

**CHARTER TOWNSHIP OF GARFIELD
PLANNING COMMISSION MEETING
December 14, 2022**

Call Meeting to Order: Chair Racine called the December 14, 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, Joe Robertson, Pat Cline, Chris DeGood, Robert Fudge, 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)**
Fudge moved and Cline seconded to approve the agenda as presented.

Yeas: Fudge, Cline, Robertson, DeGood, McManus, Agostinelli, Racine
Nays: None
3. **Minutes – November 9, 2022 Regular Meeting (7:02)**
Agostinelli moved and Robertson seconded to approve the November 9, 2022 Regular Meeting minutes as presented.

Yeas: Agostinelli, Robertson, Fudge, Cline, McManus, DeGood, Racine
Nays: None
4. **Correspondence (7:02)**
Correspondence included a Public Notice from Green Lake Township regarding their Master Plan as well as a letter from Haggard's Plumbing & Heating, dated November 28, 2022, in support of the Loving Neighbors Preschool.
5. **Reports (7:03)**
Township Board Report
Agostinelli stated that McManus and Cline were reappointed to the Planning Commission and the BATA bids are coming in. She stated that the Supervisor attended a meeting regarding an indoor sports consortium and the Board voted to extend watermain into Long Lake Township to service residents in the Black Bear Farms development.

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

Fudge stated that there was no meeting.

ii. Parks and Recreation Commission

DeGood stated that the draft Parks and Recreation Master Plan was published and will be presented for approval by the Township Board in January. The staff is also working on grant applications.

iii. Joint Planning Commission

McManus stated the next quarterly meeting would be in February.

Staff Report

Staff included department monthly reports from November and December and stated the Parks and Recreation Master Plan was available for public comment.

6. Unfinished Business**a. PD 2022-113 – Loving Neighbors Preschool Special Use Permit – Public Hearing (7:04)**

This application by the Northern Lakes Community Church requests use of an existing 7,441 square foot church to accommodate a child care center. Child care centers are permitted in the A-Agricultural District by Special Use Permit. No new construction is planned. The site is located at 5444 Herkner Road, south of North Long Lake Road on a 5.94-acre parcel. The child care center will operate Monday through Friday from 7:00 a.m. to 6:00 p.m. and will not conflict with current church activities. Because there is no building construction, no building addition, nor similar type of construction, Staff has waived the requirements for a full site development plan. The only improvement is a playground that must meet the requirements of Section 720 in the Zoning Ordinance. Racine opened the public hearing at 7:06pm and seeing no one wishing to comment closed the public hearing.

Agostinelli moved and Fudge seconded TO direct staff to prepare Findings of Fact for application SUP-2001-03-A, submitted by Julie Burton, for a Special Use Permit for a child care center at 5444 Herkner Road (Parcel 05-018-011-02).

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

b. PD 2022-114 – Birmley Hills Site Condominium – Findings of Fact (7:08)

This application is for a site condominium development of 35 single-family residential lots. According to the application, the lots will be between 15,000 and 38,000 square feet in area. About 14% of the site will be

preserved as open space and is primarily forested hills. The proposed development would be served by the water and sewer extending from the existing Birmley Hills Estates subdivision. The property is approximately 21.3 acres and is zoned R-1 One-Family Residential. The property is at the end of Farmington Drive and Birmley Estates Drive, which both provide access from Birmley Road. Planning Commissioners discussed the road stubs and road maintenance in the proposed development.

DeGood moved and Robertson seconded THAT the Findings of Fact for Application SPR 2022-16, submitted by T&R Investments, for a site condominium at Parcel #05-026-020-30, as presented in Planning Department Report 2022-114 and being made a part of this motion, BE ADOPTED.

