

CHARTER TOWNSHIP OF GARFIELD
PLANNING COMMISSION MEETING

Wednesday, January 13, 2016 7:00 pm
Garfield Township Hall
3848 Veterans Drive
Traverse City, MI 49684
Ph: (231) 941-1620

A G E N D A

Call Meeting to Order

Roll Call of Commission Members

1. Review and Approval of the Agenda - Conflict of Interest
2. Election of Officers
3. Minutes
 - a. December 9, 2015
4. Correspondence
 - a. Culver Meadows – Court Decision on Appeal from Planning Commission Decision
 - b. Vacation Home Rental - Letters
5. Reports
 - a. Township Board
 - b. Planning Commissioners
6. Business to Come Before the Commission
 - a. PD 2016- 03 Reid Child Care (7-12 Children) – SUP – Public Hearing
 - b. PD 2016- 04 GT Mall Site Plan Review - Dick's Sporting Goods - Public Hearing
 - c. PD 2016- 05 Vacation Home Rentals – Commission Discussion
 - d. PD 2016- 06 Garfield Township Recognition
 - e. PD 2016- 07 Crown Golf Course – Conceptual Review
7. Public Comment
8. Items for Next Agenda – January 27, 2016
 - a. Master Plan Survey Results
 - b. 2015 Annual Report
9. Adjournment

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

Garfield Township 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 Garfield Township. Individuals with disabilities requiring auxiliary aids or services should contact Garfield Township by writing or calling Lanie McManus, Clerk, Ph: (231) 941-1620, or TDD #922

**CHARTER TOWNSHIP OF GARFIELD
PLANNING COMMISSION MEETING
December 9, 2015**

Call Meeting to Order: Chairman Racine called the meeting to order at 7:00pm at the Garfield Township Hall, 3848 Veterans Drive, Traverse City, MI 49684.

Roll Call of Commission Members:

Present: Pat Cline, Kit Wilson, John Nelson, Terry Clark, Joe Robertson, Gil Uithol, John Racine

Staff Present: Rob Larrea

1. **Review and Approval of the Agenda – Conflict of Interest (7:00)**
Uithol moved and Nelson seconded to approve the agenda moving item e to item c.
Ayes: Uithol, Nelson, Wilson, Clark, Cline, Robertson, Racine
Nays: None

2. **Minutes (7:02)**
 - a. **October 28, 2015 Minutes**
Nelson moved and Cline seconded to approve the minutes of October 28, 2015 as presented.

Ayes: Nelson, Cline, Clark, Wilson, Uithol, Robertson, Racine
Nays: None

3. **Correspondence (7:02)**
 - a. Letters – Short Term Rentals

4. **Reports (7:02)**
Township Board Report
Wilson had no report

Planning Commissioners
No reports

5. **Business to Come Before the Commission**
 - a. **PD 2015-65 Adoption of 2016 Meeting Schedule (7:03)**
Nelson moved and Robertson seconded THAT the 2016 Planning Commission meeting schedule, as attached to PD Report No. 2015-65, BE APPROVED.

Yeas: Nelson, Roberston, Uithol, Wilson, Cline, Clark, Racine
Nays: None

b. PD-2015-66 Reid Child Care (7-12 Children) – SUP – Introduction (7:03)

The application requests a Special Use Permit (SUP) to establish a group childcare home at 3181 Zimmerman Road. The subject property is located on the west of Zimmerman Road, north of Silver Lake Road and south of the Heritage Estates subdivision. The property is zoned R-1 Single Family Residential and contains an existing single-family home. Fencing and road commission review and approval was discussed by Commissioners. Applicant Elizabeth Reid of Zimmerman Road commented on the fencing and noted that 600 square feet of outside area would be fenced even though the state licensing bureau does not require any fencing.

Nelson moved and Clark supported THAT application SUP-2015-02, submitted by Elizabeth Reid for a Special Use Permit for a Child Care Small Group Home BE ACCEPTED and scheduled for a public hearing at the regular meeting to be held on January 13, 2016.

*Yeas: Nelson, Clark, Wilson, Nelson, Robertson, Cline, Uithol, Racine
Nays: None*

Larrea will follow up with the Road Commission.

c. PD 2015-69 Grand Traverse Mall Site Plan Review – Dick’s Sporting Goods (7:09)

The applicant requests to demolish an area formerly occupied by Carmike Cinemas at the Grand Traverse Mall and locate a Dick’s Sporting Goods store in the space. Rouse Properties is also requesting the approval of two new overhead service door entrances to the structure near Macy’s and the main mall entrance. The subject property is zoned C-P Planned Shopping Center. Bob Verschaeve from Gosling Czubak was present on behalf of the applicant and said that there would be no change in the amount of impervious surface. The discrepancy in the location of the overhead doors will be dealt with prior to the public hearing and commissioners inquired about the landscaping beds and asked if they could be preserved. Commissioners also commented on the height of the building and signage.

Nelson moved and Uithol supported THAT Application 1990-04-E, submitted by Rouse Properties for a site plan amendment to the Grand Traverse Mall, be accepted and scheduled for a public hearing on January 13, 2016.

*Yeas: Nelson, Uithol, Wilson, Cline, Robertson, Clark, Racine
Nays: None*

d. PD 2015-67 Zoning Ordinance Amendment #1 (7:20)

Larrea proposed several zoning ordinance amendments as outlined in PD Report 2015-67. Chair Racine opened the Public Hearing at 7:23 and seeing no one wishing to speak, closed the Public Hearing.

Nelson moved and Wilson seconded THAT proposed Amendment No. 1 to Charter Township of Garfield Zoning Ordinance No. 68, as described within and attached to Planning Department Report No. 2015-67, be recommended for approval to the Garfield Township Board.

Yeas: Nelson, Wilson, Uithol, Robertson, Clark, Cline, Racine

Nays: None

e. Vacation Home Rentals – Discussion (7:25)

Vacation home rentals are not a permitted use in the R -1 One-Family Residential zoning district that surrounds Silver Lake. The Board has asked the Planning Commission to research vacation home rentals and make a recommendation on their findings to the Board.

Chair Racine, in an effort to gather information on the short term rentals, opened a Public Hearing at 7:26pm.

Barry Andrews of Roman Drive commented on the long history of rental cottages on the lake.

Michelle Courval of West Silver Lake Drive commented about problems with the house next door.

Ken Kleinrichert of Harbor Hills Drive presented a “white paper” on short term rentals.

Kurt Hubschneider commented on screening renters and working amicably with his neighbors.

Kelly Kazmierski of West Silver Lake Road commented about her family’s cottage that they bought as a rental.

Dennis Broder of Old Incochee commented that he bought 13 years ago and that he is being a good neighbor.

Mike Whitten of Boone Road commented on things to consider, adequate space for parking, doors slamming, fireworks, size of yard.

Norm Droste of Valley Drive commented on the difficulty with enforcement.

Mike Groleau of East Silver Lake Road commented on the loss of neighborhood and peace and quiet.

Shale Nolan of Silver Lake Road commented on being able to grow up on the lake

Kelly Rieman of Silver Lake Road commented on her experience with short term rentals.

Don Pahl of Highland Drive commented on his 16 years in the neighborhood and submitted a petition opposing short term rentals.

Jim Bock of Highland Drive commented on problems they have had and submitted another petition in opposition.

Fred Ogden of Silver Lake commented that renters love his property.

Jack Nolan of Silver Lake Road commented on forming a committee, look at a police power ordinance and fines.

Cindy Gerhard of Candlewood Lane commented on her experience with long term rentals.

Elaine Sylvane Rydell commented that she supports 30 day rentals.

John LeJeune commented that he did not buy his house to live next to a hotel.

Trisha Woods of Traverse City commented on her rental on the Boardman.

Lisa Green of Highland Drive commented on problems they have had and said she supports rentals for 30 days.

Wade Mariage of Buckhorn Drive commented on his parent's rentals, daycares and other thing that cause traffic problems.

Mike Kazmierski of Silver Lake Road commented that they try to be good neighbors.

Mike Stedman of Highland Drive said he is open minded and would like to see a solution every one could live with.

Jerry Niscota of NW Silver Lake Road commented that he would like the option a permitting plan would allow.

Marian Brady of NW Silver Lake Road commented that she had received word that all but one of their family's cottages would be grandfathered in. She asked when did the zoning change.

Tom Kraus commented on the real estate market of Silver Lake in Garfield Township.

Jeri LeRoy of S. Airport Road commented on overburdened with regulations.

Nancy Hathaway of Highland Drive commented that she does not feel safe with the renters next to her.

Denny Bogart of W. Silver Lake Road commented that he is against short term rentals.

Rick Gruber of Lake Drive commented that he likes the neighborhood that he recently bought into and thinks the ordinance is clear that short term rentals are not allowed.

Chair Racine closed the Public Hearing at 9:41pm.

Commissioners discussed the short term rental issue and how the determination was made that a property was a rental. Commissioners also talked about grandfathering certain properties and enforcement of short term rentals and the ordinance. Nelson said that any change in zoning would need to be based in the Master Plan. Larrea stated that short term rentals were never listed as a permitted use in the R-1 District and the courts have agreed with the township interpretation of the ordinance. Commissioners asked that Larrea continue the research and look at which area lakes allow rentals and to provide a synopsis of the court cases on the matter.

6. **Public Comment (9:58)**

None.

7. **Items for Next Agenda – January 13, 2016**

- a. Election of Officers
- b. Reid Child Care (7-12) – SUP – Public Hearing
- c. Grand Traverse Mall Site Plan review – Dick’s Sporting Goods – Public Hearing
- d. Vacation Rentals Discussion
- e. 2015 Garfield Township Recognition update

8. **Adjournment**

Clark moved to adjourn the meeting at 10:00pm.

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

Torch Lake Township

| | |
|-------------------|-------------------|
| Mailing Address | Street Address |
| PO Box 713 | 2355 N US 31 |
| Eastport Mi 49627 | Kewadin, Mi 49648 |

(231)-599-2036 Office

www.torchlaketownship.org

Fax: (231) 599-2981

December 10, 2015

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

Dear Commission Members,

I read in the Traverse City Ticker the discussion that was held at your December 9, 2015 meeting about short-term rentals. Under zoning, short-term rentals, those less than 30 days, are not allowed in Torch Lake Township. Our township has 9.5 miles of frontage on Grand Traverse Bay and a similar amount of frontage on the northwest side of Torch Lake including the northern tip of the lake. We have had little trouble with this issue until this past summer when a group of neighbors complained about a home on the Bay being rented by a large group of fraternity brothers. The zoning administrator contacted the owner, who lived out of state, and under the threat of a fine agreed in writing to not rent his home on a short term basis.

This issue prompted me to look into the on line vacation rental sites where I found other short term rentals being offered in our township. The zoning administrator contacted those owners we could find and were able to stop this kind of renting. Our surveillance on this issue will continue.

Short-term/vacation kinds of rentals on the lakes are a commercial use in a usually R-1 district. Most of the landlord/owners of these properties do not live here. They are investors from other parts of the country (world) who, even with local management by real estate and management companies, are earning 10 to 15 per cent on their investment. One home on Torch Lake in Milton Township south of us grossed over \$100,000 this past season. In today's world, it is a good investment, but it has totally negative effects on the lake shore neighborhoods.

In our area, there are very few Ma and Pa kinds of cottages left on the lakes. In the past, under the control of the owner, they rented the cottage for a few weeks in the summer to people they knew, usually to cover the taxes. There were few problems. There are now large homes replacing the cottages that are being used as a major business investment as vacation rentals by people who don't live here and who have little interest in maintaining the ambiance that brought many of us to these lakes and this region of Michigan. The persons who rent these places also don't seem to care.

I would urge you to consider carefully the vacation short-term rental issue, especially as it applies to Silver Lake. This becomes a real test of your zoning ordinance and the township's commitment to its importance. What does Silver Lake represent to your township? The citizens of Torch Lake Township decided a number of years ago that they did not want this kind of use on the water frontage in the township. The result has been a continued high property values and a high demand for lake front property. It is also a wonderful place to live. Thank you.

Sincerely,



Alan A Martel, Supervisor

Judith Battle

From: Roberto Larrea
Sent: Wednesday, December 16, 2015 10:30 AM
To: Judith Battle
Subject: FW: Garfield Twp. Short Term Rentals

Correspondence for the next PC meeting, thanks.

Rob Larrea, AICP

Director of Planning
Garfield Charter Township
3848 Veterans Drive
Traverse City, MI 49684
(231) 941-1620 Ext. 223
rlarrea@garfield-twp.com

From: Dennis Bogard [<mailto:dbogardrcf@gmail.com>]
Sent: Tuesday, December 15, 2015 8:00 PM
To: Chuck Korn; Roberto Larrea
Subject: Garfield Twp. Short Term Rentals

I'm writing to offer a little more information on the above subject in light of some of the discussion that seems to be generated from the last planning commission meeting. There appears to be some thought that some type of a "permit" system like they have in Leelanau County or parts of that county might work. I have a couple comments and some information on that idea.

There is no way that this commercial (disguised as a rental) activity will be policed by the township, Is the township going to hire someone to become the rental police? I know that during 2014, we became aware of the advertisement of the illegal rental of the property next door to me on Silver Lake, We immediately called the township and continued to do so at least weekly for the rest of the summer, The results were that the house was rented weekly all summer. Not a single week was missed, If this rental activity could not be stopped in this situation in spite of up front and continual notification during the whole summer, how are multiple properties going to be policed? It is not going to happen. I guarantee it.

I also talked to someone who owns several waterfront rental properties in the Suttons Bay area, My purpose in doing so was to find out how the "permit process" was working. He stated that it was basically not working, He was paying \$500 for a permit and nothing else had changed, With the increased rental activity, there were more and more problems with neighbors and nothing in place to deal with them, He was very concerned that the short term rentals were going to get shut down because of the problems and the fact that this permit system just did not work. Neighbors were continuing to get upset and were pushing hard to get these rentals eliminated. I stated this in the planning commission meeting and after some additional research, feel even stronger that short term rentals on Silver Lake just don't work. The right thing for the planning commission and the township board to do is to NOT make any change to what is currently in place. It was put there for a reason by some smart people and there is no reason to screw it up now,

Thanks and could you please forward this to all planning commission members?

Denny Bogard

December 15, 2015

Garfield Township Planning Commissioners
3848 Veterans Drive
Traverse City, MI. 49685

RE: Weekly Rentals in a R1-B Single Family Zoned Property

Dear Planning Commissioners,

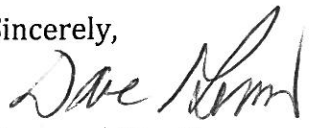
As we sat through almost 3 hours of public comments about short term rentals at your December 9th meeting the common term that kept coming up by the pro STR speakers was the word compromise. For the next few days we tried to understand how we as single family residents living in a R1-B zoned neighborhood could possibly benefit from any compromise proposed. After thinking through various scenarios we agreed that there wasn't any benefit to be gained. Why would we agree to degrade our quality of life, increase the danger to our family and true neighbors and compromise with businesses that are truly in the game for nothing but monetary reasons!

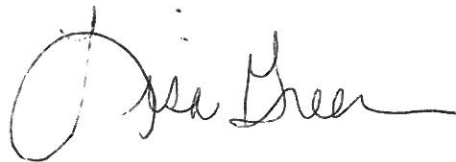
If this attempt to turn neighborhoods into resort areas succeeds we believe you might as well eliminate the R1-B classification from your zoning. Once most or all of the current waterfront property owners sell to investors or convert to rentals themselves the property owners not on the water will see a continued decrease in safety and quality of life issues to the point that they will also be forced to sell. Just because they might be across the street from the rental units doesn't mean they don't feel the increase in noise, traffic and strangers milling around!

We respectfully ask each of you to truly consider how the Charter Township of Garfield and its established neighborhoods gain anything by you voting to make a recommendation to the Trustees to move forward with an overlay zoning district for only Silver Lake waterfront properties.

Residential zoning is for residential use, not commercial use. Please use common sense and stop this unfounded attempt to destroy the single family life style in our wonderful township.

Sincerely,


Dave and Lisa Green
5324 Highland Drive
Traverse City, MI. 49685



Garfield Township Planning Commission Meeting

December 9, 2015, 7pm

Garfield Township Hall, Traverse City, Michigan

Comments: James W. Bock, Silver Lake resident

Good Evening! My name is James Bock and I've been a lakefront resident on Silver Lake in Garfield Township since 1994. Three years ago, a next door neighbor of 9 years sold his house. An investor from the Lansing area bought it, and began a weekly rental business in 2013, knowingly in violation of the Township ordinance. A dramatic change occurred in my family's life and in the lives of the other adjacent property owners and families. The close neighborly and community oriented character of our street became one of chaos in many-many respects.

