CHARTER TOWNSHIP OF GARFIELD PLANNING COMMISSION MEETING

Wednesday, October 28, 2015 @ 7:00 pm Garfield Township Hall 3848 Veterans Drive Traverse City, MI 49684 Ph: (231) 941-1620

AGENDA

Call Meeting to Order

Roll Call of Commission Members

- 1. Review and Approval of the Agenda - Conflict of Interest
- 2. Minutes
 - a. October 14, 2015
- 3. Correspondence
 - a. Letters Short Term Rentals
- 4. Reports
 - a. Township Board
 - b. Planning Commissioners
- 5. **Business to Come Before the Commission**
 - a. PD-2015-61

TC Medical Properties – Conceptual Review

b. PD 2015-62

Child Care (7-12 Children) - Discussion

c. PD 2015-63

Residential Uses in Commercial Zones - Discussion

- **Public Comment** 6.
- 7.
- <u>Items for Next Agenda November 4, 2015</u> a. Signs IMAX Theatre Buffalo Ridge PUD
 - b. Short Term Rentals Silver Lake
- 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, Ph. (231) 941-1620, or TDD #922

John Racine

~om:

Ann Krantz

ht:

Wednesday, October 14, 2015 1:42 PM

10:

jpr@sondeeracine.com

Subject:

Planning commission

Attachments:

weekly rentals.doc

I am sending the attached to you as chair of the Garfield Township Planning Commission. I also sent it to each member of the board of supervisers and received an acknowledgement from Jeanne Blood only. My concerns about abolishing weekly rentals are expressed in the attachment.

Thank you for your interest. Ann Krantz

286 Neuman Street Traverse City, MI 49685 October 3, 2015

Board of Trustees Garfield Township

As a resident of Silver Lake, I am writing about my concerns relating to your decision to forbid weekly rentals on the lake.

I have owned my property since 1985 because I thought my family would be moving to Florida. When that didn't happen, I used it in the summer as a weekly rental and later lived in it year round while renting my house in Traverse City. This allowed me to put my daughter through college. When I bought my cottage it was one of a semicircle of six cottages which had been part of Baker's Cottages which were weekly rentals since the 1950s.

What I don't understand is why this restriction is happening now, and who benefits from it. I was told that the issue is noise although I don't see how monthly renters would be considered quieter than weekly ones. In my 30 years here, Silver Lake has never been quiet, although the noise has not come from weekly renters, but from power boats (not owned by renters) and the teenage children whose parents (year round residents) who foolishly trust their teenager to behave themselves for a few days when their parents are away.

Sincerely, Ann Krantz

Roberto Larrea

From:

Bob Schafer [roberts@mieye.com]

nt:

Wednesday, October 21, 2015 5:58 PM

Roberto Larrea

Jubject:

Re: The survey regarding vacation home rentals in Silver Lake Area

To: Rob Larrea - To entire Planning Commission

From: Robert Schafer

1250 NW Silver Lake Road, Traverse City, MI.

Re: The survey regarding vacation home rentals in Silver Lake Area

I would like to send you suggestions to help with the survey as John Racine suggested.

I believe it would be worth noting and fair to add to the opening paragraph that short term rentals have been going on for years until the township started to enforce the new interpretation. Now short term rentals are being stopped.

I think the main question is allowing weekly rentals not how many weeks to allow as the shortest. If the people and the commission decide to allow weekly rentals then how do we want to handle it? Again, most people and families can't take a 30 day vacation trip.

You could even have a short list of options for how to handle rentals.

Registration of a home to be used as weekly rental? Police should handle issues?

In the last 10 years there have been less than 6 actual complaints against rented homes. Shouldn't this be stated on the survey. This shows there is not a huge problem and we are trying to find a common ground and work out vay to handle short term rentals.

also think a good question on the survey would be have you ever known anyone that has rented their home on Silver Lake? You could have a follow up question of did you have any long term issues with the rental?

