

**Charter Township of Elmwood
Planning Commission Regular Meeting
Elmwood Township Hall (10090 E. Lincoln Rd)
September 17, 2024 at 6:30 PM**

A. Call to Order: Chairman Bechtold called the meeting to order at 6:30 PM.

B. Pledge of Allegiance: The Chair led the Pledge of Allegiance.

C. Roll Call: Present: Chris Mikowski, Doug Roberts, Rick Bechtold, Jeff Aprill, Jonah Kuzma. Excused: Kendra Luta, Nate McDonald

D. Limited Public Comment: None

E. Agenda Modifications/Approval: *MOTION BY COMMISSIONER APRILL, SECONDED BY COMMISSIONER KUZMA TO APPROVE THE AGENDA AS PRINTED. MOTION PASSED 5-0.*

F. Minutes-August 20, 2024: *MOTION BY COMMISSIONER ROBERTS, SECONDED BY COMMISSIONER KUZMA TO APPROVE THE MINUTES OF AUGUST 20, 2024 AS PRESENTED. MOTION APPROVED UNANIMOUSLY.*

Minutes-August 15, 2024: *MOTION BY COMMISSIONER APRILL, SECONDED BY COMMISSIONER KUZMA TO APPROVE THE MINUTES OF AUGUST 15, 2024 AS PRESENTED. MOTION CARRIED.*

G. Consent Calendar: Approve/Receive and File
MOTION BY COMMISSIONER ROBERTS, SECONDED BY COMMISSIONER APRILL TO ACCEPT THE CONSENT CALENDAR FOR FILING. MOTION PASSED BY A UNANIMOUS VOTE.

H. Declaration of Conflict of Interest: None

I. Old Business: None

J. New Business

- 1. Extension Request. SPR/SUP 2023-10-Request by Dusty Christensen regarding property at 10051 S. Lake Leelanau Dr. (Parcel 004-018-004-25) for an Agricultural Commercial Enterprise (Farm Market) and a Microbrewery (SPR) on a parcel containing "Farm Club". 1 year extension requested.**

Dusty Christensen with Mansfield Land Use Consultants gave a brief summary. He relayed that the SUP and site plan approval for the Farm Club project was approved by the Planning Commission last October and needs to be extended so it doesn't expire later this year. The public hearing scheduled for later is on a request for a modification to the approved plan. Once they obtain the approvals, they intend to make substantial construction progress in accordance with the Ordinance standards for special use permits.

Commissioner Aprill asked Staff, if it was initially requested in October, does the extension go to October or from tonight's meeting if we extended it. Staff responded that it would extend until October [date when it was approved].

MOTION BY COMMISSIONER APRILL, SECONDED BY COMMISSIONER ROBERTS TO EXTEND SUP/SPR 2023-10 FOR ONE YEAR. MOTION PASSED BY A UNANIMOUS VOTE.

- 2. Public Hearing followed by Commission deliberations. SPR/SUP 2024-05- Request by Field la Femme Properties LLC regarding property at 11051 S. Lake Leelanau Dr. (Parcel 004-018-004-25) for work described as "Farm Club". The request is for the expansion and relocation of the Agricultural Commercial Enterprise (Farm Market) building previously approved by the Planning commission on 10/24/23.**

The Chair read the statement to open a public hearing at 6:39 p.m.

Dusty Christensen with Mansfield Land Use Consultants presented on behalf of the owners of Farm Club. They are seeking an amendment to the approved SUP/SPR originally approved last October and the changes to the plan the Commission has in front of them relate primarily to the proposed new market building which is to provide additional space for the operators of Farm Club to get produce and market sales out of the primary building and provide them with a bakery space which will free up space in the retail area of the primary building and in the kitchen. They increased the previously approved square footage of the market building by about 200 sq. ft., so there's an enlargement of the building and it will be relocated about 25 ft. west of the approved location from last year to take advantage of grade changes on the site and provide a walk out entry to a new lower-level building that is accessed off the lower parking lot to provide storage space.

Commissioner Aprill asked if the basement of the structure was going to be a root cellar. Dusty responded, pretty much, it's a block foundation completely in grade except the one corner closest to the parking lot where there will be access in and out. Commissioner Aprill also asked if there would be a stairway from the upstairs down, or just exterior stairs. Dusty answered, it's just accessed from the lower level.

Commissioner Roberts commented there was a concern about the parking issue on its busy days, people parking out on the road. He knows there is more parking now provided with a lower-level parking lot and asked how many spaces were there.

Dusty noted that Staff had passed along the public comment she received with concerns about the parking, and this was something they knew was an issue, and they addressed it last October with the new proposals for the site. Currently, on the approved plans from 2017-2018, they had 36 spaces, which was above and beyond what the Ordinance required of the facility at the time, and the current plans have 94, which are the number of spaces approved last year with SUP and it remains the same with the amendment request.

Commissioner Mikowski said with the addition to the parking, how many businesses are provided on Farm Club at one time. Dusty responded that technically it's all under one umbrella. Commissioner Mikowski expressed concern with the parking stating that she has gone by numerous times and people are parked almost all the way down to the road. With the bakery, the garden, etc., how many businesses are technically on the property. Christensen gave a list of the uses which include the AG/Commercial enterprise, which was originally approved in 2018 which encompasses the farming that happens on site, the food service, and that AG/Commercial enterprise also encompasses the making of beer and cider on site. Their last amendment for the SUP application last October, because the AG/Commercial enterprise language in the Ordinance changed, they maintained that existing AG/Commercial enterprise as use for the growing of the food and serving the food. But then because they were expanding the outdoor seating area, that was approved by the Planning Commission as a micro-brewery because Farm Club makes beer on site. So, technically as far as approved uses under the existing SUP, they have an AG/Commercial enterprise and a micro-brewery. The bakery is considered part of a farm market which the Ordinance considers an AG/Commercial enterprise.

Commissioner Mikowski suggested, because it's a very popular venue, having reservations for the dinner portion and busier times of the day, so they could limit some of the parking. Christensen believes their increased parking will help with that, but they'll also better define the parking spaces within the gravel lot. Chief Tampa also mentioned that driveway isn't to be used for parking.

Staff noted from Commissioner Aprill's question earlier, there is a stairway in the building as shown on the interior architectural drawings.

Public Comment: Opened at 6:51 p.m. No comment given. Public comment closed at 6:52 p.m. MOTION BY COMMISSIONER KUZMA, SECONDED BY COMMISSIONER APRILL TO CLOSE PUBLIC COMMENT AT 6:52 PM. MOTION PASSED UNANIMOUSLY.

The Commissioners entered deliberations where they reviewed the standards and made their recommendation.

Staff passed out draft Findings of Fact noting a lot of the text the Commission as well as members of the public have seen before. Essentially, the first six pages of the document carry over from her Staff report that were in the packet the Commission received at the last meeting. A lot of the proposed Findings of Fact haven't changed much. It is a major amendment, but the movement of the building and the increase of the square footage doesn't change much for the Findings of Fact previously approved by the Commission for the original approval. The Commissioners went through a prepared Draft Findings of Fact and Standards for Approval dated 9/13/24 [included in the record]. The Commission added two Findings of Fact for standards of approval including that the applicant has agreed to submit a revised landscaping plan and the applicant has agreed to delineate the parking spaces. After adding the modifications, the Commission found that the standards of approval have been met.

MOTION BY COMMISSIONER ROBERTS, SECONDED BY COMMISSIONER KUZMA TO ACCEPT FINDINGS OF FACT AS MODIFIED. MOTION APPROVED UNANIMOUSLY.

MOTION BY COMMISSIONER KUZMA, SECONDED BY COMMISSIONER APRILL TO APPROVE SPR/SUP 2024-05. MOTION APPROVED UNANIMOUSLY.

3. Public Comment specific to discussion topic followed by Commission Discussion. Additional discussion on Text amendment ZO 2017-04-23. Aligning and Reforming Alcohol regulations per Township Board's request.

Chair Bechtold relayed that they will hold public comment specific to the agenda item for the proposed text amendment. Staff noted, that as previously agreed upon, this public comment portion is 4minutes for each speaker. Public Comment opened at 7:09pm.

Chris Frederickson, on behalf of his company Traverse City Whiskey at 9440 S. Center Hwy. The Planning Commission had previously approved language for a proposed Ordinance amendment that governs breweries, wineries, and distilleries in Elmwood Township, and they believe some of that language could be cleaned up a bit. During his last conversation with Staff and the other committee, he did mention they have been working with the Township for the last 6 years on this project, and they believe TC Whiskey is a business and a brand the community can be proud of, and they're proud to have Elmwood Township as their home. Some of the language they believe is discouraging for parts of their business and while they don't believe this updated language applies to them, they do believe after spending millions of dollars on planning, engineering, designing, and construction on the site, they believe the rules are designed to shift the path, the Commission has already approved their project, and the first part of this is him advocating for some type of extension for their project to identify with substantial construction. Also, some of the language for the proposed Ordinance amendment does not align with practical business applications. He's listed off about a dozen different language recommendations they as a business recommend for Elmwood Township to pave a clear path for breweries, wineries, and distilleries that are new businesses in the area. He provided the language updates and the rationale behind them, and they would appreciate the Commission's consideration.

No one else got up to speak; Public comment closed at 7:10 p.m.

Staff noted they received the comments after the packet went out. She was able to provide a copy of the proposed modifications from TC Whiskey to the Commission. She also has print outs available for anyone in attendance. She asked the Commission if they wanted to go through them item by item. She provided a brief overview of what has occurred on the text amendment. The Planning Commission did review and recommend approval of the text amendment as drafted to the Township Board. It's gone for introduction and 2 public hearings before the Board. At the last public hearing, there was a motion to approve the text as drafted but that motion failed, and the Board at that time then sent it back to the Planning Commission to review any allegations because at that public hearing, there were comments made that the text would be prohibitive, which is not the intent. The intent is to align and reform the regulations. She did send an invite for the meeting to all operators in

the Township and in attendance is Jen [Taproot], John [Bay View Distillery], and Chris [TC Whiskey]. She said the Commission can discuss TC Whiskey's proposed modifications; this is the Commission's discussion. If they want to make any recommendations to the text, they can make those recommendations and send it back to the Board where it would go for introduction before the Board and then a public hearing before the Board, or if Commission want more time with it, they can do that.

