

DRAFT AGENDA

Bingham Township Planning Commission

Thursday, December 6, 2018 - 6:30 PM

Bingham Township Hall
7171 S. Center Highway
Traverse City, MI 49684
(231) 922-6767

Please Turn Off Your Cell Phone

- 1. Call to Order - Roll Call**
- 2. Agenda Approval**
- 3. Approval of Minutes:**
 - A. August 2, 2018 Regular Meeting
 - B. October 4, 2018 Regular Meeting
 - C. November 1, 2018 Regular Meeting
- 4. Public Comment**
- 5. Conflict of Interest**
- 6. Items for Consideration**
 - A. 2019 Planning Commission Meeting Schedule – (Must approve by Resolution)
 - B. Continue Public Hearing & Consideration – Special Use Permit Application for Commercial Storage, 8947 E. Bingham Road – Storage Bay-LC, Dargaworks, Inc.
 - C. Zoning Ordinance Amendment – Recreational Trail Overlay Zone – Section 3.11
 - D. Public Hearing & Consideration – Special Use Permit – Commercial Storage - 8595 E. Bingham Road – Blake Bernard
- 7. Communications and Reports**
 - a. Chairman – Mike Park
 - b. Zoning Administrator – Steve Patmore
 - c. Planning – Kathy Egan, Networks Northwest
 - d. Township Board – Gary McGhee (minutes online at www.leelanau.cc)
 - e. Commissioners
- 8. Items for Consideration for Next Meeting Agenda (January 3, 2019)**
- 9. Public Comment**
- 10. Adjournment (8:30 unless extended by a motion)**

This meeting is a session of the Bingham Township Planning Commission held in public for the purpose of conducting the Commission's business and is not to be considered a public community meeting. There is time set aside for public comment during the meeting as noted on the Agenda, and the Planning Commission welcomes the public's input at that time.

DRAFT MINUTES
BINGHAM TOWNSHIP PLANNING COMMISSION
Regular Meeting Minutes – August 2, 2018

1. Call meeting to order

Mike Park, Chairman called the Bingham Township Planning Commission Regular Meeting to order on Thursday, August 2, 2018 at 6:30 pm at the Bingham Township Hall, 7171 S. Center Hwy., Traverse City, Michigan.

Roll call- Quorum Present

Present: Mike Park, Jeff Layman, Marie Walker, Charlie Dashner, Gary McGhee

Absent and excused: Cathy Jasinski, Dennis Grant

Staff Present: Zoning Administrator, Steve Patmore, Planner, Kathy Egan – Networks Northwest

2. Agenda Approval

Consensus to approve the agenda as submitted.

3. Public Comment

None.

4. Conflict of Interest

None stated.

5. Items for Consideration

**a. Public hearing & consideration – proposed zoning ordinance amendment No 18-001
Agricultural Tourism Standards**

Chairman Mike Park opened the Public Hearing and asked Kathy Egan, Planner, to introduce. Kathy Egan said this amendment includes changes toward treating the agritourism uses the same across the districts.

Public comment –

George Paolacci asked what is the difference between Planning Commission approval and Township Board approval. Kathy Egan responded to the question and explained the difference.

Discussion by Planning Commission

- Gary McGhee questioned if the zoning administrator is expected to inspect food processing kitchens, as the wording seems to indicate.
- Steve Patmore said Leelanau Cheese has the only food processing kitchen, and he checks every year to see if the zoning conditions are met but it is different than a health department check.
- Charlie Dashner said there are two different setbacks from the lot line, 40 feet and 50 feet.
- Kathy Egan said parking for special events and activities is 40 feet from any lot line, all of the other uses have 50 foot setbacks from the lot line.

Chairman Park closed the public hearing.

Gary McGhee/moved, Jeff Layman/supported, that Zoning Ordinance Amendment No. 18-001, Agricultural Tourism Standards, be forwarded to the County Planning Commission for review. If there are no substantive comments from the county planning commission, Amendment No. 18-001, as presented, will be forwarded to the Township Board for adoption. If the county planning commission does have substantive comments, this amendment will be returned to the township planning commission for further review, PASSED.

b. Public Hearing & Consideration – Proposed Zoning Ordinance Amendment No. 18-002, Housekeeping Amendment.

Chairman Mike Park opened the Public Hearing and asked Kathy Egan, Planner, to introduce.

Kathy Egan said some language was added to not allow invasive species to be planted, also includes striking the words “microbrewery” and “distilleries”. In 10 places updated reference to the sign section. Clarified that short term rentals are allowed in certain zoning districts. New section added – rezoning standards.

Steve Patmore said in 2005 the Planning Commission and Township Board determined that short term rentals are allowed in an entire dwelling. If the township determines that short term rentals should be registered with the township, the zoning ordinance would have to be amended at that time.

Public comment - None.

Jeff Layman/moved, Charlie Dashner/supported, that Zoning Ordinance Amendment No. 18-002, Housekeeping amendment, be forwarded to the County Planning Commission for review. If there are no substantive comments from the County Planning Commission, Amendment No. 18-002, as presented, will be forwarded to the Township Board for adoption. If the County Planning Commission does have substantive comments, this amendment will be returned to the township planning commission for further review, PASSED.

c. Public Hearing & Consideration – Proposed Zoning Amendment No. 18-003, Special Land Use Permit Procedures.

Chairman Mike Park opened the Public Hearing and asked Kathy Egan to introduce. Kathy Egan said this amendment adds standards for special use permits in the zoning ordinance, added some language regarding special events.

Public Comment - None.

Discussion by the Planning Commission –

- Gary McGhee asked if neighbors are noticed when there are fireworks at a special event.
- Kathy Egan – There is no fireworks provision in the zoning ordinance. The fireworks ordinance is a township ordinance and it the provisions would have to be placed there.
- Mike Park – have to have control over tent structure.
- Kathy Egan – Add to e – there shall be no amplified sound outside of the facility or tent area after 8 pm.

Chairman Park closed the public hearing.

Jeff Layman/moved, Gary McGhee/supported, that Zoning Ordinance Amendment No. 18-003, Special Land Use Permit Procedures, as amended, be forwarded to the County Planning Commission for review. If there are no substantive comments from the County Planning Commission, Amendment No. 18-00, as amended, will be forwarded to the Township Board for adoption. If the County Planning Commission does have substantial comments, this amendment will be returned to the township planning commission for further review, PASSED.

d. Public Hearing & Consideration – Proposed Zoning Ordinance Amendment No.18-004, Sign Standards.

