



· **ACME TOWNSHIP PLANNING COMMISSION**
· **SPECIAL MEETING**
· **ACME TOWNSHIP HALL**
· **6042 Acme Road Williamsburg, MI 49690**
· **July 26, 2022 7:00 p.m.**

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE 7:02

ROLL CALL: Present; D. Rosa, J. Challender, S. Feringa, K. Wentzloff, M. Timmins, J. Aukerman

Excuse; D. VanHouten

Staff Present; Lindsey Wolf, Planning and Zoning Administrator; Marcie Timmins, Recording Secretary.

- A. LIMITED PUBLIC COMMENT:** Members of the public may address the Commission regarding any subject of community interest during public comment periods by filling out a Public Comment Card and submitting it to the Secretary. Public comments are limited to three minutes per individual. Comments during other portions of the agenda may or may not be entertained at the moderator's discretion
Opened at 7:03

Brian Kelly- Talked about the value of light industrial space in Acme, and about hearing for the last many years that light industrial space is in short supply in Acme. Staff report states there is no where to expand it. Light industrial sprawl is contrary to the Master Plan and the desire of this community.

Asked that the PC solve that before removing 40 acres from the light industrial district. Kmart PUD would sprawl the light industrial uses to our commercial corridor on US-31. Believes these would be a serious change in our township.

Read from page five of the Master Plan.

Hopes that if the 40 acres is rezoned to Ag. there won't be any negative impacts to the surrounding area. Believes it would be a lot of density on Bates Rd.

Talked about the three times he visited the Horse show and seeing the tracker trailers leaving the festival site overloaded with manure, which the neighbors complained about during a previous public hearing.

Has a video of following the truck with manure and hay falling off, as well as appearing to roll through a stop sign at Elk Lake Rd when it made a turn. Wants the Horse festival to continue to be a strong positive to our community and resolve these compatibility issues.

Chuck Walter- There will be more than one access to the property (the proposed 40 acres) one on Arnold Rd. and one on Bates.

- B. APPROVAL OF AGENDA: Motion by Timmins, Support by Challender to approve the agenda as presented. Motion carries**
- C. INQUIRY AS TO CONFLICTS OF INTEREST: None**
- D. SPECIAL PRESENTATIONS: None**
- E. RECEIVE AND FILE:**
1. RECEIVE AND FILE
a. None
- F. APPROVAL OF MINUTES:**
a. None
- G. CORRESPONDENCE:**
1. Trail Field Observation Report – Beckett & Raeder
Went over the progress made on the new section of TART trail.
- H. PUBLIC HEARINGS:**
1. None

If you are planning to attend and are physically challenged, requiring any special assistance, please notify Lisa Swanson, Clerk, within 24 hours of the meeting at 938-1350.

I. OLD BUSINESS:

1. None

J. NEW BUSINESS:

1. Amendment 054- Rezoning request Traverse City Horse Shows LLC
Ron Gajoch- Discussed the PDR program and that this land would not be divided for residential use. Horses are livestock and fall under agriculture and farming. This will strictly be an agricultural use. Parcels will meet the zoning requirements set under Ag. with five acre or greater sized parcels. There will be primary and secondary buildings. Talked about how the farmettes would most likely reduce traffic due to people and horses living right across the street, they will not have to drive in and out to participate or take care of animals.

Lindse Wolf- Talked with counsel, Jeff Jocks, before the meeting about items to consider before changing zoning classification. Wanted to make clear that no motion would be made tonight. The PC must hold a public hearing to complete the process.

Wolf asked The Horse show if there were any uses that are related to the horse show that could be utilizing the existing B-4 zoning that would eliminate the request or reduce the request? Equipment storage, farm equipment sales, veterinary services, that would apply to future operations.

Gajoch - said No.

Wolf- as far as the PDR program, were they interested in pursuing?

Gajoch- Doesn't think they will pursue the PDR program. It is currently in an agricultural preservation zone, as it is set forth by not only the township but also by the county.

Discussed the difficult aspects of light industrial uses without access to public utilities, lack of infrastructure such as it exists now on that property and how it has historically been farmed and would continue to be agricultural.

Aukerman- At first thought the spot was an oddity for the B-4 district but thought maybe a B-4 district would be desirable in that area for fruit processing. Like the one on 31, they have wells and are not on a septic system

Wentzloff discussed the limited area in the township for where B-4 could go. Identified in other township work that we are kind of out of the B-4 area. Talked about businesses in the light industrial that don't need high intensity infrastructure to operate. Asked Chuck Walter to explain the history of the B-4 distinct in that area due to his longevity in the township.

Chuck Walter - Discussed the history of the zoning of that property as well as the current B-4 zoned parcels that are still waiting to be occupied.

Timmins- asked if the farmettes would be something that are sold out right or if they will be rented/leased out.

Gajoch - they will be sold. This will allow them to have larger stalls and paddocks while staying for the whole season.

Wentzloff- reminded the PC that tonight's meeting is about the rezoning; it has nothing to do with what might go there. Does it make sense for that parcel to be rezoned to Ag. based on the eight criteria we use to make those determinations.

Challender wanted to know how many parcels
Gajoch answered twelve.

Rosa- asked for clarification about traffic on Arnold Rd. because of how far the property goes back.

Morrissey - already has approval from the road commission for the road going through the property.

Rosa - concerned that they may use that new property to develop new show rings and other horse show events on the new property thereby having horse shows happening on both sides of the road.

Wentzloff- In the special use permit it explains what they can have. If they wanted to expand to 2 more parcels they would have to come back to the Planning Commission.

Rosa- Asked about the property south of the rezoning request that is still undeveloped B-4 district.

Discussion about the existing undeveloped B-4 continued.

Aukerman- asked how many horses would be allowed on each parcel

Morrissey- they will be enforcing horse density on the property on a per acre basis.

Discussed primary square footage of residents, 500 sq. ft., in order to build a secondary structure.

**Motion by Aukerman, Support by Timmins to set a public hearing on August 15th. for amendment 054, rezoning request Traverse City Horse Shows.
Motion Carries.**

K. PUBLIC COMMENT & OTHER PC BUSINESS
Opened at 7:45

**Chuck Walter- Traffic study is currently ongoing in the area of the Horse Shows by the Bay. Sensors were put at 72 and US 31 as well as at the roundabouts.
Closed public comment at 7:46.**

- 1. Planning & Zoning Administrator Report – Lindsey Wolf**
- 2. Township Board Report – Jean Aukerman**

3. Parks & Trails Committee Report –

No updates given at this meeting.

**ADJOURN: Motion by Timmins, Support by Feringa to adjourn the meeting.
Motion carries**



ACME TOWNSHIP PLANNING COMMISSION
SPECIAL MEETING
ACME TOWNSHIP HALL
6042 Acme Road Williamsburg, MI 49690
July 26, 2022 7:00 p.m.

CALL TO ORDER
WITH PLEDGE OF ALLEGIANCE

ROLL CALL:

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- B. APPROVAL OF AGENDA:**
- C. INQUIRY AS TO CONFLICTS OF INTEREST:**
- D. SPECIAL PRESENTATIONS:**
- E. RECEIVE AND FILE:**
 - 1. RECEIVE AND FILE**
 - a. None**
- F. APPROVAL OF MINUTES:**
 - a. None**
- G. CORRESPONDENCE:**
 - 1. Trail Field Observation Report – Beckett & Raeder**
- H. PUBLIC HEARINGS:**
 - 1. None**
- I. OLD BUSINESS:**
 - 1. None**
- J. NEW BUSINESS:**
 - 1. Amendment 054- Rezoning request Traverse City Horse Shows LLC**
- K. PUBLIC COMMENT & OTHER PC BUSINESS**
 - 1. Planning & Zoning Administrator Report – Lindsey Wolf**
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 - 3. Parks & Trails Committee Report –**

ADJOURN:

FIELD OBSERVATION REPORT NUMBER 3

Acme Connector Trail

Acme Township, MI

From: Engineer/Landscape Architect/Designer
Beckett & Raeder, Inc.

To: Lindsey Wolf, Acme Township
Chris Kushman, TART Trails

Field Observation Date: 07-13-2022

Field Observation Time: 10:30 AM

Field Weather Conditions: Sunny, 70°

Also Attending Field Observation Visit: Lindsey Wolf, Acme Township

Reason for Site Visit:

Construction Progress Observations

Summary of Field Observations:

1. Observations between Bunker Hill and Mt. Hope Road
 - a. Rough Grading and placement of aggregate base appears to be substantially complete.



Trail at Bunker Hill



Railroad right-of-way looking south



Trail looking southeast toward railroad right-of-way (south side of Holiday Inn property)



Trail looking north between Holiday Inn and Sleep Inn

2. Observations along Mt. Hope Road
 - a. Elmer's working on ADA sidewalk ramp at Feast of Victory



Trail looking west at Feast of Victory

3. Observations along M-72
 - a. No Activity
4. Observations between Mt. Hope Road and Koti Development
 - a. Wickcraft Deck stored for installation.
 - b. Helical piles installed for Acme creek crossing



Acme Creek Crossing western boardwalk abutment (partially constructed)



Acme Creek Crossing looking east



Acme Creek Crossing looking west

5. Observations between Roundabout and Koti Development
 - a. Trail rough grading in progress between culvert and boardwalk



Trail rough grading east of Custom Manufacturing Boardwalk



Trail rough grading at box culvert crossing



Bottom of hill looking east

END OF FIELD OBSERVATION REPORT

Observations documented in this field report result from a courtesy review of construction to date. Statements or absence of statements in this report shall not constitute approval of work, in whole or part. Courtesy reviews do not waive contractor responsibility for contract document compliance. All work is subject to final review upon substantial completion.

If you have additions and/or corrections to the above report, please contact the author.

Beckett & Raeder, Inc.

Christopher G. DeGood, PE
Principal

ec: L. Wolf, Acme Twp., D. White, Acme Twp., C. Kushman, TART, T. Knutsen, BRI, Eric Sanborn, Elmer's, M. Hawkins, Machin Engineering, M. Alley; GFA.



July 12, 2022

Dear Members of the Acme Township Planning Commission:

Attached to this letter is a "Petition for Zoning Change". This Petition concerns the southern 40 acres of tax parcel #01-014-004-01. We are requesting that this portion of the parcel be rezoned from B-4 Material Processing & Warehousing to A-1 Agricultural. The balance of the parcel which is approximately 60 acres is currently zoned Agricultural. The 40 acres' current use is agricultural. The applicant anticipates developing the combined 100 acres into small horse farms or Farmettes. Purchasers are expected to be participants in the Traverse City Horse Shows. The property is located on the East side of Bates Road between Brackett Road and M-72 and across from the Flintfields Horse Park and the Traverse City Horse Shows.

As required by the "Petition for Zoning Change" the applicant is including the following information:

Section "A" has been completed on the application.

Section "B"

Item 1: Completed.

Item 2: Completed.

Item 3: A copy of the deed for the parcel is attached confirming ownership of the parcel by Traverse City Horse Shows.

