

PENINSULA TOWNSHIP
13235 Center Road, Traverse City MI 49686
Ph: 231.223.7322
Planning Commission Regular Meeting
December 19, 2022, 7:00 p.m.

1. **Call to Order:** 7:00 p.m. by Shipman
2. **Pledge**
3. **Roll Call:** Dloski, Couture, Hornberger, Shipman, Alexander, Hall, Shanafelt; Also present: Jenn Cram, Planner, and Beth Chan, Recording Secretary
4. **Approve Agenda:**
Moved by Hornberger to approve agenda as presented, seconded by Shanafelt
approved by consensus
5. **Brief Citizen Comments (For Non-Agenda Items Only):** None
Planning commission discussion of brief citizen comments for agenda and non-agenda items and placement in the agenda
6. **Conflict of Interest:** None
7. **Consent Agenda:**
 - a. **Approval of Meeting Minutes: Planning Commission Regular Meeting November 21, 2022**
Moved by Dloski to approve the consent agenda as presented, seconded by Alexander
approved by consensus
8. **Reports and Updates:**
 - a. **Existing Zoning Ordinance with Approved Amendments (Cram)**
Cram: Summarized the chronology of the zoning ordinance. Before December 13, 2022, there were 200 amendments approved. Completed a comparison of the 2009 version, which contained most of the revisions through amendment 185. Amendments 185 through 200 were listed separately and not incorporated into that document. A page-by-page comparison was made with the 2018 version, it was noted that amendments 192, 196, 197, 199, and 200 were missing. A final document will be prepared that will incorporate all of the amendments through amendment 201. A new updated version of the zoning ordinance will be provided; the bylaws will be available in the January meeting.
Hall: will it be available on the website?

Cram: yes. Also, the rewrite will be vetted by the township legal counsel and will conform to the Michigan Zoning Enabling Act.

b. Zoning Ordinance Amendments for Farm Processing (Cram)

Cram: the township board unanimously adopted amendment 201 and it was published in the Record Eagle on Friday. Hopefully, the moratorium will be lifted so the township can accept applications for the A-1 zone.

9. Business:

a. OMP Seven Hills Development LLC SUP #35, Amendment #2 – Public Hearing (13795 Seven Hills Road, Traverse City, MI 49686)

Cram: refers to key points from the memo included in the meeting packet. Amendment number one was approved in 2021 and they did a minor modification and reduced the footprint of the building to accommodate a larger septic system in anticipation of increasing their capacity. They would like to increase the capacity of the whiskey and coffee bar from the approved thirty-two (32) to seventy (70). Seating would be in an outdoor area and outdoor activities are proposed. The back building has remained the same. The packet includes a fire department review with approval and the Grand Traverse County Building Department, and the Grand Traverse County Health Department has approved the occupancy increase. The parking is four spaces short but could go to three. Spoke with Jennifer Graham, the township engineer, and she understands that the applicants will look at options to create parking spaces.

Hall: for reference concerning parking, Hoplot in Leelanau County is an example of a business that does not have enough parking, creating a safety issue on M-22.

Cram: has asked them to look at hours of operation to accommodate neighbor concerns. Dave Sanger suggested looking at the Boathouse because they came in with a similar request. The boundary for a liquor license will be identified which will lead to identifying where outdoor activities will be held. Showed the building plans and parking diagram to the planning commission members and explained parking calculations to bring the total to fifty-four (54) spaces needed; currently they are at fifty (50). Bus parking needs to be considered; options were reviewed.

Dloski: for the parking calculation on the use of the property, if there is a change in use, will the applicant be required to come in for a certificate of zoning compliance?

Cram: yes, it based on this plan and if that changes, they will need to come in for an amendment.

Dloski: certain uses may be limited due to the lack of parking.

Shanafelt: how many parking spaces does a bus parking space count for?

Cram: there are two (2) bus spaces, that takes up four (4) regular spaces.

Shanafelt: the buses hold eight (8) to fourteen (14) people; consideration should be made for a credit for parking spaces.

Cram: the capacity remains at seventy (70), will speak to legal counsel on this issue.

Hall: the use may change to a more intense use for parking requirements; if an easement is used on adjacent property, what happens when the easement is abandoned? Then the site is under parked?

Cram: if used, an easement should be in perpetuity and would run with the land.

Discussion of parking options

Alexander: will the ADA spaces be increased?

Cram: no

Shipman: for the bus parking, we have required parking for other projects, this is a tight space; there is a need to look at this applying to the future.

Shanafelt: for bus use, less asphalt will be used; this is tied to use and occupancy.

