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WHITE LAKE TOWNSHIP

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WHITE LAKE TOWNSHIP PLANNING COMMISSION

7525 Highland Road
White Lake, MI 48383
March 15, 2018 @ 7:00 p.m.

Mr. Anderson called the meeting to order at 7:09 p.m. and led the Pledge of Allegiance. Roll was called: Ms. Dehart, Mr. Noble and Mr. Meagher were excused.

ROLL CALL: Steve Anderson - Chairperson
Merrie Carlock
Debby Dehart - Excused
Mark Fine
Rhonda Grubb - Secretary
Anthony Noble - Excused
Peter Meagher- Excused
Scott Ruggles, Board Liaison
Joe Seward

Also Present: Sean O'Neil, AICP, Community Development Director
Greg Elliott, Township Consultant
Lynn Hinton, Recording Secretary

Visitors: 4

Approval of Agenda

Mr. O'Neil requested to address Walmart first this evening, since their item won't take too long.

Ms. Grubb moved to approve the agenda as amended. Mr. Fine supported and the MOTION CARRIED with a voice vote. (6 yes votes)

Approval of Minutes

a. March 1, 2018

Ms. Carlock moved to approve the minutes of March 1, 2018 as submitted. Ms. Grubb supported and the MOTION CARRIED with a voice vote. (6 yes votes)

Call to the Public (for items not on the agenda)

Mr. Anderson opened the discussion for public comment on items not listed on the agenda, but none was offered.

New Business:

a. Presentation on the new project "Preserve at Hidden Lake"

Mr. O'Neil indicated that he recently met with BPH Homes regarding their concept plan for a project they call Preserve at Hidden Lake. This property is located on the west side of Union Lake Road, just south of Hutchins, and is currently zoned RM-1 (Multiple-Family Residential). BPH would like to rezone the property to PD (Planned Development) in order to construct single-family homes on it. They would like to present their conceptual plan and the parallel plan, and collect feedback from the commission.

The property is zoned RM-1. They have put together a density plan and a Planned Development is what they are proposing. This developer's last project was Ivy Glen. Some of the concerns initially were with regard to lot size and open space, and the staff also feels there needs to be better access. Since those discussions, the developer has reduced the number of units from 85 to 84 to provide meaningful open space.

Mr. O'Neil noted that Mike Leuffgen of J&A mentioned that right of way was a concern. The applicant has plans for a 30 ft. right of way, but he usually wants 60 ft. A 30 ft. right of way with sidewalks and utilities would have to have separate easements. Mr. Leuffgen would rather have smaller front yard setbacks and a traditional 60 ft. right of way. This development will be on water and sewer and the applicant has talked about phasing this. Also discussed were gravity sewer and screening, and a water main stub to the south. These are two private roads, and the Hidden Cove development would benefit. With regard to emergency access, a breakaway gate and hydrant was discussed.

Mr. Elliott of McKenna Associates indicated that he has looked at this informally. This is the reverse of what you would typically see. The parallel plan is the clustering plan. The applicant is asking for a PD and they are cramming in less density since they want individual lots. The allowable density is 7.2 units per acre and the plan they are asking for approval is for is 3.33 dwelling units per acre. This results in less open space.

He also looked at the degree to which the open space provided is usable. There is only a 50 ft. park proposed at the end of the south loop road. The people walking around in the development can get to it, but he feels it is too narrow to make people feel comfortable using it, and it's not inviting. If it were twice the size, people may perceive it as a place they would want to use. There is a big module of land along Union Lake Road and to be usable, it would have to be opened up in some way. Safety paths allow entrance, but it's not open to the development. The area along the south and southeast makes sense as buffering, but will not be perceived to be usable. Visually this will be nice, but people won't use it. The proposed park at northwest corner, no one will know it's there and it won't be used. At the south end of the loop there is the emergency access, but it is 1,000 ft. back in a dense area.

Mr. O'Neil added that there is a nice sized pond on the property and he thinks others will have to have access to it. This is the most desirable feature to use for fishing, paddle boats, etc. He would like to see more space around it, but restrict individual docks. This is a beautiful area and he can envision having one and possibly two areas for usable open space.

