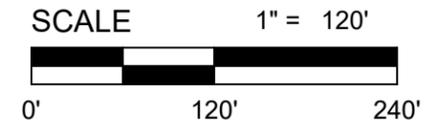
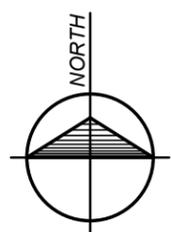
WETLAND J
1.69± ACRES
EXTENDS OFF THE PROPERTY

WETLAND A
6.93 ACRES

WETLAND B
0.04 ACRES

WETLAND C
1.26 ACRES

WETLAND K
4.43± ACRES
EXTENDS OFF THE PROPERTY



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G

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

Job #:	2023479002.02
Date:	8/31/2023
Scale:	1"=120'
Drawn:	AES
Chk'd:	PRK
Rev:	-

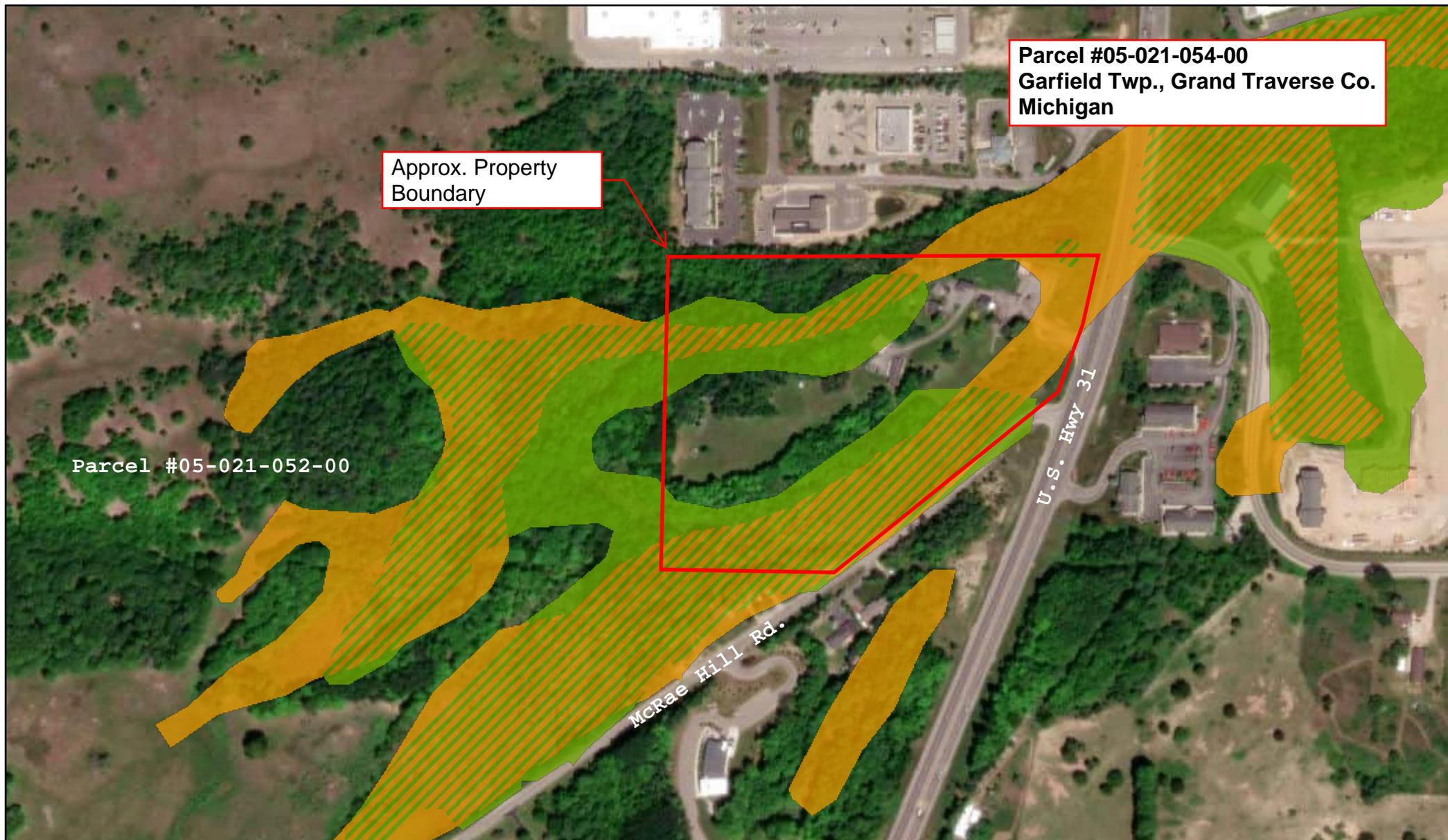
WETLAND DELINEATION MAP
2105 N US 31
KEEL CAPITAL, LLC

Location:
PART OF THE SE1/4 OF THE SW1/4
SECTION 23, T27N, R11W
GARFIELD TOWNSHIP
GRAND TRAVERSE COUNTY, MICH,
Sheet 1

Attachment 3

EGLE Wetland Map

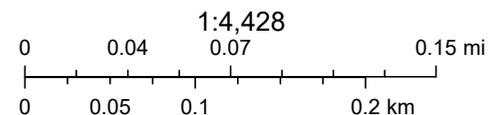
Wetlands Map Viewer



August 15, 2023

Part 303 Final Wetlands Inventory

-  Wetlands as identified on NWI and MIRIS maps
-  Soil areas which include wetland soils
-  Wetlands as identified on NWI and MIRIS maps and soil areas which include wetland soils



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community. Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Disclaimer: This map is not intended to be used to determine the specific

 <h2 style="margin: 0;">Charter Township of Garfield</h2> <h3 style="margin: 0;">Planning Department Report No. 2025-30</h3>	
Subject:	Scussel Property A-Agricultural Rezoning – Introduction
Prepared:	April 2, 2025 Pages: 5
Meeting:	April 9, 2025 – Planning Commission
File No.	Z-2024-01
Applicant / Owner:	Chris and Anita Scussel

Application Overview	
Parcel No.:	05-024-020-00
Address:	306 W Hammond Road
Acreage:	2.12 (assessed)
Current Zoning:	Conditionally Zoned / C-G – General Commercial
Proposed Zoning:	A – Agricultural
Future Land Use Map:	Agricultural / Rural Residential
Current Use:	Vacant / Former Single-Family Residential
Proposed Use:	Assembling two parcels to expand existing conservation easement to prohibit land use development on the property
Type of Permitted Use:	N/A

Attachments	
Zoning Ordinance Amendment Application Form	March 17, 2025
Rezoning Request Cover Memo	March 17, 2025
Certificate of Survey (neighboring parcel)	April 6, 2017
Conservation Easement (neighboring parcel)	February 26, 2021
Conditional Rezoning Agreement (applies to the neighboring parcel)	June 11, 2018
Conditional Rezoning Agreement (applies to the subject parcel and originally also applied to the neighboring parcel)	April 25, 2008

Aerial view of the subject property (highlighted in blue)

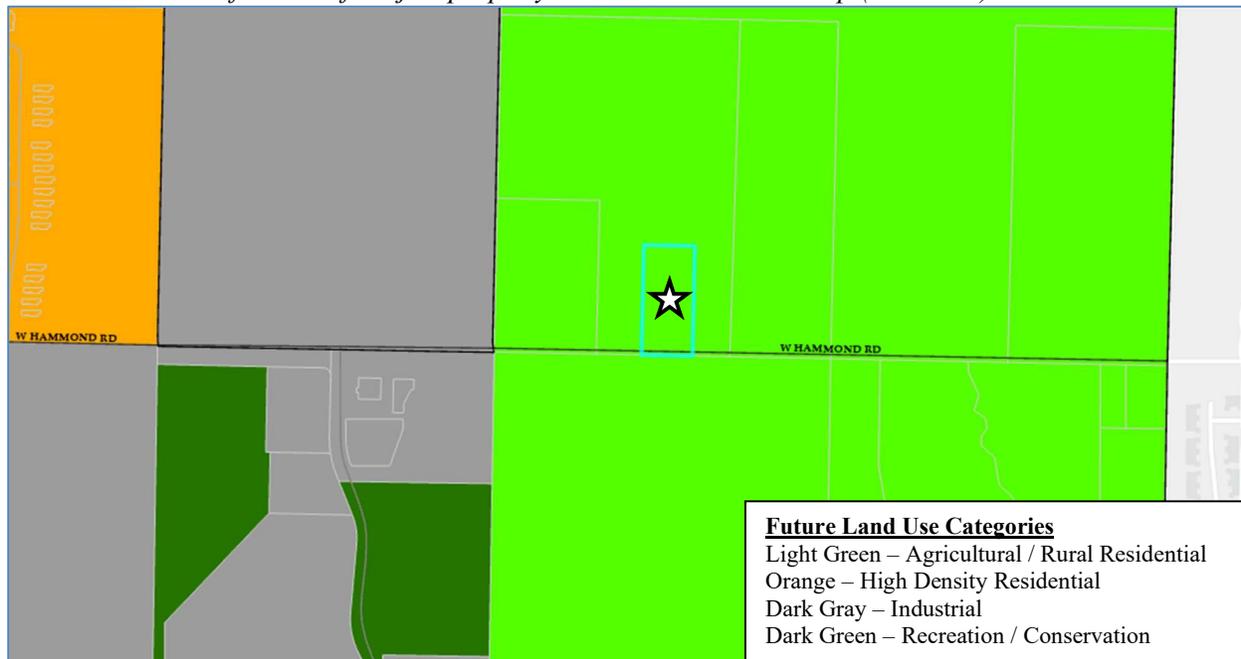


MASTER PLAN CONSIDERATIONS:

The Future Land Use category of Agricultural / Rural Residential “provides areas for agricultural operations and low intensity residential land uses in the outlying areas of Garfield. The designation is composed primarily of unsubdivided lands that are vacant or are in agricultural use with some dwellings and accessory uses. This area is suitable for large tracts of open space, agricultural areas, woodlands, and fields. It is intended to promote the protection of the existing natural environment and to preserve, enhance, and stabilize the essential characteristics and economic value of these areas as agricultural lands.” All adjacent surrounding properties to this subject parcel also have a Future Land Use designation of Agricultural / Rural Residential.