Commissioner Roberts commented on 5.5n2b, asking how would you get a permit obtaining it onsite. The sentence should read, "unless a permit for an onsite tasting room is obtained" and striking 'onsite.' The Commissioners discussed "produced" versus "manufactured" which Fredrickson proposes modifying in Section 5.5.N.2.b. The Commission didn't understand how it is prohibitive and the Chair recognized Fredrickson. Fredrickson said this definition sort of relates back to section 2.2, definition of a tasting room, so as an example, we made a recommendation to remove "a small wine maker however, may only sell wine it bottled". Fredrickson said that the definition for small wine makers is prohibitive as it says that a small wine maker can only sell wine it bottled, which is not the practice of small wineries. He gave an example of two wineries; one is bottling wine and the other is manufacturing wine. Who is producing the wine? Is it produced by the bottler or the manufacturer? What we're suggesting is to be consistent with the MLCC definition, so the winery is taking ownership of the manufacturing.

Aprill said that there are wineries who take their wine to Left Foot Charlie's to be bottled. Aprill said that I understand that complication, but we need to make sure that if we allow it in the Ag-district, that it's ag, that it's grown onsite. The intent is that there is crop that is grown to help the farmer be successful.

Commissioner Kuzma read aloud the proposed definition of a Wine Tasting Room which indicates that small wine makers can only sell wine it bottled. Staff said that she would not recommend this modification be made; as this comes directly from the state's definition of a tasting room which says that a small wine maker can only sell wine it bottled. The Commission determined the definition is sufficient as currently written.

The Chair recognized Mike Wittkop who compared the process to cherry harvesters.

The Commission discussed the Fredrickson's proposal to eliminate 'grown and maintained' within the definitions for brewery, distillery, and winery. Fredrickson was recognized and said that for any brewery, most wineries and distilleries, it would be impractical for a brewery to grow the amount of grain necessary to produce beer. As it's written, any upstart brewery couldn't start in Elmwood Township. Chair Bechtold said the intent is to ensure that something is grown onsite. Staff said that the words within the definition are grown and maintained. Grown is clear; maintained means kept onsite. In order to produce this product, you need agricultural products to be kept onsite. Commissioner Aprill agreed; we want to see agricultural crops growing on the property and then the brewing of beer. Staff said that the text also allows for these uses in the commercial and industrial districts without the planting requirement; planting requirement would come in if the use is in the

ag-district. Commissioner Kuzma asked if they were state definitions, to which staff said no as the state defines wine maker, small wine maker, brewer, micro brewer, etc; the definitions in the proposed text came from the Township Attorney. The Commission determined not to move forward with the proposed change.

The Commission discussed Fredrickson's proposed change to Section 5.5.N.1. Staff said that this is an intent section and later, within the proposed regulations, it does clearly indicate that crops can originate from any source—grown on the land or imported. The Township does not want to interfere with the market, so you can import what you need, however, if you want a production facility within the agricultural district, you need to have a minimum acreage of planted mature crops. Commissioner Aprill said the minimum acreage is very minimal. Fredrickson said that they produce a seltzer that is not defined as a beer, spirit, or wine, to which Commissioner Roberts said the definition of distiller encompasses that. Staff asked what it is made out of, to which Fredrickson said it is spirit based. The Commission felt that it would fall under what is in the text.

The Commission discussed Fredrickson's proposed change to Section 5.5.N.2.c.ii. Staff said that they expressed concern over the vagueness of the term 'mature,' but within the same section, mature is defined. Commissioner Roberts asked, if TC Whiskey builds this facility, they can't go into production until they have a mature crop on site? Staff explained that any project that has been fully permitted and substantially completed can continue to operate under their approval. If they want to make modifications or amend their project, or if their permit has expired, and they reapply, they would need to comply with the text that is in effect at the time of approval by the Township. She also noted, any dimensional aspect where there is a hardship, there is a variance request that would go to the ZBA.

The Commission discussed Fredrickson's proposal to Section 5.5.N.2.c.ii. The Commission discussed 10 acres vs 5 acres of crops. Fredrickson was recognized and relayed that they want the text to be well written, but they are also concerned about TC Whiskey. He said that shifting from 5 to 10 acres of crops it will pose severe challenges to everything they've been working for, specifically for the topography reasons. Commissioner Aprill said that the text must work for the entire Township and added that they've done a lot of work onsite. Staff said that when strict enforcement of the Ordinance would cause an undue hardship or practical difficulty owing to circumstances unique to the specific property or parcel, there is a variance procedure through the Zoning Board of Appeals. Commissioner Aprill said that the route would be the ZBA and that he doesn't see them reducing the acreage. Staff said that 10 acres applies to selling wholesale. She added that concern had been raised by Fredrickson that "the additional restriction added by this language would prohibit a small grower and/or producer from selling their products, even to a local restaurant" and noted that under MLCC, under a Small Wine Maker license, Micro brewer license, and small distiller license, if they self-distribute under a certain threshold set by the state, they can do that under their license. She said that if the Commission wants to be clearer that is allowed, that modification can be made. The Commission said that if it is within the state's license, that should be sufficient and is more practical from an enforcement standpoint.

The Commission discussed Fredrickson's proposed change to Section 9.8.J.4. Commissioner Roberts said the first point is well taken. Staff said that when the Township permitted Taproot, they had to require a fence because under the current ordinance, a fence does not count as a buffer. Even though they had a very vegetated area, we couldn't let them use that vegetation; they had to install a fence. She said she thinks the proposed text is more lenient, as it lets the property chose a fence or chose a buffer that meets the requirements of the Ordinance, they have that option. The Commission said it allows more flexibility and determined no change was necessary.

The Commission discussed the proposed modification to allow hours of operation to extend to 11pm instead of the current 10pm. Chair Bechtold asked for confirmation on what the hours of operations are for special event facilitates, as he thought it was 10pm. Staff said yes, but on certain days of the week, they can go until 11. However, special events are limited to only 52 times a year, whereas a Tasting Room can operate 365 days a year. She relayed that she understands the Commission didn't want to reinvent the wheel with this ordinance, so the time was a carry-over from the current ordinance. She also noted that the Commission did receive public comment during the permitting process for an operator where they were opposed to the Commission allowing a tasting room to stay open until 10pm; in many municipalities tasting rooms close earlier. The Commission determined not to move forward with extending hours until 11pm.

The Commission reviewed Fredrickson's proposed modification to Section 9.8.J.6 to regarding amplified music and specifically to remove the text "'shall be contained indoors" add at the end of sentence "who is the owner of an abutting property." Staff said that amplified noise needing to be contained indoors is within the current Ordinance. Commissioner Roberts said they've discussed the text quite a few times. Staff said yes, the language "...shall not produce sound that because of its volume or frequency annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of any reasonable person of normal sensitivities" has been provided by the Township Attorney. Commissioner Roberts added that language has been accepted by the courts. The Commission determined to leave the text as drafted.

The Commission discussed Fredrickson's proposed modification to Section 9.8.J.7i and iii which includes eliminating these sections as they believe the restrictions are unnecessary and will complicate the operation of businesses. Staff said that the area for serving food seating no more than twenty patrons at one time is from the current ordinance. Staff then said, generally speaking, the limiting food service items to small plates is the same as in the current ordinance for distillery tasting rooms, with the exception that carry-in foods would be prohibited under the proposed text. Carry-out foods are currently prohibited. Fredrickson said that in their line of business, it is critical that patrons have the ability to eat food. Currently, their operations include a food truck and they encourage carry-in. Commissioner Roberts said that is a good point.

Chair Bechtold recognized Jen Viren of Taproot. Viren said that she would like the Commission to look at the proposed percentage allowed of food sales, which is set at 10% of gross sales of licensed products. Chair Bechtold asked what Viren thought the ideal percentage would be that isn't 100%; Viren said that given insurance liability, in a restaurant, you want to exceed 50% of your sales to be food. She then said 50% of sales, especially if in my case, I'd be promoting what I'm growing on the farm. If the percentage is small, we'd have to sell something that's cheap, that would likely be brought in. Chair Bechtold said that we don't want tasting rooms to slowly turn into restaurants. Chair Bechtold acknowledged that food costs have gone up and said that he could see 30% as being reasonable. Viren said that their goal is to grow their own proteins onsite, smoke them, and then offer them as a nibble in between tastings. Commissioner Luta said that he agrees with Bechtold in it needed to be less than 50% as 50% is ideal for a restaurant. Viren said that if someone comes in for a cider flight that costs, say \$10 and they also want to get a small plate—it limits what they can serve. Commissioner Luta said that it is intended to be accessory to the tasting room. Viren suggested that it could be something like packaged in-house or limited to appetizers; it should be about quality and not the price.

Staff said that limiting sale of food to 10% of gross sales of licensed products comes from the current Ordinance for Distillery Tasting Rooms, not wine tasting rooms, which don't have that requirement. She listed requirements of wine tasting rooms and noted that currently, the limitation regarding sales is "50% of the retail space and gross sales of a wine tasting room must be from product produced and grown on site as described in the Department of Agricultural Generally Accepted Agricultural Practices for Farm Markets." Chair Bechtold asked how one could confirm if that is being followed, to which staff said, the proposed text says "at the request of the Township, the business shall provide supporting documentation to the Township verifying compliance with this section." Staff suggested clarifying that the percentage is specific to food service and increasing the percentage as determined by the Commission. She added that other municipalities also don't want the use to be a restaurant; they do packaged food. The Commissioners discussed the percentage of monthly sale of food not exceeding 10% of gross sales of licensed products. They decided to recommended change the requirement to read, monthly sale of food service shall not exceed 20%.

Commissioner Roberts said that he's struggling with limiting carry-in food. Commissioner Aprill said he is not—it's a tasting room, not a bar. Someone isn't going there to get drunk; that is not the intent. Taste the product and if you like it, buy it.

