

# PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686

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## PENINSULA TOWNSHIP PLANNING COMMISSION AGENDA

October 16, 2023

7:00 p.m.

1. **Call to Order**
2. **Pledge**
3. **Roll Call**
4. **Approve Agenda**
5. **Brief Citizen Comments (For Non-Agenda Items Only)**
6. **Conflict of Interest**
7. **Consent Agenda**
  - a. Approval of Meeting Minutes: Planning Commission Regular Meeting September 18, 2023
8. **Business**
  - a. Election of Officers – Chair, Vice-Chair and Secretary
  - b. Special Use Permit (SUP) – Peninsula Shores Planned Unit Development (PUD) #123, Amendment #4 – Continued Discussion with Draft Findings of Fact and Conditions for Consideration and Possible Action (Waters Edge Drive and Shoreline Court)
9. **Reports and Updates**
  - a. Discussion on the Intent and Purpose of Shoreline Regulations
10. **Public Comments**
11. **Other Matters or Comments by Planning Commission Members**
12. **Adjournment**

Peninsula Township has several portable hearing devices available for audience members. If you would like to use one, please ask the clerk.

# Minutes

**PENINSULA TOWNSHIP**

13235 Center Road, Traverse City MI 49686

Ph: 231.223.7322

**PENINSULA TOWNSHIP PLANNING COMMISSION MINUTES**

September 18, 2023, 7:00 p.m.

**1. Call to Order: 7:00 p.m. by Hall**

**2. Pledge**

**3. Roll Call: Present: Shanafelt, Hall, Alexander, Beard; Absent: Dloski, Hornberger, Shipman;  
Also present: Jenn Cram, Director of Planning and Zoning, Chris Patterson, Fahey  
Schultz Burzych Rhodes, and Beth Chan, Recording Secretary**

**4. Approve Agenda:**

Moved by Alexander to approve the agenda, seconded by Beard  
approved by consensus

**5. Brief Citizen Comments (For Non-Agenda Items Only): None**

**6. Conflict of Interest: None**

**7. Consent Agenda:**

a. Approval of Meeting Minutes: Planning Commission Regular Meeting August, 2023

**Beard:** Correction to read bright lights should be motion activated or on timers, strike dimmers.

Moved by Shanafelt to approve the consent agenda as amended, seconded by  
Alexander approved by consensus

**8. Business:**

**a. Special Use Permit (SUP)-Peninsula Shores Planned Unit Development (PUD) #123  
Amendment #4-Public Hearing (Waters Edge Drive and Shoreline Court)**

**Cram:** the applicant has requested a fourth amendment; draft findings of fact and conditions are in the packet. The requested changes are lot line adjustments to Units 25-29 and 41, the addition of one development site proposed as Unit 42, and a proposed sanitary easement for Unit 42. Introduced on August 21, 2023. Engineering and fire are reviewing the application but official comments have not been received. Public comment has been received in two letters and an email is in the packet. Several citizens called or came in to review the plans. The application meets the conditions of 8.1.3 (1)

and 8.3.1 (3) and the PUD requirements under section 8.3 planned unit developments. This application meets the conditions for sections 8.1 and 8.3. Called for a discussion of section 8.1.3 (1) (b) not to 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. Showed slide of aerial views of Units twenty-five through twenty-nine, Unit forty-one, and the proposed Unit forty-two.

#### **Discussion**

**Alexander:** remarked that the builder could move the proposed residences away from the bluff without adding a lot.

**Cram:** adjusting units twenty-five through twenty-nine helps meet the sixty-five percent open space.

**Kyle O'Grady, 901 S. Garfield Road, Suite 202, Traverse City:** staff represented the request correctly, looking forward to hearing public opinion.

**Moved by Shanafelt to close the regular meeting and open the public hearing, seconded by Alexander.** approved by consensus

**Scott Thomas, 15594 Waters Edge Drive:** has lived in the development for one year. He has reviewed the online plans and does not object to the addition of another lot.

**Tim Ash, 15582 Waters Edge Drive:** approve of what the O'Gradys are proposing, appreciates the sixty-five percent open space.

**Moved by Beard to close the public hearing and open the regular meeting, seconded by Alexander** approved by consensus

**Cram:** Returned to the discussion of 8.1.3 (1) (b) Not to 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. The original PUD was approved with forty-one units of residential development and 65% open space. The first part of the standard has been met as they are proposing another lot for a single-family residence within a development with other single-family residences . But, is it a substantial improvement to property in the immediate vicinity and to the community as a whole? Forty-one units with 65% open space was deemed to be a substantial improvement compared to fifty-five units with no open space in the original proposal. A single household generates on average ten vehicle trips (leaving = one trip and coming back to your house = another trip) a day; this is an approximately 2.4 percent increase in vehicle trips for the development and community. Also, Unit forty-two would be on the common septic system and Unit twenty-five would have an individual on-site septic system. Thus, adding an additional unit of development on an on-site septic system. There will be an increase in noise, lighting, etc, as well with the additional unit of

development. Is this an improvement to the property in the immediate vicinity and community as a whole?

**Shanafelt:** The change in the lot lines on the bluff is a substantial improvement but does not have a direct relationship to the additional lot and do not believe it meets the standard.

**Alexander:** Agreed with Shanafelt, the lot line change on the bluff is responsible. But the lots are smaller and next to a large home. Do not see this as a substantial improvement.

**Beard:** Pulling the lot lines from the bluff is only a few feet. Expressed concern the homeowners will bleed beyond the lot lines to the edge of the bluff, perhaps beyond the platted lot line.

**Kyle O'Grady:** Deferring to the permitting process, a site plan is submitted that must meet the township's zoning ordinance.

#### **Discussion of open space and homeowners' lot lines**

**Hall:** expressed substantial improvement determined with the PUD project as it was originally approved. This requirement should not be applied to amendments. Gave an example of a road.

**Patterson:** it depends on the amendments. Looking at the project in the beginning, and now looking at a forty-two-unit development with a lot line adjustment. Discussed the amendment as proposed with respect to 8.1.3 (1) (b).

#### **Discussion of substantial improvement because of the nature of the first approval**

**Cram:** would like to hear from the applicant

**O'Grady:** to summarize, looking at adding an additional lot and changing lot lines to accommodate this. Adding another house improves the community as a whole.

**Shanafelt:** why was this not in the original proposal?

**O'Grady:** amendments are brought forward by the developer; learning happens during the development.

#### **Discussion**

**Cram:** The township engineer at Gordie Fraiser and Chief Gilstorff will provide comments for the next meeting. The Planning Commission does not have to take formal action on the evening of the public hearing.

### **9. Reports and Updates: Special Use Permit (SUP)-Peninsula Shores Planned Unit Development (PUD) #123 Amendment #3-Condition of Approval #2/Evergreen Plantings (Waters Edge Drive and Shoreline Court)**

**Cram:** condition number two has been met; the revised landscape plan is in the packet. The Land Use Permit has been issued.

**Shanafelt:** disagrees, the smaller trees will not thrive

**Cram:** they have met the condition of approval as drafted.

**Shanafelt:** asked who is responsible for the trees if they die.

**Cram:** the Homeowners Association and/or the developer.

#### **Discussion**

**10. Public Comments:**

**Nancy R. Heller, 3091 Blue Water Drive:** need more clarification about community, in the way it is used; is it the development or the community of the township residents?

**11. Other Matters or Comments by Planning Commission Members:**

**Cram:** the election of officers will occur during the October planning commission meeting. Looking at a special joint meeting between the township board and the planning commission on October 24, 2023, to discuss building height.

**12. Adjournment: 8:12 p.m.**

**Moved by Shanafelt to adjourn, seconded by Alexander approved by consensus**

**Business**

# **Peninsula Shores PUD SUP #123, Amendment #4**



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

**Special Use Permit (SUP)/Planned Unit Development (PUD) Amendment**

**DRAFT FINDINGS OF FACT AND CONDITIONS**

**SUP #123, Amendment #4 - Peninsula Shores (Formerly The 81) PUD Condominium Subdivision**

**October 16, 2023**

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**PENINSULA TOWNSHIP BOARD**

**Applicant:** The 81 Development Company, LLC  
Kevin and Kyle O'Grady, Owners

**Hearing Date(s):** Planning Commission:  
August 21, 2023 (Introduction),  
September 18, 2023 (Public Hearing)  
October 16, 2023 (Continued Discussion)

Township Board: TBD

**PROPERTY DESCRIPTION**

**Parcel ID#:** 28-11-609-001-00 through 28-11-609-041-00 and 28-11-609-900-00

**Total Acreage:** ~81-acres

**Property Address:** Waters Edge Drive and Shoreline Court

**Zoning:** R-1A – Rural and Hillside Residential & R-1B - Coastal Zone Residential

**Adjacent Zoning:** R-1A – Rural and Hillside Residential to the north and west (northwest corner = A-1 – Agricultural), R-1B - Coastal Zone Residential to the south and East Grand Traverse Bay to the east

**Water:** Individual Wells

**Sewage Disposal:** Community Septic Facility and Individual On-site Septic Systems

**Access:** Water's Edge Drive via Boursaw Road

**INTRODUCTION AND BACKGROUND**

On August 11, 2015, the Township Board approved an application for a Special Use Permit (SUP #123) for a Planned Unit Development (PUD) to build a 41-unit single-family residential condominium development with 65% private open space located off Boursaw Road. The approval was subject to ten conditions of approval. Subsequent court proceedings led to another project approval pursuant to action taken by the Township Board on January 23, 2018. This review and approval were specific to grading, soil erosion and storm water plans, and an emergency access road only. There were two additional conditions of approval added to the original approval from 2015.

On September 10, 2019, the Township Board approved the first amendment to SUP #123 that included shifting the private road (currently Shoreline Court) to the west that enlarged Units 5-9, adjusting the lot widths of Units 1-9 to be more uniform, eliminating the landscaped area along the

private road to enlarge Units 4 and 10, reducing the lot size of Units 11-28 along the easterly side to meet the 65% open space requirement, and realigning the emergency access to the south.

On May 10, 2022, the Township Board approved the third amendment to SUP #123 (The 2<sup>nd</sup> amendment was withdrawn.) The third amendment approved the relocation of Unit 1 from the southeast corner of the development to the northwest corner, removed Parcel A from the SUP/PUD eliminating the lakefront access from Unit 1, modified the sanitary easement for Unit 6 and adjusted the lot lines of Units 38-41.

The 81 Development Company has submitted an application and supporting materials attached as **(EXHIBIT 1)** to amend SUP #123 that will amend the approved PUD. This is the fourth proposed amendment. The current request for Amendment #4 is summarized below.

1. Lot line adjustments to Units 25-29 and 41.
2. Addition of one development site proposed as Unit 42.
3. Proposed sanitary easement for Unit 42.

## **SECTION 8.1.3 BASIS FOR DETERMINATIONS**

### **FINDINGS - SECTION 8.1.3 (1) GENERAL STANDARDS**

**General Standards:** *The Town 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.***

The underlying zoning of the development is R-1A – Rural and Hillside Residential and R-1B – Coastal Zone Residential. Both zone districts allow for single-family residential uses and approval of a Planned Unit Development via a Special Use Permit per Sections 6.2.4. and 6.3.2. of the Peninsula Township Zoning Ordinance.

The surrounding area is also zoned and developed similarly (R-1A and R-1B) with the property adjacent to the northwest corner being zoned A-1-Agricultural that allows for residential development to support agriculture. Thus, the intended character of the approved PUD and surrounding area is predominately residential in nature.

The Peninsula Shores Planned Unit Development (PUD) was approved for 41 single-family residential units with 65% open space. The requested amendment does increase the number of single-family residential units but maintains the required 65% open space. The proposed use of the property for single-family residences does not change because of the requested amendments to modify the PUD. As such, the existing character of the general vicinity will not change.

Staff finds that this standard has 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.***

The proposed amendments to reconfigure existing lots and add one lot will not change the overall residential character of the previously approved SUP/PUD. Therefore, the proposed amendments would not be hazardous or disturbing to existing or future uses in the same general vicinity, as a residential use adjacent to another residential use is compatible.

When the original SUP/PUD was approved it was found that a 41-unit single-family residential development with 65% open space was a substantial improvement to property in the immediate vicinity and to the community as a whole because the alternative was the potential for 55 units with no requirement for open space.

The first amendment proposed no increase in density as no additional units were proposed or approved, nor did the third amendment. The third amendment was also found to be a substantial improvement to properties in the immediate vicinity and community as a whole as compared to the original approved SUP/PUD because relocating an approved unit for development preserved a scenic view from the public right-of-way to East Grand Traverse Bay and eliminated a steep access to the shoreline.

The fourth proposed amendment will increase density that will result in increased traffic, lighting and noise as well as require an additional on-site septic system. These increases erode the substantial benefit that was achieved in the original SUP/PUD approval with 41 units.

Staff finds that this standard 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.***

The proposed amendments to the SUP/PUD will not materially change essential facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, or schools. One additional lot will utilize a well and individual on-site septic system if the request is approved.

Staff finds that this standard has been met.

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

The proposed amendments to the approved SUP/PUD will not create any additional requirements at public cost for public facilities and services.

Staff finds that this standard has been met.

- (e) ***Not involve uses, 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.***

The proposed amendments to the SUP/PUD will not involve uses, 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. Nor is it anticipated that there will be any negative impacts from particulates leaving the property with proper dust suppression and storm water management practices that are required as part of the issuance of a land use permit for each individual residential unit to be constructed within the development.

Staff finds that this standard has been met.

### **FINDINGS - SECTION 8.1.3(3) SPECIFIC REQUIREMENTS:**

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

- (a) ***That the applicant may legally apply for site plan review.*** The 81 Development Company as the property owner and developer/applicant may legally apply for an amendment to the SUP to modify the PUD site plan.

Staff finds that this standard has been met.

- (b) ***That all required information has been provided.*** The application for the requested amendments is complete along with additional requested information to assist staff, Planning Commission, and the Township Board of Trustees with their analysis of the proposed amendments.

Staff finds that this standard has been met.

- (c) ***That the proposed development conforms to all regulations of the zoning district in which it is located.*** The proposed amendments conform to the requirements of the R-1A and R-1B zone districts. Engineering has reviewed the open space calculations to confirm the 65% requirement is maintained. Comments are included as ***(EXHIBIT 2)***. The requested amendments do not conform to other requirements associated with a PUD per Section 8.3.

Staff finds that this standard 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.*** Engineering has approved the preliminary storm water calculations (**EXHIBIT 2**). The fire chief has also provided comments and did not have concerns with the requested amendments (**EXHIBIT 2**). A proposed condition of approval has been included to ensure that fire department comments are addressed. Grand Traverse County Environmental Health has provided a letter noting that soils on Unit 24 are suitable for an individual on-site septic system (**EXHIBIT 1**).

Staff finds this standard has 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.*** As discussed above, the proposed amendments to the SUP/PUD meet the requirements or standards of other governmental agencies consistent with the original approval and subsequent amendments.

Staff finds this standard has 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.*** The proposed amendments do not negatively impact prior approvals with respect to natural resource preservation. The open space for the development as proposed will continue to meet the 65% requirement. The reconfiguration of Units 24-29 will move development further away from the bluff. The new unit will not result in the loss of trees or negatively impact the wetland within the development.

Staff finds this standard has been met.

- (g) ***That the proposed development property respects flood ways and flood plains on or in the vicinity of the subject property.*** The proposed plan amendments do not impact flood ways or flood plains.

Staff finds this standard has 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.*** The proposed amendments do not impact prior approvals with respect to soil suitability.

Staff finds this standard has been met.

- (i) ***That the proposed development will not cause soil erosion or sedimentation problems.*** The proposed amendments do not negatively impact prior approvals with respect to soil erosion or sedimentation. A proposed condition of approval has been included that requires that the applicant receive a Land Use Permit prior to construction that covers these items.

Staff finds this standard has been met.

- (j) ***That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff, and will not cause undue runoff onto neighboring property or overloading of water courses in the area.*** The proposed amendments do not negatively impact prior approvals with respect to stormwater. As noted above, engineering has reviewed preliminary storm water calculations and had no concerns.

Staff finds this standard has 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.*** The proposed amendments will not destroy the character of the property or the surrounding area, as the area has been developed with single-family residences.

Staff finds this standard has been met.

- (l) ***That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.*** The proposed amendments will not disrupt air drainage systems necessary for agricultural uses.

Staff finds this standard has 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.*** The proposed amendments will not impact any project phasing.

