

CHARTER TOWNSHIP OF GARFIELD  
PLANNING COMMISSION MEETING

Wednesday, June 13, 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. May 23, 2018
3. Correspondence
4. Reports
  - a. Township Board
  - b. Planning Commissioners
  - c. Planning Department
5. Business to Come Before the Commission
  - a. PD 2018-63 - Conceptual Review Brickways -- Multi-Family Proposal
  - b. PD 2018-58 – U-Haul Findings of Fact
6. Public Comment
7. Items for Next Agenda – June 27, 2018

To be determined
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  
May 23, 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, Gil Uithol, Joe Robertson, Chris DeGood, Pat Cline, and John Racine

Absent and Excused: Steve Duell

Staff Present: Rob Larrea

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

*Uithol moved and DeGood seconded to approve the agenda as presented.*

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

*Nays: None*

2. **Minutes (7:01)**

a. **May 9, 2018 Regular Meeting Minutes**

*DeGood moved and Uithol seconded to approve the minutes of the May 9, 2018 Regular Meeting as amended noting that a public comment was made by “Mark Martin” and not Mark Barton.”*

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

*Nays: None*

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

None

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

**Township Board Report**

McManus was appointed to the Joint Planning Commission by the Board of Trustees.

**Planning Commissioners**

No reports

**Planners Department**

No report

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

**a. PD 2018-55 Public Hearing – C-P Planned Shopping Center Amendment (7:03)**

Larrea said that this amendment is designed to provide property owners with more flexibility in design and encourage infill development. The proposed amendment eliminates the drive-through prohibition; increases the allowed heights; and amends the setbacks to allow for outlot developments. Racine opened the Public Hearing at 7:06pm and seeing no one wishing to comment, closed the Public Hearing. Commissioners discussed the new 50 foot height allowance and questioned the front setbacks. Commissioners agreed to retain a 30 foot perimeter setback and a 10 foot interior setback.

*DeGood moved and Uithol seconded THAT Article 3, Section 322, Regulations and Conditions, be RECOMMENDED to BE AMENDED to read in its entirety as attached to Planning Department Report 2018-55 as amended by the Planning Commission.*

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

*Nays: None*

**b. PD 2018-53 Discussion Regarding Outdoor Sales Proposed Amendment (7:24)**

In reviewing the ordinance, staff realized that the statement which mandated that an outdoor sales area be located with “at least one property line on a major thoroughfare” as required by 765.A(1) would create a non-conformity in a plan which is being reviewed in the Planning Department at this time. Though wishing to help the applicant for which the amendment is intended for, commissioners are concerned with consequences for other properties. Staff will review the proposed ordinance for standards and bring it back to commissioners for further review.

**c. PD 2018-56 Continued Discussion of the 2018 Draft Master Plan (7:40)**

Staff has revised the map and believes that all requested changes have been made. Commissioners asked a couple questions regarding zoning of the Crown PUD and another area near N. Long Lake Road and Herkner.

*DeGood made a MOTION THAT the Draft 2018 Charter Township of Garfield Master Plan BE SUBMITTED to the Charter Township of Garfield Board of Trustees Robertson seconded.*

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

*Nays: None*

7. **Public Comment (8:01)**

None

8. **Items For Next Agenda – June 13, 2018 (8:01)**


To be determined

9. **Adjournment**

*Robertson moved and Cline seconded to adjourn the meeting at 8:02pm.*

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

 <b>Charter Township of Garfield</b> <b>Planning Department Report No. 2018-63</b>			
Prepared:	June 6, 2018	Pages:	1 of 2
Meeting:	June 13, 2018-Planning Commission	Attachments:	<input checked="" type="checkbox"/>
Subject:	Conceptual Review-Brickways Multi-Family Residential Project		
Applicant:	Grand Traverse Engineering, LLC		

**STAFF COMMENT:**

This application is for a conceptual review of a multi-family residential project on the 3.52-acre Brickways property on Rennie Street that was recently rezoned from R-1 to R-3. The units envisioned would be allowed via Special Use Permit (SUP) and, as required by the Ordinance, site plan calls for municipal water and sewer connections.

*Density:*

The concept plan proposes 3 buildings with 6 units in each, for a total of 18 units. This translates into a density of 6.82 units per acre, which is relatively low considering that the Master Plan anticipates up to 10 units per acre in High Density Residential areas.

*Parking:*

Parking is provided at approximately 1.8 spaces per unit, which is right in between the 1.5 minimum and 2.0 maximum called for in the Ordinance.

