

CHARTER TOWNSHIP OF GARFIELD
PLANNING COMMISSION MEETING

Wednesday, February 28, 2018 - 7:00 pm
Garfield Township Hall
3848 Veterans Drive
Traverse City, MI 49684
Ph: (231) 941-1620

A G E N D A

Call Meeting to Order
Roll Call of Commission Members

1. Review and Approval of the Agenda - Conflict of Interest
2. Minutes
 - a. January 24, 2018
 - b. February 14, 2018
3. Correspondence
4. Reports
 - a. Township Board
 - b. Planning Commissioners
 - c. Planning Department
5. Business to Come Before the Commission
 - a. Annual Report
 - b. Hickory Hills SUP – Findings of Fact
 - c. Master Plan-Next Step
 - d. Planned Shopping Center Amendment-Intro
 - e. Access Drive Amendment-Intro
 - f. Administrative Reviews
 - Life Story Funeral Home
 - Beers Dentistry Building Addition
 - g. By-Laws
6. Public Comment
7. Items for Next Agenda – March 13, 2018
8. Adjournment

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

Garfield Township will provide necessary reasonable auxiliary aids and services, such as signers for hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities upon the provision of reasonable advance notice to Garfield Township. Individuals with disabilities requiring auxiliary aids or services should contact Garfield Township by writing or calling Lanie McManus, Clerk, (231) 941-1620, or TDD 922

CHARTER TOWNSHIP OF GARFIELD
PLANNING COMMISSION MEETING
February 14, 2018

Call Meeting to Order: Chair Racine called the meeting to order at 7:00pm at the Garfield Township Hall, 3848 Veterans Drive, Traverse City, MI 49684.

Roll Call of Commission Members:

Present: Joe McManus, Steve Duell, Chris DeGood, Joe Robertson, Pat Cline, Gil Uithol and John Racine

Staff Present: Planning Director Rob Larrea

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

DeGood moved and Robertson seconded to approve the agenda as presented.

Yeas: DeGood, Robertson, Cline, Uithol, McManus, Duell, Racine

Nays: None

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

a. **January 24, 2018 Regular Meeting Minutes**

Larrea said that action on the January 24th minutes would be deferred until the next meeting.

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

Letter from Kay Wilson re: Hickory Hills

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

Township Board Report

Duell reported that the Hammond Industrial Center was approved for an Industrial Development District. A grant was approved for the purchase of security cameras in Silver Lake Park and action on the Buffalo Ridge PUD was deferred to March 13th when a Public Hearing would be held.

Planning Commissioners

None

Planners Department

None

5. **Business to Come Before the Commission**

a. **PD 2018-18 McCardel Conceptual (7:03)**

This item is an application for conceptual review of a residential use proposed for the southeast corner parcel at the intersection of Barlow and Floresta Streets, which is split zoned approximately into halves, with the western half of the parcel falling within the C-L District and the eastern half

falling within the R-3 District. The applicant proposes a concept for the development and construction of eight (8) 1 bedroom, 1 bath apartment homes with 8 associated detached garages and 16 parking spaces. The design would entail 4 sets of two 650 square foot stacked units in the 8 unit building. The site would be accessed from Floresta Street. Shawn McCardel of Traverse City said that the parcel does not include the commercial strip on Barlow Street. They would like to develop eight units with detached garages for lease and market them to single individuals. Units would be 650 square feet with luxury floors and countertops. All setbacks are in order and will comply with the ordinance. Commissioners agreed that the use fits in with the area and the other uses in the area. The applicant was advised to get the completed application for a Special Use Permit to the Planning Department to move forward.

b. PD 2018-19 Hickory Hills SUP Public Hearing (7:10)

This application requests approval of a Special Use Permit (SUP) to begin implementation of the Master Plan for the Hickory Hills Ski Park and Recreation Area. Hickory Hills is located in Garfield Township and is owned by the city of Traverse City. John Dancer with Cornerstone Architects and Tim Lodge with the Traverse City Department of Engineering said that Hickory Hills is ready to implement the Master Plan and wants to proceed with the lodge onsite. The proposed lodge is slightly smaller and there are a few less parking spaces. The proposed maintenance building is slightly larger and there are bathrooms and a first aid station proposed in the building as well.

Chair Racine opened the Public Hearing at 7:14pm and seeing no one wishing to speak, closed the Public Hearing.

Dancer and Lodge addressed letters from the public and said that in the future, boundaries would be marked to keep hikers within the Hickory Hills property.

Duell moved and Uithol seconded to direct staff to prepare Findings of Fact in support of approval of application SUP 2017-04 for consideration at the March 14, 2018 Regular Meeting of the Planning Commission.

Yeas: Duell, Uithol, McManus, Robertson, DeGood, Cline, Racine

Nays: None

c. PD 2018-20 Ridges 45 SUP Pubic Hearing (7:22)

The application requests a major amendment to a Special Use Permit (SUP) approval granted in 2015 to expand the Ridge 45 Apartment project on LaFranier Road. This application affects two parcels south of the approved third phase of Ridge 45. The proposed development area consists of 7.9 acres on the western side of the site. Mark Oppenhuisen, architect, explained the development and said there would be 96 units added. The landscaping issues have been addressed.

Chair Racine opened the Public Hearing at 7:26 p.m. Seeing no one wishing to speak, the Public Hearing was closed. Commissioners asked questions pertaining to a planned storage area.

Uithol moved and Robertson seconded that the Findings of Fact for application SUP-2015-01-C, as presented in Planning Department Report 2018-20 BE ADOPTED.

Yeas: *Uithol, Robertson, McManus, Cline, DeGood, Duell, Racine*
Nays: *None*

Uithol moved and Duell seconded that Application SUP 2015-01-C to request a Major Amendment to SUP-2015-01 BE APPROVED, subject to the following conditions:

1. *Final engineering review and approval by the Township Engineer including all infrastructure, stormwater, and FAA, if necessary.*
2. *All final reviews from agencies with jurisdiction shall be provided prior to any land use permits being issued.*
3. *The applicant shall work with Staff to identify an appropriate means to provide future cross-access between the subject property and the future development sites to the south, as well as to ensure public access to the pedestrian pathway to be constructed along LaFranier Road.*
4. *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.*
5. *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 ninety (90) days of final approval by the Township or approval shall be considered to have expired.*

d. PD 2018-21 – Fox Run PURD Findings of Fact (7:32)

Larrea said this application has been ongoing since September. The property is currently zoned R-3 Multi-Family Residential and allows apartments by a Special Use Permit. The property is about 8 acres located on Garfield Road. The project will be clustered in the front of the property and considering the buildable portion of the site, a PURD has been requested to trade greater density in exchange for amenities. Clous has proposed two tot lots, a dog park, a natural park area, walking trails, and low impact stormwater plans.

Duell moved and Robertson seconded that the Findings of Fact for application PURD 2017-10, as presented in Planning Department Report

2018-21, BE ADOPTED.

Yeas: Duell, Robertson, McManus, Cline, Uithol, DeGood, Racine

Nays: None

Duell moved and Robertson seconded that application PURD 2017-10 BE PREIMINARILY APPROVED, subject to the following conditions:

1. That an updated site plan be submitted with the note "Asphalt Path" in reference to the path along Garfield Road removed, as Section 522 of the Zoning Ordinance requires a 6' wide concrete sidewalk.
2. The property owner shall be responsible for ALL maintenance of the path along Garfield Road, including upkeep and snow and ice removal.
3. Parking spaces shall be painted with numbering as assigned to units so that each unit has at least one designated parking space; this must be reflected in an updated submittal and no certificate of occupancy shall be issued until this condition is met.
4. No assigned parking spaces shall be used for snow storage.
5. A natural trail is required of no less than 1,294 linear feet throughout the open space which used MDEQ best management practices where pertinent.
6. The developer shall construct, install, and operate the project in accordance with approvals received from the Township and all governmental entities with applicable jurisdiction. In constructing and operating the project, the developer shall comply with all state and local laws, ordinances and regulations as well as the conditions of this approval and the Township's Zoning Ordinance.
7. The developer will design, develop, construct, and operate the project in accordance with any and all approvals and conditions of approval received from the Township and/or its various bodies, officers, departments, and commissions including, without limitation, any approved supplementary final plans approved pursuant to the Township's Zoning Ordinance as well as the terms of these conditions. No variances from the Zoning Board of Appeals may be sought for any approved PURD plan or conditions imposed in the approval granted by the Township.
8. If the project is to be partitioned as a condominium the developer shall comply with the requirements of Act 59 of 1978, known as the Michigan Condominium Act. Further, the developer shall comply with applicable Township requirements, and shall provide the Township with copies of adopted bylaws and master deed which affects the rights and obligations of a co-owner in the condominium.
9. Dedicated open spaces shall be maintained as shown on sheet C-1 (last updated 02/02/2018) and labeled on the site plan as "Open Space." The PURD plan indicates that 3.77 acres of the site will be dedicated and remain open space.
10. The developer shall submit materials to MDOT Traverse City TSC sufficient enough for it to make a determination on any future traffic

impact studies and/or improvements associated with the Fox Run development. Documentation of the submittal to MDOT Traverse City TSC and MDOT's response regarding the results of its review shall be provided to the township as part of the applicable site plan review.

11. *The developer shall apply for and obtain the approval from the Township Engineer, and any other required entity relative to the construction of the stormwater and drainage systems. The developer will include, where reasonably possible, low impact development stormwater applications within the development.*
12. *Public electricity, telephone, gas, water and sanitary sewer service ("Public Utilities") shall be provided by the developer to all lots in the Project. Public Utilities shall be installed and maintained underground as required by the Township. Prior to the issuing of any foundation or building permits for the project, the developer shall provide all public easements reasonably necessary, in such locations approved in advance by the relevant utility service provider and the Township. All reasonably necessary easements for water and sanitary sewer service shall be granted to the Township and/or Grand Traverse County. Thereafter, and before issuing any building permits for any phase of the project, final construction drawings for that phase of the project shall be submitted for the review and approval of the Township Engineer and the Township Planning Department.*
13. *Landscaping shall be incorporated and installed by the developer on the property in accordance with a landscaping plan as provided for on sheet C-5 (dated 08/11/2017):*
 - (a) *Prior to issuance of building permits for any phase of the project, all landscaping as identified on the landscaping plan shall be installed by the developer, or adequate financial surety as approved by the Township shall be provided to the Township for those landscaping items not installed. Installation of the landscaping shall constitute a condition of approval of each phase final plan.*
 - (b) *The developer and/or association is responsible for maintaining all Commons Areas and landscape areas within the development, which maintenance shall include, but is not limited to: mowing of all turf areas, trimming trees and shrubs, watering all landscaped areas, and promptly removing and replanting all diseased or dead plants in such areas, as well as appropriate maintenance of all park amenities.*
 - (c) *The developer and/or association shall maintain all walkways, non-motorized paths, and sidewalks constructed on the property.*
14. *Sidewalks and/or non-motorized paths (in accordance with Township ordinance) shall be provided.*
15. *The developer shall file any monetary security (in a form, amount,*

and language as approved by the township) with the Township as required by the Township’s Zoning Ordinance or pursuant to the PURD approval.

- 16. *The developer shall pay any and all applicable building permit, zoning, and other fees to the Township. All fees determined by the Township must be paid in full prior to the issuance of a Land Use Permit.*
- 17. *The applicant shall provide two (2) full sized 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.*
- 18. *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 ninety (90) days of final approval by the Township or approval shall be considered to have expired.*

e. PD 2018-22 Brickway/Church of Christ Map Amendment Public Hearing (7:38)

The request is to rezone about 12 acres of land from the R-1 One-Family Residential to the R-3 Multi-Family Residential District, without restriction. The request includes Brickways (3.6 acres) and Church of Christ (8.4 acres) The applicants feel that the rezoning request complies with the Master Plan.

Chair Racine opened the Public Hearing at 7:40 p.m.

Gib Mosher owns a parcel on Cass next to the Holiday Gas station. He shared concerns with any development near the hillside.

Racine closed the Public Hearing at 7:44 p.m.