Let me take just a moment to read a quote from a publication from the Charter Township of Garfield concerning zoning facts. It falls under the heading of "Frequently Asked Questions" The question asked was; "What is the purpose of Zoning"?

The township's response was, and I quote: "To protect the public Health, safety, morals, and general welfare of the inhabitants of the Township; to provide for adequate light, air and convenience of access to assure safety from fire and other dangers; to avoid undue concentration of population by regulating and limiting types and locations of buildings and regulating the location of trades, industries and buildings designed for specific uses; to provide for the orderly development of the Township; to encourage the use of lands and resources of the Township in accordance with their character and adaptability; to provide for safety in traffic, adequate parking and to reduce hazards to life and property; to facilitate the development of adequate systems of fire protection, education, recreation, water supplies, and sanitary facilities; and to conserve life, property, natural resources and the use of public funds for public services and improvements to conform with the most advantageous use of lands, resources and properties."

In 1974 the Charter Township of Garfield exercised their duty in a public spirited manner by implementing zoning regulations including the R-1B zoning ordinance in the Township. Our civil government, with due diligence, performed its duty in a manner exhibiting foresight and vision. They realized the commercial and antithetical nature of Short Term Rentals compared to the ideals of community and family neighborhoods and dis-allowed Short Term Rentals in residential areas. This action certainly parallels the above explanation of the purpose of zoning.

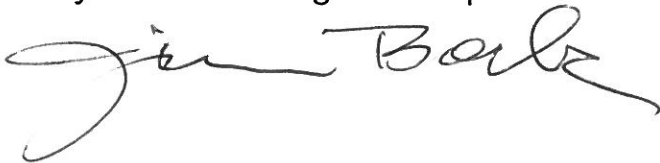
Again in 2013, when asked to interpret the residential zoning ordinances in regard to "Short Term Rentals" in areas zoned R-1B, they performed equally as well and represented the overall community's best interest in their response! Short Term rentals not allowed!

Today, here we are again, being asked by a very few to set aside this good civic policy and bow to the selfish, self-serving aspects of the human condition that exude an attitude of "anything for a quick buck is fine"; clearly disregarding the established the rights of others.

I trust our civil servants will once again act in a prudent manner and will not recommend a change to an ordinance that has been correct for 40 years. Commercial entities do not belong in R-1B zoned districts. I congratulate all of you for being a participant in a governmental organization that has consistently demonstrated dedication and adherence to duty.

Applaud Them!!!!

Thank you for allowing me to speak.

A handwritten signature in black ink, appearing to read "Jim Bork". The signature is fluid and cursive, with a long horizontal stroke at the end.

December 3, 2016

Garfield Township Board of Trustees
3848 Veterans Drive
Traverse City, Michigan, 49684

Dear Board,

My parents bought a home in Silver Pines resort in 1954. I grew up and played on Silver Lake my entire youth until I graduated from high school and went away to college and the military. My sister still lives in the Family homestead. In 2011 my sister from California and I bought a home on Silver Lake to use when we are able to get back home. When we were looking for vacation homes; most were offered as rental properties with rental histories.

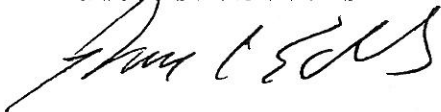
We are not able to live year round in Traverse City but love to have a place to call home when we visit. We do rent our home to offset the taxes and mortgage, and are definitely not making a profit from these rentals. The weekly rental window is about 8-10 weeks at best. We use the cottage about 3-4 weeks ourselves during the summer, leaving a handful of weeks left for renters. Most of our rentals are to families looking for a relaxing week on the lake. While I'm sure there may be problems with some renters, as well as residents having parties, there are existing ordinances to handle these complaints. It is totally unfair to punish a whole class of homeowners, based upon a few problems. Banning weekly rentals does not address the supposed problems as, residents are free to have parties, use the lake and have increased traffic.

We also allow friends and family to use the cottage if we are not there. Free of charge. How would the township make a determination between a renter and a guest?

I am definitely in favor of allowing rentals; as they are not specifically outlawed. Secondly, enforcement has been arbitrary, if at all, over the decades that rentals have existed on Silver Lake.

Sincerely,

Thomas L. Edwards



Review of Planning Commission Meeting on evening of 12-9-2015.

Submitted by James W. Bock, 5284 Highland Dr., Traverse City, MI 49685

Points brought up by those seeking a zoning change:

1. They have a right to do as they choose on their property and government shouldn't be able to tell them that they can't.
2. They don't see where Short Term Rentals are banned until 2013. (Sara K. statement)
3. They will suffer financially if they are not allowed to make money on their investment and may have to sell their property.
4. They say that they have strict rules of behavior and occupancy guidelines that "they" enforce and they all follow "best practice" guidelines.
5. They ask why is Garfield Township and Silver Lake the only lake that bans STR's in this area?
6. They want a compromise
7. They state that school funding suffers under the current restriction.
8. Their renters are perfect and they don't cause problems with their neighbors
9. They claim property values will go down if these regulations are enforced
10. They claim enforcing this zoning restriction will bring about a glut of homes on the market here and generally reduce property values.
11. They completely deny that their renters possess a "resort mentality" during their weekly stay even though they may pay up to \$5,000.00 to \$7,000.00 per week for the privilege of being so restricted.
12. We only rent on a short term basis for 10-12 weeks during the summer. That is only 19 to 23% of the year.

Rebuttal:

1. We live in a land of law and order created by appropriate rules and regulations.
2. Zoning definitions generally stay positive and list what you can do and define appropriate uses in a particular zone designation. They normally don't say all the things you can't do. It is generally understood that if it doesn't say you can, then you are more than likely involved in a non-conforming use.

3. I don't know any of these owners that are destitute and is it really the responsibility of the community to support an illegal activity to insure that the business owner doesn't bare any risk? Where in law is bad fiscal behavior to be rewarded at the expense of others when the others follow the rules and law?
4. I too practiced under "best practice" guidelines as a Pharmacist and business owner. Audits are randomly done by third parties to ascertain if I indeed practiced in accordance with the rules as outlined in a third party payer contract. The costs of conducting the audits are born by the third party payer and any discovery of impropriety and wrong doing are then taken off money owed to the provider by the third party payer. In addition, Blue Cross Blue Shield of Michigan extrapolates the errors' dollar value across their whole book of business for the past 12 months compared to the sample studied.
5. Perhaps it is because Garfield Township and the City of Traverse City are leaders in various aspect of public policy. Do these folks really want us to believe that Blair Township is the leader? It is much more believable that they are not leading in very many aspects and sooner or later will hopefully catch up. Torch Lake Township also only allows 30 days or more for rentals. In the last two years, property values in the City of Traverse City have went through the roof and the City led the charge that interprets that strict residential areas are generally incompatible with commercials activities scattered randomly throughout these types of neighborhoods.
6. The word compromise means "give and take" for all the parties involved. What is the gain for the folks who rate community and family values over the "fast buck" folks in this process? We are really being asked to now define all of these rule breakers as good citizens once the rules are changed to allow their commercial activity. The cost of monitoring their renters is not an economically feasible expense for them in their opinion, therefore, the neighbors must know their rules etc. and report the infractions or, they aren't worth the paper they're printed on. Their activity is the antithesis of community and family neighborhood ideals and character preservation.
7. It is very clear that they don't understand that school funding is dependent upon student enrollment numbers (or again chose to practice deception). Weekly or short term rentals do not add pupil enrollment and therefore the \$7,800.00 per pupil allowance doesn't exist for that property. The 18 mil

extra tax paid if they claim their property as a non-homestead property comes in at about one half the \$7,800.00. That then creates a \$3,900.00 net loss for the schools compared to a family occupied property that has only one school age child. If they criminally claim the property as a homestead with the 18 mil deduction, the loss of income to the school system would be \$11,700.00 and if those properties had 2 or 3 school age residents, well, you can do the math.

8. In general, nobody likes to be an enforcer and many folks just ignore the problems so as not to have to become involved in a contentious manner. That inner frustration is held inside and can have a direct negative effect the health of that individual. The “no news is good news” saying is how they interpret no problems.
9. All evidence points to the contrary, in 2014 and 2015 prices are up and sales are up.
10. No glut here and this is the time frame where many folks finally became aware of the zoning interpretation.
11. The “resort mentality” tends to be dependent upon several factors, age of the renters, size of the group, family dynamics of the group and the weekly rental cost. I have rarely not seen a lack of that mentality nor have my neighbors.
12. Only 10 to 12 weeks? In this area that is the whole season. Most lake front owners cherish those 10 to 12 weeks and that is the reason they purchased a lake front property. Imagine this; you have a 13 yearold daughter and mom and dad finally approved her first bikini bathing suit. First warm day in June, she goes down to the beach to catch some sun and swim a little. Sunday, in comes a group of 15, 25 to 30 year-old guys, renting the large house next door. Monday some of their girlfriends arrive and they are all down on the beach. They are drinking, snickering and engaging in rather sexy and inappropriate public behavior. Several of the guys start starring at your daughter as she is quite pretty and innocent. She becomes very uncomfortable and goes back up to the house and doesn't come back down to “her beach” until they leave on the next Sunday morning. That afternoon, the next group arrives. These dynamics don't exist with permanent residents as your neighbor because your family all know them and they too understand how fragile most young girls at that age can be.

JoAnn Droste
1259 Valley Drive
Traverse City, MI 49685
231-941-4845
jjsideout1@aol.com

December 30, 2015

Mr. Rob Larrea, Planning Director
Garfield Charter Township
3848 Veterans Drive
Traverse City, MI 49684

RE: Short Term Rentals on Silver Lake

Dear Mr. Larrea and Planning Commission:

I am requesting you do NOT change the rules for RB1 zoning concerning Short Term Rentals on Silver Lake. The following are just some of the reasons why I believe this would have a negative impact on Garfield Township and open a can of worms:

1. Negative impact on Silver Lake
 - renters do not care or even know about our Loons and Swans
 - septic system overloads (as evidenced by one owners alarm going off often).
2. Not good for the majority of property owners (only those renting).
 - Realtors have persuaded sellers to market as a rental property (therefore asking a higher price) and telling buyers it's a great deal because they can rent it out weekly to make the Mortgage payment.
3. STR's are Not Residential and not allowed.
 - STR's take a residential neighborhood and turns it into a Hotel neighborhood.
 - STR's are not Single Family.
 - STR's contradict the Single family Residential Purpose of the Present Zoning.
4. STR's do not promote a suitable neighborhood for family ("...not include individuals whose domestic relationship is of a transitory or seasonable nature..." per Garfield Township Zoning Ordinance) life – which is the purpose of the R-1 Zoning District in the Master Plan.

5. This would be “SPOT ZONING” which is generally prohibited by the Courts.
 - struck down when the sole motive was economic gain to the landowner.
 - no reasonable relationship to public health, safety, morals, or welfare- therefore not a lawful and permissible exercise of police powers.
 - these parcels have no condition unique to their specific property – lots of cottages and houses on the lake.
6. Current Zoning is part of the Master Plan, is correct and is not unreasonable because of the purely arbitrary, capricious and unfounded exclusion of other types of legitimate land use from the area in question.

If considering allowing current ones:

1. Someone doing something illegal should not be rewarded.
2. Garfield Township needs to give citations and tickets and do whatever is necessary to stop STR's.
3. If my neighbor is operating a STR – I don't think you can tell me I can't.
4. Lowers the neighboring property values considerably.

The Master Plan needs to be followed and your recommendation to the Garfield Charter Township Board that Short Term Rentals NOT be allowed should be done as soon as possible for all the people affected by this.

Sincerely,

JoAnn Droste
Garfield Township Resident



Charter Township of Garfield

Grand Traverse County

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

MEMO

Date: January 6, 2016

To: Planning Commission

From: Planning Department

Re: Litigation regarding Culver Meadows

This memo is being provided for the Planning Commission's information regarding recent litigation which was pursued against the Township.

As the Planning Commission will recall, in March of 2015 the Planning Commission denied a special use permit application for a proposed senior apartment building on W. Silver Lake Road. The applicant subsequently appealed the Planning Commission's decision on the grounds that the decision was arbitrary and capricious.

After considering the arguments of both the appellant and the Township, the Court found that the Planning Commission's decision to deny the Special Use Permit was based upon proper procedure, represented the reasonable exercise of discretion granted by law to the Planning Commission, and was supported by competent, material, and substantial evidence on the record. Therefore, the Court affirmed the decision and findings made by the Planning Commission.

Though the applicant may still choose to appeal the Circuit Court's decision, we wanted to take this opportunity to update the Planning Commission on this case and to serve as an example of the importance of the Planning Commission's good habit of making proper findings of fact to support all actions and decisions.

Attachment:

Culver Meadows Decision and Order Denying Appeal

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

BRAD JEWETT and TRINA JEWETT,
husband and wife,

Appellants,

v

File No. 2015030915AA
HON. PHILIP E. RODGERS, JR.

CHARTER TOWNSHIP OF GARFIELD,
A Michigan municipal corporation,

Appellee.

Craig W. Elhart (P26369)
Dena Horvath (P75876)
Mattias F. Johnson (P78199)
Attorneys for Plaintiffs/Appellants

Karrie Zeits (P60559)
Attorney for Defendant/Appellee

DECISION AND ORDER DENYING APPEAL

The Appellants, Brad and Trina Jewett, own approximately 6.45 acres of vacant property, located at 1755 North West Silver Lake Road, in Garfield Township, Grand Traverse County, Michigan (hereinafter the "Property").¹ The Property and surrounding area are located in a Single Family Residential District.²

On December 9, 2013, the Appellants applied to the Garfield Township Planning Commission ("Planning Commission") for a Special Use Permit to build "independent living apartments for senior citizens" on the Property.³ The application, also referenced as Application

¹ The Appellants also own an existing 12,000 square foot, one-story senior living facility to the south of the Property.

² The area is zoned R-1B by Garfield Township. Section 6.3 states that R-1B, One-Family Residential Districts are designed to accommodate the development of low-medium density residential uses within those areas of the Township that are within the anticipated urbanized growth pattern of Traverse City, or within other areas of the Township where existing or anticipated public services such as public water and sewer facilities, can be provided. This District also includes existing one-family developments within the Township which have a similar lot area and character, as well as areas within which such development appears likely and desirable.

³ The Planning Commission has the power to permit or deny a Special Use Permit application pursuant to the Charter Township of Garfield's Planning Commission Ordinance No. 53, established under MCL § 125.3801 *et seq.*

2014-01, proposed the senior apartments as an Institutional Structure, pursuant to Section 8.5 of the Garfield Township Zoning Ordinance, which states:

In recognition of the many institutional uses that have been found to be reasonably compatible with residential uses, the Township Planning Commission may authorize the construction, maintenance and operation in any residential or agricultural district of certain institutional uses specified in this Section by the issuance of a Special Use Permit.

The following land and structure uses may be permitted, PROVIDED, the requirements of Section 8.1 of this Article are met.

Institutions for Human Care: Hospitals, sanitariums, nursing or convalescent homes, homes for the aged, adult foster care facilities, and age restricted independent housing or assisted living facilities.

The original proposal included a 42,111 square foot, two-story building with 88 units and 61 parking spaces.⁴ The Appellants met with the Planning Commission on January 8, 2014, to discuss their application for a Special Use Permit. The application was tabled to allow Appellants to address the standards of Section 8.1.3 of the Zoning Ordinance.⁵

On March 12, 2014, the Appellants again met with the Planning Commission after the proposal was revised to address density concerns.⁶ At this meeting Planning Commission indicated that the proposed Special Use Permit exceeded the density for the area, seemed like a commercial use in a residential area and was “not compatible with the area.”⁷ The proposal was referred to staff to analyze the new information for findings of fact.⁸ On April 9, 2014, Appellants met with the Planning Commission and presented another revised proposal that would further reduce the building density. Again, the application was tabled by the Planning Commission.⁹ On February 11, 2015, Appellants presented to the Planning Commission a further revised proposal which included a two-story, 28,000 square foot building with 43 units and 56 parking spaces.¹⁰ At the meeting it was noted by the Planning Commission that

⁴ See Charter Township of Garfield Planning Department Report No. 2015-13, prepared February 3, 2015, for File No. SUP-2014-01.

⁵ See Minutes for Charter Township of Garfield Planning Commission Meeting, January 8, 2014. At the meeting Commissioners indicated that the scale of the building was too massive and not compatible with the adjacent single family homes.

⁶ See Minutes for Charter Township of Garfield Planning Commission Meeting, March 12, 2014; page 2.

⁷ *Id.*

⁸ *Id.*

⁹ See Minutes for Charter Township of Garfield Planning Commission Meeting, April 9, 2014; page 3. At the meeting Commissioners indicated that the Appellants failed to address the concerns of the Planning Commission with regard to the building density.

