

MEMORANDUM

TO: East Bay Charter Township
Township Board

FROM: Jay Kilpatrick, AICP, PCP



DATE: March 21, 2007

SUBJECT: **Grand Traverse Academy Planned Unit Development and Site Plan Review (SLU and SPR 1-07)**

At its meeting on March 20, 2007, the Planning Commission adopted a motion to recommend to the Township Board approval of the subject Planned Unit Development (PUD) and site plan, subject to the following conditions and the attached Findings of Fact. The Planned Unit Development was subject of a public hearing before the Planning Commission on March 20th and as the Township Board ultimately approves a PUD as a special land use, a second hearing must also be held at the Board level.

1. No preliminary or final earthwork, grading or timber removal shall be undertaken on the site until a land use permit has been issued.
2. Adjustment of the site plan to the satisfaction of the Township Engineer and the East Bay Township Planning and Zoning Department to provide adequate two-lane stacking at both driveways to assure that right-turning traffic is not obstructed by left-turning traffic. Alternatively, the Township Engineer, the East Bay Township Planning and Zoning Department and the applicant's engineer may agree on other measures to mitigate failure conditions at both intersections.
3. The applicant shall cooperate in the provision of pedestrian facilities along the frontage of Three Mile Road and Hammond Road when the trails, sidewalks or other non-motorized facilities are provided. In addition, when such facilities are developed along Three Mile Road, the applicant shall provide either a concrete sidewalk at least five feet in width or an asphalt trail at least eight feet in width to connect from the trail or sidewalk along Three Mile Road to the school building. In addition, when such facilities are development along the Hammond Road frontage, the applicant shall provide either a concrete sidewalk at least five feet in width or an asphalt trail at least eight feet in width to connect from the trail or sidewalk along Hammond Road to the school building.
4. Provision of detail satisfactory to the Zoning Administrator and Planner regarding any additional site lighting in conformance with Section 210.

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5. Provision of detail satisfactory to the Zoning Administrator and the Township Engineer or Drain Commissioner to assure that on site storm water management is effective to protect the Mitchell Creek watershed from increases in sedimentation or rates of flow and includes appropriate safeguards such as fences or safe slopes.
6. Annually coordinate scheduling with other nearby schools so that their collective traffic impact can be spread out over different times of the day, and not all occur simultaneously.

c: Leslie Couturier
Zoning Administrator

EAST BAY CHARTER TOWNSHIP BOARD OF TRUSTEES

PLANNED UNIT DEVELOPMENT AND SPECIAL LAND USE: SPR 1-07, SLU 1-07, FOR GRAND TRAVERSE ACADEMY, AS PRESENTED BY TEAM ELMER'S CONSTRUCTION ENGINEERING

Township Board Hearing Date: April 9, 2007

FINDINGS OF FACT

General Findings. The site is currently occupied by the existing Grand Traverse Academy which serves 920, K-12 students and has reached capacity. The proposed expansion is intended to accommodate an additional 175 elementary and 200 high school students, establishing an ultimate capacity of 1,300 students. A gymnasium will also be added to the current site, capable of seating up to 600 persons.

The current application is being presented as a Planned Unit Development, which is required in the Village Center for sites in excess of two acres. Except as modified through the PUD process, the development shall meet the requirements of the Village Center district. The proposal includes a total of approximately 40,000 square feet of additional building footprint, consisting of classrooms, gymnasium, and cafeteria. The current site is occupied by approximately 83,000 square feet of building footprint. The submittal indicates that the additional classrooms and gymnasium will occur in two phases. The first phase would include classrooms intended for preschool and kindergarten students, as well as additional parking lane for pick-up/drop-off of students. The second phase will include classrooms for high school students, a gymnasium, and an addition to the existing cafeteria. This site currently has access to both 3 Mile Road and Hammond Road.

