

## **Appendix B**

### US-31 Corridor Study (1996)

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### **U.S. 31 Corridor Study**

#### **Introduction**

This document presents a general plan for land along Hayes Township's U.S. 31 corridor, and is included as an element of the Hayes Township Comprehensive Plan in accordance with Section 6 (1) of the Township Planning Act (P.A. 168 of 1959, as amended). This sub-area plan is intended to:

- Provide a special geographic area plan that is consistent with the intent, purpose, and requirements of the Township Planning Act.
- Provide a legal and rational foundation for the Hayes Township Zoning Ordinance, and other ordinances adopted for the purpose of implementing this Plan.
- Provide goals and policies for future land use and development along the U.S. 31 corridor.
- Recognize the Corridor's stakeholders and interest groups by supporting the continued strength and vitality of business and industrial interests.
- Encourage the preservation and protection of natural and scenic resources.
- Promote the preservation of the area's tourism oriented economic base.
- Promote a pattern of land use that is consistent with the goals established during the planning process.
- Provide a tool for use by township officials during the process of reviewing future land development project proposals.

#### **Issues & Goals**

The township's Planning Commission established a U.S. 31 Corridor Committee consisting of selected Planning Commissioners and interested corridor property owners and business people. The committee was established to address concerns about the corridor's future from a land use, development, and appearance standpoint. The committee met several times during 1995 and 1996. Those meetings enabled committee members to identify issues likely to influence the U.S. 31 corridor over the short and long-term. The factors and issues include:

- Extent and location of existing residential, business, industrial, resource mining, and public land uses.
- Location of land held in public ownership.
- Perceived points of conflict between existing land uses.

- Perceived problems associated with access to existing land uses.
- Known or perceived traffic hazards.
- The potential for strip commercial or industrial development

The committee also developed short and long-term goals for land use and development along the corridor.

#### *Short-Term Goals*

- Delineate areas along the corridor for business, industrial and residential development.  
Preserve the corridor's scenic qualities by preventing strip type development.  
Provide for the safe and efficient flow of traffic along the corridor.  
Preserve open space and scenic vistas to the greatest extent feasible.

#### *Long Term Goal*

- Develop a commerce/industrial park that will benefit the township's business and industrial interests. The location of this park will be established by a market driven competitive process.

### **Interviews With Corridor Business & Property Owners**

A summary of comments made by corridor stakeholders during interviews conducted during the process of preparing this plan are outlined below. The comments reflect answers to questions about the land use and development issues raised during U.S. 31 Corridor Committee and Township Planning Commission meetings. The comments are useful in that they provide anecdotal evidence of stakeholder viewpoints on corridor issues.

- Wish to maintain scenic qualities and characteristics of corridor. Do not wish to see businesses completely screened from view from roadway. Keep corridor scenic while preserving profitability of businesses located (and that may locate) along roadway. There are folks in the township who are anti-industry.
- Believes the township should support the Little Traverse Conservancy's mission. Doesn't want strip malls or strip development. There is a need in the area for additional commerce/industrial park space that can be targeted toward high-tech industries.
- No thoughts on current pattern of development along corridor. Would not relocate if comparable space was available in commerce/industrial park (with or without sewer).
- Doesn't want to see housing developments along corridor due to traffic safety issues (conflict with kids/pedestrians).