Thank you, Robert Schafer

CHARTER TOWNSHIP OF GARFIELD PLANNING COMMISSION MEETING October 14, 2015

<u>Call Meeting to Order:</u> Chair Racine called the meeting to order at 7:00pm at the Garfield Township Hall, 3848 Veterans Drive, Traverse City, MI 49684.

Commission Members Present: Pat Cline, Kit Wilson, Joe Robertson, John Nelson and John Racine

Absent and Excused: Terry Clark and Gil Uithol

Staff Present: Rob Larrea

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

Wilson moved Robertson seconded to approve the agenda as amended adding to New Business "Opinion Survey discussion".

Ayes: Wilson, Robertson, Nelson, Cline, Racine

Nays: None

2. Minutes

a. September 23, 2015 Minutes (7:01)

Wilson moved and Robertson seconded to approve the minutes of September 23, 2015 as amended noting that under the adjournment, Robertson is misspelled.

Yeas: Wilson, Robertson, Nelson, Cline, Racine

Nays: None

August 26, 2015 Joint Meeting

Robertson moved and Cline seconded to adopt the August 26, 2015 Joint Meeting minutes as presented.

Ayes: Robertson, Cline, Nelson, Wilson, Racine

Nays: None

3. Correspondence (7:02)

a. Conservation District Monthly Report

4. Reports:

a. Township Board (7:03)

Wilson had no report at this time.

b. Planning Commissioners (7:06)

Nelson said that the County Road Commission has its projects set for the 2016 year and board members were able to tour the completed 2015 projects. The Road Commission Board is working to make sure monies are available to match any proposed special assessments.

5. Business to Come Before The Commission

a. Proposed Survey (7:07)

The recent Board meeting was attended by property owners and residents of the Silver Lake area regarding short term rentals. Larrea stated that the Board has asked the Planning Commission to look into Short Term Rentals. Wilson said that the item was not on the agenda at the Board meeting but the Board felt that the Planning Commission needed to review the subject. She added that the Board did not want to allow weekly rentals in the entire R-1 zoning district, but thought an overlay district could be an option. Larrea presented a survey for review and stated that Staff felt it was appropriate to send the survey to those within the milfoil special assessment district around Silver Lake. Commissioners agreed and also asked to consider adding any residence within 300 feet of the milfoil district as well. Staff will review the assessment district to determine the best course of action.

b. PD 2015-59 Child Care (7-12) Discussion (7:18)

Currently, a small group home requires a Special Use Permit to run a child care in their home for 7-12 children. This is a use which is usually permitted in single family homes, however, at this time, the use requires the same application as a commercial project. Staff would like to allow these 7-12 person care facilities as a use permitted under certain conditions rather than as a SUP. He proposed a few changes in the Supplemental Use Regulations in Article 7 of the Zoning Ordinance. Commissioners discussed the matter and talked about public hearings and site visits. Staff will bring back as a proposed change and then the Planning Commission can move forward.

c. PD 2015-60 Residential Uses in Commercial Zones (7:32)

The Planning Commission discussed this issue at the last meeting and staff subsequently drafted a set of regulations and conditions to possibly allow the use. Larrea asked for comments on density and parking. Commissioners agreed that density could begin with what was already allowed in the R-3 zoning district and parking could also be determined by the R-3 use. Commissioners also agreed that quality of life needs to be first and foremost for any development of this sort. Commissioners agreed that lighting in any commercial district housing development could be reviewed on a case by case basis.

6. Public Comment (7:50)

Dennis Broder of Old Incochee Farm Trail spoke in favor of short term rentals on Silver Lake.

Kelly Kazmierski spoke in favor of short term rentals and requested that short term rentals be placed on the agenda for the next Planning Commission meeting.

Marion Brady owns a resort on Silver Lake and wishes to continue renting.

Scott Ogden President of the Silver Lake Improvement Association commented that his association deals only with water quality and lake safety.