The site is located in the VC, Village Center district, which permits a maximum building footprint of 30,000 square feet. When completed, the Academy will have a total building footprint of approximately 123,000 square feet. The site is currently served by public water and sewer. The applicant does not expect significant changes to peak water and wastewater demand of this facility. Traffic flow is expected to increase only slightly, due to an expectation that a large proportion of initial enrollment of students to Phase I of the project will be younger siblings of current students. It is expected only one car per family will pick-up and drop-off students at a time under most circumstances. Phase II is expected to be completed in 2010, with the ability to accommodate up to 200 additional high school students. The Grand Traverse County Road Commission has recommended the Academy coordinate arrival and dismissal times with other schools in the area to avoid extensive traffic delays during peak hours.

Findings

A. Findings Pertaining to Modifications of Zoning Ordinance Standards Pursuant to Section 637, Planned Unit Development.

Section 637, 5 of the PUD provisions permits the Township Board to alter certain development requirements of the Zoning Ordinance when it is found that the changes are consistent with the intent, objectives and standards set forth in Sections 637, 1, 2 and 3. Accordingly, the application incorporates alterations of the following requirements, which are determined in these Findings of Fact to be generally consistent with the intent, objectives and standards of the ordinance as set forth below.

Maximum Building Footprint. The Village Center district permits a maximum building footprint of 30,000 square feet. The proposed addition to the Grand Traverse Academy will add approximately 40,000 square feet to the current 83,000 square foot campus for a total of about 123,000 square feet on the 52.2 acre site. Due to the amount of open space and wetland which will remain undeveloped on this site, in addition to the compatibility of an educational facility with the intent of the Village Center district, permitting the academy to exceed the maximum building footprint is considered appropriate. The site is currently served by public water and sewer and the peak traffic demand of this facility is not expected to change significantly. The primary purpose of the building footprint limitations in the Village Center is to avoid a proliferation of large, generic commercial or industrial structures.

Finding: Given the institutional nature of this structure, the Township finds that this public objective is adequately addressed in this instance and the proposed building is sufficiently unique to make conversion to an industrial or commercial use highly unlikely.

B. Findings With Regard to Section 637, 4, Planned Unit Development Regulations and Conditions.

Education Facilities are permitted as a Special Land Use within the Village Center district. However, where the site exceeds two (2) acres in size, a PUD is required. Section 637, 4, sets forth the review standard for the Planning Commission to consider in evaluating the submittal. The following provides the standards and the findings of the Township with regard to each.

1. “The use will be compatible with adjacent land use, the natural environment, and the capacities of affected public services and facilities, and that such use is consistent with the public health, safety and welfare of East Bay Township residents and the benefits of the development are not achievable under any single zoning classification.”

Finding: The subject property has already been developed within the parameters of the educational facility as a PUD. This project is proposed only as an addition to an existing public charter school. The Township finds that the degree of change from the existing land use to the proposed land use is appropriate and generally compatible with existing and nearby uses.

2. “The use shall be consistent with the East Bay Township Comprehensive Plan and Future Land Use Map.”

Finding: The Township’s Comprehensive Plan calls for a relatively compact and diverse mix of uses in the Village Center district. The Plan encourages uses to complement the native terrain with careful attention to pedestrian connections between and among the various land uses. The subject site will be central to the planned Village Center. In keeping with the intent of the Village Center designation within the Master Plan, this site should be adequately equipped with pedestrian pathways, which are clearly delineated or separated entirely from vehicular traffic. Pedestrian pathways should provide easy and relatively direct access to/from the surrounding commercial and residential uses. With the conditions of approval and the

sidewalks and trailways that shall eventually serve this facility, the Township finds that the proposal meets this standard of the ordinance.

3. "The use and development is warranted by the design and additional amenities made possible with and incorporated by the development proposal."

Finding: The design of this project departs from the standards of the Village Center district in the area of the building footprint. The typical standards within the VC district would require a maximum 30,000 square feet in building footprint, while this proposal will ultimately consist of greater than 120,000 square feet. However, the Township considers a school to be highly conducive to the goals of the master plan as well as the goals of this zoning district. Further, this use will not likely change to a more intense commercial or industrial use at any point in the future. Thus, the Township finds that this departure from the VC standards is warranted and appropriate to the location under the PUD provisions of Section 637.