Staff finds this standard has been met.

- (n) ***That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems and water sewage facilities.*** The proposed amendments will not require any changes to existing streets. Storm water control has been reviewed for compliance by our engineer. One new well and one additional individual on-site septic system will be utilized within the development if the requested amendments are approved.

Staff finds this standard has been met.

- (o) ***That landscaping, fences or walls may be required by the Town Board and Planning Commission in pursuance of the objectives of this Ordinance.*** The proposed amendments will not change any requirements for fences or walls. We do not believe that additional buffering is needed, but welcome input from the Planning Commission.

Staff finds this standard has been met.

- (p) ***That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.*** The proposed amendments will create additional traffic. Per national averages, one single-family residence generates approximately 10 vehicle trips per day. This is an approximately 2.4% increase to the estimated total trips generated from 41 single-family residences originally approved.



Staff finds this standard 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.*** The proposed amendments will not change vehicular and pedestrian traffic flow within the development.

Staff finds this standard has 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.*** The proposed amendments will not change plans for addressing outdoor storage of garbage and refuse.

Staff finds this standard has 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.*** The proposed amendments are not in accord with the spirit and purpose of the Ordinance, as standard 8.1.3 (1)(b) has not been met. As such, the requested amendments are inconsistent with and contrary to the objectives sought to be accomplished by the Ordinance and principles of sound planning.

Staff finds this standard has not been met.

## SECTION 8.3 PLANNED UNIT DEVELOPMENTS

### FINDINGS – 8.3.2 OBJECTIVES

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

1. ***To provide a 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.*** The proposed amendments do not change the initial determination that the project creates a 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. This is accomplished by clustering the residential development sites around large tracts of open space that meet the 65% requirement.

Staff finds this standard has been met.

2. ***To provide open space options.*** The proposed amendments do not change the intent of open space areas being preserved. The open space calculations have been confirmed to maintain 65% open space. Proposed amendments do not require the removal of mature tree stands.

Staff finds this standard has been met.

3. ***To encourage developers to use a more creative and imaginative approach in the development of residential areas.*** The proposed amendments do not provide for a more creative and imaginative approach in the development of residential areas. As proposed, one additional unit will be squeezed in, density will increase, along with traffic, lighting, noise, and the requirement for an additional on-site septic system. In addition, Unit 42 will be located closer to the western property line and the adjacent residential neighborhood.

Staff finds this standard has not been met.

4. ***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.*** The proposed plan amendments do not change the initial determination that the development offers a more efficient and aesthetic use of open areas.

Staff finds this standard has been met.

5. ***To encourage variety in the physical development pattern of the Township by providing a mixture of housing types.*** The proposed amendments do not change the variety of housing types, nor provide for a mixture of housing types. One additional unit is proposed that modifies the approved physical development within the PUD plan.

Staff finds this standard has not been met.

6. ***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.*** The proposed amendments do not change the initial determination that the development is clustered around 65% open space.

Staff finds this standard has been met.

### **FINDINGS – 8.3.3 QUALIFYING CONDITIONS**

Any application for a special use permit shall meet the following conditions to qualify for consideration as planned unit development:

1. ***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.*** The proposed development area is still far more than 20 acres in size at ~81 acres.

Staff finds that this standard has been met.

2. ***The planned unit development project shall be located within a Residential or Agricultural District, or a combination of the above Districts.*** The development area remains residential (R-1A and R1-B) and has an approved PUD that allows the development of residential units by virtue of past approvals.



Staff finds this standard has been met.

3. ***Water and waste disposal shall comply with the Township Master Plan and be approved by Grand Traverse County or State of Michigan requirements.*** The proposed amendments require one new well and one additional individual on-site septic system. Grand Traverse County has noted that soils are suitable for an on-site septic system. A well permit will be required prior to any construction.

Staff finds this standard has been met.

4. ***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).*** Forty-one units were approved. Forty-two units are proposed. Approximately 55 units could have been developed using the standard land division process with no requirement for open space. The proposed amendments change past determinations of equivalent density.

Staff finds this standard has not been met.

5. ***Open space shall be provided according to Section 8.3.6.*** The proposed plan amendments will provide the required 65% open space.

Staff finds this standard has been met.

6. ***For purposes of this Section 8.3, Open Space does not include building envelopes, parking lots and roads (roadbed width plus two (2) foot shoulders on each side).*** The proposed amendments do not include building envelopes, parking lots and roads within the designated 65% open space.

Staff finds this standard has been met.

7. ***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.*** All standards within Section 8.3, Section 8.1. and Article VII have not been met.

Staff finds this standard has not been met.

## **STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission recommend denial of the requested amendments to the Township board as all the required standards have not been met satisfactorily.

If the Planning Commission finds that all standards have been met, we have included draft conditions of approval for consideration.

## **COMPLIANCE WITH GOVERNMENTAL REGULATIONS:**

The petitioner shall comply with all state, county, township and other governmental regulations relative to the establishment for property zoned R-1A – Rural and Hillside Residential and R-1B – Coastal Zone Residential, with the above permitted use(s) on site as approved by the PUD, which includes meeting the requirements of the Michigan Department of Transportation (MDOT), the Grand Traverse County Drain Commissioner (GTCD), the Grand Traverse County Road Commission (GTCRC), and the Grand Traverse County Health Department (GTCHD). Zoning compliance is based on the governing special land use document, approved site plan, and Articles 6 and 8 of the Peninsula Township Zoning Ordinance.

## **DRAFT APPROVAL CONDITIONS AND SAFEGUARDS:**

Conditions and Safeguards: The Township Board may require such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for ensuring 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. Specific conditions include:

1. All prior findings, conditions and safeguards imposed by the Circuit Court and the Peninsula Township Board of Trustees that apply to the original approval and subsequent amendments remain in effect.
2. Approval of a Land Use Permit is required prior to any construction of residential units within the development. Such Land Use Permit will include review and approval of dust suppression, storm water management, soil erosion control, and Grand Traverse County Environmental Health requirements.
3. The Master Deed shall be updated to be consistent with the approved amendments.
4. All access roads, including the emergency access road shall be maintained in good working condition to allow for emergency access including snow removal.

## **COMMENCEMENT AND COMPLETION**

The commencement and completion of special land uses are governed by Section 8.1.2(5) of the Peninsula Township Zoning Ordinance. Violations of the special land use and accompanying site plan are enforceable and remedies available under Section 4.2 of the zoning ordinance.

## **EXHIBITS:**

1. Original Application Materials + Additional Materials Provided by the Applicant for the Introduction
2. Engineering and Fire Department Comments
3. Public Comments

# Exhibit 1

**PENINSULA TOWNSHIP APPLICATION FOR SPECIAL USE PERMIT NO. \_**

**Section 8.1**

Parcel Code/s 11-609-900-00

Property Address: Waters Edge Drive

Applicant Address: The 81 Development Co., 901 S. Garfield Ave., Ste. 202, TC, MI 49685

Kyle O'Grady

Review Fee ~~\$500.~~

7/11/2023 Date

**APPLICATION REQUIREMENTS Section 8.1.2**

1. Each application is submitted through the Township Planner, and shall be accompanied by a fee as established by the Peninsula Township Board.
2. The applicant will assume direct costs for any additional professional review determined necessary by the Planning Commission or the Township Board, subject to prior review and approval of the applicant.
3. No part of any fee is be refundable and no portion of the fee covers the cost of any individual land use permit that may be issued on any of the building sites located in a Planned Unit Development.
4. Requirements for documents and information filled out in full by the applicant:
  - (a) A statement of supporting evidence showing compliance with the requirements of Section 8.1.3.
  - (b) Site plan, plot plan, development plan, drawn to scale (preferable 1"=50'), of total property involved showing the location of all abutting streets, the location of all existing and proposed structures and their uses, and the location and extent of all above ground development.
  - (c) Preliminary plans and specifications of the proposed development.
5. This application, along with all required data shall be submitted to the Zoning Administrator.
  - (a) Upon receipt of a completed application and the required data by the Zoning Administrator, it is transmitted to the Township Planning Commission for review.
  - (b) The Planning Commission may hold a public hearing on the application.
  - (c) Following a study by the Planning Commission it is transmitted to the Township Board for consideration.
  - (d) The Township Board may deny, approve, or approve with conditions, a request for special land use approval.

6. **Specific Requirements:** In reviewing an impact assessment and site plan, the Town Board and the Planning Commission shall consider the following standards:

- (a) That the applicant may legally apply for site plan review.
- (b) That all required information has been provided.
- (c) That the proposed development conforms to all regulations of the zoning district in which it is located.
- (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.
- (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.
- (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.
- (g) That the proposed development property respects floodways and flood plains on or in the vicinity of the subject property.
- (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.
- (i) That the proposed development will not cause soil erosion or sedimentation problems.
- (j) That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff, and will not cause undue runoff onto neighboring property or overloading of water courses in the area.
- (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.
- (l) That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.
- (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.
- (n) That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems and water sewage facilities.
- (o) That landscaping, fences or walls may be required by the Town Board and Planning Commission in pursuance of the objectives of this Ordinance.

- (p) That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.
  - (q) That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.
  - (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.
  - (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.
7. A public hearing on a special land use request is held by the Township Board if:
- a. A public hearing is requested by the Township Board, the applicant for special land use authorization, a property owner, or the occupant of a structure located within three hundred (300) feet of the boundary of the property being considered for a special land use.
  - b. The decision on the special land use request is based on discretionary grounds.

**Special Use Permit - Planned Unit Development Checklist**

Special Use Permit Number 123.

Parcel Code/s 11-609-900-00

Property Address: Waters Edge Drive

Applicant: The 81 Development Co.,

**ARTICLE VIII**

**Ordinance Reference - Section 8.1.2 Permit Procedures:**

**8. Submission of Application:**

1. \$500 Fee No part of any fee shall be refundable.

Please see the attached submittal for response to these questions - pages 1 and 2

**9. Include a statement of HOW the proposed project 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.
- 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.
- 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.
- d. ☒ Not create excessive additional requirements at public cost for public facilities and services.
- e. ☒ Not involve uses, 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.

Please see the attached submittal for response to these questions - pages 2 through 4

**Ordinance Reference - Section 8.1.3**

**10. Include a statement of HOW the proposed project meets the standard:**

- a. Yes That the applicant may legally apply for site plan review.
- b. Yes That all required information has been provided.
- c. Yes That the proposed development conforms to all regulations of the zoning district in which it is located.
- d. Yes 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.
- e. Yes 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. no change Grand Traverse County Road Commission
- ii. no change Grand Traverse County Drain Commissioner
- iii. no change County DPW standards for sewer and water if public.

- iv. as required Grand Traverse County Health Department for private systems
- v. no change State and Federal Agencies for wetlands, public sewer and water.
- f. Yes 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.
- g. Yes That the proposed development property respects floodways and flood plains on or in the vicinity of the subject property.
- h. No change 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.
- i. No change That the proposed development will not cause soil erosion or sedimentation problems.
- j. Yes That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff, and will not cause undue runoff onto neighboring property or overloading of water courses in the area.
- 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.
- l. N.A. That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.
- 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.
- n. No change That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems and water sewage facilities.
- o. No change That landscaping, fences or walls may be required by the Town Board and Planning Commission in pursuance of the objectives of this Ordinance.
- p. No change That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.
- q. No change That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.
- r. No change 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.
- 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.
4. **Present 8 copies of Site plan, plot plan, development plan**  
 Drawn to scale (preferable 1"=50'), of total property involved showing:
- a. X the location of all abutting streets,
- b. NA the location of all existing and proposed structures and their uses
- c. X the location and extent of all above ground development, both existing and proposed including proposed Building Envelopes and setbacks. (Also see Section 7.2.6).
- d. Preliminary plans and specifications of the proposed development. *This preliminary plan shall be in a form that can be easily reproduced on transparencies that can be used for public presentation.*

**Is the project to be developed in Phases? \_\_\_ Yes; X No.**



5. If the project is to be phased, provide documentation that:
  - a. No change Upon completion, each phase will be capable of standing on its own in terms of the presence of services, facilities, and open space, and contains the necessary components to insure protection of natural resources and the health, safety, and welfare of the users of the project and the residents of the surrounding area.
  - b. No change Shows a proposed commencement date for each phase of the project.

### Section 8.3 Planned Unit Developments:

Section 8.3.2 Objectives: The following objectives shall be considered in reviewing any application for a special use permit for planned unit development.

***Provide statements showing HOW the project meets the following Objectives:***

1. see attached Provides a more desirable living environment by preserving the natural character of open fields, stand of trees, brooks, ponds, lake shore, hills, and similar natural assets.
2. see attached Provision of open space requirements.
3. see attached A more creative and imaginative approach in the development of residential areas.
4. see attached 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.
5. see attached Encourage variety in the physical development pattern of the Township by providing a mixture of housing types.
6. see attached 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.

Section 8.3.3 Qualifying Conditions: Any application for a special use permit shall meet the following conditions to qualify for consideration as planned unit development.

1. No change The planned unit development site 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 site size 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.
2. No change 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.
3. No change 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.
4. No change The proposed population density of the planned unit development shall be no greater than if the tract 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.
5. see attached Open space shall be provided according to Section 8.3.6.
6. see attached For purposes of this Section 8.3, Open Space does not include building envelopes, parking lots and roads (roadbed width plus two (2) foot shoulders on each side).
7. ☒ 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.

Section 8.3.4 Uses that May be Permitted: The following uses of land and structures may be permitted within planned unit developments, **Indicate the proposed uses in the Planned Unit**

**Development:**

1. ☒ Single family dwellings.
2. ☐ N.A. Two-family dwellings.
3. ☐ N.A. Group housing, row houses, garden apartments, or other similar housing types which can be defined as single-family dwelling with no side yards between adjacent dwelling units, Provided that there shall be no more than eight (8) dwelling units in any contiguous group.
4. ☒ Open space according to Section 8.3.6 Provided that only the following land uses may be set aside as common land for open space or recreation use under the provisions of this Section
  - a. ☐ N.A. Private recreational facilities (but not golf courses) such as pools, or other recreational facilities which are limited to the use of the owners or occupants of the lots located within the planned unit development.
  - b. ☐ N.A. Historic building sites or historical sites, parks and parkway areas, ornamental parks, extensive areas with tree cover, low lands along streams or areas of rough terrain when such areas have natural features worthy of scenic preservation.
  - c. ☐ N.A. Commonly owned agricultural lands.
5. ☐ No change Signs as allowed by Section 7.11.
6. ☐ No change Deed restricted Agricultural lands.
7. ☒ Garages and accessory buildings and uses exclusively for the use of residents of the planned unit development and for the proper maintenance thereof.

**Section 8.3.5 Lot Size Variation Procedure:** The lot area for Planned Unit Developments within Residential and Agricultural Districts may be averaged or reduced from those sizes required by the applicable zoning district within which said development is located by compliance with the following procedures:

1. Site Acreage Computation:
  - a. ☐ 82.44 The net acreage proposed for a planned unit development shall be computed to determine the total land area available for development into lots under the minimum lot size requirements of the applicable zoning district in which the proposed planned unit development is located.
  - b. ☐ 12.36 Acreage not included:
    - i. ☐ N.A. Land utilized by public utilities as easements for major facilities, such as electric transmission lines, sewer lines, water mains, or other similar lands which are not available to the owner because of such easements.
    - ii. ☐ N.A. Lands below the Lake Michigan ordinary high water mark.
    - iii. ☐ N.A. Lands used for commercial purposes subject to the requirements of Section 6.8.
2. Maximum Number of Lots and Dwelling Units: After the net acreage has been determined by the above procedure, the maximum number of lots and/or dwelling units that may be approved within a planned unit development shall be computed by subtracting from the net acreage a fixed percentage of said total for street right-of-way purposes, and dividing the remainder by the minimum lot area requirement of the zoning district in which the planned unit development is located.
  - a. ☐ 12.36 The fixed percentages for street right-of-way purposes to be subtracted from the net acreage shall be fifteen (15) percent for the R-1A and R-1B residential districts, twenty (20) percent for the R-1C district and thirty (30) percent for multiple family development in the R-1D district. These percentages shall apply regardless of the amount of land actually required for street right-of-way.