Item 4: A sealed survey and legal description is attached. Also attached is the Farrier survey from 4/21 which depicts parcel A-1 which is 01-014-004-01

Item 5: This change is requested for the following reasons:

- a. A rezoning of the property to Agricultural would mean that the zoning accurately reflects the property's past, present and anticipated future uses.
- b. The rezoning will resolve the conflict between the Township's Zoning Ordinance and its Open Space Development Rights Ordinance. Both the Township and Grand Traverse County have adopted Open Space Development rights ordinances. Both ordinances require that the Township and County develop criteria for identifying parcels where development rights might be purchased. The Township has developed such a criteria and as a result has identified this 40 acres as included in its "PDR Eligible" area. The implication of the identification of this property as PDR Eligible is that it is farmland and that it should stay farmland. And yet, the property is zoned Light Industrial & Warehousing. The inclusion of the property in the PDR eligible zone makes sense as Acme Township's "Land Protection Map" identifies the property as being within the "Agricultural Preservation Zone". (See attached.)
- c. Per attached excerpts from the Acme Township Master Plan the Township has expressed a strong collective desire to maintain its agricultural base. *"Approximately one-third of the existing land use in the Township is agricultural,citizens have demonstrated their commitment to preserving this land use by passing a millage to support participation in the Grand Traverse County Purchase of Development Rights (PDR) program designed to offset the financial incentive of development."*

(excerpt from page 33). Excerpts from pages 3, 33, 50, 61, 63, 66, etc. of the Master Plan are attached to support preservation of agricultural lands. Rezoning of this property to Agricultural would promote this clear Township preference.

- d. There is no infrastructure to support the B-4 use adequately. The road is not designed for heavy-truck traffic, there are no public utilities available (water, sewer, etc.) and the site is narrow and long, therefore not conducive for material processing or warehousing. Many of the current small storage/warehouse spaces are unoccupied as a result of these items.

Item 6: The site has historically been farmed. It is currently growing hay. The property has no trees and is rolling farmland.

Item 7: The surrounding area is agricultural. The site is across from the Flintfields Horse Park. The surrounding area is agricultural with some homes on 5 acre sites (also within agricultural use area). There is a small storage/warehouse spaces with B-4 uses to the south of this parcel.

Item 8: Yes. The property shall not be used for any marijuana facilities or mobile homes. (see attached Warrantee Deed)

Section "C":

Item 1: Completed.

Item 2: Completed and attached.

Item 3: Application Fee

Item 4: A memory stick including application materials in PDF format has been included.

Item 5: CAD drawings for area proposed for rezoning.

Item 6: 10 copies of large scale site plans are included.

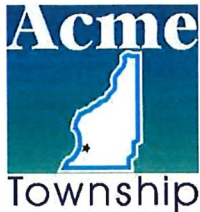
Section "D": Affidavit signed on application.

Please do not hesitate to phone me at 914-915-3457 if you should have any questions or need additional information.

Regards,



Matt Morrissey
Managing Partner
Traverse City Horse Show



Petition for Zoning Change

Township of Acme, Grand Traverse County, Michigan

6042 Acme Road, Williamsburg, MI 49690

Phone: (231) 938-1350 Fax: (231) 938-1510 Web: www.acmetownship.org
Planning & Zoning Administrator: Lindsey Wolf Email: zoning@acmetownship.org

Please fill out the following application as completely and legibly as possible:

A. Owner/Applicant Information:

Owner/Applicant's Name: Matt Morrissey
Owner/Applicant's Current Mailing Address: 6535 Bates Road
City: Williamsburg State: Michigan Zip Code: 49690
Phone Number: 941-915-3457 Email: matt@mmg.management

B. Required Information (attach additional pages as needed):

- Property Address/Location: Bates Road, North of M-72
- Parcel Number: 01-014-004-01
- Proof of current property ownership. If applicant is not the current property owner, also provide written and signed permission for applicant to act as agent of, and complete contact information for, the current property owner. (See Attached)
- Sealed survey and legal description for property proposed for rezoning. (See Attached)
- State the current zoning designation, proposed zoning designation and why you are petitioning for and believe that the property should be rezoned. (See Attached)
- Describe the natural features and characteristics of the property. (See Attached)
- Describe the existing land use on the property and on all immediately neighboring properties. (See Attached)
- State whether deed restrictions exist on the property. If so, provide documentation. Discuss how they do or would affect the use of the property. (See Attached)

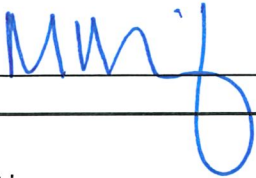
C. Submission Requirements (additional items may be requested depending on the circumstances):

- Signed original copy of this application form.
- Signed original copy of Fee Escrow Policy Acknowledgement
- Initial fee as required by Acme Township Schedule of Fees
- PDF files for all application materials and attachments
- CAD and/or GIS shapefiles for area proposed for rezoning
- If you have prepared any oversized site plans or documents, provide 10 copies of each

D. Affidavit:

The undersigned affirms that he/she is the Owner (owner, agent, lessee, or other interested party) involved in this petition and that the foregoing answers, statements and information are in all respects true and, to the best of his/her knowledge, correct. By making this application, the undersigned grants all officials, staff and consultants of Acme Township access to the subject property as required and appropriate to assess site conditions in support of a determination as to the suitability of the proposed project and/or current or future special use permit and zoning ordinance compliance.

Signature:



Date:

7/8/22

FOR TOWNSHIP USE ONLY

Application No.: _____

Date of Advertising: _____

Date Received: _____

Date of Hearing: _____

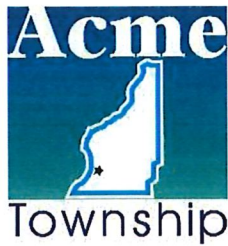
Fee Tendered: _____

PC Recommendation: _____

Board Action: _____

Effective Date: _____

NOTES



Escrow Policy Acknowledgement


Township of Acme, Grand Traverse County, Michigan

6042 Acme Road, Williamsburg, MI 49690

Phone: (231) 938-1350 Fax: (231) 938-1510 Web: www.acmetownship.org
Planning & Zoning Administrator: Lindsey Wolf Email: zoning@acmetownship.org

I have read, and agree to abide by the Acme Township policy concerning escrow fees.

Name (please print): Matt Morrissey

Signature:  Date: 7/8/22

Project Name: Petition for Zoning Change for "Grand Prix Village North"

Person/Company responsible for account (billing purposes):

Name: Matt Morrissey, Managing Partner

Mailing Address: 6535 Bates Road

City: Williamsburg State: Michigan Zip Code: 49690

Phone Number: 941-915-3457 Fax Number: _____

Email Address: matt@mmg.management

**ALL ESCROW CHARGES MUST BE CURRENT OR PROJECT WILL BE
REMOVED FROM AGENDAS AND NO ACTION WILL BE TAKEN.**

NO BUILDING PERMITS WILL BE ISSUED IF A BALANCE IS OWING.



Escrow Policy Acknowledgement

Township of Acme, Grand Traverse County, Michigan

6042 Acme Road, Williamsburg, MI 49690

Phone: (231) 938-1350 Fax: (231) 938-1510 Web: www.acmetownship.org

Planning & Zoning Administrator: Lindsey Wolf Email: zoning@acmetownship.org

I have read, and agree to abide by the Acme Township policy concerning escrow fees.

Name (please print): Matt Morrissey for Traverse City Horse Shows

Signature: [Signature] Date: 7/12/22

Project Name: Traverse City Horse Shows

Person/Company responsible for account (billing purposes):

Name: Matt Morrissey

Mailing Address: 15355 De Havilland Ct.

City: Wellington State: FL Zip Code: 33414

Phone Number: 941 915 3457 Fax Number: _____

Email Address: matt@mng.management

**ALL ESCROW CHARGES MUST BE CURRENT OR PROJECT WILL BE
REMOVED FROM AGENDAS AND NO ACTION WILL BE TAKEN.**

NO BUILDING PERMITS WILL BE ISSUED IF A BALANCE IS OWING.

WARRANTY DEED

The Grantors, Charles B. Walter and Carol A. Walter, as Co-Trustees of the Carol A. Walter Revocable Trust U/A/D 12/02/99, as amended April 15, 2010, and May 22, 2012, and the Charles B. Walter Revocable Trust U/A/D 12/02/99, as amended April 15, 2010, and May 22, 2012, both of 6584 Bates Road, Williamsburg, Michigan 49690, CONVEY AND WARRANT to Traverse City Horse Shows, LLC, a Florida Limited Liability Company of 15355 De Havilland Court, Wellington, Florida 33414, the following described premises situated in the Township of Acme, County of Grand Traverse, and State of Michigan:

Property Description is attached hereto as Parcel A-1 comprised of approximately 100.02 acres

Property Tax No(s) 28-01-014-004-00 and 28-01-014-018-00 and 28-01-014-028-03

Subject to restrictions, reservations and easements of record, if any. Also subject to the following:

The property shall not be used for any marijuana related growth or facilities nor be used by mobile homes.

Right-of-Way to Cherryland Rural Electric Cooperative as recorded in Liber 407, Page 888, and Liber 407, Page 956, subject to right-of-way to Cherryland Electric Cooperative as recorded in Liber 1134, Page 111

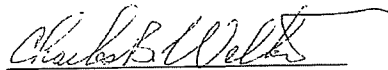
This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

The grantor grants to the grantee the right to make 12 division(s) under section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967.

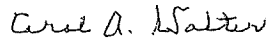
FOR THE SUM OF ONE DOLLAR AND OTHER GOOD AND VALUABLE CONSIDERATION

Dated this 2 day of July, 2021.

Signed by:



Charles B. Walter, as Co-Trustee of the
Carol A. Walter Revocable Trust
U/A/D 12/02/99, as amended



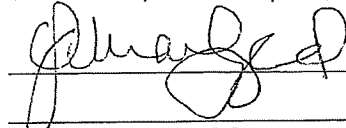
Carol A. Walter, as Co-Trustee of the
Carol A. Walter Revocable Trust
U/A/D 12/02/99, as amended

April 15, 2010, and May 22, 2012, and
the Charles B. Walter Revocable Trust
U/A/D 12/02/99, as amended
April 15, 2010, and May 22, 2012

April 15, 2010, and May 22, 2012, and
the Charles B. Walter Revocable Trust
U/A/D 12/02/99, as amended
April 15, 2010, and May 22, 2012

STATE OF MICHIGAN)
) ss.
COUNTY OF GRAND TRAVERSE)

The foregoing instrument was acknowledged before me this 2nd day of July, 2021, by
Charles B. Walter and Carol A. Walter, as Co-Trustees of the Carol A. Walter Revocable Trust U/A/D
12/02/99, as amended April 15, 2010, and May 22, 2012, and the Charles B. Walter Revocable Trust
U/A/D 12/02/99, as amended April 15, 2010, and May 22, 2012.



_____, Notary Public

Grand Traverse County, MI
Acting in Grand Traverse County, MI
My Commission Expires: _____

SABRINA GAYLORD
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF GRAND TRAVERSE
MY COMMISSION EXPIRES: MARCH 11, 2026
ACTING IN THE COUNTY OF GRAND TRAVERSE

When Recorded Return to: Rex O. Graff, Jr.
449 E. Front Street
Traverse City, MI 49686

Send Subsequent Tax Bills To: Grantee

Drafted by:
Rex O. Graff, Jr. (P14250)
449 E. Front Street
Traverse City, MI 49686
(231) 947-2540

County Treasurer's Certificate

I hereby certify that there are no Tax Liens or Titles held by the State or any individual against the
within description, and all Taxes on same are paid for five years previous to the date of this instrument as
appears by the records in my office. This does not cover taxes in the process of collection by Township,
City or Village.

