

# TRAVERSE CITY PLANNING COMMISSION REGULAR MEETING

TUESDAY, November 4, 2014

**7:30** P.M.

Commission Chambers  
Governmental Center, 2nd Floor  
400 Boardman Avenue  
Traverse City, Michigan 49684

Posted: 10/31/14

## AGENDA

The City of Traverse City does not discriminate on the basis of disability in the admission or access to or treatment or employment in, its programs or activities. Penny Hill, Assistant City Manager, 400 Boardman Avenue, Traverse City, Michigan 49684, 922-4440, T.D.D., 922-4766, has been designated to coordinate compliance with the non-discrimination requirements. If you are planning to attend and you have a disability requiring any special assistance at the meeting and/or if you have any concerns, please immediately notify the ADA Coordinator.

Planning Commission  
c/o Russell Soyring, Planning Director  
400 Boardman Avenue, Traverse City, MI 49684  
231-922-4778

1. **CALL MEETING TO ORDER**
2. **ROLL CALL**
3. **ANNOUNCEMENTS**
4. **APPROVAL OF MINUTES**  
October 7, 2014 Regular Meeting and October 21, 2014 Study Session minutes (Approval recommended)
5. **OLD BUSINESS**
  - A. Planning Commission Bylaws Amendments (Approval recommended)
6. **NEW BUSINESS**
  - A. CIP Project Submission (Discussion)

**7. CORRESPONDENCE**

- A. Parking Regulation Committee membership/charge
- B. Code Enforcement quarterly report and Planning Department quarterly report
- C. Clint Caughran letter
- D. Natural Resources Element summary and Uptown site plan

**8. REPORTS**

- A. City Commission- Commissioners Easterday and Werner
- B. Board of Zoning Appeals- Commissioner Bergman
- C. Grand Traverse Commons Joint Planning Commission- Commissioners Serratelli and Warren
- D. Planning Commission
  - 1. Housing Building Committee— Commissioner Bergman
  - 2. Active Transportation Committee—Commissioner Werner
  - 3. Master Plan Review Committee—Commissioners Bergman, Dow and Twietmeyer
  - 4. Parking Regulation Committee- Commissioner Serratelli
- E. Planning Department—Mr. Soyring
  - 1. Capital Improvement Program—Mrs. Luick

**9. PUBLIC COMMENT**

**10. ADJOURNMENT**

# MINUTES

## TRAVERSE CITY PLANNING COMMISSION

WEDNESDAY, October 7, 2014

7:30 P.M.

Commission Chambers  
Governmental Center, 2nd Floor  
400 Boardman Avenue  
Traverse City, Michigan 49684

**PRESENT:** Vice-Chairperson Jody Bergman, Commissioners Michael Dow, Jeanine Easterday, Janet Fleshman, Cecil McNally, Chairperson John Serratelli, Bill Twietmeyer, Janice Warren and Tim Werner

**ABSENT:** None.

**STAFF PRESENT:** Russ Soyring, Planning Director; Missy Luick, Planning and Engineering Assistant; Jered Ottenwess, City Manager; Lauren Tribble-Laucht, City Attorney; Rob Bacigalupi, Downtown Development Authority

1. **CALL MEETING TO ORDER-** Chairperson Serratelli called the meeting to order at 7:30 p.m.

2. **ROLL CALL**

3. **ANNOUNCEMENTS-** None.

4. **CONSENT CALENDAR**

The purpose of the consent calendar is to expedite business by grouping non-controversial items together to be dealt with by one Commission motion without discussion. Any member of the Commission, staff or the public may ask that any item on the consent calendar be removed therefrom and be placed elsewhere on the agenda for full discussion. Such requests will be automatically respected. If an item is not removed from the consent calendar, the action noted in parentheses on the agenda is approved by a single Commission action adopting the consent calendar.

- A. Approval of Minutes: September 3, 2014 Regular Meeting, September 5, 2014 Study Session and September 16, 2014 Special Meeting minutes (Approval recommended)
- B. Oakwood Cemetery Maintenance Building- Review for Consistency with Master Plan (Approval recommended)
- C. Bayshore Corridor Resolution (Approval recommended)

Motion by Commissioner Twietmeyer, second by Commissioner McNally, that the Consent Calendar be approved as presented.

Motion carried 9-0.

**5. OLD BUSINESS**

**A. Grand Traverse County Master Plan (John Sych)**

Grand Traverse County Planning Director, John Sych, distributed final copies of the Grand Traverse County Master Plan to the Commission and thanked them for their participation in the master planning efforts for the county.

**B. Public Hearing to consider a Special Land Use Permit request and Site Plan Review request by W. Keith Owen of Owen Architects Collaborative, LLC on behalf of Federated Properties, LLC to allow for a taller building at 124 W. Front Street**

Mr. Soyryng explained the request from W. Keith Owen of Owen Architects Collaborative, LLC on behalf of Federated Properties, LLC for a Special Land Use Permit for a taller building and Site Plan Approval at 124 W. Front Street. The proposal is to build a five-story mixed use development with a single driveway access from Front Street. The proposed development will include lower level parking, first floor commercial and residential; and residential use on floors two through five (for a total of 47 residential units). The site is currently vacant. In 2007, the former Grand Traverse Auto building was demolished and the site was prepared for construction of a new building.

Mr. Soyryng explained that a building up to 60 feet in height is allowed by right in this location and a taller building of up to 68 feet in height is allowed by Special Land Use Permit if at least 20% of the building is designed and used for dwellings.

Mr. Soyryng reminded the Commission that the decision to approve or disapprove a SLUP request by the Planning Commission must be based on the zoning code standards. If the proposal meets the standards, the request must be approved.

Mr. Soyryng summarized Staff Report 14-SLUP-02 dated October 3, 2014 and Staff Report 14-SPR-01 dated October 3, 2014 including the conditions stated in both staff reports. Staff is recommending approval of both the Special Land Use Permit and Site Plan Review with conditions (and the conditions are the same in both staff reports).

Commission discussion included adding a condition of including windows on the west building façade and modifying condition #6 requiring audio and visual devices for the driveway outlet onto Front Street.