- b. ☒ Under this procedure, individual lots may be reduced in area below the minimum lot size required by the zone district in which the planned unit development is located, PROVIDED that the total number of dwelling units and/or lots created within the development is not more than the maximum number that would be allowed if the project were developed under the minimum lot area requirements of the applicable zone district or districts in which it is located. Units may be distributed without regard to district boundaries.
3. Permissive Building Envelope: Building Envelopes shall be as shown on the Site Plan and not included as open space.
4. Permissive Minimum Lot Area: Minimum Lot Area shall be as determined by the Township Board and shown on the Site Plan.
5. Maximum Permissive Building Height: 2.5 stories but not exceeding 35 feet. Accessory buildings shall not exceed a height of 15 feet. Provided that the height of agricultural buildings may be increased pursuant to Section 7.3.3 Permitted Exceptions, Agricultural Districts.
6. Section 8.3.6 Open Space Requirements Option: The Township Board shall utilize one of the following four options for dedication of the provided open space:
7. Open Space Dedicated for Private Use: A residential planned unit development with a minimum of 65% of the net acreage kept as open space and owned by the Home Owners Association or Condominium Association. That open space land shall be set aside as common land for the sole benefit, use and enjoyment of present and future lot or home owners within the development.
- a. ☒ Such open space shall be conveyed by proper legal procedures from the project owner or owners to a home owners association or other similar non-profit organization so that fee simple title shall be vested in project lot owners as tenants in common.
- b. ☒ Documents providing for the maintenance of said land and any buildings thereon to assure that open space land remains open shall be provided to the Township Board for its approval. *\*will be provided upon approval of the requested amendment*
- c. ☒ The access and characteristics of the open space land are such that it will be readily available and desirable for the use intended.
8. Open Space Dedicated for Public Use: A Residential Planned Unit Development with a minimum of 10% of the net acreage dedicated to the Township. That open space land shall be dedicated to the Township for park or recreational purposes by the project owner or owners provided that the Township Board makes the following determinations:
- a. N.A. The location and extent of said land is not in conflict with the Master Plan of Peninsula Township.
- b. N.A. The access to and the characteristics of the open space land is such that it will be readily available to and desirable for the use intended .
9. Open Space Dedicated for Deed Restricted Agricultural Land: A Planned Unit Development with a minimum of 65% of the net acreage as deed restricted agricultural land. That open space shall be retained in agricultural use as specified on the site plan with the following conditions:
- a. The Land shall be used exclusively for farming purposes.

- b. A conservation easement shall be granted to Peninsula Township that restricts uses to those that are allowed on deed restricted agricultural land subject to conservation easements purchased by Peninsula Township pursuant to the Purchase of Development Rights Ordinance No. 23.
  - c. A farmstead parcel consisting of a residence for the owner or operator of the farm along with any or all of the following outbuildings may be shown on the site plan if approved by the Township Board:
    - 1. Barns existing or proposed for uses necessary for agricultural production.
    - 2. Outbuildings existing or proposed for storage of machinery and equipment used for agricultural production.

N.A. If a farmstead is shown on the site plan it shall be counted as one of the allowed dwelling units in the Planned unit development.
  - d. The deed restricted agricultural land may be sold separately from the dwelling parcels.
10. Open Space Apportioned Between Private Use and Deed Restricted Agricultural Land: The Township Board may approve open space apportioned between Private Use and Deed Restricted Agricultural Land described in (1) and (3) above provided, that in addition to the provisions of (7) and (9) above, the Deed Restricted Agricultural Land portion:
- a. N.A. Shall be a minimum of five acres.
  - b. N.A. Shall be viable farmland as determined by the Township Board.
  - c. N.A. Irrespective of (9) above; no buildings shall be allowed.
11. Section 8.3.7 Maximum Percentage of Lot Area Covered by All Structures:
- a. see attached The maximum percent of lot area covered by all structures shall not exceed fifteen (15) percent of net acreage.
  - b. see attached A Building Envelope within which structures may be located shall be shown on the site plan for all existing or future structures.
  - c. see attached The maximum number of square feet to be covered by all structures for each building envelope shall be shown on the site plan or attached to it.
12. Section 8.3.8 Affidavit: The applicant shall record an affidavit with the register of deeds containing the legal description of the entire project, specifying the date of approval of the special use permit, and declaring that all future development of the planned unit development property has been authorized and required to be carried out in accordance with the approved special use permit unless an amendment thereto is duly adopted by the Township upon the request and/or approval of the applicant, or applicant's transferee and/or assigns. *Amedment will be recorded upon approval & signatures of authorized boards and personel.*
13. Section 7.7 Developments Abutting Agricultural Lands: Section 7.7.1 Agricultural Setback: The following setbacks shall be required when a planned unit development, subdivision, condominium, mobile home park, or other group housing is developed; and on those metes and bounds parcels created after the effective date of this amendment, as provided below
- a. Section 7.7.1.1 Requirement Agricultural Setback:
    - i. No change A setback of 100 feet from the property line of the adjacent property shall be required for accessory uses, buildings or structures as follows:



- (1) When a planned unit development, subdivision, condominium, mobile home park, or other group housing is developed adjacent to land that is zoned A-1 Agriculture, and;
  - (2) When a planned unit development, subdivision, condominium, mobile home park, or other group housing is developed adjacent to land that is zoned Residential but is shown on the Agricultural Preserve Map of the Peninsula Township Comprehensive Plan as adopted and amended from time to time by the Planning Commission.
- ii. No change A setback of 50 feet from the property line of the adjacent property shall be required for those portions of metes and bounds parcels created after the adoption of this amendment that have a common line with land that is zoned A-1 Agriculture unless that A-1 Agriculture zoned land is being used for residential purposes.
  - iii. No change The setback areas required by (1) and (2) above shall not be used for accessory uses, buildings or structures.
  - iv. No change A setback of 100 feet shall be required when a planned unit development, subdivision, condominium, mobile home park, or other group housing is developed adjacent to land that is zoned Residential but is currently being used for agricultural production that includes the carrying on of usual soil practices of cultivation, spraying and fertilization.

b. Section 7.7.1.2 Lot Designation: Subdivision Lots or Condominium Limited Common Elements adjacent to such agricultural lands shall have designated building sites shown on the preliminary and final plans. Residential and accessory uses shall be located within the designated areas. Plans accompanying applications for zoning permits shall show such designated sites.

c. Section 7.7.1.3 Exceptions to Required Setbacks:

- i. ☒        The Township Board may, upon recommendation of the Planning Commission, decrease the required setback on any or all lots or limited common elements when the Township Board determines that one or more of the following conditions exist:
  - (1) No change The existence of topographic conditions i.e. steep slopes, changes in grade, wetlands etc. or other site conditions which make it:
    - (a) No change unlikely that any of the uses allowed in the agricultural district would be located on the adjacent agriculturally zoned land; or
    - (b) No change so that the properties are sufficiently separated to mitigate incompatibilities of use.
  - (2) N.A. There exists an easement such as a conservation easement on the land adjacent to the proposed plat that restricts agricultural uses in such a manner that protection to future homeowners is equal or better than that provided by the 100 foot setback.
  - (3) N.A. There are existing residential uses along the lot line of the agriculturally zoned property.

# Mansfield

Land Use Consultants

July 11th, 2023

Peninsula Township  
Jenn Cram, Planner  
13235 Center Rd.,  
Traverse City, MI 49686

RE: Peninsula Shores, PUD #123  
Application for Amendment #4

Dear Ms. Cram and Peninsula Township Planning Commission,

On behalf of the O'Grady family and the community at Peninsula Shores, please find the following information regarding the requested Amendment #4 to the Peninsula Shores PUD located at 3985 Boursaw Road, Traverse City, MI 49686.

Amendment #4 Application Requests

- Lot line adjustments to Units 25-29, and 41
- Add Unit 42
- Maintaining 65% open space

Supporting documents as part of this submittal request include:

- SUP Application
- SUP Development Checklist
- PUD Amendment Site Plan

Please feel free to call me at (231) 946-9310 should you have any questions or require any additional information. Thank you for your time.

Sincerely,



Doug Mansfield  
President



## **Introduction to Amendment No. 4**

Peninsula Shores SUP #123, Amendment No. 4

Requested actions and modifications to the Peninsula Shores development as part of this application for SUP #123, Amendment No. 4 are as follows:

- Reduce Lot 25 from .57 acres to .56 acres.
- Reduce Lot 26 from .61 acres to .58 acres.
- Reduce Lot 27 from .63 acres to .60 acres.
- Reduce Lot 28 from .65 acres to .62 acres.
- Reduce Lot 29 from .74 acres to .71 acres.
- Reduce Lot 41 from .65 acres to .36 acres.

Create a new Lot 42 to contain 19515 square feet or .44 acres.

### **ARTICLE VII**

#### **Ordinance Reference – Section 8.1.2 Permit Procedures:**

#### **STATEMENT OF HOW THE PROPOSED PROJECT WILL:**

9.

(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.

*The proposed amendment will not change the essential character of the originally approved PUD. Eastern lot lines of Lots 25-29 will be moved to the west, therefore resulting in slightly reduced lot sizes and home construction further from the ridge line. We are also proposing an additional lot – Lot 42. A slight increase in the previously approved lot line adjustments of Lot 41 will ensure a more than adequate building site for new proposed residence. This new lot will conform to the setback requirements of the PUD and will appear consistent with the overall character of the development. The resulting lot size of proposed Lot 41 will be no smaller than any existing lot.*

(b) Not to 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.

*This proposal will not have any negative impact on the overall subdivision nor will it cause more disturbance to the existing or future use. The construction of proposed Lot 42 will be largely taking place in the currently existing buildable envelope of Lot 41. This creation of a new lot will not have a negative impact on the surrounding neighborhood or the existing internal parcels.*

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

*Lots 25-29 and Lot 41 exist in compliance with this section. As outlined in the proposal, Lot 42 will be served by the community septic system. In order to accommodate this addition to the community septic system, we will be removing Lot 24 from the system – in turn, keeping that septic on its own lot – which is currently the case with a number of existing homes.*

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

*There will be no creation of any excessive additional requirements for one additional lot to be added to the site.*

(e) Not involve uses, 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 orders.

*There are no proposed new uses, activities, processes, materials, and equipment or conditions of operation that will have any detrimental consequences to any person or property in the surrounding area or within the PUD.*

## **ORDINANCE REFERENCE – SECTION 8.1.3**

### **STATEMENT OF HOW THE PROPOSED PROJECT MEETS THE STANDARD:**

10.

- a. That the applicant may legally apply for site plan review.

*The applicant is the legal owner of the project site and has been since June 2014. Recorded deeds for the parcels listed below were provided to the Township in the original SUP/PUD application.*

*15634 Smokey Hollow Rd., (Tax ID 28-11-114-001-00)*

*15636 Bluff Rd., (Tax ID 28-11-114-002-00)*

*The applicant is still the majority share of Peninsula Shores HOA - owning 28 of the existing 41 lots within the PUD and therefore may still solely and legally apply for the requested amendment to the PUD per the development's Master Deed and Bylaws.*

- b. That all required information has been provided.

*The applicant believes that all the required and requested information has been provided as part of the application.*

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



*The proposed amendment #4, will continue to meet the intent and requirements of the originally approved open-space community SUP#123.*

*Peninsula Shores SUP#123 as approved in 2017 consist currently of 41 lots, preserving 65% of the development to open space which includes 1,500 linear feet along East Grand Traverse Bay. The open space requirements will remain in conformance.*

- 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.

*The requested amendment does not affect the site circulation and will not cause any changes to existing services within the PUD. All residential sites are served by private wells. Some sites are served by a private septic system and some sites are served by a community septic system. The existing permitted storm drainage will continue to meet all requirements. The storm water infrastructure was constructed as outlined in the Peninsula Township Stormwater Control Ordinance and has been operating successfully since installed. Each proposed land use permit will continue to be submitted to the Township with a storm water permit application. The proposed amendment does not have any negative impact on emergency services, use of the secondary emergency access, or the underground fire suppression water tank located in the center of the site.*

- 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.

*There are no changes to the overall development of the PUD; the agencies that are applicable to the development of these parcels will continue to be obtained through the permitting processes. The development's infrastructure was installed in 2018 which required permitting from the following governmental agencies:*

- Soil Erosion Sedimentation Control*
- NDPES DEQ Notice of Coverage permit*
- Grading and Stabilization plan*
- Storm Water Control Permit – for the entire parcel and each individual site that has since been improved*
- Sanitary and water final plan submittals*
- DEQ Permits (part 41)*
- Health Department Permits for individual wells and septic systems.*
- Army Corps of Engineers permit for the seasonal community dock*
- Private Road permit from Peninsula Township*
- Grand Traverse County Road permit*
- Private Road Name approved by the Township Board*

*\*Each lot that has been developed has also been permitted by Soil Erosion Sedimentation Control, Health Department (well and septic), Storm water permit from Peninsula Township, Land use permit from Peninsula Township and Grand Traverse*

- 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 perse.

*The Peninsula Shores' PUD offers reduced residential density by preserving 65% open space, including wetlands, steep slopes, wooded acreage and 1,500 linear feet of shoreline. The proposed adjustment of Lot's 25-29 lot lines increases the natural buffer from residential homes and the existing ridgeline. There will be no increased level of disturbance as the result of the creation of Lot 42. The original PUD's intent of maximum preservation of natural resources remains the utmost focus.*

- g. That the proposed development property respects floodways and flood plains on or in the vicinity of the subject property.

*The proposed amendment does not impact any floodways or flood plains on the subject property or in the vicinity of the subject property.*

- 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.

*Consistent throughout the site, soil conditions are suitable for excavation and site preparation.*

- i. That the proposed development will not cause soil erosion or sedimentation problems.

*The overall site is developed and has not caused any adverse effects on soil erosion or sedimentation issues. The development of each site will continue to follow the measures outlined by Grand Traverse County Soil Erosion and Sedimentation and the Peninsula Township Storm water management procedures.*

- j. That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff and will not cause undue runoff onto neighboring property or overloading of water courses in the area.

*Stormwater infrastructure for the development is already constructed. The proposed amendment does negatively impact the drainage plan.*

- 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.

*This condition will continue to be met throughout the development of the site(s).*

- l. That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.

*This is not applicable to this project.*

- m. That the 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.

*There are no remaining phases of development.*

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

*There are no necessary or required expansions of facilities.*

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

*Landscaping requirements of the entire site have been met.*

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

*This standard will continue to be 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.

*This standard will continue to be 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.

*This standard will continue to be 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.

*This standard is met as this proposed amendment continues to comply with the original approval of the PUD and each subsequent amendment. As stated in the original PUD application, the development meets and exceeds the objectives of the Ordinance and the principles of sound planning by approval through a Planned Unit Development.*

### **Section 8.3 Planned Unit Developments:**

#### **Section 8.3.2 Objectives:**

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

*The proposed changes do not alter the design or layout of the original PUD. The addition of a new lot will not have any negative impact on these objectives.*

2. Provision of open space requirements

*Will continue to be met and maintained. New calculations are provided in the packeted materials. The development continues to provide 65%+ (54.28 acres) of common open space for the use and enjoyment of Peninsula Shores residents.*

3. A more creative and imaginative approach in the development of residential areas.

*Not applicable. These lots already exist, and this proposal does not negatively affect the overall approach of the development nor the original intent of approved clustering and open space of the PUD.*

4. 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.

*There are no proposed changes to the open space areas or calculation of open space requirements.*

5. Encourage variety in the physical development pattern of the Township by providing a mixture of housing types.

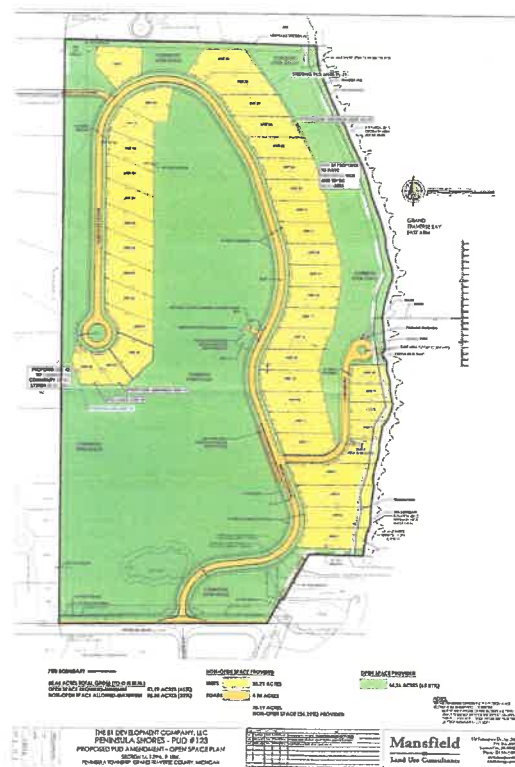
*The proposed amendment does not change the intent of the previously approved PUD for clustered development with community open space areas.*

6. 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.

