# CHARTER TOWNSHIP OF GARFIELD PLANNING COMMISSION MEETING

Wednesday, August 13, 2014 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. July 9, 2014
- 3. Correspondence
  - a. Utility progress report
- 4. Reports
  - a. Township Board
  - b. Planning Commissioners
- 5. Business to Come Before the Commission
  - a. PD 2014-47 Premiere Place PUD Amendment Public Hearing
  - b. PD 2014-49 The Crown PUD Sign Request Schedule Hearing
  - c. PD 2014-50 Copper Ridge PUD Clarification
- 6. Public Comment
- 7. Items for Next Agenda August 27, 2014 Work Session
  - a. Master Plan
- 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 Kay Schumacher, Clerk, Ph. (231) 941-1620, or TDD #922

# CHARTER TOWNSHIP OF GARFIELD PLANNING COMMISSION MEETING July 9, 2014

<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, Gil Uithol, Terry Clark, Kit Wilson, Joe Robertson, and John Racine

Absent and Excused: John Nelson

Staff Present: Rob Larrea

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

Uithol moved and Wilson seconded to approve the agenda as presented.

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

Nays: None

### 2. Minutes

# a. June 25, 2014 Minutes (7:01)

Uithol moved and Wilson seconded to adopt the June 25, 2014 Regular Meeting minutes

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

Navs: None

### 3. Correspondence (7:01)

a. Letter Regarding Sheffer Farms

### 4. Reports:

# a. Township Board (7:02)

Wilson reported that the Board set up a committee to discuss a water tower for the west side of the township.

# b. Planning/Zoning Department

No reports

# c. Planning Commissioners

No reports

### 5. Business to Come Before The Commission

# a. Grand Traverse County Master Plan Presentation – John Sych (7:02)

John Sych presented the completed and adopted Grand Traverse County Master Plan. He said that the plan is a fairly simple one and certainly not all inclusive. It is intended to be a document to provide networking and communications for the other community plans. He added that there were maps included for public lands

and protected lands as well as a conceptual plan to identify areas slated for growth. Sych said that the Master Plan is also online at masterplan.grandtraverse.org

# b. PD 2014-44 – The Crown PUD Sign Request (7:08)

The application requests approval to convert a portion of the double sided sign at West Crown Drive to an LED sign. The sign would be shared by Mulligans Restaurant and the Crown Golf Club. Ordinance language was discussed and the attorneys remain at odds over the issue of the signage. Staff is asking for direction in the matter. Commissioners agreed that the signage is not appropriate in that location and that the residential character needs to be preserved. The Commissioners concurred that the size of the LED sign would not make a difference and directed staff to draft Findings of Fact in the matter.

# c. PD 2014-45 Premiere Place PUD Amendment (7:16)

The subject PUD is located along Premier Street, Woodmere Avenue and Boardman Lake. The project was first approved in 2003 and a number of single family condominium structures have been built. The PUD is currently approved for a 72 unit multi family structure called Premier Manor. Doug Mansfield of Mansfield Land Use Consultants said that there is high demand for this type of housing in the area. There will be a new drive off of Woodmere and a curb cut is already in place. The building currently approved is a 3 story building while the proposed building is 4 stories with an additional walkout level on the west side of the building. The project will feature underground storm water containment, storage and fitness areas in the walkout level and garages rather than carports as originally approved. Larrea stated that the walkway and stairs were not permitted in the treed area of the conservation easement but could be relocated to the north. Larrea also had concerns with the language of the railroad crossing and felt that it needed to be a permanent access. Commissioners had concerns with the scale, stories and height of the building as well as the location of the building in relation to the setbacks. It was acknowledged that the unit sizes have increased in size necessitating the need to enlarge the building.

Uithol moved and Robertson seconded to set a public hearing for August 13, 2014 on PD 2014-45 Premiere Place PUD Amendment.

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

Nays: None

# d. Sheffer Farms PUD - Update (8:13)

Doug Mansfield was present to continue the discussion on the proposed Sheffer Farms PUD. His final plan shows a relocated commons area and the addition of a cul de sac. The traffic study will be submitted once the uses and design of the site plan has been set. Mansfield addressed a letter from an adjacent property agreeing to add a naturally landscaped area or something to buffer between the single family properties in question.

Commissioners requested a breakdown of other approved PUDs and their densities to compare with that proposed. They also stated that they would like the traffic study to be reviewed with and without the south connector to the neighboring subdivision.

