

**WELDON TOWNSHIP
PUD PERMIT FINDINGS OF FACT DRAFT**

Applicant Name: **Homestretch Housing Corp.**

Owner Name: **Crystal Enterprises Inc.**

Tax Parcel Number: **10-12-034-008-00 (part of)**

Date of Meetings: 4/10/2023 Regular meeting, 5/10/2023 Public Hearing

GENERAL FINDINGS OF FACT
The property covered by this Planned Unit Development (PUD) Application is 7544 W. Weldon Road, Thompsonville, MI 49683, also known as the southwest corner of Weldon & Lindy Roads.
The Commission finds that the site is located in Weldon Township, Benzie County.
The Commission finds that the site is approximately 17.62 acres in size pending approval via Land Division.
The Commission finds that the site is located in the Resource Conservation Zoning District. (RC)
The Commission finds that the proposed type of use of the property will be Multi-Family Residential in nature, specifically for developing a 32 unit, 2 & 3 Bedroom units as affordable work force housing for the entire community. No other uses are being considered at this time.
The Commission finds that the use may be considered and permitted by Article 5 - PUD, Section 13.4, Site Plan Review Standards, Section 14.6, General Standards for Special Land Uses and Article 16 Text Amendment.
The Commission finds that ZO Section 16.3.B delegates the Commission the authority to review and recommend approval, recommend approval with conditions, or recommend denial of the request for a Text Amendment to the zoning ordinance.
The Commission finds that a Notice of Public hearing was published on April 19, 2023 in the <i>Benzie County Record Patriot</i> as required by Section 3.11 of the Zoning Ordinance and with Public Act 110 of 2006, as amended (MCL 125.3103).
The Commission finds that notice was mailed to all required parties on April 15, 2023 as required by Section 3.11 of the Zoning Ordinance and with Public Act 110 of 2006, as amended (MCL 125.3103). The Public Hearing will be held on May 10, 2023 @ the Weldon Township Hall.

The Planning Commission makes the following findings of facts which cover the relevant sections of the zoning ordinance relating to the proposed project.

ITEM	STD MET?	FINDING(S):
<p>Section 5.2 PUD Is a Separate District</p> <p>A PUD is permitted as a separate zoning district and only when determined to be in compliance with the provisions of this Article. The approval of a PUD shall require an amendment of the Zoning Map constituting a part of this Ordinance so as to designate the property “PUD” and the PUD shall be subject to the approved PUD application</p>	Met	
<p>Section 5.3 Minimum Eligibility Criteria</p> <p>A. The following minimum eligibility criteria shall be met in order for PUD approval:</p> <p>1. Recognizable and Substantial Benefit: The PUD shall result in a recognizable and substantial benefit to the ultimate users of the project and to Weldon Township. Such benefit must otherwise be unfeasible or unlikely under the regulations of other Districts.</p> <p>2. Availability and Capacity of Public Services: The proposed type and intensity of use shall not result in an unreasonable burden on the availability and use of existing public services, facilities and utilities.</p> <p>3. Compatibility with the Master Plan: The proposed development shall be in accordance with the goals and policies of the Weldon Township Master Plan.</p> <p>4. Compatibility with the PUD Intent: The proposed development shall be consistent with the intent and spirit of Section 5.1.</p> <p>5. Economic Impact: The proposed development shall not impede the continued use, enjoyment and development of surrounding properties for uses permitted on such properties.</p> <p>6. Unified Control of Property: The proposed development shall be under single ownership or control such that there is a single person or entity having responsibility for completing the project in conformity with this Ordinance and the specifications of the PUD approval.</p> <p>7. Location: All types of PUD developments may be permitted with the Rural Residential districts while only PUDs associated with four-season destination resorts may be permitted within all other zoning districts.</p>	<p>PC</p> <p>PC</p> <p>Met</p> <p>Met</p> <p>Met</p> <p>Met</p> <p>PC</p>	<p>The underlying RC Resource Conservation zoning of the project site requires a density of 15 acres per housing unit. The project site is master planned as Mixed Use Resort Area and is intended for areas in and immediately surrounding the Crystal Mountain Resort to include high-density multi-family dwelling units serviced by existing private and/or public utilities. The project will have a residential density of 2 units per acre.</p> <p>The project will be serviced by private, on-site sanitary systems and an extension of the Crystal Mountain (a development partner) water system. No municipal sewer or water services will be used in the development of this project. The project site is designed to the dimensional requirements of the local Fire Department/Emergency Services and per the International Fire Code.</p> <p>High-density multi-family dwelling units immediately surrounding the Crystal Mountain Resort is in accordance with and supported by to Weldon Township Master Plan.</p> <p>Per Section 5.1, the proposed development provides economy and efficiency in land use, providing better housing opportunities while being consistent with the Goals, Objectives and policies of the Weldon Township Master Plan.</p> <p>The project is located at the southwest corner of Lindy Road and Weldon Road. Surrounding parcels to the north, west and south are vacant. The Thompsonville Airport is located east of the project. The project exceeds setback requirements of the underlying zoning and a substantial buffer of existing evergreen trees will be preserved along both public road frontages. This project will not impact the continued use and enjoyment of the surrounding parcels.</p> <p>Crystal Enterprises Inc. is working with Homestretch Nonprofit Housing Corp to complete the project. A new project boundary lot will be recorded and transferred to HomeStretch upon the successful approval of this proposed PUD.</p> <p>The proposed multi-family dwelling units located immediately surrounding the Crystal Mountain Resort is in accordance with and supported by the Weldon Township Master Planned Mixed Use Resort Area. Waiver requested.</p>

