CHARTER TOWNSHIP OF GARFIELD PLANNING COMMISSION MEETING

Wednesday, February 14, 2024 at 7:00 pm Garfield Township Hall 3848 Veterans Drive Traverse City, MI 49684

Ph: (231) 941-1620

AGENDA

ORDER OF BUSINESS

Call meeting to order
Pledge of Allegiance
Roll call of Board Members

1. Public Comment

Public Comment Guidelines:

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

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

3. Minutes – January 24, 2024

4. Correspondence

5. Reports

- a. Township Board
- b. Planning Commissioners
 - i. Zoning Board of Appeals
 - ii. Parks and Recreation Commission
 - iii. Joint Planning Commission
- c. Staff Report
 - i. PD 2024-14 Planning Department Monthly Report February 2024
 - ii. Master Plan Announcement

6. <u>Unfinished Business</u>

- a. PD 2024-15 Culver Meadows Senior Living Conditional Rezoning Public Hearing
- b. PD 2024-16 3066 North Garfield Special Use Permit Un-table / Set Public Hearing
- 7. New Business
- 8. Public Comment
- 9. Other Business
- 10. Items for Next Agenda February 28, 2024
 - a. Master Plan Update Review Final Draft
- 11. Adjournment

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

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

CHARTER TOWNSHIP OF GARFIELD PLANNING COMMISSION MEETING January 24, 2024

<u>Call Meeting to Order:</u> Chair McManus called the January 24, 2024 Planning Commission meeting to order at 7:00pm at the Garfield Township Hall.

Pledge of Allegiance

The Pledge of Allegiance was recited by all in attendance.

Roll Call of Commission Members:

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

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

1. Public Comment (7:00)

None

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

Staff asked to add item 9a – Culver Meadows Letter Discussion and move the photos of recent developments to 9b.

Racine moved and Robertson seconded to approve the agenda as amended.

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

Nays: None

3. <u>Minutes (7:02)</u>

a. January 10, 2024 Regular Meeting

Fudge moved and Cline seconded to approve the January 10, 2024 Regular Meeting minutes as presented.

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

Nays: None

4. Correspondence (7:02)

Letter from Culver Meadows regarding Conditional Rezoning application, article from Record Eagle regarding Master Plan Open House, and letter from Watershed Center regarding Master Plan

5. Reports (7:04)

Township Board Report

Agostinelli stated that a report from the Road Commission indicated that the Michigan Department of Transportation supporting funding of the Hartman/Hammond bridge connection and route.

Planning Commissioners

i. Zoning Board of Appeals

Fudge reported that a variance request was tabled for more information.

ii. Parks and Recreation Commission

DeGood had no report.

iii. Joint Planning Commission

Racine said there will be a quarterly meeting next week.

Staff Report

i. Master Plan Announcement

Sych stated that the Master Plan is still being worked on and updates continue to be posted on the website.

6. Unfinished Business

a. Master Plan Update – Review of Complete Draft and Summarize Open House (7:07)

Sych gave commissioners a timeline on finishing the Master Plan and thought it should be adopted in June of 2024. He stated that an open house was held earlier this evening and staff received some good comments and feedback from residents. Staff reviewed the future land use map with commissioners, including the proposed changing an area from agricultural designation to low density residential designation in the northwest corner of the township. Commissioners discussed the proposed change and thought it made sense. Commissioners also suggested a few other changes with the future land use map to make zoning transitions more reasonable. Trails were also discussed near the Creekside and Stoneridge developments.

7. New Business

a. PD 2024-8 – 2023 Planning Commission Annual Report (7:50)

The 2023 Charter Township of Garfield Planning Commission Annual Report was prepared pursuant to the requirements of Section 19(2) of the Michigan Planning Enabling Act. Staff reviewed the 2023 Annual Report with commissioners.

DeGood moved and Robertson seconded THAT the 2023 Planning Commission Annual Report, as provided in Planning Department Report 2024-8, BE APPROVED and FORWARDED to the Township Board.

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

Nays: None

8. Public Comment (7:54)

None

9. Other Business

a. Culver Meadows Correspondence (7:54)

Brad and Trina Jewett proposed to change their request to a Home for the Aged instead of an Adult Foster Care Home as part of their Conditional Rezoning. Jewett stated that it made more economical sense for them since 24 residents would be allowed. However, this type of facility is not allowed in the Ag district and a conditional rezoning request would be for an R-3 district. Commissioners discussed the proposal and shared concerns with spot zoning of R-3 in the middle of an R-1 zoning district. Jewett stated that he would continue on the path that he is on already and request the Ag zoning and an Adult Foster Care facility as part of the Conditional Rezoning application.

b. Photos of Recent Development Activity

Staff shared photos of progress on recently approved projects with Commissioners. River East recreation area photos were also shared.

10. <u>Items for Next Agenda – February 14, 2024 (8:41)</u>

- a. Culver Meadows Senior Living Conditional Rezoning Public Hearing
- b. 3066 North Garfield Special Use Permit

11. Adjournment

Fudge moved to adjourn the meeting at 8:41 pm.

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



	rter Township of Garfield ning Department Report No. 2024-14		
Prepared:	February 6, 2024	Pages:	2
Meeting:	February 13, 2024 Township Board	Attachments:	
Subject:	Planning Department Monthly Report – February 2024		

PURPOSE:

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

DEVELOPMENTS:

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

Lederer Rezoning - Zoning Map Amendment

- Location: 4220 Eastward Drive, adjacent to South Airport Road south of Silver Lake Road
- Development Description: Rezoning from A-Agricultural to R-1 One-Family Residential
- *Status*: The Planning Commission introduced the application at the 11/8/2023 meeting, held a public hearing at their 12/13/2023 meeting, and reviewed Findings of Fact at their 1/10/2024 meeting and recommended the approval of the application to the Township Board. The Township Board introduced the application at their 1/23/2024 meeting and scheduled a public hearing for their 2/13/2024 meeting.

Culver Meadows Senior Living - Conditional Rezoning

- Location: 1611 N West Silver Lake Road, south of intersection with Secor Road
- *Development Description*: Proposed adult foster care facility for no more than 20 adults and childcare center for no more than 12 children adjacent to the existing Culver Meadows Senior Living facility
- *Status*: The Planning Commission introduced this application at their 1/10/2024 meeting and scheduled a public hearing for their 2/14/2024 meeting.

3066 North Garfield Road - Special Use Permit Review

- Location: Southeast corner of North Garfield Road and Duell Road, south of South Airport Road
- Development Description: Commercial district housing development with 20 apartment units
- Status: The project was introduced at 10/11/2023 Planning Commission meeting. Commissioners generally supported the concept of the project, but the project as presented would not meet one of the standards within Section 725 of the Zoning Ordinance. Commissioners tabled the application at their 11/8/2023 meeting. The Planning Commission is scheduled to un-table the application at their 2/14/2024 meeting after the Township Board holds a public hearing on 2/13/2024 regarding a proposed amendment to Section 725.

PLANNING:

Other Planning Department activities include the following:

• The Planning Commission held an introduction at their 12/13/2023 meeting for a proposed amendment to Section 725 of the Zoning Ordinance, which proposes some changes to the standards for Commercial District Housing Developments. The amendment includes removing the requirement for parking areas to be located outside of the setback, which is not a general requirement for other uses. It would also include removing the requirement for open space to be designed to provide a rear yard along the longest building length of a given structure.

The Planning Commission held a public hearing on the proposed amendment at their 1/10/2024 meeting and recommended approval of the proposed amendment to the Township Board. The Township Board introduced the amendment at their 1/23/2024 meeting and scheduled a public hearing for their 2/13/2024 meeting.

- On 1/24/2024, Staff held an open house to receive public feedback on the draft Master Plan. The purpose of the event was to provide an overview of the draft Master Plan to the community and to gauge public opinion and to gather feedback. Staff presented information highlighting how the community survey responses and preferences supported and directed goals and objectives in the draft Plan document.
- The Planning Commission reviewed the complete Master Plan draft at their 1/24/2024 study session and gave feedback to Staff. Staff are working on including this feedback in an edited draft. The Planning Commission is anticipated to review an edited Master Plan draft at their 2/28/2024 study session and to forward this draft to the Township Board. The Planning Commission and Township Board are anticipated to conduct a joint meeting on 3/27/2024 to review a final draft and to begin the process of adopting the Master Plan.
- The Master Plan draft and other information on the Master Plan adoption process is available on the Township website at the following link: https://www.garfield-twp.com/masterplan.asp/.
- Staff has worked on several annual reports for 2023 which have been forwarded to the Township Board for receiving and filing, including the following:
 - o Township Strategic Plan 2023 Year End Report
 - o 2023 Planning Commission Annual Report
 - o 2023 Parks and Recreation Commission Annual Report

STAFF:

John Sych, AICP, Planning Director
Email: jsych@garfield-twp.com

Stephen Hannon, AICP, Deputy Planning Director
Email: shannon@garfield-twp.com

Direct Line: (231) 225-3155 Direct Line: (231) 225-3156

Charter Township of Garfield Planning Department Report No. 2024-15					
Prepared:	February 7, 2024	February 7, 2024 Pages: 8			
Meeting:	February 14, 2024 Planning Commission Attachments:				
Subject:	Culver Meadows Senior Living Conditional Rezoning – Public Hearing				
File No.	Z-2023-04 Parcel No. 05-030-0	Z-2023-04 Parcel No. 05-030-008-50 and 05-030-008-45			
Owner: Culver Meadows Senior Living, Inc./Brad Jewett					
Applicant:	Culver Meadows Senior Living, Inc./Brad Jo	ewett			

PURPOSE OF APPLICATION:

This application requests the conditional rezoning of Parcels 05-030-008-50 and 05-030-008-45 on N. West Silver Lake Road, totaling roughly 5.14 acres. The request is to conditionally rezone the two parcels from the R-1 – One-Family Residential to the A – Agricultural district for use as an adult foster care, large group home and child care center. This request includes utilizing an existing large group home (Culver Meadows Senior Living facility) and building a new large group home and new child care center. This conditional rezoning application was introduced to the Planning Commission at its regular meeting on January 10, 2024.