Frederickson was recognized by the Chair. He asked staff if there is another township box in the three uses together. He continued to say that he understands putting them together because it's clean and you're all going to be governed the same. He said that he has a higher cost product and a higher alcoholic product than others. He asked if there could be a different format, or could they create a grid or matrix that cleans up the rules so it's a practical application of the rules to the business. He said that planting requirements should be different. Chair Bechtold said that we're at a time where to continue there should be a

motion. Staff said that the bylaws indicate that the required motion to continue with the meeting is specific to beginning discussion on new items.

Chair Bechtold said that he believes that the intent for the businesses that produce alcohol in area zoned agricultural, we want them to be in the same box so there is consistency. He asked the Commission if they wanted to table and discuss individual needs of a winery, brewery, and distillery or if the Commission feels that what we've spent an awful lot of time discussing and building. Staff said that what she's heard time and time again from different applicants is questioning why does this apply to me and why does 'x person' fall under those regs; this unifies the regulations. She said that she'd be open to carry-in or increasing the percentage, but to have different planting requirements or different setbacks for a production facility and for tasting rooms—they are all similar uses and it is shocking that they all have different requirements. The Commission decided to recommended change the requirement to read, monthly sale of food service shall not exceed 20%. Commissioner Aprill said that if they serve bread, that's usually not part of food service sales. Chair Bechtold asked how the Commission felt about carry-in. Commissioner Aprill said that they can continue to debate that; Fredrickson said earlier that they use a food truck, which we don't allow. Commissioner Roberts said they can revisit that later if needed.

Chair Bechtold asked the Commission how they wanted to proceed. Commissioner Aprill asked if Staff and Commissioner Mikowski feel like the Commission has completed what has been asked of them by the Township Board. Commissioner Mikowski said that the Board wanted to give another opportunity for Fredrickson to voice concerns, which has been done and other operators have also had that opportunity. She said that she is glad they've gone through point by point and we've been able to answer and whittle it down; that's what the Board wanted. Commissioner Mikowski stressed that we always can look at our ordinances and if at some point down the line we need to make a change, we can. Staff agreed; she said that ordinances are always living documents.

MOTION BY COMMISSIONER APRILL, SECONDED BY COMMISSIONER ROBERTS TO RETURN THE TEXT AMENDMENT ZO 2017-04-23 TO THE ELMWOOD TOWNSHIP BOARD WITH THE NECESSARY MODIFICATIONS IDENTIFIED IN TONIGHT'S DISCUSSION. MOTION APPROVED 5-0.

- K. Discussion on Zoning Ordinance:** Chairman Bechtold noted that our consultant has some availability and could look about our regulations for agricultural commercial enterprises. Staff added that in 2018 the definition was different and included many things value added for agriculture. That definition was modified, but that section does need some work. We have some money in our budget that we could utilize our consultant, which would be helpful as they have preliminary results from the survey from our Master Plan and will already be attending our November meeting to discuss chapters for the plan. She also noted that in the past, the Commission has been agreeable to examining the Ordinance specific to bed and breakfasts and bed and breakfast inns and aligning them with similar uses. She asked the Commission if they are agreeable on having the consultant prepare this information, to which a quorum of the Commission agreed.

- L. Comments from the Chair:** Chairman Bechtold thanked the Commissioners for their hard work and diligence in reviewing the materials and being well prepared.
- M. Comments from Planning Commissioners:** None
- N. Comments from Staff:** Thanked the Commissioners and added, looking at their plan and its development, the consultant will be present at the November meeting to start talking through the chapters and then in the new year they'll look at modifying their schedule to make sure she can attend some regular scheduled meetings so they don't have to schedule a lot of special meetings. Also, on their desks, she did print out a correspondence from the Charter Township of Long Lake regarding their Long Lake Township sub-plan public comment period.
- O. Public Comment:** Andy Viren
- P. Adjourn:** **MOTION BY COMMISSIONER KUZMA , SECONDED BY COMMISSIONER ROBERTS TO ADJOURN MEETING AT 8:56 PM. MOTION PASSED 5-0.**

To: Elmwood Township Board
From: Sarah Clarren, Planner/Zoning Administrator
RE: September 2024 Planning and Zoning Report

PERMITS:	9/2024	9/2023	YTD 2024	YTD 2023
Single Family Dwelling	0	2	17	10
Attached SFD	0	0	0	0
Accessory Building	0	0	3	3
AG Building	1	0	2	3
Residential Addition	2	2	3	7
Deck	1	1	11	8
Sign	0	1	2	3
Commercial	0	1	4	4
B&B	0	0	3	0
Misc.	0	1	5	9
Total Permits	5	8	51	48
Fees Collected	\$250	\$925	\$5,686.57	\$5,063.21

Zoning Board of Appeals:

September 4, Regular Meeting. Case #2024-03. Request by Roger Landis regarding property at 10989 S West-Bay Shore Dr for an 18’ front yard setback variance to construct front porch. Proposed front porch would not encroach further into front setback than existing home – *approved*.

October 2, Regular Meeting. *Cancelled due to no new hearings.*

Planning Commission:

September 17, Regular Meeting. 1) Extension Request. SPR/SUP 2023-10 – Request by Dusty Christensen regarding property at 10051 S Lake Leelanau Dr for an Agricultural Commercial Enterprise (Farm Market) and a Microbrewery (SPR) on a parcel containing ‘Farm Club.’ *1 year extension granted.* 2) Public Hearing. SPR/SUP 2024-05 Farm Club Expansion. The request is for the expansion and relocation of the Agricultural Commercial Enterprise (Farm Market) building previously approved by the Planning Commission on 10/24/2023 – granted with conditions. 3) Public Comment specific to discussion topic, followed by Commission Discussion regarding additional discussion on Text amendment ZO 2017-04-23 – Aligning and Reforming Alcohol regulations, per Township Board’s request – *Commission discussion, slight modifications made, and vote to move text back before Board for consideration.*

October 15, Regular Meeting. Agenda not yet set.

Office Updates:

STRs. 93 licenses for 2024 have been issued. 11 applications are on waitlist. Renewal period runs 10/1 – 10/31.

Trainings/Conferences. Staff attended the MI APA Conference 9/25-9/27; will be attending the NWM Housing Summit 10/24-10/25.

Parks. Preliminary plans were discussed with Parks and Recreation Committee at their August meeting; plans were revised and returned for discussion at the Committee level on 9/10. The Committee recommended that the Board move forward with Conceptual Plan 3, with some modifications to the plans presented. Beckett & Raeder is revising the plan and estimated costs to go before the Board. Equipment update: equipment approved by the Township Board has been ordered and is expected to arrive week of 10/1 or 10/7.

Northwest Regional Airport Authority (NRAA) Joint Airport Zoning Board. Next meeting scheduled for 10/16.

Master (Comprehensive) Plan. Beckett & Raeder continuing to work on chapters which will likely be discussed by the Commission later this fall.

CHARTER TOWNSHIP OF ELMWOOD

Planning and Zoning

10090 E. Lincoln Rd, Traverse City, MI 49684

(231) 946-0921 Fax (231) 946-9320

Email: planner@elmwoodtownship.net

October 8, 2024

Jen and Andrew Viren
8850 E Lincoln Road
Cedar, MI 49624

Re: Minor Amendment Request Associated with SPR/SUP 2023-05

Dear Jen and Andrew Viren,

As you know, the Planning Commission approved a Site Plan Review / Special Use Permit application (2023-05) on 7/18/23 (minutes approved 8/15/23). Since approval of 2023-05, two previous minor modifications have been approved; one on 10/13/23 and one on 3/4/24. Since that time, I received a request for another modification. This new modification request includes a change of use of the second story of the winery / wine tasting room structure from an office and breakroom for employees to a farm market with bakery as shown on Sheet A-1 dated 10/6/24 as well as an expansion of a deck and an 8'9 storage area underneath the deck expansion. Your permit 2023-05 also included approval for a farm market with bakery. This was approved in a separate structure, but you no longer wish to pursue that second structure as the farm market and bakery.

As allowed by the Zoning Ordinance, "Minor changes [for Site Plan Review] may be approved by the Zoning Administrator upon determining that the proposed revision(s) will not alter the basic design and character of the site plan or any specified conditions imposed as part of the original site plan approval. Minor changes are the following:

- a. Change in any building size, up to five (5) percent in gross floor area.
- b. Movement of buildings or other structures by no more than ten (10) feet measured horizontally.
- c. Replacement of plant material specified in the landscaping plan with comparable materials of an equal or greater size.
- d. Changes in building materials to a comparable or higher quality.
- e. ***Changes in floor plans which do not alter the character of the use.***
- f. Relocation of dumpsters or signs.
- g. Modification of parking areas up to a ten (10) percent change in their location provided there is no change in the number of parking spaces or the approved driveway location(s).
- h. Changes necessary to conform to other laws or regulations as required or requested by the Township, the Leelanau County Road Commission, or other county, state, or federal regulatory agency.
- i. Change of phases or sequence of phases, only if all phases of the site plan have received final approval and if the change does not alter any conditions of the original site plan approval."

The interior modifications appear to be minor; they do not alter the character of the use as approved by the Planning Commission. I therefore will grant a minor modification to the Site Plan/Special Use Permit with the following understanding:

- 1) The only modifications being sought and approved are modifications shown on Sheet A-1 dated 10/6/24.
- 2) There will be no alterations to the exterior of the building, including the movement in the building as well as increase in the number of parking spaces. A revised L1.2 (dated 10/20/23, last rev. 10/03/24) sheet was submitted with a plan set for a LUP, but this is not approved under this minor amendment nor with the LUP. This is called out on the plan sheet as well within this minor amendment to ensure there is no confusion. It will also be stated on the LUP.

