

**CHARTER TOWNSHIP OF GARFIELD
PLANNING COMMISSION MEETING
June 12, 2024**

Call Meeting to Order: Chair McManus called the June 12, 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, Pat Cline, John Racine, Chris DeGood, Robert Fudge and Joe McManus

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)

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

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

Nays: None

3. Minutes (7:02)

a. May 22, 2024 Regular Meeting with Township Board

Fudge moved and Robertson seconded to approve the May 22, 2024 Regular Meeting minutes as presented.

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

Nays: None

4. Correspondence (7:02)

Sych noted correspondence regarding the City of Traverse City Master Plan. He said emails were received regarding the TJ Maxx sign application and the proposed dog park and café. Letters were also received regarding the proposed cell tower and the bed and breakfast proposal. Aerial photos of Cherryland Center were also shared with Planning Commissioners.

Township Board Report

Agostinelli stated that Carl Studzinski will remain as a part time building official. The Township is beginning to plan for the Iron Man in 2025 and is also beginning to install a booster pump station on McRae Road to support development to the south.

Planning Commissioners**i. Zoning Board of Appeals**

Fudge had no report.

ii. Parks and Recreation Commission

Hannon reported that the Commission talked about the Copper Ridge Trailhead. The Township Engineer drafted a design for the trailhead which was then shared with Copper Ridge and the mountain bike committee.

iii. Joint Planning Commission

Racine had no report.

Staff Report**i. PD2024-32 – Planning Department Monthly Report – June 2024**

The report was submitted in writing and Hannon added that administrative approval was given to the Wash-N-Go carwash for minor improvements on Garfield Road.

ii. Master Plan Announcement

Hannon reported that the public hearing would be held this evening.

6. Unfinished Business**a. PD 2024-36 - Master Plan Public Hearing, Adoption and Recommendation (7:09)**

Staff recommended two minor adjustments. Maps will include a boundary change to the Township boundary south of South Airport Road and will show that the Cherryland Humane Society future land use designation was changed to Industrial from Low Density Residential. No comments were received during the 63-day period. McManus opened the public hearing at 7:14 pm. Seeing no one wishing to comment, the public hearing was closed.

DeGood moved and Robertson seconded THAT the resolution adopting the Charter Township of Garfield Master Plan in accordance with the procedures set forth in the Michigan Planning Enabling Act (Act 33 of the Public Acts of 2008, as amended), BE ADOPTED and RECOMMEND ADOPTION of the Master Plan to the Township Board.

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

b. PD 2024-33 – Potter's Home Retreat B&B Special Use Permit – Public Hearing (7:18)

This application is requesting a Special Use Permit (SUP) for use of an existing single-family residence at 492 West Potter Road as a Bed &

Breakfast Establishment. According to the applicant, the proposed bed and breakfast "is intended to serve anywhere from 1 to 6 guests per stay." Bed & Breakfast Establishments are permitted via SUP in the A-Agricultural zoning district. Comments via email shared concerns with the application such as the owner not being on site, the property being unkempt, having a home business onsite and other possible violations. McManus opened the public hearing at 7:26pm. Seeing no one wishing to make comment, the public hearing was closed. It came to the attention of the commissioners that this application may have been applied for to resolve a current short term rental violation and that the property had been noticed for a violation by the Township Zoning Administrator. The Zoning Administrator stated in communications that she needed to obtain a special use permit to be in compliance with the zoning ordinance. Commissioners discussed the issues raised in the letter submitted and asked for time to research the issues. Applicant Brandy Waslawski spoke and said she received a violation last year. She also stated that she does live on the property but moves to another level when there are guests.

Racine moved and Robertson seconded to refer the application back to staff for analysis of the issues raised and bring any findings back to the study session in two weeks.

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

7. New Business

a. PD 2024-37 – Tower North Wireless Comm Facility Special Use Permit – Introduction (7:48)

This application requests a Special Use Permit (SUP) for a wireless communication facility (cell tower) at 2767 Zimmerman Road. The applicants propose a 155-foot-tall monopole tower with associated antenna equipment within a 60' x 60' fenced compound. Wireless communication facilities are permitted via SUP in the A-Agricultural zoning district. Commissioners discussed a potential view from the road and shared concerns about what the tower would look like from the road. Questions were raised regarding placing it on a nearby water tower. Commissioners also asked for a rendering of the proposed tower. Commissioners also shared concerns about what appeared to be some mistakes in the application and the requirement to be 155 feet for any residential home.