# 6. Public Comment (8:32)

None

- 7. Items for Next Agenda July 23, 2014 (8:32)
  - a. Crown PUD Sign Request
  - b. Master Plan
- 8. Adjournment: Racine adjourned the meeting at 8:33pm.

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

### Charter Township of Garfield

#### **Construction Update**

#### August 7, 2014

# **Water Projects**

### Northwest Service District - Water System Improvements

The overall need for the project is beginning with intentions for Brookide Development to start in the next couple months and pressure problems becoming exacerbated with the irrigation season. The acquisition of property is underway along with immediate installation of some utilities as other entities are doing work in areas where proposed watermain are planned. GFA is working on a schedule for the overall project with our goal to have piping, tank and booster station completed by December 2015.

#### Zimmerman Road

The Township board provided authorization to GFA to coordinate installation of the proposed 16" watermain consecutive with the Grand Traverse Road Commission Road Improvements project. Negotiations with the GTCRC contractor Elmer's has occurred and prices provided were consistent with current bid prices for the area. GFA is working diligently to complete design, drawings / specifications, permits and coordination with all parties.

The road project was intended to be completed prior to school being back in session, however with this opportunity to coordinate projects both the Township and GTCRC have agreed to work together to complete by November 1<sup>st</sup>. The watermain installation is scheduled to begin around August 25<sup>th</sup> with road improvements to start approximately a month later.

#### Brookside

The proposed development is installing utilities along North Long Lake / Zimmerman Road that is consistent with locations the Township needs to install a parallel watermain. There is potential to coordinate work and cost savings to have utilities installed at same time. GFA is working with developer conducting plan reviews and assisting with Twp utility layout and permits.

### Eaglehurst and Crown Development

Some of the residents are experiencing significant pressure fluctuations and low pressure as a direct result of significant system usage this summer. The proposed NW water project will alleviate these problems but is 18 months until completion. In the interim GFA is working with the DPW to perform some operation and control modifications at SilverPines Booster Station #3 and Herkner Booster Station #5 to reduce the occurrence.

# **General Utilities**

### **Pineview Sewer Extension**

Final pay application and change order are in the packet for approval. CJs completed the project including restoration in April. GFA has received closeout documents and completing record drawings and will deliver to the DPW and Township acceptance.

### Lafranier Road

GFA is working with the GTCRC with plan reviews, cost estimates with respect to the utility adjustments. The lowering of the hill will affect a 12" forcemain and 8" sewer and the primary 20" watermain that feeds the eastern side of Garfield Township.

### Pump Station #3

DPW has been continuing to maintain this 25 year old station but is extreme need of pump replacements, electrical / instrumentation upgrades. The Township had pursued SAW Grant money to assist but was not selected during the lottery process. Cost estimates for the work have been provided to the Township for the rehabilitation.

Charter Township of Garfield		General:  Budget Related:	
		In Camera:	
Department:	Planning	Report No. PD 2014-47	
Prepared:	August 7, 2014	Pages: 1 of 2	
Meeting:	August 13, 2014 Planning Commission	Attachments:	
Subject:	Premier Manor – Major PUD Amendment – Initial Review		
File No.	SUP #2003 – 06 - D	Parcel No. 05-014-108-00	
Applicant:	Premier Place, LLC; Steve Nicolas, Managing Member		
Owner:	Woodmere Crossing LLC		
Agent:	Mansfield Land Use Consultants et al.		

# **SUBJECT PROPERTY:**

The Premier Place Planned Unit Development

## **PURPOSE OF APPLICATION:**

The application proposes site plan and building design changes for the apartment area of the site. The application is considered a Major Amendment to the development, requiring review before the Planning Commission and eventual decision by the Township Board.

### **STAFF COMMENT:**

This application was introduced on July 9, 2014, at which time the Planning Commission scheduled a public hearing for August 13, 2014.

At the time of the introduction, the Planning Commission voiced similar concerns to past reviews, including building size and scale compared to adjacent structures, location of the building relative to setbacks, building height, and the number of stories, all of which may adversely impact on surrounding properties. Access to Woodmere Avenue (including traffic analysis), and permanent control of this access, is also a significant discussion point.

Over the course of review, the applicant's agents have expressed that the Township is obligated to approve a number of development features in a manner similar to past approvals. To be clear, the Planning Commission should keep in mind that as a Major Amendment, this application should be considered as a "blank slate," and no prior site development approvals have granted any vested right to the applicant in development.

However, for comparison, Staff has prepared a table (following page) which shows certain development standards as permitted by the Zoning District, as recognized by the prior (and current) approval, and as proposed by the current application.

