

**PENINSULA TOWNSHIP
PLANNING COMMISSION
AGENDA
13235 Center Road
Traverse City, MI 49686
July 18, 2016
7:00 p.m.**

1. **Call to Order**
2. **Pledge**
3. **Roll Call**
4. **Approve Agenda**
5. **Brief Citizen Comments – for items not on the Agenda**
6. **Conflict of Interest**
7. **Consent Agenda**

Any member of the Board, staff, or the public may ask that any item on the Consent Agenda be removed and placed elsewhere on the agenda for full discussion.

- a. Reports and Announcements (as provided)
 - b. Correspondence (as provided)
 - c. Meeting Minutes
 - i. April 18, 2016 Meeting/PC portion (recommend approval)
 - ii. June 20, 2016, 7:00 PM Meeting (recommend approval)
-
8. **Business**
 - a. SUP#127 – Vineyard Ridge (public hearing and potential recommendation)
 - a. Master Plan 5-year review (Discussion of sub-committee and possible recommendation)
-
9. **Citizen Comments**
 10. **Board Comments**
 11. **Adjournment**

Peninsula Township has several portable hearing devices available for use during this meeting. If you would like to use one, please contact the Chairperson.

To: Peninsula Township Planning Commission

From: Michelle Reardon,  Planning & Zoning Department

Re: Amendment 190

Date: July 12, 2016

Please take a moment to listen to the TB meeting where they discussed the language surrounding B&B establishments and fencing. This discussion begins at approximately 45 minutes into disc 1 of 3 and continues on disc 2 of 3.

We will discuss this at the August meeting.

Feel free to contact me should you have any questions.

SPECIAL JOINT TOWNSHIP BOARD & PLANNING COMMISSION MEETING
SPECIAL PLANNING COMMISSION MEETING
April 18, 2016
5:30 PM

Meeting called to order at 5:30 p.m.

Present: Town Board: **Rosi; Witkop; Weatherholt; Hoffman; Byron; Avery;**

Planning Commission: **Serocki; Hornberger; Leak, Chair; Couture; Peters; Wunsch**

Also present were **Claire Schoolmaster**, Planning and Zoning Coordinator; **Michelle Reardon**, Director of Planning and Zoning and **Mary Ann Abbott**, Recording Secretary

Absent: Correia (excused)

Approve Agenda:

MOTION: Serocki/Peters to approve agenda.

PASSED UNAN

Brief Citizen Comments - for items not on the Agenda

Britt Eaton, 1465 Nehtawanta wanted to refresh everyone's memory that there was an item scheduled on the agenda three meetings ago that dealt with the Project 81 and what Judge Rodgers' said to bring before the Township and citizen's to resolve. That agenda was changed and the item that did appear dealt with the sewer system and the bond. We need to make sure that that Project 81 get's back on the agenda and addressed as Judge Rodgers suggested. **Leak** believes that the Planning Commission has heard this matter and it has been referred to the Town Board. *Reardon* Scheduled for May 10th Town Board meeting.

Conflict of Interest

Rosi asked the question at the last meeting if she (Rosi) had a conflict of interest regarding the division regarding the property that their three daughters have. When it comes up in the conversation tonight she will recuse herself from this one issue and speak as a member of the audience.

Hoffman we had a request from a Town Board meeting. A Joint meeting will be for all boards to attend to discuss conflict of interest, social media and code of ethics.

Consent Agenda for Planning Commission

Any member of the Board, staff, or the public may ask that any item on the Consent Agenda be removed and placed elsewhere on the agenda for full discussion.

1. Reports and Announcements (as provided)
2. Correspondence (as provided)
3. Meeting Minutes

March 21, 2016 5:30 PM Special Meeting and 7:00 PM Regular Meeting (recommend approval)

Serocki Corrections to March 21 meeting at 5:30 under also present: should read Claire rather than Chair. At 7:00 page two it should read: It is the intent ~~what~~ that. **Peters** submitted corrections to the secretary that will include use of the word assumptions rather than presumptions on page 2 Master Plan Review.

Avery was present at the 5:30 portion of the meeting as well as the 7:00 p.m.

MOTION: Peters/Serocki to approve minutes with corrections.

PASSED UNAN

Rosi did prepare a Report to the Planning Commission from the Town Board. It did not get in this packet and so Rosi read the report.

Wunsch did not have a report as the Zoning Board did not meet.

Business

Joint Township Board & Planning Commission

1. Peninsula Township Zoning Ordinance DRAFT Articles 1-7 (Discussion)

Reardon provided introduction. This is the bulk of the ordinance and *Patrick Sloan* is present to assist in the review. Staff has reviewed twice. It has been on the website for the public. This document is currently in front of the Attorney who will provide written comment.

Patrick Sloan, McKenna On March 21st the Planning Commission reviewed the outline of the document and made comments.

Began review with the cover letter and with explanation of Article One: Title, Purpose and Scope. No discussion on this Article.

Article Two: Definitions

* Accessory Building or Accessory Structure

Discussion by boards on the reason that water could not be allowed in accessory buildings. Also felt not unusual to have stool and sink in accessory garages. Concerns about Granny Flats. Enforcement of no two dwellings on a lot. Thoughts on bathroom on first level only in accessory building. Needs to be spelled out so there is no confusion. Staff will relook at this item.

*Adult Foster Care, Family Home and Adult Foster Care, Small group home *Sloan* Definitions regulated by State Law

*Basement

Illustration to be added.

*Building Height

Skipped to page 2-4 and discussion on how to measure the definition of height. Consensus of Board is that buildings be measured to the peak. Do we present the Peninsula to the public from the water? Staff needs to talk to attorney and see what this does to non-Conformities. Further discussion on what 2 ½ stories would consist of and no more than 35 feet to peak. Board would like to discuss this again at a future date. *McKenna* will supply other options of measuring. *Sloan* feels that this will guide the board on the basement issue as will.

*Bed and Breakfast

Updated to be consistent with the Amendment #190. Has not been seen by the Town Board. Current recommendation is as written in the Zoning Ordinance. **Hoffman** is very opposed to increase to 5 rooms and events such as dining in the vines. **Byron** does not feel that board has not had enough public input from opposing public. *Reardon* would like to have Public Hearing on Amendment #190.

Both Boards would like to hold additional meetings to review the Zoning Ordinance Review. Consensus of the Board is to meet again on April 26th, May 3rd and May 9th from 6:00-8:00 pm.

Reardon An Ordinance is living document and we should expect to have changes. It must be adopted to be enforced.

* Boat Livery

No additional discussion

*Building Elevation or Building Width

Reardon Building has to be 24' along all sides. More discussion wanted on this point

MOTION: Byron/Weatherholt to adjourn Town Board Session of the meeting at 7:16 p.m.
PASSED UNAN

Planning Commission Only:

1. Zoning Ordinance Amendment #190 (Discussion)

MOTION: Couture/Wunsch to recuse Rosi from this agenda item.

Peninsula Township Special Joint Meeting

2

Town Board & Planning Commission

April 18, 2016

PASSED UNAN

Reardon in 2013 the boards talked about private roads. The decision was to force improvement when there was a definite need. The property owner would be responsible for this update to the roads. Now we may need to drop this from Amendment 190 as one single split will force improvement, and this was not the direction the boards originally wanted to go.

Leak Who is responsible to look at these frontage roads? Large-scale developments are looked at by the Fire Department. Individual homes are not reviewed, and now if the road meets right of way requirements the road can continue to be used.

Peters would like to hear of the experience that Board member Rosi has run into.

Rosi(as member of the audience) has 450 feet with a heavily wooded lot of about 11 acres and a cabin. They have deeded the land to their 3 daughters. There are deed restrictions and road maintenance agreements. The property is remote and to require an engineered road for ¾ mile is unusual, and there is no interest by the neighbors in having an improved road. There may be other properties unique such as this.

Reardon Right now if the right of ways existed and has been used and it meets our Right of Way requirement it can be used. This band-aid amendment is giving us more unintended consequences that we expected.

Consensus of the Planning Commission is to not move forward with this language as part of Amendment 190 section 7.10.11

MOTION: Couture/Wunsch to not approve with this section of Amendment #190.

PASSED UNAN (Rosi recused)

MOTION: Couture/Wunsch to un-recuse Rosi and welcome her back to the meeting.

PASSED UNAN (Rosi recused)

2. Master Plan 5-year review (Discussion and potential decision)

Reardon pointed out the data that is in the packet for use in review of the 5-year plan. Asked Planning Commission to look at Page 3 of the 5 -year plan review and the 12 questions to see if we need to make changes to the Master Plan. Great spot to start discussion and facts are still being gathered.

Peters offered to meet with others and go through data to see what changes have occurred since the last Master Plan.

Discussion continued on areas that might need attention. *Reardon* Really need to determine that our Master Plan is still the guiding document. That is the reason behind this exercise.

Suggestions led to meeting that will be scheduled and published so that anyone can come. First meeting will be April 28th at 8:00 a.m. Only agenda item will be Master Plan.

3. SUP 32 2nd Amendment, Bowers Harbor Vineyard (recommend table)

4. SUP 125, BHV Dining in the Vines (recommend table)

Reardon still at the table talking to us. Recommend no action at this time.

MOTION: Hornberger/Wunsch to untable Business items #3 and #4 regarding Bowers Harbor Vineyard.

PASSED UNAN

MOTION: Hornberer/Wunsch to table Business items #3 and #4 regarding Bowers Harbor Vineyard to the next regular meeting.

PASSED UNAN

Citizen Comments

Britt Eaton, 1465 Neatawanta would like to volunteer for citizen input to the Master Plan. Also there are local publications that could help get information to the area citizens.

David Tuttle, 13129 Bluff is hearing positive things from this board. Urges meetings to be set at time so that Planning Commission can get input from younger people. They are the future of this Peninsula.

Nancy Heller, 3091 Blue Water Road is disappointed especially in the first session. Agrees that all boards and commission should be heard. McKenna tasked to complete in one year. Strongly suggests that you hear what is said, take a vote and move on.

Margaret Achorn, 11284 Peninsula Drive regarding diagram of measuring height. This is not always waterfront. Those definitions are very important. You must clearly define. Critical later on.

Board Comments

Peters Bonobo planted pumpkins as their vines. Do they need to have wine? *Reardon* They have to process on site in order to have guest activities. They have indicated that they will provide proof. **Serocki** not approved for current activities
Reardon No

MOTION: **Hornberger/Wunsch** to adjourn at 8:19 p.m.

Respectfully submitted by Mary Ann Abbott, Recording Secretary

**PENINSULA TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
June 20, 2016
7:00 P.M.**

Meeting called to order at 7:15 p.m.

Present: **Wunsch; Peters; Couture; Hornberger; Serocki; Rosi; Leak-Chair**

Also present were Michele Reardon, Director of Zoning and Planning; Peter Wendling, Township Attorney; and Mary Ann Abbott, Recording Secretary

Approve Agenda

Serocki would like to add Bowers Harbor SUP 32 Second Amendment and Bowers Harbor SUP 125 Dining in the Vines to be added under old business.

MOTION: Serocki/ Wunsch to approve Agenda with additions.

PASSED UNAN

Brief Citizen Comments – for items not on this Agenda

Andris Valdmanis, 1484 Chimney Ridge repeated his statement from the 5:30 meeting for those that were not present. *Valdmanis* has worked with the Township for over 35 years and they have been very cooperative with him. He would like to talk about Zoning and the Master Plan which are critical and reflect the needs and wants of the residents. Resident surveys are 10 years old and needs to be looked at. McKenna has not been inclusive of the residents. Valdmanis advocates more education, more community participation and less legislation.

No further comments.

Conflict of Interest

Serocki has a conflict with Business item SUP 127 so she will be stepping down during that portion of the meeting.

Consent Agenda

Any member of the Board, staff, or the public may ask that any item on the Consent Agenda be removed and placed elsewhere on the agenda for full discussion.

1. Reports and Announcements (as provided)
2. Correspondence (as provided)
3. Meeting Minutes

May 16, 2016, 5:30 PM Special Meeting

Hornberger has a correction to the minutes of May 16, 2016. Page 3 First citizen comment should read One of ~~you~~ your.

MOTION: Hornberger/Serocki to approve the consent agenda as amended.

PASSED UNAN

New Business

1.Preliminary Plat Review – The 81 Development Company, LLC (Introduction, discussion and schedule public hearing)

Reardon reviews the application of a platted subdivision for a 53-unit development. The 55-unit Plat has been withdrawn. This has no bearing on the 81 PUD that was previously approved by the Township Board. That decision was appealed and was remanded back to the Town Board. There are two outstanding issues that are still out for review. Two different tracks same piece of land.

Reardon's staff report lists suggestion for a public hearing and a list of items to be addressed

Rosi It has been a long time since the Township has looked at a plat. What is the Plat Review Process?

Wendling For today this is just the introduction so you will look at it from the zoning perspective. *Wendling* will set in writing the Plat Process so the Planning Commission will be ready for the public hearing. The State will have to approve the Plat.

Rosi since this is a new review will Commissioner Byron be able to participate. *Wendling* He will have to look into this, as it is a different request. **Rosi** And Mr. Correia? *Wendling* Not aware of any conflict but will have him weigh in on that.

Phillip Settles, Attorney for developer Kevin O'Grady interrupts to inform Commission that he is available to answer questions.

Doug Mansfield, Mansfield Land Use Consultants, 830 Cottageview Drive Suite 2 states that the plat process takes longer but it has an outcome. It is a use by right and if it meets the Township standards it must be approved. The agencies must approve within a certain time period and if not it is automatically approved. It has an outcome. That is the sole reason.

Wunsch what level of consistency can we anticipate? It seems like we have looked at about a ½ dozen maps of the same property and your plans have not been consistent

Mansfield A PUD is it is very subjective in it's design. It evolves through the process. Tonight we are looking at the tentative approval of this plan.

Further discussion by the Planning Commission included: 3 out lots for water access, parking for water access, Lots 3,4,5 which look closer than 60' setback, docks, out lot C for waterfront access, erosion of ridge

Mansfield Tonight what we are looking to see if the lots meet the lot area, width and size to meet zoning. Also there is no common element other than underground water tanks. Each unit will have its own well and septic. They would like to set Public Hearing tonight.

Reardon states that there are three issues: The 10' utility easement that was put into lot calculations. We need to have that removed from the lot calculation and put into the private road calculation. At this point the private road does not meet standard either as it does not have the 10-foot utility easement. So that needs to be fixed so that we can verify that they are all one-acre and have 150 feet etc. The last thing is that this private road exceeds our ordinance of 12% grade.

Mansfield You cannot treat one form of land conveyance differently. Willing to sit down with Township to make sure we have adequate land.

Reardon states that staff's statement of the three areas of concern stand.

Further questions of grading and fill, Bond, ground testing for chemical levels, and whether applicant can address concerns on staff report

Reardon suggests that Public Hearing be set and that the required information needs to be submitted by June 27th.

Wendling Will your clients waive 90 days for Public Hearing?

Mansfield states that he will take to client but would like to have the Public Hearing set tonight.

MOTION: Couture/Hornberger to set the Public Hearing for the Preliminary Plat Review – The 81 Development Company, LLC for July 18th, 2016.

PASSED UNAN

2. SUP #127 - Vineyard Ridge Planned Unit Development (Introduction, discussion and schedule public hearing)

Serocki wishes to be recused and steps down to the audience.

Reardon Wanted to bring to the attention that our Attorney has provided you comments about the Master Bylaws and the Private road description. Tonight is an introduction of the project. There is no staff report or findings. They will present plan to you tonight. Before the next meeting you will have a full report and findings.

Dustin Christensen, Mansfield Land Use Consultants, 830 Cottageview Drive Suite 2 presents the preliminary introduction and overview of the project. Doug Mansfield, Ken Schmidt developer and the owners of property are here to answer any questions.

47 detached single-family homes, common recreational area with pool and 65% common open space with a 90 foot buffer along the edge of the property are proposed.

Ken Schmidt, Developer believes there is a need for this type of housing.

Questions asked of the Planning Commission included the calculation of common space and the space between the building envelopes, concerns about entrance and exit onto a state road, safe access and no stoplights, marketing towards seniors, possibility of site visit, existing vegetation as a buffer, ¼ acre in production vineyards, municipal water and sewer provided for this property, possible issues of old farm property.

Mansfield states that this was probably an orchard and the developer has hired an environmental firm to prepare a due care process when and if they run into it. They will test individual home sites.

Further discussion is plan for 3 phases. *Reardon* Engineer has done a preliminary review and has a few questions, which will be addressed in the staff report.

Rosi says that frustration of 81 was information given to us at the last minute and we hope there are not any last minute changes

MOTION: Hornberger/Wunsch to set Public Hearing on SUP #127 - Vineyard Ridge Planned Unit Development for July 18, 2016.

PASSED UNAN

Serocki returns to her position on Planning Commission.

3. Peninsula Township Zoning Ordinance DRAFT: Articles 12-14 (Discussion)

Leslie Sickterman, McKenna Associates to answer questions about proposed Zoning Ordinances Drafts. The cover letter explains some of the changes that are proposed in the sections on nonconformities and administration. Largely reconsolidation and clean up of language.

Peters' questions the depth of lots and non-conforming use of buildings. **Rosi & Serocki** speak to 13-103. Staff will clarify to make sure that these issues of wording on Zoning Commission and Town Board Member as part of Planning Commission to make sure it complies with the Enabling Act.

Reardon What you have in front of you in terms of the Zoning Ordinance has all the deletions and red line items. The final draft will be much shorter. But the comments are well made that we do not want to add content where it is not necessary.

Wunsch will any of these changes made in Section 13 make substance changes to the function of the Planning Commission and Zoning board of Appeals. Staff No.

Serocki 14.3 Patrick's memo dated June 13 under "site plan" he suggests making more appropriate to Peninsula Township. Sickterman believes that Sloan bringing it to your attention because it is completely new.

Reardon Staff will sit down with site plan review sections and work with McKenna to make sure this reflects what we currently do.

Rosi How do we determine whether a wetland needs to be defined by the DEQ? Sickterman says the usual protocol is that the Zoning administration should make sure there is wetland delineation. Townships have more responsibility now than in the past.

Storm water, variance and appeals discussed

Rosi Where are the values of the Master Plan discussed in terms of Zoning Ordinance? **Reardon** This is where a standard or two would be placed to link us with the vision document. We can direct our Planning Consultant to get this in here. This is the time to do it. **Wunsch** Do you know what extent the Master Plan has been consulted? *Sickterman* knows that the Master Plan has been reviewed quite a bit. She is a big fan of the requirement of the State Law to have a Zoning Plan in the Master Plan. *Reardon* if you go back to the diagnostic review you will see straight from the Master Plan- overlay districts, shoreline,

neighborhood and preservation. It has guided the consultant. *Wendling* suggests that commission discuss with Michelle any questions so that concerns can be addressed.

Reardon will make sure that 190 is incorporated within the Zoning ordinance. She also asked attorney to review 14.105 to make sure this complies. 14.106 is mandated by Enabling Legislation.

Reardon reminds Commission that this is just the first pass at this so if you have any concerns you can bring them to staff's attention.

Old Business

a. Master Plan 5-year review (Discussion and possible recommendation)

Reardon clarifies that we are simply doing a 5-year review of a 20-year vision document. We are charged with the task to make sure we have a document that we can continue to with for the next 15 years. The process needed is to review and decide if 1. Looks great 2. Needs some minor amendments or 3 is completely defunct and make recommendation to the Town board who will then review. We are not rewriting but reviewing.

Peters we have met and reviewed data and assessed our progress. We have two or three things that we need to amend. **Hornberger** says they talked about the time since a questionnaire be sent out but it is expensive and we want to do it well.

MOTION: Wunsch/Rosi to form a sub -committee to prepare a motion regarding updating the Master Plan. Peters & Serocki will serve on this sub-committee.