Rob Bacigalupi, Downtown Development Authority Executive Director, addressed the Commission.

W. Keith Owen, design architect and applicant for 124 W. Front Street, addressed the Commission and presented a computer model depicting the proposed building. Commission discussion.

A Public Hearing was opened. The following individual made public comment during the Public Hearing:

- Rick Buckhalter, 932 Kelly Street, made general comments

The Public Hearing was closed.

Motion by Commissioner McNally, second by Commissioner Warren, that the request by W. Keith Owen of Owen Architects Collaborative, LLC on behalf of Federated Properties, LLC for a Special Land Use Permit and Site Plan Review to allow for a taller building at 124 W. Front Street be approved with conditions as outlined in the Staff Report 14-SLUP-02 dated October 3, 2014 and Staff Report 14-SPR-01 dated October 3, 2014 with the deletion of "or" on condition #6 and that an additional condition be added that would read: windows on the west side shall reflect the general window pattern in the submittal on the west elevation; and further that the Planning Commission's recommendation be forwarded to the City Commission for their consideration.

Motion carried 8-1 (Commissioner Bergman opposed).

- C. Public Hearing to consider a Special Land Use Permit request by Peter Starkel on behalf of Safe Harbor of Grand Traverse, Inc. to allow for an Emergency Shelter at 517 Wellington Street, a property owned by the City of Traverse City

Mr. Soyring briefly explained the request from Peter Starkel on behalf of Safe Harbor of Grand Traverse, Inc. for a Special Land Use Permit to allow for an Emergency Shelter at 517 Wellington Street, a property owned by the City of Traverse City. The proposal is to renovate the existing building to operate a 90-bed emergency shelter that will be open from November to April each year, from 6:00 p.m. to 8:00 a.m. daily. The building is currently under lease with the Traverse City Film Festival as a storage facility. The property is zoned D2 (Development District) which allows Transitional housing and Emergency shelters by Special Land Use Permit.

Mr. Soyring summarized the Staff Report dated October 2, 2014 and outlined how the proposed use meets the general and specific standards within the Special Land Use Permit chapter sections 1364.02 *General Standards for Approval* and 1364.08 (q) *Transitional Housing and Emergency Shelters*. He noted that a revised site plan from the applicant was turned in late and the staff report on pages 3 and 7 should be modified to state that the site

plan shows 21 parking spaces. Staff is recommending approval of the Special Land Use Permit with conditions.

Commissioner McNally recused himself from the discussion and left the meeting at 8:25 p.m.

Commission discussion included striking the words "by the applicant" on condition #5. Condition 5, as amended, reads, "The stormwater drainage for the site and adjacent street and alleys shall be evaluated to determine if there are any negative issues related to drainage and if so, remedies are implemented to properly address the drainage issues."

Commission discussion included concern with the language identified in condition #7 and desired clarification. The City Attorney provided an amended Condition 7 that reads, "The Special Land Use Permit will remain valid so long as the building is occupied by the applicant and used in compliance with the Special Land Use Permit."

Commission discussion included adding the words "beyond ninety (90) beds" to condition #2. Condition 2, as amended reads, "The Operations Plan dated September 2014 is implemented and followed. Minor operational changes such as meal times, facility locked times, training program adjustments and alike are permissible for good cause. Changes in the number of beds beyond ninety (90) beds, length of the seasonal operation, staffing levels below the stated minimums and alike are considered major changes that will require to following the procedures for a "Major amendment" to the Special Land Use Permit."

Commission discussion indicated concerns with conditions 2 and 4.

Christie Minervini, fundraising chair for Safe Harbor of Grand Traverse, addressed the Commission.

Commission discussion also included the desire to insert the sections titled "community outreach" and "crime prevention plan" that were part of the September 16, 2014 Planning Commission Operations Plan submittal. An additional condition was added to read in full, "The sections of the Operations Plan Written Management Plan (Attachment D) dated September 2014 shall include sections entitled "Community Outreach" and "Crime Prevention Plan" that were part of the application submittals that were included in the City Planning Commission's September 16, 2014 packet."

Ms. Minervini addressed the Commission.

Additional commission discussion.

A Public Hearing was opened. The following individuals made public comment during the Public Hearing:

- Rick Buckhalter, 932 Kelly Street, made general comments
- George Golubovskis, 325 Washington Street, made general comments
- John Fiebing, 750 Centre Place, made comments in support
- Tomm Emmit, 1702 Lincoln Street, made comments in support
- Lisa Brown, 1024 West Front Street, made comments in support
- Ashley Walter, 605 Fifth Street, made comments in support
- Kristen Younger, 419 W 8<sup>th</sup> Street, made comments in support
- Homer Nye, 228 S. Spruce Street, made comments in support
- Dale Hunt, business owner at 522 E 8<sup>th</sup> Street, made comments in opposition
- Richard Kuchell, 500 Webster, city resident and city business owner, made comments in opposition
- Justin Reed, 630 Cottageview Drive, made comments in support
- Michael Walman, 261 Midtown, made general comments
- Lee Storch, 813 Floresta, non-city resident, made comments in support
- John Stewart, 3366 Summerleaf, city property owner on 8<sup>th</sup> Street, made general comments
- Karen McCarthy, 908 S. Union Street, made comments in support
- Amanda Craigs, business owner at 531 E. 8<sup>th</sup> Street, made comments in opposition
- Tom Krause, non-city resident, business owner on 8<sup>th</sup> Street, made general comments
- Tina Allen, non-city resident, made general comments
- John Scudato, 422 E. State Street, made comments in opposition
- Vince Malloney, 730 Centre Place, made comments in opposition
- Staten Laurens, 10607 S Monaco Way, non-city resident, made comments in support
- Carol Botsell, 2565 Old Barn Road, made comments in support
- Nicole Russo, 864 E. State Street, made comments in support
- Christine Walsh, 2175 Gary Road, made comments in support
- Jan Chapman, 118 E. 12<sup>th</sup> Street, made comments in support
- Elaine Malloney, 730 Centre Place, made comments in opposition
- Rebecca Garland, 1049 Fairlane, made general comments
- Charlene Hunt, commercial property owner at 522 E. 8<sup>th</sup> Street, made comments in opposition
- Ryan Hannon, Goodwill Street outreach coordinator, 2279 S. Airport Road, made general comments

The Public Hearing was closed.