The most compatible zoning districts for the Agricultural / Rural Residential Future Land Use designation are the A-Agricultural and R-R – Rural Residential districts, with R-1 – One-Family Residential identified as potentially compatible. The proposed zoning of A-Agricultural matches the Future Land Use designation for this parcel.

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



Excerpt from the Zoning Plan for the A-Agricultural zoning designation:

Future Land Use Designation	Agricultural / Rural Residential (<=1 unit / acre)
[Requested] Zoning	A – Agricultural
Zoning Ordinance District Intent	The A (Agricultural) districts provide areas for agricultural operations and low intensity land uses. These districts are composed primarily of unsubdivided lands that are vacant or are in agricultural use with some dwellings and accessory uses. The A districts are suitable for large tracts of open space, agricultural areas, woodlands, and fields. They are designed to promote the protection of the existing natural environment and to preserve, enhance and stabilize the essential characteristics and economical value of these areas as agricultural lands. The A districts may be used to encourage development in and near the core areas of the township by limiting the development densities of parcels less suited for intensive development. The A districts may also be used to protect natural resources and environmentally sensitive areas by preserving these areas for low intensity land uses.

Potentially Compatible District	R-R – Rural Residential / R-1 – One-Family Residential
Considerations for Rezoning to Potentially Compatible Districts	The A – Agricultural district is the lowest density district in the Township and is compatible with the Agricultural / Rural Residential future land use category. Due to the strong desire of the Township to maintain agricultural areas when practicable, land designated as Agricultural / Rural Residential should generally remain in the A – Agricultural or R-R – Rural Residential zoning districts. However, zoning to another district such as the R-1 – One-Family Residential district may be appropriate, particularly where the land is not considered high value farmland or there is no active farming taking place, where utilities such as water and sewer are available, where the land is close to nearby amenities, and where residential uses are compatible with surrounding land uses.

ZONING FOR SUBJECT SITE AND SURROUNDING SITES:

Zoning for the existing site is conditional zoning of C-G – General Commercial. Zoning for surrounding sites is as follows:

Zoning classifications for the subject site and surrounding sites:



Adjacent Properties	Zoning of Adjacent Properties
West	Conditionally Zoned / A – Agricultural
North	Conditionally Zoned / A – Agricultural
East	Conditionally Zoned / A – Agricultural
South	A – Agricultural

USES OF SUBJECT SITE AND SURROUNDING SITES:

The subject site is currently vacant and was formerly used for a single-family home. Uses of surrounding sites are as follows:

Adjacent Properties	Uses of Adjacent Properties
West	Vacant (part of conservation easement)
North	Vacant (part of conservation easement)
East	Vacant (part of conservation easement)
South	Agricultural

STAFF COMMENT AND BACKGROUND INFORMATION:

Upon preliminary review of the Master Plan and Future Land Use designation for the subject site, Staff is of the opinion that this proposed Map Amendment is justifiable. The proposed zoning is compatible with the Future Land Use designation for the site. This parcel and many of the surrounding parcels along this portion of Hammond Road have the Future Land Use designation of Agricultural / Rural Land, and many of the parcels in this area are currently zoned A-Agricultural.

The applicants have indicated their desire to merge this parcel with the larger neighboring parcel and extend the existing conservation easement on the larger parcel to this area. A Certificate of Survey and the recorded Conservation Easement for the larger parcel are included as attachments to this report. In researching the background of this application, Staff found there are three easements impacting the larger parcel as follows:

- **1993** – An easement conveyed to the Grand Traverse County Road Commission “to construct a wetland, grade excavated material, and seed.”
- **1994** – A conservation easement conveyed to the Grand Traverse County Road Commission which describes land “to be preserved for use as a wetland, containing 4.88 acres, more or less.”
- **2021** – A conservation easement conveyed to the Grand Traverse Regional Land Conservancy for the entirety of the parcel.

Staff offer the following comments:

- If the applicants intend to merge these two parcels, then both parcels should be included as part of the application and considered for rezoning.
- The larger parcel is conditionally zoned A-Agricultural. If this parcel were included as part of this rezoning application, Commissioners could consider rezoning the parcel to A-Agricultural without restriction.
- The larger parcel was rezoned to conditionally zoned A-Agricultural in 2018 (application Z-2017-05). The conditional rezoning limited the use of the property to protection and preservation of the property, eradication of invasive species, habitat improvement for waterfowl and wildlife, and improving conservation value. The conditional rezoning includes a termination clause indicating that “This Agreement may be terminated by written mutual agreement of the parties.”
- The subject parcel was part of a conditional rezoning to C-G General Commercial in 2008 which also applied to the larger neighboring parcel and the Life Story funeral home parcel further to the west. This conditional rezoning includes a section on “Subsequent Rezoning of Land” which says that “If the Properties are thereafter rezoned to a different zoning classification or to the same zoning classification, but with a different or no statement of conditions, the statement of conditions imposed under this Agreement shall cease to be in effect. Upon the Applicants written request, the Township Clerk shall record with the Grand Traverse County Register of Deeds that the statement of conditions in the Agreement is no longer in effect.”

- Staff recommend that both the subject parcel and the larger neighboring parcel are included in the application. Additionally, if the application were ultimately approved, Staff recommend including conditions of approval that the parcels are merged and that the conditional rezoning agreements on the parcels are removed.

PRELIMINARY APPROVAL CRITERIA DISCUSSION:

To focus the discussion on the factors relevant to approving a Map Amendment, the following approval criteria are included below for reference:

Section 421.E Approval Criteria of Zoning Map Amendment

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

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

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

Recommended Action
<p>MOTION THAT application Z-2024-01, submitted by Chris and Anita Scussel to rezone Parcel No. 05-024-020-00, located at 306 W Hammond Road, from its current conditional zoning of C-G – General Commercial to the A-Agricultural zoning district without restriction, BE SCHEDULED for a public hearing for the May 14, 2025 Planning Commission regular meeting.</p> <p>Any additional information the Planning Commission deems necessary should be added to this motion.</p>

CONTACT PERSON

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

Applicant:

Anita Scussel

Agent:

—

Owner:

Anita Scussel

PROPERTY INFORMATION

Property Address:

306 W. Hammond Road, Traverse City, MI 49686

Property Identification Number:

28-05-024-020-00

Legal Description:

PRT SE 1/4 SEC 24 T27N R11W COM 576.4'E of SW COR TH N 43° TH E 200 TH S

Zoning District:

Master Plan Future Land Use Designation:

CONSERVATION EASEMENT

Area of Property (acres or square feet):

2.12 ACRES

Existing Use(s):

VACANT

Proposed Use(s):

CONSERVATION EASEMENT

430
TN
W
200'
FDD
EXC
RD
R/W

REQUIRED SUBMITTAL ITEMS

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

Application Form:

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

Application Fee:

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

- Fee

Escrow Fee:

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

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

Site Diagram

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

Supporting Information

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

For Text Amendment only, the following must be included:

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

For Conditional Rezoning only, the following must be included:

Site Development Plan

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

Supporting Information

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

Digital items to be delivered via email or USB flash drive

IMPACT STATEMENT FOR ZONING ORDINANCE MAP AMENDMENT

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

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

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

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

IMPACT STATEMENT FOR ZONING ORDINANCE TEXT AMENDMENT

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

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

IMPACT STATEMENT FOR CONDITIONAL REZONING

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

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

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

OFFER OF CONDITIONS FOR CONDITIONAL REZONING

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

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

SUBMITTAL DEADLINE

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

WAIVERS

Submittal Waiver:

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

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

Data Waiver:

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

SITE PLAN

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

ADDITIONAL INFORMATION

If applicable, provide the following further information:

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

If so, attach approval letter.

If no, are alternate measures shown?

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

E. Roads and Circulation

1. Are interior public streets proposed?

If yes, has Road Commission approved (attach letter)?

2. Will public streets connect to adjoining properties or future streets?

3. Are private roads or interior drives proposed?

4. Will private drives connect to adjoining properties service roads?

5. Has the Road Commission or MDOT approved curb cuts?

If yes, attach approved permit.