PASSED UNAN

b & c. Bowers Harbor SUP 32 Second Amendment and Bowers Harbor SUP 125 Dining in the Vines

Reardon states that as you know we have been dealing with compliance issues but at the moment they are in compliance. *Reardon* has asked that the applicant review what they would like to do and get back to them in the fall.

MOTION: Couture/Serocki to un-table Bowers Harbor SUP 32 Second Amendment and Bowers Harbor SUP 125 Dining in the Vines and defer until we have a recommendation from staff no later than September 2016.

PASSED UNAN

Citizen Comments

Mark Nadolski, 10 McKinley Road suggests that the developers be required to provide information on the screen so that the audience can see it.

Ralph Brickman, 14610 Pyatt from his interpretation the Master Plan should drive Zoning. From what he hears Zoning is being redone before the Master Plan. *Reardon* responds that the Master plan was completed in 2011 as a 20-year vision. This is a review required at 5 years. That document is driving the Zoning Ordinance.

Board Comments

Serocki Per Diems due June 28, 2016 at 9:00 am.

Hornberger we are required to look at the Master Plan every 5 years --not change it every 5 years. There may be some areas that need tweaking but the Master Plan if you read it looks good.

Wunsch is wondering if we can look at doing Zoning ordinance work meetings separate from business matters.

Peters would like to make provisions so that applicants can only have one project plan to approve. *Wendling* can write language for that

Reardon Update on what happened on Amendment 190 at the Town Board. It was passed withholding B & B and Fences. The amendment was not going to allow 6-foot privacy fences and that is what the ZBA brought to the PC as a problem. The ZBA

wanted 6 foot privacy fences where appropriate. B & B did not have this clear direction but it will be brought back to you along with the minutes of the Town Board. CD will be available to Planning Commission members if they would like a copy.

MOTION: Hornberger/Couture to adjourn.

Respectfully submitted by Mary Ann Abbott, Recording Secretary

1. Application

Applicant: Vineyard Ridge, LLC
Ken Schmidt, Owner

Applicant/Owner Address & Contact Information: 522 E. Front Street
Traverse City, Michigan 49686

Proposal Location: 6867Center Rd.
Section 36, Peninsula Township
Parcel Id. #: 28-11-336-071-00 & 28-11-336-072-00

Zoning District: R-1C, Suburban Single and Two-Family Residential District. Section 6.4.2 allows for Planned Unit Developments in the R-1C zoning district as a use permitted by Special Use Permit.

Comprehensive Plan: The 2011 Future Land Use Map identifies the subject location as an area designated for moderate residential use. The objectives of the moderate residential use category are to building densities of one dwelling unit per half acre which are serviced by public utilities.

2. Site Plan Evaluation-

2.1 Layout- The applicant's is proposing a forty-seven (47) unit condominium subdivision to be accessed by a proposed private road. Vineyard Ridge Dr. will connect Center Road to Mathison Road with a secondary loop to the north; Vineyard Hill Court. Sixteen residential units will front Vineyard Ridge Dr. with the remaining 31 units fronting Vineyard Hill Court. The proposed residential units will be located within building envelopes rather than lots. Any future structure will need to be completely within the defined building envelope since all other acreage is utilized for the required 65% open space.

The development will include a community pool, hot tub and pool house located at the southern loop intersection of Vineyard Ridge Dr. and Vineyard Hill Court.

2.2 Vehicular Circulation- The primary access to the development is proposed to be located at the intersection of Center Road and Vineyard Ridge Drive. Vineyard Ridge Dr. will connect Center Road to Mathison Road with a secondary loop to the north; Vineyard Hill Court. Sixteen residential units will front Vineyard Ridge Dr. with the remaining 31 units fronting Vineyard Hill Court. The County Road Commission and MDOT have completed initial reviews of the proposed private roads and have provided comments. The applicant will be

required to submit a final permit from these agencies. The Township Engineer is reviewing the private road plan to ensure compliance with section 7.10, Private Roads of the Ordinance; initial comments are included in your packet.

Emergency access and service vehicles will utilize the same private road to provide services.

2.3 Parking- Parking regulations are established and enforced under Section 7.6.3, Parking Space Requirements. Within said section a residential use is required to possess two (2) parking spaces for each dwelling unit. These spaces shall consist of parking strip, parking bay, driveway, garage, or combination thereof. This requirement has been met. The community pool requires one (1) parking space for each two (2) members' families or individuals. Section 7.6.1 (2) allows parking to be provided on site for the pool or within 300 feet of the building it is intended to serve. Therefore the applicant is proposing 12 spaces at the pool house for the 24 residential uses not within 300 feet of the structure.

2.4 Signage- Signs are regulated by section 7.11 of the Ordinance. Per this section the development is allowed to have one entrance way sign that is a maximum of nine (9) square feet in area, six (') feet in height and setback fifteen (15) feet from the right-of-way. The applicant is requesting a sign in excess of that which is permitted. Specifically, the proposed sign has an approximate area of eleven (11) square feet and exceeds the allowable 6 feet in height.

2.5 Pedestrian Circulation- There is no proposed sidewalk along the private road.

2.6 Street Lighting- The applicant is not proposing any street lighting as part of this petition.

2.7 Landscaping, Open Space & Buffering- The developer is providing the required street trees (two per condominium lot) as found in section 6.9.3.5 of the Ordinance.

A PUD application shall include provisions for Open Space as required by Section 8.3.6 of the Ordinance. Vineyard Ridge proposes to have 65% of the site be preserved as Open Space Dedicated for Private Use (Section 8.6.3 (1)). The application indicates that there are 18.12 acres of the 27.87 acres (net acreage) site, or 65.02%, is dedicated to this Open Space. These calculations have been confirmed by the Township Engineer.

Current landscaping and physical buffering conditions surrounding the subject parcel is supported through existing forested areas. The site will experience grading and land preparation that will allow for the construction of the private road and the individual lots which will result in the removal of existing vegetation on site. The site plan shows the provision of a 90 foot setback along the perimeter of the site in excess of the required PUD buffer requirements found in section 7.2.6. The stone entrance wall at Center Rd. and Vineyard Ridge Rd. and the stone columns proposed as part of the fence along Center road are not in compliance with the required 100 foot setback from agricultural lands found in section 7.7 of the Ordinance and will need to be removed.

2.8 Environmental Issues- the Grand Traverse County Department of Public Works and the Township Engineer have reviewed the proposed public sewer and water service. Initial comments are included in your packet. Prior to issuance of the SUP a permit from DPW shall be submitted to the Planning & Zoning Department

The Township Engineer has completed an initial review of the site for storm water control and has requested additional information to ensure compliance with the ordinance. Please see his comments in your packet.

The initial review from the Grand Traverse County Soil Erosion and Sedimentation Control Department indicates the center of the site contains steep slopes that may require “extensive landscaping to control soil erosion. Additionally each building envelope will require a determination from the SESC office prior to issuance of a land use permit.

2.9 Emergency Services - The Peninsula Township Fire Chief has reviewed the plan and indicated no anticipated issues with servicing the site. Written comments from Chief Rittenhouse are pending.

2.10 Relationship to the Master Plan – The 2011 Future Land Use Map identifies this area as primarily for moderate residential use. The objectives of the moderate residential use category are to building densities of one dwelling unit per half acre which are serviced by public utilities.

Peninsula Township Planning & Zoning Department
13235 Center Road
Traverse City, MI 49686

SPECIAL USE PERMIT
FINDINGS OF FACT
SUP #127, Vineyard Ridge (Planned Unit Development Condominium Subdivision)
July 18, 2016

PENINSULA TOWNSHIP PLANNING COMMISSION

DECISION AND ORDER

Applicant: Vineyard Ridge, LLC
Ken Schmidt, Owner
522 E. Front Street
Traverse City, MI 49686

Hearing Date: July 18, 2016

PROPERTY DESCRIPTION

Parcel ID#: 28-11-336-071-00 & 28-11-336-072-00

APPLICATION

The applicant is asking for review by the Peninsula Township Board for the development of a forty-seven (47) unit condominium subdivision planned unit development (PUD) within the Suburban Residential Single and Two-Family (R-1C) zoning district.

The Commission having considered the Application, a public hearing having been held on July 18, 2016 before the Planning Commission after giving due notice as required by law, the Board having heard the statements of the Applicant and agents, the Board after having considered letters submitted by members of the public and comments by members of the public, the Board having considered 15 Exhibits, and the Board having reached a decision on this matter, states as follows:

1. General Findings of Fact

1.1 Property Description-

- a. The Board finds that the subject parcel is located in Section 36 of the Township and has approximately 674 feet of road frontage on Center Road. (Exhibit 4)
- b. The Board finds the total acreage utilized for the Condominium Subdivision Planned Unit Development (PUD) measured at roughly 27.87 acres. (Exhibits 3, 4)

1.2 Action Request-

- a. The Board finds that the applicant is seeking site plan and special use permit approval to develop a Condominium Subdivision Planned Unit Development on site as permitted by Section 6.4.2 of the Peninsula Township Zoning Ordinance. (Exhibits 2, 3)
- b. The Board finds that the final site plan and special use permit are subject to the requirements of 8.1.3 Basis of Determination and 8.3 - Planned Unit Developments of the Peninsula Township Zoning Ordinance. (Exhibit 2)

1.3 Zoning/Use-

- a. The Board finds that the proposed site is zoned R-1C, Suburban Residential Single and Two Family encompassing two (2) parcels; 28-11-336-071-00 which is considered conforming to local zoning and 28-11-336-072-00 which is considered legal non-conforming to local zoning. (Exhibits 2, 3, 4)
- b. The Board finds that the applicant is working with the local permitting agencies to obtain compliance for the site plan. (Exhibit 3)

1.4 Land Use Pattern- The Board finds the following land uses to be in existence on the date of this report adjacent to the proposed development.

- a. **North-** The land adjacent to the north of the subject properties are zoned R-1C, Suburban Residential Single and Two-Family and are residential in use. (Exhibits 1, 2, 5)
- b. **South-** The properties adjacent to the south are zoned R-1C, Suburban Residential Single and Two-Family and are residential in use. (Exhibits 1, 2, 5)
- c. **East-** The properties adjacent to the East are Pelizari Natural Area and other residential properties zoned R-1C, Suburban Single and Two-Family. (Exhibits 1, 2, 5)
- d. **West-** The properties adjacent to the west are zoned R-1C, Suburban Residential Single and Two-Family and are residential in use. (Exhibits 1, 2, 5)
- e. The Board finds that the future land use plan identifies the subject location as an area designated primarily for moderate residential use. The objectives of the moderate residential use category are to building densities of one dwelling unit per half acre which are serviced by public utilities. The eastern portion of the site is designated rural agricultural use. The objective of the rural agriculture use category is to preserve the important natural resources of the Township while allowing other limited uses which are deemed to be compatible with agricultural and open space uses. This area is also intended to serve as a buffer between the Agricultural Production and the Residential land use classifications. (Exhibits 1, 6)

- f. The Board finds that development of property as single family residential is a use by right in the R-1C, Suburban Single and Two-Family residential zoning district. (Exhibit 2)
- g. The Board finds that the applicant is subject to all local, state, and federal agencies, including but not limited to the Grand Traverse County Health Department, Soil Erosion, Construction Code, and Michigan Department of Transportation.

2. Specific Findings of Fact – Section 8.1.3 (Basis for Determinations)

2.1 General Standards- The Board shall review each application for the purpose of determining that each proposed use meets the following standards, and in addition, shall find adequate evidence that each use on the proposed location will:

- a. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.

FINDINGS WHICH WOULD RESULT IN THIS STANDARD BEING MET.

- i. **The Board finds that the proposed PUD is planned as a single-family residential development with 65% open space. (Exhibit 3)**
- ii. **The Board finds that the land surrounding the development is primarily single family residential with the exception of the east which abuts Pelizari Natural Area. (Exhibits 1, 2, 5)**
- iii. **The Board finds that the proposed entrance wall and stone fence columns along Center Rd. shall be removed or relocated to meet the agricultural setback as required by section 7.7.1.1 (1) (a) of the Ordinance. (Exhibits 2, 3)**
- iv. **The Board finds that under the master plan, chapter 3, Land Use and Zoning Map No.4 depicting existing land use, shows that the existing land use for the Vineyard Ridge property is residential regardless of the fact that the property is located in the R-1C Suburban Single and Two Family Zoning District. As such, the proposed PUD is harmonious and appropriate in appearance with the existing use and character of the vicinity. (Exhibits 1, 2)**
- v. **The Board finds that the intent and purpose of the Suburban Single and Two Family District (R-1C) is to contain standards for the continued development of moderate density residential. The district includes existing moderate density residential developments as well as areas within which such development appears both likely and desirable. The Board finds that the Suburban Single and Two Family District (R-1C) provides additional standards for residential development and lakeshore drive areas and areas of high scenic value where more intensive**

development would deteriorate the peninsula environment and less intensive development is not essential to maintenance of the established environment. The Board finds that the proposed PUD provides for a 90 foot buffer zone along the property's boundary which will remain as an undeveloped setback and that the PUD itself by preserving 65% of the property, being 18.12 acres, as open space conforms with the intention of the district by decreasing the density which would otherwise be allowed in these districts should the property be developed in a manner otherwise allowed under the zoning ordinance. (Exhibits 1, 2, 3)

FINDINGS WHICH WOULD RESULT IN THIS STANDARD NOT BEING MET.

- i. The Board finds that the proposed development includes grading and development of steep slopes located on the property and as depicted on land map no. 6 of the Peninsula Township Master Plan. The Board further finds that the development of the steep slopes would require significant grading, particularly with the development of units along the eastern portion of Vineyard Hill Ct., lined up in a design which will change both the existing and intended character of the area in the vicinity as well as the essential character of the area surrounding this development. (Exhibits 1, 7)**

This standard HAS/HAS NOT been met.

- b. Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.**

FINDINGS WHICH WOULD RESULT IN THIS STANDARD BEING MET.

- i. The Board finds that the land surrounding the development is primarily single family residential with the exception of the east which abuts Pelizari Natural Area. (Exhibits 1, 2, 5)**
- ii. The Board finds that the proposed entrance wall and stone fence columns along Center Rd. shall be removed or relocated to meet the agricultural setback as required by section 7.7.1.1 (1) (a) of the Ordinance. (Exhibits 2, 3)**
- iii. The Board finds that the development of the proposed PUD should not negatively impact adjacent neighbors. The applicant has designed the housing sites to complement the existing residential use pattern which incorporates 18.12 acres of the site in open space. (Exhibit 3)**
- iv. The Board finds that the PUD as submitted preserves open space, keeping 65% of the site undeveloped and preserved as common open space for the proposed project. The Board further finds that the lot locations, regardless of the slopes in the area, are located sufficiently within the interior of the property of the project site such that view sheds are sufficiently preserved from township public roads. The Board further finds that there is no evidence that the development would disturb existing or future uses of the land within the vicinity. The**

Board further finds that the preservation of the open space is a substantial improvement over other non-PUD development rights as provided in the Peninsula Township Zoning Ordinance which, in turn, benefits the properties within the immediate vicinity and the community as a whole. (Exhibits 1 , 2, 3)

FINDINGS WHICH WOULD RESULT IN THIS STANDARD NOT BEING MET.

- i. The Board finds that the location of residential units on the steep slopes area of the property and the required grading to develop these site condominium units and the road would not constitute a substantial improvement to the property in the immediate vicinity as such grading at the intensity proposed provides no improvements to other properties in the immediate vicinity or the community as a whole given the goal of preserving steep slopes within the township. (Exhibits 1, 3, 7)**

This standard HAS/HAS NOT been met.

- c. Be served adequately by essential facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.**

FINDINGS WHICH WOULD RESULT IN THIS STANDARD BEING MET.

- i. The Board finds that the proposed PUD will develop a private road built to the Peninsula Township private road standards to provide residential and adequate emergency access to forty-seven (47) residential units. This private road shall be reviewed and approved by the Township Engineer. (Exhibits 2, 3, 8, 9, 10)**
- ii. The Board finds the development will be served by public sewer and water. These systems shall be constructed by the owner and reviewed by the Grand Traverse County Department of Public Works and the Township Engineer to ensure they are compliant with all applicable regulations. (Exhibits 3, 8, 11)**
- iii. The Board finds the development shall be compliant with the Peninsula Township Storm Water Ordinance. The plans shall be reviewed and approved by the Township Engineer prior to the issuance of the SUP. (Exhibits 3, 8)**
- iv. The Board finds that the County Sheriff has conducted a review of the submitted plans and offered comments. The Sheriff finds no issues with the proposed plan. (Exhibits 3, 12)**

FINDINGS WHICH WOULD RESULT IN THIS STANDARD NOT BEING MET.

- i. The Board finds that**

This standard HAS/HAS NOT been met.

- d. Not create excessive additional requirements at public cost for public facilities and services.

FINDINGS WHICH WOULD RESULT IN THIS STANDARD BEING MET.

- i. **The Board finds that the applicant will be responsible for any improvements required as part of this proposal. (Exhibit 3)**
- ii. **The Board finds that the development as presented will not create excessive additional requirements at public cost for public facilities and services given that development of single family residential properties is allowed in the zoning districts in which the property is located. The Board further finds that the applicant will be incorporating adequate service roads within the development and there is otherwise no evidence of any excessive additional requirements at public cost for public facilities and services on the record. (Exhibits 3, 8)**

This standard HAS/HAS NOT been met.

- e. Not involve use, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare or odors.

FINDINGS WHICH WOULD RESULT IN THIS STANDARD BEING MET.

- i. **The Board finds that the proposed use of the site shall not involve any uses or activities which produce negative impacts upon the existing neighborhood via fumes, glare, noise or odors. (Exhibit 3)**
- ii. **The Board finds that the very nature of residential development is not the type that results in a use generating fumes, glare or odors. The Board further finds that there has been no evidence presented that the proposed development will result in negative activities or uses which would compromise the general welfare of township citizens as a result of fumes, glare or odors. (Exhibit 3)**

This standard HAS/HAS NOT been met.

2.2 Conditions and Safeguards- the Board may suggest such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for insuring that the intent and objectives of the Ordinance will be observed. The breach of any condition, safeguard or requirement shall automatically invalidate the permit granted.

- a. **Review and approval of the project by the Peninsula Fire Chief.**

- b. **Proof of compliance with all Federal, State, County, Township and other governmental regulations relative to the establishment of a forty-seven (47) unit Condominium Subdivision Planned Unit Development shall be submitted to the Peninsula Township Planning & Zoning Department prior to issuance of the Special Use Permit.**
- c. **Remove the structures on the site plan that are not compliant with section 7.7 of the Ordinance.**
- d. **The proposed sign shall be dimensionally altered to be in compliance with 7.11 of the Ordinance.**

THE ABOVE FINDINGS ARE NOT REQUIRED AS THIS IS NOT A STANDARD, BUT RATHER AN ADVISORY STATEMENT. IF THE PLANNING COMMISSION RECOMMENDS APPROVAL OF THE PROJECT THERE CAN CERTAINLY BE CONDITIONS RELATED TO THE STANDARDS CONTAINED IN THE ZONING ORDINANCE WHICH WOULD APPLY TO THE PROJECT.

2.3 Specific Requirements- In reviewing an impact assessment and site plan, the Planning Commission and the Township Board shall consider the following standards:

- a. That the applicant may legally apply for site plan review.
 - i. **The Board finds that the applicant is the owner/operator of the petitioned property and may legally apply for said review process. (Exhibit 3)**

This standard HAS/HAS NOT been met.

- b. That all required information has been provided.
 - i. **The Board finds that the applicant has provided the required information as portrayed within the special use permit application and upon the provided site plans. (Exhibit 3)**
 - ii. **The Board finds that the applicant will be required to submit all necessary permits (i.e. soil erosion, health department, etc.) and has already submitted some of these permits all of which will need to be finalized and issued prior to the final approval of a Special Use Permit and PUD. (Exhibits 3, 7, 8, 9, 10, 11, 12, 13, 14, 15)**

This standard HAS/HAS NOT been met.