- Would like to expand building. Would not relocate, though relocation would be nicer for employees in some ways, and less so in others. Doesn't want to see major commercial development (strip or otherwise) along corridor. Doesn't want to see proliferation of signs.
- New development should maintain appropriate setbacks, and be subject to reasonable sign regulations. Would like to see other types of employers offering year-round jobs paying better than \$5.00 an hour. Future employers should locate in commerce/industrial park as opposed to developing in strip fashion.
- Would like to see an attractive, well designed industrial park that retains natural vegetation between building sites. Size of parcel and building are fine, though may expand or rebuild at some (unspecified) point in the future.
- Likes location because it is zoned for the use conducted. Believes most business, service and redevelopment will occur along 31 between Petoskey and Townline Road. Doesn't envision substantial mounts of commercial development.
- Location is exceptional. Has no plans to expand size of building at current location, though would consider building additional space in an industrial park if sewer and water utilities were available. Has no reason nor plans to relocate over short or long-term. The township needs sewer and water in order for a commerce/industrial park to be competitive with similar facilities in other communities. Is concerned about zoning as it relates or may apply to the sale of property.
- Thinks township was anti-business 20 years ago. Township needs to take steps to preserve scenic qualities (lake views) by purchase or by establishment/donations of conservation easements. Methods/standards/regulations intended to preserve scenic qualities should be flexible enough to preserve profitability of future business development. Methods should provide trade-offs and/or give-and-take between township and developers/business owners.
- Visibility of interviewee's business is not essential during daytime. Doesn't agree with standards that might require solid, 30' wide greenbelt/buffer. Agrees with standards that might require attractive/ornamental landscaping. Believes portion of corridor between Townline Road and railroad viaduct presents a poor image due to physical state/appearance of some homes and businesses. Moved to present location because zoning allowed use. No immediate plans to expand building, though could see expanding to three times current floor area. Would not relocate to commerce/industrial park. Likes location because of accessibility of business. Wants to preserve scenic qualities of corridor; doesn't want to see Atoo much development near shoreline.

- Envisions more business development in Bayshore area as opposed to other locations along corridor. Has concerns about traffic along corridor, especially at intersections. Certain (unspecified) businesses could be cleaned up a bit and complemented with landscaping or greenbelt/buffers. Existing businesses should not be compelled to landscape property; very sensitive to cost of retro-fitting existing uses with screening and landscaping improvements.
- Concerned about traffic safety conflicts presented by traffic generators, and in Bay Shore area generally. Corridor could benefit from installation of center left-turn-only and deceleration lanes for access to future business and residential development. Future and existing development could benefit from limited number of driveways, shared driveways, and managed access.
- Location is exceptional (proximity to Charlevoix City and regional amenities). Traffic along 31 creates excessive noise. Could expand size of use. Would like corridor to be developed in an attractive manner. Can't envision a wooded corridor, though thinks slash and-burn development is and would be inappropriate.
- Development can be attractive if visual pollution is avoided; maintain building setbacks, provide landscaping and green space between uses and buildings; limit number of signs. Doesn't want to see corridor developed with commercial/business uses housed in pole barns (made reference to M-66 corridor). Envisions south end of corridor developing with professional office buildings and light retail uses. Doesn't see supermarkets and other heavy commercial uses being established. Would clean up Bay Shore area. It looks dumpy rather than attractive. Land along corridor not conducive to farming or forestry. Suited to high-end residential development. Should poll local folks to see what's important to them, and attempt to meet needs expressed.
- Would have orderly transition toward change along corridor. Local folks should have a say in what happens from a development standpoint. Scenic aspects of corridor is its greatest asset; traffic is its worst. Hopes township can strike a balance of interests between business owners, developers and residents.

The following table presents a subjective illustration of the frequency of comments made during the interview process:

Issue or Subject Area	Number of Times Mentioned
Maintain/preserve scenic qualities	8
Do not require that businesses be completely screened from view from roadway	4
Require reasonable landscaping	4

Do not encourage strip malls or strip commercial development	3
Encourage development of an industrial/commerce park	3
Limit signs	3
Traffic is a concern	3
Establish conservation easements	2
Provide adequate building setbacks	2
Bay Shore area presents a poor visual image	2
Limit housing development	1
Township needs sewer and water service	1
Limit development along shoreline	1
Allow more development in Bay Shore area than other areas along corridor	1
Do not require that business install retro-fitted landscaping	1
Limit the number of driveways	1
Require shared access/driveways	1
Maintain green space between uses	1
Preclude establishment of pole buildings housing commercial uses	1
Establish planned office and light retail uses along southern end of corridor	1

### Existing Land Use

Land along U.S. 31 is characterized by undeveloped open space and scattered residential, commercial, and industrial development. The most densely developed portion of the corridor is the Bay Shore area near the township's boundary with Emmet County.

The Charlevoix Country Club (a mixed-use Planned Unit Development) and the Charlevoix Rod and Gun Club are located within one mile of the township's western boundary. Each of these facilities has one driveway or access road providing ingress and egress from U.S. 31. Aside from the community pool building adjacent to the country club, no improvements on either the country club or rod and gun club property are visible from U.S. 31.

