

Director's Report

File No: 17-004

Project Name: 4 Corners Square

Description: Special Land Use

Date of Agenda that packet pertains to: May 4, 2017



Public Hearing



Initial Submittal



Revised Plans



Preliminary Approval



Final Approval



Special Land Use



Rezoning



Tentative Preliminary Plat



Final Preliminary Plat



Other _____

Contact	Consultants & Departments	Approval	Denial	Approved w/ Conditions	Comments
Dan Keller	Police Dept.				
John Holland	Fire Dept.				
Aaron Potter	Water Dept.				
Sean O'Neil	Planning Director				
Johnson & Anderson	Engineering Consultant				
McKenna Associates	Planning Consultant				SEE LETTER
Brent Bonnivier	Building Official				
Jeanine Smith	Assessing Dept				
Patricia Shull	Oakland County Int'l Airport				
Scott Sinkowski	RCOC				

Planning Director's Recommended Action:

MUST CONSIDER HOURS OF OPERATION, BUFFERING/SCREENING, AND ANY NOISE OR LIGHT IMPACT.

March 7, 2017

Planning Commission
Charter Township of White Lake
7525 Highland Road
White Lake, MI 48383

Subject: Project Number 17-004; Preliminary Site Plan Review #2
1451 Union Lake Road, 8198 Cooley Lake Rd., 8152 Cooley Lake Rd., and 8080 Cooley Lake Rd.,
Zoned: Neighborhood Mixed Use (NMU)

Applicant(s): 4 Corners Square, LLC

Location: Northeast corner of Union Lake Road and Cooley Lake Road

Dear Commissioners:

We have received, for review, a revised, preliminary site plan submitted by the owner, 4 Corners Square, LLC, related to the redevelopment of four parcels, at the addresses above, totaling 6.25 A. We have reviewed a site plan set, which we received under cover dated March 2, 2017, as well as a site plan for the Taco Bell site, which we received on March 3, 2017. In addition, we have received review comments from the Road Commission for Oakland County, dated February 24, 2017, together with a marked-up drawing. A traffic impact study, under cover dated January 27, 2017, was also submitted for the project. Union Lake and Cooley Lake Roads, at this point, are both four-lane roads serving as key thoroughfares for places in the southeast part of the Township and communities beyond the border. The site currently contains a strip mall style retail development with a large parking lot. The applicant proposes a new mixed use development for this site with the multiple-family residential on the northern half and commercial development occupied by national tenants (including drive-thru facilities) on the southern half. The application describes the existing environmental contamination on the southern half of the site and states that a restrictive covenant prevents residential use of the southern half of the site.

Site Photo: 4 Corners area near Union Lake Road and Cooley Lake Road



Source: Google Maps 2016

COMMENTS

This is our second review of the preliminary site plan for this project. We previously provided preliminary comments to assist the applicant.

1. **Existing Conditions.** The conditions of the site and the surrounding area are summarized below:

Location	Existing Land Use	Master Plan	Existing Zoning
Site	Retail (Strip Mall)	Planned Community (Four Towns Hamlet)	Neighborhood Mixed Use (NMU)
North	Single Family Res	Multiple Family	Attached SF Residential (RM-1)
East	Retail (Dollar Tree)	Planned Community (Four Towns Hamlet)	Restricted Business (RB)
South	Retail and Residential	Commerce Township (Neighborhood Commercial and Residential)	Commerce Township (B-3, B-1, and R-1D)
West	SF Res + Cooley Lake	Residential Resort	Single Family Residential (R-1D)

The site is part of the Four Towns Gateway area in the southeast corner of the Township near the intersection with Commerce, West Bloomfield, and Waterford Townships. The vision for this area is ground floor retail and office (with the potential for upper floor residential) closer to Cooley Lake Road and Williams Lake Road, and village residential, separated by a greenbelt from the residential area to the north, off the main roads in the northern part of this area. A corner feature at Union Lake and Cooley Lake (to define the area) is desired, as is pedestrian-oriented design for the development that occurs in this area.