Tax Parcel No(s)
28-01-014-004-00 and
28-01-014-018-00 and
28-01-014-028-03

Recording fee: \$35.00

EXHIBIT "A"

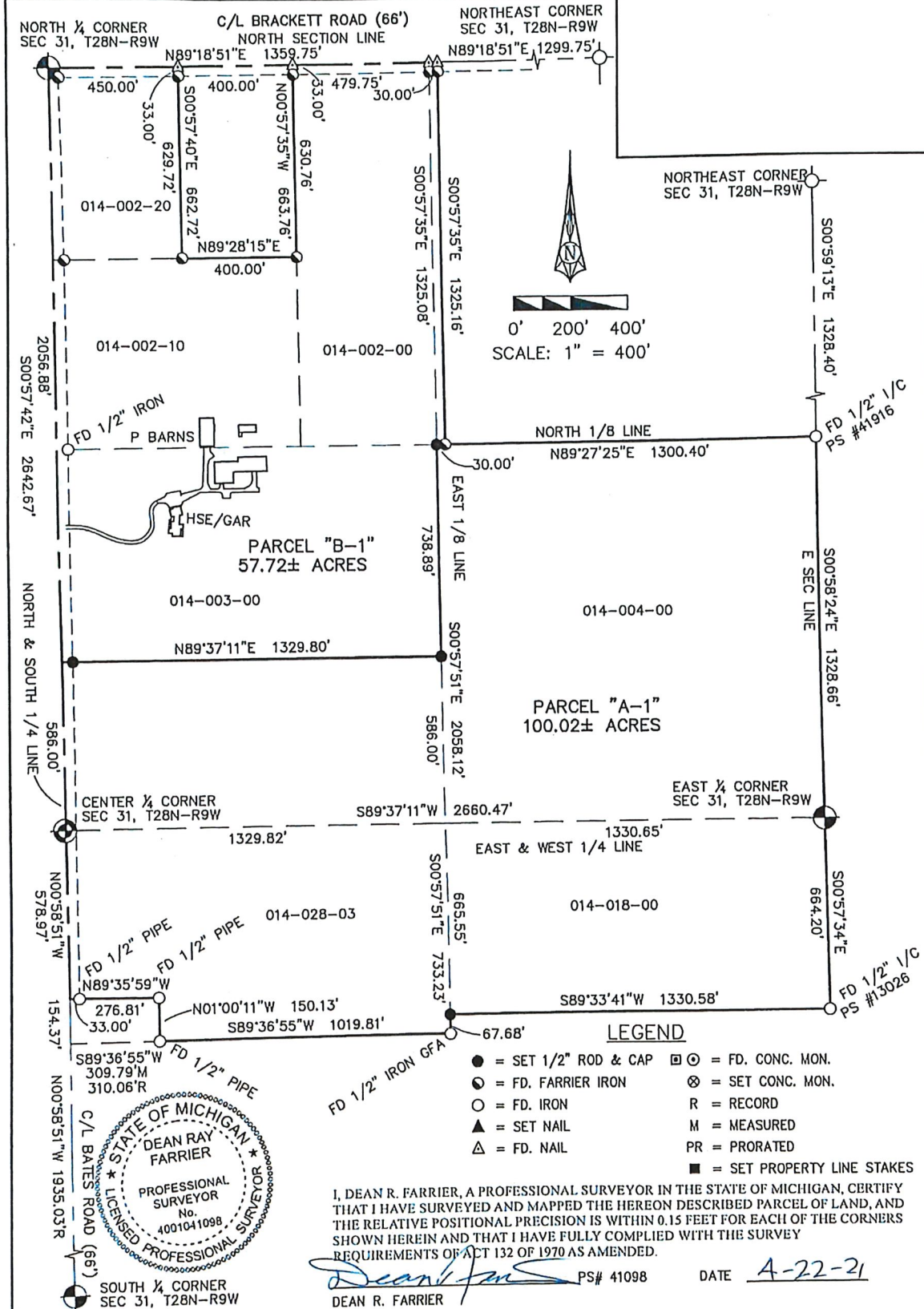
(Property)

DESCRIPTION

DESCRIPTION FOR PARCEL "A-1"

PART OF THE EAST $\frac{1}{4}$ OF SECTION 31, T28N-R9W DESCRIBED AS COMMENCING AT THE NORTH $\frac{1}{4}$ CORNER OF SAID SECTION 31; THENCE S00°57'42"E ALONG THE NORTH AND SOUTH $\frac{1}{4}$ LINE OF SAID SECTION, 2056.88 FEET TO THE POINT OF BEGINNING; THENCE N89°37'11"E, 1329.80 FEET TO THE EAST $\frac{1}{4}$ LINE OF SAID SECTION; THENCE N00°57'35"W ALONG SAID EAST $\frac{1}{4}$ LINE, 738.89 FEET TO THE NORTH $\frac{1}{4}$ LINE OF SAID SECTION; THENCE N89°27'25"E ALONG SAID NORTH $\frac{1}{4}$ LINE, 1330.40 FEET TO A FOUND 1/2" IRON AND CAP PS #41916 TO THE EAST LINE OF SAID SECTION; THENCE S00°58'24"E ALONG SAID EAST SECTION LINE, 1328.66 FEET TO THE EAST $\frac{1}{4}$ CORNER OF SAID SECTION; THENCE CONTINUING ALONG SAID EAST SECTION LINE S00°57'34"E, 664.20 FEET TO A FOUND 1/2" IRON AND CAP PS #13026; THENCE S89°33'41"W, 1330.58 FEET TO SAID EAST $\frac{1}{4}$ LINE; THENCE S00°57'51"E ALONG SAID EAST $\frac{1}{4}$ LINE, 67.68 FEET TO A FOUND 1/2" IRON AND CAP GFA; THENCE S89°36'55"W, 1019.81 FEET TO FOUND 1/2" PIPE; THENCE N01°00'11"W, 150.13 FEET TO A FOUND 1/2" PIPE; THENCE N89°35'59"W, 276.81 FEET TO A FOUND 1/2" PIPE ON THE EAST RIGHT-OF-WAY LINE OF BATES ROAD; THENCE CONTINUING N89°35'59"W, 33.00 FEET TO THE NORTH AND SOUTH $\frac{1}{4}$ LINE OF SAID SECTION; THENCE N00°58'51"W, 578.97 FEET ALONG SAID NORTH AND SOUTH $\frac{1}{4}$ LINE TO THE CENTER $\frac{1}{4}$ CORNER OF SAID SECTION; THENCE CONTINUING ALONG SAID NORTH AND SOUTH $\frac{1}{4}$ LINE N00°57'42"W, 586.00 FEET TO THE POINT OF BEGINNING. CONTAINING 100.02 ACRES MORE OR LESS. SUBJECT TO THE RIGHT-OF-WAY FOR BATES. ALSO SUBJECT TO EASEMENTS IN FAVOR OF CHERRYLAND RURAL ELECTRIC CO-OPERATIVE ASSOCIATION AS RECORDED ON LIBER 407, PAGE 956, [REDACTED] SE [REDACTED] AND ALSO SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

CERTIFICATE OF SURVEY



BEARING BASIS: CERTIFIED SURVEY RECORDED IN LIBER 1, PAGE 620

FARRIER SURVEYING INC. P.O. BOX 998 244 S. CEDAR STREET KALKASKA, MI 49646 TEL (231) 258-8162 office@farriersurveying.com	CLIENT CHUCK WALTER DESCRIPTION PART OF THE EAST 1/2, SECTION 31, T28N-R9W, ACME TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN	DRAWN: DES FILE No. 32420 CHECK: DRF Fd. Bk. 200, Pg. REVISED: DATE: 4/22/2021 SHEET: 1 of 3
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DESCRIPTION

PARCELS OF LAND SITUATED IN THE TOWNSHIP OF ACME, COUNTY OF GRAND TRAVERSE, STATE OF MICHIGAN DESCRIBED AS FOLLOWS TO-WIT:

DESCRIPTIONS AS FURNISHED

TAX ID PARCEL NO. 01-014-002-00

THE EAST 470 FEET OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ AND THE WEST 30 FEET OF THE NORTHEAST ¼ OF THE NORTHEAST ¼, SECTION 31, T28N-R9W EXCEPT THE ROAD RIGHT-OF-WAY.

TAX ID PARCEL NO. 01-014-002-10

THE SOUTH 660 FEET OF THE WEST 850 FEET OF THE NORTHWEST ¼ OF THE NORTHEAST ¼, SECTION 31, T28N-R9W

TAX ID PARCEL NO. 01-014-002-20

THE NORTH 660 FEET OF THE WEST 450 OF THE NORTHWEST ¼ OF THE NORTHEAST ¼, SECTION 31, T28N-R9W EXCEPT THE ROAD RIGHT-OF-WAY.

TAX ID PARCEL NO. 01-014-003-00

THE SOUTHWEST ¼ OF THE NORTHEAST ¼, SECTION 31, T28N-R9W.

TAX ID PARCEL NO. 01-014-004-00

THE SOUTHEAST ¼ OF THE NORTHEAST ¼, SECTION 31, T28N-R9W.

TAX ID PARCEL NO. 01-014-018-00

THE NORTH ½ OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼, SECTION 31, T28N-R9W.

TAX ID PARCEL NO. 01-014-028-03

THE WEST ½ OF THE SOUTHEAST ¼, SECTION 31, T28N-R9W MORE FULLY DESCRIBED AS COMMENCING AT THE SOUTH ¼ CORNER OF SAID SECTION 31; THENCE N00°57'42"W, 1935.03 FEET ALONG THE NORTH AND SOUTH ¼ LINE OF SAID SECTION 31; THENCE S89°34'58"E, 310.06 FEET TO THE POINT OF BEGINNING; THENCE N01°00'04"W, 150.08 FEET; THENCE N89°35'56"W, 309.95 FEET; THENCE N00°57'42"W, 578.82 FEET ALONG SAID NORTH AND SOUTH ¼ LINE; THENCE N89°36'31"E, 1329.89 FEET ALONG THE EAST AND WEST ¼ LINE OF SAID SECTION 31; THENCE S00°56'59"E, 733.14 FEET ALONG THE EAST ¼ LINE OF SAID SECTION 31; THENCE S89°36'21"W, 1019.75 FEET TO THE POINT OF BEGINNING.