The Consumers Energy Big Rock Point and LexaLite Industries facilities are located within two miles of the township's western boundary. The Consumers Energy plant is accessed by way of Big Rock Road, and is not visible from U.S. 31. LexaLite Industries is accessed by three separate driveways. The developed portion of the Consumers Energy property represents a fairly small portion of the company's entire holding. LexaLite Industries, on the other hand, might be viewed as having reached a point of near build-out, due to the relative size of the facility's

buildings in relationship to lot size. The LexaLite Industries facility is visible from U.S. 31.

Kennedy Park, Carcrafters, and Barna Log Homes are located within three miles of the township's western boundary. Kennedy Park is owned by the State of Michigan, is located along the north side of U.S. 31, and is accessed by way of two driveways. Carcrafters and Barna Log Homes are located along the south side of the highway, and have access by way of one driveway each.

A significant Lake Michigan and Little Traverse Bay viewshed begin just east of LexaLite Industries at Kennedy Park and continues with intermittent interruption to the western boundary of the Michigan Shores Subdivision. The best views of the lake and bay occur between LexaLite Industries to a point west of Nine Mile Point, and between the Loeb Conservancy property and the Michigan Shores Subdivision.

There is no additional commercial development along the highway between Barna Log Homes and Murray Road approximately two miles to the east. Land use along this portion of the highway is characterized by scattered single family homes and undeveloped land.

The most dense development is generally concentrated between Murray Road and Townline Road near Bay Shore, west of the township's eastern boundary with Emmet County and Resort Township. Development in this area includes a gasoline station and convenience/grocery store, a church, two vehicle sales facilities (one new and one used), a steel fabricating facility, aggregate mining operations, and freight and aggregate/paving trucking operations. There are few homes located along this portion of the highway, though there are several year-round and seasonal single family homes between the Lake Michigan Shoreline and U.S. 31 that access the highway by way of Townline Road.

### **Recreational Trail Development**

The Hayes Township Board of Trustees supports the efforts of the Top of Michigan Trails Council, the Charlevoix Trail Committee, the Michigan Department of Transportation, and other groups working to develop multi-use recreational trails in Northwestern lower Michigan. The Board also agreed to make Hayes Township available to become a grantee for easements along U.S. 31 obtained for trail purposes by the Charlevoix Trail Committee.

### **Natural Features**

Michigan Resource Inventory System (MiRIS) natural resource maps prepared and provided by the Charlevoix County Cooperative Extension Service appear to indicate that the vast majority of undeveloped land along the south side of the corridor is subject to development constraints imposed by wetland/hydric soils, and/or severe to moderate septic system limitations. Areas subject to moderate limitations are located along the south side of the corridor east and west of Burgess Road near Nine Mile Point, and in upland areas west of Murray Road between U.S. 31 and Old 31. It should be noted, however, that while these maps are ideal for land use planning purposes, their accuracy should be determined on a parcel specific basis.

Much of the undeveloped land along the south side of the corridor is wooded. Some of these areas are within areas of hydric/wetland soils, and others are found in areas of moderate septic system limitations. Land along the south side of the corridor near the Loeb Conservancy is subject to development constraints imposed by steep slopes.

### **U.S. 31 Corridor Traffic & Crash Data**

U.S. 31 near Big Rock, and 9,700 vehicles at U.S. 31 and Townline Road. It should be noted that data provided by the Michigan Department of Transportation (MDOT) and Charlevoix County Road Commission indicate 24 - hour average daily traffic (ADT) counts of 6,700 vehicles along major arterial highways usually experience ADT fluctuations based on day of the week, time of day, and season of the year. It is reasonable to expect that the highway experiences much higher use during the summer months. Crash data provided by MDOT indicate there were 46 traffic crashes along U.S. 31 in Hayes Township in 1996. The data indicates that twenty-eight of those crashes (61 percent) involved car/deer collisions, eight (17 percent) involved two-car collisions, four (9 percent) involved collisions with trees, and six (13 percent) are reported as "other" . These crashes resulted in sixteen injuries, and no deaths.

