

**CHARTER TOWNSHIP OF GARFIELD
PLANNING COMMISSION MEETING
February 9, 2022**

Call Meeting to Order: Chair Racine called the February 9, 2022 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 McManus, Pat Cline, Chris DeGood, Robert Fudge, and John Racine

Absent and Excused: Joe Robertson

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

1. Public Comment (7:01)

None

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

Fudge declared a conflict with agenda item 6b.

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

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

Nays: None

4. Minutes (7:03)

a. February 26, 2022 Regular Meeting

McManus moved and Fudge seconded to approve the January 26, 2022 Regular Meeting minutes as amended noting that the word "attached" shall be deleted from the staff report.

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

Nays: None

4. Correspondence (7:03)

a. 2022 Annual Work Plan

b. PD 2022-16 – February 23 Joint Meeting of Township Board and Planning Commission

5. Reports (7:04)

Township Board Report

Agostinelli stated that the Township has entered into an agreement with Grand Traverse County to try online permitting software for a period of one year.

Planning Commissioners

None

Staff Report

Hannon said that the design services for the Commons Area are in full swing. The MSU student planning practicum has also been moving along with the trails inventory and will make a presentation to the Planning Commission at its April 27th Study Session.

6. Unfinished Business**a. PD 20222-13 – Gauthier R-3 Rezoning – Public Hearing (7:06)**

This application requests the rezoning of one parcel on the west side of US 31 south of the intersection of US 31 and South Airport Road, totaling approximately 18 acres, from its current split zoning of Agricultural (A) and Highway Commercial (C-H) to the Multi-Family Residential (R-3) zoning district via the zoning Map Amendment process, without restriction. There are extensive wetlands on the property. Exhibit C, as provided by the applicant, shows only about 7.7 acres of the site are buildable. The site has about 410 feet of frontage on US 31 and about 775 feet of frontage on McRae Hill Road, although access is only possible from US 31. The site is immediately south of the Fairfield Inn and Alliance Surgery Center located on North Country Drive. Ernie Gauthier spoke regarding the proposed R-3 designation for their property. Colleen Smith thanked commissioners for listening to their proposal. Racine opened the public hearing at 7:11pm and seeing no one wishing to speak, closed the public hearing.

Agostinelli moved and Cline seconded to direct Staff to draft Findings of Fact for application Z-2021-02.

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

b. PD 2022-14 – BATA HQ Transit-Oriented Mixed Use Development – PUD Final (7:14)

After Fudge removed himself from the discussion, Sych gave an overview of the project thus far. He stated that the application has been updated and is being considered for final review at this time. He indicated that the phasing plan has been updated and it ensures that there is PUD eligibility for the project with a condition that the transit phase will not begin until a funding letter from MSHDA or another source is issued. Any housing component of the PUD must begin before a certificate of occupancy will be issued for the transit portion of the PUD. Easements both conservation and cross access will also be conditions of approval. Sych reviewed the findings of fact with commissioners and to ensure compliance with the PUD eligibility requirements, suggested that commissioners adopt the first

set of conditions to the proposed development schedule listed in the staff report comments on the conditions of preliminary approval. Kelly Dunham, Executive Director of BATA, spoke regarding the acceptance of conditions in the Finding of Facts. She indicated that the conditions were acceptable to BATA. Commissioners discussed condition #1 listed in the staff report comments on the conditions of preliminary approval. Tony Lentych, of TCHC, spoke regarding the funding sources for the housing portion of the project and stated that funding was imminent.

After discussion, condition #2 of the staff recommended conditions of approval will be replaced by condition #1 listed in the staff report comments on the conditions of preliminary approval.

Furthermore, condition #2 will be edited to read:

“To ensure compliance with PUD eligibility requirements, after TCHC receives LIHTC Reservation Letter from MSHDA or equivalent grant award, BATA may begin construction of bus storage garage, bus maintenance garage, administration building, transfer station, and open space improvements in the Transit Phase. A copy of the LIHTC Reservation Letter from MSHDA or equivalent grant award shall be provided to the Township Board upon receipt by TCHC. BATA will not commence construction on the Transit Phase until TCHC receives a MSHDA reservation letter or equivalent grant award.”

Condition #7 was amended to state that “The applicant shall participate in construction of a crosswalk across LaFranier Road.”

McManus moved and Cline seconded THAT the Findings of Fact for application PUD 2020-02, as presented in Planning Department Report 2022-14, BE ADOPTED.