2. **Proposed Use.** The applicant is proposing a loft-style, multiple-family residential use on the northern part of the site, and restaurant and retail uses, on the south side of the site. Sit down restaurants, small, center retail, and multiple-family dwellings are permitted uses in the NMU District. Drive-thru window service, which is proposed for the Taco Bell and Tim Horton's occupancies, is a special land use allowed pursuant to the use standards contained in Section 4.17 of the Zoning Ordinance. Outdoor seating for restaurants has been found to be similar to drive-thru facilities and is, therefore, also treated as a special land use, which would be subject to the use standards contained in Section 4.18 of the Zoning Ordinance.
3. **Development Standards.** The Development Standards for the NMU District provide for a zero setback at the front and side of a site, and a five foot setback from a service drive located in the rear of the site. The ordinance further requires that a building occupy 60% of the front build-to-line of a site, which is defined as its front right-of-way line. In this case, the nature of the uses proposed, as well as the limitations of the site, have not allowed the applicant to achieve that standard. Accordingly, variances from the provisions of Section 3.1.13.D of the ordinance will be required for the layout to be finally approved.

The NMU District requires a minimum lot size of 5,000 square feet. Even if the various parcels were divided, this standard is met.

The NMU District requires a minimum building height of 2 stories or 25 feet, with a maximum height of three stories or 40 feet. A first floor must be at least 14 feet in height, and upper floors are to be 10 feet in height. Because the commercial buildings are all proposed as one-story structures, a variance from the minimum height standards of the district will be required for those to be finally approved.

No individual establishment in the NMU District may exceed 6,000 square feet. No individual use will exceed this size.

4. **Building Architecture and Design.** Building elevations, floor plans, and architectural sketches were provided with the site plan, except for the proposed Taco Bell. Architectural elevations for the Taco Bell should be provided for final site plan review.
5. **Site Circulation and Parking.** Section 6.4 of the Zoning Ordinance discusses access management. The access management standards apply to all highways, roads, and streets within the Township classified as collectors and above. The principal is to provide reasonable access while minimizing the number and maximizing the separation of direct access drives. Three drive openings are proposed along Cooley Lake Road and one common, private access road is proposed to intersect with Union Lake Road. It does not appear that the commercial drives accessing Cooley Lake Road can comply with the spacing requirements contained in Section 6.4(C) as they relate to the nominal speed limit on Cooley Lake Road and their relationship to drive openings across the road. The applicant needs to provide precise dimensions from the intersection to the drives, and from drive to drive, for the Commission to review. The access management standards are subject to modification by the Planning Commission, during site plan review, pursuant to Section 6.4(F). The findings of the RCOC will weigh heavily in considering such a modification. The RCOC has issued a preliminary review, dated February 24, 2017, and the configuration shown on the site plan appears to comply with that review. The RCOC has required that the commercial drive closest to the intersection be right in/right out only, and it is designed to physically restrict any other movements. Also, a left turn lane is being added to serve Wadi Boulevard, thus encouraging those approaching the site from the north to enter at that point, as opposed to traveling through the intersection to do so. The specific factors that the Planning Commission is called upon to weigh in deciding whether a modification of the access standards is appropriate are set for below. Our observations regarding each follow in italics.
 - i. Application of the standards would prevent reasonable access to the site (bearing in mind that reasonable access is not necessarily direct access).
The site currently has four drive openings onto Cooley Lake Road, and one onto Union Lake Road. The proposed plan creates one central access location to the site from each road, with two additional convenience locations on Cooley Lake Road, i.e. a full access drive to serve the Taco Bell site and a right in/right out drive to provide access to the site closer to the intersection. It should be further observed that while the Taco Bell drive is full access, it will likely function as an entry only for the drive-thru traffic, since most will find it more convenient to exit via the central drive. Overall, the access configuration is a vast improvement over current conditions on the site.
 - ii. In preparing the site plan, the applicant has made a good-faith effort to both avoid driveway spacing deficiencies, and mitigate the traffic operational and safety disadvantages of any unavoidable remaining deficiencies.
The access management plan has been developed in consultation with the RCOC and is consistent with their recommendations. Given that, we suggest that this standard has been met.
 - iii. A traffic impact study has been prepared per Section 6.3 of the Zoning Ordinance, and it shows cause for a design waiver and recommends access-related road improvements that the applicant is willing to fund.
A traffic impact study has been prepared. We defer to the Township Engineers regarding its interpretation.
 - iv. The proposed land use involves the redesign of an existing development or a new use that will generate less traffic than the existing use.
The use is a redesign of an existing, developed site.

