

CHARTER TOWNSHIP OF GARFIELD
PLANNING COMMISSION MEETING

Wednesday, July 24, 2019 - 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 –July 10, 2019
3. Correspondence
4. Reports
 - a. Township Board
 - b. Planning Commissioners
 - c. Staff Report
5. Business to Come Before the Commission
 - a. PD 2019- 92 Grand Traverse Leisure – Proposed Outdoor Display SPR Application – Follow-Up
 - b. PD 2019- 93 Development Review Procedures
 - c. Sign Discussion Continued (verbal)
 - d. Barlow Garfield Neighborhood Plan Update (verbal)
6. Public Comment
7. Items for Next Agenda – August 14, 2019
 - a. Chelsea Park West PUD Amendment – Public Hearing
 - b. Alpers SUP Renewal – Public Hearing
 - c. Harris Hills Site Condominium – Introduction
 - d. Hickory Hills SUP Amendment - Introduction
 - e. Traverse City Senior Living – Conceptual Review
 - f. NE Corner of Lafranier/Hammond - Conceptual Review
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
July 10, 2019**

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: Robert Fudge, Joe Robertson, Pat Cline, Chris DeGood, Joe McManus and John Racine

Absent and Excused: Steve Duell

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

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

Racine declared a conflict with items 5a1 and 5c. DeGood declared a conflict with item 5c.

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

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

Nays: None

2. Minutes (7:01)

a. June 26, 2019

Fudge moved and Cline seconded to adopt the minutes of June 26, 2019 as presented.

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

Nays: None

3. Correspondence (7:01)

Supplemental materials for Chelsea Park West and Living Hope Church.

4. Reports (7:02)

Township Board Report

No report

Planning Commissioners

No report

Staff Report

No report

5. Business to Come Before the Commission

a. Public Hearing

Racine opened the Public Hearing on the three ordinance items at 7:08pm and seeing no one wishing to comment closed the Public Hearing. Deputy Planning Director Hannon said the reports and proposed amendments as drafted with changes made are in packets for commissioner consideration.

1. PD 2019-82 Car Wash Decibel Limit (Section 612) Text Amendment

Commissioners discussed and asked questions regarding the proposed car wash ordinance.

Cline moved and Fudge seconded that the proposed Amendment 19 to Ordinance No. 68, Garfield Township Zoning Ordinance, as attached, BE ADOPTED, and that the proposed Amendment 19 to Ordinance No. 68, Garfield Township Zoning Ordinance, as attached, BE RECOMMENDED FOR ADOPTION by the Township Board. Racine abstained.

Yeas: Cline, Fudge, DeGood, McManus, Robertson

Nays: None

Abstentions: Racine

2. PD 2019-81 Golf Course Setbacks (Section 749) Text Amendment

McManus moved and DeGood seconded that the proposed Amendment 20 to Ordinance No. 68, Garfield Township Zoning Ordinance, as attached, BE ADOPTED, AND that the proposed Amendment 20 to Ordinance No. 68, Garfield Township Zoning Ordinance, as attached, BE RECOMMENDED FOR ADOPTION by the Township Board.

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

Nays: None

3. PD 2019-83 Side Yard Setbacks in R-3 District (Section 315) Text Amendment

Fudge moved and DeGood seconded that the proposed Amendment 21 to Ordinance No. 68, Garfield Township Zoning Ordinance, as attached, BE ADOPTED, AND that the proposed Amendment 21 to Ordinance No. 68, Garfield Township Zoning Ordinance, as attached, BE RECOMMENDED FOR ADOPTION by the Township Board.

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

Nays: None

b. PD 2019-75 Living Hope Church Special Use Permit –Finding of Fact (7:15)

Sych discussed the additional materials for commissioner's review. Steven Richardson of Peninsula Construction said that the church will be connected to the sanitary sewer and more plantings will be added to the west side of the property.

DeGood moved and Robertson seconded THAT the Findings of Fact for application SUP-2019-02, as presented in Planning Department Report 2019-75 and being made a part of this motion, BE ADOPTED.