OTHER INFORMATION

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

REVIEW PROCESS

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

PERMISSION TO ENTER SUBJECT PROPERTY

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

Owner Signature:

Applicant Signature:

Agent Signature:

Date:

OWNER'S AUTHORIZATION

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

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

Owner Signature:

Date:

AFFIDAVIT

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

Owner Signature:

Date:

Applicant Signature:

Date:

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

Rezoning Request

Applicant: Chris & Anita Scussel
324 W. Eleventh Street
Traverse City, MI 49684

Property : 306 Hammond Road West
Traverse City, MI 49686

Parcel ID : 28-05-024-020-00

Legal : PRT SE 1/4 SEC 24 T27N R11W COM 576.4' E OF SW COR
TH N 430' TH E 200' TH S 430' TH W 200' TO POB EXC RD R/W

Current Zoning: CG Conditional

Requested new zoning : Change to Agricultural

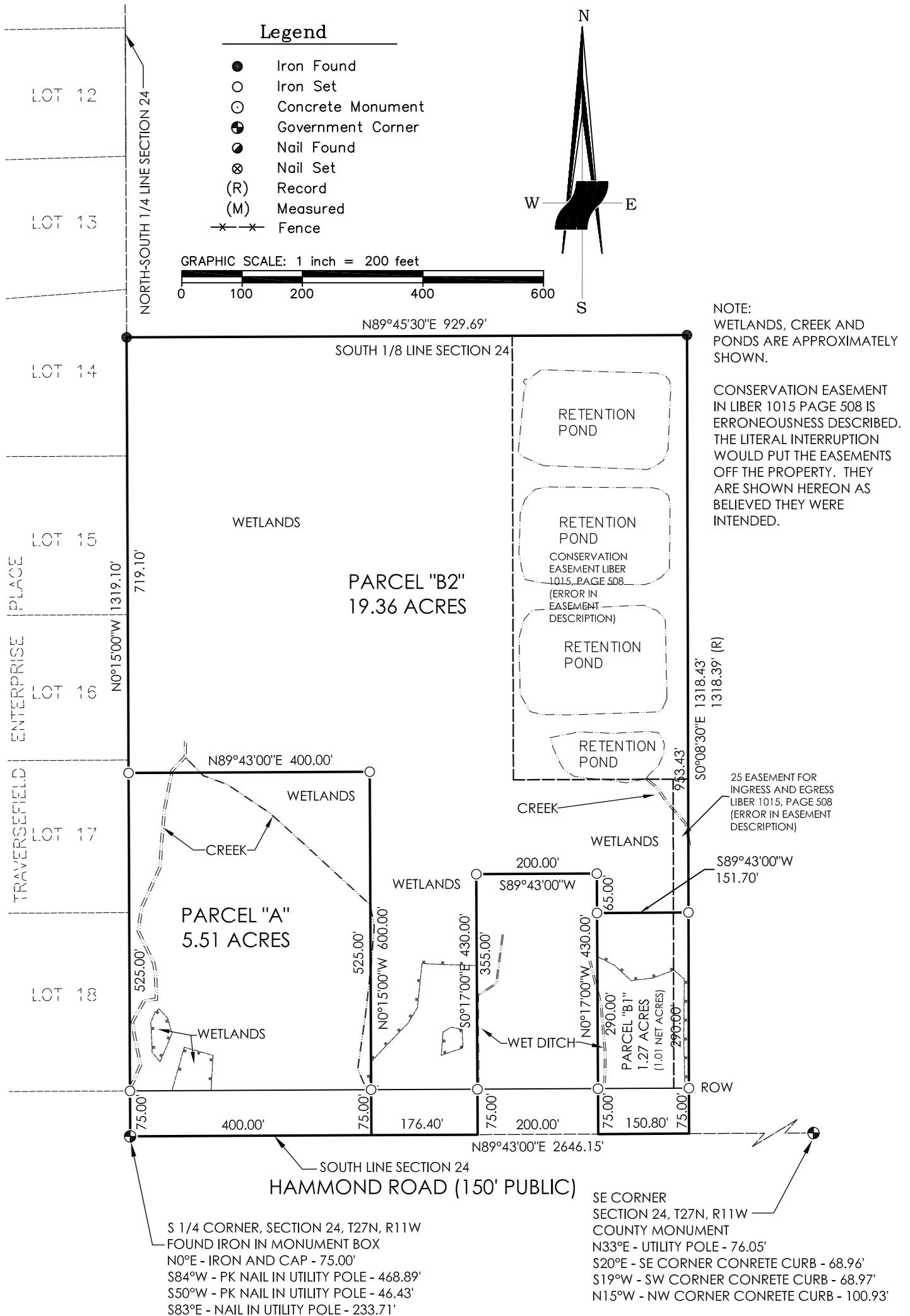
Current use: Vacant land (with a small garden barn from original home owner. This barn will be removed in Spring.)

Proposed use: Merge with our surrounding acreage that is under a permanent Conservation Easement with Grand Traverse Regional Land Conservancy. (This adjacent property under legal paperwork, is listed as 478 W. Hammond Road, although that number does not follow other addresses in the area.)

Supporting: Current owners, Chris & Anita Scussel, own the adjacent property that completely encompasses this acreage and would like to merge the two, thus adding an additional 2.12 acres to the conservation easement.

Owners will submit Request to Combine Parcels once zoning change is completed.

CERTIFICATE OF SURVEY



I, Michael K. Geisert, a Professional Surveyor in the State of Michigan, do hereby certify: That I have surveyed and mapped the herein described parcel(s), that the ratio of closure of the unadjusted field observations is within the accepted limits and that I have fully complied with the requirements of P.A. 132 of 1970, as amended.

Bedrock Holding LLC

Mansfield Land Use Consultants
 Planners - Civil Engineers - Surveyors

PO Box 4015
 830 Cottageview Dr., Suite 201
 Traverse City, MI, 49685
 Ph: (231) 946-9310
 Fax: (231) 946-8926
 www.maaeps.com

BEARING BASIS: Liber 2, Page 889 of Surveys

Part of the SE 1/4
 Section 24, T27N, R11W
 Garfield Township, Grand Traverse County, Michigan

DRN: MKG	CKD: MKG
4/6/2017	
16161	
SHT 1 OF 2	



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2021R-04707
STATE OF MICHIGAN
GRAND TRAVERSE COUNTY
RECORDED 02/26/2021 03:19:13 PM
PEGGY HAINES REGISTER OF DEEDS
PAGE 1 OF 14

CONSERVATION EASEMENT

1/14

DATE: February 10, 2021

OWNER: Chris & Anita Scussel, husband and wife, 324 W. 11th Street, Traverse City, MI 49684

CONSERVANCY: Grand Traverse Regional Land Conservancy, a Michigan non-profit corporation, 3860 North Long Lake Road, Suite D, Traverse City, Michigan 49684

PROPERTY: Legal description attached hereto as "Exhibit A"

CONVEYANCE: The Owner conveys and warrants to the Conservancy a perpetual Conservation Easement over the Property. The scope of this Conservation Easement is set forth in this agreement. This conveyance is a gift from the Owner to the Conservancy. Accordingly, this is exempt from Transfer Tax pursuant to MCL §§ 207.505(a) and 207.526(a).

THE OWNER AND THE CONSERVANCY AGREE TO THE FOLLOWING:

1. CONSERVATION PURPOSES OF THIS CONSERVATION EASEMENT AND COMMITMENTS OF THE OWNER AND THE CONSERVANCY.

The "Conservation Purposes" of this Conservation Easement are (i) to preserve the Conservation Values (hereinafter defined), and other significant conservation interests, and (ii) to restrict the use of the Property to those uses that are consistent with such values and interests.

- A. This Conservation Easement:
 - 1. Protects a relatively natural habitat of fish, wildlife, or plants, or similar ecosystem, and
 - 2. Preserves open space and will yield a significant public benefit pursuant to a clearly delineated Federal, State, or local governmental conservation policy as further defined in paragraph 2.B.
- B. This Conservation Easement assures that the Property will be perpetually preserved in its predominately natural, scenic, and forested condition. The Purposes of this Conservation Easement are to protect the Property's natural resource and watershed values; to maintain and enhance biodiversity; to retain quality habitat for native plants and animals; and to maintain and enhance the natural features of the Property (the "Purposes").

- C. The Owner is the fee simple title owner of the Property and is committed to preserving the Conservation Values of the Property. The Owner agrees to confine use of the Property to activities consistent with the Purposes and the preservation of the Conservation Values. Any uses of the Property that may impair or interfere with the Conservation Values are expressly prohibited.
- D. The Conservancy (i) is a qualified holder of this Conservation Easement committed to preserving the Conservation Values of the Property and upholding the terms of this Conservation Easement; (ii) is a tax-exempt, nonprofit Michigan corporation qualified under Internal Revenue Code Sections 501(c)(3) and 170(h)(3) and under the Conservation and Historic Preservation Easement, Sub Part 11 of Part 21 of Natural Resources and Environmental Protection Act, MCL §§ 324.2140 *et seq.*; (iii) has the resources to enforce this Conservation Easement; (iv) protects natural habitats of fish, wildlife, plants, and the ecosystems that support them; and (v) preserves open spaces, including farms and forests, where such preservation is for the scenic enjoyment of the general public or pursuant to clearly delineated governmental conservation policies and where it will yield a significant public benefit.

2. **CONSERVATION VALUES.** The Property possesses natural, open space, biological, and ecological values of prominent importance to the Owner, the Conservancy, and the public. These values are referred to as the "Conservation Values" in this Conservation Easement. Certain Conservation Values may have relevance to more than one Purpose, even though they are listed only once. The Conservation Values and relevant supportive public conservation policy include the following listed below and also described in the Baseline Documentation Report:

- A. The Property contains significant natural habitat in which fish, wildlife, plants or the ecosystems which support them, thrive in a natural state, as demonstrated by:
1. The Property provides vital corridor of wetland habitat, which serves as a connection for wildlife movement, and creates a natural "greenway" along the Mitchell Creek Corridor.
 2. The Property is noteworthy for its 1,500 feet of meandering tributary of Mitchell Creek and rich-conifer swamp habitat.
 3. Wetlands, as described in Wetland Protection, Part 303 of the Michigan Natural Resources and Environmental Act, MCL 324.30301 *et seq.*, identified as important natural resources for the people of the State of Michigan, are present on the Property.
 4. The Property contains sustainable habitat for diverse vegetation, birds, fish, amphibians and terrestrial animals. The Owner has documented the existence of bald eagles, sandhill cranes, canada geese, indigo buntings, whitetail deer, and others on the Property.
 5. The Property contains natural wetland areas that provide habitat for aquatic invertebrates, reptiles, amphibians, and aquatic and/or emergent vegetation.
 6. The Property is characteristic of rich-conifer swamp. Its dominant vegetation is northern white cedar and interspersed with mostly dead black ash. These plant communities are in a relatively natural and undisturbed condition and support the full range of wildlife species found in these habitat types.
 7. The Property provides important natural land within the Mitchell Creek Watershed. Protection of the Property in its natural and open space condition helps to ensure the quality and quantity of water resources for the Traverse City area.
 8. The Property lies in close proximity to the following conserved properties which similarly preserve the existing natural habitat:
 - Mitchell Creek Nature Preserve
 - Hammond Swamp Conservation Easement
 9. Preservation of the Property enables the Owner to integrate the Conservation values with other neighboring lands.

