

CHARTER TOWNSHIP OF GARFIELD  
PLANNING COMMISSION MEETING

Wednesday, January 27, 2016 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  
January 13, 2016
3. Correspondence
4. Reports
  - a. Township Board
  - b. Planning Commissioners
5. Business to Come Before the Commission
  - a. PD 2016- 12 Reid Child Care (7-12 Children) – SUP – Request to Postpone
  - b. PD 2016- 13 GT Mall Site Plan Review - Dick's Sporting Goods - Findings
6. Public Comment
7. Items for Next Agenda – February 27, 2016
  - a. 2015 Annual Report
  - b. Master Plan Survey Results and Discussion
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

**CHARTER TOWNSHIP OF GARFIELD  
PLANNING COMMISSION MEETING  
January 13, 2016**

**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: Pat Cline, Kit Wilson, Terry Clark, Joe Robertson, Gil Uithol, John Racine

Absent and Excused: John Nelson

Staff Present: Rob Larrea

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

*Uithol moved and Cline seconded to approve the agenda as presented*

*Ayes: Uithol, Cline, Wilson, Clark, Robertson, Racine*

*Nays: None*

**2. Election of Officers**

*Clark moved to nominate Racine as Planning Commission Chair. Uithol seconded the motion.*

*Yeas: Clark, Uithol, Robertson, Cline, Wilson, Racine*

*Nays: None*

*Clark moved to nominate Nelson as Planning Commission Vice Chair. Racine seconded that motion.*

*Yeas: Clark, Racine, Wilson, Uithol, Robertson, Cline*

*Nays: None*

*Clark moved to nominate Robertson as Planning Commission Secretary. Cline seconded the motion.*

*Yeas: Clark, Cline, Robertson, Uithol, Wilson, Racine*

*Nays: None*

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

**a. December 9, 2015 Minutes**

Clark clarified that the discussion on Vacation Home Rentals was a discussion and not a Public Hearing and the minutes should reflect that change.

*Clark moved and Wilson seconded to approve the minutes of December 9, 2015 as amended.*

*Ayes: Clark, Wilson, Cline, Uithol, Robertson, Racine*

Nays: None

**4. Correspondence (7:03)**

- a. Culver Meadows – Court Decision on Appeal from Planning Commission Decision
- b. Vacation Home Rental - Letters

**5. Reports (7:04)**

**Township Board Report**

Wilson had no report

**Planning Commissioners**

No reports

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

**a. PD 2016-03 Reid Childcare (7-12 Children) – SUP – Public Hearing (7:04)**

The application requests a Special Use Permit (SUP) to establish a group childcare home at 3181 Zimmerman Road. The property is zoned R-1 Single Family Residential and contains an existing single-family home. Racine opened the Public Hearing at 7:06pm. Seeing no one wishing to comment, the Public Hearing was closed.

Planning Commissioners expressed concern with traffic on Zimmerman Road and the sight distance along a curve. Reid said that there is a turnout on the top of the driveway, a parking spot at the bottom of the driveway and room enough for two cars to pass in the driveway itself. Commissioners directed Staff to prepare Findings of Fact to deny the request on the basis of the traffic safety issue. Larrea suggested that the applicant ask to postpone the decision for a month to work with the Road Commission on a possible solution.

*Clark moved and Uithol seconded to postpone action on PD 2016-03 until the regularly scheduled Planning Commission meeting in February.*

*Yeas: Clark, Uithol, Wilson, Cline, Robertson, Racine*

*Nays: None*

**b. PD 2016-04 GT Mall Site Plan Review – Dick’s Sporting Goods – Public Hearing (7:26)**

The applicant requests to demolish a large area formerly occupied by Carmike Cinemas at the Grand Traverse Mall and locate a Dick’s Sporting Goods store in the space. Rouse Properties is also requesting the approval of two new overhead service door entrances to the structure near Macy’s and the main mall entrance. The subject property is zoned C-P Planned Shopping Center. Pat Heintz representing Rouse Properties gave the Commissioners an overview of the project and said that three additional maple trees would be planted along S. Airport Road to compensate for landscaping that would be removed.

Racine opened the Public Hearing at 7:29pm.

Brenda Lau of Day Drive commented on the loading docks and their placement.

Racine closed the Public Hearing at 7:31pm.

Bob Verschaeve of Gosling Czubak said that there would be a loading dock for Dick's Sporting Goods and that it would be screened by a wall and existing vegetation. Commissioners asked questions regarding the project and directed Staff to draft Findings of Fact in favor of the proposed project.