Chairman Mike Park opened the Public Hearing and asked Kathy Egan, Planner, to introduce. Kathy Egan said this version of the amendment includes corrections and comments from the township attorney. (Letter included in the meeting packet for Planning Commission review).

Steve Patmore reviewed his written comments dated July 26, 2018 submitted for the meeting packet on the proposed sign standards. His main concern is about the strict standards for temporary signs. His observations on the August 2018 Primary Election show that many of the current temporary signs would violate the new standards.

Discussion:

- Steve Patmore – Could let campaigns or parties know ahead of time about the sign.
- Gary McGhee – Had a complaint about a sign blocking an intersection.
- Steve Patmore – Has no authority to take a sign down and doesn't want to tell people they have to take signs down.
- John Popa - The Road Commission takes signs out by intersections.
- Steve Patmore – Question about Hilltop Rd., right now 5 properties, 4 units and a common area. Does he treat it as a shopping center or 4 properties.
- Kathy Egan – There is a definition of shared sign – 24 sq ft common shared sign. Change -or street frontage or one per unit (pg. 5 of 8 under chart).

Public Comment –

John Popa – pg 4 of 8(b), Add “fixed” to chart; said 2 square feet is too small; pg. 6 of 8 – questioned a regulation.

Steve Patmore – there are people that have angle signs.

Kathy Egan – Fixed sign – 2 sq ft will stay.

Marie Walker – Agree signs are small and not helpful.

The public hearing was closed.

Gary McGhee/moved, Jeff Layman/supported, that Zoning Ordinance Amendment No. 18-004, Sign Standards, as amended, be forwarded to the County Planning Commission for review. If there are no substantive comments from the County Planning Commission, Amendment No. 18-00, as amended, will be forwarded to the Township Board for adoption. If the County Planning Commission does have substantive comments, this amendment will be returned to the Township planning commission for further review, PASSED.

6. Approval of Minutes:

a. April 5, 2018 Regular Meeting

Chairman Park said hearing no objections, the April 5, 2018 Minutes are approved as presented.

b. May 3, 2018 Regular Meeting

Chairman Park said hearing no objections, the May 3, 2018 Minutes are approved as presented.

c. June 7, 2018 Regular Meeting

Chairman Park said hearing no objections, the June 7, 2018 Minutes are approved as presented.

7. Communications and Reports

a. Chairman - Mike Park said someone talked to him about an air b&b in this person's subdivision.

b. Zoning Administrator - The meeting packet included written reports for June and July.

c. Planning - Kathy Egan said she attended a Michigan Township Association session, did presentation on short term rentals.

d. Township Board - Gary McGhee complimented Kathy Egan for her work on the sign ordinance. At the next Township Board Meeting there will be a public hearing on the parking ordinance, to prohibit parking on 641 on each side of the road, north and south of the boat launch.

e. Commissioners - No report.

8. Items for Consideration for Next Meeting Agenda (September 6, 2018)

9. Public Comment –

George Paolacci asked how the cell tower issue would affect Bingham Township.

Kathy Egan said will hear about cell towers from MSU if something has to be amended.

10. Adjournment - Chairman Park adjourned the meeting at 7:51 p.m.

Minutes recorded by Marge Johnson, Recording Secretary

**Catherine Jasinski, Secretary
Bingham Township Planning Commission**

DRAFT MINUTES
BINGHAM TOWNSHIP PLANNING COMMISSION
Regular Meeting Minutes – October 4, 2018

1. Call meeting to order

Mike Park, Chairman called the Bingham Township Planning Commission Regular Meeting to order on Thursday, October 4, 2018 at 6:30 pm at the Bingham Township Hall, 7171 S. Center Hwy., Traverse City, Michigan.

Roll call- Quorum Present

Present: Mike Park, Jeff Layman, Charlie Dashner, Dennis Grant, Cathy Jasinski

Absent and excused: Gary McGhee, Marie Walker

Staff Present: Zoning Administrator, Steve Patmore,
Planner, Kathy Egan, Networks Northwest

Guests: 6

2. Agenda Approval

Chairman Park asked if there were any additions or corrections to the draft agenda. Hearing none, he stated that the agenda was approved as submitted.

3. Public Comment

John Popa, Bingham Township, said the Road Commission is in favor of an off-street parking lot for the Leelanau Trail.

Brenda Kalchik, 10020 E. Shady Lane, said she wants to revisit the issue of loud music coming from Shady Lane Cellars which she hears at her house and made a complaint about it on September 15th. Brenda Kalchik was asked to submit the dates she had complaints about Shady Lane. She asked why she had not received a notice after the Special Use Permit was amended.

Chairman Park explained that Shady Lane Cellars chose not to go ahead with the barn renovation that was the basis of the Special Use Permit, that the new conditions including the notices are not in effect, and the Shady Lane Special Events are operating under the old special use permit.

Steve Patmore said that he visited Shady Lane on September 15th after he received a phone call. His report is in this month's written zoning report. He noted that the sound was directional, he heard the music at the top of the hill, but not at the bottom of the hill, or to the West. At one spot the sound was slightly louder than normal conversation. The music ended at 8:00 p.m. Patmore said he talked to the manager of Shady Lane Cellars and cautioned him about the music in that direction, and will follow up on the complaint. The manager was understanding & apologetic.

If sound complaints at Shady Lane continue, the Planning Commission could conduct a hearing on violations of the special use permit.

Chairman Park suggested as to an alternative for handling noise, that the township board consider adopting a noise ordinance.

Chairman Park said that music and sound at special events should be a future agenda item.

4. Conflict of Interest

None stated.

5. Items for Consideration

a. Introduction – Special Use Permit Application for Commercial Storage – 8947 E. Bingham Rd. - Storage Bay L.C., Dargaworks, Inc.

Chairman Park asked Steve Patmore to introduce this special use permit application.

Steve Patmore said that Thom Darga, Dargaworks, Inc., has submitted an Application and Site Plan requesting a special use permit to construct a commercial storage facility in the commercial district on Bingham Road. Parcel A – 8947 E. Bingham Road; and Parcel B – 8967 E. Bingham Road. This meeting is an introduction only, as there was not adequate time to advertise for a public hearing. The planning commission can ask questions and make comments, but no decisions can be made at this meeting.

