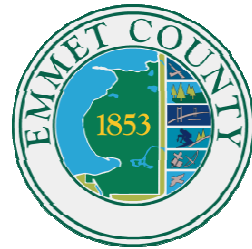


# US-31 & M-119 ACCESS MANAGEMENT PLAN

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Prepared by:

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## 1. Overview and Introduction

The Emmet County road network consists of portions of two United States Highways, US-31 and US-131, two State Highways, M-119 and M-68, four county primary paved roads, County Road 64, County Road 66, County Road 77, and County Road 81, and numerous county local paved and gravel roads. This study, the US-31 and M-119 Access Management Study, will focus on US-31 Highway and M-119 and will be limited to those areas within the City of Petoskey and Bear Creek Township.

US-31 is the primary roadway in Emmet County which serves to move local and through traffic north and south through the majority of the length of the County. The focus area for this study begins at the Petoskey west city limits where US-31 runs northeast through the city and along the shoreline of Little Traverse Bay to Bay View. It will begin again at the easterly boundary of Bay View and the N. Division Road intersection and continue to the northerly boundary of Bear Creek Township at the Graham Road intersection. North of Petoskey, US-31 meets M-119 which runs northerly through Bear Creek Township; the M-119 portion of the study will end at the north Bear Creek Township line at Powell Road.



Commercial development in this study area over the last 20 years has resulted in a steady increase in traffic along US-31 within the study area. Re-development along M-119 and US-31 continues to increase commercial and passenger traffic through these primary corridors. Nearly all properties within the study area are planned for commercial or mixed use and many have transitioned from residential to commercial use. The City of Petoskey, Bear Creek Township, Emmet County Planning Department, Emmet County Road Commission (ECRC), and Michigan Department of Transportation (MDOT) have recognized that the preparation and implementation of an access management plan to guide redevelopment can help alleviate some of the existing traffic congestion.

To address these concerns, the communities involved seek to promote an understanding of access management and to improve state and local coordination. Some issues that contribute to poor access management, but can be improved are: all road agencies need to be notified of local rezoning or changes in land use along the trunklines; local site plan review and approval processes should include all responsible road agencies; applications for driveway permits should be reviewed by the appropriate road agencies (ECRC, MDOT, City of Petoskey) prior to the site plan approval; roadway reconstruction and resurfacing projects need to adequately address access issues; access management education could enlighten local government officials about traffic impacts that result from local land use decisions. Many of these issues can be eliminated when state and local governments form teams to properly manage how access to trunklines is granted and controlled.

In addition to improved coordination of land uses, specific roadway and intersection improvements, aesthetic, and access management recommendations will be reviewed. Given the current situation and inability to add travel lanes to increase roadway capacity, access management will be the key to improve and maintain efficient traffic flow, preserve US-31 and M-119 capacity, and reduce the frequency of crashes while maintaining reasonable access to the adjacent land uses. This can be accomplished through careful placement of access points to reduce conflicts with traffic using other access points and traffic flowing through intersections. Access management usually involves tools to space access points or restrict certain turning movements. Some of these tools are:

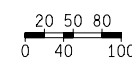
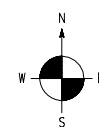
- Proper spacing of access points along the same side of the street,
- Alignment or spacing from access points on the opposite side of the street,
- Placing driveways a sufficient distance from intersections to minimize impact to intersection operations,
- Geometric design to restrict certain turning movements (most commonly left turns),
- Medians,
- Location of traffic signals, and
- Shared access systems (connections between land uses, shared driveways, frontage roads, or rear service drives).

Access management can provide several benefits to motorists, communities, and land uses along the US-31 corridor. Among the benefits, based on experience and findings from other corridors, are the following:

- Reduce crashes and crash potential;
- Preserve roadway capacity and the useful life of roads;
- Decrease travel time and congestion;
- Improve access to and from properties;
- Ensure reasonable access to properties (though not necessarily direct access nor the number of driveways preferred by the landowner/developer);
- Coordinate land use and transportation decisions;
- Improve environment for pedestrians and bicyclists (less driveways to cross);
- Improve air quality; and
- Maintain travel efficiency and related economic prosperity.

Successful implementation of the recommendations of the US-31 and M-119 Corridor Access Management Plan will allow for the impacts of the redevelopment in the community to be addressed. Numerous studies nationwide have shown that a proliferation of driveways or an uncontrolled driveway environment increases the number of crashes, can severely reduce capacity of the roadway, and may create a need for costly improvements in the future. Areas where access management plans have been adopted and followed by the communities and road agencies have resulted in 25-50 percent reductions in access-related crashes.





US-31/M-119 ACCESS MANAGEMENT PLAN  
FIGURE 1: STUDY AREA MAP



## 2. Existing Access and Traffic Conditions

Defining the current access, traffic, and land use conditions along the length of the corridor is one of the key initial tasks when developing a corridor and access management plan. This chapter of the plan report outlines those current traffic and access conditions and land use issues. A brief description of the roadway's design and traffic characteristics within each of the study area segments follows.

### Existing Roadways and Access Characteristics

There are a wide variety of geometric, traffic, and access conditions along US-31 within the 8 mile length of the study area. Its cross section ranges from two to five lanes, with and without sidewalks, and right-of-way widths range from 66 feet to 150 feet. There is also some disparity between segments in annual average daily traffic (AADT) volumes, ranging from 13,000 AADT in segment 6 to 31,000 AADT in segment 4.

The general development characteristics in the study area range from low-intensity development areas that have land available for development adjacent to or within 200 feet of the highway and are planned for future growth, and areas that are mostly or fully developed that will either remain in their current state for the foreseeable future or are ripe for redevelopment.

Subsequent chapters will outline proposed improvements and standards that the communities and road agencies can use to improve or retain an efficient access system. In order to define those proposed improvements, aerial photography was used and field surveys were completed to identify existing locations or areas that have poor or substandard access conditions. These are outlined below, along with current roadway characteristics, for each of the study area segments. Each segment will be described

<b>CITY OF PETOSKEY</b>	<b>BEAR CREEK TOWNSHIP</b>
<b>Segment 1</b> US-31 – West Corporate Limit of Petoskey (Eppler Road) to intersection with US 131	<b>Segment 4</b> US 31 – Division Road to M-119
<b>Segment 2</b> US 31 – Intersection with US 131 to East Mitchell Street (known as West Mitchell Street)	<b>Segment 5</b> US 31 – M-119 to Graham Road
<b>Segment 3</b> US 31 – East Mitchell Street to East Corporate Limit from west to east, or south to north.	<b>Segment 6</b> M 119 – US 31 to Powell Road

## **Segment 1- Eppler Road to US 131**

### **Roadway Characteristics**

Known as Charlevoix Avenue, Segment 1 expands from a two-lane, 45 mile per hour roadway at Eppler Road to a four-lane roadway with a 40 mile per hour speed limit along its  $\frac{3}{4}$  mile distance. The section terminates with the signalized intersection at US 131 (Spring Street). The average daily traffic in 2008 was 15,200<sup>1</sup> vehicles, but there is a large seasonal fluctuation. The segment has a sidewalk on its north side immediately behind the curb for most of its length, which doubles as a bike route for the portion from Jackson Street to the City limit.

### **Existing Access Conditions**

Segment 1 is an auto-oriented development area that has potential for some redevelopment. In addition to an automobile dealership, two drive-through drug stores, and two fast-food establishments, the segment services Northern Michigan Regional Hospital. The section has 29 parcels with roadway frontage, six of which have multiple access points. There are three one-sided intersections (Jackson Street, Greenwood Road, McDowell Street) and a private drive that services a 24-unit condominium association. The Jackson Street and Greenwood Road intersections are off-set by 395 feet and there is a recommendation in the Local Roads Study and the City of Petoskey Master Plan to realign Jackson Street to intersect with Greenwood, which would improve access to Northern Michigan Regional Hospital and other businesses if a signal could be installed.

Charlevoix Avenue Westbound



Current deficient access design examples in Segment 1 include:

- Inadequate driveway spacing and/or unnecessary second drive access; several businesses in this segment have driveways that are close together, causing conflicts for left-turning vehicles at the Jackson Street intersection and Wendy's or Fletch's across the street;
- Substandard driveway design/storage; too little driveway storage or lot area at several locations, including All-Phase Electric;
- Substandard driveway alignment/offsets; too many driveways in this segment has lead to poor driveway offsets on opposite sides of US-31;
- Extremely long, undefined drive openings (Willson's Garden Center, Kauffman's Furniture);
- Inadequate visibility of the Greenwood Road intersection;

### **Key Traffic Locations/Deficiencies**

There are several fast-food restaurants on Charlevoix Avenue that have ingress/egress difficulties due to the four lanes. In addition, visibility of the Greenwood intersection coming from the west is poor.

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<sup>1</sup> MDOT Website



Limited visibility of Greenwood Road intersection

The pedestrian experience along Charlevoix Avenue needs to be addressed. There are only sidewalks on the north side, immediately adjacent to the travel lane, and access to the fairgrounds is extremely poor with no sidewalks on the south side of Charlevoix Avenue. For the largest event of the year, the Charlevoix-Emmet County Fair, people are required to park across Charlevoix Avenue, resulting in the need for Public Safety staffing to slow traffic and allow passage.

There is also a “racing effect” that occurs in this stretch in both directions. From the east, cars are jockeying for position before getting to the two lane section, and from the west, cars tend to speed up around the fairgrounds curve heading to the US 31/ US 131 intersection. Cars also rapidly shift lanes to avoid slowed or stopped vehicles trying to enter businesses. These two behaviors together make getting in and out of businesses extremely difficult in summer months. Based upon traffic accident data from 2007 to 2009, Segment 1 is an area of concern given a relatively high crash rate for the number of drive access points [424 per 100 vehicle miles traveled (424/100)], the majority of which are rear-end or angle which indicate deceleration to enter a driveway or left turn collisions as the main causes.



Sidewalk adjacent to 40 mph traffic



## Segment 2- Charlevoix Avenue to East Mitchell Street

### Roadway Characteristics

Known as West Mitchell Street, Segment 2 starts as a five-lane roadway and narrows to four lanes at Liberty Street. The segment has a 35 mph speed limit along its 0.6 mile stretch and narrows from a five-lane to a four-lane road two blocks before the Mitchell Street Bridge, with a right-turn lane at the signalized East Mitchell Street intersection. The average daily traffic in 2008 was 27,300<sup>2</sup> vehicles, again with a large seasonal fluctuation. The segment has a sidewalk on both sides, but it is interrupted by several wide drive openings.



Segment 2 eastbound



Segment 2 as it narrows to a four-lane road

### Existing Access Conditions

Segment 2 is a heavily traveled section as the US 131 North and US 31 North merge into US 31 North, and serves as the main entry points to Northern Michigan Regional Hospital (a 228 licensed-bed facility) with its 1,500 employees. The uses along the segment are commercial and institutional, with no residential uses abutting the road, but with neighborhoods a single lot removed from the roadway. The heavy traffic volumes make pedestrian crossings very difficult. The section has 38 parcels with roadway frontage, 13 of which

West Mitchell St/Madison St Intersection



have multiple access points or curb cuts essentially the length of the lot. The segment has 70 drives per mile, with a vehicle crash rate of 540/100 motor vehicle miles traveled- the second

<sup>2</sup> Average Daily Traffic for 2008 from MDOT Website.

highest rate in the study area; some of the parcels on the north side have secondary access onto Jefferson Street. There are 6 intersections – one of which is at the intersection of two streets (Connable Avenue and Monroe Street) and one that is signalized.

Current deficient access design examples in Segment 2 include:

- Inadequate driveway spacing and/or unnecessary second drive access; several businesses in this segment have driveways that are close together, causing conflicts such as at Arby's and Latitude 45 or Fifth Third Bank and Zion Lutheran Church;
- The intersections at West Mitchell and Connable/Monroe and West Mitchell at Madison Street are awkward for motorists to maneuver and very difficult for pedestrians to make a crossing;
- Substandard driveway alignment/offsets; too many driveways in this segment has lead to poor driveway offsets on opposite sides of US-31; and
- Extremely long, undefined drive openings.

### **Key Traffic Locations/Deficiencies**

Given the amount of traffic generated by the hospital, improving the safety of this area is of utmost importance. Therefore, changes are needed at the Madison, Monroe and Connable intersections, as well as better definition to the center turn lane and existing driveways.

As shown in Table 1, Segment 2 has the second highest accident rate in the study area.

## ***Segment 3- East Mitchell Street to the East City Limit***

### **Roadway Characteristics**

Also known as Sunset Drive and Bay View Road, Segment 3 varies from a five lane road between East Mitchell and East Lake and then narrows to two lanes, before widening to three lanes at Beaubien Avenue. The segment has a 35 mph speed limit along this 1.2 mile stretch. The average daily traffic in 2008 was 20,900<sup>3</sup> vehicles, again with a large seasonal fluctuation. The segment has sporadic sidewalk, but has sidewalk on the north side from the Bayfront Park well house stairwell to the City limit. Again, the sidewalk is interrupted by several wide drive openings. East of Lake Street, there is limited access due to the parkland uses and terrain of the area, until the Winter Sports Park Lane/ Lewis Avenue intersections. There are no residential uses that have direct access to U.S. 31 in segment 3 until its eastern limit where there are two residential driveways, and the highway abuts a residential neighborhood. There are several parcels that are experiencing redevelopment or have redevelopment potential.

A realignment of the Lewis Street intersection is under review to provide a safe, improved access to downtown for motorists and to the waterfront for pedestrians. A relocation of the highway slightly to the south along a portion of this segment is also under consideration. The City has acquired the railroad right-of-way in this section to create a non-motorized greenway corridor adjacent to the highway that would connect Bay View to downtown Petoskey.

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<sup>3</sup> Average Daily Traffic for 2008 from MDOT Website.





Segment 3 Westbound

### **Existing Access Conditions**

Segment 3 is a heavily traveled segment with some sections having extremely restricted access. The section is paralleled by Arlington Avenue, which carries a fair amount of local traffic from the east/north into the Petoskey core. The heavy traffic volumes and inadequate sidewalks make pedestrian crossings very difficult, leaving the light at MacDonald Drive as the one safe crossing point. The section has 11 parcels with direct roadway access, and a driveway density of 25 drives per mile. The City has, through the site plan and special condition use approval process, reduced the number of access points through the use of landscaping or planters. There are eight (8) intersections, and two of those have traffic signals (East Lake Street and MacDonald Drive).

Current deficient access design examples in Segment 3 include:

- Inadequate driveway spacing and/or unnecessary second drive access; several businesses in this segment have driveways that are close together, causing conflicts such as;
  - Awkward intersection at the Lewis Street merge;
  - Difficulty of accessing downtown Petoskey heading east/north if the Mitchell Street or Lake street intersections are missed;
  - Substandard driveway alignment/offsets; too many driveways in this segment; and
  - Extremely long, undefined drive openings.

### **Key Traffic Locations/Deficiencies**

Segment 3 is a bottleneck of the target area as it narrows to two travel lanes. Based upon traffic accident data from 2007 to 2009, Segment 3 is an area of concern given 109 accidents, the majority of which are rear-end which indicates deceleration to enter a driveway as a primary cause.

## ***Segment 4- Bear Creek Township, US-31 from Division Road to M-119***

### **Roadway Characteristics**

Beginning at the eastern edge of Bay View Association, Segment 4 begins at the east end of Bay View and continues through East Bay View along the Petoskey-Bay View Country Club to M-119. It expands from a three-lane highway (two travel lanes and a center left-turn lane) to a four-lane road for a stretch of 1,700 feet, and then expands to five lanes (four travel lanes and one center turn lane) at Rice Street.

Average daily traffic counts from 2007 are estimated at 31,096. During the peak of the summer season estimated county population increases from 35,000 to 122,000; therefore traffic is expected to increase significantly during the summer months.

Segment 4 has two signalized intersections: one at the Glen's Shopping Center and the second at M-119. At M-119 the speed limit increases from 35 mph to 45 mph both heading north on M-119 and east on US-31.

### **Existing Access Conditions**

Segment 4 is an auto-oriented development area that has experienced some redevelopment. The section has 28 parcels; the majority has at least one driveway access onto US-31. There are no driveways on the southeasterly side of US-31 from Division Street for a distance of 0.40 miles due to the Petoskey Bay View Country Club located adjacent to the highway. There are 7 roads accessing US-31 from the north and 2 street intersections: Division Road and M-119.

Current access deficiencies in Segment 4 include:



- Inadequate driveway spacing and/or unnecessary second drive access; several businesses in this segment have driveways that are close together, this creates a high number of conflict areas, more potential for accidents, and confusion for drivers.
- Substandard driveway design/storage; too little driveway storage/stacking spaces at several locations.
- Substandard driveway alignment/offsets; too many driveways in this segment has lead to poor driveway offsets on opposite sides of US-31 (east of the traffic light at the Glen's Shopping Center). This leads to consistent inbound left-turn conflicts where opposing drivers wish to use the same section of the center left turn lane.

Based upon traffic accident data from 2007 to 2009, Segment 4 is an area of concern given 150 accidents, the majority of which are rear-end which indicate deceleration to enter a driveway or road as a primary cause.

### **Key Traffic Locations/Deficiencies**

Segment 4 relieves the bottleneck through Bay View for traffic moving east; however, allows traffic to merge into the second lane where northbound traffic enters US-31 from Division Road. Traffic moving west merges from two lanes to one for the approach into Bay View, creating conflict points. Traffic increases between Rice Street and M-119 particularly during the mid-day due to the large number of fast-food restaurants in the vicinity. No residences exist along US-31 in Segment 4, and very few businesses are connected by service drives or use shared drives. There are no non-motorized trails along US-31; however, a non-motorized trail, which turns away from US-31 at Division Road, exists for the entire length of the segment, just a few blocks north of US-31. No sidewalks or designated pedestrian crossings exist.

## **Recent Improvements**

Planned improvements in this segment include: modification to the Division Road intersection with US-31 for 2011. The Division Road intersection improvement will allow northbound (NB) Division traffic to enter NB US-31 without stopping and improve traffic operations significantly. It will eliminate left turns onto southbound US-31 from Division Road. It will keep eastbound traffic in their lane beyond the Division/US-31 intersection. This will improve traffic congestion in the area and reduce conflict points.

## **Segment 5 – Bear Creek Township, US-31 from M-119 to Graham Road**

### **Roadway Characteristics**

Beginning at M-119, segment 5 begins as 5 lanes and tapers to 3 lanes at Manvel Road and continues as 3 lanes except for the last 700 feet of the segment just south of Graham Road where it reduces to 2 lanes. Segment 5 is 2.837 miles long, and average daily traffic counts from 2007 are estimated at 15,112.

One specialized traffic signal exists at the M-119/US-31 intersection and one cautionary blinking red/yellow light exists at the US-31/Pickerel Lake Road intersection. The speed limit increases from 45 mph – at M-119 to Pickerel Lake Road – to 55 mph through the end of the segment.

### **Existing Access Conditions**

All public roads accessing US-31 in segment 5, except US-31/Pickerel Lake Road are “T” intersections and do not cross the highway; two enter from the south and two from the north. Segment 5 is auto-oriented, has a mixed use of commercial and residential and has experienced some redevelopment from residential to commercial. The section has 124 parcels; the majority has at least one driveway access onto US-31.



Current access deficiencies in Segment 5 include:

- Inadequate driveway spacing; several parcels in this segment have driveways that are close together, creating a high number of conflict areas and more potential for accidents.
- Pickerel Lake access has been identified as an area of concern. The angle and width of the Pickerel Lake/US-31 intersection make southbound left-hand turns difficult and dangerous.

Based upon traffic accident data from 2007 to 2009, Segment 5 is an area of concern given 93 accidents, the majority of which are animal and rear-end crashes. A significant decrease in accidents has occurred in Segment 5 since the completion of two safety projects in 2006 and 2008. A decrease of 46% in total accidents has occurred, and a decrease of 80% in severe crashes has occurred since the safety projects have been completed.

### **Key Traffic Locations/Deficiencies**

Traffic in Segment 5 dramatically decreases from Segment 4. One priority, based on public input, is the Pickerel Lake Road/US-31 intersection alignment. Future development and redevelopment will likely occur and connector and/or service drives will be encouraged. Very few options exist for off-road non-motorized transportation and no designated pedestrian crossings exist.

### **Recent/Planned Improvements**

Recent improvements in this segment include: addition of a center left turn lane from Manvel to 700 ft. southwesterly of Graham Road. Future modification of the Pickerel Lake Road access is in the planning phase.

## **Segment 6- Bear Creek Township, M-119 from US-31 to Powell Road**

### **Roadway Characteristics**

Segment 6 encompasses 1.863 miles of M-119. From its beginning at the US-31 intersection; M-119 travels mostly north/south to Powell Road (the end of Segment 6). The road begins as a two lane highway until Konle Road where it increases to three lanes to Lakeside Drive North where it reduces back to two lanes for the remainder of the segment.

Average daily traffic counts from 2007 are estimated at 13,287. Segment 6 has one signalized intersection at US-31 and the speed limit is consistent at 45 mph.



### **Existing Access Conditions**

Segment 6 is an auto-oriented development area that has experienced some redevelopment.



The section has 79 parcels; the majority has at least one driveway access onto US-31. There are four public roads accessing M-119 from the east; there are none which cross to the west. There are several housing developments accessed from M-119 into multiple family developments. Several access points provide ingress/egress to more than one business or residence. A non-motorized trail parallels M-119, and in some instances is part of the shoulder.

Current access deficiencies in Segment 6 include:

- Inadequate driveway spacing and/or unnecessary second drive access; several properties in this segment have driveways that are close together, creating a high number of conflict areas, more potential for accidents, and confusion for drivers such as Toski Sands Market near Lakeside Drive South and along the curve north of Hiawatha Trail.
- Many drives cross over the non-motorized trail creating conflict areas.
- Substandard driveway alignment crossing M-119. Too many driveways in this segment have lead to poor driveway alignment on opposite sides of M-119.

Segment 6 is an area of concern due to its redevelopment potential and the increased traffic volumes as a result. The Planning Commission has encouraged and required connecting access between parcels as redevelopment has occurred, reducing the need for service vehicles to re-enter the highway prior to servicing the adjacent parcel.

### **Key Traffic Locations/Deficiencies**

One factory exists along Segment 6 which creates high traffic volumes at specific times of the day. Two drive-thru financial institutions also create high traffic volumes, but spread throughout business hours. Few connectors between businesses exist and the segment is in a transition phase with some residential uses remaining. A non-motorized trail exists on the west side of M-119 with no designated pedestrian crossings.

### **Recent/Planned Improvements**

Due to the improved traffic flow with the signal timing at the US-31 and M-119 intersection, no improvements at the intersection are planned at this time.

**TABLE 1 - Study Area Accident Data, 2007-2009**

<u>Road</u>	<u>Segment</u>	<u>ADT*</u>	<u>Drives/Mile</u>	<u>Crashes</u>	<u>Rate (100 MVMT**)</u>
US-31	1: Eppler to US-131	15200	53	53	424
US-31	2: US 131 to Mitchell	27300	70	115	540
US-31	3: Mitchell to Petoskey ECL	20900	25	109	239
US-31	4: Division to M-119	29600	65	150	676
US-31	5: M-119 to Graham	14000	36	93	213
M-119	6: US-31 to Powell	12300	37	25	100

\* Average Daily Traffic Counts

\*\* Motor Vehicle Miles Traveled

### 3. Access Management Standards

Based upon the analysis of existing conditions and constraints, and review of MDOT, national local and other states access guidelines, the access management portion of the plan of the US-31 study area was developed. This chapter summarizes the basic design standards that should be used by the communities and jurisdictions involved.

#### Access Management Standards

Given the variability of speeds, travel lanes, and development character within the study area, it is impractical to impose driveway standards uniformly. The standards should provide sufficient flexibility to be effective and equitable, while coming as close as possible to meeting requirements set by MDOT and the Emmet County Road Commission (ECRC).

The introduction of this report mentioned several benefits that typically result from consistent use of an access management plan. To achieve those benefits, access standards for US-31 and M-119 must recognize and work with the following principles:

- **Design for efficient access.** Identify driveway design criteria that promote safe and efficient ingress and egress at driveways.
- **Separate the conflict areas.** Reduce the number of driveways, increase the spacing between driveways and between driveways and intersections, and reduce the number of poorly aligned driveways.
- **Remove turning vehicles or queues from the through lanes.** Reduce both the frequency and severity of conflicts by providing separate paths and storage areas for turning vehicles and queues.
- **Limit the types of conflicts.** Reduce the frequency of conflicts or reduce the area of conflict at some or all driveways by limiting or preventing certain kinds of maneuvers.
- **Preserve public investment and the integrity of the roadway.** Acknowledge that substantial public funds have been invested to develop the corridor to move traffic safely and efficiently.
- **Provide reasonable access.** Recognize that property owners have an inherent right to access public roadways although reasonable access may be indirect in some instances.

Adequate driveway spacing simplifies driving by reducing the amount of information to which a driver must process and react. Locating a driveway away from the operational area of a signalized intersection decreases the potential for congestion and accidents for both through traffic and vehicles using that driveway. Adequate spacing between driveways and unsignalized intersections (or other driveways) can reduce confusion that otherwise requires drivers to watch for ingress and egress traffic at several points simultaneously while controlling their vehicle and monitoring other traffic ahead and behind them.

The following sections discuss a few of the basic access design criteria that were used during the

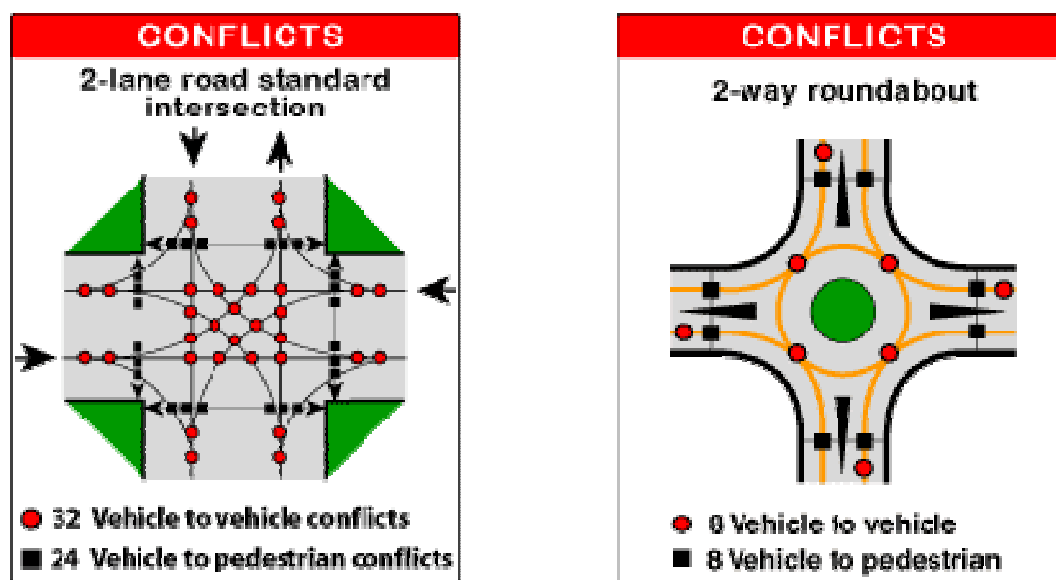
analysis of the US-31 and M-119 study area. The ways in which to use these standards or criteria are outlined in the following chapters.

## Access Design Parameters

Access management involves a series of tools to limit and separate traffic conflict points, separate turning movements from through movements, locate traffic signals to facilitate traffic movement, and limit direct access on higher speed roads thereby preserving capacity and improving safety. The following is a summary of what access management standards would involve:

- **Number of Access Points:** The number of access points to a development should be limited to one where possible. The number of driveways allowed along US-31 and M-119 will affect traffic flow, ease of driving, and crash potential. Every effort should be made to limit the number of driveways; and encourage access from side streets, service drives, frontage roads, and shared driveways. Along US-31 and M-119, driveways should be properly spaced from one another and from intersections with other major streets.

Access to a parcel should generally consist of a single driveway, which should be shared with adjacent parcels wherever possible. Certain developments generate enough traffic to consider allowing more than one driveway and larger parcels with frontages of at least 500 feet may also warrant an additional driveway. An additional driveway should only be considered following a traffic impact study that demonstrates the need for additional access and, where possible, the second access point should be located on a side street or be shared with adjacent uses.



- **Driveway Spacing from Intersections:** Driveways need to be placed such that there is adequate spacing from an intersecting street to ensure that traffic entering or exiting a driveway does not conflict with intersection traffic.

Spacing between a proposed driveway and an existing public street intersection is an important design element that must be identified. Typical standards take into account the type of roadways involved (trunkline, arterial, etc.), type of intersection control, and type of



access requested. In most cases, driveways should not be developed within the functional boundary of a given intersection unless the size of that parcel and other constraints do not provide a good alternative.

For the state trunkline roadways involved with this US-31 and M-119 Plan, full movement driveways should be a minimum of 400 feet away from the intersection in the 55 mile per hour zones. Such distances are typically not attainable in lower speed zones (i.e. City of Petoskey) but a minimum of 150-200 feet should still be pursued wherever possible.

In locations where existing parcel constraints limit that spacing, driveways onto US-31 and M-119 should be placed as far as possible away from the intersection. In most undeveloped areas of the corridor, spacing of driveways on major side roads should be at least 250 feet from the nearest edge of the trunkline pavement. In all cases driveways should be relocated to side roads that fall under the jurisdiction of the ECRC and must meet current road commission standards.

- **Driveway Spacing from Other Driveways:** Driveway spacing should ensure that turning movement conflicts are minimized. Generally, the greater the speed along the roadway the greater the driveway spacing should be.

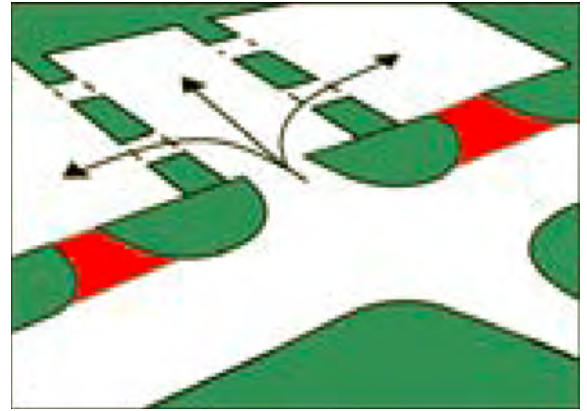
Spacing standards recommended for this study area corridor are based on MDOT guidelines and require the following minimum distances between driveway openings given a measured average speed:

Posted Speed (MPH)	Minimum Driveway Spacing
25	130 feet
30	185 feet
35	245 feet
40	300 feet
45	350 feet
50+	455 feet

It is understood that in older developed sections of this corridor (i.e. City of Petoskey and intensely developed areas of Bear Creek Township) the spacing will be difficult to achieve even as sites redevelop. The primary goal in those areas, therefore, is to aggressively pursue the removal of unnecessary driveways whenever possible to at least improve upon the current driveway spacing conditions.

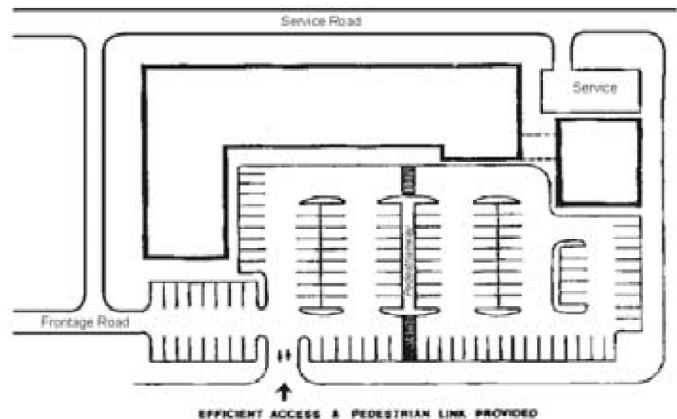
- **Driveway Alignment:** In order to prevent left turn conflicts, driveways should be aligned with those across the street or offset a sufficient distance to prevent turning movement conflicts. Minimum offsets on US-31 and M-119 should be determined by posted speeds and range from 255 feet for a 25-mile per hour zone to 750 feet in a 55-mile per hour zone.

- **Shared Driveways:** Sharing or joint use of a driveway by two or more property owners should be encouraged. This will require a written easement from all affected property owners during the site plan approval process. Where a future shared access is desired, the developer should indicate an easement that will be provided to future adjacent uses.



- **Alternative Access:** Alternative access should be encouraged, such as shared driveways, rear service drives or frontage roads. Where parcels have frontage on either US-31 or M-119 and a side street, access should be provided from the side street. Certain turning movements should be limited, especially left turns, where safety hazards may be created or traffic flow may be impeded.

- **Service Drives:** Frontage drives, rear service drives, and shared driveways reduce conflict points, while preserving the property owner's right to reasonable access. In areas within one-quarter mile of existing or future traffic signal locations, access to individual properties should be provided via these alternative access methods rather than by direct connection to a major arterial.



In areas where service drives are proposed or recommended, but adjacent properties have not yet developed, the site should be designed to accommodate a future service drive, with access easements provided. The Community and MDOT may temporarily grant individual properties a direct connection to an arterial road (temporary driveway permit) until the frontage road or service drive is constructed. This access point should be closed when the frontage road or service drive is constructed.

The safety and efficiency of these types of service drives and shared driveways is only as good as their design allows. An important but often overlooked design aspect is the “vehicle storage” or stacking space areas for vehicles provided at the access driveways. This is the distance between the main road and the service drive or the first internal cross access. This storage needs to be deep enough to accommodate expected vehicle queues, thereby reducing the chance of blocking internal circulation on the service drive. The correct storage is also needed in order to reduce the possibility of entering vehicles backing up in to the main road due to internal congestion. Correct location and maintenance of traffic control signs and pavement markings are essential to a smooth operation of these driveways.

There are several factors that affect the determination of the best alignment and depth of

service drive. Those factors include the existing roadway right-of-way, the depth of the adjacent parcels, and the location of existing buildings in partially developed corridors. For drives providing access to two small commercial uses, the storage should be at least 40 feet. For drives providing access to more than two small commercial uses, the storage should be at least 60-100 feet and potentially much more (100-300 feet) depending upon the trip generation characteristics of the existing/proposed long term land uses to be served.

Rear service drives are preferred because they do not create issues with driveway depth. They also facilitate placing parking to the rear of buildings by allowing the buildings to be placed closer to the road. Rear service drives also have the added benefit of facilitating integrated access and circulation with development further to the rear. On larger sites, these rear service drives can be designed to function similar to roads interconnecting uses and sites.

Service drives are usually constructed and maintained by the property owner or an association of adjacent owners. [The service drive itself should be constructed to public roadway standards in regard to cross section (i.e. minimum 11-foot wide lanes) materials, design, and alignment.] The design is often predicated upon the type and size of vehicles it will need to accommodate, including delivery trucks. However, an easement that defines a service drive does not need to be nearly as wide as a public street right-of-way. Since, by definition, these internal roadways will be serving several uses with numerous driveways, additional uses such as on-street parking (temporary or otherwise) should be allowed only under special circumstances.

- **Sight Distance:** Because of sight distance limitations on some roads there are limited locations for optimum driveway placement. The minimum sight distances required for a vehicle to enter or exit the traffic stream on US-31 and M-119 is determined by MDOT at the time of an application for a driveway permit. The local unit of government should coordinate with MDOT at the time of site plan review to ensure that the driveway is sited in the best location possible as related to sight distance if no other access can be attained. This may involve shared driveways or side street access (e.g. exit only). It may also involve limited turning movements in or out of the driveway if a drive must be located in a place where sight distance is less than adequate.

Implementation of the above access recommendations will help to preserve the capacity, safety, and useful life of US-31 and M-119 in the study area and on the other major road connectors. Travel time and congestion will be decreased and the potential for crashes will be reduced. While individual landowners may see the regulations as restricting access to their property, over the long term a well-managed access system will improve access to properties and maintain travel efficiency, thereby enhancing economic prosperity of local businesses.

An access management program also has the benefit of closely coordinating land use and transportation decisions to improve the overall quality of life in the corridor communities. The design of the access points can be as important to the overall operation of a corridor as their location. Both MDOT and the road commission's driveway design standards can be supplemented by requirements adopted by the communities along the US-31 and M-119 study corridor. Design standards usually define geometric requirements regarding driveway widths, corner radii, and taper lengths as examples.

## **4. Access Management Plan – Access and Traffic System Improvements**

This chapter outlines the recommended improvements to the corridor's access system and specific traffic issues and concerns. The actual plan, in regards to access management, is illustrated on the graphics included within this chapter.

### **Access Management Recommendations**

The access management recommendations are based upon state and nationally recognized standards and public input. The recommendations look at standards for future access considerations as well as identification of improvements to existing access systems for improved safety and efficiency within the corridor since the majority of the sections are currently developed.

Because of the developed nature of the corridor, it may be all but impossible to retrofit the segments to meet spacing guidelines for driveways. In such cases, the goal remains to minimize the number of driveways as much as possible. It should be recognized that many of the retrofit improvements recommended in this plan will only be able to be implemented when an owner or developer approaches the community or MDOT during an approval process (i.e., change of use, site plan). There is therefore a greater focus on street intersection improvements for the more intensely developed areas within the City of Petoskey.

This plan is a flexible document that is subject to adjustments and improvements as the study area corridor develops. Although the basic design parameters should remain in place, exact locations and configurations of suggested driveways and service/ frontage roads may shift as development plans come into focus. This is especially true for undeveloped areas within Bear Creek Township.

The recommendations of the access plan are largely based on parcel configurations and future land use plans in existence at the time this plan was prepared. Property combinations and unified development of small parcels is strongly encouraged. In addition, existing parcels should only be divided if a coordinated access system is retained through signed agreements and illustrated on a plan.

The following sections and accompanying figures outline how the recommended access management standards are applied to each of the key segments within the corridor study area. As previously noted, the average speed of traffic along a given corridor is one of the several design parameters used to develop driveway spacing standards. Other factors that come into play include the roadway design types, sight distance concerns, physical constraints (i.e., existing buildings, right-of-way widths) and the type and size of potential traffic generators.

While frontage roads may be possible for undeveloped areas, the use of property connection drives is a more likely future access management improvement in some segments; the plan illustrates a few locations for these connections.

## **Segment 1**

The access management recommendations for Segment 1 are illustrated on Figures 2 and 3. The plan includes numerous recommendations to address existing driveway/access issues through the elimination of excess access points, the creation of shared access for adjacent lots, interior lot connectors and the creation of secondary access to the realigned Jackson Street.

This stretch is also on the MDOT schedule for a repaving project in 2015. To tie in with this work, the first traffic system improvement recommendation given traffic volumes (comparable to the M-119 segment) and accident statistics is a reduction of travel lanes along Charlevoix Avenue from 4 lanes to 2 lanes, and a center turn lane with wide shoulders from Eppler Road to the existing Jackson Street intersection. Periodic medians, particularly in the area of the Emmet County Fairgrounds, to assist with pedestrian crossings are also recommended in this section.

A realignment of the Greenwood Road/Jackson Street intersection is the second major roadway improvement recommendation that is needed to improve access to the hospital and other properties in this stretch. The plan proposes a roundabout at the new intersection that will provide access but keep traffic flowing better than a stoplight.

