

CHARTER TOWNSHIP OF GARFIELD
PLANNING COMMISSION MEETING

Wednesday, March 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. March 14, 2018
3. Correspondence
4. Reports
 - a. Township Board
 - b. Planning Commissioners
 - c. Planning Department
5. Business to Come Before the Commission
 - a. PD 2018-40 Continued Discussion Service Drives Proposed Amendment
 - b. PD 2018-41 Continued Discussion of the 2018 Draft Master Plan
6. Public Comment
7. Items for Next Agenda – April 11, 2018

To be determined
8. Adjournment

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

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**CHARTER TOWNSHIP OF GARFIELD
PLANNING COMMISSION MEETING
March 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, and John Racine

Absent and Excused: Gil Uithol

Staff Present: Deputy Planner Erik Perdonik

1. Review and Approval of the Agenda – Conflict of Interest (7:00)

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

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

Nays: None

2. Minutes (7:01)

a. February 28, 2018 Regular Meeting Minutes

DeGood moved and McManus seconded to approve the minutes of the February 28, 2018 Regular Meeting as amended removing the words “and re-approved” from item 6.g.

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

Nays: None

Racine pointed out that according to the by-laws, Commissioners shall avoid “ex parte” communication with an applicant or the public outside of the meeting. He said that he has found that to be helpful in the past and would not want that to be changed..

3. Correspondence (7:03)

None

4. Reports (7:04)

Township Board Report

Duell reported that a tax exemption was approved for Traverse Area Machining, Aspen Hills Apartment Complex was granted a PILOT for remodeling and attorneys for the Buffalo Ridge PUD are drafting an agreement. He added that if the agreement came back to the Board with any significant changes, he would recommend that it be remanded back to the Planning Commission for further review. The Board also passed a resolution for the River East development project.

Planning Commissioners

None

Planners Department

None

5. Business to Come Before the Commission**a. PD 2018-31 Amber Rousseau – 1296 Silverwood – Daycare 12 or less (7:08)**

The applicant is seeking approval for a child care facility with 12 children or less located at her home – 1296 Silverwood Drive. The applicant is currently operating a daycare with 6 children and is wanting to expand. The use is allowed by Special Use Permit in the R-1 One Family Residential District. Perdonik said that there were several approval criteria and all were met. He went on to say that the matter does not require a public hearing and that there have been no complaints about the daycare. Commissioners asked about traffic, other daycares in the area and the hours of operation. Rousseau said that even though her hours end at 5:00pm, she would appreciate the extension of hours until 6:00pm in the application.

Duell moved and Robertson seconded that SUP 2018-01 for a Special Use Permit to operate a Childcare, Small Group Home (12 or less) facility at 1296 Silverwood Drive, in accordance with Section 719 of the Garfield Zoning Ordinance, BE APPROVED, subject to the following conditions:

1. *That the applicant remain in compliance with State of Michigan licensing requirements for a childcare facility for up to 12 children at all times.*
2. *That the facility operate between the hours of 6:00am to 6:00pm, Monday – Friday, with the exception of occasional evening events for parents.*

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

Nays: None

b. PD 2018-28 Introduction – Dennis Banton/Arlene F. Banton – 3717 S. Airport Rezone (7:15)

Perdonik stated that the applicant wants to rezone a 3.14 acre parcel from the A- Agricultural District to R-3 Multi-Family Residential. The parcel is bordered by one (1) dwelling and a landscape business to the west; W. South Airport Road to the north; A service drive providing access to the Sam's Club parking lot to the east and Sam's Club to the south. As the Master Plan reads right now, the future land use is compatible. The proposed Master Plan would not be compatible with the proposed use. Commissioners saw the proposed zoning change as a buffer between the commercial zoning and single family residential zoning. Under the Zoning

Ordinance, the burden is on the applicant to justify the rezoning. The Director of Planning has waived the written impact statement for this application. Commissioners discussed curb cuts and how to access the property. Sewer and water would have to be hooked up for any development, but both utilities are in close proximity. Perdonik said that this is a small parcel and could be looked at as spot zoning. Staff will communicate with the applicant that the size of the parcel may be an issue and possibly other adjoining properties may want to be rezoned in this application as well.

Robertson moved and McManus seconded THAT application Z-2018-01, submitted by Dennis Banton to rezone parcel 05-021-048-00 from the A- Agricultural District to the R-3 Multi-Family-Residential District, BE ACCEPTED with or without adjoining parcels and scheduled for public hearing at a meeting to be held on April 11, 2018.

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

c. PD 2018-29 Brickways/Church of Christ Map Amendment Findings of Fact (7:32)

The request is to rezone approximately 12 acres of land for the R-1 One-Family Residential District to the R-3 Multi-Family Residential District, without restriction. The Findings of Fact have been drafted and staff has nothing to add. Commissioners said that development to the east of the property needs to be protected from development due to the steep terrain.