Greg Pisaki, the applicant, indicated the originally showed 131 lots and they are going with 84. They could come in with 180, but they would not be interested in this. The park area is nice and easily accessible. This could be very nice with docks. The smaller park to the south gives the opportunity to access the pond from the south side. They are proposing a 20 ft. separation between homes and he showed an elevation of the style of homes they are proposing, which would be in the \$300-350k range. He noted that they will try to save trees around the parameter. Based on their market research, single family homes would be needed in this area and they do not plan on allowing docks in back of homes.

The engineer for the project stated that the park on south side is not intended to be used as park, but rather more for access for kayaks, etc. This pond will be limited with no engines and they would restrict any docks. He thinks they would do a scattered clearing with decks to see the pond. They will do a 2-phase project, adding 40 lots each phase. Utilities will come in from the north side and go around the west side of the lake, using gravity service for the whole development. Storm sewer will have mechanical storm water facilities in the back between the two roads, which will run perpendicular and into the lot. Additionally, they will have walkable paths throughout the development.

Mr. Ruggles asked if there was any plan for the pond on the shoreline. Mr. O'Neil responded that there were previous discussions about a promenade, but that wasn't something that the developer was interested in doing, so rather than that, he asked for additional access points. The applicant removed one lot and put in an access point, which is a step in that direction. The space has to be something that can't be encroached on. He referenced Ivy Glen that has a 60 ft. buffer space, but the fear is that if it can't be seen, people will encroach in that area and it will become undesirable to anyone else. The goal is to have a meaningful and accessible open space.

Mr. Ruggles asked how density compares to surrounding properties, and wanted to know about the park development and whether it would have swing sets. The engineer stated the lots are being proposed at .25 acres and the park area would be more for fishing and picnics. He hasn't gotten that far into the planning yet, but it would be something to consider.

Ms. Grubb questioned how far from Union Lake Road would the safety path be. The engineer responded it would be to the outside edge of right of way, or 15-20 ft. from the traveled portion of the road. There is a 20 ft. grade drop. Ms. Grubb noted this would push you out to bring you in. No one will be able to access the park.

Mr. Ruggles asked why the roads don't connect. Mr. O'Neil stated the opinion was that the west neighbors would use this development as a cut through from the south to the west and it would end up being a thoroughfare. There is a grid street system to the west too. Mr. Pisaki stated that they would connect to Bocavina, but they didn't have the legal right to do so per Bocavina's Development Agreement.

Ms. Grubb felt it's too bad they didn't have the north property. Mr. Pisaki indicated that they looked at it and did preliminary layouts, but didn't make any move, as that property would do better as a stand-alone development for a multi-family use. Ms. Grubb asked whether RCOC will take all this into consideration when they go to do a traffic study. Mr. O'Neil stated that a full traffic study will have to be done for this development and there will be improvements on Union Lake Road. This is up to the RCOC as to what will be required. Ms. Grubb thinks this piece of property has potential for beautiful development. She is concerned with density, and feels it seems so much.

Mr. Anderson indicated the applicant has stated there are 84 homes, of which 40% (or 33 homes) are on the water. He is concerned with ingress/egress on Union Lake Road. There are pie-shaped lots going down to 30 ft. with 68 ft. frontage. He questioned what type of home would support this. The engineer stated every lot is 70 ft. wide at the building setback line. There is a wetland all the way around the lake and from the wetlands, the building setback line will be at 30-40 ft. There is also a 25 ft. Natural Features setback requirement. Mr. O'Neil added that they have to meet the setbacks each way.

Mr. Anderson commended the applicant for being able to analyze the market and move from condos to single family homes.

Mr. Fine stated he keeps looking at the park. He walks this area and he sees people on dirt bikes and snowmobiles back there. He likes this, but it needs to be planned a little more. He doesn't see people using the proposed long park and feels this lot can be used to widen the lots on the other houses. This is a hard lot to develop. He likes the style of the houses.

Mr. Pisaki asked where the commission would like them to go with this. Mr. Anderson responded that the consensus from the Commission is they like single family homes over condos.