SUBJECT PARCELS:

Parcel 05-030-008-50 is presently undeveloped open land. Parcel 05-030-008-45 at 1661 N. West Silver Lake Road is currently the site of the Culver Meadows Senior Living facility. The existing Culver Meadows Senior Living facility was approved in 2008 under the previous Zoning Ordinance as a Special Use Permit. The previous Zoning Ordinance had a definition for "Institutions for Human Care" which included adult foster care homes. Since that time, a new Zoning Ordinance was established in 2015 that follows the State of Michigan definitions for adult foster care homes and restricts their application, in conformance with State law, in the Residential zoning districts.

PROCESS FOR CONDITIONAL REZONING:

The process for conditional rezoning is described in Section 422 of the Zoning Ordinance. The procedure for approving a conditional rezoning is the same as for a rezoning and includes the following:

- A landowner may voluntarily offer, in writing, conditions relating to the use and/or development of land for which a rezoning is requested.
- The owner's offer of conditions shall bear a reasonable and rational relationship to the property for which rezoning is requested.
- The offer of conditions may be amended during the process of rezoning consideration, provided that any amended or additional conditions are entered voluntarily by the owner.
- If the Township Board approves the conditional rezoning request and offer of conditions, the offered conditions shall be incorporated into a formal written Statement of Conditions.
- Any failure to comply with a condition contained within the Statement of Conditions shall constitute a violation of this ordinance and be punishable accordingly, including by rezoning of the property to its base zoning classification.

The proposed Statement of Conditions offered by the applicant is attached to this report, included as part of the Conditional Rezoning Agreement. These conditions would limit use of the subject parcels as an adult foster care, large group home with up to 20 residents and a child care center with up to 12 children. In this case, the conditions would apply to the existing large group home, the new large group home, and the new child care center.



Aerial view of the subject parcels (highlighted in red):

MASTER PLAN CONSIDERATIONS:

A key factor in considering a rezoning request, including conditional rezoning, is whether the request is consistent with the Master Plan. In this case, the Master Plan identifies the subject parcels and surrounding area as "Low Density Residential" in the Future Land Use plan and map. The Master Plan describes this designation as follows:

LOW-DENSITY RESIDENTIAL (FROM 1 TO 3 UNITS PER ACRE)

This designation provides area for traditional single-family residential dwelling units. This includes areas of existing single-family development as well as areas within which such development appears likely and desirable. They are intended to encourage more intensive development in and near the core areas of the Township, with less intensive development moving outward towards the more rural and remote areas of the Township. The designation is intended to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and parks that will promote a sense of community and urban vitality.

Most compatible zoning district: R-1 Potentially compatible zoning districts: R-R/A

The most compatible zoning district for this designation is the R-1 One-Family Residential district, which is already the zoning of the subject parcels. The A-Agricultural zoning district is identified as a potentially compatible district. Rezoning from R-1 to A-Agricultural would involve moving to a zoning district with less density in a process known as downzoning. The Master Plan includes a Zoning Plan which describes Considerations for Downzoning and for the "Low Density Residential" designation says: "Larger minimum lot sizes for this purpose would likely be supported and consistent with the Agricultural and Rural Land Zoning classifications." Excerpts from the Future Land Use Map and Zoning Plan in the Master Plan are included on the following page.



Location and classification of subject parcels on Future Land Use Map ("FLUM"):

Excerpt from Zoning Plan:

Master Plan Designation	Low-Density Residential (1-3 U/A)
[Requested] Zoning	A-Agricultural (with conditions)
Current Zoning	R-1 Single-Family Residential
The R-1 (Single-Family Residential) districts provide areas for low- to medium-density single-family residential dwelling units. The districts include areas of exingle-family developments as well as areas within which such development applikely and desirable. They are intended to encourage more intense development in near the core areas of the Township with less intense development moving outwood towards the more rural and remote areas of the Township. The R-1 districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and parks that will promote a sense of community and urban vitality.	
Potentially Compatible District	R-R (Rural Residential) / A (Agricultural)
Considerations for Downzoning (Less Density)	R-1 properties are intended to encourage traditional neighborhoods for families that prefer to be located outside mixed use and mixed residential areas. These areas are typically designed and located within walking distance to schools and park areas. Larger minimum lot sizes for this purpose would likely be supported and consistent with the Agricultural and Rural Land Zoning classifications.
Considerations for Upzoning (More Density)	A rezoning from R-1 should be discouraged as single family homes and neighborhoods are needed in the Township. A PURD would help increase density and encourage better design.

ZONING OF SUBJECT PARCELS AND SURROUNDING PROPERTIES:

Zoning of the subject parcels and surrounding properties is as follows:



EXISTING LAND USE OF SUBJECT PARCELS AND SURROUNDING PROPERTIES:

The southerly subject parcel is an existing adult foster care large group home. The northerly subject parcel is undeveloped, open land.

Direction from Subject Parcels	Existing Land Use
North	Single-family residential
East	Open land/Single-family residential
South	Single family-residential
West	Open land/Wetlands/Single-family residential

STAFF COMMENT:

Upon preliminary review of the Master Plan and Future Land Use designation for the subject parcels, context of zoning and future land uses of properties in the surrounding neighborhood, and other factors, Staff offers the following comments regarding this conditional rezoning request:

- The existing Culver Meadows facility was approved as a Special Use Permit in 2008 and is regarded as an existing non-conforming use under the current R-1 One-Family Residential zoning.
- The subject parcels will be served by the existing Culver Meadows driveway off West Silver Lake Road, a County primary road.
- The requested zoning, A-Agricultural, is considered potentially compatible with the Future Land Use designation of Low Density Residential in the Master Plan.
- Furthermore, one of the Housing implementation goals in the Master Plan states, "Continue to implement zoning incentives such as density bonuses to encourage the development community to include particular housing types in high demand in the Township, such as single-bedroom apartment units and accessible housing options for seniors and individuals with disabilities." The existing group home use and the proposed uses provide housing options for seniors and individuals with disabilities in an established residential neighborhood.
- The conditions as proposed in this application would apply to only the subject two parcels.

• Parcel 05-030-008-45 is approximately 2.93 acres with a width of 220 feet. This parcel meets the minimum dimensional requirements for both R-1 and A zoning districts. Parcel 05-030-008-50 is approximately 2.21 acres with a width of 100 feet based on an access easement. While the parcel meets the minimum dimensional requirements for the R-1 district, the easement will have to be extended to 110 feet to meet the minimum dimensional requirements for the A-Agricultural district.

PRELIMINARY APPROVAL CRITERIA DISCUSSION:

A conditional rezoning is subject to review of the same criteria as any other Map Amendment. To focus the discussion on the factors relevant to approving a Map Amendment, the following approval criteria are included below for reference:

Section 421.E Approval Criteria of Zoning Map Amendment

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

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

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

SITE DEVELOPMENT REQUIREMENTS:

As part of a Conditional Rezoning application, a site development plan including the information described in Section 956 is required. The following criteria as listed in Section 424.F(1)(a)-(j) of the Zoning Ordinance are offered for consideration by the Planning Commission:

- (a) **Required Information.** All required information shall be provided.
 - Staff has determined the application and site plan to be substantially complete for the purposes of completing this report.
- (b) **Outside Agencies.** All applicable standards of outside agencies shall be met and all required permits and approvals from outside agencies shall be secured, or be made a condition of approval.
 - The applicant is required to comply with all agencies with jurisdiction. Agency approvals that are not received may be made conditions of the site plan approval.
- (c) **Essential Facilities and Services.** Adequate essential facilities and services, including highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, and schools, shall be available.

- The application is expanding an existing group home operation with the construction of a new group home and a future child care center by expanding the existing on-site water and by constructing a new septic system.
- The site is accessed from West Silver Lake Road, a County primary road.
- The site has been used for group residential purposes without overburdening municipal services in the area. The proposed use is not expected to be any more intensive to the point of placing an undue burden on essential facilities and services.
- (d) Natural Features. Sensitive natural features, or existing natural features that provide a buffer between adjoining properties, or assist in preserving the general appearance of the neighborhood, or help control soil erosion or stormwater, shall be preserved to the greatest extent possible.
 - The proposed uses build upon an existing development and building pattern on the site at an appropriate scale for a residential area.
 - It appears there are some wetlands adjacent or potentially on the subject property. The proposed group home exceeds the wetlands setback requirement. However, the location of the future child care center may not have sufficient wetland setback. Its recommended that a wetland delineation be completed and verified in accordance with Section 534 prior to construction of the child care center. See attached map.
- (e) **Site Design.** All buildings and structures shall be designed, situated, constructed, operated and maintained so as to be harmonious, compatible, and appropriate in appearance, with the existing or intended character of the general vicinity. Site design shall minimize adverse effects upon owners and occupants of adjacent properties and the neighborhood.
 - The proposed uses build upon an existing development and building pattern on the site at an appropriate scale for a residential area.
 - The site has an established group home that has been in place for 15 years. The number of occupants is limited to 20 residents for each group home. The child care center will be limited to 12 children.
- (f) **Orientation.** Primary buildings or structures shall be oriented so that their main entrance faces the street upon which the lot fronts. If the development is on a corner lot, the main entrance may be oriented to either street or to the corner.
 - The proposed new buildings will provide their front entrances facing West Silver Lake Road.
 - The proposed new uses will rely on the existing driveway entrance to the Culver Meadows Senior Living facility.
- (g) Vehicle and Pedestrian Systems. The development, where possible, shall provide vehicular and pedestrian circulation systems which reflect and extend the pattern of streets, pedestrian and bicycle ways in the area. A proper relationship between existing and proposed roadways and parking areas shall be demonstrated, and the safety and convenience of pedestrian and vehicular traffic shall be assured. Travelways which connect and serve adjacent development shall be designed appropriately to carry the projected traffic.
 - The proposed new uses will rely on the existing driveway entrance to the Culver Meadows Senior Living facility.
 - New parking areas will work with the existing site circulation patterns.

