

**CHARTER TOWNSHIP OF GARFIELD
PLANNING COMMISSION MEETING
November 10, 2021**

Call Meeting to Order: Chair Racine called the November 10, 2021 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, Joe Robertson, Joe McManus, Pat Cline, Chris DeGood, Robert Fudge, and John Racine

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

1. Public Comment (7:00)

None

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

Fudge moved and Agostinelli seconded to approve the agenda as presented.

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

Nays: None

3. Minutes (7:01)

a. October 27, 2021 Regular Meeting

Agostinelli moved and Fudge seconded to approve the October 27, 2021 Regular Meeting minutes as presented.

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

Nays: None

4. Correspondence (7:02)

Letter from Haggard's Plumbing & Heating regarding Premier Place PUD

Letter from Attorney Matthew Heron regarding Premier Place PUD

Notice for a master plan update in Green Lake Township

5. Reports (7:03)

Township Board Report

Agostinelli stated that an agreement was reached between Blair Township and Garfield for water and sewer to help serve the Oleson's property.

Planning Commissioners

None

Staff Report

Sych said that they are working towards a tracking system for all projects.

6. Unfinished Business

a. PD 2021-142 – Premier Place PUD Minor Amendment (7:04)

Located at the northwest corner of Premier Street and Woodmere Avenue, the Premier Place Planned Unit Development (PUD) was approved as a phased residential project in 2003. There have been two amendments to the PUD since 2003 with the most recent amendment approved in 2015. In the first phase of development, eleven 10-unit buildings were constructed on Parcel 05-264-900-00. A major amendment for a 72-unit apartment building was approved in 2015, but the permit expired. There is now interest by the PUD developer to construct these five 10- unit buildings. Some changes to this phase of the PUD require a Minor Amendment review by the Planning Commission. Engineer Bill Crain discussed the proposed project.

Chair Racine opened the public hearing at 7:11pm.

LuAnn Heinert spoke and said that the residents met with the developer and worked out many details. She shared concerns with a proposed sidewalk along Simsbury.

Laurel Campbell commented on carports vs. garages.

The public hearing was closed at 7:17pm.

Sych commented on the proposed sidewalk and thought that an alternate location could be provided. He stated that the railroad crossing agreement needed to be adhered to and maintained.

Commissioners discussed the proposed project and asked questions.

McManus moved and Robertson seconded THAT Findings for application SUP 2003-06-E, included in PD Report 2021-134 and forming part of this motion, BE APPROVED.

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

McManus moved and Robertson seconded THAT application SUP 2003-06-E, submitted by Woodmere Crossing, LLC to construct five 10-unit residential buildings with detached garages for the Premier Place PUD, BE APPROVED, subject to the following conditions:

- 1. Deposit of \$5,000 into a Township escrow account that may be drawn on by the Condominium Association or the Township in the event that the payment obligations under the Crossing Agreement are not met and that the conditions of the original 2015 RDO be adhered to.*

- 2. Relocate the proposed landscape plantings outside the stormwater retention basin proposed at the southeast corner of the site.
- 3. All proposed landscaping shall be installed prior to the issuance of a Certificate of Occupancy.
- 4. All final reviews and approvals from agencies with jurisdiction shall be provided prior to any Land Use Permits being issued, including infrastructure, stormwater, and private road reviews.
- 5. The applicant shall provide one (1) full-size plan set, one (1) 11x17" plan set, and one electronic copy of the full application (in PDF format) with all updates as required by the conditions of this approval and indicating compliance with all provisions of the Zoning Ordinance.
- 6. Relocation of proposed Sidewalk along south side of Simsbury be moved to north side
- 7. Sidewalk connections between building #7 and Simsbury, building #14 and Simsbury, building #10 and building #14, and building #13 and Simsbury to the agreement of the Premier Place condominium association.

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

b. PD 2021-139 – Marengo 31 Special Use Permit (7:50)

This application requests approval of a Special Use Permit for a commercial district housing development behind the Baymont Inn at 2326 N US 31 South. This development includes two 30-unit apartment buildings for 60 total dwelling units. Commercial district housing developments are permitted via Special Use Permit in the C-H Commercial Highway district.

Agostinelli moved and DeGood seconded THAT the Findings of Fact for application SUP-2021-03, as presented in the Planning Department Report 2021-139 and being made a part of this motion, BE ADOPTED.

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

Agostinelli moved and DeGood seconded THAT application SUP-2021-03 BE APPROVED, subject to the following conditions:

- 1. Waive the requirement for a traffic impact report.
- 2. Given the location of the development within the site and the surrounding natural features, accept the landscaping proposed for around the parking lot areas and waive the additional landscaping requirements.
- 3. The wetland setback of 25 feet according to Section 534.B. shall apply to all wetlands on the applicant's wetland delineation as verified by EGLE, except for any area for which the applicant has a valid permit from EGLE to fill such area. If any permit from EGLE expires or is otherwise no longer

valid, and the work to fill such area authorized by the permit has not occurred, then the setback of 25 feet shall apply to all wetlands on the applicant's wetland delineation.

4. Upon Township construction of a nature trail connecting this site to the existing trails in the Miller Creek Nature Reserve, provide a sidewalk or pathway connection to this trail.