Thom Darga reviewed the site plan. He stated that he owns the property. Mr. Darga said he proposes to construct storage buildings on Parcels A and B to house boats and RV's. The site plan shows access drives, required screening and landscaping, and storm water controls. Mr. Darga said this project will be built in phases. Solar arrays are planned to be utilized on the buildings and over the stormwater retention basins. He would be asking for a variance for the third building. The buildings would be heated and would be designed to store large boats. All the liquids in the boats do not have to be drained if the building is heated. The facility will be insulated and have in-floor heat. He stated that he has been working with the Road Commission and Soil Erosion Offices regarding permits. The Road Commission constructed a stormwater retention basin on the property that would need to be relocated.

Chairman Park asked if the commission had any questions or comments:

Solar Arrays: There were questions as to whether the power from the solar arrays would be used by the storage buildings or was intended to generate power to the grid. The current ordinance allows solar arrays as an accessory use, and the zoning ordinance might need to be changed to provide for a commercial solar power generation facility. Darga indicated that the panels would be installed on the roofs of the buildings and over the stormwater retention basins and would be commercial grade solar. It was noted that the Site Plan submitted does not show any solar arrays.

Variance: The Site Plan indicates that a dimensional variance will be pursued for the third building. Darga explained that he wants to square up the third building to utilize more area. It was noted that, from a procedural standpoint, any variances must be granted before a special land use permit can be issued. Darga stated that he would remove the references to the variance.

Servicing: Would the buildings be used for servicing or repairs? Darga stated that the buildings are planned for storage only, not intended for servicing. The buildings will be heated for 45'-50' boats so that they don't need to be winterized.

Exterior Lighting: Darga stated that he would have bollard lighting at ground level, and possibly lighting under the eaves. No light poles are planned. Lighting would meet township standards.

Outside Storage: Darga stated that there would be no outdoor storage on this site.

Fencing: There would be fencing along the north line only. The grading easement shown on the plans will not be needed.

Circulation: There was discussion on space for turning trailers with 50' boats within this site. The middle building may have drive through bays.

The public hearing on this request will be held on November 1st. Commissioners were asked to keep the large set of prints for this meeting.

b. Report on Leelanau County Planning Commission 9/25/2018 review of Bingham Township proposed zoning amendments.

Kathy Egan said four zoning ordinance amendments were reviewed by the Leelanau County Planning Commission. Comments made by them did not affect the amendments. The County Planner noted two word changes needed. All four amendments are slated to go to the Township Board in October 2018.

A brief discussion was held about the sign ordinance. Steve Patmore noted that he counted 28 instances on M-22 where temporary signs for the November election would be violating this ordinance.

c. Planning Commission priorities for remainder of 2018 & 2019

Kathy Egan submitted a list of topics to spur discussion on setting the priorities for the coming year. Some are from previous list and some are from the Implementation Schedule of the Comprehensive Plan. The topics for discussion are housing, commercial, ag district and miscellaneous.

Following discussion, the following priorities were established.

1. Zoning Amendment to allow off-street parking for the Leelanau Trail Overlay Zone.
2. Commercial District – lot size and uses
3. Special Events language & sound management
4. Master Plan Update Options.
5. Rural Residential & Ag District uses.

d. Comparing Uses in Rural Residential and Agricultural Districts

Kathy Egan submitted a Memo – Comparing Uses In Rural Residential and Agricultural Districts. In comparing the uses that are allowed in both the Rural Residential and Agricultural Districts,

there appear to be some incongruities that the Planning Commission may want to address. Kathy Egan said this will be added to the list of priorities and will be brought back to the Planning Commission in two months with suggestions.

6. Approval of the Minutes: August 2, 2018

Chairman Park said the Minutes of the August 2, 2018 meeting will be postponed to the November meeting, as all commissioners have not had a chance to review the draft.

7. Communications and Reports

- a. Chairman** – No report.
- b. Zoning Administrator** – The written report was included in the meeting packet. He noted the landscaping & fencing work being done at the Bingham Body Shop property.
- c. Planning** - Kathy Egan said Networks Northwest will be putting on a housing summit.
- d. Township Board** -Midge Werner said the windstorm damaged Bingham Park and Bingham Cemetery. Parks and Rec is improving the township parks. Cherryland Electric will be working on Shady Lane Road.
- e. Commissioners** – Chairman Park thanked the township for the name plates.

8. Items for Consideration for Next Meeting Agenda

- Public Hearing on Commercial Storage Application.
- Zoning for off-street parking at Leelanau Trail.

9. Public Comment – None

10. Adjournment - There being no further business, Chairman Park adjourned the meeting at 8:14 pm

Minutes Recorded by Marge Johnson, Recording Secretary.

Reviewed by staff

Minutes Approved (as-presented / as-corrected) on _____.

Catherine Jasinski, Secretary, Bingham Township Planning Commission

DRAFT MINUTES
BINGHAM TOWNSHIP PLANNING COMMISSION
Regular Meeting Minutes – November 1, 2018

1. Call meeting to order

Mike Park, Chairman, called the Bingham Township Planning Commission Regular Meeting to order on Thursday, November 1, 2018 at 6:30 pm at the Bingham Township Hall, 7171 S. Center Hwy., Traverse City, Michigan.

Roll call- Quorum Present

Present: Mike Park, Jeff Layman, Charlie Dashner, Dennis Grant, Cathy Jasinski, Gary McGhee, Marie Walker

Absent and excused: None

Staff Present: Zoning Administrator, Steve Patmore, Planner, Kathy Egan

2. Agenda Approval

Chairman Park said hearing no objections, the agenda is approved as submitted.

3. Public Comment

None

4. Conflict of Interest

None stated.

5. Items for Consideration

a. Public Hearing & Consideration - – Special Use Permit Application for Commercial Storage – 8947 E. Bingham Rd – Storage Bay-LC, Daragaworks, Inc.

Chairman Park opened the public hearing on the request of Daragaworks, Inc. for a Special Use Permit for Commercial Storage at 8947 E. Bingham Rd.

Steve Patmore said a commercial storage facility in the commercial zoning district requires a Special Use Permit. An introduction meeting was held on this application on October 4, 2018. A Public Hearing Notice was published for the November 1, 2018 Planning Commission Meeting. Revised site plan sheets C3.0 and C3-1 were submitted. All previous references to a dimensional variance were eliminated from the submitted plans. The Site Plan includes no reference to commercial solar arrays that was discussed at the Introduction Meeting.