Yeas: McManus, Cline, DeGood, Agostinelli, Racine

Nays: None

Abstention: Fudge

McManus moved and Agostinelli seconded THAT Application PUD 2020-02, submitted by the Bay Area Transportation Authority and the Traverse City Housing Commission for a transit-oriented, mixed-use Planned Unit Development, BE RECOMMENDED FOR FINAL APPROVAL by the TOWNSHIP BOARD, subject to the following conditions:

- 1. The approval is for a transit-oriented, mixed use Planned Unit Development comprised of the following uses:*
 - a. 210 multi-family residential units in five 3-story buildings*
 - b. 15 single-family residential lots*
 - c. An institutional use comprised of the following:*

- i. Administration office
 - ii. Bus storage garage
 - iii. Bus maintenance facility
 - iv. Dispatch facility
 - d. Bus transfer station with three shelters and bathroom facility
 - e. Childcare center
 - f. Neighborhood commercial building permitting the following uses:
 - i. Financial institution without drive-through
 - ii. Medical office, clinic
 - iii. Office
 - iv. Café, without drive-through. An establishment where food and drinks are prepared, served, and consumed, mostly within the principal building such as lunch counters, dairy bars, coffee shops, and other similar establishments.
 - v. Retail, low volume. The sale or rental of good or merchandise, including the rendering of services incidental to the sale of such goods, taking place in a building of less than five thousand (5,000) square feet. Low volume retail primarily services residents of the surrounding neighborhood.
 - vi. Service establishment, personal. Establishments primarily engaged in providing services involving the care of a person or their goods such as beauty shops, barber shops, laundry facility, jewelry repair shops, dry cleaning establishment (pickup only), and shoe repair, excluding the processing of physical materials.
2. To ensure compliance with PUD eligibility requirements, after TCHC receives LIHTC Reservation Letter from MSHDA or equivalent grant award, BATA may begin construction of bus storage garage, bus maintenance garage, administration building, transfer station, and open space improvements in the Transit Phase. A copy of the LIHTC Reservation Letter from MSHDA or equivalent grant award shall be provided to the Township Board upon receipt by TCHC. TCHC must commence housing construction before BATA may make a request for Certificate of Occupancy. BATA must complete the transfer station and open space improvements in the Transit Phase at the same time or before completion of the bus storage garage, bus maintenance garage, and administration building.
 3. Planned phased construction of the residential housing shall be noted on the plan.
 4. Upon purchase of the subject parcels by the applicant, the declaration of conservation easement shall be recorded with copies provided to the Township.
 5. All defeasible references and covenants shall be removed from both cross-access easement grants. Both easement grants shall provide descriptions of Parcel B. Upon purchase of the subject parcel by the

applicant, the easement grants shall be recorded with copies provided to the Township.

6. A pedestrian path connection is required between the BATA transfer station and the main BATA facility.

7. The applicant shall participate in construction of a crosswalk across LaFranier Road.

8. All buses are to be parked indoors.

9. Parking conditions for the first phase of the multi-family residential housing shall be reviewed prior to issuing a land use permit for second phase of the multi-family residential housing.

10. Proposed monument sign "A" shall be reduced to 40 square feet in area and the directional sign "B" on LaFranier Road shall be removed or altered to reflect emergency drive only.

11. Approval of the land division of the subject parcels to conform to the site plan configuration of the Planned Unit Development.

12. Establishing any site condominiums require review and approval by the Township prior to recording.

13. Any outstanding conditions of the final engineering reviews shall be met.

Yeas: McManus, Agostinelli, Cline, DeGood, Racine

Nays: None

Abstention: Fudge

7. New Business

a. PD 2022-15 – 3525 West Front Street – Conceptual Review (8:21)

The applicant is seeking feedback on potentially rezoning the back portion of a parcel at 3525 West Front Street from C-O Office Commercial to R-3 Multi-Family Residential. Currently, the entire property is an asphalt parking lot serving as parking for a neighboring professional office. Attorney Joe Quandt on behalf of the applicant, said that the surrounding areas are compatible land uses and addressed the conditions for rezoning. Staff noted that the parcel had been rezoned within the last five years from R-3 back to C-O Office Commercial. The findings of fact found that the rezoning was consistent with the future Land Use Map. The Master Plan still supports this parcel as a C-O use. Commissioners discussed the concept and pondered the zoning component and concluded that the zoning designation could be an important discussion for the area. Commissioners agreed to study the proposed use and explore ways to make multi-family and office as a compatible use to create a walkable environment. A sub planning approach could be a possibility as the Master Plan will be updated in 2023.

8. Public Comment (9:05)

Jeannine Easterday of Traverse City applauds the efforts of the PC on the BATA/TCHC housing complex.

Jim Schmuckal of 762 Windmill Lane commented on the Front St parcel conceptual review and the BATA project.

9. **Other Business (9:12)**

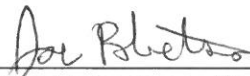
None

10. **Items for Next Agenda – February 23, 2022 (9:12)**

a. Joint Meeting – Planning Commission and Township Board

11. **Adjournment**

Fudge moved to adjourn the meeting at 9:14 pm.



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