## **Segment 2**

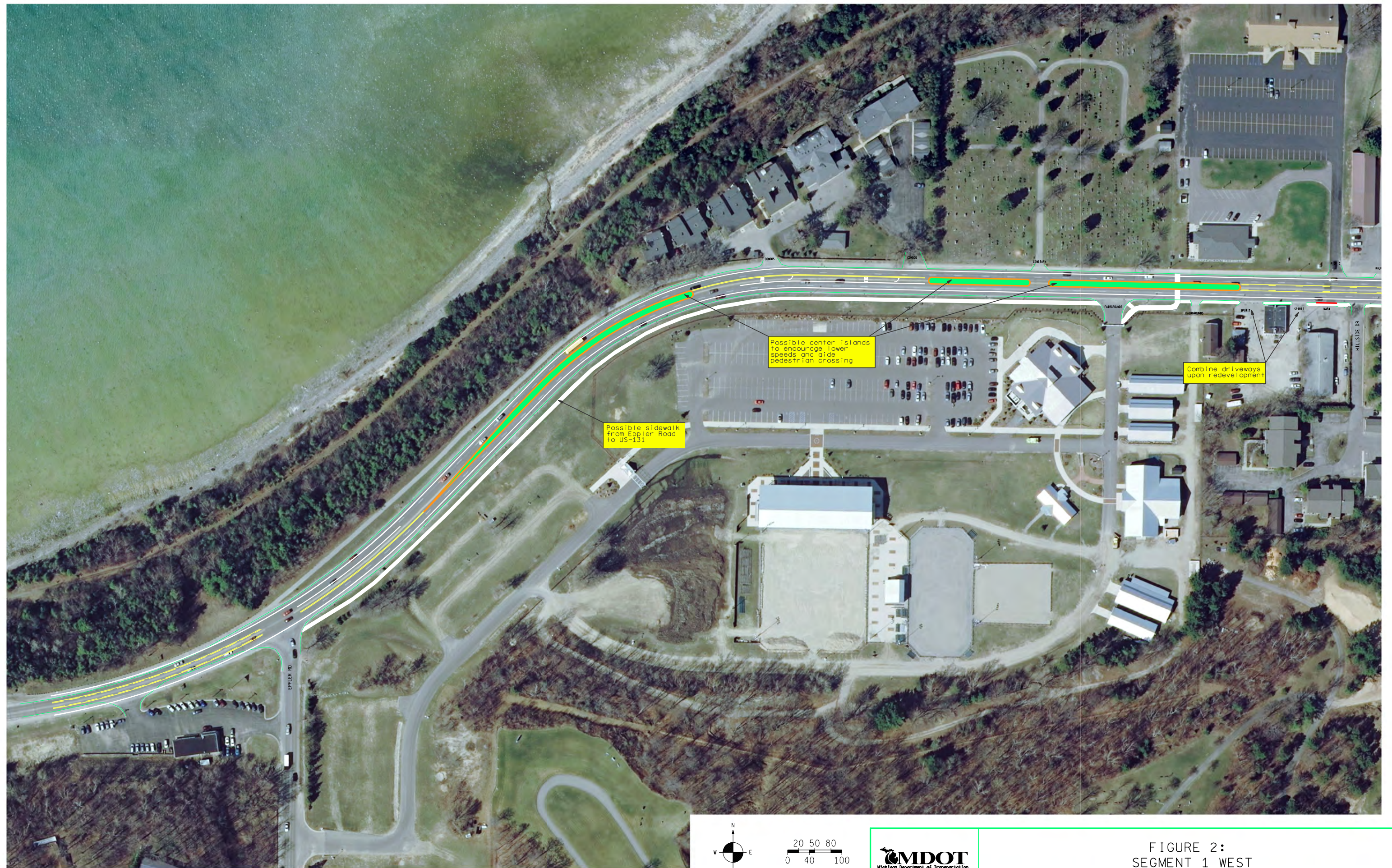
Segment 2 recommendations, given its built-out nature, are mostly in the retrofit category and include the closure of poorly-spaced or unnecessary driveways and/or combining driveways where possible. However, the topography of the lots on the north side of US 31 restricts this option substantially.

Segment 2 has the greatest opportunity for improved traffic system improvements through the realignment and closure of street intersections. Traffic system improvements are particularly important in this section due to its accident rate (second highest in the study area) and access needs of Northern Michigan Regional Hospital. The first traffic system improvement is the closure of the Monroe Street and Connable Avenue intersections on the south side of US 31 (see Figure 3). This intersection, due to its width and 45 degree alignment with US 31 is extremely difficult for traffic entering the highway to maneuver safely.

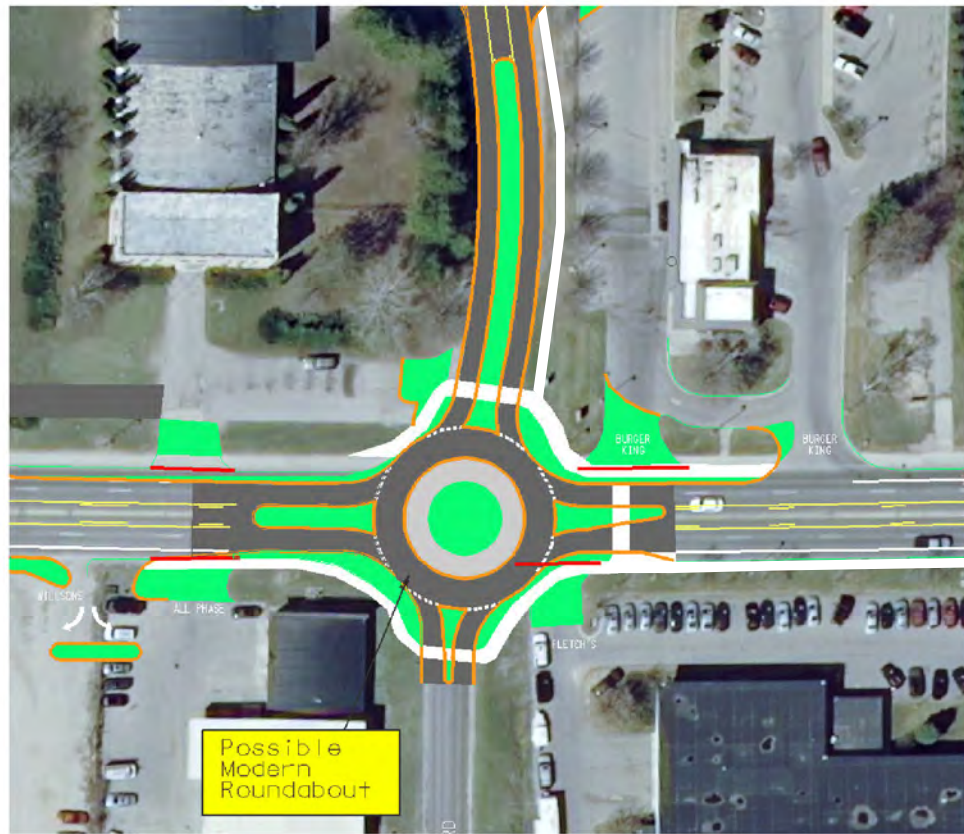
The next area that needs attention is the Madison/ US 31 intersection which is also very wide and has multiple curb cuts. Figure 3 illustrates a major intersection realignment that would improve safe access to properties on the north side of US 31 by creating a single intersection that allows left-hand turns. This would also create a defined entry point to hospital visitors and a shorter distance for pedestrian crossing. As a four-way intersection is not possible at this location, a second traffic light is proposed for the Ingalls Avenue intersection that would allow access to the neighborhoods on the north and south sides of US 31 (Figure 4).

A final intersection that should be considered for change is the Elizabeth Street intersection. The location of the intersection between the Mitchell Street Bridge and the signal at East Mitchell on a curve in the road makes entry and exit from this intersection difficult and dangerous. A complete closure of the intersection is recommended.









WITH POSSIBLE ROUNDABOUT OPTION

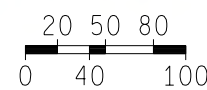
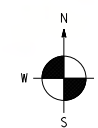
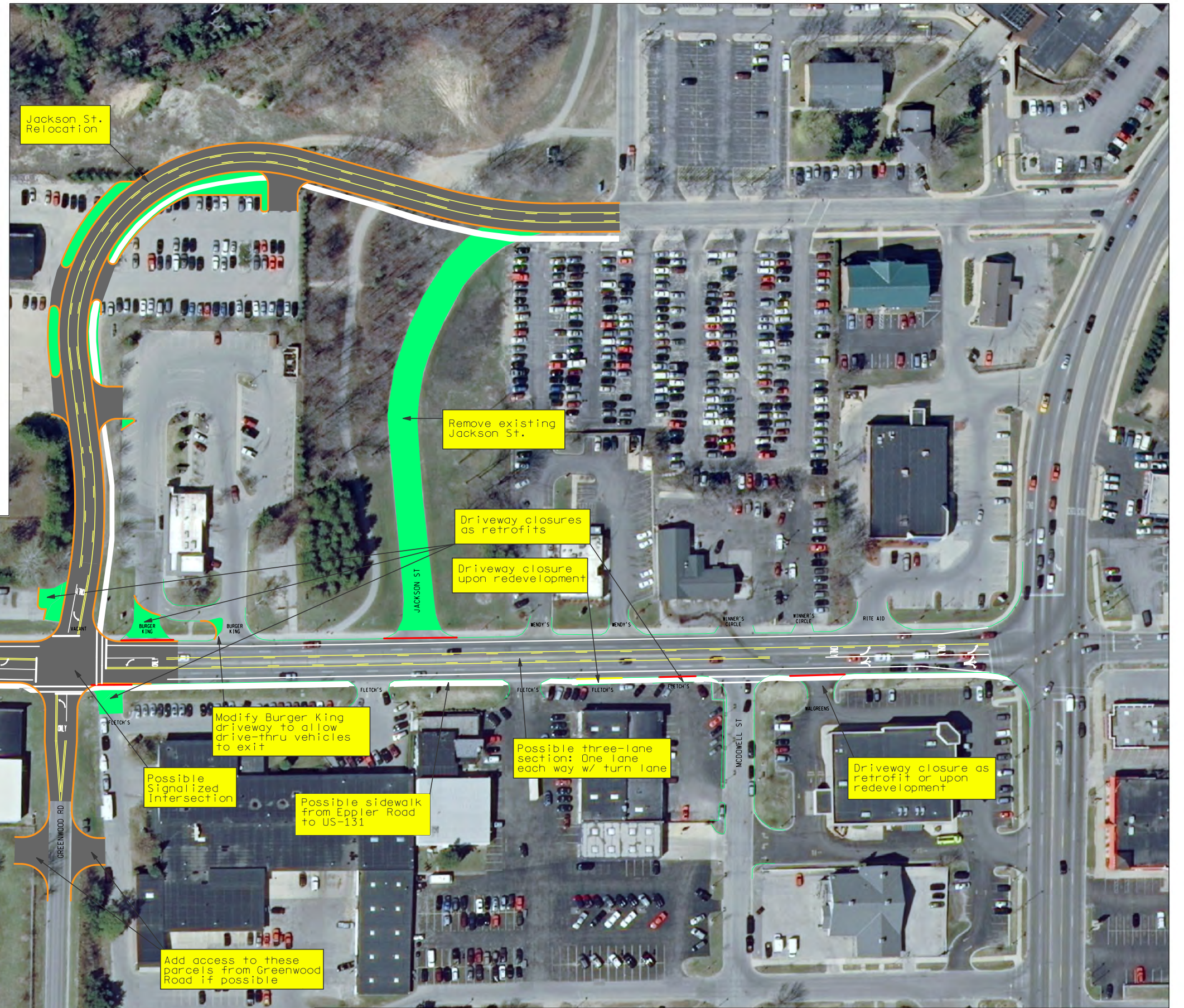


FIGURE 3:  
SEGMENT 1 EAST



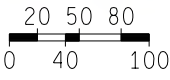
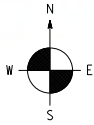
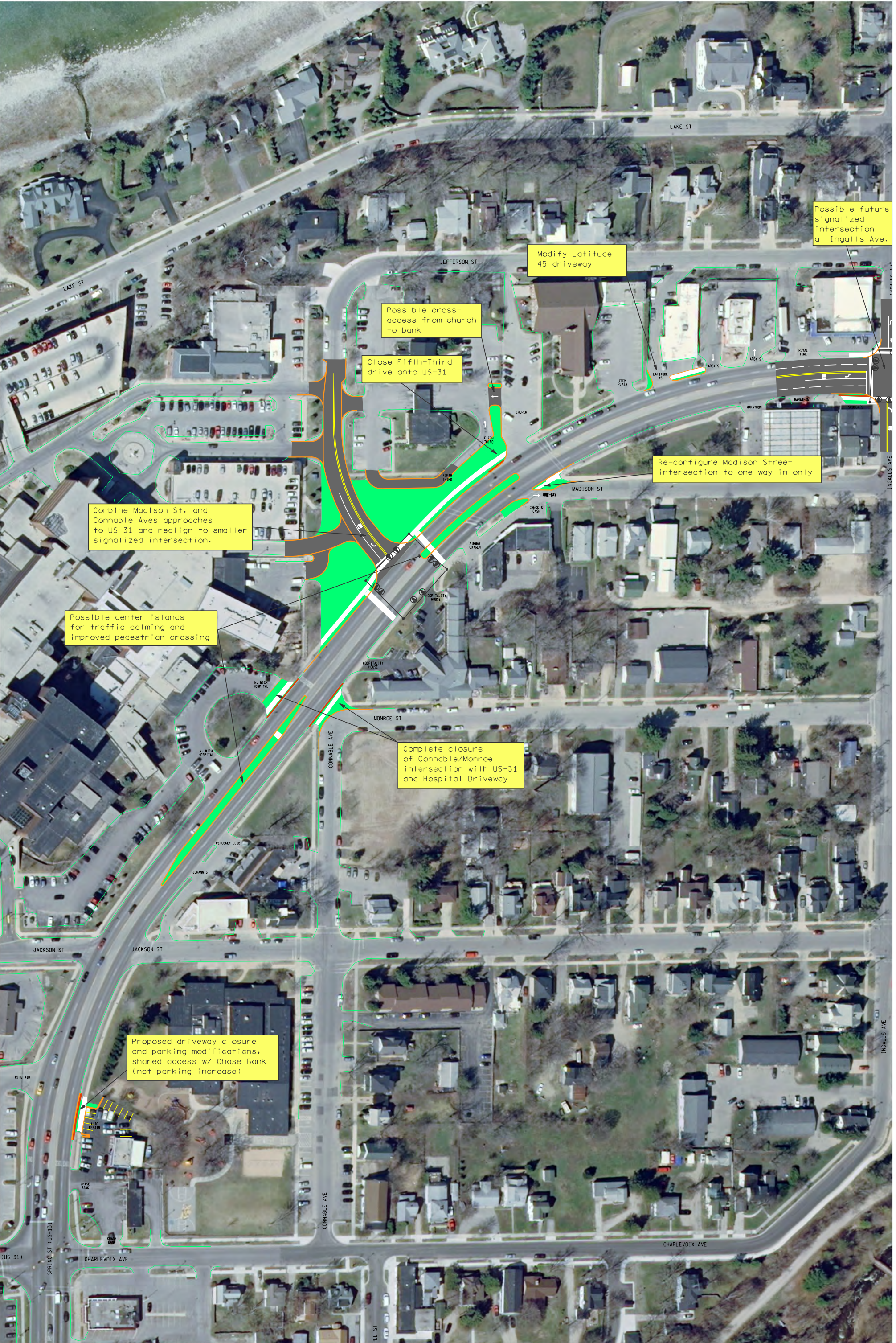


FIGURE 4:  
SEGMENT 2 WEST



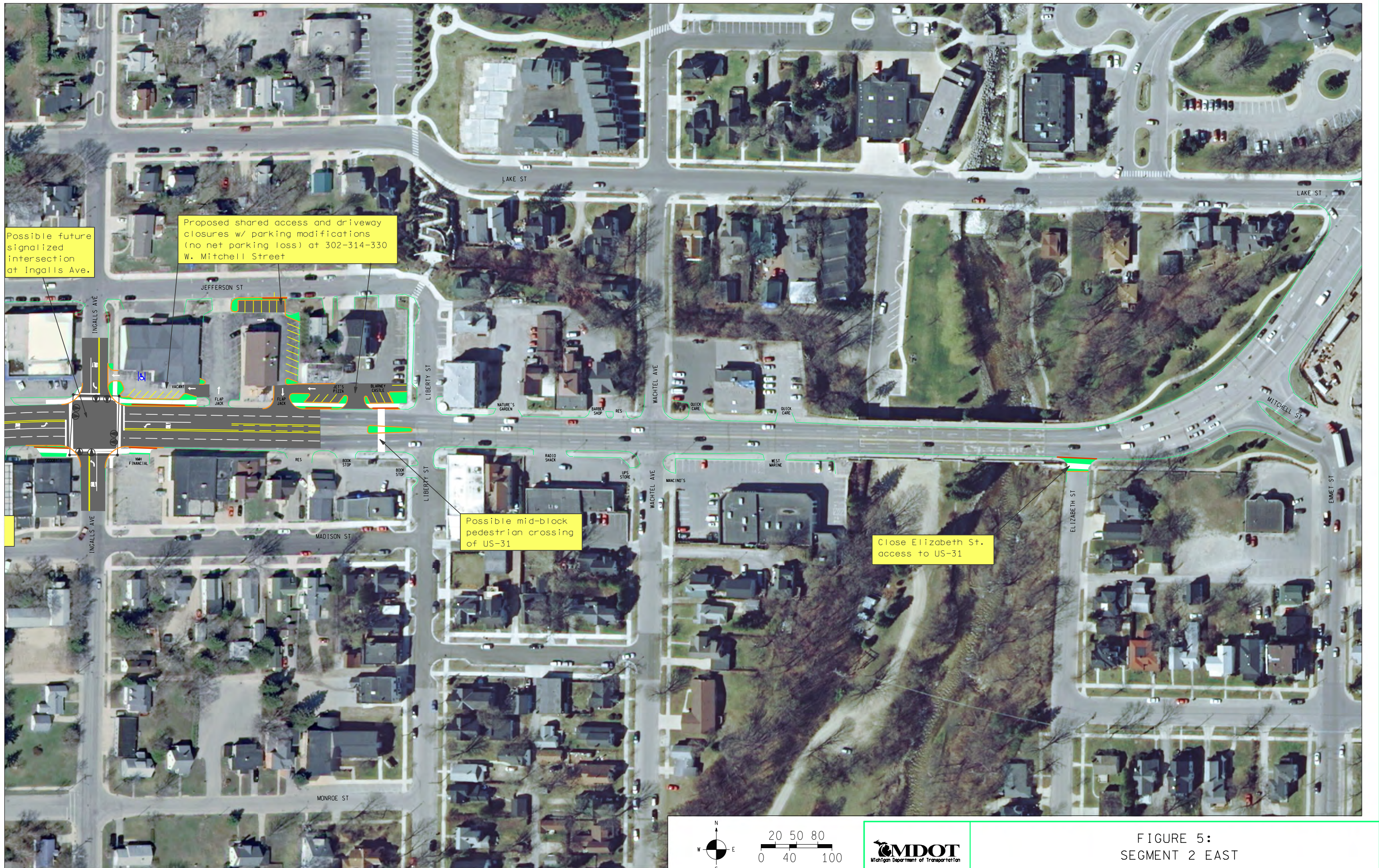


FIGURE 5:  
SEGMENT 2 EAST



### Segment 3

Segment 3 has a few redevelopment area potentials that need to be looked at for appropriate driveway locations in the long term. In the short term, driveway retrofits are the only option. A realignment and signalization of the Lewis Street intersection to improve access to downtown Petoskey is a traffic system recommendation for segment 3 (see Figure 6).

As part of the railroad corridor purchase, MDOT will be moving US-31 to the south, starting around Beaubien Avenue. While not an access management recommendation, the City and MDOT may want to consider moving the highway south at the eastern City limit, to give more buffer to the Little Traverse Wheelway and adjacent businesses.

### Segment 4

Segment 4 has redevelopment potential on the north side of US-31 from Division Road to Rice Street. Recommendations include combining driveways when possible if parcels redevelop; and providing connector drives between business uses. The parcels are relatively shallow and the residential community of East Bay View should be considered when use and access changes; as alternate routes should not be encouraged through the residential neighborhoods. If driveways are closed and alternate access utilizes county roads, then the portion of the county road utilized for commercial access should be upgraded to an all-season road (this recommendation includes segments 5 and 6). If development of the Petoskey-Bay View Country Club would occur, MDOT standards for access would be recommended.

On the east end of Segment 4, from Rice Street to M-119, drives could be combined and connector drives will be encouraged as redevelopment occurs. Closure of multiple drives serving single businesses should be encouraged when possible. Other access management possibilities include a round-about at the US-31/M-119 intersection and a service road on the south side of the businesses from Manvel Road west to the end of the business uses.

One driveway access will be eliminated with the reconfiguration of US-31 and Division Road. MDOT worked with the property owners in the vicinity and have modified the intersection as shown in Figure 7-A.



Figure 7-A







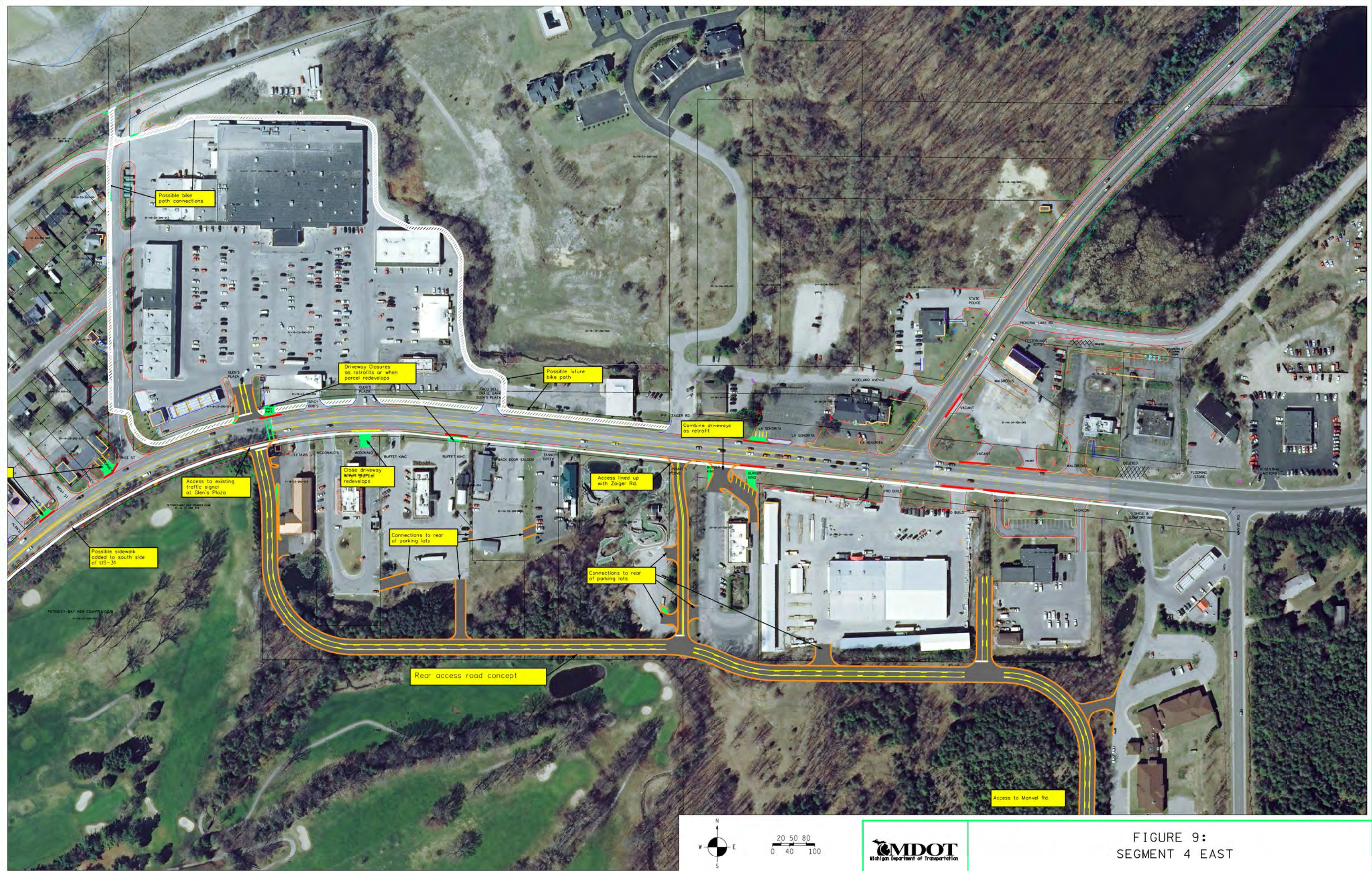


FIGURE 7:  
SEGMENT 3 EAST











## **Segment 5**

Segment 5 will likely continue to redevelop from residential to commercial. As redevelopment occurs, drives will be combined when possible and use of connector or service drives will be encouraged. Few specific changes were identified, but the majority of the proposed modifications are in the vicinity of US-31 and M-119 to Manvel Road. Pickerel Lake Road and US-31 intersection continues to be an intersection of concern. Options have been identified and are being explored, they include: modifying the grade of the intersection so that a traffic signal could be installed; requiring traffic to turn right only from Pickerel Lake Road traveling west and then providing a “Michigan Left” for travelers to travel west on US-31; and exploring the possibility of a round-about.

Access drives have been eliminated in recent years with the redevelopment of two restaurants to the Walgreens along US-31, two access drives were eliminated and a connector between two properties was created. The Oleson’s Plaza redevelopment project resulted in a reduction of one access point onto US-31. These types of modification will be encouraged as redevelopment continues.

The access points to the Oleson’s Plaza were approved by MDOT and a connector drive to the adjacent property was required by the Emmet County Planning Commission because of the connector drive, MDOT could have recommended the reduction of an “Olsen’s Plaza” access drive. This highlights the need for increased communication and perhaps a change in future procedures for both MDOT and Planning Department communication.

## **Segment 6**

The M-119 corridor has been in a redevelopment phase for several years from residential to light commercial. As redevelopment continues, drives will be combined when possible and connector drives between business uses will be encouraged. Standard recommendations will be evaluated as redevelopment occurs. Several businesses with multiple drives are shown on the plan with reduced access, which could occur upon redevelopment of the parcels.

The existing non-motorized trail will be encouraged to be moved away from the road surface so that the trail is separated from the road. An extension of the center turn lane has been recommended from Chester Lane for approximately 700 feet to the Petoskey State Park.



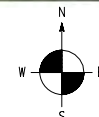
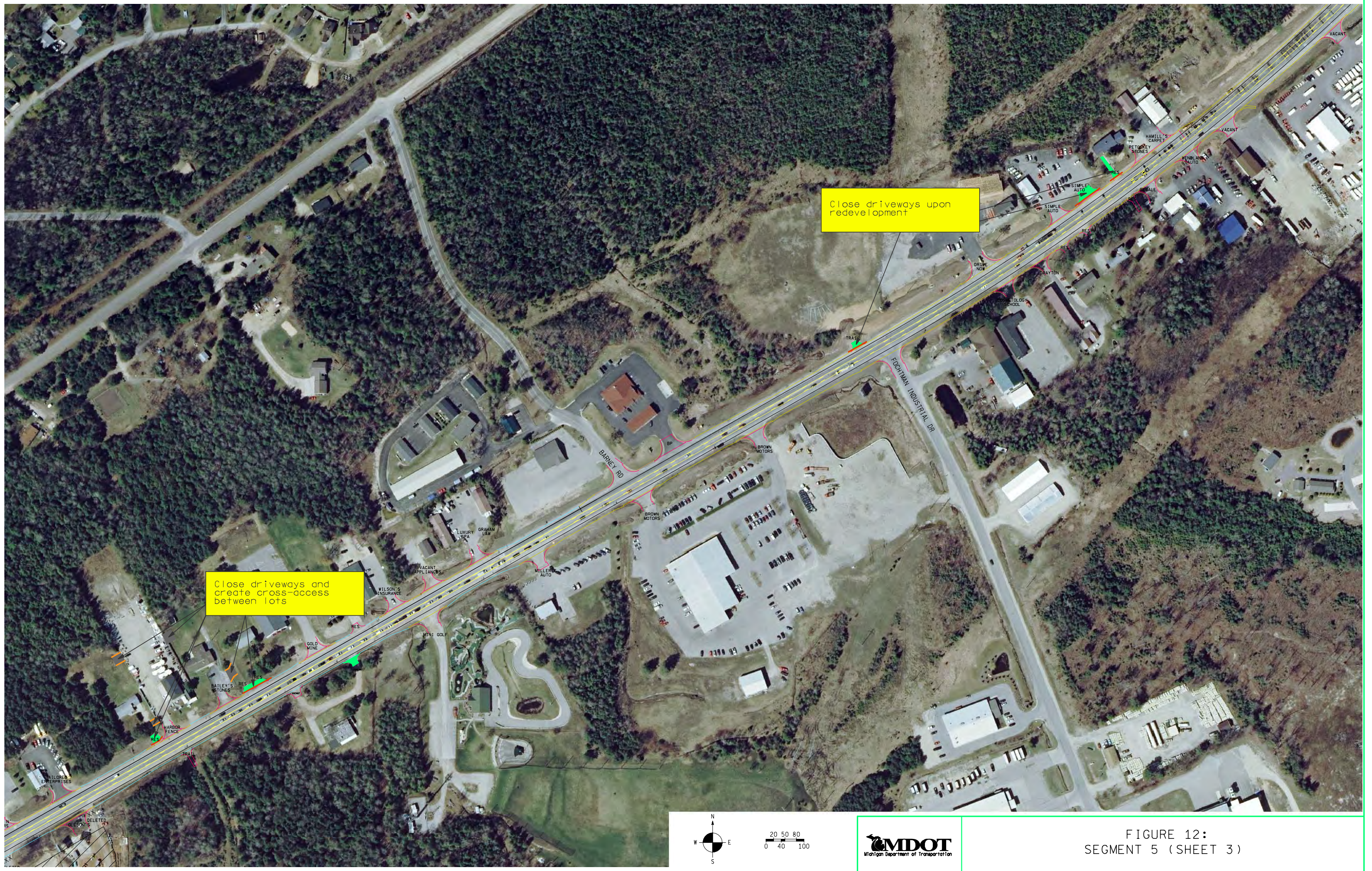


FIGURE 10:  
SEGMENT 5 (SHEET 1)









20 50 80  
0 40 100



FIGURE 12:  
SEGMENT 5 (SHEET 3)



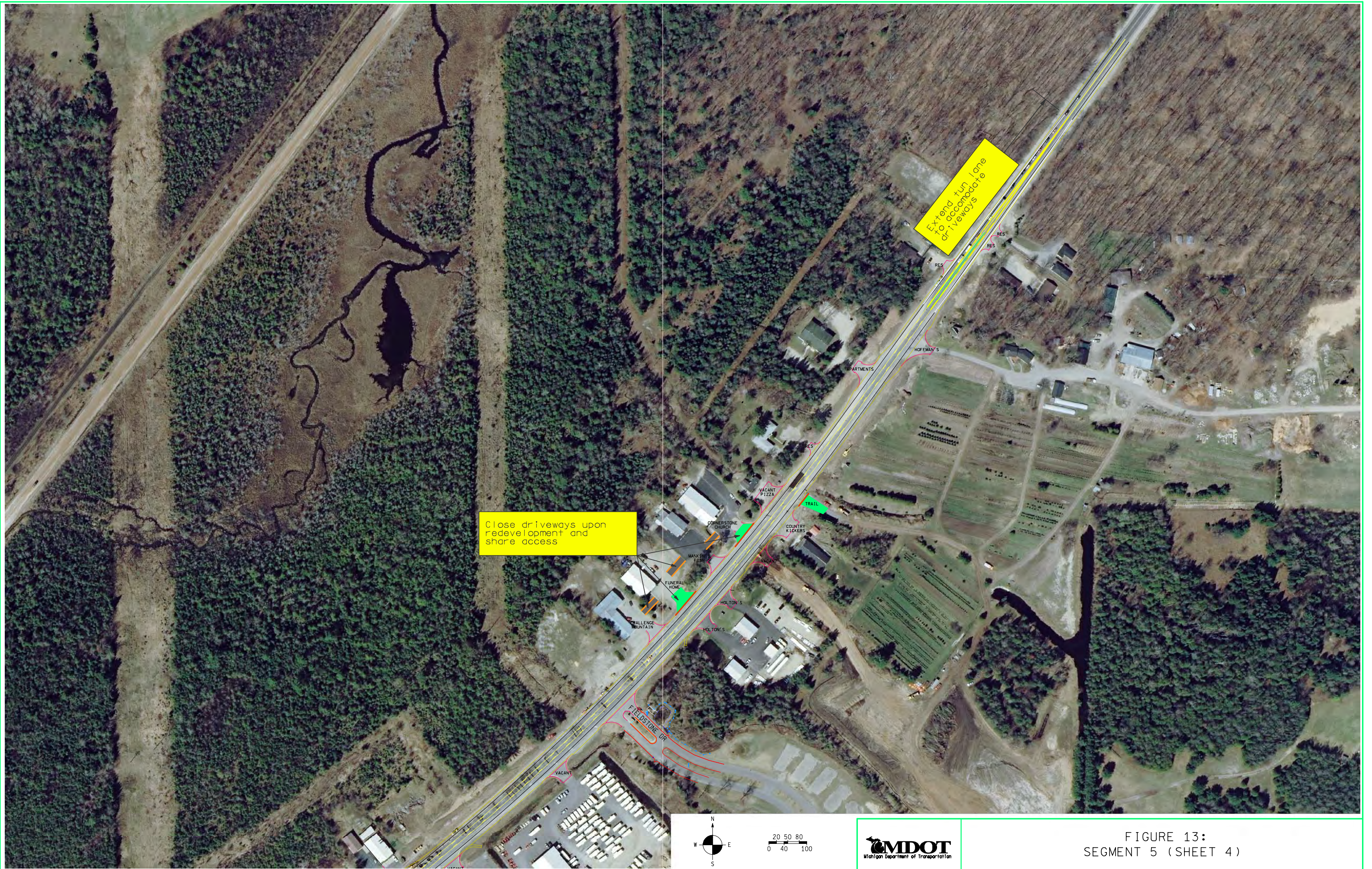


FIGURE 13:  
SEGMENT 5 (SHEET 4)



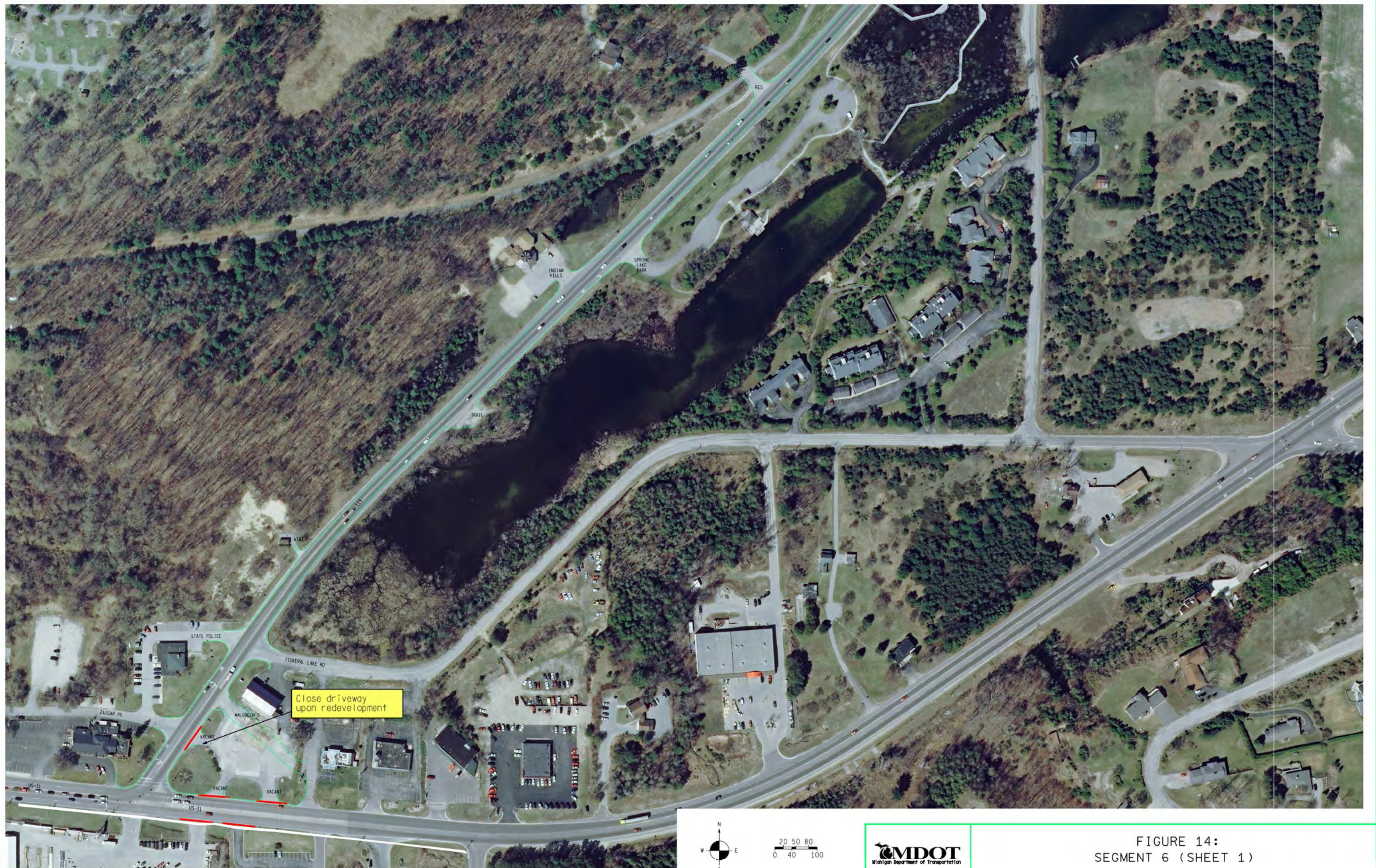


FIGURE 14:  
SEGMENT 6 (SHEET 1)



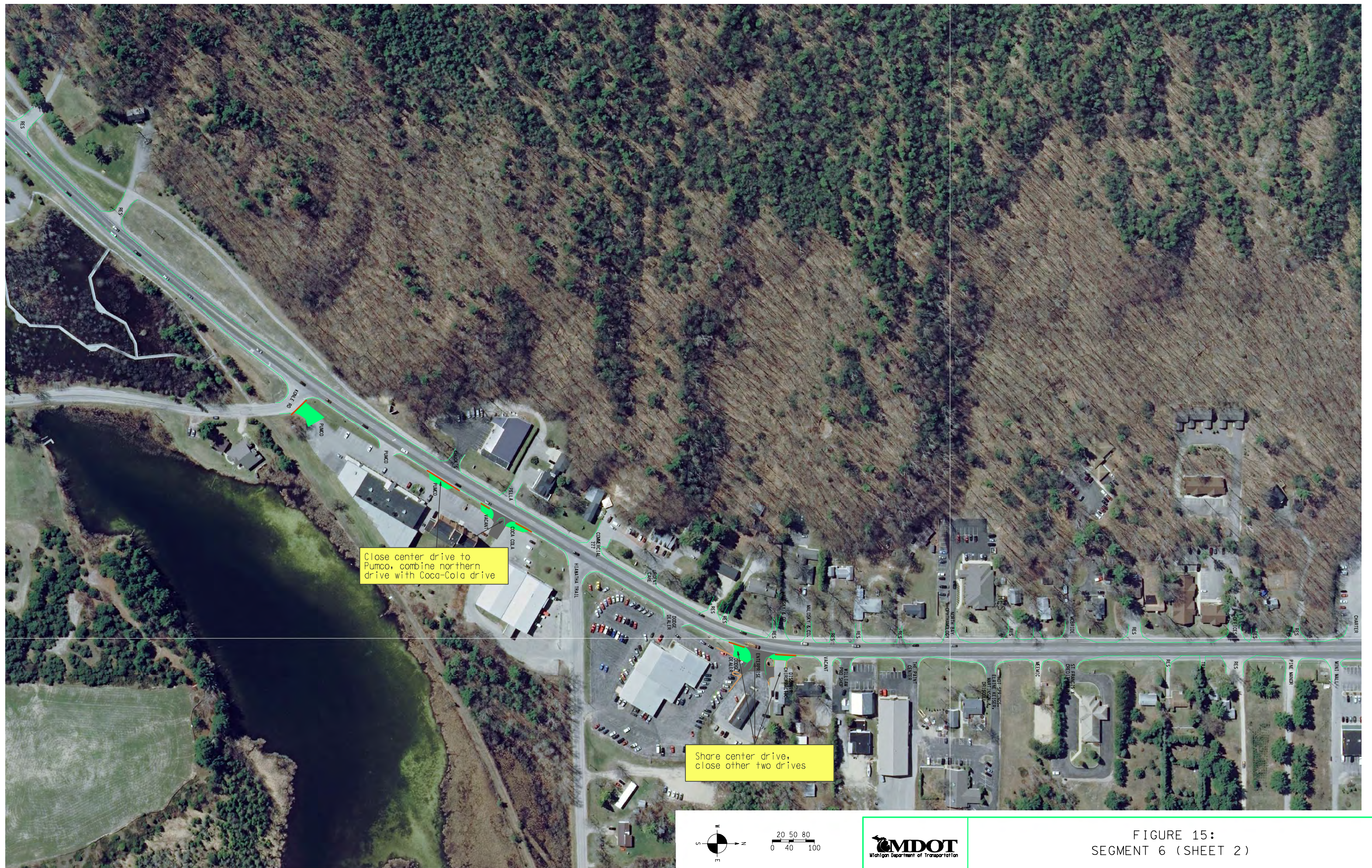






FIGURE 16:  
SEGMENT 6 (SHEET 3)



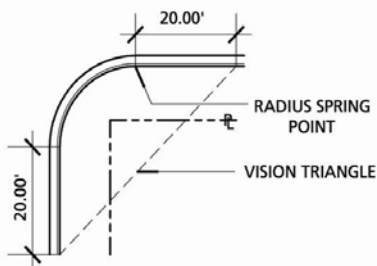
## 5. Zoning Requirements

Zoning regulations within the study area have created the existing conditions of site layouts and access. Assessing current standards in the City of Petoskey and Bear Creek Township and how they can be modified to improve access management along the US 31 corridor is a critical step. Understanding what can occur under current regulations can allow the City of Petoskey, Bear Creek Township, and Emmet County to make appropriate modifications to their local ordinances to achieve the goals of corridor improvement. The City of Petoskey administers its own zoning ordinance, while Emmet County currently administers zoning in Bear Creek Township.