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

Nays: None

DeGood moved and McManus seconded THAT application SUP-2019-02 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 proposed sidewalks, landscaping, and amenities shall be installed prior to the issuance of a Certificate of Occupancy.*
- 4. The applicant shall provide two (2) full-size plan sets, one (1) 11x17" plan set, and one (1) 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.*

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

Nays: None

c. PD 2019-74 Munson Child Care Center Special Use Permit – Finding of Fact (7:23)

DeGood and Racine excused themselves for this agenda item.

Petra Kuenis of Mansfield Land Use Consultants said that no changes had been made to the application.

Robertson moved and Fudge seconded THAT the Findings of Fact for application SUP-2019-03, as presented in Planning Department Report

2019-74 and being made a part of this motion, BE ADOPTED.

Yeas: Robertson, Fudge, Cline, McManus

Nays: None

Robertson moved and Cline seconded that application SUP-2019-03 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 proposed landscaping and site amenities shall be installed prior to the issuance of a Certificate of Occupancy.*
- 4. The applicant shall provide two (2) full-size plan sets, one (1) 11x17" plan set, and one (1) 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.*

Yeas: Robertson, Cline, Fudge, McManus

Nays: None

d. PD 2019-76 Ashland Park PUD Phases 2 & 3 Major Amendment – Findings of Fact (7:25)

Commissioners briefly discussed the proposed development.

DeGood moved and Robertson seconded that the Findings of Fact for Application PUD-2001-F, submitted by Peach Tree River Investments for an amendment to the Ashland Park Planned Unit Development Phases 2 and 3, BE ADOPTED.

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

Nays: None

DeGood moved and Fudge seconded THAT Application PUD-2001-01-F submitted by Peach Tree River Investments for an amendment to the Ashland Park Planned Unit Development Phases 2 and 3, BE RECOMMENDED FOR APPROVAL TO THE TOWNSHIP BOARD.

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

Nays: None

e. PD 2019-77 French Manor/Terra Energy PUD Major Amendment – Findings of Fact (7:29)

Commissioners discussed the extra landscaping on the eastern border and applicant representative Dusty Christensen addressed commissioners about the landscaping within the utility easement.

DeGood moved and Fudge seconded THAT the Finding of Fact for Application SUP-1995-03B, submitted by Burdco, Inc. for an amendment to the Terra Energy Planned Unit Development, BE ADOPTED.

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

DeGood moved and Robertson seconded THAT application SUP-1995-03B, submitted by Burdco, Inc. for an amendment to the Terra Energy Planned Unit Development, BE RECOMMENDED FOR APPROVAL TO THE TOWNSHIP BOARD.

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

f. PD 2019-80 Grand Traverse Leisure – Proposed Outdoor Display SPR Application (7:36)

This application requests a site plan review for a proposed outdoor display at the existing Grand Traverse Leisure site located at 565 W. Blue Star Drive, east of US 31 and north of S. Blue Star Drive. The site is currently used for a retail store and the applicant would like to add an outdoor display for large items such as hot tubs, spas and outdoor furniture items. The site is zoned C-G General Commercial and is bordered by other C-G sites on three sides and a I-G – General Industrial site to the east. Deputy Planning Director Hannon reviewed the criteria for the regulations in Section 765 – Outdoor Sales. Bill Crain, of Crain Engineering representing the owner, said that they are asking for 1800 feet of display and removing four parking spaces. Parking will still meet ordinance requirements. They propose low level landscaping along US 31. Commissioners discussed Outdoor Sales as it appears in Sections 320B and 613A of the current zoning ordinance and both prohibit outdoor display of such items. Staff realized that in reading the other section of the ordinance that this is not a permitted use in either section of the ordinance and would be an illegal use under the ordinance. Crain withdrew proposed application SPR-2019-03.

g. PD 2019-79 Chelsea Park West PUD Major Amendment Introduction (7:57)

The Chelsea Park PUD was originally approved in 2000 and has seen

several minor amendments since then. This application requests an amendment to the Chelsea Park West PUD to increase the number of multiple family units from 172 to 192. The types of buildings would also be changed. This project will be built in four phases of construction. The parcel is approximately 19.31 acres and located off of Hartman Road, east of US 31. The existing zoning is A- Agricultural. Bill Crain, of Crain Engineering, said that more amenities will be added to the PUD and that the proposed development will be served with water and sewer. Amenities will include an outdoor fire pit area with radiant heaters, a walking path, a clubhouse, two outdoor patio areas and a dog park. Staff indicated that lighting needs to be adjusted and a covered bicycle parking area would be a nice addition. Commissioners asked questions regarding the application.