- c. That the proposed development conforms to all regulations of the zoning district in which it is located.

FINDINGS WHICH WOULD RESULT IN THIS STANDARD BEING MET.

- i. **The Board finds that the proposed PUD is planned as a single-family residential development with 65% open space. (Exhibit 3, 14)**

- ii. **The Board finds that each individual units will be subject to the land use permitting process to ensure all structures comply with the Special Use Permit and the requirements of the Ordinance. (Exhibits 2, 3, 7, 8)**
- iii. **The Board finds the proposed PUD shall be designed in accordance with section 8.3 of the Ordinance as discussed in section 3.2 of these findings. (Exhibits 2, 3)**
- iv. **The Board finds that the proposed PUD will develop a private road which shall be built to the Peninsula Township private road standards to provide residential and adequate emergency access to forty-seven (47) residential units. This private road shall be reviewed and approved by the Township Engineer and the Township Attorney. (Exhibits 2, 3, 8, 15)**
- v. **The Board finds that signs are regulated by section 7.11 of the Ordinance. Per this section the development is allowed to have one entrance way sign that is a maximum of nine (9) square feet in area, six (6') feet in height and setback fifteen (15) feet from the right-of-way. (Exhibits 1, 3)**
- vi. **The Board finds that the applicants sign located at the intersection of Vineyard Ridge Dr. and Center Rd. is shall be dimensionally altered to be in compliance with the Ordinance 7.11 of the Ordinance. (Exhibits 1, 3)**
- vii. **The Board finds that the proposed entrance wall and stone fence columns along Center Rd. shall be removed or relocated to meet the agricultural setback as required by section 7.7.1.1 (1) (a) of the Ordinance. (Exhibits 1, 3)**

This standard HAS/HAS NOT been met.

- d. **That the plan meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage and other public facilities and services.**
 - i. **The Board finds that a permit to construct the private road curb cut from the Michigan Department of Transportation shall be required to be submitted to the Peninsula Township Planning & Zoning Department prior to issuance of the SUP. Further the Board finds that in an email dated April 4, 2016, Jeremy Wiest from MDOT indicated that the location of the proposed private road meets MDOT requirements. (Exhibit 2, 3, 10)**
 - ii. **The Board finds that a permit to construct the private road curb cut and the water main connection from the Grand Traverse County Road Commission shall be required to be submitted to the Peninsula Township Planning & Zoning Department prior to issuance of the SUP. The GTCRC has reviewed the proposal and provided comments in a letter dated June 2, 2016. (Exhibit 2, 3, 9)**

- iii. **The Board finds that approval to construct and connect the public water and sewer systems on site from the Grand Traverse County Department of Public Works shall be required to be submitted to the Peninsula Township Planning & Zoning Department prior to the issuance of the SUP. The DPW has provided initial review and approval for this proposal in an email dated June 2, 2016. (Exhibit 2, 3, 11)**
- iv. **The Board finds that at this time the Grand Traverse County Sheriff's Department has reviewed the submitted plans. In a letter dated April 21, 2016 that department has indicated they have no objections to the plan. (Exhibit 12)**
- v. **The Board finds that a soil erosion permit for a forty-seven (47) unit development shall be submitted to the Peninsula Township Planning & Zoning Department prior to issuance of the SUP. Conceptual approval has been granted at this time. Please see the letter dated June 3, 2016 from the Grand Traverse County Soil Erosion – Sedimentation Control Department for the specifics related to this review. (Exhibits 2, 3, 7)**
- vi. **The Board finds that the applicant shall submit a grading plan with sufficient details to evaluate the plan for protection of the steep slopes and vegetation present on site. (Exhibits 2, 3, 7, 8)**
- vii. **The Board finds that the initial storm water control review was completed by the Township Engineer. Based on comments in a letter dated June 8, 2016 the site plan shall be revised and resubmitted to show full compliance with the requirements of Storm Water Control Ordinance. (Exhibits 2, 3, 8)**

FINDINGS WHICH WOULD RESULT IN THIS STANDARD NOT BEING MET.

- i. **The Board finds that**

This standard HAS/HAS NOT been met.

- e. **That the plan meets the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured.**
 - i. **The Board finds that the applicant is cooperating with all of the appropriate governmental entities to complete the project. No distinct negative challenges have been brought forth from any of the applicable government agencies. All appropriate permits shall be received by the Township prior to the issuance of the SUP. (Exhibits 2, 3, 7, 8, 9, 10, 11, 12, 13, 15)**

This standard HAS/HAS NOT been met.

- f. That natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so located on the site plan and at the site per se.

FINDINGS WHICH WOULD RESULT IN THIS STANDARD BEING MET.

- i. **The Board finds that any form of development is going to cause some disturbance to the site. Regardless, given that development of the parcel is allowed under the Zoning Ordinance under the R-1C District, the PUD as proposed preserves as undeveloped area 18.12 acres as open space. As such, given the other options available for development under the zoning ordinance, the plan as presented and as developed, will leave areas undisturbed during construction and afterward as depicted on the site plan and at the site. (Exhibits 1, 2, 3)**

FINDINGS WHICH WOULD RESULT IN THIS STANDARD NOT BEING MET.

- i. **The Board finds that regardless of the fact that the proposed development is a PUD, the development, as presented, has site condominium units as well as a portion of the road servicing them located in some of the steeper slope areas on the parcel. In addition, the Board finds that the plan calls for the removal of a substantial amount of trees in order to accommodate grading and earth work for the project. As such, the Board finds that the plan as presented does not preserve the natural resources on the property to the maximum feasible extent. (Exhibits 1, 2, 3, 7, 8)**

This standard HAS/HAS NOT been met.

- g. That the proposed development property respects flood ways and flood plains on or in the vicinity of the subject property.
 - i. **The Board finds that there are no flood ways or flood plains on or in the vicinity of the subject property. (Exhibit 3)**

This standard HAS/HAS NOT been met.

- h. That the soil conditions are suitable for excavation and site preparation, and that organic, wet or other soils which are not suitable for development will either be undisturbed or modified in an acceptable manner.

FINDINGS WHICH WOULD RESULT IN THIS STANDARD BEING MET.

- i. **The Board finds that a soil erosion permit for a forty-seven (47) unit development shall be submitted to the Peninsula Township Planning & Zoning Department prior to issuance of the SUP. Conceptual approval has been granted at this time. Please see the letter dated June 3,**

2016 from the Grand Traverse County Soil Erosion – Sedimentation Control Department for the specifics related to this review. (Exhibits 2, 3, 7)

- ii. The Board finds that the applicant shall submit a grading plan with sufficient details to evaluate the plan for protection of the steep slopes and vegetation present on site. (Exhibits 2, 3, 7, 8)
- iii. The Board finds that the required SESC permits shall be submitted to the Planning & Zoning Department prior to issuance of the SUP. (Exhibits 2, 3, 7, 8)

This standard HAS/HAS NOT been met.

- i. That the proposed development will not cause soil erosion or sedimentation problems.
 - i. The Board finds that a soil erosion permit for a forty-seven (47) unit development shall be submitted to the Peninsula Township Planning & Zoning Department prior to issuance of the SUP. Conceptual approval has been granted at this time. Please see the letter dated June 3, 2016 from the Grand Traverse County Soil Erosion – Sedimentation Control Department for the specifics related to this review. (Exhibits 2, 3, 7)
 - ii. The Board finds that the applicant shall submit a grading plan with sufficient details to evaluate the plan for protection of the steep slopes and vegetation present on site. (Exhibits 2, 3, 7, 8)
 - iii. The Board finds that the required SESC permits shall be submitted to the Planning & Zoning Department prior to issuance of the SUP. (Exhibit 2, 3, 7)

This standard HAS/HAS NOT been met.

- j. That the drainage plan for the proposed development is adequate to handle anticipated storm-water runoff, and will not cause undue runoff onto neighboring property or overloading of water courses in the area.
 - i. The Board finds that the applicant will be required to maintain all storm water runoff on site and that the initial storm water control review was completed by the Township Engineer. Based on comments in a letter dated June 8, 2016 the site plan shall be revised and resubmitted to show full compliance with the requirements of Storm Water Control Ordinance. (Exhibits 2, 3, 8)

This standard HAS/HAS NOT been met.

- k. That grading or filling will not destroy the character of the property or the surrounding area, and will not adversely affect the adjacent or neighboring properties.

FINDINGS WHICH WOULD RESULT IN THIS STANDARD BEING MET.

- i. **The Board finds that any form of development is going to cause some disturbance to the site. Regardless, given that development of the parcel is allowed under the Zoning Ordinance under the R-1C Zoning District, the PUD as proposed preserves as undeveloped area 18.12 acres as open space. As such, given the other options available for development, the plan as presented and as developed, will leave areas undisturbed during construction and afterward and shall be depicted on the site plan and at the site, per se. (Exhibits 1, 2, 3, 8, 14)**
- ii. **The Board finds that the development of the road appears to be reasonable in the context of the existing topography and existing drainage patterns. (Exhibit 2, 3, 8, 15)**
- iii. **The Board finds that the applicant shall submit a grading plan with sufficient details to evaluate the plan for protection of the steep slopes and vegetation present on site. (Exhibits 2, 3, 7, 8)**
- iv. **The Board finds that the request SESC permits shall be submitted to the Planning & Zoning Department prior to the issuance of the SUP. (Exhibit 2, 3, 7)**

FINDINGS WHICH WOULD RESULT IN THIS STANDARD NOT BEING MET.

- i. **The Board finds that regardless of the fact that the proposed development is a PUD, the development, as presented, has site condominium units as well as a portion of the road servicing them located in some of the steeper slope areas on the parcel. In addition, the Board finds that the plan calls for the removal of a significant portion of the tree cover on the property in order to accommodate grading and earth work for the project. As such, the Board finds that the plan as presented does not preserve the natural resources on the property to the maximum feasible extent. (Exhibits 1, 2, 3, 7, 8)**

This standard HAS/HAS NOT been met.

- l. That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.
 - i. **The Board finds that that air drainage is not anticipated to be effected per the increased usage of the site. (Exhibit 13)**

This standard HAS/HAS NOT been met.

- m. That phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility service, drainage or erosion control.
 - i. **The Board finds that the development of the site is to occur in three phases. The phasing plan has been reviewed by the appropriate agencies and the site shall be developed in accordance with the recommendations provided by the Township Engineer and the Soil Erosion Department. (Exhibit 2, 3, 7, 8, 11)**

This standard HAS/HAS NOT been met.

- n. That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems and water sewage facilities.

FINDINGS WHICH WOULD RESULT IN THIS STANDARD BEING MET.

- i. **The Board finds that the proposed PUD will develop a private road built to the Peninsula Township private road standards to provide residential and adequate emergency access to forty-seven (47) residential units. This private road shall be reviewed and approved by the Township Engineer. (Exhibits 2, 3, 8, 15)**
- ii. **The Board finds the development will be served by public sewer and water. The proposed plans have been reviewed by the Township Engineer and the site shall be developed in compliance with the regulating standards as approved by the Township Engineer and DPW. (Exhibits 2, 3, 8, 11)**
- iii. **The Board finds that the initial storm water control review was completed by the Township Engineer. Based on comments in a letter dated June 8, 2016 the site plan shall be revised and resubmitted to show full compliance with the requirements of Storm Water Control Ordinance. (Exhibits 2, 3, 8)**
- iv. **The Board finds that the County Sheriff has conducted a review of the submitted plans and offered comments. The Sheriff finds no issues with the proposed plan. (Exhibits 2, 3, 12)**

FINDINGS WHICH WOULD RESULT IN THIS STANDARD NOT BEING MET.

- i. **The Board finds that**

This standard HAS/HAS NOT been met.

- o. That landscaping, fences or walls may be required by the Board in pursuance of the objectives of this Ordinance.

- i. **The Board finds that the site shall have the required landscaping per the Zoning Ordinance. Specifically, the residential units shall have street trees as required by section 6.9.3.5 of the Ordinance. The developer also proposes a 90' buffer along all property lines which is to be left in its natural vegetative state. (Exhibits 2, 3)**

This standard HAS/HAS NOT been met.

- p. That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.

- i. **The Board finds there is one (1) parking area located at the northwest corner of Vineyard Ridge Dr. and Vineyard Hill Ct. to accommodate the community pool and pool house⁷ as required by section 7.6 of the Ordinance. These spaces shall be provided in compliance (i.e. smooth dustless surface with clearly delineated entrances) with the Ordinance. This layout will allow traffic to flow uninhibited within the site and will not impact traffic off-site. (Exhibits 2, 3)**

This standard HAS/HAS NOT been met.

- q. That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.

- i. **The Board finds that there is no pedestrian infrastructure proposed as part of this development. (Exhibits 2, 3)**
- ii. **The Board finds that the proposed PUD will develop a private road built to the Peninsula Township private road standards. This private road shall be reviewed and approved by the Township Engineer. (Exhibits 2, 3, 8, 15)**

FINDINGS WHICH WOULD RESULT IN THIS STANDARD NOT BEING MET.

- i. **The Board finds that**

This standard HAS/HAS NOT been met.

- r. That outdoor storage of garbage and refuse is contained, screened from view and located so as not to be a nuisance to the subject property or neighboring properties.

FINDINGS WHICH WOULD RESULT IN THIS STANDARD BEING MET.

- i. **The Board finds that there are no proposed refuse containers as part of the general proposal. Each unit will provide for individual garbage removal and shall be subject to Ordinance #43 Solid Waste of Peninsula Township. (Exhibit 3)**

This standard HAS/HAS NOT been met.

- s. That the proposed site is in accord with the spirit and purpose of this ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by this Ordinance and the principles of sound planning.

FINDINGS WHICH WOULD RESULT IN THIS STANDARD BEING MET.

- i. **The Board finds this property is subject to allow residential development under the Suburban Single and Two-Family (R-1C) zoning district. While the Board recognizes that development is going to cause disturbance to the land, the Board finds that the PUD as proposed preserves 18.12 acres as undeveloped open space. The Board further finds given that there are other options available for development which could be much more intensive, the plan as presented with the preservation of open space meets the objectives of land use planning under the zoning ordinance. (Exhibits 1, 2, 3, 14)**

FINDINGS WHICH WOULD RESULT IN THIS STANDARD NOT BEING MET.

- i. **The Board finds that regardless of the fact that the proposed development is a PUD, the development, as presented, has site condominium units as well as a portion of the road servicing them located in some of the steeper slope areas on the parcel. In addition, the Board finds that the plan calls for the removal of a substantial amount of trees on the property in order to accommodate grading and earth work for the project. The Board further finds that the development as presented is not in accord with the spirit and purpose of the zoning ordinance with respect to preservation of the natural landscapes and features of property in Peninsula Township sought in the zoning ordinance. (Exhibits 1, 2, 3, 7, 8)**

This standard HAS/HAS NOT been met.

3. Specific Findings of Fact – Section 8.3 (Planned Unit Developments)

3.1 Objectives – The following objectives shall be considered in reviewing any application for a special use permit for planned unit development.

- a. To provide more desirable living environment by preserving the natural character of open fields, stand of trees, steep slopes, brooks, ponds, lake shore, hills, and similar natural assets.

FINDINGS WHICH WOULD RESULT IN THIS STANDARD BEING MET.

- i. **The Board finds that the preservation of 18.12 acres of open space will preserve the natural character of the area. While the Board is mindful that the development will result in some grading of slopes and removal of trees, given other development options under the zoning ordinance, the development as proposed provides for a desirable living environment for future purposes of units within the development both with respect to views and the preservation of the same from surrounding properties without significantly hindering viewsheds and having negative impacts upon the natural assets of the property. (Exhibits 1, 2, 3, 7, 8, 14)**

FINDINGS WHICH WOULD RESULT IN THIS STANDARD NOT BEING MET.

- i. **The Board finds that the proposed open space is inclusive of areas that are traditionally utilized as side and rear yards in a residential development and are therefore not a substantial preservation of open space for common use. (Exhibit 2, 3)**
- ii. **The Board finds that the development, as presented, has site condominium units as well as a portion of the road servicing them located in some of the steeper slope areas on the parcel. In addition, the Board finds that the plan calls for the removal of a substantial amount of trees on the property in order to accommodate grading and earth work for the project. The Board further finds that the development as presented is not in accord with the spirit and purpose of the zoning ordinance with respect to preservation of the natural landscapes and features of property in Peninsula Township sought in the zoning ordinance. (Exhibit 1, 2, 3, 7, 8)**

This standard HAS/HAS NOT been met.

- b. To provide open space options.

FINDINGS WHICH WOULD RESULT IN THIS STANDARD BEING MET.

- i. **The Board finds that a PUD application shall include provisions for Open Space as required by Section 8.3.6 of the Ordinance. Vineyard Ridge proposes to have 65% of the site be preserved as Open Space Dedicated for Private Use ((Section 8.6.3 (1)). The application indicates that there are 18.12 acres of the 27.87 acres (net acreage) site, or 65.02%, is dedicated to this Open Space. The Township Engineer has independently reviewed the acreage calculations and concurs. (Exhibits 2, 3, 14)**

FINDINGS WHICH WOULD RESULT IN THIS STANDARD NOT BEING MET.

- i. **The Board finds that the proposed open space is inclusive of areas that are traditionally utilized as side and rear yards in a residential development and are therefore not a substantial preservation of open space for private use. (Exhibit 1, 2, 3)**

This standard HAS/HAS NOT been met.

- c. To encourage developers to use a more creative and imaginative approach in the development of residential areas.
 - i. **The Board finds that the zoning regulations contained in the zoning ordinance for zoning district R-1C provide a multitude of options for development at this site. Given the available options that the applicant has, the PUD does provide for the preservation of substantial open space, to wit; 18.12 net acres of undeveloped property. As such, the Board finds that when balancing market demands for desirable residential parcels in conjunction with the preservation of at least 65% of the property, the PUD as presented is a more creative and imaginative approach to the development of this parcel for residential purposes than what would otherwise be allowed under the Peninsula Township Zoning Ordinance. (Exhibits 1, 2, 3, 14)**

FINDINGS WHICH WOULD RESULT IN THIS STANDARD NOT BEING MET.

- i. **The Board finds that under section 6.5.A.1 of the zoning ordinance that the purpose behind planned unit development for residential districts is to allow the planned development of areas of the township where conventional development practices are suitable to the terrain. The Board finds that some of the more intensely developed portions of this development are located on the steep slope areas where the majority of the trees are located. The Board is mindful of the other forms of development that this property may be put to under the regulations in the zoning ordinance, but given that the proposal develops significant portions of the property with respect to terrain and natural environmental conditions the Board finds that the PUD is not an improvement over what is allowed with respect to conventional development in the R-1C zoning district. (Exhibits 1, 2, 3, 7, 8)**

This standard HAS/HAS NOT been met.

- d. To provide for more efficient and aesthetic use of open areas by allowing the developer to reduce development costs through the by-passing of natural obstacles in the residential project.

FINDINGS WHICH WOULD RESULT IN THIS STANDARD BEING MET.

- i. **The Board finds that the applicant's plans do preserve open space along Center Road which results in minimal aesthetic changes viewed along the road corridor resulting in an attractive development for residential housing. (Exhibit 3, 14)**

FINDINGS WHICH WOULD RESULT IN THIS STANDARD NOT BEING MET.

- i. The Board finds that under section 6.5.A.1 of the zoning ordinance that the purpose behind planned unit development for residential districts is to allow the planned development of areas of the township where conventional development practices are suitable to the terrain. The Board finds that some of the more intensely developed portions of this development are located on the steep slope area where the majority of the trees are located. The Board is mindful of the other forms of development that this property may be put to under the regulations in the zoning ordinance, but given that the proposal develops significant portions of the property with respect to terrain and natural environmental conditions the Board finds that the PUD does not bypass natural obstacles, but rather develops these areas. (Exhibits 1, 2, 3, 7, 8)**

This standard HAS/HAS NOT been met.