Tom Darga, applicant, reviewed the revised site plan. He said he has removed the dimensional variance for building no. 3 from the plans. He said he will improve the watershed and drainage to accommodate the basins and comply with stormwater requirements. Existing buildings on the site will be removed.

Tom Darga answered questions from Kathy Egan about concerns she has with large vehicles and trailers pulling into the property and whether there is enough room to get boats, etc. into the property. Tom Darga said the doors on the storage buildings are 14 feet high. He said he has interviewed people who work for boat hauling companies who have stated they can get boats into the property. All of the motor homes can pull off the road into the property.

Kathy Egan said she has concerns with the drawing for the project and what will happen on the ground. Concerns for safety on Bingham Rd and Center Highway.

Tom Darga referred to the Road Commission's letter of October 1, 2018 addressed to his engineer with regard to site clearance and trees that are shown on the property.

In response to Dennis Grant, Tom Darga explained how the storm water runoff would be handled.

Chairman Park opened the floor to public comment.

Nick Sumera, lives in subdivision near the subject property, asked about the proposed grading easement. Any increase in development in the subject area is a bad idea. He doesn't want to look at black roofs.

Tom Darga said the grading easement has been removed from the plan.

Kristen Harrison, South Center Highway, said she lives right across the street from the subject property and has the same concerns that Mr. Sumera has. She asked about special use permit approval criteria and thinks it would be difficult to enforce the regulations.

Greg Thompson said the proposed development puts a big damper on the area.

Joe Helms said he has a concern about the residents that have young children and additional traffic this development will bring to the area and at what point will the private drive become a turn around. Will natural gas be extended to this property.

Ron Mikulla said traffic is an issue, concerned about getting the perfect transition to get a vehicle into the subject property. He thinks the lumber company property would be conducive for storage. The entrance to the subject property is small. The intersection needs a blinking light. He is concerned about property values of the residential area.

Aaron Martell said he lives across the street from the subject property, objects to the development, concerned how it will affect his daily routine and property values. Where will snow be stored.

Tom Darga answered questions from the public. A gas main will be extended to the subject property. Looking at minimum of 14 trips a year for large boats and trailers of 40 – 50 ft in length. The Road Commission's concerns about screening have been addressed.

Chairman Park closed the floor to public comment.

Discussion by Planning Commission on the proposal -

- Charlie Dashner said he can see someone would take a boat in and out of storage twice a year. Dashner noted Monstrey storage is under one building for boats and motor homes. (???)
- Tom Darga said there is only one building that doesn't have pull thru potential.
- Kathy Egan asked how much asphalt in front of the large asphalt bay.
- Tom Dara said there is 46 ft of asphalt in front of the building for backing up.

- Mike Park said you cannot back around with 46 feet of asphalt.
- Gary McGee asked about approval or denial of the special use permit, taking the residential area into consideration.
- Steve Patmore said if a special use meets all of the conditions of the zoning ordinance, the special use permit would be allowed.
- Kathy Egan said approval or denial of a special use permit is based on the conditions of the permit. Under a special use permit specific conditions can be added, public comment relates to the impact of the development and whether the health, safety and welfare of the township are addressed.
- Cathy Jasinski asked if it is possible to screen the back of the subject property from the residential area.
- Tom Darga said trying to break ground this year so drainage is contained on the improved surface, finishing the development in the spring. There are 43 units in buildings 2 & 3.
- Dennis Grant said he is concerned about surface water will be handled on the site.
- Tom Darga said the plan is designed to take surface water runoff dropped into the basin and put in overflow back into the ditch. Engineering wise are 20% above what is required for runoff.
- Steve Patmore said there should be discussion about landscaping and traffic. There should not be backing in and off of Bingham Road. The Planning Commission can ask an expert for an opinion on any issue. Every inch of the land is being graded. The Planning Commission has to decide what the screening should be (10% of the site should be landscaped)
- Gary McGee said in the commercial district there is potential for additional traffic.
- Mike Park said he is concerned about the relationship to the driveway and 633, the intersection is on a slope, and backing into the property.
- Charlie Dashner said the problem is the intersection, there will be more traffic on Bingham Road as more development occurs.
- Kathy Egan said she has concerns about the traffic turning radius.
- Tom Darga said there is a 5 ft screened fencing on the plan to screen the visual effects, could be addressed with plantings as well. Good with putting arborvitae around the property, shrubs and ground lighting.
- Mike Park said he is concerned what is going to occur with a large boat turning off of Bingham Road and blocking the whole road, is traffic and safety concern.
- Charlie Dashner said he agrees there is a problem with people backing around into the property and suggests another driveway be installed, then have choice of 2 driveways to go into.
- Jeff Layman said he likes the culvert, doesn't want to penalize the developer.
- Cathy Jasinski said want to make sure the driveway is practical, backing vehicles into the property is not a good idea.
- Mike Park said concern is the intersection, if the driveway to the property was further down the road, there wouldn't be much of a concern. Talking about landscaping, whether or not there should be a buffer around the property line, and a buffer between the property line and residential property above the subject property.
- Cathy Jasinski said she would like to see a resolution on having to back into the property. If need to look at the stormwater, do that too.
- Steve Patmore said Tom Darga meets the greenbelt requirements, it is up to the Planning Commission to determine if the greenbelt should be increased.

- Mike Park said the subject property has been zoned commercial for 20 years, like one entrance to the property from a safety standpoint.
- Kathy Egan said she is concerned about storm water runoff and the calculations to make sure requirements are met. It is a fact that we are having more intense storms. Consider hiring a professional to look at the storm water runoff, double check the calculations and flow of water.
- Gary McGee said it appears the plan meets the requirements of the zoning ordinance.
- Steve Patmore said the Planning Commission can send the plan to an expert engineer to review, recommend the Planning Commission look at the property from the neighbors' perspective.
- Tom Darga said he would be willing to resubmit the site plan to his engineer to address the Planning Commissions concerns.

Cathy Jasinski/moved, Mike Park/supported, to postpone the public hearing on the request of Dargaworks, Inc. for a special use permit to the December 6, 2018 Planning Commission Meeting, because the Planning Commission needs more information, and direct staff to pursue authority from the Bingham Township Supervisor to have an expert review the plans, stormwater calculations and flow, turning radius for up to 60 foot trailers. The Planning Commission will look at screening options for the neighboring residential properties. (Vote: Yes: 5. No. 2) MOTION PASSED.