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(231) 946-0921 Fax (231) 946-9320

Email: planner@elmwoodtownship.net

- 3) The occupancy of the uses approved onsite (wine tasting room, agricultural commercial enterprise (farm market), and winery) shall not exceed what was approved by the Planning Commission (See Sheet L1.2 dated 5/5/23, last rev. 7/11/23).
- 4) If the Applicant desires to increase occupancy, it will likely trigger a needed increase in parking. Increase in parking spaces will be deemed a major amendment to the Site Plan (pursuant to Section 8.7.A.g) and therefore it will need to go back for the Planning Commission for review and approval. I would note that an increase in parking may be able to be deemed a minor amendment to the Special Permit, so no public hearing would be required pursuant to Section 9.4.A.2.c (assuming this would be the only modification).
 - a. The applicant is reminded that if they wish to pursue commercial activity in the building previously approved with 2023-05, they must first seek approval from the Township—under this minor amendment, the commercial activity (Agricultural Commercial Enterprise (Farm Market)) is moved from the separate building to the building with the Winery and Wine Tasting Room.
 - b. The area previously approved as the Farm Market contained a total of 528sq ft (330 sq ft of floor area to be open to the public (3 parking spaces)) and the area now proposed as the Farm market contains a total of approx. 719 (300 sq ft of floor area to be open to the public (3 parking spaces)). This could be considered a 30% increase, which is more than the 25% allowed under a minor amendment to an SUP*, *however* the Zoning Administrator determines that this modification can be considered a minor amendment as the second story was shown on the plans approved by the Commission and the second story was identified to be used as staff for the uses approved by the Commission under SPR/SUP 2023-05 (though it was stressed that the second story was approved under a separate permit process as an agricultural building with office space above). More compelling, by shifting the location of the Farm Market to the same structure as the Wine Tasting Room, the bridge over the wetlands is no longer necessary and therefore reduces the size of the land area occupied by the use.
- 5) This minor amendment shall not be considered a Land Use Permit. A separate LUP will be issued as a LUP application and required documentation was submitted.

No other changes are approved under this minor amendment. All findings of fact and conditions set forth by the Planning Commission in their approval of SPR/SUP 2023-05 on 7/18/23 (minutes approved 8/15/23) stand in full force.

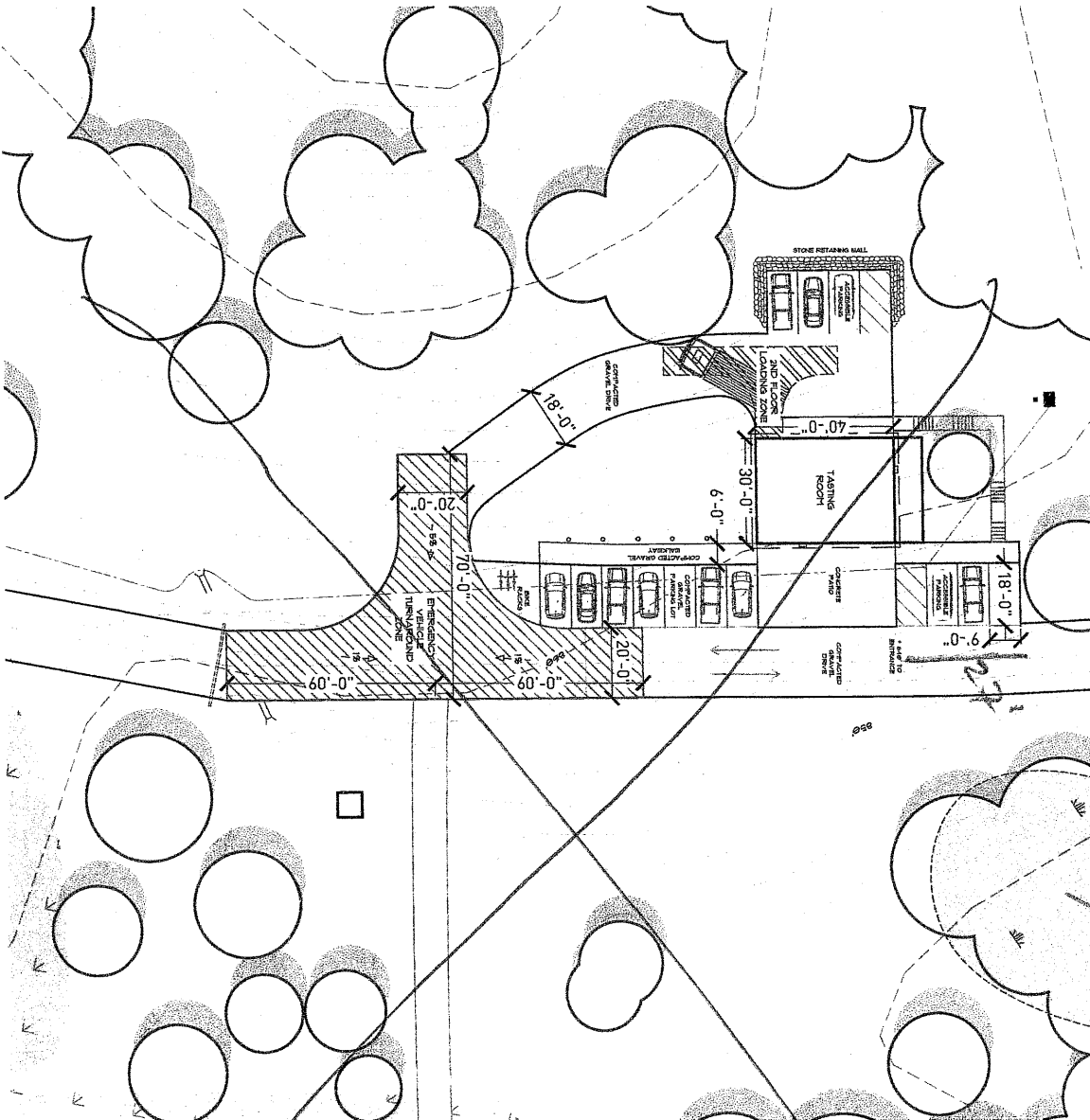
Thank you,

Sarah Clarren
Planner / Zoning Administrator

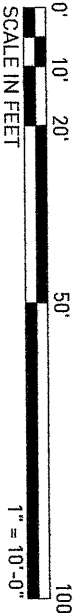
*Pursuant to Section 9.4.A.2.c of the Ordinance, the following can be considered a minor amendment to a Special Use Permit: “An increase of less than twenty-five (25) percent in the main building’s usable floor area, **the land area occupied by the main or accessory uses**, the size of the parking area, the number of parking spaces provided, occupancy load, capacity or membership, or traffic generation.” (emphasis added)

**VEHICULAR ACCESS
TASTING ROOM**

*not to move this
25 yard w/ of this
line*

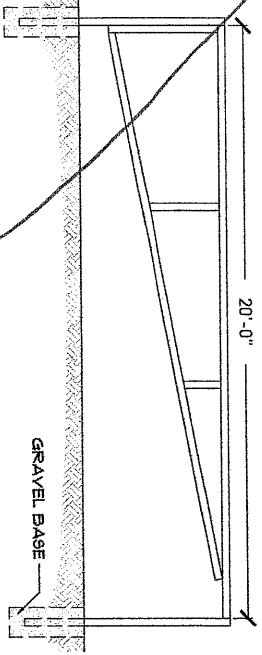


*submitted w/ LUR app location
10/7/24*



1
L1.0

GATE TO PRIVATE RESIDENCE



*not approved
under minor amendment
10/9/24*

Emergency Vehicle Turnaround Zone follows the International Fire Code SECTION D103 FIGURE 103.1 DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND and uses the design "ACCEPTABLE ALTERNATIVE TO 120' HAMMERHEAD"

- Second Floor - Bakery/Market: 675 square feet Cold Storage: 525 square feet
- Employees: 2
- Guests: 30
- Parking Spaces Required: 10
- Parking Spaces Provided: 10 total; 1 Accessible
- Parking Spaces Required: 3
- Parking Spaces Provided: 3 total; 1 Accessible
- Loading Zone Provided for access to Cold Storage

NOTE:
For floor plan layout see drawings by others A1
Total Building Square Feet: 2400 square feet
First Floor - Tasting Rooms per section 6.1.3: 1200 square feet

**VEHICULAR ACCESS
TASTING ROOM
L1.2**

REV	DATE	DESCRIPTION
1	10/20/23	REVISION 4
2	10/03/24	REVISION 5
3		
4		

TAPROOT FARMSTEAD
8850 E Lincoln Rd,
Cedar, MI 49621



CODE RESEARCH MATRIX:

MICHIGAN BUILDING CODE 2015 (CHANGE OF USE)

THIS EXISTING BUILDING WILL BE COVERED BY THE 2015 MICHIGAN BUILDING CODE AND ALL RELATED MICHIGAN CODES AS REFERRED TO BY THE MBC 2015, INCLUDING THE ICC/ANSI A117.1 2009. ALL SPACES ARE EXISTING OCCUPANCY USE GROUP AS ITEMIZED ON PLANS. THE GENERAL BUILDING IS UNDERGOING A CHANGE OF USE FROM THE ORIGINAL PERMIT ON FILE W/ LEELEAU COUNTY CONSTRUCTION CODES

- USE GROUP: EXISTING BUILDING WITH EXISTING USE GROUPS. PLEASE SEE PLAN FOR DESIGNATED USE PER AREA. NON-SEPARATED MIXED USE "S-2" & "F-2" & "B" & "M" USE GROUP AREAS.
- HEIGHT & AREA: EXISTING BUILDING SQUARE FOOTAGE: 2400 SF GROSS & (2) STORY (1200 PER STORY) ALLOWABLE HEIGHT & AREA (MOST RESTRICTIVE OF UNSEPARATED MIXED USE: (F) CONSTRUCTION TYPE VIB... 2 STORY & 8,000 SF)
- DESIGN OCCUPAND LOAD: LOWER LEVEL: (1) UPPER LEVEL (5) (16) OCCUPANTS TOTAL INCLUDING ALL EXISTING CONTIGUOUS FIRE AREAS (GROSS). AS TABULATED PER TABLE 1004.1.1 (REFER TO FLOOR PLAN FOR NUMBER OF OCCUPANTS PER DEFINED USE GROUP AREAS). EGRESS WIDTH BASED ON THIS NUMBER 1004.1.1
- THE ACTUAL NUMBER OF EMPLOYEES WORKING IN THE FACILITY + OCCUPANTS IS <15 THEREFOR, NO NEED FOR DRINKING FOUNTAIN & (1) UNESK BARRIER FREE RESTROOM. (OWNER AFFIDAVIT CAN BE PROVIDED IF REQ'D).
- <50 OCCUPANTS QUALIFY FOR SINGLE MEANS OF EGRESS IF APPLICABLE. ALSO, ALL EXISTING DOOR SWINGS ARE NOT REQUIRED TO SWING IN DIRECTION OF EGRESS.
- CONSTRUCTION TYPE: VB.
- CLASS "C" FLAME SPREAD RATING ON ALL NEW INTERIOR FINISHES PER MBC 803.9
- EXIT SIGNS NOT REQUIRED FOR BUILDING OR SPACES W/ OCCUPANT LOADS <50. ALL EXISTING EXIT SIGNS IN BUILDING SHALL REMAIN AS-IS FOR ADDITIONAL SAFETY
- ALL NEW STAIR COMPONENTS TO HAVE CONCENTRATED LIVE LOADING RATING 100PSF & 300# CONCENTRATED LOADING
- NOT USED