<p>B. General Site Development Standards and Waivers: The site development standards for all proposed individual land uses and facilities in a PUD shall conform to this Ordinance, including such standards pertaining to lot area and dimensions, density, lot coverage, setbacks, parking, loading, landscaping and screening, road widths and similar requirements, except that the Planning Commission may waive such standards where such modifications will result in a higher quality of development than would be possible without the modifications.</p> <p>1. Unless a waiver is granted, standards pertaining to lot area and dimensions, density, lot coverage and setbacks shall comply with those standards of the District in which the PUD is to be located, prior to the rezoning or the PUD parcel to the PUD District.</p> <p>2. Unless a waiver is granted, mixed uses shall comply with the standards applicable for each individual use, including the standards contained in Article 8, Standards for Specific Land Uses. If regulations are inconsistent with each other, the regulations applicable to the most dominant use shall apply.</p> <p>3. The waiving of development standards may be authorized only upon a finding by the Planning Commission that there are adequate features or planning mechanisms designed into the project to achieve the objectives intended to be accomplished with respect to each of the standards from which a waiver is sought.</p>	<p>PC</p> <p>PC</p> <p>PC</p>	<p>Waiver requested by applicant of Residential Density in RC district for the required 0.07 units per acre to 2 units per acre.</p> <p>The PC agrees that there are adequate features or planning mechanisms designed into the project to achieve the objectives intended to be accomplished with respect to each of the standards from which a waiver is sought. PC to confirm or reject statement ?</p>
<p>4. Planning Commission Action: The Planning Commission shall review the comments of Weldon Township and take action to recommend approval, recommend approval with conditions, or recommend denial of the PUD site plan. The Planning Commission shall prepare a final report (findings) on the preliminary site plan and submit the report to the Township Board. The report shall present the Planning Commission's final conclusions and recommendations regarding the site plan, the basis for its</p>	<p>PC</p>	<p>The PC should continue to review and create additional findings to support this statement.</p>