4. "The development consolidates and maximizes usable open space."

Finding: The site will have a decreased percentage of open space subsequent to the addition, although the site will remain approximately 78% open space, including on site wetlands. The Township finds that this proposed design corresponds well with this PUD standard.

5. "Landscaping is provided to insure that proposed uses will be adequately buffered from one another and from surrounding public and private property and to create a pleasant pedestrian scale outdoor environment."

Finding: There is an extensive amount of natural open space on this site which separates the development from all surrounding uses including large stands of mature vegetation and wooded areas. Therefore the Township finds that the proposal corresponds well to this PUD standard.

6. "Vehicular and pedestrian circulation, allowing, safe convenient, non-congested and well-defined circulation within and access to the development shall be provided."

Finding: The proposal provides two connections to the public roadway system and generally vehicular circulation may function adequately, as set forth in the conditions of approval. With eventual pedestrian connections within the site and with surrounding uses and with modifications as called for in the conditions of approval pertaining to driveway modifications, the Township finds that the proposal meets this PUD standard..

7. "Existing important natural, historical and architectural features within the development shall be preserved."

Finding: There are a number of large wetland areas within the site which will remain preserved. Stormwater drainage will be directed to drain basins prior to passing through local wetlands. As a condition of approval, these facilities shall be reviewed by the Township's engineer and the Drain Commissioner to assure appropriate protection

on sensitive wetlands and appropriate safety measures. With this provision, the Township finds that the proposal effectively responds to this standard of approval.

C. Findings With Regard to Section 636, Special Land Use: Place of Public Assembly (large)

The proposed gymnasium shall be treated as a large place of public assembly under Section 636 of the Zoning Ordinance. Clearly, a gymnasium is a legitimate accessory use of a K-12 school. The applicant has met the requirements of this section as follows:

1. "A place of public assembly determined to be a large facility under this ordinance shall be located so as to have its primary access directly onto one or more of the following roadways: Munson Avenue (US-31); Parsons Road; South Airport Road; Hammond Road, west of Four Mile Road; Townline Road and/or Three Mile Road."

Finding: The Township finds that the proposed gymnasium will have direct access from both Hammond Road, west of Four Mile Road as well as from Three Mile Road, thus meeting the requirements of this standard.

2. "A place of public assembly determined to be a large facility under this ordinance shall be located on a parcel of land with a minimum area of five (5) acres. Provided, however, that such facility shall meet the maximum lot coverage requirements of this ordinance."

Finding: The Township finds that the the proposed use and facility will meet this standard.

3. "For a place of public assembly determined to be a large facility, the Zoning Administrator may require the completion of a traffic impact study under the terms of Section 227 of this Zoning Ordinance."

Finding: The applicant has provided a traffic impact study with the application for PUD and the Township finds that the proposal has met this standard of approval.

4. "All signs shall be in compliance with the provisions of Section 215 of this Ordinance."

Finding: The sign proposed at the entrance from Three Mile Road is 4.5 feet by 2.6 feet in area and will be illuminated in conformance with all standards of the ordinance. The Township finds that the proposed sign will meet the requirements of the ordinance.

5. "All off-street parking shall be in compliance with Article VII of this Ordinance."

Finding: No additional parking is necessary beyond that which has already been provided. Given the uses of the site, the applicant is required to provide 330 spaces. The number of spaces currently provided totals 345 and the Township finds that the proposal has meet the requirements of the ordinance.

6. "Landscaping and Buffering shall be provided in accordance with Section 229 of this Zoning Ordinance."

Finding: The Township finds that the proposed site plan meets all requirements of section 229.