WALL LEGEND:

- ALL WALLS BOTH EXTERIOR AND INTERIOR ARE EXISTING UNLESS NOTED OTHERWISE ON THESE PLANS. WALLS MAY VARY IN DIMENSION / THICKNESS AS DENOTED ON PLANS. SEE DIMENSION STRINGS FOR ACCURATE THICKNESSES.
- NEW WALLS (NON-STRUCTURAL) ADDED 2X4 OR 2X6 W/ DRYWALL. 1/2" BOTH SIDES FINISHED / PRIMED / PAINTED W/ REDUCED FLAME SPREAD RATING
- NEW WALLS (NON-STRUCTURAL) 3 1/2" METAL STUDS @ 24" O.C. PER W/ 5/8" TYPE "X" DRYWALL BOTH SIDES FINISHED / PRIMED / PAINTED TO HAVE STAINLESS PANEL FLR TO CEILING AS SHOWN ON PLANS VERIFY FINAL FIXTURE SIZES AS WELL AS THE EXTENSION OF PANEL POST FIXTURE

GENERAL WINDOW SCHEDULE / NOTES:

- ALL WINDOW UNITS ARE EXISTING AS WELL REMAIN UNLESS NOTED ON THE PLANS
- IF DURING THE COURSE OF CONSTRUCTION NEW WINDOWS OBSERVED AND ARE INSTALLED THEY MUST BE VERIFIED PER THE ARCHITECT FOR ADA & SAFETY REQUIREMENTS.

EXIST. WINDOW UNIT

GENERAL DOOR SCHEDULE / NOTES:

- ALL DOORS NEW AND EXISTING TO HAVE ADA APPROVED LEVEL TYPE HAND SETS & THRESHOLDS. EXISTING DOORS SHALL BE UPGRADED TO COMPLIANCE AS REQUIRED
- ALL DOOR FRAMEWORK MUST MEET ADA REQUIREMENTS & FIRE CODE REQUIREMENTS.
- VERIFY ALL HARDWARE FUNCTION AS WELL AS DESIRED FINISH W/ OWNER AND ARCHITECT
- ALL DOORS TO BE FINISHED (PAINTED OR STAINED) PER OWNERS SPEC
- DOORS NOT REQUIRED TO SWING IN DIRECTION OF EGRESS UNLESS OR -US OCCUPANTS
- ANY DOORS WITH FULL LIGHT TRANSPARENT GLASS PANELS SHALL HAVE KICK-PLATES AS REQ'D OR NOT REQ'D IF BOTTOM LP OF DOOR HAS SMOOTH SURFACE

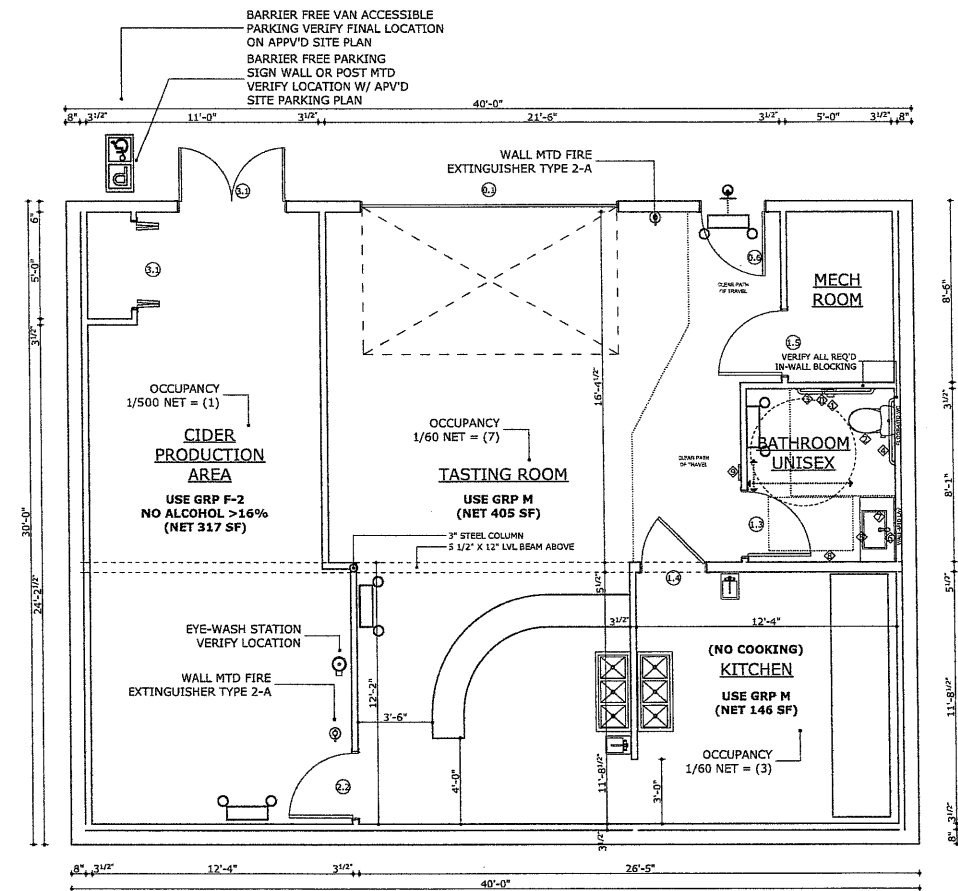
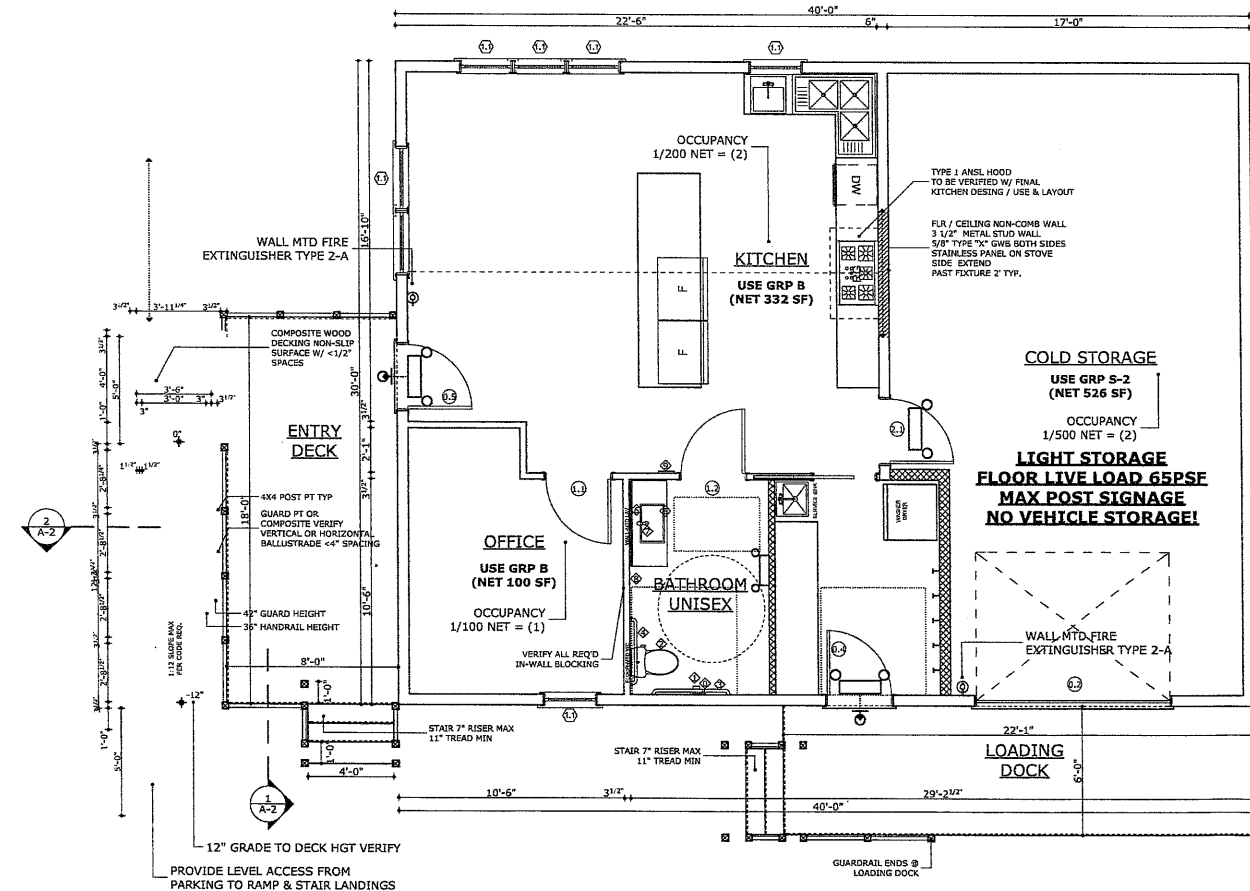
	GENERAL NOTES	FINISH SPEC	PANEL STYLE	DOOR HARDWARE
1.1	GARAGE DOOR ALUMINUM FRAME & GLASS 12'-0"W X 8'-0"H	A) ELECTRIC GARAGE DOOR OPENING HARDWARE B) PANEL STYLE & FINISH PER OWNER SPEC		ALUMINUM
1.2	GARAGE DOOR ALUMINUM FRAME & GLASS 9'-0"W X 7'-0"H	A) CHAIN PULL OPENING HARDWARE B) PANEL STYLE & FINISH PER OWNER SPEC		ALUMINUM
1.3	EXTERIOR INSUL. DOOR 3'-0"W X 6'-8"H	A) DOOR STYLE PER OWNER SPEC B) DOOR HARDWARE PER OWNER SPEC		
1.4	EXTERIOR INSUL. DOOR 3'-0"W X 6'-8"H	A) FULL LIGHT GLASS B) STYLE & COLOR PER OWNER SPEC C) 1" SMOOTH SURFACE OR KICK PLATE		
1.5	INTERIOR WD DOOR 3'-0"W X 6'-8"H	A) DOOR STYLE PER OWNER SPEC B) DOOR HARDWARE PER OWNER SPEC		
1.6	EXTERIOR INSUL. DOOR (USED INTERIOR) 3'-0"W X 6'-8"H	A) DOOR STYLE PER OWNER SPEC B) DOOR HARDWARE PER OWNER SPEC		
1.7	INTERIOR WD BI-FOLD DOOR 4'-0"W X 6'-8"H	A) DOOR STYLE PER OWNER SPEC B) DOOR HARDWARE PER OWNER SPEC		
1.8	EXTERIOR INSUL. DOOR 5'-0"W X 6'-8"H	A) DOOR STYLE PER OWNER SPEC B) DOOR HARDWARE PER OWNER SPEC		