<p>decision and any conditions relating to an affirmative decision. The report shall document the plan's conformance with the applicable requirements of this Article and Ordinance, including the approval standards of Sections 13.4 and 14.6, and the extent to which the Planning Commission approves the waivers being requested by the applicant.</p>		
<p>Section 5.7 Phasing</p> <p>A. In developments which are to be predominantly residential in character but include nonresidential components, the Planning Commission may require a phasing plan to ensure that a specified number or percentage of the proposed residential units are constructed prior to or concurrently with nonresidential components, and such phasing plan may include other requirements to ensure appropriate phasing. These same provisions shall apply in other mixed-use developments including those of a predominantly commercial character but which are to include residences as well.</p>	<p>PC</p>	<p>The project may be constructed in phases of 2-4 buildings as financing is available through various rounds of funding sources. Each phase will meet the requirements to function as a stand alone development until such time that the remaining development can be completed. Is the PC ok with this ? Should there be a reasonable time limit ?</p>
<p>Section 13.4 Site Plan Approval Standards</p> <p>A. Specific Site Development Standards: Each site plan shall conform with the specific site development standards of this Ordinance such as requirements pertaining to lot area, lot width, setbacks, heights, permitted uses, nonconformities, signs, road access, potable water, sewage disposal and screening.</p> <p>B. General Site Plan Approval Standards: In addition to compliance with the standards of subsection (A) above, all site plans shall comply with the following general site plan approval standards:</p> <p>1. All elements of the site plan shall be harmoniously and efficiently organized in relation to the size and character of the lot, the manner in which buildings and support facilities on the lot relate to one another, and the character of the proposal as viewed from nearby properties and roads.</p> <p>2. The site plan shall be of a character that supports the purpose of the District in which the site is located.</p> <p>3. The site plan shall not impede the normal and orderly development, improvement, or enjoyment of surrounding property for uses permitted in the District, including matters pertaining to visual</p>	<p>PC</p> <p>PC</p> <p>PC</p> <p>PC</p>	<p>Require owners to conform with all of the specific site development standard which are part of the zoning ordinance.</p> <p>The eight 4-unit townhome style buildings that make up this multi-family housing development are efficiently arranged along a single access road at the corner of Lindy and Weldon Roads. A vegetative buffer of existing evergreen trees will screen the project from the public road corridor. Over 50% of the project parcel is encumbered by aviation easements and will remain undeveloped.</p> <p>The proposed multi-family dwelling units located immediately surrounding the Crystal Mountain Resort is in accordance with and supported by the Weldon Township Master Planned Mixed Use Resort Area.</p> <p>The project is located at the southwest corner of Lindy Road and Weldon Road. Surrounding parcels to the north, west and south are vacant. The Thompsonville Airport is located east of the project. The project exceeds setback requirements of the underlying</p>