- B. Pursuant to U.S. Treasury Regulation § 1.170A-14 for Qualified Conservation Contributions, the Property provides open space for the scenic enjoyment of the general public and will yield a significant public benefit through:
1. A scenic landscape and natural character that would be impaired by modification of the Property.
 2. A scenic panorama visible to the public from publicly accessible sites, such as Hammond Road, which would be adversely affected by modifications of the natural habitat.
 3. Biological integrity of other land in the vicinity has been modified by intense urbanization, and the trend is expected to continue.
 4. There is a reasonable possibility that the Conservancy may acquire other valuable property rights on nearby or adjacent properties to expand the Conservation Values preserved by this Conservation Easement.
 5. The Property is desirable for substantial residential development because of its size, location, and orientation, and in the absence of this Conservation Easement the Property could be developed in a manner that would destroy the Conservation Values.

- C. The Property is preserved pursuant to a clearly delineated federal, state, or local conservation policy and yields a significant public benefit. The following legislation, regulations, and policy statements establish relevant public policy:

1. The State of Michigan has recognized the importance of protecting our natural resources as delineated in the 1963 Michigan Constitution, Article IV, Section 52: "The conservation and development of the natural resources of the state are hereby declared to be of paramount public concern in the interest of the health, safety, and general welfare of the people. The legislature shall provide for the protection of the air, water, and other natural resources of the state from pollution, impairment, and destruction."
2. Conservation and Historic Preservation Easement, Subpart 11 of Part 21 of the Michigan Natural Resources and Environmental Protection Act, MCL §§ 324.2140 *et seq.*
3. Biological Diversity Conservation, Part 355 of the Michigan Natural Resources and Environmental Protection Act, MCL §§ 324.35501 *et seq.*; (Legislative Findings § 324.35502).
4. Wetland Protection, Part 303 of the Michigan Natural Resources and Environmental Act, MCL §§ 324.30301 *et seq.*; (Legislative Findings MCL § 324.30302).
5. Water Pollution Control Act of 1972, 33 USC §§ 1251 - 1387 (§1251 Goals & Policy; § 1344 Wetlands permitting, aka "Section 404" Clean Water Act.).
6. Shorelands Protection and Management, Part 323 of the Michigan Natural Resources and Environmental Protection Act, MCL §§ 324.32301 *et seq.*
7. Inland Lakes and Streams, Part 301 of the Michigan Natural Resources and Environmental Protection Act, MCL §§ 324.30101 *et seq.*
8. Farmland and Open Space Preservation, Part 361 of the Michigan Natural Resources and Environmental Protection Act, MCL §§ 324.36101 *et seq.*
9. Soil Conservation, Erosion, and Sedimentation Control, Parts 91 & 93 of the Michigan Natural Resources and Environmental Protection Act, MCL §§ 324.9101 *et seq.*; 324.9301 *et seq.*; (Legislative Policy § 324.9302).

3. **BASELINE DOCUMENTATION.** Specific Conservation Values of the Property have been documented by the Conservancy in a natural resource inventory and provided to the Owner prior to the donation of this Conservation Easement. This "Baseline Documentation Report" is signed by both the Owner and the Conservancy and is incorporated herein by reference. The Baseline Documentation Report consists of maps, a depiction of all existing human-made modifications, prominent vegetation, identification of flora and fauna, land use history, distinct natural features,

and photographs. The parties acknowledge that the Baseline Documentation Report is an accurate representation of the Property at the time of this donation. Changes in the conditions on the Property may be documented from time to time through a Changed Condition Report. In enforcing the provisions of this Conservation Easement, the Conservancy may use the Baseline Documentation Report, any Changed Condition Report, and any and all other available evidence to show a change in conditions. Any characterization of the terms of this Conservation Easement contained in the Baseline Documentation Report shall not be interpreted to alter, amend, or otherwise modify this Conservation Easement. In any conflict or inconsistency between the terms of this Conservation Easement and the Baseline Documentation Report, the terms of this Conservation Easement shall prevail.

4. **PERMITTED USES.** The Owner retains all ownership rights that are not expressly restricted by this Conservation Easement, provided that they are exercised only in a manner that is consistent with the Conservation Purposes. In particular, the following rights are reserved:
- A. Right to Convey. The Owner retains the right to sell, lease, mortgage, bequeath, or donate the Property. Any conveyance will remain subject to the terms of the Conservation Easement and all subsequent Owners are bound by all of the provisions of this Conservation Easement.
 - B. Right to Manage Vegetation and Conduct Forestry Activities. The Owner retains the right to cut vegetation and conduct forestry activities on the Property as follows:
 - 1. Dangerous or Diseased Trees. Pruning or removing trees or other vegetation is permitted under the following conditions:
 - a. To remove trees that pose real danger to a structure or humans in frequently used areas due to a structural or health defect of the tree;
 - b. To remove trees in order to reduce a natural threat of infestation posed by diseased vegetation (as documented by a registered forester or other natural resource specialist and as approved by the Conservancy); and/or
 - c. To control invasive or non-native plant species that endanger the health of native species.
 - 2. Firewood. The Owner retains the right to cut and use trees that are downed as a result of natural occurrence for personal use as firewood without a management plan, provided that said use retains adequate woody debris on the forest floor for habitat and soil productivity purposes.
 - C. Right to Conduct Ecological Restoration. The Owner retains the right to conduct ecological restoration on the Property. Ecological Restoration includes, but is not limited to, planting native species, removing non-native or invasive species, installing erosion control structures, or installing fencing necessary for the re-establishment of native vegetation. Such activities shall be conducted pursuant to an Ecological Restoration Plan prepared by a qualified natural resource professional prior to any restoration activities, and provided to the Conservancy for review and approval pursuant to the terms set forth in paragraph 6.D. herein.
 - D. Right to Construct and Maintain Wildlife Hunting and Viewing Blinds. The Owner retains the right to construct and place blinds on the Property for the purpose of hunting and viewing wildlife. Blinds shall not have a foundation constructed with concrete or other permanent materials. The Owner may affix permanent tree stands that are constructed from wood or fasten tree stands that are portable and non-permanent made from any material that is common or standard for these devices.

Along with this right, the Owner retains the right to trim branches less than or equal to one (1) inch in diameter for the purpose of creating shooting/viewing lanes, provided such

trimming does not adversely impact the Conservation Values of the Property.

E. Right to Develop Subsurface Mineral Resources.

1. Exploration. Exploration for minerals conducted in a manner that will not have a detrimental impact on the Conservation Values of the Property, including but not limited to certain methods of seismic testing, is permitted pursuant to a written plan submitted to the Conservancy for review and approval pursuant to the terms set forth in paragraph 6.D. herein.
2. Development. The Owner retains the right to extract oil, gas, hydrocarbons, or petroleum from the Property for commercial purposes provided that no exploration for, or extraction of, minerals shall be conducted from the surface of the Property, except as provided for herein. The Owner may enter into a non-developmental lease if said lease is part of a pool for oil, gas, hydrocarbons or petroleum which solely permits the extraction of oil, gas, hydrocarbons, or petroleum. Extraction shall not involve any surface alteration of the Property or construction or placement of any structures, including pipelines, on, over, or across the Property.

F. Right to Add and Maintain Trails and to Construct Trail-related Structures. The Owner retains the right to add and maintain trails (by removing groundcover and shrubs and trimming tree branches) on the Property, for low-impact pedestrian use provided such removal and trimming does not adversely impact the Conservation Values of the Property. Said removal and trimming does not include the right to remove trees.

The Owner also retains the right to construct and maintain benches, elevated walkways, and small pedestrian bridges on the Property provided such construction does not adversely impact the Conservation Values of the Property.

At least thirty (30) days prior to clearing or constructing any proposed trail or trail-related structure the Owner shall deliver a written plan to the Conservancy for review and approval pursuant to the terms set forth in paragraph 6.D. herein and install stakes on the Property identifying the location of the trail/structures. This provision shall not apply to maintenance of existing trails on the Property.

- G. Right to Maintain Roads. The Owner retains the right to maintain the existing driveway in its current unpaved and pervious condition.
- H. Right to Construct and Maintain Gates. The Owner retains the right to construct and maintain gates on the Property to control or discourage unauthorized vehicle access to the Property. Any gating of the Property shall be constructed in a manner that does not impede wildlife movement on or across the Property.
- I. Right to Operate Motorized Vehicles. The Owner retains the right to operate motorized vehicles on the Property on the existing driveway and to park such vehicles in the designated Parking Area shown on Exhibit B. The Owner also retains the right to operate motorized vehicles off-road on the Property for the purpose of achieving the permitted maintenance/management uses described herein and for the Owner's personal access. However, the right to operate motorized vehicles off road may be extinguished if the Conservancy determines that use of off-road vehicles is adversely impacting the Conservation Values of the Property.
- J. Right to Place Signs. The Owner retains the right to place and maintain up to three (3) signs, each no larger than six (6) square feet in size, on the Property. Additionally, small signs commonly used for prohibiting unauthorized access or use may be placed along the boundaries of the Property. In order to maintain the scenic Conservation Values protected

by this Conservation Easement, any other signs placed on the Property require written Conservancy consent.

K. Recreational Activities. The Owner retains the right to undertake non-motorized, non-commercial recreational activities on the Property such as hunting, wildlife observation, hiking, cross-country skiing, jogging, horseback riding, and sledding.

5. **PROHIBITED ACTIONS.** Any activity on, or use of, the Property that is inconsistent with the Conservation Purposes or that is detrimental to the Conservation Values is expressly prohibited. By way of example, but not by way of limitation, the following activities and uses are explicitly prohibited:

A. Subdivision. The legal or *de facto* subdivision of the Property, including any subdivision, short subdivision, platting, binding site plan, testamentary division, creation of a site condominium or other submission of the Property to a condominium form of ownership, or other process by which the Property is divided into lots or in which title to different portions of Property are held by different owners is prohibited.

