REGULAR MEETING OF THE EAST BAY CHARTER TOWNSHIP
PLANNING COMMISSION ~ TUESDAY, December 4, 2018 ~ 6:30PM

Present: Planning Commission Members; Robert Tubbs, Ted Hentschel, Dan Leonard, John Sych, Paul Gonzalez, Mindy Walters, Judy Nemitz
Also Present: Planner Rick Brown, Zoning Administrator Leslie Couturier

There were twenty-four (24) guests in attendance.

1. **Call Meeting to Order**: Chair Tubbs called the meeting to order at 6:30 p.m.

2. **Roll Call**: Role was called by the Recording Secretary and a quorum was in attendance.

3. **Review for Conflict of Interest**: Hentschel stated that he would recuse himself from the Board during deliberation of PUD 1-18; JLG Properties (a component of the PUD is a party store, as he owns a store in the vicinity he feels there is a conflict).

4. **Approval of the Agenda**: A motion was made by Gonzalez to approve the agenda as revised, (Discussion regarding a text amendment was added to other business.) Nemitz supported the motion and it passed unopposed.

5. **Approval of the Minutes**: A motion was made by Nemitz, supported by Hentschel to approve the minutes of the November 13, 2018 regular meeting and site review minutes. The motion passed unopposed.

6. **Public Comment**: None offered.

7. **Reports**:
   - **Township Board**: Walter’s gave the Commission a Township Board Report, followed by Hentschel’s ZBA report and Brown’s Planner report.

8. **Old Business**:

   A. **Special Land Use 6-18/Planned Unit Development (PUD) 1-18; Mansfield Land Use Consultants for JLG Properties; Elmbrook Hills PUD; Public Hearing and Recommendation to the Township Board.** *(Public hearing held November 13, brought back for board discussion and comments.)*

   Commissioner Hentschel removed himself from the board due to conflict of interest.

JLG Properties – Joe Locricchio is seeking special land use approval (SLU #6-18) and planned unit development approval (PUD #1-18) for the development of a multi-phased, mixed use planned unit development named Elmbrook Hills. The subject site consists of approximately 256 acres that are generally bordered by Townline Road/East Bay/Garfield Township line on the west to Edgecomb
Road on the east, as well as from Hammond Road on the north to the Windmill Farms development on the south and includes the following parcels:

- 28-03-230-004-00
- 28-03-230-005-00
- 28-03-230-006-00
- 28-03-230-009-00

Current addresses on the subject site are 1750 Townline Road and 200 E. Hammond Road and the properties are currently zoned either LDR (Low Density Residential) or IND (Industrial). The proposed planned unit development would include a variety of housing types including, but not limited to apartments, residential duplexes, villa-style single-family homes, and single-family residential lots. Other uses proposed include commercial/service node at the southeast corner of E. Hammond Road and Townline Road and communities amenities such as a club house, open space and trails, and dog parks.

Doug Mansfield, Mansfield Land Use Consultants and Joe Locricchio, JLG Properties, were in attendance.

Chair Tubbs offered time for commissioners’ comments;

Leonard: likes the mix of uses, but feels the three (3) units per acre needs to be upheld (the applicant is currently requesting 3.06 units per acre). Leonard also indicated that he understands the already gated private roads, but would like to see a willingness for all to work together to solve the interconnections problems; perhaps explore possibilities with the applicant, the neighborhoods, and the road commission. He went on to say that he has no problem with the height of the buildings, and feels that the applicant is adhering, for the most part; to the Master Plan and that the development is reacting to the current market needs.

Nemitz: inquired as to how costly remote operated gates would be, and asked what the phases are and inquired what the units would possibly rent for.

Mansfield explained the phases; the proshop would be first, followed by the apartments, and then the garden units. Rental for the large three (3) bedroom apartments would likely be around $1500 per month, with the garden units renting for about $1500 – $1800 per month. Purchase price for the garden units would likely be in the mid to high 200,000’s. The single family units would be to some extent like the neighboring homes.

Gonzalez: inquired about the assertive build-out and if the Township services and infrastructure would be adequate for the development. He felt a certain excitement in relation to the development; he is looking forward to the results of the traffic study and is taking in the comments of the residents as the process evolves.

Mansfield agreed that a ten year build out would be aggressive, he also indicated that with the rentals being non homestead the taxes garnered from these units would offset the infrastructure costs hopefully mitigating many residents’ concerns.
Sych: Likes the phased approach, but with the location sees some environmental challenges. He went on to say that the Master Plan anticipated this density and also wished to hold the density at three (3) units per acre. As for the gates; as they are already in place there is nothing that can be done, and that it is unfortunate that the way roads are done in this county puts a lot of responsibility on homeowners. Perhaps a conversation with the road commission is needed regarding private versus county roads. He feels that the height of the buildings is fine; he is more interested in the design and would like to see a quality design that fits it with the area. With phases the project would also allow phased infrastructure growth.

Walters: has concerns regarding the location of the commercial node (gas station/market/deli) and the adult living facility to the northwest; as there are establish homes on the west side of Townline Road that were purchased not expecting commercial to be so near. Perhaps these phases could be move inward on the property. She also expressed concern regarding the single family lots, as there are many vacant lots in several of the subdivisions in the township.

Mansfield reminded Walters that the parcel was currently zoned Industrial, and that commercial would likely be better than a factory in that area.