Setbacks were discussed because of the R-1 homes that already exist in that area.

DeGood moved and Duell seconded to direct Staff to prepare Findings of Fact in support of approval for consideration at the March 14, 2018 Regular Meeting of the Planning Commission.

*Yeas: DeGood, Duell, Cline, Robertson, McManus, Uithol, Racine
Nays: None*

f. PD 2018-23 Pine Grove Homes – Mobile Home Sales – SUP Public Hearing (7:50)

The property is essentially a vacant site with a large asphalt pad running through its center. The area is 3.2 acres in area, is located at 4030

Meadow Lane and is zoned C-G General Commercial District. Applicant Rick Newman is seeking approval for modular/manufactured home sales and mobile home sales uses on the site. Planner Larrea mentioned that a landscaping buffer would need to be placed on the site.

Racine opened the Public Hearing at 7:52pm and seeing no one wishing to speak, closed the Public Hearing.

Larrea stated that he is working with Bill Crain, of Crain Architects to clarify a few items on the plan, such as lighting, sewer, and landscaping. The applicant has determined that he will install a septic system on the property. Larrea also noted that snow storage was also an issue. Larrea will continue to work with the applicant to solve the issues.

DeGood moved and Cline seconded to direct Staff to continue to work with the applicant to address any outstanding concerns AND/OR to prepare Findings of Fact in support of a decision for the March 14, 2018 Regular Meeting of the Planning Commission.

*Yeas: DeGood, Cline, Uithol, McManus, Duell, Robertson, Racine
Nays: None*

7. Public Comment (8:02)

Gary Waldey is back on the Living Hope church issue from December. They are putting together a packet to tell other neighboring homeowners their plans for the rezoning of the property to determine if there is positive feedback. He asked for insight on the Master Plan process and asked commissioners to consider the rezoning of that particular corridor.


8. Items For Next Agenda – February 28, 2018 (8:09)

- a. Annual Report
- b. By-Laws
- c. Master Plan – Next Step
- d. Planned Shopping Center Amendment – Intro
- e. Access Drive Amendment - Intro

9. Adjournment

Cline moved and Duell seconded to adjourn the meeting at 8:13pm.

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

 Charter Township of Garfield Planning Department Report No. 2018-16		
Prepared:	January 9, 2018	Pages: 1 of 8
Meeting:	February 23, 2018 Planning Commission	Attachments: <input type="checkbox"/>
Subject:	2017 Annual Report	

Introduction

This 2017 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 2017 year.

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
- Joint Traverse City and Garfield Township Planning Commission (Grand Traverse Commons)
- Joint Traverse City and Garfield Township Recreation Authority (as needed)
- Garfield Township Parks & Recreation Commission (Annual report submitted)
- Hickory Hills Advisory Committee
- Traverse Transportation Coordinating Initiative (TTCI) *formerly* TC-TALUS
- Among others

Administration

The Planning Department was responsible for generating 133 reports in 2017, (compared to 78 reports in 2016) to the various Boards, Commissions and Committees listed above. This number far exceeds those generated by East Bay, Elmwood, Blair and Acme Townships combined. Routine tasks also include site visits, dialogue with the development community to ensure that development applications are complete and ready to be brought before the Planning Commission, monitoring development approvals to ensure projects are completed efficiently and as approved by the Planning Commission and Township Board, preparing development plans for our park system and administering grants (thanks Dorothy).

As current documents and plans are finalized in 2018, attention will be shifted to successor documents and ordinances to help the Township realize the goals of recently adopted documents. These may include sub-area plans, corridor planning, lake protection plans, etc. 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 2018.

Garfield Township Zoning Ordinance

Following several years of work by the Planning Commission, the new Garfield Township Zoning Ordinance was adopted in 2015 and has proven to be far more user friendly than the antiquated ordinance it replaced. Our goal is to continue to address areas of the ordinance that fail to meet the intent of a more efficient and more user friendly ordinance. A brief description of those changes is provided further along in this report.

Master Plan

A community survey was drafted and mailed to a random sampling of Garfield Township residents to solicit public opinion on how we are growing and where we are heading. The information received has assisted the Planning Commission in creating and supporting current and future Master Plan goals and objectives. In addition to public opinion, it is very important to collaborate with community leaders, emergency services, schools and other public service entities to understand how their future plans coincide with ours.

Staff has had ongoing discussion with community stakeholders such as TCAPS, BATA, Cherry Capital Airport, GT Metro Fire, and the Sherriff's Office to understand each agency's current and future infrastructure needs and how each need relates to our community now and into the future. In addition to the Master Plan survey, the Planning Commission discussed the current Future Land Use Map and made adjustments to encourage infill of dilapidated or underutilized properties rather than encouraging the outward growth of our community. Corridor Planning was a big topic of discussion this year as was residential growth and density. The Planning Commission completed its work on the Master Plan in November, however due to the departure of our "snowbirds" additional public meetings have been postponed until those residents return.

Continued Collaboration

Cherry Capital Airport

Frequent meetings with Kevin Klein (Cherry Capital Airport) have certainly helped Staff understand the long and short term plans associated with the airport property and properties within the flight paths. The township worked with airport representatives to negotiate Avigation easements and efforts to remove obstructions (trees) from the flight path. Proceeds from the agreement will be used to delineate the park area and provide associated amenities to serve the neighborhood.

TCAPS

Staff continues to meet with Paul Soma (TCAPS) and the TCAPS Board to discuss population shifts and growth patterns within our community. Growth and development patterns can significantly alter the student population from one year to another, so it is important that we have an open dialogue with the school system. For example, the development occurring on LaFranier Road has the potential of increasing the student population at Cherry Knoll or Traverse Heights elementary by several hundred kids over the next 2-3 years. This population increase could prove challenging for administrators if they are not informed in advance of a project of this magnitude. According to TCAPS, Garfield Township continues to be the only community that meets regularly with TCAPS representatives and their Board to discuss growth and we will continue to do so moving forward.

BATA

Our relationship with BATA continues to grow as we work towards our goal of providing a safe, convenient and affordable transportation option to those in need. The Planning Commission and Staff continue to encourage multi-modal transportation by requiring developers to incorporate bus stops within mixed use or high density projects. The intent of this regulation is to avoid on-street bus stops on roadways that do not have safe off road pedestrian circulation. Recent discussions have involved identifying areas of high ridership need and mapping these locations for future bus stop considerations. We will continue to work with BATA to provide safe transportation alternatives as we move into 2018.

Grand Traverse County Sheriff

The Sheriff's post within the township hall continues to be an asset to Staff and residents alike. A continuous dialogue and willingness to assist Staff with violations, crime statistics and plan review continue to prove beneficial.

Conceptual Reviews

Conceptual reviews were established 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 process 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 2017:

1. Fox Run - PURD
2. Kensington Park- Amendment Consideration
3. Cass Road Event Center - Rezoning request
4. Prince of Peace Church - New construction proposal
5. Living Hope Assembly of God - Rezoning request

Administrative Reviews

The Director of Planning can now administratively approve projects provided they fall within the confines of the zoning ordinance. This procedure improves efficiency on minor requests. The following requests were administratively reviewed.

1. SUP 2005 -05 (G) - Lone Tree - AA

The subject property is located within the Lone Tree PUD, at the corner of North Long Lake Road and Lone Pine Road. The application requests amendments to the Lone Tree mixed use PUD, specifically, Lone Tree II Condominium to eliminate units 45 and 46 to create additional open area. According to Article 4 Section G.(4)(a) of the Garfield Township Ordinance the Director of Planning may authorize an Administrative Amendment provided specific criteria can be satisfied. The Planning Department now requires any Administrative Amendment to be justified in writing and provided to the Planning Commission. This application was approved.

2. SUP 2005 - 05 (H) - Beers Dentistry - AA

The application requests an addition to the parking area and expansion of the building. Following research into the application it was found that the applicant could move forward by way of an Administrative Amendment. Article 4 Section G.(4)(a) of the Garfield Township Zoning Ordinance states the Director of Planning may authorize an Administrative Amendment provided specific criteria can be satisfied. The Application was approved.

Development Reviews

The Planning Commission reviewed and approved numerous projects in 2017, which included Site Plan Reviews, Planned Unit Developments, Special Use Permits and zoning text and map amendments. A brief description of those reviews follows.

SUP- 2017- 01- Fox Run Multi-Family PURD Project - (ongoing)

The property is currently zoned R-3 Multi-Family Residential and allows apartments by way of a Special Use Permit (SUP) or Planned Unit Residential Development (PURD). The property is approximately 8 acres in size, of which 3.75 acres is open space, leaving 4.25 acres of developable land. When the new Zoning Ordinance was adopted, new design standards for Planned Unit Residential Developments (PURD's) were implemented to encourage quality of life and neighborhood interaction. The design, as proposed, contemplates transferring the density from the low wet areas (3.75 acres) and clustering it upfront to provide a density of approximately 10 units per acre. This project is ongoing yet proposes Low Impact Design for storm water collection, sidewalks and nature trail.

SPR 2017-01 - Life Story Access Drive - (Approved)

The subject property is a 5.4-acre parcel located at 400 West Hammond Road (north side of the road) between North Garfield Road and Townline Road East. The service drive is proposed along approximately 400 feet of the property's northern road frontage on West Hammond Road. The site is gently rolling and slopes from the south (near West Hammond Road) to the north and northwest. Runoff from the site discharges to unnamed tributaries of the Mitchell Creek. There is a substantial amount of wetland area surrounding the natural drainage-ways. Following approval of the service drive it was discovered that the property located to the west had a conservation easement that would preclude connection therefore, that portion of the service drive has been waived. This project was approved with conditions.

SPR 2017-02 - Home Suites Hotel - (no action)

The subject property is located on US - 31 and makes up a portion of the old Bill Marsh properties. Due to the incompleteness of the project submittal, the application remains a question mark.

SPR 2017- 03 - US 31 Retail - (Approved)

The subject parcel is approximately 2.8 acres in area and located at 3664 North US-31 South. The site topography is essentially flat with a very gradual slope to the East. Kids Creek runs along both the West and East ends of the site. Also, there is a wetland area along the East property line. The parcel's only road frontage is approximately 166 feet on North US-31 South. The site was formerly occupied by the Alpha Center (health services) and is being used by North Pointe (auto sales) currently. The applicant proposes to demolish the three existing buildings on the parcel and construct a multi-tenant retail/food business complex. The proposed complex would be a single building consisting of three units constructed in a single phase. This project was approved with conditions.

SUP 2017- 01 - Northern Building and Supply - (Withdrawn)

The property is located on the corner of S. Airport and Keystone Roads, has an address of 1701 S. Airport Road and is the current site of Northern Building Supply. The application requested a Special Use Permit to establish a commercial retail business (furniture store) within the I-G General Mixed Use Industrial Business District. Due to the use being retail in nature it is required to obtain a SUP. The application was withdrawn following the public hearing.

SUP 2017- 02 - Water Storage Project - City of Traverse City - (Approved)

The application requests approval of a Special Use Permit to add a 2,000,000 gallon water tank at 2930 LaFranier Road on a property that currently has an existing 4,000,000 gallon tank. The current water storage reservoir has been in existence since 1972 and is situated on approximately 5 acres of land. The application was approved.

SUP 2017- 03 - Newman Mobile Home Sales

The property is located along North US-31 South, and to the east of the Meadow Lane Mobile Home Community. The Applicant requests to establish a mobile home sales on the property. The Ordinance permits both "Modular/Manufactured Home Sales" and "Mobile Home Sales" by way of a Special Use Permit (SUP) in the C-G District. This application is scheduled for public hearing in February 2018.

SUP 2017- 04 - Hickory Hills - City of Traverse City

The application requests approval of a Special Use Permit (SUP) to begin implementation of the Master Plan for the Hickory Hills Ski Park and Recreation Area. Hickory Hills is located within the Charter Township of Garfield and owned by the City of Traverse City. In 2014, a partnership between the City of Traverse City, the Charter Township of Garfield, Preserve Hickory, and the Grand Traverse Ski Club was formed. This group jointly funded a Master Plan for Hickory Hills that was adopted by both Municipalities. This Master Plan was intended to reinvigorate and reinvent Hickory Hills, transforming it into an all-season recreation destination. This application is scheduled for a public hearing in February 2018.