¹⁰ See Minutes for Charter Township of Garfield Planning Commission Meeting, February 11, 2015; page 3.

apartments, senior or otherwise, are not permitted in the R-1B Single Family Residence District, the proposed building was very large and not harmonious with the surrounding single family residences and that the Appellants had refused or failed to address the same concerns mentioned at previous meetings.¹¹ The Planning Commission then moved to have Findings of Fact prepared in support of the determination that the proposed project was not harmonious with the surrounding area.¹²

At the Planning Commission meeting held March 25, 2015, the Appellants requested approval of their Special Use Permit and Site Plan. After adopting the Findings of Fact for Application 2014-01, as amended, the Planning Commission ultimately denied Appellants application for a Special Use Permit.¹³

On April 15, 2015, Appellants filed a complaint alleging that the Planning Commission's denial of the Special Use Permit was arbitrary and capricious. Subsequently, on May 14, 2015, Appellants filed an Amended Complaint in Conformity with Claim of Appeal Pursuant to MCR 7.122, claiming that the Planning Commission's denial was in direct conflict with the established zoning ordinance regarding institutional uses. The Court heard oral arguments by the parties on December 7, 2015, took the matter under advisement, and now issues this written decision and order affirming the decision of the Planning Commission.

The township board of an organized township in this state may provide by zoning ordinance for the regulation of land development.¹⁴ The Michigan Constitution states that:

All final decisions, findings, rulings and orders of any administrative officer or agency existing under the constitution or by law, which are judicial or quasi-judicial and affect private rights or licenses, shall be subject to direct review by the courts as provided by law. This review shall include, as a minimum, the determination whether such final decisions, findings, rulings and orders are authorized by law; and, in cases in which a hearing is required, whether the same are supported by competent, material and substantial evidence on the whole record.¹⁵

¹¹ *Id.*

¹² *Id.*

¹³ See Minutes for Charter Township of Garfield Planning Commission Meeting, March 25, 2015; pages 3-4.

¹⁴ *Carleton Sportsman's Club v Exeter Twp*, 217 Mich App 195, 198; 550 NW2d 867 (1996).

¹⁵ Const 1963, art 6, § 28.

An agency's decision that is within the statutory authority or jurisdiction of the agency, is statutorily permitted and is made upon lawful procedures is a decision that is authorized by law.¹⁶ Substantial or substantive evidence is evidence that a reasonable person would accept as sufficient to support a conclusion, while this requires more than a scintilla of evidence, it may be substantially less than a preponderance.¹⁷ The substantial evidence test is not whether a contrary decision could have been supported by substantial evidence, but whether the decision the agency actually made was supported by substantial evidence.¹⁸ Meaningful judicial review of whether there was competent, material and substantial evidence on the record requires knowledge of the facts justifying the agency's conclusion and Courts should accord due deference to administrative expertise and not invade administrative fact finding by displacing an agency's choice between two reasonably different views.¹⁹ A planning commission's decision should be affirmed unless: (1) it is contrary to law, (2) based on improper procedure, (3) not supported by competent, material and substantial evidence on the record, or (4) an abuse of discretion.²⁰

Garfield Township Ordinance Section 8.1.3, the Basis for Determinations states that before approving or disapproving a special use permit application, the Planning Commission shall establish general and specific standards pursuant to the Article. The general standards indicate that the Planning Commission 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, compatible, 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 the property in the immediate vicinity and to the community as a whole.
- (c) Be served adequately by essential facility and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.

¹⁶ *Northwestern Nat'l Cas Co v Ins Comm'r*, 231 Mich App 483, 488; 586 NW2d 563 (1998).

¹⁷ *Tomczik v State Tenure Comm*, 175 Mich App 495, 499; 438 NW2d 642 (1989).

¹⁸ *Badder v Dep't of Human Services*, unpublished opinion per curiam of the Court of Appeals, issued February 8, 2011 (Docket No. 294245).

¹⁹ *Reenders v Parker*, 217 Mich App 373; 551 NW2d 474 (1996). *Dignan v Mich Pub School Employees Retirement Bd.*, 253 Mich App 571; 659 NW2d 629 (2002). Deference is afforded to an agency's choice between two alternative views because of the agency's administrative expertise.

²⁰ *Id.*; Const 1963, art 6, § 28.

(d) Not create excessive additional requirements at public cost for public facilities or 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, glares or odors.

In reviewing an impact assessment and site plan, the Planning Commission must also consider specific standards such as whether the proposed site is in accord with the spirit and purpose of the Ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by the Ordinance and the principles of sound planning.²¹

In their brief, Appellants assert that the Planning Commission's denial was based solely on the fact that the proposed building was bigger than a single family home, and further, that the denial can be seen as nothing besides an arbitrary decision. However, a review of the record indicates that the Planning Commission made multiple findings, not just limited to the size of the proposed building, about the Special Use Permit. With regard to Appellants project, the Planning Commission found that only two of the five general standards were met.²² The

²¹ The remaining specific requirements include: (a) That the applicant may legally apply for site plan review; (b) that all required information has been provided; (c) that the proposed developer conforms to all regulations of the zoning district in which it is located; (d) that the plan meets requirements of Garfield 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 indicated 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 and open space areas as designed on the future land use map of Garfield Township; (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 storm water 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 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 services, drainage or erosion control; (m) that the plan provides for the proper expansion of existing facilities such as public streets, drainage systems and water sewage facilities; (n) that landscaping fences or walls may be required by the Planning Commission in pursuance of the objectives of this Ordinance; (o) that parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets; (p) that vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient; and (q) 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.

²² With regard to the specific standards, the Planning Commission found that: (1) the Appellants had not submitted all required information; (2) the proposed development did not conform to all regulations of the zoning district in which it was located and (3) the proposed site was not in accord with the spirit and purpose of the ordinance and was inconsistent with the objectives sought to be accomplished by the Ordinance and the principles of sound planning. The Planning Commission found that the remaining 15 specific standards were met.

Planning Commission found that the project was not designed to be harmonious, compatible and appropriate in appearance with the existing or intended character of the general vicinity because:

- (1) The project is at maximum density for Moderate Density Residential, which density is contemplated only when compatible with surrounding uses. At 12-times the density of the surrounding uses, such density is not compatible.
- (2) The scale and massing of the proposed building is inharmonious and incompatible with that of the predominately single-family surrounding area.
- (3) Because of common secondary effects of operating an apartment building such as traffic, noise, light and glare, this type of use is regularly only allowed within a designated multi-family zoning district and is not appropriate within residential area.
- (4) Excessive amounts of paving leads to unnecessary storm water runoff and an overly paved appearance, which is not compatible with that of the primarily single-family residential area.
- (5) To the extent the general vicinity includes non-residential uses, these uses are either in another jurisdiction, are exempt from Township zoning control, or approved through different zoning mechanisms as allowed by the Zoning Ordinance. These uses however do not detract from or alter the single family residential character of the general vicinity.
- (6) The project is not similar to the existing Culver senior living facility as the proposed project is larger in scale, density and intensity. The project is not similar to Traverse Manor because Traverse Manor is shielded by topography, landscaping and is located near the Arbors and Chelsea Park.²³

The Planning Commission also found that the project would be hazardous or disturbing to existing or future uses in the same general vicinity because:

- (1) The project has the potential to be disturbing to and/or negatively affect existing or future uses in the vicinity due to excessive project density and the visual impact of mass and scale of the project in relation to the surrounding single-family residential uses.
- (2) The project has the potential to be disturbing and negatively affect existing or future uses in the vicinity due to the likely secondary effects of the project such as traffic, noise, light and glare.
- (3) The project, as proposed would have a detrimental effect to property in the immediate vicinity due to its size, mass and intensity.

Finally, the Planning Commission found that the project would involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to persons, property or the general welfare because due to the proposed operation of the project as a senior

²³ Additional reasons are provided in the Planning Commission Adopted Findings of Fact, March 25, 2015; pgs 3-4.

apartment complex, a common secondary effect of such an intense use is excessive light and glare from the operation and use of the project by the residents of the 38 proposed units.

Judicial review of whether there was evidence sufficient to support a determination requires a review of the record to determine whether there is a showing of the Planning Commission's rationale and if the rationale is supported by the evidence on the record.²⁴ Here, the Planning Commission discussed each general and specific standard provided for in the Ordinance and indicated how and why the proposed project met or did not meet each standard. By thoroughly discussing each standard, the Planning Commission provided rationale for its determination that the project was inharmonious and incompatible with the Single Family Residential District. The Planning Commission's determination that Appellants project failed to meet the requirements and standards for approval is supported by competent, substantial and material evidence on the record, and was clearly not arbitrary.

The Court finds that the Planning Commission's decision to deny the Special Use Permit was based upon proper procedure, represented the reasonable exercise of discretion granted by law to the Planning Commission, and was supported by competent, material and substantial evidence on the record. Therefore, for the reasons stated herein, the Court affirms the decision and findings by the Planning Commission.

IT IS SO ORDERED.




12/22/2015
12:15PM

PHILIP E. RODGERS, JR., CIRCUIT COURT JUDGE, P29082

HONORABLE PHILIP E. RODGERS, JR.
Circuit Court Judge

²⁴ *Reenders, supra.*

| | | | |
|---|--|--------------|-------------------------------------|
|  Charter Township of Garfield Planning Department Report No. 2016-03 | | | |
| Prepared: | January 6, 2016 | Pages: | Page 1 of 1 |
| Meeting: | January 13, 2016 Planning Commission | Attachments: | <input checked="" type="checkbox"/> |
| Subject: | Elizabeth Reid Group Child Care SUP Application - Public Hearing | | |
| File No. | SUP-2015-02 | Parcel No. | 05-017-039-00 |
| Applicant/Owner: | Elizabeth Reid | | |
| Agent: | n/a | | |

PURPOSE OF APPLICATION:

The application requests Special Use Permit (SUP) approval to establish a group childcare home (providing care for up to 12 children) at 3181 Zimmerman Road.

SUBJECT PROPERTY:

The subject property is located on the west of Zimmerman Road, north of Silver Lake Road and south of the Heritage Estates subdivision. More specifically, the site is located along the curvy stretch of road roughly across from the Paysage Place subdivision (Panorama Road). The property is zoned R-1 Single Family Residential and contains an existing single-family home.

STAFF COMMENT:


This application was introduced on December 9, 2015 and a public hearing has been scheduled for January 13, 2016.

As requested by the Planning Commission, Staff has contacted the County Road Commission for a determination regarding safe access to and from the site, due to its location along a curve. As of this writing, the Road Commission has informally indicated that there may be some sight distance issues, particularly to the south, but they have not yet issued a formal recommendation. Staff should be able to provide an update by the time of the public hearing.

Other than the request for Road Commission comment and pending (if any) public comment, there were no other key concerns with this application.

ACTION REQUESTED:

The first purpose of the January 13th meeting is to invite public comment on the application. Following an opportunity for public comment and also in consideration of anticipated Road Commission input, the Planning Commission may wish to direct Staff to prepare findings in support of an anticipated decision.

| | | |
|---|---|--|
|  | Charter Township of Garfield Planning Department Report No. 2016-04 | |
| Prepared: | January 5, 2016 | Pages: Page 1 of 2 |
| Meeting: | January 13, 2016 Planning Commission | Attachments: <input checked="" type="checkbox"/> |
| Subject: | Grand Traverse Mall Site Plan Review - Dick's Sporting Goods | |
| File No. | SPR-1990-04-E | Parcel No. 05-021-015-00 |
| Applicant/Owner: | Grand Traverse Mall LLC / Rouse Properties Inc | |
| Agent: | Gosling Czubak | |

PURPOSE OF APPLICATION:

The application requests site plan review for a new tenant, Dick's Sporting Goods, to be located within the Grand Traverse Mall. While the site plan is up for consideration, Rouse Properties is also requesting approval of two new overhead service door entrances to the structure near Macy's and the main mall entrance. The subject property is zoned C-P Planned Shopping center.

SUBJECT PROPERTY:

As noted above, the subject property is within the Grand Traverse Mall. More specifically, Dick's would be located in the space formerly occupied by Carmike Cinemas, which will relocate to the new Buffalo Ridge Center this month. The existing structure will be demolished and rebuilt from the ground up.

STAFF COMMENT:

This application was introduced to the Planning Commission on December 9th and a public hearing was scheduled for January 13, 2016.

During the introduction, Staff noted that the site plans were incorrect regarding existing and proposed service doors. This issue has been corrected. As noted previously, the application proposes to eliminate two raised planter beds and at least one mature tree near Macy's / Old Navy. To make up for the loss of this landscaping, the application proposes to plant three additional trees along the property's South Airport Road frontage. The suitability of this proposed replacement (as well as clarification on what species will be planted) should be discussed. The attached aerial photo has been labeled to show the existing and proposed location of these plantings.

Other than the above, no significant issues were raised at the time of introduction.

ACTION REQUESTED:

The first purpose of this agenda item is to invite public comment on the application. Pending public comment and Planning Commission discussion, the Planning Commission may wish to direct Staff to prepare findings in support of an anticipated decision at an upcoming meeting.

Attachments:
11x17" site plan set



Parcel Map - Grand Traverse Mall

Legend

□ Parcel 2015

*This map is based on digital databases prepared by Garfield Township. The Township does not warrant, expressly or impliedly, that the information on this map is current or professionally accurate. Always contact a surveyor to be sure of where your property lines are located.

Garfield Charter Township
3848 Veterans Drive
Traverse City, MI 49684
Phone: 231.941.1620
Fax: 231.941.1688
www.garfield-twp.com

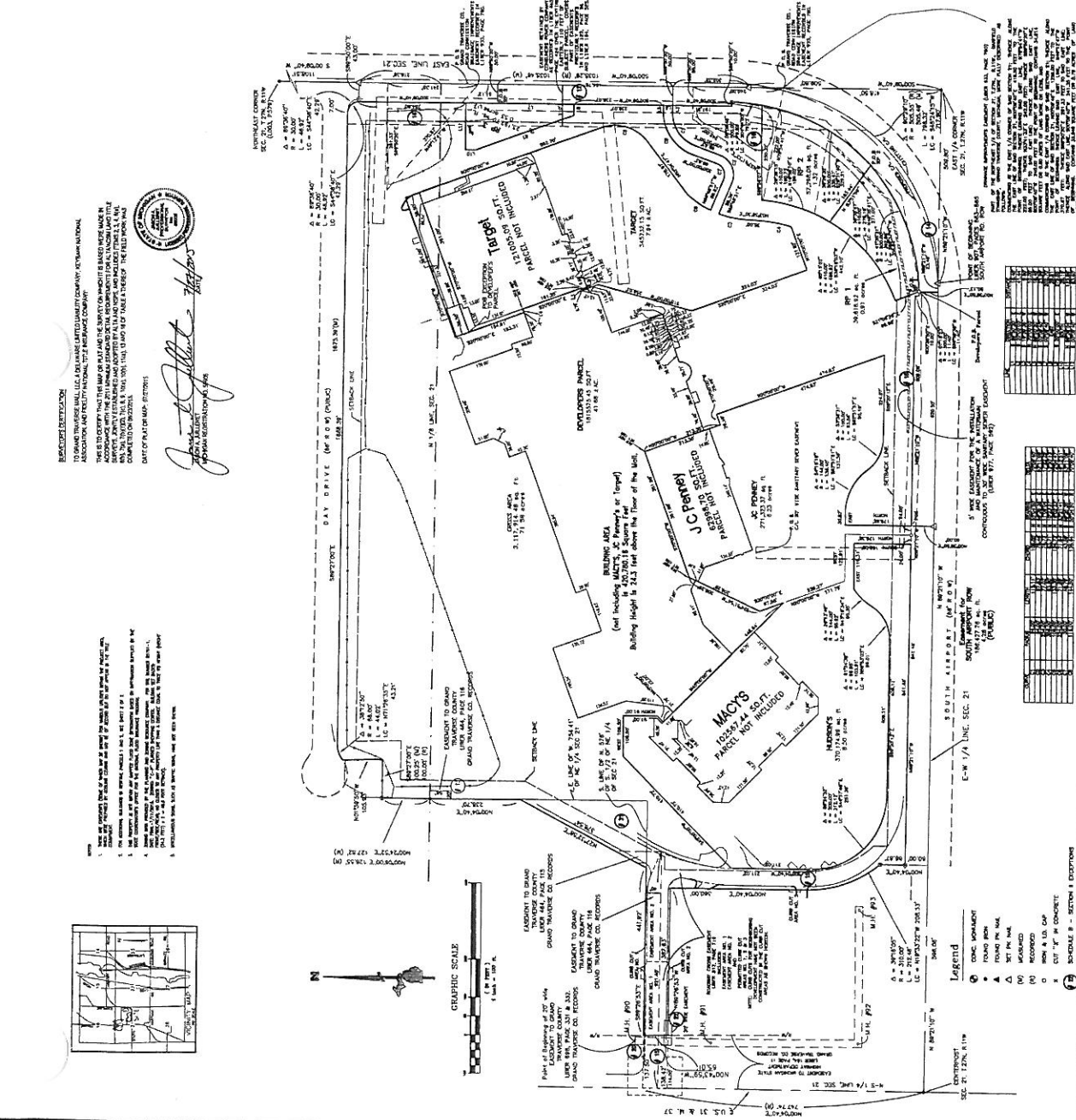


NOT A LEGAL SURVEY

Garfield Township Planning Dept: 1/6/2016

NOTICE TO CONTRACTORS: THIS SURVEY IS A PRELIMINARY SURVEY AND IS NOT TO BE USED FOR CONSTRUCTION PURPOSES WITHOUT THE WRITTEN APPROVAL OF THE SURVEYOR. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS SURVEY. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR DAMAGES TO PERSONS OR PROPERTY. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR DAMAGES TO PERSONS OR PROPERTY. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR DAMAGES TO PERSONS OR PROPERTY.