- In this area of the Township, the Non-Motorized Plan identifies bike lanes along West Silver Lake Road.
- (h) **Shared Drives.** Where the opportunity exists, developments shall use shared drives. Unnecessary curb cuts shall not be permitted.
 - The proposed new uses will rely on the existing driveway entrance to the Culver Meadows Senior Living facility. No new curb cuts are proposed.
- (i) Impervious Surfaces. The amount of impervious surface has been limited on the site to the extent practical.
 - The proposed parking and site circulation meets the minimum requirements and does not propose excessive impervious surface areas.
- (j) Master Plan. The proposal is not in conflict with the land use policies, goals and objectives of the Township Master Plan.
 - The proposal fits with the Master Plan which envisions a wider range of housing options for residents in an established residential area.
 - The orientation for the development remains focused on a County arterial road and does not impede or interfere with established single family residential areas.

ARTICLE 5 – DEVELOPMENT STANDARDS:

A review of the proposal regarding the relevant sections of Article 5 – Development Standards is provided. The following information was provided as part of the site plan set with the application:

Legal Description

The legal description for the existing Culver Meadows site (parcel 05-030-008-45) should be included as the Conditional Rezoning application is being considered for both parcels.

Existing Access Easement

The existing easement that provides access to parcel 05-030-008-50 will need to be extended for the parcel by 10 feet to meet the minimum lot width requirement for the A-Agricultural district. This item could be a condition applied to site development plan approval.

Access Management

The proposed new uses will rely on the existing driveway entrance to the Culver Meadows Senior Living facility. No new ingress and egress points to West Silver Lake Road are proposed.

Parking

An adult foster care, large group home has a maximum parking requirement of 1 space per dwelling unit and a maximum parking requirement of 2 spaces per dwelling unit. In this case, a minimum of 20 spaces must be provided with a maximum of 40 spaces. Child care centers have a minimum parking requirement of 1 space for every three hundred (300) square feet of floor space. There is no maximum parking requirement. With 1,440 square feet of floor space proposed, a minimum of 5 spaces are required. Based on these requirements, a minimum of 25 spaces is required. The site plan shows 28 spaces.

Internal Walkways

A sidewalk connection is recommended between the child care center and the adult foster care facility.

Wetlands

There are possible wetlands at the west side of the project site. Based on the site plan, it appears that only the future child care center has a potential to be impacted by the setback requirement for wetlands in Section 534 of the Zoning Ordinance. Staff recommends that a wetland delineation be completed and verified in accordance with Section 534 prior to construction of the child care center. This item could be a condition applied to site development plan approval.

Lighting

A lighting plan needs to be provided including exterior lighting locations with area of illumination illustrated by point values on a photometric plan, Kelvin rating, as well as the type of fixtures and shielding to be used.

Landscaping

A landscape plan and table need to be provided identifying the species, size of landscape materials, and number proposed, compared to what is required by the Ordinance. While there is no landscaping required between the two subject parcels, a landscape buffer is required along the north, east and west sides. Any existing plantings can count towards the buffer requirement.

Other Reviews

Other agency reviews are required including stormwater review by the Township Engineer and review by Metro Fire.

ACTION REQUESTED:

The item is placed on tonight's agenda to hold a public hearing on the rezoning application. If, following the public hearing, the Planning Commission is prepared to direct Staff to draft Findings of Fact for this application, then the following motion is suggested:

MOTION TO direct staff to prepare Findings of Fact for application Z-2023-04 subject to the following conditions (1 through 4 as indicated in PD 2024-15):

- 1. Provide a legal description for the existing Culver Meadows site (parcel 05-030-008-45) on the site plan.
- 2. Provide a sidewalk connection between the child care center and the adult foster care facility.
- 3. Provide a lighting photometric plan with area of illumination illustrated by point values on a photometric plan, Kelvin rating, as well as the type of fixtures and shielding to be used.
- 4. Provide a landscaping plan and table identifying the species, size of landscape materials, and number proposed and existing, compared to what is required by the Ordinance.

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

Attachments:

- 1. Zoning Ordinance Amendment Conditional Rezoning application dated November 22, 2023
- 2. Impact Statement received December 5, 2023
- 3. Proposed Conditional Rezoning Agreement and Statement of Conditions received December 5, 2023
- 4. Site Development Plan dated February 5, 2024
- 5. Building Plans dated January 29, 2024
- 6. Wetland Map



Charter Township of Garfield

Grand Traverse County

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

ZONING ORDINANCE AMENDMENT (ZOA) APPLICATION

ASSISTANCE

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

<u>ACTIO</u>	N REQUESTED		DECE
	Map Amendment (Re	zoning)	RECEIVED DEC 1/2 2023 PLANNING L
	Text Amendment		DEC 4-2022
1	Conditional Rezoning		2023
			PLANNINGRE
PROJE	CT / DEVELOPMENT	NAME	Jus
	Culver Meadows Sen	nior Living, Inc.	
ADDLU			
APPLI	CANT INFORMATION		
	Name:	Culver Meadows Senior Living, Inc.	
	Address:	1661 N. West Silver Lake Rd.	
	Phone Number:	231-633-9421	
	Email:	brad@culvermeadows.com	
AGEN [*]	T INFORMATION		
	Name:	Brad & Trina Jewett	
	Address:	1745 N. West Silver Lake Rd.	
	Phone Number:	231-633-9421	
	Email:	brad@culvermeadows.com	
OWNE	R INFORMATION		
	Name:	Brad & Trina Jewett	
	Address:	1745 N. West Silver Lake Rd.	
	Phone Number:	231-633-9421	
	Email:	brad@culvermeadows.com	

CONTACT PER Please select of		be contact person for all correspondence and questions:
Applic	ant:	Brad Jewett
Agent:		Brad Jewett
Owner		Brad & Trina Jewett
PROPERTY IN	IFORMATION	
	ty Address:	Not determined yet. Will use the driveway of 1661 N. West Silver Lake Rd.
		on Number: 05-030-008-50
Legal	Description:	On File
Zoning	District:	R1
Maste	r Plan Future l	Land Use Designation: Low Density R1
Area o	of Property (ac	res or square feet): 2.21
Existir	ng Use(s):	Vacant Land
	sed Use(s):	20 Bed Adult Foster Care (AFC) & Licensed 12 Child Day Care Facility
	ation Form:	Zoning Ordinance Amendment consists of the following:
	•	signed application
7	_	copy of the application (PDF only)
Applica	ation Fee:	
		stablished by resolution of the Garfield Township Board and are set out in the current Fee
		s listed on the Planning Department page of the Township website (http://www.garfield-
	twp.com). Pl	lease make check out to Charter Township of Garfield.
V	Fee	
Escrov		
		tes may be required if a review by independent professional help is deemed necessary by the
		required, such additional fees must be placed in escrow by the applicant in accordance with
	· ·	policies of the Township and prior to any further processing of this application. Any unused
		s shall be returned to the applicant. Please complete an Escrow and Review (ER) Application
	form.	
For Ma	p (Rezoning)	Amendment only, the following must be included:
Site	Diagram	

☐ Ten complete stapled 11"x17" paper sets

Ten paper copies of the Impact Statement for Map (Rezoning) Amendment

One digital copy of the Impact Statement for Map (Rezoning) Amendment (PDP only)

☐ One digital set (PDF) only

Supporting Information

For Text Amendment only, the following must be included.
☐ Ten paper copies of the Impact Statement for Text Amendment
 One digital copy of the Impact Statement for Text Amendment (PDF only)
For Conditional Rezoning only, the following must be included:
Site Development Plan
☑ Ten complete stapled 11"x17" paper sets
☑ Two complete bound 24"x36" paper sets
☑ One digital set (PDF only)
Supporting Information
Ten paper copies of the Impact Statement for Conditional Rezoning
One digital copy of the Impact Statement for Conditional Rezoning (PDF only)
Ten paper copies of the Offer of Conditions for Conditional Rezoning
☑ One digital copy of the Offer of Conditions for Conditional Rezoning (PDF only)

Digital items to be delivered via email or USB flash drive

IMPACT STATEMENT FOR ZONING ORDINANCE MAP AMENDMENT

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

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

Page 3 of 9 ZOA - Form Date: March 1, 2021

- intervening changes or other saving characteristics. Proof that a small tract is unsuitable for use as zoned, or that there have been substantial changes in the immediate area, may justify an ordinance amendment.
- 8. Other Factors. The Township may consider any other factors relevant to a rezoning application under state law.

