

**CHARTER TOWNSHIP OF GARFIELD
PLANNING COMMISSION MEETING
November 6, 2024**

Call Meeting to Order: Chair McManus called the November 6, 2024 Planning Commission meeting to order at 7:00pm at the Garfield Township Hall.

Pledge of Allegiance

The Pledge of Allegiance was recited by all in attendance.

Roll Call of Commission Members:

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

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

1. Public Comment (7:01)

Chris Barsheff, the new Township Manager, introduced himself to the Planning Commission.

2. Review and Approval of the Agenda – Conflict of Interest (7:02)

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

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

Nays: None

3. Minutes (7:03)

a. October 23, 2024 Regular Meeting

Fudge moved and Robertson seconded to approve the October 23, 2024 Regular Meeting minutes as presented.

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

Nays: None

4. Correspondence (7:03)

None

5. Reports (7:03)

Township Board Report

Agostinelli stated that there was no board meeting but the election ran smoothly.

Planning Commissioners

i. Zoning Board of Appeals

Fudge said that there was no meeting.

- ii. **Parks and Recreation Commission**
DeGood reported that there was no meeting.
- iii. **Joint Planning Commission**
Racine stated that there was no meeting.

Staff Report

- i. **PD 2024-94 – Planning Department Report – November 2024**
Sych stated that his report was submitted in writing.

6. Unfinished Business

- a. **PD 2024-95 – Angel Care Child Care/Church of the Living God SUP – Findings of Fact (7:05)**
This application by Angel Care Child Care requests the use of an existing church building at 1514 Birmley Road for a child care center as an additional use. Child care centers are permitted via Special Use Permit in the A-Agricultural zoning district. No new construction is planned. Angel Care Child Care proposes to have “up to 60 children in the center and 15+ staff members.” Staff provided Findings of Fact to Commissioners.

Racine moved and Agostinelli seconded THAT the Findings of Fact for application SUP-2024-03, as presented in Planning Department Report 2024-95 and being made a part of this motion, BE ADOPTED.

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

Racine moved and Agostinelli seconded THAT application SUP-2024-03, submitted by Angel Care Child Care for a Special Use Permit for a child care center at Parcel 05-026-014-10 at 1514 Birmley Road, BE APPROVED, subject to the following conditions (1-3 as indicated in Planning Department Report 2024-95).

1. *All final reviews from agencies with jurisdiction shall be provided prior to a Land Use Permit being issued.*
2. *All proposed site improvements shall be installed prior to the issuance of a Certificate of Occupancy.*
3. *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 Director of Planning within thirty (30) days of final approval by the Township or approval shall be considered to have expired.*

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

b. PD 2024-72 – Tower North Wireless Communication Facility SUP – Action (7:09)

On October 29, 2024, Staff received a sketch showing an updated tower location. The new tower location is depicted as 158 feet from the property line and 246 feet from the existing house on the property. There is an 80-foot by 100-foot area surrounding the tower, which is presumably an enlargement of the 60-foot by 60-foot fenced compound from the previous submittal. Staff are of the opinion that by providing an updated proposed location, the applicant has proceeded “meaningfully towards application completion or application decision” regarding Section 404 of the Zoning Ordinance. However, since the full set of the updated site plan drawings have yet to be submitted, it is not advised to un-table the application or schedule a public hearing yet. If the applicant can submit updated site plan drawings for the December 2024 Planning Commission meeting, and if the plans are acceptable to the Commission, a public hearing could potentially be set for January 2025.

Agostinelli moved and DeGood seconded to keep the Tower North Wireless Communication application tabled for 120 days and during that time, staff will determine if progress is being made towards completion.

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

c. PD 2024-81 - K-1 Speed/High Tops – Site Plan Review Amendment – Update (7:17)

Sych reported that the applicant has no new information and wants to continue to table the application and that the unresolved issues with the application have not yet been addressed.

7. New Business

a. PD 2024-98 – Cherryland Center Comprehensive Development Plan – Site Plan Review (7:22)

The subject parcels that comprise the Cherryland Center are zoned C-P Planned Shopping Center. The intent of the C-P District is for the development of planned centers located on a single, unified site and are designed and constructed as an integrated unit for shopping and other business activity. The 1998 conversion of the mall to a strip center was the last time the Comprehensive Development Plan was updated and approved for Cherryland Center. Recently, one of the property owners, Cherryland Center LLC, prepared a draft Comprehensive Development Plan for the Cherryland Center and has submitted it for Conceptual Review and the updated plan has been provided. Staff said that the reciprocal easement agreement or another means must be provided to show ordinance standards are met as well as the parking space count. Bob Verschaeve with Gosling Czubak addressed the parking and stated

with more uses being added, the parking requirements would still be met. Commissioners discussed the easements, parking requirements and the inclusion of the Jimmy John's site in this plan. Eric Engel, representing the Two Brothers Dog Park Café, asked that their site review not be delayed any further since other uses were put through and reviewed before their proposal. Ingle further asked that all businesses be subject to the same requirements for the proposed development plan. After discussion, the applicants will bring further plans to commissioners for the December meeting and the Two Brothers site plan can be heard the same night.

