

**CHARTER TOWNSHIP OF GARFIELD
PLANNING COMMISSION MEETING
March 11, 2020**

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

Pledge of Allegiance

The Pledge of Allegiance was recited by all in attendance.

Roll Call of Commission Members:

Present: Robert Fudge, Steve Duell, Joe McManus, Chris DeGood, Joe Robertson, and Pat Cline

Absent and Excused: John Racine

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

1. Public Comment (7:01)

Jill Dugood of Keystone Drive commented on the Consumers Energy Boardman Substation project.

2. Review and Approval of the Agenda – Conflict of Interest (7:02)

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

Yeas: Duell, Fudge, McManus, Cline, DeGood, Robertson

Nays: None

3. Minutes (7:02)

a. February 26, 2020

Fudge moved and Robertson seconded to adopt the minutes of February 26, 2020 as presented.

Yeas: Fudge, Robertson, Duell, DeGood, Cline, McManus

Nays: None

4. Correspondence (7:03)

Several pieces of correspondence including a traffic impact study for Chick-fil-A, a letter from Gourdie Fraser regarding the Chick-fil-A project, an email from MDOT regarding the Chick-fil-A project and a letter regarding the Memorial Garden cemetery which is next to the proposed Chick-fil-A project.

5. Reports (7:04)

Township Board Report

Duell had no report.

Planning Commissioners

McManus said that there is work being done on LaFranier Road and asked which project it was. Sych said it was the Village at LaFranier Woods site. Sych further noted that no land use permit has been issued, however, it may be remediation activities being conducted on the site due to contaminated soils.

Staff Report

No reports.

6. Unfinished Business**a. PD 2020-42 Consumers Energy Boardman Substation SUP Public Hearing (7:08)**

This application requests approval of a Special Use Permit for Consumers Energy to expand its existing Boardman Substation located at the corner of Cass and Keystone roads. The substation is considered a major essential service, which is permitted by special use permit in any zoning district. Doug Deyoung from Consumers Energy said that they are enhancing the existing primary substation that has existed since 1930. He said the updated substation is a matter of safety and reliability for Consumers customers. Commissioners discussed landscaping on the site. Deyoung stated that a complete buffer would not be possible based on Consumers' safety standards for its sites and nearby easements. Developers said that the location of the access drive depends on the proposed roundabout location. Commissioners also asked about lighting.

McManus opened the Public Hearing at 7:21 p.m.

Forrest Erickson of Cass Road asked about effects of the project on his neighboring property.

Tom Schlehuber of Keystone Road asked about effects on his property.

John Weir of Keystone Road said he owns a neighboring property and asked about landscaping and buffering. He added that Consumers could plant on his property as well. Commissioners proposed that he and Consumers work together on a solution.

The Public Hearing was closed at 7:29 p.m.

Driveway improvements were discussed, and it will remain a gravel drive.

Planners said that a new photometric plan was submitted which clarified landscaping, lighting and elevations.

DeGood moved and Robertson seconded to direct Staff to prepare Findings of Fact for application SUP-2019-07 submitted by Consumers Energy for a Special Use Permit for expansion of an existing major essential service facility at 825 Cass Road.

Yeas: DeGood, Robertson, Fudge, Cline, Duell, McManus

Nays: None

- b. PD 2020-41 – Good News Automotive Rezoning Public Hearing (7:39)**
 This application requests the rezoning of one parcel at 3300 Cass Road, totaling 0.96 acres, from the I-G General Industrial district to the C-G General Commercial district through the zoning Map Amendment process, without restriction.
 McManus opened the Public Hearing at 7:40pm and seeing no one wishing to speak, closed the Public Hearing. Staff indicated that Planning Commissioners may potentially see more of this type of township proposed rezoning.

Duell moved and Fudge seconded to direct Staff to draft Findings of Fact for application Z-2020-01.