IMPACT STATEMENT FOR ZONING ORDINANCE TEXT AMENDMENT

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

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

IMPACT STATEMENT FOR CONDITIONAL REZONING

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

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

Page 4 of 9 ZOA - Form Date: March 1, 2021

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

OFFER OF CONDITIONS FOR CONDITIONAL REZONING

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

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

SUBMITTAL DEADLINE

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

WAIVERS

Submittal Waiver:

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

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

Data Waiver:

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

SITE PLAN

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

ADDITIONAL INFORMATION

If applicable, provide the following further information:	V	NI.	Not
A. Sanitary Sewer Service	<u>Yes</u>	<u>No</u>	<u>Applicable</u>
1. Does project require extension of public sewer line?		✓	
If yes, has a Utility Agreement been prepared?			V
2. Will a community wastewater system be installed?		7	
If yes, has a Utility Agreement been prepared?			7
If yes, provide construction plans and specifications			
3. Will on-site disposal be used?	✓		
If yes, is it depicted on plan?	✓		
B. Water Service	_		_
 Does project require extension of public water main? 		✓	
If yes, has a Utility Agreement been prepared?			
2. Will a community water supply be installed?		V	
If yes, has a Utility Agreement been prepared?			V
If yes, provide construction plans and specifications			
C. Public utility easements required?		V	
If yes, show on plan.			
D. Stormwater Review/Soil Erosion	_	_	_
 Soil Erosion Plans approved by Soil Erosion Office? 			
If so, attach approval letter.			
If no, are alternate measures shown?	7		
2. Stormwater Plans approved by Township Engineer?			V

Page 6 of 9 ZOA - Form Date: March 1, 2021

If so, attach appr	oval letter.			
If no, are alternat	te measures shown?			✓
Note: Alternate	measures must be designed and sealed by a reg	istered Engin	eer.	
E. Roads and Circulation	1			
1. Are interior public stre	eets proposed?		✓	
If yes, has Road	Commission approved (attach letter)?			7
2. Will public streets cor	nnect to adjoining properties or future streets?		7	
3. Are private roads or i	nterior drives proposed?			V
4. Will private drives con	nnect to adjoining properties service roads?			7
5. Has the Road Comm	ission or MDOT approved curb cuts?			/
If yes, attach app	roved permit.			
OTHER INFORMATION				
If there is any other info	rmation that you think may be useful in the re	eview of this	application, ple	ease attach it to this
application or explain it or	n a separate page.			
REVIEW PROCESS				
	his application Stoff will review the meteriole of	ubmitted and	will within to	(10) working days
•	his application, Staff will review the materials s			
	ation of completeness to the applicant. If the sul			
	it will be returned to the applicant for revision.			
•	eteness and again forward a determination to		. Within ten (10) Working days.
•	I be repeated until a complete submission is rec		ho application	doadlines it will be
• •	on is deemed to be complete and submitted a			
	lanning Commission for review. The Planning	Continission	will determine	ii tile application is
•	lule a public hearing. ic hearing, the Planning Commission will mak	e a recomm	endation on th	e application to the
-	c realing, the Flaming Commission will mak	e a recomm	endation on the	ic application to the
Township Board.	decision, the Township Board will hold a seco	and public he	aring on the s	application Following
	the Township Board will make a decision to			
	-			
	ezoning is approved or approved with condition	is, the decisi	ion of the row	miship board shall
be incorporated into	o a written report and decision order.			
PERMISSION TO ENTER	R SUBJECT PROPERTY			
Permission is hereby gra	nted to Garfield Township staff and Planning Co	mmissioners t	to enter the pre	mises subject to this
application for the purpos	ses of making inspections associated with this ap	plication, dur	ing normal and	l reasonable working
hours.				
Owner Signature:	Brad L Jewett .			
Applicant Signature:	Brad / Dewett			

Page 7 of 9 ZOA - Form Date: March 1, 2021

Agent Signature:

11/22/23

Date:

OWNER'S AUTHORIZATION

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

I/We Brad 17	ring Jewett	authorize to make this application on my/our behalf
and to provide any of my	/our personal information ne	ecessary for the processing of this application. Moreover, this shall be
your good and sufficient	authorization for so doing.	
Owner Signature:	Brad L Jewett	Trina A Jewett
Date:	11-22-23	

AFFIDAVIT

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

Owner Signature:	Brad L Jewett	Trina A Jewett	
Date:	11-22-23		
Applicant Signature:	Brad L Jewett		
Date:	11-22-23		

	Required Site Plan Elements Checklist (See § 956 of the Zoning Ordinance) Site Diagram (SD) / Administrative Site Plan (ASP) / Site Development Plan (SDP)	SD	ASP/ SDP
۹.	Basic Information		
1.	Applicant's name, address, telephone number and signature		
2.	Property owner's name, address, telephone number and signature		
3.	Proof of property ownership		
١.	Whether there are any options or liens on the property		
5.	A signed and notarized statement from the owner of the property that the applicant has the right to act as the owner's agent		
3.	The address and/or parcel number of the property, complete legal description and dimensions of the property, setback lines, gross and net acreages and frontage		
·.	A vicinity map showing the area and road network surrounding the property	7 40-1	
J.	Name, address and phone number of the preparer of the site plan		
_	Project title or name of the proposed development		H
) .			
	Statement of proposed use of land, project completion schedule, any proposed development phasing		
	Land uses and zoning classification on the subject parcel and adjoining parcels		
2.	Seal of the registered engineer, architect, landscape architect, surveyor, or planner who prepared the plan, as well as their name, address and telephone number	1 1	
3.	Site Plan Information		
	North arrow, scale, and date of original submittal and last revision		
2.	Boundary dimensions of natural features		
3.	Natural features such as woodlots, water bodies, wetlands, high risk erosion areas, slopes over twenty-five percent (25%), beach, drainage, and similar features		
	Proposed alterations to topography and other natural features		
_	Existing topographic elevations at two-foot intervals except shown at five-foot intervals where slopes exceed 18%		一片
	Soil erosion and sediment control measures as required by the Grand Traverse County Soil Erosion Department.		<u> </u>
	The location, height and square footage of existing and proposed main and accessory buildings, and other existing structures		
	Location and specifications for any existing or proposed (above or below ground) storage facilities for any chemicals, salts, flammable materials, or hazardous materials. Include any containment structures or clear zones required by county, state or federal government authorities		
) .	Proposed finish floor and grade line elevations of any structures		
,	*Required only for habitable construction within the floodplain on site diagrams and administrative site plans.	□ *	
Λ	Existing and proposed driveways, including parking areas		
	Neighboring driveways and other vehicular circulation features adjacent to the site		
2.	A dimensional plan indicating the location, size and number of parking spaces of the on-site parking areas, and shared		
_	parking areas		
3.	Identification and dimensions of service lanes and service parking, snow storage areas, loading and unloading and docks		
4.	Proposed roads, access easements, sidewalks, bicycle paths, and other vehicular and pedestrian circulation features within and adjacent to the site		
5.	Location of and dimensions of curb cuts, acceleration, deceleration and passing lanes		
6.	Location of neighboring structures that are close to the parcel line or pertinent to the proposal		
	Location of water supply lines and/or wells		
8.			
9.			<u> </u>
	Sealed (2) stormwater plans including the location and design of storm sewers, retention or detention ponds, swales,		
1.	wastewater lines, clean out locations, connection points and treatment systems A utility plan including the location of all other utilities on the site including but not limited to natural gas, electric, cable TV,		
2.	telephone and steam A sign plan indicating the location, size and specifications of all signs and advertising features, including cross sections		
	A lighting plan including exterior lighting locations with area of illumination illustrated by point values on a photometric plan, Kelvin rating, as well as the type of fixtures and shielding to be used		
4.	Proposed location of any open spaces, landscaping and buffering features such as buffer areas, vegetation belts, fences,		
5.	walls, trash receptacle screening, and other screening features with cross sections shown A Landscape plan and table identifying the species, size of landscape materials, and number proposed, compared to what		
	is required by the Ordinance. All vegetation to be retained on site must also be indicated, as well as, its typical size by general location or range of sizes as appropriate		
26.	Statements regarding the project impacts on existing infrastructure (including traffic capacity, schools, and existing utilities, and on the natural environment on and adjacent to the site)		
-	Changes or modifications required for any applicable regulatory agencies' approvals		

Page 9 of 9 ZOA - Form Date: March 1, 2021

Brad & Trina Jewett / Culver Meadows Senior Living, Inc. 1745 N. West Silver Lake Rd. Traverse City, MI 49685 231-633-9421 brad@culvermeadows.com

PLANNING

Charter Township of Garfield 3848 Veterans Drive Traverse City, MI 49684

Re: Culver Meadows Senior Living Proposed 20 Bed AFC and 12 spot Childcare Facility

Please be advised that Brad & Trina Jewett represents and owns Culver Meadows Senior Living, Inc.

The Jewett's own and operate the existing Culver Meadows Senior Living, Inc. facility and owns property No: 28-05-030-008-50. Property No: 28-05-030-008-50 is the property the proposed 20 Bed AFC and 12 spot Childcare Facility (daycare) will be located on.

The purpose of this letter is to provide specific facts and information supporting Culver Meadows Senior Living, Inc.'s application to amend the current zoning map as it pertains to the property. The amendment seeks to change the property from the current R1 zoning to a conditional Agriculture zoning.