However, the applicant might consider reducing parking to free up additional space and reduce stormwater runoff, considering that it has been brought to light that many of the potential tenants will not own a car or be driving.

*Stormwater:*

Parking lot runoff will be handled via a storm sewer running to a large retention basin at the northwest corner of the property. However, considering the relatively steep slopes behind the buildings, Staff is curious as to how roof runoff will be handled. This issue can be further addressed once the applicant submits a formal stormwater plan.

*Access:*

The site plan shows a 24-foot wide paved access road with a 30-ft right-of-way easement. Typically, a 66-foot right-of-way would be required in this case; however, Section 521.F(1) of the Zoning Ordinance allows the flexibility for a reduced right-of-way under certain conditions. Due to the topography of the site, the reduced 30-foot right-of-way appears to be reasonable.

Rennie Street is not a high priority street in terms of access management and Staff is of the opinion that cross-access, if needed, can be addressed once the Church of Christ parcel to the south is developed. It appears that topography would prevent putting the access drive right up against the south property line at the western and eastern ends.

*Landscaping:*

A landscaping plan was not provided for this conceptual review, but one will be required as part of the Special Use Permit submittal. It appears that a “Type C” buffer would be required along the west property line, a “Type D” along the north, a “Type C” along the east, and a “Type C” along the south.

However, topography could limit the strict application of the Ordinance in this case and the Director of Planning does have the authority to allow modifications administratively.

*Lighting:*

A photometric plan was not provided for this conceptual review, but one will be required as part of the Special Use Permit submittal. To meet the requirements of the Ordinance, illumination can be no more than 0.2 footcandles at the west, north, and south property lines; and no more than 1.0 at the east line.

*Amenities/Design:*

It does not appear that any significant amenities are being proposed in this concept outside of the requirements of the Ordinance; however, topography is a major limitation on this site and consideration should be given to the population to be served.

The one-story design of the structures appears to make sense in light of the population to be served.

*General Staff Comments:*

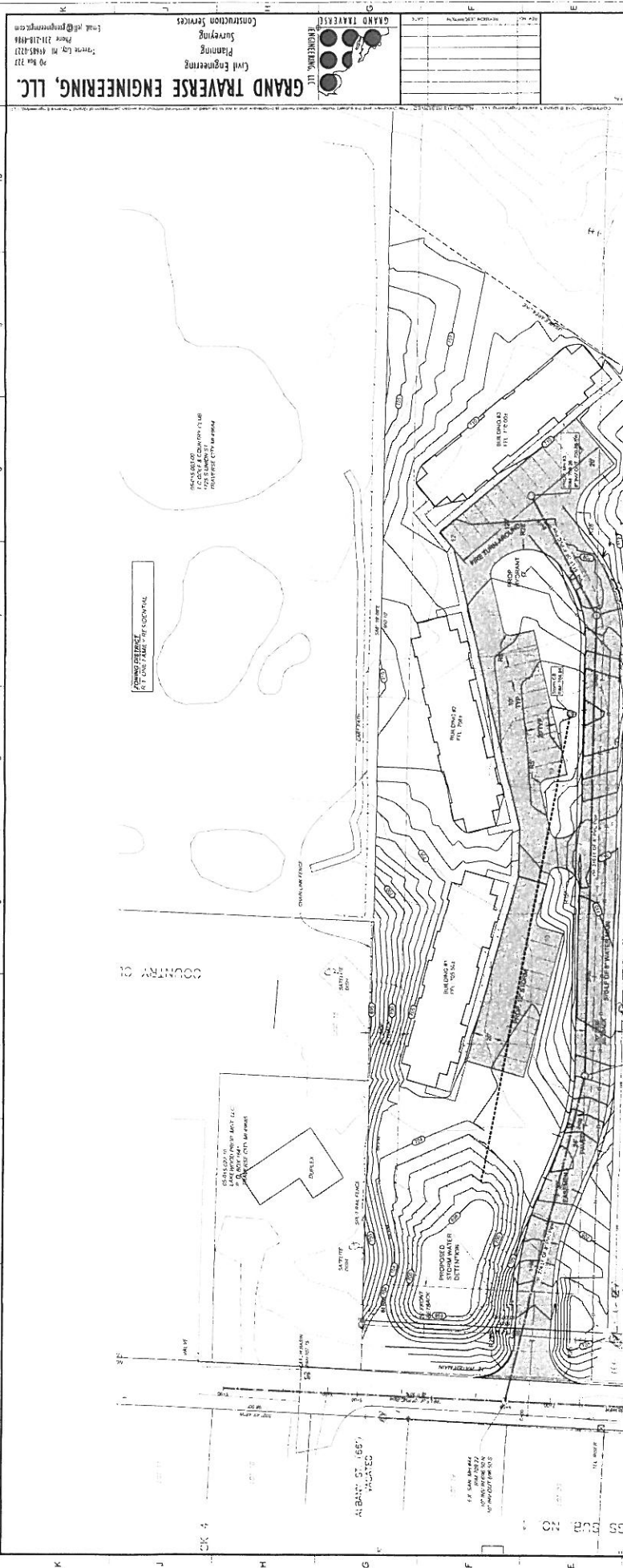
Overall, the concept is certainly a reasonable one, with topography being a major factor in dictating what can be sited on the property. There do not appear to be any significant red flags in what was submitted for this review.