DeGood moved and Robertson seconded THAT application SPR 2024-14, submitted by Cherryland Center LLC, for an updated comprehensive development plan for the Cherryland Center, BE TABLED and brought back for the Planning Commission meeting in December, subject to providing the following information (1 through 2 as indicated in PD 2024-98):

- 1. An updated reciprocal easement agreement addressing cross-access and drives; stormwater management; parking areas; and signage.*
- 2. Revised parking calculations to include only existing uses as of this date.*

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

Nays: None

b. PD 2024-2024-99 Copper Ridge PUD Major Amendment – Introduction (8:21)

A request to amend the PUD is being considered according to Section 423.G of the Zoning Ordinance that incorporates different land uses in locations than requested in the original application and the potential to increase the number of residential dwelling units. The proposed amendment is the conversion of three building locations in the Copper Ridge Professional Center from office to office, commercial, or residential, and the conversion of one building location in the Copper Ridge Retail Marketplace from retail and office to office, commercial or residential. The applicants would be restoring up to 90 residential units and this amendment would give flexibility for what could be built on the site. Applicant Sara Keever stated that the original PUD had a higher density for residential units and this would bring back some of those originally proposed residential units back to the PUD. Commissioners asked questions regarding the placement of residential uses in relation to the other office and commercial uses. Commissioners also asked about the range of uses that could be used so any proposed use is compatible with rest of the nearby uses. Dennis Fedorinchik stated that there is a list in the Master Deed of acceptable uses and he will forward it to staff.

Racine moved and Fudge seconded THAT application SUP-2000-08-O, submitted by Sarah Keever, on behalf of Copper Ridge LLC, for a Special Use Permit amendment of the Copper Ridge Planned Unit Development, BE ACCEPTED, and SCHEDULED for a public hearing at the regular Planning Commission meeting on December 11, 2024.

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

c. Cherryland Center 24/7 Golf – Site Plan Review (8:37)

The project is to construct an indoor entertainment center in a portion of the existing Traverse City Curling Center building (formerly the Kmart store) in the Cherryland Center. The portion of the building (Unit A2) for the proposed indoor entertainment center covers 3,749 square feet and will be accessed on the south side of the existing building. An indoor entertainment center is a use permitted by right in the C-P Planned Shopping Center district. Commissioners discussed the proposed site plan and the use.

Agostinelli moved and Cline seconded THAT application SPR 2024-12, submitted by Kevin Query, on behalf of 24-7 Golf, to construct an indoor entertainment center on the parcel 05-014-049-21, BE APPROVED, subject to the following conditions (1-4 as indicated in Planning Department Report 2024-100):

- 1. A minimum of two (2) bicycle parking spaces are required in accordance with Section 522.C(3) of the Zoning Ordinance.*
- 2. Required sidewalks shall be deferred until future uses and buildings are established on the site in a coordinated manner at the discretion of the Planning Commission and required in an amendment to the site plan. Deferral shall be no more than three years in length from May 11, 2022. A sidewalk plan shall be developed subject to staff review.*
- 3. Landscaping requirements shall be deferred until future uses and buildings are established on the site and required in an amendment to the site plan. Deferral shall be no more than three years in length from May 11, 2022. A landscaping plan shall be developed subject to staff review.*
- 4. All agency reviews shall be received and deemed compliant prior to issuing a Land Use Permit or Building Permit.*

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

d. Cherryland Humane Society SUP Major Amendment – Introduction (8:46)

This application requests a Special Use Permit (SUP) Major Amendment for an addition to the Cherryland Humane Society's existing facility at 1750 Ahlberg Drive. According to the application, the scope of work consists of

two (2) building additions totaling 9,006 square feet to an existing 14,168-square-foot building. Kyle Richter from CHS spoke and addressed the conditions and stated that all items could be addressed quickly.

DeGood moved and Robertson seconded THAT application SUP-2001-05-A for a Special Use Permit for the expansion of the existing Cherryland Humane Society facility at 1750 Ahlberg Drive BE Set for Public Hearing on December 11, 2024 and that the applicant will address the following items (1-9 as listed in Planning Department Report 2024-101).

- 1. The proposed building needs to be adjusted to fall within the side yard setback.*
- 2. A cut sheet of the proposed lighting fixtures shall be provided to ensure that the fixtures are properly shielded, have a full cut-off, and meet the color temperature standard.*
- 3. The landscape plan needs to include details of any existing landscaping intended for the landscaping requirements, especially the six (6) trees on the east lot line, to determine the appropriate credit based on Table 530.L.*
- 4. The landscaping plan needs to be updated to identify the correct required buffer.*
- 5. Any new landscaping material on the east lot line should not be placed in the easement area for the extension of Ahlberg Drive.*
- 6. The landscape plan needs to be updated to reflect its correct scale.*
- 7. The traffic generation for the remainder of the building area needs to be accounted for and additional parking may need to be provided.*
- 8. The applicant should clarify how the snow storage area will be accessed.*
- 9. The site plan shall include details of any proposed dumpster enclosure to ensure the standards of Section 516 are met.*

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

Nays: None

8. Public Comment (9:05)

Jan Freeman of Eagles View Condominium Association commented on the Copper Ridge application.

9. Other Business (9:11)

None

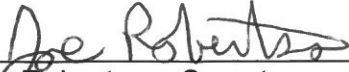
10. Items for Next Agenda – December 11, 2024 (9:11)

Staff indicated that a Tower North Update, a High Tops update, the Copper Ridge PUD, the Cherryland Humane Society, and the Cherryland Comprehensive Development Plan would all be on the December 11th agenda.

McManus thanked the Planning Commissioners for his time served on the Planning Commission.

11. **Adjournment**

Fudge moved to adjourn the meeting at 9:13pm.



Joe Robertson, Secretary
Garfield Township Planning
Commission
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