

**CHARTER TOWNSHIP OF GARFIELD
PLANNING COMMISSION MEETING**

Wednesday, October 22, 2014 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. **Correspondence**
 - Letter from Township to Great Wolf Lodge re: Buffalo Ridge Trail
3. **Reports**
 - a. Township Board
 - b. Planning Commissioners
4. **Business to Come Before the Commission**
 - a. PD 2014-67 – Zoning Ordinance Amendment # 311 - Introduction
 - b. Master Plan discussion
5. **Public Comment**
6. **Items for Next Agenda – November 12, 2014**
 - a. Zoning Ordinance Amendment # 311 Public Hearing
 - b. Culver Meadows – Modified plan
 - c. YMCA Minor Amendment
7. **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 Kay Schumacher, Clerk, Ph: (231) 941-1620, or TDD #922



Charter Township of Garfield

Grand Traverse County

3848 VETERANS DRIVE
TRAVERSE CITY, MICHIGAN 49684
PH: (231) 941-1620 • FAX: (231) 941-1588

October 14, 2014

Ms. Kim Schaefer
President and CEO of Great Wolf Resorts
525 Junction Road, Suite 6000, South Tower
Madison, WI 53717

Dear Ms. Schaefer,

On behalf of the Garfield Township Planning Commission, I am writing to request that you reconsider your position regarding the Township's request for a non-motorized easement along the west property line of the Traverse City Great Wolf Lodge.


As you likely know, Great Wolf Lodge is built on agriculturally zoned property. The mechanism for approval of a commercial use within an agricultural zoning district was the Planned Unit Development, in which the Township authorized the commercial use of this property in exchange for the public benefits offered by the development, such as bike trails along US-31 and Franke Road, and the dedication of the property that would become Kids Creek Park. The Planning Commission undertakes review of a PUD as a "give and take" process, and the Great Wolf Lodge project was approved following this principle.

At this time, the Township has secured grant funding to construct a broadly beneficial, public bike trail across the western portion of your property. The trail is proposed across a portion of the property which, through the development approval, is required to remain as open space. Great Wolf Lodge is not being asked to contribute significant time or financial resources to the project. Necessary easements, legal descriptions, and other considerations have been or will be addressed, and will be funded by the grant.

A primary intent of requiring designated open space within a PUD is to protect important significant features, in this case an historic agricultural pasture, while also providing opportunities for future community benefits such as safe, logical, non-motorized connections between points of interest. With the development over the past decade of the new YMCA site, Kids Creek Park, and the first phase of the Buffalo Ridge Trail to the north, this phase two trail corridor was conceptually identified to take advantage of the designated open space as a great opportunity to accomplish our local and regional connectivity objectives. The Township and the Michigan Natural Resources Trust Fund are prepared to finance and implement this phase.

Great Wolf Lodge has expressed concern regarding the safety of the trail due to the proximity to the pasture, as well as dislike of the trail from a small vocal contingent of a nearby retirement community. Please note that that Township has already followed a thorough public design process, guided by professional landscape architects and engineers, which addressed a number of valid

Zoning Ordinance Amendment - Introduce and Schedule Public Hearing

	Charter Township of Garfield		General:	<input checked="" type="checkbox"/>
			Budget Related:	<input type="checkbox"/>
			In Camera:	<input type="checkbox"/>
Department:	Planning	Report No.	PD 2014-67	
Prepared:	October 15, 2014	Pages:	1 of 1	
Meeting:	October 22, 2014 Planning Commission	Attachments:	<input checked="" type="checkbox"/>	
Subject:	Medical Marihuana Ordinance			

STAFF COMMENT:

An amendment to the Zoning Ordinance is proposed to reflect the language of the Township's police power Medical Marihuana Ordinance, which is currently under an amendment process. Each amendment is intended to clarify the Township's original intent in describing where and how the use and transfer of Medical Marihuana may take place while remaining in conformance with the Michigan Medical Marihuana Act.

The proposed amendment affects **the definition of a Medical Marihuana Collective**.