	R-M District	Approved Plan	Proposed Plan
Building Height	40 feet max	45 feet	45 feet
Number of Stories	3 stories max	3 stories	4 stories (+ walkout)
Number of Units	Varies	72 units	72 units
Average Unit Size	n/a	~1,073 SF	~1,218 square feet
Setback – E Line	25 feet	~ 7 feet	5.5 feet
Number Bedrooms	n/a	120 bedrooms	128 bedrooms
Setback – S Line	30 feet min (PUD buff)	34 feet (20ft parking)	30 feet
Setback – W Line (CE)	n/a due to CE	20 feet	20' building (5' patio)
Setback – N Line	30 feet min (PUD buff)	70 feet (10ft parking)	30 feet
Lot Coverage	35%	45%	51%
Building Footprint	n/a	30,400 square feet	26,050 square feet
Total Square Footage	n/a	91,200 square feet	~100,800 square feet

# **ACTION REQUESTED:**

While the above points remain to be addressed as the application evolves, the primary purpose of the Planning Commission's meeting on August 13<sup>th</sup> will be to take public comment on the application and to hold further discussion with the applicant. No further action is requested or appropriate at this time.

Please note that the application remains unchanged since last reviewed by the Planning Commission, and as such, new application binders have not been provided. If any Commission member requires new copies of material, please contact Staff.

# Carla and John Olds 1511 Kent St. #9 Traverse City, MI 49686 419-235-1979 olds@neebishisland.com

August 5, 2014

Garfield Charter Township Planning Commission 3848 Veterans Dr. Traverse City, MI 49684

Re: Proposed development and construction of Premier Manor

As we are not available to be present at the meeting scheduled for August 13 this letter is written to express support for the development and construction of *Premier Manor* on the northwest corner of the Premier Place Condominium property as described by the partnership at the owners meetings, other information provided over the recent past, and by the mailing "Notification Map Premier Place PUD Premier Manor" (July 27, 2014) from the township planning commission.

We have been owners of and permanently living at a condominium at 1511 Kent St. #9 since December 2009. We Appreciate living in this community for a number of reasons, including our positive experience and relationship with the ownership group, the management of the community (especially with the leadership and direction of the current manager), the quality of the buildings, the accourrements including the appearance, club house, pool, and landscaping as well as our experience of quick response to maintenance issues.

Further, we are not only users of the adjacent TART Trail, but actively participate as TART Ambassadors for the East Boardman Trail. We are pleased to understand that respect for and access to the trail will be maintained by the project developers as they move forward with the development and subsequent construction of Premier Manor.

Sincerely,

Carla and John Olds

Carla & oh Olds

# CHRIS PANOPOULAS 3033 MARY SE GRAND RAPIDS, MI 49546

July 28, 2014

Dear Planning Commission,

I am writing this letter in support of the proposed 72 unit apartment building. My family owns two investment groups representing 16 units. It is important that the building be built for the existing condos as it has in its economics important infrastructure improvements to move the PUD forward and nearly complete all the developer has promised

Thank you,

Chris Panopoulas

Garfield Township Planning Commission Garfield Township Hall 3848 Veterans Drive Traverse City, MI 49684

RE: August 13th Agenda Item – "Premier Manor"

Dear Planning Commission Members:

As the property owner of 1491 Kent, Unit #2, we are in support of the amendment request to the "Premier Manor" portion of the Premier Place Planned Unit Development (PUD). We are also in agreement to change the location of the approved driveway entrance to the site from Woodmere Avenue.

Thank you for your consideration of this request.

Sincefel

Michael R. VanGessel Wheeler-VanGessel, LLC

### Roberto Larrea

From: Joseph Bartz [jbartz51@msn.com]
Sent: Tuesday, July 29, 2014 2:28 PM

To: Roberto Larrea
Cc: cschorg@hotmail.com
Subject: Premier Manor plans

Dear Sir,

A year ago, my wife an I signed a letter voicing support for the above apartment complex to be built on the hill overlooking Boardman Lake adjacent Premier Place. I am withdrawing that support and asking you to say "no" to this development.

We bought our condo in Premier Place 4 years ago. For the first 3 years, it served as a second home. We retired last July and moved into the condo a year ago as permanent residents. What a difference a year makes.