### City of Petoskey

The City of Petoskey has eight separate zoning districts that front US 31: the R1, RM2, B1,B2, B3, B3-B, OS, PR, and PUD zoning districts. However, the properties in the B2, PR, and PUD districts do not have direct access onto US 31. Current regulations address clear vision corners and discuss in a general manner access management by driveway consolidation, elimination and ingress/egress restrictions. These regulations should be reviewed and strengthened to provide clear direction, particularly for parcels in the study area. One method of creating regulations that would encompass the entire corridor segment would be to adopt an overlay district.

#### *Clear Vision Corners*



This regulation was recently amended, making requirements for residential areas less restrictive (Section 1714). Instead of the standard 25-foot vision triangle at the intersection of two rights-of-way, the requirement is for twenty (20) feet measured from the spring-point of the curb. After review of City residential lots, this requirement made sense for most streets that have 25 mile per hour speed limits. However, this requirement should be increased along U.S. 31, given the 35-40 mph speed limit and number of travel lanes.

### City of Petoskey Corner Clearance Illustration

#### *Driveways and Curb Cuts*

Section 1716 (3)(b) provides general language that states the planning commission may require consolidation or restriction of curb cuts, but no specific requirements are provided. Section 1705 only restricts driveways for non-single family zoned districts to be a minimum of 25 feet from the single-family district property line.

Driveway openings are limited to 25 feet in residential districts, with one opening permitted per lot, but there are no regulations for commercial lot driveway openings – distances or widths.

The existing access requirements will need to be strengthened to address the varying conditions along U.S. 31. The access management standards recommended in Chapter 3 should be considered as sites re-develop.



As the photo to the left illustrates, this section of West Mitchell Street could benefit from fewer, possibly narrower driveway openings.

### ***Regulations Specific to the B3-B District***

The B3-B zoning district (Segment 1, Charlevoix Avenue) contains more specific language than the other districts dealing with appearance issues. The regulations require additional landscaping and screening areas, particularly along property lines, and do not allow parking in the front yard; front-yard parking

may be permitted by the planning commission in the other business districts. Consideration should be given to prohibiting parking in front yards of other business districts

### ***Dimensional Requirements***

None of the business zoning districts has a minimum lot size or frontage requirement, and the requirement for multiple-family district lot sizes is determined by number of units. Height requirements for commercial uses are generally 2 stories, 25 feet; however, the central business district (B2) allows 4 stories and 40 feet.

**City of Petoskey Dimensional Requirements (for districts in study area)**

<b>District</b>	<b>Min. Lot area (Sq. Ft)</b>	<b>Front Yard (feet)</b>	<b>Side Yard (feet)</b>	<b>Rear Yard (feet)</b>	<b>Height (feet)</b>
<b>R1</b>	8,400	25	10	35	25
<b>RM2</b>	5000+	25	10	35	33
<b>B1</b>	NA	20	0 or 25	20	25
<b>B2</b>	NA	0	0	0	40
<b>B3</b>	NA	20	0 or 25	20	25
<b>B3-B</b>	NA	15 non-industrial uses; 30 Industrial uses	10, 20	20-40	25
<b>OS</b>	NA	20	0 or 25	20	30
<b>PR</b>	NA	NA	NA	NA	
<b>PUD</b>	NA	Variable	Variable	Variable	

Many of the existing buildings do not meet current requirements. The City will be updating its zoning ordinance and may be altering the front yard setbacks within the study area to better reflect what exists and to possibly encourage placing buildings closer to the front property line with parking in the rear.

### ***Signs***

The main commercial areas along the corridor are zoned either B3 or B3-B. The hospital campus is actually within a residential zone (RM-2), but discussion within the master plan contemplates

creating a special district for this use. Current sign regulations do not provide setbacks for free-standing signs, which is something that should be considered.

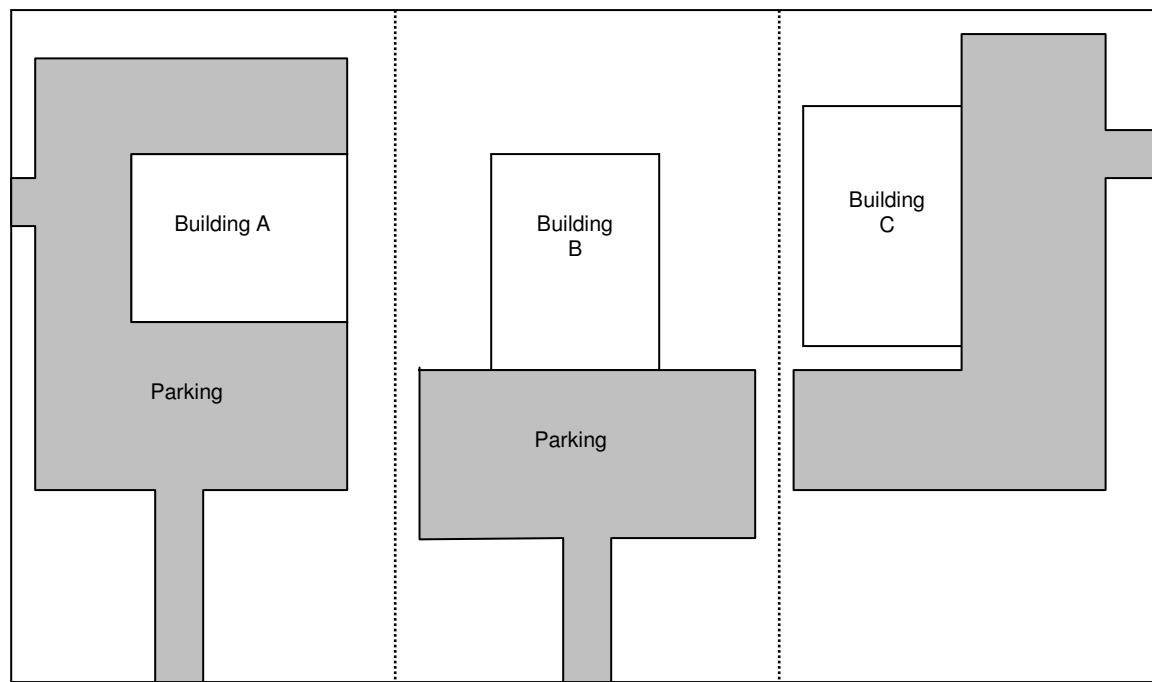
All wall-mounted sign sizes are based on a percent of the wall area upon which they are placed, ranging from 5% to 20%. Free-standing signs in the B3 District are limited to 15 feet in height and 40 square feet of area and in the B3-B district are limited to 8 feet in height and 30 square feet. Portable signs are only allowed in the B2 Zoning District

**Site Plan and Special Condition Use Standards**

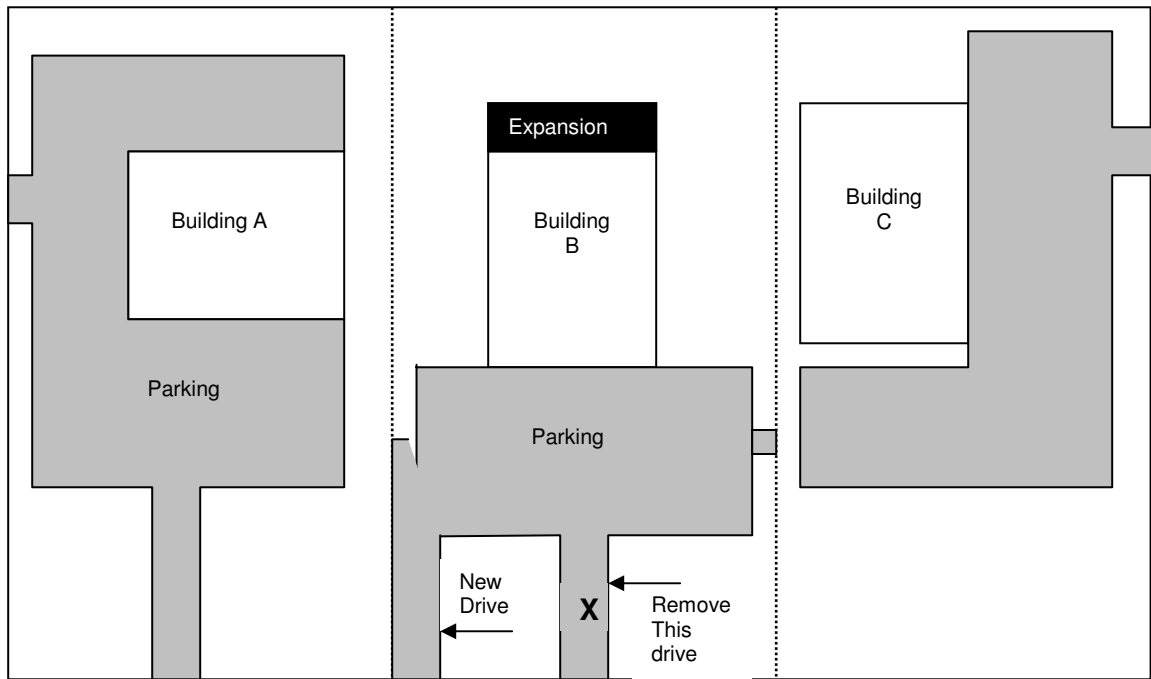
As noted above, there is some general language in the code that relates to access management. Site plan review performance requirements list a number of access management principles that allow the planning commission to consider driveway restrictions or elimination, with a notation that MDOT standards must be met on state highways. In addition, special condition use standards for review states that “The use shall not be located on a site or arranged in a manner that would create a significant traffic or pedestrian hazard on adjacent roads or walkways.”

**Use of Access Easements**

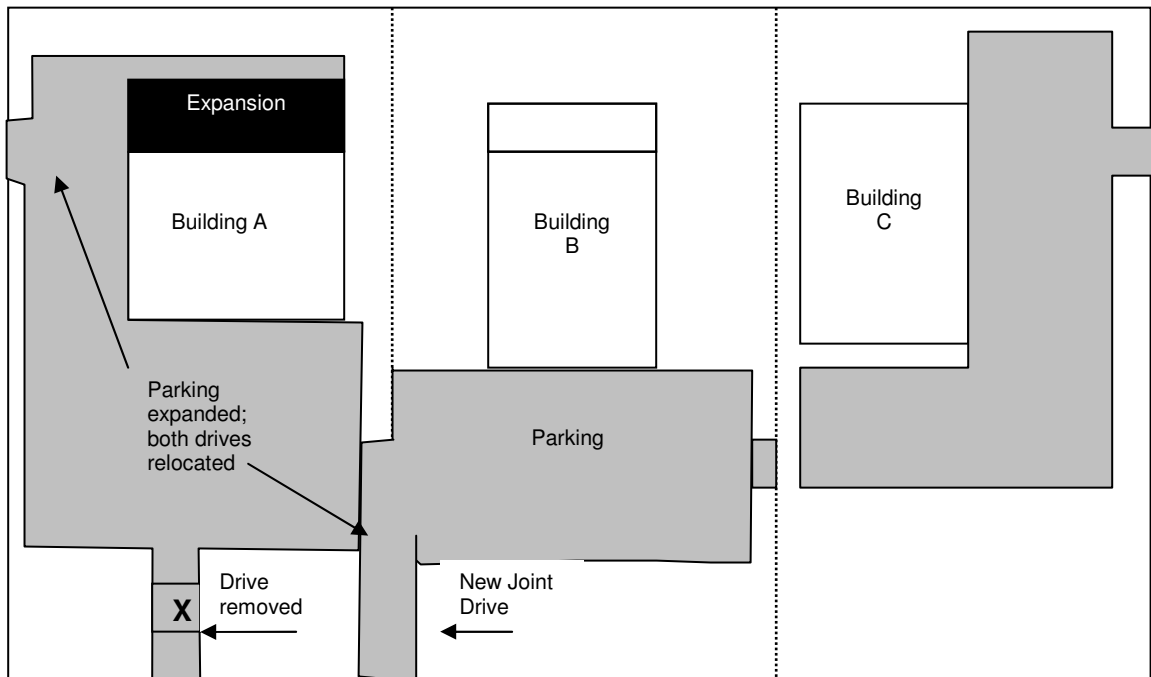
Examples of how access management can be implemented during site plan review are illustrated below. The first illustration is an existing condition where both buildings A and B have access to the arterial (U.S. 31):



In the case where Building B expands or changes use, approval would be conditioned upon existing drive being removed and replaced with one at the property line, as well as an access easement recorded to allow access by buildings A and C (see below).



If Building A expands or changes use, the drive on the highway is moved to the property line and a cross-access easement to buildings B and C recorded and the side street drive is moved farther away from the intersection.



### ***Pedestrian Access***

As it is the goal of the City of Petoskey to be a pedestrian-friendly community, every effort has been made to have site plan applicants install sidewalks at the time of construction to ensure adequate pedestrian access. To clarify who is responsible for sidewalk construction, the requirement for six-foot sidewalks to be constructed concurrent with site construction- or repaired due to construction impacts- should be added to the site plan requirements.



While sidewalks are a critical component of pedestrian mobility, equally important is allowing pedestrians safe passage across streets, particularly when the community is bisected by a five-lane highway such as US 31. The recommendations of this plan specify methods of allowing safer pedestrian crossings, including medians to serve as refuge islands and signalized intersections.

**Bear Creek Township**

Zoning for Bear Creek Township is administered through Emmet County. Nine zoning districts exist fronting US-31 and M-119 in the Bear Creek Township study area: R1-A, R-1B (One Family Residential), R-2A, R-2B (General Residential), RR-1 (Recreation Residential), B-1 (Local Tourist Business), B-2 (General Business), I-1 (Light Industrial) and PUD-1 (Planned Unit Development) overlays. The commercial districts each have their own standards for setbacks and lot widths, and each new or change in use within the districts is subject to review by the Planning Commission. The R-1A, R-1B, and R-2A Zoning District are residential zoning districts. The uses permitted within the districts include single family residential, golf course, schools, churches, and similar uses. It is unlikely that the properties would be re-developed for single family residential purposes. R-2B is a General Residential district which permits multiple family uses and select business uses – by Special Use Permit only. The majority of the R-2B properties are used for business, but some mixed-use exists along M-119. Several PUD-1 overlays exist which provide mixed use opportunities. Specific corridor issues addressed by the current zoning ordinance include parking lot setbacks, signs, general building setbacks, and lot width requirements.

**Parking & Parking Lot Access**

The parking provisions lack specific standards relating to access. Parking maneuvering lane widths are specified in Section 2202 at 20 feet and parking setback standards are specified in Section 1900 at 10 feet. Road agency approval for access is requested during the Site Plan Review process. Property owners are required to provide space for loading or unloading.

Additional requirements may include: providing access between business uses and limiting the number of new access points.

**Dimensional Requirements**

Lots within the business districts require a 100 foot lot width. No lot area is required in the business, or industrial zones, the size of the properties or the use on the property are determined based on the parking requirements and the size or use of the building. Height standards for all districts are 30 feet measured to the mid-point of the highest peak to the eave.

The following Schedule of Regulations table provides a summary of the specific standards for each district within the study area.

### Emmet County Schedule of Regulations – (for districts in the study area).

DISTRICTS	Minimum Lot Size per Unit or Use		Maximum Height of Structure in Feet	Minimum Yard Setback in Feet			Maximum Percent of Lot Coverage by the Area of all Buildings	Minimum Floor Area in Square Feet
	Area	Width in Feet		Front	Sides	Rear		
R-1A & R-1B One Family Residential	½ acre	100	30	30	10	25	30%	720
R-2A, R-2B & R-2C General Residential	-	-	30	30	20	35	35%	none
RR-1 & RR-2 Recreation Residential	½ acre	100	30	40	10	35	30%	720
B-1 Local Tourist Business	none	100	30	25	10	20	none	none
B-2 General Business	none	100	30	25	10	20	none	none
I-1 Light & General Industrial	-	100	30	30	10	20	none	none
PUD Planned Unit Development	SEE ARTICLE XVIII							

### Signs

Signs are permitted in the road right-of-way if permission is granted by the road agency; however, sign standards are smaller than those permitted if the sign is located outside of the right-of-way. No setback is currently required, one should be considered.

### Site Plan and Special Condition Use Standards

Special Condition Use and Review standards in Section 2102 requires that: “Entrance drives to the use and off-street parking areas shall be no less than twenty-five (25) feet from a street intersection (measured from the road right-of-way) or from the boundary of a different Zoning District,” “Suitability of access to the use, assuring that minor residential streets are not used to serve uses that have larger area-wide patronage,” “Allowance is made for vehicles to enter and exit the use safely and no visibility impediments to drivers are created by signs, buildings, land uses, plantings, etc.”

Site Plan Review standards contain general language regarding site access. For all reviews conducted by the Planning Commission, road agency review should be required.

### Use of Access Easements

See recommendations shown previously under the City of Petoskey’s heading.



**Pedestrian Access**

The Emmet County Master Plan makes pedestrian access a priority. The Zoning Ordinance allows the Planning Commission to consider pedestrian access and efforts have been made to connect pedestrian trails. Safe road crossings for pedestrians should be carefully considered particularly at the Division Road/US-31 intersection, at Glen's Plaza, and on M-119 at Toski Sands.

To encourage a walkable community a requirement to construct six-foot sidewalks concurrent with site improvement should be added to the site plan requirements for all properties.

**Modifications to Ordinance Standards**

Sample Ordinance language is provided as Appendix C of this document. The sample ordinance is intended to serve as a model to be used for discussion purposes for possible adoption by each jurisdiction having zoning authority.

The existing language in the Emmet County Zoning Ordinance is broad and may need to be tailored to accomplish the goals of this Access Management Plan. Issues include: pedestrian and vehicle connections between uses, specific standards relative to access, road agency review requirements, and review of sign regulations.

When reviewing zoning ordinance standards, it should be recognized that state acts can affect placement of signs and driveways within or near the public right-of-way including: Public Act 200 of 1969 "Driveways, Banners, Events, and Parades" and Public Act 106 of 1972 "Highway Advertising Act."

## 6. Future Land Use

Understanding the master plan future land use recommendations of Emmet County in Bear Creek Township and the City of Petoskey provides useful insight into the future appearance and function of the U.S. 31 corridor. Reviewing these plans can allow the communities to make appropriate amendments to reflect the goals of access management discussed throughout this report.

### City of Petoskey



The City of Petoskey adopted its master plan in January, 2009. The Future Land Use map for the City indicates the future land uses along the corridor will continue to be a mix of commercial and residential, designated as neighborhood mixed use along West Mitchell Street, corridor mixed use for more intensive uses along Charlevoix Avenue, and urban core mixed use, which is the most intensive and pedestrian oriented central business district. The land use categories are designed to recognize the historic development patterns and well established uses in the corridor while also allowing reasonable and practical changes to occur. While the existing zoning ordinance allows a mix of uses, the ordinance is in the process of being reviewed and updated for appropriate building setbacks, heights, parking locations, and landscaping requirements. All of these elements will help define the character of the corridor land uses.

Corridor mixed use is the land use category along Charlevoix Avenue, and provide a mix of regional businesses as well as residential development in multiple family and mixed-use buildings. Pedestrian accessibility is also important, however, the area is more auto-oriented than other mixed-use areas. Use of shared driveways and side street access should be considered with any redevelopment.

The neighborhood mixed-use category is along West Mitchell Street and Bay View Road, abutting adjacent residential neighborhoods and park areas. A mix of uses, including upper floor residential, that complement and provide services to these neighborhoods and the larger region is allowed. Improvements that enhance pedestrian accessibility should be required and use of shared driveways and side street access should be considered with any redevelopment.

The urban core mixed use area is the traditional downtown of the community, the most urban and pedestrian oriented district. Buildings accommodate a mix of uses, with emphasis on ground floor retail and offices and residential on upper floors. On-street or off-site parking is permitted to enable the intensive commercial street presence and use of alleys for access eliminates the need for individual driveways.

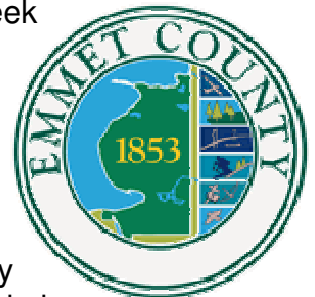


## City of Petoskey Land Use Comparison Chart

Category	Water/Sewer	Access	Uses
Corridor Mixed-Use	City Utilities	Shared drives, side street access	Mixed uses: commercial, light industrial, multiple family, institutional
Neighborhood Mixed Use	City Utilities	Shared drives, side street access	Mixed commercial, institutional, upper floor residential possible
Urban Core Mixed Use	City Utilities	N/A	Mixed commercial, institutional, upper floor residential

### Bear Creek Township

Emmet County adopted its Master Plan in January of 2009 with input from Bear Creek Township. While Bear Creek Township also has an adopted Master Plan (2006), this report will evaluate the corridors as they relate to the Emmet County Master Plan since the County administers zoning in Bear Creek Township. The Future Land Use map for Bear Creek Township identifies the majority of the properties as commercial, industrial, and mixed use; however, several large tracts of public/quasi public lands exist primarily along M-119 in locations where the Petoskey State Park and the Little Traverse Conservancy properties abut the highway. A large tract along US-31 in the north area of the study area is also owned by the Conservancy. Additionally, Bear Creek Township operates a public park on M-119 between Pickerel Lake and Konle Roads. These properties will likely remain developed as parks and/or natural tracts for public use and enjoyment.



The most intense commercial development and redevelopment is expected to occur on both sides of US-31 from Pickerel Lake Road nearly to the Conservancy property boundary. The General Commercial category promotes larger retail, service, and commercial centers generally accessed via automobile, but with walk-ability within developments. The purpose of the category is to provide a variety of goods and services to fulfill the needs of the community.

Mixed use development is the category assigned to the properties located along US-31 between M-119 and Pickerel Lake Road and extends along the majority of M-119, which promotes compact development that offers a variety of complementary uses including residential, office, retail, restaurant, or entertainment. Several single family residences remain along M-119, and the corridor is expected to redevelop to include business and residential uses.

The Light Commercial category is prevalent along US-31 from M-119 to Division Road except along the Petoskey-Bay View Country Club (golf course) property. Light Commercial provides opportunities for varied commercial and professional office development; it is not intended for regional commercial and industrial uses. The Future Land Use Map identifies the Petoskey-Bay View Country Club as High Density Residential, which allows for multiple family uses adjacent to commercial areas and employment centers or near major transportation corridors.

<b>Category</b>	<b>Access</b>	<b>Uses</b>
Mixed Use	Shared drives, side street access	Mixed uses: commercial, multiple family, institutional
Commercial	Shared drives, side street access	Mixed commercial, institutional, regional centers
Light Commercial	Shared drives, side street access	Mixed commercial, institutional, service, professional offices

## **7. Adoption and Use of the Plan**

Successful implementation of the recommendations in this US-31/ M-119 Access Management Plan requires a partnership between the various local units of government and MDOT. This requires each community's planning commission, elected body and zoning board of appeals members to be aware of the benefits of access management and their role in its implementation.

A coordinated and comprehensive access management approach is essential if future growth in the study area is to be accommodated and its economic benefits are to be realized. Development decisions within the study area are under the purview of several agencies. The local units of governments have jurisdiction over land use planning, zoning, site plan and subdivision review outside the street right-of-way. MDOT has control over improvements within the US-31 and M-119 rights-of-way, the City has control over intersecting city streets, and the Emmet County Road Commission has control over improvements within the rights-of-way for other intersecting county roads. Successful implementation of the recommendations in this plan requires a partnership between the local units of government, MDOT, and the Emmet County Road Commission.

One technique to help implement the plan is to amend the local zoning ordinances to acknowledge the special standards and review procedures for the US-31 and M-119 corridor. Two issues are discussed in the remainder of this section: a model US-31/ M-119 overlay zoning ordinance that is provided in the document appendices and a model review process that should be adopted by the communities.

The US-31/ M-119 overlay zoning district would be placed over the existing zoning regulations for all parcels with frontage along US-31 in the city of Petoskey and Bear Creek Township and M-119 in Bear Creek Township and along intersecting roads within one hundred and fifty (150) feet of the US-31 right-of-way in the City of Petoskey and three hundred fifty (350) feet of the US-31 and M-119 rights-of-way in Bear Creek Township. For example, if the current zoning is residential, the uses permitted in that zoning district, the dimensional standards and other regulations would still apply, but the access spacing and circulation design standards of the overlay district would also apply. One significant change is that in addition to meeting minimum lot area and width requirements, any proposed land divisions must also demonstrate the ability to meet the access spacing standards in order to satisfy the "accessibility" requirements of the *Land Division Act*.

The focus of the overlay zone is a set of access and corridor management standards. Access management is a set of proven techniques that can help reduce traffic congestion, preserve the flow of traffic, improve traffic safety, minimize crash frequencies, preserve existing roadway capacity and preserve investment in roads by managing the location, design and type of access to property. More than one technique is usually required to effectively address existing or anticipated traffic problems.

Not all sites will be able to meet all of the access management standards, particularly existing developed sites. In order to address these situations, the ordinance provides the authority to modify the standards on a case-by-case basis. The model ordinance provides the planning commission with the authority to modify the standards during site plan review, provided the intent of the standards is being met to the maximum extent practical on the site, and provided input from the MDOT is obtained.

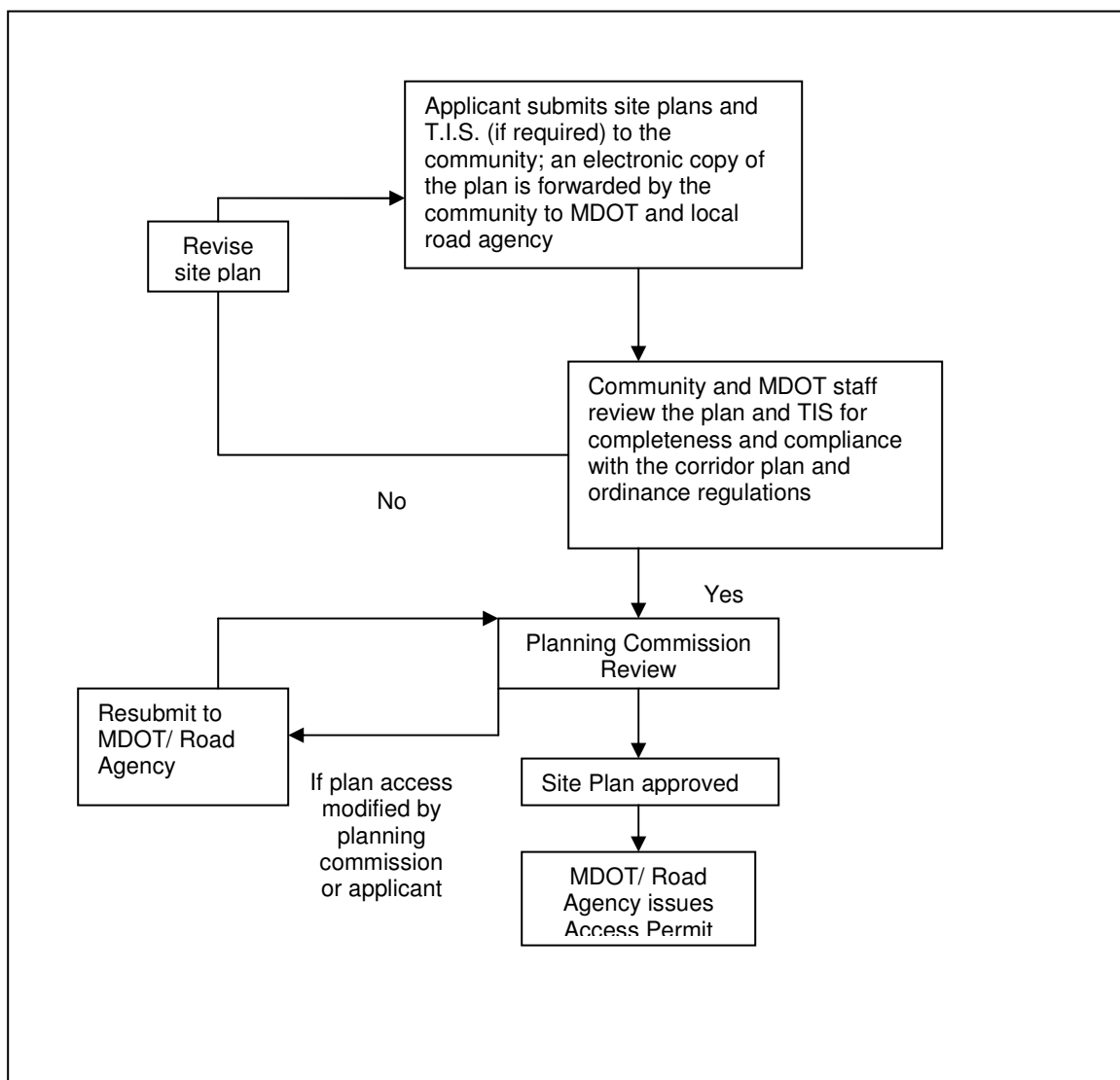
The ordinance also requires traffic impact studies be performed for larger developments that have the potential to generate significant volumes of traffic. These studies would evaluate the impact



that a proposed development will have on the road system and identify mitigation to offset the impact. The ordinance makes reference to the “Evaluating Traffic Impact Studies, a Recommended Practice for Michigan”, a handbook developed by the MDOT and Tri-County Regional Planning Commission as the required methodology for completing the study.

A flow chart for the model overlay zone development review process is illustrated below, which provides for a coordinated review by the local unit of government, MDOT and the Emmet County Road Commission. The intent of the process is to ensure that the local units’ review of the site plan design and the road agency’s access permit process is coordinated by providing feedback loops between the local planning commission and the road agency as modifications are made to access and circulation.

### **Recommended Site Plan, Subdivision, and Site Condominiums Access Approval Procedure**



## **APPENDICIES A & B**

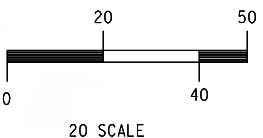
### **Appendix A: Existing Conditions Maps**