DESCRIPTION AS SURVEYED

PART OF THE EAST ½ OF SECTION 31, T28N-R9W DESCRIBED AS BEGINNING AT THE NORTH ¼ CORNER OF SAID SECTION 31; THENCE N89°18'51"E ALONG THE NORTH LINE OF SAID SECTION, 450.00 FEET; THENCE S00°57'40"E, 662.72 FEET; THENCE N89°28'15"E, 400.00 FEET; THENCE N00°57'35"W, 663.76 FEET TO SAID NORTH SECTION LINE; THENCE N89°18'51"E ALONG SAID NORTH SECTION LINE, 479.75 FEET TO THE EAST ¼ LINE OF SAID SECTION; THENCE CONTINUING ALONG SAID NORTH SECTION LINE N89°18'51"E, 30.00 FEET; THENCE S00°57'35"E PARALLEL TO THE EAST ¼ LINE OF SAID SECTION, 1325.16 FEET TO THE NORTH ¼ LINE OF SAID SECTION; THENCE N89°27'25"E ALONG SAID NORTH ¼ LINE, 1300.40 FEET TO A FOUND 1/2" IRON AND CAP PS #41916 TO THE WEST LINE OF SAID SECTION; THENCE S00°58'24"E ALONG SAID EAST SECTION LINE, 1328.66 FEET TO THE EAST ¼ CORNER OF SAID SECTION; THENCE CONTINUING ALONG SAID EAST SECTION LINE S00°57'34"E, 664.20 FEET TO A FOUND 1/2" IRON AND CAP PS #13026; THENCE S89°33'41"W, 1330.58 FEET TO SAID EAST ¼ LINE; THENCE S00°57'51"E ALONG SAID EAST ¼ LINE, 67.68 FEET TO A FOUND 1/2" IRON AND CAP GFA; THENCE S89°36'55"W, 1019.81 FEET TO FOUND 1/2" PIPE; THENCE N01°00'11"W, 150.13 FEET TO A FOUND 1/2" PIPE; THENCE N89°35'59"W, 276.81 FEET TO A FOUND 1/2" PIPE ON THE EAST RIGHT-OF-WAY LINE OF BATES ROAD; THENCE CONTINUING N89°35'59"W, 33.00 FEET TO THE NORTH AND SOUTH ¼ LINE OF SAID SECTION; THENCE N00°58'51"W, 578.97 FEET ALONG SAID NORTH AND SOUTH ¼ LINE TO THE CENTER ¼ CORNER OF SAID SECTION; THENCE CONTINUING ALONG SAID NORTH AND SOUTH ¼ LINE N00°57'42"W, 2642.67 FEET TO THE POINT OF BEGINNING. CONTAINING 163.82 ACRES MORE OR LESS. SUBJECT TO THE RIGHT-OF-WAY FOR BATES AND BRACKETT ROADS. ALSO SUBJECT TO EASEMENTS IN FAVOR OF CHERRYLAND RURAL ELECTRIC CO-OPERATIVE ASSOCIATION AS RECORDED ON LIBER 407, PAGE 956, LIBER 430, PAGE 920 AND LIBER 430, PAGE 924. AND ALSO SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

FARRIER SURVEYING INC. P.O. BOX 998 244 S.CEDAR STREET KALKASKA, MI 49646 TEL(231)258-8162 office@farriersurveying.com	CLIENT CHUCK WALTER		DRAWN: DES	FILE No. 32420
	DESCRIPTION		CHECK: DRF	Fd. Bk. 200, Pg.
	PART OF THE EAST 1/2, SECTION 31, T28N-R9W, ACME TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN		REVISED:	DATE: 4/22/2021
				SHEET: 2 of 3

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DESCRIPTION

DESCRIPTION FOR PARCEL "A-1"

PART OF THE EAST 1/2 OF SECTION 31, T28N-R9W DESCRIBED AS COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 31; THENCE S00°57'42"E ALONG THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION, 2056.88 FEET TO THE POINT OF BEGINNING; THENCE N89°37'11"E, 1329.80 FEET TO THE EAST 1/8 LINE OF SAID SECTION; THENCE N00°57'35"W ALONG SAID EAST 1/8 LINE, 738.89 FEET TO THE NORTH 1/8 LINE OF SAID SECTION; THENCE N89°27'25"E ALONG SAID NORTH 1/8 LINE, 1330.40 FEET TO A FOUND 1/2" IRON AND CAP PS #41916 TO THE EAST LINE OF SAID SECTION; THENCE S00°58'24"E ALONG SAID EAST SECTION LINE, 1328.66 FEET TO THE EAST 1/4 CORNER OF SAID SECTION; THENCE CONTINUING ALONG SAID EAST SECTION LINE S00°57'34"E, 664.20 FEET TO A FOUND 1/2" IRON AND CAP PS #13026; THENCE S89°33'41"W, 1330.58 FEET TO SAID EAST 1/8 LINE; THENCE S00°57'51"E ALONG SAID EAST 1/8 LINE, 67.68 FEET TO A FOUND 1/2" IRON AND CAP GFA; THENCE S89°36'55"W, 1019.81 FEET TO FOUND 1/2" PIPE; THENCE N01°00'11"W, 150.13 FEET TO A FOUND 1/2" PIPE; THENCE N89°35'59"W, 276.81 FEET TO A FOUND 1/2" PIPE ON THE EAST RIGHT-OF-WAY LINE OF BATES ROAD; THENCE CONTINUING N89°35'59"W, 33.00 FEET TO THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION; THENCE N00°58'51"W, 578.97 FEET ALONG SAID NORTH AND SOUTH 1/4 LINE TO THE CENTER 1/4 CORNER OF SAID SECTION; THENCE CONTINUING ALONG SAID NORTH AND SOUTH 1/4 LINE N00°57'42"W, 586.00 FEET TO THE POINT OF BEGINNING. CONTAINING 100.02 ACRES MORE OR LESS. SUBJECT TO THE RIGHT-OF-WAY FOR BATES. ALSO SUBJECT TO EASEMENTS IN FAVOR OF CHERRYLAND RURAL ELECTRIC CO-OPERATIVE ASSOCIATION AS RECORDED ON LIBER 407, PAGE 956, LIBER 430, PAGE 920 AND LIBER 430, PAGE 924. AND ALSO SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

DESCRIPTION FOR PARCEL "B-1"

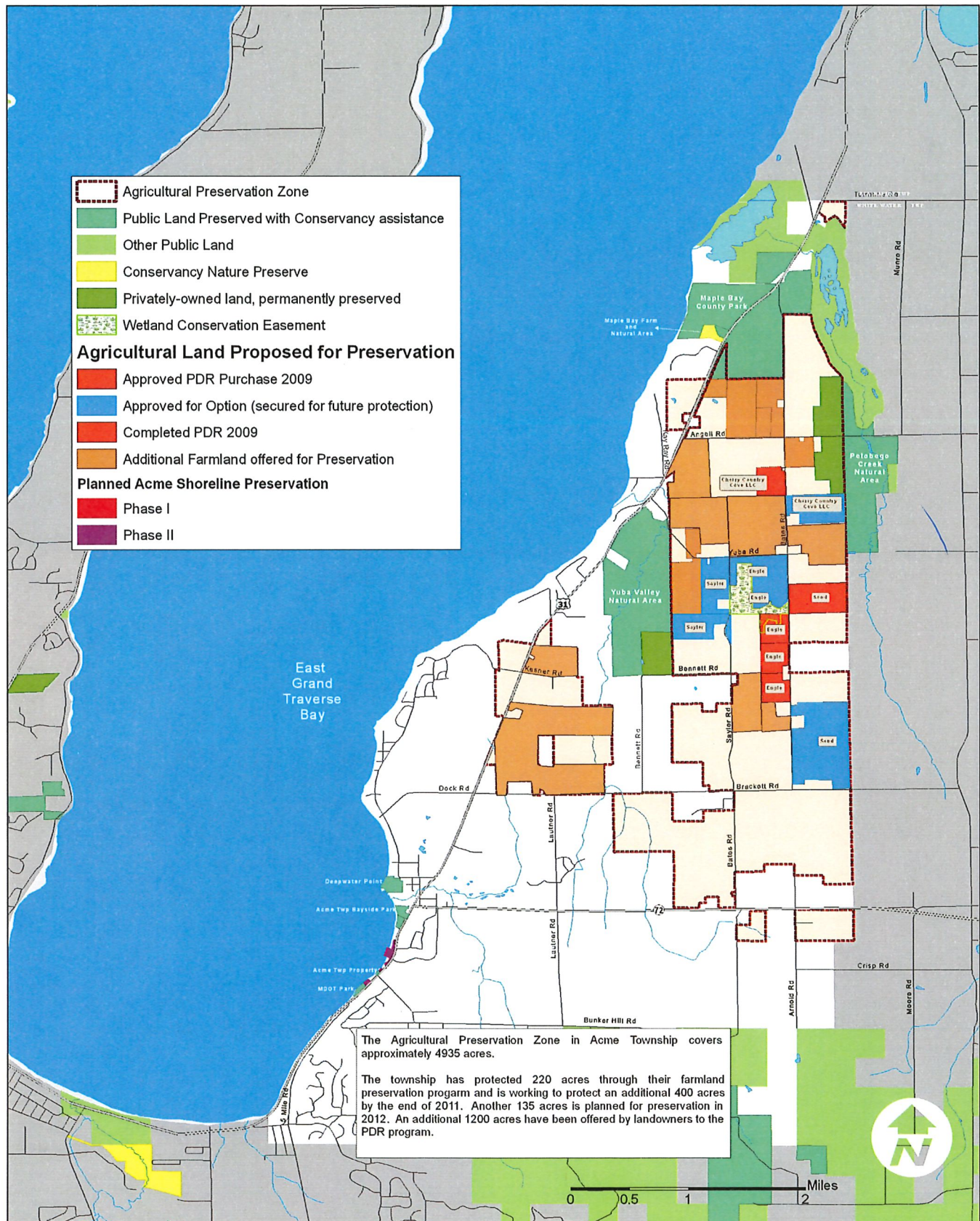
PART OF THE EAST 1/2 OF SECTION 31, T28N-R9W DESCRIBED AS BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 31; THENCE N89°18'51"E ALONG THE NORTH LINE OF SAID SECTION, 450.00 FEET; THENCE S00°57'40"E, 662.72 FEET; THENCE N89°28'15"E, 400.00 FEET; THENCE N00°57'35"W, 663.76 FEET TO SAID NORTH SECTION LINE; THENCE N89°18'51"E ALONG SAID NORTH SECTION LINE, 479.75 FEET TO THE EAST 1/8 LINE OF SAID SECTION; THENCE CONTINUING ALONG SAID NORTH SECTION LINE N89°18'51"E, 30.00 FEET; THENCE S00°57'35"E PARALLEL TO THE EAST 1/8 LINE OF SAID SECTION, 1325.16 FEET TO THE NORTH 1/8 LINE OF SAID SECTION; THENCE S89°27'25"W ALONG SAID NORTH 1/8 LINE, 30.00 FEET TO SAID EAST 1/8 LINE; THENCE S00°57'51"E ALONG SAID EAST 1/8 LINE, 738.89 FEET; THENCE S89°37'11"W, 1329.80 FEET TO THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION; THENCE N00°57'42"W ALONG SAID NORTH AND SOUTH 1/4 LINE, 2056.88 FEET TO THE POINT OF BEGINNING. CONTAINING 57.72 ACRES MORE OR LESS. SUBJECT TO THE RIGHT-OF-WAY FOR BATES AND BRACKETT ROADS. ALSO SUBJECT TO EASEMENTS IN FAVOR OF CHERRYLAND RURAL ELECTRIC CO-OPERATIVE ASSOCIATION AS RECORDED ON LIBER 407, PAGE 956, LIBER 430, PAGE 920 AND LIBER 430, PAGE 924. AND ALSO SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

FARRIER SURVEYING INC. P.O. BOX 99B 244 S.CEDAR STREET KALKASKA, MI 49646 TEL(231)258-8162 office@farriersurveying.com	CLIENT CHUCK WALTER	DRAWN: DES	FILE No. 32420
	DESCRIPTION	CHECK: DRF	Fd. Bk. 200, Pg.
	PART OF THE EAST 1/2, SECTION 31, T28N-R9W, ACME TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN	REVISED:	DATE: 4/22/2021
			SHEET: 3 of 3

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Acme Township Landscape Protection Map October 2011