Ms. Carlock stated she doesn't see reason to extend lot lines down to the lake. She wants a community park and easement lines. Abutting homeowners will use this area as part of their own lot. Also, she feels it is destructive to this property to have single homes 20 ft. apart. It's not zoned this way. She likes the buffer along the back side, but she wouldn't call it a park. The area by the road she would suggest putting more grass areas under the trees. Both sites are tight because they are trying to maximize development potential. This has a nice curvy road, but these are small lots with big houses. This is shame to her. She would work with a condo development so everyone can walk everywhere. Mr. O'Neil noted that the condo plan hasn't been reviewed and he can't say 131 units could or could not go there. The condo plan works, but the only way to get more density is to change the product.

Mr. Seward questioned how they would designate or mark out access to the lake between lots 60-61. Mr. Pisaki stated this could be done with signs. Mr. Seward noted that he had the same set up and over time those two lots became their property. It was a great set up, but created arguments. They could put posts or a fence down those property lines so it can easily be delineated. Also he feels the southern lots will feel separated from the pond/lake and it might discourage them from using the lake, which is gorgeous. A gazebo or gathering place would be awesome.

Mr. O'Neil stated this developer came before the commission this evening with a concept looking for feedback. Accessibility to the lake is a common theme and they could perhaps eliminate a few lots to access the lake. They want to make this workable.

Additional Commissioner Comments:

Mr. Ruggles feels this is a decent plan in general and he doesn't have issues. He suggested maybe making the park on the west bigger and lose a few lots.

Ms. Grubb would like to see more frontage on the pond on lot 60.

Mr. Fine encouraged the applicant to move forward with this development.

Mr. Seward suggested having access for the northern lots on the north end of the road and creating a gathering space. The area should be accessible and more open for a visual aspect.

Mr. O'Neil indicated he would meet with the applicant again to see what they can do to address these issues.

b. Walmart, Temporary Use Permit for outdoor seasonal sales

Mr. O'Neil indicated that per the approved Planned Business Development Agreement, Walmart has the right to petition the Planning Commission for approval of a Temporary Use Permit for outdoor seasonal sales from April-October each year. The administrative denial was issued due to the fact that only the Planning Commission can approve this request.

Mr. O'Neil continued that they are proposing to keep all materials on the westerly property line near the Garden Center. There is thick vegetation along the sidewalk and what they would store would not be obtrusive to the neighbors across the street. He would recommend that the first few spaces remain open and product not to exceed past the parking spots, as the fire lane must remain open. He appreciates them moving it to this area and feels it is a better location. One possible condition would be to limit the height of the pallets to 5 ft.

Sean Bolen of Walmart stated that the main reason for requesting outdoor storage in this area is that customers are asking for more variety and convenience when it comes to mulch. The new store manager agreed to give this a try. He agrees with the suggestion of leaving a few parking spaces open to allow for loading. This is a low traffic area, both lanes will be open and they will only occupy the space designated. There is an access gate where customers can go out without having to go all the way around.

The new Store Manager, Nicole, stated they have not done this in previous years and it would be a nice benefit for the customers.

Mr. O'Neil asked how far back would they need to go in order to provide this convenience. Mr. Bolen stated there are emergency exits and trucks unload in the back. They will need 10-12 spaces maximum and anticipate 6 spaces for pallets of dirt and mulch with a few spaces for trees and shrubs. Racks of flowers will be against the building and will not intrude into the fire lane. There are two roll-up doors for ventilation purposes only.

Mr. Ruggles stated that this is straight forward and Home Depot does this as well. Home Depot was one of the first PB's in the township and these stipulations were not put into their development, but we want to continue this in the future.

Ms. Grubb thinks this is a good idea and maybe they can discourage parking in that area. Mr. Bolen stated it would be the place where cars can stop and load.

Mr. Anderson did not like all the front outdoor storage in previous years. It was an eyesore and created traffic problems. With regard to loading and unloading, he feels someone will have to park in the ingress/egress to do that. This may create a problem with flow and traffic. He suggested the 5 empty spaces be designated for loading and unloading. Nicole and Mr. Bolen felt this was a good idea.

Mr. Anderson questioned how many bags of mulch each pallet would hold. Mr. Bolen responded that each pallet is 4x5 ft. and would hold roughly 50 bags of mulch, and be less than 5 ft. high. There will still be mulch available in the store, but this request is for bulk purchase as a convenience for the customer. Mr. Anderson asked how they would secure this area at night. Mr. Bolen stated there is an overnight team who will monitor the area.

