 Charter Township of Garfield Planning Department Report No. 2015-18		
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Subject:	2014 Annual Report	

Introduction

This 2014 annual Planning Report was prepared pursuant to the requirements of Section 19(2) of the Michigan Planning Enabling Act, which states:

"A planning commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development."

This report is intended to serve as the Planning Commission's report to the Township Board, as required above, and will also outline the activities of the Planning Department in the 2014 year. Additionally, this report will also inform on both the Zoning and Building Department's recent activities.

Boards & Commissions

The Planning Department participates in various committees and provides support services to various Commissions and Boards, which include:

- Garfield Township Board
- Garfield Township Planning Commission
- Garfield Township Zoning Board of Appeals
- Joint Traverse City and Garfield Township Planning Commission (Grand Traverse Commons)
- Joint Traverse City and Garfield Township Recreation Authority
- Parks & Recreation Commission
- TC-TALUS Technical Committee
- Joint Housing Task Force
- Among others

Administration

The Planning Department continues to be very active as it moves towards finalizing documents, preparing new ordinances, and ensuring that development projects are completed as required by the Planning Commission and Township Board.

Routine tasks also include dialogue with the development community to ensure that development applications are complete and ready to be brought before the Planning Commission, which can take weeks or months. The management and oversight of three active Natural Resources Trust Fund projects occupies a substantial amount of Staff time.

As current documents and plans are finalized in early 2015, attention will be shifted to successor documents and ordinances to help the Township realize the goals of recently adopted documents. This, combined with yet another projected year of strong growth, as well as planning for upcoming grant applications, will continue to demand efficiency in the administration of the Planning Department.

Planning Commission

The Planning Commission meets the second and fourth Wednesday of each month and is responsible for reviewing development applications, preparing plans, and advising the Township Board on development matters and zoning amendments. The meeting schedule allows the Planning Commission to hear, review and decide on projects during the first meeting and to advance the interests of the community by holding a work session during the second meeting of the month. This schedule will continue throughout 2015 as the Commission works to finalize its Master Plan review.

Activity Highlights

The Planning Commission continues to work on the Master Plan update and is currently in the process of drafting a community survey. Staff continues to meet with community stakeholders such as TCAPS, BATA, Cherry Capital Airport, GT Metro Fire, and the Sheriff's Office to understand each agency's current and future infrastructure needs and how each need relates to the community.

The updated draft Zoning Ordinance is currently being reviewed by the Township attorney. Once the Attorney's comments are received, remaining issues and any proposed changes to the document will be discussed. The Planning Commission will soon begin discussions on how to move forward with a public information session and public hearing to educate the public on the new document prior to its adoption.

Development Reviews

The Planning Commission reviewed and approved numerous projects in 2014, which included Site Plan Reviews, Planned Unit Developments, Special Use Permits and zoning text and map amendments. A brief description of those reviews follows.

2014 Special Use Permits - New Applications

SUP – 2014-01 Culver Meadows Assisted Living Apartments

This project is proposed on Silver Lake Road in the R-1B single family residential district. The Planning Commission, following several contentious meetings, directed Staff to prepare findings for denial of the project. Subsequently, the applicant requested another opportunity to present to the Planning Commission with a modified plan instead of a decision, which request was granted.

As of the end of 2014, however, the applicant has failed on numerous occasions to complete its revised application for a decision. The application remains open.

SUP – 2014-03 Grand Traverse Timbers

Grand Traverse Timbers was granted a Special Use Permit to establish an enclosed sawmill operation and associated warehousing within two existing buildings on a 1.5-acre parcel located at 5111 Cedar Run Road. The property is currently zoned A-1 Agricultural and is the site of the former Ken's Landfill, which was decommissioned in 2012.

2014 Planned Unit Developments (PUD) - New Applications

PUD – 2014-01 Sheffer Farms

This mixed use project is proposed on 52 acres of open, gently sloping, grassy field located off of North Long Lake Road. The applicant's proposal evolved over a period of months but mostly included single family lots, small single family cottages, apartment buildings, an assisted living facility and an additional institutional building. The Planning Commission required the applicant to provide a traffic study for the project, and, following the Township traffic consultant's review and comment on the inadequacies of the study, the project appears to have stalled.