Commission discussion included comments related to management plan cost estimates.

Ms. Minervini addressed the Commission.

Commission discussion.

Motion by Commissioner Warren, second by Vice-chairperson Bergman, that the Special Land Use Permit request by Peter Starkel on behalf of Safe Harbor of Grand Traverse, Inc. to allow for an Emergency Shelter at 517 Wellington Street, a property owned by the City of Traverse City, be approved with conditions as outlined and amended in the Staff Report 14-SLUP-03 dated October 2, 2014; and further that the Planning Commission's recommendation be forwarded to the City Commission for their consideration.

Motion carried 5-3 (Commissioners Dow, Fleshman, Twietmeyer opposed, Commissioner McNally recused).

Commissioner McNally rejoined the meeting at 10:47 p.m.

**6. NEW BUSINESS-** None.

**7. CORRESPONDENCE** –None.

**8. REPORTS**

**A.** City Commission- Commissioners Easterday reported.

**B.** Board of Zoning Appeals- No report.

**C.** Grand Traverse Commons Joint Planning Commission- No report.

**D.** Planning Commission

1. Housing Building Committee— No report.

2. Active Transportation Committee—Commissioner Werner reported.

3. Master Plan Review Committee—No report.

4. Parking Regulation Committee- No report.

**E.** Planning Department—Mrs. Luick reported that Redevelopment Ready Community trainings in Traverse City will occur on November 5-6. The Grand Traverse County Planning Awards banquet is on November 6 in the evening. Any Planning Commissioner may attend both programs by letting staff know. Also Networks Northwest would like comments on the Frameworks for our Future Regional Prosperity Plan by December 1.

1. Capital Improvement Program—Mrs. Luick reported that a revised Capital Project list was distributed that now includes projects in fiscal year 16/17.

**PLANNING COMMISSION  
REGULAR MEETING MINUTES  
OCTOBER 7, 2014**

**Page 7**

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9. **PUBLIC COMMENT-** None.

10. **ADJOURNMENT-** Meeting was adjourned at 10:51 p.m.

Respectfully submitted,

Date: \_\_\_\_\_

\_\_\_\_\_  
Jan Warren, Secretary

# STUDY SESSION MINUTES TRAVERSE CITY PLANNING COMMISSION

TUESDAY October 21, 2014

7:30 P.M.

Commission Chambers  
Governmental Center, 2nd Floor  
400 Boardman Avenue  
Traverse City, Michigan 49684

**PRESENT:** Vice-Chairperson Jody Bergman, Commissioners Michael Dow, Janet Fleshman, Cecil McNally, Chairperson John Serratelli, Bill Twietmeyer, and Tim Werner

**ABSENT:** Commissioner Jeanine Easterday and Janice Warren

**STAFF PRESENT:** Russ Soyring, Planning Director; Missy Luick, Planning and Engineering Assistant; Benjamin Marentette, City Clerk; Lauren Tribble-Laucht, City Attorney

1. **CALL MEETING TO ORDER-** Chairperson Serratelli called the meeting to order at 7:30 p.m.

2. **ROLL CALL**

3. **ANNOUNCEMENTS-** None.

4. **PLANNING COMMISSION BYLAWS: LAUREN TRIBLE-LAUCHT AND BENJAMIN MARENTETTE (DISCUSSION)**

Mr. Marentette discussed Commission decorum during public meetings.

Mr. Marentette and Ms. Tribble-Laucht presented to the Commission their proposed amendments to the bylaws.

Commission discussion.

Commissioner Twietmeyer left the meeting at 8:07 p.m.

Commission discussion.

Mr. Marentette and Ms. Tribble-Laucht will incorporate changes to the bylaws based on Commission discussion for possible action at the November 4 regular meeting.

5. **PUBLIC COMMENT**

**PLANNING COMMISSION  
STUDY SESSION  
OCTOBER 21, 2014  
Page 2**

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Mrs. Luick announced that there will be a kickoff meeting for the Traverse City Public Pier Project tomorrow, October 22, 2014 at 7:00 p.m. in the Training Room, Governmental Center. The public is welcome to attend and participate in the process.

Commissioner McNally commented that he hopes the Housing and Building Committee will consider requiring that developments include affordable housing or that the committee recommends affordable housing incentives for developers.

**6. ADJOURNMENT-** The meeting was adjourned at 8:26 p.m.

Respectfully submitted,

Date: \_\_\_\_\_

\_\_\_\_\_  
Jan Warren, Secretary



## Communication to the Planning Commission

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FOR THE MEETING OF: November 4, 2014

FROM: RUSS SOYRING, PLANNING DIRECTOR

SUBJECT: CONSIDERATION OF AN AMENDMENT TO THE PLANNING  
COMMISSION BYLAWS

DATE: October 31, 2014

At the October 21, 2014 meeting, the Planning Commission discussed the proposed Bylaws amendments as explained by Benjamin Marentette, City Clerk, and Lauren Tribble-Laucht, City Attorney. Further edits based on Commissioners comments are reflected in the revised draft included in the packet.

If the Commission is supportive of the proposed amendments, then the following motion would be appropriate:

**I move that the Planning Commission Bylaws be amended as proposed in the October 22, 2014 revision.**

RAS:ml

# PLANNING COMMISSION BYLAWS

## TRAVERSE CITY PLANNING COMMISSION

(Adopted December 13, 1988)  
(Revised December 6, 1994)  
(Revised August 9, 1995)  
(Revised January 19, 2000)  
(Revised August 23, 2000)  
(Revised June 6, 2007)  
(Revised May 7, 2008)  
(Revised January 7, 2009)  
(Revised September 9, 2009)  
(Revised November 1, 2011)  
(Revised November 25, 2013)  
(Revised February 21, 2014)  
(Revised October 22, 2014)

### **PURPOSE:**

These Planning Commission Bylaws are adopted pursuant to the Traverse City Code to acquaint the people of Traverse City and persons appearing before the Commission with the operation of the Commission so that matters coming before this body can be handled in an understanding, prompt and efficient manner.