D. Findings With Regard to Section 820, 7, Criteria for Site Plan Review.

1. **General Findings.** The following findings are reached in connection with the materials submitted as outlined in paragraph A hereof and based on Section 820, 7 of the Zoning Ordinance:
 - a. **Dimensional Characteristics.** As a PUD, the Planning Commission may vary lot dimensions or other provisions of the zoning district. In the VC district, minimum lot area is 7,200 square feet with 60 feet of lot width. Approximately 78% of the site will be in open area, and much of that is wetland. All portions of the proposed development meet the setback standards of the district.
 - b. **Traffic Study.** The proposed development currently has one connection to Hammond Road and one connection to Three Mile Road. The traffic study identifies slight to moderate decreases in expected level of service at most intersections. However, this study also highlights a significant decrease in traffic level of service at the intersection of Hammond and Grand Traverse Academy, falling from LOS "B" to LOS "F" during PM peak hours. While it should be noted that the Grand Traverse Academy does not expect to approach the ratio of 1 vehicle per student attending school, this study suggests delays per vehicle in southbound lanes will be 114.5 seconds during AM peak hours, and will exceed 120 seconds per vehicle during PM peak hours if one vehicle per attending student arrives/departs during peak traffic hours. Additionally, levels of service are expected to fall to LOS "F" at Three Mile and Grand Traverse Academy Drive as well as Hammond and Chartwell. This will result in excessive queuing on the project site – as opposed to on local public roads. However, as wait times become intolerable, the risk of dangerous or aggressive driver behavior increases. Therefore, the site plan shall be adjusted to the satisfaction of the Township Engineer and the East Bay Township Planning and Zoning Department to provide adequate two-lane stacking at both driveways to assure that right-turning traffic is not obstructed by left-turning traffic. Alternatively, the Township Engineer, the Township Planning and Zoning Department and the applicant's engineer may agree on other measures to mitigate failure conditions at both intersections.
 - c. **Parking.** Proposed parking will meet the standards of Section 702.2, which requires one space for each teacher, administrator or employee as well as one space per ten high school students. The site plan illustrates a total of 345 spaces. The total required number of spaces for all uses on site would be 330.
 - d. **Signs.** A 4.5-foot by 2.6-foot sign is proposed near the entrance off Three Mile Road, properly setback a minimum of 15 feet from the right-of-way. An illustration and description of this sign has been provided, as well as the indication that the new sign will be similar to the existing on-site sign facing Hammond Road.
 - e. **Lighting.** On-site illumination is already present on this property and to the extent that additional lighting is to be provided, it shall comply with Section 210.
 - f. **Landscaping and Buffering.** A Landscape Plan illustrates plant species, number of plantings and general planting location for typical planting areas adjacent to the building walls in accordance with Section 229. At least 75% of the site would be

devoted to landscaped and/or natural open space in accordance with Section 229, 2. An aerial photograph shows the current wooded areas of the site has been provided and the Township may rely on the applicant's assertion that the vegetation in the indicated areas will be left undisturbed.

2. **Criteria for Site Plan Review:** In the process of reviewing a site plan, the Planning Commission shall consider;

- a. That there is a proper relationship between the existing streets and highways within the vicinity, and proposed deceleration lanes, service drives, entrance and exit driveways, and parking areas to assure the safety and convenience of pedestrian and vehicular traffic, and that the proposed streets and access plan conform to any street or access plan adopted by the Township or the County Road Commission.

Finding: All service drives, entrance and exit driveways and parking areas are pre-existing. However, to address decreases in levels of service at both driveways the site plan shall be adjusted satisfactory to the Township Engineer and the Planning and Zoning Department of the Township to mitigate excessive traffic cueing at both driveways. In addition, pedestrian facilities satisfactory to the Zoning Administrator and Township Planner to connect the site to surrounding land uses and to regional facilities shall be provided when regional facilities are provided along Three Mile Road and Hammond Road.

- b. That the buildings, structures, and entrances thereto proposed to be located upon the premises are so situated and so designed as to minimize adverse effects upon owners and occupants of adjacent properties and the neighborhood.

Finding: The Township finds that all buildings, structures and entrances are properly setback from all lot lines and screened by natural vegetation.

- c. That as many natural features of the landscape shall be retained as possible, particularly, where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes and where they assist in preserving the general appearance of the neighborhood or help control erosion or the discharge of storm waters.

Finding: The Township finds that more than 75% of the site will remain devoted to opens space in the form of wetlands, wooded areas, natural vegetation and professional landscaping.