**ACTION REQUESTED:**

The conceptual review process is intended to provide an opportunity for dialogue between the Planning Commission and the applicant. No formal action is requested.

**Attachments:**

1. Conceptual Site Plan Provided by Applicant.



<b>WESTWIND CONSTRUCTION</b> <b>BRICKWAYS</b> SECTION 15 177N R31W GARFIELD TOWNSHIP GRAND TRAVERSE COUNTY, MICHIGAN	
<b>CONCEPTUAL SITE PLAN</b> <b>CS-101</b>	
<b>PROJECT DATA</b> Project: Brickways Owner/Developer: 935 Barlow Street, TC, MI 49686 Phone: 231-932-6030	
<b>SITE DATA</b> Location: Rennie St., TC, MI 49684 Tax ID: 05-015-042-10 Owner: Rennie St. Multiple Family Residential Total Acreage: 3.57 AC Usable Acreage: 2.64 AC 3 Buildings and Detention = 18 Total Units (6 52 Units/AC) Proposed Density: 6.75	
<b>VISUAL DESCRIPTION</b> The proposed development consists of 18 total units (6 52 units/AC) on 2.64 AC of land. The units are located on the east side of the site, adjacent to Rennie Street. The site is bounded by Rennie Street to the north, Albany Street to the west, and the intersection of Rennie Street and Albany Street to the south. The site is currently undeveloped and is located in an area of residential development.	