### **I. AUTHORITY AND JURISDICTION:**

The City Planning Commission derives its authority from the City Charter Section 160, which states The City Commission shall by ordinance establish and maintain a City Planning Commission having the powers and duties prescribed by State law; and the Traverse City Code (Chapter 1220). That these laws state that the City Planning Commission shall have the powers and duties authorized and directed by the City Charter, the Michigan Zoning Enabling Act of P.A. 12 of 2008 as amended, and the Michigan Planning Enabling Act of P.A. 33 of 2008 as amended. This section also provides for establishing the membership of the Commission, the meetings of the Commission and grants the authority to the Commission to adopt rules and procedures for the conduct of their business.

### **II. OFFICERS:**

A. A Chairperson, Vice-Chairperson and Secretary shall be elected by majority vote of the members of the Commission every year at the first regular meeting in the month of January.

Such other officers as are deemed necessary and advisable for the conduct of business shall be appointed as required and provided for by the Commission.

B. The Chairperson shall preside at all meetings and shall appoint such committees as may be authorized by the Commission, and be an ex-officio member of such committees.

The Chairperson, subject to these rules, shall decide all points of order or procedure, subject to appeal by a member of the Commission, which shall be determined by a majority of the members of the Commission present. In the event an appeal is taken by any member from the ruling of the presiding officer, the Commissioner desiring to appeal shall state that a claim of appeal is being taken and shall state briefly what in that Commissioner's opinion the ruling should have been. If this appeal is seconded, the recording secretary shall state clearly the question at issue, and then shall call for the vote of the Commission on the question: "Shall the decision of the presiding officer be sustained?" Such decision shall be final and shall be binding on the presiding officer, unless otherwise directed by a majority vote of the Commission in the session at that time.

- C. The Vice-Chairperson shall preside and exercise all of the duties of the Chairperson in his or her absence. Should neither the Chairperson, nor the Vice-Chairperson be present at a meeting, a temporary Chairperson shall be elected by a majority of the members present.
- D. The Secretary shall record the meeting minutes.
- E. In the event that an officer shall leave the Commission before the expiration of his or her term, an individual shall be appointed to the vacancy in the same manner for Planning Commission appointments as defined by City ordinance~~the Mayor, City Commission or Mayor with City Commission approval shall appoint a new officer to serve out the remainder of his or her term.~~

~~II.~~ ~~III.~~ **MEETINGS:**

III.

- A. All ~~regular and special~~ Commission meetings shall be open to the public.
- B. The regular meetings of the Commission shall be held on the first Tuesday of each month, except when such Tuesday falls on a legal holiday or conflicts with the City Commission meeting schedule.
- C. A special meeting of the Commission may be called by the Planning Director, Chairperson, the Vice-Chairperson in the event the Chairperson is out of town, or any three members of the Commission. Each member of the Commission must receive at least eighteen (18) hours notice as to the time, place and purpose of the meeting in writing, delivered or served personally at his or her usual place of residence, except that the announcement of a special meeting at a time at which all members are present shall be sufficient notice of such meeting. In the event a request to call a Special Meeting is initiated by a member of the Commission other than the Chairperson, or Vice-Chairperson in the event the Chairperson is out of town, the initiating Commissioner shall submit a written request to the Planning Director requesting the Special Meeting. The request shall contain the item(s) to be considered. The Planning Director shall then forward the request within two business days to the Commission

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and request if there are two (2) additional Commissioners who would like to call the Special Meeting; and any Commissioner who would like to join in making the request shall respond directly to the Planning Director.

- D. Study meetings may be held on the third Tuesday of the month, as called for by the Commission or Chairperson, except when such Tuesday falls on a legal holiday or conflicts with the City Commission meeting schedule.
- E. Meeting agendas shall be prepared by the Planning Director approved by the Chairperson. The Planning Director and any member of the Commission may place items on the agenda; items to be placed on the agenda by a member of the Commission shall be submitted at least seven calendar days in advance of the given meeting, unless for a Special Meeting called for a specific purpose in accordance with these Bylaws. The agenda shall be sent to the Commission no later than on the Friday preceding the regularly scheduled meeting. The Commission shall only consider the items listed on the originally released agenda, unless seven (7) members of the Planning Commission, by affirmative vote, suspend this rule to add an item to the agenda. In unusual circumstances, items may be added to the agenda by the Chairperson prior to the meeting.
- F. A quorum of five (5) members must be present to constitute an official meeting of the Commission.
- G. ~~All hearings shall be scheduled at the hour the meeting is scheduled to be.~~
- H. All regular meetings shall begin at 7:30 p.m. and no new items requiring action shall be taken after 10:00 p.m. unless otherwise determined at the meeting by a majority of the Commission present.
- I. The conduct of the Planning Commission business shall be governed by the current edition of Robert=s Rules of Order unless otherwise modified by law, ordinance, or these rules of the Planning Commission.

**IV. VOTES:**

The concurring vote of a majority of members present at a regular or special meeting shall be necessary to pass on any matter referred to them. The adoption of a master plan, or of any such part, amendment, extension or addition shall require the concurring vote of six (6) members of the Commission.

**V. CONFLICT OF INTEREST:**

Upon disclosure of a conflict of interest the member may recuse themselves from voting on the issue or participating in the making of a decision. ~~shall be disqualified from voting on the matter at issue.~~

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- A. Appearance of Conflict. An appearance of a conflict exists when a reasonable person would believe that because of certain facts a Planning Commissioner's participation in a proceeding would create an appearance of impropriety, partiality, bias or lack of fairness.
- B. Contractual Conflicts of Interest. The conduct of City officials and employees in relation to conflicts of interest involving contracts shall be as established by State law.
- C. Financial Conflict of Interest. An official or employee who has a financial interest, direct or indirect, in any matter to be decided by the City Planning Commission, other than with respect to a contract, shall make that interest known and shall refrain from voting upon or otherwise participating in the making of the decision. Violation of this subsection with the knowledge, express or implied, of the person or corporation dealing with the City Planning Commission shall render the decision voidable by the City Manager or the City Commission. Any official or employee violating the provisions of this subsection shall be deemed guilty of a misdemeanor, and upon conviction shall forfeit office. A financial conflict of interest may be waived by the City Commission after full disclosure of such conflict to the Commission. Unless otherwise provided by law or ordinance, the remaining members of the Commission in a unanimous vote may rule that the best interests of the City are to be served by removing the prohibition on voting and participating in the matter.