- d. Adverse effect of the proposed development and activities emanating therefrom upon adjoining residents or owners shall be minimized by appropriate screening, fencing or walls, or landscaping.

Finding: The Township finds that all buildings, structures and entrances are properly setback from all lot lines and screened by natural vegetation.

- e. That all provisions of this Ordinance are complied with unless an appropriate variance therefrom has been granted by the Zoning Board of Appeals.

Finding: Except as modified through the provisions of Section 637, Planned Unit

Development with respect to the area of building footprint, the Township finds that the proposal, subject to the conditions of these findings of fact, will comport with the requirements of the Zoning Ordinance.

- f. That all buildings and structures are accessible to emergency vehicles.

Finding: The Township finds that the proposed site plan, as adjusted in accord with the comments of the Grand Traverse Metro Fire Department will meet the access requirements of the ordinance. .

- g. That a plan for erosion control, storm water discharge, has been approved by the appropriate public agency.

Finding: The Township finds that the drainage plans conceptually meet the requirements of the County's erosion control ordinance, but condition this approval on a further review by the Township Engineer or the Drain Commissioner to assure minimal impact on sedimentation and rates of flow and appropriate safety measures.

- h. The relationship to shore and stream preservation principles where appropriate.

Finding: The Township finds that this standard is not applicable, except as outlined in finding "g" above.

- i. That the plan as approved is consistent with the intent and purpose of zoning to promote public health, safety and general welfare; to encourage the use of lands in accordance with their character and adaptability to avoid the overcrowding of population; to lessen congestion on the public roads and streets; to reduce hazards to life and property; to facilitate adequate provisions for a system of transportation, sewage disposal, safe and adequate water supply, education, recreation and other public requirements; and to conserve the expenditure of funds for public improvements and services to conform with the most advantageous uses of land, resources and properties; to preserve property values and natural resources; and to give reasonable consideration to character of a particular area, its peculiar suitability for particular uses and the general appropriate trend and character of land, building, and population development.

Finding: The Township Engineer has reviewed the plan and determined the project to be able to meet the minimum requirements of the Grand Traverse county DPW Standard Water and Sewer Specifications. Therefore, except as specifically addressed in the conditions of approval, the Township finds that the site plan meets the requirements of the Zoning Ordinance.

Conditions of Approval:

The Planned Unit Development for the expansion of Grand Traverse Academy is approved, with the following conditions:

1. No preliminary or final earthwork, grading or timber removal shall be undertaken on the site until a land use permit has been issued.

2. Adjustment of the site plan to the satisfaction of the Township Engineer and the East Bay Township Planning and Zoning Department to provide adequate two-lane stacking at both driveways to assure that right-turning traffic is not obstructed by left-turning traffic. Alternatively, the Township Engineer, the East Bay Township Planning and Zoning Department and the applicant's engineer may agree on other measures to mitigate failure conditions at both intersections.
3. The applicant shall cooperate in the provision of pedestrian facilities along the frontage of Three Mile Road and Hammond Road when the trails, sidewalks or other non-motorized facilities are provided. In addition, when such facilities are developed along Three Mile Road, the applicant shall provide either a concrete sidewalk at least five feet in width or an asphalt trail at least eight feet in width to connect from the trail or sidewalk along Three Mile Road to the school building. In addition, when such facilities are development along the Hammond Road frontage, the applicant shall provide either a concrete sidewalk at least five feet in width or an asphalt trail at least eight feet in width to connect from the trail or sidewalk along Hammond Road to the school building.
4. Provision of detail satisfactory to the Zoning Administrator and Planner regarding any additional site lighting in conformance with Section 210.
5. Provision of detail satisfactory to the Zoning Administrator and the Township Engineer or Drain Commissioner to assure that on site storm water management is effective to protect the Mitchell Creek watershed from increases in sedimentation or rates of flow and includes appropriate safeguards such as fences or safe slopes.
6. The applicant shall annually coordinate scheduling with other nearby schools so that their collective traffic impact can be spread out over different times of the day, and not all occur simultaneously.