*Yeas: Duell, Fudge, DeGood, Cline, Robertson, McManus
 Nays: None*

- c. PD 2020-44 – Traverse Hospitality 2 Review of Wetland Approval Condition (7:43)**
 Last fall, Traverse Hospitality 2 submitted a site plan for an approximately 6.75-acre site located at 3570 and 3654 N. US 31 South. The Planning Commission granted site plan approval with conditions on October 9, 2019. One condition asked for a wetland delineation certified by EGLE and to meet wetland setbacks. Since then, the applicant has submitted additional information indicating they had a pre-application meeting with EGLE, who did not anticipate any wetland issues with the proposed development. Also, the location of the creek and likely wetlands are significantly downhill from the development and outside the required wetland setback area. Based on this information, Staff indicated that the wetland delineation certification from EGLE would not be necessary and that condition #8 from their previous approval should be rescinded.

DeGood moved and Duell seconded THAT condition #8 of application SPR 2019-05 approved on October 9, 2019 be rescinded as additional information submitted by the applicant's representative, Mansfield Land Use Consultants in a letter dated February 27, 2020, indicates the wetland setback requirement has been met and to refer to attachments 1-4.

*Yeas: DeGood, Duell, Fudge, Robertson, Cline, McManus
 Nays: None*

7. New Business

- a. PD 2020-40 Chick-fil-A SUP Intro (7:45)**
 Progressive AE is requesting approval of a Special Use Permit for a proposed 4,998 square foot restaurant with seating for 110 inside the building and 12 outside on the patio. There will be parking for 71 vehicles and a drive-through with 32 stacking spaces. Drive-through uses are permitted via Special Use Permit in the C-G General Commercial District.

Justin Lurk of Chick-fil-A commented on the project and said that they felt that they have met the intent of the ordinance. Traffic studies have been done and MDOT saw no issues. They have been urged to have a connection to the light at the neighboring Walgreens to encourage traffic flow and a formal agreement is already being drafted. Commissioners asked questions about the dumpster corral and the 10% grade between the properties. Developers said that the grade would gradually go to 5% to meet with the existing grade. Sych discussed the buffers and parking spaces.

Duell moved and Cline seconded that application SUP 2020-01, submitted by Progressive AE, for a Special Use Permit for a drive-through restaurant at Parcels 05-016-002-10 and 05-016-007-10, BE ACCEPTED and BE SCHEDULED for a public hearing for the April 8, 2020 Regular Planning Commission meeting, subject to the following additional information being provided by the applicant:

1. *Stormwater, water/sewer utilities, and the traffic impact study will be reviewed by the Township Engineer.*
2. *The proposed parking area encroaches onto the adjacent parcel. All off-street parking spaces shall be located on the lot occupied by the building, structure or use for which the parking spaces are required. To address this deficiency, the number of parking spaces need to be reduced and reconfigured.*
3. *A no-build buffer strip, not less than ten (10) feet in width, shall be required on the perimeter of every parking area, drive, shared drive, alley or loading area that is not located adjacent to a building. This buffer strip shall be used for landscaping, screening or drainage. A portion of the buffer strip on the south side of the parcel is impeded by parking spaces. Reducing and reconfiguring the number of parking spaces will help to provide an area for the buffer strip.*
4. *In lieu of the required buffer to the east, a screening fence is proposed along the east lot line. Where a screen of non-living material is used, at least one (1) shrub or vine shall be planted on the neighboring residential property side for each ten (10) lineal feet of the screen.*
5. *Details of the lighting fixtures shall be noted on the plan to ensure that the fixtures have full cut-off and shall not direct light upwards.*

Yeas: Duell, Cline, Fudge, Robertson, DeGood, McManus

Nays: None

b. PD 2020-45 – 3077 Garfield Conditional Rezoning Intro (8:11)

This application requests conditional rezoning of an approximately 2.85-acre portion of a 4.43-acre parcel, Parcel #05-014-077-00, at 3077 Garfield Road. The process for a conditional rezoning is described in Section 422 of the Zoning Ordinance including that the applicant brings forward a proposed set of conditions and that Commissioners cannot mandate any changes to the proposed conditions. Commissioners

discussed the proposal which would conditionally rezone the rear of the parcel to I-G General Industrial but with the only allowed use as small warehousing facilities, whereas the front of the parcel would remain C-G General Commercial. Commissioners discussed potential issues with the proposal including split zoning. Thomas Krause, representing applicant Premier Space Solutions, spoke regarding the project and outlined the building uses. The applicant and the Commissioners discussed the four proposed conditions and the access to the rear of the property.

DeGood moved and Fudge seconded that application Z-2020-03 BE SCHEDULED for public hearing for the April 8, 2020 Planning Commission Regular Meeting.