Cline moved and Robertson seconded THAT application 2000-09-H, submitted by Bennett Donaldson/ JB Donaldson Company for

a

Special Use Permit for amendment of the Chelsea Park Planned Unit Development at Parcel Number 05-121-066-00, BE ACCEPTED, and BE SCHEDULED for a public hearing at the regular meeting of the Garfield Township Planning Commission on August 14, 2019, subject to the following additional information being provided by the applicant prior to July 25, 2019 to ensure that Staff has adequate time to review the information.

1. *Written consent to the application by the owner(s) of at least sixty (60) percent of approved development sites or land area within the planned development.*
2. *Bicycle parking locations and design details should be provided.*
3. *Providing evergreens, similar to the evergreens along the south side of the property, at the back side of Building #1 which faces Hartman Road and increasing the number of shrub plantings in the parking lot areas.*
4. *The lighting plan needs to include areas of illumination illustrated by point values on a photometric plan.*
5. *Dumpster enclosure details should be provided and address access to the dumpster near the Clubhouse.*
6. *Snow storage areas need to be identified.*
7. *Heights of the proposed buildings, clubhouse and accessory buildings should be noted.*
8. *Locations of the outdoor patio/grill areas and dog park should be made legible on the plans.*
9. *A sign plan indicating the location, size and specifications of all signs and advertising features, including cross sections should be provided.*

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

Nays: None

h. PD 2019-78 Alpers Excavating Sand and Gravel Pit-Special Use Permit Renewal – Introduction (8:20)

This application requests approval of an extension of an existing Special Use Permit for an existing sand and gravel pit. Such uses are permitted via Special Use Permit in the A- Agricultural district. Planning Director Sych said that there needs to be a plan and funds for future restoration efforts. Commissioners discussed the special use and asked questions regarding the application. The current extension would be for another ten years.

McManus moved and Robertson seconded THAT application SUP-2008-02-A, submitted by Alpers Excavating, Inc. for an extension of an existing Special use Permit for an existing sand and gravel pit at parcels 28-05-019-001-00 and 28-05-108-041-00, BE ACCEPTED and BE SCHEDULED for a public hearing to be held at the August 14, 2019 Regular Meeting of the Planning Commission.

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

6. Public Comment (8:41)

Irene Kotter of Alexander Drive in Ashland Park commented that the proposed mix of single, and double family residences has been eliminated. She worries about the impact on home prices.

Carey Waldie thanked the commissioners for all the work on his plan. He handed out a book that he published as a gift for the Commissioners.

Matt Alpers of Alpers Excavating answered some questions which came up during item 5h.


7. Items For Next Agenda – July 24, 2019 (8:48)

- a. Barlow Garfield Neighborhood Plan Update
- b. Signs – Continued Discussion

8. Adjournment

Fudge moved to adjourn the meeting at 8:50pm.

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

 Charter Township of Garfield Planning Department Report No. 2019-92			
Prepared:	July 16, 2019	Pages:	1
Meeting:	July 24, 2019 Planning Commission	Attachments:	<input type="checkbox"/>
Subject:	Grand Traverse Leisure – Proposed Outdoor Display SPR Application – Follow-Up		
Applicant:	Don Alford		
Owner:	Bonnie Beckman		
File No.	SPR-2019-03		
Parcel No.	05-060-002-00		

BACKGROUND:

At the July 10, 2019 Planning Commission meeting, the Commissioners reviewed a site plan application for Grand Traverse Leisure on US 31. The application requested site plan review for a proposed outdoor display for large items such as spas, hot tubs, and outdoor furniture items at the existing site, which currently has a retail store. The site is zoned C-G General Commercial.

ZONING ORDINANCE:

Section 613 A. (1) (c) of the Zoning Ordinance reads as follows:


“The Planning Commission may approve designated areas of product display for large inventory items (boats, campers, trailers, snowmobiles, RV’s, swing sets, or similar items) or sales of natural vegetation in the front yard or side yard area for commercial uses, if permitted in the district.”