- e. To encourage variety in the physical development pattern of the Township by providing a mixture of housing types.**
 - i. The Board finds that Vineyard Ridge will be providing a low maintenance single family home design which will diversify the housing stock available in Peninsula Township. (Exhibit 3)**

This standard HAS/HAS NOT been met.

- f. To provide for the retention of farmland by locating the allowed number of housing units on the agricultural parcels of land in clusters which are suitable for residential use and keep the remaining agricultural land in production or fallow and available for production.**
 - i. The Board finds the parcel is subject to residential zoning, is currently vacant and not being utilized for farmland. The Board further finds that this development does not impact farmland utilized in the township directly adjacent to the development or within the vicinity of the development. The Board further finds that the 65% open space will remain and the developer is proposing the addition of 1.25 acres of vineyard within the open space. (Exhibits 1, 2, 3, 5, 6, 13, 14)**
 - ii. The Board finds that the layout of the plan preserves 65% of the land for open space as confirmed by the Township Engineer. (Exhibits 3, 14)**

FINDINGS WHICH WOULD RESULT IN THIS STANDARD NOT BEING MET.

- i. The Board finds that the proposed development does not effectively cluster the residential units and in fact the open space is inclusive of areas that are traditionally utilized as side and rear yards in a residential development. (Exhibits 1, 2, 3)**

This standard HAS/HAS NOT been met.

3.2 Qualifying Conditions – Any application for a special use permit shall meet the following conditions to qualify for consideration as a planned unit development.

- a. The planned unit development project shall not be less than twenty (20) acres in area, shall be under the control of one owner or group of owners, and shall be capable of being planned and developed as one integral unit. PROVIDED that the project acreage requirement may be reduced by the Township Board if the Board determines that the proposed use is a suitable and reasonable use of the land.

- i. **The Board finds that the proposed project is 27+ acres. (Exhibits 3, 4)**

This standard HAS/HAS NOT been met.

- b. The planned unit development project shall be located within a Residential or Agricultural District, or a combination of the above Districts. Individual planned unit developments may include land in more than one zone district in which event the total density of the project may equal but not exceed the combined total allowed density for each district calculated separately.

- i. **The Board finds that the proposed development includes forty-seven (47) units. This is one less than the allowable number of units should the property be developed outside of the PUD ordinance as determined by the underlying zoning district regulations. The Board further finds that the property is zoned R-1C. (Exhibits 2, 3)**

This standard HAS/HAS NOT been met.

- c. Water and waste disposal shall comply with the Township Master Plan and be approved by Grand Traverse County or State of Michigan requirements. It is recognized that joining water and sewer ventures with contiguous or nearby land owners may prove to be expedient.

- i. **The Board finds the development will be served by public sewer and water systems which have been through initial reviews and will be constructed in compliance with regulating standards as per Township Engineer and DPW comments. (Exhibits 1, 2, 3, 8, 11)**

This standard HAS/HAS NOT been met.

- d. The proposed density of the planned unit development shall be no greater than if the project were developed with the lot area requirements of the particular zone district or districts in which it is located subject to the provisions of Section 8.1 except as provided by Section 8.3.5 (1).

- i. **The Board finds that the proposed density of the site is no greater than if the project were developed with the lot area requirements within the R-1C zoning district. (Exhibits 2, 3)**
- ii. **The Board finds that the density of the development is in compliance with Section 8.3.5 (1). The net acreage of the site is 27.87 acres. (Exhibits 2, 3, 4)**

This standard HAS/HAS NOT been met.

- e. Open space shall be provided according to Section 8.3.6.
 - i. **The Board finds that a PUD application shall include provisions for Open Space as required by Section 8.3.6 of the Ordinance. Vineyard Ridge proposes to have 65% of the site be preserved as Open Space Dedicated for Private Use ((Section 8.6.3 (1))). The application indicates that there are 18.12 acres of the 27.87 acres (net acreage) site, or 65.02%, is dedicated to this Open Space. The Township Engineer has independently reviewed the acreage calculations and concurs. (Exhibits 1, 2, 3, 14)**

This standard HAS/HAS NOT been met.

- f. For purposes of this Section 8.3, Opens Space does not include building envelopes, parking lots and roads (roadbed plus two (2) foot shoulders on each side).
 - i. **The Board finds that a PUD application shall include provisions for Open Space as required by Section 8.3.6 of the Ordinance. Vineyard Ridge proposes to have 65% of the site be preserved as Open Space Dedicated for Private Use ((Section 8.6.3 (1))). The application indicates that there are 18.12 acres of the 27.87 acres (net acreage) site, or 65.02%, is dedicated to this Open Space. The Township Engineer has independently reviewed the acreage calculations concurs. (Exhibits 1, 2, 3, 14)**

This standard HAS/HAS NOT been met.

- g. The proposed planned unit development shall meet all of the standards and requirements outlined in this Section 8.3 and also Section 8.1 and Article VII.
 - i. **The Board finds that the proposal meets Section 8.3 of the Ordinance in these findings and below. (Exhibits 2, 3)**

- ii. **Section 8.3.4, PUD Uses that may be permitted:** The Board finds that the applicant is proposing single family dwellings, open space in accord with Section 8.3.6, private subdivision recreational uses, and a sign. (Exhibits 2, 3)
- iii. **Section 8.3.5, PUD Lot Size Variation Procedure:** The Board finds that proposal reduces the size of the forty-seven (47) units below the minimum lot size required by the underlying zoning according to the following calculations and within the allowances provided by the Ordinance as detailed here. The Site Acreage for density calculation is 27.87 acres less the fifteen (20) percent for the R-1C requirement and is equal to 22.3 acres. Per the underlying zoning district R-1C the minimum lot size is 20,000 square feet. Therefore the site will allow a maximum of 48 units to be developed. These units can be reduced in area below the minimum lot size required by the zone district in which the PUD development is located provided that the total number of units does not exceed that which is allowed by the underlying zoning. (Exhibits 2, 3)
- iv. The Board finds that the building envelopes are shown on the site plan and are not included as open space. These calculations have been confirmed by the Township Engineer. (Exhibits 2, 3, 14)
- v. The Board finds that the minimum lot area/building envelope is 6,005.15 square feet as indicated in the application. (Exhibit 3)
- vi. The Board finds that the maximum permissive building height for residential structures shall be 2.5 stories and not greater than 35 feet and accessory structures shall not exceed 15 feet. (Exhibit 2, 3)
- vii. **Section 8.3.6, PUD Open Space:** The Board finds that a PUD application shall include provisions for Open Space as required by Section 8.3.6 of the Ordinance. Vineyard Ridge proposes to have 65% of the site be preserved as Open Space Dedicated for Private Use ((Section 8.6.3 (1))). The application indicates that there are 18.12 acres of the 27.87 acres (net acreage) site, or 65.02%, is dedicated to this Open Space. The Township Engineer has independently reviewed the acreage calculations and concurs. (Exhibits 2, 3, 14)
- viii. **Section 8.3.7, PUD Maximum Percentage of Lot Area covered by All Structures:** The Board finds that the maximum percentage of lot area covered by all structures is proposed to be 13.10% of the net acreage of the site as permitted by this section. This reflects an average permitted lot coverage of 52% of the individual building envelopes. (Exhibits 2, 3)
- ix. **Section 8.3.8, PUD Affidavit:** The Board finds that the applicant shall record an affidavit with the register of deeds as required by this section of the Peninsula Township Zoning Ordinance. (Exhibit 3)

- x. The Board finds the Article VII of the Ordinance requires Vineyard Ridge to address the following items:

Section 7.1.2, Sanitation Requirements: The Board finds the development will be served by public sewer and water. These systems shall be constructed by the owner and reviewed by the Grand Traverse County Department of Public Works and the Township Engineer to ensure they are compliant with all applicable regulations. (Exhibits 2, 3, 8, 11)

Section 7.2.5, Stormwater Detention: The Board finds that the initial storm water control review was completed by the Township Engineer. Based on comments in a letter dated June 8, 2016 the site plan shall be revised and resubmitted to show full compliance with the requirements of Storm Water Control Ordinance. (Exhibits 2, 3, 8)

Section 7.2.6, Supplemental Setbacks for Planned Unit Developments, Mobile Home Parks, and other Group Housing Developments: The Board finds that the site proposes a 90 foot buffer along the perimeter of the site which exceeds the buffer zone required by section 7.2.6 and this area shall be occupied by plant materials and appropriately landscaped. (Exhibits 2, 3)

Section 7.6, Off Street Parking and Loading Regulations: The Board finds that the proposal provides two (2) off street parking spaces for each dwelling unit as required by this section and an off street parking area for the community pool. The pool parking area shall be in compliance with the standards as found in Section 7.6 of the Ordinance; specifically 7.6.4 (2) (c) and (e). (Exhibits 2, 3)

Section 7.7, Developments Abutting Agricultural Lands: The Board finds that the proposed site plan shall be in compliance with the required 100 foot setback from agricultural lands found in section 7.7 of the Ordinance; specifically the stone entrance wall and stone fence columns shall be removed. (Exhibits 2, 3)

Section 7.10, Road Standards: The Board finds that the proposed PUD will develop a private road built to the Peninsula Township private road standards to provide residential and adequate emergency access to forty-seven (47) residential units. This private road shall be reviewed and developed according to the standards found in Section 7.10 of the Ordinance as per the Township Engineer comments in a letter dated June 8, 2016. (Exhibits 2, 3, 8, 15)

Section 7.11, Signs: The Board finds that signs are regulated by section 7.11 of the Ordinance. Per this section the development is allowed to have one entrance way sign that is a maximum of nine (9) square feet in area, six (6') feet in height and setback fifteen (15) feet from the right-of-way. (Exhibits 2, 3)

The Board finds that the applicants sign located at the intersection of Vineyard Ridge Dr. and Center Rd. is shall be dimensionally altered to be in compliance with the Ordinance 7.11 of the Ordinance. (Exhibits 2, 3)

Section 7.14, Exterior Lighting Regulations: The Board finds that the applicant is not proposing any street lighting as part of this petition. All exterior lighting on the residential units shall comply with the standards set forth in this section at the time of application for a land use permit. (Exhibits 2, 3)

This standard HAS/HAS NOT been met.

Peninsula Township Planning & Zoning Department
13235 Center Road
Traverse City, MI 49686

SPECIAL USE PERMIT
EXHIBIT LIST

SUP #127 Vineyard Ridge (Planned Unit Development Condominium Subdivision)

March 15, 2016

1. Peninsula Township Master Plan 2011
2. Peninsula Township Zoning Ordinance
3. Vineyard Ridge application dated April 18, 2016 submitted for Planning Commission 6/13/16
4. Grand Traverse County Tax Map No. 2811-3622
5. OMP RE LLC Zoning Map dated 05/10/2016
6. OMP RE LLC Future Land Use Map dated 07/12/2016
7. Letter from Harold Robbins, Grand Traverse County Soil Erosion Inspector dated June 3, 2016
8. Letter from Brian Boals, Gourdie-Fraser, dated June 8, 2016
9. Grand Traverse County Road Commission Conceptual Plan Review Checklist and comments dated June 2, 2016
10. Email from Jeremy Wiest, P.E., Michigan Department of Transportation dated April 4, 2016
11. Email from John Divozzo, Grand Traverse County Department of Public Works dated June 2, 2016
12. Letter from Lt. Chris Barsheff, Grand Traverse County Sheriff's Office dated April 21, 2016
13. Email from Erwin 'Duke' Elsner dated May 27, 2016
14. Vineyard Ridge Open Space Revision 2 Review Summary received June 13, 2016
15. Letter from Peter R. Wendling, Township Attorney dated June 14, 2016

2811-3622

Peninsula

Grand Traverse County, Michigan

T28N-R11W
Section 36
NE 1/4 of NE 1/4
28-11-336 - ### - ##

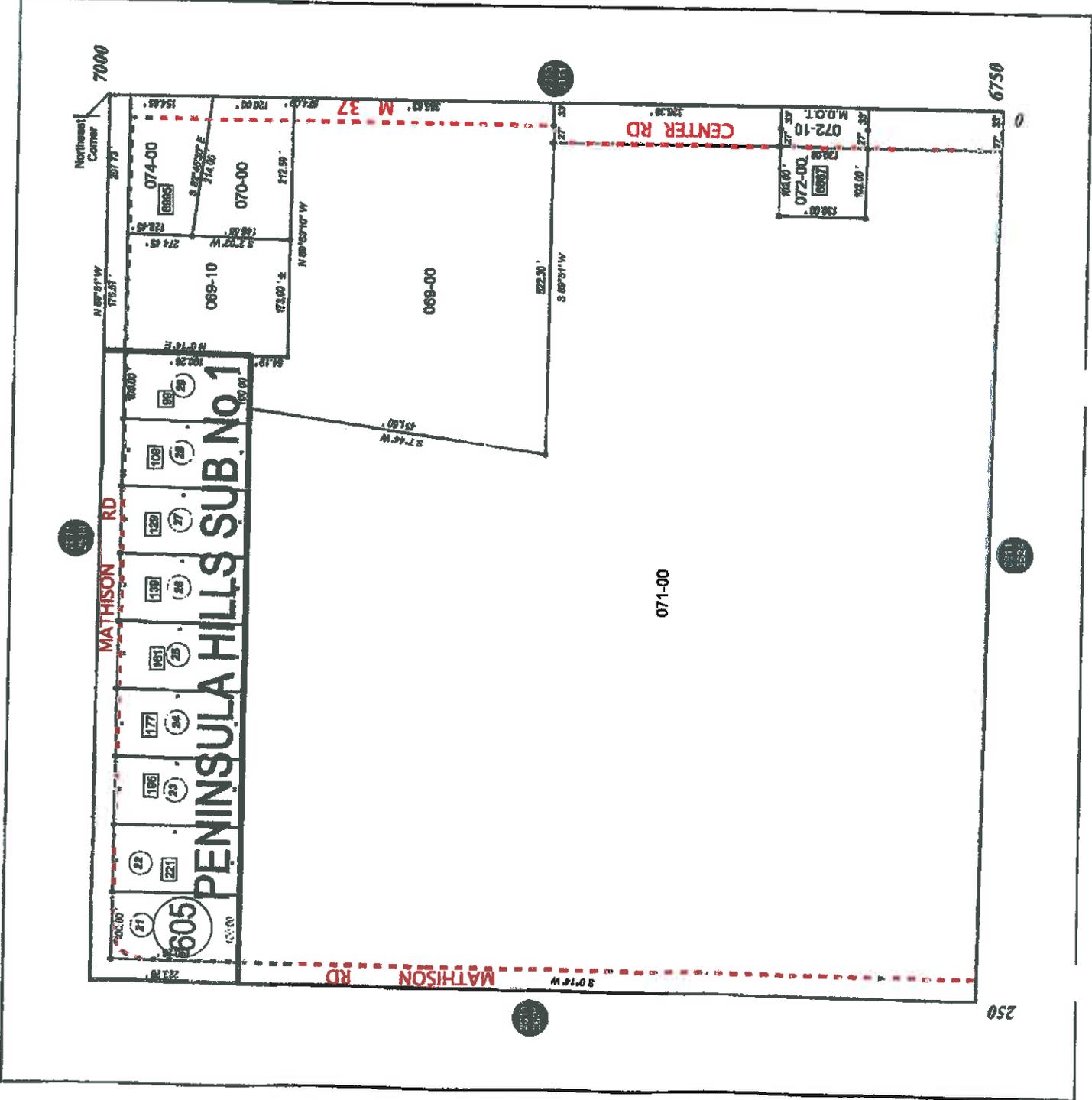


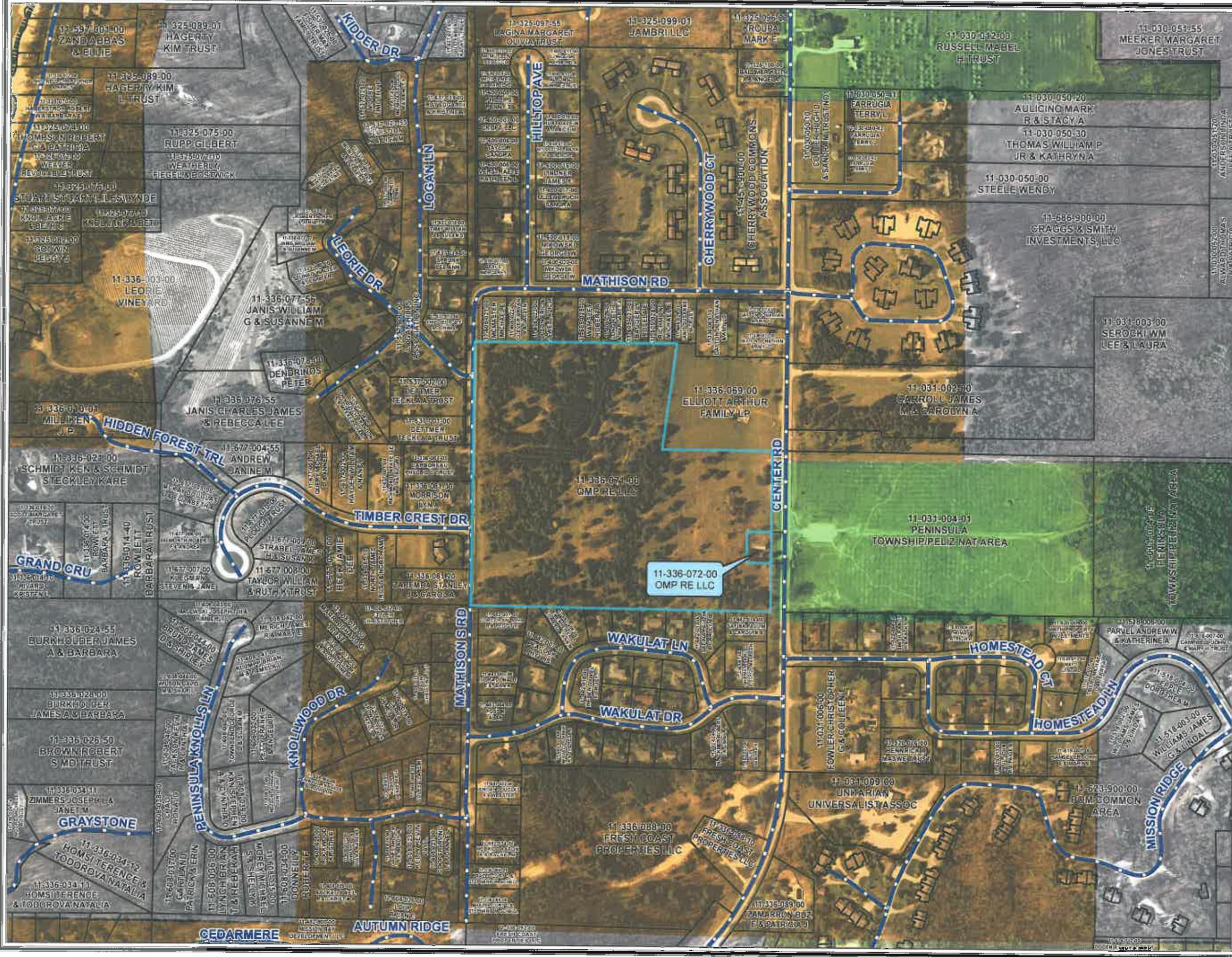
1 inch = 200 feet

LEGEND

- Parcel Lines
- Parcel Identification Number 016-10
- Lot Number 69
- Address 7285
- Platted Lines
- Parcel Ownership Hook
- Dimension
- Direction N 73° 24' 12"
- Area 25.6 Ac.
- Subdivisions and Condominiums
- Subdivision and Condominium ID
- Grain Easement
- Government Lots
- Biological Easement
- Section Posts
- Road Easement
- Road Name: I-1 Rd.
- Railroad
- Rivers & Streams
- Lakes and Ponds
- Page Reference
- Miscellaneous Lines
- Address Range 5000 - 7000

This map is based on digital databases prepared by Grand Traverse County, Grand Traverse County does not warrant, expressly or impliedly, or accept any responsibility for any errors, omissions, or that the information contained in this map or the digital database is currently or potentially accurate.