*Clark moved and Robertson seconded for Staff to draft Findings of Fact in favor of the proposed project and bring back to the Planning Commission in two weeks at the next scheduled meeting.*

*Yeas: Clark, Robertson, Uithol, Wilson, Cline, Racine*

*Nays: None*

**c. PD 2016-05 Vacation Home Rentals – Commission Discussion (7:40)**

Following the direction of the Township Board the Planning Commission and Staff have researched and discussed the issue of Vacation Home Rentals in the R-1 Residential zoning district. Prior to a recommendation Staff reviewed the survey, ordinances from other communities, spoke with communities in both Leelanau and Antrim Counties and evaluated the request as if it were a formal application for an amendment. In addition, the Planning Commission discussed the ordinance definition, the R-1b Residential District intent, Master Plan and grandfathering of resort properties.

*Clark moved and Uithol seconded THAT the Planning Commission, after evaluating a possible zoning ordinance amendment to allow vacation home rentals in the residential area surrounding Silver Lake in Sections 30 and 31, recommends to the Township Board that no action be taken to amend the zoning ordinance at this time, for the reasons described in PD Report 2016-05 and for the additional reasons as follows:*

- 1. As defined by the Garfield Township Zoning Ordinance and confirmed by the 86<sup>th</sup> District Court, vacation home rentals are considered to be a commercial use of residential property.*
- 2. The commercial use of residential property is not supported by the Master Plan or Zoning Ordinance.*
- 3. Until such time as vacation home rentals are discussed and supported in the Master Plan, it is premature to discuss this issue further.*

*Yeas: Clark, Uithol, Cline, Robertson, Wilson, Racine*

*Nays: None*

Wilson asked about the legal ramifications of the decision and was told that owners would have to make a formal request for a rezoning.

**d. PD 2016-06 Garfield Township Recognition (8:00)**

Larrea told Commissioners that Deputy Planner Brian VanDenBrand was the recipient of the 2015 Roger Williams Planner Award and that his work on the TART Trails has won Garfield Township Community Partner status in the area. The township was also recognized by U of M Dearborn as a Four Star Community in the eCities survey. Wilson commented on the staff and how well they work together to achieve recognition.

**e. PD 2016-07 Crown Golf Course – Conceptual Review (8:05)**

The subject parcel is within the Crown Planned Unit Development on West Silver Lake Road. The PUD has an underlying zoning of A-1 Agricultural. The applicant requests conceptual review of a new development concept for the “community building/clubhouse” area of the Crown PUD, located just to the North of the intersection of W. Silver Lake Road and East Crown Drive. Tom Piehl, architect, was present and talked with the Planning Commission about replacing the existing community building with a new larger structure. The main level would house an office and community room and a pool and patio located on the ground level. It would be available to property owners on a membership basis. Also proposed is a “stay and play” use which would comprise four rental condos which would provide overnight accommodations to golf course guests. Commissioners asked about the use and Piehl said the condos would be rented by appointment only. Commissioners were generally positive about the idea but would like additional information moving forward.

**7. Public Comment (8:31)**

Deuce Olsen commented on the conceptual review of the Crown Golf Course. .  
Mike Kazmierski of Silver Lake Road commented on vacation rentals.

**8. Items for Next Agenda – January 27, 2016**

- a. Master Plan Survey Results
- b. 2015 Annual Report


**9. Adjournment**

*Racine moved to adjourn the meeting at 8:38pm.*

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



		<b>Charter Township of Garfield</b>	
		Planning Department Report No. 2016-13	
Prepared:	January 21, 2016	Pages:	Page 1 of 2
Meeting:	January 27, 2016 Planning Commission	Attachments:	<input checked="" type="checkbox"/>
Subject:	Grand Traverse Mall Site Plan Review - Dick's Sporting Goods		
File No.	SPR-1990-04-E	Parcel No.	05-021-015-00
Applicant/Owner:	Grand Traverse Mall LLC / Rouse Properties Inc		
Agent:	Gosling Czubak		

**PURPOSE OF APPLICATION:**

The application requests site plan review for a new tenant, Dick's Sporting Goods, to be located within the Grand Traverse Mall. The application also requests approval of two new overhead service door entrances to the structure near Macy's and the main mall entrance. The subject property is zoned C-P Planned Shopping center.

**STAFF COMMENT:**

This application was introduced to the Planning Commission on December 9th and a public hearing was held on January 13, 2016. After an opportunity for public comment, the Planning Commission directed Staff to prepare findings in support of approval of the application.