### **Appendix B: Crash Study Maps**





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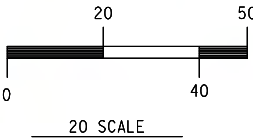
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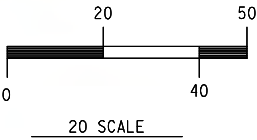
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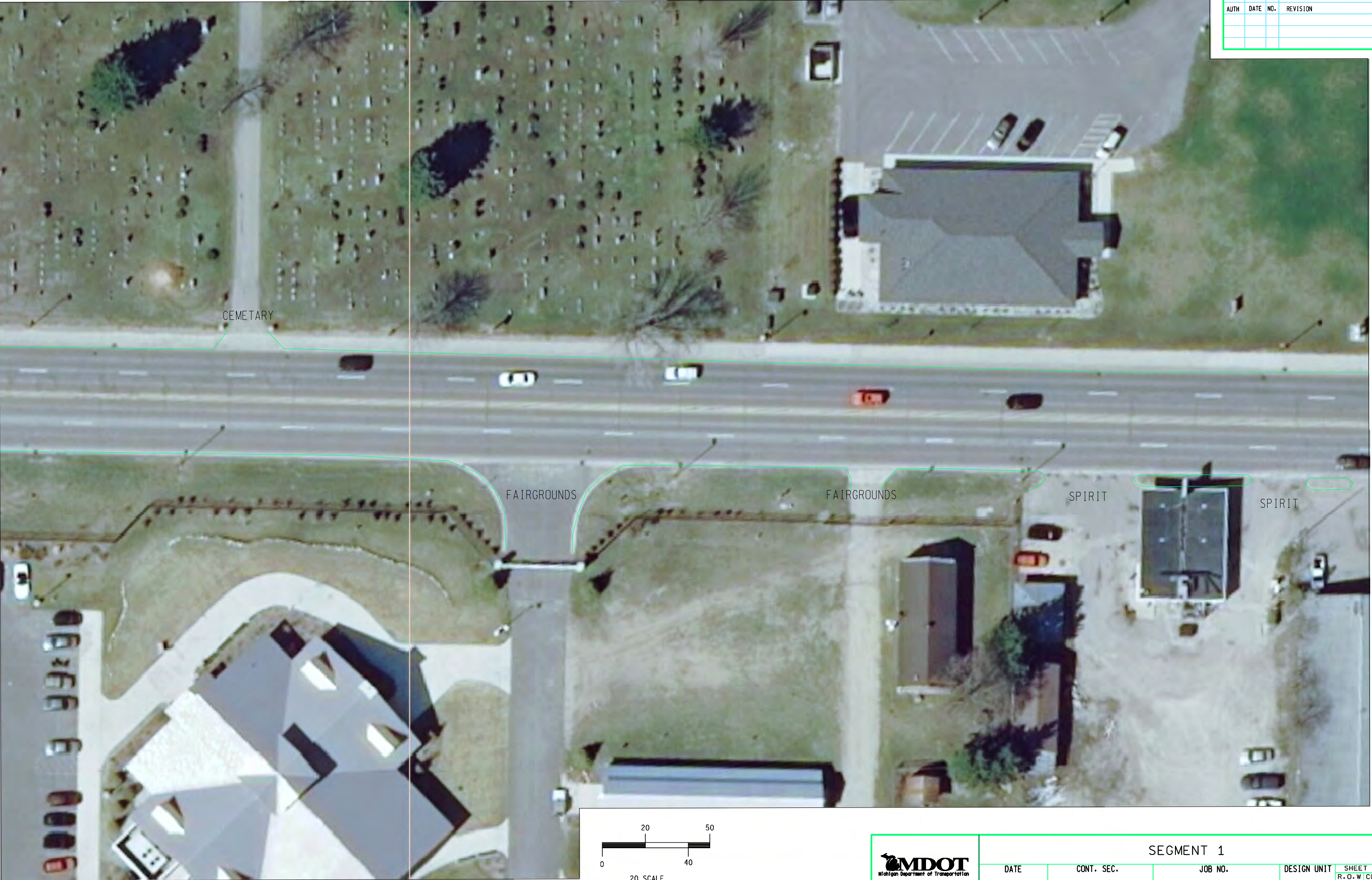
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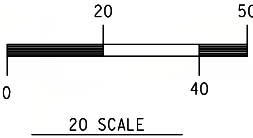
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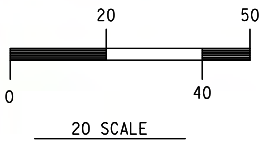
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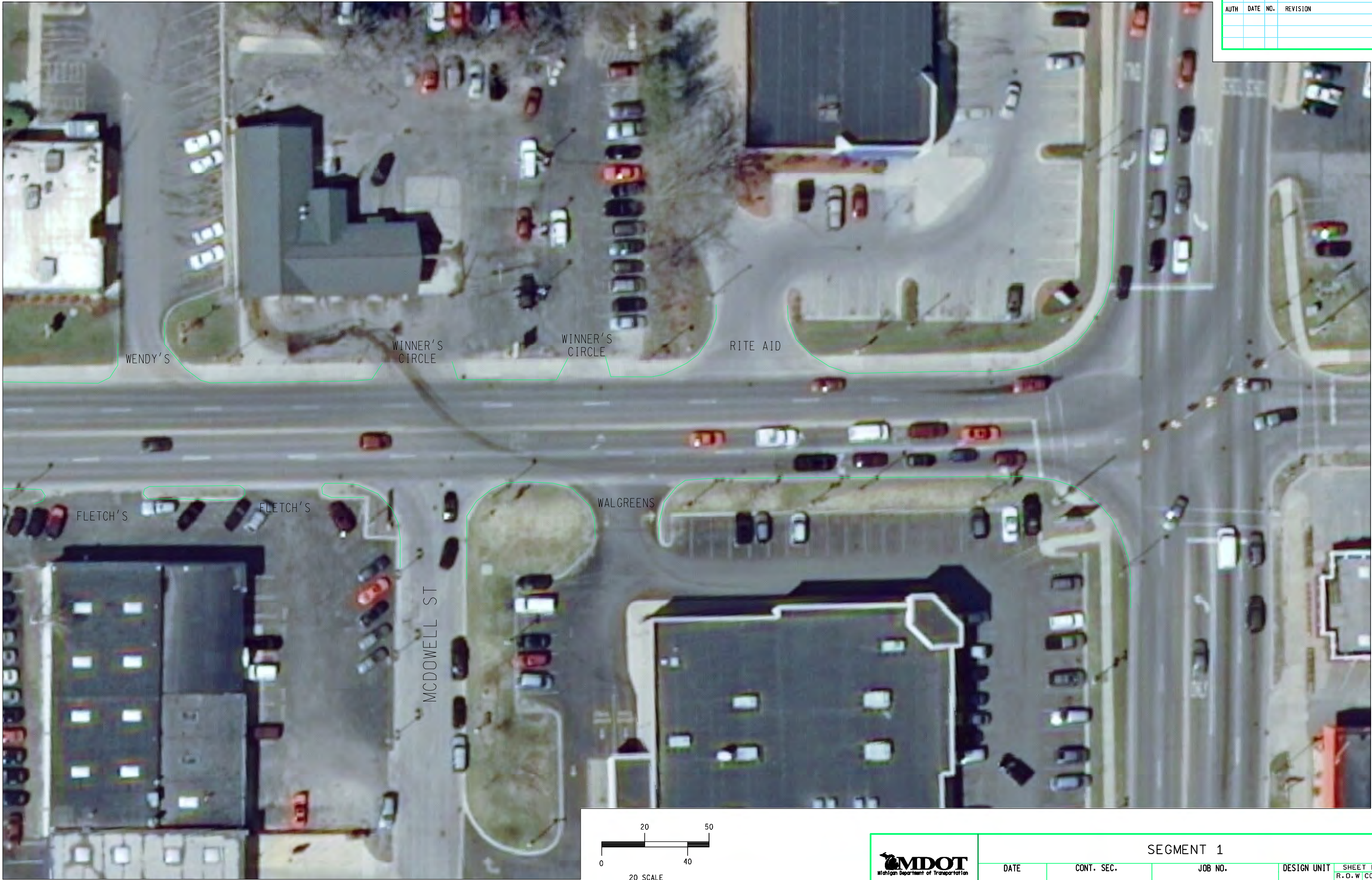
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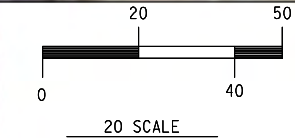
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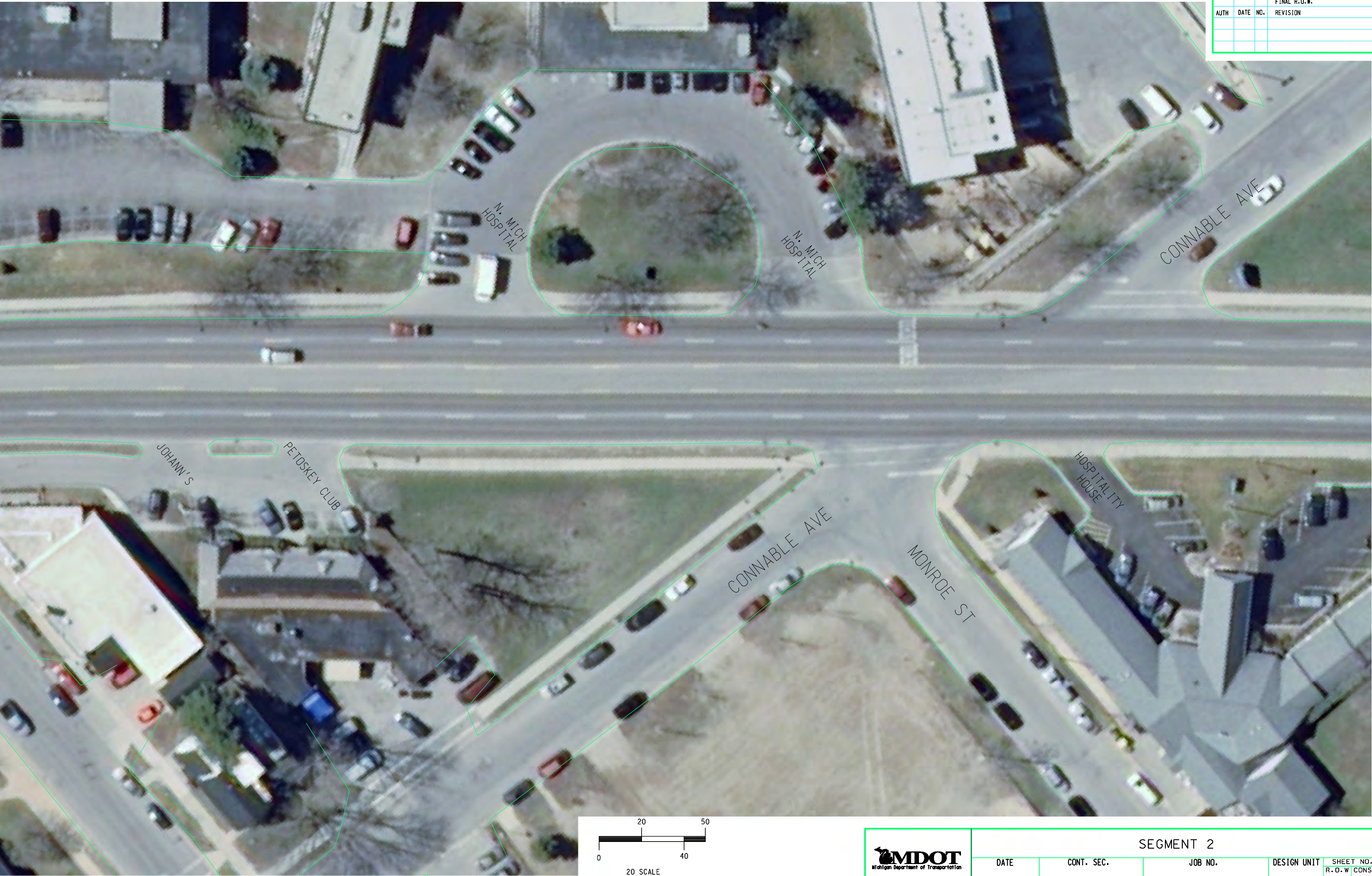
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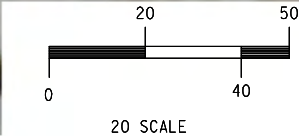
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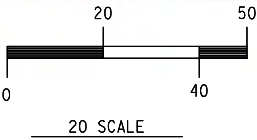
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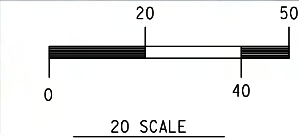
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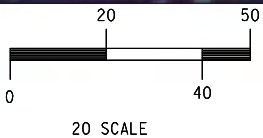
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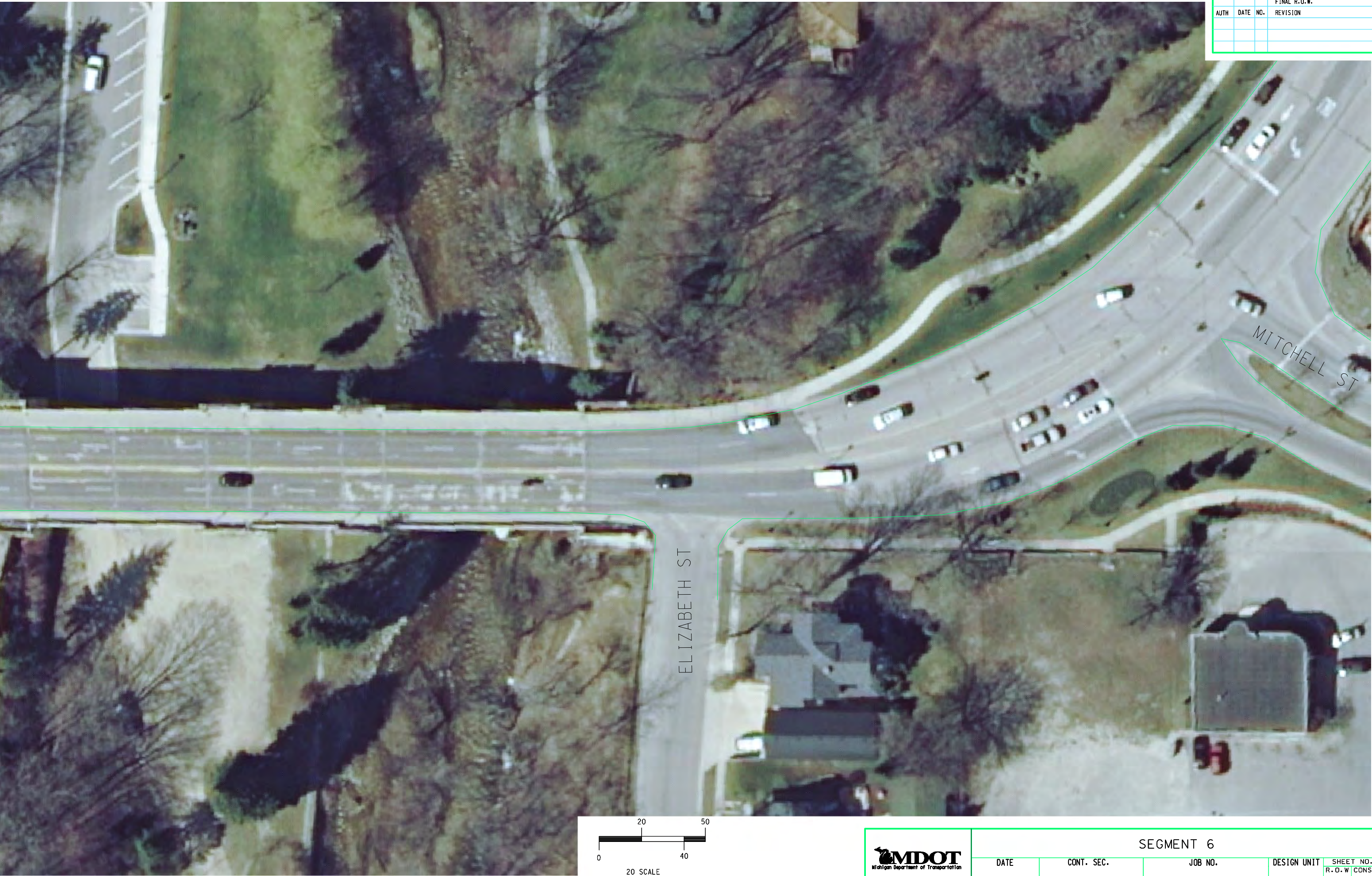
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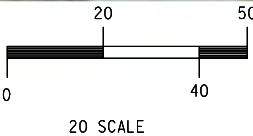


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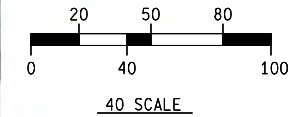
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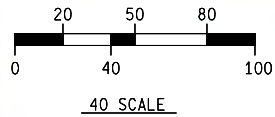








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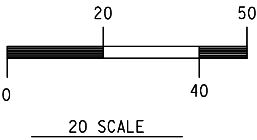
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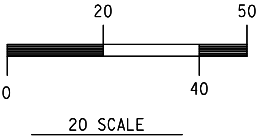
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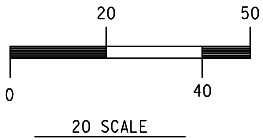


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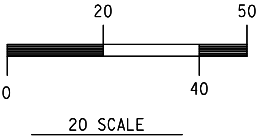


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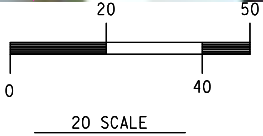


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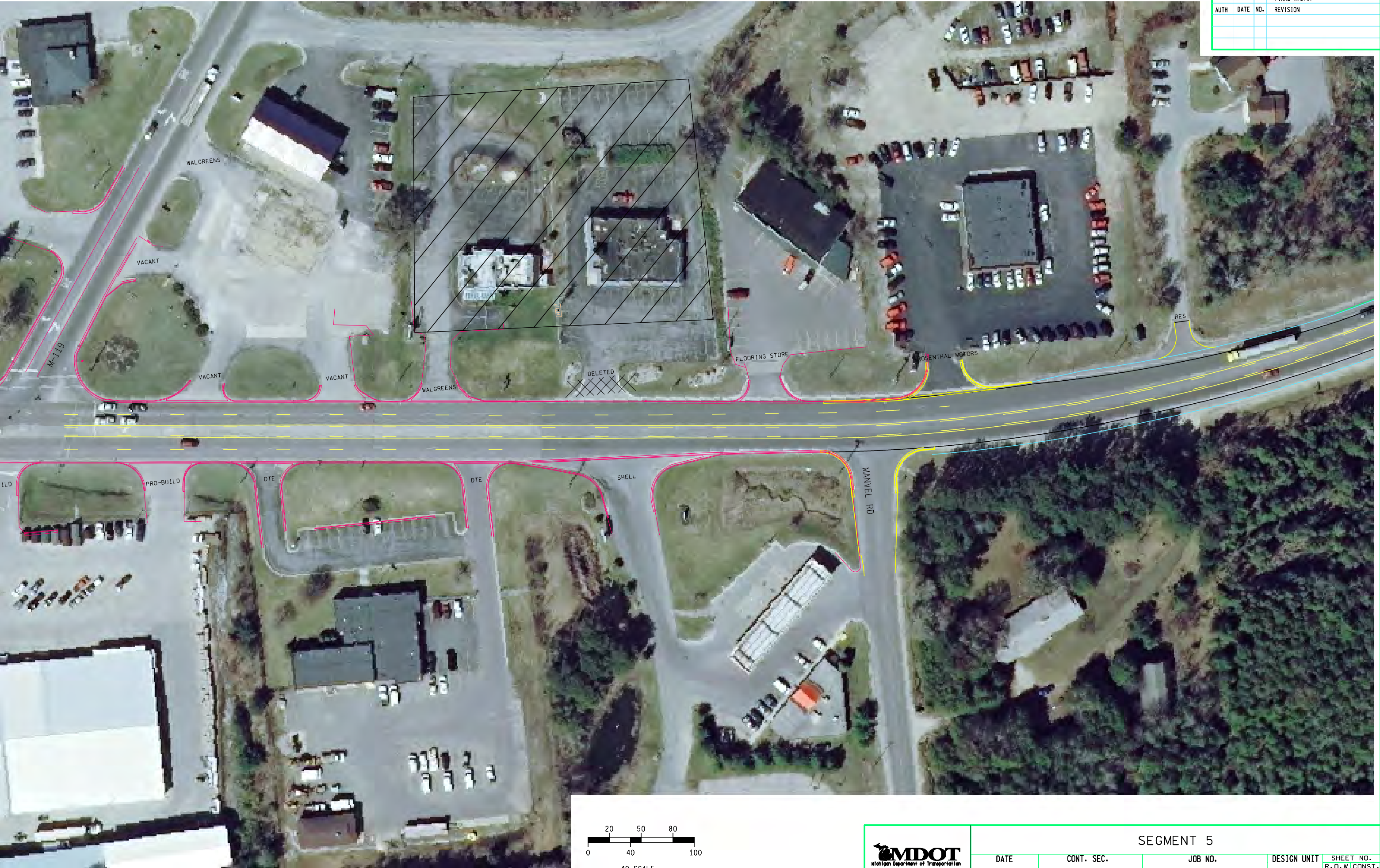
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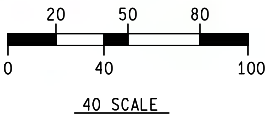
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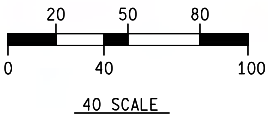
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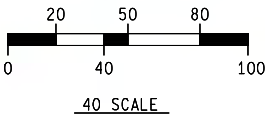
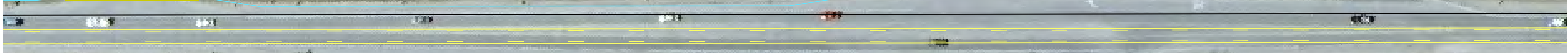



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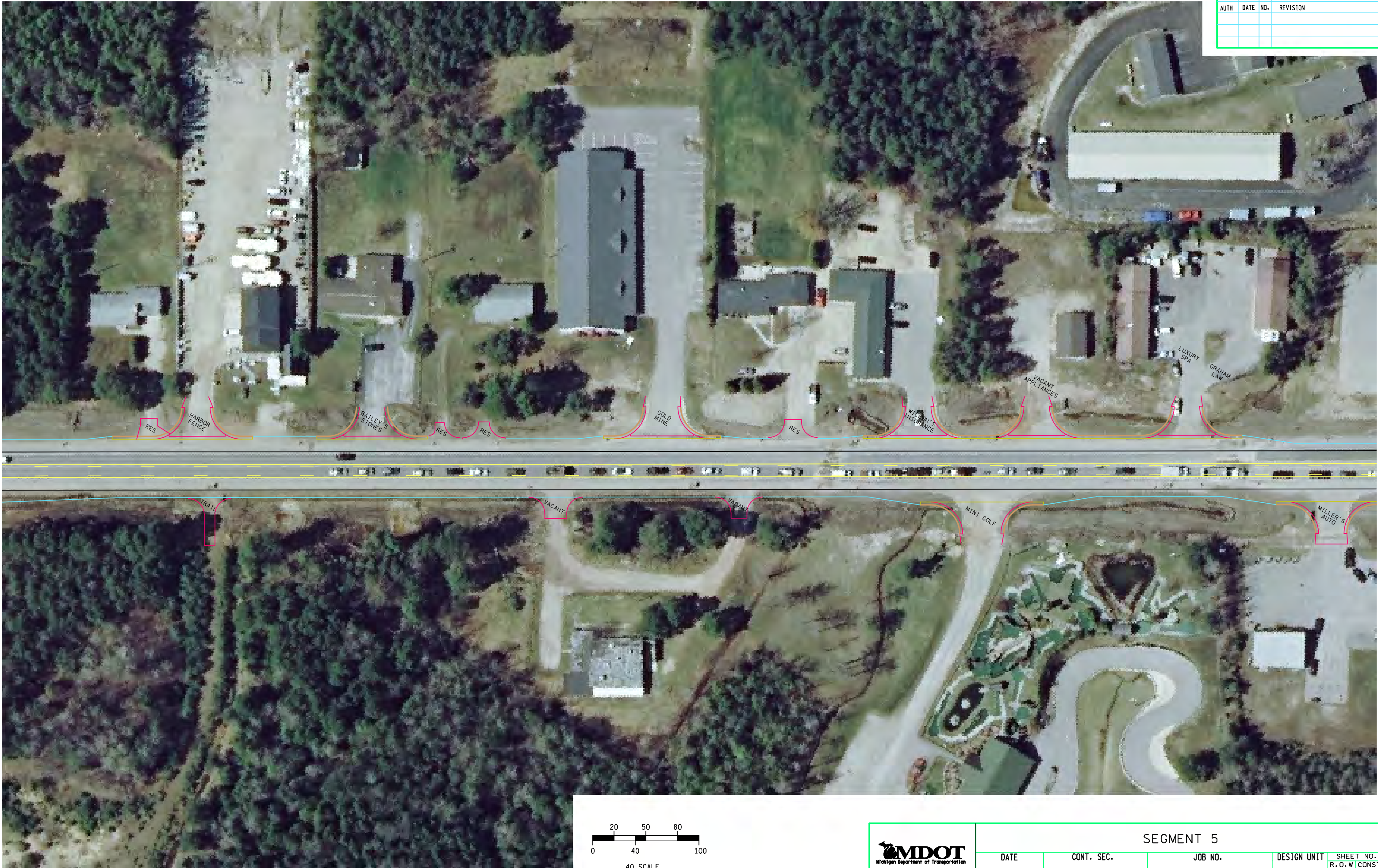
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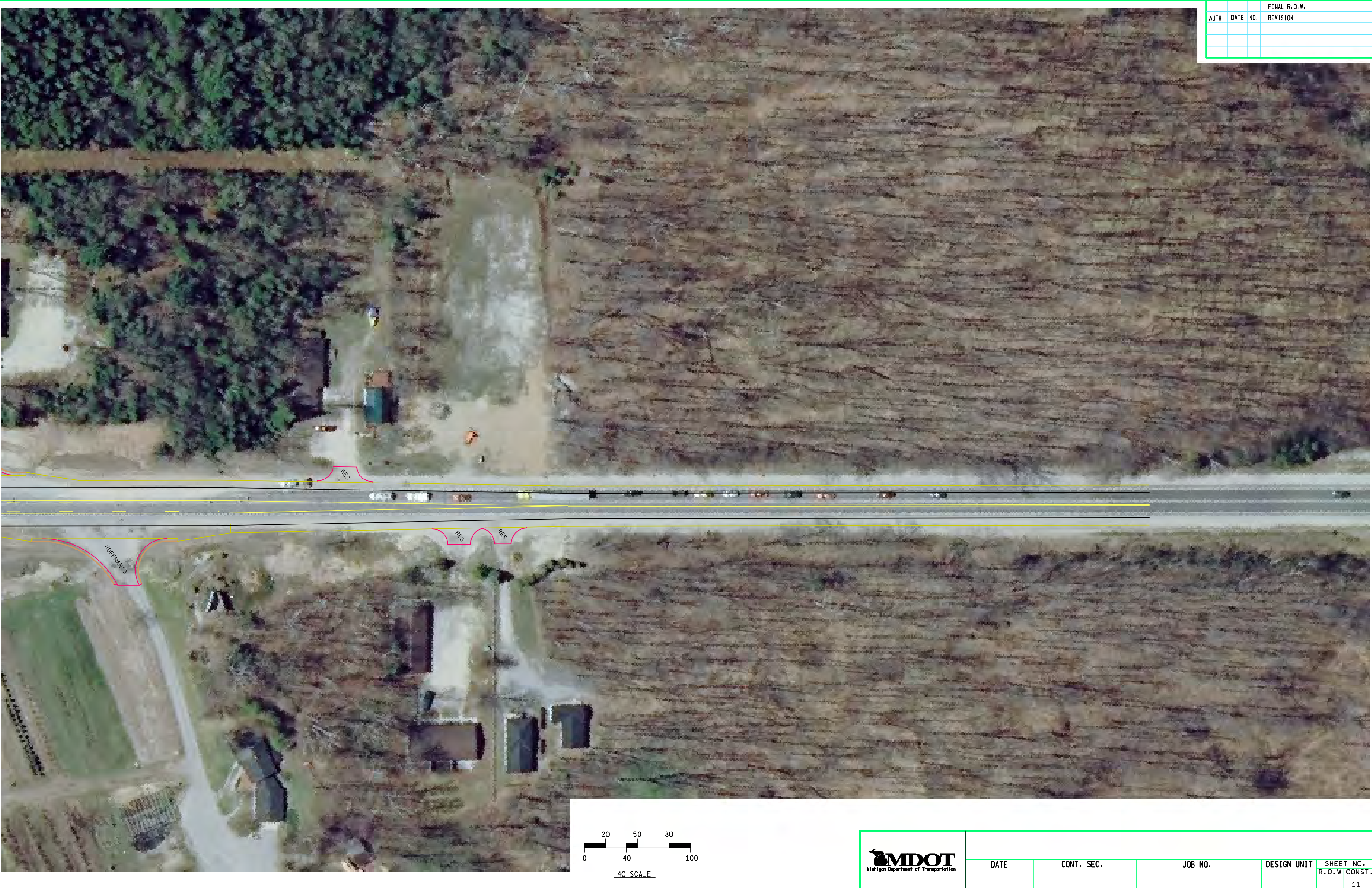
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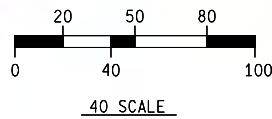
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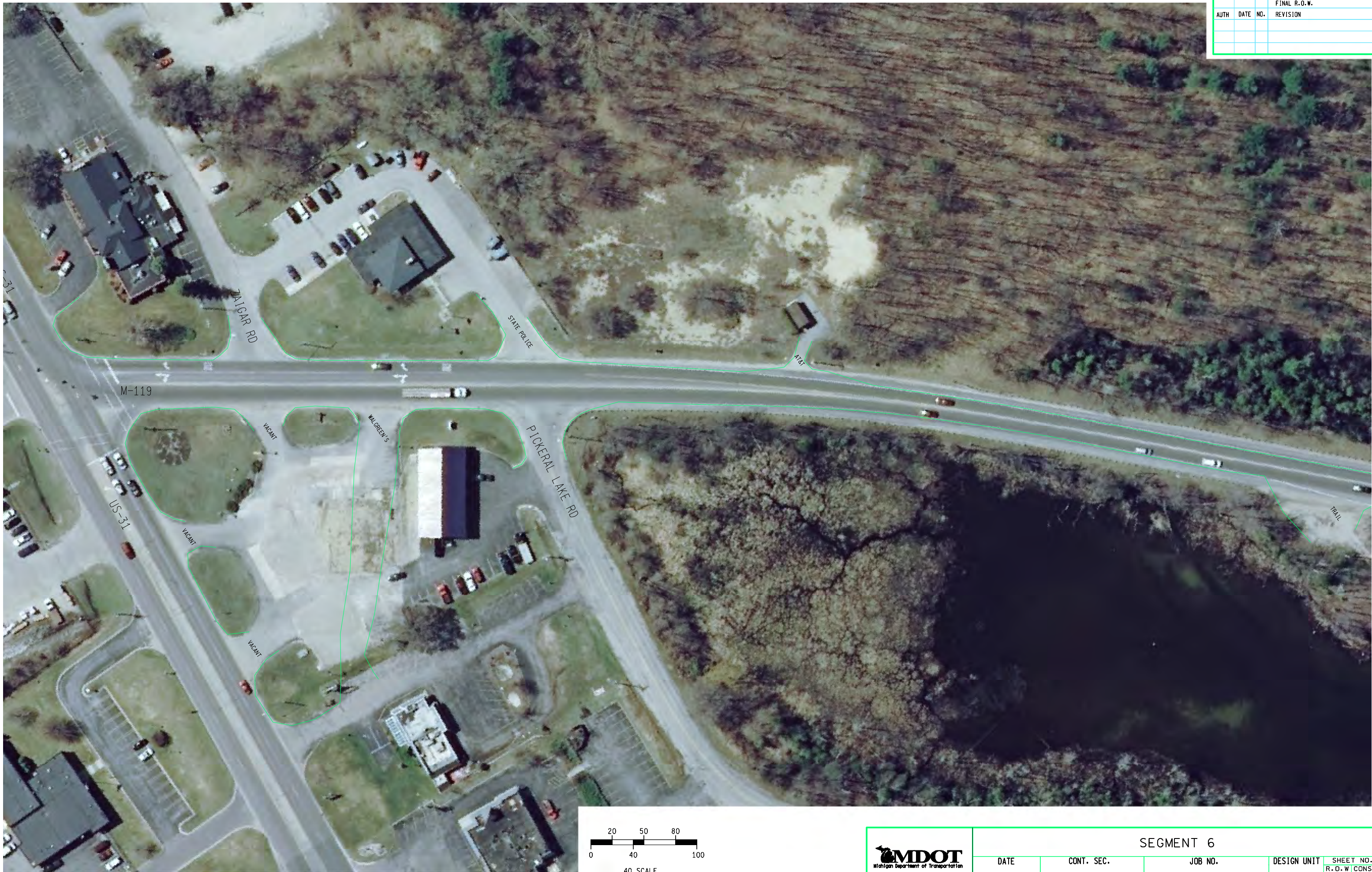
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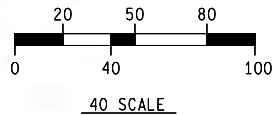
					
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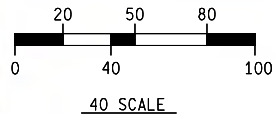
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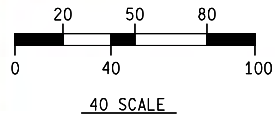
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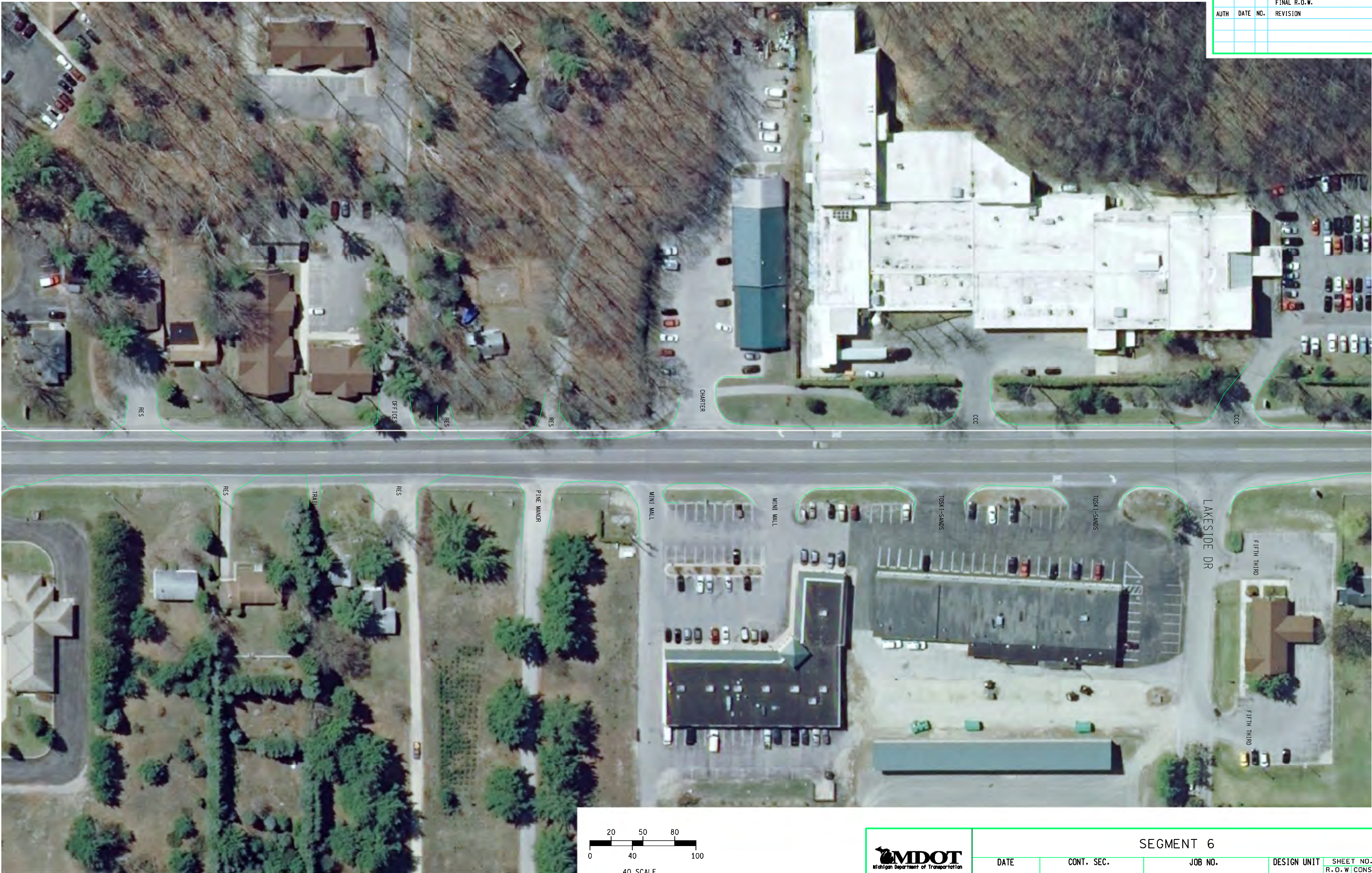


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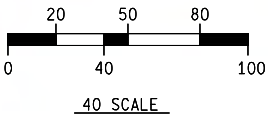




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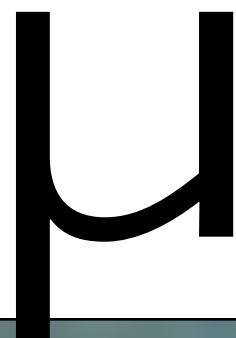
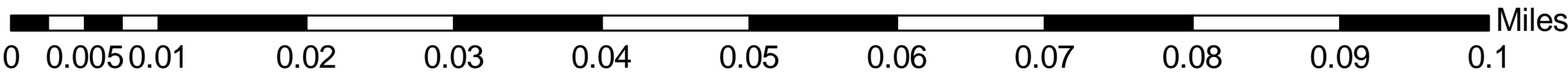
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Driveway Related Crash Study: Petoskey, Mitchell



Crashes were selected by:

- 1. Trunkline Non-Freeway
- 2. 2005 - 2009
- 3. Driveway Related Within 150' of Intersection or Driveway Related ( Area Codes 08 or 12 )

MGF V9      June 11, 2010      MRT

**Legend**

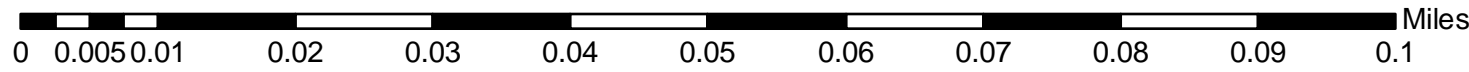
**Driveway Crash Points**

- D K & A Crashes
- D Other Crashes





Driveway Related Crash Study: Petoskey



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Crashes were selected by:  
1. Trunkline Non-Freeway  
2. 2005 - 2009  
3. Driveway Related Within 150' of Intersection or Driveway Related ( Area Codes 08 or 12 )  
MGF V9      June 11, 2010      MRT

**Legend**

**Driveway Crash Points**

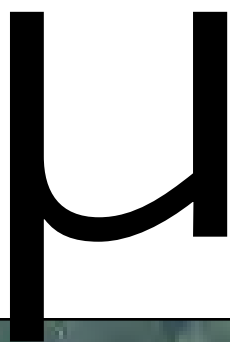
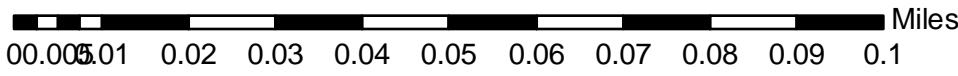
D K & A Crashes

D Other Crashes





# Driveway Related Crash Study: Petoskey, Division to M-119



Crashes were selected by:  
1. Trunkline Non-Freeway  
2. 2005 - 2009  
3. Driveway Related Within 150' of Intersection or Driveway Related ( Area Codes 08 or 12 )  
MGF V9      June 11, 2010      MRT

**Legend**

**Driveway Crash Points**

D

 K & A Crashes

D

 Other Crashes





## APPENDIX C (Page 1)

### ACCESS MANAGEMENT

Public Forum

Tuesday, July 13, 2010

3:00 PM & 6:00 PM

Community Center

Emmet County Fairgrounds

Petoskey, MI 49770

### MEETING COMMENTS

Presenters: Matt McCauley (Introduction & Wrap-up), Tom Doyle (MDOT – Access Management Principals), Justin Wing (MDOT – Current Conditions & Status of upcoming projects)

Governmental Representatives: Brian Gutowski (Emmet County Road Commission), Dennis Keiser (Bear Creek Township), Amy Tweeten (City of Petoskey), Brentt Michalek & Tammy Doernenburg (Emmet County)

Attendees: 28 attendees at the 3:00 PM meeting; 7 attendees at the 6:00 PM meeting

#### PUBLIC INPUT:

- Glen's Market Intersection – should be more lights – people speed through
- Turn lane on US-31 (through Bay Harbor) – can't pass when turn lane is put in – alternative: 5 lanes
- Should be more speed limit signs (so drivers know what the speed limit is since it varies)
- To address rear end collisions – suggest adding perpendicular lines which are spaced based on speed limit and indicate to drivers the distance they should be from the car in front – this has been done in eastern states
- To address commuters needs – should be crossings for bikers to cross highway (concerned with new plans at Division Road and US-31)
- Concerns with narrow lots – shared access may be difficult
- Would like bike path access (US-31 N)
- Pickerel Lake Road and US-31 – would a light really help? It's only congested a couple of hours per day
- Turnabouts should be used – at hospital on US-31
- Reduce traffic signals
- Hospital is the biggest employer with the most traffic and most accidents – accidents occur where turn lane stops – extend turn lane
- Mitchell Street bridge should be widened
- Bottlenecks occur driving west on US-31 by fairgrounds the speed limit sign increasing to 50 MPH should be moved (further to the west)
- Large vehicles should be required to be in the outside turn lane at the US-31/131 intersection
- US-31 – Manvel Road – 4 lanes should be extended past Manvel Road
- The Division Road changes are an improvement
- There should be a green right arrow at (SB) US-131 and Anderson Road
- Access management should have prevented the extra drive for Oleson's – the current situation is confusing
- The speed on US-31 should be maintained – not fluctuated between 45 and 55 MPH.
- Congestion near Graham Road – should have extended turn lane north
- Drivers use left turn lane for passing
- Drivers use right shoulder lane to pass
- Inquiry regarding bicycle path along US-31
- The examples used were all 4 and 6 lane roads – the real problem is that some of the roads are 2 lanes and some are 4 – they should all be increased to 4 lanes.
- Concerns about property rights and closing access
- Planning for future mass transit – bus drop locations should be identified
- Old Tannery Creek area – resident not interest in road closures that would increase traffic flow in residential areas
- All target areas should include bicycle lanes (more bike lanes = more bikes = less cars = less accidents)
- Reopen the sidewalk along SB US-31 north of Sunset Park
- Examine the low visibility of the traffic signal at US-31 and Mitchell Street – add a 3<sup>rd</sup> signal for better visibility when traveling north
- Comments were made on US-31 in Bay View (outside of the study area)
- Continue turning lane on M-119 from Toski Sands to State Park. Backups cause illegal passing at Chester Lane.
- Some notations were made on maps



## APPENDIX C (Page 2)

### ACCESS MANAGEMENT

#### Public Forum

Wednesday, September 15, 2010

6:00 PM

Bear Creek Township Hall

373 N Division Rd

Petoskey, MI 49770

### MEETING COMMENTS

**Presenters:** Matt McCauley (Introduction & Wrap-up), Garrett Dawe (MDOT), Justin Wing (MDOT), Amy Tweeten (City of Petoskey), Brentt Michalek (Emmet County)

**Government Representatives:** Dennis Keiser (Bear Creek Township), Tammy Doernenburg (Emmet County)

**Attendees:** 9 attendees including representatives from City of Petoskey, Bear Creek Township, Bay View Association, and property and business owners.

#### PUBLIC INPUT:

##### Comments made during discussion:

- All drawings show accesses along the highway closed. It is not good for business to close existing access points.
- Property could be for sale and by showing the closing of a driveway it may not be good for selling the property.
- Some businesses are marginalized because people have difficulty accessing a business.
- There are examples of units of government working together with property owners to create safer access points. An example is at the Holiday Gas Station. The property owner worked with the township and MDOT to close the western most access. The business owner recognizes the benefits, and the closure will occur in conjunction with a state road project.
- People drive by businesses during busy times because they cannot get back onto the main road.
- This concept occurs through cooperative communication with property owners and government agencies. It can only be required if a change of use occurs.
- Roundabouts are costly, and they require a large amount of land. That needs to be evaluated wherever a roundabout is proposed. Is it cost effective at M-119 and US-31?

##### Notes written on maps:

###### Segment 1:

- Possibly create driveways for All-phase and Fletch's off of Greenwood Road.
- At the east Burger King drive, modify the driveway to allow people exiting the drive-thru to make a right turn onto westbound US-31.
- Completely remove Walgreen's drive onto US-31 instead of making it a right-in/right-out only drive. Then possibly add another drive on McDowell closer to US-31 to still attract drive-by traffic, or move the existing McDowell drive closer to US-31.
- Possibly make Walgreen's drive on US-31 right-in only (no out traffic at all).

###### Segment 2:

- Make Jackson St. intersection with US-31 (west leg) a right-in/right-out only and/or make Jackson Street one-way westbound from US-31.
- The pedestrian crossing shown at Madison St would be unfriendly for pedestrians because they would have to wait a signal cycle on the median. This would be especially bad in inclement weather.

###### Segment 4:

- Left turns should be allowed from northbound Division Rd. onto westbound (southbound) US-31. "Bay View residents don't want folks going through their streets"
- Put a sidewalk on the south side of US-31 from Bay View to M-119, along the golf course and then connecting the businesses.
- Add another possible bike path from Little Traverse Wheelway southerly along the east side of Glen's past the bike shop and out to US-31.
- Extend Manvel Rd. to E. Mitchell Rd. and on to Atkins Road.
- The Taco Bell drive, just east of Spicy Bob's should be "no left turn" coming out.

##### Unrelated to segments

The wheelway at Townline Rd. (Charlevoix County line?) currently runs onto Townline road for a short way while crossing the road, i.e. the bike path approaches to the road are offset by 20 yds or more. The path should cross Townline road perpendicular, then offset to the south to avoid confusion and mixing with vehicles on Townline Rd.