<p>impacts from lighting, signage, outdoor storage and off-street parking.</p> <p>4. The site plan shall preserve the environmental character of the site insofar as practical by minimizing the removal or disturbances to on-site natural features such as trees, woodlands, soils, topography, drainage patterns, water courses and wetlands.</p> <p>5. The site plan shall provide for the removal of storm water so as to minimize on-site flood conditions and assure the well being of the users of the property and those of adjacent properties, and the integrity of public and natural drainage systems, due to flooding, erosion, sedimentation, increased rates or quantities of runoff or other negative impacts. Storm water management plans shall rely on existing drainage patterns to the greatest extent practical and minimize topographic alterations, and incorporate the necessary measures to discourage soil erosion and sedimentation and the discharge of impurities into the groundwater and nearby water courses.</p> <p>6. The site plan shall provide vehicular and non-motorized circulation and parking in a manner that ensures for all users visually clear, safe, convenient and efficient travel in the site and at ingress and egress points, including minimizing congestion and conflicting turning patterns, minimizing negative impacts upon abutting properties and roads, coordinating access with the existing and planned public circulation system and improvements thereto, avoiding unnecessary curb cuts and encouraging the use of shared drives where practical and ensuring that all buildings shall be so arranged as to permit emergency access by some practical means to all sides.</p> <p>7. The site plan shall provide for the appropriate location of all necessary and proposed utilities. Underground facilities shall be provided to the greatest extent practical.</p> <p>8. Where a project is proposed for construction in phases, the project shall be so designed that each phase, when completed, shall be capable of standing on its own in terms of the presence of services, facilities and open space, and shall contain the necessary components to ensure protection of natural resources and public health, safety and welfare. In developments that are intended to be of a mixed-use character, the Planning</p>	<p>PC</p> <p>PC</p> <p>PC</p> <p>PC</p> <p>PC</p> <p>PC</p>	<p>zoning and a substantial buffer of existing evergreen trees will be preserved along both public road frontages. Lighting, signage and parking will meet the published standards of the Zoning Ordinance. This project will not impact surrounding parcels.</p> <p>The project site does not contain any wetlands or sensitive natural features. Existing trees outside of the construction limits will be preserved including a substantial buffer of existing evergreen trees along both public road frontages</p> <p>The project site has excellent drainage with soils consisting of Kaleva sand with 0 to 6 percent slopes, depth to water table exceeds 80 inches, and the soil is classified as excessively drained with a very low runoff class. On site stormwater management is designed to the locally published standards.</p> <p>The site plan is a very simple and efficient layout with primary vehicular access from a new driveway along Weldon Road and secondary gated access for emergency services use along Lindy Road. A loop of sidewalks provides a pedestrian linkage along the front of all buildings within the development.</p> <p>Utilities will be designed and installed to locally published standards. The utilities are proposed underground.</p> <p>The project may be constructed in phases of 2-4 buildings as financing is available through various rounds of funding sources. Each phase will meet the requirements to function as a standalone development until such time that the remaining development can be completed.</p>
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<p>Commission may require a phasing plan to ensure that the intended dominant character of the development is preserved, such as the specification of a number or percentage of the proposed residential units in a predominantly residential development be constructed prior to or concurrently with nonresidential components.</p> <p>9. Site plans shall conform to the Weldon Township Master Plan, other applicable ordinances and state and federal statutes.</p> <p>Section 13.5 Conformity to Approved Site Plans</p> <p>Property which is the subject of site plan approval shall be developed in compliance with the approved site plan and any approved changes thereto. If construction or use of the property does not conform to such approved plans, the approved zoning permit shall be subject to revocation pursuant to Section 3.4(C). The approved site plan shall run with the land and bind and benefit the parcels, and the owners thereof, in perpetuity.</p>	<p>Met</p> <p>Met</p>	<p>The proposed multi-family dwelling units located immediately surrounding the Crystal Mountain Resort is in accordance with and supported by the Weldon Township Master Planned Mixed Use Resort Area. All State and Federal reviews, permits, and approvals will be obtained as needed for development.</p> <p>By commencing construction of the approved project, the applicant clearly understands the consequences of non-compliance.</p>
<p>Section 14.6 Approval Standards</p> <p>A. General Standards: No special land use application shall be approved except where the application complies with the following standards:</p> <p>1. Shall be consistent with the goals, objectives and policies of the Weldon Township Master Plan.</p> <p>2. Shall be consistent with the purpose of the zoning district in which it is located.</p> <p>3. Shall be designed, constructed, operated and maintained so as to be compatible with the existing and planned character of the general vicinity, taking into consideration such features as the bulk, placement and materials of proposed structures, open space areas, lighting and landscaping and screening.</p> <p>4. Shall be served adequately by essential public facilities and services such as roads, police, fire protection, drainage structures, refuse disposal, water and sewage facilities and schools; and minimize the impact of traffic generated by the proposed development on adjacent properties.</p> <p>5. Shall not be hazardous, disturbing, or detrimental to the use, peaceful enjoyment, economic value or</p>	<p>Met</p> <p>Met</p> <p>Met</p> <p>Met</p> <p>Met</p>	<p>The Weldon Township Master Plan identifies the project location as Mixed Use Resort Area immediately surrounding the Crystal Mountain Resort. High-density multi-family dwelling units are allowed. Any new development in this area will be serviced by existing private and/or public utilities.</p> <p>Residential uses are allowed within the Resource Conservation zoning district in which the project parcel is located. High density multi-family residential development in this location is supported by the Weldon Township Master Plan.</p> <p>The project site plan and architecture meets or exceeds the published standards of the Zoning Ordinance. Mark Johnson (JJR) reviewed the plan and gave his blessing.</p> <p>Letters of review from regulatory agencies will be provided to the Township. Required prior to find use approval. See application for partial list.</p> <p>The proposed residential use with a density of 2 units per acre will no result in any hazardous, disturbing, detrimental impacts, noise, vibrations, odors or other impacts to the area.</p>