*The **current** definition of a Medical Marihuana Collective is as follows:*

Medical Marihuana Collective means a use where Medical Marihuana is transferred pursuant to the Michigan Medical Marihuana Act, MCL 333.26421 et seq. and includes uses commonly referred to as Medical Marihuana Dispensaries and Medical Marihuana Cooperatives. The transfer or distribution of Medical Marihuana in connection with any use where any other commodity, product or service is also available shall be considered a Medical Marihuana Collective.

*The **proposed** definition of a Medical Marihuana Collective is as follows:*

Medical Marihuana Collective means (a) any commercial use of property for the purpose of sale of medical marihuana for money or other consideration to registered qualifying patients or registered primary caregivers, or (b) any commercial business, commercial establishment or commercial structure that provides or rents space to multiple caregivers for storage and/or sale of Medical Marihuana. Medical Marihuana Collective includes uses commonly referred to as Medical Marihuana Dispensaries, Compassion Centers, Provisioning Centers and Medical Marihuana Cooperatives. The sale of Medical Marihuana where any other commodity, product or service is also available shall be considered a Medical Marihuana Collective.

ACTION REQUESTED:

(Motion) THAT proposed Amendment No.311 to Charter Township of Garfield Ordinance No.10, affecting the definition of a Medical Marihuana Collective, be accepted and scheduled for public hearing at the regular Garfield Township Planning Commission meeting on November 12, 2014.

Attachments:

Draft Amendment No. 311 to Garfield Township Zoning Ordinance No. 10

CHARTER TOWNSHIP OF GARFIELD

ORDINANCE NO. 10

AMENDMENT NO. 311

AN ORDINANCE TO AMEND THE CHARTER TOWNSHIP OF GARFIELD ZONING ORDINANCE, Grand Traverse County, Michigan, in accordance with the provisions of Act 110 of the Public Acts of 2006, as amended.

WHEREAS the Michigan Medical Marihuana Act ("Act") was enacted by the People of the State of Michigan and took effect on December 4, 2008; and

WHEREAS the Charter Township of Garfield Zoning Ordinance No. 10, as amended, recognizes and permits activities purported to be allowed by the Act; and

WHEREAS the Township finds that the Act has been subsequently amended and otherwise interpreted in the time since it was enacted; and

WHEREAS an amendment to the current definitions section of the Charter Township of Garfield Zoning Ordinance No. 10, as amended, is considered necessary to clarify the Township's original intent in regulating activities purported to be allowed by the Act;

NOW THEREFORE:

THE CHARTER TOWNSHIP OF GARFIELD ORDAINS:

AMENDMENT NO. 311 TO GARFIELD TOWNSHIP ZONING ORDINANCE NO. 10:

1. **THAT** the definition of Medical Marihuana Collective, as described within Article III, Definitions, of the Garfield Township Zoning Ordinance, is hereby amended to read as follows:

Medical Marihuana Collective means (a) any commercial use of property for the purpose of sale of medical marihuana for money or other consideration to registered qualifying patients or registered primary caregivers, or (b) any commercial business, commercial establishment or commercial structure that provides or rents space to multiple caregivers for storage and/or sale of Medical Marihuana. *Medical Marihuana Collective* includes uses commonly referred to as Medical Marihuana Dispensaries, Compassion Centers, Provisioning Centers and Medical Marihuana Cooperatives. The sale of *Medical Marihuana* where any

other commodity, product or service is also available shall be considered a *Medical Marihuana Collective*.

Amendment No. 311 to the Charter Township of Garfield Zoning Ordinance No. 10 shall take effect immediately upon publication.

YEAS:

NAYS:

ABSTAIN:

ABSENT:

ORDINANCE AMENDMENTS DECLARED ADOPTED.

CERTIFICATION

I hereby certify that the above is a true copy of an ordinance amendment adopted by the Garfield Township Board at a regular meeting held on _____ pursuant to the required statutory procedures.

Kay Schumacher, Clerk
Charter Township of Garfield

Date

Introduced: May 14, 2013

Adopted: June 11, 2013

Published: June 16, 2013

Effective: June 23, 2013

Amended: