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WHITE LAKE TOWNSHIP

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WHITE LAKE TOWNSHIP PLANNING COMMISSION

Special Meeting
7525 Highland Road
White Lake, MI 48383
March 31, 2016 @ 7:00 p.m.

Ms. Novak-Phelps called the meeting to order at 7:05 p.m. and led the Pledge of Allegiance. Roll was called: Mr. Lewsley and Mr. Meagher were excused, and Mr. Kowall arrived shortly after the meeting was called to order.

ROLL CALL: Steve Anderson - Vice Chairperson
Merrie Carlock
Debby Dehart – Secretary
Mark Fine
Rhonda Grubb
Rik Kowall, Board Liaison
David Lewsley - Excused
Peter Meagher - Excused
Gail Novak-Phelps – Chairperson

Also Present: Sean O'Neil, AICP, Community Development Director
Mike Leuffgen, Township Engineer
Lynn Hinton, Recording Secretary

Visitors: 4

Approval of Agenda

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

Approval of Minutes

a. March 17, 2016

Mr. Anderson moved to approve the minutes of March 17, 2016 as submitted. Mr. Fine supported and the MOTION CARRIED with a voice vote. (6 yes votes)

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

Ms. Novak-Phelps opened the discussion for public comment on items not listed on the agenda, but none was offered.

New Business:

a. File No. **15-011 Modern Messages Dance Studio**
Location: Located on Nordic Drive (north side of Highland Road, east of Bogie Lake Road),

59 currently zoned (GB) General Business, identified as parcel number 12-20-276-
60 018 and 12-20-276-029, consisting of approximately 1.01 acres
61 Request: 1) Final Site Plan Approval
62 Applicant: Roland Bottiglia
63 6237 High Valley
64 White Lake, MI 48383
65

66 Mr. Leuffgen of Johnson & Anderson reviewed his report dated March 23, 2016. He indicated there were
67 several outstanding items that needed to be addressed by the applicant. With regard to the loading zone,
68 it is currently within a lane of travel, but there is no good place to put it. They feel there would be no high
69 impact with the proposed use. The new plans with the orientation of the dumpster pad provide easier
70 access. With the current site layout, there are 7 parking spaces that overhang on the lot to the south, and
71 those spaces are required to meet the ordinance requirements for this development. There is a 10 ft.
72 wide temporary drive proposed on the west side of the property. The township may want to have an
73 escrow for when it will be removed. There is a 67 ft. soil erosion easement at the rear of the property and
74 the applicant is proposing to put the building very close to that. J&A is proposing a 1.2 ft. retaining wall.
75 There are drainage concerns and whether the developer needs to do more to protect the building from
76 the ground coming down the hill. Ideally, they should build the wall further off the corner to allow drainage
77 away from the building, or they could move the building further from easement line to create proper swale
78 and drainage. He noted that the applicant has clarified the handicap parking, but has not provided a
79 photometric plan yet. Also required is a concrete landing pad for any entries to the existing building.
80

81 Mr. Leuffgen recommends the plans be revised to address these items. Mr. O'Neil indicated that the
82 applicant has time to revise the plans and has agreed to make all changes. This could be approved with
83 conditions. Ms. Novak-Phelps stated that in lieu of the special meeting this evening and having multiple
84 denials, she questioned whether it would be appropriate to address all the issues this evening.
85

86 Mr. O'Neil stated that any action tonight should require that the applicant meet all ordinance
87 requirements, and architectural detail to the east and west side of the building has to meet the
88 requirements, as well as calculating window coverage. With regard to access management, the township
89 would want to keep an escrow. The applicant owns both properties that this development will be built
90 upon and there should be a condition of approval, as this will become an issue if ownership changes
91 hands. There are some issues with landscaping, and that the plan received was not sealed, which is a
92 requirement, but in the spirit of moving this along, we are hoping to get everything completed in the next
93 week. There are long letters of review and the applicant has to meet the requirements before moving
94 forward. He is comfortable with moving ahead and they could be 30 days away from reasonably
95 scheduling a pre-con.
96

97 Mr. Leuffgen noted that the township is in the processing of approving an SAD for water and sewer. Mr.
98 O'Neil indicated this would be on the Township Board's April agenda, and if the SAD falls through, the
99 expense would be on the applicant to provide water and sewer to the site. This is in the master deed of
100 the development.
101

102 Robert Lowe, contractor for the project, indicated that when the plan was initially designed, it was tight
103 and they had to make major changes, which is causing some of these issues. The concerns from the
104 township engineer have since been addressed. Permits have been approved and those drawings are
105 sealed, including architectural details with brick, color, etc. He noted that at the request of the building
106 department, they are doing brick around the entire building with wood siding as opposed to aluminum
107 siding originally proposed. There was also a comment about the front of the building not having 30%
108 glass. They are proposing a phoney, or false front, where there is no building behind what they are
109 showing. There is a special awning and lighting for aesthetic purposes only. He feels this is attractive
110 and added that there is no place to put extra glass. He showed a colored rendering of the front façade of
111 the building.
112