PUD – 2014 -02 Buffalo Ridge Center

This application involved a commercial PUD (redevelopment) project on approximately 34 acres of commercially-zoned property, formerly the site of Horizon Outlet Mall. The northern portion of the site will be redeveloped into a 14-screen movie theater, an additional commercial building, and associated parking areas. The southern half of the site will remain in its present state for the time being until future redevelopment opportunities are explored and approved through the appropriate amendment process. Following a few months of disingenuous opposition by the Grand Traverse Mall representatives, the project was approved. Demolition has since occurred on the site and the project is in the permitting phase. This project was a good example of the redevelopment of a dilapidated commercial property in a prime location rather than development of a greenfield site outside of the urban core.

Amendments to previously approved Special Use Permits

The following requests were processed as amendments to approved Special Use Permit projects. It is not uncommon for projects to request various changes to plan sets as they grow. The Planning Commission is required to evaluate minor and major amendment requests to these projects, while Staff has the authority to allow small administrative changes

SUP – 1989-A Just Golf

The application requested a major amendment to an existing special use permit to reestablish a driving range and add bocce ball and badminton courts, a croquet area and 12-hole miniature golf course at the site of the existing "Just Golf" retail store at 4163 Meadow Lane Drive. Working through a number of applicant misrepresentations and driving range safety concerns, the Planning Commission eventually approved the project.

SUP 2013-02(A) – Panera Bread requested a major amendment to add 559 square feet of floor area to its approved building footprint. The Planning Commission approved the request.

SUP 1992-01(L) – Sam’s Club PUD – a PUD sign request to increase allowable signage for the Harbor Freight building on US-31 was approved.

SUP 2005-05(E) – Members of the **Lone Tree PUD** requested a minor amendment to modify duplex boundary lines to rectify a past surveying issue and to provide a better layout for the units. The Planning Commission approved the request.

SUP 2000-08(H) – Copper Ridge – The application requested a clarification of a previous condition of approval which required that a play area for children within the development to be established. The Planning Commission denied two proposals by the applicant to place the playground in areas that were deemed unsafe for children. Following those discussions, however, a revised plan to convert two drainage basins to play areas (accommodating the drainage in underground basins) was found acceptable. However, the status of the project is unknown at this time.

SUP 1991-10 (K) – Crown PUD – This request was to amend an approved sign package to allow an LED changeable letter sign within the Crown PUD. The Planning Commission has historically denied requests to establish commercially-oriented LED signs within Planned Unit Developments out of incompatibility concerns with surrounding residential and agricultural districts. The Crown PUD already enjoys an increased number of signs and an increase in sign size over most PUDs. The request was denied for the second time in 5 years and is being appealed by the applicant.

SUP 2003-06(D) – Premier Manor. The request is for a major amendment to the approved mixed-residential **Premier Place PUD** located along Premier Street, Woodmere Avenue, and Boardman Lake. The project was first approved in 2003 and is presently approved for a 72-unit multi-family structure called Premier Manor. The applicant has requested to replace the approved 72 unit structure with an alternate, larger structure. This application was recommended for approval by the Planning Commission and is under review by the Township Board.

SUP 2000-08(I) – The Eagles View condominium, part of the **Copper Ridge Planned Unit Development,** obtained a minor amendment approval to combine two lots within the condominium project into one building site.

SUP 2000-09(E) – The Chelsea Park PUD project has been sitting idle for several years. This mixed residential PUD has recently been purchased by a local developer who has revived the project, including much-needed final completion of street and stormwater infrastructure. A request for a minor amendment was granted by the Planning Commission for an increase in building footprint of 15% for various duplex and quadplex units.

SUP 2002-03(D) – The Arbors Apartments PUD requested a major amendment to expand the project boundary line to allow for the construction of an overflow parking area adjacent to Hartman Road. This project was recommended for approval by the Planning Commission and is under review by the Township Board.

Zoning Ordinance Text & Map Amendments

Z-2014-01 – The application requested a rezoning of approximately 28,000 square feet, or 0.64 acre of land, from the R1-M Multi-Family Residential District to the C-1 Local Business District. The property is located at the southeast corner of Barlow and Floresta Streets and is currently vacant. Following a recommendation by the Planning Commission, the Township Board approved the rezoning. According to the owners, a new structure will be built in 2015 to accommodate a new S'wiches Deli.