## APPENDIX D

Issues Addressed by MDOT between July 2010 and September 2010 Meetings		
Concern	Investigation	Action Taken
Glen's Driveway (US-31 Bear Creek Township) needs more lights	Found trees needed to be trimmed and created poor visibility around curve	Trees have been trimmed
US-31 @ Mitchell Street traffic signal poor visibility	Slight crash pattern, but not serious – visibility is an issue	Signal to be upgraded in 2012
US-31 @ US-131 (Spring Street) Large vehicles should be required to use outside lane when turning left	Studied data - found 2 crashes in last 5 years related to this turning movement – none involving trucks	No action required
Speed limits seem excessive	Reviewed number of signs	New signs installed in October
The speed limit should be consistent	Speed limit is representative of drive behavior and is relatively consistent on both corridors	No action necessary



## APPENDIX E

### SAMPLE ACCESS MANAGEMENT REGULATIONS

#### ARTICLE \_\_\_\_ Section 2.0 Purpose, Intent and Application

A. The purpose of this Article is to establish minimum regulations for access to property along the US 31 corridor through the City of Petoskey. Standards are established for driveways, shared access, and parking lot cross-access. The standards of this Article are intended to promote safe and efficient travel within the City of Petoskey; minimize disruptive and potentially hazardous traffic conflicts; ensure safe access by emergency vehicles; protect the substantial public investment in the street system by preserving capacity and avoiding the need for unnecessary and costly reconstruction which disrupts business and traffic flow; separate traffic conflict areas by reducing the number of driveways; provide safe spacing standards between driveways and between driveways and intersections; improve pedestrian access; provide for shared access between abutting properties; implement the City of Petoskey Master Plan and the US 31 and M119 Access Management Plan recommendations; ensure reasonable access to properties, though not always by the most direct access; and to coordinate access decisions with the Michigan Department of Transportation.

B. The standards in this Article are based on traffic analysis of the US 31 corridor by the City of Petoskey and the Michigan Department of Transportation (MDOT). This analysis demonstrates that the combination of roadway design, traffic speeds, traffic volumes, traffic crashes and other characteristics necessitate special access standards. The standards in this Article apply to private and public land along the US 31 corridor road rights-of-way which are under the jurisdiction of the City of Petoskey or the Michigan Department of Transportation (MDOT) and included in the US 31 and M-119 Access Management Plan.

C. The standards of this Article shall be applied by the Zoning Administrator during basic site plan review and by the Planning Commission during site plan review, as is appropriate to the application. The Planning Commission shall make written findings of nonconformance, conformance, or conformance if certain conditions are met with the standards of this Article prior to disapproving or approving a site plan per the requirements of Section 1717. The City of Petoskey shall coordinate its review of the access elements of a plot plan or site plan with the appropriate road authority prior to making a decision on an application (see D. below). The approval of a plot plan or site plan does not negate the responsibility of an applicant to subsequently secure driveway permits from the appropriate road authority, either the City of Petoskey or the Michigan Department of Transportation.. Any driveway permit obtained by an applicant prior to review and approval of a plot plan or site plan that is required under this Ordinance will be ignored.

D. Neither the Zoning Administrator nor the Planning Commission shall take action on a request for a new road, driveway or driveway location, shared access, or a service drive that connects to a public road without first consulting the City of Petoskey Department of Public Works or the Michigan Department of Transportation. To ensure coordination, applicants are required to submit a plot plan, site plan or a tentative preliminary plat concurrently to both the City of Petoskey and the Michigan Department of Transportation as applicable. Complete applications shall be received at least 14 days before the Planning Commission meeting at which the site plan is to be received. If the initial review of the application by the Zoning Administrator reveals noncompliance with the standards of this Article, or if the proposed land use exceeds the traffic generation thresholds in Section \_\_\_\_, then the Zoning Administrator shall require submittal of a traffic impact study as described below prior to consideration of the application by either the Zoning Administrator or the Planning Commission.

1. At a minimum the traffic study shall contain the following:
  - a. Analysis of existing traffic conditions and/or site restrictions using current data.
  - b. Projected trip generation at the subject site or along the subject service drive based on the most recent edition of the Institute of Transportation Engineers Trip Generation manual.
  - c. Illustrations of current and projected turning movements at access points. Include identification of the impact of the development and its proposed access on the operation of the abutting streets.



Capacity analysis shall be completed based on the most recent version of the Highway Capacity Manual published by Transportation Research Board, and shall be provided in an appendix to the traffic impact study.

- d. Description of the internal vehicular circulation and parking system for passenger vehicles and delivery trucks, as well as the circulation system for pedestrians, bicycles and transit users.
  - e. Justification of need, including statements describing how the additional access will meet the intent of this Section, will be consistent with the US 31 and M-119 Access Management Plan and the City of Petoskey Master Plan, will not compromise public safety and will not reduce capacity or traffic operations along the roadway.
  - f. Qualifications and documented experience of the author, describing experience in preparing traffic impact studies in Michigan. The preparer shall be either a registered traffic engineer (P.E.) or transportation planner with at least three (3) years of experience preparing traffic impact studies in.. If the traffic impact study involves geometric design, the study shall be prepared or supervised by a registered engineer with a strong background in traffic engineering.
2. The City of Petoskey may utilize its own traffic consultant to review the applicant's traffic impact study, with the cost of the review being borne by the applicant per Section \_\_\_\_.

E. Failure by the applicant to begin construction of an approved road, driveway, shared access, service drive or other access arrangement within twelve (12) months from the date of approval, shall void the approval and a new application is required.

F. The Department of Public Works Construction Supervisor shall inspect the driveway as constructed for conformance with the City of Petoskey Construction Standards, the standards of this Ordinance and any approval granted under it, prior to an occupancy permit being issued.

## **Section 2.1 Identification of Corridor Overlay Zone**

The US 31 Corridor through the City of Petoskey is defined as those properties that abut and are within 150 feet of the US 31 highway right-of-way. The following regulations super-cede otherwise applicable regulations of the specific districts beneath the overlay zone.

## **Section 2.2 Driveway and Related Access Standards**

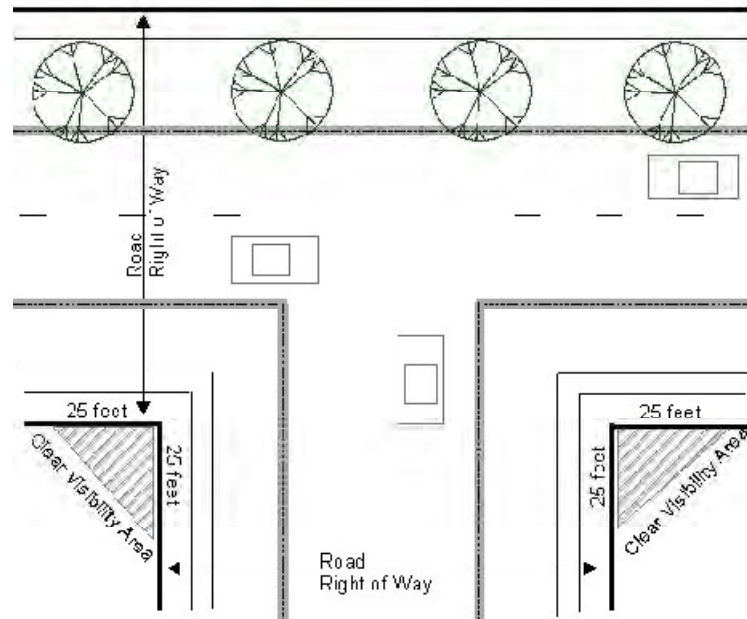
All lots hereafter created and all structures hereafter created, altered or moved on property with frontage on or access to a public road or street that is subject to regulation per Section 2.1, shall conform with the following requirements:

### **A. Access Location Standards**

1. Access Point Approval - No access point shall connect to a public street or road, without first receiving approval of the location and cross-section specifications from the City of Petoskey or the Michigan Department of Transportation. No access point shall connect to a private road unless approved by the Planning Commission and by the parties with an ownership interest in the private road. Any private road or access easement shall be recorded with the County Register of Deeds that meets the requirements of this Article. Contiguous properties under one ownership or consolidated for unified development will be considered one parcel for purposes of this Article.
2. Minimum Lot Width - Except for existing lots of record, all lots fronting on a major arterial, arterial or collector subject to this Article, shall not be less than 150 feet in width, unless served by shared access or a service drive that meets the requirements of Section 2.3, in which case minimum lot width may be reduced per the requirements of Section 2.6.
3. Clear Vision – All access points shall maintain clear vision as illustrated in Figure 2.1 and driveways shall be located so as not to interfere with safe intersection sight distance as determined by the appropriate road authority (see Table 2.2-1).



**Figure 2.1**



4. **Street Structures** - No driveway shall interfere with municipal facilities such as street light or traffic signal poles, signs, fire hydrants, cross walks, bus loading zones, utility poles, fire alarm supports, drainage structures, or other necessary street structures. The Department of Public Works Construction Supervisor is authorized to order and effect the removal or reconstruction of any driveway which is constructed in conflict with street structures. The cost of reconstructing or relocating such driveways shall be at the expense of the abutting property owner.
5. **Factors for Driveway Access Location** - At a minimum, the following factors shall be considered prior to making a decision on the location of a driveway or other access point:
  - a. The characteristics of the proposed land use;
  - b. The existing traffic flow conditions and the future traffic demand anticipated by the proposed development on the adjacent street system;
  - c. The location of the property;
  - d. The size of the property;
  - e. The orientation of structures on the site;
  - f. The minimum number of driveways or other access points needed to accommodate anticipated traffic based on a traffic analysis, as determined by the community and road agency. Such finding shall demonstrate traffic operations and safety along the public street would be improved (or at least not negatively affected), and not merely that another access point is desired for convenience;
  - g. The number and location of driveways on existing adjacent and opposite properties;
  - h. The location and functional classification of abutting streets or roads and the carrying capacity of nearby intersections;
  - i. The proper geometric design of driveways;
  - j. The spacing between opposite and adjacent driveways and from any nearby intersection;
  - k. The internal circulation between driveways and through parking areas;
  - l. The size, location and configuration of parking areas relative to the driveways; and
  - m. The speed of the adjacent roadway.
6. **Access Point Location** - Each access point location shall be consistent with the US 31/ M119 Access Management Plan that has been adopted by the City of Petoskey.
7. **Access Points within Right-of-Way** - Driveways including the radii but not including right-turn lanes, passing lanes and tapers, shall be located entirely within the right-of-way frontage, unless



otherwise approved by the road agency and upon written certification from the adjacent land owner agreeing to such encroachment.

8. Relationship to Lot Line - No part of a driveway shall be located closer than five (5) feet from a lot line unless it is a common or shared driveway as provided in Section 2.2 F. This separation is intended to help control storm water runoff, permit snow storage on site, and provide adequate area for any necessary on-site landscaping.
9. Existing Driveways – Except for shared driveways, existing driveways that do not comply with the requirements of this Article shall be closed when an application for a change of use requiring a zoning permit or a site plan requiring approval under Section \_\_\_\_ is submitted and once approval of a new means of access under this Article is granted. A closed driveway shall be graded and landscaped to conform with adjacent land and any curb cut shall be filled in with curb and gutter per the standards of the applicable road authority (see also Section 2.5).  
Driveways shall be located so as not to interfere with safe intersection sight distance as determined by the appropriate road authority (see Table 2.2-3).

#### B. Number of Driveways Permitted

1. Access for an individual parcel, lot, or building site or for contiguous parcels, lots or building sites under the same ownership shall consist of either a single two-way driveway or a paired system wherein one driveway is designed, and appropriately marked, to accommodate ingress traffic and the other egress traffic.
2. One driveway shall be permitted for each single and two-family residential lot or parcel.
3. A temporary access permit may be issued for field entrances per Section 2.4, for uses at which no one resides or works such as cellular towers, water wells, pumping stations, utility transformers, and similar uses. Field-entrance and utility-structure driveways will be reviewed on a case-by-case basis. The review shall take into account the proximity of the adjacent driveways and intersecting streets, as well as traffic volumes along the roadway.
4. For a parcel, lot, or building site with frontage exceeding 500 feet, or where a parcel, lot, or building site has frontage on at least two streets, an additional driveway may be allowed, provided that a traffic impact study is submitted by the applicant showing that conditions warrant an additional driveway and that all driveways meet the spacing requirements.
5. Certain developments generate enough traffic to warrant consideration of an additional driveway to reduce delays for exiting motorists. Where possible, these second access points should be located on a side street or service drive, or shared with adjacent uses, or designed for right-turn-in, right-turn-out only movements and shall meet the spacing requirements of this ordinance. In order to be considered for a second driveway on an arterial or collector street combined approach volumes (entering and exiting) of a proposed development shall exceed 100 directional trips during the peak hour of traffic and a traffic impact study shall be performed.
6. When alternatives to a single, two-way driveway are necessary to provide reasonable driveway access to property fronting on an US 31 and shared access or a service drive are not a viable option the following progression of alternatives should be used:
  - a. One (1) standard, two-way driveway;
  - b. Additional ingress/egress lanes on one (1) standard, two-way driveway;
  - c. Two (2), one-way driveways;
  - d. Additional driveway(s) on an abutting street with a lower functional classification;

#### C. Access Point Spacing Standards

1. Separation from Other Driveways
  - a. The minimum spacing between unsignalized driveways and other access points shall be determined based upon posted speed limits along the parcel frontage unless the appropriate road authority approves less based on the land use and restricted turns in the driveway design. The minimum spacing indicated below are measured from the centerline of one driveway to the centerline of another driveway. For sites with insufficient road frontage to meet the table below,



the Planning Commission shall require one of the following: construction of the driveway along a side street, a shared driveway with an adjacent property, construction of a driveway along the property line farthest from the intersection, or a service drive as described in Section 2.3. The Planning Commission may grant temporary access approval (see Section 2.4) until such time as minimum spacing requirements can be met or alternative access meeting the requirements of this ordinance is approved.

Table 2.2-1

Posted Speed Limit (MPH)	Minimum Access Spacing between Adjacent Access Points (Feet)*
25	130
30	185
35	245
40	300

2. Access Point Separation from Intersections - All one and two-family driveways shall be separated from the nearest right-of-way of an intersecting street by at least 50 feet.. Driveways for all other land uses shall be separated from the nearest right-of-way of an intersecting street according to Table 2.2-2 below:
  - a. Access point spacing from intersections shall be measured from the centerline of the driveway to the extended edge of the travel lane on the intersecting street, unless otherwise noted.
  - b. The minimum distance between an access point and an intersecting street shall be based on Figure 2-1 and the following:

Table 2.2-2

**Minimum Access Point Spacing from Street and Other Intersections\***

Location of Access Point	Minimum Spacing for a Full Movement Driveway or other Access Point	Minimum Spacing for a Driveway Restricting Left-turns (channelized for right-turn-in and right-turn-out only)
Along a Collector	125 feet	75 feet
Along a Local Street or Private Road	75 feet	50 feet

\*Collectors are as classified in the City of Petoskey Master Plan.

- c. If the amount of lot frontage is not sufficient to meet the above criterion, the driveway shall be constructed along the property line farthest from the intersection to encourage future shared use, and/or a frontage road or rear service drive shall be developed as described in Section 2.3.
- d. For parcels on which an alternative means of access (shared driveway, frontage road, service drive or connected parking lots) is not feasible due to parcel size or existing adjacent development, the Planning Commission may allow a non-channelized, full movement driveway provided that:
  1. the driveway is spaced no closer to the intersection than the minimum spacing allowed for a right-turn-in, right-turn-out driveway; and
  2. a traffic study conducted by a registered traffic engineer shows a right-turn-in, right-turn-out driveway does not provide reasonable access or desired safety; and



3. a traffic study, conducted by a registered traffic engineer, provides substantial justification that the driveway operation will not create safety problems at the adjacent intersection.

#### D. Driveway Design and Construction Standards

##### 1. Driveway or Throat Width

- a. No single or two-family driveway shall have a width less than nine (9) feet or more than sixteen (16) feet at the public road right-of-way. The driveway opening, including flares, shall not be more than 1.5 times the width of the driveway at the right-of-way line.
- b. The typical commercial driveway design shall include one ingress lane and one egress lane with a combined maximum throat width of thirty (30) feet, measured from face to face of curb (see Figure 2-2a).
- c. Where exit traffic volumes are expected to exceed 100 directional trips per peak hour, or in areas where congestion along the arterial may create significant delays, as determined by the Planning Commission, two exit lanes shall be required. The total width of such a driveway shall be between 37 and 39 feet, with one 15 foot wide ingress lane and two 11-12 foot wide egress lanes (See Figure 2-2b).
- d. For access systems which include a pair of one-way driveways, each driveway shall be a minimum of sixteen (16) feet wide, measured perpendicularly (See Figure 2-2c).
- e. As an alternative to (d) above, the driveway may be designed with a fully curbed median dividing the ingress and egress driveways, with a maximum median width of ten feet. The radii forming the edges on the median shall be designed to accommodate the largest vehicle that will normally use the driveway. Where median or boulevard driveways are located across the street from each other, the left-turn egress lanes shall be aligned directly across from one another to minimize left-turn conflicts (see Figure 2-2d). Boulevard driveways should not be constructed at existing or future traffic signal locations unless there is a left-turn lane where the boulevard meets the road right-of-way. Ground or monument signs shall not be permitted in boulevards if they would block motorist vision or otherwise create an unsafe condition. The Planning Commission may require landscaping on the portion of the boulevard outside the public right-of-way. Such landscaping shall use salt tolerant species.

##### 2. Restricted Access Driveways-

Left and right-turn movements on and off roadways typically have the greatest impact on traffic flow and crash frequency. Therefore, where driveways are to be located in a segment defined in adopted corridor studies as having a high crash rate or significant traffic congestion/delays, or where left-turn access is available through alternative means of access, the Planning Commission may require driveway design and signing which discourages certain turning movements. Where driveways are intended to control specific left and/or right-turn ingress and egress, the designs shown in Figure 2-3 shall apply. Similar designs shall be accepted, provided that they are approved by the Michigan Department of Transportation and/or the City of Petoskey.

3. Throat Length or Vehicle Stacking/Storage Space- There shall be a minimum of twenty (20) feet of throat length for entering and exiting vehicles at the intersection of a driveway and pavement of the public road or service drive as measured from the pavement edge. For driveways serving between one-hundred (100) and four-hundred (400) vehicles in the peak hour (two-way traffic volumes) the driveways shall provide at least sixty (60) feet of throat length. For driveways serving over four-hundred (400) vehicles per peak hour (two-way traffic volume) and for all driveways controlled by a traffic signal, adequate throat length shall be determined by a traffic impact study. In areas where significant pedestrian/bicycle travel is expected, the ingress and egress lanes should be separated by a 4-10 feet wide median with pedestrian refuge area. In the absence of adequate traffic volume data, application of the commonly used values in Table 2.2-4 is appropriate.

##### 4. Construction Standards

###### a. Curb radii:

1. Driveways shall be designed with minimum 25 foot radii where primarily passenger vehicle traffic is expected.



2. For sites where truck traffic is expected, the driveways shall be designed with a minimum 30 foot radius unless a traffic analysis by a qualified traffic engineer reveals another radius is more appropriate for the vehicles expected to use the driveway.
- b. Deceleration lanes and tapers:
  1. Where it can be demonstrated that driveway volumes are expected to exceed 100 peak hour directional trips per hour, a right-turn taper, deceleration lane and/or left-turn bypass lane may be required. [SEE MDOT TRAFFIC AND SAFETY DIVISION NOTES #7.3 AND #7.5 AND DESIGN GUIDE VII-650C IN APPENDIX D.]
  2. Where site frontage allows and a right-turn lane is warranted, a taper between 50 and 225 feet may be required. See example in Figure 2-4a. [SEE MDOT DESIGN GUIDE VII-650C IN APPENDIX D.]
  3. Where the amount of frontage precludes the construction of a deceleration lane and taper combination entirely within the property lines of a parcel, a request shall be made to the owner of the parcel to allow the installation of a right-turn bay and taper which extends beyond the property line. If permission cannot be obtained from the adjacent property owner for an extension onto that parcel, a taper of at least 75 feet shall be constructed as shown in Figure 2-4b.
  4. A continuous right-turn lane, as shown in Figure 2-4c may be required where driveway spacing requirements restrict the use of consecutive turn bays and tapers, and a traffic engineer concludes it can be constructed without being used as a through lane.
  5. For driveways located along streets without an exclusive left-turn lane, a bypass lane may be required. Such a lane shall be designed to the standards in the Michigan Department of Transportation, Traffic and Safety Notes # 7.7 and as shown in Figure 2-4d.
- c. Grades and drainage
  1. Driveways shall be constructed such that the grade for the 25 feet nearest the pavement edge or shoulder does not exceed 1.5% (one and one-half foot vertical rise in one-hundred feet of horizontal distance) wherever feasible. Where not feasible, grades shall conform with Figure 2-5. [MDOT DESIGN GUIDE, VII-680A, SHEET 3 IN APPENDIX D.]:
  2. Vertical curves, with a minimum length of 15 feet shall be provided on driveway approaches at a change in grade of 4% or more. [SEE MDOT RULE 63(E) OF THE ADMINISTRATIVE RULES TO ACT 200 IN APPENDIX D.]
  3. Driveways shall be constructed such that drainage from impervious areas located outside of the public right-of-way, which are determined to be in excess of existing drainage from these areas shall not be discharged into the roadway drainage system absent the approval of the responsible agency. Storm drains, or culverts, if required shall be of a size adequate to carry the anticipated storm flow and be constructed and installed pursuant to the specifications of the responsible road authority.
- d. Surface and Curb Construction -

Commercial and all other nonresidential driveways shall be constructed of a permanent asphalt or concrete material sufficient to provide the bearing capacity needed to carry the anticipated traffic loads as determined by the appropriate road authority unless the road authority approves use of another material. Where a driveway connects with a curbed road, it shall be paved and curbed from the edge of pavement to either the right-of-way line or point of curvature of the radius returns. [SEE MDOT RULES 51 AND 52 OF ADMINISTRATIVE RULES TO ACT 200 IN APPENDIX D.] All soil erosion and sedimentation requirements shall be met.
- e. Directional Signs and Pavement Markings -

In order to ensure smooth traffic circulation on the site, direction signs and pavement markings shall be installed at the driveway(s) in a clearly visible location as required by the City of



Petoskey as part of the site plan review process and approved by the Michigan Department of Transportation, and shall be maintained on a permanent basis by the property owner.

#### E. Shared Access

Shared access is strongly encouraged and in some cases may be required. When required, one or more of the following options, and the standards of Section 2.3 apply.

1. Shared Driveways: In cases where access is restricted by the spacing requirements of Section 2.2.D, "Access Point Spacing Standards", a shared driveway may be the only access design allowed. The shared driveway shall be constructed along the midpoint between the two properties unless a written easement is provided which allows traffic to travel across one parcel to access another, and/or access the public street.
2. Frontage Roads: In cases where a frontage road exists, is recommended either in the City of Petoskey Master Plan or in an adopted corridor study, and/or is proposed in an approved site plan for an adjoining lot or parcel, access shall be provided via such frontage road, rather than by direct connection to the abutting arterial street.
3. Rear Service Drives: Rear service drives shall be encouraged, especially for locations where connection to a side street is available. In addition to access along the rear service drive, direct connection(s) to the arterial street may be allowed, provided that the driveways meet the requirements of Section 2.2.B, "Number of Driveways", and 2.2.C, "Access Point Spacing Standards."

#### F. Parking Lot Connections

Where a proposed parking lot is adjacent to an existing parking lot of a similar use, there shall be a vehicular connection between the two parking lots where physically feasible, as determined by the Planning Commission. For developments adjacent to vacant properties, the site shall be designed to provide for a future connection. A written access easement signed by both landowners shall be presented as evidence of the parking lot connection prior to the issuance of any final zoning approval.

#### G. Access Easements

Shared driveways, cross access driveways, connected parking lots, and service drives shall be recorded as an access easement and shall constitute a covenant running with the land. Operating and maintenance agreements for these facilities should be recorded with the deed.

### **Section 2.3 Service Drives and Other Shared Access Standards**

A. The use of shared access, parking lot connections and service drives, in conjunction with driveway spacing, is intended to preserve traffic flow along major thoroughfares and minimize traffic conflicts, while retaining reasonable access to the property. Where noted above, or where the Planning Commission determines that restricting new access points or reducing the number of existing access points may have a beneficial impact on traffic operations and safety while preserving the property owner's right to reasonable access, then access from a side street, a shared driveway, a parking lot connection, or service drive connecting two or more properties or uses may be required instead of more direct connection to the arterial or collector street. However, where traffic safety would be improved, and the driveway spacing requirements of this ordinance can be met, then direct connection to the arterial or collector street may be allowed in addition to a required service drive.

1. In particular, shared access, service drives or at least a connection between abutting land uses may be required in the following cases:
  - a. Where the driveway spacing standards of this section can not be met.
  - b. Where recommended in the City of Petoskey Access Management Plan and/or other corridor or sub-area master plans of the City of Petoskey.
  - c. When the driveway could potentially interfere with traffic operations at an existing or planned traffic signal location.



- d. The site is along a collector or arterial with high traffic volumes, or along segments experiencing congestion or a relatively high number of crashes.
  - e. The property frontage has limited sight distance.
  - f. The fire (or emergency services) department recommends a second means of emergency access.
2. In areas where frontage roads or rear service drives are recommended, but adjacent properties have not yet developed, the site shall be designed to accommodate a future road/facility designed according to the standards of this Section. The Planning Commission may approve temporary access points where a continuous service drive is not yet available and a performance bond or escrow is accepted to assure elimination of temporary access when the service road is constructed. (See Section 2.4 Temporary Access Permits).

B. Notwithstanding the requirements of the City of Petoskey Land Division Ordinance, the standards for all service drives shall be as follows:

1. Site Plan Review - The Planning Commission shall review and approve all service drives to ensure safe and adequate continuity of the service drive between contiguous parcels as part of the site plan review process.
2. Front and Rear Service Drives - A front or rear service drive may be established on property which abuts only one public road. The design of a service road shall conform with national design guidelines such as those identified in the National Access Management Manual by TRB, the AASHTO "Green Book", and National Cooperative Highway Research Program (NCHRP), "Access Management Guidelines to Activity Centers" Report 348 and "Impacts of Access Management Techniques" Report 420.
3. Location - Service roads shall generally be parallel to the front property line and may be located either in front of, or behind, principal buildings and may be placed in required yards. In considering the most appropriate alignment for a service road, the Planning Commission shall consider the setbacks of existing and/or proposed buildings and anticipated traffic flow for the site.
4. Width and Construction Materials - A service drive shall be within an access easement permitting traffic circulation between properties. The easement shall be recorded with the County Register of Deeds. This easement shall be at least forty (40) feet wide. A service drive shall have a minimum pavement width of 24 feet, measured face to face of curb with an approach width of \_\_\_\_\_ feet (*typically 36-39 feet*) at intersections. The service drive shall be constructed of a paved surface material that is resistant to erosion and shall meet the City of Petoskey standards for base and thickness of asphalt or concrete.
5. Snow Storage and Landscaping Area - A minimum of fifteen (15) feet of snow storage/landscaping area shall be reserved along both sides of the service drive. Frontage roads shall have a minimum setback of 30 feet from the right-of-way, with a minimum of 60 feet of storage at the intersection for entering and exiting vehicles as measured from the pavement edge (See Figure 2-6a).
6. Distance from Intersection on Service Drives - Frontage road and service drive intersections at the collector or arterial street shall be designed according to the same minimum standards as described for driveways in Section 2.2.D.2.
7. Driveway Entrance - The Planning Commission shall approve the location of all accesses to the service drive, based on the driveway spacing standards of this Article. Access to the service drive shall be located so that there is no undue interference with the free movement of service drive and emergency vehicle traffic, where there is safe sight distance, and where there is a safe driveway grade as established by the applicable road authority.
8. Driveway Radii - All driveway radii shall be concrete curbs and conform with the requirements of Section 2.2.E.4.
9. Acceleration Lanes and Tapers - The design of the driveway, acceleration, deceleration or taper shall conform with the requirements of Section 2.2.E.4.
10. Elevation - The elevation of a service drive shall be uniform or gently sloping between adjacent properties.
11. Service Drive Maintenance - No service drive shall be established on existing public right-of-way. The service drive shall be a public street (if dedicated to and accepted by the public), or a private



road maintained by the adjoining property owners it serves who shall enter into a formal agreement for the joint maintenance of the service drive. The agreement shall also specify who is responsible for enforcing speed limits, parking and related vehicular activity on the service drive. This agreement shall be approved by the City of Petoskey attorney and recorded with the deed for each property it serves by the County Register of Deeds. If the service drive is a private road, the local government shall reserve the right to make repairs or improvements to the service drive and charge back the costs directly or by special assessment to the benefiting landowners if they fail to properly maintain a service drive.

12. Landscaping - Landscaping along the service drive shall conform with the requirements of Section \_\_\_\_\_ (*reference applicable landscaping standards*). Installation and maintenance of landscaping shall be the responsibility of the developer or a property owners association.
13. Parking Areas - All separate parking areas (*i.e. those that do not use joint parking cross access*) shall have no more than one (1) access point or driveway to the service drive.
14. Parking - The service road is intended to be used exclusively for circulation, not as a parking, loading or unloading aisle. Parking shall be prohibited along two-way frontage roads and service drives that are constructed at the minimum width (*see B.4. above*). One-way roads or two-way roads designed with additional width for parallel parking may be allowed if it can be demonstrated through traffic studies that on-street parking will not significantly affect the capacity, safety or operation of the frontage road or service drive. Perpendicular or angle parking along either side of a designated frontage road or service drive is prohibited. The Planning Commission may require the posting of "no parking" signs along the service road. As a condition to site plan approval, the Planning Commission may permit temporary parking in the easement area where a continuous service road is not yet available, provided that the layout allows removal of the parking in the future to allow extension of the service road. Temporary parking spaces permitted within the service drive shall be in excess of the minimum required under Article\_\_\_\_, Parking and Loading Standards.
15. Directional Signs and Pavement Markings - Pavement markings may be required to help promote safety and efficient circulation. The property owner shall be required to maintain all pavement markings. All directional signs and pavement markings along the service drive shall conform with the current Michigan Manual of Uniform Traffic Control Devices.
16. Assumed Width of Pre-existing Service Drives - Where a service drive in existence prior to the effective date of this provision has no recorded width, the width will be considered to be \_\_\_\_\_ (*typically 40-66*) feet for the purposes of establishing setbacks and measured an equal distance from the midpoint of the road surface.
17. Pedestrian and Bicycle Access - Separate, safe access for pedestrians and bicycles shall be provided on a sidewalk or paved path that generally parallels the service drive unless alternate and comparable facilities are approved by the Planning Commission.
18. Number of Lots or Dwellings Served - No more than twenty-five (25) lots or dwelling units may gain access from a service drive to a single public street.
20. Service Drive Signs - All new public and private service drives shall have a designated name on a sign meeting the standards on file in the office of the Zoning Administrator.
21. In the case of expansion, alteration or redesign of existing development where it can be demonstrated that pre-existing conditions prohibit installation of a frontage road or service drive in accordance with the aforementioned standards, the Planning Commission shall have the authority to allow and/or require alternative cross access between adjacent parking areas through the interconnection of main circulation aisles. Under these conditions, the aisles serving the parking stalls shall be aligned perpendicularly to the access aisle, as shown in Figure 2-6c, with islands, curbing and/or signage to further delineate the edges of the route to be used by through traffic.

## **Section 2.4 Nonconforming Driveways**

- A. Driveways that do not conform to the regulations in this Article, and were constructed before the effective date of this Article shall be considered legal-nonconforming driveways.
- B. Loss of legal nonconforming status results when a nonconforming driveway ceases to be used for its



intended purpose, as shown on the approved site plan, or a plot plan, for a period of twelve (12) months or more. Any reuse of the driveway may only take place after the driveway conforms to all aspects of this Article.

C. When the owner of a property with an existing, nonconforming driveway or driveways, applies for a permit to expand or change the use of the property, the Planning Commission will determine whether it is necessary and appropriate to retrofit the existing driveway or driveways.

1. The property owner may be required to establish a retrofit plan. The objectives of the retrofit plan will be to minimize the traffic and safety impacts of development by bringing the number, spacing, location, and design of driveways into conformance with the standards and requirements of this Article, to the extent possible without imposing unnecessary hardship on the property owner. The retrofit plan may include:
  - a. elimination of driveways,
  - b. realignment or relocation of driveways,
  - c. provision of shared driveways and/or cross parking lot connection,
  - d. access by means of a service drive
  - e. restriction of vehicle movements (e.g. elimination of left-turns in and out),
  - f. relocation of parking,
  - g. traffic demand management (e.g. a reduction in peak hour trips),
  - h. signalization, or
  - i. such other changes as may enhance traffic safety.
2. The requirements of the retrofit plan shall be incorporated as conditions to the permit for the change or upgrade of use and the property owner shall be responsible for the retrofit.

D. Driveways that do not conform to the regulations in this Ordinance and have been constructed after adoption of this Ordinance, shall be considered illegal nonconforming driveways.

E. Illegal nonconforming driveways are a violation of this Ordinance. The property owner shall be issued a violation notice which may include closing off the driveway until any nonconforming aspects of the driveway are corrected. Driveways constructed in illegal locations shall be immediately closed upon detection and all evidence of the driveway removed from the right-of-way and site on which it is located. The costs of such removal shall be borne by the property owner.

F. Nothing in this Ordinance shall prohibit the repair, improvement, or modernization of lawful nonconforming driveways, provided it is done consistent with the requirements of this Article.

## **Section 2.5 Waivers**

A. Any applicant for access approval under the provisions of this Article may apply for a waiver of standards in Section 2.3 if the applicant cannot meet one or more of the standards according to the procedures provided below:

1. For waivers on properties involving land uses with less than 500 vehicle trips per day based on rates published in the Trip Generation Manual of the Institute of Transportation Engineers: Where the standards in this Article cannot be met, suitable alternatives, documented by a registered traffic engineer and substantially achieving the intent of the Article may be accepted by the Zoning Administrator, provided that all of the following apply:
  - a. The use has insufficient size to meet the dimensional standards.
  - b. Adjacent development renders adherence to these standards economically unfeasible.
  - c. There is no other reasonable access due to topographic or other considerations.
  - d. The standards in this Article shall be applied to the maximum extent feasible.
2. For waivers on properties involving land uses with more than 500 vehicle trips per day based on rates published in the Trip Generation Manual of the Institute of Transportation Engineers: During site plan review the Planning Commission shall have the authority to waive or otherwise modify the standards of Section 2.3 following an analysis of suitable alternatives documented by a registered traffic engineer and substantially achieving the intent of this Article, provided all of the following apply:



- a. Access via a shared driveway or front or rear service drive is not possible due to the presence of existing buildings or topographic conditions.
- b. Roadway improvements (such as the addition of a traffic signal, a center turn lane or bypass lane) will be made to improve overall traffic operations prior to project completion, or occupancy of the building.
- c. The use involves the redesign of an existing development or a new use which will generate less traffic than the previous use.
- d. The proposed location and design is supported by the Michigan Department of Transportation, as applicable, as an acceptable design under the circumstances.



## APPENDIX F

### SAMPLE BEAR CREEK TOWNSHIP ACCESS MANAGEMENT REGULATIONS

#### Section 2.0 Purpose, Intent and Application

A. The purpose of this Article is to establish minimum regulations for access to property. Standards are established for new roads, driveways, shared access, parking lot cross access, and service roads. The standards of this Article are intended to promote safe and efficient travel within Bear Creek Township of Emmet County; minimize disruptive and potentially hazardous traffic conflicts; ensure safe access by emergency vehicles; protect the substantial public investment in the street system by preserving capacity and avoiding the need for unnecessary and costly reconstruction which disrupts business and traffic flow; separate traffic conflict areas by reducing the number of driveways; provide safe spacing standards between driveways, and between driveways and intersections; provide for shared access between abutting properties; implement the Emmet County Master Plan and the US-31 & M-119 Access Management Plan recommendations; ensure reasonable access to properties, though not always by the most direct access; and to coordinate access decisions with the Michigan Department of Transportation and/or the Emmet County Road Commission, as applicable.

B. The standards in this Article are based on extensive traffic analysis of these corridors by the Emmet County Road Commission, Bear Creek Township, Emmet County, and Michigan Department of Transportation (MDOT). This analysis demonstrates that the combination of roadway design, traffic speeds, traffic volumes, traffic crashes and other characteristics necessitate special access standards. The standards in this Article apply to private and public land along road rights-of-way which are under the jurisdiction of Emmet County Road Commission or MDOT. The requirements and standards of this Article shall be applied in addition to, and where permissible shall supersede, the requirements of MDOT, Emmet County Road Commission, or other Articles of this Zoning Ordinance.

C. The standards of this Article shall be applied by the Zoning Administrator during plot plan review or by the Planning Commission during site plan review, as is appropriate to the application. The Planning Commission shall make written findings of nonconformance, conformance, or conformance if certain conditions are met with the standards of this Article prior to disapproving or approving a site plan per the requirements of Section 2405. The Emmet County Planning Commission shall coordinate its review of the access elements of a plot plan or site plan with the appropriate road authority prior to making a decision on an application (see D. below). The approval of a plot plan or site plan does not negate the responsibility of an applicant to subsequently secure driveway permits from the appropriate road authority, either Emmet County Road Commission, or MDOT. Any driveway permit obtained by an applicant prior to review and approval of a plot plan or site plan that is required under this Ordinance will be ignored.

D. Neither the Zoning Administrator nor the Planning Commission shall take action on a request for a new road, driveway, shared access, or a service drive that connects to a public road without first consulting Emmet County Road Commission or MDOT. To ensure coordination, applicants are required to submit a plot plan, site plan or a tentative preliminary plat concurrently to both Emmet County Road Commission and MDOT as applicable. Complete applications shall be received at least 24 days before the Planning Commission meeting at which action is to be taken. If the initial review of the application by the Zoning Administrator reveals noncompliance with the standards of this Article then the Zoning Administrator shall require submittal of a traffic impact study as described below prior to consideration of the application by either the Zoning Administrator or the Planning Commission.

1. At a minimum the traffic study shall contain the following:
  - a. Analysis of existing traffic conditions and/or site restrictions using current data.
  - b. Projected trip generation at the subject site or along the subject service drive based on the most recent edition of the Institute of Transportation Engineers Trip Generation manual. The



Emmet County Planning Commission may approve use of other trip generation data if based on recent studies of at least three (3) similar uses within similar locations in Michigan.

- c. Illustrations of current and projected turning movements at access points. Include identification of the impact of the development and its proposed access on the operation of the abutting streets. Capacity analysis shall be completed based on the most recent version of the Highway Capacity Manual published by Transportation Research Board, and shall be provided in an appendix to the traffic impact study.
- d. Description of the internal vehicular circulation and parking system for passenger vehicles and delivery trucks, as well as the circulation system for pedestrians, bicycles and transit users.
- e. Justification of need, including statements describing how the additional access will meet the intent of this Section, will be consistent with the US-31 & M-119 Access Management Plan and the Emmet County Master Plan, will not compromise public safety, and will not reduce capacity or traffic operations along the roadway.
- f. Qualifications and documented experience of the author, describing experience in preparing traffic impact studies in Michigan. The preparer shall be either a registered traffic engineer (P.E.) or transportation planner with at least three (3) years of experience preparing traffic impact studies in Michigan. If the traffic impact study involves geometric design, the study shall be prepared or supervised by a registered engineer with a strong background in traffic engineering.

2. The Emmet County Planning Commission may utilize its own traffic consultant to review the applicant's traffic impact study, with the cost of the review being borne by the applicant per Section 2405.

E. Failure by the applicant to begin construction of an approved road, driveway, shared access, service drive or other access arrangement within twenty-four (24) months from the date of approval, shall void the approval and a new application is required.

F. The Zoning Administrator shall inspect the driveway as constructed for conformance with the standards of this Ordinance and any approval granted under it, prior to an occupancy permit being issued.

## **Section 2.1 Identification of Corridor Overlay Zone**

The US-31 corridor is defined as those properties that abut the highway right-of-way either side of US-31 in Bear Creek Township of Emmet County between Division Road and Graham Road to a depth of 350 feet. The M-119 corridor is defined as those properties that abut the highway right-of-way either side of M-119 in Bear Creek Township of Emmet County between US-31 and Powell Road to a depth of 350 feet. The following regulations supersede otherwise applicable regulations of the specific districts beneath the overlay zone.