*Not applicable.*

### **Section 8.3 Planned Unit Developments:**

#### **Section 8.3.2 Objectives:**



## Use-By-Right

Per Zoning/Michigan Land Division Plat Act

55 lots

1+ acre lot size

0% common open space (0 acres)

0 linear feet of East Bay preserved shoreline

No protection of forested areas

No protection of steep bluffs

55 individual septic systems with no oversight monitoring

maximum density / maximum traffic

## Planned Unit Development

Peninsula Shores – an open space community

42 lots

½ acre to ¼ acre average lot size

65% common open space (54 acres)

1,500 linear feet of preserved shoreline

forested areas protected within open space

steep bluffs protected within open space

11 individual septic systems / 1 community permitted and monitored sewer system

reduced density / reduced traffic

*The PUD plan provides the benefit of a 25% reduction of housing density and 65% preservation of open space including 1,500 linear feet of preserved shoreline along East Grand Traverse Bay.*

**Section 8.3.3 Qualifying Conditions:** Any application for a special use permit shall meet the following conditions to qualify for consideration as planned unit development.

1. The planned unit development site shall not be less than (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 site requirement may be reduced by the Township Board if the Board determines that the proposed use is a suitable and reasonable use of land.

*The existing development is 82.44 acres of land. The applicant is the majority shareholder of Peninsula Shores HOA and majority property owner and therefore may still legally apply for the requested amendment to the PUD.*

2. 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.

*The underlying zoning district is R-1A Rural & Hillside and R-1B Coastal Zone. The total possible density of the site is 66 one acre lots and five 25,000 square foot lots, equaling a total of 71 lots allowed, however, the practical number of buildable units is 55 based on a platted subdivision layout designed on the site. Peninsula Shores SUP#123 was approved with 41 units while preserving 54 acres of open space including wetlands, steep slopes and 1,500 linear feet of shoreline.*

3. 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.

*The requested amendment does not require any additional changes to the existing community infrastructure already in place within the development. Each of the proposed 42 units will have a private well. Units 1-4 and 24-29 will have individual sanitary systems, and units 5-23, 30-42 are serviced by an on-site community wastewater treatment system.*

4. The proposed population density of the planned unit development shall be no greater than if the tract were developed with the lot area requirements of the particular zoning district or districts in which it is located subject to the provisions of Section 8.1.

*This amendment does not affect the residential density of the existing Peninsula Shores SUP #123 development. With the creation of an additional lot, we will continue to maintain 65.81% open space - which exceeds open space requirements. The site could have practically accommodated 55 residential lots with no requirement of preserved open space if developed as a use-by-right subdivision.*

5. Open space shall be provided according to Section 8.3.6.

*Open space is provided per Section 8.3.6(1) Open Space Preserved for Private Use. 65%+ (54 acres) of the site continues to be kept in open space owned by the Homeowners Association for the sole use and enjoyment of owners and residents within the PUD.*

6. For purposes of this Section 8.3, Open Space does not include building envelopes, parking lots and roads (roadbed width plus two (2) foot shoulders on each side).

|                                   |                                       |
|-----------------------------------|---------------------------------------|
| <i>Total project site</i>         | <i>82.44 acres</i>                    |
| <i>Residential Lots</i>           | <i>-23.21 acres</i>                   |
| <i>Roadway</i>                    | <i>-4.98 acres</i>                    |
| <i>Total remaining open space</i> | <i>54.25 acres or (more than 65%)</i> |

7. 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.  
*Please see the submittal relating to Section 8.3 and Section 8.1 for compliance.*

**Section 8.3.4 Uses that May be Permitted:** The following uses of land and structures may be permitted within a planned unit developments, Indicate the proposed uses in the **Planned Unit Development:**

1. Single family dwellings.  
*Peninsula Shores SUP #123 is for the development of single family residential dwellings.*
2. Two-family dwellings.  
*Not applicable for this application or request.*
3. Group housing, row houses, garden apartments, or other similar housing types which can be defined as single-family dwellings with no side yards between adjacent dwelling units, Provided that there shall be no more than eight (8) dwelling units in any contiguous group.  
*Not applicable for this application or request.*
4. Open space according to Section 8.3.6 Provided that only the following land uses may be set aside as common land for open space or recreation use under the provisions of this Section:
  - a. Private recreational facilities (but not golf courses) such as pools, or other recreational facilities which are limited to the use of the owners or occupants of the lots located within the planned unit development.  
*Not applicable for this application or request.*
  - b. Historic building sites or historic sites, parks and parkway areas, ornamental parks, extensive areas with tree cover, low lands along streams or areas of

rough terrain when such areas have natural features worthy of scenic preservation.

*Not applicable for this application.*

- c. Commonly owned agricultural lands.

*Not applicable for this application.*

5. Signs as allowed by Section 7.11

*There is no additional request to add or modify the existing signs that were part of the original approval of SUP #123.*

6. Deed restricted Agricultural lands.

*Not applicable for this application or request as there are no deed restricted agricultural lands within the PUD.*

7. Garages and accessory buildings and uses exclusively for the use of residents of the planned unit development and for the proper maintenance thereof.

*All garages and accessory buildings will be privately owned and located on the individual parcels within the PUD.*

**Section 8.3.5 Lot Size Variation Procedure:** The lot area for Planned Unit Developments within Residential and Agricultural Districts may be averaged or reduced from those sizes required by the applicable zoning district within which said development is located by compliance with the following procedures:

1. Site Acreage Computation:

- a. The net acreage proposed for a planned unit development shall be computed to determine the total land area available for development into lots under the minimum lot size requirements of the applicable zoning district in which the proposed planned unit development is located.

*The net acreage of the site is 82.44 acres.*

- b. Acreage not included:

- i. Land utilized by public utilities as easements for major facilities, such as electric transmission lines, sewer lines, water mains, or other similar lands which are not available to the owner because of such easements.

*Not applicable for this application as there are no public easements.*

- ii. Lands below the Lake Michigan ordinary high water mark.

*Not applicable for this application as land below the ordinary high water mark are not part of the originally surveyed site and therefore are not included in the calculations for open space, parking, or individual parcels.*



- iii. Lands used for commercial purposes subject to the requirements of Section 6.8  
*Not applicable to this application as none of the property was zoned C-1, Commercial.*

**2. Maximum Number of Lots and Dwelling Units:** After the net acreage has been determined by the above procedure, the maximum number of lots and/or dwelling units that may be approved within a planned unit development shall be computed by subtracting from the net acreage a fixed percentage of said total for street right-of-way purposes, and dividing the remainder by the minimum lot area requirement of the zoning district in which the planned unit development is located.

a. The fixed percentage for street right-of-way purposes to be subtracted from the net acreage shall be fifteen (15) percent for the R-1A and R-1B residential districts, twenty (20) percent for the R-C district and thirty (30) percent for the multiple family development in the R-1D district. These percentages shall apply regardless of the amount of land actually required for street right-of-way.

*82.44 times 15% = 12.36 acres*

b. Under this procedure, individual lots may be reduced in area below the minimum lot size required by the zone district in which the planned unit development is located, PROVIDED that the total number of dwelling units and/or lots created within the development is not more than the maximum number that would be allowed if the project were developed under the minimum lot area requirements of the applicable zone district or districts in which it is located. Units may be disturbed without regard to district boundaries.

*The included site plan for the Peninsula Shores amendment request includes each existing lot and proposed modifications to lots 25-29, 41 and newly requested lot 42.*

3. **Permissive Building Envelope:** Building Envelopes shall be as shown on the Site Plan not included as open space.

*The site plan outlines each building envelope for each individual lot including the newly including lot 42.*

4. **Permissive Minimum Lot Area:** Minimum Lot Area shall be as determined by the Township Board and shown on the Site Plan.

*Each lot is identified on the site plan distinguishing the total square footage for lots 1-42. No requested adjustment results in a lot area less than existing lots.*

5. **Maximum Permissive Building Height:** 2.5 stories but not exceeding 35 feet. Accessory buildings shall not exceed a height of 15 feet. Provided that the height of agricultural buildings may be increased pursuant to Section 7.3.3 Permitted Exceptions, Agricultural Districts.

*Each lot is permitted individually and conforms with these provisions.*

6. Section 8.3.6 Open Space Requirements Option: The Township Board shall utilize one of the following four options for dedication of the provided open space.
7. Open Space Dedication for Private Use: A residential planned unit development with a minimum of 65% of the net acreage kept as open space and owned by the Home Owners Association or Condominium Association. That open space land shall be set aside as common land for the sole benefit, use and enjoyment of present and future lot or homeowners within the development.
- a. Such open space shall be conveyed by proper legal procedures from the project owner or owners to a homeowners association or other similar non-profit organization so that fee simple title shall be vested in project lot owners as tenants in common.
  - b. Documents providing for the maintenance of said land and any buildings thereon to assure that open space land remains open shall be provided to the Township Board for its approval.  
*Will be provided and submitted to county upon approval of the requested amendment.*
  - c. The access and characteristics of the open space land are such that it will be readily available and desirable for the use intended.  
*The requested amendment does not change the characteristics of the open space nor the availability to the HOA as desirable usable land.*

**No. 8 listed below does not apply to this request as this is a privately owned development with a HOA and no existing or proposed dedication of land for a park or recreational purposes has been proposed as part of the original development.**

8. Open Space Dedicated for Public Use: A Residential Planned Unit Development with a minimum of 10% of the net acreage dedicated to the Township. That open space land shall be dedicated to the Township for park or recreational purposes by the project owner or owners provided that the Township Board make the following determinations:
- a. The location and extent of said land is not in conflict with the Master Plan of Peninsula Township.
  - b. The Access to and the characteristics of the open space land is such that it will be readily available to and desirable for the use intended.

**NO. 9 listed below does not apply to this amendment request as the original parent parcels were not encumbered with any deed restrictions. The property has continued to maintain the originally designated zoning classification R-1A and R-1B.**

9. Open Space Dedicated for Deed Restricted Agricultural Land: A Planned Unit Development with a minimum of 65% of the net acreage as deed restricted agricultural land. That open

space shall be retained in agricultural use as specified on the site plan with the following conditions:

- a. The Land shall be used exclusively for farming purposes.
- b. A conservation easement shall be granted to Peninsula Township that restricts uses to those that are allowed on deed restricted agricultural land subject to conservation easements purchased by Peninsula Township pursuant to the Purchase of Development Rights Ordinance No. 23.
- c. A farmstead parcel consisting of a residence for the owner or operator of the farm along with any or all of the following outbuildings may be shown on the site plan if approved by the Township Board
  1. Barns existing or proposed for uses necessary for agricultural production.
  2. Outbuildings existing or proposed for storage of machinery and equipment used for agricultural production.

If a farmstead is shown on the site plan it shall be counted as one of the allowed dwelling units.

- d. The deed restricted agricultural land may be sold separately from the dwelling parcels.

**No.10 listed below does not apply to this amendment request as the Peninsula Shores existing SUP#123 is not encumbered with any deed restrictive land.**

10. Open Space Apportioned Between Private Use and Deed Restricted Agricultural Land: The Township Board may approve open space apportioned between Private Use and Deed Restricted Agricultural Land described in (1) and (3) above provided, that in addition to the provisions of (7) and (9) above, the Deed Restricted Agricultural Land portion:

- a. Shall be a minimum of five acres.
- b. Shall be viable farmland as determined by the Township Board.
- c. Irrespective of (9) above; no buildings shall be allowed.

11. Section 8.3.7 Maximum Percentage of Lot Area Covered by All Structures:

- a. The maximum percentage of lot area covered by all structures shall not exceed fifteen (15) percent of the net acreage.

*The maximum acreage area that is allowed to be built upon is 12.36 acres or 538,401 square feet which constitute fifteen (15) percent of the entire property within the SUP.*

- b. A building envelope within which structures may be located shall be shown on the site plan for all existing or future structures.

*A site plan has been included in this submittal*

- c. The maximum number of square feet to be covered by all structures for each building envelope shall be shown on the site plan or attached to it.

*Area calculations have been provided are included in the submittal of the application.*

12. Section 8.3.8 Affidavit: The applicant shall record an affidavit with the register of deeds

containing the legal description of the entire project, specifying the date of approval of the special use permit, and declaring that all future development of the planned unit development property has been authorized and required to be carried out in accordance with the approved special use permit unless an amendment thereto is duly adopted by the Township upon the request and/or approval of the applicant, or applicant's transferee and /or assigns.

*The required documentation for the approved amendment will be recorded upon approval & signatures of the authorized boards and agents of the township.*

**No. 13 (a through c) are not applicable to this development or the requested amendment as the property is surrounded by R-1A and R-1B residentially zoned districts and the setbacks from the adjacent property lines have already been established.**

**13. Section 7.7 Development Abutting Agricultural Lands: Section 7.7.1 Agricultural Setback:**

The following setbacks shall be required when a planned unit development, subdivision, condominium, mobile home park, or other group housing is developed; and on those metes and bounds parcels created after the effective date of this amendment, as provided below.

August 11, 2023

Peninsula Township  
Jenn Cram, Director of Planning & Zoning  
13235 Center Road  
Traverse City MI, 49686

**RE: Peninsula Shores, PUD #123  
Application for Amendment #4**

Dear Jenn,

On behalf of the O'Grady family, please find the following additional information and exhibits in response to your June 24<sup>th</sup> and August 9<sup>th</sup> emails:

**Open Space and Lot Coverage Calculation Update**

Amendment #4 is a request to add one additional residential lot (lot 42) within the Peninsula Shores PUD. The request maintains the 65% (54.26 acres) of preserved common open space within the development by balancing the 4,652 additional square feet of area required to create lot 42 with a reduction of 4,718 square feet within lots 25-29 along the high bluff line. The result is an even swap of open space with the benefit of pushing the existing building envelopes for lots 25-29 farther back off the bluff line.

The following supporting documents are attached:

- Document A an open space exhibit and lot coverage calculations for all 42 lots as proposed, as well as calculations from the previously approved PUD amendment #3 with 41 lots for comparison.
- Document B detailed exhibits showing the additional square footage of the area to be preserved (4,718sf) along bluff edge near lots 25-29.
- Document C a detailed exhibit showing the additional square footage required (4,652sf) west of the existing lot 41 to create a new lot 42.

**Soil Conditions and Suitability Update**

A USDA soils map indicating that most of the project site consists of sandy and gravelly soils suitable for residential lot development and road construction was provided as part of the original PUD submittal package. A wooded wetland pocket along Boursaw Road near the entrance, a steep bluff and 1,500 lineal feet of East Grand Traverse Bay water frontage were preserved and remain undisturbed.

In 2015, geotechnical engineers, Otwell Mawby provided an analysis of slope stability of the site.

Over the years, numerous additional soil borings have been dug in relation to Grand Traverse County Health Department permitting, Township Storm Water permitting, and State/Federal Community Sanitary permitting. None have identified any concerning soil conditions for construction.

The following supporting documents are attached:

- Document D Grand Traverse County Soils Map
- Document E Construction Plan Sheet C6.0 dated 6/24/20 showing soil boring locations and soil boring log data
- Document F Otwell Mawby Geotechnical, P.C. Slope Stability Reconnaissance report dated June 15, 2015

### **Well and Septic Update**

Lots 1-4 and 25-29 are serviced by individual on-site septic systems and private wells as permitted by the Grand Traverse County Health Department. Of these, lots 2-4 have obtained Land Use Permits and are in various stages of construction/completion.

Lots 5-24 and 30-41 are serviced by the community sewer system and private wells. Of these, lots 6, 8-10, 15-19, 22-23, and 30-38 and 40 have obtained Land Use Permits and are in various stages of construction/completion.

To facilitate this PUD amendment #4 request adding lot 42 to the residential development, existing lot 24 would be serviced by an individual on-site septic system so that lot 42 could be serviced by the community sewer system. The Grand Traverse County Health Department has provided preliminary approval of the location for a drain field. A new sanitary sewer easement south of lot 42 would accommodate the sewer lead connection from the new lot to the sewer main.