- v. The Road Commission for Oakland County or Michigan Department of Transportation expresses a preference for the site access plan as proposed by the applicant.
We understand the plan to be consistent with the RCOC's review, but note that they have issued their own review comments dated February 24, 2017.
- vi. Exiting conditions – including but not limited to significant grade differences, location of utility structures, and/or pre-existing easements – render the recommendations of the M-59 Access Management Plan infeasible.
This site is not on M-59, and so the paragraph is not applicable.

Section 5.11(M) of the Zoning Ordinance describes off-street parking requirements by use. The site plan details parking calculations for the development. Based upon the calculations provided, it appears that the residential property is deficient by 19 spaces, and the retail restaurant area (apart from Taco Bell) is deficient by 23 spaces. This assumes that a 3,600 square foot restaurant with 1,200 square feet of patio seating is, in fact, developed. The Taco Bell site is deficient by 3 spaces. A variance will be required to permit this layout to be finally approved.

It should be noted that the outdoor seating areas associated with Tim Horton's and the retail area have not been counted in the parking calculations. However, in our opinion, this is convenience seating and does not generate additional parking demands.

Assuming that indoor seating will be provided for both drive-thru facilities, stacking space for eight vehicles must be provided for each drive-thru window. Each stacking space should be 9' X 20'. Pavement markings to delineate the lanes must be shown, and the stacking spaces need to be dimensioned on the plan. In the context of the special land use review, the Planning Commission should discuss whether the lack of a full escape lane for Taco Bell is acceptable.

Maneuvering lanes for two-way flow need to be at least 24 feet wide. Ninety degree parking spaces should be 9' X 19', while parallel spaces may be 8' X 20' (plus 6' in between for maneuvering, so effectively 23'). Perpendicular spaces can be reduced to 17 feet in depth where they overhang a landscaped area or a walk, however any such walk must be not less than 8 feet wide. The parking layout appears to comply with these standards.

Section 5.11(A)(iv) of the Zoning Ordinance permits non-residential off-street parking lots to be located no less than 20 feet from the front lot line if the front yard is landscaped according to the Zoning Ordinance. The distances from the commercial parking areas to Cooley Lake and Union Lake Roads' rights of way are not dimensioned, but it appears to be less than 20 feet from scale (except on the Taco Bell site, where it complies at 23' 2"). Per Section 5.19, greenbelts required adjacent to road rights-of-way may be substituted in part with a masonry screen wall, 30 inches in height, at the discretion of the Planning Commission. A five foot greenbelt adjacent to the screen wall must be provided.

While the covered parking area along the north line of the site looks to be in the required rear yard setback, it appears that it can be treated as an accessory, residential structure that does not occupy more than 25% of the rear yard. It is therefore allowable under Section 5.7.

There is currently cross access physically provided for between this property and the commercial center to the east. That is maintained by the proposed design via a frontage drive.

- 6. **Pedestrian Circulation.** In general, a comprehensive system for pedestrian circulation has been shown on the engineering drawings submitted for review. An eight foot walk is proposed along Union Lake Road and

a six foot walk is shown along Cooley Lake Road. Internal walks should be at least five feet wide, except where parking abuts. We suggest that thought be given to accessing the sit-down restaurant from the residential area, as the sidewalk connection currently terminates at the loading area.

7. **Landscaping and Screening.** As noted above, per Section 5.19 of the Zoning Ordinance, greenbelts are required between non-residential parking areas and the public right-of-way and shall be at least 20 feet wide and improved with one large deciduous or evergreen tree and eight shrubs for every 30 lineal feet, except that they may be substituted in part with a masonry screen wall, 30 inches in height, at the discretion of the Planning Commission, in which case, a five foot greenbelt adjacent to the screen wall must be provided.

Section 5.19(E) of the Zoning Ordinance requires interior landscaping area, equal to at least 15 percent of the total lot area. These landscaped areas shall be grouped near all building entrances, building foundations, pedestrian walkways, and service areas, and may also be placed adjacent to fences, walls, or rights of way. Calculations should be added to the Landscape Plan to demonstrate that this standard has been met.

