

AGENDA
SUTTONS BAY TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
95 W 4th Street, Suttons Bay
Tuesday, June 4th , 2024
6:00 PM

THE MEETING WILL BE HELD AT Suttons Bay Township Meeting Room, 95 W 4th Street, Suttons Bay. The public may participate in person. **Zoom access is for Viewing only.**

Join Zoom Meeting

<https://us02web.zoom.us/j/81971726208?pwd=7uOXEunbEL2Wx9UbHo50NLUe6g4X98.1>

Meeting ID: 819 7172 6208 Passcode: 362122 +1 312 626 6799

Call to Order and Notation of Quorum

Approval of Agenda

Public Comment

Conflict of Interest

Approval of Minutes: May 7, 2024

Items of Discussion/Consideration:

1. Update on Professional review of Zoning Ordinance
2. Continued Discussion and Consideration Amendment to Existing Ordinance
 - Storage/Contractor Condominiums
 - Neighborhood Residential
3. 2023 Annual Report

Reports:

Zoning Administrator	Steve Patmore
Planner:	
Township Board:	Eric Carlson
Chair Comments:	Tom Koernke

Commissioners' Comments

Public Comment

Next Regular Meeting – August 6, 2024 (To be held at the Firehall)

Adjournment (8:00 PM unless extended by a motion.)

Commission Packets can be viewed at: <https://www.leelanau.gov/suttonsbaytwppln.asp>

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

DRAFT MINUTES
SUTTONS BAY TOWNSHIP PLANNING COMMISSION MEETING
Sutton Bay-Bingham Fire Hall, Suttons Bay
Tuesday, May 7, 2024
6:00pm

CALL TO ORDER AND NOTATION OF QUORUM

Chair Tom Koernke called the meeting to order at 6:00 pm. Quorum noted.

Commissioners Role Call: Chair Tom Koernke, Andy Brandt, Eric Carlson, John Clark, Patti Miller, Tom Nixon, Gary Thorton

Absent: Rhoda Johnson and Kevin Weber

Staff Present: ZA Steve Patmore, Recording Secretary, Mary Kuznicki

APPROVAL OF AGENDA

Motion to approve the May 07, 2024, agenda as presented by Commissioner Miller, 2nd by Commissioner Nixon, motion approved to accept the agenda as presented.

PUBLIC COMMENT-

- Larry Mawby, SB Village resident, Peninsula Housing Representative- Design workshop had a good turn out, they got a good sense of what the community would like to see. They are working on preparing a LIHTC application and will likely miss the October 2024 deadline but are looking forward to the April 2025 submission. Urged the Suttons Bay PC and Twp Board to get the new Zoning Ordinance completed by then or make amendments to the current ordinance regarding the Neighborhood Residential Zoning District.
- Tony Biddix, Stony Point resident – Submitted a draft plan to each of the commissioners for commercial condo units on Richter Rd. The property was purchased from Padellas.
- Jesse Mitchell, engineer for Biddix – draft of the proposal is being shown so that amendments to zoning could be made so that 1) allow units to be sold and 2) remove set-back requirements because it is a non-residential development.

Chair Koernke – asked for the engineer and Tony Biddix to offer a comparison from other township zoning ordinances on how they deal with these type of commercial condo units.

ZA Patmore – Current ZO allows for rental of commercial condo units but not for sale. Steve recommended that a planner be given the site plan to look over and review their findings.

- Michael Cline, Leelanau Builders – supports Biddix commercial condo units. Said he thinks the Village should get ahead of this. There is a great need by trades owners in need of storage units for tools and supplies.
- Roger Schaub, Realtor – lives ½ mile from project area on Richter Road. He strongly agrees that Suttons Bay needs a commercial trade storage property. He has been asked many times where contractors and other trades workers can store their equipment.

ZA Patmore said having these commercial condo units would prevent business owners from violating home-based business regulations due to using their homes for storage.

Commissioner Nixon asked for clarification: The current Zoning Ordinance allows for the

proposal to move forward but only as lease option vs new Zoning Ordinance which could allow for sales of commercial condo units.

The planner may agree to making an amendment to current ZO in order to allow Biddix to move forward with his proposal.

Commissioner Brandt asked if a vote was needed on the action, ZA Patmore said no vote as no action was being made.

CONFLICT OF INTEREST: None

APPROVAL OF MINUTES:

Approval of the April 02, 2024 Planning Commission meeting minutes by Commissioner Carlson, 2nd by Commissioner Nixon. Minutes approved with edit. Clarification made to expiration date of Gary Thornton's term.