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

DeGood moved and Robertson seconded TO RECOMMEND TO the Township Board THAT application SPR 2022-16 BE APPROVED subject to the following conditions:

- 1. Final engineering review and approval by the Township Engineer is required including all infrastructure and stormwater.*
- 2. All final reviews from agencies with jurisdiction shall be provided prior to any Land Use Permits being issued.*
- 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 Township prior to any Land Use Permits being issued.*
- 4. After recording the condominium plan, master deed, bylaws and deed restrictions, the developer shall file two (2) copies of each document, including all pertinent attachments, with the Township.*
- 5. Condominium Protective Covenants and Deed Restrictions which hold harmless the Township for improvements within the site condominium subdivision and which require conformance with all conditions and requirements of condominium plan approval and this ordinance shall be required.*
- 6. The Condominium Master Deed and Bylaws shall include the following statement: "Condominium Amendments which are recorded prior to the receipt of written Garfield Township Planning Department approval shall be considered null and void."*
- 7. After the construction of all improvements, the developer shall file with the Township two (2) copies of the as-built condominium plan and a certification from the developer's engineer that the improvements have been installed in conformance with the approved construction drawings.*

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

7. **New Business**

a. **PD 2022-115 – K1 Speed Indoor Kart Racing – Site Plan Review (7:17)**

The site is located at 1212 West South Airport Road, at the former Sears at Cherryland Center, and is approximately 8.48 acres. The proposed project is to reuse a portion of the existing building as an indoor recreation facility for kart racing. Recreational facilities are a use permitted by right in the C-P Planned Shopping Center district. 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. Sych stated that landscaping will be updated, and sidewalks installed where needed. Bob Verschaeve, an engineer from Gosling Czubak, was present to discuss the project and stated that the owner's intent is to establish the racing track first and then possibly come back with other proposed uses. He stated that the lighting will be updated and will comply with current Zoning Ordinance standards. Commissioners discussed landscaping and asked to see compliance with the ordinance, especially the parking lot landscaping requirements.

McManus moved and Robertson seconded THAT application SPR-2022-21, submitted by Traverse Entertainment Group for an indoor recreational facility on parcel 05-014-049-10 located at 1212 West South Airport Road, BE APPROVED, subject to the following conditions:

- 1. A photometric plan is needed to ensure the proposed lighting meets the requirements of Section 517.*
- 2. Stormwater review by the Township Engineer will be required prior to the issuance of a Land Use Permit. Stormwater management is part of the overall Cherryland Center stormwater system, and all necessary easements will need to be maintained.*
- 3. An updated landscaping plan is required to include at least 16 additional trees and construction of additional landscaped islands to meet parking lot landscaping requirements.*
- 4. Six additional bicycle racks are needed to meet the standards of Section 522.C*
- 5. If future land uses on the site increase the number of required parking spaces, then the snow storage may need to be relocated.*
- 6. All agency reviews, including review by the Township Engineer, shall be received, and deemed compliant prior to issuing a Land Use Permit or Building Permit.*

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

Sych talked about the need for management of the former Cherryland Center complex in the future as it gets repurposed.

b. TC Christian School Child Care at Church of the Living God SUP – Intro (7:48)

This application by Traverse City Christian School 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 District. The location is 1514 Birmley Road, on the north side of the road and the parcel size is 21.84 acres. According to the application, the child care center “would be open during business hours Monday-Friday year-round with several scheduled breaks consistent with the school year calendar.”

McManus moved and Cline seconded THAT application SUP-2022-03, submitted by Traverse City Christian School for a Special Use Permit for a child care center at Parcel 05-026-014-10, BE ACCEPTED, and BE SCHEDULED for a public hearing for the regular Planning Commission meeting on January 11, 2023, subject to the following additional information being provided by the applicant:

1. The site plan is subject to review by others, including Metro Fire.

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

8. Public Comment (7:53)
None

9. Other Business (7:54)

a. 2023 Planning Commission Meeting Schedule

Fudge moved and Robertson seconded to approve the 2023 Planning Commission Meeting Schedule as presented.

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


10. Items for Next Agenda – January 11, 2023 (7:56)

- a. Loving Neighbors Preschool Special Use Permit – Finding of Fact
- b. TC Christian School Child Care at Church of the Living God SUP – Public Hearing

Sych stated there would be two other items on the agenda for the next meeting which include a conceptual review and a site plan for an outlot building on the Cherryland Center property.

11. **Adjournment**

Fudge moved to adjourn the meeting at 7:57pm.



Joe Robertson, Secretary
Garfield Township Planning
Commission
3848 Veterans Drive
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