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WHITE LAKE TOWNSHIP

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WHITE LAKE TOWNSHIP PLANNING COMMISSION

Regular Meeting
7525 Highland Road
White Lake, MI 48383
January 17, 2013 @ 7:00 p.m.

Mr. Meagher called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance. Roll was called:
Mr. Pierson was excused.

ROLL CALL: Steve Anderson
Debby Dehart
Rik Kowall, Board Liaison
David Lewsley
Peter Meagher, Chairperson
Sarah McNulty, Vice Chairperson
Gail Novak-Phelps
William Pierson – Secretary - excused
Stan Woodhouse

Also Present: Sean O'Neil, AICP, Community Development Director
Jason Iacoangeli, AICP, Staff Planner
Greg Gucwa, P.E. Township Engineer
David Birchler, AICP, Township Consultant
Lynn Lindon, Recording Secretary

Visitors: 15

Approval of Agenda:

Ms. Novak-Phelps moved to approve the agenda as amended. Mr. Anderson supported and the MOTION CARRIED with a voice vote. (8 yes votes)

Approval of Minutes:

- Minutes of January 3, 2013

Mr. Woodhouse moved to approve the minutes of January 3, 2013 as presented. Mr. Anderson supported and the MOTION CARRIED with a voice vote. (8 yes votes)

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

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

Public Hearing:

- File No. 12-024 Tractor Supply Company**
Location: Located on the northwest corner of Highland Road (M-59) and Maple Heights, currently zoned (GB) General Business, identified as parcel numbers 12-22-226-011, consisting of approximately 6.12 acres.

Request: 1) Special Land Use Approval
2) Preliminary Site Plan approval
Applicant: DMK Development – White Lake, LLC
Mr. Steve Witte
3597 Henry St, Suite 102
Muskegon, MI 49441

Mr. Birchler reviewed his report. He noted that this type of land use for large scale retail use requires Special Land Use approval in the (GB) General Business district due to a use of this type being near residential and it must be adequately screened. The nature of this particular business is that there is an area where it stores products is roughly the size of the store itself and the applicant has been asked to increase the intensity of the screening.

The Zoning Ordinance requires an A-2 buffer to the rear and east of the site as you look from the street. The applicant will need to provide a number of trees and shrubs to meet that requirement in addition to a providing a 3 ft. berm. The Planning Commission could waive this requirement as it may feel this might not be effective and run the risk of filling in a regulated wetland area.

Mr. Birchler stated the proposed lighting equipment and the outdoor public address system have the ability to meet township standards. He discussed minor issues with screening the parking area. He stated he has been working with the applicant and it was indicated if they develop adequate screening and revise their landscaping plan, the Planning Commission may approve with conditions.

Mr. O'Neil has concerns with the appearance of the building with aesthetics and requirements the township is looking to achieve. The applicant was asked to provide glass panels under the awnings. The township understands the operation they run, but the appearance of windows would give the façade more appeal and this has been discussed with the applicant.

Mr. Gucwa, the township engineer reviewed his report. The proposed drainage system has to be designed in accordance before discharging into the wetlands to meet WRC standards. There are options such as a mechanical storm water separator that could take the place of the storm water basin. There was also concern and discussion on a slope on the property which will be addressed further. He would recommend approval contingent upon storm basins and feels these issues can be looked at on the final site plan review.

Mr. O'Neil indicated that MDOT has issues of access on M-59 and this has been discussed to the point that state legislators are now involved. This applicant has already talked to MDOT, which has stated it wants 1-1/2 drives on the site as opposed to the 3 existing drives. The Access Management plan states the applicant may have to acquire an easement or share the drive with the neighbor. The township doesn't have issues with the configuration, but it needs to make sure MDOT doesn't have an issue. After this meeting, they will go back to MDOT and show what the township has approved. Without permits in hand, we must be very specific on what they will permit for the applicant's sake.

With regard to DEQ, the staff is on top of the issue with the wetland area on site and is encouraging dialogue between both state agencies.

Steve Witte, the applicant, gave an overview of the project. They are developing the far west end of the property or 19,097 sq. ft., Tractor Supply has interior and exterior sales. There will be 2 drive entrances with west entrance being shared. They haven't done intersection details as they are looking for preliminary approval. They are proposing 69 parking spaces to lessen the impact on the wetland. The building façade will be split-faced block with a canopy. Tractor Supply would prefer to keep their standard, without adding windows, but it's not a deal breaker for them.

Mr. Witte didn't feel any of the comments from the engineer are major concerns and they will work through his issues before final approval. From a landscaping standpoint, they'd like to use the existing landscaping on the site. The east and north of the property are very wooded and they would like those areas to remain.

He continued that there are bagged goods they like to have outside and they are proposing concrete planters that would shield this area. From a scheduling standpoint, they would like to get permits in place and break ground by April to open by the end of the year.