*Yeas: DeGood, Fudge, Cline, Duell, Robertson, McManus
Nays: None*

c. PD 2020-39 – 4051 Cedar Run Rezoning Intro (8:32)

This application requests the rezoning of one parcel at 4051 Cedar Run Road, totaling 3.75 acres, from the R-1 One-Family Residential zoning district to the C-O Office Commercial zoning district through the zoning Map Amendment process without restriction. The site is currently vacant and is located on the south side of Cedar Run Road between Front Street/North Long Lake Road and Barney Road. The neighborhood includes a mix of medical offices and other small commercial and office uses. Hannon said that this request is not consistent with the Master Plan, however, there are several office and commercial uses along the corridor. Wetlands on the site may determine what portion is buildable. Chris Millward and Erik Gruber said they wish to build a 4000-5000 square foot office building with low traffic. Commissioners discussed access to the property via a shared easement since they may want to build in the middle of the parcel. Commissioners mentioned a conditional rezoning or possibly splitting the parcel and thought that a wetland delineation was needed to determine how to move forward.

Robertson moved and Fudge seconded THAT application Z-2020-02 BE POSTPONED for further information and an EGLE wetland delineation.

*Yeas: Robertson, Fudge, Duell, DeGood, Cline, McManus
Nays: None*

d. PD 2020-43 – Shoe Dept Encore Sign Review/Grand Traverse Mall (9:08)

The applicant is proposing a 100-foot sign for Shoe Dept. Encore located on the south side of the Grand Traverse Mall adjacent to the food court entrance. The sign is proposed to be located next to the existing Dunham's Sports store sign. Since that sign was installed, the Zoning Ordinance has been amended and the proposed sign would not be permitted since this store will not have an exterior storefront. However,

the Zoning Ordinance states that any proposed signage not meeting the standards for wall signs may be approved by the Planning Commission based upon certain conditions. Steve Russell representing Brookfield Properties, the applicant, said he is really asking for a variance from the Planning Commission to allow for this signage. He asked the Planning Commissioners to consider amending the entire sign ordinance for the mall and others in C-P districts. Russell added that the current sign ordinance hinders getting new tenants in the mall and leads to economic hardship at the mall. Malls function differently and the issue is getting traffic inside the mall. Planning Commissioners encouraged staff to work with the applicant and their representatives to solve this issue of interior tenants with exterior signage. Hannon asked the applicant if there were any examples of traditionally enclosed malls where the interior tenants have exterior signage. Sych said that any action would require an ordinance amendment and Commissioners were open to such an action. Sych said that commissioners had to deny this application and then the applicant could come forward with another application in the future to change the ordinance. Sych suggested a discussion at the next study session regarding this issue.

DeGood moved and Fudge seconded THAT application 1990-04-H, submitted by Grand Traverse Mall, LLC dated January 24, 2020, to install an exterior wall sign for Shoe Dept. Encore on parcel 05-021-015-00, BE DENIED.

*Yeas: DeGood, Fudge, Cline, Duell, Robertson, McManus
Nays: None*

8. **Public Comment**

Ed Roy commented on the Chick-fil-A project.

9. **Other Business**

a. **Barlow Garfield Neighborhood Plan – Recommend to TB for Distribution (9:46)**

The Barlow Garfield Neighborhood Plan can now be referred to the Township Board, who would then approve the Plan for distribution to stakeholders and the public for the 42-day public comment period as required by the Michigan Planning Enabling Act. Sych showed the Commissioners a four-page summary document of the Plan for the purpose of providing information to interested developers and investors. Commissioners suggested minor revisions to the four-page summary.

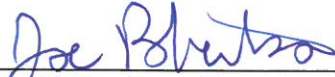
Duell moved and Cline seconded to recommend to that the Township Board approve the Barlow Garfield Neighborhood Plan as drafted with revisions and distribute according to the Michigan Planning Enabling Act.

*Yeas: Duell, Cline, Robertson, Fudge, DeGood, McManus
Nays: None*

10. **Items for Next Agenda – March 25, 2020**
 - a. **Redevelopment Ready Communities - Introduction**
 - b. **Sign Ordinance in C-P District**

11. **Adjournment**

Fudge moved to adjourn the meeting at 9:54pm



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