**VI. PROCEDURE:**

- A. All inquiries, applications or matters requiring official action by the Commission which is not specifically mentioned below shall be submitted in writing at the offices of the Planning Department. This must be done at least seven (7) days prior to the meeting of the Commission at which consideration is requested.
- B. Requests for rezoning subdivision approvals, Special Land Use Permits and Planned Unit Developments shall be filed on application forms obtained from the Planning Department.
- C. Rezoning, Special Land Use Permit, Planned Unit Development, subdivision approval, lot split and alley and street vacationing requests shall be submitted at least seven (7) days prior to the meeting for introduction before the Commission. If the Commission

finds the submission complete, then a public hearing date shall be scheduled to consider the request.

- D. The Commission and/or the Planning Director may require such surveys, plans or other information as may be reasonably required by said Commission for the proper evaluation or consideration of the matter. Written documentation from the petitioner should be presented to the Commission which will give full information as to the intentions of the petitioner, as well as a legal and informal description of the property in question.

~~E. In the event that sufficient data has not been furnished, the Commission shall table the matter until such time as the required information has been furnished.~~

~~F.E.~~ All proceedings, decisions and resolutions of the Commission shall be initiated by motion. The vote upon motions and resolutions may be recorded by roll-call vote. All members, including the Chairperson, ~~shall may~~ vote on each motion unless they have stated there is a conflict of interest, or the appearance of a conflict of interest, as defined in these bylaws.

F. In the event a petitioner requests that his or her item be tabled, after it has been published, noticed and scheduled, the public hearing may be held to allow interested citizens an opportunity to speak to the request, then tabled to a specific future meeting and scheduled in sequence on the agenda.

G. Whenever there is an administrative decision to be made by the Commission, members of the Commission shall avoid ex parte contact. An administrative decision is when there is an applicant for a decision to be made by the Planning Commission, such as a rezoning, a Special Land Use Permit or a Planned Unit Development. Ex parte contact is contact with the applicant outside of a Planning Commission meeting when there is a pending administrative decision, regardless of means, such as a telephone conversation, email, in-person conversation. In the event such contact is made, the member of the Commission shall submit a document to the Planning Director outlining the nature of the contact, what was said, and the Planning Director shall provide the document to the members of the Commission and include the document in the next meeting packet, and feature it on the agenda as a "report."

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**VII. PUBLIC HEARINGS:**

- A. The primary function of the public hearing process is the gathering of information through public testimony and written documentation. The nature of the evidence

received during this process will in many cases require further careful consideration to assure a logical and just decision. The Commission shall therefore determine at each public hearing the meeting date at which a decision will be rendered.

- B. The applicant or the applicant=s authorized agent must be present at the public hearing to properly answer questions concerning the request. If the applicant or agent is not present, the request may be tabled until the next meeting or dismissed at the discretion of the Commission.
- C. The Commission shall hold a public hearing on any proposed amendment to the zoning ordinance or zoning map. Official notice for the Commission public hearings shall comply with the requirements and procedures established by Section 1320.04 of the City Code of Ordinances. The Commission shall recommend approval or denial of the amendment, and shall transmit, in writing, its recommendation to the City Commission for official action.
- D. The Commission shall hold a public hearing on any proposed City Commission authorized Special Land Use Permit. The official notice of public hearing shall comply with Section 1364.04, of the City Code of Ordinances. The Commission may recommend denial, approval or approval with conditions after said hearing and notification as provided herein. Its recommendation shall be incorporated in a statement of conclusions specifying the basis for the recommendation and any conditions imposed, which statement shall be transmitted to the City Commission for official hearing and action.
- E. The Commission may hold a public hearing with such notice as it deems advisable for Planned Unit Developments. After review by the Commission, it shall submit a written recommendation to the City Commission.
- F. In the case of lots splits resulting in the creation of a new buildable lot, the Commission may in its discretion hold a public hearing on the matter and make a recommendation to the City Commission for appropriate action.
- G. The Commission may hold a public hearing with such notice as is deemed advisable for public street and alley vacations and openings. After review by the Commission, it shall submit a written recommendation to the City Commission.
- H. The Commission will not reconsider any request on which a negative decision has been rendered within one (1) year from the date of the Commission=s decision on the

request unless it can be shown by the petitioner that substantial new information affecting the request which was not presented to the Commission at the previous hearing(s) is now available and would affect the original decision rendered. Said substantial new information shall be described in writing by the applicant at the time of application. Before re-hearing the request, the Commission shall decide whether there is substantial new information allowing the new hearing.

**VIII. PUBLIC COMMENT AT REGULAR MEETINGS.** The Planning Commission welcomes public comment and has prescribed the following to facilitate the conduct of public business.

- A. Public Comment during Agenda Items. Any interested person wishing to address the Planning Commission regarding an Agenda Item may do so during discussion of an agenda item prior to action recognized by the presiding officer or upon request of any Commissioner. All persons must identify themselves and their address and direct their comments to the Commission. The comment of any member of the public or any special interest group may be limited in time to five minutes except as provided in subsection (D). As part of its deliberation, the Planning Commission may clarify, answer questions and ask questions as a result of public comment.
- B. Public Comment during the designated Public Comment Section - General. Any interested person wishing to address the Planning Commission regarding other matters may do so under the designated Public Comment section. All persons must identify themselves and their address and direct their comments to the Commission. The comment of any member of the public or any special interest group may be limited in time to five minutes except as provided in subsection (D). Questions posed may be answered at the meeting or may be referred to staff for response at a later time.
- C. Public Comment during the designated Public Comment Section - Planning Commissioners. Planning Commissioners interested in making a public comment may do so under the designated Public Comment section. Further, Planning Commissioners may briefly respond for clarification purposes as a result of public comment.
- D. Order and Duration of any Public Comment. The presiding officer shall control the order and duration of any public comment subject to appeal. The presiding officer shall have the authority to limit and terminate any public comment that becomes disruptive, unduly repetitive, or impedes the orderly progress of the meeting. Items not appearing on the agenda will not be acted upon by the Planning Commission except in accordance with these rules.