OMP RE LLC Zoning Map

Peninsula Township
Grand Traverse County, MI

Parcel #s: 28-11-336-071-00
28-11-336-072-00

Roads / Streets

Pen Twp Parcels

Township Boundary

Zoning Category

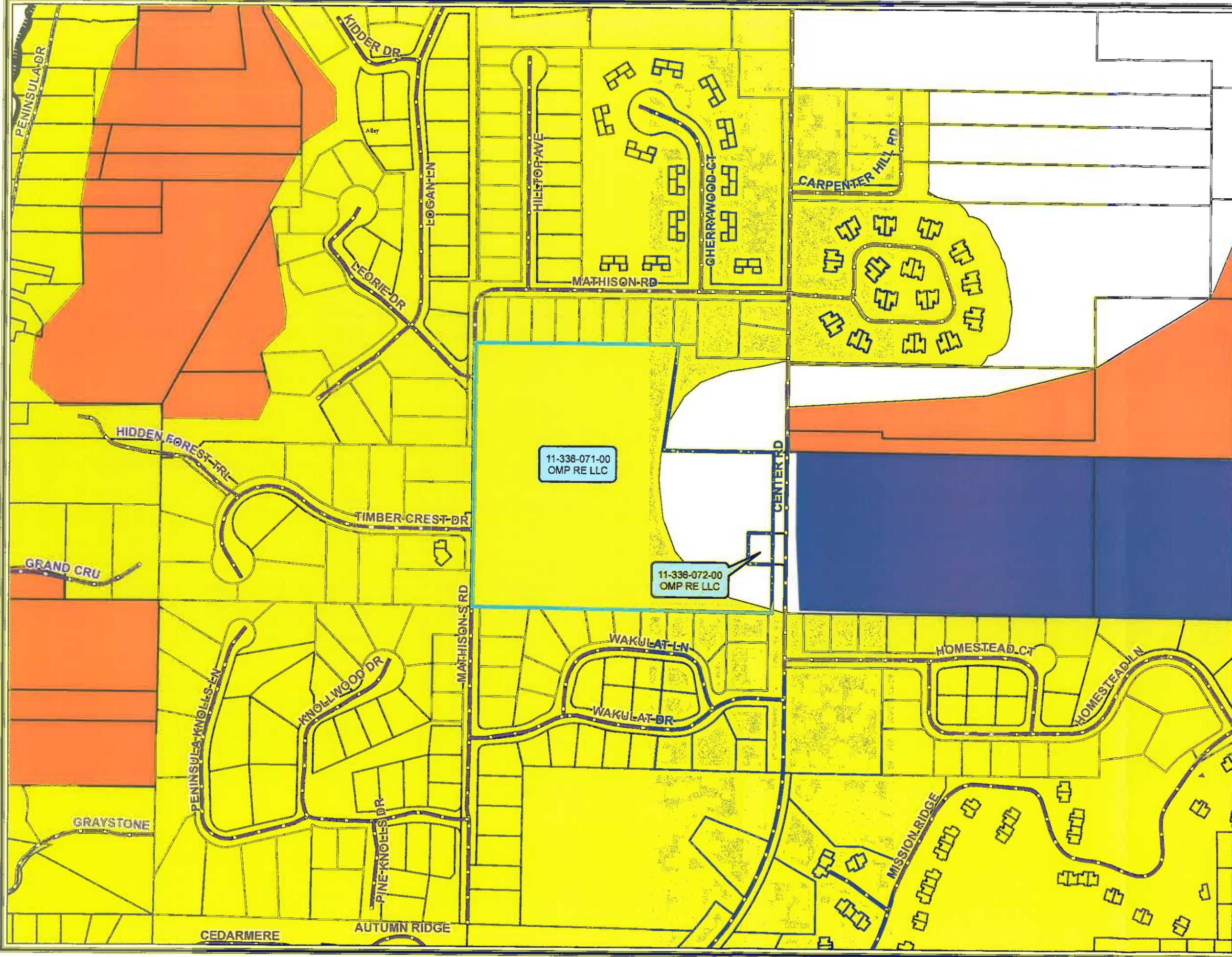
- A-1 Agriculture
- C-1 Commercial
- R-1A Rural & Hillside Residential
- R-1B Coastal Zone Residential
- R-1C Suburban Residential
- R-1D Community Residential



Produced By: CES | Date: 5.10.2016

Peninsula Township
Grand Traverse County
Michigan

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OMP RE LLC Future Land Use

Peninsula Township
Grand Traverse County, MI

Parcel #s: 28-11-336-071-00
28-11-336-072-00

Legend

- Roads / Streets
- Pen Twp Parcels
- Township Boundary
- Future Land Use**
- Commercial
- Public & Semi-Public
- Low Residential
- Moderate Residential
- Rural Agriculture
- Agriculture



Produced By: CES | Date: 7.12.2016

Peninsula Township
Grand Traverse County
Michigan

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GRAND TRAVERSE COUNTY
SOIL EROSION – SEDIMENTATION CONTROL DEPARTMENT
400 BOARDMAN AVE.
TRAVERSE CITY, MICHIGAN 49684
FAX (231) 922-4636 TEL (231) 995-6042

June 3, 2016

Mansfield Land Use Consultants
Jim Hirschenberger
830 Cottageview Dr., Suite 201
Traverse City, MI 49685

RE: Preliminary Review # 24059 for approval of proposed "Vineyard Ridge" residential PUD, Parcel 28-11-336-071-00 & 28-11-036-072-00 Peninsula Township, Grand Traverse County, Michigan

Dear Sirs:

This office has reviewed the submitted plans prepared by Mansfield Land Use Consultants, Job Number 15119, dated 02-03-16. We also field checked the parcels on May 12, 2016 and compared it to the proposed development plans.

This Development has been broken down into 3 Phases, as indicated on the Preliminary Construction Drawings submitted by your Firm. I am in agreement that the phased approach to the Development will make it easier to control the storm water, reducing runoff from a major storm event. A grading and stabilization plan will be required for Each Phase of the construction of the site.

The soils are mostly Leelanau-Kalkaska loamy sands, these sandy soils will provide for good infiltration rates as indicated by the soil map. The center of the site has some steep slopes where the plan indicates that homes will be built, this may require extensive landscaping to control soil erosion.

All individual sites within the project will require a Soil Erosion and Sedimentation Control Permit determination. It is possible that not all sites will require a permit.

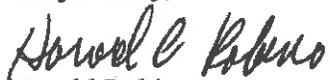
The Drainage Basins that are proposed are constructed in Leelanau Sands and have good infiltration rates, Retention Basin #3 is constructed in Richter Loams and have a little slower infiltration rates. The Retention Basin is designed to compensate for less infiltration rate.

A construction schedule, surety and a statement designating the entity that will be responsible for maintenance of permanent SESC measures will also be required prior to issuance of a soil erosion control permit by this office.

Based on the above comments and the Construction Notes in the submitted site plan, this office grants conceptual approval for the development as proposed.

If you have any questions or concerns regarding this decision please feel free to contact me at 231-995-6041

Respectfully,



Harold Robins

Grand Traverse County Soil Erosion Inspector

CC: File

Jean Derenzy, Director Soil Erosion Division, Planning & Development

June 8, 2016

Michelle L. Reardon
Director of Planning & Zoning
13235 Center Road
Traverse City, MI 49686
planner@peninsulatownship.com



RE: Vineyard Ridge
Preliminary Site Plan Review

Dear Michelle:

We have reviewed the preliminary site plan and design information submitted by the Applicant for the referenced project. We offer the following comments for the Applicant to consider in developing the final engineering plans for the project. With regard to final engineering, we note that design details have not been provided for items such as the public water supply, sanitary sewer and full site grading of individual building sites. Therefore, additional comments may be issued prior to final approval of the plans.

General

1. The graphics for site features such as the stormwater basins appear different on Sheet 4.0 (Site Plan) than other sheets. The plan sheets should be revised such that all features are consistently represented on the applicable plan sheets.
2. We have reviewed the open space calculations provided by the Applicant's consultant as well as the electronic CAD drawing file of the associated areas. It appears from our review that site features associated with the Club House and pool area may not have been deducted from the open space. Deducting for those features results in the open space percentage under 65% by our calculations. The consultant should review their calculations again and make adjustments as needed to confirm the open space requirements are met.
3. The site approach, and all utility work within Center Road is under the permit authority of the Michigan Department of Transportation (MDOT). A preliminary review by MDOT has been received. Their comments regarding drainage to the Center Road right of way are noted. Please continue to provide copy of any correspondence or permit activity regarding the project.

4. The site approach, and all utility work within Mathison Road is under the permit authority of the Grand Traverse County Road Commission. A preliminary review by the Road Commission has been received. Please continue to provide copy of any correspondence or permit activity regarding the project.
5. A preliminary review by Grand Traverse County has been received regarding soil erosion and sedimentation control. We generally concur with the findings in this review.

Stormwater

1. We have reviewed the storm water drainage and retention calculations for the project. It appears design calculations and storm water basin volumes provided are acceptable and satisfy Township Standards. However, the storm water basin designs on the current plans only provide information on infiltration and do not show any provisions for primary or emergency overflow storm water outlets. The plans need to clearly outline how emergency overflows will be handled in a controlled manner for positive drainage at all basins with respect to building sites and adjacent properties.
2. The finished floor grades should be checked for building sites 42 through 45 against the proposed Storm Water Basin 1 which is adjacent. It appears these building sites are significantly lower than the proposed design water storage elevation (831) in this basin. These building sites could be impacted by overflow from the basin.
3. The berm grades along the outside of Storm Water Basin 2 need to be increased to a minimum elevation of 812 to provide one foot freeboard above the proposed storage elevation 811.

Grading and Paving

4. The vertical curve in the proposed road near the approach to Center Road should be reviewed. The grades should be adjusted such that curve conforms to a 25 mph design speed. It does not appear the proposed 'K' value at the curve conforms to this standard.
5. Detailed grading and drainage pattern information needs to be provided on the plans for all building sites. In addition to finished floor elevations, spot elevations, slopes, and drainage direction arrows need to be provided for driveways, side yard/rear yard swales. Information needs to be provided to clearly show that surface drainage is handled in a controlled manner for positive drainage.

Sanitary Sewer

Based upon our review of the project area, Township sanitary sewer is available to service the Vineyard Ridge site. Following review of the plans submitted, it appears the intent of the design is to service the site by way of the Mathison Road sanitary sewer approximately 1,000 feet and uphill from the site along Center Road. Conceptual information on the current plans show a new pump station and forcemain proposed to connect with gravity sewer at Mathison Road.

In order to utilize this reach of the sanitary sewer system, new flows from Vineyard Ridge would be routed through two existing sanitary lift stations, one at Mathison Road near Cherrywood, and another along Peninsula Drive between McKinley Road and Franklin Woods Drive. Based upon research of these lift stations during this preliminary review, it is questionable whether capacity remains to accept the flows which would be generated by the Vineyard Ridge project. A full review of the status of available capacity of these lift stations and appurtenances, and assessment of necessary improvements would need to be completed prior to processing of final plans and permits to service the Vineyard Ridge project by this route. All costs associated with such reviews and improvements would be the responsibility of the Applicant.

As an alternative to this approach, it is our recommendation that sanitary sewer service should be provided by way of the existing gravity sewer downhill from the site along Center Road near Huron Hills Drive. While the distance is greater than from Mathison Road, this approach would be constructed as a gravity connection, eliminate impacts to the existing lift stations and the need for the additional pump station and forcemain needed to connect at Mathison Road.

Water Supply

Based upon our review of the project area, Township water main is available to service the Vineyard Ridge site. Following review of the plans submitted, it appears the intent of the design is to service the site by way of the existing water mains located to the west within Mathison Road and to the east along Center Road showing a completed loop within the system. It should be noted that the water mains in Mathison Road and Center Road belong to different pressure districts within the overall Township system.

The Center Road water main is considered "low pressure" as its pressure is controlled by supply from the Traverse City system and its primary purpose is to provide water to the underground storage tank north of Mathison Road. By contrast, the Mathison Road water main west of the Vineyard Ridge site is considered "high pressure" as it is supplied by the booster pump station at the storage tank, with pressures further increasing as the water main travels downhill to the south.

In general, we find the water main layout as currently proposed to be acceptable, however, additional details will be needed prior to final approval and processing of construction permits. For example, there is potential a pressure reducing valve may be

Michelle L. Reardon
Vineyard Ridge
June 8, 2016

Page 4

needed in the proposed system to manage pressures within the areas significant terrain/elevation changes. In addition, the proposed phasing plan shown on the plans needs to be discussed as it relates to water supply. It is not clear that pressures within the Center Road water main will be sufficient to service areas of Phase I of the project without extending the connection to Mathison Road. This scenario would need to be studied in detail prior approvals or permitting. The Applicant should clarify their intentions with regard to phasing prior to completion of designs.

The Applicant should provide plan revisions and information for the project based on the above comments for further review. Please do not hesitate to contact me with any questions regarding this review.

Respectfully Submitted,
GOURDIE-FRASER

A handwritten signature in black ink, appearing to read "Brian Boals". The signature is stylized with a large, looped initial "B" and a long, sweeping tail.

Brian M. Boals, PE
Project Manager

Grand Traverse County Road Commission
Conceptual Plan Review Checklist
 (For Agency Use Only)

Subdivision Name: Vineyard Ridge Plat Condo X LDA

Section: 36, T26 N, R11W Township: Peninsula Township

Developer: Ken Schmidt Consultant: Mansfield LUA

	Y	N	Date Ck'd by
Conceptual Plan Submission			
1. Co. Planning review (optional)			
2. Township review (optional)			
3. Letter requesting conceptual review.....			
4. Base Review Fee submitted	X		6/3/2016 GG
	X		6/3/2016 GG
Conceptual Plan Content (minimum)			
5. Boundary			
a. Tax or fractional description	X		6/3/2016 RD
b. Show adjacent property lines & road connection	X		6/3/2016 GG
c. Known easements or restrictions	X		6/3/2016 GG
d. Zoning of principal & adjacent lands	X		6/3/2016 GG
e. Location maps.....	X		6/3/2016 GG
6. Topographic Information			
a. USGS contouring & wetland limits	X		6/3/2016 GG
7. Proposed improvements			
a. Type of approval (i.e., PUD, Condo, Plat, etc.)	X		6/3/2016 GG
b. Road jurisdiction (public, private, MDOT, etc.)	X		6/3/2016 GG
c. Typical road cross-section	X		6/3/2016 GG
d. Road layout w/ general dim. of curves & radii	X		6/3/2016 GG
e. Interconnection plan accessing adjacent lands ...	X		6/3/2016 GG
f. Access & winter maintenance restrictions		X	6/3/2016 GG
g. Street names on plan	X		6/3/2016 GG
h. Utility easements	X		6/3/2016 GG
i. Lot layout w/ general dim. & areas	X		6/3/2016 GG
j. Schematic storm water management plan	X		6/3/2016 GG
k. Drainage basin & easement locations	X		6/3/2016 GG
l. Schematic sewer & water systems (if applicable)	X		6/3/2016 GG
m. Hydrant or water tank locations	X		6/3/2016 GG
n. Soils information	X		6/3/2016 GG
o. Common area structures	N/A		6/3/2016 GG



*"Our mission is to upgrade and maintain
a safe and efficient road system"*

June 2, 2016

Vineyard Ridge

Additional Review Comments:

We have the following comments regarding the Vineyard Ridge project:

Vineyard Hill Ct. and Vineyard Ridge Dr. are to be private roadways. As the County Road Commission does not have jurisdiction over private roads, a review of the roadway design was not conducted.

Access off M-37 is under the jurisdiction of the Michigan Department of Transportation, and their approval will be necessary.

Access off Mathison Road is under the jurisdiction of the County Road Commission, and a permit will be required for work within the County ROW

All work within the County ROW shall comply with GTCRC specifications.

All traffic control shall comply with MMUTCD.

The watermain connection in the Mathison Road/Timbercrest Drive intersection will require pavement removal. Any pavement removal should be to the centerline of the roadway or the complete width of the road as directed by the Road Commission to prevent longitudinal joints in the wheel path.

The pavement section within the public road shall meet GTCRC Standards of 8" aggregate and 3.5" of HMA.

Dusty Christensen

From: Wiest, Jeremy (MDOT) <WiestJ@michigan.gov>
Sent: Monday, April 04, 2016 3:21 PM
To: Dusty Christensen
Cc: Lajko, Mary (MDOT)
Subject: RE: Proposed Vineyard Ridge PUD access on M-37
Attachments: MDOT Comments - 15119 plan07 24x36 Color (16-03-02).pdf

Dusty,

Thanks for giving us the opportunity to review this project during the preliminary stages. We did look at this location in the field and the location of the driveway meets our requirements. Attached are some additional comments.

If you have any questions please let myself or Mary know.

Thanks!

Jeremy

Jeremy R. Wiest, P.E.

*Michigan Department of Transportation
Traverse City Transportation Service Center
2084 US-31 South, Suite B
Traverse City, MI 49685
Phone: 231-941-1986*

From: Dusty Christensen [mailto:dusty@maaeps.com]
Sent: Thursday, March 24, 2016 12:00 PM
To: Wiest, Jeremy (MDOT) <WiestJ@michigan.gov>
Cc: Lajko, Mary (MDOT) <LajkoM@michigan.gov>
Subject: Proposed Vineyard Ridge PUD access on M-37

Hi Jeremy,

Thanks again for speaking with me on the phone, and apologies for the delay in getting the attached preliminary site plan over to you!

We are in the process of planning a residential Planned Unit Development in Peninsula Township that has frontage on M-37 (Center Road). The preliminary site plan shows a proposed private road/drive accessing M-37 directly across from the driveway to the Pelizzari Natural Area parking lot. As I mentioned on the phone, we are hoping that you can review the preliminary plan and provide any comments that you might have. Eventually, we will need a letter of agency review or a permit from MDOT to submit to the Township as a part of the PUD application review process, but for right now we just wanted your initial thoughts. If you need any additional information or would like the proposed private road location staked on site, please let me know.

I'd be happy to meet with you and/or Mary to discuss this project following your initial review. When you know when you would like to meet, let me know and we can set something up.

Thank you,
Dusty

Dustin M. Christensen, LLA
Mansfield Land Use Consultants
830 Cottageview Drive, Suite 201
Traverse City, MI 49685
office: (231) 946-9310
cell: (231) 360-7021



Virus-free. www.avast.com



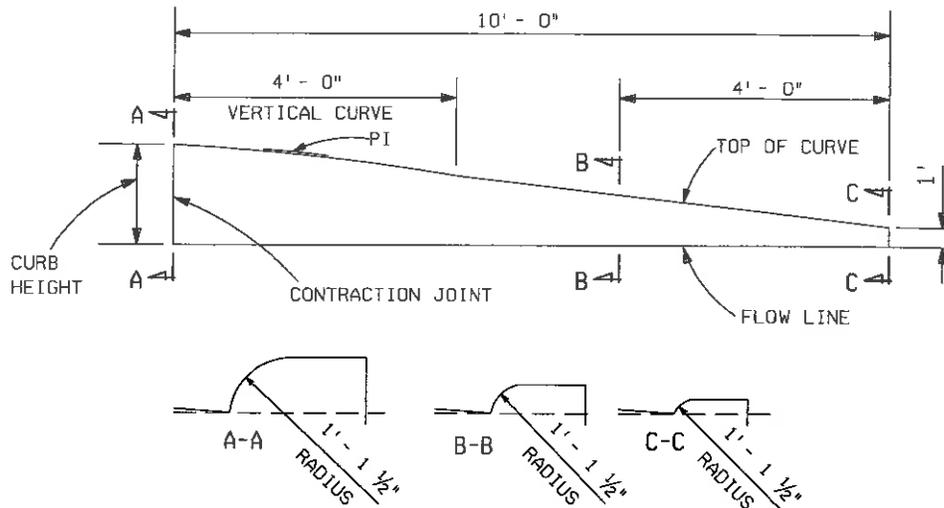
Mansfield
 Land Use Consultants
 1810 Cambridge Dr., Suite 201
 Westborough, MA 01581
 Phone: 508.735.4110
 Fax: 508.735.4115
 Email: info@mansfield.com

PARCEL ZONED: R-1C, RESIDENTIAL RECREATIONAL
SETBACKS: FRONT 15', SIDE 10', REAR 30'
PROPOSED: 47 - SINGLE FAMILY UNITS

Ken Schmidt
 Proposed PUD
 SITE PLAN
 Page 11 West
 County, Michigan
 Section 36, Town 28 N
 Peninsula Township, Grand

PRELIMINARY	DATE	BY
15119		

Is this our existing basin and structure?
 See old plans at the end of this PDF.