B. Commercial Activities. Any commercial activity on the Property is prohibited, except as reserved or permitted in Section 4. Permitted Uses herein.

C. Industrial Activities. Any industrial activity on the Property is prohibited.

D. Construction. The placement or construction of any human-made modifications, including structures, buildings, fences, roads, and parking lots is prohibited, except as reserved or permitted in Section 4. Permitted Uses herein.

E. Cutting Vegetation. Cutting down or otherwise destroying or removing trees or other vegetation whether living or dead is prohibited, except as reserved or permitted in Section 4. Permitted Uses herein.

F. Land Surface Alteration. Any surface mining or other alteration of the surface of the land is prohibited, including extraction or alteration of any substance that must be quarried or removed by methods that will consume or deplete the surface estate, including, but not limited to, the removal of topsoil, sand, gravel, rock, and peat. In addition, exploring for, developing, and extracting oil, gas, hydrocarbons, or petroleum products is prohibited, except as specified in Section 4. Permitted Uses herein. Strip mining of any sort on the Property, including the removal of sand and/or gravel, is expressly prohibited.

G. Dumping. Processing, storage, dumping, or disposal of liquid, solid, natural or man-made waste, refuse, or debris on the Property is prohibited, except for human waste in a properly designed and authorized waste system.

H. Water Courses, Ground Water. Natural water courses, lakes, wetlands, or other bodies of water may not be altered and water from ground or surface sources may not be diverted.

I. Off-Road Recreational Vehicles. Motorized off-road vehicles such as, but not limited to, snowmobiles, dune buggies, all-terrain vehicles, and motorcycles may not be operated off of designated roads on the Property, except as specified in Section 4. Permitted Uses herein.

J. Livestock. Raising or housing of livestock, poultry or horses, commercial kenneling of animals and commercial aquaculture is prohibited on the Property.

K. Signs and Billboards. Billboards and signs are prohibited, except as reserved or permitted in Section 4. Permitted Uses herein.

6. **RIGHTS OF THE CONSERVANCY.** The Owner conveys the following rights upon the Conservancy to perpetually maintain the Conservation Values of the Property:

- A. Right to Enter. The Conservancy has the right to enter the Property at reasonable times to monitor the Property and to enforce compliance with, or otherwise exercise its rights under, this Conservation Easement. Notwithstanding the foregoing, the Conservancy may not unreasonably interfere with the Owner's use and quiet enjoyment of the Property or permit others to enter the Property. The general public is not granted access to the Property under this Conservation Easement.
- B. Right to Preserve. The Conservancy has the right to prevent any activity on or use of the Property that is inconsistent with the Conservation Purposes or detrimental to the Conservation Values of the Property.
- C. Right to Require Restoration. The Conservancy has the right to require the Owner to restore the areas or features of the Property which are damaged by any activity inconsistent with this Conservation Easement to the condition that existed on the date of recordation of this Conservation Easement, or to such other condition as may then exist, provided such other condition is consistent with the terms of this Conservation Easement.
- D. Right to Review and Approve. Wherever herein the Conservancy is granted the right to review and approve any proposed plan for the use, modification, or restoration of any portion of the Property or improvements thereon, such approval shall be granted or denied by the Conservancy, in writing, within sixty (60) days of the date the Owner delivers notice of the proposed plan, unless otherwise provided herein. The Owner shall not undertake any activity on the Property requiring Conservancy approval unless and until it receives such approval.

The Conservancy's approval for a proposal may be withheld only upon a reasonable determination by the Conservancy that the proposed action(s) would be contrary to or inconsistent with the terms of this Conservation Easement or detrimental or adverse to the Conservation Values of the Property. The Conservancy may request additional information in support of the request for approval, including without limit, documentation of the Owner's right to undertake the proposal, copies of permits, and other documents that the Conservancy in its sole discretion deems necessary to evaluate whether the proposal complies with this Conservation Easement. If the Conservancy fails to provide or deny approval within sixty (60) the approval shall be presumed to have been denied.

If the Owner fails to notify the Conservancy of any proposed activity that requires notice herein, then the Owner undertakes any such activities and/or incurs any related expenses at its own risk. By way of example only, if, upon discovery of the activity, the Conservancy denies approval for the construction or activity, then the Conservancy may in its sole discretion require the Owner to undo the activity or remove the construction and restore the Property at its own expense. In any action to enforce the terms of this Conservation Easement, the fact that the Owner incurred expenses related to the unapproved activity shall not prejudice or limit the Conservancy's available remedies.

- E. Right to Place Signs. The Conservancy has the right to place signs on the Property which identify the land as protected by this Conservation Easement. The number and location of any signs are subject to the Owner's approval.

7. **CONSERVANCY'S REMEDIES.**

- A. Delay in Enforcement. A delay in enforcement shall not be construed as a waiver of the Conservancy's right to enforce the terms of this Conservation Easement.

- B. Third Party Violations. Notwithstanding the Owner's obligations under this Conservation Easement and the Conservancy's right to require restoration of the Property, the Owner shall have the following rights and obligations for acts or occurrences at the Property beyond the direct or indirect control of the Owner:
1. The Conservancy may not bring an action against the Owner for modifications or damage to the Property or its Conservation Values resulting from natural causes beyond the Owner's control, including natural disasters, unintentional fires, floods, storms, natural earth movement, changes recognized to be driven by climate change, or other acts of nature that impair the Conservation Values.
 2. The Owner shall be responsible for modifications or damage to the Property that impair or damage the Conservation Values of the Property and result from the acts of third parties whose use of, or presence on, the Property is authorized by the Owner. In such event, the Conservancy may require the Owner to restore the Property as provided in paragraph 6.C. of this Conservation Easement.
 3. In the event of an unauthorized third-party violation of the Conservation Values, the Conservancy shall not seek restoration or exercise remedies available to it if, and so long as, the Owner diligently pursues all available legal remedies against the violator. In the event illegal actions taken by unauthorized third parties impair the Conservation Values protected by this Conservation Easement, the Conservancy reserves the right, either jointly or singly, to pursue all appropriate civil and criminal penalties to compel restoration. Owner assigns any claim or right to recover against such third parties to Conservancy.
- C. Notice and Demand. If the Conservancy determines that the Owner is in violation of this Conservation Easement, or that a violation is threatened, the Conservancy shall provide written notice to the Owner. The written notice will identify the violation and request corrective action to cure the violation and, where the Property has been injured, to restore the Property. If at any time the Conservancy determines, in its sole and absolute discretion, that the violation, or threatened violation, constitutes immediate and irreparable harm, no written notice is required and the Conservancy may then immediately pursue its remedies to prevent or limit harm to the Conservation Values of the Property. If the Conservancy determines that this Conservation Easement is, or is expected to be, violated, and the Conservancy's good-faith and reasonable efforts to notify the Owner are unsuccessful, the Conservancy may pursue its lawful remedies to mitigate or prevent harm to the Conservation Values without prior notice and without awaiting the Owner's opportunity to cure. The Owner agrees to reimburse all reasonable costs associated with this effort.
- D. Failure to Act. If, within twenty-eight (28) days after written notice, the Owner does not implement corrective measures requested by the Conservancy, the Conservancy may bring an action at law and/or in equity to enforce the terms of the Conservation Easement. In the case of immediate or irreparable harm, as determined in the sole discretion of the Conservancy, or if an Owner is unable to be notified, the Conservancy may invoke these same remedies without notification and/or awaiting the expiration of the twenty-eight (28)-day period. The Conservancy is entitled to enjoin the violation through temporary or permanent injunctive relief and to seek specific performance, declaratory relief, restitution, reimbursement of expenses, and/or an order compelling the Owner to restore the Property. If the court determines that the Owner has failed to comply with this Conservation Easement, the Owner shall also reimburse the Conservancy for all reasonable litigation costs and reasonable attorney's fees, and all costs of corrective action or Property restoration incurred by the Conservancy.
- E. Frivolous Litigation. If the Conservancy initiates litigation against the Owner to enforce this

Conservation Easement, and if the court determines that the Owner is the prevailing party and also determines that (i) the litigation was initiated with the primary purpose to harass, embarrass, or injure the Owner; (ii) the Conservancy did not have a reasonable basis to believe that the facts underlying the Conservancy's legal position were in fact true; or (iii) the Conservancy's legal position was devoid of arguable legal merit, then the court may require the Conservancy to reimburse the Owner's reasonable costs and reasonable attorney's fees in defending the action.

- F. Actual or Threatened Non-Compliance. The Conservancy's rights under this Section 7 apply equally in the event of either actual or threatened violations of the terms of this Conservation Easement. The Owner agrees that the Conservancy's claim for money damages for any violation of the terms of this Conservation Easement is inadequate. The Conservancy shall also be entitled to affirmative and prohibitive injunctive relief and specific performance, both prohibitive and mandatory. The Conservancy's claim for injunctive relief or specific performance for a violation of this Conservation Easement shall not require proof of actual damages to the Conservation Values.
- G. Cumulative Remedies. The preceding remedies of the Conservancy are cumulative. Any, or all, of the remedies may be invoked by the Conservancy if there is an actual or threatened violation of this Conservation Easement.

8. **REGULATORY AUTHORITY.** The Owner is solely responsible for obtaining any applicable permit or authorization or otherwise ensuring that any proposed use, building, construction, design, location, or other specification related to the Property meets all applicable local, state, and federal zoning, requirement, regulation, rule, policy, or standard. In accepting this Conservation Easement, or in reviewing and/or approving any use, building, construction, design, location, or any other specification related to the Property or the use or development of the Property, the Conservancy makes no warranty that the proposed use, building, construction, design, location, or other specification meets any local, state, or federal zoning, requirement, regulation, rule, policy, or standard.