**IX. AMENDMENTS:**

- A. These bylaws may be amended or modified provided that such amendment or modification is presented in writing at a meeting, and that favorable action is taken thereon at a subsequent meeting.
- B. Six (6) members of the Commission by due motion and recorded vote may suspend or vary the application of these rules to a particular application, case, problem or proceeding pending before the Commission.

~~X. PLANNING COMMISSION POLICIES FOR PROVIDING INFORMATION TO THE NEWS MEDIA:~~

- ~~— The Commission will provide information to the news media in the following manner:~~
- A. ~~Upon request, the agenda of a specific meeting will be sent out to the various news media at the same time they are sent to the Commission.~~
- B. ~~The news media should be advised that if they do not attend the meeting, they can call the Secretary the morning after the meeting, and he or she will advise them of the action which was taken by the Commission.~~
- C. ~~Upon request by the news media for a specific Commission meeting, the minutes for that meeting will be provided to the requesting party.~~
- D. ~~At such time as the Commission may invite in outside experts, or for study sessions which relate to some major program which may be evolving, the Secretary may notify the news media of such a meeting and request their presence if directed by the Commission. This will enable the news media to obtain this background information in the same fashion as the Commission, thereby enabling them to have a better basis for reporting future actions of the Commission relative to the proposed programs.~~

I hereby certify that the above document was adopted by the Traverse City Planning Commission at their \_\_\_\_\_ meeting.

\_\_\_\_\_  
Jan Warren, Secretary  
Traverse City Planning Commission



## Communication to the Planning Commission

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FOR THE MEETING OF: November 4, 2014

FROM: Russ Soyring, Planning Director

SUBJECT: Capital Improvement Plan project submission

DATE: October 31, 2014

The Capital Improvement Plan (CIP) process begins for the City in November. This month each Department will be submitting projects to be included in the CIP.

The Planning Department administers the CIP process. At this time, we are opening up project submissions from the Planning Commission to be included in the CIP.

The Corridors Master Plan document and the Master Plan Elements have projects that you may want to consider adding to the 6-year CIP.

RAS:ml



Agenda Item No. \_\_\_\_\_

## Communication to the Planning Commission

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FOR THE MEETING OF:                    November 4, 2014  
FROM:                                        Russ Soyring, Planning Director  
SUBJECT:                                    Parking Regulation Committee Charge  
DATE:                                        August 1, 2014

In 2012, the Planning Commission discussed establishing a Parking Committee to discuss creating a “comprehensive parking plan”. A comprehensive parking plan would include topics such as: an account of all current parking land use; parking space requirements; use, value and opportunity costs when requiring off-street parking; need and potential sites for parking decks; neighborhood on-street parking and bicycle parking.

On August 5, 2014 the Planning Commission formally established the Parking Regulation Committee with the charge to deliver a comprehensive parking plan with recommendations to the Planning Commission.

Recently, Chairman Serratelli and I have been working on refining the charge of committee since the City of Traverse City Parking Services has already drafted Parking Plan that addresses a number of parking topics noted above. To minimize redundancy, we suggest Nicole VanNess, Parking Administrator serve on the Parking Regulation Committee. Please see the attached sheet for the other suggested members along with the proposed charge for the committee.

If you have any suggestions the membership makeup or the charge for the Parking Regulation Committee, please raise them at the meeting.

# Parking Committee

Suggested Members: Planning Chairman, Planning Commissioner, Parking Services Director, Business Owner, 2 Neighborhood Residents, Bay Area Transit Authority, Banker, Realtor, MMC, NMC, TCAPS

Staff Support Planning Department

Charge: Review Parking Policies and Parking Regulations and develop a set of recommendations including:

- Parking Maximums
- Parking Minimums
- Density Requirements
- Shared Parking/Access Requirements
- No Parking Required Zones
- Residential Parking Permits
- Parking Audit



The City of Traverse City  
Code Enforcement

Governmental Center  
400 Boardman Ave  
Traverse City MI 49684  
(231) 922-4414  
www.traversecitymi.gov



COMPLAINTS for 2014	July( 17-31)	August	September	
Lawns	11	7	1	
Sign Violations	4	21	55	
Sidewalk Café Inspections	10	6		
Brush/ Streets Dpt.	0	4	9	
Parking violations	4	12	4	
Neighbor Disputes	5	13	8	
Street Performer inspections/compl.	3	6	0	
Commissioner/Mayor Complaints	0	2	2	
Chickens	0	0	0	
Trash/garbage/junk	5	5	7	
Smoking Violation	0	0	0	
Dilapidated Homes/buildings	2	0	0	
Food Trucks/Vendors	0	6	0	
Noise	0	0	0	
Health/Safety	2	6	10	
News Racks	0	0	0	
DDA issues/complaints	0	5	0	
Miscellaneous Compl.	3	9	7	
Rental Housing Insp.	0	0	77 units inspected	
<b>TOTALS</b>	<b>49</b>	<b>102</b>	<b>180</b>	

The above chart shows the type and amount of each complaint that was handled. No citations were issued, only warnings, as almost all violations were corrected after one warning. Approximately 90% of the above complaints were call generated, and 10% self initiated. Rental Housing Inspections began in September that included Apartment Complexes, and Multi-family (3 or more) Residential Housing Units.