GENERAL PLAN NOTES:

- THIS PLAN IS FOR THE INTERIOR RENOVATION / CHANGE OF OCCUPANCY. SEE PLANS FOR WORK / CONSTRUCTION AREAS. ALL WALLS, ROOF, FLOOR AND FOUNDATION SYSTEMS ARE EXISTING AND SHALL REMAIN AS-IS UNLESS NOTED AND DETAILED ON THE PLANS.
- ALL SUBMITTALS TO THE BUILDING DEPARTMENT MUST BE REVIEWED AND APPROVED BY ARCHITECT AND ENGINEER PRIOR TO SUBMISSION.
- THIS FACILITY IS FOR COMMERCIAL USE AND SHALL NOT CONTAIN RESIDENTIAL USES.
- VERIFY ALL EXISTING UTILITIES: PLUMBING, MECHANICAL & ELECTRICAL COORDINATE W/ ARCHITECT APPROVALS AS REQUIRED BY CODE.
- REFER TO OWNER SPECIFICATIONS FOR ALL FINISH MATERIALS AND HARDWARE VERIFY W/ ARCHITECT
- VERIFY ALL QUESTIONS AND OR DISCREPANCIES W/ ARCHITECT AND OR ENGINEER PRIOR TO PROCEEDING.
- VERIFY ALL CEILING & WALL FINISHES TO BE COMPLIANT W/ FLAME SPREAD AND SMOKE DEVELOPMENT. SEE CODE MATRIX FOR REQUIREMENTS / COMPLIANCE PER USE GROUP.
- PROVIDE PORTABLE FIRE EXTINGUISHER PER DRAWINGS & FIRE CODE ... TYPE 2-A UNLESS NOTED OTHERWISE

NEW EMERGENCY LIGHT FIXTURES FINAL PLACEMENT TO BE VERIFIED W/ INSP. DEPT & ARCHITECT IN FIELD MUST PRODUCE 1 FC @ FLOOR LEVEL MANUF. TO SUPPLY PHOTOMETRICS

NEW EMERGENCY LIGHT / EXIT SIGN FIXTURES FINAL PLACEMENT TO BE VERIFIED W/ INSP. DEPT & ARCHITECT IN FIELD MUST PRODUCE 1 FC @ FLOOR LEVEL. EXTERIOR EGRESS LIGHT TO BE LINKED TO INTERIOR VERIFY SPECS W/ MANUF.



Minor amendment granted 3/4/2024

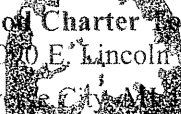
a . rink architects inc

TAPROOT FARMSTEAD
8844 LINCOLN ROAD . TRAVERSE CITY . MI

11/1/2023 526 west 7th street traverse city, mi 49684 231 . 620 . 4077

A-1

Planning/ Zoning Department
planner@elmwoodtownship.net

Elmwood Charter Township
10070 E. Lincoln Rd.
Traverse City, MI 49684

Contact Information
Ph: (231) 946-0921
Fax: (231) 946-9320

To: Elmwood Township Planning Commission

From: Sarah Clarren, Planner/Zoning Administrator

Date: October 10, 2024

RE: Extension Request for SPR/SUP 2022-05

Enclosed is a letter from Megan Feenstra Wall requesting an extension for SPR/SUP 2022-05 on behalf of TC Whiskey Co. The Planning Commission approved SPR/SUP 2022-05, with conditions, on September 20, 2022.

Section 9.5 of our Zoning Ordinance states that “A. Special land use approvals, and any conditions of approval, shall run with the land and be binding upon the applicant and any subsequent successors, heirs, or assigns. B. If substantial construction has not taken place within one (1) year of the special land use approval date, the special land use shall expire. C. The Planning Commission may grant two (2) extensions of a special land use approval, of an additional one (1) year period for each extension, provided that the applicant submits an extension request prior to the one year expiration date of the special land use approval or a prior extension. To grant an extension, the Planning Commission must find that any delays were beyond the control of the applicant, and that the applicant will complete substantial construction within the one (1) year extension period.”

As the minutes for the 9/20/22 meeting were not approved until October 18, 2022, the approval was not set to expire until 10/18/23 (pursuant to Section 9.3.A.D.3, “The approved minutes of the Planning Commission shall be the date official action was taken on a proposed special land use application.”). In 2023, the Planning Commission received a request (attached for reference) to extend the approval for one year. This request was granted by the Commission, so the permit is currently set to expire on 10/18/24.

Pursuant to Section 8.6.E of the Ordinance, only one extension is permitted for Site Plan Review; an application has been submitted and which will be before the Commission shortly.

If the Planning Commission believes that the requirements of an extension request have been met, they may grant the second of two allowed extension requests for the Special Use Permit portion of the Commission’s 2022 approval. The Commission cannot extend the Site Plan Review portion of the 2022 approval. The following motion may be used:

Motion to grant a one-year extension to TC Whiskey for the Special Use Permit within the Planning Commission’s SPR/SUP 2022-05 approval for a Distillery Tasting Room, visitor’s center, and offices at 9432 S Center Hwy. The Commission cannot extend the Site Plan Review portion of the 2022 approval.

09.20.24

Ms. Sarah Clarren
Planner and Zoning Administrator, Elmwood Township
10090 E Lincoln Rd
Traverse City, MI 49684

**Re: Traverse City Whiskey Co. – Special Use Permit extension request
9440 S. Center Highway**

Dear Ms. Clarren,

Traverse City Whiskey Co. (TCWC) was granted a Special Use Permit (2022-06) at the September 2022 Planning Commission meeting, with minutes approved on October 18, 2022, to operate a tasting room in an A-R zone as part of their distilling operations at 9440 South Center Highway. This Special Use Permit was extended an additional year. We are requesting a one-year extension to the Special Use Permit per Ordinance Section 8.6E and 9.5C.¹

Substantial construction has taken place on site to prepare for the distillery/tasting room building. The sprinkler system water tank and associated pumphouse building, along with the storm water detention system, are complete. These items were part of a separate permit on the property for a barrel-storage warehouse, but they are essential to the function of both the new distillery building and the warehouse and were sized to include the distillery project. The ammonia chiller system, cooling tower, and all associated piping have been removed from the building exterior and roof and other work includes roofing, deferred maintenance, and clean-up to prep for the distillery project. Some additional site-related demo and grading has also taken place under the warehouse permit. There have been many other actions taken that can be expanded upon if requested.

Despite those efforts and the substantial progress made, the distillery/tasting room project has experienced delays for a variety reasons including a poor bidding climate, resultant drawing revisions and a second bidding process, among others. TCWC believes many of these issues have now been resolved and is ready to proceed further.

On behalf of Traverse City Whiskey Company and our design and construction team, thank you for your time and consideration. We seek to be a valuable and responsible asset to the area, and we continue to endeavor to work openly and collaboratively with the Township on this project.

Sincerely,
MATHISON | MATHISON ARCHITECTS



Megan Feenstra Wall
Principal

¹ TCWC does not believe that an extension of its Special Use Permit is required as substantial construction under its existing Special Use Permit has occurred as provided by per Section 9.5.B of the Elmwood Township Zoning Ordinance. TCWC submits this application for an extension only out of an abundance of caution as the result of recent statements made by Elmwood Township that such action has not occurred and does so, without prejudice to and with full reservation of its rights and/or remedies with respect to its position.

2023 extension request

MATHISON | MATHISON ARCHITECTS

560 Fifth Street NW, Suite 406, Grand Rapids, MI 49504 p 616.920.0545

08.31.23

Ms. Sarah Clarren
Planner and Zoning Administrator, Elmwood Township
10090 E Lincoln Rd
Traverse City, MI 49684

**Re: Traverse City Whiskey Co. – Special Use Permit extension request
9440 S. Center Highway**

Dear Ms. Clarren,

Traverse City Whiskey Co. (TCWC) was granted a Special Use Permit and Site Plan approval (2022-06) at the September 2022 Planning Commission meeting, with minutes approved on October 18, 2022, to operate a tasting room in an A-R zone as part of their distilling operations at 9440 South Center Highway. We are requesting a one-year extension to the Special Use Permit and Site Plan Approval.

Substantial construction has taken place on site to prepare for the distillery building. The sprinkler system water tank and associated pumphouse building, along with the storm water detention system, are complete. These items were part of a separate permit on the property for a barrel-storage warehouse, but they are essential to the function of both the new distillery building and the warehouse and were sized to include the distillery project. The ammonia chiller system, cooling tower, and all associated piping have been removed from the building exterior and roof and other work includes roofing, deferred maintenance, and clean-up to prep for the distillery project. Some additional site-related demo and grading has also taken place under the warehouse permit.