The existing Premier Place Board refuses to enforce their own bylaws. It is not uncommon to see residents going 40 mph in here, although the posted speed limit is 10 mph. I have been nearly hit several times in the past couple months while walking my dog. I have complained, but to no avail. I have had conversations with Steve Nicolas, who said they can't afford to complete the paving and install speed bumps until the new development is built. I offered to help pay for speed bumps. He investigated the cost and found they could be installed in here for \$1,000. The present situation is unsafe. Someone, or someone's pet, or someone's child is going to get hurt or worse. Because this is private property, law enforcement apparently does not apply in here. Does someone have to be killed in order to force the expenditure of a lousy \$1,000? In discussions with Steve Nicolas, he indicated they now have in place a mechanism to fine violators. He also admitted, however, that if the violators refuse to pay, they probably won't spend money on lawyers to force collection.

Parking in here is also abysmal at times. Residents routinely ignore the bylaws, very often stealing other's parking places. We have neighbors in our building that sometimes have 5 cars here, all parked outside. The bylaws allow 1 car outside and 1 in the garage. Most of this problem occurs during the busiest times of the year, such as Cherry Festival, when part-time residents descend on Premier Place in hordes. They party, make unacceptable noise, etc during these times. Most of the year, parking is not an issue, but it is unacceptable for about 6 weeks a year.

As a result of the above problems, plus others, my wife and I have decided to sell. We have purchased a new home elsewhere. We have already had one potential buyer say "no" because our unit backs up to the proposed parking lot and garages for the apartments. Therefore, this project has already negatively impacted our property values. We will continue to try and sell, but may be stuck renting out our unit or selling at a large loss due to the 4-story albatross to be built on the hill.

I understand a traffic study was done. In addition to the study, I suggest the Sheriff's dept. be asked to spend a day in here checking speeds. They will be amazed.

My wife and I have followed the bylaws to the letter in our stay here, but we are probably the only ones. Too many residents here are part-time residents, and these low-class tourists are the majority of the problem. I am surprised that Garfield township wants people of this type in the TC area. We have seen 5 car loads of

people staying in a 1-bedroom condo. Is this not against the law? Are there not occupancy limits here?

I would be happy to discuss this further with you and other board members. I have contacted a lawyer, and discussed possible litigation. They bylaws are a contract with the residents. We have abided by that contract, but as far as we are concerned, the Premier Place board has made no attempt to fulfill their obligations. Depending on the results of ongoing efforts to sell our home, we may still pursue litigation if necessary.

Please say "NO" to this apartment complex.

Sincerely, Joseph Bartz 1424 Newport #8 Traverse City, MI 49686

(817) 239-2624

Charter Township of Garfield		General:  Budget Related:  In Camera:	
Department:	Planning	Report No. PD 2014-49	
Prepared:	August 5, 2014	Pages: 1 of 1	
Meeting:	August 13, 2014 Planning Commission	Attachments:	
Subject:	Sign Request – The Crown PUD		
File No.	SUP-1991-10-K	Parcel No. 05-091-900-00	
Applicant:	Bowerman, Bowden, Ford, Clulo & Luyt (Kurt Bowden)		
Owner:	Green Hills, Inc. / Crown Associate Inc.		
Zoning:	R1-M / Approved as PUD		
Request:	Application to convert a portion of an existing sign to LED		

# **SUBJECT PROPERTY:**

The Crown Planned Unit Development

### PURPOSE OF APPLICATION:

The application requests approval to convert a portion of the double-sided sign at West Crown Drive to LED. The sign is shared by the Crown Golf Club and Mulligan's restaurant.

# **STAFF COMMENT:**

This application has been under consideration by the Planning Commission since June. Following a meeting in July, Staff was directed to prepare Findings in support of a Planning Commission decision to deny the application.

In preparing the Findings, however, Staff and Counsel have reconsidered the appropriate procedure for processing this application. Though the application relates to a specific sign, this sign was presented, reviewed, and authorized as part of sign package which also included residential entry signs at East Crown Drive, and which was considered under Section 7.2.4(7)(d) of the Ordinance. Accordingly, the current application must be considered as an application to amend that sign package rather than as consideration of one individual sign within the PUD.

As the package, the request remains beyond what would be permitted by the underlying zoning district, triggering the discretionary review authority of Section 7.2.4(7)(d). A public hearing is required under this standard because the application is effectively asking for a waiver of current ordinance standards.

Therefore, prior to proceeding with a determination, the Planning Commission is requested to schedule a public hearing for your regular meeting.

### **ACTION REQUESTED:**

THAT Application #SUP-1991-10-K be scheduled for public hearing at the regular Wednesday, September 10, 2014 meeting of the Planning Commission.