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REMARKS:
 TO GRAND TRAVERSE MALL, L.L.C. (A DELAWARE LIMITED LIABILITY COMPANY), A TRAVEL NATIONAL ASSOCIATION AND INTERNATIONAL TIME INSURANCE COMPANY.
 THIS SURVEY IS A PRELIMINARY SURVEY AND IS NOT TO BE USED FOR CONSTRUCTION PURPOSES WITHOUT THE WRITTEN APPROVAL OF THE SURVEYOR. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS SURVEY. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR DAMAGES TO PERSONS OR PROPERTY. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR DAMAGES TO PERSONS OR PROPERTY.

[Signature]
 Surveyor

LEGEND
 (S) CONCRETE
 (C) CONCRETE
 (A) ASPHALT
 (P) PAVEMENT
 (R) RECORD
 (D) DRAINAGE
 (E) EASEMENT
 (L) LOT

GRAPHIC SCALE
 1" = 100'

NOTICE TO CONTRACTORS: THIS SURVEY IS A PRELIMINARY SURVEY AND IS NOT TO BE USED FOR CONSTRUCTION PURPOSES WITHOUT THE WRITTEN APPROVAL OF THE SURVEYOR. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS SURVEY. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR DAMAGES TO PERSONS OR PROPERTY. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR DAMAGES TO PERSONS OR PROPERTY.

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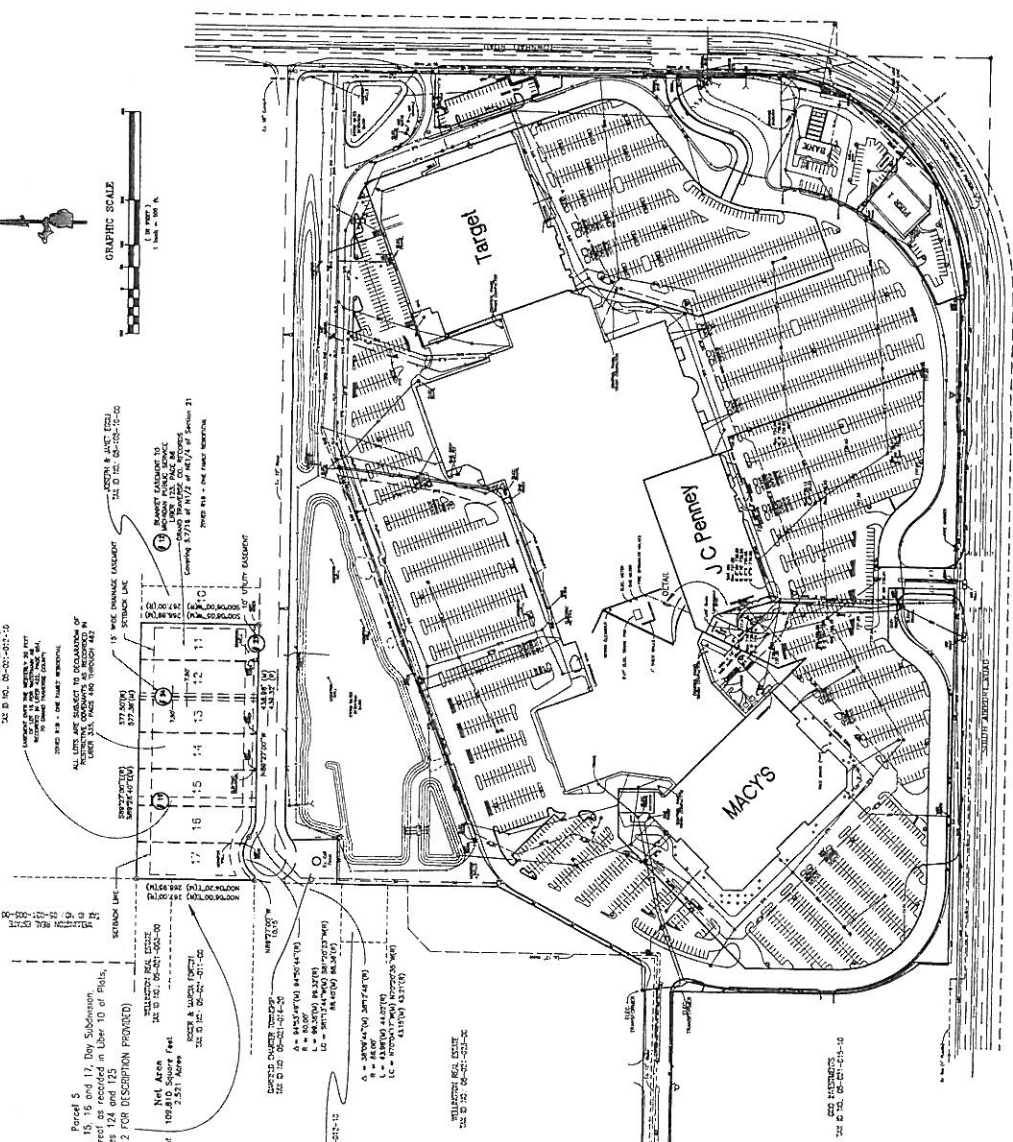
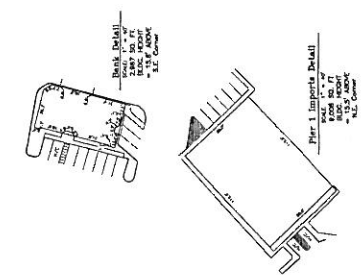
**ALTA/CASUALTY SURVEY
GRAND TRAVERSE MALL**

SECTION 31, T27N, R17E, S3E
OSHDOS COUNTY, MICHIGAN

Project No.: 1010101
Drawing No.: 1010101-01

Client: GRAND TRAVERSE MALL
Surveyor: [Name], License No. [Number]

THESE PLANS HAVE BEEN PREPARED BY THE SURVEYOR IN ACCORDANCE WITH THE PROVISIONS OF THE MICHIGAN SURVEYING ACT, 1978, AND THE MICHIGAN PROFESSIONAL SURVEYOR'S BOARD, 1978. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND THE INFORMATION FURNISHED TO BE TRUE AND CORRECT. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY INTERESTS AFFECTING THE PROPERTY. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND THE INFORMATION FURNISHED TO BE TRUE AND CORRECT. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY INTERESTS AFFECTING THE PROPERTY. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND THE INFORMATION FURNISHED TO BE TRUE AND CORRECT. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY INTERESTS AFFECTING THE PROPERTY.



Parcel 5
Lots 11, 12, 13, 14, 15, 16 and 17, Day Subdivision,
according to the plat thereof as recorded in Liber 10 of Plats,
686 of 1955
(SEE SHEET 1 OF 2 FOR DISCUSSION REQUIRED)

Gravel Area
152,242 Square Feet
3.481 Acres

Net Area
109,210 Square Feet
2.531 Acres

SEPARATE PLAT FOR DISCUSSION REQUIRED

SEPARATE PLAT FOR DISCUSSION REQUIRED

SEPARATE PLAT FOR DISCUSSION REQUIRED

SEPARATE PLAT FOR DISCUSSION REQUIRED

SEPARATE PLAT FOR DISCUSSION REQUIRED

LEGEND

- Paved Area
- Gravel Area
- Asphalt Paved Area
- Concrete Paved Area
- Grass Area
- Water
- Utility
- Structure
- Other

Parking Spacing

| Category | Full-Size | Unassigned | Handicap | Totals |
|------------|-----------|------------|----------|--------|
| Spaces | 100 | 100 | 10 | 210 |
| Handicap | 0 | 0 | 10 | 10 |
| Unassigned | 0 | 0 | 0 | 0 |
| Total | 100 | 100 | 20 | 220 |

DATE: 02/25/2010 10:10:00 AM
BY: [Name]

DATE: 02/25/2010 10:10:00 AM
BY: [Name]

DATE: 02/25/2010 10:10:00 AM
BY: [Name]

UTILITY PLAN
DICK'S SPORTING GOODS STORE
GRAND TRAKERS
ROUSE PROPERTIES

SECTION 21 12N 81W
CARLETON TOWNSHIP
GRAND TRAKERS COUNTY WISCONSIN

DATE 11-14-2015
AS NOTED
DRAWN BY

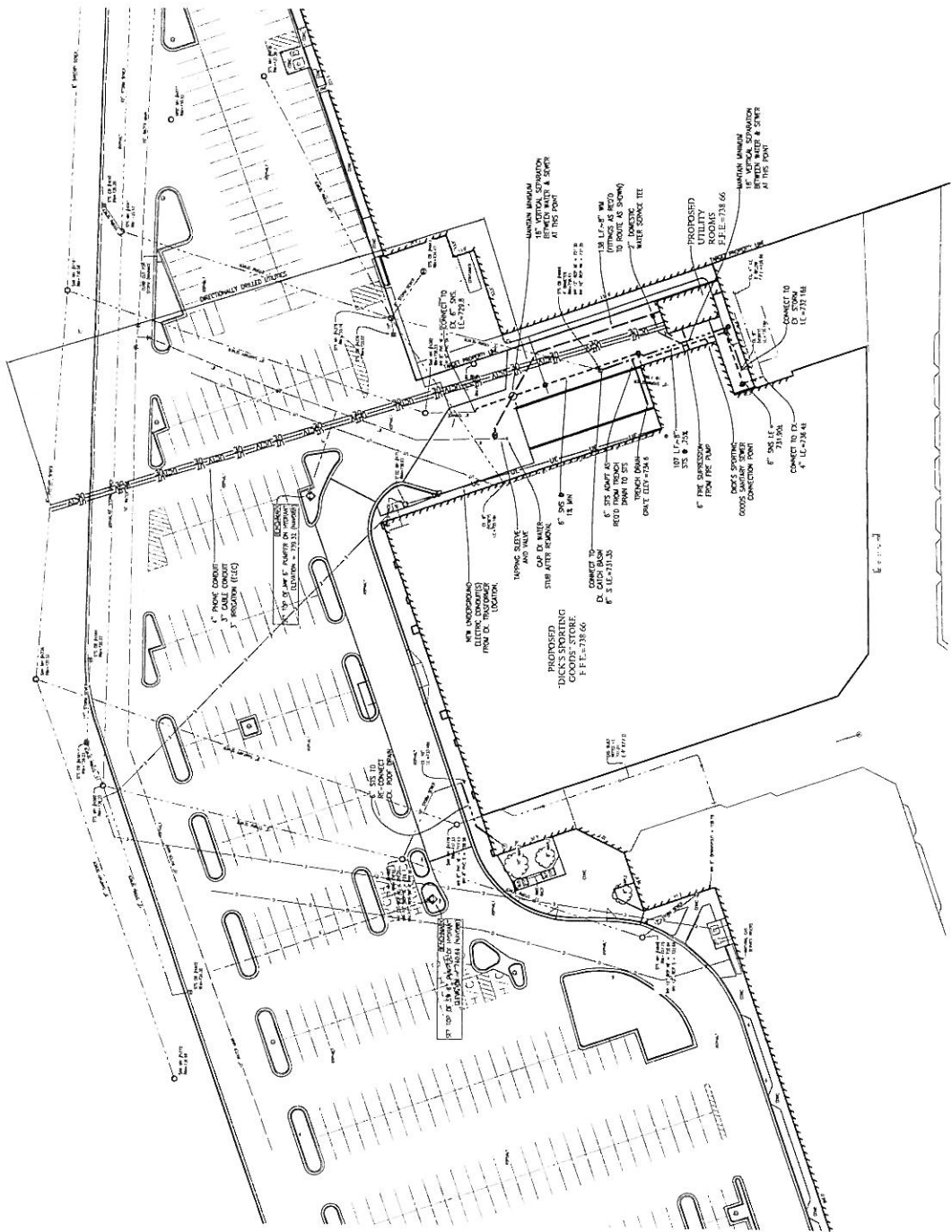
SCALE 1" = 30'
PROJECT NO. 2012110002
SHEET NO. 2



GENERAL NOTES:

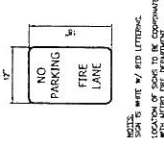
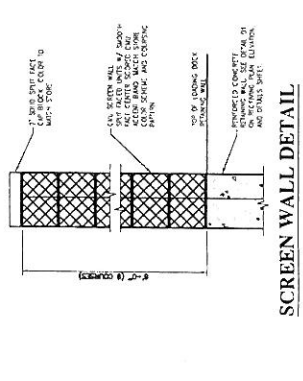
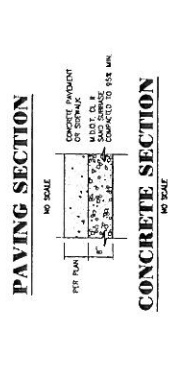
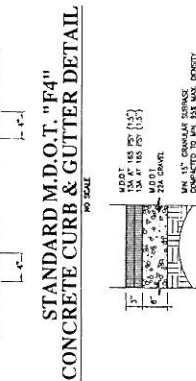
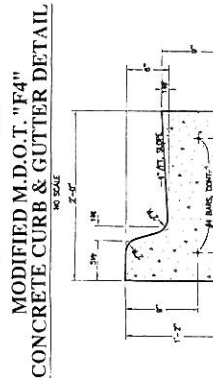
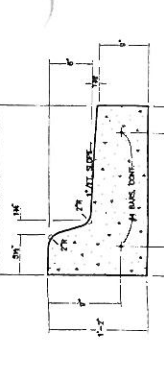
1. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.
2. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC), NATIONAL FIRE ALARM AND SIGNAL CODE (NFPA 72), NATIONAL PLUMBING CODE (IPC), NATIONAL GAS CODE (NGC), AND NATIONAL MECHANICAL CODE (NMC).
3. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE WISCONSIN ELECTRICAL CODE (WEC), WISCONSIN FIRE ALARM AND SIGNAL CODE (WFASC), WISCONSIN PLUMBING CODE (WIPC), WISCONSIN GAS CODE (WGC), AND WISCONSIN MECHANICAL CODE (WMC).
4. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL CODE BOOKS (ICB).
5. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) STANDARDS.
6. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION (NECA) STANDARDS.
7. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL PLUMBING CONTRACTORS ASSOCIATION (NPCA) STANDARDS.
8. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL GAS CONTRACTORS ASSOCIATION (NGCA) STANDARDS.
9. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL MECHANICAL CONTRACTORS ASSOCIATION (NMAC) STANDARDS.
10. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL SAFETY BOARD (NESC) STANDARDS.