The MDOT crash data indicates no clear correlation between the location of two-vehicle crashes, driveways, and land uses. This is likely due to the fact that development along the corridor is widely dispersed.

### **Driveways**

Driveways, like intersecting streets, create points of conflict for traffic moving along the U.S. 31 corridor. The greater the number of points of conflict, the greater the potential for traffic crashes.

A driveway serving a single-family home, or one serving a business use that generates little customer traffic, will have little impact on the movement of traffic. A driveway serving a large commercial or industrial center, on the other hand, is similar to an intersecting street, and can have a significant impact on the movement of traffic.

Due to the number of employees at the Consumers Energy and LexaLite facilities, it is likely that Big Rock Road and the driveways serving the LexaLite property create the greatest potential conflicts for traffic traveling U.S. 31 Truck traffic entering and exiting the H & D Trucking operations in Bay Shore also generate potential conflicts. As indicated above, however, MDOT traffic crash data indicates no clear correlation between these facilities and traffic crash.

### **Conclusions**

The following conclusions are based on the information discussed above:

- 1 The corridor's most significant scenic Lake Michigan and Little Traverse Bay viewsheds are owned by the State of Michigan, and face no immediate threat for conversion to developed uses.
- 2 The bulk of land visible from the traveled portion of the corridor is undeveloped. Major, visible developed land uses include the LexaLite, Carcrafters, and Barna Log Home facilities, and the concentration of business and industrial uses in the Bay Shore area.

- Interviews with business owners and property owners indicate that a majority believe that the corridor's scenic character is one of its most important assets.
- 3 Interviewees appeared to indicate support for reasonable landscaping and sign standards for new uses.
  - 4 Interviewees appeared to express a desire to preclude strip commercial development.
  - 5 Available traffic crash data does not appear to indicate that existing business and industrial uses create conflicts with traffic traveling along the corridor.
  - 6 MiRIS maps indicate that the majority of land along both sides of the corridor is subject to limitations imposed by hydric/wetland soils, and severe septic system limitations. The potential for groundwater contamination from land use activities is rated by the University of Michigan Groundwater staff as moderate or high for the entire length of the corridor. Each of these factors will influence the density of development.

## Recommendations

The above conclusions support the following recommendations:

1. Consumers Energy Property

Several alternate proposals have been suggested for future use of the Consumers Energy property. These include a public preserve, park, and campground, an industrial/commerce park, or residential development. Each of these proposals require detailed study and planning.

The Consumers Energy property includes approximately 600 acres, 60 percent of which, according to the MiRIS natural resources map, is wetland and therefore subject to severe septic system limitations. Only 3 percent of the total acreage is currently developed. The majority of the property remains in its natural state. Three state endangered species of plant and one federally endangered plant are found on the property.

**Proposal for a public preserve, park, and/or campground:** Opportunities to preserve the land for public use, once returned to a contamination-free status, would provide 12 miles of undeveloped shoreline on Lake Michigan as well as the mostly wooded acreage for recreation, environmental education, and other uses such as a campground. State, foundation, and other monies may be available for the realization of this proposal.

**Proposal for Industrial/Commerce Park:** Portions of the property along both sides of the corridor may also be suited to the development of low-rise, industrial/commerce park facilities. Such facilities would have a minimal impact on existing scenic view sheds along the corridor.

**Proposal for low density residential development:** There may also be a potential for appropriate low density residential development, preserving the wetlands and scenic qualities of the property. That potential may be enhanced by the proximity to a municipal sewer system.

Each of these potential uses for the Consumers Energy property will require careful study as the nuclear power facility is dismantled.

## 2. Charlevoix Township to LexaLite

As indicated by Map number 1 in Hayes Township Sections 18, 17, and 8 the existing uses along the U.S. 31 corridor are:

- A. Church
- B. Vacant - Zoned Commercial
- C. Vacant - Zoned R-4
- D. Community Pool
- E. Vidosh Nursery/Landscaping
- F. Charlevoix Country Club Conservation Easement
- G. Rod & Gun Club
- H. Consumers Big Rock
- I. LexaLite Corporation

The zoning immediately adjacent to Hayes Township in Charlevoix Township consists of commercial and a church. Existing present uses or uses allowed along U.S. 31 in Hayes Township Section 18 consist of high density residential R-4, the community pool, the entrance to the Charlevoix Country Club with accompanied conservation easements, the Rod & Gun Club, and a nursery/landscape facility. Sewer is available to most of this area. Given the nature of present uses and the availability of sewer, any remaining area would be appropriately used for commercial/professional office/or adult assisted care facility, being the closest area to Charlevoix services and emergency facilities.