LAND USE CATEGORIES	2014 COMMUNITY MASTER PLAN	2019 COMMUNITY MASTER PLAN
CONSERVATION AND RECREATION	Sustain the integrity of Acme Township's natural ecosystems and natural resources, such as its creeks, streams, wetlands, forests, and Grand Traverse Bay shoreline, and to provide quality, safe public recreation sites, such as beaches and water access points, camping sites, hiking trails, ball fields, and other sports facilities.	Same objectives from 2014. The 2019 Future Land Use map reflects the same areas identified in the 2014 Future Land Use map revision slightly expands the conservation and recreation areas to improve habitat and recreational connectivity.
AGRICULTURE	Create a long-term business environment for agriculture in Acme Township. Ensure that agriculture contributes to the character of Acme Township and to Acme Township's and Grand Traverse County's economies, now and in the future; prevent the loss of agricultural lands by encouraging the use of PDR and TDR programs and other means.	Same objectives from 2014. The 2019 Future Land Use map keeps the agricultural land designations the same as in 2014.
RURAL RESIDENTIAL	Provide limited and low density residential development in the rural areas of the Township where sensitive ecosystems and special natural land features such as steep slopes, creeks, and streams are prevalent.	Same objectives from 2014. The 2019 Future Land Use map keeps the same amount of land classified as rural residential.
URBAN RESIDENTIAL	Encourage the development of quality, high-density residential living, and affordable living that will minimize the encroachment of such development on farms, forests, and environmentally sensitive areas.	Same objectives from 2014. The 2019 Future Land Use map slightly reduces the Urban Residential land area to make way for the Mixed Use Village and expanded Conservation and Recreation.
COMMERCIAL	Provide for commercial development in ways that will create an economically healthy and thriving environment for the benefit of all Acme residents and visitors to the Township, and provide for commercial establishments that not only supply goods and services but also offer employment opportunities to Acme residents. Encourage new commercial growth in high-density areas of the Township.	Same objectives from 2014. The 2019 Future Land Use map reflects the same areas identified in the 2009 Future Land Use map revision.
LIGHT INDUSTRIAL & WAREHOUSING	Provide for non-intrusive industrial operations in high density areas that stimulate the economic vitality of the Township, but do not negatively impact the surrounding area, and provide employment opportunities for residents of the Township and surrounding region.	Same objectives from 2014. The 2019 Future Land Use map slightly expands the area designated for Industrial.
TOWN CENTER	Build a network of shops as well as service, civic, and cultural facilities and residential neighborhoods in a concentrated mixed-use area that is user-friendly to the Township resident, the general consumer, and the visitor alike.	Land use objectives from 2014 are similar. The 2019 Future Land Use map reflects the same areas identified in the 2014 Future Land Use map revision.
MIXED USE VILLAGE	Not applicable	This newly created Future Land Use category designates a special area for mixed housing and mixed use neighborhood-scale development within the historic Acme Village platted area.

“Agri-tourism generates economic and social benefits to agri-tourism operators, their customers, rural communities, and the state of Michigan. Through on-site sales, value-added production, and services (i.e. school tours, corn mazes, and Halloween activities), agri-tourism yields the additional income that enables operators to maintain a “way of life” and the family farm. For its customers, agri-tourism provides a place to obtain fresh produce and experience nature with their families. For rural communities and the state of Michigan, agri-tourism generates employment and tourism and tax revenues, while helping to maintain open space and the viability of Michigan agriculture. By expanding product offerings, agri-tourism’s sales potential can be further increased while simultaneously providing visitors with greater choice. It is recommended that the state of Michigan provide further support for agri-tourism, which integrates Michigan’s second and third largest industries, agriculture and tourism.”

— Michigan Grape and Wine Industry Council, 2010¹³

of economic development. Acme Township residents have articulated clearly their appreciation for the juxtaposition of the largest commercial center in northern Michigan, Traverse City, with the open vistas provided by the operating farms, orchards, and resorts.

T2 – Agricultural

Approximately one-third of the existing land use in the Township is agricultural, primarily devoted to cherries and apples. Citizens have demonstrated their commitment to preserving this land use by passing a millage to support participation in the Grand Traverse County Purchase of Development Rights (PDR) program designed to offset the financial incentive of development.

Perhaps the most overt combination of agricultural activity with placemaking for economic benefit comes in the form of agricultural tourism. Often shortened to “agritourism,” the word refers to the practice of visiting working agricultural establishments for the purpose of entertainment or education. The concept is far from new to the region—Traverse City’s famed cherries were joined by grapes in the 1970s, and no less than four wine tasting rooms opened their doors by the end of that decade¹⁴—but it has grown so rapidly as a practice that the United States Census of Agriculture included it in its study

of “agricultural diversification” for the first time in 2002, and the activities so classified offered the highest average income during 2007.¹⁵ Combining as it does Michigan’s second and third largest industries, this is a uniquely local economic opportunity to be supported and encouraged.

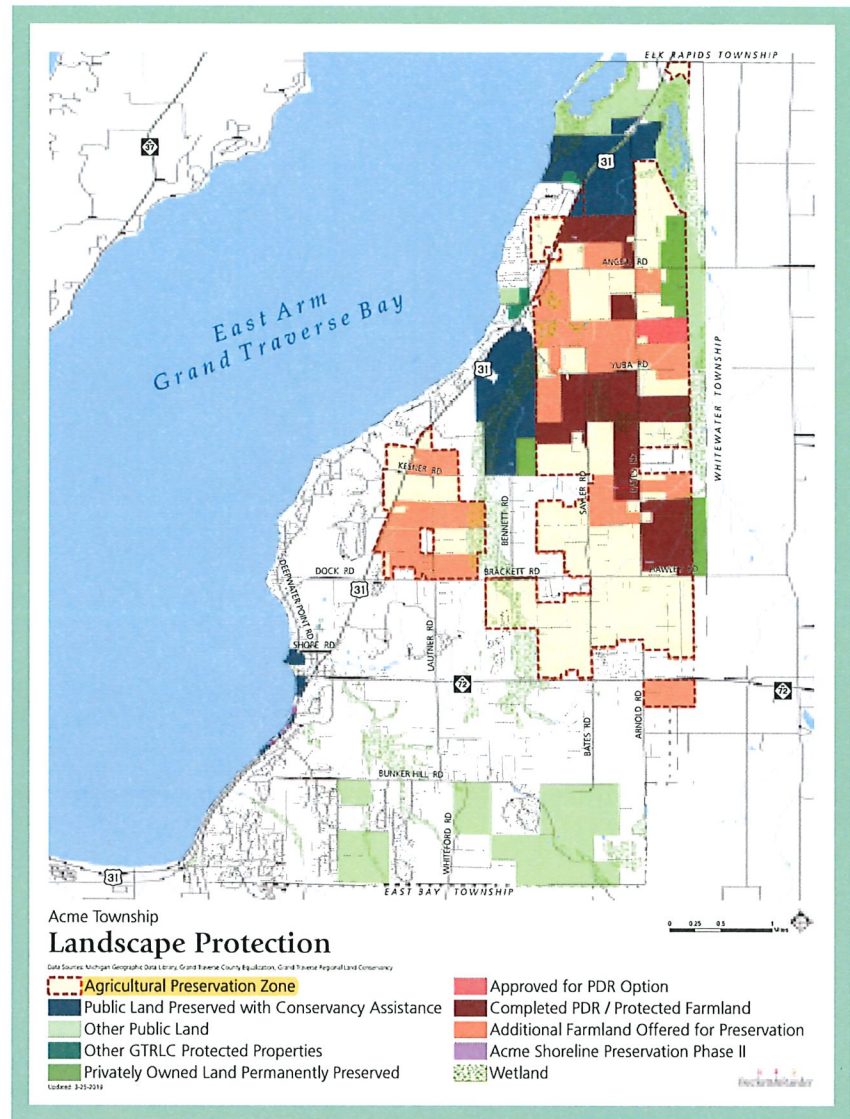
Northwest Michigan is at the forefront of a new and growing movement to do just that by linking food production, distribution, and consumption through regional “Food Innovation Districts.” A food innovation district is “a geographic concentration of food-oriented businesses, services, and community activities that local governments support through planning and economic development initiatives in order to promote a positive business environment, spur regional food system development, and increase access to local food.”¹⁶ Such districts do away with a narrow, produce-and-ship focus to extend the benefits of agricultural production through the business community (clusters, retail opportunities, supply chain management, skilled workforce development) and the public at large (healthier food, stronger job market, development of a food-based cultural component). They are considered a tool for “economic gardening,” the practice of spending a community’s resources to help native businesses grow

Regional Agency Meeting

In the interest of collaboration, shared resources, and good communication, 39 representatives from adjacent and inclusive jurisdictions and area agencies were asked to join Acme Township representatives for a discussion of mutual goals and concerns back in 2013. A short survey was distributed along with the invitation. The work session, held on February 5, 2013 at the Bayview Inn Bar and Grill, was attended by 17 of the invitees.

A large portion of the conversation focused on motorized and nonmotorized transportation. The Michigan Department of Transportation provided an update on planned projects, including construction along US-31 between Three Mile and Holiday Roads and potential pedestrian improvements at two locations. East Bay Township and the Grand Traverse Band of Ottawa and Chippewa Indians (GTBO&C) both mentioned an interest in pedestrian safety and access management along US-31. Whitewater Township joined as the discussion turned to M-72; a signal or roundabout at the entrance to the Turtle Creek casino was suggested twice. The Traverse City Area Transportation and Land Use Study, working on a long-range transportation plan (2015), offered to review the future land use plan and make any needed changes to the regional traffic demand model.

Figure 17: Landscape protection map



“Acme Township’s agricultural lands are an economically important resource. These lands support a locally important and globally unique agricultural industry, which includes excellent fruit production and processing, dairy, livestock, food from grains, and vegetables, as well as nursery and greenhouse crops. The climate, micro-climate, topography, and accessibility of the area make Acme Township uniquely suited for the production, processing, and distribution of agricultural products on a regional, national, and international level.”

— Acme Township Protection of Development Rights Ordinance ²¹

CORNERSTONE: SUPPORT THE CONTINUATION OF AGRICULTURAL OPERATIONS AND PRESERVATION OF FARMLAND.