Commissioners discussed the authentication of any survey sent out and commented that the Commissioners needed to be educated on the matter before taking any action. The item was not on the agenda for the evening, so little can be done at this point. Wilson supported staff for the job they are doing and the Planning Commission will direct staff accordingly. Staff will also look into other ordinances in other municipalities.

7. <u>Items for Next Agenda – October 28, 2015 (8:25)</u>

- a. Signs IMAX Theater Buffalo Ridge PUD b. To be determined
- 8. Adjournment (8:25)

Wilson moved to adjourn the meeting at 8:25pm.

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

Charter Township of Garfield Planning Department Report No. 2015-61						
Prepared:	October 21, 2015	Pages:	1 of 2			
Meeting:	October 28, 2015 – Planning Commission	Attachment	s:			
Subject:	Conceptual Review – Medical Office					
File No.	N/A	Parcel No.	222-(002&003)-00			
Applicant:	Bob Yvon - Traverse City Medical Properties LLC					
Owner:	Traverse City Medical Properties LLC					

STAFF COMMENT:

The Planning Commission has previously held conceptual reviews for development of the two remaining commercial sites within the Lone Tree PUD. The general concept plan is for construction of a medical office within the project.

Based on previous discussion, the applicant has incorporated certain changes to the conceptual plan as outlined below and requested another conceptual review.

DISCUSSION:

Rosewood Connection: The connection between Lone Tree and Brookside Commons has been completed and recorded. The connection now complies with the requirement of both PUD's and should negate the need for a traffic impact study.

Access to the site: The applicant has removed the primary entrance from Lone Pine Road and has relocated it to Rosewood Drive as desired by the Planning Commission

Lot Combination / Size of Structure: The applicant is requesting to combine the two remaining building sites in order to construct one larger more, efficient building. The attached rendering indicates that the building architecture is designed to limit the appearance of massing. This single, larger structure would replace what has previously been considered for two separate, smaller structures.

The Zoning Ordinance does give Staff the authority to approve lot combinations within PUDs as an administrative amendment. However, the eventual site plan review of this project will be up to the Planning Commission, so this is an opportunity for the Planning Commission to express its thoughts about one larger building in lieu of two smaller buildings.

Setbacks: The applicant has designed the project to conform to all setbacks.

Storm water: Planning Commissioners questioned placing the storm water containment within the setback area and requested that Staff review the approval to determine if this practice was permitted. Following review of the PUD it does not appear that any restrictions were placed on the Lone Tree project regarding this practice. Similarly, the adjacent Brookside Commons PUD has storm water containment located within the setback areas.

Pedestrian Circulation:

A pedestrian/ bicycle path has been included along Long Lake Road to connect to the recently added Brookside Commons concrete pathway.

ACTION REQUESTED:

This is likely to be the final conceptual review before submittal of the project. This is an opportunity for the Planning Commission to provide the applicant with additional informal guidance, if needed. At this time, it appears that the applicant has addressed all of the Planning Commission's concerns. No formal action is necessary at this time.

Attachments:

Third Lone Tree Medical Office conceptual review application

Robert A. Yvon

134 E. Ninth St. Traverse City, MI 49684 rayvonarch@charter.net

October 19, 2015

Planning Commission c/o Rob Larrea, Planning Director Charter Township of Garfield 3848 Veterans Drive Traverse City, MI 49684

Dear Commission Members:

The attached application, conceptual site plan and project description are being submitted for a second conceptual review for a proposed new building at the Lone Tree development at the corner of North Long Lake Road and Lone Pine Road.

The property is currently under a P.U.D. designation as part of the Lone Tree I Site Condominium. This second conceptual review is being requested to determine if the applicant can reasonably develop the combined parcels (05-222-002-00 and 05-222-03-00) for the proposed medical office use.

As we discussed at our previous conceptual review and with the township planning director, Rob Larrea, and zoning administrator, Sara Kopriva, we have reviewed the goals and guidelines applicable to this property, and we're confident that the proposed use and development concept are consistent with those goals and with the original intent of the property when the Lone Tree subdivision was approved.