DeGood moved and Racine seconded THAT application SUP-2024-02, submitted by Tower North Development, LLC for a Special Use Permit for a wireless communication facility at 2767 Zimmerman Road, on a portion of Parcel #05-019-001-00, BE TABLED until additional information could be provided by the applicant.

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

b. PD 2024-35 – TJ Maxx – Planned Dev/Planned Shopping Center Sign Review (8:21)

The TJ Maxx retail store is relocating from the Grand Traverse Mall to the former site of the Bed Bath & Beyond store at 3301 N US 31 South, adjacent to the existing Michaels Arts and Crafts store. The subject parcel is in the Bison Hollow Planned Unit Development (PUD). Staff stated that there is an existing freestanding sign on US 31. A 100 square foot is permitted on the south side of the building and a 100 square foot sign is permitted on the front of building. TJ Maxx has requested to have a wall sign of 128.6 square feet sign on the front (east) building elevation. This proposed wall sign exceeds the permitted sign size by 28.6 square feet. The proposed wall sign on the side (south) building elevation is 98.9 square feet and meets Zoning Ordinance requirements. Staff drafted findings of fact for the proposed signage. Commissioners discussed recent approved and denied signage in the township.

Racine moved and Agostinelli seconded THAT the Findings of Fact for application SUP 2001-02-D, submitted by TJ Maxx for a modified wall sign, as presented in Planning Department Report 2024-35 and being made a part of this motion, BE ADOPTED.

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

Racine moved and Agostinelli seconded THAT application SUP 2001-02-D, submitted by TJ Maxx for a modified wall sign, BE DENIED based on the adopted Findings of Fact presented in Planning Department Report 2024-35.

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

c. PD 2024-34 – Two Brothers Dog Park Café and Taphouse – Conceptual Review

The applicant is seeking feedback on a proposed bar/restaurant and dog park at 1776 South Garfield Avenue in the Cherryland Center on parcel 05-014-049-08. The project is proposed for the rear of the former Younkers department store and west of the recently approved Traverse Symphony Orchestra school and rehearsal facility. The site is owned by Cherryland Center LLC and is about 3.57 acres. Approximately 5,400 square feet of the existing facility is proposed to be a restaurant/bar and indoor dog park with an adjoining outdoor dog park area proposed at

approximately 5,400 square feet. Use of the remainder of the facility remains undesignated. The proposed outdoor dog park will occupy what is currently a parking area and maneuvering lanes. While a dog park is not clearly defined in the Zoning Ordinance, Staff is considering that portion of the project to be defined as a recreational facility. Approximately 260 square feet of the indoor portion of the facility is proposed for kennel and grooming services. It is assumed that these uses are minor in nature and accessory to the proposed primary uses. Cherryland Center, including the subject site, is zoned C-P Planned Shopping Center. Bar and restaurant, without drive-through, and recreational facility are uses permitted by right. Applications for development within the C-P Planned Shopping Center shall be reviewed by the Planning Commission for compliance with Article 4, § 424 – Site Plans and Article 5 – Development Standards. Staff stated that repurposing the Cherryland Center is a work in progress and needs to be flexible. Applicant Eric Engel spoke regarding the application and said there would be some parking area taken by the proposed dog park. Sych said that an update to the Cherryland Center comprehensive development plan is needed before any new use applications for expanding or altering the footprint of the Cherryland Center are made to the Township. Commissioners shared concerns with noise, barking, waste from the dogs, hours of operation. Staff will contact owners of the Cherryland Center to determine the status of the comprehensive development plan update.

8. **Public Comment (9:09)**

None

9. **Other Business (9:09)**

Hannon stated that the new TJ Maxx is required to repair a section of the paved pathway along US 31. Kingsley Lumber is proposed at the southwest corner of Garfield and Hammond. The use is a use by right and will be done administratively.

10. **Items for Next Agenda – June 26, 2024 (8:22)**

- a. Zoning Ordinance Updates – R-3 District, Sign Ordinance, and Vacation Home Rentals
- c. Potter's Home Retreat B&B Special Use Permit - Update

11. **Adjournment**

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



Joe Robertson, Secretary
Garfield Township Planning
Commission
3848 Veterans Drive
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