113 Thomas Smith, architect for the project, continued to address the concerns from the consultants. He
114 stated the proposed 14" boulder/retaining wall at the northeast corner of the building. When the property
115 was developed it was at a 67 ft. soil erosion easement on the north end of the development. There is no
116 document that spells out what they can and cannot do with regard to the ski resort. To get the building
117 and parking in, they have to put up a small wall, and they are working with Alpine Valley on this. They

have added a pad for the door coming out. The rest of the items are administrative with regard to having an escrow and legality for cross access and parking. He has prepared something that can be attached with the sealed plan. He also added that they added the storm drainage to make sure there is no burden on the 67 ft. soil erosion easement.

Mr. Leuffgen noted there are 7-8 spots encumbering on the property to the south, which the applicant does own, but if future ownership changes hands, they will have to deal with a compliance issue. Mr. Smith stated that anyone buying that easement would be put on notice that this would be an encumbrance. The drive lane and parking spaces to the south of the property line are in question. The required parking calculation requires 36 spaces, and they are proposing 37. Mr. O'Neil noted that parking is always tricky, and cross parking agreements are important.

Mr. Leuffgen stated that drainage is still up in the air. If the applicant can't move the retaining wall back, there will still be an issue. He wants to see details for a plan for water hitting that corner. Mr. Lowe noted there is a wooden deck above grade on a slab. This is a floor deck, not an exterior deck, and it will be on the building permit application plans. He will grade what he has to grade. They are far away from the ski hill, and there would be no issues. In addition, the area is well vegetated. When talking with Brian at Alpine Valley, Brian didn't know anything about the easement and suggested he talk to the attorney. Mr. Thomas has tried to make contact, but there's not really any documentation explaining anything. Mr. Lowe stated he will grade what he has to at the bottom of the hill, and this will not affect the ski slope at all.

Ms. Novak-Phelps asked how the township deals with problems that come up on site during construction. Mr. O'Neil stated there are typically field changes and J&A will work it out on site and pick anything up on as-built drawings. The township tries to avoid potential issues and plan around them. At present, we have to fix the drainage issues, and J&A has to be comfortable with the proposal. Mr. Leuffgen stated they need a plan going in, not figure it out when they get there.

Mr. Kowall stated this is an area where they want the soil stabilized. If they have to go out 5-7 ft., for example, as long as it stabilizes the soil, he doesn't see this as an issue

Mr. Thomas thinks they can get a letter from Alpine acknowledging what they want to do. Mr. O'Neil stated that this has to be worked out before they start construction. Mr. O'Neil added that he and McKenna & Associates have seen the photometric plans, and the landscaping plan can come later. McKenna has no objection as long as they comply with the zoning ordinance. Mr. Lueffgen stated J&A needs to see the photometric plans as well. Mr. Lowe stated all corrections were done and incorporated on the final plan. Mr. O'Neil added that they are ready to resubmit. Due to time constraints, they had to get a plan out and he feels this plan is better than what it was previously submitted. Mr. O'Neil doesn't have a problem with ironing issues out administratively, since the applicant has to address all comments from staff and consultants prior to moving forward.

Mr. Kowall cautioned Mr. Lowe. This is an odd site, and this is a good development with a nice looking building. It is the idea of the township to be helpful, however it has to maintain certain criteria. Mr. Lowe stated he is in this for the long haul.

Mr. Kowall made a motion to recommend approval of the Final Site Plan for File 15-011 Modern Messages Dance Studio, subject to all staff and consultant comments, and to communicate with the adjacent neighbor for grading permission. Mr. Fine supported and the MOTION CARRIED with a roll call vote: Grubb – yes; Kowall – yes; Novak-Phelps - yes; Anderson – yes; Fine –yes; Carlock – yes; Dehart – yes. (7 yes votes)

Liaison's Report

Ms. Grubb reported that the Parks & Rec had submitted grant applications last week, meeting the April 1 deadline. We will know in December if any funding has been awarded.

Mr. Kowall had nothing to report since the board did not meet last month.

Ms. Novak-Phelps reported that the ZBA saw 4 cases: a permit extension; a variance for a larger sign for Calvary Lutheran Church for a garden; a building on a lot split; and a home remodel. All requests were approved.

Consultant's Report

Mr. Leuffgen stated the water treatment plant is under construction.

Director's Report

Mr. O'Neil had nothing further to report.

Communications:

Next meeting dates:

- Regular Meeting – April 7, 2016 - cancelled
- Regular Meeting – April 21, 2016

Adjournment

Mr. Kowall moved to adjourn the meeting was adjourned at 8:05 p.m. Mr. Anderson supported and the MOTION CARRIED with a voice vote. (7 yes votes)