(ZA Comment: My notes reflect that the Planning Commission wants the expert to review whether a vehicle hauling a 50' boat on a trailer can safely back into Building #1 from within the site. The Minutes reference a 60' trailer. The building is only 60' deep)

Chairman Park noted that the time was approaching 8:30 p.m. and that the remainder of the Agenda Items would be postponed until the next meeting.

B. Zoning Ordinance Amendment – Recreational trail Overlay Zone – Postponed to next mtg.

C. Introduction – Special Use Permit – Commercial Storage – 8595 E. Bingham Road
Blake Bernard - Postponed to next mtg.

6. Approval of Minutes - Postponed to next mtg.

7. Communications and Reports

- a. **Chairman** - No report.
- b. **Zoning Administrator** – The October 2018 Report was submitted at the meeting.
- c. **Planning** – Kathy Egan, Networks Northwest - December 3, 2018 – Networks Northwest presents “Planning for Northwest Michigan’s Seasonal Economy”.
- d. **Township Board** - Gary McGee said Township Board adopted sign ordinance, concerns expressed with some standards in the provisions. Request Planning Commission monitor and assess if the sign ordinance needs changes in the future.
- e. **Commissioners** - No report.

8. Items for Consideration for December 6, 2018 Meeting - 2019 Meeting Schedule, postponed agenda items

9. Public Comment - None

10. Adjournment - Chairman Park adjourned the Planning Commission Meeting at 8:30 pm.

**Minutes recorded by Marge Johnson, Recording Secretary.
Reviewed by staff.**

Minutes approved as amended on _____.

**Cathy Jasinski, Secretary,
Bingham Township Planning Commission**

DRAFT
Notice to the Public
Bingham Township Planning Commission
2019 Schedule of Regular Meetings

The regular meetings of the Bingham Township Planning Commission will be held at the Bingham Township Hall, 7181 S. Center Highway, Traverse City, Michigan, usually on the first Thursday of each month as follows, unless rescheduled:

<u>Day</u>	<u>Meeting Date</u>	<u>Time</u>	<u>Agenda Packet Distribution Date</u>
Thursday	January 3, 2019	6:30 PM	12/27/18
Thursday	February 7, 2019	6:30 PM	01/31/19
Thursday	March 7, 2019	6:30 PM	02/28/19
Thursday	April 4, 2019	6:30 PM	03/28/19
Thursday	May 2, 2019	6:30 PM	04/25/19
Thursday	June 6, 2019	6:30 PM	05/30/19
Thursday	August 1, 2019	6:30 PM	07/25/19
Thursday	September 5, 2019	6:30 PM	08/29/19
Thursday	October 3, 2019	6:30 PM	09/26/19
Thursday	November 7, 2019	6:30 PM	10/31/19
Thursday	December 5, 2019	6:30 PM	11/28/19

General items for the meetings need to be submitted three days prior to the agenda packet distribution date (listed above in the right column).

Information submitted for site plan (inclusive of preliminary site plan information, site plan review materials, site plan amendment information) need to be submitted two weeks prior to the agenda packet mail date.

Items should be submitted to:

Suttons Bay / Bingham Planning Office
 95 Fourth Street
 PO Box 457
 Suttons Bay, MI 49682
 (231) 271-2722 Ext 3
 zoningadmin@suttonsbaytwp.com

AGENDA ITEM B

DECEMBER 6, 2018 PC MEETING

BINGHAM TOWNSHIP PLANNING COMMISSION

Continuation of Public Hearing

Applicant/Owner: **DARGAWORKS, INC – THOM DARGA**

Existing Zoning: **Commercial**

Proposed Project: **Commercial Storage Facility
Special Land Use Permit**

Attachments:

- **Staff Report from November meeting**

Background:

- DARGAWORKS, INC. submitted the application and site plan on Friday, September 14, 2018.
- Introduction was held at the October 4, 2018 meeting.
- Public Hearing was published for a November 1, 2018 Public Hearing.
- Commercial Storage Buildings are a Special Land Use in the Commercial Zoning District, subject to Site Plan Review and Special Use Permit Governing Standards.
- At the November 1, 2018 Public Hearing, the Planning Commission postponed the hearing and asked for the following:
 1. Authorization from the township board to engage an engineering consultant to look at the geometrics of backing trailers into building 1, and review the stormwater plans and computations.
 2. A committee of Mike Park and Cathy Jasinski to look at required screening between the proposed use and adjacent properties.
- After receiving approval and contacting three engineering firms, we have asked Gosling Czubak to perform the above referenced review. They will be ready for the January Meeting.

Please use your full-size plans from October as a reference.

LEELANAU COUNTY ROAD COMMISSION

10550 East Eckerle Road
Suttons Bay, Michigan 49682



October 1, 2018

Dave Lewis, Engineering Project Manager
gfa
123 W. Front Street
Traverse City, MI 49684

RE: Storage Bay-LC

Dear Mr. Lewis:

We have reviewed conceptual design drawings for Storage Bay-LC, a proposed commercial storage facility at the northwest corner of CR 633 & CR 618 (Bingham Rd) in Section 31 of Bingham Township. The proposed facility consists of 3 individual buildings served by a single paved driveway onto CR 618 near the southwest corner of the site. The drawings indicate that storage space will be offered to renters.

The proposed driveway location has adequate sight distance and is eligible for a commercial driveway permit. In accordance with our County Right-of-Way Standards this driveway must be constructed in accordance with Sketch #5, depicting a paved driveway with MDOT standard B-2 concrete curb & gutter. When you reach the bidding/construction phase of your project you should expect to submit the appropriate application form, application fee & a detailed engineered drawing showing the grades for the pavement and curb & gutter for the driveway approach. We do require a cash deposit to guarantee successful completion of the curb and paving. This deposit will be promptly returned after passing our inspection.

Given the fact that the Road Commission currently has raised edge paving along the west side of CR 633 and enjoys a stormwater retention basin on this site we have concerns that regrading of the site might disrupt our stormwater management. Your drawings appear to depict removal of the existing basin and directing stormwater runoff further downhill into your new proposed stormwater detention basin. The plans also show regrading within the right-of-way of CR 633 and CR 618 to create a ditch for stormwater conveyance. We will need to see further design detail for these features before we can approve this work and issue a permit.