* TYPICAL TANGENT END OF CURB DETAIL

NOTES

1. PLACE ___ LFT OF ___ INCH CULVERT ___ FEET FROM CENTERLINE OF PAVEMENT WITH END SECTION AT EACH END.
GRATES SHOULD BE USED ON END SECTIONS FOR CULVERTS 18" AND LARGER WHICH ARE LESS THAN 30' FROM THE PAVEMENT. HEADWALLS SHALL NOT BE USED FOR DRIVEWAY CULVERTS.
2. THE SURFACE SHALL BE EQUAL TO OR BETTER THAN THE FOLLOWING:
 - a. ___ INCH BITUMINUS MIXTURE _____ TOP
 ___ INCH BITUMINUS MIXTURE _____ LEVELING
 ___ INCH BITUMINUS MIXTURE _____ BASE
 ___ INCH COMPACTED GRAVEL OR CRUSHED STONE
 ___ INCH SUBBASE COMPATIBLE WITH THAT USED ON THE HIGHWAY
 - b. ___ OF REINFORCED CONCRETE ON ___ INCH OF COMPACTED GRAVEL OR CRUSHED STONE AND ___ SUBBASE COMPATIBLE WITH THAT USED ON THE HIGHWAY.
 - c. CONCRETE GRADE P1 SHALL USED.
3. ALL WORK WITHIN THE RIGHT OF WAY SHALL BE DONE IN ACCORDANCE WITH CURRENT MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION AND ACCORDING TO THE ADMINISTRATIVE RULES OF ACT 200, P.A. OF 1969.
4. SLOPE DRIVEWAY APPROACH AWAY FROM PAVEMENT AT 1/2" /FT FOR 12 FEET.
5. DISTURBED AREAS SHALL BE RESTORED WITH TOPSOIL AND SEED OR SOD ONLY. MINIMUM OF 3 INCHES OF TOPSOIL REQUIRED.
6. A DRIVEWAY SHALL BE CONSTRUCTED SO THAT IT DOES NOT ADVERSELY AFFECT THE HIGHWAY DRAINAGE. THE DRAINAGE AND THE STABILITY OF THE HIGHWAY SUBGRADE SHALL NOT BE ALTERED BY DRIVEWAY CONSTRUCTION OR ROADSIDE DEVELOPMENT.
7. CURB IS TO EXTEND TO ROW LINE OR A MINIMUM OF 10' BEYOND THE RADIUS OR AS DIRECTED BY THE ENGINEER.

UTILITIES - PERMITS SECTION
REAL ESTATE SUPPORT AREA



PERMIT NO. _____
 TRUNKLINE _____
 NAME OF PERMIT _____
 APPLICANT _____

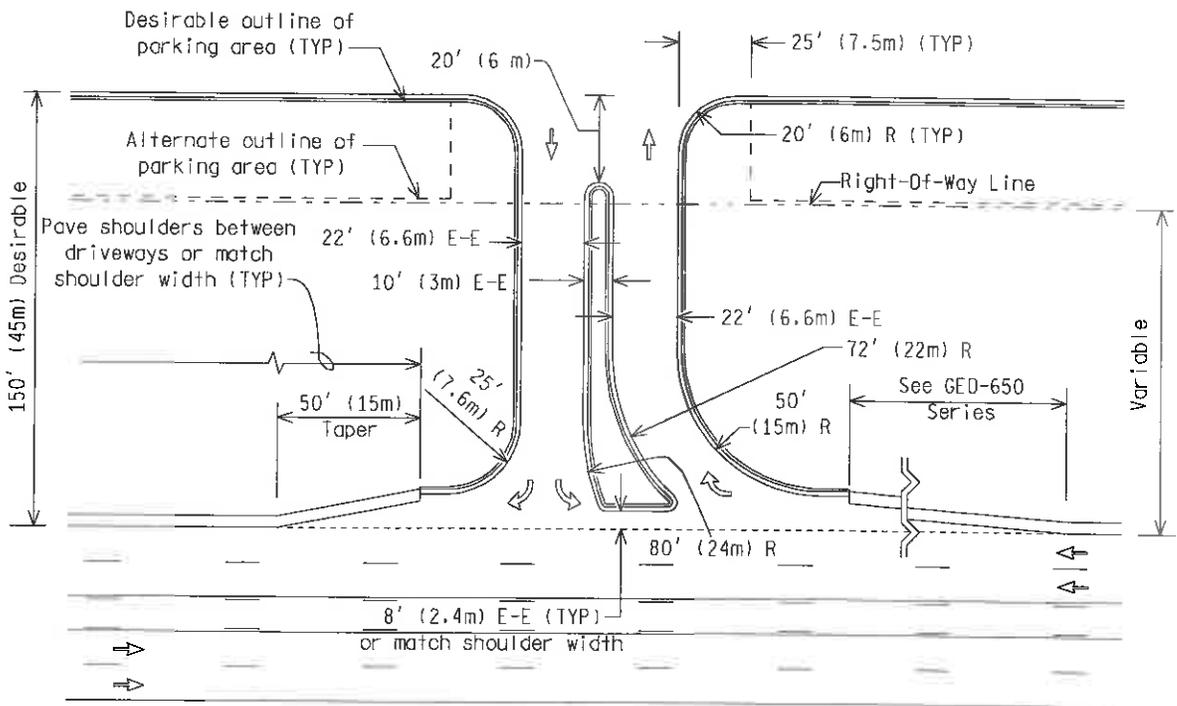
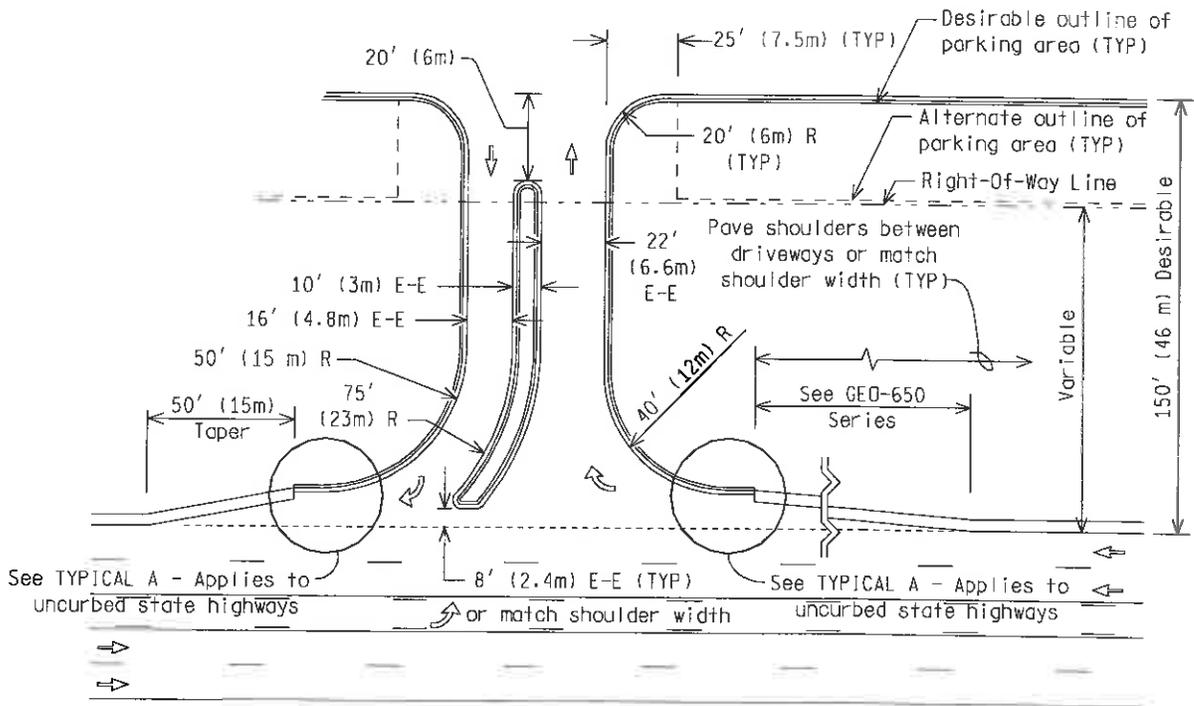
PERMIT ATTACHMENT FOR
COMMERCIAL DRIVEWAY
UNCURBED TRUNKLINE

05-02-03
PLAN DATE

PA-02

SHEET
02 OF 02

DIRECTIONAL DRIVEWAYS AT HIGHWAYS WITHOUT CURB



NOT TO SCALE

MDOT
Michigan Department of Transportation
TRAFFIC AND SAFETY

BY: *John C Friend*
ENGINEER OF DELIVERY

BY: *Maria Van Pelt*
ENGINEER OF DEVELOPMENT

GEOMETRIC DESIGN GUIDE FOR
COMMERCIAL DRIVEWAYS

DRAWN BY:
CHECKED BY: IG/JAT

FILE:PW RD TS Geo/mdot traf GEO-680-B.dgn

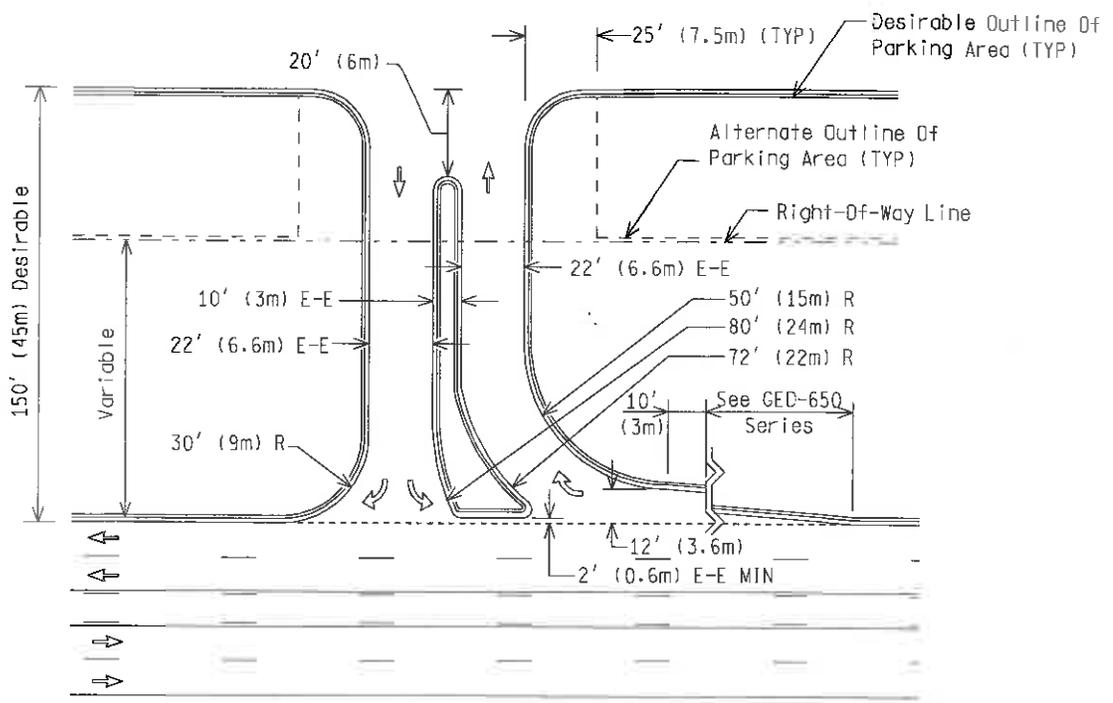
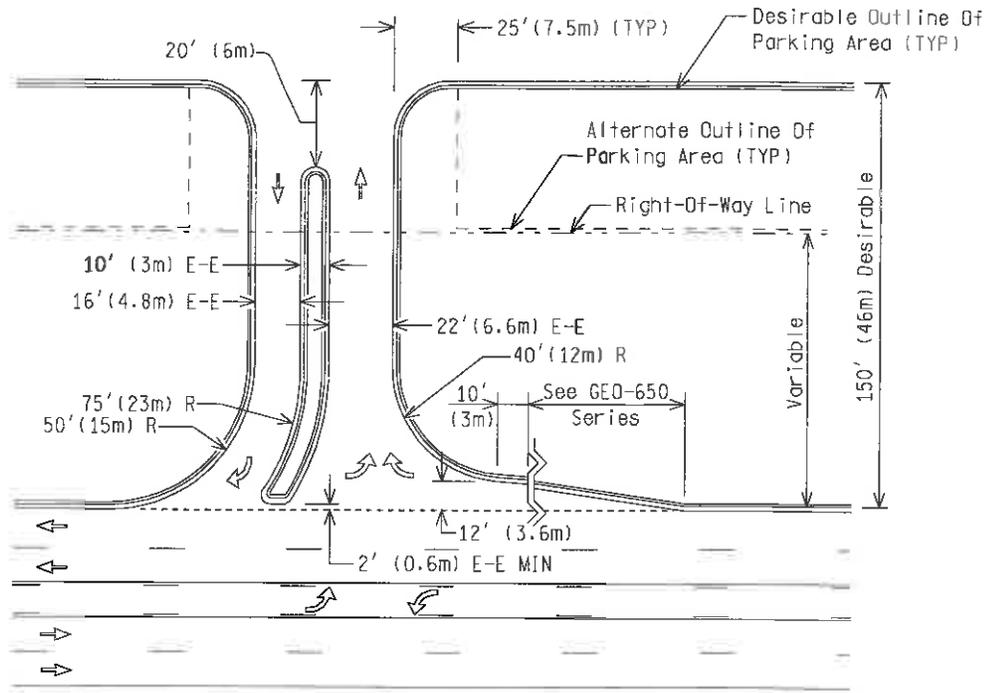
REV. 01/20/2010

06/03/2010
PLAN DATE:

GEO-680-B

SHEET
1 OF 6

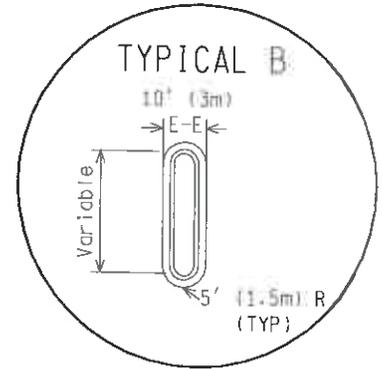
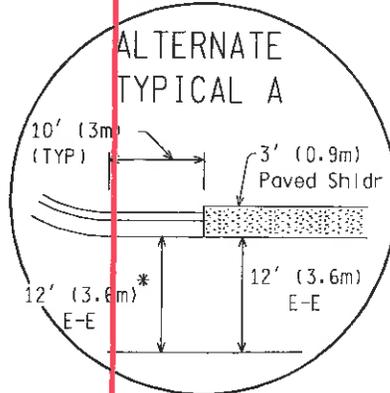
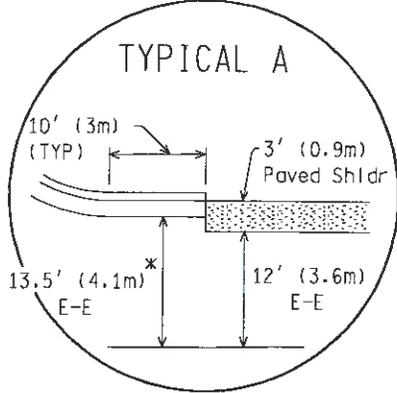
DIRECTIONAL DRIVEWAYS AT HIGHWAYS WITH CURB



NOT TO SCALE

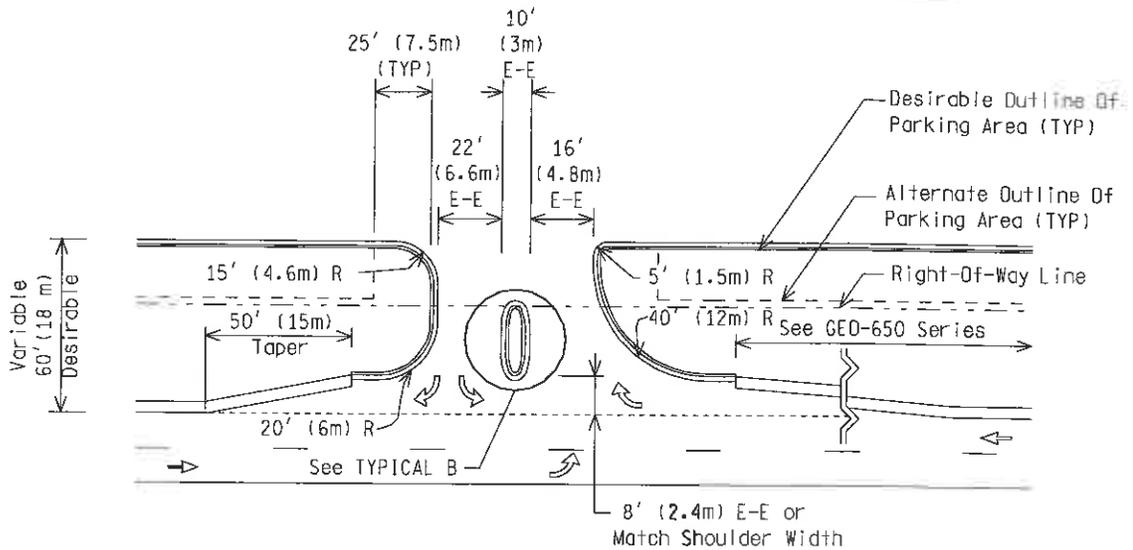
CURB RETURN OFFSET DETAILS

APPLIES TO UNCURBED STATE HIGHWAYS

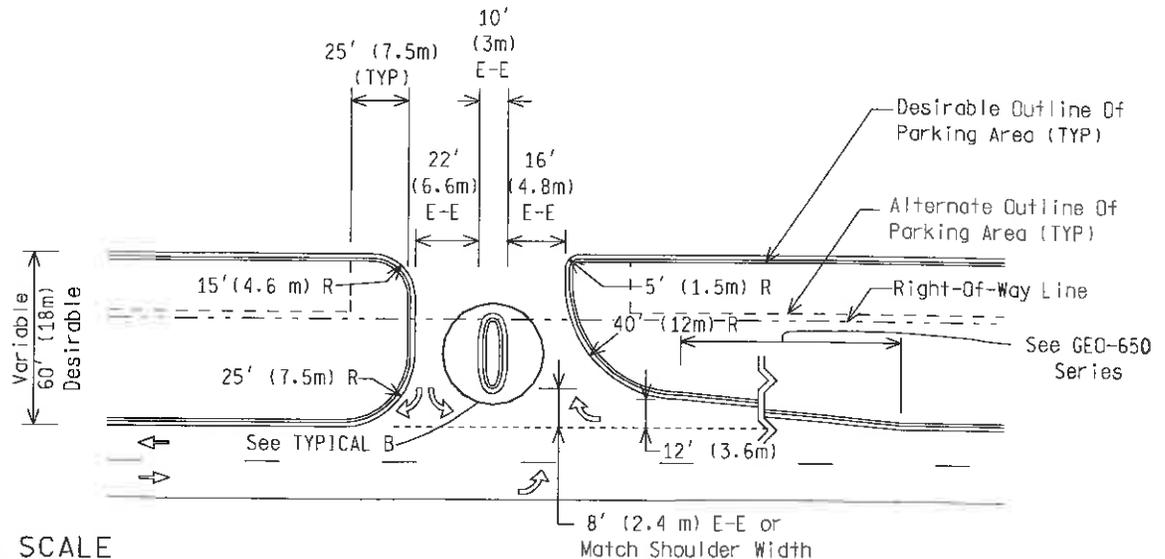


* See Note #9 on Sht #6

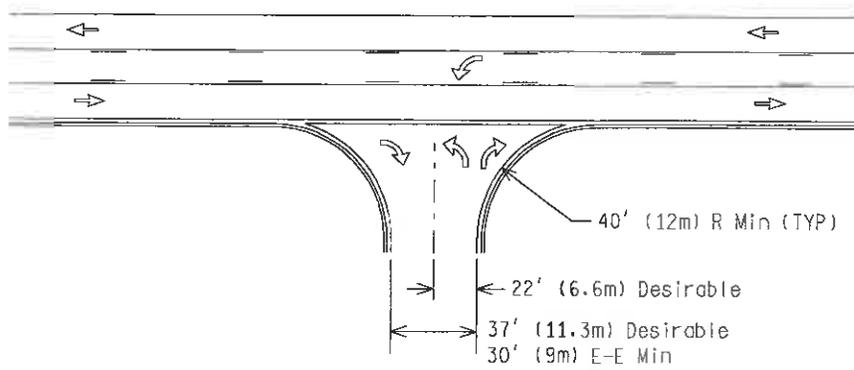
DIVIDED DRIVEWAYS ON HIGHWAY WITHOUT CURB