- UTILITY LEGEND:**
- 1. 12" WATER MAIN
 - 2. 8" WATER MAIN
 - 3. 6" WATER MAIN
 - 4. 4" WATER MAIN
 - 5. 3" WATER MAIN
 - 6. 2" WATER MAIN
 - 7. 1.5" WATER MAIN
 - 8. 1" WATER MAIN
 - 9. 0.75" WATER MAIN
 - 10. 0.5" WATER MAIN
 - 11. 0.375" WATER MAIN
 - 12. 0.25" WATER MAIN
 - 13. 0.1875" WATER MAIN
 - 14. 0.125" WATER MAIN
 - 15. 0.09375" WATER MAIN
 - 16. 0.0625" WATER MAIN
 - 17. 0.046875" WATER MAIN
 - 18. 0.03125" WATER MAIN
 - 19. 0.0234375" WATER MAIN
 - 20. 0.015625" WATER MAIN
 - 21. 0.01171875" WATER MAIN
 - 22. 0.0078125" WATER MAIN
 - 23. 0.005859375" WATER MAIN
 - 24. 0.00390625" WATER MAIN
 - 25. 0.0029296875" WATER MAIN
 - 26. 0.001953125" WATER MAIN
 - 27. 0.00146484375" WATER MAIN
 - 28. 0.00109375" WATER MAIN
 - 29. 0.0008203125" WATER MAIN
 - 30. 0.000615234375" WATER MAIN
 - 31. 0.00046145875" WATER MAIN
 - 32. 0.000346145875" WATER MAIN
 - 33. 0.0002596875" WATER MAIN
 - 34. 0.00019479166666666666" WATER MAIN
 - 35. 0.00014609375" WATER MAIN
 - 36. 0.0001096875" WATER MAIN
 - 37. 0.00008227083333333333" WATER MAIN
 - 38. 0.00006170625" WATER MAIN
 - 39. 0.0000462796875" WATER MAIN
 - 40. 0.000034709375" WATER MAIN
 - 41. 0.000026034375" WATER MAIN
 - 42. 0.0000195259375" WATER MAIN
 - 43. 0.0000146445875" WATER MAIN
 - 44. 0.0000109834375" WATER MAIN
 - 45. 0.0000082270833333333333" WATER MAIN
 - 46. 0.000006170625" WATER MAIN
 - 47. 0.00000462796875" WATER MAIN
 - 48. 0.0000034709375" WATER MAIN
 - 49. 0.0000026034375" WATER MAIN
 - 50. 0.00000195259375" WATER MAIN
 - 51. 0.00000146445875" WATER MAIN
 - 52. 0.00000109834375" WATER MAIN
 - 53. 0.0000008227083333333333" WATER MAIN
 - 54. 0.0000006170625" WATER MAIN
 - 55. 0.000000462796875" WATER MAIN
 - 56. 0.00000034709375" WATER MAIN
 - 57. 0.00000026034375" WATER MAIN
 - 58. 0.000000195259375" WATER MAIN
 - 59. 0.000000146445875" WATER MAIN
 - 60. 0.000000109834375" WATER MAIN
 - 61. 0.000000082270833333333333" WATER MAIN
 - 62. 0.00000006170625" WATER MAIN
 - 63. 0.0000000462796875" WATER MAIN
 - 64. 0.000000034709375" WATER MAIN
 - 65. 0.000000026034375" WATER MAIN
 - 66. 0.0000000195259375" WATER MAIN
 - 67. 0.0000000146445875" WATER MAIN
 - 68. 0.0000000109834375" WATER MAIN
 - 69. 0.000000008227083333333333" WATER MAIN
 - 70. 0.000000006170625" WATER MAIN
 - 71. 0.00000000462796875" WATER MAIN
 - 72. 0.0000000034709375" WATER MAIN
 - 73. 0.0000000026034375" WATER MAIN
 - 74. 0.00000000195259375" WATER MAIN
 - 75. 0.00000000146445875" WATER MAIN
 - 76. 0.00000000109834375" WATER MAIN
 - 77. 0.00000000082270833333333333" WATER MAIN
 - 78. 0.0000000006170625" WATER MAIN
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 - 96. 0.0000000000034709375" WATER MAIN
 - 97. 0.0000000000026034375" WATER MAIN
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 - 99. 0.00000000000146445875" WATER MAIN
 - 100. 0.00000000000109834375" WATER MAIN

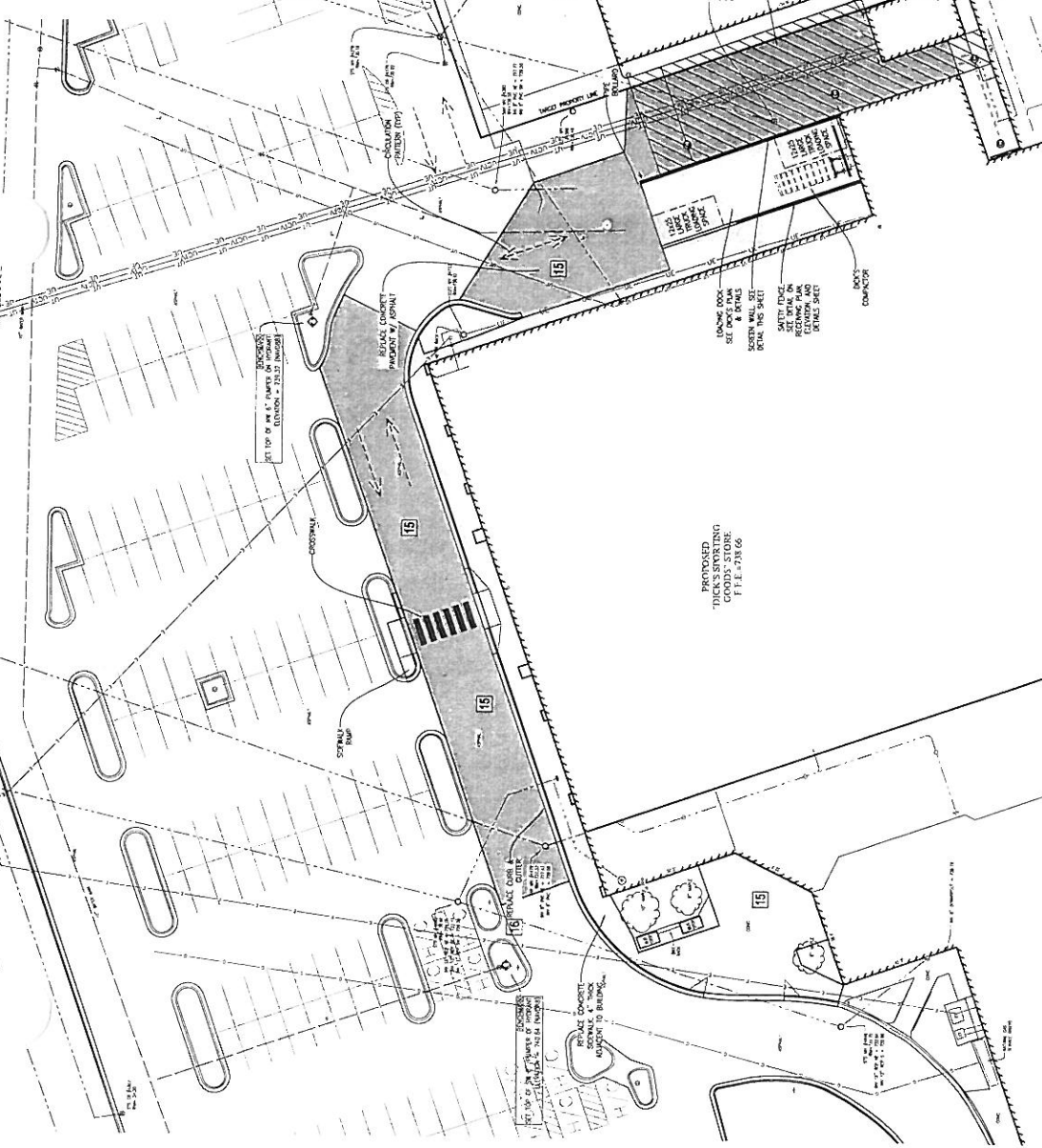




SITE PLAN
DICK'S SPORTING GOODS STORE
GRAND TRAVELERS MALL
ROUSE PROPERTIES



Fire Lane Sign
 NO SCALE
 SET TOP IN 1/2" TO 3/4" ABOVE FINISHED GRADE
 SET TOP IN 1/2" TO 3/4" ABOVE FINISHED GRADE
 SET TOP IN 1/2" TO 3/4" ABOVE FINISHED GRADE



- GENERAL NOTES:**
1. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.
 2. ALL UTILITIES SHALL BE DEEPENED TO 48" BELOW FINISH GRADE.
 3. ALL UTILITIES SHALL BE DEEPENED TO 48" BELOW FINISH GRADE.
 4. ALL UTILITIES SHALL BE DEEPENED TO 48" BELOW FINISH GRADE.



SITE PLAN
 SCALE: 1" = 20'

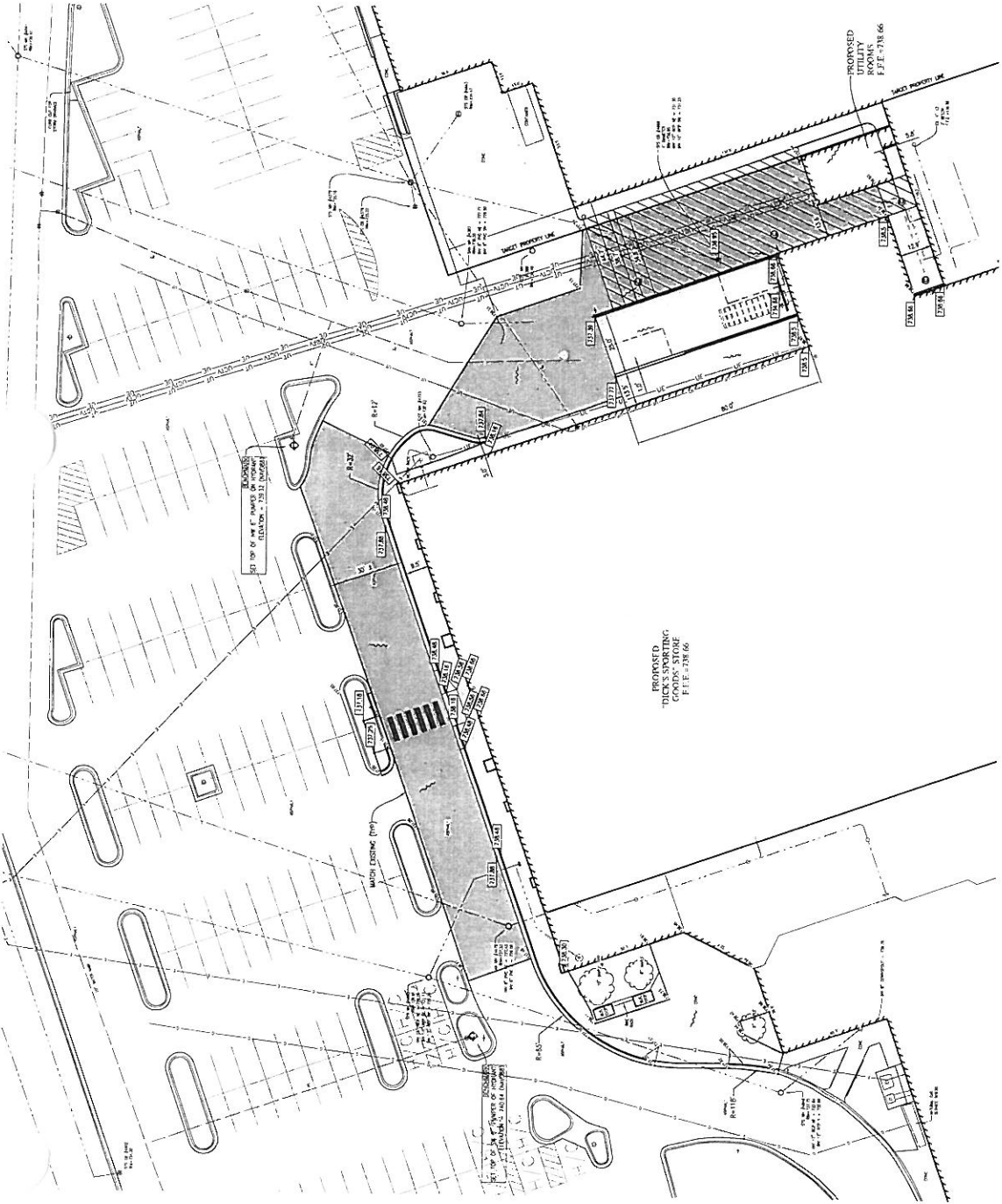
GRADING & DIMENSION PLAN
DICK'S SPORTING GOODS STORE
GRAND TRAVERS MALL
ROSE FROSTITES

SECTION 24, 2024, 2024
 GRAND TRAVERS COUNTY, MICHIGAN
 DATE: 11-10-2015
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 AS NOTED

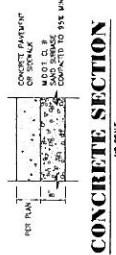
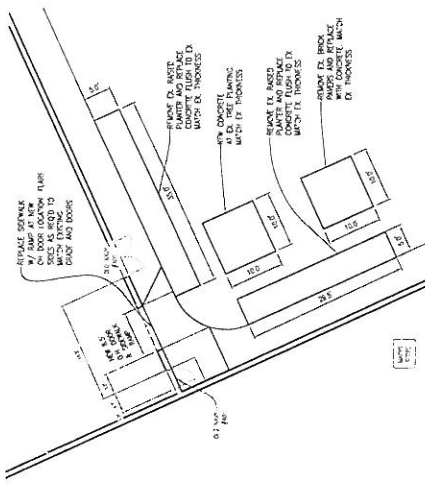
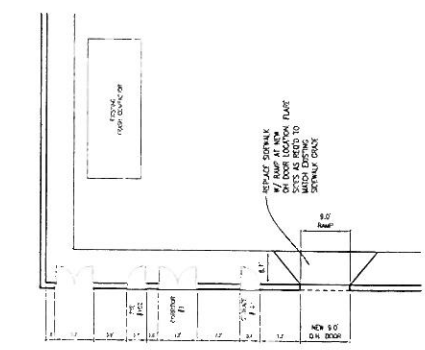
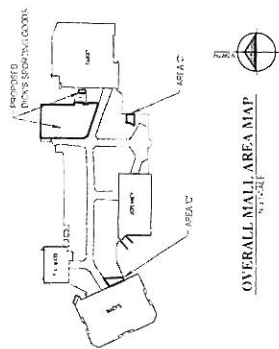
DATE: 11-10-2015
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 AS NOTED

Boasting Czabak
 1111 W. WASHINGTON ST.
 GRAND TRAVERS, MI 49830
 TEL: 231.833.1111
 FAX: 231.833.1111
 WWW.BCZABAK.COM

- GRADING NOTES**
1. ALL GRADES ARE TO INDICATE ASPHALT EDGE OF SPOT GRADE.
 2. SIDE RAMP AND DRIVEWAYS ARE TO EDGE OF PAVEMENT.
 3. ALL RAMP NOT IMPROVED ARE 5'.
 4. EXISTING GRADE TO MATCH.
 5. PROPOSED IMPROVED FINISH GRADE.
 6. SPOT GRADE TO INDICATE SPOT GRADE.



GRADING & DIMENSION PLAN
 SCALE: 1" = 20'



AREA D SITE PLAN
 1/2" = 1'-0"



AREA C SITE PLAN
 1/2" = 1'-0"

GENERAL NOTES:
 1. SET SHOT ANGLE FOR GRADED FINISHING ELEVATION 4'0" ABOVE FINISH GRADE.