**ACTION REQUESTED:**

As noted above, the Planning Commission has requested Staff to prepare findings in support of the application, and these findings are attached. The following motion would be appropriate to adopt the findings of fact:

THAT the Findings of Fact for Application 1990-04-E, submitted by Rouse Properties for a site plan amendment to the Grand Traverse Mall, BE APPROVED (*motion to be made only following review and acceptance of draft document*).

The following motion is recommended to approve the project, subject to the conditions as noted:

THAT Application 1990-04-E, submitted by Rouse Properties for a site plan amendment to the Grand Traverse Mall, BE APPROVED subject to the following conditions:

- (a) Except as specifically amended by this approval, all original development requirements and conditions of approval shall remain in full force and effect.
- (b) The applicant shall work with Staff to ensure that the requirements of Section 522, Pedestrian Circulation and Non-Motorized Transportation, are satisfied.
- (c) The retail tenant shall be entitled to one (1) building-mounted wall sign of up to 98-square feet, to be located upon the premises of the business itself and meeting all other requirements of the Zoning Ordinance.

- (d) Any future changes to building elevations shall be subject to further Planning Commission review and approval.
- (e) The applicant shall provide two (2) full sized plan sets, one (1) 11x17" plan set, and one 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.
- (f) The applicant shall record promptly the 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.

Any additional information that the Planning Commission determines necessary or appropriate may be added to either of the above motions.



# Charter Township of Garfield

## Grand Traverse County

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

### SPR-1994-04-E – Dick's Sporting Goods / Grand Traverse Mall

### Site Plan Review for Property in the C-P Planned Shopping District

Subject Property: Grand Traverse Mall; 3200 South Airport Road.  
Permanent Parcel Numbers: 05-021-015-00  
Request: Site Plan Review / Amendment to Planning Shopping Center  
Applicant: Rouse Properties  
Agent: Gosling Czubak

### **Findings of Fact – Staff Draft 1-27-16 Planning Commission**

#### **General Findings:**

1. An application has been made for site plan review of a new retailer to be located within the Grand Traverse Mall, which is zoned C-P Planning Shopping Center. The application is subject to Planning Commission review pursuant to Sections 322, 424 of the Garfield Township Zoning Ordinance.
2. Dick's Sporting Goods, the proposed occupant, will be located in the area formerly occupied by Carmike Cinema and other small retail businesses, which are located on the northern portion of the site and accessed by the mall's service drive. The former wing will be demolished and replaced by the retail store. Other than an additional truck loading and unloading dock, no changes are proposed to this area of the site.
3. The application requests approval of one, 98-square foot, internally illuminated wall sign, to be located above the primary entrance to the retailer. This sign is found to be compatible with the surroundings, similar in size to signs which already exist within the development, and sufficient in size to adequately identify the retailer.
4. The application also requests approval of two new overhead service doors, one near Macy's and one near the main mall entrance.

## **SECTION 424 SITE PLANS**

### **F. Review Standards**

#### **(1) Standards for Approval – Site Plan or Site Development**

An administrative site plan or site development plan shall conform to all provisions of this ordinance and to the following site development standards which shall be reflected on the plan:




- (a) **Required Information.** All required information shall be provided.
  - i. The Planning Commission finds that all required information has been provided or may be required as a condition of approval.
- (b) **Outside Agencies.** All applicable standards of outside agencies shall be met and all required permits and approvals from outside agencies shall be secured, or be made a condition of approval.
  - i. The Planning Commission finds that any required outside agency permits shall be required as a condition of approval.
- (c) **Essential Facilities and Services.** Adequate essential facilities and services, including highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, and schools, shall be available.
  - i. The Planning Commission finds that as an existing development, all essential facilities and services are in place.
- (d) **Natural Features.** Sensitive natural features, or existing natural features that provide a buffer between adjoining properties, or assist in preserving the general appearance of the neighborhood, or help control soil erosion or stormwater, shall be preserved to the greatest extent possible.
  - i. The Planning Commission finds that this standard is not applicable as no natural features remain on site.
- (e) **Site Design.** All buildings and structures shall be designed, situated, constructed, operated and maintained so as to be harmonious, compatible, and appropriate in appearance, with the existing or intended character of the general vicinity. Site design shall minimize adverse effects upon owners and occupants of adjacent properties and the neighborhood.
  - i. The Planning Commission finds that the application includes the demolition and reconstruction of an existing building. The proposed replacement structure is similar in nature that that of the existing mall, with roofline and parapet heights generally ranging from 20-to-26 feet as measured from the ground to the peak of the structure, including parapet. As such, compatibility with the character of the site and surrounding landowners will be maintained.
- (f) **Orientation.** Primary buildings or structures shall be oriented so that their main entrance faces the street upon which the lot fronts. If the development is on a corner lot, the main entrance may be oriented to either street or to the corner.
  - i. The Planning Commission finds that the primary entrance to the retail building voluntarily faces an existing parking area and service drive rather than a primary street. Generally, anchor tenants within the development are oriented so that their primary building wall is visible from a public road. However, due to the selected location, the applicant is aware that visibility will be limited to the private access road which serves the development.