The following supporting documents are attached:

- Document G -Grand Traverse County Health Department preliminary approval for individual drain field on lot 24.
- Document H -Exhibit plan sheet, Peninsula Shores -PUD #123, Proposed PUD Amendment #4 Site Plan dated 8/10/23

### **Storm Water Update**

Peninsula Shores PUD was issued Storm Water permit number SR 2018-03 in May 2018 and most recently updated and reviewed by the Township engineer in August 2019. The permitted Storm Water infrastructure includes grading for drainage, storm sewer, conveyance systems, and storm water detention basins seamlessly engineered for the entire PUD.



Storm water runoff is managed in two detention basins including one large basin located at the center of the site and a smaller basin located at the end of Shoreline Court. The existing stormwater infrastructure was designed to accommodate all roadways, driveways, residential homes on the upper ridge (lots 1, 30-41), and the west facing roof pitches of lots located along the waterfront (lots 2-10) and the high bluff (lots 11-29). Storm water generated by east facing roof pitches along the waterfront and bluff is retained in individual basins located on each lot and is permitted through the Land Use Permitting process for each individual lot.

The development site has no defined drainage outlet feature, only overland flow and ground infiltration into existing sandy soils so there is no danger of stormwater having any off-site impact. Site stormwater calculations indicate that the engineered basin provides an excess of storage of 1,112 cubic feet.

Stormwater runoff generated by the new lot 42 would be directed towards the large storm water basin at the center of the development site. It is most likely that all storm water generated by the impervious surface of this new lot 42 will have naturally infiltrated back into the ground as it flows over land 300+ feet through natural common open space area before ever reaching the storm water basin.

The following supporting documents are attached:

- Document I -Site Storm Water Calculations: PUD, dated 1/16/2015
- Document J -Lot 42 Hypothetical Storm Water Calculations, dated 8/11/23

### **Traffic Update**

The addition of one residential lot within Peninsula Shores represents only a 2.44% increase in trip generation for the development.

The following supporting documents are attached:

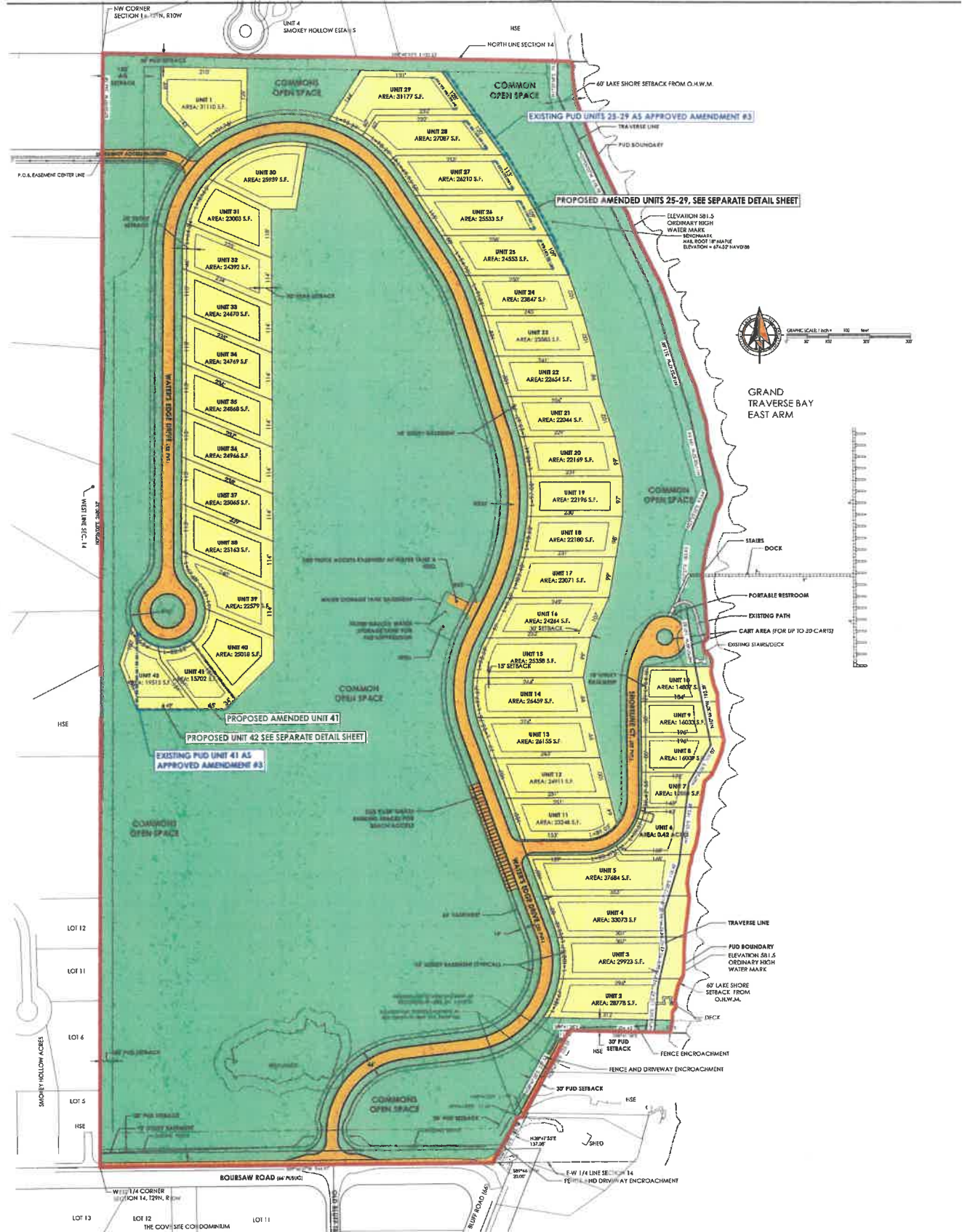
- Document K -Trip Generation Memo, dated 8/10/23

Please feel free to call me at (231) 946-9310 ext. 1003 should you have any questions or require additional information.

Sincerely,  
Mansfield Land Use Consultants

Doug Mansfield





PUD BOUNDARY

82.44 ACRES TOTAL GROSS (TO O.H.W.M.)

OPEN SPACE REQUIRED-MINIMUM 53.59 ACRES (65%)

NON-OPEN SPACE ALLOWED-MAXIMUM 28.85 ACRES (35%)

NON-OPEN SPACE PROVIDED

UNITS 23.21 ACRES

ROADS 4.98 ACRES

28.19 ACRES

NON-OPEN SPACE (34.19%) PROVIDED

OPEN SPACE PROVIDED

54.26 ACRES (65.81%)

NOTES:  
 PER THE PENINSULA TOWNSHIP ZONING ORDINANCE, SECTION 8.6.8 QUALIFYING CONDITIONS  
 (A) FOR THE PURPOSE OF THIS SECTION 8.6, OPEN SPACE DOES NOT INCLUDE BUILDING ENVELOPES, PARKING LOTS AND ROADS, (ROAD BED PLUS TWO (2) FOOT SHOULDER EACH SIDE.)

PRELIMINARY  
 14016  
 SHEET 1 OF 1

THE 81 DEVELOPMENT COMPANY, LLC  
 PENINSULA SHORES - PUD #123  
 PROPOSED PUD AMENDMENT #4 - OPEN SPACE PLAN  
 SECTION 14, T.29N., R.10W.  
 PENINSULA TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN

| REV | DATE     | BY  | CHK | DESC |
|-----|----------|-----|-----|------|
| 41  | 10-25-21 | PKC | MMW | PKC  |
| 42  | 10-25-21 | PKC | MMW | PKC  |
| 43  | 10-25-21 | PKC | MMW | PKC  |
| 44  | 10-25-21 | PKC | MMW | PKC  |
| 45  | 10-25-21 | PKC | MMW | PKC  |

**Mansfield**  
 Land Use Consultants

830 Cottageview Dr., Ste. 207  
 P.O. Box 4015  
 Traverse City, MI 49683  
 Phone: 231-946-8310  
 www.mansfield.com  
 info@mansfield.com







**Peninsula Shores**  
Traverse City, Michigan

**AMENDMENT #4**  
**Updated 7-11-23**

**Open Space (Section 8.3.3(6)):**

acres

|  |              |          |   |
|--|--------------|----------|---|
| Total project site net acres           | 82.44        |          |   |
| Residential Units                      | minus 23.21  |          |   |
| Parking Lot (waterfront access, grass) | minus 0.15   |          |   |
| Roads (roadbed +2' shoulder)           | minus 4.83   |          |   |
| <b>total remaining open space</b>      | <b>54.25</b> | <b>=</b> | <b>65.81% open space provided</b><br><b>65% open space required</b> |

**Lot Coverage by Structures (Section 8.3.7(1)):**

acres

|   |              |          |  |
|---|--------------|----------|--|
| Single Family Homes (area of building envelope) | 11.63        |          |  |
| <b>Total Lot Coverage</b>                       | <b>11.63</b> | <b>+</b> | <b>82.44 acres = 14% lot coverage</b><br><b>15% lot coverage allowed</b> |

*The calculation above proves that the standard would be met even if every building envelope were completely covered with structures. In reality, the size of homes within the building envelopes would likely range from 2,500sf to 6,000sf, resulting in an actual expected lot coverage by structures of 3%-7%.*

**Lot Coverage by Structures (Section 8.3.7.(3)):**

*see chart on next page*



**Lot Coverage by Structures (Section 8.3.7.(3)):**

| Maximum allowable lot area covered by structures |                       | Net acres in PUD 82.44  |
|--|-----------------------|---|
|  | Total lot size (S.F.) | Maximum allowable structure (S.F.)<br>(building envelope excluding easements) |
| UNIT 1   | 31,109.56             | 17,023.29   |
| UNIT 2   | 28,778.16             | 13,348.52   |
| UNIT 3   | 29,922.85             | 14,559.84   |
| UNIT 4   | 33,072.96             | 16,687.77   |
| UNIT 5   | 37,684.03             | 18,707.39   |
| UNIT 6   | 18,321.46             | 7,000.40  |
| UNIT 7   | 12,882.93             | 4,107.61  |
| UNIT 8   | 16,008.79             | 6,433.51  |
| UNIT 9   | 16,032.63             | 6,616.98  |
| UNIT 10  | 14,807.16             | 5,620.47  |
| UNIT 11  | 23,247.97             | 11,439.23   |
| UNIT 12  | 24,910.89             | 12,996.75   |
| UNIT 13  | 26,154.69             | 13,878.04   |
| UNIT 14  | 26,459.18             | 14,258.23   |
| UNIT 15  | 25,358.22             | 13,390.51   |
| UNIT 16  | 24,264.05             | 12,294.82   |
| UNIT 17  | 23,071.28             | 11,726.32   |
| UNIT 18  | 22,180.08             | 11,216.15   |
| UNIT 19  | 22,195.79             | 11,285.88   |
| UNIT 20  | 22,168.84             | 11,200.80   |
| UNIT 21  | 22,044.02             | 10,994.71   |
| UNIT 22  | 22,653.74             | 11,506.24   |
| UNIT 23  | 23,585.49             | 12,100.06   |
| UNIT 24  | 23,846.88             | 12,114.52   |
| UNIT 25  | 24,553.01             | 12,477.12   |
| UNIT 26  | 25,533.23             | 12,998.26   |
| UNIT 27  | 26,210.27             | 13,399.02   |
| UNIT 28  | 27,086.54             | 14,196.63   |
| UNIT 29  | 31,177.14             | 17,258.39   |
| UNIT 30  | 25,959.20             | 12,958.85   |
| UNIT 31  | 23,002.82             | 11,752.83   |
| UNIT 32  | 24,392.44             | 12,648.70   |
| UNIT 33  | 24,670.40             | 12,758.69   |
| UNIT 34  | 24,768.97             | 12,829.09   |
| UNIT 35  | 24,867.54             | 12,899.50   |
| UNIT 36  | 24,966.11             | 12,969.91   |
| UNIT 37  | 25,064.67             | 13,040.31   |
| UNIT 38  | 25,163.24             | 13,110.72   |
| UNIT 39  | 22,579.28             | 10,241.84   |
| UNIT 40  | 25,018.00             | 13,046.24   |
| UNIT 41  | 15,701.56             | 7,720.95  |
| UNIT 42  | 19,515.14             | 9,950.16  |
| Total S.F.                                       | 1,010,991.21          | 506,765.25  |
| Total Acres                                      | 23.21                 | 11.63   |
| % of net total site                              | 28%                   | 14%   |



### Section 8.3.7 Maximum Percentage of Lot Area Covered by All Structures:

- a. The maximum percent of lot area covered by all structures shall not exceed fifteen (15) percent of net acreage.

*The total area of all building envelopes within the development is 12 acres which equates to 14% of the total 82.4-acre site.*

*Needless to say, the entire building envelope of a residential unit/lot will not be entirely covered by structures, so the practical, overall percentage of lot coverage will be considerably less than 14%.*

- b. A Building Envelope within which structures may be located shall be shown on the site plan for all existing or future structures.

*Building envelopes are indicated for each individual unit on the site plan as the area within the building setbacks.*

- c. The maximum number of square feet to be covered by all structures for each building envelope shall be shown on the site plan or attached to it.

*The maximum number of square feet within each building envelope is indicated on the chart to the side.*

*The total area of all building envelopes within the development is 12 acres which equates to 14% of the total 82.4-acre site.*

#### Section 8.3.7

#### Maximum Percentage of Lot Area Covered by all Structures

| NUMBER             | UNIT SIZE           | BUILDING ENVELOPE |
|--------------------|---------------------|-------------------|
| UNIT 1             | 31,110 sf           | 17,023 sf         |
| UNIT 2             | 28,778 sf           | 13,349 sf         |
| UNIT 3             | 29,923 sf           | 14,560 sf         |
| UNIT 4             | 33,073 sf           | 16,688 sf         |
| UNIT 5             | 37,684 sf           | 18,707 sf         |
| UNIT 6             | 18,321 sf           | 7,000 sf          |
| UNIT 7             | 12,883 sf           | 4,108 sf          |
| UNIT 8             | 16,009 sf           | 6,434 sf          |
| UNIT 9             | 16,033 sf           | 6,617 sf          |
| UNIT 10            | 14,807 sf           | 5,620 sf          |
| UNIT 11            | 23,248 sf           | 11,439 sf         |
| UNIT 12            | 24,911 sf           | 12,997 sf         |
| UNIT 13            | 26,155 sf           | 13,878 sf         |
| UNIT 14            | 26,459 sf           | 14,258 sf         |
| UNIT 15            | 25,358 sf           | 13,391 sf         |
| UNIT 16            | 24,264 sf           | 12,295 sf         |
| UNIT 17            | 23,071 sf           | 11,726 sf         |
| UNIT 18            | 22,180 sf           | 11,216 sf         |
| UNIT 19            | 22,196 sf           | 11,286 sf         |
| UNIT 20            | 22,169 sf           | 11,201 sf         |
| UNIT 21            | 22,044 sf           | 10,995 sf         |
| UNIT 22            | 22,654 sf           | 11,506 sf         |
| UNIT 23            | 23,585 sf           | 12,100 sf         |
| UNIT 24            | 23,847 sf           | 12,115 sf         |
| UNIT 25            | 25,035 sf           | 12,782 sf         |
| UNIT 26            | 26,513 sf           | 13,678 sf         |
| UNIT 27            | 27,240 sf           | 14,124 sf         |
| UNIT 28            | 28,148 sf           | 14,928 sf         |
| UNIT 29            | 32,311 sf           | 18,070 sf         |
| UNIT 30            | 25,959 sf           | 12,959 sf         |
| UNIT 31            | 23,003 sf           | 11,753 sf         |
| UNIT 32            | 24,392 sf           | 12,649 sf         |
| UNIT 33            | 24,670 sf           | 12,759 sf         |
| UNIT 34            | 24,769 sf           | 12,829 sf         |
| UNIT 35            | 24,868 sf           | 12,900 sf         |
| UNIT 36            | 24,966 sf           | 12,970 sf         |
| UNIT 37            | 25,065 sf           | 13,040 sf         |
| UNIT 38            | 26,647 sf           | 13,881 sf         |
| UNIT 39            | 26,018 sf           | 12,618 sf         |
| UNIT 40            | 27,528 sf           | 14,689 sf         |
| UNIT 41            | 28,274 sf           | 15,136 sf         |
| <b>Unit Totals</b> | <b>1,016,167 sf</b> | <b>512,273 sf</b> |