The tasting room and distillery construction project was bid to subcontractors in March 2022 by Erhardt Construction and would have been well underway this fall, but unfortunately, the bid climate was quite poor, with low or no bid turnout in multiple bid categories. The drawings will now be re-bid Fall 2023.

With some on-site construction complete and with construction work on the distillery building itself experiencing unforeseen bid delays, we are respectfully asking the Planning Commission for a one-year extension to the Special Use Permit and the Site Plan approval, per Ordinance Section 8.6E and 9.5C.

On behalf of Traverse City Whiskey Company and our design and construction team, thank you for your time and consideration. We seek to be a valuable and responsible asset to the area, and we continue to endeavor to work openly and collaboratively with the Township on this project.

Sincerely,
MATHISON | MATHISON ARCHITECTS



Megan Feenstra Wall
Principal

To: Elmwood Planning Commission

From: Sarah Clarren, Planner/Zoning Administrator

Date: October 10, 2024

RE: Capital Improvement Plan (CIP)

The Michigan Planning Enabling Act requires the Planning Commission to draft a Capital Improvement Plan (CIP) for the Township Board. Included in the CIP are any projects, structures, equipment, or expenditures that are over \$10,000 and will last for more than a year. Below is the process for approval.

1. Department Heads submit projects for the next 6-7 years
2. List of Projects is compiled
3. Planning Commission reviews the projects and determines compliance with the Master Plan or other appropriate plan. The Planning Commission may call upon officials to explain project as needed
4. Planning Commission hold Public Hearing on draft CIP
5. Planning Commission makes recommendation to the Township Board
6. Township Board reviews and adopted. Township Board may make changes as necessary

Attached is draft plan containing as compiled based on past CIPs and additional projects as submitted by Department Heads.

At this time, the Planning Commission should review the list of projects and determine if they are appropriate and comply with the Master Plan or other Plan of the Township. You can add projects or remove projects as you determine compliance. If you would like further explanation of a project, you can request that the appropriate person attend a meeting to explain.

IF you approve of the draft plan, or could approve with minor changes, the following motion may be used:

Motion to schedule a public hearing for the Capital Improvement Plan at the next regularly scheduled Planning Commission meeting.

Charter Township Of Elmwood

Capital Improvement Plan 2025-2031

DRAFT

Public Hearing: TBD

Adopted by Township Board: TBD

The Michigan Planning Enabling Act, Public Act 33 of 2008, requires that any township that owns or operates a water supply or sewage disposal system, prepare and update a capital improvement program each year. Even when not required, it is good practice for townships to have a capital improvement program to help foresee upcoming projects and assist in budgeting. This is an update to the Capital Improvement Plan that the township undertook in an effort to comply with the requirements of the Michigan Planning Enabling Act.

This plan is a working document. It is required to be reviewed every year and updated to add the next year to make it a 6 year plan. Projects that are included in the plan are not guaranteed to be completed or to receive financial allocation by the Township Board but more of a guide during the budgeting process to help see a more complete view of upcoming major projects. The Planning Commission does not endorse the projects or figures supplied. They are only approving a document that puts all the projects in one location for easy reference.

The Capital Improvement Plan contains projects/construction/equipment with a purchase price greater than \$10,000 that last for longer than a year. These items include purchase of property and vehicles, new buildings/structures, constructions of utilities and roads, and dredging as examples. This also included major repairs to existing structures, properties, and vehicles such as roofs and parking lots. Minor maintenance and projects that are estimated to cost less than \$10,000 were not included. Plans and studies are also not included in this Capital Improvement Plan.

Department heads were asked about projects that they anticipate will need to be completed in the next 6 years as well as projects that will need to be done in future years so that they are not forgotten when the plan is updated in future years. Those forms led to this document that includes future projects, anticipated dates of completion, and estimated costs. Also included in this document is a list of existing facilities, where they are located, when they were constructed and any other helpful information. This ensures that when updating the plan in the future, certain properties and buildings are not looked over.

Upon completion of the draft, the Planning Commission held a public hearing on 10/24/2023 to obtain additional public comment. Following the public hearing the Planning Commission made a recommendation on the plan and forwarded the completed plan to the Township Board for review and adoption.

Existing Facilities

Lincoln Road Campus

Township Hall

Located at 10090 E Lincoln Rd, the Township Hall was constructed in 1986. Contains offices and hall for meetings and available for rent.

Fire Hall

Located next to the Township Hall but not connected, was constructed in 2002. Contains offices, kitchen, meeting room, and apparatus bay.

Upper Pavilion

Located near the Township Hall and shares parking with the Hall. Picnic pavilions that contains restrooms. Available to rent to the public.

Lower Pavilion

Located near the corner of Cherry Bend and Avondale. Contains restrooms.

Soccer Fields

Located behind the Township Hall. Turf was re-done in 2015 and contains an irrigation system. Currently there is a contract with North Star Soccer to maintain and schedule the soccer fields.

Baseball Fields

Located near Cherry Bend Rd. Maintained by the Township and used by Little League. Available to the public for use when not in use by Little League.

Playground

Located near the corner of Cherry Bend and Avondale. Playground equipment has been installed throughout time.

Tennis Court

Located next to Avondale Ln. Surface sealed in Spring of 2016.

Cherry Bend Campus

Old Fire Hall

Located at 10750 E Cherry Bend Rd. Constructed in 1945. Contain garage bay and meeting room. Currently used for storage, elections, and maintenance equipment. Parking area contains recycling bins for use by County residents. Parking area constructed in 2014.

Greilickville Campus

Harbormaster Building

Located at the Marina, the harbormaster building was constructed in 2020 and contains the public office and bathrooms for the marina. Also includes storage garage for marina equipment. Old harbormaster building still exists on site and is anticipated to be removed during phase 3 of the marina redevelopment.

Old Marina Public Bathroom

Located next to the harbormaster building and scheduled for demolition during phase 3 of the marina redevelopment. This building is obsolete with the construction of the new harbormaster building.

Picnic Pavilion

Located next to the old marina public bathroom. Contains tables and grills. The roof for this structure was from an old pavilion at the Greilickville Harbor Park. This structure is scheduled to be replaced during phase 3 construction of the marina redevelopment.

Boater's Bathroom

Located next to the old marina public bathroom and for use by marina users. Includes showers and restrooms for men and women. This building is scheduled to be demolished and replaced during phase 3 of the marina redevelopment.

Large Pavilion

The large pavilion is located in the Greilickville Harbor Park, near the parking lot. It contains restrooms and a picnic pavilion. The pavilion is available to rent.

Small Pavilion

The small pavilion is located in the Greilickville Harbor Park. It contains restrooms and a picnic pavilion. This pavilion is available on a first come, first serve basis.

Brewery Creek

Brewery Creek is a condo development on M22 across from the Greilickville Harbor Park and Marina that the Township purchased in 2012. A majority of the property has been used for overflow marina and park parking. The Township worked with the owners to dissolve the condominium and is currently working on developing overflow marina trailer parking.

Greilickville Water

The Greilickville water system runs along M22 from the City/Township line North to Cherry Bend Road. The water system also runs down Carter Rd and Grandview Rd to the TART trail.

Timberlee Water

The Timberlee water system started as a private system in the 1970s and was turned over to the Township in 1989.

Greilickville Sewer

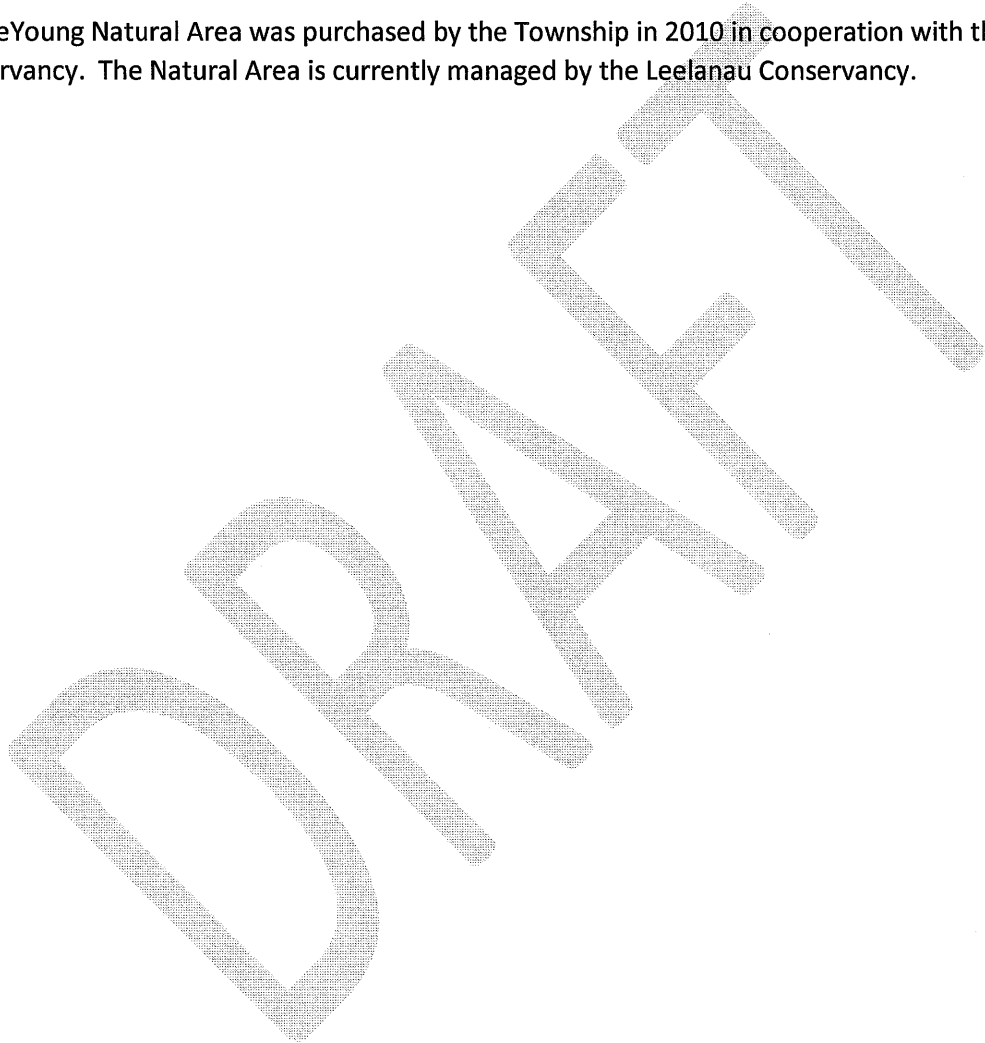
The Greilickville sewer system is located along M22 from the City/Township line running North to Crain Hill Rd. It also includes some subdivisions off of M22. The sewer system runs West down Carter Rd, Grandview Rd, and Cherry Bend Rd.