SUP 1996 - 01 - Aldi Sign Request - Withdrawn

The application requests replacement of signs permitted within the PUD. Following discussions the applicant has withdrawn the application and decreased the sign size to within administrative allowance.

SUP 2015-01 (B) Ridge 45 Amendment - (Approved Phase 3)

This application requests a Major Amendment to Special Use Permit approval granted in 2015 to construct the third phase of an apartment project on a 30-acre development site on La Franier Road, just north of the intersection of Hammond Road. A Major Amendment, as opposed to an Administrative or Minor Amendment, is required under Garfield Township's Zoning Ordinance because the third phase of the development requests larger land area than indicated in the original application (*see* 423(G)(6)(c)).

SUP 2015-01 (C) Ridge 45 Amendment - (Phase 4)

The application requests a Major Amendment to Special Use Permit (SUP) approval granted in 2015 to expand the Ridge 45 apartment project on La Franier Road. This Major Amendment affects two parcels immediately south of the approved third phase of Ridge 45 on La Franier Road, approximately one-quarter of a mile north of the intersection at Hammond Road. The proposed development area consists of approximately 7.9 acres on the western side of the site. The subject properties are each currently vacant. This application is scheduled for a public hearing in February 2018.

Z - 2017 01 - Teter Rezoning - (Approved)

The subject property is located at 2535 W. Front Street and is the last remaining non-commercial parcel in that area. The application proposes to rezone the property from the current R-3 Multi-family Residential to C-O Office Commercial, without restriction. The rezoning was approved.

Z - 2017 02 - Ridge 45 Rezoning - (Approved 30 acres)

The application affects three properties along La Franier Road at the intersection of Hammond Road. The property in its entirety is approximately 30 acres in size and has a small pocket of wetlands at the southeast corner of the property. The property is of adequate size to support a potential southward expansion of the apartment complex or support a PUD development. Based on this Future Land Use classification in the Master Plan, and the fact that the La Franier Road corridor has been and remains a targeted corridor for medium to high density residential development, Staff determined the rezoning request to be consistent with the Master Plan. The rezoning was approved.

Z - 2017 03 - Serra Autoworks - CRA - (Approved)

The subject property is approximately 2.9 acres in size and located at 940 Boon Street. This property was granted a conditional rezoning to C-2 (now C-G) with restrictions in 2007 to accommodate an expansion of the car dealership. The Conditional Rezoning Agreement (CRA) set certain stipulations and timelines to ensure the property was developed in a timely manner, which may or may not have been met. Regardless, the procedure for approval of an application and major amendment is the same. Therefore, the application will replace the language currently in place and include a site plan, as required. The application was approved with conditions. The Township Board adopted the Resolution for approval at their January meeting.

Z - 2017 04 - Cherryland / U-haul - Text Amendment

The application proposes two Text Amendments to the Garfield Township Zoning Ordinance to amend Article 2 Definitions and Article 3 Planned Shopping District to allow "Retail and Self-Storage and Truck and Trailer Share" as a use within the district. This request is specific to U-Haul and the recently vacated K-Mart however it would affect numerous properties located in the C-P Planned Shopping District. The use is currently permitted within the two industrial districts and without justification to expand into prime commercial areas. Following a public hearing in January and Staff's recommendation to deny the request, the Planning Commission has requested a study of the C-P District. The Applicant requested the PC to table the request in favor of review.

Z - 2017 05 - Scussel Hammond Road

This Property is subject to a Conditional Rezoning Agreement (the "Agreement") entered into and recorded at 2008R-07868, Grand Traverse, County Register of Deeds, whereby the Property was rezoned from A-1 Agricultural, to C-2, General Business with restrictions and limitations (2008). The Applicant requests withdrawal of the Agreement and desires to enter into a new Conditional Rezoning Agreement to further restrict the use of said land. The Property would be subject to a new Conditional Rezoning

Agreement (CRA) whereby the Property is rezoned from the current C-2, General Business to A-1 Agricultural, with restrictions and limitations. The subject property is approximately 20 acres in size, with a street address of 478 Hammond Road. The Applicant has voluntarily offered to protect and preserve the property from development, eradicate invasive species, improve habitat for waterfowl and wildlife and increase the properties conservation value. This application has been recommended for approval to the Township Board.

Z - 2017 06 - Brickways Rezoning

The application requests to rezone two properties totaling approximately 12 acres of land from the R-1 One-family Residential District to the R-3 Multi-family Residential District, without restriction. The property is bordered by Rennie Street to the west, the Traverse City Golf and Country Club to the north, vacant land to the east, and S. Airport the south. The application is anticipated to be recommended to the Township Board for consideration.

Z - 2017 07 - MC Sports - (withdrawn)

The application requests to rezone approximately 8.4 acres of land from the C-P Planned Shopping District to the C-G General Commercial District, without restriction. The subject property is the site of the building formerly occupied by MC Sports. The property is bordered by North US-31 South to the west, Williams Chevrolet to the north, the Grand Traverse Mall to the east, and West South Airport Road to the south.

PUD - Buffalo Ridge PUD - Amendment - Hobby Lobby

An amendment to allow a retail use within the approved Buffalo Ridge PUD was submitted for consideration. Due to the erroneous lawsuits filed against the Director of Planning and Township in 2016, a planning consultant was retained (at the applicants cost) to review the project. You may recall that the erroneous lawsuits failed and the Court required the owner Joe Sarafa to honor his signature on the agreement and install a bike path. The bike path has since been installed as required by the court order, however safe pedestrian circulation continues to be an issue with the poorly designed site. The Application is apparently ongoing as of this report.

Joint Traverse City & Garfield Township Planning Commission

The Joint Planning Commission is comprised of City and Township residents, appointed from their respective Planning Commissions and one member jointly appointed by both municipalities. Following numerous public and stakeholder meetings on the Grand Traverse Commons Zoning Ordinance, the joint planning commission unanimously recommended adoption of the document to the City Commission and Township Board, who adopted the plan at a joint meeting in May 2017. The form-based code will regulate the specific Commons area campus and is separate from the Township's regular Zoning Ordinance.

Planning Recognition

- Garfield Township received another 4-star rating from a U of M Dearborn study that measures economic growth among top communities in the State. The planning department has been providing annual growth information to the eCities program consistently since 2012. The study examines policies, tax incentive programs, and growth information to determine Michigan's top municipalities in economic growth.

- The Grand Traverse Commons Zoning Ordinance, which was a joint effort with Traverse City received recognition at the GT County awards in 2017. Rather than naming the municipalities as recipients of the award, we asked that Carol Hale, Chairperson of the Joint Commons Planning Commission and long standing advocate of the State Hospital property be granted the award.


Conclusion

2018 should be a very busy and exciting year as we anticipate adoption of the new Garfield Township Master Plan.. Following the adoption of the above mentioned document 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 as the economy continues to excel, however, it is important to continue the vision for the future of this community and to not succumb to the pressures and politics of unplanned community growth.

RECOMMENDATION:

The following motion would be appropriate if the Planning Commission is prepared to accept and forward the 2017 Annual Report to the Township Board (with amendments as noted, if necessary):

THAT the 2017 Planning Commission Annual Report, as contained in PD Report No. 2018- 16 BE ACCEPTED and forwarded to the Garfield Township Board as required by Section 19(2) of the Michigan Planning Enabling Act.

 Charter Township of Garfield Planning Department Report No. 2018-30		
Prepared:	February 15, 2018	Pages: 1 of 6
Meeting:	February 28, 2018-Planning Commission	Attachments: <input checked="" type="checkbox"/>
Subject:	Hickory Hills SUP- Consideration of Findings	
Applicant:	City of Traverse City	

PURPOSE

The application requests approval of a Special Use Permit (SUP) to begin implementation of the Master Plan for the Hickory Hills Ski Park and Recreation Area. Hickory Hills is located within the Charter Township of Garfield and is owned by the City of Traverse City.

Aerial image of subject property (highlighted in blue):



OVERVIEW

In 2014, a partnership between the City of Traverse City, the Charter Township of Garfield, Preserve Hickory, and the Grand Traverse Ski Club was formed. This group jointly funded a Master Plan for Hickory Hills that was adopted by both jurisdictions. This Master Plan was intended to reinvigorate and reinvent Hickory Hills, transforming it into an all-season recreation destination.

STAFF COMMENT:

Following the adoption of the Master Plan and a highly successful fundraising campaign, the City is now in the engineering and approval phase. The SUP before you would implement various elements of the Master Plan including a new lodge, parking area, and maintenance building. Due to the size of the property and location of current and proposed amenities, impacts on neighboring properties are anticipated to be minimal.

Hickory Hills SUP-Public Hearing

Vehicular Circulation:

The property is accessed by a single point of ingress and egress from Randolph Street with modifications to the parking area. The gravel entrance area is among the most used in non-winter months due to the popularity of the disc golf course at Hickory Meadows. Disc golfers will often park in the roadway, which has been a point of contention with neighboring property owners. An improved parking area should address this concern moving forward.

Non-Motorized Circulation:

A new pedestrian connection will be added between the parking area and lodge which should discourage walking in the parking aisles. The applicant will be present to provide more detail about this connection.

Landscaping:

The proposed improvements are concentrated in a mostly forested area. Although the applicant will be installing landscaping, the majority of the buffer standards required by Section 530 of the Zoning Ordinance are recommended to be waived under Section 530.H(1), due to the topography and vegetation providing an established screen or buffer which is equal, or superior, in its ability to meet the intent of the Section.

Accessory uses:

Tree removal to establish new ski runs or trails or to improve safety by grading on the designated ski and recreation areas are considered accessory to this special use permit as are improvements to accommodate the use of groomers, ski-patrol equipment or emergency vehicles. This provision does not exempt Hickory Hills from obtaining agency permits prior to improvements.

Lighting:

A review of the lighting plan shows proper illumination levels and placement to meet the standards of the Zoning Ordinance. All lighting will be full cutoff and dark sky compliant.

Site Grading and Stormwater:

A stormwater, grading, and soil erosion control plan has been provided and appears to meet the standards of the Ordinance. Consultant review is pending at this time.

Sewer/Water:

Hickory Hills is proposing to construct/reconstruct a large septic system to serve the use. The septic system is proposed on the adjoining Hickory Meadows property, which is owned by the joint Recreation Authority (City of Traverse City and Charter Township of Garfield). Final review by the Grand Traverse County Health Department will be required as a condition of approval.

Other Comments:

Although fundraising efforts have exceeded expectations, it appears that there are still several thousands of dollars to be raised before the Master Plan can become a reality. This SUP request is the first major step in the Plan's implementation. Non-winter month traffic over the years appears to have long been a concern of some Randolph Street residents. These complaints appear to be in part due to the large contingency of disc golfers and the lack of onsite parking for the course. In addition, speeding traffic along Randolph was also a concern of property owners over the years, but it may have been resolved with the increased police presence and posted speed limit.

APPROVAL CRITERIA DISCUSSION:

To aid in the discussion, the following approval criteria are offered for consideration:

Section 423.E Approval Criteria for a Special Use Permit

In its review of an application for a Major Amendment to a Special Use Permit, the Township should consider, but is not necessarily limited to, the criteria as defined in § 423.E(1) through § 423.E(11). No single factor is controlling; instead, each must be weighed in relation to the other standards.

A special use is permitted only if the applicant demonstrates that:

- (1) The proposed use will be consistent with the purpose and intent of the master plan and this Ordinance, including all regulations of the applicable zoning district;

The Planning Commission may find this standard to be met for the following reasons:

- The City of Traverse City and Garfield Township Board jointly adopted a Master Plan for the Hickory Hills Ski Hill property. The project as designed is consistent with the 2014 adopted Master Plan including the size and location of structures, parking, and pedestrian circulation.
- The project is in compliance with the adopted Garfield Township Master Plan and Zoning Ordinance.