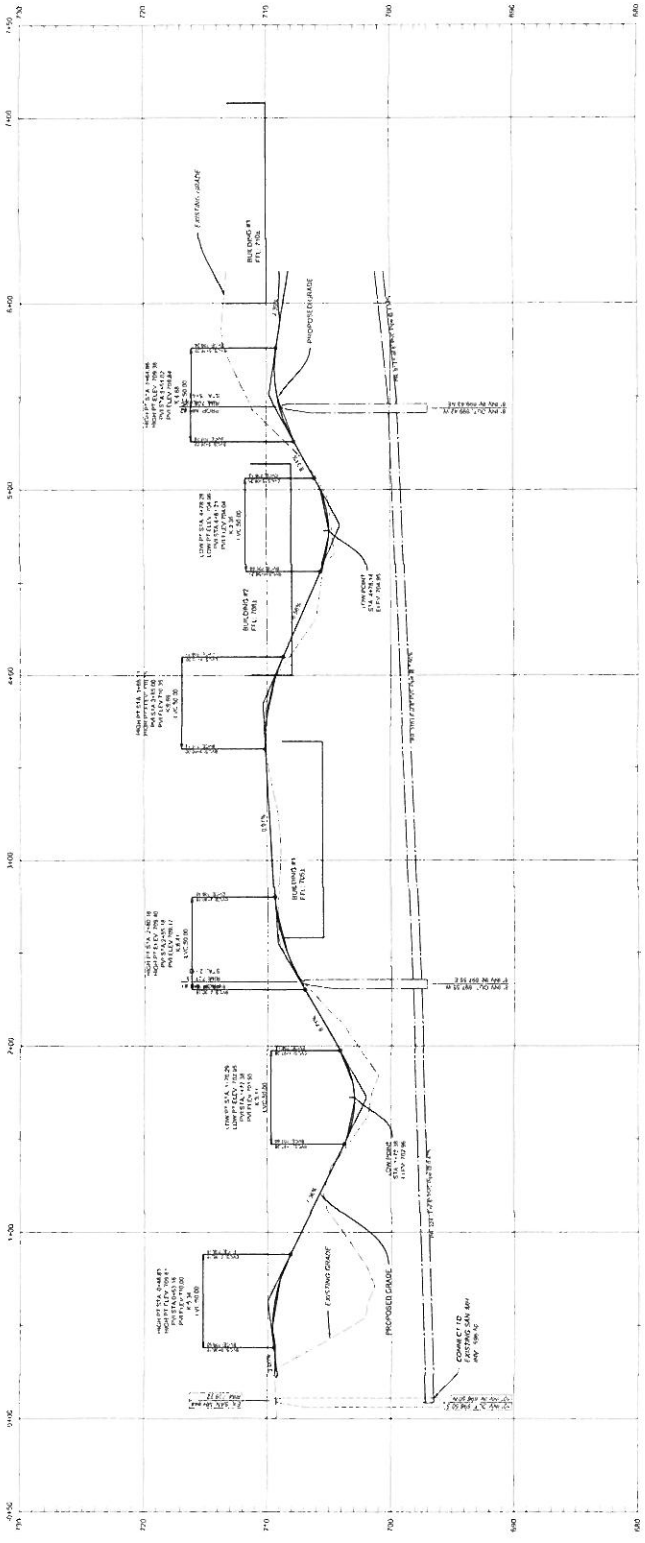
NO.	DATE	DESCRIPTION

WESTWIND CONSTRUCTION  
**BRICKWAY'S**  
 SECTION 15 127N 411W GARFIELD TOWNSHIP  
 GRAND TRAVERSE COUNTY, MICHIGAN

PROJECT NO.	
DATE	
SCALE	
DESIGNER	
CHECKER	
APPROVER	
DATE	

ROAD  
 PROFILE  
**CS-201**  
 SHEET 1 OF 2

**Brickway's Drive**  
 Horizontal Scale: 1" = 30'  
 Vertical Scale: 1" = 4'

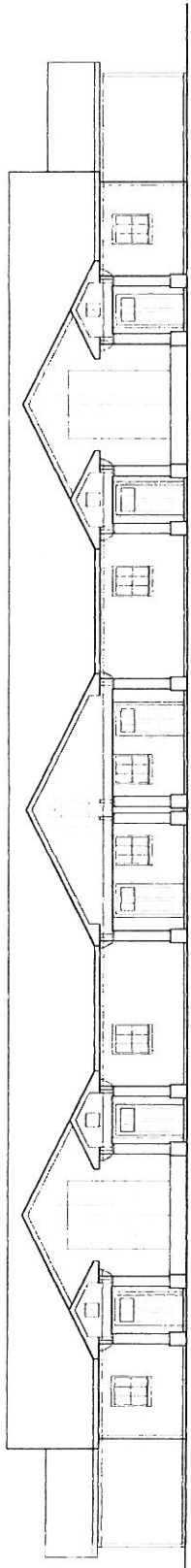




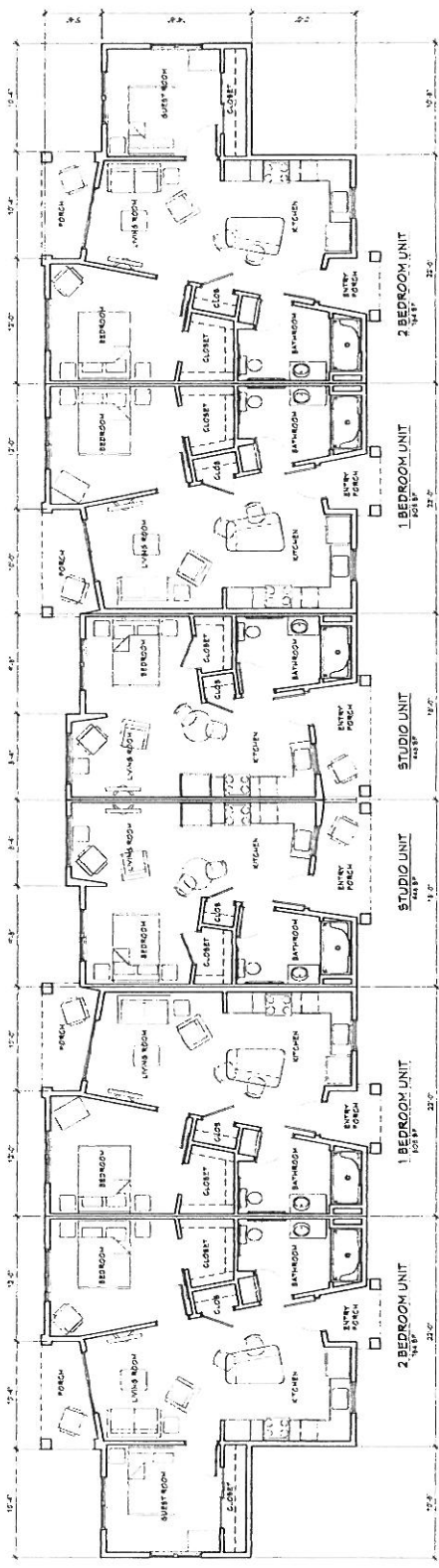


PROJECT #	BRICKWAYS-17
RESIDENTS	6000 2175
NO. OF UNITS	600
REVISIONS	
DATE	
BY	
CHECKED BY	
DATE	
PROJECT #	BRICKWAYS-17
RESIDENTS	6000 2175
NO. OF UNITS	600
REVISIONS	
DATE	
BY	
CHECKED BY	
DATE	

SHEET #  
**A1.01**



**ENTRY ELEVATION**  
 SCALE 3/8" = 1'-0"



**FLOOR PLAN**  
 SCALE 3/8" = 1'-0"

 <b>Charter Township of Garfield</b> <b>Planning Department Report No. 2018-58</b>			
Prepared:	May 21, 2018	Pages:	Page 1 of 5
Meeting:	June 13, 2018-Planning Commission	Attachments:	<input type="checkbox"/>
Subject:	Request for C-P Planned Shopping Center Text Amendment		
File No.	Z-2017-04	Parcel No.	
Applicant:	Schostak Brothers & Company, Inc./Amerco Real Estate Company		
Owner(s):	Cherrymart Associates, LLC		

**PURPOSE OF APPLICATION:**

The application proposes two related Text Amendments to the Garfield Township Zoning Ordinance (the “Ordinance”) to amend Article 2 Definitions and Article 3 Planned Shopping Center (C-P) to establish an additional definition for warehousing and requests to allow “Retail and Self-Storage Facility and Truck and Trailer Share” as a use within the District.

**STAFF COMMENT:**

The applicant presented their proposal to the Planning Commission at their regularly scheduled December meeting. To put the project into perspective, they are requesting self-storage, U-Haul truck rental, and sales of packing materials and trailer hauling equipment within the C-P District. There are various concerns regarding the application and the precedent that it might have the potential to set.