We have taken the input from our earlier review session with the Planning Commission and incorporated appropriate adjustments and improvements to the plan, including: verifying storm water control and treatment design on the subject parcel and within the Lone Tree development; maintaining some of the existing trees to provide mature landscaping and a buffer to the adjacent property; locating the property access off Rosewood Road; and providing a pedestrian/bicycle path along North Long Lake Road.

We look forward to an opportunity to discuss the proposed project with you to establish a basis for moving the project ahead in a timely fashion. Thank you for your time and input.

Sincerely,

Robert A. Yvon

cc: R. Nielsen, R. Taylor

Robert A. Yvon ARCHITECT, LLC

134 E. Ninth St.

Traverse City, MI 49684 (231) 883-9461 rayvonarch@charter.net

Project Description for Proposed Medical Office at Lone Tree Subdivision for Traverse City Medical Properties LLC -- October 19, 2015

Outline:

location: combined Units 2 and 3 of Lone Tree I Site Condominium at the intersection of North

Long Lake and Lone Pine Roads

parcel size: 95,266 sf (2.2 acres)

vehicle access: from Rosewood Drive

proposed use: medical offices

proposed building: 1 story, 14,300 sf

parking: 70 spaces

storm water accommodation: per current standards and established engineering for the Lone Tree development; requirements for this property (and confirmation of current stormwater retention areas) have been determined by the site engineer for the original Lone Tree development, and will be handled with minimal retention (forebays) per current township requirements and design standards applicable to this property

Description:

The property under consideration is at the east side of the entrance to the Lone Tree I Site Condominium. The proposed project utilizes Units 2 and 3 combined to provide for the interrelated medical services anticipated in three areas of the building: medical clinic (A), lab services (B), and physical therapy (C).

The proposed building is anticipated to contain approximately 14,300 sf floor space on one floor (not including potential mechanical attic or basement areas), less than the total 16,000 sf originally approved for these two Units of the site condominium.

The site layout is designed to provide clear wayfinding for clients/patients and to direct visitors to the building entrances while separating the staff parking area to minimize the visual impact of the total parking provided. The access driveway location addresses the challenges of providing an appropriate relationship between the existing road, parking, and appropriate access to the building.

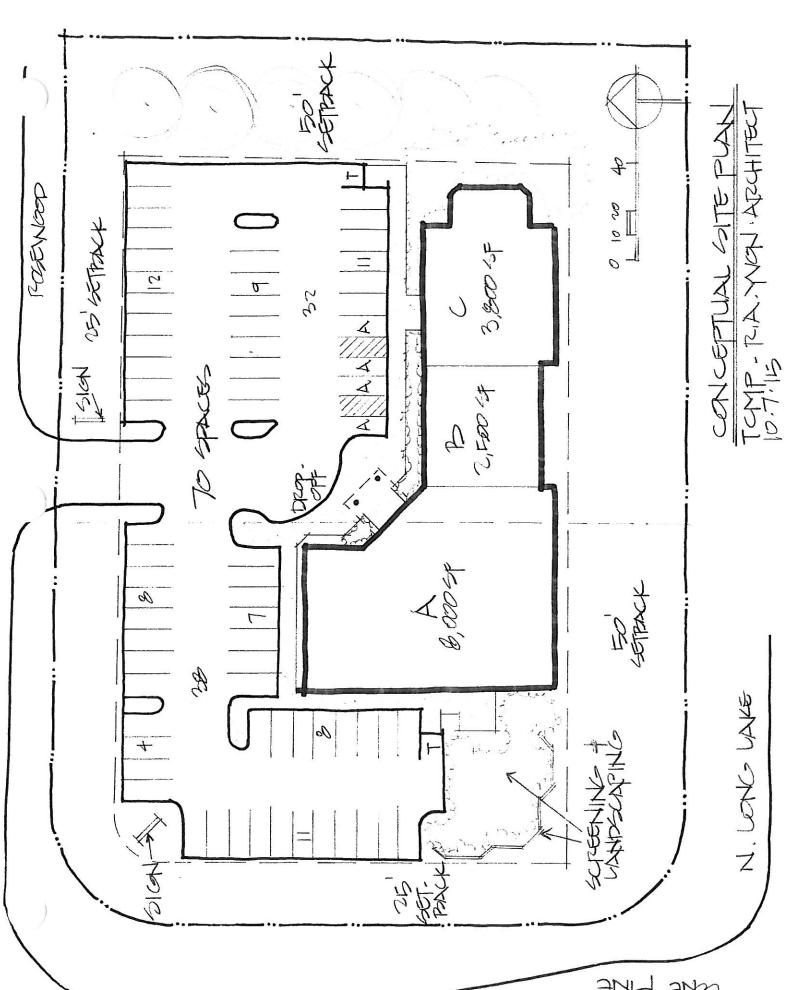
Rosewood Road in the Lone Tree development is intended to connect to and through the adjacent Brookside development, providing vehicle access to the extended Zimmerman Road and to the traffic light at the the Zimmerman/N. Long Lake intersection.