- (2) The proposed use will be designed, constructed, operated and maintained so as to be compatible, harmonious, and appropriate with the existing or planned character and uses of the neighborhood, adjacent properties and the natural environment;

The Planning Commission may find this standard to be met for the following reasons:

- Hickory Hills has been in existence since 1952 and has been owned and operated as a ski area and Traverse City park since that time. It was designed and constructed to be harmonious and compatible with the properties that have established around the recreation area.
- The proposed structures are single story in appearance and compatible with surrounding single family structures.
- Non-motorized improvements include sidewalks along the parking area and a groomed nature trail that will provide a safe and unique alternative to walking through the parking area.

- (3) The proposed use will not be detrimental, hazardous or disturbing to existing or future adjacent uses or to the public welfare by reason of excessive traffic, noise, dust, gas, smoke, vibration, odor, glare, visual clutter, electrical or electromagnetic interference;

The Planning Commission may find this standard to be met for the following reasons:

- The use has been in existence since 1952 without issue, therefore, no anticipated impacts are anticipated regarding the nuisance standards above.
- The buildings are designed to be constructed in close proximity to the parking area improving safety response time for injured recreationist.
- New parking lot lighting will provide for a safer environment than currently available.

Hickory Hills SUP-Public Hearing

- (4) Potential adverse effects arising from the proposed use on the neighborhood and adjacent properties will be minimized through the provision of adequate parking, the placement of buildings, structures and entrances, as well as the provision and location of screening, fencing, landscaping, buffers or setbacks;

The Planning Commission may find this standard to be met for the following reasons:

- All parking areas are deemed compliant with the Section 551 Parking of the zoning ordinance including the number of spaces, paved parking areas to mitigate current dust concerns, parking lot lighting and landscaping.
- Due to the size of the property natural vegetation, landscaping and improved onsite vehicular circulation, the new ski lodge, maintenance building and improvements to the park in general are designed in a manner to avoid adverse effects to neighboring properties.
- Issues that have historically been a concern such as parking on and off the site will be mitigated by the new project design.
- Traffic is not anticipated to increase beyond current peak levels.

- (5) The proposed use will retain as many natural features of the property as practicable, particularly where the natural features assist in preserving the general character of the neighborhood;

The Planning Commission may find this standard to be met for the following reasons:

- The property encompasses approximately 130 acres of heavily wooded terrain with amenities located in a manner that limits natural feature removal.
- All structures are located in a manner that will mitigate any disturbances to the adjacent property owners by retaining the wooded areas for buffering.
- The project will require isolated tree removal and grading but viewed as an improvement to the character of the property while increasing safety.

- (6) Adequate public and private infrastructure and services such as streets, water and sewage facilities, drainage structures, police and fire protection, and schools, already exist or will be provided without excessive additional requirements at public cost;

The Planning Commission may find this standard to be met for the following reasons:

- The property is adequately served by a public street (Randolph), which has historically provided access to the Hickory Hills property.
- The placement of the new lodge and maintenance / ski patrol area provides for a safe and easily accessible location to decrease emergency transport time.
- The new structures will be located in a manner that provides convenience for an increased police presence.
- Due to the properties location it has historically utilized well and septic services and will upgrade the system accordingly with the assistance of the GT Health Department.

- (7) The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;

The Planning Commission may find this standard to be met for the following reasons:

Hickory Hills SUP-Public Hearing

- All new amenities proposed have been designed to improve the public health, safety and welfare of the park users.
- Maintenance and operation of the park will be improved by incorporating new structures, improved pedestrian circulation, separation of vehicular / pedestrian circulation, increased parking, lighting, and emergency service transportation.

(8) The public interest and welfare supporting the proposed use shall be sufficient to outweigh individual interests that are adversely affected by the establishment of the proposed use;

*The Planning Commission may find this standard to be **met** for the following reasons:*

- The Garfield Township Board and Traverse City Commission along with Preserve Hickory and the Grand Traverse Ski Club funded a Master Plan for the property and fundraised for the improvements to this public park.
- This is a public initiative to improve a public park owned by the City and located in the Township.
- The improvements to Hickory Hills are not an individual interest but a public interest.

(9) Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads;

*The Planning Commission may find this standard to be **met** for the following reasons:*

- The improvements to the parking areas will resolve past issues with onsite parking of vehicles.
- An increase in the amount of parking spaces and overflow parking are intended to address on street parking issues.
- Parking circulation has been designed to improve vehicular circulation and emergency service access.

(10) Adequate measures shall be taken to provide vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks servicing the site in a safe and convenient manner; and

*The Planning Commission may find this standard to be **met** for the following reasons:*

- Non-motorized improvements include sidewalks along the parking area and a groomed nature trail that will provide a safe and unique alternative to walking through the parking area.
- The buildings are designed to be constructed in close proximity to the parking area improving safety response time for injured recreationist.
- Parking circulation has been designed to improve vehicular circulation and emergency service access.

(11) The proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

*The Planning Commission may find this standard to **NOT APPLY** for the following reasons:*

- The surrounding properties are developed.

Hickory Hills SUP-Public Hearing

ACTION REQUESTED:

The Planning Commission, following a public hearing on the application directed Staff to prepare findings in support of the request. Staff has provided two motions for your consideration.

MOTION THAT the Findings of Fact for application SUP-2017-04, as presented in Planning Department Report 2018-30, BE ADOPTED. (Motion to be made only following review and modification as necessary.)

The following motion is recommended to approve the project, subject to the conditions as noted, and subject to conditions which are routinely added to all approvals:

MOTION THAT Application SUP-2017-04 requesting to implement the adopted Hickory Hills Master Plan BE APPROVED, subject to the following conditions:

1. Final engineering review and approval by the Township Engineer including all infrastructure and stormwater.
2. All final reviews from agencies with jurisdiction shall be provided prior to any land use permits being issued.
3. All pedestrian circulation shall be constructed prior to receiving a Certificate of Occupancy.
4. 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.
5. 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 ninety (90) days of final approval by the Township or approval shall be considered to have expired.

Any additional information that the Planning Commission determines to be necessary should be added to this motion. If the Planning Commission is not satisfied with the level of information provided to date, the above motion would be premature and should not be adopted.



Charter Township of Garfield
Planning Department Report No. 2018-24

Prepared:	November 14, 2017	Pages:	Page 1 of 2
Meeting:	February 28, 2018-Planning Commission	Attachments:	<input checked="" type="checkbox"/>
Subject:	2018 Draft Master Plan-Recommendation to Submit to Board for Distribution		

INTRODUCTION:

The purpose of this report is to recommend that the Planning Commission direct Staff to submit the Draft 2018 Township Master Plan to the Township Board for review, distribution, and comment in accordance with Sections 39, 41, and 43 of the Michigan Planning Enabling Act (MPEA; 2008 PA 33), and to provide the rationale for that recommendation.

STAFF COMMENT:

The Adoption Process Generally:

The following is a brief summary of the Master Plan adoption process called for in the MPEA:

1. Distribution of the Proposed Master Plan for Review and Comments:

- The Planning Commission must submit the proposed plan to the Township Board for review and comment. The adoption process cannot proceed unless the Board approves distribution of the proposed draft.
- Once approved for distribution, the proposed plan must be sent to neighboring jurisdictions, the County, public utilities and railroad companies operating within the Township, the County Road Commission, and MDOT.
- At the same time, the Secretary of the Planning Commission must submit a signed statement to the County that includes a full list of names, with addresses and date of submittal, of everyone receiving the plan. Notice of the public hearing to be held following the comment period may also be included along with the plan.

2. Comment Period:

- Each of the entities receiving the proposed plan may submit comments within 63 days after the plan was sent to that entity. Comments are advisory only.

3. Public Hearing:

- After the comment period for all entities ends, the Planning Commission must hold at least one public hearing on the proposed plan.

4. Approval:

- To approve the master plan, the Planning Commission must approve a resolution adopted by the affirmative votes of no less than a majority of the members of the Planning Commission.

Background, Recommendation, and Rationale:

At the Planning Commission's Regular Meeting on November 8, 2017, Commissioners made it clear that they would like to hold off on public hearings on the Draft 2018 Master Plan until the seasonal population returns to the Township in the warmer months. Under the typical master plan adoption

process called for in the MPEA, one public hearing is held at the conclusion of the 63-day comment period for other jurisdictions as outlined above.

In this light, Staff recommends that the Planning Commission submit the Draft Plan to the Township Board for review, comment, and distribution now, so that the 63-day period can begin. Once that period has expired, we will be getting closer to the warmer months and the one required public hearing and any additional public hearings called for can be held on a date of Commissioners' choosing. In other words, submitting the Draft Plan to the Board to start the 63-day comment period now does not impact the Planning Commission's ability to engage the public on this Draft Plan and provides the advantage of having the Plan ready and waiting for public engagement as soon as the seasonal residents return, without having to wait 63 days from that time to hold a public hearing.


Staff has not made any substantive changes to the Draft Master Plan since it was reviewed by Commissioners at the November 8, 2017, Regular Meeting of the Planning Commission, but has changed the dates throughout the document from 2017 to 2018 to reflect the current adoption timeline. In addition, Staff made one minor correction in the corridor planning section of the Plan at the request of Commissioner Robertson: references to "Boon Road" now read "Boon Street."

ACTION REQUESTED:

If the Planning Commission is satisfied with the proposed course of action explained above, then Staff suggests the following motion:

MOTION THAT the Draft 2018 Charter Township of Garfield Master Plan BE SUBMITTED to the Charter Township of Garfield Board of Trustees for review, distribution, and comment in accordance with the MPEA (2008 PA 33).

Any additional information that the Planning Commission determines to be necessary should be added to this motion. If the Planning Commission is not satisfied with the level of information provided to date, the above motion would be premature.

 Charter Township of Garfield Planning Department Report No. 2018-32		Pages: Page 1 of 1	
Prepared:	February 22, 2018	Attachments:	<input checked="" type="checkbox"/>
Meeting:	February 28, 2018-Planning Commission		
Subject:	DRAFT Planned Shopping Center Section-Proposed Amendment		

STAFF COMMENT:

As you may recall, Staff has proposed making significant changes to the Planned Shopping Center Zoning District in the context of a retail market that is continuing to change. Please find attached to this report for your review a first *draft* of an amended version of Section 322 C-P (Planned Shopping Center), as well as a copy of the Section as it currently reads. Staff hopes to hear Commissioners' thoughts on the *draft* prior to moving too far along in the drafting process. Please forward to us any questions or comments that come to mind prior to the meeting as well, as that will help to shape the discussion at the meeting.

EXISTING ORDINANCE

SECTION 322 C-P (PLANNED SHOPPING CENTER)

PURPOSE It is the intent of this district to provide for and encourage the development of grouped retail sales and service establishments at logical and sound locations within Garfield Township. Typically, such planned centers are located on a single, unified site and are designed and constructed as an integrated unit for shopping and other business activity. The group of store units which make up such a center may range in size and type from the relatively small neighborhood shopping center furnishing a wide range of consumer goods and services to the whole Township.

A. Uses Permitted.

The following uses of land and structures shall be permitted:

- (1) Department Stores, variety stores, and other establishments retailing the type of goods generally found in department stores.
- (2) Financial Institutions - with or without drive-through lanes
- (3) Auditorium, assembly and indoor entertainment center.
- (4) Mechanical Amusement Arcades
- (5) Child Care Center pursuant to § 720. Educational and school facilities, which do not include children beyond elementary age, shall be permitted only as an accessory to the child care organization.
- (6) Drive-Through Businesses.
- (7) Sexually Oriented Business - See § 640
- (8) Limited Residential - See § 615
- (9) Restaurants - not including drive-in or drive-through

B. Uses Permitted by Special Use Permit.

- (1) Commercial District Housing Developments - See §725

C. Site Development Requirements.

(1) General.

Applications for development within the C-P district shall include a comprehensive development plan for all contiguous C-P zoned lands and be reviewed by the Planning Commission for compliance with Article 4, § 424 - Site Plans and Article 5 - Development Standards. A public hearing shall be required.

(2) External Access.