Duell moved and Robertson seconded THAT the Planning Commission's adopted Findings of Fact for Application Z-2017-06, attached to PD Report 2018-29 and forming part of this motion, BE APPROVED.

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

Duell moved and Robertson seconded THAT application Z-2017-06, submitted by Grand Traverse Engineering, LLC to rezone lands along Rennie Street to R-3 Multi-Family Zoning District, and constituting amendment No. 9 to the Garfield Township Zoning Ordinance, BE RECOMMENDED FOR APPROVAL to the Garfield Township Board, based on the approved Findings of Fact and for the reasons set out in report PD-2018-29.

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

7. Public Comment (7:36)
None

8. **Items For Next Agenda – March 28, 2018 (7:36)**


Perdonik said there will be revised drafts for the Service Drive ordinance, C-P Shopping District ordinance as well as a land use map discussion.

Commissioners discussed the timing of the proposed master plan. Staff will clarify the 63 day period of review and what needs to be done in that timeframe.

9. **Adjournment**

Racine adjourned the meeting at 7:47pm.

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

		Charter Township of Garfield	
		Planning Department Report No. 2018-40	
Prepared:	March 20, 2018	Pages:	Page 1 of 1
Meeting:	March 28, 2018-Planning Commission	Attachments:	<input checked="" type="checkbox"/>
Subject:	(2 nd) 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 second *draft* of an amended version of Section 512 Service Drives. Staff hopes to hear Commissioners' thoughts on the *draft* after having taken into account the comments at the February 28, 2018 Work Session. 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.

SECTION 512 Service Drives

Service drives are intended to provide safe access to parcels while limiting access points onto state highways, and **identified** 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, **identified** 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, **platted subdivision 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 **US-31, Hartman and Hammond Roads** are required to have a minimum road access spacing of 600 feet.
- c. The ~~Director of Planning~~ **Planning Commission** 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 that the separation distance is not less than 300 feet on ~~county primary roads~~ **Garfield Road, LaFranier Road, East Silver Lake Road, North Long Lake Road, Townline Road and 500 feet on Hammond Road, Hartman Road and US -31.**

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 **but not including gravel.**
- 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. 2018-41	
Prepared:	March 20, 2018	Pages:	Page 1 of 1
Meeting:	March 28, 2018-Planning Commission	Attachments:	<input checked="" type="checkbox"/>
Subject:	Continued Discussion of 2018 Draft Master Plan		

STAFF COMMENT:

This report is intended to provide some context and address several issues that arose from the Commission's February 27, 2018 Work Session. First, the question of whether the 63-day period for review of the Draft Master Plan by other interested jurisdictions can be shortened. If all comments have been received or the entity expresses that they have no comment, then the period can be shortened. However, of course, we would need comments from each entity or something indicating each entity's intent to provide none.

Second, the question of whether Commissioners are able to make changes to the Draft Master Plan after distribution to the Board and *while* the 63-day comment period is underway. The answer is no; the Planning Enabling Act does not contemplate this, simply because the Draft Plan would then differ from the version being commented on by other jurisdictions.

Third, Commissioners commented on the color scheme of the Draft Future Land Use Map and made comparisons with the 2007 map based on certain areas. It was expressed that comparison of the two maps might be easier with the same colors used. Staff would be glad to fulfill the request; however, it is not possible to do a true side-by-side comparison with these two maps for these reasons, among others:

- The color scheme used for the 2007 map was generated using old software that the Township no longer uses and the precise colors are not available in the new software that the Township uses to generate maps.
- Even with approximated matches in color, the 2007 map contains 13 land use designations and the Draft Map contains only 11, thereby making a visual district-by-district comparison very difficult. In addition, the new Draft Map follows the color scheme suggested by planning experts, such as the MSU Land Policy Institute, whereas the 2007 map does not.
- The 2007 map is not a true parcel-level map, whereas the Draft Map is, which further complicates meaningful comparison.

Clarification regarding what exactly the Planning Commission is looking for in terms of the comparison would be highly appreciated. For example, there seemed to be some confusion at the last Work Session regarding the purpose of a future land use map as opposed to the zoning map. The two maps should not match because the zoning map indicates what is allowed now, whereas the future land use map indicates what, as a matter of good planning policy, the Township would like to see in the future. Regardless, Staff would like the Commission to know that the Draft Map was drafted with very particular attention to observing landowners' existing

rights, while simultaneously discouraging the outward growth of the Township that could lead to a sprawling region which puts increased pressure on our infrastructure and the natural features that this area is noted for.

ACTION REQUESTED:

With this report hopefully providing additional context for the discussion, continue to discuss the proposed Draft Master Plan and please provide Staff with further direction regarding moving the Draft Plan toward adoption.