Identifying signage is proposed on the building itself; modest signage is proposed at the intersection of Lone Tree and Rosewood Roads and at the access to the parking.

The proposed project respects the setbacks that were established when the Lone Tree subdivision was approved.

The proposed project will be served by public water and sanitary sewer systems.

Site development and finishing will establish an attractively landscaped setting meeting or exceeding township guidelines, including a pedestrian/bicycle path to be provided along North Long ake Road.



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Charter Township of Garfield Planning Department Report No. PD 2015-62							
Prepared:	October 22, 2015	Pages:	1 of 3				
Meeting:	October 28, 2015 Planning Commission	Attachment	ts:				
Subject:	Child Care Facilities in Residential Distric	ts					

BACKGROUND:

At its meeting on October 14th, the Planning Commission discussed changing zoning regulations to allow certain child care uses as a conditional, rather than special use permit. The Planning Commission was generally supportive of this concept but requested additional clarification on some items.

STAFF COMMENT:

Discussion points and amended text resulting from that meeting (in order as they were discussed) follow:

- Condition 7. What does the PC rely on in determining that this condition is met? Recommendation is as follows:
 - (7) The Planning Commission shall determine that the facility will be safe to enter and exit via motor vehicle, and may request a County Road Commission opinion if necessary. This determination may rely upon the Planning Director's recommendation, following a site inspection, and, if necessary, the Planning Director's discussions with the Grand Traverse County Road Commission and/or other professional traffic impact consultant.
- Should/could the Planning Commission schedule an additional, Michigan ZEA-compliant public hearing if neighbors object to the application after receipt of the first Planning Commission hearing?
 - O As drafted, the Planning Department will already be noticing everyone within 300-feet, which is a ZEA requirement. The only change in re-noticing an additional hearing is that (in addition to noticing everyone who has already received a notice), we would also publish the notice in the local newspaper. Staff feels that this is probably an unnecessary and time-consuming step.

SECOND DRAFT:

In the interest of moving this discussion forward, Staff has incorporated the change to Condition 7 in the draft Section 719, which follows.

Please note that text which is not highlighted below already exists in the Zoning Ordinance. Recent revisions to this second draft are noted in strikethrough or **bold**.

