

**CHARTER TOWNSHIP OF GARFIELD
PLANNING COMMISSION MEETING
May 10, 2023**

Call Meeting to Order: Chair Racine called the May 10, 2023 Planning Commission meeting to order at 7:00pm at the Garfield Township Hall.

Pledge of Allegiance

The Pledge of Allegiance was recited by all in attendance.

Roll Call of Commission Members:

Present: Molly Agostinelli, Pat Cline, Joe McManus, Joe Robertson, John Racine and Robert Fudge

Absent and Excused: Chris DeGood

Staff Present: Planning Director John Sych and Deputy Planning Director Steve Hannon

1. **Public Comment (7:01)**

None

2. **Review and Approval of the Agenda – Conflict of Interest (7:01)**

Cline moved and Agostinelli seconded to approve the agenda as presented

Yeas: Cline, Agostinelli, Fudge, Robertson, McManus, Racine

Nays: None

3. **Minutes (7:02)**

a. **April 26, 2023 Regular Meeting**

Fudge moved and Robertson seconded to approve the April 26, 2023 Regular Meeting minutes as presented.

Yeas: Fudge, Robertson, Agostinelli, Cline, McManus, Racine

Nays: None

4. **Correspondence (7:02)**

Sych noted a memo from the Township attorney regarding the Ridge 45 agenda item.

5. **Reports (7:03)**

Township Board Report

Agostinelli had no report.

Planning Commissioners

i. **Zoning Board of Appeals**

Fudge had no report.

ii. **Parks and Recreation Commission**

Hannon stated that the next Parks and Recreation Commission meeting will be in June and the mountain bike group did a work bee last Sunday in the mountain bike trail area of the Commons Natural Area.

iii. **Joint Planning Commission**

McManus had no report.

Staff Report

Sych stated that the staff report was submitted in writing. He added that he attended the BATA groundbreaking ceremony. He also stated that there were some challenges with sewer in the area of the BATA project and the Kensington development has sidewalks installed now.

6. **Unfinished Business**

a. **PD 2023-50 – Oleson PUD Major Amendment – Public Hearing (7:07)**

Approved in 1997, the Oleson Planned Unit Development (PUD) is a commercial development, including a grocery store, offices, restaurant, service establishments, and a car wash. The PUD is located at the corner of North Long Lake and Cedar Run Roads and comprises 21.15 acres of land. A request to amend the PUD is being considered according to Section 423.G of the Zoning Ordinance. By incorporating a residential use, Staff has determined that this amendment constitutes a major amendment which requires a public hearing, Planning Commission review and recommendation, and Township Board approval. The applicant proposes converting 6,960 square feet of second-floor office space into six apartments. There are to be 5 three-bedroom units and 1 two-bedroom unit.

Racine opened the public hearing at 7:08pm and seeing no one wishing to speak, closed the public hearing.

Commissioners asked questions about the proposed PUD amendment.

Agostinelli moved and McManus seconded TO direct Staff to prepare Findings of Fact for application SUP-1997-06-F for consideration at the June 14, 2023 Regular Meeting of the Planning Commission subject to the alteration of the proposed trail near the northwest corner of the parking lot.

Yeas: Agostinelli, McManus, Robertson, Fudge, Cline, Racine

Nays: None

b. **PD 2023-51 – Hickory Forest and Hickory Meadows Rezoning – Findings of Fact (7:10)**

The Joint Recreation Authority is requesting the rezoning the “Hickory Forest” parcel (#05-005-050-10) from the A-Agricultural district to the P-R Park and Recreation district via the Zoning Map Amendment process, without restriction.

Upon review by Staff, it was suggested to include the three “Hickory Meadows” parcels to create consistent zoning of parkland in this area. These four parcels total 179.03 acres. Three of the subject parcels constitute the Hickory Meadows parkland, and one is the site of Hickory Forest, which is in the process of becoming parkland. All these parcels either are or will be managed by the City of Traverse City & Charter Township of Garfield Recreational Authority. The most compatible zoning districts for the “Agricultural / Rural Land” future land use designation are the A-Agricultural and R-R Rural Residential districts, with R-1 One-Family Residential also being potentially compatible.

McManus moved and Agostinelli seconded THAT the Findings of Fact for application Z-2023-01, as presented in Planning Department Report 2023-51 and being made a part of this motion, BE ADOPTED.

*Yeas: McManus, Agostinelli, Robertson, Fudge, Cline, Racine
Nays: None*

McManus moved and Agostinelli seconded TO RECOMMEND TO the Township Board THAT application Z-2023-01 BE APPROVED.