Although the applicant would like to get away from calling their self-storage use warehousing, this does not justify creating a new definition or Amendment to the C-P District. The Ordinance defines the use as follows:

Warehouse: A structure for the storage and/or distribution of goods or material.

The use is permitted by right in two of our industrial districts (I-G and I-L):

**Section 323.A USES PERMITTED BY RIGHT:**

(20) Warehouses, including but not limited to:

- (a) Storage facilities for sand, gravel, stone, and contractor’s equipment
- (b) Small warehousing establishments, with totally enclosed storage
- (c) Wholesale Operations
- (d) Distribution Centers

**Section 324.A USES PERMITTED BY RIGHT:**

(17) Warehouses, including but not limited to:

- (a) Small warehousing establishments, with totally enclosed storage
- (b) Wholesale Operations
- (c) Distribution Centers

In light of the use being permitted in two noncommercial districts as a Materially Similar Use under a Section 311.D Interpretation, Staff regards the proposed use of "Retail and Self-Storage Facility with Truck and Trailer Share" as materially similar to "Warehouse," which is permitted by right in the I-G and I-L Districts.

Furthermore, the application supports the fact that the use is warehousing rather than retail. Based on the information provided by the applicant, the use breaks down as follows:

Within the K-Mart Structure:

- Self Storage = 80,626 sf
- General Retail/Showroom = 3,686 sf
- D&R = 1,844 sf

Outside of the K-Mart Structure:

- Mini-Storage along Garfield Road = 6,000 sf

TOTAL SELF-STORAGE (Warehousing) = 86,626 sf

TOTAL OTHER (retail/showroom, etc.) = 5,530 sf

TOTAL NON-STORAGE < 7%

#### **FINDINGS OF FACT:**

##### **Approval Criteria of Zoning Text Amendment**

In its review of an application for zoning text amendment, the Township should consider, but is not necessarily limited to, the criteria as defined in § 421.F.(1) Master Plan Consistency through § 421.F.(5) Other Factors. No single factor is controlling; instead, each must be weighed in relation to the other standards.