Access to the shopping center shall be provided by at least one (1) direct access from a major thoroughfare, as classified on the Master Plan. Further, the owners or developers of the center shall show, to the complete satisfaction of the Township Planning Commission, that all access points to an external street or streets shall be fully capable of absorbing the maximum hourly traffic anticipated to be generated by the center without undue interference to other traffic on the street or streets.

(3) Setbacks

No structure, with the exception of permitted signs, fences, walls and light standards, shall be located closer to any property line than a distance equal to twice its height.

(4) Transition Strips.

All planned shopping center districts when located in or adjacent to an agricultural district, residential district, or when adjacent to a school, hospital, or other public institution shall include as an integral part of the site development a strip of land two hundred (200) feet or more in width on all sides of the site except on the side adjacent to a major thoroughfare. No part of such land may be used for any shopping center functions, except that up to one hundred (100) feet of the strip width on the interior side may be used as part of the parking area. Except for the part that may be occupied by parking space, the strip shall be occupied by plant materials or structural fences and walls, used separately or in combination. The plans and specifications for shopping center development shall include the proposed arrangement of such plantings and structures, and such proposals shall be subject to the approval of the Planning Commission.

(5) Signs.

All signs within the center shall conform to the provisions of § 630. In addition, signs within the C-P District shall be designed as an integral part of the planned shopping center development and shall be approved as part of the procedures of § 424. Signs advertising or identifying the owner or occupant of a given building or portion thereof shall be placed on the structure or business itself. Other signs along roadways, etc., shall be directional and identify the center only and not the individual occupants.

(6) Outdoor Uses.

All permitted activities shall be conducted entirely within a wholly enclosed permanent building, except as noted in the following:

- (1) The parking of customers' and employees' automobiles.
- (2) The loading and unloading of commercial vehicles, which must take place directly into or out of a building.
- (3) Temporary exhibitions and special quasi-civic events, PROVIDED they are conducted in spaces designated for such possible purposes on the final plans submitted with the application for a building permit, and PROVIDED FURTHER, that they may not be operated for a profit.
- (4) Recreational facilities, incidental to the center's principal operations, of a nature normally conducted out-of-doors, PROVIDED, there may be no admission charge.
- (5) Gasoline service stations, PROVIDED, that they conform to the site development requirements of Section 748.
- (6) Outdoor eating or other supplemental sales areas, PROVIDED, they are approved by the Planning Commission.

D. Additional Data Required.

- (1) A market analysis by a recognized, reputable market analyst setting forth conclusively economic justifications and needs for the establishment of a center of the type and size proposed by the Applicant. This analysis shall be based upon, but not limited to such factors as the trade area of the community and travel time from various parts thereof to the proposed center site; general development trends and anticipated population changes; economic and disposable income characteristics; expected sales volumes of the center as indicated by the demand for certain types of retail merchandise; existing or anticipated competing commercial facilities; and other data and analyses which relate to the need for feasible success and stability of the proposed center. The purpose of this requirement is to protect the Township from the over development of retail sales and service establishments which could prove highly injurious to community welfare.

- (2) A list of proposed uses to be included in the proposed center, with the area of each to be devoted to retail space.
- (3) A statement of financial responsibility to assure construction of the planned shopping center in accordance with the site plan and the requirements of this Section.

All required information for an original application or subsequent amendment shall not be more than five (5) years old.

E. Bond for Compliance.

In approving any site development proposed for this Section, including time schedules for construction, the Planning Commission may require that a performance bond of ample sum be furnished by the owner or owners to insure compliance with the requirements, final plans for a shopping center.

SECTION 322 C-P (PLANNED SHOPPING CENTER)

PURPOSE It is the intent of the C-P (Planned Shopping) districts to recognize the various areas of our community that have been developed in a grouped retail setting with department store anchors and expansive parking areas. These planned centers are typically located on a single, unified site and are designed and constructed as an integrated unit for shopping and other business activity. This section recognizes the transition from antiquated development patterns and encourages multi-use, multi-story, infill development of the parking areas to create a more pedestrian friendly mixed use area. Multi-story structures are encouraged.

A. USES PERMITTED BY RIGHT:

- (1) Auditorium, assembly and indoor entertainment center.
(2) Bakery, Coffee Shop
(3) Bar, Tavern, night club
(4) Clinics
(5) Commercial District Housing Developments - subject to § 725
(6) Department Stores
(7) Financial Institutions
(8) Grocery Stores
(9) Hardware Stores
(10) Hotels subject to the conditions specified in § 320.B (5)
(11) Live work units
(12) Offices
(13) Personal and Business services
(14) Pet Shops provided they are completely enclosed and insulated from noise
(15) Professional Studios
(16) Recreation Facility
(17) Restaurants and outdoor seating provided the area is delineated by a curb or similar barrier.
(18) Retail Establishment not including second hand stores.

B. DIMENSIONAL STANDARDS:

Table with 2 columns: Standard Name and Value. Includes Minimum Lot Area (15,000 sf), Minimum Lot Width (60 ft), Maximum Building Height Single-Story (A) (18 feet), Maximum Building Height Multi-Story (A) (4 stories/45 feet), Maximum Yard Setbacks (B)(C) (10 feet front), and Minimum Yard Setback (C) (10 feet each side, 30 feet rear).

Notes to Dimensional Standards:

- (A) Any structure proposed over 25 feet in height shall file a 7460-1 form with the FAA. If at any time the FAA restricts a structure to a lesser height than the district maximum, the FAA restriction shall prevail and made a condition of any approval.
(B) Setbacks shall be measured from the furthest protruding point of structure.
(C) A fifty (50) foot wide vegetative strip of land shall be provided on any side of a C-P District which abuts a residential or agricultural zone.

SECTION 322 C-P (PLANNED SHOPPING CENTER)

C. SITE DEVELOPMENT REQUIREMENTS

(1) General

Applications for development, re-development or infill development within the C-P district shall be reviewed by the Planning Commission for compliance with Article 4, § 424 - Site Plans and Article 5 – Development Standards. A comprehensive development plan may be required for the entire center to establish an approved development pattern within the district..

(2) External Access

All site plan proposals submitted under the requirements of the C-P Planned Shopping District shall provide for the proper handling of traffic and pedestrians throughout the site. The site plan shall limit Ingress./ egress along major thoroughfares and access properties by way of internal service drives and pedestrian walkways.

(3) Internal Pedestrian Circulation

- a. Sidewalks shall be constructed within the interior of the development to link buildings with other destinations, such as, but not limited to, other buildings, parking, adjoining streets, and adjoining sidewalks.
- b. All internal sidewalks shall be constructed of raised concrete, measuring no less than five (5) feet wide and 6 inches high to provide safe walkways by separating motorized from non-motorized transportation.
- c. Clearly marked pedestrian crossing areas shall be demarcated at all pedestrian crossings.

(4) Non-Motorized Pathways

Public pathways shall be constructed for all new development, re-developments, and amendments to previously approved site development plans, including substantial additions or improvements to existing buildings with a construction cost of twenty thousand dollars (\$20,000.00) or more within a twelve month period.

- a. Non-motorized pathways may be constructed within the public street right-of-way or upon private property subject to an appropriate public access easement being recorded. All reasonable effort shall be made to avoid cutting trees when placing the pathway.

(5) Building Placement

Buildings shall be placed in a manner that encourages pedestrian circulation and connectivity among the various out lots and internal uses.

- a. All buildings shall be located adjacent to a curbed internal roadway with the prominent building wall facing the roadway or access drive.
- b. Buildings fronting an internal roadway or access drive shall be accessible by pedestrian walkways.

DRAFT


SECTION 322 C-P (PLANNED SHOPPING CENTER)

(6) Vegetative Transition Strip

- a. A fifty (50) foot wide vegetative strip of land shall be provided on any side of a C-P District which abuts a residential or agricultural zone. This strip shall serve as a pervious transition between the subject use and the adjacent property uses, both existing and future. The transition strip shall be occupied by plant materials or structural fences or walls, used separately or in combination. No vehicular circulation or parking is permitted in the transitional strip.
- b. The plans and specifications for site development shall include the proposed arrangement for such plantings and structures.

(7) Service Roads

- a. In order to achieve a well-planned center, the Planning Commission may require access to the business facilities from an interior service road which shall be established in order to provide the major means of access to the planned commercial area. The site plan layout shall be such that access to commercial center parking lots shall be from the interior road and not from the major thoroughfare.

		Charter Township of Garfield Planning Department Report No. 2018-33	
Prepared:	February 22, 2018	Pages:	Page 1 of 1
Meeting:	February 28, 2018-Planning Commission	Attachments:	<input checked="" type="checkbox"/>
Subject:	DRAFT Service Drives Section-Proposed Amendment		

STAFF COMMENT:

As some of you may recall, during the discussion surrounding the adoption of the Township's new Zoning Ordinance in 2015, the idea of a new service drive section came up. The current section, Section 512 Service Drives, is a carryover from the previous zoning ordinance. Please find attached to this report for your review a first *draft* of an amended version of Section 512 Service Drives, as well as a copy of the Section as it currently reads. Staff hopes to hear Commissioners' thoughts on the *draft* prior to moving too far along in the drafting process. Please forward to us any questions or comments that come to mind prior to the meeting as well, as that will help to shape the discussion at the meeting.

EXISTING ORDINANCE

G. Dwelling on Undersized Legal Lot of Record

A legal lot of record within a residential district which measures less than the minimum area for the district may be used for a single-family dwelling, provided that all required setbacks of the zoning district in which the lot is located are complied with.

H. Reduction of Lot Size or Setback by Governmental Action

Where an existing lot conforming to all requirements of this ordinance is reduced in size as a result of governmental action, and the owner of such lot then does not own sufficient land to enable the lot to conform to the dimensional requirements of this ordinance, such lot may be used as a building site for a single-family residence or other nonresidential use permitted in the district in which the lot is located, provided that:

- (1) All required setbacks of the zoning district in which the lot is located are complied with; or
- (2) The Zoning Administrator has approved, as a building site, a dimension that conforms as closely as possible to the required dimensions of this ordinance..

SECTION 511 DRIVEWAYS FOR SINGLE FAMILY AND TWO-FAMILY PROPERTIES

- A. All residential driveways for single family and two-family properties not built within an access easement shall be placed a minimum of 10 feet from the property line.
- B. Driveways shall be a minimum of 12 feet in width without obstruction to a height of 12 feet.
- C. Driveways may be used for the parking of vehicles, recreation vehicles, boats, campers or trailers provided they are licensed to be used on the roadway and/ or water and in working condition.

SECTION 512 SERVICE DRIVES

All land in a parcel having a single tax code number or contiguous parcels owned by a single individual, or related individuals, or other entity or related entities, fronting on a state highway or county primary road shall be entitled to one (1) driveway or road access per parcel from said highway or road. Parcels when subsequently subdivided, either as metes and bounds described parcels, as a plat created in accord with P.C. 288 of 1967, as amended, or as a site condominium in accord with Act 59 of 1978, as amended, shall provide access by subdivision roads, other private or public roads or by service drives. Notwithstanding the requirements of the Garfield Township Subdivision Control Ordinance, the standards for service drives shall be as follows:

- A. Width: A minimum of twenty (20) feet with construction to Grand Traverse County Road Commission standards for base and thickness of asphalt.
- B. A minimum of fifteen (15) feet snow storage/landscaping area must be reserved along both sides of the service drive with the edge of the service drive located a minimum of fifteen (15) feet from the major thoroughfare right-of-way.
- C. All driveway radii shall be constructed with concrete curbs.
- D. The center line of service drives intersecting with a public or private road which in turn intersects a major thoroughfare shall be at least 150 feet from the nearest edge of the traveled portion of the major thoroughfare to provide for adequate stacking and maneuvering on the public or private road.
- E. The service drive shall be a private road maintained by adjoining property owners or users who shall enter into and record an agreement for the joint maintenance of the service drive in a reasonably safe condition.
- F. The Township Planning Commission shall review and approve all service drives to ensure consistency with the Township's Access Management Guidelines.

SECTION 522 Service Drives

Service drives are intended to provide safe access to parcels while limiting access points onto state highways, and county primary roads.