## **Section 2.2 Driveway and Related Access Standards**

All lots hereafter created and all structures hereafter created, altered or moved on property with frontage on or access to a public road or street that is subject to regulation per Section 2.1, shall conform to the following requirements:

### **A. Access Location Standards**

1. Access Point Approval Required - No road, driveway, shared access, parking lot cross access, service road, or other access arrangement shall be established, reconstructed or removed without first meeting the requirements of this Section. No access point shall connect to a public street or road, without first receiving approval of the location and cross-section specifications from Emmet County Road Commission or MDOT. No access point shall connect to a private road unless approved by the Planning Commission and by the parties with an ownership interest in the private road. Any private road or access easement must be recorded with the Emmet County Register of Deeds that meets the requirements of this Article.



Contiguous properties under one ownership or consolidated for unified development will be considered one parcel for purposes of this Article.

2. Minimum Lot Width - Except for existing lots of record, all lots fronting on a major arterial, arterial or collector subject to this Article, shall not be less than 300 feet in width, unless served by shared access or a service drive that meets the requirements of Section 2.3, in which case minimum lot width may be reduced per the requirements of Section 2.6.

3. Clear Vision – All access points shall maintain clear vision as illustrated in Figure 2.1.

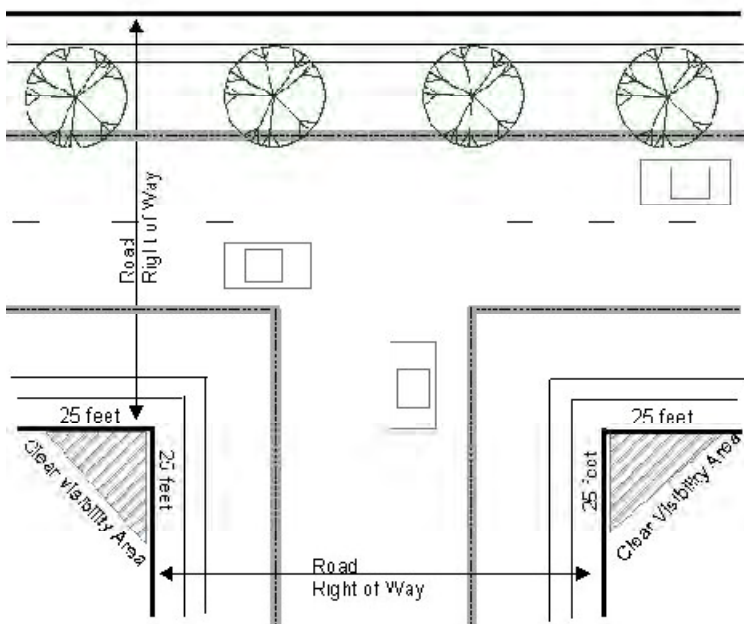


Figure 2.1

Driveways shall be located so as not to interfere with safe intersection sight distance as determined by the appropriate road authority.

4. Street Structures - No driveway shall interfere with municipal facilities such as street light or traffic signal poles, signs, fire hydrants, cross walks, bus loading zones, utility poles, fire alarm supports, drainage structures, or other necessary street structures.

5. Factors on Location of Driveway Access -At a minimum, the following factors shall be considered prior to making a decision on the location of a driveway or other access point:

- a. The characteristics of the proposed land use;
- b. The existing traffic flow conditions and the future traffic demand anticipated by the proposed development on the adjacent street system;
- c. The location of the property;
- d. The size of the property;
- e. The orientation of structures on the site;
- f. The minimum number of driveways or other access points needed to accommodate anticipated traffic based on a traffic analysis, as determined by the community and road agency. Such finding shall demonstrate traffic operations and safety along the public street would be improved (or at least not negatively affected), and not merely that another access point is desired for convenience;
- g. The number and location of driveways on existing adjacent and opposite properties;
- h. The location and functional classification of abutting streets or roads and the carrying capacity of nearby intersections;
- i. The proper geometric design of driveways;
- j. The spacing between opposite and adjacent driveways and from any nearby intersection;
- k. The internal circulation between driveways and through parking areas;
- l. The size, location and configuration of parking areas relative to the driveways; and
- m. The speed of the adjacent roadway.



6. Access Point Location - Each access point location shall be consistent with the US-31 & M-119 Access Management Plan that has been adopted by the County of Emmet, the Emmet County Road Commission, and/or the Michigan Department of Transportation.
7. Access Points within Right-of-Way - Driveways including the radii but not including right-turn lanes, passing lanes and tapers, shall be located entirely within the right-of-way frontage, unless otherwise approved by the road agency and upon written certification from the adjacent land owner agreeing to such encroachment.
8. Relationship to Lot Line - No part of a driveway shall be located closer than 15 feet from a lot line unless it is a common or shared driveway as provided in Section 2.2 F. This separation is intended to help control stormwater runoff, permit snow storage on site, and provide adequate area for any necessary on-site landscaping.
9. Existing Driveways – Except for shared driveways, existing driveways that do not comply with the requirements of this Article shall be closed when an application for a change of use requiring a zoning permit or a site plan requiring approval under Section 2405 is submitted and once approval of a new means of access under this Article is granted. A closed driveway shall be graded and landscaped to conform to adjacent land and any curb cut shall be filled in with curb and gutter per the standards of the applicable road authority. See also Section 2.5.

B. Number of Driveways Permitted

1. Access for an individual parcel, lot, or building site or for contiguous parcels, lots or building sites under the same ownership shall consist of either a single two-way driveway or a paired system wherein one driveway is designed, and appropriately marked, to accommodate ingress traffic and the other egress traffic.
2. One driveway shall be permitted for each single and two-family residential lot or parcel.
3. A temporary access permit may be issued for field entrances per Section 2.4, for cultivated land, timber land, or undeveloped land. Uses at which no one resides or works such as cellular towers, water wells, pumping stations, utility transformers, billboards, and similar uses may be provided an access; however, shared access must be considered, such driveways will be reviewed on a case-by-case basis. The review shall take into account the proximity of the adjacent driveways and intersecting streets, as well as traffic volumes along the roadway.
4. For a parcel, lot, or building site with frontage exceeding 600 feet, or where a parcel, lot, or building site has frontage on at least two streets, an additional driveway may be allowed, provided that a traffic impact study is submitted by the applicant showing that conditions warrant an additional driveway and that all driveways meet the spacing requirements.
5. Certain developments generate enough traffic to warrant consideration of an additional driveway to reduce delays for exiting motorists. Where possible, these second access points should be located on a side street or service drive, or shared with adjacent uses, or designed for right-turn-in, right-turn-out only movements and shall meet the spacing requirements of this ordinance. In order to be considered for a second driveway on US-31, M-119, or a collector street combined approach volumes (entering and exiting) of a proposed development shall exceed 100 directional trips during the peak hour of traffic and a traffic impact study shall be performed. Uses where a second driveway could be considered are influenced by the trip generation, characteristics of the uses, and the volumes of the adjacent roadway.
6. When alternatives to a single, two-way driveway are necessary to provide reasonable driveway access to property fronting on US-31 or M-119, and shared access or a service drive are not a viable option, the following progression of alternatives should be used:
  - a. One (1) standard, two-way driveway;
  - b. Additional ingress/egress lanes on one (1) standard, two-way driveway;
  - c. Two (2), one-way driveways;
  - d. Additional ingress/egress lanes on two (2), one-way driveways;
  - e. Additional driveway(s) on an abutting street with a lower functional classification;

C. Access Point Spacing Standards

1. Separation from Other Driveways -



- a. The minimum spacing between non-signalized driveways and other access points shall be determined based upon posted speed limits along the parcel frontage unless the appropriate road authority approves less based on the land use and restricted turns in the driveway design. The minimum spacings indicated below are measured from the centerline of one driveway to the centerline of another driveway. For sites with insufficient road frontage to meet the table below, the Planning Commission shall require one of the following: construction of the driveway along a side street, a shared driveway with an adjacent property, construction of a driveway along the property line farthest from the intersection, or a service drive as described in Section 2.3. The Planning Commission may grant temporary access approval (see Section 2.4) until such time that the minimum spacing requirements can be met or alternative access meeting the requirements of this ordinance is approved.

Table 2.2-1

Posted Speed Limit (MPH)	Min. Access Spacing (in feet) between Adjacent Access Points
35	245
40	300
45	350
50+	455

Note: The values in Table 2.2-1 (*above*) are considered minimums based on the distances required to avoid conflicts between vehicles turning right or left from adjacent driveways.

- b. In the case of expansion, alteration or redesign of an existing development where it can be demonstrated that pre-existing conditions prohibit adherence to the minimum driveway spacing standards, the Planning Commission shall have the authority to modify the driveway spacing requirements or grant temporary access approval until such time that minimum spacing requirements can be met, or alternative access meeting the requirements of this ordinance is approved. Such modifications shall be of the minimum amount necessary, but in no case shall driveway spacing of less than 50 feet be permitted by the Planning Commission.
2. Access Point Separation from Intersections - All one and two-family driveways shall be separated from the nearest right-of-way of an intersecting street by at least 50 feet. Driveways for all other land uses shall be separated from the nearest right-of-way of an intersecting street according to Table 2.2-2 below:
- a. Access point spacing from intersections shall be measured from the centerline of the driveway to the extended edge of the travel lane on the intersecting street, as shown in Figure 2-1 unless otherwise noted.
- b. The minimum distance between an access point and an intersecting street shall be based on Figure 2-1 and the following:



<b>Table 2.2-2 Minimum Access Point Spacing from Street and Other Intersections*</b>		
<b>Location of Access Point</b>	<b>Min. Spacing for a Full Movement Driveway or other Access Point</b>	<b>Min. Spacing for a Driveway Restricting Left-turns</b> (channelized for right-turn-in and right-turn-out only)
Along Arterial or from another Intersecting Arterial	300 feet	125 feet
Along Arterial Intersecting a Collector or Local Street	200 feet	125 feet
Along a Collector	125 feet	75 feet
Along a Local Street or Private Road	75 feet	50 feet

- c. If the amount of lot frontage is not sufficient to meet the above criterion, the driveway shall be constructed along the property line farthest from the intersection to encourage future shared use, and/or a frontage road or rear service drive shall be developed as described in Section 2.3.
- d. For parcels on which an alternative means of access (shared driveway, frontage road, service drive or connected parking lots) is not feasible due to parcel size or existing adjacent development, the Planning Commission may allow a non-channelized, full movement driveway provided that:
  1. the driveway is spaced no closer to the intersection than the minimum spacing allowed for a right-turn-in, right-turn-out driveway; and
  2. a traffic study conducted by a registered traffic engineer shows a right-turn-in, right-turn-out driveway does not provide reasonable access or desired safety; and
  3. a traffic study, conducted by a registered traffic engineer, provides substantial justification that the driveway operation will not create safety problems at the adjacent intersection.

#### D. Driveway Design and Construction Standards

##### 1. Driveway or Throat Width –

- a. No single or two-family driveway shall have a width less than nine (9) feet or more than sixteen (16) feet at the public road right-of-way. The driveway opening, including flares, shall not be more than 1.5 times the width of the driveway at the right-of-way line.
- b. The typical commercial driveway design shall include one ingress lane and one egress lane with a combined maximum throat width of thirty (30) feet, measured from face to face of curb (see Figure 2-2a).
- c. Where exit traffic volumes are expected to exceed 100 directional trips per peak hour, or in areas where congestion along the arterial may create significant delays, as determined by the Planning Commission, two exit lanes shall be required. The total width of such a driveway shall be between 37 and 39 feet, with one 15 foot wide ingress lane and two 11-12 foot wide egress lanes (See Figure 2-2b).
- d. For access systems which include a pair of one-way driveways, each driveway shall be a minimum of sixteen (16) feet wide, measured perpendicularly (See Figure 2-2c).
- e. As an alternative to (d) above, the driveway may be designed with a fully curbed median dividing the ingress and egress driveways, with a maximum median width of ten feet. The radii forming the edges on the median shall be designed to accommodate the largest vehicle that



will normally use the driveway. Where median or boulevard driveways are located across the street from each other, the left-turn egress lanes shall be aligned directly across from one another to minimize left-turn conflicts (see Figure 2-2d). Boulevard driveways should not be constructed at existing or future traffic signal locations unless there is a left-turn lane where the boulevard meets the road right-of-way. Ground or monument signs shall not be permitted in boulevards if they would block motorist vision or otherwise create an unsafe condition. The Planning Commission may require landscaping on the portion of the boulevard outside the public right-of-way. Such landscaping shall use salt tolerant species.

2. Restricted Access Driveways -

Left and right-turn movements on and off roadways typically have the greatest impact on traffic flow and crash frequency. Therefore, where driveways are to be located in a segment defined in adopted corridor studies as having a high crash rate or significant traffic congestion/delays, or where left-turn access is available through alternative means of access, the Planning Commission may require driveway design and signing which discourages certain turning movements. Where driveways are intended to control specific left and/or right-turn ingress and egress, the designs shown in Figure 2-3 shall apply. Similar designs shall be accepted, provided that they are approved by MDOT and/or Emmet County Road Commission, if applicable.

3. Throat Length or Vehicle Stacking/Storage Space- There shall be a minimum of twenty (20) feet of throat length for entering and exiting vehicles at the intersection of a driveway and pavement of the public road or service drive as measured from the pavement edge. For driveways serving between one-hundred (100) and four-hundred (400) vehicles in the peak hour (two-way traffic volumes) the driveways shall provide at least sixty (60) feet of throat length. For driveways serving over four-hundred (400) vehicles per peak hour (two-way traffic volume) and for all driveways controlled by a traffic signal, adequate throat length shall be determined by a traffic impact study. In areas where significant pedestrian/bicycle travel is expected, the ingress and egress lanes should be separated by a 4-10 feet wide median with pedestrian refuge area. In the absence of adequate traffic volume data, application of the commonly used values in Table 2.2-4 is appropriate.

4. Construction Standards -

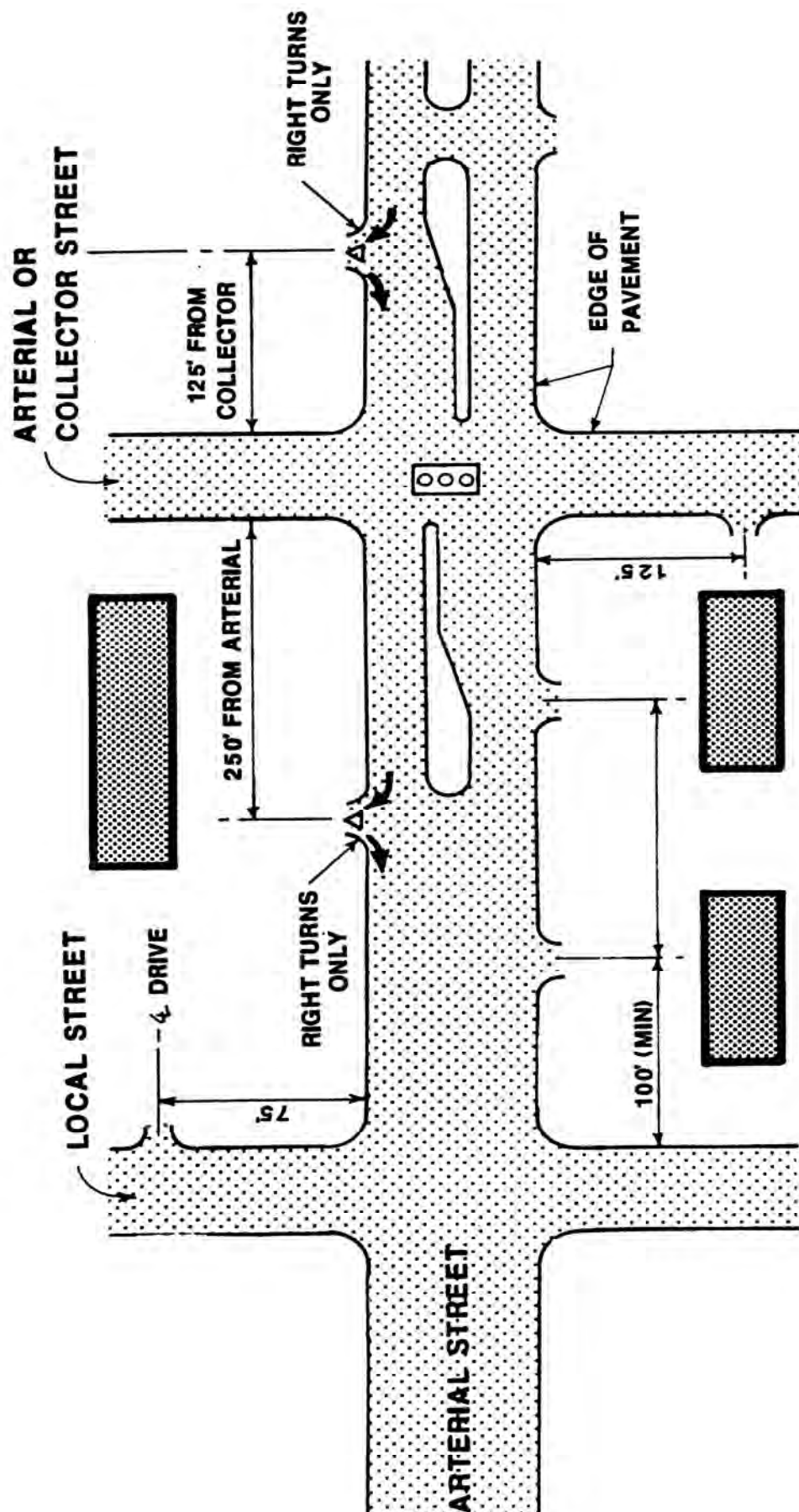
a. Curb radii:

1. Driveways shall be designed with minimum 25 foot radii where primarily passenger vehicle traffic is expected.
2. For sites where truck traffic is expected, the driveways shall be designed with a minimum 30 foot radius unless a traffic analysis by a qualified traffic engineer reveals another radius is more appropriate for the vehicles expected to use the driveway.



**FIGURE 2 -1** [EXAMPLE FROM DELTA TOWNSHIP, MICHIGAN]

## TYPICAL DRIVEWAY SPACINGS

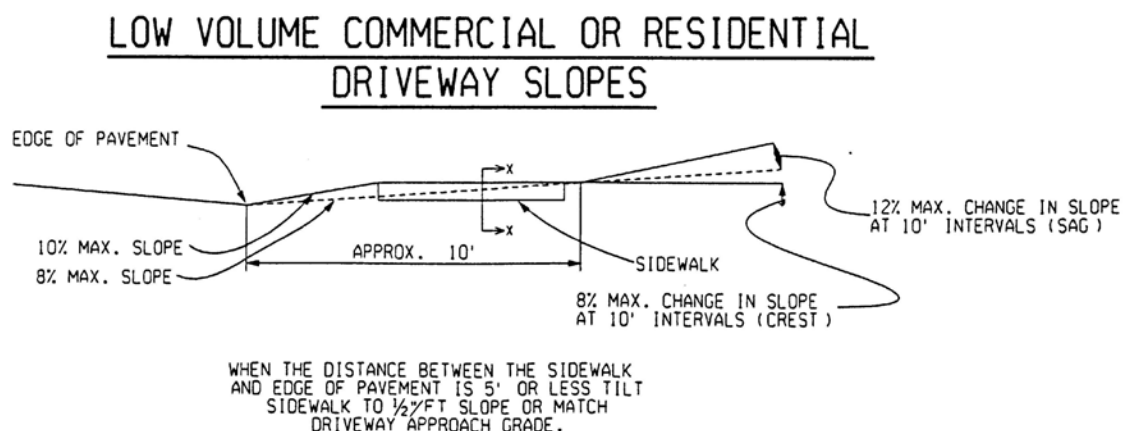


Note: The spacing on this example is tailored to fit local conditions and is different from the spacing in Table 2.2-3 or MDOT's guidelines on Figure 3-16. Local driveway spacing standards need to be established to fit local conditions.



- b. Deceleration lanes and tapers:
1. Where it can be demonstrated that driveway volumes are expected to exceed 100 peak hour directional trips per hour, a right-turn taper, deceleration lane and/or left-turn bypass lane may be required.
  2. Where site frontage allows and a right-turn lane is warranted, a taper between 50 and 225 feet may be required. See example in Figure 2-4a.
  3. Where the amount of frontage precludes the construction of a deceleration lane and taper combination entirely within the property lines of a parcel, a request shall be made to the owner of the parcel to allow the installation of a right-turn bay and taper which extends beyond the property line. If permission cannot be obtained from the adjacent property owner for an extension onto that parcel, a taper of at least 75 feet shall be constructed as shown in Figure 2-4b.
  4. A continuous right-turn lane, as shown in Figure 2-4c may be required where driveway spacing requirements restrict the use of consecutive turn bays and tapers, and a traffic engineer concludes it can be constructed without being used as a through lane.
  5. For driveways located along streets without an exclusive left-turn lane, a bypass lane may be required. Such a lane shall be designed to the standards in the Michigan Department of Transportation, Traffic and Safety Notes # 7.7 and as shown in Figure 2-4d.
- c. Acceleration lanes
1. Generally, acceleration lanes are not permitted. However, where site frontage allows and large semi-trucks and other slow moving vehicles routinely access an arterial, an acceleration lane may be required in consultation with the applicable road authority.
  2. The acceleration lane shall be designed by a traffic engineer to meet the needs of vehicles using it, topography, sight distance and other relevant factors.
  3. Driveways shall not be permitted within an acceleration lane.
- d. Grades and drainage
1. Driveways shall be constructed such that the grade for the 25 feet nearest the pavement edge or shoulder does not exceed 1.5% (one and one-half foot vertical rise in one-hundred feet of horizontal distance) wherever feasible. Where not feasible, grades shall conform to Figure 2-5.:

Figure 2-5

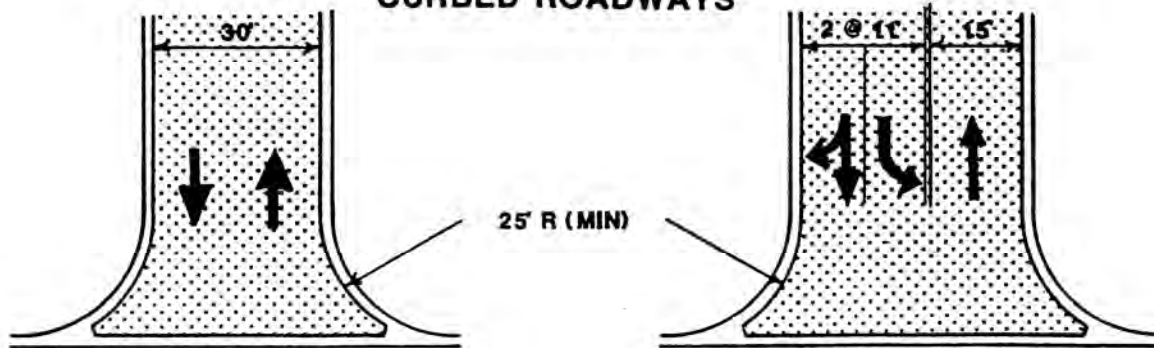


Source: MDOT, *Geometric Design Guide VII-680A*, Sheet 3.



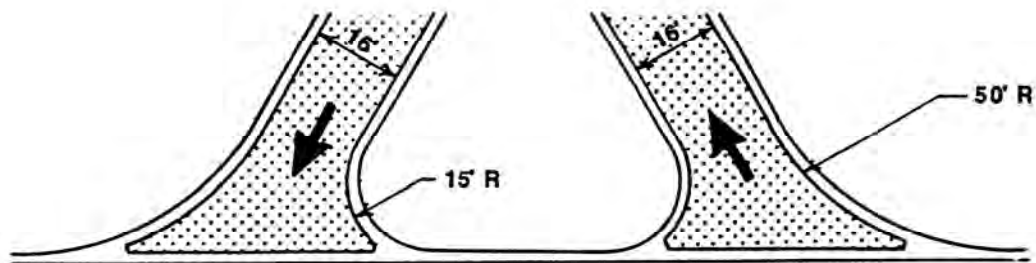
**FIGURE 2 -2** [EXAMPLE FROM DELTA TOWNSHIP, MICHIGAN]

**TYPICAL CONFIGURATIONS FOR DRIVEWAYS  
CURBED ROADWAYS**

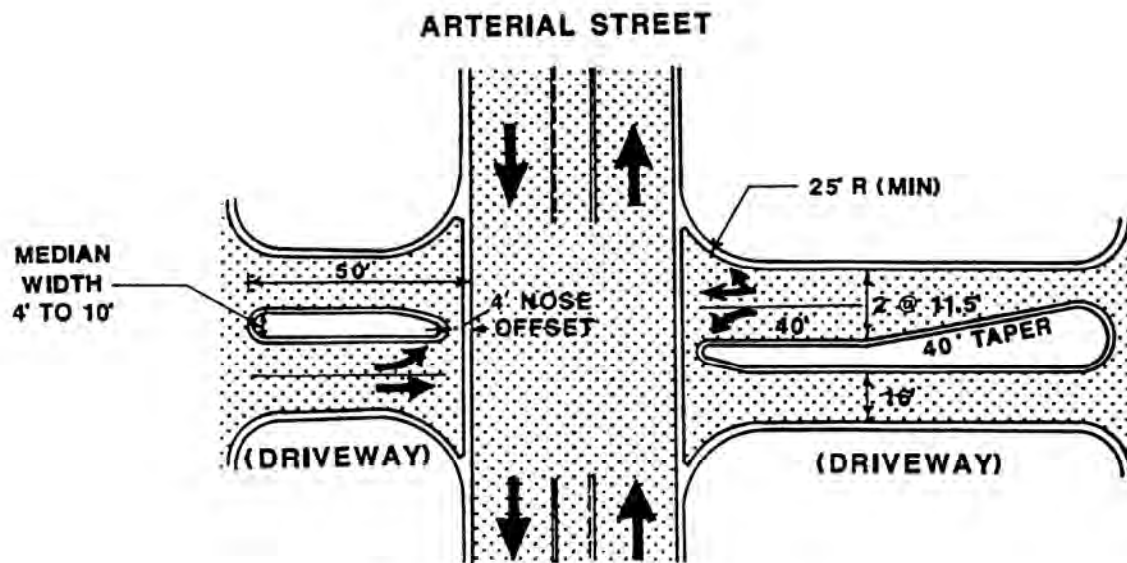


**a. TYPICAL 2-WAY DRIVEWAY**

**b. HIGH-USE DRIVEWAY**



**c. ONE-WAY DRIVEWAYS**



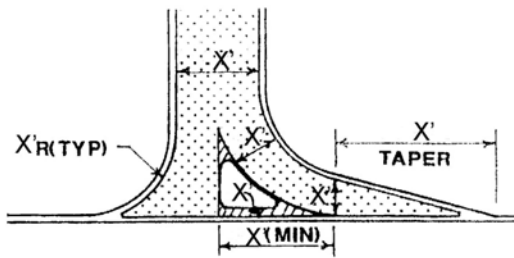
**d. BOULEVARD DRIVEWAYS**

Note: The left-turn lanes in d. Boulevard Driveways will work better if the left-turn lanes are directly across from one another. This requires cutting off a portion of the nose of the boulevard. Also, turning radii and throat width need to be designed to accommodate vehicles using the driveway. See also *MDOT Design Guide for Commercial Driveways, VII-680A*.

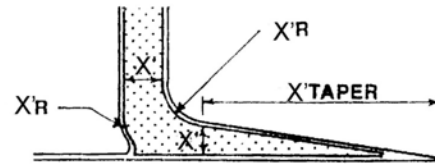


Figure 2-3

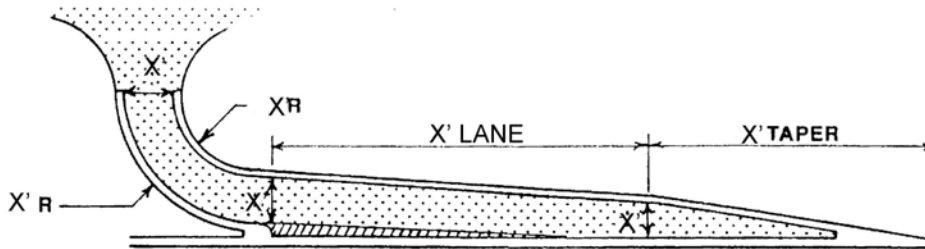
## CHANNELIZATION ISLAND OPTIONS FOR CONTROLLING TURNS



a. TO PREVENT LEFT-TURN INGRESS MOVEMENTS



b. TO ALLOW RIGHT-TURN IN ONLY



c. TO ALLOW RIGHT TURN IN ONLY

**Note:** The dimension of  $X'$  is variable depending on site conditions, speed, number of vehicles and the design needs of the vehicles to use it. The local ordinance must specify what these dimensions are. [See MDOT Traffic and Safety Division Notes #7.3 and #7.5 and *Design Guide VII-650C* in Appendix D.]

Source: adapted from Delta Township Zoning Ordinance. See also MDOT *Geometric Design Guide VII-680* and *VII-650* series in Appendix D.

### Table 2.2-4 Minimum Throat Length Requirement

Source: *Oshtemo Township Zoning Ordinance*, Section 67, Access Management Guidelines, 1991  
[THESE THROAT LENGTHS SHOULD BE ADJUSTED TO FIT LOCAL CIRCUMSTANCES]

2. Vertical curves, with a minimum length of 15 feet shall be provided on driveway approaches at a change in grade of 4% or more.
  3. Driveways shall be constructed such that drainage from impervious areas located outside of the public right-of-way, which are determined to be in excess of existing drainage from these areas shall not be discharged into the roadway drainage system absent the approval of the responsible agency. Storm drains, or culverts, if required shall be of a size adequate to carry the anticipated storm flow and be constructed and installed pursuant to the specifications of the responsible road authority.
- e. Surface and Curb Construction -  
Commercial and all other nonresidential driveways shall be constructed of permanent asphalt or concrete material sufficient to provide the bearing capacity needed to carry the anticipated traffic loads as determined by the appropriate road authority unless the road authority approves use of another material. Where a driveway connects with a curbed road, it shall be paved and



curbed from the edge of pavement to either the right-of-way line or point of curvature of the radius returns. All soil erosion and sedimentation requirements shall be met.

f. Directional Signs and Pavement Markings -

In order to ensure smooth traffic circulation on the site, direction signs and pavement markings shall be installed at the driveway(s) in a clearly visible location as required by the Emmet County Planning Commission as part of the site plan review process and approved by the Michigan Department of Transportation and Emmet County Road Commission (as appropriate), and shall be maintained on a permanent basis by the property owner. Directional signs and pavement markings shall conform to the standards in the Michigan Manual of Uniform Traffic Control Devices.

E. Shared Access

Shared access is strongly encouraged and in some cases may be required. When required, one or more of the following options and the standards of Section 2.3 apply.

1. Shared Driveways: In cases where access is restricted by the spacing requirements of Section 2.2.D, "Access Point Spacing Standards", a shared driveway may be the only access design allowed. The shared driveway shall be constructed along the midpoint between the two properties unless a written easement is provided which allows traffic to travel across one parcel to access another, and/or access the public street.
2. Frontage Roads: In cases where a frontage road exists, is recommended either in Emmet County's Master Plan or in the US-31 & M-119 Access Management Plan, and/or is proposed in an approved site plan for an adjoining lot or parcel, access shall be provided via such frontage road, rather than by direct connection to the abutting arterial street. (See Section 2.3)
3. Rear Service Drives: Rear service drives shall be encouraged, especially for locations where connection to a side street is available. In addition to access along the rear service drive, direct connection(s) to US-31 or M-119 may be allowed, provided that the driveways meet the requirements of Section 2.2.B, "Number of Driveways", and 2.2.C, "Access Point Spacing Standards."

F. Parking Lot Connections

Where a proposed parking lot is adjacent to an existing parking lot of a similar use, there shall be a vehicular connection between the two parking lots where physically feasible, as determined by the Planning Commission. For developments adjacent to vacant properties, the site shall be designed to provide for a future connection. A written access easement signed by both landowners shall be presented as evidence of the parking lot connection prior to the issuance of any final zoning approval.

G. Access Easements

Shared driveways, cross access driveways, connected parking lots, and service drives shall be recorded as an access easement and shall constitute a covenant running with the land. Operating and maintenance agreements for these facilities should be recorded with the deed.

H. Medians and Median Openings

1. The type, location and length of medians on public roads shall be determined by the entity having jurisdiction over such roads. This determination will be made in consultation with the Planning Commission and will be based on existing and projected traffic conditions; the type, size, and extent of existing and projected development and traffic generated by development; traffic control needs; and other factors.
2. The minimum spacing between median openings shall be 660 feet in urban locations and 1,320 feet in rural locations.
3. Median openings intended to serve development must meet or exceed the minimum median opening spacing standards and must also be justified by a traffic impact analysis approved by the entity having jurisdiction over such roads, in consultation with the Planning Commission. The cost



for preparation of the traffic impact analysis and construction of the median opening or openings, including installation and operation of signals and other improvements where warranted, shall be borne by the applicant.

## **Section 2.3 Service Drives and Other Shared Access Standards**

A. The use of shared access, parking lot connections and service drives, in conjunction with driveway spacing, is intended to preserve traffic flow along major thoroughfares and minimize traffic conflicts, while retaining reasonable access to the property. Where noted above, or where the Planning Commission determines that restricting new access points or reducing the number of existing access points may have a beneficial impact on traffic operations and safety while preserving the property owner's right to reasonable access, then access from a side street, a shared driveway, a parking lot connection, or service drive connecting two or more properties or uses may be required instead of more direct connection to the arterial or collector street. However, where traffic safety would be improved, and the driveway spacing requirements of this ordinance can be met, then direct connection to the arterial or collector street may be allowed in addition to a required service drive.

1. In particular, shared access, service drives or at least a connection between abutting land uses may be required in the following cases:
  - a. Where the driveway spacing standards of this section can not be met.
  - b. Where recommended in the US-31/M-119 Access Management Plan.
  - c. When the driveway could potentially interfere with traffic operations at an existing or planned traffic signal location.
  - d. The site is along a collector or arterial with high traffic volumes, or along segments experiencing congestion or a relatively high number of crashes.
  - e. The property frontage has limited sight distance.
  - f. The fire (or emergency services) department recommends a second means of emergency access.
2. In areas where frontage roads or rear service drives are recommended, but adjacent properties have not yet developed, the site shall be designed to accommodate a future road/facility designed according to the standards of this Section. The Planning Commission may approve temporary access points where a continuous service drive is not yet available and a performance bond or escrow is accepted to assure elimination of temporary access when the service road is constructed. (See Section 2.4 Temporary Access Permits).

B. Notwithstanding the requirements of the Bear Creek Township Land Division Ordinance and Emmet County Zoning Ordinance (Land Development Standards), the standards for all service drives shall be as follows:

1. Site Plan Review - The Planning Commission shall review and approve all service drives to ensure safe and adequate continuity of the service drive between contiguous parcels as part of the site plan review process in Section 2405.
2. Front and Rear Service Drives - A front or rear service drive may be established on property which abuts only one public road. The design of a service road shall conform with national design guidelines such as those identified in the National Access Management Manual by TRB, the AASHTO "Green Book", and National Cooperative Highway Research Program (NCHRP), "Access Management Guidelines to Activity Centers" Report 348 and "Impacts of Access Management Techniques" Report 420.
3. Location - Service roads shall generally be parallel to the front property line and may be located either in front of, or behind, principal buildings and may be placed in required yards. In considering the most appropriate alignment for a service road, the Planning Commission shall consider the setbacks of existing and/or proposed buildings and anticipated traffic flow for the site.
4. Width and Construction Materials - A service drive shall be within an access easement permitting traffic circulation between properties. The easement shall be recorded with the County Register of Deeds. This easement shall be at least forty (40) feet wide. A service drive shall have a minimum pavement width of 24 feet, measured face to face of curb with an approach width of 36 feet at



- intersections. The service drive shall be constructed of a paved surface material that is resistant to erosion and shall meet Emmet County Road Commission or MDOT standards for base and thickness of asphalt or concrete, unless the community has more restrictive standards.
5. Snow Storage and Landscaping Area - A minimum of fifteen (15) feet of snow storage/landscaping area shall be reserved along both sides of the service drive. Frontage roads shall have a minimum setback of 30 feet from the right-of-way, with a minimum of 60 feet of storage at the intersection for entering and exiting vehicles as measured from the pavement edge (See Figure 2-6a).
  6. Distance from Intersection on Service Drives - Frontage road and service drive intersections at the collector or arterial street shall be designed according to the same minimum standards as described for driveways in Section 2.2.D.2.
  7. Driveway Entrance - The Planning Commission shall approve the location of all accesses to the service drive, based on the driveway spacing standards of this Article. Access to the service drive shall be located so that there is no undue interference with the free movement of service drive and emergency vehicle traffic, where there is safe sight distance, and where there is a safe driveway grade as established by the applicable road authority.
  8. Driveway Radii - All driveway radii shall be concrete curbs and conform to the requirements of Section 2.2.E.4.
  9. Acceleration Lanes and Tapers - The design of the driveway, acceleration, deceleration or taper shall conform to the requirements of Section 2.2.E.4.
  10. Elevation - The elevation of a service drive shall be uniform or gently sloping between adjacent properties.
  11. Service Drive Maintenance - No service drive shall be established on existing public right-of-way. The service drive shall be a public street (if dedicated to and accepted by the public), or a private road maintained by the adjoining property owners it serves who shall enter into a formal agreement for the joint maintenance of the service drive. The agreement shall also specify who is responsible for enforcing speed limits, parking and related vehicular activity on the service drive. This agreement shall be approved by the Emmet County attorney and recorded with the deed for each property it serves by the County Register of Deeds. If the service drive is a private road, the local government shall reserve the right to make repairs or improvements to the service drive and charge back the costs directly or by special assessment to the benefiting landowners if they fail to properly maintain a service drive.
  12. Landscaping - Landscaping along the service drive shall conform to the requirements of Section 2206. Installation and maintenance of landscaping shall be the responsibility of the developer or a property owners association.
  13. Parking Areas - All separate parking areas (i.e. those that do not use joint parking cross access) shall have no more than one (1) access point or driveway to the service drive.
  14. Parking - The service road is intended to be used exclusively for circulation, not as a parking, loading or unloading aisle. Parking shall be prohibited along two-way frontage roads and service drives that are constructed at the minimum width (see B.4. above). One-way roads or two-way roads designed with additional width for parallel parking may be allowed if it can be demonstrated through traffic studies that on-street parking will not significantly affect the capacity, safety or operation of the frontage road or service drive. Perpendicular or angle parking along either side of a designated frontage road or service drive is prohibited. The Planning Commission may require the posting of "no parking" signs along the service road. As a condition to site plan approval, the Planning Commission may permit temporary parking in the easement area where a continuous service road is not yet available, provided that the layout allows removal of the parking in the future to allow extension of the service road. Temporary parking spaces permitted within the service drive shall be in excess of the minimum required under Article 2202, Parking Requirements.
  15. Directional Signs and Pavement Markings - Pavement markings may be required to help promote safety and efficient circulation. The property owner shall be required to maintain all pavement markings. All directional signs and pavement markings along the service drive shall conform to the current Michigan Manual of Uniform Traffic Control Devices.
  16. Assumed Width of Pre-existing Service Drives - Where a service drive in existence prior to the effective date of this provision has no recorded width, the width will be considered to be 40 feet for



the purposes of establishing setbacks and measured an equal distance from the midpoint of the road surface.

17. Pedestrian and Bicycle Access - Separate, safe access for pedestrians and bicycles shall be provided on a sidewalk or paved path that generally parallels the service drive unless alternate and comparable facilities are approved by the Planning Commission.
18. Number of Lots or Dwellings Served - No more than twenty-five (25) lots or dwelling units may gain access from a service drive to a single public street.
20. Service Drive Signs - All new public and private service drives shall have a designated name on a sign meeting the standards of the Emmet County Street Numbering Ordinance.
21. In the case of expansion, alteration or redesign of existing development where it can be demonstrated that pre-existing conditions prohibit installation of a frontage road or service drive in accordance with the aforementioned standards, the Planning Commission shall have the authority to allow and/or require alternative cross access between adjacent parking areas through the interconnection of main circulation aisles. Under these conditions, the aisles serving the parking stalls shall be aligned perpendicularly to the access aisle, as shown in Figure 2-6c, with islands, curbing and/or signage to further delineate the edges of the route to be used by through traffic.