Cram: occupancy is based on fire and building codes as well as the onsite septic system. Parking is based on uses and square footage.

Shanafelt: need to consult legal counsel.

Cram: there is a need to revisit township parking standards in the future based on the uses and buses and cars.

Discussion

Hornberger: for the bus parking, how long would they stay?

Troy Daly (applicant): approximately thirty (30) to forty-five (45) minutes.

Moved by Dloski to close the regular meeting and open the public hearing, seconded by Couture approved by consensus

Nancy Heller, 3091 Blue Water Road: this is a high-intensity use; very concerned with the other traffic in the area. Has a winery neighbor and the brew bus goes by every fifteen (15) minutes. There could be a backup of buses. People park in the most convenient area. Suggested taking time to consider requested uses and how it would affect the health safety and welfare; there are so many activities being considered. Suggested caution, it is not safe due to the increase in traffic. Also, there is a winery in the area in operation.

Jordon Valdmanis 16330 Peninsula Drive (applicant): have been working for two years, and reviewing the uses. The uses have been reviewed with the township for two years. Three of the four owners with young families live within a mile and want parking and traffic to work for the site. The existing and proposed tenants are Old Mission residents and part of the community.

Shipman: it states the uses of on-site hiking and ice-skating as part of the original approval.

Jay Milliken (applicant): that was two years ago and part of the original approval.

Cram: these uses and the two office spaces raise additional issues.

Milliken: discussed the originally proposed potential for the outdoor approvals, the outdoor corn-hole could become ice-skating. The intention is to have the maximum number of options.

Valdmanis: originally asked for a distillery, the township verbiage does not line up with the county and the MLCC where a containment area is required.

Shipman: when looking at parking and the future, if it is accurate for now; wanted to make sure the requirements are met. Referred to the uses.

Cram: the site plan will rule over this description, the parking and capacity are based on that. It is necessary to look at uses.

Milliken: pointed out that yoga and fitness is an outdoor use in the summer.

Cram: the list of outdoor activities should be clarified along with confirmation as to where the activities are happening.

Hornberger: questioned bike rentals, the cars could take up space for a longer period.

Milliken: the office space could be used for bike rentals.

Hornberger: the renters would potentially leave their cars in the parking lot, which could be a problem.

Milliken: does not want to limit activities.

Cram: the applicant should update the description.

Valdmanis: do not want to reapply for uses for the site.

Cram: will work with the applicant on an updated plan and parking.

Alexander: confirmed that it is a tasting room. Traffic on the road could pose difficulties, specifically people coming off Center Road and turning into the property. Can the road commission get a bump out on the other side?

Valdmanis: Jennifer Graham, the township engineer, and the GTC Road Commission asked for a wider shoulder; everything that was required has been installed. Showed site plan depicting the installed road improvement.

Shanafelt: suggested looking into what signage would be useful off-site.

Valdmanis: supports any off-site improvements

Cram: if off-site is required, it needs to be in the SUP; can reach out to the road commission once the entrance has signage. Anticipates a sign permit from the applicant at a later date.

Valdmanis: the approved sign is on the approved site plan, will be updating the sign language.

Dloski: traffic at Center Road and Seven Hills Drive may be a problem.

Valdmanis: have hired engineers, as required by the township, to make this work.

Cram: would blue signs be employed to mark the business?

Valdmanis: will contact Jeremy West at MDOT

Heller: those signs are paid for on yearly basis.

Discussion

Hall: Section 7.6.4 of the zoning ordinance mandates parking space width requirements, eight (8) and a half (½) foot, is this requirement met?

Cram: yes

Cram reads a letter from Kathy and Fred Doleker (included in the minutes)

Jay Milliken, 7580 East Shore Road (applicant): brought up the letters of support from two years ago for the initial SUP and that they were not included. Asked that the letter from the Dolekers not be included.

Cram: explained the new packet policies were adopted in October 2022, found in the planning section of the township website.

Shanafelt: were these letters ever included?

Milliken: no

Shipman: recently?

Milliken: two years ago

Cram: clarified the packet policy

Alexander: commented on hours of operation; were you talking 12:00 a.m.? the MLCC closing time is 2:00 a.m. There is a light and noise ordinance to deal with.

Moved by Dloski to close the public hearing and open the regular meeting, seconded by Shanafelt approved by consensus

Cram: to recap, will work with the applicant on defining the outdoor space and the uses that will be allowed that meet the parking requirements and hours of operation for the outdoor spaces only (keeping in mind the 11:00 p.m. closing for the Boathouse Restaurant). If the outdoor uses go past dark: it will require lighting that meets the standards of the lighting ordinance and it will have to meet the noise ordinance.