23 acres

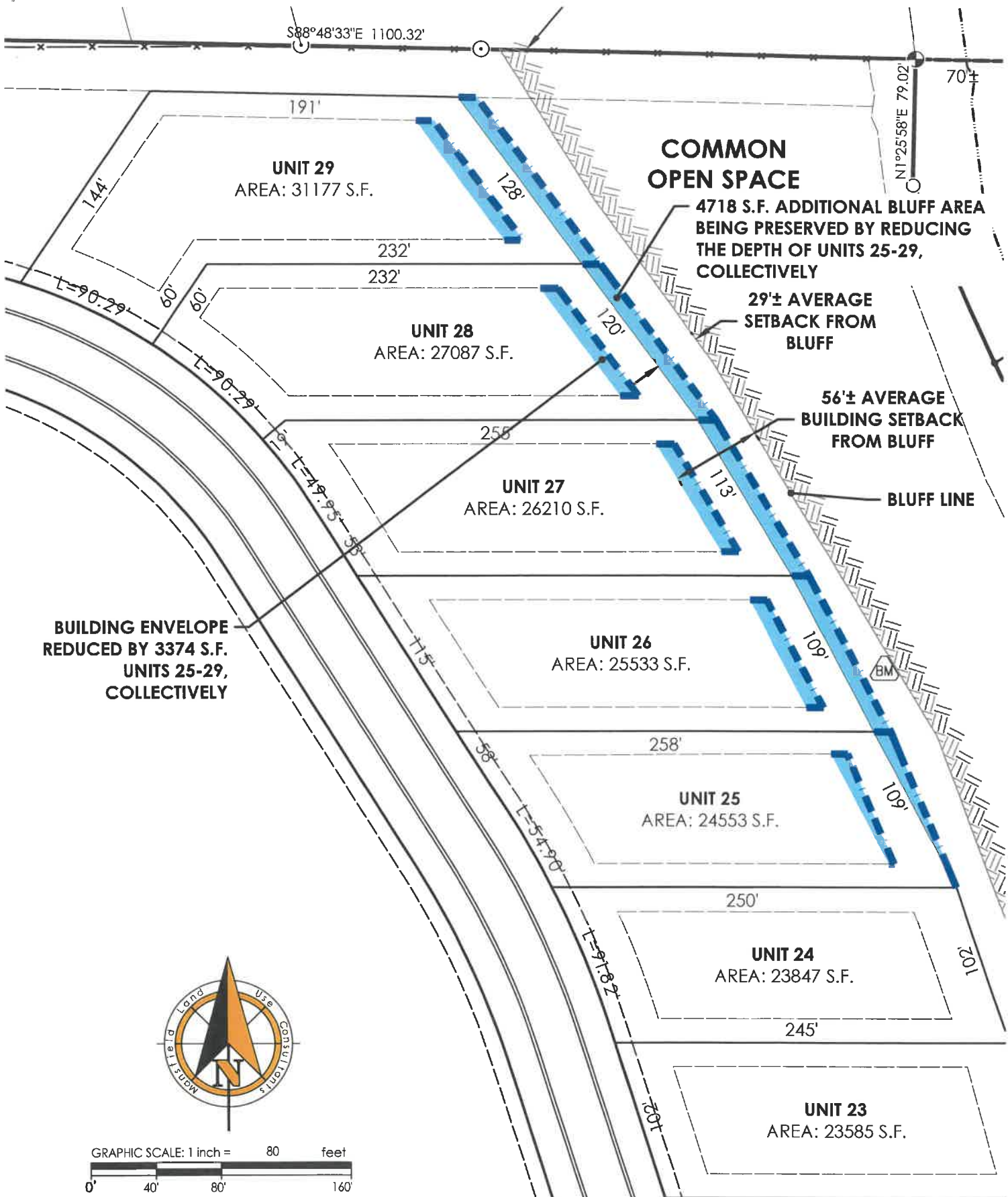
12 acres buildable area

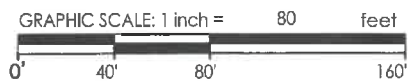
82 acres total project site

14% of the site is buildable area

but only a fraction of the buildable area  
will be covered in structures































Soil Map—Grand Traverse County, Michigan



## MAP LEGEND

|   |                        |   |                       |
|---|------------------------|---|-----------------------|
|    | Area of Interest (AOI) |  | Soil Area             |
|    | Area of Interest (AOI) |  | Stony Spot            |
|    | Soils                  |  | Very Stony Spot       |
|    | Soil Map Unit Polygons |  | Wet Spot              |
|    | Soil Map Unit Lines    |  | Other                 |
|    | Soil Map Unit Points   |  | Special Line Features |
|    | Special Point Features |  | Water Features        |
|    | Blowout                |  | Streams and Canals    |
|    | Borrow Pit             |  | Transportation        |
|    | Clay Spot              |  | Rails                 |
|    | Closed Depression      |  | Interstate Highways   |
|    | Gravel Pit             |  | US Routes             |
|    | Gravelly Spot          |  | Major Roads           |
|    | Landfill               |  | Local Roads           |
|    | Lava Flow              |  | Background            |
|    | Marsh or swamp         |  | Aerial Photography    |
|   | Mine or Quarry         |   |                       |
|  | Miscellaneous Water    |   |                       |
|  | Perennial Water        |   |                       |
|  | Rock Outcrop           |   |                       |
|  | Saline Spot            |   |                       |
|  | Sandy Spot             |   |                       |
|  | Severely Eroded Spot   |   |                       |
|  | Sinkhole               |   |                       |
|  | Slide or Slip          |   |                       |
|  | Sodic Spot             |   |                       |

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Grand Traverse County, Michigan  
Survey Area Data: Version 7, Dec 18, 2013

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Data not available.

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.



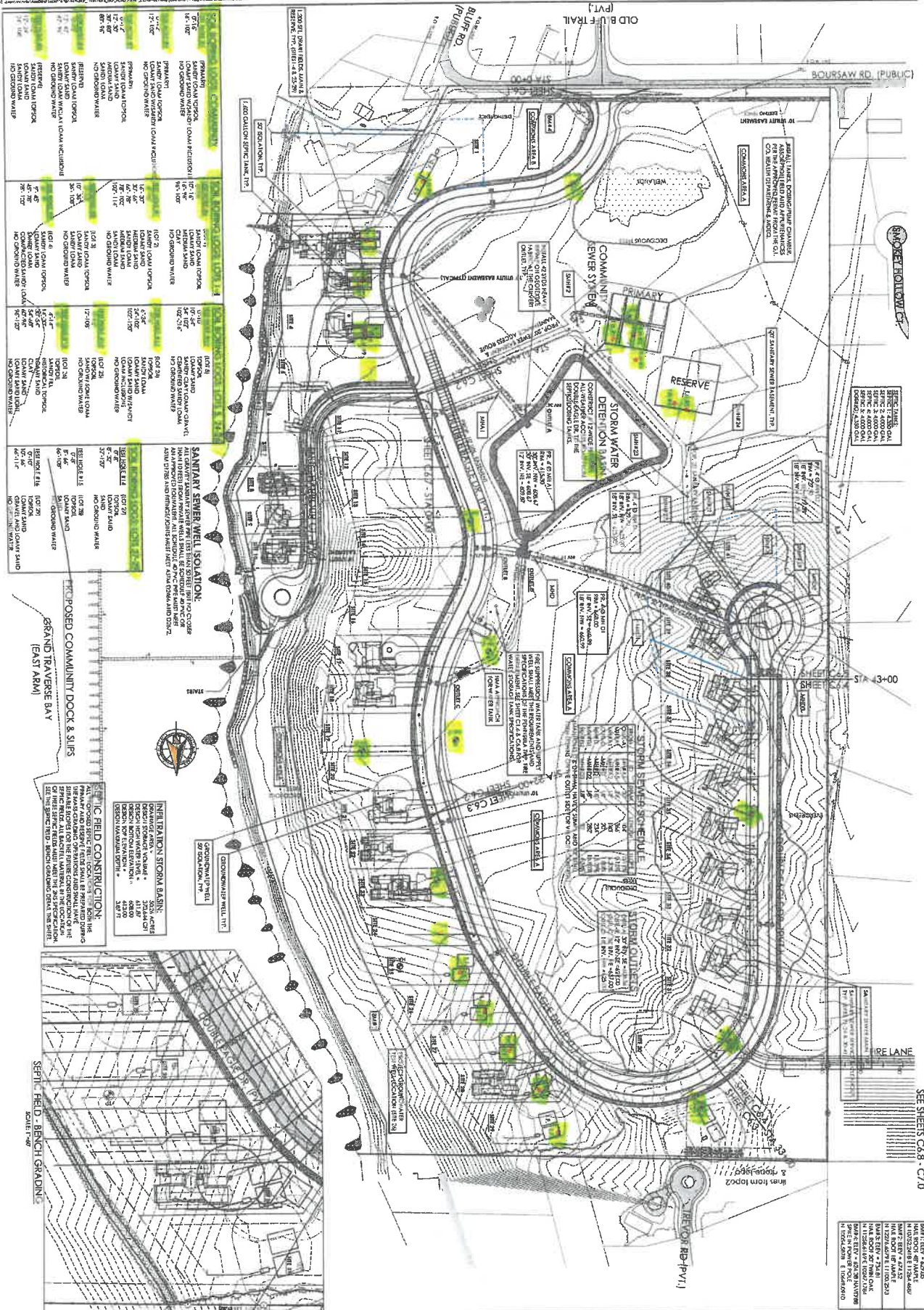
## Map Unit Legend

| Grand Traverse County, Michigan (MI055) |   |              |                |
|---|---|--------------|----------------|
| Map Unit Symbol                         | Map Unit Name   | Acres in AOI | Percent of AOI |
| EmA                                     | East Lake-Mancelona loamy sands, 0 to 2 percent slopes                    | 15.4         | 13.4%          |
| EmB                                     | East Lake-Mancelona loamy sands, 2 to 6 percent slopes                    | 1.1          | 1.0%           |
| EyB                                     | Emmet sandy loam, 2 to 6 percent slopes                                   | 1.4          | 1.2%           |
| KaE2                                    | Kalkaska loamy sand, 18 to 25 percent slopes, moderately eroded           | 0.9          | 0.8%           |
| LkB                                     | Leelanau-Kalkaska loamy sands, 2 to 6 percent slopes                      | 4.3          | 3.7%           |
| LkD2                                    | Leelanau-Kalkaska loamy sands, 12 to 18 percent slopes, moderately eroded | 8.0          | 7.0%           |
| LkE2                                    | Leelanau-Kalkaska loamy sands, 18 to 25 percent slopes, moderately eroded | 8.3          | 7.2%           |
| LkF                                     | Leelanau-Kalkaska loamy sands, 25 to 45 percent slopes                    | 17.1         | 14.8%          |
| LkF2                                    | Leelanau-Kalkaska loamy sands, 25 to 45 percent slopes, moderately eroded | 12.7         | 11.0%          |
| MaA                                     | Mancelona gravelly sandy loam, 0 to 2 percent slopes                      | 7.5          | 6.5%           |
| MaC                                     | Mancelona gravelly sandy loam, 6 to 12 percent slopes                     | 2.9          | 2.6%           |
| MaC2                                    | Mancelona gravelly sandy loam, 6 to 12 percent slopes, moderately eroded  | 9.2          | 8.0%           |
| Mk                                      | Adrian muck, 0 to 1 percent slopes  | 1.2          | 1.0%           |
| RcB                                     | Richter loams, 2 to 6 percent slopes, overwash                            | 9.6          | 8.3%           |
| <b>Subtotals for Soil Survey Area</b>   |   | <b>99.7</b>  | <b>86.4%</b>   |
| <b>Totals for Area of Interest</b>      |   | <b>115.5</b> | <b>100.0%</b>  |

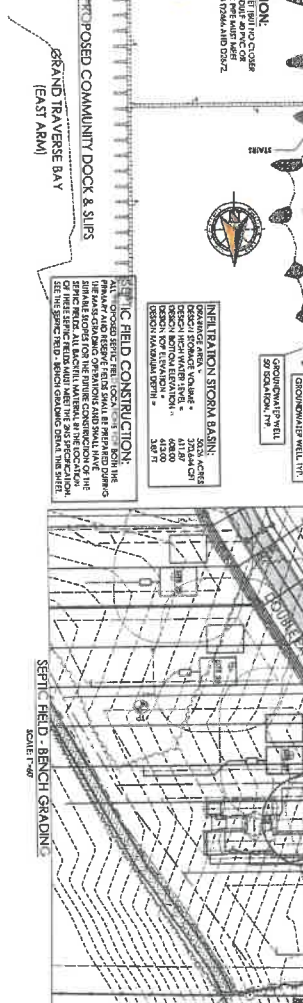
830 Conspire Dr., Ste. 301  
P.O. Box 4915  
Troy, MI 48068  
Phone: 313-446-3310  
www.mansfield.com  
info@mansfield.com

**Mansfield**  
Land Use Consultants

| NO. | DATE     | BY  | CHK. | DESCRIPTION            |
|-----|----------|-----|------|------------------------|
| 1   | 01-24-14 | JBL | PHK  | Final Development Plan |
| 2   | 02-03-14 | JBL | PHK  | Final Development Plan |
| 3   | 02-03-14 | JBL | PHK  | Final Development Plan |
| 4   | 02-03-14 | JBL | PHK  | Final Development Plan |
| 5   | 02-03-14 | JBL | PHK  | Final Development Plan |
| 6   | 02-03-14 | JBL | PHK  | Final Development Plan |
| 7   | 02-03-14 | JBL | PHK  | Final Development Plan |
| 8   | 02-03-14 | JBL | PHK  | Final Development Plan |
| 9   | 02-03-14 | JBL | PHK  | Final Development Plan |
| 10  | 02-03-14 | JBL | PHK  | Final Development Plan |



| SECTION | UTILITY    | NOTES   |
|---------|------------|---|
| 1       | WATER      | 1.1 WATER MAINS: 12" DIAMETER, 15' DEPTH, 10' COVER. 1.2 WATER MAINS: 12" DIAMETER, 15' DEPTH, 10' COVER. 1.3 WATER MAINS: 12" DIAMETER, 15' DEPTH, 10' COVER.                |
| 2       | SEWER      | 2.1 SEWER MAINS: 12" DIAMETER, 15' DEPTH, 10' COVER. 2.2 SEWER MAINS: 12" DIAMETER, 15' DEPTH, 10' COVER. 2.3 SEWER MAINS: 12" DIAMETER, 15' DEPTH, 10' COVER.                |
| 3       | STORMWATER | 3.1 STORMWATER MAINS: 12" DIAMETER, 15' DEPTH, 10' COVER. 3.2 STORMWATER MAINS: 12" DIAMETER, 15' DEPTH, 10' COVER. 3.3 STORMWATER MAINS: 12" DIAMETER, 15' DEPTH, 10' COVER. |
| 4       | GAS        | 4.1 GAS MAINS: 12" DIAMETER, 15' DEPTH, 10' COVER. 4.2 GAS MAINS: 12" DIAMETER, 15' DEPTH, 10' COVER. 4.3 GAS MAINS: 12" DIAMETER, 15' DEPTH, 10' COVER.                      |
| 5       | ELECTRIC   | 5.1 ELECTRIC MAINS: 12" DIAMETER, 15' DEPTH, 10' COVER. 5.2 ELECTRIC MAINS: 12" DIAMETER, 15' DEPTH, 10' COVER. 5.3 ELECTRIC MAINS: 12" DIAMETER, 15' DEPTH, 10' COVER.       |



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The 81 Development Company, LLC  
Peninsula Shores - PUD  
OVERALL UTILITY PLAN  
Section 14, Town 29 North, Range 10 West  
Peninsula Twp., Grand Traverse County, Michigan

| SECTION | UTILITY    | NOTES   |
|---------|------------|---|
| 1       | WATER      | 1.1 WATER MAINS: 12" DIAMETER, 15' DEPTH, 10' COVER. 1.2 WATER MAINS: 12" DIAMETER, 15' DEPTH, 10' COVER. 1.3 WATER MAINS: 12" DIAMETER, 15' DEPTH, 10' COVER.                |
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**Otwell Mawby, Geotechnical, P.C.**  
Consulting Engineers

June 15, 2015

Mr. Doug Mansfield  
Mansfield Land Use Consultant  
P.O. Box 4015  
Traverse City, Michigan 49685

EMAIL: [doug@maaeps.com](mailto:doug@maaeps.com)

**RE: THE 81 ON EAST BAY  
SLOPE STABILITY RECONNAISSANCE, G 15-118**

Dear Doug:

In response to your request, Otwell Mawby, Geotechnical, P.C. has completed a geotechnical reconnaissance for the proposed 81 on East Bay development. The objective of the geotechnical reconnaissance has been to explore the concerns for slope stability related to relatively steep slopes located within the development near the current and former shorelines of East Bay. Included herein is a description of our project understanding, site observations, and discussion.