Walters was also concerned with traffic and wants to see the study.

Tubbs: requested that Planner Brown read Metro Fire’s comments regarding concerns raised by residents about the potential increased public costs associated with adding 784 new dwelling units. (as follows);

Rick,

That’s a loaded question. The added population would more likely place additional calls for service for EMS vs. fire which would impact East Bay EMS and Metro Fire. As in any new construction these days when a fire did occur it would require more resources than a home that was built 20 or more years ago due to construction methods, materials etc. Would adding these homes alone be cause for hiring of additional staffing? No. Could adding 2300 more residents (784 x 3 occupants per house avg.) on the roadways, in the stores, at their homes etc. regardless of where those homes are at be cause for additional emergency service staffing? Yes, there is that possibility. As in any community that is experiencing growth, with growth comes the added expense of emergency services, so this development along with all of the other growth that East Bay Twp is experiencing or will experience in the future will place additional demands on emergency services but unless you put a fence around the twp and lock the door the growth and demands for service are inevitable.

Any questions let me know.

Brian Belcher
Asst. Chief & Fire Marshal CFPS, IAAI –CFI
Grand Traverse Metro Fire Department (from email received 11/28/2018)

Chair Tubbs echoed Leonard’s comments. He talked about the housing shortage for service workers and felt that this development could help to address it. He understands that the gates are a big
problem, and wishes they weren’t there. He hadn’t thought about the location of the commercial until Walters brought it up, could the buildings and uses be rearranged? He had no problem with the height of the buildings.

It was decided that the applicant would come back once the traffic study was complete and reviewed, perhaps the January meeting.


A. Sketch Plan Review; Bill Wagner; Previous Site of Mitchell Creek Golf Course

Mr. Wagner was not in attendance.

B. Site Plan Review 13-18; Mansfield Land Use Consultants for Baywatch Resort LLC; Expansion to Existing Baywatch Hotel; Public Hearing & Action.

Baywatch Resorts, LLC is requesting site plan approval to construct a 48-unit hotel addition onto the existing Baywatch Resort at 1529 U.S. 31 North. The subject site includes both 1529 and 1591 US 31 North and is located on the north side of U.S. 31 North, just east of the Beach Haus Resort. Parcel number(s) 28-03-208-010-00 & 208-209-00.

Chair Tubbs gave an overview of the proposed expansion, followed by Doug Mansfield, Mansfield Land Use Consultants; he indicated that all agencies had given their approval. He also discussed hopes that the township engineer would consider lessening the regulations for basins as the sandy soils that exist do not really need the depth, he is hoping a creative solution can be offered.

Planner Brown added that staff had received a new “beefed-up” landscape plan dated 2/4/2018 and that one of the conditions should be the submittal of a $16,000 letter of credit for implementing the landscape and irrigation plan (for both sites).

Chair Tubbs opened the public hearing at 7:55pm, hearing none the hearing was closed.

Board discussion ensued with questions and comments to staff and the applicant;

Sych stressed the importance of preserving large trees in the area as it maintains the “up north” character of the region. Leonard expressed concerns with the parking, asking for better screening. He also talked about the tax dollars being lost without the existence of a corridor improvement authority (the board discussed having a joint meeting with the township board to talk about the issue).

A motion was made by Hentschel to approve Site Plan Review 13-18 subject to staff recommendations and conditions as follow:

1. Approval is based on the revised site plan; existing conditions demolition plan; the civil/utility plans; grading and storm plans prepared by Mansfield Land Use Consultants, dated October
12, 2018, and the building elevations and floor plans prepared by Traverse Architecture Group, dated November 15, 2018, subject to revisions as required.

2. Approval is subject to the applicant obtaining all necessary permits and approvals from the Township (stormwater permit and land use permit), State of Michigan, and Grand Traverse County.

3. All site lighting, including wall-mounted fixtures, shall be designed, installed, and maintained in manner which remains in conformance with the Township’s lighting regulations contained in Section 210 of the Zoning Ordinance.

4. Approval of Site Plan Review #13-18 shall be valid for two (2) years from the date of approval unless extended for one (1) additional year by the Planning Commission pursuant to the procedures and criteria identified in Section 820.10.

5. Pursuant to Section 229.3.f, the applicant shall provide the Township with a letter of credit for $16,000 to assure the landscaping plan is completed as proposed on the December 4, 2018 landscape plan.

6. Approval is based on the revised landscape plan prepared by Mansfield Land Use Consultants, dated December 4, 2018, which applies to both the new addition and the existing Baywatch Hotel.

   The motion was supported by Leonard and passed unopposed.

10. Other Business.

    A. Text Amendment for a conflict staff has found in the Ordinance;

    Section 409 of the Ordinance speaks to a 100’ setback from the center line of Hammond and Three Mile Roads, while Section 505 reads 100’ from Hammond Road, and 20’ from Three Mile. The Planning Commission requested that staff research this issue with the Road Commission and come back with a draft amendment, as the conflict needs to be corrected.

11. Public Comment.

    Chair Tubbs offered time for public comment at 7:52 PM

    - Mary Wodzien, 3263 Prouty Road, spoke regarding different types of traffic calming techniques.

Chair Tubbs closed the public comment and adjourned the meeting at 8:25 PM.

Leslie Couturier
Recording Secretary