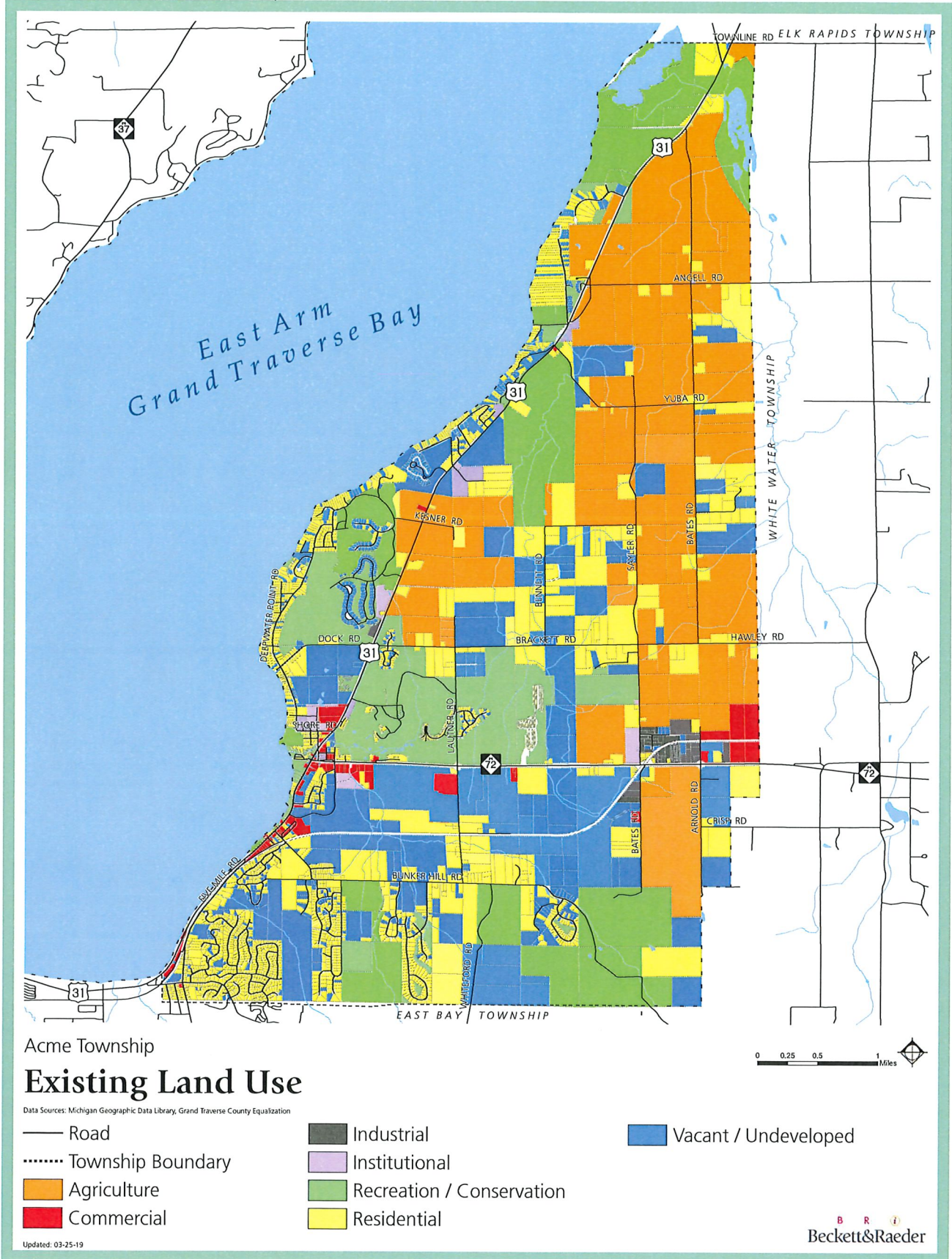
The community recognizes the value of farmland as an economic component of the local economy and also its intrinsic value as a rural landscape. Through the purchase of development rights (PDR) program supported by a dedicated Acme Township millage, 220 acres of land is permanently protected. Furthermore, the Township adopted provisions for Transfer of Development Rights (TDR) in 2016. Successful implementation of the TDR program as a farmland preservation tool is directly dependent on a municipal water source.

Approximately 66% of survey respondents rated agricultural operations and processing as either a “high” or “medium” priority. Likewise, 67% rated agricultural tourism as a “high” or “medium” priority. Agricultural community members expressed a desire for zoning that allows them maximum flexibility in the use of their land for economic viability. Examples included zoning for related uses within an agricultural operation (e.g., farm markets, wine tastings, food service, agriculture-based tourism), allowing an “enterprise within an enterprise” such as leasing accessory buildings for non-farm operations, and building an additional family homestead on a property without subdividing a separate parcel. They were concerned about their relations with the inhabitants of residential development, noting that encroachment into active farmland raises issues related to spraying, equipment use, noise, and hours of operation.

Building Blocks

1. Continue the Purchase of Development Rights (PDR) and Transfer of Development Rights (TDR) programs.
2. In concert with the agricultural community, determine and map the location of airsheds within the Township. Further, incorporate provisions in the zoning ordinance to minimize their disturbance in areas zoned for agriculture.
3. Work with other Grand Traverse communities to promote and encourage other agricultural opportunities that are based on local food and fruit production.
4. Support regional food processing, production, and distribution initiatives that provide added job growth and economic development for the Township and region.

Figure 18. Existing land use map



TOWNSHIP PRIORITIES

Park System Along US-31

Acme Township, in partnership with the Grand Traverse Regional Land Conservancy and the Michigan Department of Natural Resources, has expended \$3.5 million dollars and hundreds of hours of personnel and volunteer effort to acquire obsolete commercial properties along East Bay for waterfront parks. Once the demolition of these buildings was completed in the summer of 2013, the waterfront along East Bay, long inaccessible to the community, was open. Plans are underway by the Parks and Trails Committee to develop a system of connected parks which extend along US-31 from M-72 to Bunker Hill Road.²³ Once completed, this waterfront park system will provide a variety of outdoor recreation facilities for the community and serve as a destination of regional residents and tourists. This new "place" will also create opportunities for adjacent businesses and provide a platform for other mixed uses seeking to locate on an active urban waterfront.

Public Water for Growth

Without a reliable source of potable water, growth will not occur as planned. For an area to develop as a compact, mixed use district, it needs a sufficient source of public water to satisfy the needs

of consumers and residents, and to meet the requirements and standards of fire safety codes. The US-31 and M-72 corridors and the planned Mixed Use Village district require public water. The Grand Traverse Town Center has an agreement with GTBO&C to provide water to the 165 acre mixed-use development. Similarly, Dan Kelly's planned resort condominium with 156 housing units will explore a collaborative agreement for service provision.

The Township will need to leverage this investment with a connection to a larger water network. Regardless of ownership or management, public water is a necessity to appropriately plan for and leverage development in this growth and investment corridor.

Public Facilities

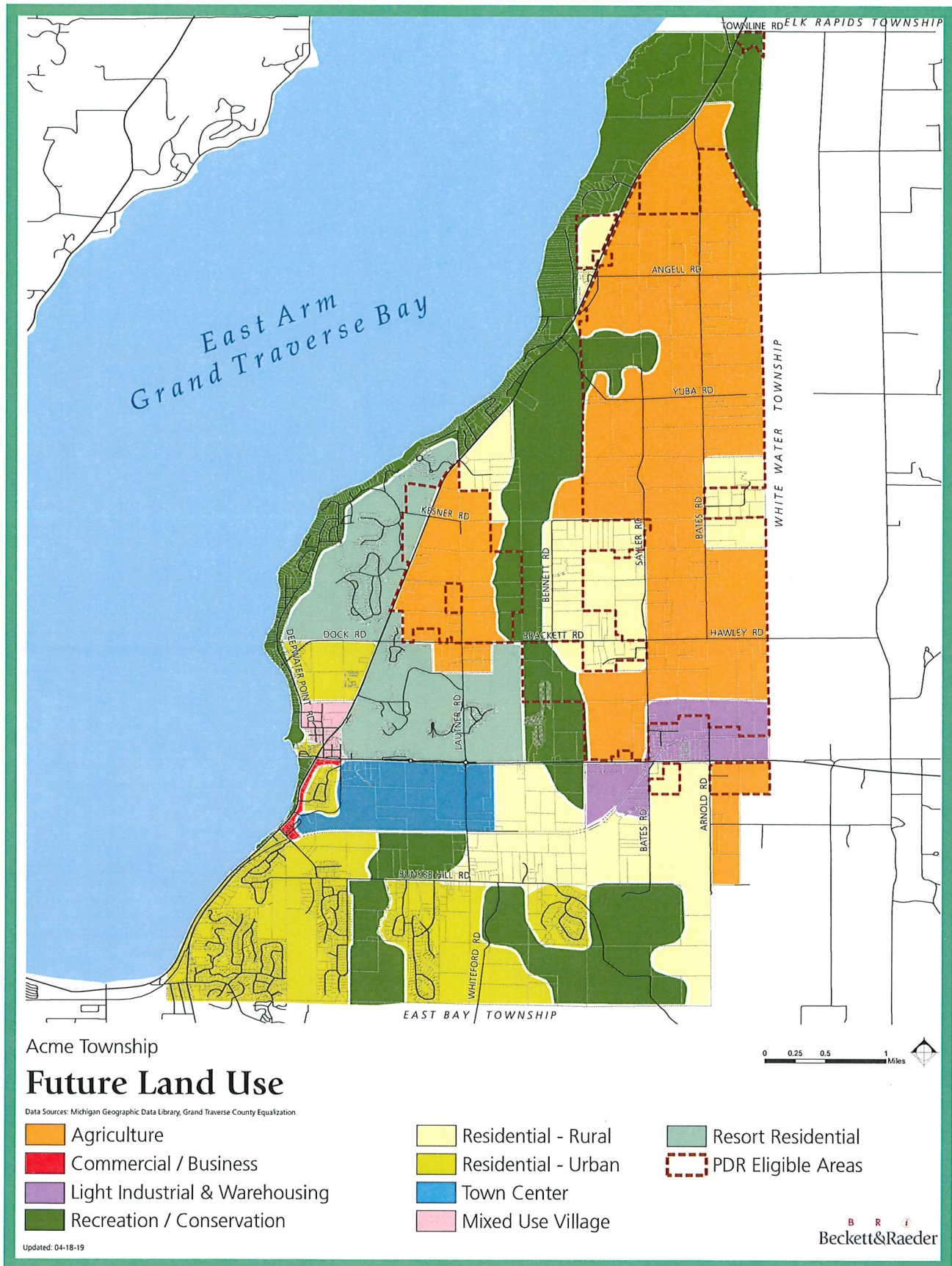
Both the Fire Department and Township Hall are in need of replacement. The current Township Hall facility is functionally obsolete for both operations and is not an efficient or private workspace for Township administration. One potential area is the undeveloped portion of the Mixed-Use Village district on the Future Land Use Map. The township hall should provide modern, technologically outfitted office space with defined

offices, conference rooms, and a large assembly room for Board and Committee meetings. The Township Hall serves as a gathering space for more than just government operations—it also serves as a community center for social and civic-oriented organizations. If practical, a district library branch would be appropriate to serve all age groups residing within the Township.

Agricultural Preservation and Expansion

As discussed previously, the Township has Purchase of Development Rights (PDR) and Transfer of Development Rights (TDR) programs that are being used by some agricultural property owners. During the meeting with the agricultural community, it was noted that the interest in the PDR program exceeds the funding for it. In addition to the PDR and TDR, the Township has adopted an Agricultural Tourism ordinance to provide property owners with other revenue opportunities. Another outcome of the meeting advanced the point that agriculture today is different than ten years ago and the need to review Township ordinances to lower the barriers which prevent ag-related activities.