Shanafelt: given approval and if the business is highly successful; if parking occurs along the road, thoughts on how to deal with it.

Valdmanis: ticket and tow

Shanafelt: ticket and tow is not practical for the township.

Discussion of decision for OMP Seven Hills Development LLC SUP #35, Amendment #2 SUP when the applicants come back with the required information

Moved by Dloski to schedule a decision for the OMP Seven Hills Development LLC SUP #35, Amendment #2 SUP for the February planning commission meeting, seconded by Couture. approved by consensus

10. Public Comments:

Nancy Heller: In going over the SUP, this business, a whiskey bar, there should be consistency with the verbiage; MLCC has additional listed permitted uses that should be considered when titling the business.

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Beth Chan Recording Secretary

11. Other Matters or Comments by Planning Commission Members:

Shipman and Alexander will be absent from the January planning commission meeting.

12. Adjournment:

**Moved by Dloski to adjourn, seconded by Hall.
Adjournment at 8:21 p.m.**

approved by consensus

12-19-2022

Peninsula Township Planner

Thank you Jenn for sending the packet information regarding the planning meeting that will be held this evening. I will not be able to attend tonight. I see the Seven Hills Development is on the agenda for discussion. It looks like parking allotment is being discussed again. The request is for more than double than originally planned for patrons. My first thought is okay but the size of the property has not changed. How large will the outdoor seating accommodate? How much seating is being allowed inside for the tasting room, coffee shop and restaurant. What happens if it is full? Will people be waiting outside taking up space? Where will the employees park? One business is open now. How much parking is granted to Tinker Studio? What businesses will be occupying the other building spaces? That is where it is puzzling to me how additional parking can be granted when there is still information that needs to be provided.

I know how busy it gets out here in the spring, summer and fall. Parking can be very difficult at Mapleton Market, Peninsula Grill and oh my Bad Dog Deli. What happens if folks try parking on the side of the road? There are a lot of bikers on the peninsula in the summer. I hope their safety is being discussed also. There are no good shoulders of the road to ride on Seven Hills Road.

So, now I have some questions about the possibilities that could be planned. First of all, do you have a plan on the hours of operation including outdoor seating. If you plan to stay open until 2 a.m. what does that look like. Will the outdoor seating be enclosed or open space? Will you have outdoor music? What will lighting look like? How will noise be monitored?

Looks like you want gaming activities how late will that go on in the summer if they are held outdoors? We do have a lovely park just around the corner. How will the noise be monitored? What about lighting? That will require people to use parking spaces for a longer period of time. How would that work of limited parking already?

What does mixed retail mean? Where will it be sold? Inside/outside or both?

The topic of events concern me. Is this going to be an area where people come to party. I am unclear if permits need to be issued because of this being on commercial property. What would an event look like? How late will they go? I am sure you will want some outdoors. Everyone knows the peninsula has beautiful evenings in the summer. Existing residents already know this will be a new destination for people to come and enjoy including an existing overload of wine/ bus tours. out on the peninsula. Again, so what about parking? Locals also know this will have an impact on already heavy traffic. Remember there are only two main roads out here Center and Peninsula Dr. Traffic and noise are two important factors that we as residents have valid concerns about. Don't forget our law enforcement and fire and medical responders. They do an excellent job keeping us safe. Any business will have an affect on everyone one way or another. This development is in a neighborhood where people want to enjoy their property as much as the business. I believe there is a house just on the other side of the property parking lot same side of the road. How does any of this affect the residents living there?

It looks like a possibility of a business starting on this property that involves an outdoor sports equipment rental. If this is the case, where will the equipment be stored? Will there be a shuttle bus available to provide transportation and help folks with as an example paddle boards, canoes, kayaks or any other equipment. Where will the customers park while they are renting the equipment? If there will be transportation where will that be parked?

As you can see the list can grow and grow. I am trusting that these types of questions will be brought to the table for open discussion. I feel our planner and township board are trying very hard to work on both sides of the aisle. I truly hope the decisions that are going to be made will benefit all parties, including the residents who live in our neighborhoods and have rights also. The peninsula is changing that is a fact. Let's all be respectful to one another as we move forward to make our peninsula a kind and caring place to live.

Thank you for your time. I also appreciate that we as residents can have the right to express our concerns knowing that it is okay. That we will be treated with respect and not be afraid to ask questions.

Respectfully submitted,

Kathy and Fred Doelker