Culver Meadows Senior Living, Inc. was approved for its current facility in 2008, constructed in 2009 and opened on February 01, 2010. Culver Meadows Senior Living, Inc. is locally owned and operated by Brad & Trina Jewett and provides high quality care for elderly Alzheimer, Dementia, and Hospice residents. In order to keep and continue providing high quality care and services to the elderly, Culver Meadows Senior Living, Inc. seeks the opportunity to grow it campus which would also incorporate into the plan a Childcare (daycare) for employees that need childcare while they are at work. Culver Meadows Senior Living, Inc. anticipates that all 12 spots will not be filled by their employees and will then offer the remaining spot to the public. We anticipate operating the Childcare (daycare) facility 24/7/365 which will allow parents the opportunity to have daycare for their children 24/7/365.

In Garfield Townships ordinances, a 20 Bed AFC is allowed in the Agricultural Zoning District. The Agricultural Zoning District requires a special use permit and must comply with applicable regulations and conditions. For the reasons set forth herein, guided by the factors to be considered for an impact statement in Garfield Township Zoning Ordinance the Property should be amended to be a conditional Agricultural Zoning District.

(1) Master Plan

Although the current master plan does have this parcel as R1, the Agricultural Zoning District will allow the proposed project and it will fit the current neighboring property that the current Culver Meadows Senior Living, Inc. sits on. This would be an addition to the current campus and would not negatively impact the surrounding parcels. In this project, the proposed Agricultural Zoning is considered generally compatible by the Master Plan.

(2) Adverse Impacts on Neighboring Parcels / Land

To the south of the property is the existing Culver Meadows Senior Living, Inc. 20 bed facility. To the north is Brad & Trina Jewett's residence, to the east are a few homes on Silver Lake and not visible from the property. To the west is more vacant property currently owned by the Lemcool family and is mixed terrain of woods, vacant land, and few ponds.

If the requested amendment and permit were granted, the nature and degree of adverse impact to these surrounding parcels would be virtually none. The design and current perimeter landscaping would essentially hide most of the campus.

(3) Sustainability as Presently Zoned

As presently zoned, Culver Meadows Senior Lining, Inc. cannot meet the increasing need for the services Culver Meadows Senior Living, Inc. provides because the property is zoned R1 and the R1 zoning would only allow a 12 Bed AFC. The sought conditional zoning change would enable Culver Meadows Senior Living, Inc. to remain primarily residential in nature while giving them the ability to provide additional services to the elderly and to families with young children seeking daycare.

(4) Changed Conditions

Culver Meadows Senior Living, Inc does not foresee any change in conditions and in fact, will be harmonious with the currently Culver Meadows Senior Living, Inc facility and the neighborhood.

(5) Health, Safety and Welfare

Culver Meadows Senior Living, Inc. does not foresee any issues with Health, Safety and Welfare. Culver Meadows will continue to and must follow all permitting, licensing, environmental health, and safety codes. Culver Meadows Senior Living, Inc. will improve the Health, Safety, Wellness, and Welfare of some of the most vulnerable people in our community, the elderly.

(6) Public Policy

The United States has experienced and increase in both care for the elderly and childcare (daycare). Grand Traverse County is no exception, and in the last census, the 55 and older population in Grand Traverse County seen the biggest increase. Therefore, it shows the growing need for quality care for those that are aging. Childcare (daycare) is in high demand as there is a shortage of daycare providers. Employers are struggling to fill open job positions, and part of that reason is because potential employees are struggling to find childcare (daycare) for their child or children. By allowing this property to be rezoned and granted the permits necessary, Culver Meadow Senior Living, Inc. will be able to help fill some of the needs our local community is in need of.

(7) Size of Tract

The size of the parcel with Property No. 28-05-030-008-50 is 295.26' on the south line, the west line 325.56', the north line 329.12', the east line 267.34', equaling 2.21 acres.

The size of parcel with Property NO. 28-05-030-008-45, the current Culver Meadows Senior Living, Inc Facility, located at 1661 N. West Silver Lake Rd. Traverse City, MI 49685, and adjacent to the south of the Property No. 2005-030-008-50 is 278.05' on the south line, the west line is 436.91', the north line is 465.13', the east line is 221.45', equaling 2.93 acres.

(8) Other Factors

Operating another facility and a new childcare (daycare) center on the property will not present any adverse effects on the surrounding parcels, nor will it present any impediments to any development of these parcels consistent with their permitted uses. The operation will not be detrimental to public health, safety, comfort, or general welfare. Culver Meadows Senior Living, Inc. already provides adequate parking for its customers and guests. Culver Meadows Senior Living, Inc. adheres to all its SUP requirements, keeps its property clean, beautiful, and well taken care of. Culver Meadows Senior Living, Inc. has never had a complaint about its campus or operation. The proposed new facility and childcare (daycare) center will be set on the back half of the west end of the property and will not have another driveway onto North West Silver Lake Rd.

Any necessary infrastructure, including water, drainage, utilities will adhere to all requirements and be built and installed per all requirements of the codes.

Offer of Conditions

Culver Meadows Senior Living, Inc. application does not authorize any uses of developments that are not permitted in the requested amendment to the Conditional Agricultural Rezoning. By allowing the properties to become a conditional rezoning to Agricultural, Charter Township of Garfield would allow Culver Meadows Senior Living, Inc. the ability to construct, operate, and maintain the property Adult Foster Care Facility (AFC) and Childcare (daycare) center. The operation and use of the new AFC and Childcare (daycare) facility would provide services, be reasonable and compatible with the current Culver Meadows Senior Living, Inc. facility on the adjacent property.

In the event the amendment is granted and Culver Meadows Senior Living, Inc., can move forward with proposed projects, Culver Meadows Senior Living, Inc. would obtain all the proper permits necessary. Culver Meadows Senior Living, Ind., ultimately offers that the Properties would revert to its current zoned district if Culver Meadows Senior Living, Inc. were to no longer operate as it current use and proposed use.

Sincerely,

Culver Meadows Senior Living, Inc.

Brad & Trina Jewett

Brad & Trina Jewett / Culver Meadows Senior Living, Inc. 1745 N. West Silver Lake Rd. Traverse City, MI 49685 231-633-9421

brad@culvermeadows.com

DEC 1/5 2023
PLANNING

Charter Township of Garfield 3848 Veterans Drive Traverse City, MI 49684

Re: Culver Meadows Senior Living Proposed 20 Bed AFC and 12 spot Childcare Facility

Please be advised that Brad & Trina Jewett represents and owns Culver Meadows Senior Living, Inc.

The Jewett's own and operate the existing Culver Meadows Senior Living, Inc. facility and owns property No: 28-05-030-008-50. Property No: 28-05-030-008-50 is the property the proposed 20 Bed AFC and 12 spot Childcare Facility (daycare) will be located on.

CONDITIONAL REZONING AGREEMENT

This Conditional Rezoning Agreement is entered into by and between Brad & Trina Jewett / Culver Meadows Senior Living, Inc. a Michigan Corporation Company, 1661 N. West Silver Lake Rd. Travere City, MI 49685 and the Charter Township of Garfield, 3848 Veterans Drive, Travere City, MI 49684.

Recitals

A. Brad & Trina Jewett / Culver Meadows Senior Living, Inc. are the owners of the properties described below and located along N. West Silver Lake Rd. Culver Meadows Senior Living, Inc address is 1661 N. West Silver Lake Rd. Traverse City, MI 49685 in the Township of Garfield of Grand Traverse County in the State of Michigan

Property No's. 28-05-030-008-50 & 28-05-030-008-045

Property No. 28-05-030-008-50 Legal Description:

PT NW14 SEC 30 T27N R11W COM NW COR SEC 30 TH S 88DEG 23'15"E 1600.28' TH S 13 DEG 24'28"W 313.16' TH S 13DEG 20'27"W 224.23' TH S 42DEG 47'21"W 75.5' TH S 42DEG 42'37"W 365.69' TO POB THE S 49DEG 28'44"E 329.12' TGE S 32DEG 55'.47"W 276.34' TH N 57DEG 04'13"W 295.25' TH N 11DEG 04'35"E 158.35' THE N 42DEG 36'49"E 166.21' TO POB CONT 2.21AC

Property No. 28-05-030-008-45 Legal Description:

PT NW1/4 SEC 30 T27N R11W COM NW COR SEC 30 TH S 88DEG 23'15"E 1600.28' TH S 13DEG 24'28"W 313.16' TH S 13DEG 20'27"W 224.23' TH S 42DEG 47'21"W 75.5' TH S 42DEG 42'37"W 365.69' TG S 42DEG 36'49"W 166.21' TH S 11DEG 04'35"W 158.35' TO POB TG S 11DEG 04'35"W 436.91' TH S 88DEG 19'28"E 76.05' TH S 88DEG 24'22"E 278.05 TH N 32DEG 55'47"E 221.45' TH N 57DEG 04'13"W 465.13' TO POB CONT 2.93AC

- B. The properties (28-05-030-008-50 & 28-05-030-008-045) is proposed to a Conditional Rezoning Agreement with the date to be determined and this agreement will be updated upon Conditional Rezoning.
- C. The applicant will restrict the use of said property and rezone to a Conditional Rezoning to Agricultural Zoning.
- D. MCL 125.3405 of the zoning enabling act, as amended provides that a landowner may offer use limitations related to the rezoning of the land withing a township pursuant to a Conditional Rezoning Agreement.

MCL 125.3405 Use and development of land as condition to rezoning.