*Yeas: McManus, Agostinelli, Robertson, Fudge, Cline, Racine
Nays: None*

c. PD 2023-52 – Pine Grove Homes Special Use Permit – Findings of Fact (7:13)

This application is requesting to use an existing vacant site at 4030 Meadow Lane Drive for mobile home sales. This use is described in the Zoning Ordinance as “Sale of Prefabricated Structures” and this use is permitted via Special Use Permit in the C-G General Commercial district. Commissioners asked questions regarding the application.

Robertson moved and Cline seconded THAT the Findings of Fact for application SUP-2023-01, as presented in Planning Department Report 2023-52 and being made a part of this motion, BE ADOPTED.

*Yeas: Robertson, Cline, McManus, Agostinelli, Fudge, Racine
Nays: None*

Robertson moved and Agostinelli seconded THAT application SUP-2023-01, submitted by Rick Newman for a Special Use Permit for the sale of prefabricated structures at Parcel 05-032-001-20, BE APPROVED, subject to the following conditions:

- 1. All final reviews from agencies with jurisdiction shall be provided prior to any Land Use Permits being issued.*
- 2. All proposed site improvements shall be installed prior to the issuance of a Certificate of Occupancy.*

3. The applicant shall record promptly the Report and Decision Order (RDO) and any amendment to such order with the Grand Traverse County Register of Deeds in the chain of title for each parcel or portion thereof to which the RDO pertains. A copy of each recorded document shall be filed with the Director of Planning within thirty (30) days of final approval by the Township or approval shall be considered to have expired.

*Yeas: Robertson, Agostinelli, McManus, Fudge, Cline, Racine
Nays: None*

d. PD 2023-53 – Ligon Bed and Breakfast SUP Major Amendment – Findings of Fact (7:17)

This application requests an amendment to a Special Use Permit (SUP) for use of an existing single-family residence at 5885 Hainey Lane as a Bed & Breakfast Establishment by adding a room for four additional guests for a total of eight (8) guests. The SUP was originally approved by the Planning Commission on February 10, 2021 to permit no more than four (4) guests at any one time. Bed & Breakfast Establishments are permitted via SUP in the A-Agricultural zoning district.

Cline moved and Fudge seconded THAT the Findings of Fact for application SUP-2020-03-A, as presented in Planning Department Report 2023-53 and being made a part of this motion, BE ADOPTED.

*Yeas: Cline, Fudge, Agostinelli, McManus, Robertson, Racine
Nays: None*

Cline moved and Fudge seconded THAT application SUP-2020-03-A, for a Major Amendment to a Special Use Permit for a bed and breakfast establishment at 5885 Hainey Lane, submitted by Matthew and Rebecca Ligon, BE APPROVED, subject to the following conditions:

- 1. Access to the site for the bed and breakfast establishment shall be limited to the Hainey Lane access, and no access shall be permitted for the bed and breakfast establishment directly from Cedar Run Road.*
- 2. All final reviews from agencies with jurisdiction shall be provided prior to any Land Use Permits being issued.*
- 3. The applicant shall record promptly the amended Report and Decision Order (RDO) and any amendment to such order with the Grand Traverse County Register of Deeds in the chain of title for each parcel or portion thereof to which the RDO pertains. A copy of each recorded document shall be filed with the Township within thirty (30) days of final approval by the Township or approval shall be considered to have expired*

*Yeas: Cline, Fudge, Agostinelli, McManus, Robertson, Racine
Nays: None*

e. PD 2023-54 – TC Christian School ELC Special Use Permit – Expiration of Application (7:20)

Staff followed up with the applicant regarding their intentions to continue with the application or to let it expire. The applicant has communicated to Staff in an email that they will not continue with the application.

Agostinelli moved and Fudge seconded THAT application SUP-2022-03, submitted by Traverse City Christian School for a Special Use Permit for a child care center at Parcel 05-026-014-10, is considered EXPIRED as of May 11, 2023.

*Yeas: Agostinelli, Fudge, Cline, McManus, Robertson, Racine
Nays: None*

7. New Business

a. PD 2023-55 – Birmley Meadows Site Condominium – Introduction (7:23)

Birmley Meadows is a proposed 26-lot residential site condominium development immediately adjacent to the north of the existing Birmley Hills Estates subdivision. The site is directly accessed from Birmley Estates Drive and Farmington Drive, which both provide access from Birmley Road. The site is about 16 acres and zoned R-1 One-Family Residential. This application is for a site condominium development of 26 single-family residential lots. According to the application, the lots will be between 15,000 and 40,000 square feet, the development will be served by municipal water and sewer, and all utilities will be underground. Commissioners asked questions pertaining to stub roads and connections.