**Project Understanding**

We have been provided the following information for our project understanding:

- Preliminary Open Space Plan, dated April 27, 2015, indicating proposed lot locations, drives, and setbacks.
- Preliminary Overall Grading Plan, dated April 27, 2015, indicating proposed lot locations with existing and proposed ground surface contours.
- Water Well Log dated March 5, 2015.

The 81 on East Bay is proposed to include a total of 41 lots within a PUD. The majority of the development will be provided as open space (65.63 percent). The site includes an upland area with rolling to hilly topography terminating at a bluff leading down to the shoreline. The bluff has a relatively level terrace for most of the length of the property approximately 20 ft above the lake level. The bluff is relatively steep from the terrace down to the beach level. The bluff is also steep extending up from the terrace to the upland level. The upper bluff is higher, extending up to approximately 90 ft above the terrace. The upper bluff is also relatively steep, on the order



of 35 to 40 degrees based on the provided topographic information. A ridge is present along portions of the bluff.

Building lots will be located primarily near the upper bluff (approximately Sites 11 through 29), along a lower area of the bluff and the terrace (Sites 1 through 10), and in the upland area (Site 30 through 41). Significant earthwork is planned to achieve the proposed grades including up to approximately 30 ft of cut along the ridgeline of the upper bluff. The ridge will generally be leveled to achieve desired views and individual site topography. Balancing the cut will require placement of fill generally grading up and away from portions of the bluff at a relatively shallow slope. The maximum proposed fill depth is on the order of 5 ft within 50 ft of the bluff. Approximately 15 to 20 ft of fill is also proposed to establish grades for the access drive down to the waterfront.

### **Site Reconnaissance**

Melzar L. Coulter, P.E. completed a site reconnaissance on June 7, 2015 that included a site walk of the beach, lower terrace, bluff ridge, and upland. The water front generally consisted of a narrow, sand beach protected by rock jetties. The jetties were located on approximate 75 to 100 ft spacing along the shoreline and were constructed of cobble and boulder (likely native). The south half of the development's shoreline was protected with imported, quarried stone and boulders. The stone was overgrown though an erosion control blanket was occasionally evident behind the material. The bank was relatively steep up to the lower terrace with signs of surface instability including leaning or down trees, curvilinear growth, undermined roots or sod, etc. The frequency of downed trees was higher to the north where the shoreline was not protected with imported stone and it was frequently difficult to walk along the shoreline. Where exposed in several locations on the bank, the soil varied from clay to sand. Two existing stairways were present leading down to the waterfront and both were abandoned and in disrepair. A ramp had been cut into the slope and protected with additional stone near the northernmost stairway. Figure No. 1 below shows the typical condition of the waterfront area where the toe of the slope is protected.



**Figure No. 1 – Waterfront, Toe of Slope Protected with Imported Stone**

The terrace between the upper bluff and the slope to the lake was typically wooded with mature deciduous trees, hemlock, etc. A two-track drive was present from the beach ramp extending south along the terrace. The ground surface of the terrace was relatively level, sloping up dramatically at the toe of the upper bluff. The upper bluff was also wooded with mature deciduous trees. The bluff was steep with a relatively uniform grade, culminating in a ridge with a well-defined crest. The ground surface also sloped down to the west but at a gentler grade. Sand and gravel was present at the ground surface of the ridge. The ridge is shown in Figure No. 2 below.



**Figure No. 2 – Ridgeline, Looking North**

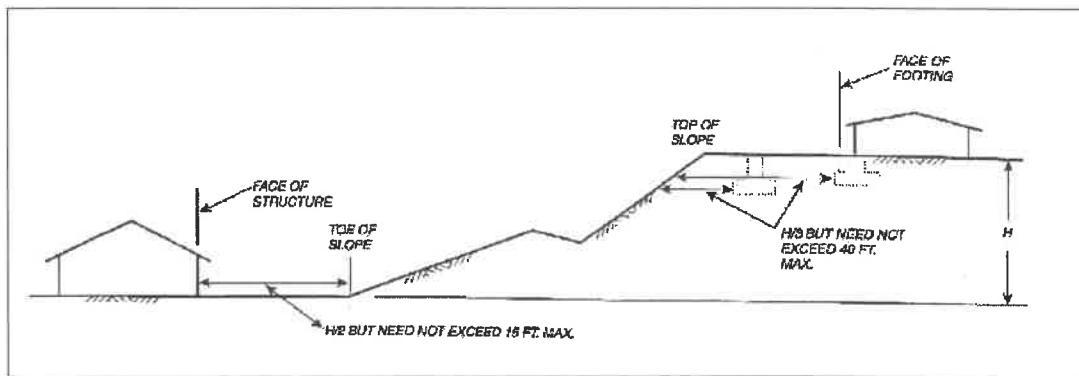
The ridge became less prominent to the north where the terrain became more rolling. Trees were frequently leaning, exhibiting curvilinear growth, or exhibited undermined root systems at the edge of the bluff. The rolling terrain extended south through the upland portion of the property with additional hilly areas present in the northwest quadrant of the development. The areas of rolling terrain were generally grass covered with occasional mature trees. Aspen was present at the margins of the wooded areas.

### **Discussion**

The prominent terrace and uniform, steep slope are characteristic of wave-cut bluffs formed by erosion due to current or former lake levels. The Map of Quaternary Geology of Southern Michigan indicates that the upland areas of the site are characterized as coarse textured glacial till, consisting of non-sorted glacial debris dominated by sandy clay loam, sandy loam, or loamy sand texture; however, clay deposits were present in exposed areas of the bluff and were also encountered in the water well. The Map also indicates a former shoreline corresponding with the lower terrace level, possibly of Glacial Lakes Algonquin or Nipissing.

As the toe of the bluff was eroded by lake action, slope failures occurred followed by subsequent erosion to establish the existing topography. In consideration of this geology and observations of the slope and vegetation, the existing slope is considered to have a slope stability factor of safety near 1.0 and is marginally stable. The relatively steep slope (approximately 35 to 40 degrees) indicates that the soil has relatively good strength properties (angle of internal friction, cohesion). Failure surfaces that extend from the toe to points farther behind the crest will have increasing slope stability factors of safety.

The proposed units above the upper bluff (Units 11 through 29) will have a minimum 30 ft “backyard” setback from the lot line adjacent to the bluff. Additionally, the lot lines are located 10 ft or more behind the crest, effectively adding to the distance from the crest to the dwelling. The Michigan Residential Code addresses setbacks from descending slopes (R403.1.7.2). The descending slope setback requirement is that the face of the footing be a minimum of 1/3 of the slope height behind the slope at the corresponding elevation (Figure No. 3 below); however, the distance need not exceed 40 ft ( $H/3$  but need not exceed 40 ft max). In consideration of the observed conditions and the building code, we expect that these lots will be buildable in accordance with building code and accepted engineering practice. Including the “backyard” setback and the distance from the lot lines to the crest, the effective setback is expected to be 40 ft or more – equal to or greater than required by code. Grade changes above the upper bluff will primarily consist of cut, and removal of the soil weight will increase slope stability. Where fill is planned, the fill depth is expected to increase gradually from the existing crest and is not expected to substantially affect the slope stability as far back as the residences. Due to the current marginal stability, shallow (surficial) slope failures and erosion should be expected to continue.



**Figure No. 3 – Building Code Requirements for Slopes**

Units 2 through 15 will be located on the terrace above the lower ridge and setback requirements for ascending and descending slopes will apply. Alternate setback requirements are permitted subject to the approval of the Building Official. A further consideration for units sited above the lower bluff is that additional erosion may occur as the lake level rises. The shoreline in front of these units is protected with imported stone; however, the shoreline should be monitored and additional protection may be needed in the future. Units 6 and 7, with dwellings likely to be constructed at the terrace level, will include significant fill placement to allow for construction of the drive. The fill slope is expected to be shallower than 1 unit vertical for 3 units horizontal and therefore the setback for descending slopes ( $H/2$  but need not exceed 15 ft max, shown in Figure No. 3) will not apply.

### **Closure**

This reconnaissance and review has been performed to provide general comments regarding slope stability for the proposed development. Setback beyond the code requirement will achieve a higher factor of safety for individual units. This document is not a geotechnical report and there will be earth related considerations that will be unique to each site, such as requirements for placement of engineered fill beneath structures. It is recommended that prospective purchasers of each unit review geotechnical conditions with respect to the proposed construction.

Very truly yours,

**OTWELL MAWBY GEOTECHNICAL, P.C.**

*Melzar L. Coulter*

Melzar L. Coulter, P.E.  
Senior Geotechnical Engineer

*Roger L. Mawby*

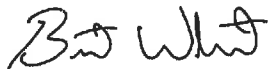
Roger L. Mawby, P.E.  
President



August 11, 2023

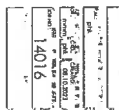
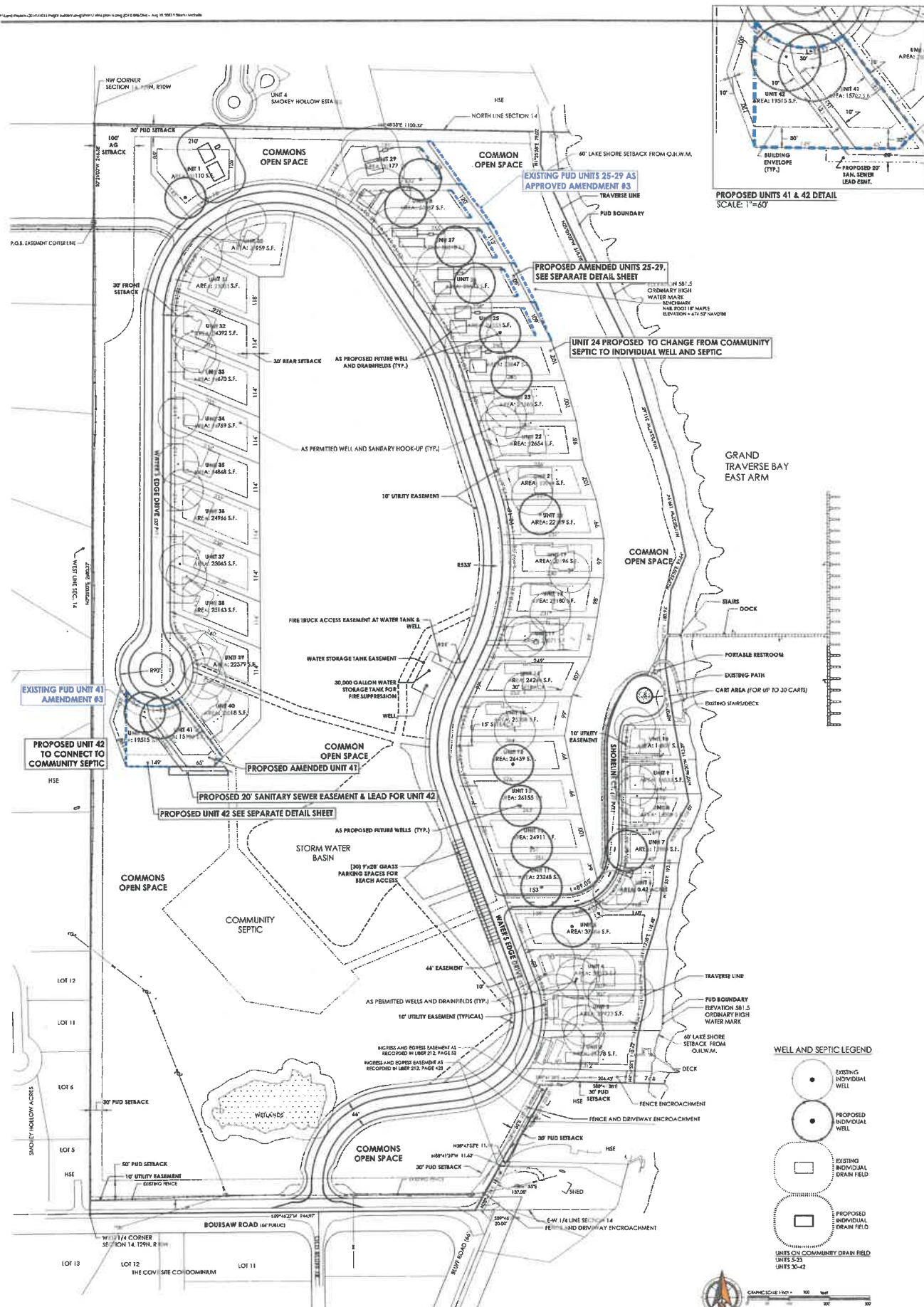
Re: Suitability of On-Site Wastewater Disposal System, Lot 24, Peninsula Shores Condo Development

On August 1<sup>st</sup>, 2023, the Grand Traverse County Environmental Health Department met O'Grady Development Co. at Lot 24 in Peninsula Shores Site Condo Development to assess Lot 24's suitability for an on-site wastewater disposal system. Currently, this parcel is approved as part of the community septic system. O'Grady Development Co. is requesting that this parcel be approved for an on-site septic system instead of hooking to the community septic system. A perk test was completed on August 1<sup>st</sup>, 90 ft east of Waters Edge Dr centerline and 70 ft north of the southern lot line. Soil conditions were found to be 12 inches of topsoil followed by 60 inches of loamy sand. The soils were found to be suitable for on-site wastewater disposal. The well on Lot 23 is located on the southeast portion of the property, and thus, the septic system on Lot 24 will be required to be on the western portion of the lot with the well on the eastern portion of the lot in order to meet the 50 ft minimum isolation distance between the septic system and the well. Lot 24 is approved by Grand Traverse County Environmental Health Department for on-site wastewater disposal.



Brent Wheat

Environmental Health Director



The 81 Development Company, LLC  
Peninsula Shores - PUD  
PROPOSED PUD AMENDMENT #4 - SITE PLAN  
Section 14, Town 29 North, Range 10 West  
Peninsula Township, Grand Traverse County, Michigan

| REV | DATE       | BY  | CHK | DESCRIPTION              |
|-----|------------|-----|-----|--------------------------|
| 1   | 08-10-2014 | gph | gph | Submitted - Amendment #4 |

**Mansfield**  
Land Use Consultants

830 Cottageview Dr., Ste. 201  
P.O. Box 4015  
Traverse City, MI 49685  
Phone: 231-946-9110  
www.mansfield.com  
info@mansfield.com

# Mansfield

Land Use Consultants

## Site Storm Water Calculations: PUD

Project: The 81 on East Bay  
 Project No.: 14016  
 Location: Peninsula Township, Grand Traverse County  
 Client: Insight Building Company

Rational =  $Q = C i A$

Intensity =  $i$  = 2-yr, 24-hour duration = 2.09 in (Bulletin 71)

Intensity  $i$  = 0.087 in/hr

Coefficient =  $C$  = weighted  $C$  (Per Table 2: Runoff Coefficients)

Area =  $A$  = varies per drainage area (ac.) (Based on Grading, Storm and Drainage Plans)

Unit Conversion = 86,400

Soils Type = Predominant USDA Soils: Em (Emmet loamy sands), Lk (Leelanau-Kalkaska loamy sands) & Ma (Mancelona gravelly sandy loam)

### Project Area Prior to Development

|                |             |    |           |
|----------------|-------------|----|-----------|
| Area (Total) = | 3511807 sft | OR | 80.62 ac. |
|----------------|-------------|----|-----------|

| PREDEVELOPMENT CONDITIONS |                     |      |       |           |            |           |
|---------------------------|---------------------|------|-------|-----------|------------|-----------|
| NO.                       | Area Type           | C    | i     | A (ac.)   | conversion | Q (cft)   |
| 1                         | Pavement            | 0.98 | 0.087 | 0.00 ac.  | 86,400     | 0 cft     |
| 2                         | Brick               | 0.85 | 0.087 | 0.00 ac.  | 86,400     | 0 cft     |
| 3                         | Roof                | 0.95 | 0.087 | 0.00 ac.  | 86,400     | 0 cft     |
| 4                         | Lawns, Sandy, Avg.  | 0.15 | 0.087 | 17.04 ac. | 86,400     | 19231 cft |
| 5                         | Lawns, Sandy, Steep | 0.20 | 0.087 | 35.68 ac. | 86,400     | 53691 cft |
| On-Site Total =           |                     |      |       | 52.72 ac. | Total Q =  | 72923 cft |

### SPECIAL NOTES:

The site soils range from somewhat poorly drained to somewhat excessively drained sands with permeability rates from 0.57 to 19.98 in/hour. The location for stormwater collection is within the EmA soil type with permeability rates of 5.95 to 19.98 in/hr and a depth to water table  $\geq 80$  inches. There are no areas of drainage concern on the site in the area of the proposed storm water basin. The existing property has no defined drainage outlet feature, only overland flow and ground infiltration into existing sandy soils and also a small wetland area contained on-site within the commons area. A portion of the site drains off-site due to the steep terrain along a large portion of the site perimeter. There is a large ridge line and steep terrain relief down to East Bay.