1. Qualifying Conditions

- a. All land in a parcel having a single tax code number or contiguous parcels owned by a single individual, or related individuals, or other entity or related entities, fronting on a state highway or, county primary road shall be entitled to one (1) driveway or road access per parcel from a major thoroughfare. Parcels when subsequently subdivided, either as metes and bounds described parcels, as a plat created in accordance with P.A. 288 of 1967 as amended and the Township Subdivision Control Ordinance, and/or as a condominium subdivision in accordance with Act 59 of 1978, as amended, shall be accessed by private or public roads, or by service drives.
- b. Additional road access **may** be permitted provided that the development has more than 400 feet of continuous frontage, and that each driveway is located in such a way that there is 400 feet of separation between each road access, measured from centerline to centerline of each driveway. All existing and future parcels shall be accessed by a service drive.
 - i. All lands fronting on Hammond Road are required to have a minimum road access spacing of 600 feet.
- c. The Director of Planning may allow relief from the separation standard discussed in (b) above provided the applicant shall demonstrate that access is not feasible from a public safety or natural features perspective, and provided further the separation distance is not less than 300 feet on county primary roads and highways and 500 feet on Hammond Road.

2. Design Standards

The applicant shall submit an engineered plan for the review of the service drive by the township engineer for compliance with the construction standards, storm water and traffic analysis, if needed.

- a. At a minimum, service drives shall be constructed at a width of twenty (20) feet and shall be constructed in accordance with the Design Guidelines – AASHTO Interim Structural Pavement Design Procedure Adopted for All Season County Roads, as amended.
- b. A minimum 15-foot snow storage and landscaping area on either side of the service drive or equivalent shall be provided.
- c. The access drive shall be constructed of a hard surface such as asphalt, concrete, permeable pavement, pavers, or similar materials approved by the Township.
- d. Adequate stacking and maneuvering shall be provided to avoid unnecessary vehicular stacking hazards.
- e. The approval document and engineered plan shall be recorded in accordance with Section 425 (H).
- f. Construction of the service drive shall be required prior to the issuance of a land use permit or Certificate of Occupancy of a permitted use..

3. Phased Construction - Needs Work

Following Planning Commission approval of a Service Drive the applicant may submit to construct the service drive in phases provided the following standards are met:


- a. A legal agreement binding the applicant to the construction of the service drive is approved by the Township Board.
- b. An escrow in the amount of double the construction cost of the service drive shall be deposited with the township.
- c. The service drive shall be constructed within 1 (one) year from the date of approval of the service drive.
- d. The service drive shall be extended in succession to avoid gaps that would impede traffic flow.

4. Maintenance

- a. A joint maintenance agreement addressing the standards of Section 521.F(3) - Private Street Maintenance Agreement shall be entered into and recorded with the Service Drive at the Grand Traverse County Register of Deeds.
- b. The joint agreements shall be recorded as a general deed restriction and shall bind the owners, including their successors and assigns, of all lots, parcels and condominium units with access to the service drive.

5. Limited Use

- a. In order to avoid undue interference with the shared use of the Service Drive., uses such as storage, display, loading or unloading, or similar actions that interfere with the use of the Service Drive are prohibited.
- b. Any access, including construction access, shall be in accordance with the approved plan.

		Charter Township of Garfield	
		Planning Department Report No. 2018-25	
Prepared:	August 23, 2017	Pages:	Page 1 of 2
Meeting:	February 28, 2018-Planning Commission	Attachments:	<input checked="" type="checkbox"/>
Subject:	Administrative Site Plan Review-Life Story Funeral Home		
File No.	SPR 2017-01-A	Parcel No.	-024-019-30
Applicant:	REI Consultants		
Agent:	Paradigm Design, Dave Hendershott		

SUBJECT PROPERTY:

The subject property is a 5.4-acre parcel located at 400 West Hammond Road (north side of the road) between North Garfield Road and Townline Road East.

REQUEST:

A request for Administrative Site Plan Review of a proposed funeral home and associated parking. Note that the service drive associated with this project was approved by this Planning Commission on July 12, 2017.

DOCUMENTATION:

The representations made by the Applicant in its Application dated 7-28-17 by the documents appearing in the Schedule below have been relied upon by the Township in making its determination in this matter. It is a condition of this approval that the Applicant shall abide by all representations in these documents and may not substantially deviate from these documents without the prior written consent of Garfield Township unless otherwise provided for in the Zoning Ordinance. The Schedule of Documents is as follows:

SCHEDULE OF DOCUMENTS:

Document Name	Date
Application for Site Plan Review	Applicant Dated: 7-28-17; PD Received: 8-1-17
Letter of Agency	Applicant Dated: 7-28-17; PD Received: 8-1-17
Existing Conditions & Demolition Plan	Applicant Dated: 7-27-17; PD Received: 7-31-17
Site Layout & Utility Plan	Applicant Dated: 7-27-17; PD Received: 7-31-17
Site Grading & SWPP Plan	Applicant Dated: 7-27-17; PD Received: 7-31-17
Site Entrance Detail	Applicant Dated: 7-27-17; PD Received: 7-31-17
Details (C-501)	Applicant Dated: 7-27-17; PD Received: 7-31-17
Details (C-502)	Applicant Dated: 7-27-17; PD Received: 7-31-17
Stormwater Calculations	Applicant Dated: 7-27-17; PD Received: 7-31-17

Life Story Funeral Home Administrative Site Plan Review

Electrical Site Lighting Calculations	Applicant Dated: 7-27-17; PD Received: 7-31-17
Site Landscape Plan	Applicant Did Not Date; PD Received: 8-3-17

DETERMINATION:


According to Section 424.B(2)(a) of the Garfield Township Zoning Ordinance, the Director of Planning shall be the approval authority for an Administrative Site Plan.

STAFF COMMENT:

Based on the information provided, it has been demonstrated that the standards and conditions for approval as set forth in the Garfield Township Zoning Ordinance have been met and the request is considered APPROVED.

Below is an aerial showing the location of the subject property highlighted in blue:



 Charter Township of Garfield Planning Department Report No. 2018-26		
Prepared:	August 28, 2017	Pages: Page 1 of 4
Meeting:	February 28, 2018-Planning Commission	Attachments: <input checked="" type="checkbox"/>
Subject:	Administrative SUP Amendment-Beers Dentistry Building Addition	
File No.	SUP-2005-05-H	Parcel No. -222-001-00
Applicant:	Spence Brothers, Jim Winter	
Agent:	Jim Winter	

SUBJECT PROPERTY:

The subject property is located within the Lone Tree PUD, at the corner of North Long Lake and Lone Pine Roads. The Beers and Stilwill Family Dentistry clinic is located on the property.

REQUEST:

A request to amend the Lone Tree mixed-use PUD, specifically to construct an approximately 1,800-sq ft building addition to the existing Beers and Stilwill Family Dentistry clinic.

DOCUMENTATION:

The representations made by the Applicant in its Application dated 6-28-17 by the documents appearing in the Schedule below have been relied upon by the Township in making its determination in this matter. It is a condition of this Amendment that the applicant shall abide by all representations in these documents and may not substantially deviate from these documents without the prior written consent of Garfield Township unless otherwise provided for in the Zoning Ordinance. The Schedule of Documents is as follows:

SCHEDULE OF DOCUMENTS:

Document Name	Date
Application for PUD Amendment	Applicant Dated: 6-26-17; PD Received: 6-28-17
Letter of Agency	Applicant Dated: 6-26-17; PD Received: 6-28-17
Existing Conditions	Applicant Dated: 5-2-17; PD Received: 6-28-17
Soil Erosion & Sedimentation Control Plan	Applicant Dated: 5-2-17; PD Received: 6-28-17
Site Plan	Applicant Dated: 5-2-17; PD Received: 6-28-17
Application Impact Assessment	Waived
Existing Conditions	Applicant Dated: 8-22-17; PD Received: 8-22-17
Soil Erosion & Sedimentation Control Plan	Applicant Dated: 8-22-17; PD Received: 8-22-17
Site Plan	Applicant Dated: 8-22-17; PD Received: 8-22-17

DETERMINATION:

According to Section 423.G(4)(a) of the Garfield Township Zoning Ordinance, the Director of Planning may authorize an Administrative Amendment provided that the specific criteria below can be satisfied:

- (i) No previous amendments have been granted that, together with the proposed amendment, would exceed the standards of this section;

Finding: Based on the information submitted, Staff has determined that the finding **has been met** for the following reason(s):

1. The proposed addition to the structure was approved by way of a future expansion as indicated in the SUP and supporting documents.
2. A previous amendment included a parking lot expansion, which was within the administrative authority without exceeding the required threshold or standards of the Zoning Ordinance.

- (ii) There will be no detrimental impact on any adjacent property caused by significant change in the appearance or use of the property or any other contributing factor;

Finding: Based on the information submitted, Staff has determined that the finding **has been met** for the following reason(s):

1. The Dentist office was approved after an extensive review, which included the architecture of the building, sign location, and type.
2. The addition is within the future development area.
3. All required architectural standards will be in accordance with existing architecture and similar and complimentary to surrounding structures and uses.

- (iii) Nothing in the currently valid special use permit precludes or otherwise limits such expansion or enlargement;

Finding: Based on the information submitted, Staff has determined that the finding **has been met** for the following reason(s):

1. The limitations of expansion are dictated by the approved building envelopes.
2. The expansion is within the permitted building envelope and permitted by the SUP/PUD approval.

- (iv) The proposal conforms to this ordinance and is in keeping with the spirit and intent of the master plan; and

Finding: Based on the information submitted, Staff has determined that the finding **has been met** for the following reason(s):

1. The project, when approved, complied with all applicable standards of the Zoning Ordinance, PUD, and Master Plan.
2. The expansion is well within the spirit and intent of adopted Ordinances, Master Plan, and approvals.

(v) The amendment proposes no increase in density.

Finding: Based on the information submitted, Staff has determined that the finding **does not apply** for the following reason(s):