LEGEND
 PROPOSED ASPHALT PAVEMENT
 PROPOSED CONCRETE SIDEWALK
 PROPOSED CONCRETE DRIVEWAY
 PROPOSED PRECAST CONCRETE CURB

PHOTOMETRIC GRID PLAN
DICK'S SPORTING GOODS STORE
GRAND TRAVELERS Mall
 ROOSE PROPERTIES

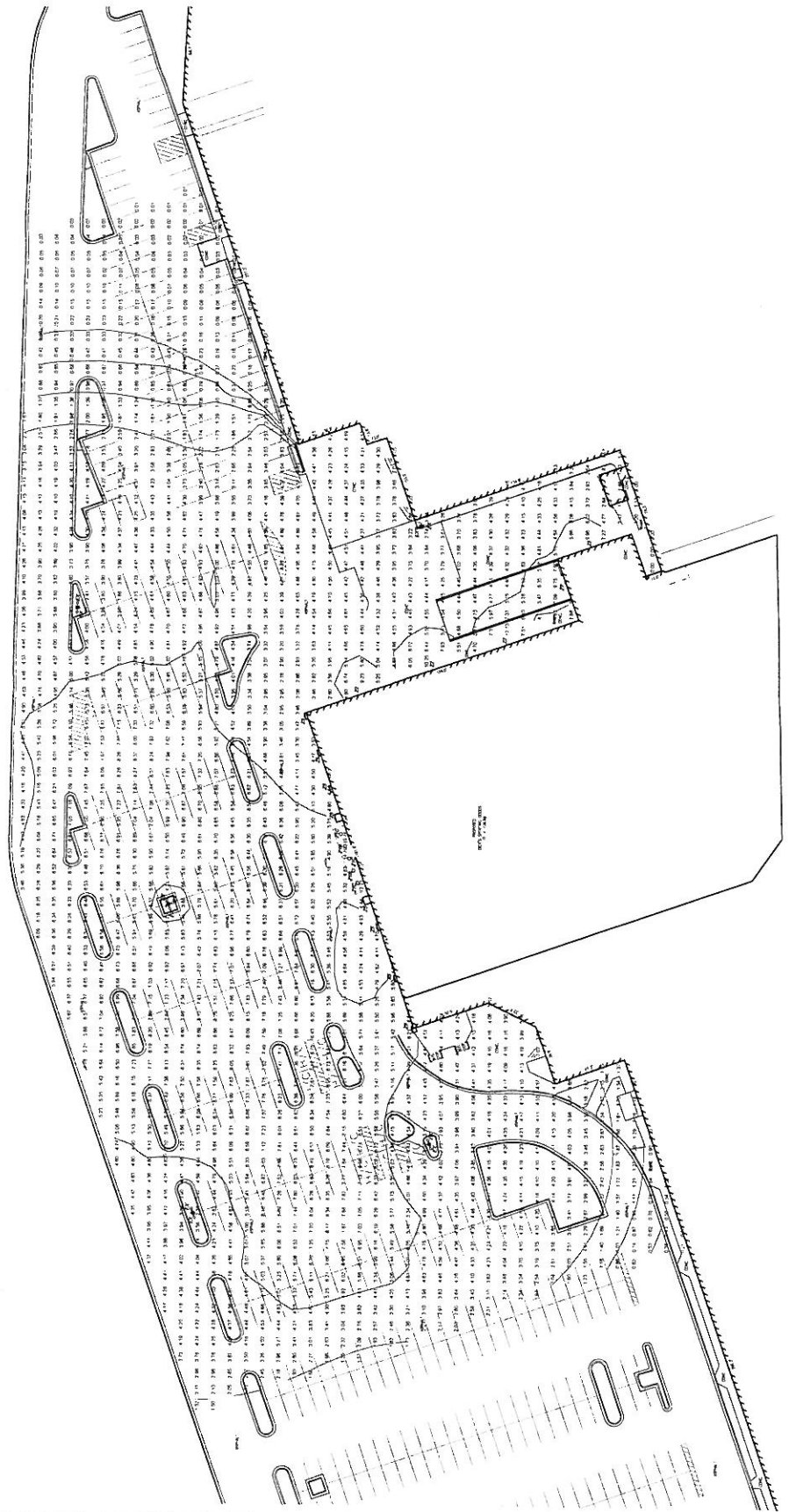
SECTION 21 172N 011W
 GRAND TRAVELERS COUNTY, MICHIGAN

DATE: 11-30-2015
 DRAWN BY: [Redacted]
 CHECKED BY: [Redacted]

PROJECT NO: 20150101
 DRAWING NO: 02



11500 Sibley Dr
 Grand Rapids, MI 49508
 616-221-1100
 Neal's ENGINEERING & CONSTRUCTION
 20150101 - 20150102



| Symbol | ON | LAMP | LF | TYPE | LF | MANUFACTURE | DESCRIPTION | LED FOOT CANDLE |
|--------|----|----------|-------|-------|-------|----------------------|--------------------------|-----------------|
| 0 | 7 | TYPE 210 | 1.000 | 1.000 | 1.000 | ZENON LIGHTING GROUP | LED 210 3500K 100W PAR30 | 35000 |
| 1 | 3 | TYPE 22 | 1.000 | 1.000 | 1.000 | PAR LIGHTING GROUP | PAR 30 3500K 100W | 35000 |
| 2 | 8 | TYPE 25 | 1.000 | 1.000 | 1.000 | PAR LIGHTING GROUP | PAR 30 3500K 100W | 35000 |
| 3 | 1 | TYPE 25 | 1.000 | 1.000 | 1.000 | PAR LIGHTING GROUP | PAR 30 3500K 100W | 35000 |

TYPE 25 is an existing fixture mounted on a structure and is not being replaced. The 1.5 foot for this fixture is not included. The 1.5 foot for this fixture is not included. The 1.5 foot for this fixture is not included.

1000 watt high pressure sodium lamp with a beam spread of 24 degrees.

MANUFACTURE: ZENON LIGHTING GROUP, PAR LIGHTING GROUP, PAR LIGHTING GROUP

DESCRIPTION: LED 210 3500K 100W PAR30, PAR 30 3500K 100W, PAR 30 3500K 100W

LED FOOT CANDLE: 35000, 35000, 35000



PHOTOMETRIC GRID PLAN
 SCALE: 1" = 30'

Project No: 20150101
 Drawing No: 02
 Date: 11-30-2015
 Drawn By: [Redacted]
 Checked By: [Redacted]

THIS DRAWING IS A PROTOTYPE AND IS NOT TO BE USED FOR CONSTRUCTION. IT IS THE PROPERTY OF DICK'S SPORTING GOODS AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. ANY UNAUTHORIZED USE OF THIS DRAWING IS STRICTLY PROHIBITED. ALL RIGHTS ARE RESERVED.

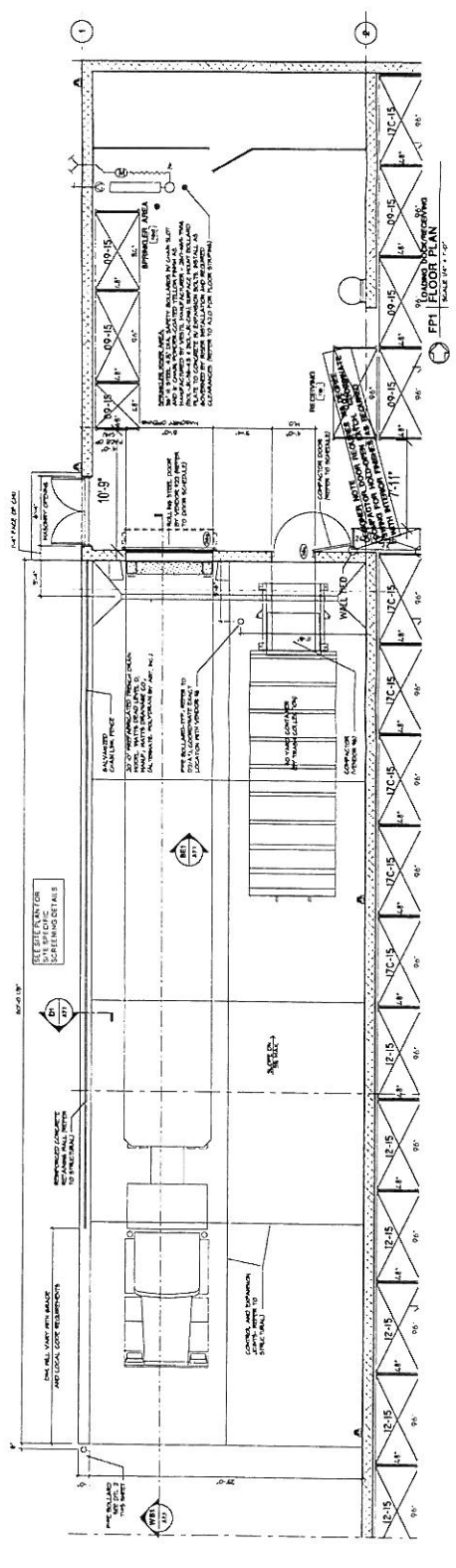
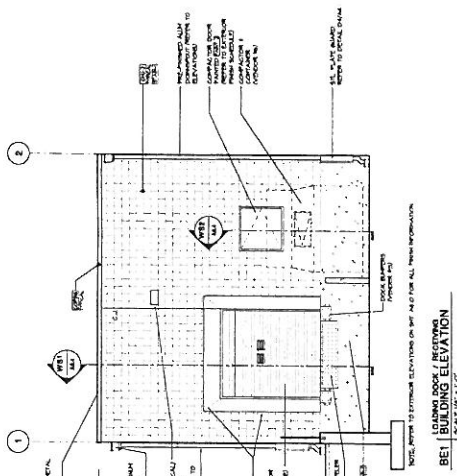
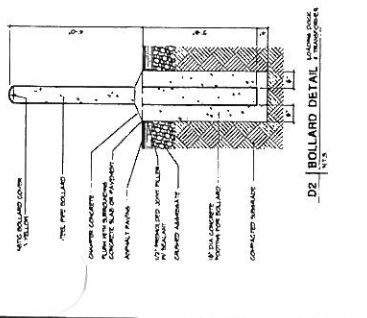
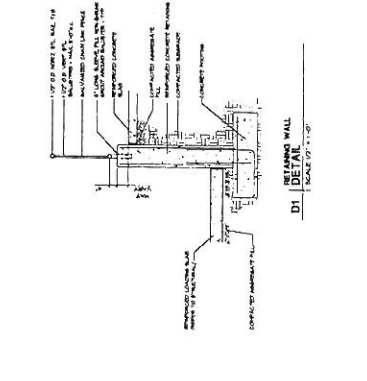
DATE: 01/15/2010
 DRAWN BY: [REDACTED]
 PROJECT NO.: [REDACTED]
 SHEET NO.: [REDACTED]

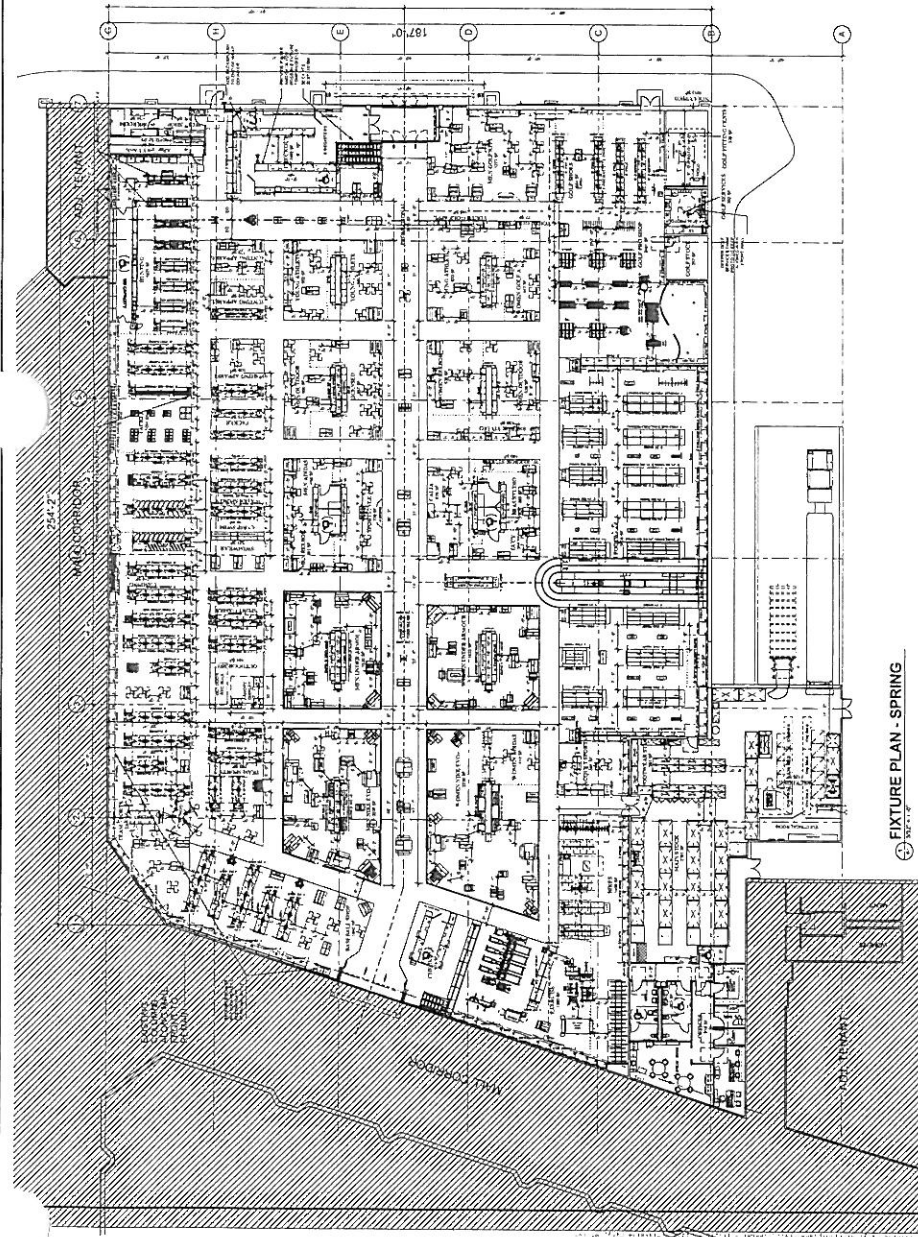
DICK'S SPORTING GOODS
 SINGLE LEVEL DESIGN
 City, State, zip

HERSCHMAN ARCHITECTS
 ARCHITECTS
 1000 [REDACTED] AVENUE
 SUITE 1000
 [REDACTED], [REDACTED] 41338
 TEL: 508 277 2110
 FAX: 508 277 2110
 www.herschmanarchitects.com

EXTERIOR MATERIALS

| NO. | DESCRIPTION | QUANTITY |
|------|------------------|----------|
| 0101 | CONCRETE | 10000 |
| 0102 | REINFORCING BARS | 5000 |
| 0103 | FORMWORK | 1000 |
| 0104 | BRICK | 10000 |
| 0105 | GRAVEL | 10000 |
| 0106 | ASPHALT | 10000 |
| 0107 | PAINT | 1000 |
| 0108 | GLASS | 1000 |
| 0109 | STEEL | 1000 |
| 0110 | WOOD | 1000 |
| 0111 | ROOFING | 1000 |
| 0112 | MECHANICAL | 1000 |
| 0113 | ELECTRICAL | 1000 |
| 0114 | PLUMBING | 1000 |
| 0115 | INSULATION | 1000 |
| 0116 | CEILING | 1000 |
| 0117 | FLOORING | 1000 |
| 0118 | WALLS | 1000 |
| 0119 | DOORS | 1000 |
| 0120 | WINDOWS | 1000 |





FIXTURE PLAN - SPRING

- BASE SPECIFIC OPTIONS**
- SALES FLOORCAST 1 YES/NO
 - QUALITY CONTROL SYSTEMS YES/NO
 - ENVIRONMENTAL CONTROL SYSTEMS YES/NO
 - REGIONALITY CHECK-LIST RECEIVED YES/NO
 - SECURITY GATES YES/NO
 - COOL SIMULATOR YES/NO
 - SKATE SHARPENER YES/NO
 - SALT WATER LOCATION YES/NO
 - TREESTANDS YES/NO
 - PAVING YES/NO
 - CEILING HEIGHT 16'-0" CLSD YES/NO
 - SLAB ON GRADE YES/NO
 - SEISMIC 6 YES/NO
 - REGISTERED DESIGNER 6 YES/NO
 - FOOTWEAR ROOMS REQUIRED 9 YES/NO
 - FOOTWEAR ROOMS SHOWN 9 YES/NO
 - HANDGUN MARKET 9 YES/NO

LEGEND

| | |
|---|-------------------------|
| 1 | 16'-0" CEILING HEIGHT |
| 2 | SLAB ON GRADE |
| 3 | SEISMIC |
| 4 | REGISTERED DESIGNER |
| 5 | FOOTWEAR ROOMS REQUIRED |
| 6 | FOOTWEAR ROOMS SHOWN |
| 7 | HANDGUN MARKET |

FIXTURES

| | |
|----|---------------------------------|
| 1 | SALES FLOORCAST |
| 2 | QUALITY CONTROL SYSTEMS |
| 3 | ENVIRONMENTAL CONTROL SYSTEMS |
| 4 | REGIONALITY CHECK-LIST RECEIVED |
| 5 | SECURITY GATES |
| 6 | COOL SIMULATOR |
| 7 | SKATE SHARPENER |
| 8 | SALT WATER LOCATION |
| 9 | TREESTANDS |
| 10 | PAVING |
| 11 | CEILING HEIGHT |
| 12 | SLAB ON GRADE |
| 13 | SEISMIC |
| 14 | REGISTERED DESIGNER |
| 15 | FOOTWEAR ROOMS REQUIRED |
| 16 | FOOTWEAR ROOMS SHOWN |
| 17 | HANDGUN MARKET |

DICK'S SPORTING GOODS
 GRAND TRAVERSE MALL
 1303
 TRAVERSE CITY, MI

FIXTURE PLAN -
 SPRING

DATE: 11/10/11
 DRAWN BY: [Name]