## Site Storm Water Calculations: PUD

Project & No.: **The 81 on East Bay**

Project No.: **14016**

Location: **Peninsula Township, Grand Traverse County**

Client: **Insight Building Company**

Rational =  $Q = C i A$

Intensity =  $i =$  100-yr, 24-hour duration =

**5.08 in** (Bulletin 71)

Intensity  $i =$  **0.212 in/hr**

Coefficient =  $C =$  weighted  $C$  (Per Table 2: Runoff Coefficients)

Area =  $A =$  varies per drainage area (ac.) (Based on Grading, Storm and Drainage Plans)

Unit Conversion = 86,400

Soils Type = **Predominant USDA Soils: Em (Emmet loamy sands), Lk (Leelanau-Kalkaska loamy sands) & Ma (Mancelona gravelly sandy loam)**

Infiltration Rate = **5.95 in/hr** (1.00"/12") ft x 24-hr x  $A$  (sft) = cft

| POSTDEVELOPMENT CONDITIONS: 100-yr, 24-hour duration |                     |      |       |           |            |            |
|--|---------------------|------|-------|-----------|------------|------------|
| NO.  | Area Type           | C    | i     | A (ac.)   | conversion | Q (cft)    |
| 1  | Pavement            | 0.98 | 0.212 | 4.06 ac.  | 86,400     | 72764 cft  |
| 2  | Brick               | 0.85 | 0.212 | 0.00 ac.  | 86,400     | 0 cft      |
| 3  | Roof                | 0.95 | 0.212 | 2.26 ac.  | 86,400     | 39264 cft  |
| 4  | Lawns, Sandy, Avg.  | 0.15 | 0.212 | 16.03 ac. | 86,400     | 43973 cft  |
| 5  | Lawns, Sandy, Steep | 0.20 | 0.212 | 34.06 ac. | 86,400     | 124578 cft |
| On-Site Total =                                      |                     |      |       | 56.41 ac. | Total Q =  | 280580 cft |

Required 2x 100-yr Post Development Total Q = **561160 cft**

### SPECIAL NOTES:

The site soils range from somewhat poorly drained to somewhat excessively drained sands with permeability rates from 0.57 to 19.98 in/hour. The location for stormwater collection is within the EmA soil type with permeability rates of 5.95 to 19.98 in/hr and a depth to water table  $\geq$  80 inches. There are no areas of drainage concern on the site in the area of the proposed storm water basin. The existing property has no defined drainage outlet feature, only overland flow and ground infiltration into existing sandy soils and also a small wetland area contained on-site within the commons area. A portion of the site drains off-site due to the steep terrain along a large portion of the site perimeter. There is a large ridge line and steep terrain relief down to East Bay.

Pre Development Q = **72923 cft**

Required Storage = **488237 cft**

Provided Storage = **489349 cft**

Excess Storage = **1112 cft**

## Peninsula Shores PUD Amendment #4

8/11/23

### Storm Water Update for an additional lot #42

The development site has no defined drainage outlet feature, only overland flow and ground infiltration into existing sandy soils exist at the large basin, so there is no danger of stormwater having any off-site impact.

Stormwater runoff generated by the new lot 42 would be directed towards the large storm water basin at the center of the development site. The basin is sized to accommodate full build-out of the 41-unit PUD with an excess storage capacity of 1,112 cubic feet. However, it is most likely that all storm water generated by the impervious surface of this new lot 42 will have infiltrated back into the ground as it flows 300+ feet over land through the naturally vegetated common open space area before ever reaching the storm water basin.

8/10/2023

### Storm Water Run-Off Calculations for Unit 42 (hypothetical based on unit 39 volumes)

Rainfall Intensity for (2x) 100-yr/24-hour events = 10.16 in/48hrs = 0.21 in/hr

Volume = CiA = 0.98 x 0.21in/hr x \_\_\_ acres x 86,400 conversion factor

Soil Type: Loamy sand and sandy loam

Infiltration Volume Reduction: 1" per hour over the wetted area of containment.

Infiltration= (1"/12") ft x 24 hours x area sft = cft

#### Roof

3,592sf of roof, patio, deck, sidewalk

300ft long x 2ft wide overland flow to large basin

hard surface

infiltration

| C    | i    | A      | 86400 | Q (cft) |
|------|------|--------|-------|---------|
| 0.98 | 0.21 | 0.0820 | 86400 | 1458    |
|      |      | 600    |       | 1200    |
|      |      |        |       | 258     |

+

- infiltration volume

<-- volume required

#### Driveway

1,515sf of driveway

300ft long x 2ft wide overland flow to large basin

hard surface

infiltration

| C    | i    | A      | 86400 | Q (cft) |
|------|------|--------|-------|---------|
| 0.98 | 0.21 | 0.0348 | 86400 | 619     |
|      |      | 600    |       | 1200    |
|      |      |        |       | -581    |

+

- infiltration volume

<-- volume required

Total cf volume Lot 42 = -323

#### NOTE:

Storm water from the upper ridge lots flows to the east and then south, over land through the grassy meadow open space towards the large/main storm water basin as engineered and permitted as part of the overall PUD. Although the basin is sized to accommodate full building-out of the PUD, it is most likely that all storm water generated by the impervious surface on these lots will have naturally infiltrated back into the ground before ever reaching the storm water basin.



August 10, 2023

Peninsula Twp.  
Jennifer Cram, Director of Planning & Zoning  
13235 Center Road  
Traverse City, Michigan 49686

RE: Peninsula Shores PUD Amendment #4  
Traffic Generation

Dear Jennifer

The following is in response to your request for *"a narrative on existing traffic generated from the development and the estimated increase in traffic for adding Lot #42."*

The existing PUD includes 41 lots and is not currently fully developed. The amendment proposes to add 1 lot for a total of 42 lots, once fully developed.

Excluding construction traffic, the typical residential household, on average, generates just over 10 trips per day. Variances to that average exist; with variables such as occupancy, age, proximity to commercial and retail areas, distance from work, time of year, seasonal occupancy, weather, etc. The location of Peninsula Shores, with respect to work location, restaurants, grocery stores, distance from town, etc. is somewhat lengthy. The existence of lengthy trips tends to reduce the number of trips made per day per household. Therefore, it is assumed that on average the trips from Peninsula Shores would likely be at or below the national average, and not above.

Assuming the average, the proposed Lot #42 would generate approximately 10 additional trips per day for Peninsula Shores. That represents only a 2.44% increase in trip generation.

The original PUD "The 81" was also approved by the Twp. as a platted subdivision. A total of 55 lots were proposed within the preliminary plat. By comparison, the 55 lot subdivision, on average, would have produced ~31% more traffic (130 additional trips per day) than the proposed, amended Peninsula Shores PUD with 42 lots.

There is simply no practical reason for concern from the approximate 10 additional trips generated from the proposed Lot #42. Its impact would be no more and no less than any house proposed to be constructed on the Old Mission Peninsula between the lighthouse and the mainland.

If you have any questions, please feel free to call me at (231) 946-9310 ext. 1007.

Sincerely,  
Mansfield Land Use Consultants

A handwritten signature in blue ink that reads "Jim Hirschenberger". The signature is fluid and cursive, with the first name "Jim" being more prominent.

Jim Hirschenberger, P.E., Project Engineer

830 Cottageview Drive -Suite 201  
P.O. Box 4015 Traverse City, MI 49685

p 231.946.9310  
f 231.946.8926

## Exhibit 2



## Jennifer Cram

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**From:** Fred Gilstorff  
**Sent:** Thursday, September 28, 2023 4:12 PM  
**To:** Jennifer Cram  
**Subject:** Re: Peninsula Shores SUP #123 Amendment #4

Jen,  
In response for the purposed amendment for the 81 project of adding another home site, the fire department does not see any issue from a code standpoint. We would recommend and it was in the initial site review when the project started, that the project owner and manager assure that the access roads and emergency access road be maintained at all times to allow proper fire department access. Of primary concern is the emergency access road during snow season. This road must be maintained clear of snow and in good working order for emergency vehicle use. According to department records and site visits, the project has complied with all other fire code requirements.

Any more questions on this topic, please feel free to contact me. Thank you.

Fire Chief Fred Gilstorff

Peninsula Township Fire Department

14247 Center Rd.

Traverse City, Michigan 49686

231-223-4443

Cell: 231-463-0330

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**From:** Jennifer Cram <planner@peninsulatownship.com>  
**Sent:** Thursday, September 14, 2023 6:28 AM  
**To:** Fred Gilstorff <fire@peninsulatownship.com>  
**Subject:** RE: Peninsula Shores SUP #123 Amendment #4

Fred, you are correct, we have looked at the site plan together and you noted that you did not have any major concerns with adding one lot. I would like an email from you noting that the requested amendment meets fire code and any conditions of approval that you might have for the record and thought you would like to have the complete submittal for review and response.

Hope you enjoy your time down state and I look forward to getting your comments next week. 😊

**Jenn Cram**

*Peninsula Township Director of Planning and Zoning*

*13235 Center Road*

*Traverse City MI 49686*



Engineering  
Surveying  
Testing &  
Operations

123 West Front Street  
Traverse City, Michigan 49684  
231 946 5874 📞  
231 946 3703 📠

October 6, 2023

Isaiah Wunsch, Supervisor  
Peninsula Township  
13235 Center Road  
Traverse City, MI 49686  
231-223-7322  
supervisor@peninsulatownship.com

RE: Peninsula Shores, PUD #123 –Application for Amendment #2  
Review of Revision: Relocate Unit 1 and minor dimensional changes

Dear Isaia,

We have reviewed the supporting documents for the Peninsula Shores – PUD #123 Application for Amendment #4, dated 7/11/23 as completed by Mansfield Land Use Consultants. These include updated SUP Application, SUP Development Checklist, Proposed PUD Amendment Open Space Plan, and stormwater calculations. Our review which consisted of reviewing the modifications for their impacts to utilities, stormwater management, and the general compliance with the special Use permit and zoning ordinance criteria.

According to Mansfield the modifications to the plan include the following dimensional shifts of the site plan layout:

- Lot line adjustments to Units 25-29, and 41
- Adding unit 42 by dividing and slight expansion of amendment 3 unit 41.

A summary of our review is contained below:

#### Utility Review

Per the submitted application, 8.1.2.9c comments on the proposed amendments effect on the existing facilities. Lot 42 will be connected to the community septic system with existing Lot 24 being removed from the system – a one to one switch. Lot 24 will have on-site septic subject to GTCHD permitting. This is acceptable.

#### Storm Water Review

According to the revised plans, no revisions to the storm water control design were required. There is a change in impervious surface with the addition of lot 42 and the typical impervious areas. Lot 42 is within the catchment of the stormwater management area. The submittal demonstrates excess storage was previously installed and supplemental infiltration associated with the long flow path to the basin is suitable to account for the new runoff from lot 42. Therefore, the previously proposed storm water provisions can area sufficient for the existing site and the proposed amendment.



#### Private Road Review

According to the description of the modifications the revisions do not change the private road system.

#### Overall Ordinance Compliance Review

According to revised plans, a comparison to the original approved PUD Open Space Calculations along with confirmation of values was performed by GFA with the following results provided:

|   | Open Space         | Non-Open Space     |
|---|--------------------|--------------------|
| Approved P.U.D. Amendment 1                   | 65.65% (54.05 AC.) | 34.35% (28.28 AC.) |
| Proposed (Unit Shift and Dimensional changes) | 65.81% (54.25 AC.) | 34.19% (28.19 AC.) |

The provided information shows the addition of Unit 42 causes no change in the calculated constraints to number of units. Unit 42 and the revision to Unit 41 appears to meet the dimensional requirements of the Township and the P.U.D. Project. The application indicates that legal documents reflecting open space will be updated pending approval.

Assuming no other changes have been made to the project plans as previously reviewed, our recommendation for engineering plan approval remains in place in accordance with our previous review letters and the Township SUP Conditions dated August 6, 2019. The following general items are noted:

1. The same approved Findings of Fact and SUP conditions apply including but not limited site-specific Storm Water Reviews for each lot.
2. Applicable revisions to the Master Deed to reflect the site changes are to be completed and a new document shall be signed and recorded with the Register of Deeds. A copy of this document shall be provided to the Township for their files.
3. An updated drawing shall be provided to account the water front strip known as Parcel "A" as it is our understanding this parcel is to be removed from the PUD and purchased by and adjacent property owner.

Please do not hesitate to contact me with any questions regarding this review.

Respectfully Submitted,  
GOURDIE-FRASER

Jennifer Graham (Hodges), PE  
Sr. Project Manager

cc: Dough Mansfield, Mansfield Land Use Consultants  
Kyle O'Grady - The 81 Development Company

## **Exhibit 3**

## Jennifer Cram

---

**From:** chaddox75@gmail.com  
**Sent:** Wednesday, October 11, 2023 9:45 AM  
**To:** Jennifer Cram  
**Cc:** shipman.parks@gmail.com; rand.plancom@gmail.com; lwdloski@gmail.com; jualexanptpc@gmail.com; duneclimber55@yahoo.com; dsh\_44@yahoo.com; armen.peninsulatruster@gmail.com; Becky Chown; Robin Noval  
**Subject:** RE: Peninsula Shores/Required landscaping buffer under PUD amendment 3/condition 2

Jenn, I see the Planning Commission has another meeting this Monday. Please include this in the packet for that meeting,.

We are asking the Planning Commission to not take any further action on the proposed amendment #4 until it is confirmed that the developer has met the requirements of amendment #3 to plant a double row of evergreen trees a minimum of 8-feet tall at planting that are spaced eight to ten feet on center to be located in the 30-foot PUD buffer north of Unit 1.

We don't understand why this is so difficult to get completed. The developer stated this requirement was acceptable at the township meeting when amendment #3 was being considered.

Thank you for your consideration.

Craig Haddox (614-361-5196)

**From:** chaddox75@gmail.com <chaddox75@gmail.com>  
**Sent:** Tuesday, October 10, 2023 5:15 PM  
**To:** 'Jennifer Cram' <planner@peninsulatownship.com>  
**Cc:** shipman.parks@gmail.com; rand.plancom@gmail.com; lwdloski@gmail.com; jualexanptpc@gmail.com; duneclimber55@yahoo.com; dsh\_44@yahoo.com; armen.peninsulatruster@gmail.com  
**Subject:** RE: Peninsula Shores/Required landscaping buffer under PUD amendment 3/condition 2

Thanks!

**From:** Jennifer Cram <[planner@peninsulatownship.com](mailto:planner@peninsulatownship.com)>  
**Sent:** Tuesday, October 10, 2023 4:58 PM  
**To:** [chaddox75@gmail.com](mailto:chaddox75@gmail.com)  
**Cc:** [shipman.parks@gmail.com](mailto:shipman.parks@gmail.com); [rand.plancom@gmail.com](mailto:rand.plancom@gmail.com); [lwdloski@gmail.com](mailto:lwdloski@gmail.com); [jualexanptpc@gmail.com](mailto:jualexanptpc@gmail.com); [duneclimber55@yahoo.com](mailto:duneclimber55@yahoo.com); [dsh\\_44@yahoo.com](mailto:dsh_44@yahoo.com); [armen.peninsulatruster@gmail.com](mailto:armen.peninsulatruster@gmail.com)  
**Subject:** RE: Peninsula Shores/Required landscaping buffer under PUD amendment 3/condition 2

I will get out and measure them at my earliest convenience.

*Jenn Cram  
Peninsula Township Director of Planning and Zoning  
13235 Center Road  
Traverse City MI 49686  
phone - 231-223-7314*