- (1) An owner of land may voluntarily offer in writing, and the local unit of government may approve, certain use and development of the land as a condition to a rezoning of the land or an amendment to a zoning map.
- (2) In approving the conditions under subsection (1), the local unit of government may establish a time period during which the conditions apply to the land. Except for an extension under subsection (4), if the conditions are not satisfied within the time specified under this subsection, the land shall revert to its former zoning classification.
- (3) The local government shall not add to or alter the conditions approved under subsection (1) during the time period specified under subsection (2) of this section.
- (4) The time period specified under subsection (2) may be extended upon the application of the landowner and approval of the local unit of government.
- (5) A local unit of government shall not require a landowner to offer conditions as a requirement for rezoning. The lack of an offer under subsection (1) shall not otherwise affect a landowner's rights under this act, the ordinances of the local unit of government, or any other laws of this state.
 - E. The applicant (Brad & Trina Jewett / Culver Meadows Senior Living, Inc. has requested to enter into the provisions of the Statement of Conditions set forth in this Conditional Rezoning Agreement.
 - F. By entering into this Conditional Rezoning Agreement, the applicant *Brad & Trina Jewett / Culver Meadows Senior Living, Inc., and Charter Township of Garfield desire to set forth the parties' obligations with respect to property No's 28-05-030-008-50 & 28-05-030-008-45 and the conditions under which Garfield Township has granted the Conditional Rezoning.

NOW THEREFORE, the applicant (Brad & Trina Jewett / Culver Meadows Senior Living, Inc.) and Charter Township of Garfield hereby declare and agree that property No's: 28-05-030-008-50 & 28-05-030-008-45 shall be held, transferred, sold, conveyed, and occupied subject to the covenants, conditions, restrictions, grants and reservations set forth herein; all of which are for the benefit of Charter Township of Garfield and shall run with and bind the property's and all parties having any right, title or interest in all or any proportion of the properties, as well as heirs, successors and assign.

Agreement and Statement of Conditions

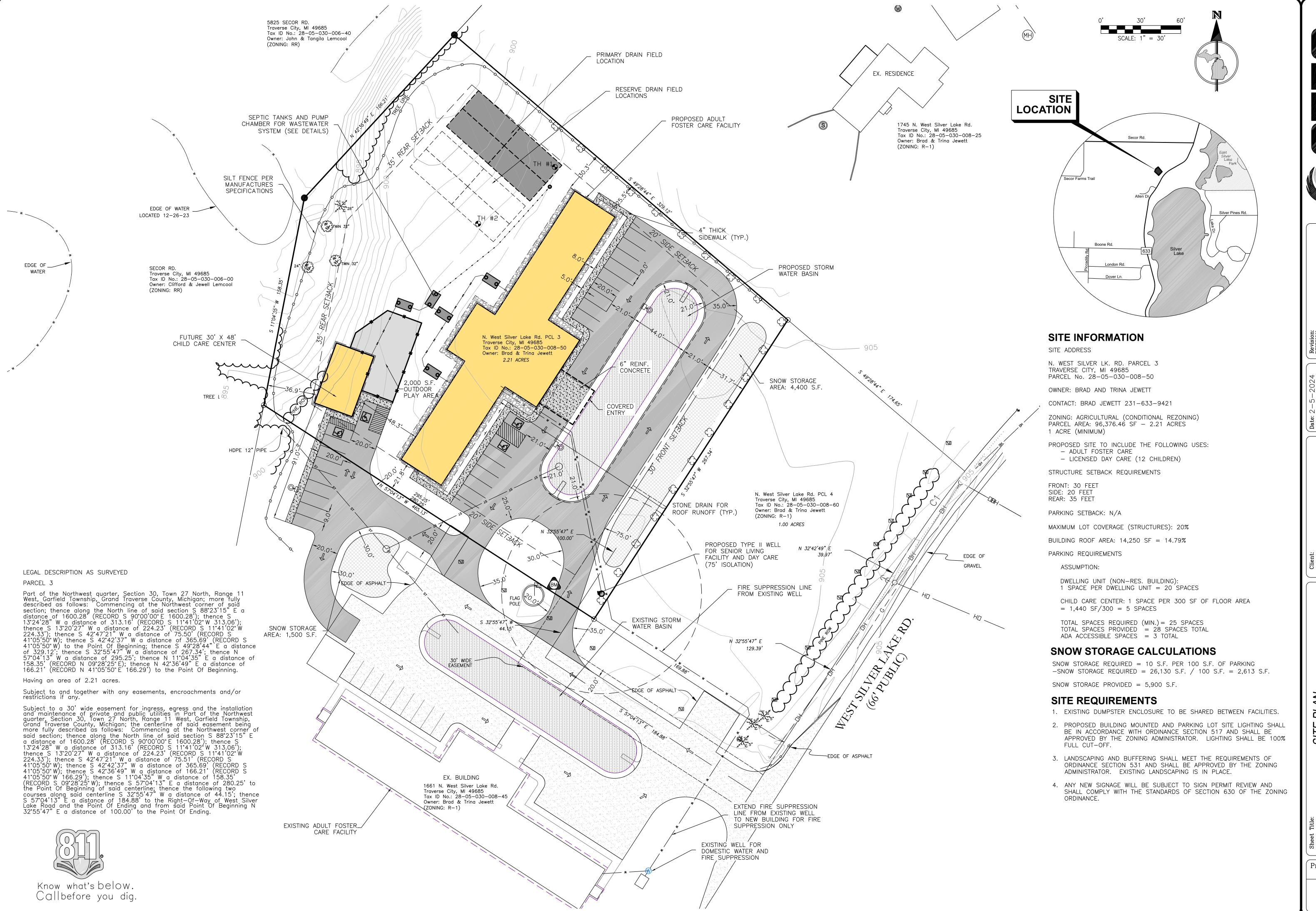
- 1. The Property shall be rezoned from R1 to Conditional Agricultural Zoning District. With respect to Charter Township of Garfield Zoning Ordinance in effect on the date of this agreement, the Applicant (Brad & Trina Jewett / Culver Meadows Senior Living, Inc.) shall be permitted to conduct the following permitted uses under the Agricultural Zoning District classification, and special uses permitted so long as Charter Township of Garfield grants such special land use permit: 20 Bed Adult Foster Care (Large Group AFC / Home for the Aged) and 12 (Large Group Daycare)
- 2. The property shall not be used for any use or special us not permitted Charter Township of Garfileld's Zoning Ordinance for the Agricultural District.
- 3. The property shall revert to the R1 Zoning District if the Applicant (Brad & Trina Jewett / Culver Meadows Senior Living Inc.) cannot viably be used as 2 20 Bed (Large Group AFC's / Home for the Aged) and 12 (Large Group Daycare Center).

- 4. The applicant (Brad & Trina Jewett / Culver Meadows Senior Living, Inc.) shall continuously maintain the properties in compliance with all the conditions set forth in paragraph 1.
- This Conditional Rezoning Agreement and Statement of Conditions may be recorded by Charter Township of Garfield with the Grand Traverse County Register of Deeds.
- 6. Nothing in this agreement shall be deemed to prohibit Charter Township of Garfield from rezoning all or any portion of the lands that is subject to the Conditional Rezoning Agreement to another zoning classification. Any rezoning shall be conducted in compliance with Charter Township of Garfield Zoning Ordinance and the Zoning Enabling Act. Upon any rezoning taking effect, the use of the land so rezoned shall conform thereafter to all the requirements regulating use and development within the new zoning district as modified.
- 7. If the properties are thereafter rezoned to a different zoning classification or to the same zoning classification but with a different or no statement of conditions, the statement of conditions imposed under the Conditional Rezoning Agreement shall cease to be in effect. Upon the Applicants written request, Charter Township of Garfield Township Clerk shall record with the Grand Traverse County Register of Deeds notice that the statement of conditions in this Conditional Rezoning Agreement are not longer in effect.
- 8. None of the terms contained herein shall be interpreted to require the Applicant to obtain a new Special Use Permit to continue the current operations of the 2 20 Bed (Larger Group Home AFC's / Home for the Aged) and the Daycare Center on the properties.

Brad & Trina Jewett / Culver Meadows Senior Living, Inc. hereby attest the conditions imposed by this Conditional Rezoning Agreement were offered voluntarily and are consented to willingly.

Brad & Trina Jewett / Culver Meadows Senior Living, Inc. a Michigan Corporation.
By: Brad & Trina Jewett – Owners / President & Vice President
State of Michigan
Grand Traverse County
Acknowledge on the day of 20, before me personally appeared Brad & Trina Jewett, Owners of Culver Meadows Senior Living, Inc. The organization described in, and which executed the forgoing instrument, and that they signed their names thereto as and for their voluntary act and deed of said organization.
Print Name
Notary Public
County, MI Acting in Grand Traverse County, Michigan.