- DRAFT Section 719 Child Care, Small Group Home (7-12)
 - A. REGULATIONS AND CONDITIONS
 - (1) A Planning Commission hearing is required.
 - (2) Facility shall maintain all valid state and local licenses.
 - (3) Facility shall be operated within the primary residence of the caregiver.
 - (4) All outdoor areas used for the care and supervision of patrons shall have appropriate fencing for the safety of the children in the group day-care home of no less than 4 feet in height or in accordance with State regulations.
 - (5) Such facilities shall at all times be maintained in a manner consistent with the character of the surrounding neighborhood.
 - (6) Hours of operation shall not exceed sixteen (16) hours during a 24-hour period. The Planning Commission shall not prohibit evening operations completely, but may establish limitations on hours of operation and/or activities between the hours of 10PM and 6AM.
 - (7) The Planning Commission shall determine that the facility will be safe to enter and exit via motor vehicle, and may request a County Road Commission opinion if necessary. This determination may rely upon the Planning Director's recommendation, following a site inspection, and, if necessary, the Planning Director's discussions with the Grand Traverse County Road Commission and/or other professional traffic impact consultant.
 - (8) The Planning Commission shall determine that the site is properly designed and capable of safely accommodating the proposed facility.
 - (9) The Township Planning Commission may deny the request if any of the following facilities exist within 1,500 feet of the subject property:
 - (a) A licensed or pre-existing operating group day-care home.
 - (b) An adult care small group home (1-12 adults).
 - (c) An adult foster care large group home (13-20 adults).
 - (d) A facility offering substance abuse treatment and rehabilitation service to 7 or more people.
 - (e) A community correction center, resident home, halfway house, or similar facility under jurisdiction of the Department of Corrections.

B) PROCEDURE

- (1) Applications shall be submitted to the Planning Department for completeness review. All applications shall include sufficient site plans or site diagrams, and written information to adequately describe the application as it relates to the conditions of approval. Upon determination that the application is complete, the Planning Department shall forward the application to the Planning Commission for review.
- (2) The Planning Department shall notify the owners of all real property within 300-feet of the subject property that an application for a Child Care, Small Group Home has been received. This notice shall inform the recipient that an opportunity for public comment on the application is available, but shall not be considered a public hearing for the purposes of the Michigan Zoning Enabling Act. The notice shall include a description of the proposed application, the mailing address where written comment may be sent, and the date, time, and address where the Planning Commission hearing will occur.

(3) The Planning Commission, in its review, shall consider the standards of § 719.A as well as any public comment made in writing or made verbally at the Planning Commission's hearing. After this consideration, the Planning Commission may approve, approve with conditions, or deny the request.

ACTION REQUESTED:

If the Planning Commission feels that this second draft is ready to be considered at a public hearing as a proposed zoning ordinance amendment, then the following motion is recommended:

THAT the proposed text changes to the 2015 Garfield Township Zoning Ordinance, as described in Planning Department Report No. 2015-62, be scheduled for a Planning Commission public hearing on December 9, 2015.

If the Planning Commission is not yet ready to accept these changes as in final draft form, then the above motion would be premature.

Charter Township of Garfield Planning Department Report No. PD 2015-63							
Prepared:	October 22, 2015	Pages:	1 of 3				
Meeting:	October 28, 2015 Planning Commission	Attachments:		\boxtimes			
Subject:	Multi-family dwellings in commercial zoning districts						

BACKGROUND:

At its meeting on September 23, 2015 the Planning Commission discussed a number of items related to residential developments. The result of that meeting was as follows:

- General support to allow multi-family developments by Special Use Permit within commercial zoning districts, subject to certain design standards to help ensure "quality" developments.
- Support to correct an inadvertent error in the new zoning ordinance which imposed greater setbacks on apartment buildings, and also to modify setbacks in the R-3 zone from 25-10-30 (F-S-R) to 25-20-20.
- Support to remove "group housing" as an allowable use.

At its meeting on October 8, 2015 the Planning Commission held a follow-up discussion regarding residential uses in commercial zones, which resulted in a number of additional questions and discussion points. This report is intended to further that discussion.