Z-2014-02 – The application is currently before the Planning Commission for consideration to rezone approximately 30-acres of land from the A-1 Agricultural District to the R1-M Multi-Family Residential District. The application affects four properties along La Franier Road, roughly 1/4 mile north of Hammond Road. The applicant intends to propose a market-rate apartment complex of approximately 230 units if the application is approved.

Conceptual reviews

Conceptual reviews were established in 2010 to allow developers and applicants the ability to appear before the Planning Commission with little more than a concept and basic site plan. This procedure provides the applicant with valuable feedback to gauge the Planning Commission's interest in the project before an application is submitted. This procedure has been very useful to developers as they are able to discuss a potential project without having to first secure a planner, engineer, surveyor, etc. to complete an application. The following projects were brought before the Planning Commission for discussion in 2015:

- **Horizon Mall Redevelopment** – This project was presented to the Planning Commission to redevelop the old horizon outlet mall. Following comment by the Planning Commission an application was submitted and approved as a PUD.
- **Just Golf** – Just Golf approached the Planning Commission to establish a driving range and non-golf activities such as badminton, bocce ball etc. Following comment by the Planning Commission an application was submitted and approved by way of SUP.
- **Leelanau Coffee** – Leelanau Coffee gauged reaction to the concept of establishing a roasting facility, distribution center and café at the coming Brookside Commons project. The Planning Commission felt the café would fit but the roasting and distribution center may be outside the intent of the PUD.
- **Bareknuckle Distillery** – The applicant approached the Planning Commission regarding a distillery in the EPI building on W. South Airport Road. Overall, Commissioners were in favor of the project.
- **Ace Hardware** – Ace Hardware expressed interest in purchasing the former Western Concrete building on W. South Airport Road with intentions of opening a new retail store on the premises. The property is zoned MUIBD-G, which does not support the retail request. Following Planning Commission comment, an application was not submitted for the project.
- **Lafranier PUD** – The applicant requested conceptual review of an apartment complex by way of a PUD. The Planning Commission did not feel that the project met the

standards to establish a PUD but indicated that it would consider an application to rezone the property to a suitable zoning district.

- **Crown PUD** (Contractors establishment) – A conceptual request to amend the Crown PUD to allow the construction of a contractors establishment was reviewed. The Planning Commission was supportive of the request; however, upon review of the request it appears that the project area may not be buildable for zoning purposes due to a previous transfer in development density from the subject parcel to elsewhere in the site. Research continues on both the applicant and Township side.
- **Sheffer Farm** – Prior to making its formal application, this mixed-residential project received a generally favorable conceptual review from the Planning Commission.

Parks & Recreation

On the surface, 2014 was a relatively quiet year for our park network, in part because a lot of Staff time which could otherwise be devoted to parks was taken up by the above duties. However, a lot of work did go on behind the scenes to set us up for a productive 2015.

The sprinkler system was expanded at the **Silver Lake Recreation Area (SLRA)** to cover the dog park area, and dog drinking water stations were also installed in each of the enclosures. Additionally, the Township came to a resolution with Elmer's Construction to fix a persistent ponding issue which came up after the 2013 improvements to the park were made. As this park grows and matures, we continue to learn as we go regarding appropriate levels of maintenance such as lawn care and snow removal.

Reservations for the pavilions within the SLRA remain in high demand. The Township has budgeted a significant amount to make additional improvements to this park in 2015, likely including additional sidewalks, lighting, and trees.

Two of three necessary easements have been secured for the construction of **Phase II of the Buffalo Ridge Trail**. A letter writing campaign was organized to petition Great Wolf Lodge to grant the remaining easement. That, combined with the persistence of Staff and other Township officials, has appeared to have paid off. The easement request has made its way up the GWL chain of command, and is under review by Great Wolf's legal and engineering departments as of this writing. Upon receipt of this easement, the Township's engineering consultant is prepared to quickly finalize drawings and permitting in hope of 2015 construction.

The Township, in partnership with the Grand Traverse Regional Land Conservancy, continued efforts to finalize **Phase III of the Boardman Valley Nature Preserve (BVNP)**. This grant-funded project will continue the momentum by acquiring an adjacent parcel on Keystone Road which is suitable for trailhead and small community park development, and the rear acreage of the Verizon retail store to accommodate a future trail corridor. This project is nearly finalized. With the Conservancy now in possession of each of these parcels, it is and prepared to deed the titles over to the Township upon final DNR review and acceptance of appraisals.

The lease agreement for the property occupied by the Grand Traverse Bay YMCA, also within the Boardman Valley Nature Preserve, continues to be a topic of discussion as the Y transitions to their new facility. While not common knowledge, the Township owns the entirety of this

facility, and the Y has operated since 2004 under a lease which was to expire in 2014. Following the summertime departure of the Y's long-time executive director, Staff reached out to the YMCA executive committee, resulting in recent productive discussion of how the Township and the YMCA may continue to partner into the future to provide great recreational opportunities for our residents and visitors.

As expected, the **Grand Traverse Commons** continues to grow in demand as a recreational race and events venue, including the second year of the Conquer the Commons mountain bike race event. Also at the Commons, and following up on the 2013 Forest Management Plan, in 2014 the Township contracted to have a Hazardous Tree Inventory prepared. The Township then issued a bid request for a tree service to address as many of these hazards as possible within a \$30,000.00 budget. The successful bidder proposed to remove each of the 358 trees which have been deemed hazardous, as well as to prune an additional 50 trees. It was unexpected and notable that this work will address the full scope of the hazardous tree report. This work will be completed in 2015.

Planning Staff also remained involved in a collaborative effort between the Township, Traverse City, the Grand Traverse Ski Club, and Preserve Hickory to complete a **Master Plan for the Hickory Hills Recreation Area**, which is owned and operated by Traverse City but located in Garfield Township. Now that the Master Plan has been completed, this team is considering opportunities and challenges in its implementation.

Together, the above achievements reflect ongoing efforts of the Parks and Recreation Commission to implement the goals of the 5-Year Parks and Recreation Master Plan. With a number of great parks now established, we continue the push to enhance these resources and to allow people to reach their parks by bike.

Joint Traverse City & Garfield Township Planning Commission

Staff continues to meet with Traverse City's Planning Department to continue polishing the draft Grand Traverse Commons Zoning Ordinance. This form-based code will regulate the specific Commons area campus and will be separate from the Township's regular Zoning Ordinance. The Joint Planning Commission is comprised of City and Township residents, appointed from their respective Planning Commissions (Racine, Clark) as well as staff representatives from both municipalities. The Commission continues to review ordinance drafts and recommend changes as work towards the Ordinance's completion progresses. Meetings with individual stakeholder groups are ongoing and a public hearing by spring 2015 is anticipated.

Garfield Township Infrastructure Overview

The Planning Department now works closely with our utility engineer to ensure that municipal sewer and water extensions are escrowed, installed and inspected properly. This report is intended to summarize the utility projects that required review and oversight by our utility engineer, Jennifer Hodges, in 2014.

Zimmerman Road

A new water main was installed along Zimmerman Road in 2014 and is projected to be extended to the north in the spring of 2015.

Brookside Commons

Jennifer Hodges continues discussions with the WODA Group to negotiate pricing to extend the newly installed 16" Zimmerman Road water main along the boundaries of the Brookside Commons project property. This partnership would benefit all parties and lower costs to the Township. MDEQ Permits have been issued for the installation of utilities.

Buffalo Ridge Center

MDEQ permits have been issued for the installation of utilities for this project, which is described above. The project manager is now required to provide a construction schedule and timeframe to our engineer.

Carson Square

Representatives for this multi-family residential project, which was approved in 2013, have recently provided an escrow and plans for utility review, indicative that the project is moving forward.

Crown PUD

There are various issues associated with the Crown Development. The most pressing is the water usage and associated fluctuating water pressure. The anticipated northwest-side water storage project described below will alleviate the concern, but for the time being the Township, in cooperation with the MDEQ, has been given permission to install a temporary booster station in spring 2015.

Garfield Road

Improvements along Garfield Road from the Birmley Road area to just north of Hammond Road will occur in 2015, including undercuts and repairs at the Mitchell Creek Crossing.

La Franier Road

The 2015 reconstruction of La Franier Road (lowering the hill and widening the roadway) will result in changes to the existing utilities. Among those utilities to be affected include a 12" force main, 8" sewer and 20" water main. The extent of improvements or any interruption in service is unknown at this time.

Pineview / Cedar Valley Sewer Extension

This project was completed in 2014 after the Township being petitioned to establish a Special Assessment District to pay for the extension of municipal water and sewer to this subdivision.

YMCA (New)

Upon final construction review it was found by the Township engineer it was noted that the "as-built" utilities did not match what had been approved. These unapproved changes have been resolved and the project utilities have been finalized.

2014 Zoning Department Permit Summary

Zoning Permits are required for all new construction, changes of use, signs and temporary events. Land Use Permits include new dwellings, commercial projects, accessory buildings, as well as other types of construction or change of use. Sign Permits include wall signs and freestanding signs for businesses and are required for each individual sign. Outdoor Sale Permits in temporary uses that may be non-profit or for-profit and are for a limited amount of time.

333 Zoning Permits were issued in 2014, an increase of 40 permits from the 293 Zoning Permits which were issued in 2013. As reflected in the chart below, the number of zoning permits which are issued annually continues a steady climb, a trend which is expected to continue.

Total Permits Issued



The table below identifies the specific Zoning Permits issued in 2014, including the number of late permits issued. In the time since the more costly "late permits" policy was put into place in 2011, primarily in response to numerous signs which were being erected without a permit, these after-the-fact permits have dropped dramatically. Late sign permits violations can be arduous to identify; however, they are among the easiest violations to rectify. Late construction or Grading Permits are far more complicated and time consuming due to the public health safety and welfare issues. Late permits are assessed a late fee equal to the permit amount, essentially doubling the cost of the permit, and in some cases the applicant also receives a citation for knowingly violating the Ordinance.

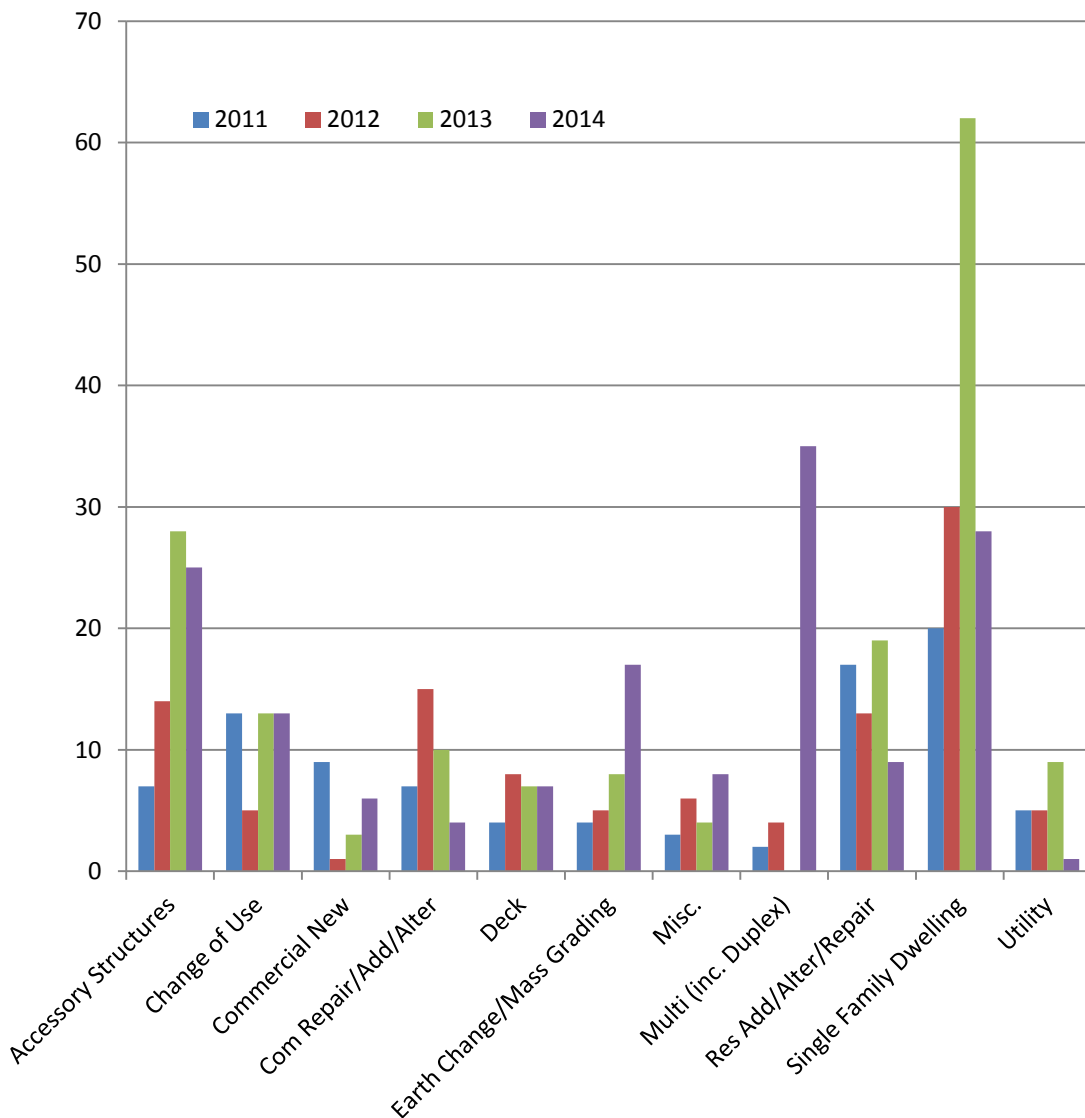
Permits listed in the "Late Permit" column are included in the "Number of Permits Issued" column and should not be added to the total.