- (g) **Vehicle and Pedestrian Systems.** The development, where possible, shall provide vehicular and pedestrian circulation systems which reflect and extend the pattern of streets, pedestrian and bicycle ways in the area. A proper relationship between existing and proposed roadways and parking areas shall be demonstrated, and the safety and convenience of pedestrian and vehicular traffic shall be assured. Travelways which connect and serve adjacent development shall be designed appropriately to carry the projected traffic.
  - i. The Planning Commission finds that Subject to Section 522, applications to redevelop or amend a site plan where more than \$20,000.00 will be invested shall demonstrate compliance with the non-motorized requirements of the Zoning Ordinance. Any approval shall be conditioned accordingly to allow for Staff review of appropriate pedestrian facilities.
- (h) **Shared Drives.** Where the opportunity exists, developments shall use shared drives. Unnecessary curb cuts shall not be permitted.
  - i. The Planning Commission finds that the development is accessed by an existing shared drive.
- (i) **Impervious Surfaces.** The amount of impervious surface has been limited on the site to the extent practical.
  - i. The Planning Commission finds that the majority of impervious surface is existing. The additional service doors will result in a minor increase in impervious surface.
- (j) **Master Plan.** The proposal is not in conflict with the land use policies, goals and objectives of the Township Master Plan.
  - i. The Planning Commission finds that the proposal aligns with the Community Commercial designation of the Master Plan.

## (2) Required Approval

No site diagram, administrative site plan or site development plan shall be approved unless it conforms to all applicable requirements of each article of this Ordinance.

- i. Planning Commission Finding: The application generally demonstrates compliance with the Zoning Ordinance. Any remaining requirements may be satisfied through conditions of approval.

		<b>Charter Township of Garfield</b>	
		Planning Department Report No. 2016-12	
Prepared:	January 21, 2016	Pages:	Page 1 of 1
Meeting:	January 27, 2016 Planning Commission	Attachments:	<input type="checkbox"/>
Subject:	Elizabeth Reid Group Child Care SUP Application - Public Hearing		
File No.	SUP-2015-02	Parcel No.	05-017-039-00
Applicant/Owner:	Elizabeth Reid		
Agent:	n/a		

**PURPOSE OF APPLICATION:**

The application requests Special Use Permit (SUP) approval to establish a group childcare home (providing care for up to 12 children) at 3181 Zimmerman Road.

**SUBJECT PROPERTY:**

The subject property is located on the west of Zimmerman Road, north of Silver Lake Road and south of the Heritage Estates subdivision. More specifically, the site is located along the curvy stretch of road roughly across from the Paysage Place subdivision (Panorama Road). The property is zoned R-1 Single Family Residential and contains an existing single-family home.

**STAFF COMMENT:**

This application was introduced on December 9, 2015 and a public hearing was held on January 13, 2016. No public comment was received, but concern did remain about safe access to and from this site because of its location along a curve in the roadway, as well as the steep and narrow driveway.

At this time, the applicant has indicated that she intends to establish a licensed "family" daycare home (less than 6 children), which is considered a residential use of property by State law and not subject to local control. The applicant's hope is that this use will help prove that safe access to the site is not a problem.

The applicant has secured the necessary State approval to establish the "group" childcare home of up to 12 children, and all that remains is obtaining the Township's consent. Because her tentative approval will expire if not activated by April 22, 2016, the applicant is requesting that the Planning Commission postpone consideration of this matter until the regular meeting on April 13, 2016. In the event that the family daycare does in fact help demonstrate that traffic safety is not a concern, then a decision on the 13th would allow the applicant to finalize her license prior to its expiration.

**ACTION REQUESTED:**

If the Planning Commission is supportive of the applicant's request to postpone a decision, the following motion is offered:

THAT further consideration of application SUP-2015-02, submitted by Elizabeth Reid to establish a group childcare home in the R-1 Residential District, BE POSTPONED until the April 13, 2016 Planning Commission meeting.