Section 5.19(G) requires 20 square feet of parking lot landscaping per commercial space and 15 square feet of parking lot landscaping per residential space, and that for every 100 square feet of required landscape area there shall be 1 tree and 3 shrubs. Calculations should be added to the Landscape Plan to demonstrate that this standard has been met.

While the northern part of the site is not a residential district as such, it will be appropriate to screen it from the drive-thru facilities proposed, consistent with Section 4.17(D). This will be addressed as part of the special land use process, but consideration should be given to this in developing the landscape plan.

8. **Lighting.** Section 5.18(G) of the Zoning Ordinance includes the standards for outdoor lighting. In addition, there are special standards provided for drive-thru facilities, in Section 4.17(C), and for outdoor seating in Section 4.18. Per Section 6.8(B), all lighting information must be included at the final site plan review.
9. **Signs.** Section 5.9 of the Zoning Ordinance regulates signs. As discussed in the applicant's correspondence dated February 17, 2017, freestanding signs are not contemplated for non-residential uses in the NMU District, and a variance will be needed to allow them.
10. **Trash Disposal.** Section 5.19(N) of the Zoning Ordinance requires dumpsters to be surrounded by a 6-foot high wall on 3 sides and an obscuring wood gate on a steel frame on the fourth side. Section 5.19(N) requires dumpsters to be located on a 6-inch concrete pad, extend 10 feet in front of the gate, and include 6-inch concrete-filled steel bollards to protect the rear wall and gates. Details of the dumpster enclosures have not yet been provided. In general, the locations depicted seem reasonable. However, we have previously observed that the enclosure for the residential units that is located along the east side of Ammar Drive, seems to both create a potential eyesore at the entry point to the residential surface lot and to serve as a physical restriction point for access to that area. We think this might be better located in the rear, near the carport. We note that the other trash enclosure serving the residential units, which was formerly in the landscape island opposite the building entry, has been moved to that location, however the one about which we had commented remains in the same location.

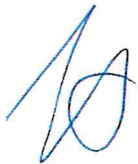
Recommendation

This scope of this review is generally limited to preliminary site plan matters. With the exception of the issues identified by underlining above, we are comfortable with the basic layout and design represented by the preliminary site plan. If the Planning Commission agrees, and wishes to recommend preliminary site plan approval to the Township Board, we suggest that it do so subject to the following conditions:

1. Drive-thru facilities and outdoor seating will require special use approval.
2. Variances from the building placement provisions of Section 3.1.13.D of the ordinance and from the height provisions of the NMU District will be required for the layout to be finally approved.
3. The Planning Commission finds that a modification of the access management standards contained in Section 6.4 of the Zoning Ordinance is justified, based on the conditions noted in Paragraph 5 of the Township Planning Consultant's report dated March 7, 2017 and the RCOC's review dated February 24, 2017.
4. A variance to allow for a reduction in the required number of off-street parking spaces shall be required for the layout to be finally approved.
5. If the distance from the commercial parking areas to Cooley Lake and Union Lake Roads' rights of way is less than 20 feet a 30 inch masonry screen wall with not less than a five foot green belt adjacent to the street side of it shall be incorporated into the design of these areas.
6. A sidewalk connection to provide access to the sit down restaurant site from the residential portion of the site shall be provided.
7. The landscape plan is not approved at this time and shall be subject to review with the final site plan. Calculations shall be added to that plan to demonstrate compliance with Section 5.19 of the Zoning Ordinance, and consideration shall be given to providing landscape screening to buffer the Taco Bell drive-thru from the residential area of the site.
8. If free-standing signs are contemplated, a variance will be required to allow them.
9. The trash enclosure located east of Ammar Drive shall be relocated to the east side of the carport.

Respectfully submitted,

McKENNA ASSOCIATES



Gregory M. Elliott, AICP
Principal Planner

cc: Sean O'Neil, AICP, Charter Township of White Lake
Jason Iacoangeli, AICP, Charter Township of White Lake
Craig Burnside, Charter Township of White Lake