Mr. Fine thinks this is a great idea and will be good for their business. He would like to see signage in that area for safety purposes.

Ms. Grubb asked if Christmas trees would be included in this and Mr. Bolen responded that they would not.

Parking directly west of the westerly fencing – MOTION – one pallet 5ft. max.

Mr. Fine moved to approve the Walmart Temporary Use Permit for Outdoor Seasonal Sales of mulch and other items in the westerly area, and having space where they can see from the Garden Center gates, from April 1-September 30 for a 2-year period and storage is restricted to immediately west of the Garden Center. Ms. Carlock supported and the MOTION CARRIED with a roll call vote: Ruggles – yes; Grubb – yes; Anderson – yes; Fine – yes; Carlock – yes; Seward – yes. (6 yes votes)

Liaison's Report:

Mr. Ruggles reported that Officer Jessica Snow was presented with her third life-saving award; the Township has applied for the Michigan Natural Resources Grant to acquire property at the Brendel Lake camp ground. If the township is successful, the state will fund 74%. They are working on a purchase price and we'll know by December if it's awarded, with the funding coming next year. There was a large turnout and residents asked if the township would allow docks/boats. Mr. Kowall assured them there would not be any motorized vehicles allowed; regarding the Preliminary Site Plan for Aspen Meadows, the Planning Commission wanted a community impact statement, but the Township Board decided they didn't need it; 4 Corners requested a designation as a Brownfield development. There is more contamination on site, not in the corner, but in middle of property where all the utilities are. The development is at a standstill right now and the developer is also looking for tax abatement.

Ms. Grubb reported that the Parks & Rec has not met since the last meeting. Also, there will be a millage in November to vote for.

Ms. Dehart was not present to give a report. The next ZBA meeting March 22.

Director's Report:

Mr. O'Neil added to Mr. Ruggles report that two rezonings were finalized with a second reading. He expects projects coming in. And lastly, there will not be a meeting on April 5.

Communications:

Next meeting dates:

- Regular Meeting – April 5, 2018 (cancelled)
- Regular Meeting – April 19, 2018 (public hearing, Anderson cannot attend)

Other Business:

a. Zoning Ordinance amendment Discussion

Mr. O'Neil indicated there were only a few changes from the February 1 meeting.

Boat Storage, increases the minimum lot size and makes clear it is not permissible if you weren't lawfully established.

There are charts and tables which will set off a chain of amendments and we will have to get all those things together to have a public hearing.

With regard to Backyard Chickens, there is a mix of how this is addressed in other communities. This use may not be suited for smaller lots. Mr. Anderson asked how many times the chicken issue has come up. Mr. O'Neil responded it has come up a few times and there could be instances with service animals. Right now, chickens are allowed on AG and SF properties. There is an opportunity for all uses in the township. Ms. Carlock stated she doesn't want to drop the chicken issue, but doesn't think it should be included with this set of amendments. Mr. Ruggles feels this is a tough call. He thinks AG and SF would be appropriately zoned.

Mr. O'Neil continued by addressing Electronic Message Board Signs. Currently required is 60% permanent and 40% changeable. He likes that there is a permanent band required. He and the Supervisor have been authorized to procure a sign. Their thought is 25% permanent and 75% changeable in the middle. He is looking for thoughts and comments from the commission.

Ms Grubb questioned Mr. Cee's and Brendel's signs. Mr. O'Neil stated they are fully changeable and they are not dimming at night. The ordinance doesn't allow for this.

The consensus was that it seemed reasonable to have 25% permanent band at the top with 75% changeable text in the middle with a base.

Mr. O'Neil addressed the Eligibility Criteria for PD approval. He asked the commission to consider doing something similar to Lyon Township, which states they have to have 40 acres for a contiguous PD, but it does allow for a waiver. White Lake Township should have the ability to waive this if we see a plan. Currently we have a 10 acre minimum, but consider allowing the opportunity to give a waiver. He feels this seems reasonable and allows us to create opportunities that otherwise don't exist.

The public hearing will be scheduled for May 4, 2018.

Adjournment

The meeting was adjourned at 9:48 p.m.