9. **AMENDMENT.** Owner and Conservancy may jointly amend this Conservation Easement; provided that (i) such amendment shall be approved by the Conservancy in its sole and absolute discretion; (ii) such amendment shall have a net positive or neutral effect on the Conservation Values; (iii) the amendment shall not affect the qualification of this Conservation Easement or the status of the Conservancy under any applicable laws, including MCL §§ 324.2140 – 324.2144 or Section 170(h) of the Code; (iv) any amendment shall be consistent with the Conservation Purposes; (v) no amendment may affect the perpetual duration of this Conservation Easement; and (vi) no amendment may extinguish this Conservation Easement over any portion or all of the Property. Any such amendment shall be in writing and recorded in the official records of Grand Traverse County, Michigan, and any other jurisdiction in which such recording is required.

10. **SUBORDINATION.** Owner represents and warrants that as of the date of execution and recording of this Conservation Easement, the Property is not subject to any mortgage, lien, claim or interest which has not been subordinated to this Conservation Easement. Any mortgage, lien, claim, lease, or interest in the Property arising after the date of recording this Conservation Easement shall be subject and subordinate to the terms of this Conservation Easement.

11. **CONSERVATION EASEMENT REQUIREMENTS UNDER MICHIGAN LAW AND UNITED STATES TREASURY REGULATIONS.**

- A. This Conservation Easement is an interest in real property created pursuant to the Conservation and Historic Preservation Easement, Sub part 11 of Part 21 of the Michigan Natural Resources and Environmental Protection Act (NREPA), MCL §§ 324.2140 *et seq.*
- B. This Conservation Easement is established for conservation purposes pursuant to the

Internal Revenue Code, as amended at Title 26, U.S.C., Sections 170(h)(1)-(6), 2031(c), 2055, and 2522, and under Treasury Regulations at Title 26 C.F.R. § 1.170A-14 *et seq.*, as amended.

- C. The Conservancy is qualified to hold conservation easements pursuant to these statutes. It is a publicly funded, non-profit 501(c)(3) organization.

12. **OWNERSHIP COSTS AND LIABILITIES.** In accepting this Conservation Easement, the Conservancy shall have no liability or other obligation for costs, liabilities, taxes, or insurance of any kind related to the Property. The Conservancy's rights do not include the right, in absence of a judicial decree, to enter the Property for the purpose of becoming an operator of the Property within the meaning of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 USC §§ 9601 *et seq.* and/or NREPA Part 201, Environmental Remediation, MCL §§ 324.20101, *et seq.* The Conservancy, its directors, officers, employees, and agents have no liability arising from injury or death to any person or physical damage to any property on the Property. The Owner agrees to defend, indemnify, and hold harmless the Conservancy against such claims arising during the term of the Owner's ownership of the Property.
13. **ASSIGNMENT.** If the Conservancy shall cease to exist or if it fails to be a "qualified organization" for purposes of Internal Revenue Code Section 170(h)(3), or if the Conservancy is no longer authorized to acquire and hold conservation easements, then this Conservation Easement shall become vested in another entity. This entity shall be a "qualified organization" for purposes of Internal Revenue Code Section 170(h)(3). The Conservancy's rights and responsibilities shall be assigned to any entity having similar conservation purposes to which such right may be awarded under the *cy pres* doctrine. In the event of any assignment or other transfer of this Conservation Easement, it shall be a requirement of the assignment or transfer that the recipient of this Conservation Easement shall agree in writing to carry out the Conservation Purposes in perpetuity.
14. **TERMINATION.** This Conservation Easement may be extinguished only by an unexpected change in condition which causes it to be impossible to fulfill the Purposes, or by exercise of eminent domain.
- A. Unexpected Change in Conditions. If subsequent circumstances render the Purposes of this Conservation Easement impossible to fulfill, then this Conservation Easement may be partially or entirely terminated, but only by judicial proceedings. The Conservancy will then be entitled to compensation in accordance with the provisions of the Internal Revenue Code Treasury Regulations Section 1.170A-14(g)(6)(ii). Notwithstanding the foregoing, the Owner and Conservancy intend that this Conservation Easement not be subject to the legal doctrine of "changed conditions" that is applied to traditional servitudes.
- B. Eminent Domain. If the Property is taken, in whole or in part, by power of eminent domain, then the Conservancy will be entitled to compensation as determined by the method set forth in Internal Revenue Code Treasury Regulations Section 1.170A-14(g)(6)(ii).
15. **LIBERAL CONSTRUCTION.** This Conservation Easement shall be liberally construed in favor of maintaining the Conservation Values of the Property and in accordance with the Conservation and Historic Preservation Easement, Sub part 11 of Part 21 of the Michigan Natural Resources and Environmental Protection Act, MCL §§ 324.2140 *et seq.* This Conservation Easement is intended by the Parties to be a "qualified conservation contribution" within the meaning of IRC Treasury Regulations Section 1.170A-14 and any ambiguity in the terms of this Conservation Easement shall be resolved in a manner that is consistent with all of the requirements of said Regulations.
16. **NOTICES.** For purposes of this Conservation Easement, notices may be provided to either party by personal delivery or by mailing a written notice to the party (at the last known address of a party) by First Class mail.

17. **SEVERABILITY.** If any portion of this Conservation Easement is determined to be invalid, the remaining provisions will remain in force.
18. **SUCCESSORS.** This Conservation Easement is binding upon, and inures to the benefit of, the Owner's and the Conservancy's successors in interest. All subsequent owners of the Property are bound to all provisions of this Conservation Easement to the same extent as the Owner.
19. **TERMINATION OF RIGHTS AND OBLIGATIONS.** A party's future rights and obligations under this Conservation Easement terminate upon transfer of that party's interest in the Property. Liability for acts or omissions occurring prior to transfer will survive the transfer.
20. **CONSTRUCTION.** This Conservation Easement will be construed in accordance with Michigan Law and the law of the United States.
21. **DEFINITION OF "OWNER" and "CONSERVANCY."** The Original Owners are a married couple. Any reference to Owner shall include either or both said individuals, as well as all of said Owners' successors in title to the Property, any portion thereof, or interest therein including lessees. Should a future Owner be a trust, any reference to Owner shall include reference to the beneficiary(ies) of said trust. In the event that a future Owner is a limited liability company or corporation, any reference to Owner shall include such company's members and such corporation's shareholders. In the event that a future Owner is a partnership, any reference to Owner shall include the partners in such partnership.
- Any reference to "Conservancy" shall include reference to any and all of the Conservancy's successors in interest to this Conservation Easement.
22. **EXHIBITS.** This Conservation Easement includes, and incorporates the following Exhibits:
- A. Legal Description
 - B. Baseline Documentation Map
23. **ENTIRE AGREEMENT.** This Conservation Easement, the Exhibits hereto, and the Baseline Documentation Report set forth the entire agreement of the Parties. It is intended to supersede all prior discussions or understandings.



AFTER RECORDING SEND TO:
Claire Herman
Grand Traverse Regional Land
Conservancy
3860 North Long Lake Rd., STE D
Traverse City, MI 49684

PREPARED BY:
Claire Herman
Grand Traverse Regional Land
Conservancy
3860 North Long Lake Rd., STE D
Traverse City, MI 49684

OWNER:

[Signature]
Chris Scussel
[Signature]
Anita Scussel

STATE OF MICHIGAN)
COUNTY OF GRAND TRAVERSE)

Acknowledged before me on this 16 of February, of 2021, by Chris & Anita Scussel, husband and wife.

DOUGLAS L. LUPCKE
Notary Public, State of Michigan
County of Saginaw
My Commission Expires 07-25-2022
Acting in the County of Grand

[Signature]
Saginaw, Notary Public
County, Michigan
Acting in Grand Traverse County, Michigan
My commission expires: 7/25/2022

CONSERVANCY:

[Signature]
Name: Glen A. Chown
Title: Executive Director

STATE OF MICHIGAN)
COUNTY OF GRAND TRAVERSE)

Acknowledged before me on this 24 of February, of 2021, Glen A. Chown, known to me to be the Executive Director of the Grand Traverse Regional Land Conservancy.