STAFF COMMENT:

Follow up discussion points resulting from the Planning Commission's previous comment is as follows:

- Density. There appeared to be a general consensus to allow a "baseline" density similar to the R-3 district, with flexibility for the Planning Commission to increase density if the project is well designed. There was certainly some concern about higher densities, but remember, because each unit would need 50 square feet of "private" open space and 300 square feet of open space (not including setback areas), this is something of a self-limiting factor. Combined with the general design criteria, Staff feels that the Planning Commission would have adequate backing to deny an overly dense application which did not meet our intent.
- General design. We have incorporated a reference to the PURD section (see §725.A.1, below), so that the Planning Commission may rely on these established site design and general compatibility criteria.
- Parking. Again, there was general consensus to require parking in the same manner as the R-3 District. This change has been incorporated, and we have also included a reference to Section 551, parking, which allows for shared parking agreements with

existing parking lots in the vicinity. This reminder may help to reduce impervious surface areas on the development site.

• Lighting. Staff has included sample language to encourage adequate, but low-level lighting in the residential areas of a site so that apartments are not overly lit by ambient parking lot lighting. In the event that commercial lighting already illuminates the residential area of the site, then additional lighting may not be required.

Staff has revised the first draft accordingly. Additional text is shown in **bold** below.

SECOND DRAFT SECTION 725 COMMERCIAL DISTRICT HOUSING DEVELOPMENTS A. REGULATIONS AND CONDITIONS

- 1. Design.
 - a. Multiple-family residential uses built within commercial zoning districts shall be designed to cohesively integrate with the surrounding commercial uses. For the purpose of making this determination, the Planning Commission may rely on the site design requirements and general criteria as set forth in § 427, Planned Unit Residential Developments.
 - b. Multi-family structures shall be abutted by open space on at least one side per building.
 - c. The baseline project density shall be as described in the R-3 Multiple Family Residential Zone. At its discretion, and based upon a determination that the project is designed to meet the intent of this Section, the Planning Commission may authorize increases in density over what is regularly allowable.
 - d. Parking requirements shall be as described in the R-3 Multiple Family District. Shared parking agreements as described in § 551 of this Ordinance are supported and encouraged. Parking areas shall not be located within any setback.
 - e. Landscaping shall be as required in Article 5, Table 531.1. In the event that the multi-family project does not sit on its own parcel, the application shall indicate a project boundary area which shall be used for the purpose of landscaping placement.
 - f. Pedestrian walkways shall be provided within the subject parcel or project boundary for the purpose of providing safe and convenient movement within the site and towards other walkable places of interest such as stores, restaurants, or entertainment.
 - g. The residential areas of an overall commercial development site shall be adequately, but not overly, lit at night. Applications shall demonstrate that commercial lighting in the vicinity meets the dark sky requirements of this Ordinance in order to minimize impact on the residential area. Where lighting is to be installed for a residential area, average illumination levels of 0.5 to 1.0

foot candle shall be maintained. Existing commercial lighting which illuminates the residential area of the site to this level may be used in lieu of installing additional residential lighting. Common entryways shall be adequately illuminated by wall-pack style lighting fixtures.

- 2. Open Space Requirements.
 - a. A minimum of fifty square feet per unit of private outdoor space with a minimum dimension of four feet in any direction. Private open space shall be accessible directly from the living area of the unit, in the form of a fenced yard, patio, deck, or balcony.
 - b. A minimum of three hundred square feet per unit of common outdoor open space. Required open space shall be consolidated to the extent reasonably possible to provide areas for the residents and/or to help buffer the residential structures from adjacent commercial uses.
 - c. Open space shall be designed to provide a rear yard along the longest building length of a given structure.
 - d. Required setback areas shall not be included towards required open space areas; however, placing required open space areas adjacent to setbacks is supported.
- 3. Compatibility. Applications shall describe measures which will be taken to mitigate common commercial impacts such as noise, light, and nighttime operations on the multi-family project.

ACTION REQUESTED:

If the Planning Commission feels that this second draft is ready to be considered at a public hearing as a proposed zoning ordinance amendment, then the following motion is recommended:

THAT the proposed text changes to the 2015 Garfield Township Zoning Ordinance, as described in Planning Department Report No. 2015-63, be scheduled for a Planning Commission public hearing on December 9, 2015.

If the Planning Commission is not yet ready to accept these changes as in final draft form, then the above motion would be premature.