ITEMS OF DISCUSSION/CONSIDERATION:

1. ZA Patmore gave an update of the Giffels Webster review of Zoning Ordinance Overhaul – Joe from Giffels said they have reviewed the ordinance and are now going over all the definitions. They will be done in a couple of weeks and will make recommendations; Steve should have a document to review at the June PC meeting.

Order of Agenda Items #2 & #3 were switched per Chair Koernke's recommendation:

3. Elections for Vice Chair and Secretary due to the resignations of Commissioners Gregory and McClure. Chair Koernke spoke to Commissioner Johnson via phone regarding a nomination to Secretary, however she declined the nomination.
 - a. Chair Koernke made a motion, 2nd by Nixon to nominate and elect Commissioner Andy Brandt to Vice Chair. Brandt accepted the nomination. Motion passed.
 - b. Nixon made a motion, 2nd by Miller to nominate and elect Commissioner Gary Thornton to Secretary. Thornton accepted the nomination. Motion passed.
2. Continued discussion of the Zoning Ordinance Overhaul (ZOO)- Does the Neighborhood Residential Zoning District become part of the current ordinance to accelerate the process of getting into the old document, or is it better to add it to the new ZO? Giffels may be able to have a completed document with the PC reviewing their work in the next 4-5 months. If this is possible, it is better to hold off and publish the new ZO with the Neighborhood Residential Zoning District included.

Larry Mawby- If Giffels Webster can be done in 3-4 months with legal review & public hearing, its best to invest the time and effort and tax dollars in the new ZO. The LIHTC application takes about 8 months to prepare and complete. He is hopeful the new ZO will be in effect by then. The Commissioners agreed that time was better spent working on new ordinance instead of making amendments to current ZO.

4. 2023 Annual Report – ZA Patmore will share the report once completed. He will email commissioners with the report. The report will be based on the calendar year, not the

fiscal year. Patmore will discuss the report at the June Meeting.

REPORTS:

- Zoning- Steve Patmore: there has been a permit surge similar to what is being experienced by other townships in Leelanau County.
 - Twp Board will meet on May 8th
 - Village submitted a Water & Sewer draft document to the township
 - ZA will attend a Agri-tourism workshop on 05.08.24
 - Working on a Food Truck Permit for an ice cream truck to park next to Northern Building Supply on M-22 (old stone shop/oil change garage)

- Planner-

- Township Board- Eric Carlson: Next Twp Board meeting will take place tomorrow (May 8) at the SB Twp Village offices. The Twp board is seeking to hire a new Parks Manager.

- Chair comments- Chair Koernke stated next month's meeting will be on Tuesday, June 4 at 6pm at the SB Twp offices. He is hopeful ZA Patmore will share with Giffels that the SB PC is anxious to read their findings regarding the new zoning ordinance. He also thanked the 2 commissioners for stepping up and filling the PC board's officers.

COMMISSIONERS COMMENTS:

Comm. Clark- He is aware of the property regarding the Biddix proposal and while he supports it, he will also be watching over the property making sure he is good steward. Also, the Peninsula Housing open house was well attended, and they put on a good presentation.

Comm. Carlson- Agreed with Clark that the Open House and public comment had a good turnout.

ZA Patmore- Shared with Giffels that the Twp Board is also looking for a review of their 5-Year plan. He hopes this adds to their interest to keep working with SB Twp.

Comm Brandt & Miller will not be at the next meeting in June.

PUBLIC COMMENT:

NEXT REGULAR MEETING: Tuesday, June 4 at 6:00pm at the Suttons Bay Township Offices

ADJOURNMENT - Chair Koernke adjourned the meeting at 6:58p.m.

Minutes by Mary Kuznicki, Recording Secretary
Gary Thornton, Secretary

To: Suttons Bay Township Planning Commission

From: Steve Patmore, Zoning Administrator

Re: Status of zoning ordinance review

Our Planning Consultant, Jill Bahm, is on an overseas vacation and is not available for our June 7th meeting.

She did share that Giffells Webster is working on correcting the grammar mistakes and cross-referencing errors that were contained in our draft ordinance.

This is good news.

It means our ordinance is closer to reality.

After June 10th, we will have a Zoom conference with Jill to address questions – and schedule a time to meet with the Planning Commission.

From: Tony Biddix <tony@rci-roofinginc.com>
Sent: Friday, May 17, 2024 1:54 PM
To: zoningadmin@suttonsbaytwp.com
Cc: clerk@suttonsbaytwp.com; Jesse Mitchell
Subject: Information from surrounding community zoning ordinances as requested by planning commission.
Attachments: Biddix cover letter SBT PC and ZA 5_15_24.pdf; Biddix revisions 5_15_24 to ZO.pdf; M37 Roundabout and W Silver Lake Blair Township.pdf; Mayfield Barns Mayfield Twp.pdf; Block Garages Leeland Township.pdf

Hello Steve and Jean,

Attached you will find information that our team compiled that has been used by some surrounding communities for the type of project that we would like at 1800 S Richter Rd..