The conceptual design drawings also indicate what appears to be an outlet from your proposed stormwater detention basin that might discharge stormwater into the proposed ditchline along the north side of CR 618. Further design detail for this feature (including proposed maximum rate and volume of water flow) will also be required before we can approve this work and issue a permit.

Commissioners	Staff	General Contact Info
Jim Calhoun - Chairman	Managing Director – Dan Wagner, P.E.	Phone (231) 271-3993
Robert Joyce – Vice Chairman	Engineer – James C. Johnson, P.E.	Fax (231) 271-5612
John Popa – Member	Superintendent – David Priest	e-mail lcrc@leelanauroads.org
	Finance Manager – Joel Nedow	http://leelanaucountyroads.org



In closing, we recognize that at this stage of your project the drawings you have prepared and submitted are conceptual in nature and not intended to include all the detail necessary to address the questions listed above. We expect that as you move from conceptual approval toward final design that you will be furnishing the design details necessary for final approvals. If you have any questions, please feel free to contact me.

Sincerely,

James C. Johnson, P.E.
Engineer

AGENDA ITEM 6-B

C

NOVEMBER 1, 2018 PC MEETING

BINGHAM TOWNSHIP PLANNING COMMISSION

6-B: Zoning Amendment – Recreation Overlay Zone

Content:

- Memo from Planner Kathy Egan
- Proposed Changes to Section 3.11
- Clean copy of Section 3.11

Background:

The current zoning language that applies to the Leelanau Trail includes setback requirements that would prohibit the construction of off-street parking without a variance.

It has been noted that vehicle parking on the shoulder of county roads at trail crossings is becoming a safety issue in some cases. The Planning Commission, in their 5-year review of the Leelanau Trail Special Use Permit, noted that off-street parking should be a priority.

Tart Trails has indicated a desire to construct an off-street parking area for trail users off of Shady Lane Rd.

Staff has prepared suggested changes to Ordinance Section 3.11 that would allow for a reduced setback at trail crossings.

If this zoning amendment is approved, the Leelanau Trail Special Use Permit could be amended by the Planning Commission to approve an off-street parking area.

Options for Action:

- *Motion to direct the Planner to prepare the proposed language (as-amended / as-presented) for a Public Hearing to be held at the _____ meeting.*

Or

- *Motion to send the language back to staff for changes and bring back to the _____ meeting.*

Memo: Bingham Township Planning Commission
Re: TART Trail Parking
Date: November 1, 2018 Meeting
From: Kathy Egan, Community Planner

Background:

- July 2005 Planning Commission held a public hearing on a request from TART Trails for an Outdoor Recreational Use Overlay Zone rezoning and a Special Land Use Permit to create the Leelanau Trail.
- The Planning Commission approved the Special Land Use Permit with conditions and forwarded the rezoning request to the Township Board.
 - The Permit states that any changes in the Site Plan will require an amendment to the Special Land Use Permit.
- March 2006 the Township Board adopted the Outdoor Recreational Use Overlay zoning request.
- November 2017, during the required 5-year review of the Special Land Use Permit for the TART Trail, staff was charged with researching what conditions are present for allowing on-site parking for trail users at road intersections in Bingham Township

Application of Ordinance:

The current trail has already been approved as an outdoor recreational overlay zoning with a special use permit which means it is its own zoning district. The trail use has a special use permit within that zoning district. To add other uses, such as a parking lot, the special use permit would have to be amended.

Applicable Sections of the Ordinance:

Section 3.11 Outdoor Recreational Uses and Areas
Section 3.11.1 Intent
Section 3.11.2 Overlay Zone
Section 3.11.3 Setback, Structural, Buffer Requirements
Section 3.11.4 Special Land Use and Site Plan Review

Section 3.11.3 Standards

Current standards applicable to amendments to the TART Trail SLUP:

- Uses shall have a 40 foot setback from private property
- Uses shall have a 40 foot setback from public right-of-ways
- Setback area shall be maintained as a greenbelt and buffer area
- Structures have a maximum height of 20 feet
- Only accessory uses to the primary outdoor recreational uses shall be permitted
- Parking shall be in off-street parking areas
- Parking shall meet the requirements of Section 11.2 Off Road Parking and Loading

- Requirement of one space for each four people for anticipated peak time use

Analysis

The setback requirements make it difficult, if not impossible, to create an off-street parking area. The TART Trail Overlay Zone width is 100 feet. Subtracting the required setbacks of 40 feet on each side, and the paved tail width of 10 feet, leaves a width of 10 feet to create a parking lot. This is not workable.

Applicable Comprehensive Plan Recreation Goals/Objectives:

- To provide an adequate range of recreation opportunities for residents of the township.
- Orderly development of commercial recreation in such a manner that there is optimum utilization of appropriate locations with minimum conflict with adjoining land uses.

Possible Solutions

- TART Trail applies for a variance
 - This was attempted, and the ZBA denied the variance request.
- Amend the standards of the Ordinance.
- Steve and I worked on a first draft of a zoning amendment.

PROPOSED CHANGES

Bingham Township Planning Commission
Draft
November 1, 2018 Meeting

SECTION 3.11 OUTDOOR RECREATIONAL USES AND AREAS Leelanau Trail Overlay Zone

SECTION 3.11.1 INTENT

The intent and purpose of this section is to establish criteria for public/quasi-public outdoor recreational trail uses and areas within the Township. These active or passive outdoor recreational trail uses and areas must be public or quasi-public and may include a variety of different types of recreation which allow controlled access to the natural beauty and environment of Bingham Township, with a minimal effect and a maximum protection from and to adjacent property owners. These outdoor recreational uses may include but are not limited to ~~picnicking, hiking and, biking, primitive camping/back packing, etc.~~ These areas are not intended for other 'amusement' uses such as circuses, arcades, or amusement/theme parks which would impact or change the natural character and rural environment of the Township. Indoor recreational uses, whether active or passive, are considered 'commercial' and would be allowable in Commercial/Industrial Districts depending on size and intensity.

SECTION 3.11.2 OVERLAY ZONE

Because of the varied types of outdoor recreational trail uses, these areas shall be considered as Special Land Uses, required to meet the requirements of Article 17 Special Land Use Permits, and considered an overlay zone of the district in which it is permitted.