DIVIDED DRIVEWAYS ON HIGHWAY WITH CURB

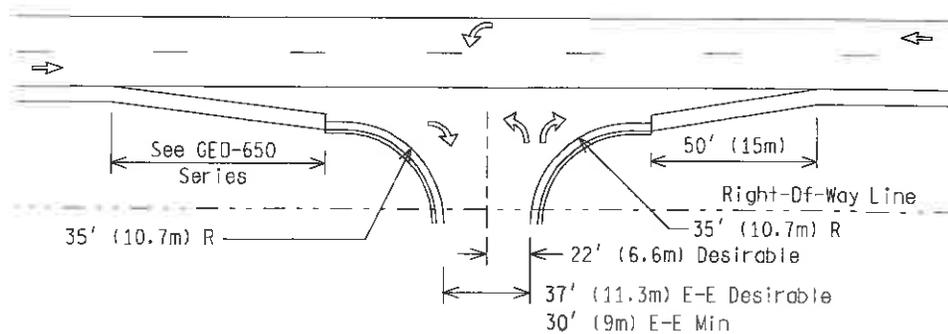


NOT TO SCALE

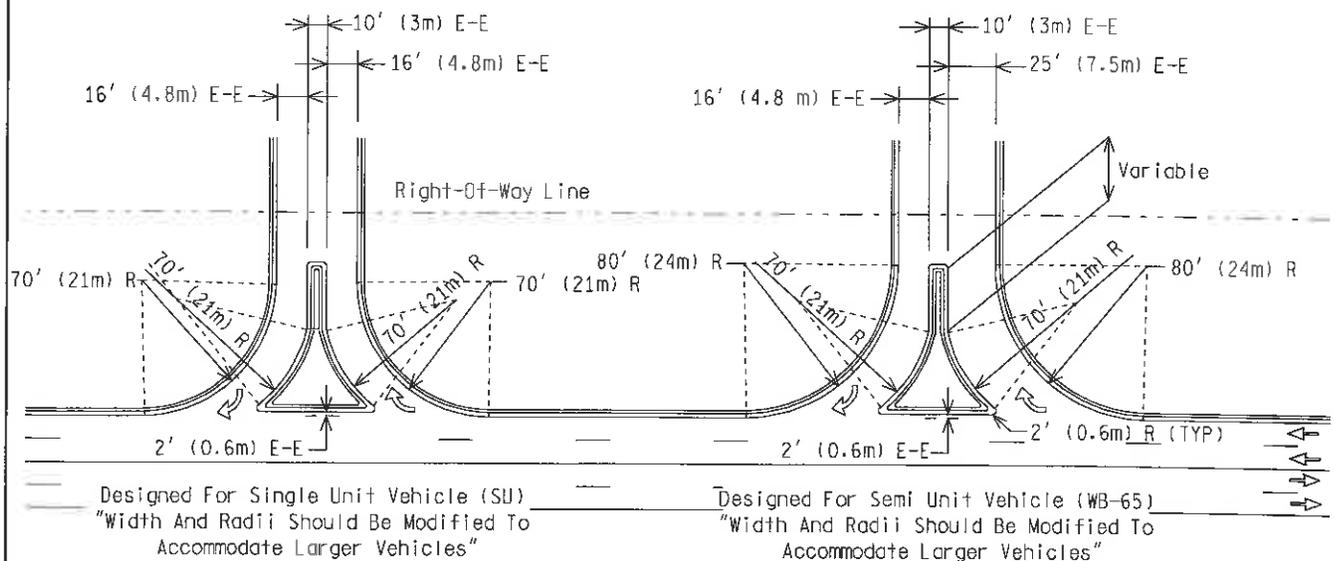


(For Three Lanes, Width Should Be 39' (11.7m) Min)

TWO-WAY DRIVEWAYS ON HIGHWAYS WITH CURB

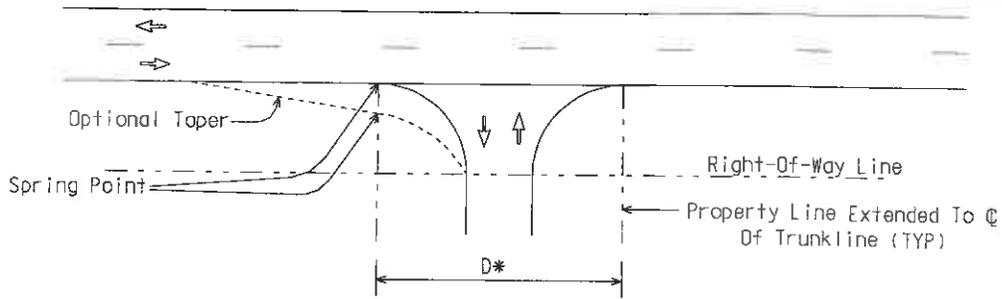


TWO-WAY DRIVEWAYS ON HIGHWAYS WITHOUT CURB



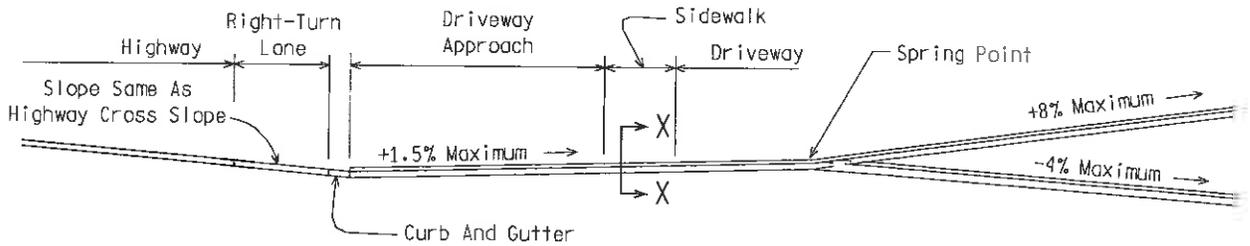
RIGHT-IN RIGHT-OUT DRIVEWAYS WITH CURB

NOT TO SCALE



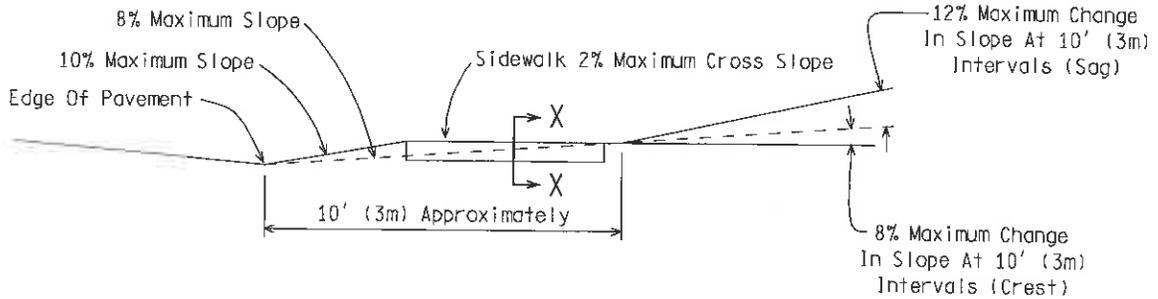
* Driveways For Each Property Including Radii, Must Be Located Within These Limits Unless Written Permission Of The Adjacent Property Owner Is Obtained

HIGHWAY FRONTAGE



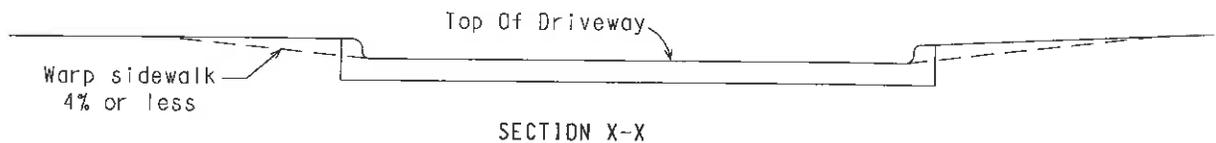
COMMERCIAL DRIVEWAY PROFILE FOR MAJOR TRAFFIC GENERATORS

Over (100) Peak Hour Directional Trips



When transverse slope is less than 1.5%, longitudinal drainage must be provided. See also R-29-Series.

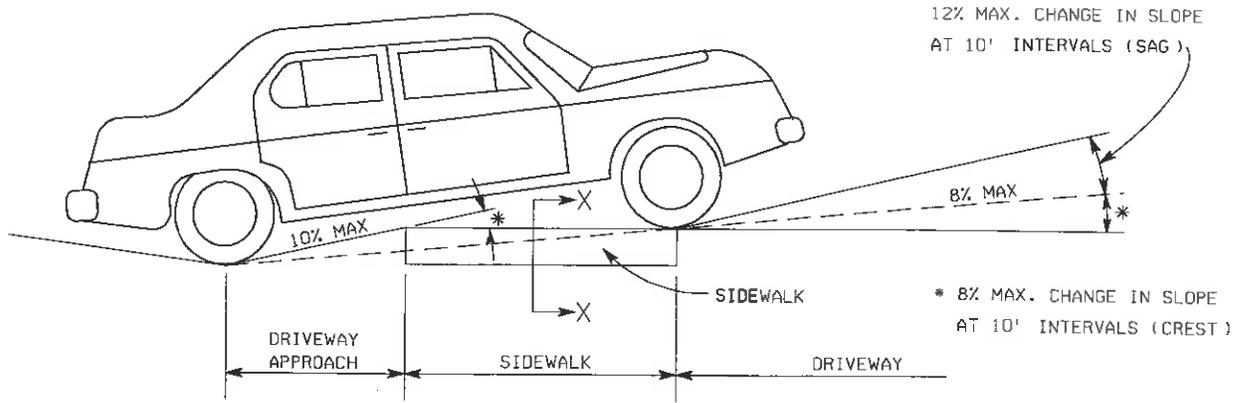
LOW VOLUME COMMERCIAL OR RESIDENTIAL DRIVEWAY SLOPES



In urban areas the sidewalk shall be lowered at the edge of the driveway or lowered as shown in Section X-X whenever the maximum grades shown will be exceeded. See also R-28-Series when sidewalk ramps are required.

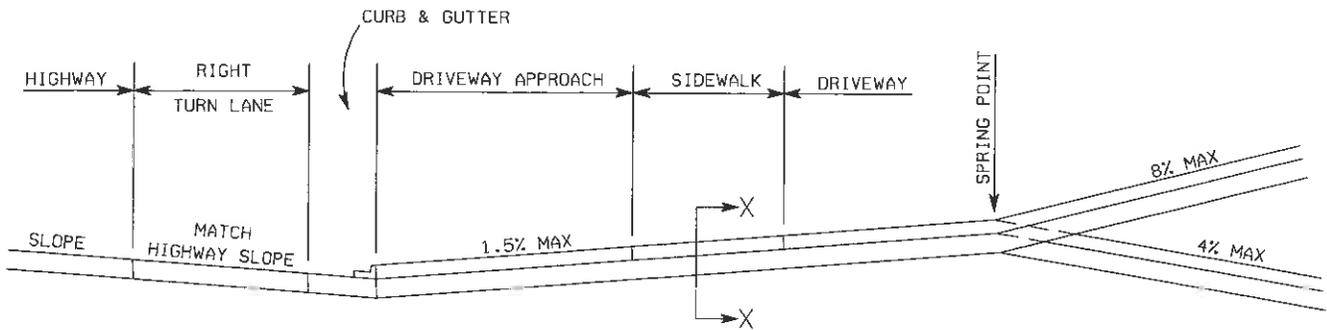
SIDEWALK LOWERING DETAIL

NOT TO SCALE



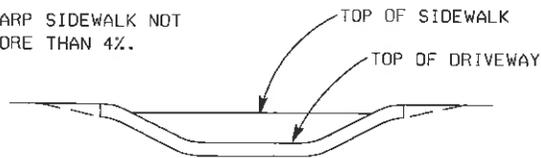
LOW VOLUME COMMERCIAL OR RESIDENTIAL DRIVEWAY SLOPES

WHEN THE DISTANCE BETWEEN THE SIDEWALK AND EDGE OF PAVEMENT IS 5' OR LESS TILT SIDEWALK TO 1/2" /FT SLOPE OR MATCH DRIVEWAY APPROACH GRADE.



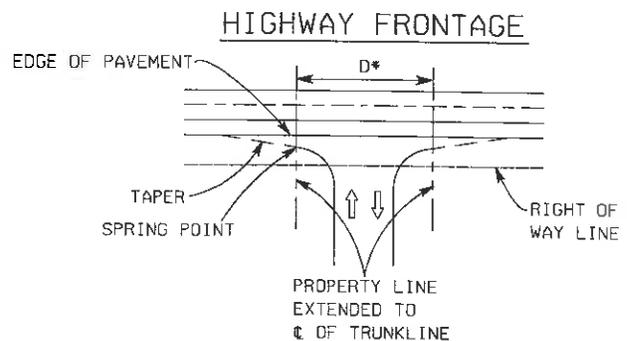
COMMERCIAL DRIVEWAY PROFILE FOR MAJOR TRAFFIC GENERATORS

WARP SIDEWALK NOT MORE THAN 4%.



SECTION XX SIDEWALK LOWERING DETAIL

IN URBAN AREAS THE SIDEWALK CAN BE LOWERED AT THE EDGE OF THE DRIVEWAY OR LOWERED AS SHOWN IN SECTION XX WHENEVER THE MAXIMUM GRADES SHOWN WILL BE EXCEEDED.



*DRIVEWAYS INCLUDING RADII FOR EACH PROPERTY MUST BE LOCATED WITHIN THESE LIMITS UNLESS WRITTEN PERMISSION OF THE ADJACENT PROPERTY OWNER IS OBTAINED FOR PLACING A DRIVEWAY RADII OUTSIDE OF THESE LIMITS.

UTILITIES - PERMITS SECTION
REAL ESTATE DIVISION



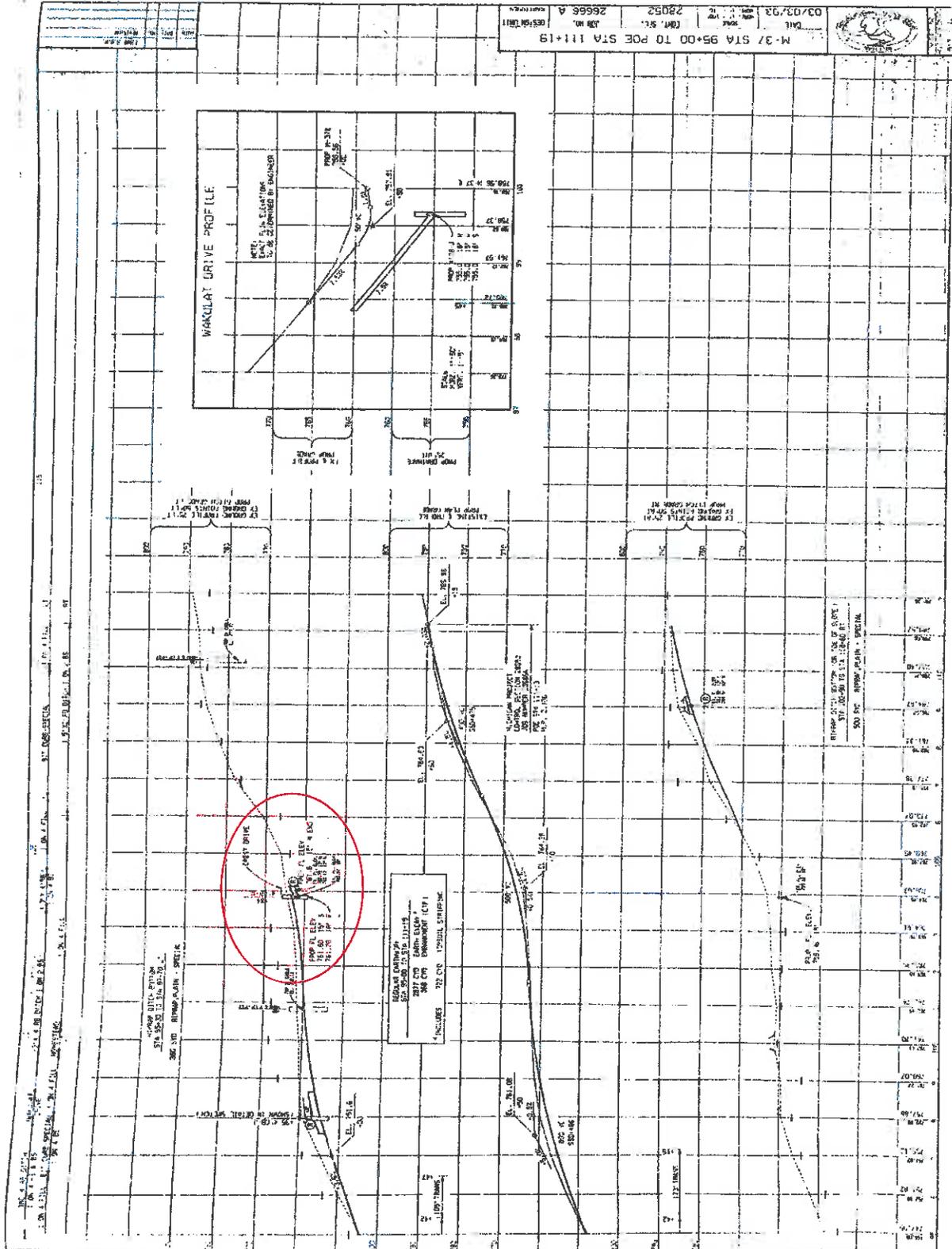
PERMIT NO. _____
TRUNKLINE _____
NAME OF PERMIT _____
APPLICANT _____

PERMIT ATTACHMENT FOR
TYPICAL DRIVE PROFILE AND
HIGHWAY FRONTAGE

08-17-98
PLAN DATE

PA-07

SHEET
01 OF 01



CONSULTED AS PER [Signature]

Dusty Christensen

From: John Divozzo <jdivozzo@grandtraverse.org>
Sent: Thursday, June 02, 2016 12:29 PM
To: dusty@maaeps.com
Cc: Jennifer Hodges
Subject: Vineyard Ridge

Dusty,

I was able to perform an initial review of the plans submitted for Vineyard Ridge after our conversation today; in general, the plans are acceptable and approvable - the Township Engineer (Gourdie-Fraser: Jennifer Hodges) will perform a more extensive review and provide written recommendations.