5. Work with MDOT to provide for pathway segments along the frontage of US 31, including one from the entrance drive to the north prior to a Certificate of Occupancy and one along the southern portion of the site frontage upon future development to the south.

6. Record a public access easement for the proposed sidewalks and pathways.

7. Final engineering review and approval by the Township Engineer is required including all infrastructure and stormwater.

8. All final reviews from agencies with jurisdiction shall be provided prior to any Land Use Permits being issued.

9. All proposed landscaping and site amenities shall be installed prior to the issuance of a Certificate of Occupancy.

10. The applicant shall provide two (2) full-size plan sets, one (1) 11x17" plan set, and one electronic copy of the full application (in PDF format) with all updates as required by the conditions of this approval and indicating compliance with all provisions of the Zoning Ordinance.

11. 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 Director of Planning within thirty (30) days of final approval by the Township or approval shall be considered to have expired.

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

7. New Business

a. PD 2021-141 – Biggby/BCUBED at Cherryland – Site Plan Review (7:55)

The project is to construct a Biggby Coffee on a 0.53-acre parcel on West South Airport Road, just west of South Garfield Avenue next to Burger King. The proposed building would be 349 square feet and offer only drive-through and walk-up service, with no dine-in services. The site (Parcel ID #05-014-049-76) is currently vacant. Restaurants with a drive-through are permitted by right in the C-P Planned Shopping Center district. Hannon discussed landscaping and stated that credits could be given for existing landscaping. Jeff Konczak spoke about their going into small unusable spaces and spoke about the portability of the business and designed it to be compact and portable.

Robertson moved and Cline seconded THAT application SPR-2021-03, submitted by BCubed Manufacturing on behalf of owner MaryAnne Macintosh, to construct a drive-through and walk-up only coffee shop on the parcel 05-014-049-76, BE APPROVED, subject to the following conditions:

- 1. All lighting fixtures shall meet all lighting standards of Section 517 including shielding and illumination, including updating the proposed fixtures to meet the color temperature requirement of 3,500 K or warmer.*
- 2. Submit an updated landscaping plan to meet the Zoning Ordinance requirements.*
- 3. Clearly identify which existing trees are in specific locations.*
- 4. Remove prohibited plant species from the landscaping plan.*
- 5. Snow storage areas shall be indicated on the site plan and calculations shall be provided.*
- 6. Record a public access easement for the proposed sidewalk.*
- 7. The applicant shall provide information demonstrating that the site shall have been found to be a suitable site for a drive-in or drive-through establishment, with regard to traffic safety, by a registered engineer with an educational specialization in traffic engineering.*
- 8. All agency reviews, including stormwater and utility review by the Township Engineer, shall be received, and deemed compliant prior to issuing a Land Use Permit or Building Permit.*

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

b. PD 2021-140 – Ashland Park PUD Storage – Conceptual Review

This application is for conceptual review of parcel 05-026-018-30 located south of the intersection of Garfield and Birmley Roads in the Ashland Park/Traditions Planned Unit Development (PUD). The parcel is 46.39 acres in area. However, the proposed concept only covers a 3.92-acre portion of the parcel. The underlying zoning of the parcel is A-Agricultural. The future land use designation for the parcel is Low Density Residential as indicated in the Township Master Plan. The Ashland Park PUD was originally approved in 2001. The PUD currently includes an existing small warehousing establishment which allows for self-storage on a 4.45 acre parcel (05-026-018-20). There are seven (7) existing self-storage buildings on the parcel. The area to the north of these buildings is approved for four (4) office buildings. The applicant is proposing to replace two (2) of the approved office buildings with an additional seven (7) self-storage buildings. The conceptual plan also shows a future assisted living facility replacing the other two (2) approved office buildings.

Bob Boeve gave some history of the property. He feels that storage is needed with the many new apartments coming to the townships. Ben Brower said that many trees have been planted on the property. The original plan shows office space in that area, but office space is difficult to

fill right now. Sych shared concerns from a planning perspective which included changing the character of the PUD and small warehousing only being allowed in the I-G General Mixed Use Industrial. This would be a major amendment to the PUD and would require public hearings. Commissioners discussed the concept of more storage on the site and discussed the disconnect with storage in a semi residential area serving a commercial use in the PUD. Boeve talked about all the good reason why this storage would be a good fit in the PUD. Commissioners shared concerns with storage not being right on this property because it is not zoned properly. Staff would need to research any previous industrial history on the property. Sych cited Section 426 of the zoning ordinance and the fact that developers would need to meet the criteria set forth in Section 426.

8. **Public Comment (9:18)**

Bob Boeve said that a roundabout should be placed at Hoch and Keystone Roads.

9. **Other Business (9:20)**

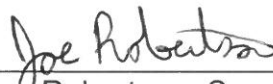
None

10. **Items for Next Agenda – December 8, 2021 (9:20)**

a. 2022 Planning Commission Meeting Dates

11. **Adjournment**

Fudge moved to adjourn the meeting at 9:26pm.



Joe Robertson, Secretary
Garfield Township Planning
Commission
3848 Veterans Drive
Traverse City, MI 49684