Please forward to the planning commission members and please ensure that we are on the June agenda.

Thank you and have a great weekend.

Tony Biddix GM
RCI Roofing and Sheet Metal, Inc.
735 N Second St.
Brighton, MI 48116
810.220.2300
www.rci-roofinginc.com

To: Suttons Bay Township Planning Commission

From: Steve Patmore, Zoning Administrator

Re: Zoning Language for Storage/Contractor condominiums

Property owner Tony Biddix and his team submitted examples of zoning language used by other townships to cover these storage condominiums.

His memo and summary are attached.

I believe that we can amend the existing ordinance language for the Waste Management District, without opening the can of worms at this time in the Commercial District.

This language can be quite simple, and, coupled with a Special Use Permit should cover all the concerns over uses in this district.

I will have some ideas on Tuesday night.

It should be noted that, although I support the concept of a storage condominium, I do not condone the excessive outside storage that is currently occurring on this property without proper Site Plan Review. This needs to be corrected.

May 15, 2024

RE: Review of Zoning Ordinances that allow cluster commercial/industrial units

To: Suttons Bay Township Planning Commission and
Steve Patmore
Suttons Bay Township Zoning Administrator
95 W. Fourth St.
Suttons Bay, Michigan 49682

RE: Industrial Development, 1800 S. Richter Road

Per your request we have studied the most recent "Storage Barn" developments in the area. One (1) is in Leelanau County and Three (3) are in the adjacent Grand Traverse County.

Our goal was to study each township zoning ordinance and recommend the most effective way to incorporate existing zoning ordinance language that was used to allow the township planning commission to approve the developments.

Four area storage barn developments were studied by us.

1. "Mayfield Barns" Section 4, Mayfield Township, Grand Traverse County.
 - Approx. one hundred units, various sizes, all attached units
 - Zoning Ordinance (Z.O.) is approx. 1996.
 - Intent for commercial zoning is to be flexible if using interior driveways.
 - NOTE: No clear language in Z.O. to determine density setbacks etc. –The planning commission has wide options to approve.

2. "Block Garages" Leland Township, Leelanau County
 - Phase one complete- one size unit, all attached units
 - Zoning ordinance (Z.O.) is approx. 2004.
 - Intent for Commercial Zoning is to be flexible if using interior driveways.
 - i. NOTE: clear language in Z.O. to determine density setbacks etc.,. –The planning commission has wide options to approve.
 - ii. NOTE: Developed using "Planned Unit Developments" Article 17 of Z.O. This does not easily apply to Suttons Bay Z.O. because there is no PUD Section.

3. "CR 663 Barns" Section 7, Section Blair Township, Grand Traverse County
 - Approx. 50 Units total, various sizes, all detached units (building Phase 2)
 - Zoning ordinance (Z.O.) amended 5/19/16.

- Intent for commercial zoning is to be flexible if using interior driveways.
 - i. NOTE: Language in Z.O. to determine density, area, setbacks determined by use and provisions of each site. The planning commission has latitude and stated options to approve.
 - ii. NOTE: Used language from this ordinance for footnotes.
 - iii. This Z.O. may be a good template for Suttons Bay new Z.O.
4. "M-37 Round About Barns" Section 21, Blair Township, Grand Traverse County
- Approx. 60 Units, various sizes, all detached units
 - Zoning Ordinance (Z.O.) amended 5/19/16.
 - Intent for commercial zoning is to be flexible if using interior driveways.

See the attached pertinent sections of each township ordinance. There is not a clear direct section in any of the Z. O's. that would allow a simple addition to the current Suttons Bay Township Z.O.

There seem to be several options available to apply quality planning principles and control while providing flexibility in industrial/commercial zoning for the Suttons Bay Township zoning ordinance.

The Blair Township Ordinance seems to be the most clear and concise method for a planning commission to consider all commercial/industrial developments, however the entire "Schedule of Regulations," "Commercial/Industrial Zoning" sections may have to be included in your existing ordinance.

SUMMARY

To accomplish the Goal:

Study nearby projects and their township zoning ordinances and recommend a way to incorporate their language into the existing or new Suttons Bay Township zoning ordinance language.