My Commission Expires: _____



GRAND TRAVERSE ENGINEERING & CONSTRUCTION





ate: 2-5-2024sale: 1" = 30'
rawn By: RAC

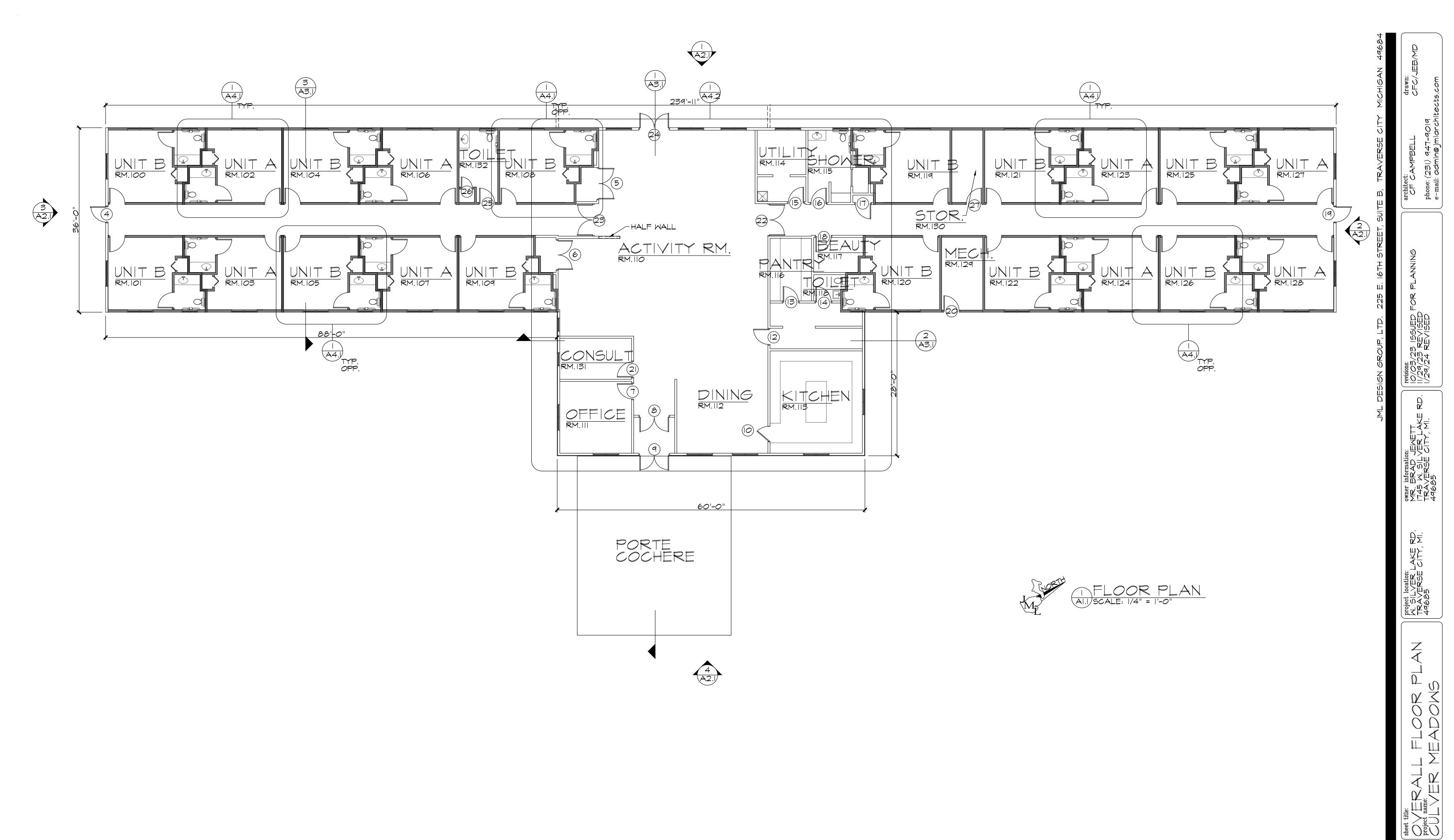
) TRINA JEWETT VER LAKE ROAD E CITY, MI 49685

BRAD A 1745 W. TRAVEI

SITE PLAN
CULVER MEADOWS SENIOR LIVING II
NSHIP OF GARFIELD, GRAND TRAVERSE COU

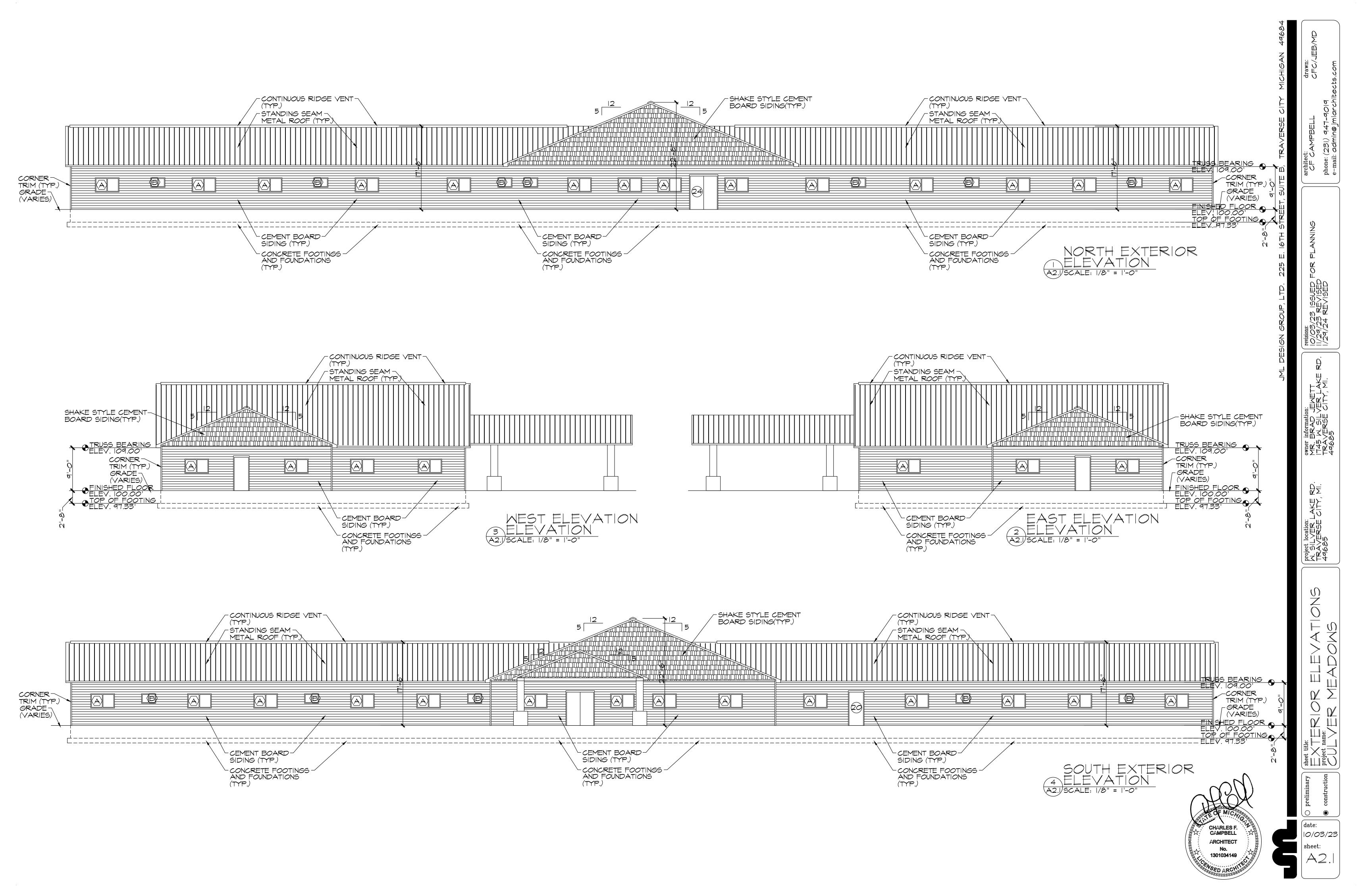
Project: CHARTER TOW

Project No. 16019
Sheet



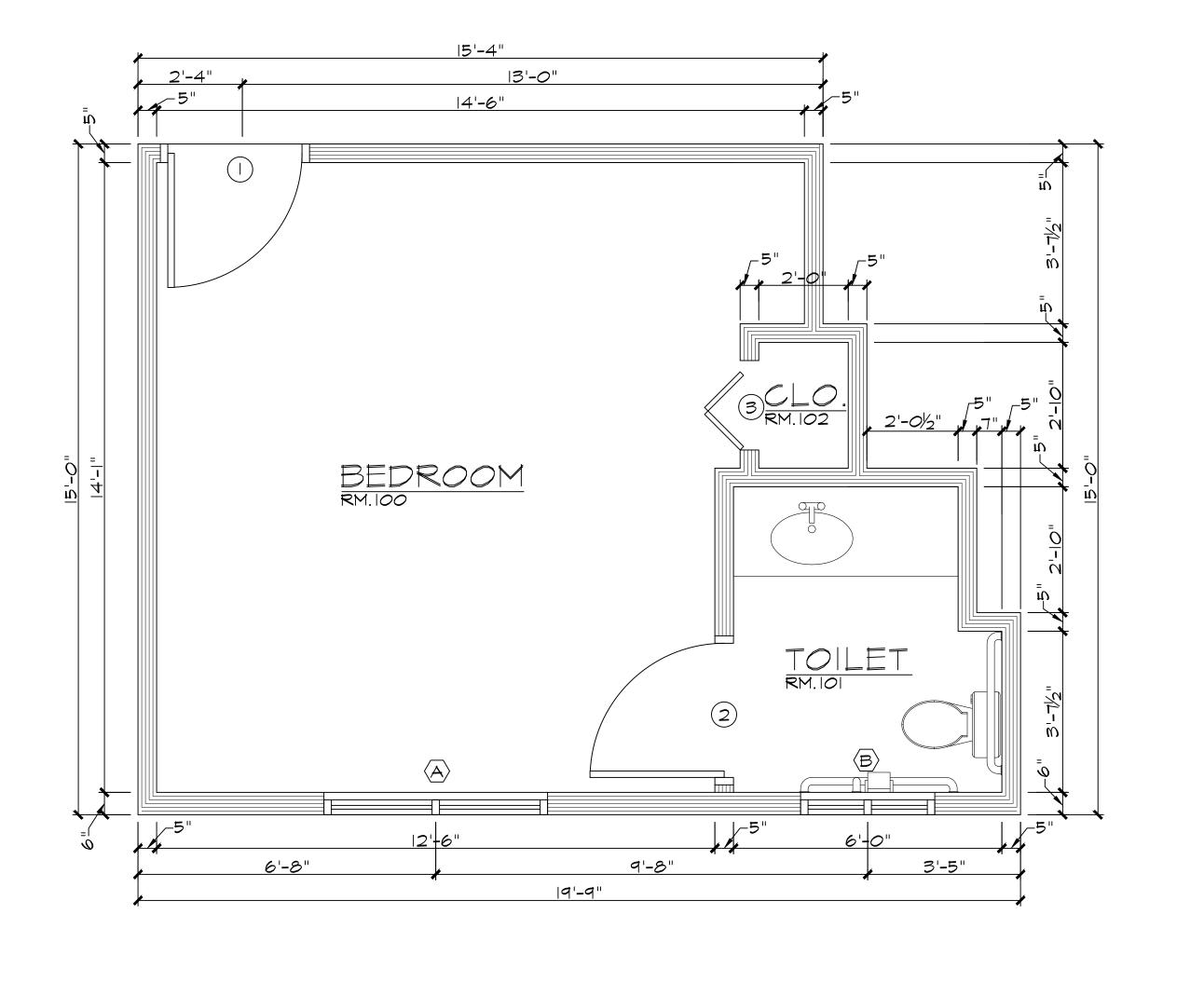
CHARLES F.
CAMPBELL
ARCHITECT
No.
1301034149