Tracts of property in Hayes Township Sections 17 and 8, exclusive of Consumers Big Rock property and LexaLite, remain vacant. These areas would be appropriate residential with clustering well back from the highway frontage, assuming the Big Rock property evolves also into residential and resort property. A vegetative buffer should be maintained along this area, maintaining a percentage of mature trees where possible along the highway to help preserve some of the existing rural character.

To encourage Big Rock to evolve into residential or resort versus industrial or commercial, incentives could be given for reclamation projects to encourage returning the land to a useful and economically viable site provided adequate provision is made for sewage disposal. In addition, there should be serious consideration of both conservation easements, a public waterfront park with waterfront access, and provisions for a non-motorized trail.

## 3. Burgess Road/U.S. 31 Area

This area includes the Carcrafters (Lietz Industries) property, numerous single family homes, the Barna Log Homes property, a Veterinary Clinic, and large tracts of undeveloped land. MiRIS natural resource maps indicate that properties abutting the U.S. 31 Corridor are subject to moderate septic system limitations. The balance of the

properties abutting the corridor are in areas of hydric/wetland soils, and/or severe septic system limitations.

It is recommended that future industrial and business uses be limited to those properties presently zoned for industrial or commercial use. Low density residential development can occur in the surrounding A-1 Agricultural Zone District.

#### 4. State Owned Scenic Viewsheds

It is the Township's position that these irreplaceable scenic resources remain undeveloped in perpetuity.

#### 5. Nine Mile Point Area

MiRIS natural resource maps indicate there are pockets of land that may be well suited to septic system installations. This being the case, these areas are well situated to accommodate low-density residential development.

#### 6. Bay Shore Area

This area represents the most developed area along the corridor. The H & D Trucking aggregate mining facilities can accommodate industrial/commerce park or planned commercial development upon completion of long-term mining activities.

Land along the south side of U.S. 31 between Bay Shore residential area and Central Transport facility does accommodate commercial and light industrial development.

Properties presently zoned for residential use should retain their residential designation, though minimum lot size requirements for new residential construction should be examined.

#### 7. Residential Areas

Areas along the south side of the corridor east and west of Burgess Road are suited to planned single-family residential development. Existing vegetation should be maintained to the greatest extent feasible. The removal or thinning of trees in undeveloped areas buffered from view from the U.S. 31 Highway should occur on a selective basis following a site plan approval process.

#### 8. Conservation Easements

Conservation easements are the most effective tool for protecting natural resources, open space, and scenic viewsheds. The establishment of conservation easements along portions of the U.S. 31 corridor would be the most effective tool for protecting the corridor's scenic qualities. A conservation easement is a legal agreement in which a landowner (or group of landowners) retain ownership of the easement while conveying certain rights to a conservation organization or public body.

Individuals retaining ownership of such easements retain certain rights, such as the right to use the easement for recreational or agricultural purposes, or to establish a specified number of building sites. Property subject to a conservation easement is protected from trespass as is any other privately owned land unless the property owner requests that access be allowed.

Conservation easements can be in the form of greenbelts along highways, or tracts of permanent dedicated open space in residential or other type of developments. A gift of a qualified conservation easement in perpetuity can be a charitable contribution for federal tax purposes, and may also result in a reduction of federal estate taxes. The corridor could benefit from the establishment of such easements in wooded areas, wetland areas, and scenic viewsheds.