SECTION 3.11.3 Parcel, SETBACK, STRUCTURAL, and Accessory Use BUFFER REQUIREMENTS

~~As public/quasi-public uses, outdoor recreational areas shall have setbacks from private property and public right of ways of a minimum of forty (40) feet. This setback area shall be maintained as a greenbelt and buffer area, which shall be maintained with native living materials, meeting the requirements of~~

Commented [KE1]: Every sentence in this section was moved to one of the four categories below. Suggested changes were added in the newly formatted section.

~~Total lot size shall be a minimum of one (1) acre for each overlay zone. Twenty-five (25) percent of the property involved in each overlay zone shall be maintained as unencumbered, undeveloped open space, with fifty (50) percent of this unencumbered, undeveloped open space in large (one acre; or twenty five (25) percent of the total parcel area— whichever is less) contiguous pieces. An additional fifty (50) percent shall be available for useable outdoor recreational purposes or environmental preservation, to be approved as an outdoor recreational overlay zone.~~

~~In order to maintain the visual character and natural beauty of the area, structures shall be a maximum of twenty (20) feet in height and shall be finished in natural/earth tone colored materials, wherever feasible.~~

~~Only accessory uses which can be shown to be clearly incidental and accessory to the primary outdoor recreational uses, at the time of site plan review, shall be permitted. Amenities serving the public, such as but not limited to, restroom facilities and shelters, shall meet all requirements required by county, state and federal permitting acts/agencies, including but not limited to, sanitation and health permitting, construction requirements, and the requirements of the Americans with Disabilities Act.~~

~~Parking shall be in off street parking areas, meeting the requirements of Section 11.2 Off Road Parking and Loading, and shall maintain or create a one car/space to each four people ratio for anticipated peak time use, as determined by the Commission at the time of site plan review, based on statistical baseline information of same/similar uses, which may be provided by the applicant in addition to, data obtained by the Township from other municipalities/resources. An APPROVED trail that crosses any Public Right of Way shall be exempt from the above setback for the width of the APPROVED trail only. (Amended BTB 11-17-97)~~

A. Parcel Requirements

1. Total lot size shall be a minimum of one (1) acre for each new overlay zone.
2. Twenty-five (25) percent of the property involved in each overlay zone shall be maintained as unencumbered, undeveloped open space, with fifty (50) percent of this unencumbered, undeveloped open space in large (one acre; or twenty five (25) percent of the total parcel area - whichever is less) contiguous pieces.
3. An additional fifty (50) percent shall be available for useable outdoor recreational purposes or environmental preservation, ~~to be approved as an outdoor recreational overlay zone.~~

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B. Setbacks

1. As public/quasi-public uses, outdoor recreational areas and its accessory uses shall have setbacks from private property and public right-of-ways of a minimum of forty (40) feet.
2. This setback area shall be maintained as a greenbelt and buffer area, which shall be maintained with native living materials, meeting the requirements of Section 3.12 Landscaping, Greenbelts, Buffers, Screens and Fences.
- 2.3. In order to assure safe road crossings and to accommodate accessory uses, the setback for approved trails crossing a public road may be reduced to a minimum of ten (10) feet within the first two-hundred (200) feet in either direction from the centerline of the public road right-of-way.

C. Structures

In order to maintain the visual character and natural beauty of the area, structures shall be a maximum of twenty (20) feet in height and shall be finished in natural/earth-tone colored materials, wherever feasible.

D. Accessory Uses

1. Only accessory uses which can be shown to be clearly incidental and accessory to the primary outdoor recreational uses, ~~at the time of site plan review~~, shall be permitted.
2. Amenities serving the public, such as but not limited to, restroom facilities and shelters, shall meet all requirements required by county, state and federal permitting acts/agencies, including but not limited to, sanitation and health permitting, construction requirements, and the requirements of the Americans with Disabilities Act.
3. ~~Parking shall be in off~~Off-street parking areas, meeting shall meet the requirements of Section 11.2 Off Road Parking and Loading, and ~~the number of spaces required shall be approved~~ shall maintain or create a one car/space to each four people ratio for anticipated peak time use, as determined by the Commission at the time of site plan review. Off-street parking must have the approval of the Leelanau County Road Commission, based on statistical baseline information of same/similar uses, which may be provided by the applicant in addition to, data obtained by the Township from other municipalities/resources.
3.
4. All accessory uses shall meet the landscaping standards of Section 3.12 Landscaping, Greenbelts, Buffers, Screens and Fences.
~~An APPROVED trail that crosses any Public Right of Way shall be exempt from the above setback for the width of the APPROVED trail only. (Amended BTB 11-17-97)~~

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SECTION 3.11 LEELANAU TRAIL OVERLAY ZONE

SECTION 3.11.1 INTENT

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SECTION 3.11.2 OVERLAY ZONE

Because of the varied types of outdoor recreational trail uses, these areas shall be considered as Special Land Uses, required to meet the requirements of Article 17 Special Land Use Permits, and considered an overlay zone of the district in which it is permitted.

SECTION 3.11.3 PARCEL, SETBACK, STRUCTURAL, AND ACCESSORY USE REQUIREMENTS

A. Parcel Requirements

1. Total lot size shall be a minimum of one (1) acre for each new overlay zone.
2. Twenty-five (25) percent of the property involved in each overlay zone shall be maintained as unencumbered, undeveloped open space, with fifty (50) percent of this unencumbered, undeveloped open space in large (one acre; or twenty five (25) percent of the total parcel area - whichever is less) contiguous pieces.
3. An additional fifty (50) percent shall be available for useable outdoor recreational purposes or environmental preservation

B. Setbacks

1. As public/quasi-public uses, outdoor recreational areas and its accessory uses shall have setbacks from private property and public right-of-ways of a minimum of forty (40) feet.
2. This setback area shall be maintained as a greenbelt and buffer area, which shall be maintained with native living materials, meeting the

requirements of Section 3.12 Landscaping, Greenbelts, Buffers, Screens and Fences.