2014	Permits Issued	Late Permits
Accessory Structures	24	2
Agricultural Building	1	1
Change of Use	13	N/A
Commercial Building- New	6	N/A
Commercial Building Repair/Addition/Alteration	4	N/A
Deck	7	N/A
Earth Change/Mass Grading	17	2
Home Occupation	0	N/A
Misc.	2	N/A
Outdoor Sale	26	5
Outdoor Sale-Nonprofit	1	1
Residential Addition/Alteration/Repair	9	N/A
Residential Multi-Family Buildings	19 (180 units total)	N/A
Residential Duplex	16 (units)	N/A
Residential Single Family Dwelling	28	N/A
Sign	153	15
Swimming Pool	1	N/A
Tower Co-location	5	N/A
Utility	1	N/A
Total	333	26

The chart below represents the number of permits issued by type for the last four years (2014, 2013, 2012, and 2011). Permits in the miscellaneous category include parking lot paving, swimming pools and home occupations. The utility category includes generators, cell tower collocations and replacement of equipment on towers.

What is notable in this chart is a year of high growth of single-family homes in 2013, while this growth shifted to multi-family units in 2014.

Land Use Permits



Garfield Township Building Department

The table below identifies the types of permits issued by the Building Department 2014. These numbers are different than those issued for zoning purposes as the State of Michigan views land use classifications differently than zoning. For instance, multi-family buildings are considered commercial buildings by the State despite the same being considered residential under zoning law. In addition, if an applicant is remodeling the interior of a structure he or she is not required to obtain a land use permit (zoning) but is required to obtain a building permit.

Garfield Township Building Department Annual Permit Overview	Number of Permits Issued in 2014
Single Family Homes	44
Residential Alterations	20
New Commercial Buildings	23
Commercial Alterations	51
Miscellaneous Permits (accessory buildings, decks, mobile homes, swimming pools etc)	67
Total Permits Issued	205
Total Inspections	< 900

The Building Department experienced its best year since 2005, with a total construction value of \$44,489,420.00 being invested in new builds and alterations in 2014. According to the Building Department, total construction for all categories (listed in the table above) was up nearly 17% from last year. The number of commercial building permits issued in 2014 increased 55% over those issued in 2013.