# City Planning Department

Quarterly Report

October 2014

## Project Update

1. **Capital Improvement Program-** *We are currently looking into new CIP software.*
2. **Traverse City Public Pier-** *Great Lakes Fisheries Trust Grant received to complete the design, preliminary engineering, studies and construction drawings and details to build an approx. 550 foot, universally accessible fishing pier at the mouth of the Boardman River on Grand Traverse Bay. The pier will provide unique, outstanding access for people of all ages, needs and abilities to fish for migratory and other species, and to learn about the Great Lakes, the importance of stewardship and the value, challenges and opportunities involving the fishery. A contract has been awarded to Smith Group JJR as the consultant for the study and design for the public pier. Planning for the upcoming meetings have been held with JJR-Smith Group. The first public meeting will be held October 22 with stakeholder interviews to occur on October 23.*
3. **Grand Traverse Commons Zoning Ordinance-** *Final revisions are the draft zoning ordinance for the Commons have been made. The Grand Traverse Commons Joint Planning Commission will review the completed draft at their November 5, 2014 meeting. The next step is for the Joint Planning Commission to set a public hearing for the draft ordinance.*
4. **Boardman Lake Trail-** *Administering the Natural Resources Trust Fund Grant for the Boardman Lake Trail. The trail and recreational amenities are under construction with a completion date expected in November.*
5. **Perry Hannah Statue in Hannah Park-** *The private funders and Planning staff will present more detailed information and estimated costs to the Parks and Recreation Commission on November 6 regarding the small plaza, design components and the statue.*
6. **Active Transportation Plan-** *Continuing to work with the City Planning Commission on developing the Active Transportation Plan. A draft document is underway with a focus on developing a series of maps for the document.*
7. **Public education campaign regarding the “Traverse City Stops for Pedestrians” local ordinance –** *No further work has been completed. The Planning Department will work with the Engineering Department on developing a policy for installing the in the street “Stop for Pedestrians in Crosswalk” signs which were recently purchased and installed downtown and on West Front Street west of downtown.*
8. **Corridors Master Plan Implementation-** *Administered the restriping of 8<sup>th</sup> Street to be a three-lane street with bike lanes as called out in the Corridors Master Plan. The impact of the restriping of the four block area of 8<sup>th</sup> Street will be presented to the City Commission on November 10. Planning staff has been tallying phone calls and emails regarding the restriping and will share the tallies with URS, the consultant that will be making the presentation.*
9. **Grand Traverse Bay Corridor Strategy Committee-** *The City Planning Commission adopted a resolution in support of Corridor Strategy at their October 7, 2014 meeting. County Planning and City Planning staff decided not to pursue working with Michigan State’s Planning, Construction and Design school on helping to develop a unified design concept for the corridor after several meetings with MSU. Staff has had further discussions with MSHDA on potential funding for a charrette for 8<sup>th</sup> Street to develop an overlay zoning for the 8<sup>th</sup> Street corridor.*

10. **City Master Plan Committee-** *The committee has not met. Staff attended an educational workshop on preparing and amending a master plan. Committee meetings will be scheduled in the near future to develop a formal report to Planning Commission. Amendments to the text and Future Land Use Map will be recommended.*
11. **Boardman River boardwalk project-** *Submitted revisions to a NRTF Grant for a boardwalk along Boardman River south of the Eighth Street bridge. Notification of grant awards will be in December. The project scored enough points to remain hopeful for funding.*
12. **Clancy Park-** *Submitted revisions to a DNR Passport Grant for improvements to Clancy Park. Staff remains optimistic for State funding for this neighborhood park.*
13. **Grand Vision Prosperity Grant-** *We are still awaiting word on whether the grant request will be approved. Most of the sidewalks have been installed, however walks west of Maple have not been constructed.*
14. **Housing Building Committee-** *This committee has not met recently. Meeting will be scheduled to further discuss the current accessory dwelling unit (ADU) regulations. To date, no ADU's have been proposed for the ADU overlay district. The Committee has suggested amending the regulations to be less restrictive.*
15. **Redevelopment Ready Community-** *Staff is preparing information to be submitted for the Redevelopment Ready Community program.*
16. **2014/2015 Streets-** *The Planning Commission approved most of the street projects for consistency with the Master Plan at their August 5 meeting. Seventh Street and 100 Block of E. Eleventh Street (Saint Francis School block) were pulled from the list to allow for additional planning meetings for these street projects.*
17. **Development Projects-** *Projects including Hotel Indigo, Habitat for Humanity at the Depot, Uptown, 124 W. Front, NMC, Crystal Cove (Lake Ridge), Northwinds (Lake Ridge), Lake Ridge Drive Townhouse, 517 Wellington, Bay and Randolph (2 projects), Front & Garfield development, East Bay Plaza and Washington Place are in different stages of planning and construction and we continue to monitor their progress. Staff also spent considerable time reviewing the application for a Special Land Use Permit for an Emergency Shelter at 517 Wellington Street.*

ADU

NOV 4. P. Meeting  
correspondence

City of Traverse City Planning Commission

400 Boardman Ave.

Traverse City, Michigan 49684

Attn: City of Traverse City Planning Commission

RECEIVED

OCT 15 2014

PLANNING DEPT  
CITY OF  
TRAVERSE CITY

October 6<sup>th</sup>, 2014

Dear City of Traverse City Planning Commission,

My name is Clint Caughran and I live at 121 W. 17<sup>th</sup> St., Traverse City, Michigan, 49684. My home is a village green house, 3 houses West of Union Street. My in town lot is .44 acres and the current house lies in the bottom quarter of the lot. I have been there for 10 years and have worked hard to clean up the lot; clear it of the black locus trees (Invasive species), re-landscaped it, planted a garden and small orchard and transformed it into a beautiful in town country lot. I'm an amateur mason by hobby and have a desire to build a large fieldstone retaining wall, leveling a quarter section of the back of the lot off and building a 1,200 - 1,500 square foot fieldstone house for my children, extended family and frequent friends that visit us, all while continuing to improve the beauty and function of the lot. I called about a month or so ago and spoke with Dave Weston to inquire if this was possible and he told me that I could not do it, for we are not zoned as an Accessory Dwelling Overlay District Unit. He explained that I could only build a structure 65% the size of my current home (Which is 1,200 square feet) and it could not have a kitchen area where food can be prepared. I politely pointed out that I am surrounded by lots and owners who have built additional buildings out sizing their main residence and they are renting them out. My plans are not to rent out the building, but only to add to the square footage and beauty of my current property. He let me know that they could do this for legacy zoning allowed it, but current zoning does not. Long story short, I asked Dave is there was any way around this and he explained the only thing I could do was to write a letter and ask to have my neighborhood rezoned to allow an Accessory Dwelling Overlay District Unit.