## **Section 2.4 Nonconforming Driveways**

A. Driveways that do not conform to the regulations in this Article, and were constructed before the effective date of this Article, shall be considered legal nonconforming driveways.

B. Loss of legal nonconforming status results when a nonconforming driveway ceases to be used for its intended purpose, as shown on the approved site plan, or a plot plan, for a period of twelve (12) months or more. Any reuse of the driveway may only take place after the driveway conforms to all aspects of this Article.

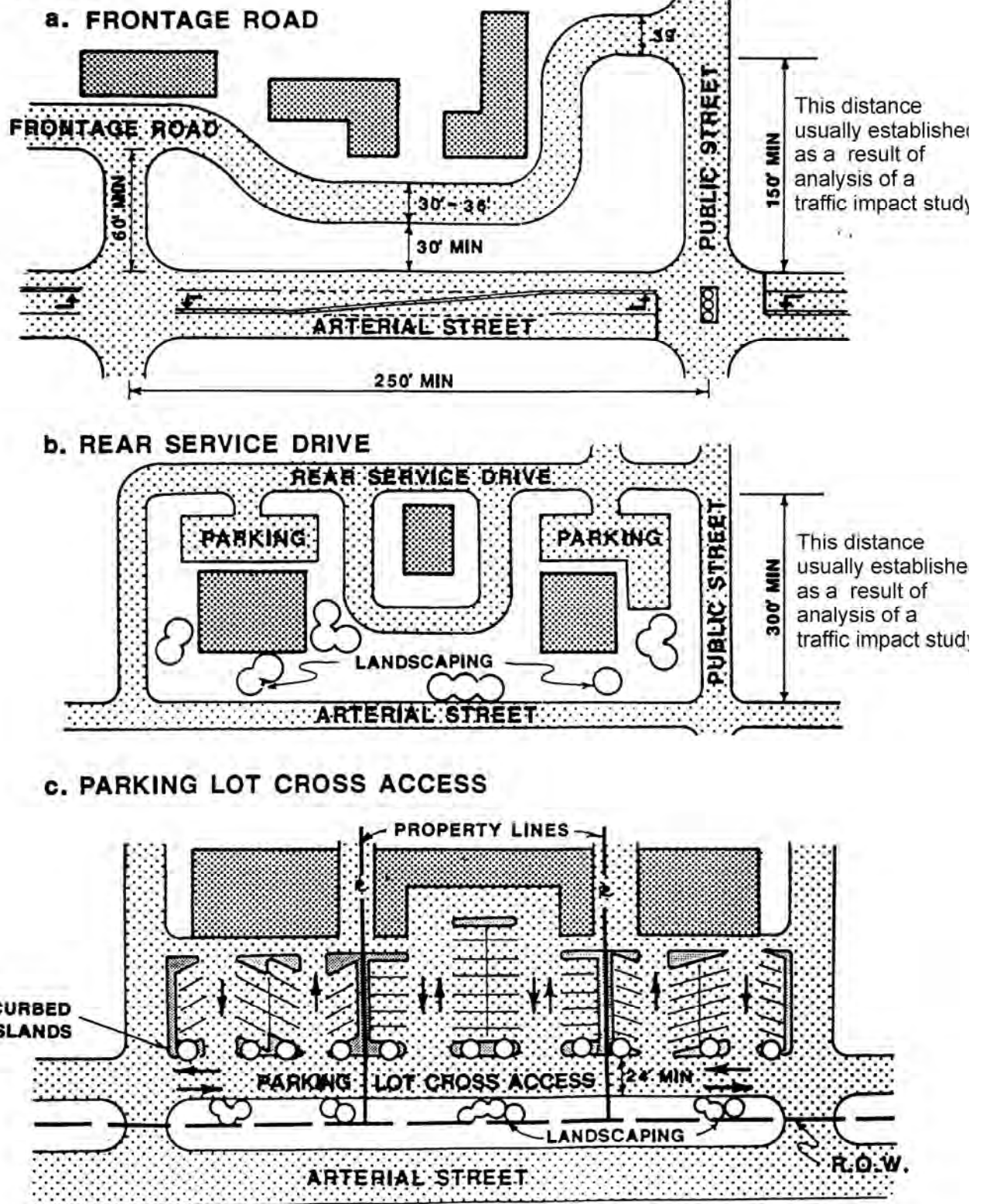
C. When the owner of a property with an existing, nonconforming driveway or driveways, applies for a permit to upgrade or change the use of the property, the Planning Commission will determine whether it is necessary and appropriate to retrofit the existing driveway or driveways.

1. The property owner may be required to establish a retrofit plan. The objectives of the retrofit plan will be to minimize the traffic and safety impacts of development by bringing the number, spacing, location, and design of driveways into conformance with the standards and requirements of this Article, to the extent possible without imposing unnecessary hardship on the property owner. The retrofit plan may include:
  - a. elimination of driveways,
  - b. realignment or relocation of driveways,
  - c. provision of shared driveways and/or cross parking lot connection,
  - d. access by means of a service drive
  - e. restriction of vehicle movements (e.g. elimination of left-turns in and out),
  - f. relocation of parking,
  - g. traffic demand management (e.g. a reduction in peak hour trips),
  - h. signalization, or
  - i. such other changes as may enhance traffic safety.

2. The requirements of the retrofit plan shall be incorporated as conditions to the permit for the change or upgrade of use and the property owner shall be responsible for the retrofit.



**FIGURE 2 - 6**



[EXAMPLE FROM DELTA TOWNSHIP, MICHIGAN]



D. Driveways that do not conform to the regulations in this Ordinance and have been constructed after adoption of this Ordinance shall be considered illegal driveways.

E. Illegal driveways are a violation of this Ordinance. The property owner shall be issued a violation notice which may include closing off the driveway until any illegal aspects of the driveway are corrected. Driveways constructed in illegal locations shall be immediately closed upon detection and all evidence of the driveway removed from the right-of-way and site on which it is located. The costs of such removal shall be borne by the property owner.

F. Nothing in this Ordinance shall prohibit the repair, improvement, or modernization of lawful nonconforming driveways, provided it is done consistent with the requirements of this Article.

## **Section 2.6 Incentives**

The Planning Commission, after a Public Hearing, may waive the required bulk, area and coverage requirements including height or parking otherwise required in the zoning district by up to ten (10) percent when such property owner elects to provide and maintain shared driveways, service roads, or interconnected parking lots.

## **Section 2.7 Exceptions**

Any applicant for access approval under the provisions of this Article may apply for an exception of standards in Section 2.3 if the applicant cannot meet one or more of the standards according to the procedures provided below:

1. For exceptions on properties involving land uses with less than 500 vehicle trips per day based on rates published in the Trip Generation Manual of the Institute of Transportation Engineers: Where the standards in this Article cannot be met, suitable alternatives, documented by a registered traffic engineer and substantially achieving the intent of the Article may be accepted by the Zoning Administrator, provided that all of the following apply:
  - a. The use has insufficient size to meet the dimensional standards.
  - b. Adjacent development renders adherence to these standards economically unfeasible.
  - c. There is no other reasonable access due to topographic or other considerations.
  - d. The standards in this Article shall be applied to the maximum extent feasible.
2. For exceptions on properties involving land uses with more than 500 vehicle trips per day based on rates published in the Trip Generation Manual of the Institute of Transportation Engineers: During site plan review the Planning Commission shall have the authority to waive or otherwise modify the standards of Section 2.3 following an analysis of suitable alternatives documented by a registered traffic engineer and substantially achieving the intent of this Article, provided all of the following apply:
  - a. Access via a shared driveway or front or rear service drive is not possible due to the presence of existing buildings or topographic conditions.
  - b. Roadway improvements (such as the addition of a traffic signal, a center turn lane or bypass lane) will be made to improve overall traffic operations prior to project completion, or occupancy of the building.
  - c. The use involves the redesign of an existing development or a new use which will generate less traffic than the previous use.
  - d. The proposed location and design is supported by the Emmet County Road Commission and/or the Michigan Department of Transportation, as applicable, as an acceptable design under the circumstances.



## **APPENDICIES G & H**

**Appendix G: City of Petoskey Meeting Minutes**

**Appendix H: Emmet County Meeting Minutes**





## PLANNING COMMISSION

April 21, 2011

A regular meeting of the City of Petoskey Planning Commission was held in the City Hall Community Room, Petoskey, Michigan, on Thursday, April 21, 2011. Roll was called at 7:03 P.M. and the following were:

Present: Gary Greenwell, Chairperson  
Dean Burns  
James Holmes  
Elizabeth Looze  
Emily Meyerson  
Rick Neumann  
Cynthia Linn Robson

Absent: Jeff Grantham  
John Murphy

Staff: Amy Tweeten, City Planner

Upon motions made and supported, minutes of the February 17, 2011 meeting were approved.

### Planners Moments Training Sessions

The Planning Commission viewed two Planners Moments CDs regarding ways to help northwest lower Michigan communities learn practical ways to plan for and implement local placemaking strategies

and tips on how to help meetings move along and accomplish agenda tasks.

### US-31 and M-119 Access Management Plan Presentation

The City Planner gave a review of the six segments of of the Access Management Plan with majority of the emphasis on segments one through three, then explained the purpose of access management in the

study area and the ways that the committee believes access management can be improved.

Commissioner Meyerson asked who would be responsible for the driveway closures and when would they be required. Staff responded that it would be the ordinance language that would determine, but there are two ways the closures would occur. The first method would be with a major property change or redevelopment that required a site plan and the driveway closure would be required as part of the review. The ordinance language will determine the trigger for driveway closures - whether it be a change of use, addition, or complete redevelopment and the closure would be at the property owner's expense as part of the site improvements. The plan is a guiding document that indicates recommendations for access management changes, but the ordinance will be the enforcement mechanism and some of the suggested improvements will need approval of MDOT to be implemented. The ordinance will give some flexibility to the Commission in its review (See Appendix E, Section 2.4 Nonconforming Driveways).



The second method of accomplishing driveway closures is to work with property owners when MDOT comes through with a road project. If a business agrees to a driveway closure at that time, the cost could possibly be covered by the MDOT project.

Commissioner Meyerson then asked if the different governments would be adopting the same ordinance or if they would be different, to which staff replied that they would try to make the ordinances as similar as possible, but that some of the standards may be different because of the status of existing development in each community. For example, the number of feet away from the MDOT right-of-way that is required to meet the ordinance standards may be different in the township than in the city.

Commissioners discussed the need for sidewalks along the Emmet County Fairgrounds in addition to the sidewalk shown, the reduction in number of driveways that access local business and the potential for shared access, the proposed center turn lane and medians on Charlevoix Avenue and their potential for slowing down traffic as it entered the City, and the proposed realignment of the Madison Street intersection and the effect that it will have on access to the surrounding businesses. Staff indicated that the intersection realignments can only occur with the approval of MDOT, but that the proposed intersection closures, realignments and additional traffic signal were seen as the best method to provide a safe entry point to the hospital while allowing access to the neighborhoods and safe pedestrian crossings.

There was discussion of the realigned Lewis Street and the difficult topography, and a suggestion that the highway be moved to the south along the stretch from the east City limit to MacDonald Drive to allow improvements to the Little Traverse Wheelway. The M-119 segment was also discussed as needing better access management and the benefit of extending the center turn lane to Petoskey State Park was debated.

At this time the City Planner recommended that the Commission schedule a public hearing on the plan at its regular May meeting.

Commissioner Burns made a motion, seconded by commissioner Robson, to schedule a public hearing on the US-31 and M-119 Access Management Plan at the May 19, 2011, meeting.

AYES: Burns, Greenwell, Holmes, Looze, Meyerson, Neumann, Robson (7)

NAYS: (0)

There being no further business to come before the Planning Commission, the meeting was adjourned at 9:15 P.M.

Reviewed by Gary Greenwell, Chairperson

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## PLANNING COMMISSION

May 19, 2011

A regular meeting of the City of Petoskey Planning Commission was held in the City Council Chambers, Petoskey, Michigan, on Thursday, May 19, 2011. Roll was called at 7:00 P.M. and the following were:

Present: Gary Greenwell, Chairperson  
Dean Burns  
Elizabeth Looze  
Emily Meyerson  
John Murphy  
Cynthia Linn Robson

Absent: Jeff Grantham  
James Holmes  
Rick Neumann

Staff: Amy Tweeten, City Planner  
Dan Ralley, City Manager  
Lisa Denoyer, Administrative Assistant

Others: Jeff Beaudoin, 521 Monroe Street  
Bob Carson, 425 Madison Street  
Bruce Deckinga, 08872 Deer Run  
Dr. Kyle Denholm, 322 Bay Street, Suite 3  
Martin Flynn, 508 Monroe Street  
Dave Hansen, 2526 Cedar Valley Road & 403 West Mitchell Street  
Suzanne Holguin, 509 Monroe Street  
Zach Horton, Charlevoix Avenue  
Kevin Johnson, 1965 East Johnson Road, Gaylord  
Andy Kazmers, 521 Monroe Street  
Ted Oldham, Petoskey Marathon  
David Rynbrandt, 521 Monroe Street  
Rod Slocum, 7745-25 Michigan Heights Court, Charlevoix  
Mark Tarquini, 801 Kalamazoo Avenue

Upon motions made and supported, minutes of the April 21, 2011 meeting were approved.

Public Hearing  
US-31 and M-119 Access  
Management Plan

The first of three public hearings was held on the US-31 and M-119 Access Management Plan. Staff gave a review of the six segments between the west City Limit and Graham Road for US 31 and from US 31 to Powell Road on M-119 and clarified that the Commission would not be taking action but would be accepting public comment. Staff also explained that access management is a series of techniques used to reduce crashes, traffic congestion and preserve road capacity and also gave a timeline of the process that began in November 2009. After the staff presentation, the public was asked for comment.



Bruce Deckinga, 08872 Deere Run, commented that when looking at the grand overview he was not convinced about a rash of accidents and asked if there had been a statistical increase in the past 10 years to warrant the suggested changes. Dr. Deckinga stated that changing Charlevoix Avenue from four lanes to three was debatable due to traffic turning into businesses along the way, that the hospital intersection was of concern, businesses would suffer by the Madison Street closure, questioned how semis would access Madison Street, and that the closure of Connable Avenue and Monroe Street would divert traffic by Lincoln Elementary School.

David Rynbrandt, Petoskey Surgeons, 521 Monroe Street, commented that he and his partners purchased property on Monroe Street and built their practice there because of its proximity to the hospital; visibility from the highway and access for patients. Dr. Rynbrandt also stated that there are concerns about pedestrians crossing the highway and that he has concerned about the closing of Connable Avenue and Monroe Street.

Suzanne Holguin, 509 Monroe Street, commented that she sees her neighborhood as a residential area even though there are businesses in the corridor area and stated that she does understand the concerns with the Connable Avenue and Monroe Street intersection but also has concerns about the closure and its effects on the access to the neighborhood and the congestion of traffic in the residential area. Ms. Holguin also stated that she would like one-way turns or one-way streets to be considered in the area, that with the new Bear River Valley Area Improvements a lot of people walk along Ingalls Avenue, that a new traffic signal at the Ingalls intersection would make it difficult for people to walk this area and that she would like a Third Ward meeting with Councilmember Johnson to discuss these issues.

Jeff Beaudoin, Petoskey Surgeons, 521 Monroe Street, commented that their practice had torn down an eyesore and built a new building with approximately 95% of the construction business being kept locally. Dr. Beaudoin also stated that their practice sees approximately 10,000 to 15,000 patients per year, with most of them being elderly, and that rerouting traffic along side streets would be more confusing for these patients and that it would not be a matter of if but rather a matter of when someone (a child) would be hit by a car and asked that the Connable Avenue and Monroe Street intersection not be closed.

Ted Oldham, Petoskey Marathon, commented that 54% of their customers use Jackson Street and to close Madison Street would mean that trucks would have to turn left onto Ingalls Avenue and then left again onto the highway and semis would not be able to get out. Mr. Oldham stated that by closing the three streets as proposed would block businesses and funnel traffic by an elementary school which he did not feel was a very well thought out process. He also stated that to look at these changes on a screen is one thing but to actually walk it is different and that he felt that limiting business driveways would be taking business away from owners and that if he were looking to open a business in Petoskey he would not build here if that were the case.

Kevin Johnson, owner of Petoskey Marathon, 1965 East Johnson Road, Gaylord, stated that he concurred with Mr. Oldham and that it would be more difficult for semis even more so with the closure and put more burden on the businesses. Mr. Johnson also thanked the Commission for having a public meeting.

Dave Hansen, Bill & Carol's and Scooby's Bottle Shop, commented that his stores have 17 semi deliveries per week and approximately half of them turn south when leaving. He has four children that attend school at Lincoln Elementary School and there are three busses entering and leaving every morning and afternoon and he does not want traffic to be diverted by the school. Mr. Hansen stated that he feels that roundabouts are too confusing and asked how they would be plowed and if there was an accident in a roundabout, how traffic would be diverted. He also stated that he



believes that 90% of accidents occur between Liberty Street and the Mitchell Street/US-31 light and that he does not believe that there is a problem from there to the US-31/US-131 intersection.

Mark Tarquini, 801 Kalamazoo Avenue, commented that he likes the Mitchell Street corridor medians, they look good, they are great at traffic calming and he does not have a problem driving through them. He also commented that he supports the idea of roundabouts as they are good at keeping traffic moving. Mr. Tarquini stated that he works at Northern Michigan Regional Hospital and hates trying to make a left turn at the traffic light near the emergency room entrance because many cars on Madison Street do not use a signal so it is difficult to know which direction they are heading and feels it is a bad intersection but doesn't feel that it needs to be closed and being that he lives near a school he understands the concerns of the residents around the Lincoln Elementary School area and would hate to see the extra traffic around the school. He also stated that he likes the idea of US-31, near Sunset Park, being moved away from the cliff and asked if that might be a possibility.

Bob Carson, O'Donnell Glass, 425 Madison Street, commented that he has a great concern with the intersection of Madison Street and US-31. He has 26' box trucks and semis coming to his business and some continue north. The current layout allows for these trucks to enter his business on Madison Street and then continue on to Ingalls where they turn left and then take a right on Mitchell Street. Blocking the intersection would not allow for trucks coming from the north to exit onto Mitchell Street and they would have to turn around in the Marathon parking lot or back out into the intersection. As far as closing Connable Avenue is concerned, he cannot imagine the amount of traffic that would be flowing through there. Pedestrians use the signaled crosswalk as it was intended and he feels there are more accidents from people trying to turn left out of business like Arby's, and suggested making the flow of traffic in that area required to turn right only.

Andy Kazmers, Petoskey Surgeons, 521 Monroe Street, commented that he does not see what good could come from closing Connable Avenue and that he believes that it would cause a lot of hardships for a lot of people as previously stated. In addition he feels that there needs to be more consideration for the traffic light at the Connable Avenue and Mitchell Street intersection. No matter the time of day you see people running the red light at various speeds and he would like to encourage Public Safety to enforce the red light. Dr. Kazmers requested that the Commission seek alternatives for crossing Mitchell Street at NMRH and rethink the closing of the streets that have been discussed.

Kyle Denholm, 513 Liberty Street, commented that with Liberty Street butting up to Jackson and Lone Streets that he walks the area and agrees that closing off Connable would increase traffic flow around Lincoln Elementary School and that Lone and Liberty Streets would also see an increase in traffic flow in an attempt to avoid congested areas. He also stated concerns of a child or pet being injured due to the increase in traffic.

Zach Horton, Charlevoix Avenue, commented that he works at Petoskey Surgeons and supports what his colleges have said and that he has three children, one that currently attends and two that will be attending school at Lincoln Elementary School. Dr. Horton stated that his bigger concern is the increased traffic around the school, as morning and afternoon traffic is already busy and if you increase traffic with the Medicare patients that they see at their clinic it will become a very congested area. Dr. Horton travels Charlevoix Avenue every day and likes the way it is set up now with the four lanes where traffic gets heavy and seems to flow nicely with turning on US-31 and US-131 and he feels that changing it to two lanes would increase congestion in an area that is already congested.

At this time the public hearing was closed.



Staff commented on the question of whether US-31 by Sunset Park would be moved, stating that there is a plan to relocate a section from MacDonald Drive to about Lewis Street to the south as part of the acquisition of the rail corridor and that some of that rail corridor is owned by the roads division of MDOT.

At this time Ted Oldham presented the Planning Commission with a petition containing 694 signatures against the closure of any intersections.

Commissioner Robson asked if Madison Street could be changed to an enter only, no left turn or right turn only in order to change it without closing the street so that trucks could enter and exit businesses without difficulty. Ms. Robson stated that she felt the closure of Connable Avenue and Monroe Street would cause confusion for patients coming from out of town to access Petoskey Surgeons as they would be able to see the building but not know how to get to it and she would like to take a closer look at those proposed changes. Ms. Robson inquired about the proposed lane changes in Segments 1 and 2 and asked if a bike path would be put in, to which staff replied that a bike lane would be put in rather than a path. Ms. Robson voiced concern about cars passing on the right along Charlevoix Avenue if there was a wide shoulder; staff responded that it would be an approximately 5 foot area with curbing so did not believe people would use this as a passing lane. She then asked if it was possible to make the entrance to Walgreens off of Charlevoix Avenue a right in and right turn out only and no left turns out of the parking lot of Rite Aid due to its close proximity to the intersection.

Commissioner Meyerson thanked the public for attending the public hearing and stated that she was concerned about both proposed closings and believes that a mini-study should be conducted to do a traffic count and see what would happen to the different cars and where they would go if the streets were blocked off. Ms. Meyerson commented that there is a great safety issue for pedestrians crossing at the hospital as well as an issue with finding the entrance to the hospital and she does not believe that businesses should be blocked nor traffic be routed by the school. Ms. Meyerson also commented on the area at US-31 and Eppler Road stating that she felt it would be much safer and more bike-friendly to reduce it from four lanes to three and that she has concerns regarding traffic lights and would like to see more roundabouts.

Commissioner Murphy concurred with Ms. Meyerson and commented that he too sees issues with the closures and feels it would be a disservice to close the streets without further in-depth studies and would hate to see the traffic routed into residential areas any more than it already is. Also, he has concerns about a traffic light on Jackson Street and cars using Jackson Street as a shortcut and the potential for too much traffic around the school. Mr. Murphy also stated that he believed it was a good preliminary plan and that there is no perfect solution but feels more studies need to be done.

Commissioner Burns made a motion, seconded by Commissioner Murphy, to postpone further discussion until the next regular meeting.

AYES: Burns, Greenwell, Looze, Meyerson, Murphy, Robson (6)

NAYS: (0)

Appeal of Sign Committee  
Decision for 322 Bay Street, Ste.3

At its June 22, 2009 meeting, the Sign Committee denied an application for a proposed sign at 322 Bay Street, Suite 3. The decision of the Committee was based on the proposed location of the sign to hang

from the walkway fascia, given the definition of wall sign in the ordinance:



**Section 2.1(69) Wall sign** – a sign that is attached, mounted, or painted directly onto a building wall with the sign face parallel to the building wall.

The applicant was later approved for a wall-mounted sign, but was now appealing the decision of the Committee on the following grounds:

1. The ordinance does not specifically prohibit wall-mounted signs from being hung from a building fascia; the ordinance prohibits roof-mounted signs.
2. The approved sign does not provide the necessary visibility to the business given the unique design of the building in the downtown district (e.g., the covered walkway the length of the building);
3. The sign being requested is not larger than allowed for wall-mounted signs in the B2 District;
4. There are other signs downtown that are not mounted on building walls, but on deck railings.

Dr. Denholm stated that he requesting the appeal so that he can make his business more visible. He currently has a wall mounted sign but it is difficult to see due to hedges, the parking area and set back under a covered porch and believes the visibility issue is affecting his business because patients cannot find his office or are not even aware that he is there. Dr. Denholm feels that his request is comparable to other signs in the area and it is within the square foot allowance.

Commissioner Greenwell read aloud an email that was sent to staff by Commissioner Neumann stating his opinion on appeal. In this email Mr. Neumann also commented that he felt a freestanding sign would be the best fit for this location. Mr. Greenwell then asked staff if a freestanding sign would be acceptable at this location to which staff replied that it would be as it is situated on private property and within the allowable signage requirements.

Commissioners then discussed the possible placement of the sign and a motion was made by Commissioner Greenwell, seconded by Commissioner Murphy, to uphold the Sign Committee's decision and give direction to the applicant to request a freestanding sign.

AYES: Burns, Looze, Meyerson, Murphy, Robson (5)

NAYS: (0)

ABSTAINED: Greenwell (1)

Discussion/Direction on  
Sections 1704 and 1705

The Commission was scheduled to continue their discussion on Sections 1704 and 1705 of the Zoning Ordinance but postponed discussion due to a time restriction.

Commissioner Murphy made a motion, seconded by Commissioner Robson, to postpone discussion until the next regularly scheduled meeting on June 16, 2011.

AYES: Burns, Greenwell, Looze, Meyerson, Murphy, Robson (6)

NAYS: (0)

There being no further business to come before the Planning Commission, the meeting was adjourned at 9:05 P.M.

Reviewed by John Murphy, Secretary



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## PLANNING COMMISSION

June 16, 2011

A regular meeting of the City of Petoskey Planning Commission was held in the City Hall Community Room, Petoskey, Michigan, on Thursday, June 16, 2011. Roll was called at 7:00 P.M. and the following were:

Present: Gary Greenwell, Chairperson  
Jeff Grantham  
James Holmes  
Elizabeth Looze  
Emily Meyerson  
John Murphy  
Rick Neumann  
Cynthia Linn Robson

Absent: Dean Burns

Staff: Amy Tweeten, City Planner  
Dan Ralley, City Manager

Others: Bruce Deckinga, 08872 Deer Run  
Karen Stanhope, 10867 Maple Grove Road, Charlevoix  
Mark Tarquini, 801 Kalamazoo Avenue

Upon motions made and supported and the addition of Commissioner Murphy as present at the meeting, minutes of the May 19, 2011 meeting were approved.

### Planners Moments Training Sessions

The Planning Commission viewed a Planner's Moments CD regarding placemaking and entrepreneurs. This unit defined the connections to placemaking and what planning commissions can do to support entrepreneurial development in their community.

### Continued Discussion US-31 and M-119 Access Management Plan

At its May 19, 2011 meeting the Planning Commission held a public hearing on the US 31 and M 119 Access Management Plan. Due to significant public input on the many Access Management improvement concepts included for the segments within the City, the Commission decided to continue discussion at its June 16, 2011 meeting.

Staff reminded the Commission that the recommendations in the plan are concepts based on the issues in the corridor and the standards for improving access management in the corridor. Staff then reviewed the proposed changes and the benefits they would bring for Segment I, along Charlevoix Avenue, as well as public comment from the May 19<sup>th</sup> meeting and asked the Commission for any questions or comments on this segment.



Commissioners discussed the Jackson Street connector and how it would handle traffic from Northern Michigan Regional Hospital's campus; future hospital and clinic staff parking and the need for a parking structure; the potential for rear access to businesses along Charlevoix Avenue, therefore eliminating some curb cuts; the reduction of lanes and its ability to keep traffic moving smoothly; the island at St. Francis Cemetery and the potential to change the entrance from Charlevoix Avenue to the Knights of Columbus parking lot; and the possible closure of Walgreens drive on Charlevoix Avenue. Commissioners also reviewed and discussed the crash studies for Segment I.

Commissioner Robson requested that a notation be added to the plan stating that sidewalks would be added the length of the south side of Charlevoix Avenue and that the drive at St. Francis Cemetery would either be closed or show an opening in the median for access.

Commissioner Meyerson commented that there were no pedestrian facilities on the new Jackson Street changes and that she would like a notation made to add pedestrian facilities to the plan as well as the closing of the Walgreens drive on Charlevoix Avenue.

The consensus of the Commission on changes to the Charlevoix Avenue segment were to make a break in the median for the cemetery, to show a sidewalk the length of Charlevoix Avenue and to eliminate the Charlevoix Avenue access to Walgreen's.

At this time public comment was heard.

Karen Stanhope, 10867 Maple Grove Road, Charlevoix, stated that she currently lives in Charlevoix County but that she grew up in Petoskey and that her business is in this neighborhood. Ms. Stanhope asked if there would be a special traffic light installed when the Public Safety Station West is complete so that motorists would be alerted that traffic will be coming out of the station; if it were possible for there to be a merge right for traffic heading south on US-31 and a merge left for traffic turning up Eppler Road; if it would be possible to close the MacDowell Street access to Charlevoix Avenue rather than the Walgreens drive and recommended that, if possible, if Charlevoix Avenue were reduced from four lanes to two that the angle of Eppler Road and US-31 intersection be changed because people will travel up Eppler to avoid traffic if there are only two travel lanes and one center lane. Ms. Stanhope also asked why Charlevoix Avenue went from two to three and eventually to a four lane road to handle the increase in traffic and now the plan is proposing to reduce it to two lanes.

The City Manager responded that there are no plans for a light at the new Public Safety Station West and Commissioner Meyerson responded that based on experience and national studies, MDOT has determined that in certain circumstances, fewer travel lanes with dedicated turn lanes worked better at keeping a smooth traffic flow.

Bruce Deckinga, 08872 Deer Run, asked where the study was that showed that three lanes are better than four, if it was a local study and is it applicable in this area. Commissioner Meyerson responded that it was a national study that is referred to as a "Road Diet" and it is used all over the country.

Mark Tarquini, 801 Kalamazoo Avenue, stated that he likes the proposal of changing Charlevoix Avenue from four lanes to two and that he likes the idea of roundabouts better than signals; the Jackson Street changes are needed for employee and patient traffic; and that eliminating extra curb cuts will cause fewer cars to be turning and therefore create a smoother traffic flow. Mr. Tarquini also commented that given the way that healthcare is going he does not see funding being available for a parking structure that is desperately needed at the hospital.



Staff noted that the proposed changes are concepts for access management based on state and national standards and recommendations, but that any alterations such as decrease in travel lanes or intersection controls (lights or roundabouts), would need further study by MDOT of the traffic conditions of the particular roadway segment. It is possible that Charlevoix Avenue would not be a good candidate for lane reductions, but it is a tool that may help traffic flow pending further analysis.

With no further comments staff then reviewed the proposed changes and the benefits they would bring for Segment II along West Mitchell Street, as well as public comment from the May 19<sup>th</sup> meeting and asked the Commission for any questions or comments on this segment.

Commissioners discussed accidents that occurred near business driveways; concerns of neighborhood traffic traveling by Lincoln School if the Connable/Monroe intersection were closed; possible land use changes to accommodate the realignment of West Mitchell Street; curb cuts; the traffic light at Ingalls Street as it would impact businesses; the need for more intensive studies; possible closing of the circle drive at NMRH; and the possibility of changing Madison Street to a right in only off of US-31.

Commissioner Murphy asked staff to request a map from MDOT that shows intersection accidents.

Karen Stanhope commented that she believed that a crosswalk at Liberty Street is a good idea but that she would not stand in a median to cross the street. Ms. Stanhope asked if it would be possible to put in a catwalk either from the park between Connable and Madison or where the circle drive is and the triangle of land across the street from it and proposed that as another option the City might be able to swap land with the hospital or offer more parking where the Jackson Street changes would be made and in turn put in a catwalk to the Benjamin Blum Hospitality House so that Monroe Street and Connable Avenue could be closed. She also asked what would happen to Scooby's Bottle Shop and Royal Tire and their long-term use if a traffic light were installed at Liberty as both businesses have parking spaces that require vehicles to back out into traffic.

The City Manager commented that because of ADA requirements it would be very difficult to meet the space requirements for a catwalk and that he felt that the City could work with area businesses to make sure they still have good access and parking. The City Manager also commented that typically he has heard from businesses that their property becomes more valuable when near a traffic light and that the traffic light at Ingalls would tie together neighborhoods that are to the south of the waterfront and give access that currently could only be made by the Bear River Valley.

Bruce Deckinga commented that the Benjamin Blum Hospitality House has two driveways but the plan does not show the closure of one. Mr. Deckinga asked if the City could purchase the Benjamin Blum Hospitality House to allow the closing of Monroe Street and Connable Avenue and bring the highway into Monroe Street and direct truck traffic into the highway through the park.

Karen Stanhope agreed with Mr. Deckinga and commented that she felt there would be plenty of room to cut across the property and still leave a greenbelt for the neighbors.

The City Manager commented that the purchase of the hospital property would not be financially feasible.

Commissioner Murphy made a motion, seconded by Commissioner Robson, to postpone further discussion until the next regular meeting.

AYES: Grantham, Greenwell, Holmes, Looze, Meyerson, Murphy, Neumann, Robson (8)  
NAYS: (0)

The Commission discussed changes that were made



Discussion/Direction on  
Sections 1704 and 1705

to Sections 1704 and 1705 of the Zoning Ordinance which included off-street parking and bike racks. The Commission asked Staff to work on the existing language regarding bike racks and submit it to the Commission for their next meeting.

Commissioner Neumann made a motion, seconded by Commissioner Murphy, to schedule a public hearing on Sections 1704 and 1705 of the Zoning Ordinance at their next regularly scheduled meeting on July 21, 2011.

AYES: Grantham, Greenwell, Holmes, Looze, Meyerson, Murphy, Neumann, Robson (8)

NAYS: (0)

Updates

The 2010 Census Data showed that the City lost approximately 400 residents. Updated Census Data included information that showed the City had only added 16 housing units over the past 10 years. Staff informed the Commission that the City will be challenging the Census results as there were many more new housing units added over the past 10 years.

Staff reminded Commissioners of a training session to be held by the North East Michigan Council of Governments titled "Complete Streets Training" from 5:30 P.M. to 7:30 P.M. on June 27, 2011 at the Emmet County Community Building.

There being no further business to come before the Planning Commission, the meeting was adjourned at 9:20 P.M.

Minute content reviewed and approved July 14, 2011 by John Murphy, Secretary





## PLANNING COMMISSION

July 21, 2011

A regular meeting of the City of Petoskey Planning Commission was held in the City Hall Community Room, Petoskey, Michigan, on Thursday, July 21, 2011. Roll was called at 7:02 P.M. and the following were:

Present: Dean Burns  
Gary Greenwell, Chairperson  
James Holmes  
Emily Meyerson  
John Murphy  
Rick Neumann  
Cynthia Linn Robson

Absent: Jeff Grantham  
Elizabeth Looze

Staff: Amy Tweeten, City Planner  
Dan Ralley, City Manager  
Lisa Denoyer, Administrative Assistant

Others: Jim Flickema, Northern Michigan Regional Hospital  
Ken Horrom, Northern Michigan Regional Hospital  
Mark Tarquini, 801 Kalamazoo Avenue

Upon motion made and supported, minutes of the June 16, 2011 meeting were approved with corrections made on page two. At this time item 3 on the agenda was moved to 5(c) to allow for the public hearing to begin earlier.

Public Hearing  
Zoning Ordinance  
Section 1704 and 1705

Updates to the parking and landscaping sections of the code began at the Commission Code Committee level and moved to the full Commission in 2009. The reason amendments to this section of the ordinance were made first was due to the significant impact that

parking areas have on a community in defining its appearance. The Code Committee spent time not only reviewing the ordinance, but also evaluating parking lots throughout the larger Petoskey area and their impact on the community. There are no standards for parking requirements - some communities calculate spaces on employee numbers, others on floor area, and some communities are choosing not to regulate the number of spaces at all.

Staff commented that the majority of changes to Section 1704 were either clarifications of procedure, additions of parking requirement flexibility, or specifications of lot design standards and that there were some changes to parking number requirements (medical uses). However, the majority of vehicle requirements were modified very little and bicycle parking requirements were added. In addition, the current Section 1705; Off-Street Parking Layout, Standards, Construction and Maintenance were incorporated into Section 1704 and Section 1705 has become Landscaping.



Staff noted that corrections needed to be made to Section 1704(2)E by removing “by more than 5%” from the paragraph and that in Section 1704(6)G the word Chapter should be changed to Section.

At this time the meeting was opened for public comment but no comments were received.

Staff then stated that Section 1705, Landscaping, was a new section that incorporates standards for screening and internal landscaping of parking areas based on the qualities of existing parking areas. It pulls elements from; the former 1705, existing 1717, Site Plan Review, and Article XXVI, the B-3b Business Industrial District.

Again the meeting was opened for public comment but no comments were received and the public hearing was closed.

Commissioners discussed and reviewed the verbiage of the Bicycle Parking Standards at great length.

Commissioner Robson requested the following changes:

Section 1704(5.3)C2 read: “There must be an aisle behind all required bicycle parking to allow room for bicycle maneuvering.”

Section 1704(7)D read: “Loading spaces shall be at least ten (10) feet in width, twenty-five (25) feet in length, and a clearance of fourteen (14) feet in height.

Section 1705(2)C and Section 1705(3.2)A3: add “The decorative face of a screen wall shall face the adjacent property”

Commissioner Neumann requested the following changes:

Section 1704(2)B read: “Upon Commission review and approval, on-street parking may be used for up to twenty (20) percent of required parking spaces, not exceeding 6 spaces, provided that:”

Section 1704(3)D4: add the definition of banked parking.

Section 1705(6.2)C read: Fir – Concolor, Douglas

Commissioner Murphy requested that all semicolons be replaced with commas in Section 1704(5.3)B and 1704(5.3)C, as well as remove the semicolon in Section 1705(4)7 and replace it with the word “with”. Commissioner Burns disagreed with the last change and Commissioner Meyerson requested that Staff review for correct usage.

Commissioner Burns made a motion, seconded by Commissioner Meyerson, to recommend Section 1704 and 1705, with changes and corrections, to City Council for approval.

AYES: Burns, Greenwell, Holmes, Meyerson, Murphy, Neumann, Robson (7)

NAYS: (0)

Continued Discussion  
US-31 and M-119 Access  
Management Plan

The Commission continued its discussion of the US-31 and M-119 Access Management Plan. Staff reviewed segments 1, 2 and 3, the suggested changes to date and explained the plan and implementation process.

The City Manager then reviewed Segment 2 of the Access Management Plan and reminded the Commission that MDOT is scheduled to repave this section in 2013 and asked the Commission for direction as MDOT is ready to start surveying this fall. Mr. Ralley then reviewed a letter that he received from MDOT listing the improvements along US-31 within the City that would be necessary to have an additional traffic light installed at Ingalls Avenue..



Commissioners then discussed the plan, making recommendations to move US-31 slightly to the south at the east edge of the City to take advantage of City-owned property along the former rail corridor (Segment 3), maintaining the pedestrian median at US-31 and Liberty Street (Segment 2), and an indication of a full closure of the Walgreens drive on Charlevoix Avenue (Segment 1).

Jim Flickema, Northern Michigan Regional Health System, gave the following statement: The hospital has been in discussion over the years with the City of Petoskey, MDOT and other interested parties regarding the reconfiguration of US-31, Connable Avenue and other adjacent streets that provide egress to the hospital campus. The hospital campus, including the hospital proper and other associated and attached buildings, neighboring physician offices, and other business in aggregate have over 2,000 employees and hundreds of daily patient, visitor and vendor visits each day. As a healthcare facility they are a 24 hour, seven day per week operation with associated emergency and non-emergency vehicle traffic. Egress to the hospital campus, the high volume of traffic on the main highway through Petoskey and the many curb cuts from the main highway into the hospital have been a concern for some time. On a daily basis the current traffic and egress configuration lends itself to vehicle and pedestrian accidents or near misses that are witnessed from the hospital campus every day. The hospital system supports the current proposed reconfiguration of the US-31 corridor in front of and adjacent to the hospital campus. This support includes a proposal for traffic lights at the access point to the hospital's Emergency Department from US-31 and the light at Ingalls Street. The hospital has proposed to the City to accept two of the three specific curb cut eliminations at allow access from US-31 and the Connable Avenue reconfiguration at the hospital's Emergency Department entrance. The hospital system is grateful to the City of Petoskey and MDOT for the work and consideration of Access Management Plan and they believe that this plan greatly improves the reasonable, safe and efficient traffic and pedestrian flow into the hospital campus facility and the entire US-31 corridor that this plan addresses. Mr. Flickema then thanked the Commission for allowing him to read the hospital's statement to them.