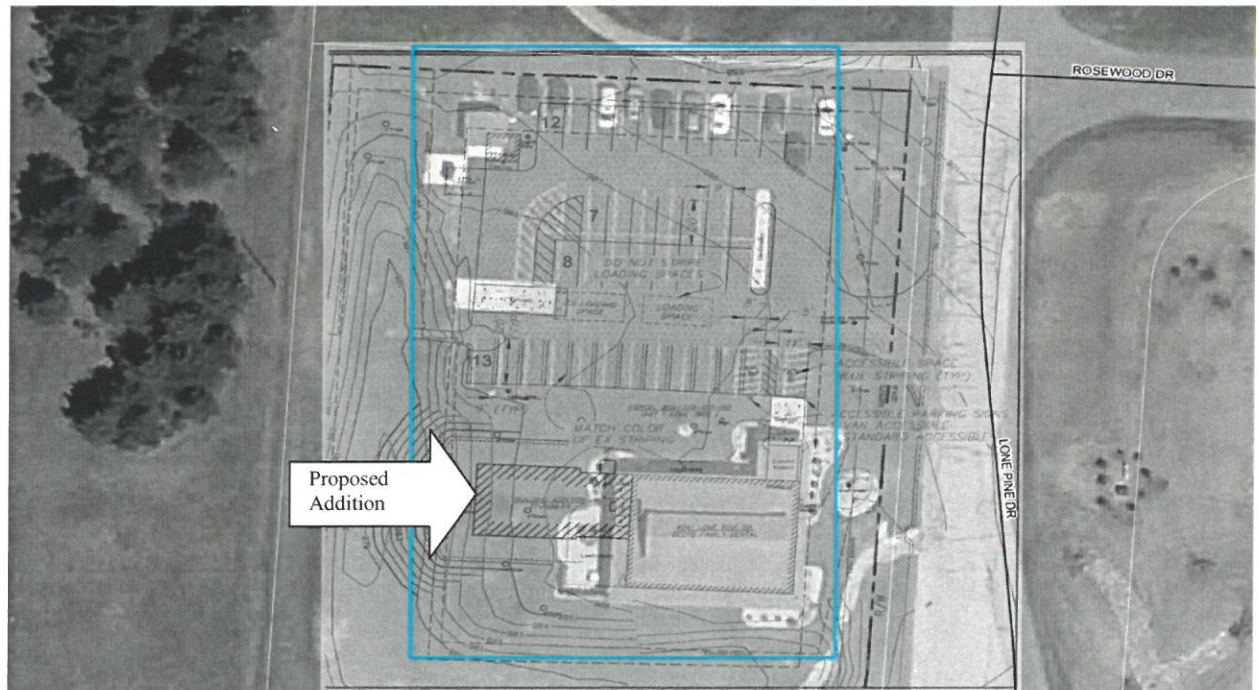
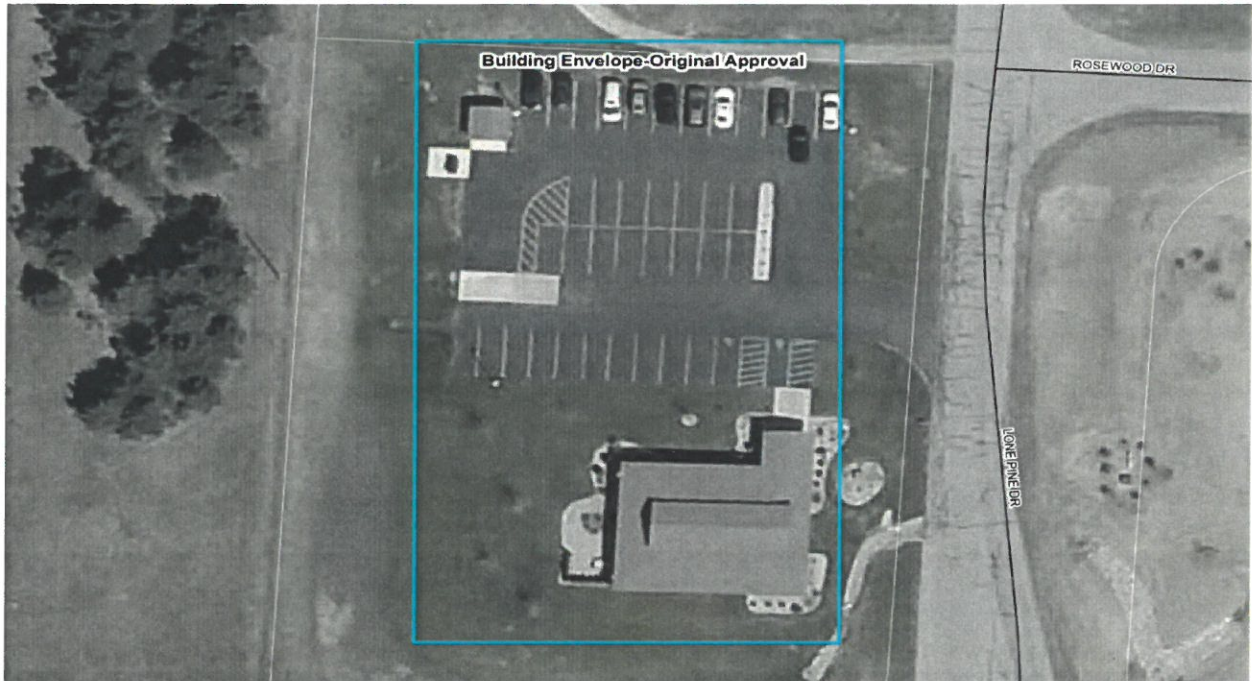
1. The project is not adding density to the Lone Tree PUD, rather it is completing the phased construction of the approved office building.

STAFF COMMENT:

Based on the information provided, it has been demonstrated that the standards and conditions for approval as set forth in the Garfield Township Zoning Ordinance have been met and the Amendment request is considered APPROVED. This approval is specific to the building addition as indicated in the submitted documentation. No other changes shall be acknowledged as a part of this Amendment.

Administrative SUP Amendment-Beers Dentistry

Below are illustrations of the originally approved building envelope (blue box) with and without site plan overlay:



Garfield Township Planning Commission Bylaws

The following rules of procedure are hereby adopted by the Garfield Township Planning Commission to facilitate the performance of its duties as outlined in the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, *et seq.*, and the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101, *et seq.*

SECTION 1: Officers

- A. **Selection and Tenure** - At the first regular meeting each January, the Planning Commission shall select from its membership a Chairperson, a Vice Chairperson and a Secretary. All officers shall serve a term of one year, or until their successors are selected and assume office, except as noted in Section 1.C, below. All officers shall be eligible for re-election for consecutive terms.
- B. **Chairperson** - The Chairperson shall preside at all meetings, appoint committees and perform such other duties as may be ordered by the Planning Commission.
- C. **Vice Chairperson** - The Vice Chairperson shall act in the capacity of the Chairperson in his/her absence. In the event the office of Chairperson becomes vacant, the Vice Chairperson shall succeed to this office for the unexpired term, and the Planning Commission shall select a successor to the office of Vice Chairperson for the unexpired term.
- D. **Secretary** - The Secretary shall execute documents in the name of the Planning Commission and shall perform such other duties as the Planning Commission may determine, including but not necessarily limited to the following:
 1. **Minutes** - The Secretary shall be responsible for maintaining a permanent record of the minutes of each meeting and shall have them recorded in suitable permanent records maintained by the township clerk. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and record of votes, conditions or recommendations made on any action and record of attendance.
 2. **Correspondence** - The Secretary shall be responsible for issuing formal written correspondence with other groups or persons, as directed by the Planning Commission. All communications, petitions, reports or other written materials received by the Secretary shall be brought to the attention of the Planning Commission.
 3. **Attendance** - The Secretary shall be responsible for maintaining an attendance record for each Planning Commission member and report those records annually to the Planning Commission for inclusion in the annual report to the Township Board.
 4. **Notices** - The Secretary shall oversee the issuance of such notices as may be required by the Planning Commission, including Open Meetings Act notices, as well as notices required for specific planning or zoning actions under the Michigan Planning Enabling Act or the Michigan Zoning Enabling Act.
- E. **Recording Secretary** - The Planning Commission or Secretary may designate a Recording Secretary. The Recording Secretary shall not be a member of the Planning Commission or any of its committees, and shall perform the following duties:
 1. **Minutes** - Prepare a first draft of Planning Commission minutes for review and approval by the Planning Commission; and
 2. **Other Duties** - Perform such other duties as may be ordered by the Planning Commission or Secretary.

SECTION 2: Meetings

The business the Planning Commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act. The Planning Commission may establish reasonable rules and regulations in order to minimize the possibility of disrupting the meeting.

- A. Regular Meetings** - The Planning Commission shall hold not less than four regular meetings each year and by resolution shall determine the time and place of such meetings. Other meetings may be held as necessary. When a regular meeting falls on a legal holiday or upon a day resulting in a conflict, the Planning Commission shall, if possible, select a suitable alternate meeting date in the same month as the originally scheduled meeting.

Notice of regular Planning Commission meetings shall be posted at Garfield Township Hall within 10 days of the Planning Commission's first meeting in each calendar year in accordance with the Open Meetings Act.

- B. Special Meetings** - Special meetings may be called by the Chairperson or upon written request to the Secretary by at least two members of the Planning Commission.

Notice of special meetings shall be given to the members of the Planning Commission at least 48 hours prior to the meeting. Such notice shall state the purpose, time and location of the special meeting and shall be posted in accordance with the Open Meetings Act.

- C. Notice** - Notice required for specific planning, zoning or other land use actions will be given in accordance with the Michigan Planning Enabling Act, the Michigan Zoning Enabling Act, the Land Division Act, or other applicable statute.

- D. Public Hearings** - All public hearings held by the Planning Commission must be held as part of a regular or special meeting of the Planning Commission.

- E. Agenda** - The Director of Planning, subject to review and approval of the Chairperson, shall be responsible for preparing a tentative agenda for Planning Commission meetings. The agenda may be modified by action of the Planning Commission.

1. **Delivery of Agenda** - The agenda and accompanying materials shall be mailed to Planning Commission members so it is reasonably expected to be received prior to the weekend prior to the regular meeting date, generally accepted to be, but not always, mailed by first class mail on the Thursday of the week prior to the Planning Commission meeting.

2. **Placement of Items on the Agenda**

- a. The Planning Department shall be the office of record for the Planning Commission.
- b. The Planning Department shall receive items on behalf of the Planning Commission for placement on a future agenda.
- c. Items received by the Planning Department and determined to be incomplete shall not be placed on a Planning Commission agenda.
- d. Planning Commissioners may request future agenda items at any time during a regular or special meeting of the Planning Commission.
- e. The deadline to add items to the Planning Commission's meeting agenda shall be seven business days prior to the next regularly scheduled Planning Commission meeting. Items received by the Planning Department less than seven business days prior to the next regularly scheduled Planning Commission meeting shall not be placed on that meeting agenda except with the leave of the Chairperson.

- F. Quorum** - Four members of the Planning Commission shall constitute a quorum for transacting business and taking official action for all matters. No official action of the Planning Commission may be taken without a quorum present.

- G. Voting** - An affirmative vote of the majority of the members of the Planning Commission is required to approve any part of the master plan or amendments to the plan or to amend these bylaws. Unless otherwise required by statute, other actions or motions placed before the Planning Commission may be adopted by a majority vote of the members present and voting, as long as a quorum is present. Voting shall be by voice vote. A roll call vote shall be recorded only if requested by any Planning Commission member or directed by the Chairperson. Except in the case of a conflict of interest, all Planning Commission members, including the Chairperson and ex officio member, shall vote on all matters.
- H. Parliamentary Procedure** - Parliamentary procedure in Planning Commission meetings shall be informal. However, if required to keep order, Planning Commission meetings shall then be governed by the then current *Robert's Rules of Order* for issues not specifically covered by these Bylaws. Where these Bylaws conflict, or are different than *Robert's Rules of Order*, then these Bylaws control.
- I. Liaisons** - The purpose of liaisons is to provide certain Township officials and quasi-officials the ability to participate in discussions with the Planning Commission, in addition to speaking in public participation. Liaisons cannot vote, introduce motions, initiate any other parliamentary action, be counted for a quorum or be expected to comply with the attendance requirements of these bylaws. Liaisons, if not already appointed Planning Commission members, are:
1. Planning Department staff, and their agents and consultants.
 2. The Planning Commission's consultants.
 3. Township Attorney.
 4. Township zoning, building or similar department heads.
 5. Township Supervisor.
 6. Grand Traverse County department heads or their representatives.
 7. Emergency services representatives.
 8. Northwest Michigan Council of Governments Planning Staff.
- J. Public Participation** - All regular and special meetings, hearings, records, and accounts shall be open to the public.
1. **Public Comment**
 - a. All public comment at scheduled public hearings shall be received after the Chairperson has introduced that agenda item, staff has presented a review of the item, and the applicant has made a presentation as appropriate. After the public hearing has been closed, public comment is normally not allowed; however, the Planning Commission may direct questions to members of the public.
 - b. Those making public comment at a scheduled public hearing are expected to be familiar with the issue and have prepared comments ahead of time. To help the public in preparing for the meeting, any written material shall be made available without cost for members of the public asking for a copy prior to the meeting.
 - c. At the discretion of the Chairperson, unless overruled by a majority vote of the Planning Commission members present, public comment on agenda items that are not scheduled public hearings may be invited or received during the discussion of the current agenda item.
 - d. All public comment on non-agenda items should be presented near the end of the meeting where provided for in the printed agenda.
 2. **Time Limits** - The Chairperson may limit the amount of time allowed for each person wishing to make public comment at a Planning Commission meeting. The Chairperson may ask members of the audience to caucus with others sharing similar positions so they may select a single spokesperson. If a single spokesperson is selected, that individual shall be able to make public comment at the Planning Commission meeting with an extended time limit.