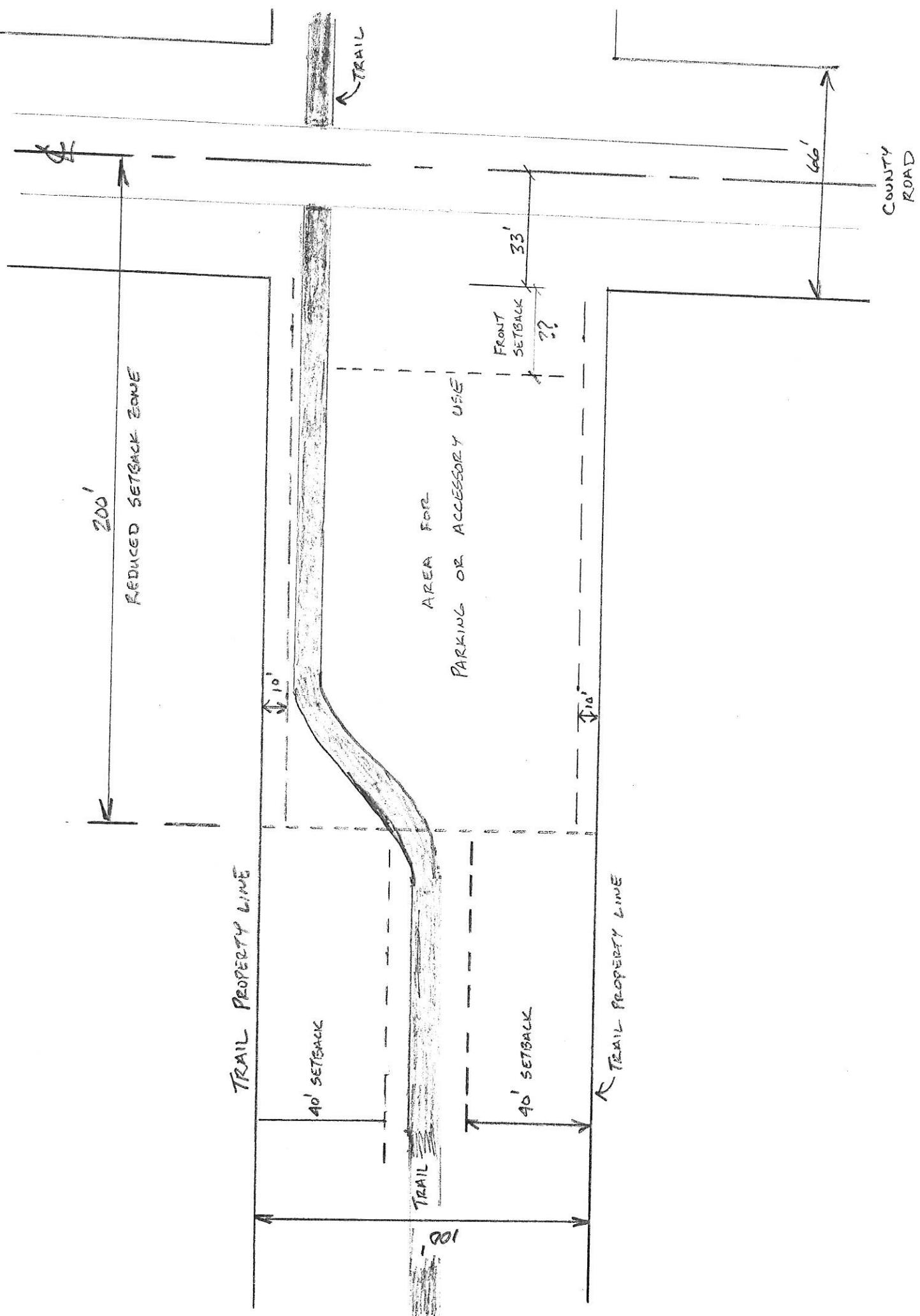
3. In order to assure safe road crossings and to accommodate accessory uses, the setback for approved trails crossing a public road may be reduced to a minimum of ten (10) feet within the first two-hundred (200) feet in either direction from the centerline of the public road right-of-way.

C. Structures

In order to maintain the visual character and natural beauty of the area, structures shall be a maximum of twenty (20) feet in height and shall be finished in natural/earth-tone colored materials, wherever feasible.

D. Accessory Uses

1. Only accessory uses which can be shown to be clearly incidental and accessory to the primary outdoor recreational uses, shall be permitted.
2. Amenities serving the public, such as but not limited to, restroom facilities and shelters, shall meet all requirements required by county, state and federal permitting acts/agencies, including but not limited to, sanitation and health permitting, construction requirements, and the requirements of the Americans with Disabilities Act.
3. Off-street parking shall meet the requirements of Section 11.2 Off Road Parking and Loading, and the number of spaces required shall be approved by the Commission at the time of site plan review. Off-street parking must be approved by the Leelanau County Road Commission.
4. All accessory uses shall meet the landscaping standards of Section 3.12 Landscaping, Greenbelts, Buffers, Screens and Fences.



11/01/2018 5 P

AGENDA ITEM D

DECEMBER 6, 2018 PC MEETING

BINGHAM TOWNSHIP PLANNING COMMISSION

Public Hearing

Applicant/Owner: **Blake Bernard**

Existing Zoning: **Commercial**

Proposed Project: **Commercial Storage in two existing buildings.
Special Land Use Permit**

Attachments:

- Site Plan showing existing buildings.

Background:

- The Application is for commercial storage in two existing commercially zoned buildings as shown on the site plan.

BINGHAM TOWNSHIP
Leelanau County, Michigan

APPLICATION FOR SPECIAL LAND USE PERMIT

Fee _____

Date of application 10/3/18

Site plan and other information required by Article ~~XX~~ of the Zoning Ordinance, Special Land Use Permits and Site Plan Review, must be included as part of the application.

Owner(s) of property, and their addresses:

AB&E LLC - 1117 Willow Street, Traverse City, MI 49684
(subject to closing scheduled 10/19/18)

Architects and others in a supervisory position, and their addresses:

Legal description of property:

Partial from tax record: COM S 1/4 COR SEC 30 T29N R11W TH S 89 DEG 48'50" E 300 FT TO POB TH
N 0 DEG 01'59" W 132.60 FT TH N 18 DEG 37'55" E 334.59 FT TH N 0 DEG 01'59" W 87 FT TH S 89
DEG 48'49" E 775.85 FT TH S 0 DEG 08'58" E 537 FT TH N 89 DEG 48'50"

General location:

8595 Bingham Road, Traverse City, MI 49684

Title of project and description of proposed development:

**Commercial storage use of property is desired. No new buildings
will be added at this time, but the hope is to use the current
buildings for storage. Also, outdoor storage on the concrete pads
outside.**

List of persons within 300 feet:

Gene Kelly

Eight copies of this application, with accompanying site plan and other information, must be submitted to the Planning Commission through the Zoning Administrator.

Signature of applicant:

Blake Bernard