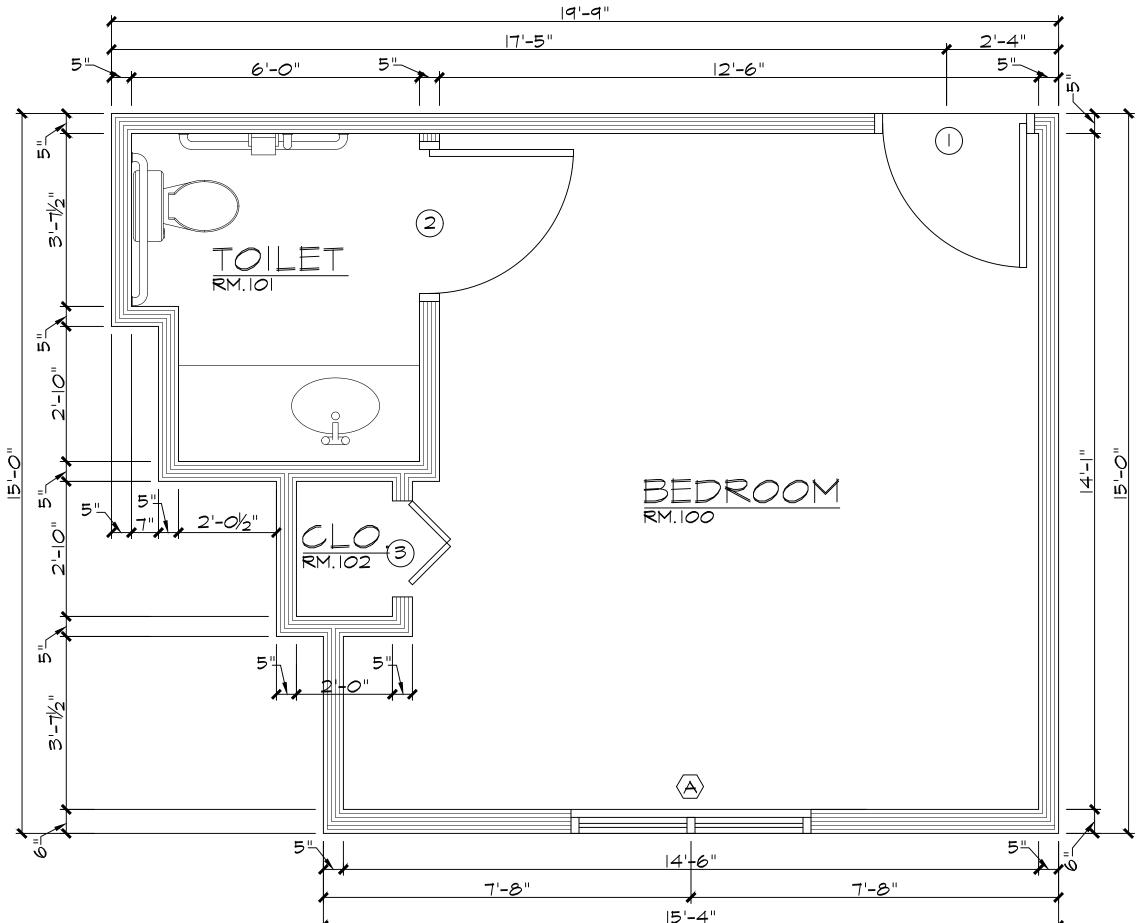
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CHARLES F. CAMPBELL

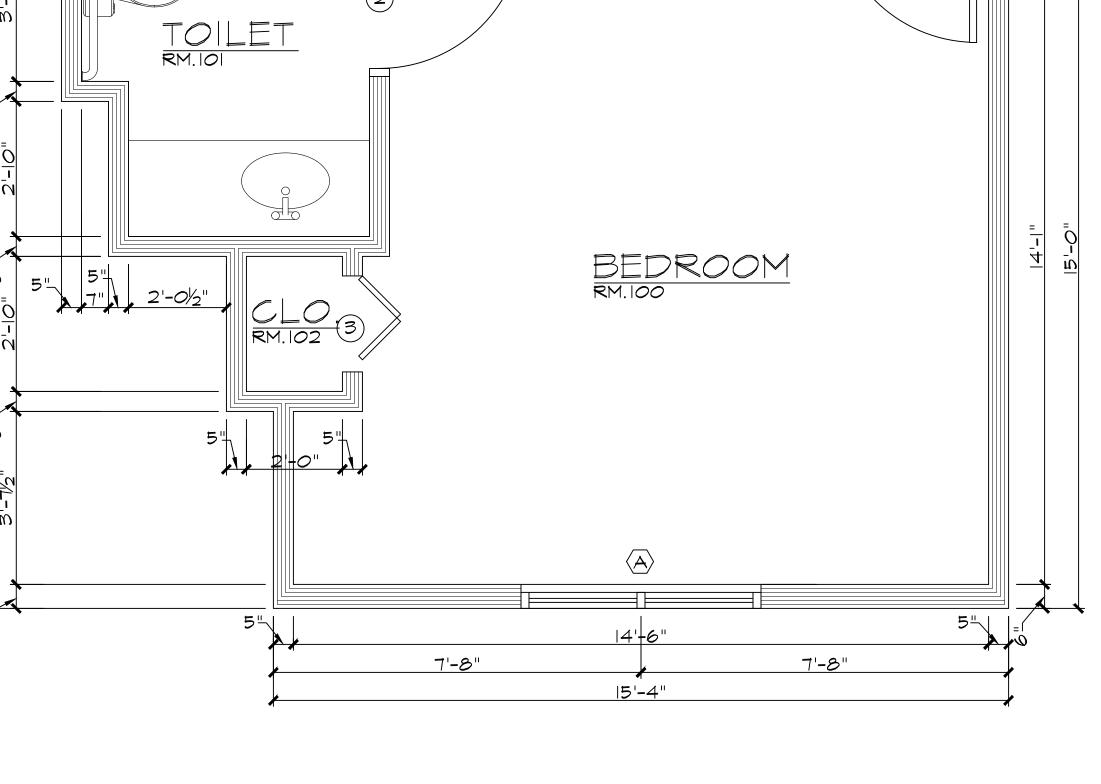
ARCHITECT No. 1301034149





TYP. UNIT B FLOOR PLAN A4.1/SCALE: 1/2" = 1'-0"

TYP. UNIT A
FLOOR PLAN
A4.1/SCALE: 1/2" = 1'-0"





Culver Meadows Senior Living Conditional Rezoning Application — Z-2023-04

Green area identified as wetlands per the National Wetlands Inventory as retrieved from Michigan Department of Environment, Great Lakes, and Energy.

Charter Township of Garfield Planning Department Report No. 2024-16			
Prepared:	February 7, 2024	Pages: 1	
Meeting:	February 14, 2024 Planning Commission	Attachments:	
Subject:	3066 N. Garfield Special Use Permit – Un-table / Set Public Hearing		
File No.	SUP-2023-08	Parcel No. 05-013-050-00	
Applicant:	3066 N. Garfield Rd LLC		
Agent:	JLG Properties, Inc		

This application was tabled by the Planning Commission at its meeting on October 11, 2023 to allow for a process to consider amending Section 725 Commercial District Housing Development in the Zoning Ordinance. The Zoning Ordinance amendment process will conclude on February 13, 2024 with a decision by the Township Board. Should the Township Board approve the subject Zoning Ordinance amendment at its February 13th meeting, Staff recommends that the Planning Commission consider action to un-table the application and schedule a public hearing.

ACTION REQUESTED:

If the Township Board has approved the Zoning Ordinance amendment, the following motion is offered for the Planning Commission's consideration:

MOTION THAT application SUP-2023-08, submitted by 3066 N. Garfield Rd LLC for a Special Use Permit for a commercial district housing development on Parcel 05-013-050-00, BE UNTABLED, and SCHEDULED for a public hearing for the March 13, 2024 regular Planning Commission meeting.