Zoning Enforcement

In 2014, there were 234 zoning enforcement cases where letters of information or violation were sent to individuals or businesses in our community. The letters are intended to seek voluntary compliance by informing the owner of a violation and offering to work with them to correct the problem. In many cases, a property owner is not aware that they have violated an ordinance, so the letters are intended to educate them on the issue. Of 234 cases, the majority were resolved amicably while 30 were ultimately issued a Civil Infraction Citation.

The types of violations vary but are mostly associated with zoning and police power ordinances such as noise and junk. The list below provides a quick overview of the types of violations encountered.

Types of Violations		
Weeds	(Property Maintenance Ordinance)	17
Junk	(Junk Ordinance)	47
Illegal Signage/No Permit	(Zoning Ordinance)	95
Outdoor Lighting	(Zoning Ordinance)	14
Unauthorized Land Use	(Zoning Ordinance)	61
Total Violations		234
Total Civil Infraction Citations		30

Zoning Board of Appeals

The Zoning Board of Appeals held three meetings in 2014 (January, November, and December). The number of cases has dropped significantly since 2009 and is largely in part to “fixing” the regulations that have proven burdensome and unnecessary. For instance, parking was a major issue and the reason for variance requests for years. The Board, upon recommendation by the Planning Commission, adopted new parking regulations for certain uses that are more realistic. Those amendments have resulted in a significant decline in variance requests for parking relief.

In 2014, the ZBA had two requests for relief from front yard setbacks. The first request was for an addition to an existing single family dwelling located in the Incochee Hills subdivision. This property, due to its extremely steep grade, had originally received a variance to build the home on the parcel. Due to the topography of the site and previously approved variance, the ZBA felt it was appropriate to grant an additional front yard variance.

The second case involved an after-the-fact request to locate a non-essential drive within the front yard setback. This request was denied as it did not meet the standards of approval for a variance.

Other Planning Department Efforts

Due to the instability currently surrounding the County Soil Erosion Department, Staff has prepared a draft Soil Erosion Ordinance to ensure that applicants for development within Garfield Township are always supported by a fair and efficient Soil Erosion Control process.

Previously, after the County Board greatly stripped the responsibilities of the Drain Commissioner, the Township took on the responsibility of enforcing its own stormwater control ordinance. With the assistance of a Township engineering consultant retained under development review fees, project review and enforcement of the stormwater ordinance has been simple, relatively painless, and effective for both the Township and the development community. The stormwater control ordinance is intended to shape the finished product, while a soil erosion

control ordinance is intended to mitigate environmental impact while a project is under construction. As such, they are sister efforts.

The background work on creating a Soil Erosion Department is near completion. Upon review and certification by a qualified soil erosion inspector, the necessary documents will meet all qualifications for submittal to the State. It has yet to be determined if the Township Board desires creating this department; however, we are being proactive in an effort to avoid any unforeseen circumstances created by possible changes at the County level. Our current Board has made it clear that customer service and departmental efficiency remains a top priority. As we have experienced in the Township administering its own Building Department and Stormwater Ordinance, establishing a Township Soil Erosion Department may be best way to provide a better and more efficient process than what the County currently offers.

The Planning Department is in the process of researching and drafting a Business Licensing Ordinance. This Ordinance would require any existing business to register and any new business to first receive zoning approval before establishing the business. Quite often, realtors and landlords alike will simply rent their spaces to a tenant knowing the use is not permitted by zoning. Once a problem is identified, the Township is required to intervene, which takes a tremendous amount of Staff time and results in perceived negative business atmosphere for our community. This type of Ordinance is common in larger communities to protect start up businesses and those relocating to our community. This process would also alert the Treasurer's Department to ensure that applicable business taxes are paid. Once in place, the Clerk would be responsible for processing applications.

The Planning Department now oversees every aspect of a project, from application to occupancy. This oversight requires constant coordination between the Planning, Zoning, and Building Departments, as well as working with our outside consultants, to ensure that projects are built as approved.

Conclusion

2015 should be a very busy and exciting year as we anticipate adoption of the new Garfield Township Zoning Ordinance (rewrite), GT Commons Form Based Zoning Ordinance, and Garfield Township Master Plan. Following the adoption of the above mentioned documents the Planning Commission will likely be shifting focus to implementing the goals of the Master Plan and identifying roadways in our community most in need of a corridor plan. It is also expected that development projects will continue to increase.