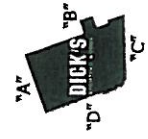
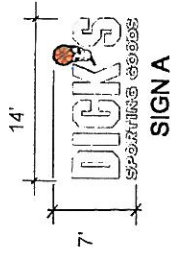
P-1
 PRELIMINARY, NOT FOR
 CONSTRUCTION DOCUMENTS

| NO. | DESCRIPTION | QTY | UNIT |
|-----|---------------------------------|-----|------|
| 1 | SALES FLOORCAST | 1 | EA |
| 2 | QUALITY CONTROL SYSTEMS | 1 | EA |
| 3 | ENVIRONMENTAL CONTROL SYSTEMS | 1 | EA |
| 4 | REGIONALITY CHECK-LIST RECEIVED | 1 | EA |
| 5 | SECURITY GATES | 1 | EA |
| 6 | COOL SIMULATOR | 1 | EA |
| 7 | SKATE SHARPENER | 1 | EA |
| 8 | SALT WATER LOCATION | 1 | EA |
| 9 | TREESTANDS | 1 | EA |
| 10 | PAVING | 1 | EA |
| 11 | CEILING HEIGHT | 1 | EA |
| 12 | SLAB ON GRADE | 1 | EA |
| 13 | SEISMIC | 1 | EA |
| 14 | REGISTERED DESIGNER | 1 | EA |
| 15 | FOOTWEAR ROOMS REQUIRED | 1 | EA |
| 16 | FOOTWEAR ROOMS SHOWN | 1 | EA |
| 17 | HANDGUN MARKET | 1 | EA |

| NO. | DESCRIPTION | QTY | UNIT |
|-----|---------------------------------|-----|------|
| 1 | SALES FLOORCAST | 1 | EA |
| 2 | QUALITY CONTROL SYSTEMS | 1 | EA |
| 3 | ENVIRONMENTAL CONTROL SYSTEMS | 1 | EA |
| 4 | REGIONALITY CHECK-LIST RECEIVED | 1 | EA |
| 5 | SECURITY GATES | 1 | EA |
| 6 | COOL SIMULATOR | 1 | EA |
| 7 | SKATE SHARPENER | 1 | EA |
| 8 | SALT WATER LOCATION | 1 | EA |
| 9 | TREESTANDS | 1 | EA |
| 10 | PAVING | 1 | EA |
| 11 | CEILING HEIGHT | 1 | EA |
| 12 | SLAB ON GRADE | 1 | EA |
| 13 | SEISMIC | 1 | EA |
| 14 | REGISTERED DESIGNER | 1 | EA |
| 15 | FOOTWEAR ROOMS REQUIRED | 1 | EA |
| 16 | FOOTWEAR ROOMS SHOWN | 1 | EA |
| 17 | HANDGUN MARKET | 1 | EA |

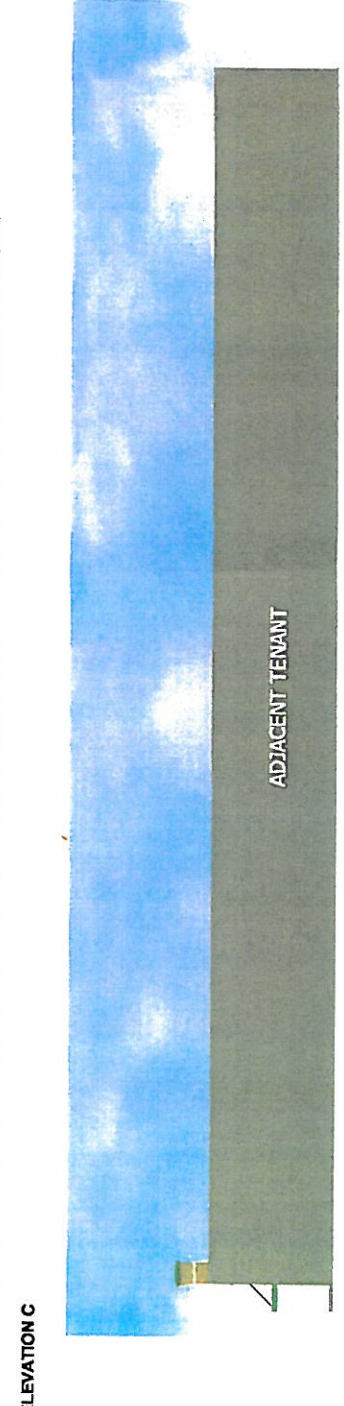
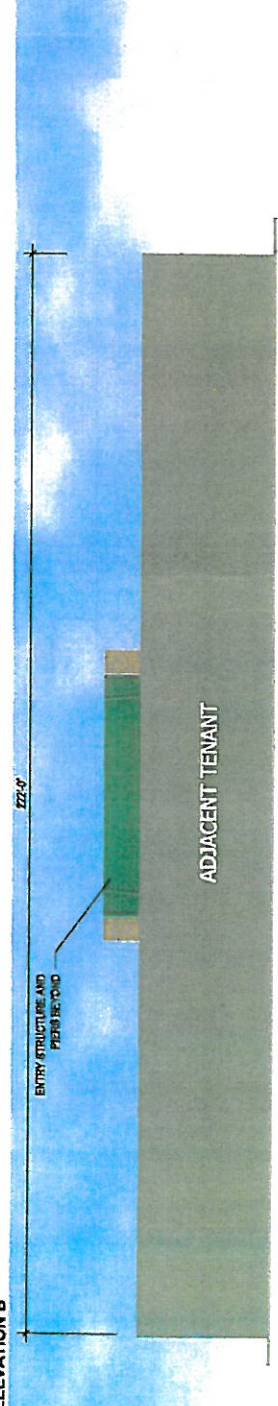
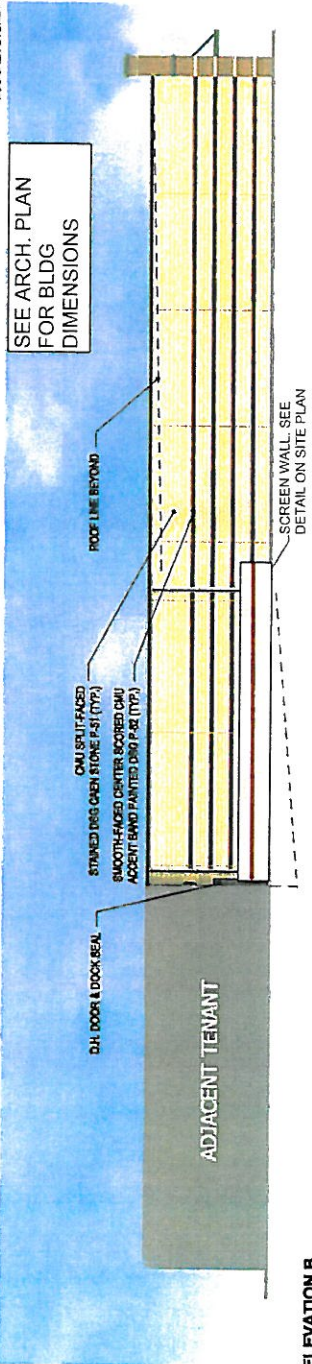
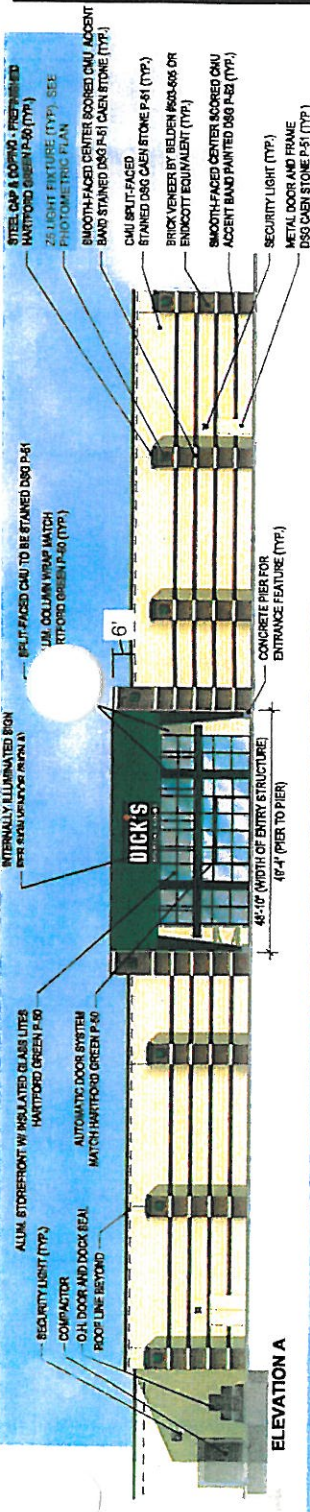


**GRAND TRAVERSE MALL
TRAVERSE CITY, MI
EXHIBIT K**



Key Plan

REV 1 - 9.29.15
 REV 2 - 12.15 for TYP ORIGINANCE
 REV 3 -
 REV 4 -
 REV 5 -
 DKS APPROVAL _____ DATE _____
 LL APPROVAL _____ DATE _____



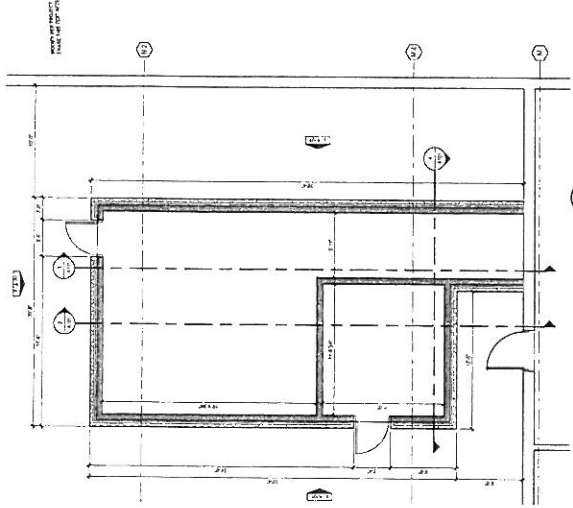
ELEVATION D All information contained on this exhibit is representative of the architectural materials and heights proposed to be used. This exhibit is NOT intended to be a Construction Document. All final adjustments will be incorporated into the Construction Documents and will be mutually agreed upon by the Landlord and Dick's Sporting Goods.

T/ ENTRANCE PARAPET
6' ABOVE ROOF
ELEV. 24'-6"
T/ PARAPET
ELEV. 24'-6"
T/ MASONRY PILASTER
ELEV. 20'-0"
ELEV. 0'-0"
FIN. FLOOR

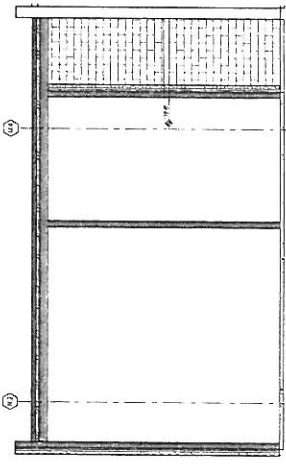
T/ ENTRANCE PARAPET
6' ABOVE ROOF
T/ PARAPET
ELEV. 31'-6"
T/ MASONRY & LOADING DOCK
ELEV. 22'-6"

- INTERIOR WALL LEGEND**
- 1. 1/2" CMU WITH 2" POLYSTYRENE INSULATION ON EXTERIOR SIDE
 - 2. 1/2" CMU WITH 2" POLYSTYRENE INSULATION ON INTERIOR SIDE
 - 3. 1/2" CMU WITH 2" POLYSTYRENE INSULATION ON BOTH SIDES
 - 4. 1/2" CMU WITH 2" POLYSTYRENE INSULATION ON EXTERIOR SIDE AND 1" POLYSTYRENE INSULATION ON INTERIOR SIDE
 - 5. 1/2" CMU WITH 2" POLYSTYRENE INSULATION ON INTERIOR SIDE AND 1" POLYSTYRENE INSULATION ON EXTERIOR SIDE
 - 6. 1/2" CMU WITH 2" POLYSTYRENE INSULATION ON EXTERIOR SIDE AND 1" POLYSTYRENE INSULATION ON INTERIOR SIDE AND 1" POLYSTYRENE INSULATION ON EXTERIOR SIDE
 - 7. 1/2" CMU WITH 2" POLYSTYRENE INSULATION ON INTERIOR SIDE AND 1" POLYSTYRENE INSULATION ON EXTERIOR SIDE AND 1" POLYSTYRENE INSULATION ON INTERIOR SIDE
 - 8. 1/2" CMU WITH 2" POLYSTYRENE INSULATION ON EXTERIOR SIDE AND 1" POLYSTYRENE INSULATION ON INTERIOR SIDE AND 1" POLYSTYRENE INSULATION ON EXTERIOR SIDE AND 1" POLYSTYRENE INSULATION ON INTERIOR SIDE

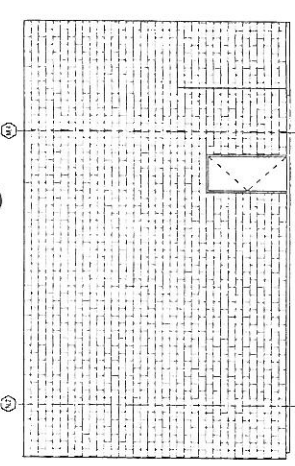
PLUMBING NOTES



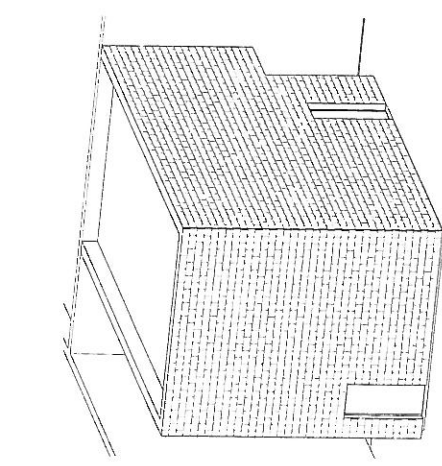
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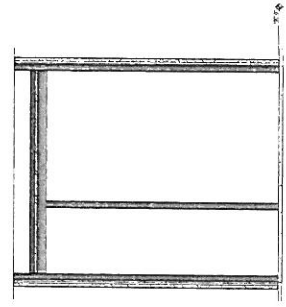
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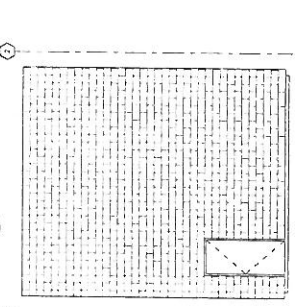
3 Section 3.1



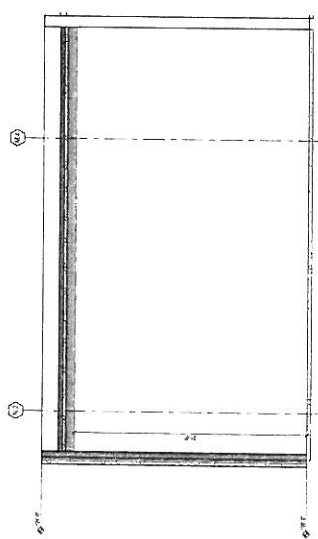
4 Section 4.1



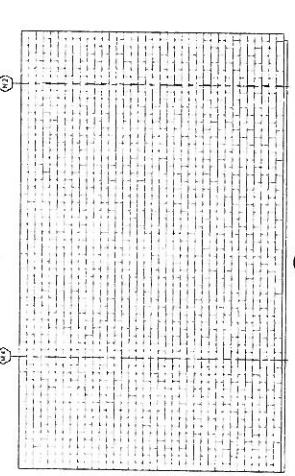
5 Section 5.1



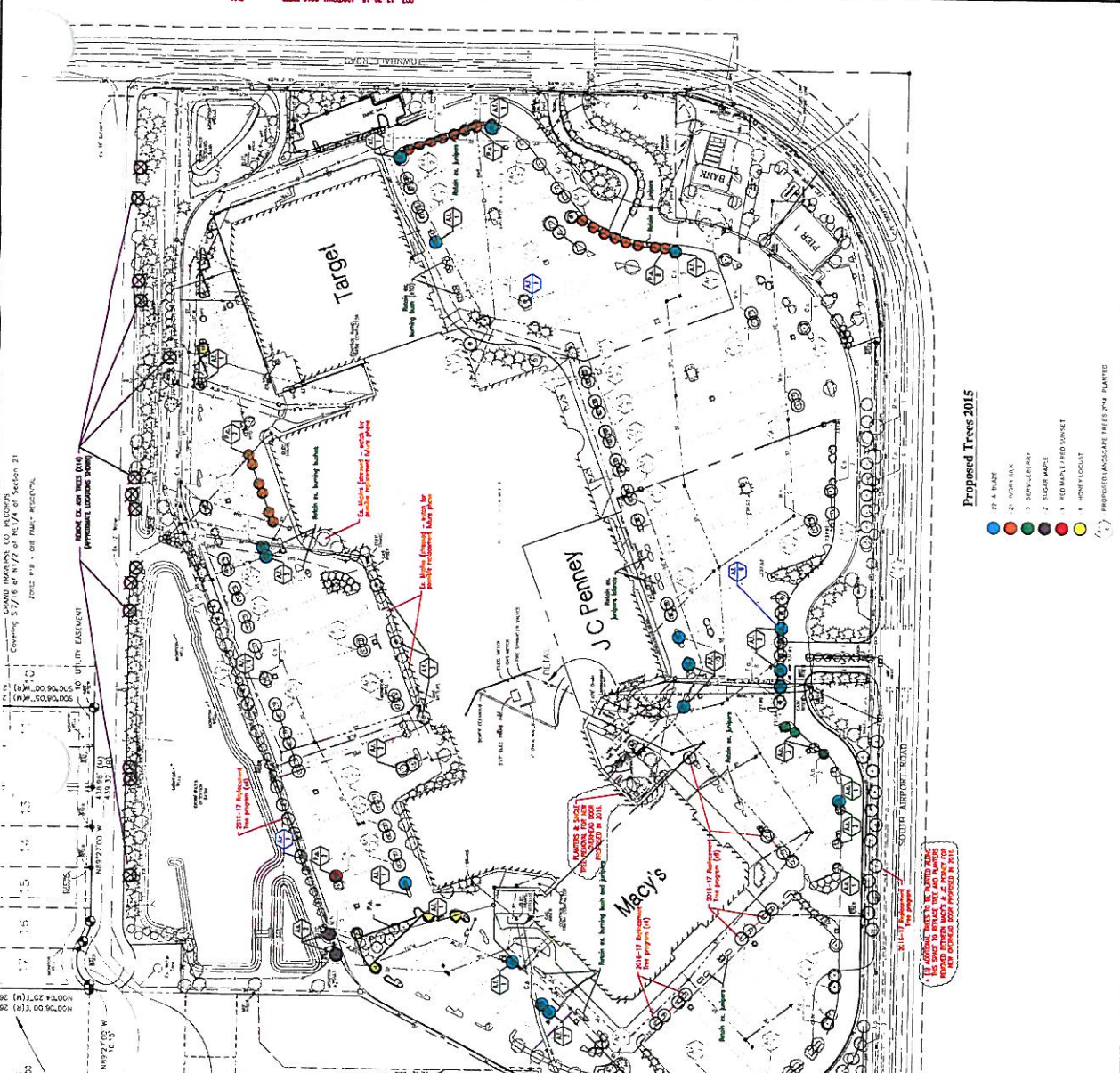
6 Section 6.1



7 Section 7.1



8 Section 8.1



- Proposed Trees 2015**
- 72 4 BLUNT
 - 26 4006 B&B
 - 3 SCOPYERBY
 - 2 SUGAR MAPLE
 - 1 RED MAPLE / PRED SPANES
 - 1 HONEY LOCUST