Based on the information provided above, my desire to add to the beauty, value and quality of the property and the neighborhood, I kindly request that you change the zoning back to allow me to build an additional building the same size or slightly larger on my current property. Your consideration is greatly appreciated and I hope you can change the zoning for

us and the neighborhood, so we can continue to build our dream and make the neighborhood a better place. Once again, your consideration is greatly appreciated and have a fantastic day!

Sincerely,

A handwritten signature in cursive script that reads "Clint Caughran". The signature is written in black ink and is positioned above the printed name.

Clint Caughran

121 W. 17<sup>th</sup> St.

Traverse City, MI 49684



Uptown development at Pine and State Streets

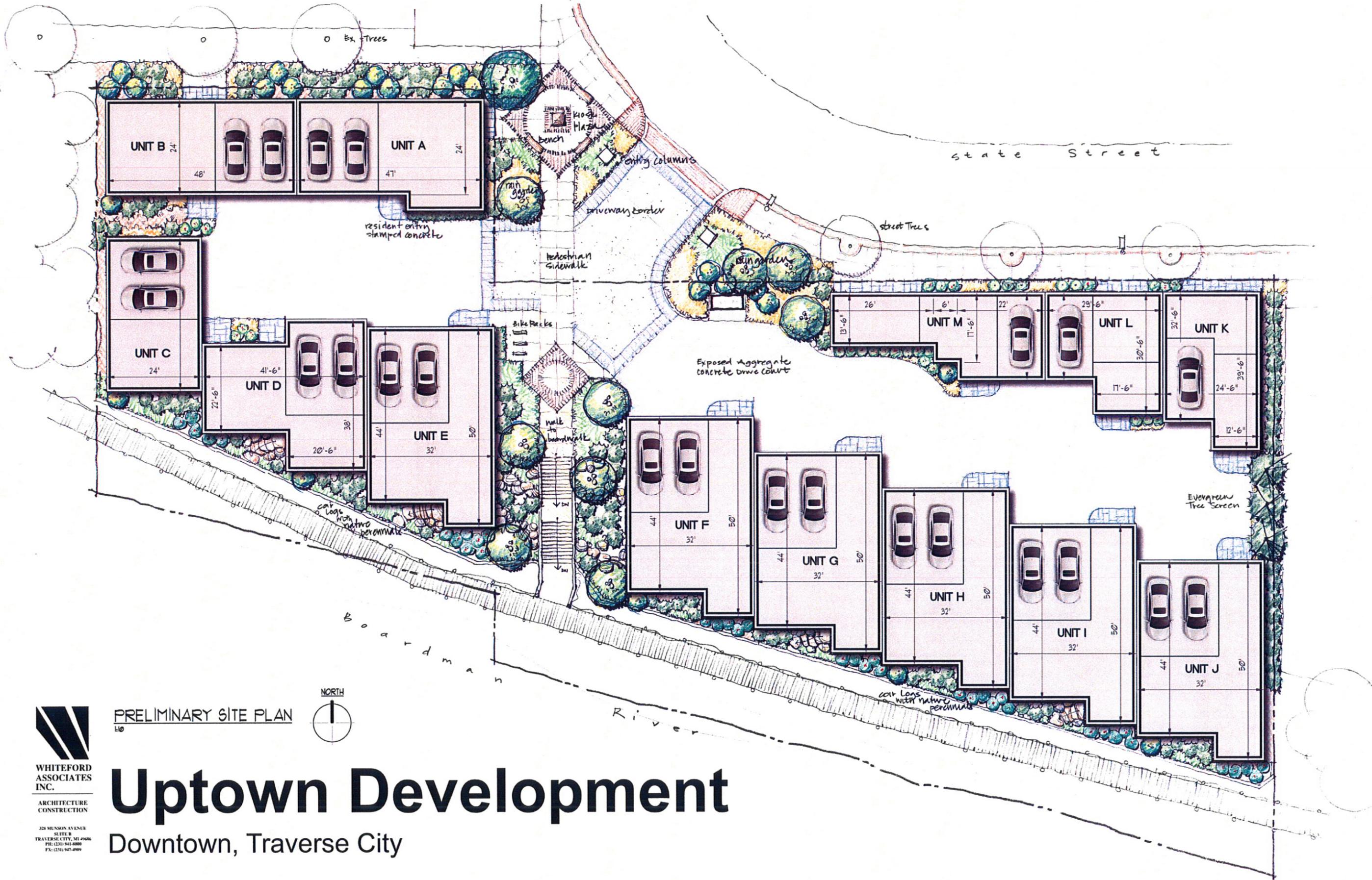


Midtown

## Natural Resources Element

Objective 3: Work with private landowners to protect and restore natural vegetation around all water bodies, including rivers, streams, lakes, and wetlands.

- Educate residents and property owners about the importance of riparian areas to water quality protection, erosion control, and wildlife habitat conservation.
- Encourage and incentivize the establishment of natural vegetation buffers on all sites adjacent to water bodies and wetlands to increase nutrient filtering, erosion control, wildlife habitat and property values.
- Identify and prioritize shorelines that need vegetated buffers.
- Codify the existing stormwater control ordinance guidelines protecting vegetated buffers starting above the ordinary high water mark of any wetland, lake or stream.
- Based on the NFI, set a standard for maintaining and possibly increasing wetlands.
- Require new buildings to be set back from the shoreline and the use of vegetative buffers where possible, rather than engineered walls and stone revetments.
- Based on the NFI, set a standard for limiting and/or mitigating hardened shoreline on Boardman Lake, Boardman River, Kids Creek and Grand Traverse Bay.



PRELIMINARY SITE PLAN  
 1/10



WHITEFORD  
 ASSOCIATES  
 INC.

ARCHITECTURE  
 CONSTRUCTION

325 MUNSON AVENUE  
 SUITE B  
 TRAVERSE CITY, MI 49606  
 TEL: (231) 941-8888  
 FAX: (231) 947-4999

# Uptown Development

Downtown, Traverse City