## 9. Driveways

The spacing of access for commercial driveways is an important element in the planning, design and operation of roadways. Access points are the main location of crashes and traffic congestion. Their location and spacing directly affect the safety and functional integrity of streets and highways. As new development occurs, a number of factors will influence the potential impact new driveways will have on the safe and efficient movement of traffic along U.S. 31:

- The type or types of use(s) provided access by a driveway.
- The number of vehicles using a driveway.
- The location and design of a driveway.
- The presence or absence of deceleration or left turn bypass lanes.
- The number of vehicles (or ADT) using the highway.
- The density of development along the highway.

If the U.S. 31 corridor is allowed to develop as a commercial strip with separate driveways serving single land uses, the potential for significant impacts on the safe and efficient movement of vehicle traffic will be quite high. If, on the other hand, new commercial and industrial development can be limited to the general areas in which existing development is located, and reasonable shared or managed access can be provided where appropriate, then the potential for significant impacts on traffic can be mitigated.

MDOT has jurisdiction over the location, design and spacing of driveways along U.S. 31. Current MDOT spacing standards require a distance of 455 feet centerline-to-centerline between driveways along the same side of the highway. In instances where a particular parcel of land has insufficient frontage to meet this standard, MDOT may

reduce the spacing requirement, encourage a shared driveway with adjacent property owners, or require access by way of another roadway. Standards for driveways along opposite sides of a roadway require a separation distance of 750 feet centerline-to-centerline.

The Township also has authority to limit the number of driveways along U.S. 31 with zoning or police power regulations. This can be done by fixing or limiting the number of driveways for each parcel fronting on the highway before smaller parcels are created. Once the number of existing driveways has been fixed, all new parcels would have to obtain access from the fixed driveways by way of service drives or easements. Parcels having long frontage along U.S. 31 could be given special consideration if additional driveways were desired.

In its present state of development, the corridor appears to be functioning well within its intended design capacity as a major state trunkline. As future development occurs additional driveways will be required. MDOT strongly encourages the use of shared driveways and access/frontage roadways as a means of reducing the number of individual driveways along U.S. 31. The Bay Shore area would benefit from an access/frontage road requirement. The utilization of access/frontage roadways at other locations along the corridor could have a positive impact on the highways's scenic qualities if careful site planning and design occurs.

As of the date of this plan, there is no established procedure for a concurrent Township/MDOT development plan/driveway review process. MDOT encourages Townships to coordinate development plan review process with MDOT's driveway review and permitting process. Pre-application meetings with Township and MDOT representatives may be appropriate in cases where a large development is proposed which is expected to generate a significant amount of traffic. A mechanism for initiating such meetings between Hayes township and MDOT may be needed because there are several undeveloped parcels of land along the corridor that have the potential to accommodate relatively large-scale residential and commercial development.

#### 10. Additional Commercial & Industrial Zoning Districts

The establishment of spot zones for additional commercial or industrial development outside of existing commercially and industrially zoned areas is not recommended. The establishment of commercial or industrial districts can occur in the areas along the corridor described in this plan to accommodate planned commercial and industrial development.

#### 11. Property Zoned A-1 Agricultural

Property zoned A-1, Agricultural should be zoned RR-1, Rural Residential, to accommodate residential development at a density of one dwelling unit per each five acres of land to maintain the scenic character of the corridor.

#### 12. General Design Standards

As development occurs, existing vegetation and other natural features should be retained to the greatest extent feasible. Buildings, signs, and other structures should consist of materials that blend with the existing undeveloped environment. The use of wood, stone, and brick should be encouraged. The use of bright colors should be discouraged.

The size, height and number of signs allowed at business and industrial uses should be reasonably limited. Sign height and area bonuses can be offered if sign owners agree to make signs more attractive. Examples include relying on professional design, placing signs lower to the ground, providing decorative pole covers, landscaping, lack of internal illumination, or signs consisting of characters mounted on a brick, stone, or natural wood backgrounds. The proliferation of billboards along the corridor should be halted.

Utility service to all future development should be provided underground. Exterior lighting should be of low intensity, and be limited to specific areas of developed sites. Lighting fixtures should not produce glare or spillover illumination onto adjoining roadways and property.

Parking areas should be located beside or behind buildings, and should be enhanced with landscaping. Loading and storage areas should be located behind buildings, and should be screened from view from adjoining property.

Clearcutting of sites abutting U.S. 31 prior to development plan approval should be prohibited.