Figure 20. Future land use map





Planning and Zoning Staff Report

6042 Acme Road | Williamsburg, MI | 49690

Phone: (231) 938-1350 Fax: (231) 938-1510 Web: www.acmetownship.org

To: Acme Township Planning Commission

From: Lindsey Wolf, Planning & Zoning Administrator

Date: July 19, 2022

Re: Zoning Ordinance Amendment 054 –Bates Rezoning Application; parcel 28-01-014-004-01

Applicant/Owner: Matthew Morrissey
6535 Bates Road
Williamsburg, MI 49690

Parcel Address: Bates Road, Williamsburg, MI 49690

Parcel Number: 28-01-014-004-01

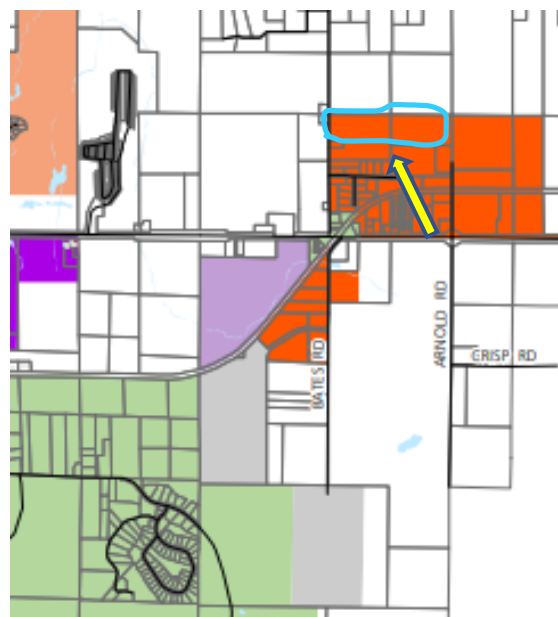
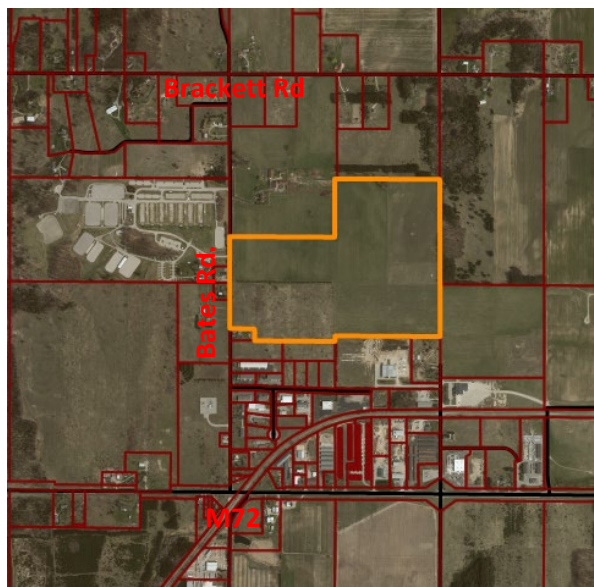
Legal Description: PARCEL A-1: PART OF E 1/2 SEC 31 T28N R9W COM AT N 1/4 CNR SEC 31 TH S 00 DEG 57'42" E 2056.88' TO POB TH N 89 DEG 37'11" E 1329.80' TH N 00 DEG 57'35" W 738.89' TH N 89 DEG 27'25" E 1330.40' TH S 00 DEG 58'24" E 1328.66' TH S 00 DEG 57'34" E 664.20' TH S 89 DEG 33'41" W 1330.58' S 00 DEG 57'51" E 67.68' TH S 89 DEG 36'55" W 1019.81' TH N 01 DEG 00'11" W 150.13' TH N 89 DEG 35'59" W 276.81' TH N 89 DEG 35'59" W 33' TH N 00 DEG 58'51" W 578.97' TH N 00 DEG 57'42" W 586' TO POB
SPLIT/COMBINED ON 06/23/2021 FROM 01-014-003-00, 01-014-004-00, 01-014-002-00, 01-014-002-10, 01-014-028-03, 01-014-018-00;

Current Zoning: A-1: Agricultural District

Amendment Request:

The Applicant/Owner is seeking a rezoning of approximately 40-acres of a 100.02 parcel along the east side Bates Rd (between Brackett & M72/across from Flintfields) from B-4: Material Processing and Warehousing to A-1: Agricultural District to develop a series of small horse farms or farmettes. Purchasers are expected to be participants in the Traverse City Horse Shows.

Subject Property:



Analysis:

The applicant wishes to use the area proposed for rezoning to accommodate series of small horse farms or farmettes. Agricultural uses (other than farm equipment sales) are not an allowed use under the B-4: Material Processing and Warehousing District but would be a use by right in the A-1: Agricultural District §6.12.2(a).

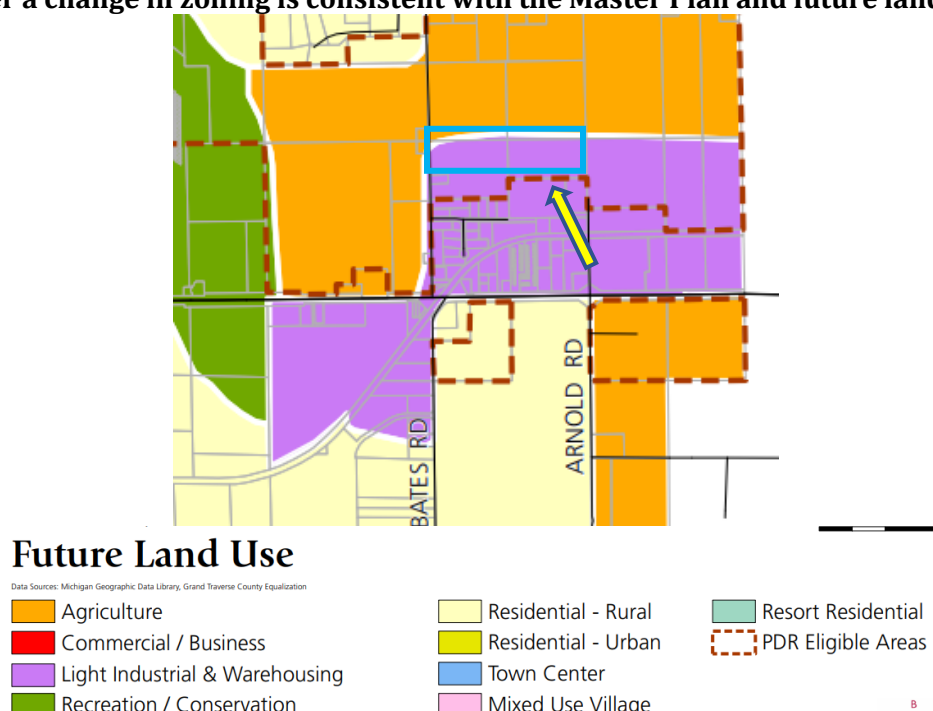
"A farmette is a small residential farm run by an owner who earns income from a source other than the farm. It is sometimes known as a yokelet or a farmlet. Farmette owners are typically city workers who want to own rural land without operating a full farm. A farmette often includes a large vegetable garden, the occasional barn, tractor, and even farm or domestic animals, such as goats and cats. Farmettters usually rely on their tractor to plow or snow blow their driveways during the winter. Farmettes are usually around 50 acres. They can have a small hog pen, a few chickens in a chicken coop or a kennel house for dogs."

The following are additional items to consider for requests to change a zoning classification:

1. When a properties zoning classification is changed, any use allowed under that classification will then be allowed on that property.

The current owner wishes to utilize the property for small horse farms or farmettes – a new owner may decide to have a completely different use (ex: an airport or airfield). It is important to consider all the uses this will open in the district, as one will have a different impact than the other (health, safety, welfare). When considering a zoning change it is important to consider the uses allowed in the district, and not the use that the current landowner may or may not make of the property.

2. Whether a change in zoning is consistent with the Master Plan and future land use plan.



The future land use map designates the southern 40 acres of this parcel as Light Industrial & Warehousing. The Acme Township Community Master Plan defines Light Industrial & Warehousing as:

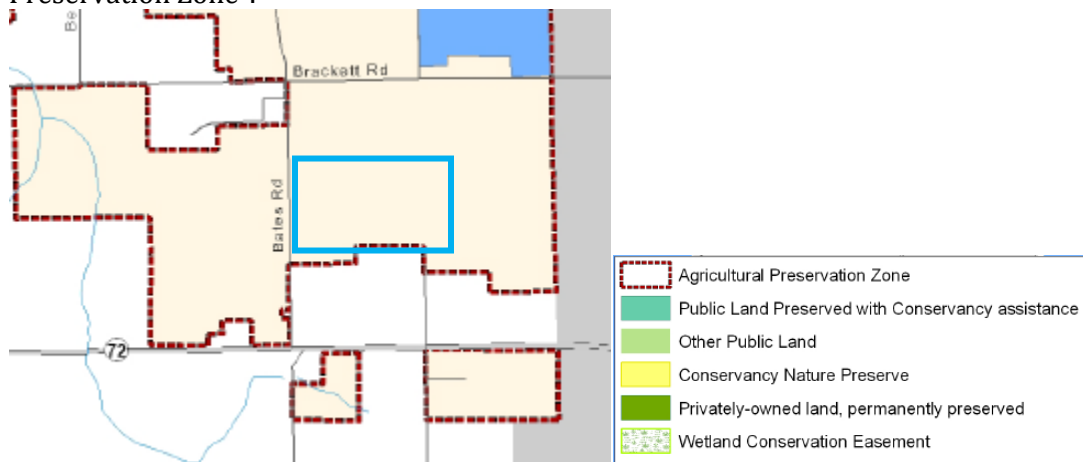
The light industrial and warehousing category encompasses land use for light industrial, trade-related business and warehousing enterprises in the township. The existing uses currently are located along state highway M-72 and Bates Road (an area comprising some existing development of higher density industrial and business uses).

The main objectives of the Industrial land use category are to provide for non-intrusive industrial operations in high density areas that stimulate the economic vitality of the Township without negativity impacting the surrounding area, and to provide employment opportunities for residents of the Township and surrounding region. Sound access management planning should be included in any new industrial developments.

The intended uses in this category include, but are not limited to: enclosed wholesale facilities, warehouses, high technology industries, light manufacturing, telecommunications industry, and other non-intrusive industrial enterprises. Land uses in the Industrial area should comport with the policies and actions in the Master Plan.

Although designated as Light Industrial & Warehousing on the Future Land Use Map, this request merits consideration. To ensure that agriculture contributes to the character of Acme Township and to prevent the loss of lands Acme has an Open Space Development Rights Ordinance and encourages the use of PDR (Purchase of Development Rights) *THIS ORDINANCE creates a farmland and open space protection program in cooperation with other local units of government, designed to protect farmland and open spaces by acquiring development rights voluntarily offered by landowners creating agricultural conservation easements.*

The Acme Township Future Land Use Map and Landscape Protection Map from 2011 illustrates that this 100-acre parcel lies within the PDR Eligible Areas/“Agricultural Preservation Zone”.



It is not clear if the applicant wishes to participate in the program. However, the development of farmettes would not be allowed under the PDR program which is designed to preserve farmland for farming and to prevent subdivision of land for residential uses.

3. Whether the change in the zoning classification would be consistent with the other zoning classifications in the district.

The rezoning request would be adjacent to other A-1 designated parcels to the north on Bates Road and would not create a spot-zoning scenario.