Charter Township of Garfield		General:	
		Budget Related:	
		In Camera:	
Department:	Planning	Report No. PD 2014-50	
Prepared:	July 31, 2014	Pages: 1 of 3	
Meeting:	August 13, 2014	Attachments:	
Subject:	Copper Ridge PUD - Major Amendment to SUP 2000-08		
File No.	SUP #2009-07	Parcel No. 05-089-055-00	
Applicant:	Mansfield & Associates		
Owner:	Jim Steckley D.B.A. Cuprum Culmen, LLC		

## **SUBJECT PROPERTY:**

Phase Four of the Copper Ridge Planned Unit Development (Copper Village). The parcel has an underlying zoning of R1-B, Residential. Access to the site is via Sky Crest Drive from Barnes Road.

### **STAFF COMMENT:**

An amendment to the subject property was conditionally approved by the Township Board on February 9, 2010. As recommended by the Planning Commission, approval included a number of requirements, one in particular that provisions for a children's play area be secured.

The applicant was before the Planning Commission in June, at which time the Commission was asked if two proposed play areas met the intent of the play area condition. The Commission felt that the proposed play areas did not meet this intent.

Going back to the drawing board, the applicant has prepared revised drawings for the Planning Commission's consideration (see attached). The play areas are now proposed within two of the three "islands" formed by the street network. Each is landscaped and measures roughly 40'x60', or 2,400 square feet, and would be bordered by a decorative white vinyl fence. The northern play area, on Tribeca Court, includes a woodchipped playground and sitting benches, while the southern, on Haverhill Court, would simply be grass with two benches.

Though smaller than the adjacent tot lot initially considered, the concept does appear to provide substantially better play opportunity than the previous proposal, and is larger in total area than originally approved open space zones.

If the proposed plan is to be implemented, underground stormwater storage tanks would be installed underneath the play areas. As such, revised review by the Township Engineer will be required.

### **ACTION REQUESTED:**

Following an opportunity for applicant presentation, the Planning Commission is again asked to determine if the revised plan meets the intent of the following condition: "The applicant shall provide written confirmation that an opportunity for a play area for young children (tot lot) has been secured and shall be maintained"

For the record, Conditions "A" through "I" reflect all conditions of the 2010 approval.

- a. Except as modified or replaced by this approval, all existing conditions of approval shall continue to apply. In the case of conflict, the conditions of this approval shall prevail.
- b. The applicant shall confer with and obtain the approval of the Grand Traverse County Equalization Department to address appropriate road name revisions prior to the issuance of any land use or building permit for Copper Village;
- c. The direct driveway connection between the eastern ends of Tribeca Court and Quincy Court shall be disconnected and landscaped to the satisfaction of the Zoning Administrator, to prohibit through movements of motorized vehicles. A walking path not more than 5 feet in width may be provided at the discretion of the applicant.
- d. This approval shall not include any approval for signage.
- e. The existing two-story structure built in accord with SUP #2005-02 shall be removed and its building site restored to a safe condition prior to the issuance of any land use or building permit for Copper Village;
- f. The redesigned access and connection to Tribeca Court shall be reviewed and approved by the Township Engineer, with all costs for such review to be paid for by the applicant;
- g. The applicant shall provide four (4) full size sets of prints with all updates as required by the conditions of this approval. Updated plans shall include all of the following:
  - 1. Sheet 1 of 3; Site and Grading Plan;
  - 2. Sheet 2 of 3; Existing Conditions and Demolition Plan;
  - 3. Sheet 3 of 3; Landscape Plan;
  - 4. Sheets A2.1 and A.2.2; Building Type Floor Plans and Exterior Elevations;
- h. A minimum 20 foot setback between the building line of the garage and the back of curb shall be provided;
- i. The applicant shall provide written confirmation that an opportunity for a play area for young children (tot lot) has been secured and shall be maintained.

It would appear that Condition "I" is the only remaining discretionary standard, and that all other conditions may be met. The applicant should note that additional engineering review will be required to meet condition "F."

### RECOMMENDED MOTION

If the Planning Commission feels that the proposal meets the intent of Condition "I", the following motion is recommended for consideration:

THAT the proposed play areas for Copper Ridge Phase IV, as indicated on revised landscape and site plans dated 7-24-14, be found to meet the intent of Application SUP #2009-07condition of approval "I.," subject to the following conditions:

- a. The applicant shall provide appropriate documentation of common play area maintenance and management plans for Staff approval.
- b. The applicant shall provide funds in escrow for Township Engineer review and approval of the revised stormwater management system.

# Attachment:

Revised site plans - landscape plan detail