Commissioners then discussed the partial closure of the circle drive at Northern Michigan Regional Hospital, and how traffic would access the parking area and asked if the hospital has any plans for reconfiguration plans for parking.

Ken Horrom, Northern Michigan Regional Health System, commented that the hospital has looked at plans for reconfiguration but have not come up with a definite plan.

Commissioner Burns made a motion, seconded by Commissioner Holmes, to approve Segment 1 with changes to include sidewalk along the entire south side of Charlevoix Avenue and the Jackson Street extension, a gap in the island in front of St. Francis Cemetery, and the closure of the Walgreen's drive.

AYES: Greenwell, Holmes, Meyerson, Murphy, Neumann, Robson (6)

NAYS: Burns (1)

Commissioner Burns made a motion, seconded by Commissioner Robson, to approve Segment 2 with the change of allowing traffic to turn right onto Madison Street from US-31.

AYES: Burns, Greenwell, Holmes, Meyerson, Murphy, Neumann, Robson (7)

NAYS: (0)

Commissioner Burns made a motion, seconded by Commissioner Neumann to approve Segment 3 with an additional note to look at shifting US 31 south from the east City limit to where the Little Traverse Wheelway leaves the US-31 right-of-way.

AYES: Burns, Greenwell, Holmes, Meyerson, Murphy, Neumann, Robson (7)

NAYS: (0)



The Commission discussed how to proceed with the remainder of the Access Management plan, segments 4-6 that are not located within, nor under the control of, the City of Petoskey. Commissioner Burns then made a motion, seconded by Commissioner Holmes, to endorse the concept of an Access Management Plan for the entire plan area.

AYES: Burns, Greenwell, Holmes, Meyerson, Murphy, Neumann, Robson (7)

NAYS: (0)

Discussion on Downtown  
Design Guideline Elements  
and Planners Moments

Due to a lack of time, the discussion on the downtown district regulations was postponed until the next regular meeting on August 18, 2011 and the Planners Moments training session was postponed until September.

Updates

Staff provided the Commission with an update on the Charles Residence Special Condition Use denial. And Commissioner Murphy informed the Commission that the Little Traverse Historical Museum will be hosting a Croquet Open to be held in conjunction with the Festival on the Bay and that team entries are being accepted.

There being no further business to come before the Planning Commission, the meeting was adjourned at 9:30 P.M.

Minute content reviewed and approved John Murphy, Secretary



EMMET COUNTY PLANNING COMMISSION  
REGULAR MEETING  
THURSDAY JUNE 2, 2011  
7:30 P.M.  
COMMISSIONER'S ROOM  
EMMET COUNTY BUILDING  
200 DIVISION STREET  
PETOSKEY, MI 49770

MINUTES

MEMBERS PRESENT: Paul Hramiec, Dan Plasencia, Jack Jones, Kelly Alexander, Steve Neal, John Eby, Sue Anderson, James Scott, David Laughbaum

MEMBERS ABSENT: None

STAFF: Tammy Doernenburg, Monica Linehan

## **I Call to Order and Attendance**

The meeting was called to order at 7:30 PM by Eby. All members were present.

## **II Public Hearing: Access Management Plan**

Using a PowerPoint presentation, Doernenburg presented the access management plan. She explained that when the bypass that was proposed failed, a Petoskey area-wide transportation study was done. Creating an access management plan was one of the suggestions that came from this study. Doernenburg outlined some of the benefits of access management along with the timeline and collaborating jurisdictions that have worked on this plan. Some of the recommended access management tools include regulating driveways and intersections, introducing or expanding center turn lanes, introducing medians, and introducing roundabouts. She explained that the plan currently includes a proposed roundabout at the US-31/M-119 intersection. Due to recommendations from both Bear Creek Township and Emmet County Planning Commissions, this proposal will be removed from the plan. The removal is primarily based upon the traffic numbers at that intersection and data suggests that a roundabout would not handle the amount of traffic there. An illustration and definition of roundabouts was shown. A roundabout is considered safer because there are less conflict points in a roundabout than a standard intersection. Implementation of the plan recommendations would be done over time and Doernenburg stressed that the suggested drive closure changes would only be done on a voluntary basis or during new development or redevelopment of an area. Drives are not mandated to be closed. Doernenburg explained that this plan is a sub area plan and does not have to go through the same procedures as a Comprehensive Master Plan. She explained the meetings that have already occurred and those that will happen both at the City of Petoskey, Bear Creek and County levels. Aerial views of each of the segments of the plan area were shown with the suggestions highlighted. Some of the main highlights include an alternate route running parallel to US 31, proposed pedestrian crossings, and connector drives connecting properties to alleviate multiple entrances and exits onto the highway from local businesses in segment four. Doernenburg again noted that the proposed roundabout will be removed from the plan. MDOT is continuing to work on the Pickerel Lake/US 31 intersection as a top priority, however no final plans have been established yet. A continuous turn lane to the State Park was suggested. A dedicated turn onto Manvel Road is planned for next year. The suggestions and comments that have been received to-date were read. Doernenburg explained that these comments and suggestions from past meetings, this meeting, and upcoming meetings will be taken and reviewed.



The floor was then opened to public comments.

Todd Oldham stated that he owned the Petoskey Marathon. He stated that closing Madison, Connable, and Monroe streets would increase traffic even more than it already is past the school as they would have to go to Jackson Street and then back to the light. With the proposed closures, a semi would not be able to get in and out of the gas station. He stated that fifty four percent of the patrons at the Marathon station use Madison to get in and out of the business. 944 people signed the petition at the gas station against these road closures. Oldham asked that the number of people who oppose this should be looked at as well as the number of people who use the routes that are proposed to be closed.

Bruce Deckinga stated that a lot of thought and effort went into this plan and it is presented as if the business owners would have to agree to a change in driveway closures. At the City of Petoskey meetings, it was presented as this plan is what MDOT wants. Deckinga stated that his wife owns the Check-& Go business. He asked if the changes are indeed voluntary or is it something MDOT will push through as an entire plan. Can we say some are good and some are not good? Turn lanes are helpful, however he is not sure what changing Charlevoix Avenue will improve. Deckinga stated that the devil is in the details; who decides if changes are voluntary or mandatory?

Kathy Meyer stated that now that you don't have to stop at Division Road when you are turning right it seems to tempt some people to go very fast. It would be a good idea to put up one of the speed detector signs to see what speeds are recorded from traffic coming down Division Road.

Dale Meyer stated that the right turn lane onto Manvel Road will definitely be an improvement. He suggested two lanes past Ace Hardware because it can be a race now to see who gets there first. Meyer also noted that many people like to access the bike trails and there is not a safe way now due to having to cross the highway.

Karen Sando stated that the Eppler Road to 31 section most concerns her. Going from four lanes to three seems backwards and she has concerns about backups in both directions. She stated that the merge to the left causes issues when going west.

Bruce Deckinga stated that a single center turn lane on Charlevoix road in both directions causes issues because there are too many businesses. This can be difficult when you're fighting both easterly and westerly traffic.

Eby asked where this plan came from and where the suggested drive closures came from. Doernenburg explained that there were regular meetings and the plan was first presented early last year and was presented again in September with the proposed drive closures and suggested changes made. Comments today will be brought back to the group, changes will be made if necessary, and the plan will be brought back for review. The group drove the roads and collaborated to come up with suggested changes. Crash data was also used. Eby stated that the plan seems uninspired. If a drive is closed for safety purposes and the lot next to it is vacant and is developed, they would add a drive back. Doernenburg stated that these ideas are not innovative, they are proven techniques recommended in the Petoskey Area Transportation Study. She noted that this plan is completely different than the corridor study being done in Littlefield Township. This is a guiding document and suggestions only related only to Access Management. The plan suggests changes it does not require changes. The Zoning Ordinance would have to be amended to require any changes. The recommendations are only if there is a change in use, an area is redeveloped or if an owner decides to voluntarily close drives during a road project.



Anderson stated that if lanes are reduced on Charlevoix Road it won't be voluntary on the property owners' part; who makes the determination? Doernenburg stated that those decisions would be between MDOT and the City of Petoskey; studies would have to be done to determine if the recommendations are feasible. Jones stated that those changes have been looked at before. Laughbaum asked who did the study that says changing from four lanes of traffic to three lanes will help traffic. Left turns are an issue. Where are the facts to support these changes? Is it a safety issue or an issue of gaining land resources for sidewalks, lights, etc.? Where are the studies that show less driveways equal more safety? Doernenburg stated that this plan is a concept. Studies would have to be done if the proposals were to move forward. Shutting down driveways eliminate or reduce potential places in which a car can be involved in a rear end collision. Alexander stated that the major issue is safety; flow and function are in the design. Were there discussions regarding existing businesses and the potential impacts to their businesses? Doernenburg stated that future redevelopment was the primary focus but that current business uses were acknowledged. The example of the Mobil gas station in East Bay View was given. The plan does show eliminating at least two of their driveways, but this would only be done if the property owner would voluntarily close a drive, these suggestions would be looked at if the property were redeveloped. The committee realizes that the existing drives are used for different purposes now such as gas delivery truck access, car wash traffic, etc. Alan's Northside is another example in the same area.

Hramiec asked if driveway closures would be required for a change in ownership. Doernenburg stated that no change would be required due to a change in ownership, but a change in use-which required would allow for the Planning Commission to require the closure of a driveway. She noted that procedures may be different in the City. We have been communicating with MDOT when new projects are proposed; this plan would require that we work with MDOT if there is redevelopment. The Planning Commission could recommend a drive closure but MDOT would have the final authority taking the Planning Commission's recommendations into account.

Karen Sando stated that when Mitchell Street near the bridge had the center turn lane added, the driveways were narrowed by MDOT. The businesses did not have the option there.

Denny Keiser, Bear Creek Township Supervisor, stated that there are two political boundaries dealt with in this plan, City of Petoskey and Emmet County. He stated that he would not have gotten into this planning process if it were to be a mandated type of ordinance. It will depend on the zoning ordinance for the jurisdiction how this will be implemented. Keiser stated that he cannot speak for the City in that regard. He explained that a sale of a property would not spark any changes; only change in use or redevelopment. Narrowing of driveways as mentioned are MDOT standards. Keiser noted that when this was done while he owned the Toski-Sands business it actually helped some safety issues that they had within the parking lot by slowing traffic down.

Ted Oldham stated that when driveways are eliminated it limits the potential of a property. It is not friendly to current owners, potential buyers, or businesses coming here. A business needs a good in and out.

Clair Rose stated that he owns property where Harbor Fence sits. He stated that anyone concerned should stay tightly connected with MDOT or the Planning Department throughout this discussion. His house had an access drive that was inaccessible once work was done on the road in that area.



Denny Keiser stated that some businesses have three or four driveways and reducing them makes sense. Oleson's, Walgreens, Holiday gas station, and Glen's (Spicy Bob's section) have all offered access management solutions to improve safety.

Jim McTaggart stated that he owns some property on Howard Street that butts up to US 31. There is not currently a driveway there now to access US 31 and he has no plans to create one. He asked if this plan would prevent them from accessing US 31 in the future. Doernenburg stated that MDOT would make the determination. Usually if there is adequate access a new curb cut is not required to be allowed. She recommended talking to the city.

Eby stated that this plan does not have the teeth to make requirements, it only supports ordinances that have the teeth and can make requirements. He suggested everyone keep an eye on the planning process. Alexander noted that the design of the plan is for function and safety. There are bumps to smooth out and MDOT seems to feel that there are too many curb cuts. Eby questioned whether the purpose is for safety. Jones stated that he doesn't think that this plan will do anything that we haven't already been doing with redevelopment. This has been in the works for a long time; there hasn't been the funding to develop a plan but these ideas have been in place since the beginning of zoning.

Bruce Deckinga stated that closing Connable, Madison, and Monroe streets divert traffic and doesn't seem safer to him. Who determines what is safer?

Karen Sando commented that the pedestrian walkway is a great idea; however, she asked about this at Mitchell Street bridge and was told there wasn't enough room. Is there an area this would actually work?

Denny Keiser stated that when a new developer comes in they want to be able to look at the community plans and regulations to see what they can and cannot do. This plan puts on paper the community vision and requirements.

Eby noted that there was some discussion regarding re-developing Old Kegomic Road for access from La Seniorita, Chase Bank, and the other businesses along that stretch. If the state police post closes, Pickerel Lake Road could be extended to access those businesses and perhaps a synchronized stoplight put in.

Karen Sando asked if Bay Harbor will have a special stoplight installed specifically for the new fire department. Doernenburg stated that MDOT has some plans in place to look at the area.

The public hearing for the Access Management Plan was closed at 8:34 pm. The regular Planning Commission meeting was then called to order.

## **II Minutes of May 5, 2011**

Alexander made a motion, supported by Anderson, to approve the minutes of the May 5, 2011 meeting as presented. The motion passed by a unanimous voice vote.

## **III Cases**

Due to the case representatives in attendance, the order in which the cases were heard varied from the agenda.

- 1. Case# 38B-07 Melissa McPherson-HD Consulting, SITE PLAN REVIEW  
AMENDMENT-Install a Redbox Machine, 1301 N US 31 (Walgreen's), Section 34, Bear**



## **Creek Township.**

**Legal Notice:** A request by HD Group for Walgreen, Co. for Site Plan Review – amendment at 1301 N US-31 Hwy, Section 34, Bear Creek Township. The property is zoned B-2 General Business and is tax parcel 24-01-16-34-100-062. The request is to allow additional retail space on the outside of the existing retail establishment. The request is per Section 900-1 and 2405.

*Packet Items: 5/11/11 letter from HD Consulting, 5/11/11 revised plans-title page, accessibility, site plan, electrical/floor plan, 5/12/11 zoning evaluation*

Doernenburg explained that the applicant had requested postponement on this case until they had a chance to complete their traffic study. This information has been received. A new site plan has been provided showing the traffic directions, patterns, and counts. The proposal remains the same; they do not want to place the Redbox machine on the west side of the building as previously suggested due to topography. The location is still proposed to be 10' from the existing propane tank cage and the kiosk design remains the same as before. Doernenburg noted that on the original site plan of the store the maneuvering lane is larger than required. Photos of the Gaylord Walgreens Redbox machine as well as photos of the proposed Redbox location at the Petoskey store were shown.

Mark Coopersmith, Walgreens store manager, presented the Commissioners with photos taken at both the Gaylord and Petoskey location. He stated that there is possibly some confusion as to how big the machine is. The Gaylord location is ADA compliant with 48" sidewalks and he stated that the photos show that someone could pass behind someone using the machine with either a cart or a wheelchair. The Petoskey location has 56" clearance. Coopersmith stated that he and other store employees often are asked about Redbox machines as their store is an oddity because they do not have one. They are commonplace at Walgreens nationwide.

Doernenburg stated that Bear Creek township did recommend approval. Hramiec stated that the questions about the accessibility were asked at the last meeting so that they could make sure wheelchairs could get by. Laughbaum stated that he can see why the propane needs to be outside due to safety but what is next if the Redbox is approved? Alexander stated that there are other machines that exist inside stores. If this is allowed outside, what else would be placed outside due to lack of indoor space. Eby stated that if outdoor display is an issue, the ordinance should be looked at. He has issues regulating this use if another business' pop machines are not regulated. If it is included in the ordinance, then it can be regulated. Jones stated that he agrees that it should be addressed in the ordinance and that it has been regulated to some extent on the other end of town with Wal-Mart and Home Depot although those restrictions were written into the PUD. Jones stated that they have a choice to approve or deny this request and then look at the ordinance. Neal stated that another perspective is that it could be looked at as being additional signage for the store. Scott stated that if it isn't signage it's certainly outdoor display. Outdoor display has been restricted dramatically; what is the difference. Scott stated that he doesn't agree with the dimensions provided by the applicant for clearance. Eby noted that there is outdoor display currently up and down the highway which is why this is an issue. It is not in the code now. Scott stated that the ordinance can't be changed after this is approved as it sets a precedent and the courts will look at that. Neal asked if it would be similar to SOBs. Scott replied that it would be a different scenario because the courts already told us what we had to do.

Coopersmith stated that he questions the fact that in Gaylord they had to redesign their store to match the Alpine theme yet they allowed them to have the Redbox there and here in Petoskey where they have a normal building, it is an issue. They have an issue with putting the machine inside because



they don't have the square footage and they aren't open 24 hours. The majority of Walgreens have these machines and Gaylord recognizes that it is a standard of them doing business. Anderson stated that she understands the space and hour constraints that they have but the Planning Commission has to look at zoning standards. We are not looking at Redbox being a bad thing in itself but what other issues it may bring.

Doernenburg noted that the property is zoned B-2 which is the first business zone in the ordinance that allows for outdoor display. The ordinance does not deal with small items for outdoor display specifically, rather looks at autos and other larger displays. Walgreens were allowed sign exceptions for the entire property. An identification sign for each tenant in a building is allowed up to three square feet. The other illegal signs on the property have been taken care of by the store.

Laughbaum stated that it is not all about looks but safety as well. They have a steel roof and the machine would be directly under it. He sees issues with them trying to get as many machines as will fit outside of the store if approved. This won't be the end of it.

There was no public comment on this case.

Anderson made a motion to approve Case #38B-07, HD Group for Walgreen, Co., Site Plan Review-amendment for a retail sales kiosk at 1301 US-31 N located in Section 34, Bear Creek Township, the property is zoned B-2 General Business and is tax parcel number 24-01-16-34-100-062, the revised portion of the site plan dated Received 11/3/10 meets the standards of the Zoning Ordinance, there is adequate parking, and adequate accessibility and on condition that the signs and lighting must meet the sign standards of the Zoning Ordinance and because the township recommended approval. The motion was supported by Neal. Roll-call vote: Yes: Eby, Neal, Anderson, Plasencia. No: Jones, Scott, Hramiec, Laughbaum, Alexander. Absent: None. Motion Failed.

Jones made a motion to deny Case #38B-07, HD Group for Walgreen, Co., Site Plan Review-amendment for a retail sales kiosk at 1301 US-31 N located in Section 34, Bear Creek Township for the following reasons: The use will add excessive signage to a site which has already been approved for Sign Exceptions, the use will add retail space to a site which has deferred parking, and because it adds another retail use to the site and could be moved inside. The motion was supported by Scott.

Laughbaum asked if legal counsel should be contacted. Eby noted that legal could be contacted at any time. Jones stated that it is additional signage. Scott questioned whether this discussion was out of order as it didn't seem to be discussing the motion. Laughbaum replied that he questions whether this request meets the code. Doernenburg stated that would be up to the Planning Commission's vote to decide. She asked if it would make a difference if the applicant moved it to the west side of the building. Scott noted that the applicant very strongly stated that they didn't want to move the unit. Anderson stated that even if it were moved, the reason to deny in the motion is due to it being outdoor sales and excessive signage it wouldn't matter where the machine was located.

A roll-call vote was taken: Yes: Jones, Scott, Hramiec, Laughbaum, Plasencia, Alexander. No: Eby, Neal, Anderson. Absent: None. The motion passed, and the request was denied.

**2. Case# 1A-11 Boguslaw Gierek, MIXED USE PUD-1, W. Levering Road, Section 34, Cross Village Township**

**Legal Notice:** A request by Boguslaw Gierek for a Mixed Use Planned Unit Development-1 (PUD-1) overlay on a vacant parcel located between 5959 W. Levering Road and 5885 W. Levering Road in Section 4 of Cross Village Township. The



parcel is zoned R-2B General Residential, is tax parcel 24-05-04-34-151-043, and encompasses approximately 1.76 acres fronting W. Levering Road. The request is to allow a restaurant on the property zoned R-2B General Residential per Article XVIII of the Zoning Ordinance.

*Packet Information: 5/24/11 email from Gene Reck regarding township recommendation, additional names for petition.*

Doernenburg noted that this request has been on the agenda in previous months. The aerial of the parcel was shown as well as an aerial of Cross Village. Surrounding uses and vacant properties were pointed out. The existing conditions of the parcel were shown as well as the proposed site plan. Screening along residential uses and an access drive were identified. Photos were shown of the parcel and surrounding areas. Doernenburg explained that because a PUD overlay is being requested, the Planning Commission recommendation would go to the Board of Commissioners for their review. She also noted that fraternal lodge halls are a permitted special use in this zone however restaurants are not. Cross Village Township recommended denial 4-1.

Eby asked if the space requirements for this business had been compared to what property is available to see if it would fit elsewhere as the township claims. Doernenburg stated that it hadn't been. She noted that there are many smaller parcels available and pointed out two vacant parcels that appeared large enough to support the request. Only one of the two parcels is zoned business.

Boguslaw Gierak, applicant, stated that he would need many lots to support the space requirements for the restaurant and parking. The parcel shown that may be large enough (427-007) was not available when he purchased his property and the other lots do not meet the size requirements. The Township says that there is B-1 zoned property available. They seemed positive towards the business but didn't want to rezone.

Gene Reck, Cross Village Township Supervisor, explained that the major driving force behind the township's decision is that this parcel has been discussed at two meetings. The rezoning was rejected 4-0-Reck explained that he didn't vote in that case as he owned property involved in the request. The second request, the current PUD request, has been rejected by the township residents and if they don't want it, it shouldn't be approved. Reck stated that the larger issue is the Cross Village Master Plan which he feels is fundamentally flawed because large power lines run across the area that it shows as commercial or business use. This is a township issue which will have to be dealt with.

Laughbaum asked if the traffic count on Lake Shore Drive versus Levering Road is known. Doernenburg replied that the Road Commission may have those numbers. Laughbaum stated that two of the newest businesses in that area are located along Levering Road. He stated that he feels that the Cross Village plan is obsolete. He is in favor of the PUD. Laughbaum asked why it was referred to as out of character. The boxscore for this meeting says that the PUD does not seem to meet the intent of the ordinance; it seems to circumvent conventional zoning. Eby stated that we do not have contract zoning. A PUD is used to accomplish those uses and as long as it is not spot zoning and is an expansion of what is already there, it would fit the ordinance standards.

Hramiec asked about power lines bisecting the assigned business area. How does this affect it? Reck explained that these are very large power lines that feed Beaver Island and there is an easement to deal with. Hramiec stated that when the rezoning was discussed along US 131 the residents there complained about restaurants going in. If the parcel that is zoned for restaurant use is looked at, there are residents next door. The applicant wants to put his business on the outskirts near other commercial uses. It seems to be a worse scenario if the properly zoned lot were used.



Gene Reck read a letter that he received from Gary Rentrop detailing his opinions on the proposal and asking for denial. Reck stated that Cross Village does have a Master Plan. Cross Village will have to deal with whether it is a usable Master Plan or not. He feels that development is sorely needed in Cross Village but not if the residents do not want it.

Hramiec asked why the residents would be more likely to accept a restaurant use on the other site. Doernenburg stated that would be a use by right on the B-1 or B-2 zoned parcels. Scott added that it is probably not useable due to the power lines.

Howard Wood stated that there are multiple properties that are and have been available that are properly zoned. The neighbors are concerned about rats, garbage, and whatever else. There is a building area that needs to be adhered to. He could have bought any of the other parcels. The township does not want this.

John Taylor stated that he owns property just south of the proposed restaurant property-four buildable lots. When Gene Reck proposed his art gallery, he said ok as it would not be open more than 11am-7pm. This is a residential area directly behind the proposed restaurant.

Howard Wood stated that if there were any business in Cross Village in the winter, Mr. Smolak would have his business open in the winter.

Mr. Gieriek stated that Cross Village is there because of Leggs Inn. It is only open six months of the year. People are saying that there is no business in Cross Village in the winter but there is nothing there to come to; business brings business. Gieriek explained that his plan would encourage more people to come to the area. If they know there is nothing going on, why would they come? Everything takes time. Gieriek stated that when he was looking for land, his real estate agent told him there was no commercial land available that would be suitable. There may be some parcels available now but they were either not there when he looked or are way too small. He explained that he needs extra space because of the parking and setback requirements not because he has a huge building. Gieriek stated that he would clean up the lot, build the diner, and residents can be proud one day that it is there.

Alexander stated that he would love to see it built and growth is needed but zoning is there for a purpose. There are parcels available and the people of the township do not want this. How can we approve this in good conscience and push it on them?

Jones stated that he agrees with Alexander. The people that live there have a deciding factor. He thinks that the township Master Plan is flawed and needs to be reexamined, but at the same time we can't push it onto the residents if they don't want it when there is commercial property available.

Scott agreed with Jones and Alexander.

Hramiec explained that we are not trying to shut down the operation, just not this location. Land is available and people that live there need to have their rights respected.

Mr. Gieriek stated that the land that is available now has power lines running through it and cannot be built on and the others are too small. Perhaps they could fit an ice cream stand but thinks that would



be turned down as well.

Scott stated that care needs to be taken in an area such as this. Parking may not be the issue as Cross Village is developing public parking. It should be taken into consideration but may not be such a big issue.

Eby stated that he does not have a clear view of what Cross Village should become. Should it be another commercial place in which we have to solely look at parking requirements where every business has a shot? What is the vision? Reck replied that the master plan is flawed and didn't show much vision. This is a separate issue for Cross Village to deal with. They may look into development money to bury the large power lines which could make the so-called commercial area viable. It is a natural location for businesses to come there. Reck stated that his personal vision was to build an art gallery and he envisioned that other galleries would come in and it would be that type of area. He has 140 workshops which bring in people from across the nation.

Howard Wood stated that Reck had an awful time getting his art gallery in where it is. What was put together in the master plan is what they put together. Thousands of dollars were paid to have the plan made up. If this proposal is approved, the plan means nothing and they might as well get rid of it. This is wrong.

Laughbaum stated that visions come with people. Someone had a vision for the gas station and art gallery. Now someone has a restaurant vision. There is no sense in building something that will fail. This is the applicant's vision and time will tell.

Alexander stated that plans change. The township master plan may have been a good one but when situations change, plans need to evolve. This doesn't mean that the plan or the township opinions are bad, it just may need to evolve.

Palencia stated that it would be a shame to pass up the opportunity of someone investing in the community. The traffic is there already as well as a gas station. There is a lot of pressure from the other businesses due to competition. It is not spot zoning to place the PUD on the parcel. A restaurant could be there as a lodge type use.

Scott asked if the County Master Plan varies from Cross Village's Master Plan. Doernenburg replied that the Cross Village plan has commercial uses stopping at Levering Road. The lines in the County plan meander. Mixed use extends farther south than Levering Road. The subject parcel falls within the mixed use area in the County plan. She noted that the Master Plan also suggests infill development. The two Master Plans were passed around for review.

Howard Wood explained that there was a time when there was no gas station or any other business for two years there. Cross Village is growing a little bit, just not too quickly. They are trying to keep a handle on growth. He noted that motorcycles are constantly near his house, maybe he should put in a Dairy Queen.

Plasencia stated that as a snowmobile rider, there is nowhere to go in Cross Village. If there were, it could be a destination in the winter for snowmobiles. He gave the examples of the Larks Lake Bar and Hoppy's. This could help the area. If the restaurant had the right price point, it could be a draw to the area.



Julie Miller stated that the general store is open pretty much all year and they struggle with no business (in the winter). The destination in Cross Village is the Leggs Inn. Miller stated that if there were the business to support staying open year-round then the existing businesses would stay open. The Crow's Nest didn't stay open due to lack of business. What happens if he puts the restaurant in and it fails?

Laughbaum asked how much of a setback to the residential areas. Doernenburg replied that a 50' perimeter setback is standard for a PUD. There was discussion about having a more generous setback from the residences by moving the building forward on the lot or deferring parking. The lot has room to satisfy the requirements. Doernenburg stated that the site plan is more detailed than required for a Preliminary PUD request. The use could be approved without accepting the plan as submitted. The applicant would then have to come back with a different site plan.

Julie Miller stated that this is not what the township wants. The township voted it down. There were over 140 signatures on the petitions submitted against this project.

Alexander asked why the township is so adamantly opposed to a development that could be designed so that it creates no interference and potentially stimulate the area businesses. Julie Miller stated that Cross Village cannot support another Polish restaurant. Cross Village does not want to be another Petoskey, they do not want sprawl.

Plasencia made a motion to recommend **approval** to the Emmet County Board of Commissioners of Case #1A-11, a request by Boguslaw Gierek to place a Preliminary Mixed Use PUD-1 overlay on tax parcel 24-05-04-34-151-043 in Section 34 of Cross Village Township based on the Emmet County Master Plan approved January 15, 2009 which identifies the parcel as "Mixed Use", adjacent developed parcels are used for commercial use; the PUD allows for deep setbacks creating a buffer from residential to commercial uses; and with the following conditions: the site plan and setbacks are not accepted as submitted and that the permitted uses are those allowed in the underlying zoning district and restaurant use. The motion was supported by Alexander and passed on the following roll-call vote: Yes: Eby, Hramiec, Laughbaum, Plasencia, Alexander. No: Neal, Jones, Scott, Anderson. Absent: None.

### **3. Case #5-11 Garry Ward, SPECIAL USE PERMIT-Land Development Standards, 5380**

#### **& 5394 Pickerel Lake Road, Section 36, Bear Creek Township**

**Legal Notice:** A request by Garry Ward for a Special Use Permit per Land Development Standards to create five parcels at 5380 & 5394 Pickerel Lake Road in Section 36 of Bear Creek Township. The parcel is zoned FF-1 Farm and Forest and is tax parcel 24-01-16-36-200-004. The review is per Section 2102-14 of the Zoning Ordinance.

*Packet Information: Request & location map, tax parcel map, application, impact statement, 5/11/11 zoning evaluation, 5/5/11 Road Commission approval/plan, aerial, 5/6/11 survey/lot split, Bear Creek Township minutes*

Doernenburg explained that this property is zoned FF-1 and is located on the south side of Pickerel Lake Road. Road Commission recommended approval. The aerial view was shown. There are two residences currently on the property. The proposal is to create five parcels, the fifth parcel would be connected to an adjacent parcel. The lots all have public road access. All of the lots meet minimum standards of the ordinance and the township recommended approval.



Garry Ward stated that according to the land division law this is acceptable. He understands that there hasn't been a similar case since land division law went into effect. The 7.5 acre parcel will be sold to Flynns so it is more of an absorption than a split. Doernenburg explained that the ordinance states that if five or more parcels are created within a ten year period, Planning Commission review is required. The land division act says that if a parcel is connected with an adjacent parcel, then it doesn't count as a split. The ordinance should be looked at to align the two standards. There is not an exception in the ordinance now for ownership transfer.

There was no public comment on this case.

Laughbaum asked about the access. The access points were pointed out on the PowerPoint.

Anderson made a motion to approve Case #5-11, Garry L. Ward, Special Use Permit for Land Development to create 5 parcels under 15 acres from the property at 5394 Pickerel Lake Road, Section 36, T35N-R5W, Bear Creek Township, tax parcel number 24-01-16-36-200-004 because of the facts presented in the case and the plan dated Received May 6, 2011 meets the standards of Section 2102-14 of the Zoning Ordinance and because the township recommended approval. The motion was supported by Neal and passed on the following roll-call vote: Yes: Eby, Neal, Jones, Scott, Hramiec, Laughbaum, Anderson, Plasencia, Alexander. No: None. Absent: None

A ten minute break was taken. Anderson left the meeting.

#### **4. Case #6-11 Jack & Kate Koboski, SPECIAL USE PERMIT-Land Development Standards, 1808 Cedar Valley Road, Section 9, Bear Creek Township**

**Legal Notice:** A request by Jack & Kate Koboski for a Special Use Permit per Land Development Standards to create four new parcels at 1808 Cedar Valley Road in Section 9 of Bear Creek Township. The parcel is zoned FF-1 Farm and Forest along Cedar Valley Road to a depth of 1,320 feet and the remainder is zoned R-1B One Family Residential and is tax parcel 24-01-19-09-400-008. The request creates seven parcels within a ten year period and the review is per Section 2102-14 of the Zoning Ordinance.

*Packet Information: Request & location map, tax parcel map, application, 5/11/11 zoning evaluation, 5/9/11 site plan/lot split plan, Bear Creek Township minutes*

Doernenburg explained that three parcels have been created in the last ten years. The proposal is to create four new parcels. The entire property is 80 acres zoned FF-1 and R-1B. The proposal would create eight total lots, one parcel being over 15 acres and seven other smaller parcels. The proposed site map showing this was displayed. The access drive was pointed out. Doernenburg explained that there is a wetland area between the proposed parcels and the road. It has been suggested that the applicant contact the DEQ for review. Bear Creek Township recommended postponement. The DEQ has the authority to approve or deny based on their rules. Photos of the property were shown.

Plasencia asked if there are homes on the property. Doernenburg replied that there are homes on the three parcels that have already been split. The others have proposed building sites only.

Tom Swenor, representative for the applicant stated that the township tabled the case due to the wetland and soil type issues. Some of the township board didn't have a chance to walk the site. Swenor stated that it should be their responsibility to do so. He is asking for permission for three parcels and asking to move forward, perhaps with contingencies so that he doesn't have to wait five weeks.



Doernenburg stated that there were also concerns about the end of the road. Bear Creek Township private road ordinance requires a cul-de-sac. The easement width and road surface meet the Zoning Ordinance standards. Swenor stated that there is a "T" turnaround for emergency vehicles in place. There is over 100' and plenty of room for a cul-de-sac. The intent is only to develop three parcels; a cul-de-sac would allow for more.

The Bear Creek Township minutes were read in regards to their concerns and postponement recommendation.

Doernenburg stated that Swenor has provided a document from the Health Department indicating sandy soil. Swenor stated that he has satisfied the Health Department.

Denny Keiser stated that the plan he has provided would not be acceptable for a land division. There are no legal descriptions, it is not clear how many parcels the road accesses, and the stream on the property isn't shown. A meeting has been suggested to meet with staff, himself, and the applicant.

Swenor stated that there is no water on any of the three proposed parcels. The disturbance area is 250'x24' which is not even big enough to have to mitigate per DEQ standards.

There was discussion on the easement rights and access for parcel eight. It is not clear on the submitted plan.

Scott asked about the neighbors. There has been no opposition presented to staff. Keiser stated that there have been questions about the plan.

Swenor stated that there would be no issue with putting in a turnaround if required but they would like to avoid the expense if it isn't needed. This could be a contingency if a fourth parcel is accessed.

Alexander made a motion to defer this case until the next regular meeting to allow the applicant to revise their site plan and to clarify the concerns. The motion was supported by Jones and passed on the following roll-call vote: Yes: Eby, Neal, Jones, Scott, Hramiec, Laughbaum, Plasencia, Alexander. No: None. Absent: Anderson.

**5. Case #75A-84 Rob & JoEllen Thompson, SPECIAL USE PERMIT-Dog Kennel, 2656 , Howard Road, Section 18, Bear Creek Township**

**Legal Notice:** A request by Rob and JoEllen Thompson for a Special Use Permit for a dog kennel at 2656 Howard Rd in Section 18 of Bear Creek Township. The property is zoned FF-1 Farm and Forest and is tax parcel 24-01-19-18-400-013. The request is per Section 2102-9 of the Zoning Ordinance.

*Packet Information: Bear Creek Township minutes*

Doernenburg explained that the applicant has not submitted an adequate site plan and is planning to come in and meet with staff. This case will be deferred until the next regular meeting.

**6. Case #179C-86 Chuck's Appliance & Furniture, PUD EXTENSION, 1889 Harbor-Petoskey Road, Section 27, Bear Creek Township**

**Legal Notice:** A renewal request by Chuck's Appliance and Furniture, for amendments to a Mixed-Use Planned Unit Development-1 (PUD-1) to apply to 1889 Harbor-Petoskey Road (M-119) located in Section 27 of Bear Creek Township. The property is zoned R-2B General Residential with a PUD-1 overlay and is tax parcel 24-01-16-27-400-019. The



request is to renew a previously approved modification to the 50 ft. perimeter setback standards to permit 1) buildings within 34.5 ft. of the M-119 right-of-way (front setback) and 24 ft. of the rear lot line; and 2) to permit the parking lot and drive within 35 ft. of the west side lot line and within five (5) feet of the rear lot line. The request is per Article XVII of the Zoning Ordinance.

*Packet Information: Request & Location map, application, 4/9/09 Planning Commission minutes, 5/12/11 zoning evaluation, 3/11/09 site plan, Bear Creek Township minutes*

Doernenburg explained that this request is to extend a PUD modification that was approved two years ago. This is just a renewal of that approval.

Jones asked if the bike path stipulation was still active. Doernenburg explained that the request is exactly as originally approved.

The applicant was not present. There was no public comment for this case.

Jones made a motion to recommend approval of Case #179C-86, Chuck's Appliance and Furniture, 1889 M-119, Section 27, Bear Creek Township for renewal of the Preliminary and Final PUD-1 Amendment to allow perimeter setback modifications as shown on the site plan dated 3/12/09 with condition that there be no snow storage on the parking lot, no outdoor storage, the applicant has agreed to supply an easement for the non-motorized trail which will take it out of the road right-of-way, that there be 8-10 feet of greenbelt if the trail is moved, and that there will be no parking along the easement between Chuck's and Pella and that the easement be snow plowed in the winter. The motion was supported by Neal and passed on the following roll-call vote: Yes: Eby, Neal, Jones, Scott, Hramiec, Laughbaum, Plasencia, Alexander. No: None. Absent: Anderson.

#### **IV Public Comment: None**

#### **V Other Business**

- **Preliminary Presentation-Tractor Supply**-Doernenburg explained that Tractor Supply is proposed on the site west of RV World USA on US-31 in Bear Creek Township. The site plan was supplied and they are looking for comments. They also went to the Bear Creek Township meeting. The applicant felt that they could meet the proposed changes made at the township meeting which were to have a more decorative facade for screening of the rooftop mechanical units. An existing driveway is being removed. There would be outdoor display under awnings and in fenced areas. There is a PUD overlay that would have to be removed. It was originally placed there because Kilwin's manufacturing was going to go on this property. Jones asked about a connector drive. Doernenburg stated that a connector drive is shown on the plan. Jones asked if we could require the drive to be paved. Doernenburg replied that she could ask, however Tractor Supply is very particular about their easements for liability and other issues.
- **Town & Country**-Doernenburg explained that the property is zoned B-2 with a PUD-1 overlay. A boat building school would like to occupy this property. The building that is proposed to be used is the assembly building and the office. The question is whether this request needs to come back to the Planning Commission for amendment or if it can be approved as a similar use as outlined in the PUD. Doernenburg read the PUD allowances which include offices, workshops, showrooms of plumbers, electricians, designers, contractors, door makers, sign makers, or any similar trades. It was determined that this is a 'similar use' and would not need to come back to the Planning Commission.



- **Resort-Zoning Coordinating Committee-**Doernenburg explained that Resort Township has recently made a change to their ordinance via a text amendment regulating waste or industrial waste disposal and related facilities as a special use permit. The language was reviewed and a memo prepared. Doernenburg suggested eliminating the name of the specific state agency that would review the application (named in the text as Michigan Department of Natural Resources & Environment) or ensure that the current department name is identified because the agency's title has been changed multiple times within in the last couple of years. A second potential issue was discussed in the introduction of the memo. The procedure for this type of special use permit varies from the procedure for all other types of special use permits. Currently, the text states that the Township Board will have the final decision making authority on a special use permit of this kind. Doernenburg stated it seems out of character to change the procedure of only one type of special use. After discussion, the commission agreed and stated that to require different requirements for just one type of special use permit may open them up to legal issues. Scott made a motion to authorize the chair to sign the memo to Resort Township. The motion was supported by Alexander and passed by unanimous voice vote of the members present.

**Enforcement Report-** Distributed with no discussion.

## **VI Adjournment**

There being no other business, and no additional public comment, Eby called the meeting adjourned at 10:53 p.m.

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James Scott, Secretary

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Date