The applicant shall have the burden of justifying the amendment, including identifying specific reasons warranting the amendment, and providing any supporting data and information.

##### **(1) Master Plan Consistency**

The planning Commission may consider this standard NOT MET due to the following:

- The text describing Planned Commercial in the Master Plan reads as follows: "Areas occupied by or suited for the development of regional retail sales and service establishments. Typically, such planned centers are located on a single, unified site, are designated and constructed as an integral unit for shopping, other business activity, and related land uses. To foster the concept of a housing-job balance, planned centers are encouraged to have a residential component, or be located in close proximity to residential uses." In introducing an industrial rather than residential component, the proposal is contrary to the intent of the C-P District. Additionally, the District was clearly intended to anticipate primarily retail uses, but the proposed use occupies a great deal of potential retail space with a self-storage use, with a very small retail component.
- The use proposed via text amendment has been determined to be a warehousing use; therefore, the proposal is inconsistent with the retail component of the project.
- Warehousing is an industrial use and not compatible with the intent of the C-P District or neighboring residential areas.

- Despite the applicant's argument to the contrary, the application fails to justify the use as retail. In light of the breakdown of square-footage dedicated to each use, it is clear that the use is overwhelmingly self-storage (warehousing), which is an industrial use not anticipated in Planned Commercial areas.
- The amendment requests all C-P Districts, which are located in highly visible, high traffic areas to allow warehousing uses, which is contrary to the District intent.

## (2) Changed Conditions

The Planning Commission may consider this standard NOT MET due to the following:

- The property and immediate area are well-established commercial areas and continue to be in high demand; therefore, change has not occurred to warrant allowing industrial warehousing within the District.
- There continues to be significant interest in new retail development as well as in the redevelopment of vacant or underutilized commercial properties in the area.
- The applicant has failed to demonstrate a need for incorporating industrial self-storage and truck rental in the commercial District.

## (3) Health, Safety, and Welfare

The Planning Commission may consider this standard NOT MET due to the following:

- The proposed amendment is specifically tailored to circumvent the adopted regulations and definitions in the Zoning Ordinance.
- The request asks to adopt text that will convolute the definitions in the Zoning Ordinance for the gain of a single property.
- The proposed amendment has failed to justify how the request bears a substantial relationship to the public health, safety, or general welfare.
- The amendment requests to incorporate incompatible industrial warehousing adjacent to established neighborhoods, but the use is permitted by right in the I-G and I-L Districts.
- The request is unwarranted because the changes proposed would be detrimental to the planned growth pattern and commercial viability of the area.
- The request to provide an alternative definition and use to those already defined and permitted in other districts is contrary to the intent of protecting the community.

## (4) Public Policy

The Planning Commission may consider this standard NOT MET due to the following:

- The applicant has failed to justify how the request is in the best interest of the community and existing commercial uses that share the site and surrounding areas.
- The request is contrary to the Township growth patterns and master planned future land uses for the C-P District.
- The amendment is specific to the U-Haul use and does not consider the *whole* zoning district, only the applicant's property, which is contrary to the good of the *whole* community.

## CONCLUSION:

Garfield Township's Planned Shopping Centers are strategically located along our major thoroughfares and adjacent to single-family neighborhoods, which presents a compatibility challenge when trying to justify a warehousing use. In addition, there are hundreds of acres that are properly zoned to

accommodate the proposed warehousing use and the request fails to demonstrate a need to expand the use into commercial areas.

The Planning Commission has held a public hearing on and submitted an amendment to the C-P District to replace the current District in its entirety to the Township Board. The intent of the amendment is to add complimentary uses, reduce setbacks, and encourage infill development within the entire district.

Upon review of the standards required to justify any amendment to our Zoning Ordinance (421.F(1) Master Plan Consistency through 421.F(5) Other Factors), it does not appear that this request can be justified.

**ACTION REQUESTED:**

The purpose of this meeting is to adopt Findings of Fact for the application. As such, the following motion is offered for your consideration:

THAT the Findings of Fact for Application Z-2017-04, as presented in Planning Department Report 2018-58, and being made a part of this motion, BE ADOPTED.  
(Motion to be made only following review and modification as necessary.)

The following motion is a recommendation to the Township Board for DENIAL of the request:

THAT Application Z-2017-04 BE RECOMMENDED for DENIAL to the Township Board based on the Findings of Fact, application, and information submitted.

Any additional information that the Planning Commission determines to be necessary should be added to this motion.



