

**CHARTER TOWNSHIP OF GARFIELD
PLANNING COMMISSION MEETING
June 26, 2024**

Call Meeting to Order: Chair McManus called the June 26, 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: Joe Robertson, Pat Cline, Chris DeGood, Robert Fudge and Joe McManus

Absent and Excused: Molly Agostinelli and John Racine

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)

Staff asked to add item 9c under Other Business - Two Brothers Café and Dog Park.

Cline moved and Robertson seconded to approve the agenda as amended.

Yeas: Cline, Robertson, Fudge, DeGood, McManus

Nays: None

3. Minutes (7:02)

a. June 12, 2024 Regular Meeting with Township Board

Fudge moved and Robertson seconded to approve the June 12, 2024 Regular Meeting minutes as presented.

Yeas: Fudge, Robertson, DeGood, Cline, McManus

Nays: None

4. Correspondence (7:03)

Staff stated that a recent communication indicated that earthwork is being done at the site of the Flats of Carriage Commons on LaFranier and there is correspondence from MaryAnne MacIntosh regarding a proposed development for Brookside Commons. Sych asked for feedback on the MacIntosh proposal and requested to add item 9d under Other Business – Brookside Commons Proposed Development.

DeGood moved and Fudge seconded to add item 9d under Other Business – Brookside Commons Proposed Development.

Yeas: DeGood, Fudge, Cline, Robertson, McManus

Nays: None

5. **Reports (7:03)**

Township Board Report

Hannon indicated that there was no Board meeting this week.

Planning Commissioners

i. **Zoning Board of Appeals**

Fudge reported that there was no ZBA meeting.

ii. **Parks and Recreation Commission**

DeGood reported that there was no Parks & Recreation meeting.

iii. **Joint Planning Commission**

McManus stated that the next meeting will be held in July.

Staff Report

Hannon stated that since there was no board meeting this week, the Master Plan adoption would be taken up at the next board meeting.

6. **Unfinished Business**

a. **PD 2024-44 – Zoning Ordinance Updates – R-3 – Signs and Vacation Home Rentals (7:06)**

Sych stated that the goal for housing in the Master Plan is to “Provide a balance of housing choices with a variety of housing types.” To implement this goal, some changes are proposed by staff. A Triplex and Quadplex would be allowed by right in the R-3 district. “Dwelling, Multiple Family” would be redefined for anything requiring a Special Use Permit in R-3. A minimum Lot Size of 12,000 square feet for a Triplex and 16,000 square feet for a Quadplex would be required. Commissioners asked to add a provision which indicates that these types of homes would be served by public sewer. Commissioners also discussed density as it related to the change in the R-3 district.

Staff suggests that Commissioners could consider reviewing the current sign ordinance, proposing amendments, and asking for legal review of the ordinance with the proposed changes. Commissioners agreed.

Hannon mentioned that there are several resources available to communities looking to update their sign ordinances in the wake of these court cases. Commissioners mentioned signs on public property or in a right of way.

A House Bill was introduced earlier this year in the Michigan legislature which pertains to short term rentals and may likely be approved. The proposed bill would create a database of short-term rentals, charge a 6% excise tax and allow local units of government authority to regulate short

terms rentals in their community. The State would also monitor hosting platforms. House Bill 5438 defines a short-term rental and Section 3 of that bill states that short term rentals cannot be totally banned in a municipality. Garfield Township bans all short term rental activity now, but to comply with the House Bill, short term rentals could be allowed in the C-G General Commercial, C-P Planned Shopping Center and C-H Highway Commercial. Short term rentals could be licensed and be driven by a police power ordinance which would work in tandem with the zoning. Staff will move forward with drafting an ordinance.

7. **New Business (7:45)**

None

8. **Public Comment (7:46)**

None

9. **Other Business (8:46)**

a. **PD 2024-42 – Potter's Home Retreat B&B Special Use Permit – Follow-Up**

Staff drafted a timeline of the entire application and did a site visit of the proposed Bed and Breakfast. Staff found that the lower level of the house does not meet the current building code since it lacks adequate ingress and egress. There is also no connection between the upper and lower levels making it basically a duplex, instead of an owner-occupied bed and breakfast. The site also needed to meet standards for a home occupation. Commissioners discussed what would need to happen on the site for it to be a bed and breakfast.

Owner Brandy Wasilewski spoke and asked commissioners if she could live on site in her RV while remodels are being completed on her home. She also indicated that she would work quickly to rectify the situation. Commissioners discussed how best to handle the application and decided that staff should draft findings of fact for commissioner review.

DeGood moved and Robertson seconded TO direct staff to prepare Findings of Fact for application SUP-2024-01, submitted by Brandy Christina Waslawski for a Special Use Permit for a bed and breakfast establishment on Parcel #05-036-025-40 at 492 West Potter Road, for the Planning Commission Regular Meeting on July 10, 2024.

Yeas: DeGood, Robertson, Fudge, Cline, McManus

Nays: None

b. **PD 2024-43 – City of Traverse City Master Plan Review – Introduction (7:15)**

Staff indicated that the Traverse City Master plan could be accessed online and asked commissioners to review the Master Plan to discuss at the next study session.

c. Two Brothers Café and Dog Park

Sych stated that the applicants proposed two phases of the project. The indoor phase would be built first, and then the outdoor phase could be added. Staff is concerned that if phase one is allowed, then the applicant may draw the conclusion that phase two would be automatically accepted. Staff also has concerns that a comprehensive development plan for the Cherryland Center has not been submitted yet. Commissioners discussed the proposal and decided against allowing for the indoor phase one at this time until a comprehensive development plan could be reviewed

d. Brookside Commons Proposed Development

Sych stated that when Brookside Commons was approved, there were specific uses approved for this site which did not include a drive through use. MacIntosh is proposing a Biggby Coffee shop with a drive through and housing units above it. A major amendment to the PUD could allow for a drive-through. Commissioners discussed the PUD and were hesitant to allow for a drive through at that location.

10. Items for Next Agenda – July 10, 2024 (8:22)

a. Tower North Wireless Communication Facility Special Use Permit – Update

Commissioners discussed the application and asked for information on a nearby tower as it pertained to height and location near buildings.

11. Adjournment

Fudge moved to adjourn the meeting at 8:47pm.



Joe Robertson, Secretary
Garfield Township Planning
Commission
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