Cedar Lake Dam

The Cedar Lake Dam is located between Cedar Lake and West Grand Traverse Bay. The dam is owned by the Township and controls the depth of Cedar Lake.

DeYoung Natural Area

The DeYoung Natural Area was purchased by the Township in 2010 in cooperation with the Leelanau Conservancy. The Natural Area is currently managed by the Leelanau Conservancy.



Elmwood Township CIP 2025-2031
FUTURE PROJECTS

Anticipated to be completed in 2025

<i>Project Name & Description</i>	<i>Estimated Cost</i>	<i>Contributing Fund</i>	<i>In Approved Plan</i>	<i>Status</i>
<u>Marina Phase 3</u> . Phase 3a: Removal of 3 existing buildings, vertical extension of existing seawall, additional seawall construction. Phase 3b: Boater's Bath Facility. Phase 3c: parking, landscaping, and amenities (street features, patios).	\$4,000,000- \$5,000,000	Marina / Waterways Grants	Marina Master Plan and Parks and Recreation Plan	Grant funds awarded through Waterways. Project currently underway and expected to be completed Spring/Summer 2025.
<u>Timberlee Water Tank Replacement</u> . EGLE has flagged existing infrastructure and improvements are needed. On 10/9/23, the Township Board voted to move forward with pursuing improvements involving replacing the existing hydropneumatics tanks with 2 small new hydropneumatics tanks.	\$787,000			This was estimated to be completed in 2024; the Township is currently waiting on the tanks.
<u>Marina Storage Garage</u> . Removal of existing storage garage is funded as part of Marina Phase 3, but will need a place to store equipment.	\$50,000-\$80,000	Marina	No	Twp has engaged in conversations with TART on possible cost-share/use opportunities. Also possible to coordinate with Fire Department and Grounds for cost/needs sharing.
<u>Marina Fire Suppression System</u> . Repair, or replacement, as necessary.	\$50,000	Marina	No	
<u>Dinghy Launch</u> . Located at the south end of the Marina.	\$10,000		No	
<u>Marina WiFi</u> . Upgrade internet infrastructure at the Marina.	\$38,000	Marina	No	
<u>Purchase of new ambulance</u> . Cost includes power lift and power cot which are in hand.	\$450,000	Fire		4/10/23; Board approved purchase in 2023; it has

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					<p>been ordered and estimated delivery is Fall/Winter of 2025.</p>
<p><u>Cherry Bend Playground Improvements.</u> Aging equipment needs to be replaced with safe, accessible play equipment.</p>	<p>\$50,000</p>	<p>Grounds</p>	<p>Parks and Recreation Plan</p>	<p>Some smaller, new equipment has been purchased; will be installed late 2024 or in spring 2025</p>	
<p><u>Marina Security System.</u> Currently insufficient security onsite. As the area becomes more populated, it is necessary to have an appropriate system in place.</p>	<p>\$16,500 - \$20,000</p>	<p>Marina</p>			
<p><u>Onsite Fuel Storage Tanks.</u> Existing commercial source for fuel is not as reliable as it should be due to congestion, anticipated construction, and operating hours.</p>	<p>\$12,000</p>	<p>Fire</p>		<p>Fire Dpt working on a reliable cost estimate to put before Board. Push to 2025</p>	
<p><u>Fire Station Carpet/Flooring.</u> Replacement all carpet in station. Repair/replace tile flooring.</p>	<p>\$15,000</p>	<p>Fire</p>	<p>No</p>		
<p><u>Fire Station Entrance – Security.</u> Add interior wall and door to create a secure entrance foyer for public, isolating the space from crew quarters.</p>	<p>\$12,000</p>	<p>Fire</p>	<p>No</p>		
<p><u>Fire Department Utility / Chief's Vehicle.</u> Add a pickup/SUV style vehicle to fleet for command and control, supplemental equipment needs, crew transport, and trailer towing (ATV, boat).</p>	<p>\$80,000 - \$100,000</p>	<p>Fire</p>	<p>Consultant Report</p>		
<p><u>Fire Department UTV.</u> Overdue replacement of underpowered UTV for wildland fire and remote response.</p>	<p>\$40,000</p>	<p>Fire</p>		<p>Quotes have been prepared and presented to the Board. Anticipated purchase in 2025 after further discussion with Board.</p>	

Anticipated to be completed in 2026

<i>Project Name & Description</i>	<i>Estimated Cost</i>	<i>Contributing Fund</i>	<i>In Approved Plan</i>	<i>Status</i>
<u>Tanker 1 (121)</u> . Replacement of existing truck that has become obsolete and is older than recommended by NFPA. Included in Fire and EMS Assessment. Vehicle pricing has gone up significantly and long manufacturing times are delaying deliveries.	\$500,000	Fire	Consultant Report	Fire Dpt has attempted AFG grant, which was not funded. Attempting other grant opportunities, but likely will need to fund in-house.
<u>Cherry Bend Sidewalks</u> . Sidewalks from M22 to Cherry Bend Park. Preliminary cost estimates include 3 pricing options. Township has not yet determined which option to move forward with.	\$445,000 - \$2,089,000	TTCI (MPO) / General Fund	Parks and Recreation Plan	Twp is working with Networks Northwest on TAP Grant
<u>Fiberglass Pump Boxes for A, B, & C Docks</u>	\$10,000	Marina	No	
<u>Cherry Bend Park Trailhead</u> . Trail connection to Cherry Bend sidewalk from trail along Cherry Bend (also anticipated to be completed in 2026). Improvements to the park would also include additional parking, safety improvements, and pickleball courts	\$800,000	Grants, General Fund	Parks and Recreation Plan	Township has hired consultant to prepare conceptual plan.
<u>Fire Station – Truck Ramp Repair/Replacement</u> . Repair or replace front and rear ramps due to deterioration and subsurface issues.	\$100,000	Fire	No	

Anticipated to be completed in 2027

<i>Project Name & Description</i>	<i>Estimated Cost</i>	<i>Contributing Fund</i>	<i>In Approved Plan</i>	<i>Status</i>
<u>A-Dock Replacement</u> . Per Harbormaster, this dock has outlived its expectancy life by a few years. The dock <i>could</i> last another few years, or it could significantly degrade over a bad winter	\$1,250,000 - \$1,500,000	Marina		
<u>Electric Pedestal Replacement for 150 slips</u> .	\$200,000 - \$300,000	Marina	No	

<p><u>Second Cardiac Monitor.</u> Ensure both ambulances have cardiac monitors. Contingent of EFD obtaining ALS status.</p>	<p>\$60,000</p>	<p>Fire</p>	<p>No</p>	
<p><u>Engine 2 (112).</u> Replacement of existing truck that has become obsolete and is older than recommended by NFPA. Included in Fire and EMS Assessment.</p>	<p>\$500,000</p>	<p>Fire</p>	<p>Consultant Report</p>	

Anticipated to be completed in 2028

<i>Project Name & Description</i>	<i>Estimated Cost</i>	<i>Contributing Fund</i>	<i>In Approved Plan</i>	<i>Status</i>
<p><u>Fire/Rescue Boat.</u> Add "bay worthy" vessel to fleet for fire suppression on the water and within the marinas. Boat capable of rescue, dive, and search operations.</p>	<p>\$300,000</p>	<p>Fire/General/Marina</p>	<p>No</p>	

Anticipated to be completed in 2029

<i>Project Name & Description</i>	<i>Estimated Cost</i>	<i>Contributing Fund</i>	<i>In Approved Plan</i>	<i>Status</i>

Anticipated to be completed in 2030

<i>Project Name & Description</i>	<i>Estimated Cost</i>	<i>Contributing Fund</i>	<i>In Approved Plan</i>	<i>Status</i>

Anticipated to be completed in 2031

<i>Project Name & Description</i>	<i>Estimated Cost</i>	<i>Contributing Fund</i>	<i>In Approved Plan</i>	<i>Status</i>

Anticipated to be in future plan

<i>Project Name & Description</i>	<i>Estimated Cost</i>	<i>Contributing Fund</i>	<i>In Approved Plan</i>	<i>Status</i>

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	\$200,000	Fire	Consultant Report	
<u>Fire Station/Quarter Improvements</u> . Add space for additional staffing, offices, and storage.	\$450,000	Timberlee Water	Reliability Study	
<u>Timberlee Water Main Extension</u>	\$2,800,000	Greilickville Water	Reliability Study	
<u>Marina</u>	\$1,400,000	Marina		
<u>D-Dock addition</u> . Addition of a new dock to the north of our furthest bottomland, adding 18-30 new seasonal slips.	\$1,800,000	Timberlee Water	Timberlee Reliability System	
<u>Timberlee Ground/Elevated Storage</u>	\$40,000 - \$50,000	Marina	No	
<u>Marina Truck</u>	\$60,000	Marina	No	
<u>Fish Station Grinder</u> . Disposing of fish remains will likely require installation of a commercial grinder at the Fish Cleaning Station.	\$20,000	Marina	No	
<u>Harbor Signage</u> . Dock numbering, harbor entrance and egress, no-wake.	\$20,000	Marina	No	
<u>Brewery Creek Lighting and Security</u>	\$20,000	Marina	No	
<u>Review of Township Facilities</u> . Examine roofs of all Township buildings. Examine all parking lots and prepare cost estimate of repair/replacement.		General Fund	No	
<u>Ambulance</u>	\$400,000	Fire		Annually review ambulance and prepare to replace oldest ambulance at a later date.
<u>Additional land acquisition</u> . As needs of the Township and surrounding community grow, the Township should identify parcels that could be acquired for public services.				