<p>development of neighboring property, or the vicinity in general, taking into consideration such features as the location of driveways and traffic flow patterns including turning patterns, vehicular and pedestrian safety, the intensity and character of traffic and parking conditions, hours of operation and the production of noise, glare, vibration, odors or other external impacts.</p> <p>6. Shall not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to the natural environment including air, soil, surface water and ground water resources.</p> <p>7. Shall not create excessive additional requirements at public cost for public facilities and services.</p> <p>8. Shall be in compliance with the site plan approval standards of Section 13.4.</p> <p>B. Specific Standards: In addition to compliance with the above standards in subsection (A), special land uses shall comply with the standards and regulations applicable to each specific land use as may be identified in this Ordinance including Article 8.</p>	<p>Met</p> <p>Met</p> <p>Met</p> <p>N/A</p>	<p>The proposed residential use with a density of 2 units per acre will not cause measurable impact to the environment.</p> <p>The proposed residential use with a density of 2 units per acre will not cause measurable impact to public facilities.</p> <p>See the proceeding responses to the standards of Section 13.4.</p>
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ITEM	STD MET?	FINDING(S):
<p>Article 16 Text Amendment</p> <p>B. Planning Commission Action</p> <p>2. Planning Commission Review / Recommendation: In reviewing any amendment petition, the Planning Commission shall identify and evaluate all factors relevant to the application. a. If the petition involves an amendment to the official zoning map, matters to be considered by the Planning Commission shall include, but need not be limited to, the following:</p> <p>1) What, if any, identifiable conditions related to the petition have changed which justify the proposed zoning district change?</p> <p>2) What is the impact of the zoning district change on the ability of the municipality and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future if the proposed zoning district change is adopted?</p>	<p>PC</p> <p>Met</p>	<p>PC to discuss</p> <p>See previous notes</p>

<p>3) Will the petitioned district change adversely affect the value of the surrounding property?</p>	<p>Met</p>	<p>No, and not anticipated</p>
<p>4) Is the site's environmental features compatible with the host of uses permitted in the proposed district, and will development under the proposed district be likely to adversely affect environmental conditions?</p>	<p>Met</p>	<p>No, and not anticipated</p>
<p>5) Can the subject parcel comply with all requirements of the proposed zoning classification?</p>	<p>Met</p>	<p>Yes</p>
<p>6) Is the subject property able to be put to reasonable economic use in the zoning district in which it is presently located?</p>	<p>Met</p>	<p>Yes</p>
<p>7) Is the petitioned district change consistent with the zoning classification of surrounding land?</p>	<p>Met</p>	<p>Yes</p>
<p>8) Does the petitioned district change generally comply with the Weldon Township Master Plan?</p>	<p>Met</p>	<p>Yes</p>
<p>9) What are the precedents and the possible effects of such precedent which might result from the approval or denial of the petition?</p>	<p>Met</p>	<p>None anticipated</p>
<p>b. If the petition involves an amendment to the text of the Ordinance, matters to be considered by the Planning Commission shall include, but need not be limited to, the following:</p>		
<p>1) Is the amendment petition supported by documentation, such as from the Weldon Township Zoning Board of Appeals, that the proposed amendment would minimize problems or conflicts with specific sections of the Ordinance?</p>	<p>N/A</p>	
<p>2) Is the amendment petition supported by reference materials, planning and zoning publications, information gained at seminars or experiences of other communities to more effectively address certain zoning issues?</p>	<p>SOME</p>	
<p>3) Is the amendment petition supported by significant case law?</p>	<p>YES</p>	
<p>3. Planning Commission Recommendation: Following the hearing, the Planning Commission shall transmit a summary of comments received at the public hearing to each legislative body, along with its recommended action on the amendment petition. The Planning Commission shall also forward its recommended action on the amendment petition to the Benzie County Planning Commission for advisory comments.</p>	<p>PC</p>	<p>PC to discuss</p>

Notes:

Incorporate entire application as Exhibit A. and have updated version ready for final approval at the Township Board level.