McManus moved and Robertson seconded THAT application SPR-2023-04, submitted by T&R Investments, for a proposed site condominium development to be known as Birmley Meadows at Parcel No. 05-026-020-33, BE ACCEPTED, and BE SCHEDULED for a public hearing for the June 14, 2023 regular Planning Commission meeting, subject to the following additional information being provided by the applicant:

1. Include, with the site plan set, a sheet showing all lot widths, including those for lots along the curve of a road, to determine if minimum lot width requirements are met.

2. The site plan is subject to review by others, including but not limited to the Township Engineer, Metro Fire, and Grand Traverse County Equalization

*Yeas: McManus, Robertson, Cline, Fudge, Agostinelli, Racine
Nays: None*

b. PD 2023-56 – Ridge 45 Phase I-III and Phase IV (south 22) SUP Amendments – Intro (7:36)

In 2021, the South22 Special Use Permit (now Phase IV) was approved by the Planning Commission for a 216-unit multi-family housing development. In 2022, an administrative amendment to the Special Use Permit was approved. As part of the amendment, the number of multi-family units was reduced to 204 based on internal reconfiguration of the floor plans for the three proposed apartment buildings. After initial review of the Zoning Ordinance, it was unclear if combining the two Special Use Permits was permitted. A review by Township Attorney, Scott Howard, determined that combining the two Special Use Permits into one Special Use Permit is permissible. The new application for Ridge45 Phase IV proposes seven apartment buildings containing 28 units each for a total of 196 dwelling units. This new application has 20 fewer units than the South22 plan approved in 2021. Sych stated that by combining the SUP's Ridge 45 Phases I-III and Phase IV will be one single development with one owner. The proposed development exceeds 5 acres and is a development expected to generate more than 500 trips per day. While a new driveway will be proposed on Lloyd Lane, no new driveways are proposed for Hammond or LaFranier Roads. Considering this driveway configuration and design, Staff recommends waiving the requirement for a traffic impact report. Commissioners discussed a traffic impact study and bike racks.

McManus moved and Robertson seconded THAT applications SUP-2021-02-B and SUP-2015-01-E, submitted by Jozwiak Consulting, Inc., for a Major Amendment to two Special Use Permits for a multi-family housing complex at Parcel 05-023-026-50, 05-023-025-60, and 05-023-026-45 BE ACCEPTED, and BE SCHEDULED for a public hearing for the June 14, 2023 Regular Planning Commission meeting, subject to the following additional information being provided by the applicant:

- 1. A complete landscaping plan shall be provided in accordance with the Zoning Ordinance.*
- 2. A complete lighting plan shall be provided in accordance with the Zoning Ordinance.*
- 3. Amendment to Ridge45 Phases I-III shall require that the correction to the Ridge Boulevard entry be completed.*
- 4. The Ridge45 Phase IV site plan shall be subject to agency reviews, including but not limited to the Township Engineer, Grand Traverse County Road Commission, and Metro Fire.*

*Yeas: McManus, Robertson, Cline, Agostinelli, Fudge, Racine
Nays: None*

c. PD 2023-57 – Nicolet Bank Landscaping – Site Plan Review (7:52)

This application requests site plan review of a proposed updated landscaping plan for the Nicolet Bank at 3530 North Country Drive, on the

west side of US 31 near the intersection with Hartman Road. The site is 5.11 acres and is zoned C-H Highway Commercial. In August 2022, the property owners received a Letter of Information regarding a violation on this site for the removal of landscape buffer required by the Township as a condition of site plan approval. The site plan was originally approved in 1997, and the site plan noted that "existing vegetation in this area must be preserved to meet the buffer requirements as described in the Zoning Ordinance." To remedy this situation, the applicants submitted a landscaping plan to replant the area of the site where the previous vegetation was removed. No other changes to the site plan are proposed. Commissioners discussed the recording of site plans such as this for future property owners. Staff will review ways to get this type of information on a search site such as BS&A or the GIS system. Commissioners also discussed adding a condition which will maintain the natural buffer.

Robertson moved and McManus seconded THAT application SPR-2023-05, submitted by Nicolet National Bank for an updated landscaping plan on Parcel #05-021-053-00 located at 3530 North Country Drive, BE APPROVED and with the condition that the area between North Country Drive and US 31 shall remain in a natural vegetative buffer.

*Yeas: Robertson, McManus, Agostinelli, Fudge, Cline, Racine
Nays: None*

8. Public Comment (8:11)

None

9. Other Business (8:12)

None

10. Items for Next Agenda – May 10, 2023 (8:12)

- a. Master Plan Update – Community Engagement and Outreach
- b. Master Plan Update – Transportation and Infrastructure

11. Adjournment

Fudge moved to adjourn the meeting at 8:12pm.



 Joe Robertson, Secretary
 Garfield Township Planning
 Commission
 3848 Veterans Drive
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