Once this final review is complete, the design plans can be approved. Once plans are approved or accepted by the Township, then the DEQ permit(s) can be signed by the Supervisor and submitted to the DEQ. Prior to that, the engineer will want to review the basis of design and may have questions related to the pump station and pumps, at a minimum.

I also reviewed our specifications regarding depth of bury:

Water Main and Sewer Force Main is a minimum of 6 feet of cover; Gravity Sewer is a minimum of 5 feet of cover.

If you have any questions or concerns, please do not hesitate to contact our office. It is my understanding that any questions related to a review of the plans should be submitted to the Township Engineer - at this point of the process.

Thank you.

John D.

John Divozzo, Director
Grand Traverse County DPW
2650 LaFranier Road
Traverse City, MI 49686
(231) 995-6039
(231) 929-7226 fax

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GRAND TRAVERSE COUNTY SHERIFF'S OFFICE
Thomas J. Bensley, Sheriff • Nathan Alger, Undersheriff

Administration

851 Woodmere Avenue, Traverse City, MI 49686-3349 • (231) 995-5000 • F AX (231) 995-5010

Corrections

320 Washington Street, Traverse City, MI 49684-2583 • (231) 922-4530 • F AX (231) 922-4415

Peninsula Township Planning Commission
13235 Center Road
Traverse City, MI 49686
RE: Vinyard Ridge residential development

On March 29, 2016 the Grand Traverse County Sheriff's Office received from Mansfield Land Use Consultants a copy of a site plan and documentation related to a proposed Peninsula Township development identified as Vinyard Ridge. After reviewing the site plan and related document for traffic, safety and security concerns this Department finds the following:

- We see nothing objectionable in the submitted site plan within the areas of the responsibility of the Sheriff's Department.
- Nothing in the site plan appears pertinent to the responsibilities of the Sheriff's Department.
- There is insufficient information for our agency to comment.
- The following deficiencies or recommendations in the site plan are noted:

Referred to the Peninsula Township Planning Commission on:
April 21, 2016

Sincerely,

Thomas Bensley, SHERIFF
by;

Lt. Chris Barsheff



Michelle Reardon

From: Elsner, Erwin <elsner@anr.msu.edu>
Sent: Friday, May 27, 2016 3:22 PM
To: Michelle Reardon
Subject: RE: Peninsula Township request

Hi Michelle,

I've finally had a chance to look over the property in question. I do not think the proposed development should have any undesirable impacts on the air drainage in the area.

Erwin 'Duke' Elsner, Ph.D. (The Bug Guy)
Small Fruit / Consumer Horticulture Educator
Michigan State University Extension
520 W. Front Street, Suite A, Traverse City, MI 49684
phone: 231 922-4822 fax: 231-947-6783 email: elsner@msu.edu

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From: Michelle Reardon [<mailto:planner@peninsulatownship.com>]
Sent: Wednesday, May 18, 2016 9:28 AM
To: Elsner, Erwin
Subject: Peninsula Township request

Good Morning Duke,

Attached you will find a color site plan of a proposed 47 unit single family residential development. This proposal is located directly across the street from Pelizzari Natural Area on an approximately 28 acre site (parcel ID 28-11-336-071-00 and 28-11336-072-00).

Can you review for how this proposal may impact air drainage in the surrounding areas?

Thank you,

Michelle Reardon

Director of Planning & Zoning
Peninsula Township
Ph. (231) 223-7314
Fax (231) 223-7117
planner@peninsulatownship.com

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RECEIVED
 JUN 23 2015
 BY: UK

VINEYARD RIDGE - PUD
 OPEN SPACE REVISION 2 REVIEW SUMMARY

	Calculated Mansfield Area (ACRE)	Update #2 Mansfield Area (ACRE)	GFA Review Area (ACRE)
Overall Area	27.87	27.87	27.87
NON-OPEN SPACE AREAS			
Total Roads (existing & proposed)	2.71	2.71	See Below
Proposed Green Islands	N/A	N/A	0.042
Club House Parking	N/A	N/A	0.130
Roadways (Vineyard Ridge Dr/Hill Ct, M-37, Mathison Dr.)	N/A	N/A	2.626
*Club House Envelope	N/A	0.019	0.019
Units	7.02	7.02	7.02
Open Space Area:	18.14	18.12	18.12
ADDITIONAL POTENTIAL NON-OPEN SPACE AREAS			
Total Open Space Area:	18.14	18.12	18.12
Percent Open Area w/o Additional Areas			
Percent Open Area w/o Additional Areas	65.09%	65.02%	65.02%
Percent Open Area w/ Additional Areas			
Percent Open Area w/ Additional Areas	65.09%	65.02%	65.02%

YOUNG, GRAHAM, ELSENHEIMER & WENDLING, P.C.

Attorneys at Law

104 E. Forest Home, P.O. Box 398

Bellaire, Michigan 49615

(231) 533-8635

Facsimile (231) 533-6225

pwendling@upnorthlaw.com

Bryan E. Graham
Peter R. Wendling
Eugene W. Smith

James G. Young, *Of Counsel*

June 14, 2016

Sent via email

Michelle Reardon, Planner
Peninsula Township
13235 Center Road
Traverse City, Michigan 49686

SUBJECT: Vineyard Ridge Condominium document review

Dear Michelle:

I have had an opportunity to review the Vineyard Ridge Condominium documents. Beginning with the Bylaws, the drafter has done a very good job of ensuring that the township's interests with respect to its zoning and police power ordinances are intact. The Bylaws also notify future unit owners that any improvements on their unit(s) must be done in compliance with Peninsula Township's zoning and police power ordinances as they exist at the time the activity on the unit occurs.

Section 4.4 of the Bylaws discusses maintenance, repair and replacement of general common elements and limited common elements, noting that any such maintenance, repair and replacement shall comply with all ordinances of Peninsula Township.

Section 6.3 addresses reconstruction and repair and under subparagraph (e), entitled Compliance with Local Ordinances states that "any reconstruction or repair is required to meet all local ordinances and codes, including all ordinances of Peninsula Township as applicable at the time of any reconstruction and/or repair."

Section 7.7 of the Bylaws entitled Local Codes and Ordinances requires that all construction and building comply with all zoning and police power ordinances of Peninsula Township.

With respect to uses, section 8.12 of the Bylaws specifically states that "...all uses must meet the requirements of local laws, codes, and the ordinances, including all ordinances of Peninsula Township."

Turning to the Master Deed, section 3, Definitions, subparagraph (i), defines Condominium Unit or Unit as a "...portion of the project that is designed and intended for separate ownership and use, as described in this Master Deed and as so treated for all purposes under Peninsula Township's Zoning Ordinance, including the definition of Condominium Unit and the definition of Lot under the Ordinance, as amended, as of the date of the recording of this Master Deed." The definition section of the Master Deed

Michelle Reardon, Planner

June 14, 2016

Page 2

also includes Local Ordinance. This definition includes the Peninsula Township Zoning Ordinance, as amended, and all police power ordinances of Peninsula Township, as amended, "...or created after the establishment of this Condominium Project."

Addressing maintenance responsibility for the common elements, in addition to what was already provided in the Bylaws, section 4.3(e) of the Master Deed states at the end of that paragraph that "...all such maintenance, decorations, repairs, replacements, structures or improvements located within the unit or any appurtenant limited common element, shall meet the requirements of all Peninsula Township Ordinances at the time any such action as described in this paragraph is taken."

Moving on to private roads addressed in the Master Deed, section 4.3(g)(i) states that "All private roads within this condominium development must be built and maintained pursuant to the requirements of section 7.10 of the Peninsula Township Zoning Ordinance, as amended, and any other township police power ordinances, as applicable at the time construction or material maintenance regulated by such ordinances occurs." Continuing with section 4.3(g)(iii), entitled Special Assessments, the developer has included a provision which states that if the Association fails or refuses to construct or maintain the private roadways in accordance with Peninsula Township's Zoning Ordinance requirements, as amended, and the township determines that such failure or refusal to abide by its ordinances has occurred, under this subsection the Master Deed grants the township the authority at its sole discretion to establish a Special Assessment District for the purpose of constructing and/or repairing the private roads and to otherwise bring the private roads into compliance with the township ordinances. The developers and co-owners and successors in title expressly consent that documentation showing ownership of the condominium development and/or of a unit within the condominium development through a recordable instrument recognized under Michigan law, constitutes a petition to request the Special Assessment District under P.A. 188, of 1954, as amended. This eliminates enforcement issues related to the construction and maintenance of private roads and drives as regulated under the township zoning ordinance by allowing the township, at its discretion, to impose a Special Assessment District without worrying about appeals to the Michigan Tax Tribunal.

Note that many of the provisions under section 7.10.2 required by the township are incorporated in this section of the Master Deed, namely section 7.10.2(d), (e) and (f). Owner enforcement is covered under section 8.8 of the Bylaws. Section 2.6 of the Bylaws covers the majority vote for all items under any meeting, not just roads, covering section 7.10.2(a). Finally, apportionment of costs and assessments is covered under section 5.3 of the Bylaws, addressing section 7.10.2(b).

Michelle Reardon, Planner
June 14, 2016
Page 3

Section 7 of the Master Deed discusses the ability to contract the Condominium Development under Michigan's Condominium Act. Section 7.6 specifically states that "Any contraction or withdrawal of land under the project shall be done in a manner which, in addition to complying the provisions of the Michigan Condominium Act, shall also comply with all ordinances of Peninsula Township."

Finally, the draft affidavit for the establishment of the PUD seems to be in order. I do not have a copy of the site plan, but I trust that the review for compliance with respect to lots, unit sizes and percentages needed in order to have a PUD have been calculated by planning staff and reviewed by the township engineer as they should be.

If you have any further questions, please do not hesitate to contact me directly.

Sincerely,

Peter R. Wendling

PRW/tac

cc: Monica Hoffman (via email)

To: Peninsula Township Planning Commission

From: Michelle Reardon,  Planning & Zoning Department

Re: Peninsula Township Master Plan 5-Year Review
Sub-Committee Recommendation

Date: July 12, 2016

After meeting with interested community members and the sub-committee the following recommendations are being presented for discussion to the full Planning Commission:

Regarding the 5-year Master Plan review:

1. Compare the Future Land Use (FLU) map for conflicts with current uses (i.e. upzoning – Buchan Farms)
2. Prepare digitized and readable maps for ease of use.

This work to be recommended with a budget and a timeline

The Planning Commission also recommends to Township Board that we prepare to work with a professional surveying company to create and conduct a survey for use in the next 5 year review of the Master Plan and in advance of the 2022 PDR expiration.

Finally, the sub-committee recommends that the Planning Commission create a work plan from the Master Plan Goals and Action Steps to guide the planning functions of the PC over the next 5 years.

Feel free to contact me should you have any questions.

PENINSULA TOWNSHIP
MASTER PLAN SUB-COMMITTEE JUNE 27, 2016

Present: M. Peters, L. Serocki, (Planning Commissioners) M. Reardon, C. Schoolmaster (Staff)
Also Present: N. Heller, D. Fogarelli-Fisher, B. Bickle, L. Santucci, M. Achorn, S. Taft, D. Taft,
F. Woodruff, L. Labonte, M. Cornell, A. Griffiths, B. Eaton, C. Peterson

Meeting called to order at 3PM.

Agenda: Master Plan 5-year Review Recommendation

Started with a summary of the State requirement to evaluate a Master Plan every five years. The review results in one of the following recommendations: Leave it as written, discard and start a new Master Plan process, amend the Master Plan to include any new data or any specific areas that need to be revised. Reference was made to three letters in packet that discussed topics that should be reviewed. Topics discussed included:

Census: 2010 Census data was not available at time of publication of the current Master Plan. There is not much difference in numbers between 2000 and 2010. The population is slightly older and the number of children 18 years and under decreased. Data from 2014 American Home Survey show the same.

Communications: Discussed if there was a need to include newer forms of communication; electronic communication will continue to change. If get too specific will have to be changed every five years. There is a goal and actions to support that goal. If create a work plan, that would be a place to set policy change.

Work Plan: A work plan could include things in the Master Plan that could be tweaked, specifically action items. Recommend a work plan that would look at all goals and actions. Will look at all Action items that are brought up by public; some will get in to Master Plan and some will not.

Roads: Discussion concerning Center Road and that increased traffic might result in more lanes or stoplight. How can we slow development to keep Center Rd as it is? The Township should continue to talk with MDOT to insure that Center Rd stays a two-lane highway. Designation as a "Scenic Byway"; does that have an impact on widening? Complaints regarding marathons and other races held on the Peninsula. Discussed poor conditions of Bluff and East Shore roads. Could a shoulder be put on them so that bicyclists and pedestrians could safely get off roads? When roads are improved with or without shoulders, speed usually increases. There are places in the Township where speeding is an issue. Haserot Beach and new boat launch--parking is a problem. Cars are blocking road. **Survey:** Survey is ten years old; should be redone to make sure residents are still concerned about the same issues. A new professionally conducted survey will be time-consuming and expensive, but anything less is unlikely to give accurate data. Survey in 2006 was all mostly about aesthetics and not about health, safety, and welfare. In an earlier Master Plan meeting, it was recommended that a survey be contracted for 2019 in time for the 10 year review of the Master Plan. Survey should include questions regarding affordable housing and

institutional (school, library, etc) services.

PDR: Pros and cons of PDR program were discussed. One result of PDR may be that land prices are too high and do not allow for a younger generation of farmers. What will happen when this generation of farmers can no longer farm and do not have family to take over? Land prices are rising throughout the country. Policy of the Township is “to preserve, protect and promote agricultural and open space lands”. The character of the Peninsula has been preserved by PDR. How soon should another round of PDR be put before voters?

Old Mission School: We need more affordable housing to attract younger citizens, but cannot accomplish with only 1 house per 5 acres in Ag zoned property, and no apartments allowed. Without affordable housing, young families will not be able to move here, and there will not be enough children to keep the school open. Redistricting to include all of the Peninsula would increase Old Mission enrollment. Master Plan supports educational institution. School/Library property belongs to TCAPS. It is zoned Ag and will remain Ag if sold. Action items could be strengthened, but TCAPS makes all decisions.

Development: Discussion ranged from putting brakes on development to allowing denser housing and lower-cost housing. Single family homes or apartments will result in more traffic, which impacts roads. Workforce housing is not mentioned: should Master Plan state there needs to be a balance of housing? Denser housing is limited by sewer and water. Will denser housing developments change the Vision of the Master Plan “to protect and preserve character”. Need to get citizen input; questions regarding affordable housing should be on 2019 survey.

Maps: Maps in Master Plan have poor resolution. We do not need an amendment to recreate maps. The sub-committee recommends that maps be created to be more effective, readable and digitized. This is not changing Master Plan, but updating with better technology. Future Land Use (FLU) Map needs to be reviewed. Conflicts need to be identified, studied, and addressed. Township is not promoting up-zoning. Will look at the Zoning Map compared to the FLU map; higher zoning density is in conflict with the Zoning Ordinance. Will also look at two new recommendations for the FLU--Rural Ag and consolidation of residential categories.

Recommendations to the Planning Commission:

- 1) Schedule survey for 2019 (for use in 10 year Master Plan review).
- 2) Recreate maps and make them more effective, readable and digitized.
- 3) Future Land Use map should be studied and addressed in conjunction with Current Zoning map.
- 4) Create a mid-range (five year?) Work Plan—PC to do a review of the action plans, and encourage citizens to review goals and actions in Master Plan and submit comments and suggestions. This would help move the Master Plan into Zoning Ordinance where appropriate and create topic areas for further discussion and possible implementation.

Meeting adjourned 5PM.

Laws/MP/ MR 6/28/16

Michelle Reardon

From: Claire Schoolmaster <zoning@peninsulatownship.com>
Sent: Tuesday, May 31, 2016 12:40 PM
To: Michelle Reardon
Subject: Master Plan - GIS Data

I was asked to weigh in on 2 topics that were brought up during the Master Plan 5 year update committee meeting. Please see notes below.

#1 Gathering GIS data and applying to steep slopes:

Please see Robert's response below regarding acquiring the contour lines from Grand Traverse County GIS. We may be able to get as close as 1 foot topo lines, but guaranteed 2 foot. They have a data sharing agreement so we can get the lines for free when they are available, and we have already signed on to get the orthophoto this fall. This accurate GIS data will enable us to better determine the presence of steep slopes and may also allow us to implement this as a consideration during the permitting process.

Our Master Plan identifies the need to protect steep slopes and ridgelines within the Township, and suggests establishing definitions & minimum standards/setbacks to achieve this goal. Though we have not completely followed through on these actions, we do have some applicable information that we have established in the Current and Proposed Zoning Ordinances:

- Current Zoning Ordinance - Section 7.10.9(3) GRADES AND PAVING:
Permissible percent grades on any Frontage Road shall be within the following ranges:

Maximum

9%

12% When the conditions below are met.

1% Cul-de-sac

0.4%

Minimum

Frontage roads with grades of up to 9 percent shall have a roadbed width of not less than 18 feet and may be paved or have a gravel surface and shall have 2 foot shoulders on each side. With grades greater than 9 percent, the roadbed width shall be surfaced with bituminous pavement to a width of not less than 20 feet. Integral bituminous raised edge may be used in areas subject to severe erosion, possibly eliminating the need for roadside ditches. Minimum width between beginnings of raised edges shall be the same as for a paved roadbed.

- Proposed Zoning Ordinance - Shoreline Overlay Section 3.113(C)(1)
 - (a) Waterfront Sub-District Area. The Waterfront Sub-District shall extend inland sixty (60) feet from the Ordinary High Water Mark (OHWM). If the sixty (60) foot boundary ends on a slope greater than nine percent (9%), then the boundary of the Waterfront Sub-District shall extend to five (5) feet beyond the point at which the slope of the land is less than nine percent (9%).

It may also be helpful to consider the Grand Traverse County Soil Erosion & Sedimentation Control guidelines for permitting. Any soil movement on a slope with a grade of 10% or greater triggers the need for a full soil erosion permit.

#2 Remapping the future land use shapefile & map:

Because the future land use shapefile was created using the current zoning shapefile as a template, the projection is also shifted. We have three options if we would like to change or update the map:

1. Make changes to the current shapefile
 - a. Timeline = 1-2 Days
 - b. There will still be a shift in the entire dataset and it will not match the new zoning shapefile McKenna is creating.

2. Remap the future land use shapefile in house
 - a. Timeline = 2-3 weeks +
 - b. Will be more accurate than it is now, but won't match the new zoning shapefile McKenna is creating exactly.

3. Wait for the McKenna to remap the current zoning shapefile and use it as a template for updating the future land use shapefile (**this is my preference**)
 - a. Timeline = unknown
 - b. Will match the boundaries of the new Zoning shapefile exactly, but the timeline is unknown.

Claire Schoolmaster
Planning & Zoning Coordinator

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From: Rob Herman [<mailto:rherman@grandtraverse.org>]
Sent: Tuesday, May 03, 2016 10:44 AM
To: Claire Schoolmaster
Subject: LIDAR & Ortho

Claire,

The Lidar contour lines are guaranteed for 2 feet apart, but we anticipate 1 foot contour lines. I really can't say when this data will be available, but I will let you know when we get it. It will be very accurate data, and it will be free for Peninsula Township. The 2016 orthophoto will be available this fall - estimating for September.

That's all I have for now, we're just waiting for our guy to get the lines back to us.

--
Rob Herman
Grand Traverse County - GIS
Equalization Dept

Phone: 231-922-4775

Email: rherman@grandtraverse.org