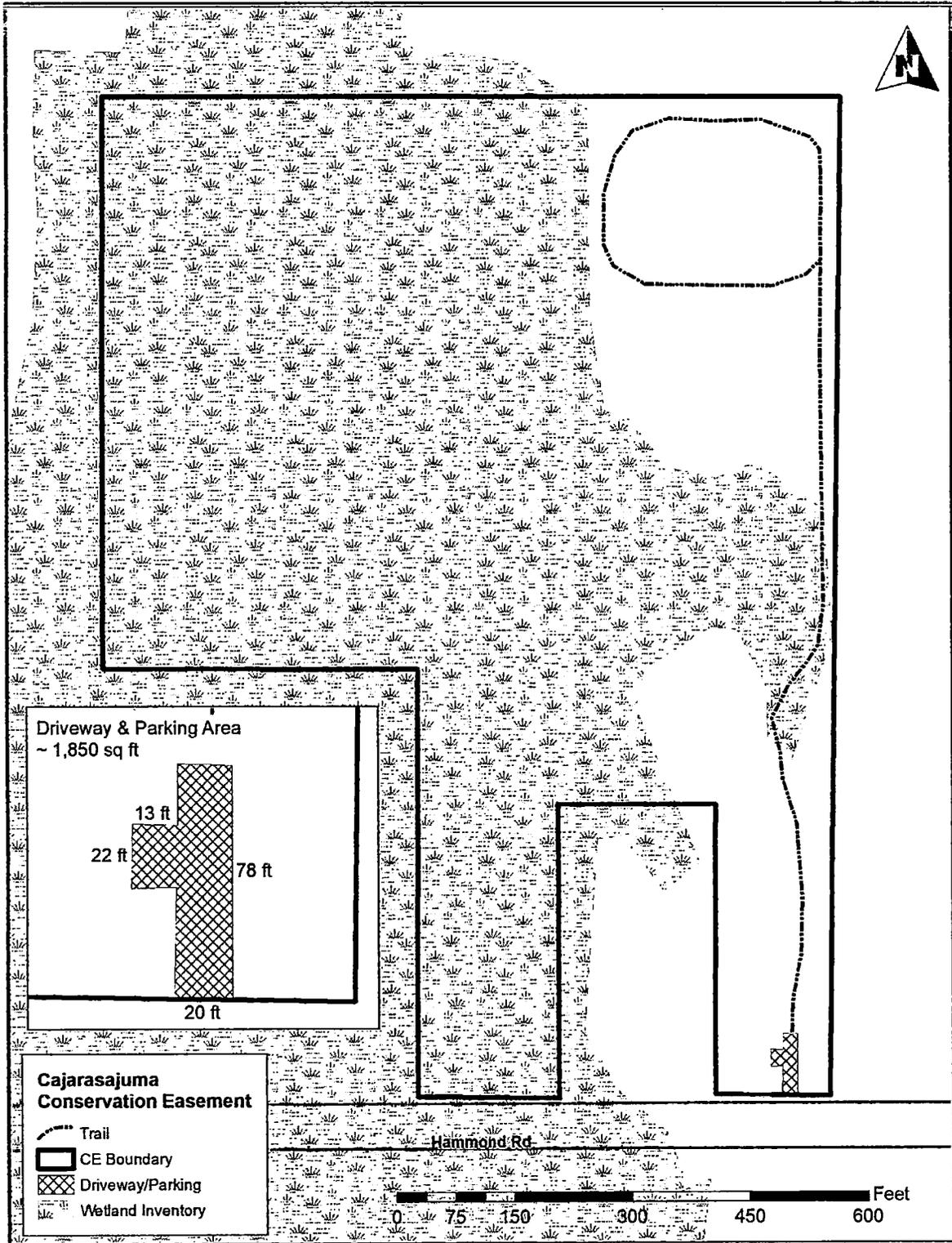
DREW BROADWAY
Notary Public, State of Michigan
County of Grand Traverse
My Commission Expires 01-18-2022
Acting in the County of Grand Traverse

[Signature]
Notary Public
County, Michigan
Acting in Grand Traverse County, Michigan
My commission expires: 1-18-2022

EXHIBIT A
Legal Description

Part of the Southwest 1/4 of the Southeast 1/4, Section 24, Town 27 North, Range 11 West, being more fully described as follows: Commencing at the South 1/4 corner of said Section 24; thence North 89 degrees 43'00" East along the South line of said Section 24, 400.00 feet to the Point of Beginning; thence North 00 degrees 15'00" West, 600.00 feet; thence South 89 degrees 43'00" West, 400.00 feet; thence North 00 degrees 15'00" West along the North-South 1/4 line of said Section 24, 719.10 feet; thence North 89 degrees 45'30" East along the South 1/8 line of said Section 24, 929.69 feet; thence South 00 degrees 08'30" East, 1318.43 feet; thence South 89 degrees 43'00" West along the South line of said Section 24, 150.80 feet; thence North 00 degrees 17'00" West, 430.00 feet; thence South 89 degrees 43'00" West, 200.00 feet; thence South 00 degrees 17'00" East, 430.00 feet; thence South 89 degrees 43'00" West along the South line of said Section 24, 176.40 feet to the Point of Beginning.

EXHIBIT B
Baseline Documentation Map



05-14-2018



2018R-08904
STATE OF MICHIGAN
GRAND TRAVERSE COUNTY
RECORDED 06/11/2018 09:58:45 AM
PEGGY HAINES REGISTER OF DEEDS
PAGE 1 OF 3

CONDITIONAL REZONING AGREEMENT

Z-2017-05

Received:

This Conditional Rezoning Agreement recorded at 2018R-_____ Grand Traverse, County Register of Deeds ("Amendment") is entered into on the 17th day of May, 2018, between Anita and Christopher Scussel of Traverse City, of 324 W. Eleventh Street, Traverse City, Michigan ("Applicant") and the Charter Township of Garfield, 3848 Veterans Drive, Traverse City, Michigan 49684 ("Township"), and provides as follows:

Recitals

- A. The Applicant is the owner of property as described below and located along Hammond Road in the Township of Garfield, County of Grand Traverse, State of Michigan and more fully described as follows ("Property"):

PT SW1/4 SE1/4 SEC 24 T27N R11W COM S1/4 COR SEC 24 TH N 89DEG
43'E 400' TO POB TH N 00DEG 15'W 600' TH S 89DEG 43'W 400' TH N
00DEG 15'W 719.1' TH N 89DEG 45'30"E 929.69' TH S 00DEG 08'30"E
1318.43' TH S 89DEG 43'W 150.8' TH N 00DEG 17'W 430' TH S 89DEG 43'W
200' TH S 00DEG 17'E 430' TH S 89DEG 43'W 176.4' TO POB

Parcel Identification Number 28-05-024-019-20.

- B. The Property is subject to a Conditional Rezoning Agreement (the "Agreement") entered into in 2007 and recorded at 2008R-07868, Grand Traverse, County Register of Deeds whereby the Property was rezoned from A-1 Agricultural, to C-2, General Business with restrictions and limitations.
- C. The Applicant requests withdrawal of the Agreement and desire to enter into a new Conditional Rezoning Agreement to further restrict the use of said land.
- D. The Property would be subject to a new Conditional Rezoning Agreement (CRA) whereby the Property is rezoned from the current C-2, General Business to A-1 Agricultural, with restrictions and limitations.
- E. MCL 125.3405 of the Zoning Enabling Act, as amended, provides that a landowner may offer use limitations related to the rezoning of land within a township pursuant to a Conditional Rezoning Agreement ("CRA") and Section 422(G)(2) of the Charter Township of Garfield Zoning Ordinance (the "Zoning Ordinance") provides that any amendment to a statement of conditions must be processed in the same manner as a CRA under MCL 124.3405.
- E. The Applicant has requested to enter into the provisions of the Statement of Conditions set forth in this Agreement.
- F. By entering into this Agreement, the Applicant and the Township desire to set forth the parties' obligations with respect to the Property and the conditions under which the Township has granted this new Agreement.

NOW THEREFORE, the Applicant and the Township hereby declare and agree that the Property shall be held, transferred, sold, conveyed and occupied subject to the covenants, conditions, restrictions, grants and reservations set forth herein; all of which are for the benefit of the Township, Land and Owner and shall run with and bind the Property and all parties having any right, title or interest in all or any portion of the Property, as well as its heirs, successors and assigns.

Agreement and Statement of Conditions

1. **Limited Uses.** The Property shall be rezoned and revert back to the A-Agricultural zoning district with conditions to protect Property from development. With respect to the Township Zoning Ordinance in effect on the date of this Agreement, the Applicant voluntarily offers and agrees that the Applicant will limit the use of the property to the following uses:
 - a. Protection and preservation of the Property
 - b. Eradication of invasive species
 - c. Habitat improvement for waterfowl and wildlife
 - d. Improving conservation value
2. **Development Improvements Prohibited.**
 - a. Any improvements or changes by way of land division, plat, condominium or any other development type of the property is prohibited by this Agreement.
 - b. Any modification in legal description is subject to a public hearing, by the Planning Commission.
3. **Limited Property Access**
 - a. The Property shall be permitted a driveway entrance for the sole purpose of accessing the unimproved property.
 - b. The access is contingent on the property remaining vacant, undivided and unimproved.
4. **Right to Record.** This Conditional Rezoning Agreement shall be recorded by the Applicant with the Grand Traverse County Register of Deeds.
5. **Township Right to Rezone.** Nothing in this Agreement shall be deemed to prohibit the Township from revising its Zoning Ordinance or rezoning all or any portion of the Rezoned Property to another zoning classification. Any rezoning shall be conducted in compliance with the Township Zoning Ordinance and the Zoning Enabling Act. Upon any such rezoning taking effect, the use of the land so rezoned shall conform as much as possible thereafter to all of the requirements regulating use and development within the new zoning district and ordinance as modified by any more restrictive provisions contained in this Agreement.
6. **Compliance with Conditions.** The Applicant shall continuously maintain the Property in compliance with all of the conditions set forth in the Statement of Conditions. Any failure to comply with a condition contained within the Statement of Conditions shall constitute a violation of the Zoning Ordinance and be punishable accordingly. Additionally, any such violation shall be deemed a nuisance per se and subject to judicial abatement as provided by law.
7. **Subsequent Rezoning of Land.** If the Property is thereafter rezoned to a different zoning classification or to the same zoning classification but with a different or no statement of conditions, the statement of conditions imposed under this Agreement shall cease to be in effect. Upon the Applicant's written request, the Township Clerk shall record with the Register of Deeds of Grand Traverse County a notice that the statement of conditions in the Agreement is no longer in effect.
8. **Termination.** This Agreement may be terminated by written mutual agreement of the parties. If so terminated, the Township Clerk shall sign a document recordable with the Grand Traverse County Register of Deeds that the statement of conditions in the Agreement is no longer in effect.

Applicant, Anita and Christopher Scussel, hereby attests that the conditions imposed by this Agreement were offered voluntarily and are consented to willingly.

Anita and Christopher Scussel

Anita K. Scussel
Christopher Scussel

By:

Its:

STATE OF MICHIGAN)
)SS.
COUNTY OF GRAND TRAVERSE)

Sworn to before me, a Notary Public in and for said State and County, personally appeared Anita and Christopher Scussel on behalf of Anita and Christopher Scussel, known to me to be the above described person(s), who executed the foregoing and acknowledged the same to be his/her free act and deed on this 14th day of May, 2018.