ACME TOWNSHIP Zoning Districts

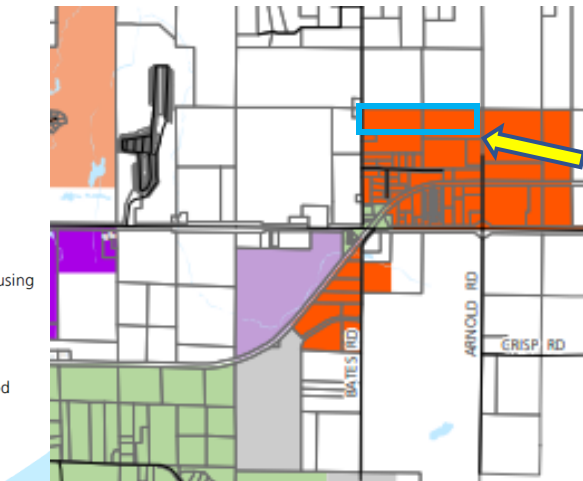
Data Source: Acme Township, Michigan C/GI Data Library

Regulated Zoning Districts:

- R-1: One-Family Forest & Coastal
- R-2: One-Family Urban Residential
- R-3: Urban Residential
- R-1MH: Mobile Home Residential
- B-3: Planned Shopping Center
- B-4: Material Processing & Warehousing
- A-1: Agricultural

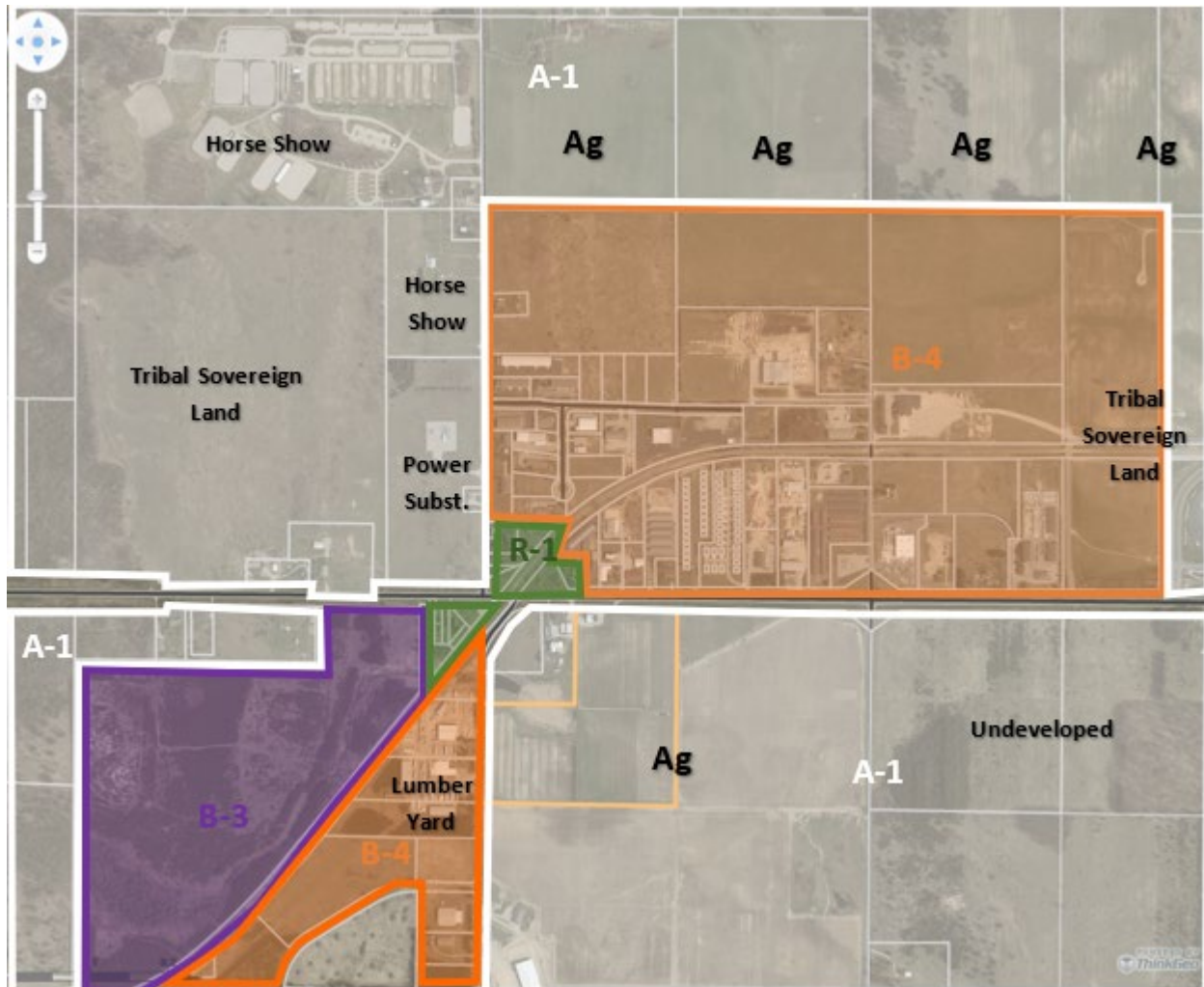
FBC Regulated Zoning Districts:

- SFN: Single Family Neighborhood
- MHN: Mixed Housing Neighborhood
- CS: Corridor Shoreline
- C: Corridor Commercial
- CF: Corridor Flexible

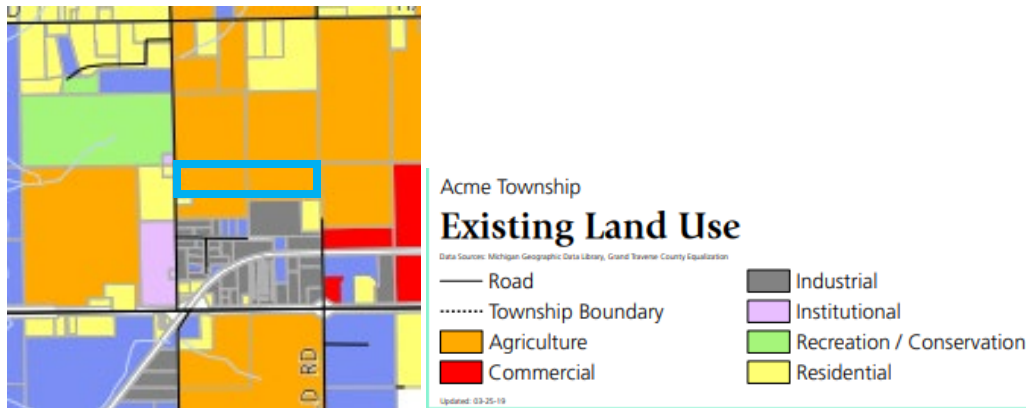


4. **Whether the change in zoning would be consistent with the current uses and trends in the general area. Would it be consistent with the trend and character of the land, building and population development of that area?**

A map included for reference includes district and surrounding uses.



The Existing Land Use Map from the Acme Township Master Plan further illustrates the current use as agricultural.



5. Whether a change in zoning would require significant additions or changes to public service in the area.

The request is low impact in nature and would not require any significant additions or changes.

6. Whether the change in zoning would create significant traffic impacts to the area.

The subject property currently has a pending land division application on file (the application is currently not complete) for a proposal of 12 parcels with a proposed private road to service the parcels off Bates Road. The applicant consulted with the Grand Traverse County Road Commission regarding the appropriate location for the proposed private road.

Some questions for the applicant regarding traffic impact include:

Will these farmettes include single-family homes?

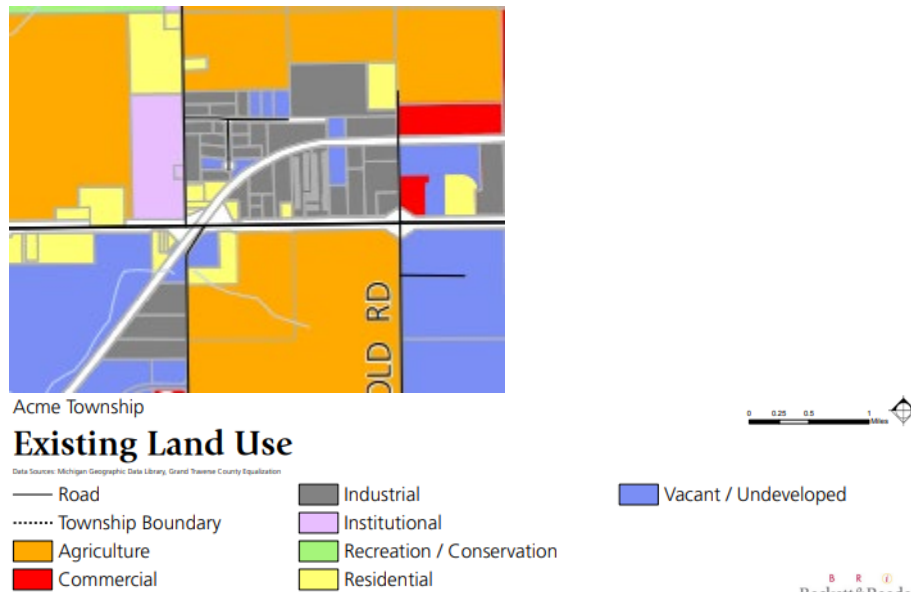
Do you have an estimate for the number of farmworkers that will be living onsite?

Do you have an estimate of how many times workers not living onsite will access the farmettes?

Will these be year-round residences – or seasonal in nature?

7. Whether there is a public need for the change in zoning classification.

Prior discussions have occurred about expanding the B-4 District due to the limited number of undeveloped parcels in the district and the interest expressed by parties wishing to establish businesses of light industrial character, but without available options.



The options to expand the district for additional light industrial uses are somewhat limited. To the east is Tribal sovereign land, the north is land that is currently in agricultural production, to the west across N Bates Rd is a parcel owned by Consumer's Power used as a substation and due west of that parcel is another parcel that is Tribal sovereign land, and to the south is land zoned A-1 used primarily by MI Local Hops for their hops production. If there were a shortage of industrial zoned parcels the township may need to investigate alternative locations that may not be in line with the Master Plan and future land use map.

The conversion of industrial-zoned land to land zoned for non-industrial uses (ex: residential development) can weaken the urban economic base, reduce the supply of good-job producing land (the potential to keep manufactural and industrial jobs local) and contribute to industrial sector urban sprawl. Currently, a PD can be used as a land development option within the township that may result in the placement of industrial uses within other zoning districts where they may not be allowed under current zoning/industrial sprawl. The rise of online retail and distribution centers have also compounded the issue by creating competition for remaining industrial space. The B4 district is the only district that would allow for this use. The Board adopted the Acme Township Medical Marijuana Facilities Licensing Ordinance which placed even greater demand on the district. This is also the only area that allows for self-storage as a use by right – to name a few. The Township does not have the authority to grant use variances.

8. Whether the current zoning was a mistake and whether the surrounding area has been changed to an extent that the current zoning no longer makes sense.

Items to Consider:

- This parcel lies within the PDR Eligible Zone/Agricultural Preservation Zone. Unclear if the applicant wishes to apply.
- The parcel is 100 acres and meets the 5-acre minimum for both the A1 and B4 District(s).
- It has historically been used for agricultural purposes – formerly owned by Chuck Walter used for growing hay.
- B4/light industrial area and possible expansion area within the Township is limited and could contribute to industrial sprawl, economic loss, potential loss of future manufacturing and industrial jobs.

For further consideration:

If the request for rezoning is favorable - consider changing the designation of the parcel from Light Industrial to Agricultural on the Future Land Use Map to be consistent the PDR Eligible Zone/Agricultural Preservation Zone.

Is there any use that the horse shows could operate under in the existing B4 zoning for that would eliminate the request for a rezoning – or a smaller portion of the parcel to be rezoned? Some examples include:

Indoor storage for equipment
Farm equipment sales and service
Veterinary hospitals and kennels

Would the applicant be favorable to voluntarily enter into the PDR program?

Suggested Motion(s) for Consideration:

Motion to set a public hearing for _____ Planning Commission meeting to consider Zoning Ordinance Amendment 054 for the application to request to rezone approximately 40 acres of land from B-4: Material Processing to A-1: Agricultural located at Bates Road, Parcel ID 28-01-014-004-01, owned by Traverse City Horse Shows, LLC.

NOTE – THE PLANNING COMMISSION CANNOT SIMPLY DENY THE REQUEST. IT MUST HOLD A PUBLIC HEARING AND RECOMMEND AN ACTION TO THE BOARD.

Or

Motion to table the application request for further review.