Proposed Trees Plant List / Schedule

| ITEM | SYMBOL | COMMON NAME | MIN. HEIGHT | PROPOSED QUANTITY | PROPOSED QUANTITY / 2015 | PROPOSED QUANTITY / 2014 |
|--------|----------|---|--------------------------|-------------------|--------------------------|--------------------------|
| A1 | (Symbol) | American Sycamore Quercus Sessifolia | 7' - 8' B&B Maj. Stem | 0 | 0 | 0 |
| A2 | (Symbol) | Acer glaberrimum Freemont Red Maple | 7' min B&B | 26 | 26 | 0 |
| A3 | (Symbol) | Acer glaberrimum Freemont Red Maple | 7' min B&B | 6 | 6 | 0 |
| A4 | (Symbol) | Acer glaberrimum Freemont Red Maple | 7' min B&B | 4 | 4 | 0 |
| A5 | (Symbol) | Quercus macrocarpa Maj. Stem | 7' min B&B | 0 | 0 | 26 |
| A6 | (Symbol) | Quercus macrocarpa Maj. Stem | 7' min B&B | 0 | 0 | 4 |
| A7 | (Symbol) | Quercus macrocarpa Maj. Stem | 7' min B&B | 0 | 0 | 4 |
| A8 | (Symbol) | Quercus macrocarpa Maj. Stem | 7' min B&B | 0 | 0 | 4 |
| TOTALS | | | | 44 | 108 | 22 + 3* |

General Legend

EX. TREES TO BE REPLACED

- EX. SPAN
- EX. OVERHEAD WIRE
- EX. OVERHEAD WIRE
- EX. CONCRETE CURB
- EX. SIDE OF DRIVE
- EX. SIDE OF DRIVE
- EX. OVERHEAD ELECTRIC
- EX. CONCRETE CURB

Proposed Trees Plant List / Schedule

MIN. HEIGHT

PROPOSED QUANTITY

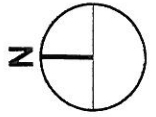
PROPOSED QUANTITY / 2015

PROPOSED QUANTITY / 2014



**GRAND TRAVERSE MALL
TRAVERSE CITY, MI
EXHIBIT A**

STORE #1303

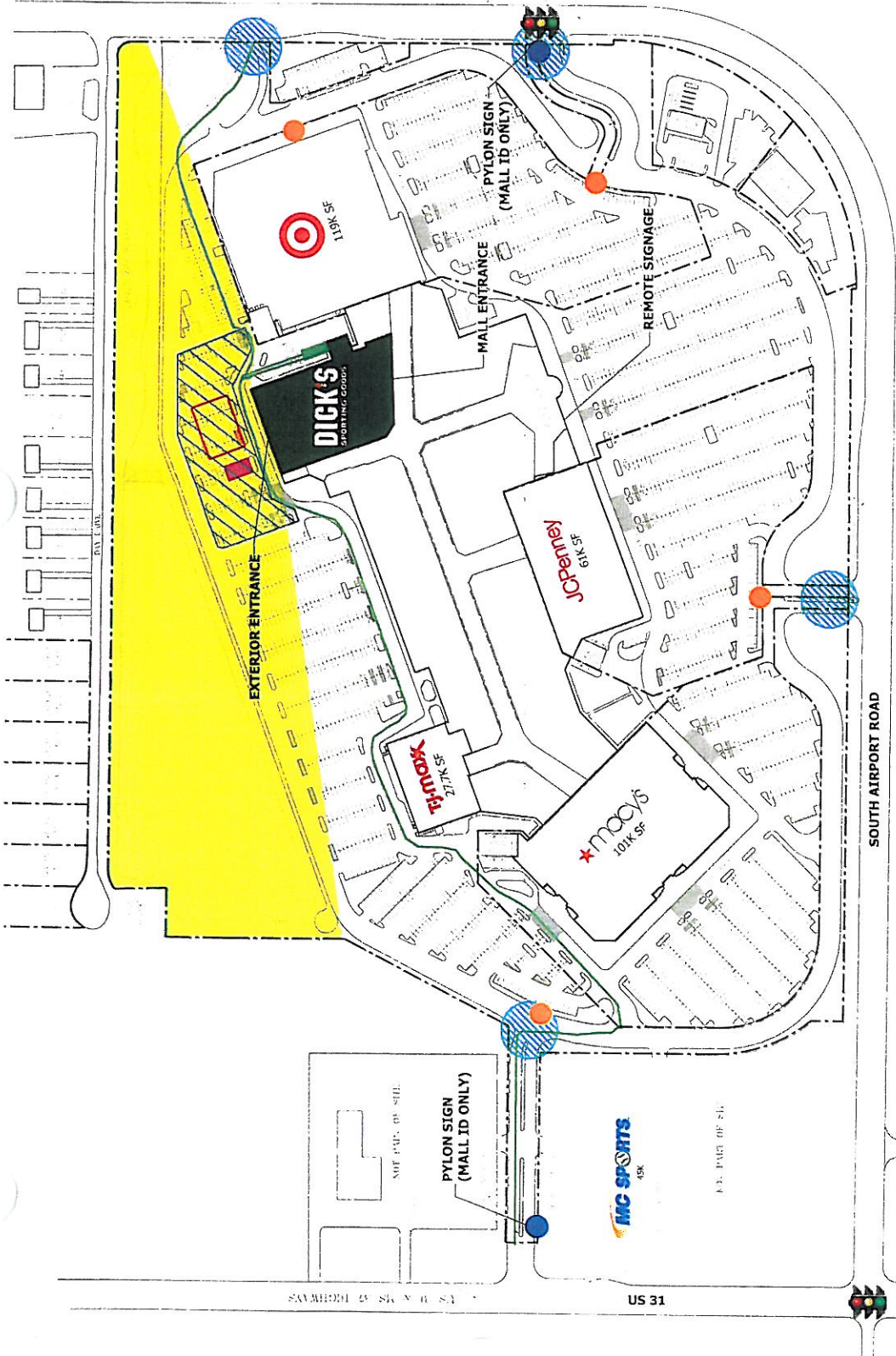


LEGEND

- SHOPPING CENTER BOUNDARY
- DSG PREMISES 54,678 SF (181'-5" x 311'-11")
- PYLON SIGN (MALL ID ONLY)
- TENANT'S PREFERRED AREA
- NO BUILD AREA
- TENANT'S SERVICE AREA AND SERVICE DRIVE
- CRITICAL ACCESS WAYS
- PROTECTED PARKING 165 PARKING SPACES 3.5/1,000 SF
- EXPECTANT MOTHER PARKING SPAC
- STAGING AREA

REV 1 10.21.15
 REV 2 _____
 REV 3 _____
 REV 4 _____
 REV 5 _____

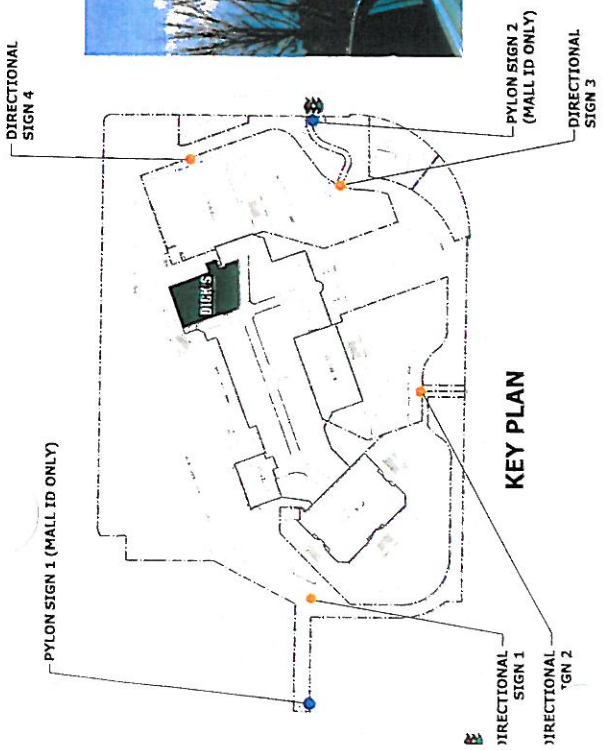
ONS APPROVAL _____ DATE _____
 LL APPROVAL _____ DATE _____



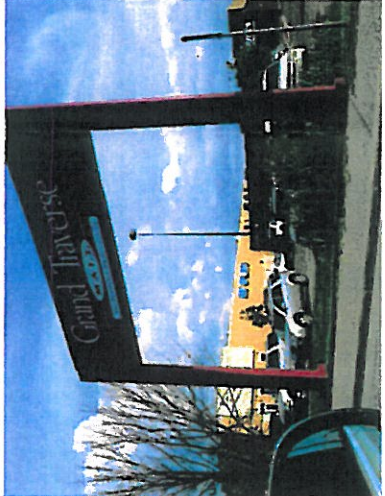
US 31

US 31





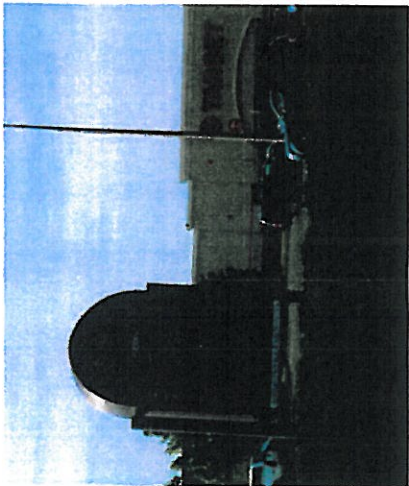
PYLON SIGN 2



PYLON SIGN 1



DIRECTIONAL SIGN 4



DIRECTIONAL SIGN 3



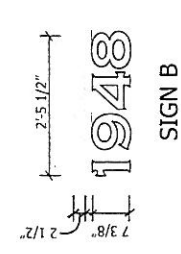
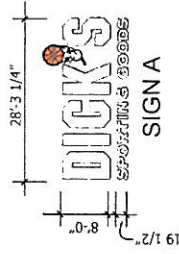
DIRECTIONAL SIGN 2



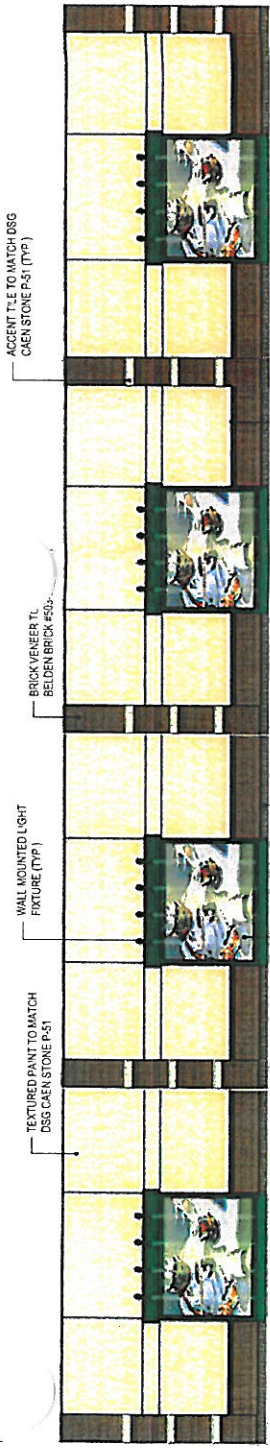
DIRECTIONAL SIGN 1



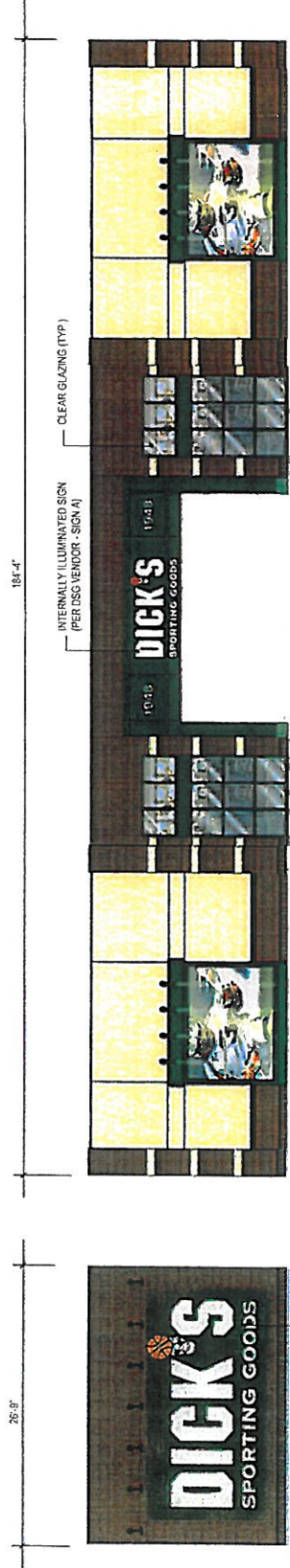
**GRAND TRAVERSE MALL
TRAVERSE CITY, MI
EXHIBIT L
STORE #1303**



| | |
|--------------|---------|
| REV 1 | 11.5.15 |
| REV 2 | |
| REV 3 | |
| REV 4 | |
| REV 5 | |
| DSG APPROVAL | DATE |
| DSG APPROVAL | DATE |
| LL APPROVAL | DATE |

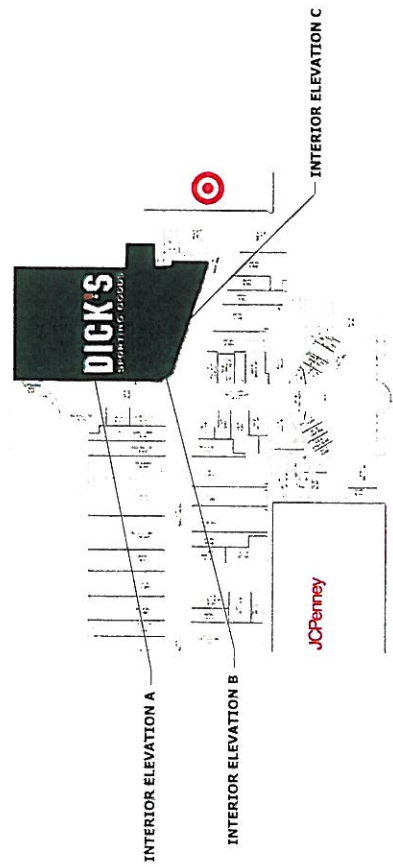


INTERIOR ELEVATION A



INTERIOR ELEVATION B

INTERIOR ELEVATION C



INTERIOR ELEVATION C

MARQUEE ENTRANCE PLAN

All information contained on this exhibit is representative of the architectural materials and heights proposed to be used. This exhibit is NOT intended to be a Construction Document. All final adjustments will be incorporated into the Construction Documents and will be mutually agreed upon by the Landlord and Dick's Sporting Goods.