In PD Report 2019-80, which was distributed to Commissioners at the July 10 meeting, the phrase “if permitted in the district” was interpreted to refer to the display areas. However, this phrase as it appears in the ordinance seems to refer to the commercial uses. This interpretation means that in commercial districts, for any permitted commercial use, the Planning Commission may approve an area for product display as described above.

This interpretation also differentiates product display areas from other types of “outdoor storage” and “outdoor sales.” Product display and outdoor storage are different types of accessory uses, whereas outdoor sales are a type of primary use. This is why outdoor sales are listed in the district regulations for those where they are permitted, while outdoor storage and display areas are listed in the general use regulations. Thus, Section 320 B. (7) governing outdoor sales areas in the C-G district, and Section 765, describing the use regulations for outdoor sales, do not apply to this case.

RECOMMENDATION:

Based on a review of language in the Zoning Ordinance, the Planning Commission should consider the site plan review application, SPR-2019-03, solely in terms of Section 613 A. (1) (c) for the outdoor display area. If the Planning Commission is comfortable with the above information, then we recommend that the site plan review application, SPR-2019-03, be re-introduced at the next Planning Commission meeting.

 Charter Township of Garfield Planning Department Report No. 2019-93			
Prepared:	July 16, 2019	Pages:	Page 1 of 2
Meeting:	July 24, 2019 Planning Commission	Attachments:	<input type="checkbox"/>
Subject:	Development Review Procedures		

BACKGROUND:

The Planning Commission has established procedures for reviewing different development applications. These procedures provide the Planning Commission with the time necessary to review details of each application, and provide applicants with the time necessary to make changes as needed. Procedures for the Planning Commission to review development applications include the following:

Application	Introduction	Public Hearing	Findings of Fact
Conceptual Review	✓		
Zoning Ordinance Amendment	✓	✓	✓
Conditional Rezoning Amendment	✓	✓	✓
Special Use Permit	✓	✓	✓
Major Amendment	✓	✓	✓
Minor Amendment	✓		✓
Site Plan Review – PC Approval	✓		
Planned Unit Development	✓	✓	✓
Major Amendment	✓	✓	✓
Minor Amendment	✓		✓
Planned Unit Res. Development	✓	✓	✓
Major Amendment	✓	✓	✓
Minor Amendment	✓		✓
Open Space Preservation	✓	✓	✓

Several of these applications are also sent to the Township Board for review, which will introduce the application at one meeting and set a public hearing for a future meeting. Applications that go before the Board will ultimately go through five total meetings in this process. As mentioned above, these review procedures help ensure all issues are being addressed for major projects. However, they also result in a long process based on the number of meetings, time between meetings, and time required to legally post a public hearing notice. The following is a sample review schedule for an application:

- Month 1 – 1st Wednesday – Planning Commission Introduction
- Month 2 – 1st Wednesday – Planning Commission Public Hearing
- Month 3 – 1st Wednesday – Planning Commission Findings of Fact
- Month 3 – 2nd Tuesday – Township Board Introduction
- Month 4 – 2nd Tuesday – Township Board Public Hearing / Findings of Fact

The timeframe for one application of this type would take a minimum of four months. Several of the applications that have recently come before the Planning Commission and Township Board have been relatively straightforward and have not had any major issues during the review process.

PROPOSAL:

If the Planning Commission is amenable, a potential change to the procedures may be considered. For this proposed procedural amendment, the Planning Commission would reserve the right to have the findings of fact be prepared for the study session immediately following the public hearing, if they so choose for that particular project.

This proposed procedural amendment would allow for projects without major issues to proceed more quickly through the process, while still allowing the Planning Commission to proceed more slowly on projects that do have major issues. The following is a sample review schedule for an application under the proposed procedural amendment:

- Month 1 – 1st Wednesday – Planning Commission Introduction
- Month 2 – 1st Wednesday – Planning Commission Public Hearing
- Month 2 – 2nd Wednesday – Planning Commission Findings of Fact
- Month 3 – 1st Tuesday – Township Board Introduction
- Month 4 – 1st Tuesday – Township Board Public Hearing / Findings of Fact

ACTION REQUESTED:

No action is requested at this time, as this is meant as a discussion item. The Planning Commission may wish to update their development review procedures based on this discussion.