Amy J. Simon

Amy J. Simon, Notary Public
County of Grand Traverse, MI
Acting in Grand Traverse County, MI
My Commission Expires: 2-23-2022

CHARTER TOWNSHIP OF GARFIELD

Charles S. Korn

By: Charles S. Korn
Its: Supervisor

STATE OF MICHIGAN)
)SS.
COUNTY OF GRAND TRAVERSE)

Sworn to before me, a Notary Public in and for said State and County, personally appeared Charles S. Korn, on behalf of the Charter Township of Garfield, known to me to be the above described person, who executed the foregoing and acknowledged the same to be his/her free act and deed on this 14th day of May, 2018.

Amy J. Simon

Amy J. Simon, Notary Public
County of Grand Traverse, MI
Acting in Grand Traverse County, MI
My Commission Expires: 2-23-2022

Prepared By: Roberto Larrea, Planning Director, Garfield Township, 3848 Veterans Drive Traverse City, MI 49694 (231)941-1620.



2008R-07868
 STATE OF MICHIGAN
 GRAND TRAVERSE COUNTY
 RECORDED
 04/25/2008 12:17:24PM
 PAGE 1 OF 6 TXID 75983
 PEGGY HAINES
 REGISTER OF DEEDS

COPY

CONDITIONAL REZONING AGREEMENT

This Conditional Rezoning Agreement ("Agreement") is entered into between Bedrock Holdings, LLC, a Michigan Limited Liability Company, 13919 S. West Bay Shore Drive, Suite G, Traverse City, Michigan, 49684, and the Charter Township of Garfield, 3848 Veterans Drive, Traverse City, MI 49684, hereinafter "Township") provides as follows:

Recitals

- A. Applicant, Bedrock Holdings, LLC., is the owner in fee of the following property located in the Township at 478 Hammond Road, described as follows ("Property").

That part of the Southwest 1/4 of the Southeast 1/4, Section 24, Town 27 North, Range 11 West, more fully described as: Beginning at the South 1/4 corner of said Section 24, thence North 0* 15' West, along the North and South 1/4 line, 1319.10 feet; thence North 89* 45' 30" East, along the South 1/8 line, 929.69 feet; thence South 0* 08' 30" East, 1318.39 feet; thence South 89* 43' West, along the South Section line, 150.80 feet; thence North 0* 17' West, 430.00 feet; thence South 89* 43' West, 200.00 feet; thence South 0* 17' East, 430.00 feet; thence South 89* 43' West, along the South Section line, 576.40 feet to the Point of Beginning. (* = degrees).

- B. Applicants, Frank K. and Sallie A. Majerle, are the owners in fee of the following property located at 306 Hammond Road W, described as follows ("Property").

A part of the Southeast quarter of Section 24, Town 27 North, Range 11 West, more fully described as follows: Commencing at the Southeast corner of said Section 24; thence along the South line of said Section and the centerline of Hammond Road West (assumed) 1870.00 feet to the Point of Beginning; thence North 430.00 feet; thence West 200.00 feet; thence South 430.00 feet to the aforesaid South section line; thence along said line East 200.00 feet to the Point of Beginning. (* = degrees).

- C. The Properties are zoned A-1, Agricultural (A-1) under the Township Zoning Ordinance, and the Applicants desire to rezone the properties from A-1, Agricultural, to C-2, General Business.
- D. MCL 125.3405 of the Zoning Enabling Act, as amended, provides that a landowner may offer use limitations related to the rezoning of land within a township pursuant to a Conditional Rezoning Agreement ("CRA").
- E. By entering into this Agreement, the Applicants and the Township desire to set forth the parties' obligations with respect to the Properties and the conditions under which the Township has granted rezoning approval.

NOW, THEREFORE, the Applicant and the Township hereby declare and agree that the Properties shall be held, transferred, sold, conveyed and occupied subject to the covenants, conditions, restrictions, grants and reservations set forth herein; all of which are for the benefit of the Township and shall run with and bind the Property and all parties having any right, title or interest in all or any portion of the Property, as well as their heirs, successors and assigns.

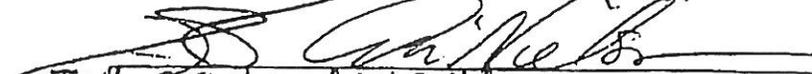
Agreement and Statement of Conditions

- 1. The Properties shall be rezoned from A-1, Agricultural to C-2, General Business. With respect to the Township Zoning Ordinance in effect on the date of this Agreement, the Applicant shall be permitted to conduct all uses permitted under the C-2, General Business District zoning classification, together with all uses permitted under the current C-1, Local Business zoning classification, with the exception of "store retailers" as defined in the Township Comprehensive Land Use Plan, including the following:
 - a. Retail establishments, selling principally new merchandise. (#2)
 - b. Shopping Centers (#16)
 - c. Adult Businesses
 - d. Drive-in/Drive-thru Restaurants
 - e. Print establishments other than "quick" and "digital"
 - f. Wholesalers of chemical and petroleum products
- 2. In the event the Comprehensive Land Use Plan should change to permit "Store Retailers" uses, these parcels shall be privileged to the same.
- 3. Right to record. This Conditional Rezoning Agreement may be recorded by the Township with the Grand Traverse County Register of Deeds.
- 4. Township Right to Rezone. Nothing in this Agreement shall be deemed to prohibit the Township from rezoning all or any portion of the land that is subject to the Agreement to another zoning classification. Any rezoning shall be conducted in compliance with the

Township Zoning Ordinance and the Zoning Enabling Act. Upon any rezoning taking effect, the use of the land so rezoned shall conform thereafter to all of the requirements regulating use and development within the new zoning district as modified by any more restrictive provisions contained in this Agreement.

5. Subsequent Rezoning of Land If the Properties are thereafter rezoned to a different zoning classification or to the same zoning classification, but with a different or no statement of conditions, the statement of conditions imposed under this Agreement shall cease to be in effect. Upon the Applicants written request, the Township Clerk shall record with the Grand Traverse County Register of Deeds a Notice that the statement of conditions in the Agreement is no longer in effect.

Applicant, Bedrock Holdings, LLC. hereby attests the conditions imposed by this Agreement were offered voluntarily and are consented to willingly.


Jonathan E. Crosby and Cori E. Nielsen, Managers of Waypoint Management LLC, Hereby Bedrock Holdings, LLC. Property Owners

By: _____

STATE OF MICHIGAN
COUNTY OF GRAND TRAVERSE

Sworn to before me, a Notary Public in and for said State and County, personally appeared Jonathan E. Crosby and Cori E. Nielsen, on behalf of Bedrock Holdings, LLC, known to me to be the above-described person, who executed the foregoing and acknowledged the same to be his/her free act and deed on this 18th day of March, 2008.



Kevin M. Vann Notary Public
County of Leelanau, State of Michigan
Commission Expires: April 27, 2012
Acting in the County of Grand Traverse
Leelanau

Applicant Frank K. Majerle, hereby attests the conditions imposed by this Agreement were offered voluntarily and are consented to willingly.

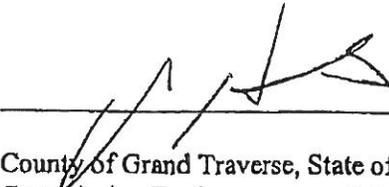


Frank K. Majerle, Property Owner

STATE OF MICHIGAN)
COUNTY OF GRAND TRAVERSE)

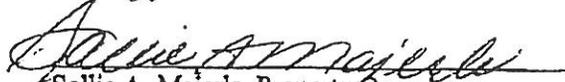
Sworn to before me, a Notary Public in and for said State and County, personally appeared Frank K. Majerle, known to me to be the above-described person, who executed the foregoing and acknowledged the same to be his free act and deed on this 12th day of MARCH, 2008.

JOHN MICHAEL HUGHES
Notary Public, State of Michigan
County of Grand Traverse
My Commission Expires 01-08-2013
Acting in the County of



Notary Public
County of Grand Traverse, State of Michigan
Commission Expires: 1-8-2013
Acting in the County of Grand Traverse

Applicant, Sallie A. Majerle, hereby attests the conditions imposed by this Agreement were offered voluntarily and are consented to willingly.

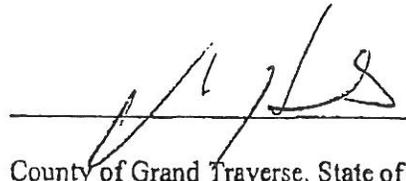


Sallie A. Majerle, Property Owner

STATE OF MICHIGAN)
COUNTY OF GRAND TRAVERSE)

Sworn to before me, a Notary Public in and for said State and County, personally appeared Sallie A. Majerle, known to me to be the above-described person, who executed the foregoing and acknowledged the same to be her free act and deed on this 12th day of MARCH, 2008.

JOHN MICHAEL HUGHES
Notary Public, State of Michigan
County of Grand Traverse
My Commission Expires 01-08-2013
Acting in the County of



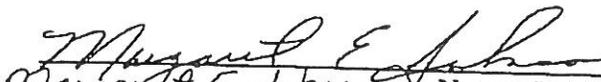
, Notary Public
County of Grand Traverse, State of Michigan
Commission Expires: 1-8-2013
Acting in the County of Grand Traverse

CHARTER TOWNSHIP OF GARFIELD

By: 
Lee F. Wilson
Its: Supervisor

STATE OF MICHIGAN)
COUNTY OF GRAND TRAVERSE)

Sworn to before me, a Notary Public in and for said State and County, personally appeared Lee F. Wilson, on behalf of the Charter Township of Garfield, known to me to be the above-described person, who executed the foregoing and acknowledged the same to be his free act and deed on this 25th day of March 2008.


Margaret E. Johnson, Notary Public
County of Grand Traverse, State of Michigan
Commission Expires: Sept. 30, 2012
Acting in the County of Grand Traverse

Prepared by:
Thomas A. Grier (P45296)
Running, Wise & Ford, P.L.C.
326 State Street, P.O. Box 686
Traverse City, MI 49685-0686
(231) 946-2700