In our opinion, the most effective method to achieve the options and opportunities that allow a quality development like the 4 local projects above is:

- Incorporate much of the language of the Blair Township ordinance.
- Simply amend the existing Suttons Bay Township ZO.
 - Add "footnotes" to the existing "Schedule of Regulations" (Section 3.6) and
 - Add "Industrial" to Section 17- "Condominium Subdivisions" (Section 17)
 - Require all commercial and industrial zoning to use the current "Condominium Subdivision" (allows for a long term, quality development.

Thank you for your time and consideration.

Respectfully Submitted,

Tony Biddix and Team

Suttons Bay Township Planning Commission Annual Report 2023 DRAFT

Suttons Bay Township Planning Commission:

Tom Koernke, Chair.

Don Gregory, Vice-Chair.

Doug Periard - Member – Township Board Representative until November 2023

Eric Carlson – Member – Township Board Representative starting December 2023

Dee McClure, Secretary.

Andy Brandt - Member

Rhoda Johnson - Member.

Patti Miller - Member.

Dennis Rathnaw – member.

John Clark - member

Supported by: Steve Patmore, Zoning Administrator.
Networks Northwest, Township Planners until December 14, 2023
Recording Secretary Marge Johnson
Recording Secretary Mary Kuznicki
Administrator Dorothy Petroskey

The Michigan Planning Enabling Act (Act 33 of 2008 as amended) requires that the Planning Commission make an “annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development.”

This is the Suttons Bay Township Planning Commission Annual Report for the calendar year of 2023.

Summary:

The Planning Commission met a total of 17 times in 2023, including 6 Special Meetings. One meetings did not have a quorum present.

The majority of the Planning Commission’s time and efforts were spent on the update to the township zoning ordinance, commonly referred as the Zoning Ordinance Overhaul Project (ZOO project).

After 6 years of assisting Suttons Bay Township with planning services, Networks Northwest ended their planning contract with the township in December

Projects/Zoning /Discussion / Research:

1. Zoning Ordinance Overhaul Project:

The Planning Commission spent many meetings working with Networks Northwest on reviewing the latest draft of the zoning ordinance overhaul. At the end of 2023, the Planning Commission was close to completing their review, and was weighing options on how to finish this overhaul.

2. Multi-Family Housing Project, 1054 S. Herman Rd – Richard & Michelle Baldwin

The Planning Commission received an update from Richard & Michelle Baldwin on their multi-family project on Herman Road. The option to connect to Village Sewer does not appear to be available anymore, so they are looking at on-site sewer options. They are also looking into a “cottage housing” concept instead of multi-family.

The township looked at several options for amending the proposed Neighborhood Residential Zoning District to accommodate the cottage housing concept.

At the end of 2023, the Baldwins were contemplating completing just one house or a duplex that they could do as a Use-By-Right.

3. Application for Rezoning – Lover’s Lane – Gloria Korson

The Planning Commission received and reviewed a request to rezone approximately two acres from Agricultural to Residential near Lover’s Lane. After a Public Hearing and deliberation, the Planning Commission voted to recommend that the rezoning not be adopted by the Township Board.

The Leelanau County Planning Commission reviewed the request.

The Suttons Bay Township Board, after considering the comments from the Leelanau County Planning Commission and the Suttons Bay Township recommendation, voted to adopt the rezoning ordinance.

4. 9-Bean Rows / Aurora Cellars Application for Off-Site Tasting Room

The Planning Commission, after review and Public Hearing, approved an amendment to the 9-Bean Rows Special Land Use Permit to allow Aurora Cellars to operate an Off-Site Tasting Room in the 9-Bean Rows building with several conditions.

5. Application for Special Land Use Permit for a Wireless Communications Tower – Herman Road at Bahle Rd. – Tele-Site Wireless/Verizon Wireless

The Planning Commission, after considerable review and Public Hearing, approved a Special Land Use Permit to allow Tele-Site Wireless/Verizon Wireless to construct a Wireless Communications Tower at this location with several conditions.

Continuing Education:

Township Staff attended workshops on renewable energy and flood plain management.

Other Work:

- On August 14, 2023, the Planning Commission conducted a tour of the township thanks to the generosity of Don Gregory and Cherry Bay Orchards. The PC and staff toured the township in one of Cherry Bay's passenger vans.
- The Planning Commission discussed the need to conduct the five-year review of the Suttons Bay Community Joint Master Plan. This will be accomplished in 2024.

The Suttons Bay Township Planning Commission expresses their condolences to the family of Marge Johnson, who passed away in 2023. Marge was a dedicated Recording Secretary for the Planning Commission for many years. She is greatly missed.

The Planning Commission welcomes new Recording Secretary Mary Kuznicki.

Respectfully submitted by the members of the Suttons Bay Township Planning Commission to the Suttons Bay Township Board on _____, 2024