- K. Recess** - The Chairperson, or the Planning Commission, after the meeting has been in session for two hours, may suspend the Planning Commission's business and evaluate the remaining items on its agenda. The Planning Commission may then decide to finish that meeting's agenda, may act to continue the meeting on another day, may complete some agenda items and continue the meeting on another day to complete other agenda items or may postpone certain agenda items to the next meeting. If applicable, such action shall include the time, day, month, date, year, and location the Planning Commission will reconvene. If more than 36 hours will pass before the reconvened Planning Commission meeting, public notice shall be given to comply with P.A. 267 of 1976, as amended, (being the Michigan Open Meeting Act M.C.L. 15.261 *et seq.*). Upon reconvening, a roll call of attendance shall be the first item of business before proceeding with the same agenda. The Planning Commission meeting shall resume with the same meeting agenda, proceeding at the same point where they left off, without the addition of additional business.
- L. Public Records** - All meetings, minutes, records, documents, correspondence and other materials of the Planning Commission shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.

SECTION 3: Duties of the Planning Commission

The Planning Commission shall perform the following duties:

- A.** Prepare, review and update a master plan as a guide for development within the Township's planning jurisdiction.
- B.** Take such action on petitions, staff proposals and Township Board requests for amendments to the master land use plan as required.
- C.** Prepare, review and update a zoning ordinance to regulate development within the Township's planning jurisdiction.
- D.** Take such action on petitions, staff proposals and Township Board requests for amendments to the zoning ordinance as required.
- E.** Take such actions as authorized or required by the Michigan Planning Enabling Act, including the review of capital improvement projects under Section 61 of said Act.
- F.** Take such actions as authorized or required by the Michigan Zoning Enabling Act.
- G.** Make recommendations to the Township Board with respect to an ordinance to regulate subdivision and land division development within the Township.
- H.** Review subdivision proposals and recommend appropriate actions to the Township Board.
- I.** Annually prepare and recommend to the Township Board a capital improvements program (CIP) of public structures and improvements anticipated over the following 6 year period. At least one public hearing shall be held by the Planning Commission prior to adoption. After the final public hearing, the Planning Commission shall formally approve a CIP in the form of a recommendation to the Township Board for adoption.
- J.** Receive and review administrative policies and interpretations of the Director of Planning and Zoning Administrator.
- K.** Perform other duties and responsibilities or respond as requested by any Township Board or commission.
- L.** Review and provide input on the Planning Department and Planning Commission budget requirements for the fiscal year and request appropriations as necessary.

- M. Review and recommend the selection of consultants for planning related work projects.
- N. Annually review and approve priorities for the Planning Commission's plan of work.
- O. Prepare an annual written report to the Township Board of the Planning Commission's operations and the status of planning activities, including recommendations regarding actions by the Township Board related to planning and development.
- P. Review and determine on such other matters as the Director of Planning shall find it advisable or essential to receive consideration by the Planning Commission.

SECTION 4: Committees

- A. **Ad Hoc Committees** - The Planning Commission or Chairperson may establish and appoint ad hoc committees for special purposes or issues, as deemed necessary. Less than a quorum of the Planning Commission may serve on an ad hoc committee at any given time.
- B. **Citizen Committees** - The Planning Commission, or the Chairperson or Director of Planning with the consent of the Planning Commission, may establish and appoint citizen committees. Membership can be any number, so long as less than a quorum of the Planning Commission serves on a citizen committee at any given time. The purpose of a citizen committee shall be to have more citizen and municipal government involvement, to be able to use individuals who are knowledgeable or expert in the particular issue before the Planning Commission and to better represent various interest groups in the Township.

SECTION 5: Rules of Procedure for All Committees

- A. **Subservient to the Commission** - All committees are subservient to the Planning Commission and shall report their recommendations to the Planning Commission for review and action. The Planning Commission shall have the authority to accept, reject or revise any recommendation of any committee.
- B. **Same Principles** - The same principals of these Bylaws for the Planning Commission shall also apply to all committees of the Planning Commission including, but not limited to:
 - 1. **Officers** - Officers of committees are appointed by the Chairperson of the Planning Commission at the time the committee is created, or are elected by the committee's membership at their first meeting. Officers, at a minimum, include a Chairperson and Secretary/Vice-Chairperson.
 - 2. **Quorum** - A committee's quorum shall be a majority of the total appointed membership of the committee.
 - 3. **Voting** - Only those appointed members of a committee, who are present at the time of a vote, shall be eligible to cast a vote.
 - 4. **Attendance** - If any member of a committee is absent from three consecutively scheduled meetings, then that member shall be considered delinquent. Delinquency shall be grounds for the Planning Commission to remove any member from the committee. The committee Secretary/Vice-Chairperson or acting committee Secretary in the absence of the elected committee Secretary/Vice-Chairperson shall keep attendance records and notify the Planning Commission of any committee member who is absent from three consecutively scheduled meetings so that the Planning Commission may consider removal of the individual from the committee or excuse the absences.

5. **Minutes** - The Secretary/Vice-Chairperson of the committee shall keep minutes of the committee meetings in the same format used by the Planning Commission and filed in the same office as the Planning Commission's minutes. The Recording Secretary appointed pursuant to Section 1. E. may also be assigned the duty of taking Minutes at committee meetings.
6. **Staff** - Committees shall have reasonable use of Planning Department staff time and assistance and direction for performing the work of the committee.
7. **Public** - All committee meetings are open meetings available for public attendance and participation and minutes of the meetings are to be available for public inspection under the same principals found in P.A. 267 of 1976, as amended, (being Michigan Open Meetings Act, M.C.L. 15.261 *et seq.*).
8. **Subcommittees** - Citizen committees may form subcommittees from their own membership and/or with additional citizens when deemed necessary. Subcommittees are subservient to the parent committee. Subcommittees are informal, not requiring quorums, attendance requirements, minutes, or public participation. Subcommittee membership shall consist of less than half the parent committee's membership.

SECTION 6: Duties of all Members.

A.

A. Ex Parte contact

1. Members shall avoid *Ex Parte* contact with a land use applicant and members of the public about cases where an administrative decision is pending before the Planning Commission whenever possible. "*Ex Parte* contact" means contact outside of a regular public meeting.
2. Despite one's best efforts it is sometimes not possible to avoid *Ex Parte* contact. When that happens, the member should take detailed notes on what was said and report to the Planning Commission at a public meeting or hearing what was said, so that every member and other interested parties are made aware of what was said.

B. Accepting gifts

1. A member of the Planning Commission or a liaison thereto shall not accept any gift from anyone connected with an agenda item before the Planning Commission.
2. As used here, gifts shall mean cash, any tangible item or service, regardless of value, and food valued over \$10.
3. This section does not apply to the Planning Commission accepting gifts for the exercise of its functions pursuant to M.C.L. 125.3823(3), §23(3) of the Michigan Planning Enabling Act.

C. Deliberation to Occur at Public Meetings

Free and open debate should take place on issues before the Planning Commission. Such debate shall only occur at meetings of the Planning Commission.

- #### **D. Training**
- Provided the adopted Garfield Township budget for that fiscal year includes funds to pay for necessary tuition, registration, and travel expenses, each member shall have attended at least four hours per year of training in planning and/or zoning during the member's current term of office. Failure without cause to meet the training requirements shall be grounds for the member not being reappointed to the Planning Commission. Training shall be provided by one or more of the following organizations: Michigan Association of Planning, American Planning Association, Michigan State University Extension, Michigan Townships Association, Michigan Municipal League, continuing education programs of Michigan State University, University of Michigan, Northern Michigan University, Central Michigan University, Wayne State University, County

Planning Staff, Township Planning Staff or other organization as approved by the Planning Commission or Township Board.

SECTION 7: Absences, Removals, and Resignations

- A.** To be excused from a meeting, members of the Planning Commission shall notify the Chairperson or Director of Planning when they intend to be absent. Failure to make this notification prior to the meeting shall result in an unexcused absence.
- B.** Members may be removed by the Township Board for misfeasance, malfeasance or nonfeasance in office upon written charges and after a public hearing.
- C.** Absence from three consecutive regularly scheduled meetings shall be grounds for the Township Board to remove a member from the Planning Commission for nonperformance of duty, or nonfeasance. The Secretary, or Acting Secretary in the absence of the elected Secretary, shall keep attendance records and shall notify the Township Board whenever any member of the Planning Commission is absent from three consecutive regularly scheduled meetings, so the Township Board can consider further action allowed under law or excuse the absences.
- D.** A member may resign from the Planning Commission by sending a letter of resignation to the Township Board.

SECTION 8: Conflict of Interest

- A. Disclosure** - Before participating in any discussion or casting a vote on a matter on which a Planning Commission member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the Planning Commission. Failure of a member to disclose a potential conflict of interest as required by these bylaws constitutes malfeasance in office.
- B. Definition** - Conflict of interest is defined as, and a Planning Commission member shall declare a conflict of interest and abstain from participating in Planning Commission deliberations and voting on a request, when:
 - 1. An immediate family member is involved in any request for which the Planning Commission is asked to make a decision. "Immediate family member" is defined as a spouse, child, step-child, grandchild, parent, brother, sister, grandparent, parent in-law, grandparent in-law, or a member of his or her household.
 - 2. The Planning Commission member has a business or financial interest in the property involved in the request or has a business or financial interest in the applicant's company, agency or association.
 - 3. The Planning Commission member owns or has a financial interest in neighboring property.
 - 4. There is a reasonable appearance of a conflict of interest.
- C. Determination** - If there is a question whether a conflict of interest exists or not, the question shall be put before the Planning Commission. Whether a conflict of interest exists or not shall be determined by a majority vote of the remaining members of the Planning Commission. In the event the Planning Commission makes the determination, the Planning Commission shall apply the foregoing definition under Section 8 B. to the extent possible.
- D. Required Actions** - When a conflict of interest exists, the member of the Planning Commission, or committee, shall do all of the following immediately, upon first knowledge of the case and determining that a conflict exists:
 - a. Declare that a conflict exists at the next meeting of the Planning Commission or committee:
 - b. Cease to participate in an official capacity, as a Planning Commissioner or committee member, at the Planning Commission or committee meetings, or in any other manner.

- c. During deliberation of the agenda item before the Planning Commission or committee, leave the meeting or remove one's self from the front table where members of the Planning Commission or committee sit, until that agenda item is concluded.

E. Incompatible Office – Before a member of the Planning Commission accepts appointment to another public office, the member shall take steps to determine whether the other office is incompatible with his or her membership on the Planning Commission and is encouraged to consult with the Township Supervisor or the Planning Commission Chairperson before accepting the other public office. If a Planning Commission member does accept another public office, the member shall report the decision to either the Chairperson of the Planning Commission or to the Township Supervisor. If as a matter of law, the two positions are incompatible, the Planning Commissioner shall take steps to remove the incompatibility by either resigning from the other public office, or by resigning from the Planning Commission. If the Planning Commission member fails to remove the incompatibility, he or she may be removed from the Planning Commission as provided for by law.

SECTION 9: Mileage and Per Diem

A per diem shall be paid to members of the Planning Commission at rates established by the Township Board for attending Planning Commission meetings. Mileage and per diems may be paid, at rates established by the Township Board, for other authorized meetings and trips to represent the Township, if those Planning Commission members bill the Township for the same. Only mileage that has been authorized shall be paid for attendance at ad hoc committee meetings, if those Planning Commission members bill Township for the same. No mileage or per diem is paid to any members of a citizen committee, unless authorized and budgeted by the Township Board with recommendation by the Planning Commission.

SECTION 10: Planning Department Staffing

Notwithstanding the provisions of Section 12.A of Ordinance No. 53, Charter Township of Garfield Planning Commission Ordinance, all Planning Department staff shall be hired or dismissed only by action of the Township Board.

SECTION 11: Adoption, Repeal, Amendments

- A. These bylaws may be amended at any meeting by a vote of the majority of the membership of the Planning Commission.
- B. Upon adoption of these Bylaws, they shall become effective and all previous Bylaws shall be repealed.
- C. The Planning Commission may suspend any one of these Bylaws, for a duration of not more than one agenda item or meeting.
- D. These Bylaws may be amended at any regular or special meeting by a majority vote of the Planning Commission members.

Adopted by the Garfield Township Planning Commission at a regular meeting held on September 9, 2009.

Linda McGuire, Secretary
Garfield Township Planning Commission