Mr. Lewsley questioned the reference from the engineer's report with regard to an 8 inch water line being private or public. Mr. O'Neil indicated that the water department is giving the option. The Fire Department has requested a hydrant in the rear of the property and questioned if it had to be public or private. The applicant would prefer it to be private. Mr. Gucwa noted that typically any pipe above 8 inches has been public and there would be an agreement that allows the Fire Department to flush the lines, etc. The hydrant would be used strictly for this property.

Mr. Lewsley questioned the issue with grading on the west property line. Mr. Witte stated they need to keep this at a 1 on 2 slope and while it is steep, they have maintained these slopes on other sites with ivy growth and using a push mower.

Mr. Lewsley also asked about the proposed fence material and questioned whether they could use stripping to hide product. Mr. O'Neil noted that the township doesn't allow that and landscaping would provide an adequate shield. Passer-by's would see landscaping and the front façade.

Mr. Birchler reviewed Section 5.19(e) of the ordinance with regard to interior landscaping to 15% of total lot area. The applicant is looking to use the wetland area as part of that 15%. The type of new plant materials you would see on a plan is the 15% talked about however the Planning Commission may permit a reduction to the required landscaping, etc.

With regard to the outdoor speakers, they could have restrictions and time elements. It was noted that the hours of operation would be Sat-Sat 8am-8pm and Sun 10am-6pm. As condition of Special Land Use permit, decibels could be set.

Mr. Lewsley agreed that the wetlands provide landscaping, but he feels additional landscaping is needed to provide a buffer for the residents. Mr. Witte responded that having 22 trees and 88 shrubs seems excessive. He is asking for relief from having that many plantings. Mr. Birchler said if we reduce the length of the screening and if the Planning Commission is satisfied that the wetlands portion is adequate, it could drop 1/3 off the requirement.

Mr. Meagher opened the public hearing at 7:50 p.m.

Carl Braun, 940 Maple Heights, stated that he objects to any changes made to property value. He thinks this will devalue the all sports lake and feels you can't force people to sign by eminent domain.

Susan Mullen, 6920 Cooley Lake, indicated she has experience with slope issues and questioned where the slope would be in relation to the driveway. Typically the rain comes from the northwest and will erode any grass and ivies put on there. She also asked if there would be a drain to collect water before it gets to the driveway. Mr. O'Neil indicated that they hopefully will have 2 drives on site. Ms. Mullen asked if the commercial drive would be shared with the residents coming in and out and whether the proposed lighting would affect the neighbors. Mr. O'Neil stated that the township would be addressing the slope further, and major truck traffic will come in from one drive to the west of the property.

Sue Paglesie, 2725 Willow Lakes Oak, stated she is excited to see Tractor Supply come to the area and believes the township needs good retailers. She referenced the Copperfield Plaza and Kohls and feels ingress/egress is an issue on those sites. She noted that M-59 is a highway and this is a concern if the drive is the only portal coming into the property and safety is critical.

Dave Braun, 940 Maple Heights, asked if there were signage restrictions. Mr. Witte stated they would have a 50 sq. ft. monument sign with lights. Mr. O'Neil noted that signage would be discussed further.

Susan Husson, 1230 Maple Heights, is concerned with traffic. She likes the store and feels it will be a good addition, but trucks coming down the hill will put brakes on to make a right turn. Traffic at the top of the hill does not slow down and a right turn concerns her without a merge. Mr. O'Neil responded that

MDOT will determine if there needs to be a deceleration lane at this location. Mr. Witte noted they only anticipate taking 5 deliveries a week and this would be a huge issue, but he understands her concern. MDOT takes sight visibility into consideration as with speed.

With no other comments, Mr. Meagher closed the public hearing at 8:00 p.m.

Mr. Kowall feels with the history of these companies, they run a well oiled machine. They have an image they are holding to a higher standard. The maintenance issue with the west side of the site is a concern, but he doesn't see this as being a concern with this company. He asked the applicant to also be a good steward to the community to work a little harder to screen from the residents. Accel/decel will be MDOT's call. He noted that façade with fake windows might be good, but doesn't think anyone would probably notice and it would only provide for an aesthetic feel. He also thinks the plan is appropriate and the wetlands/woodlands area will accommodate adequate screening in that area.

Mr. Anderson stated he is also concerned with slope on the site and feels there will be some erosion and vegetation should be determined to best to contain the soil. He asked Mr. O'Neil whether the proposed parking was adequate and Mr. O'Neil stated that it is. The township has encouraged them to remove some spaces and is now satisfied. Mr. Anderson would also like to see the façade changed somewhat. What the applicant is proposing isn't appealing to him and the township has tried to make things look nice for White Lake.

Ms. Novak-Phelps agreed with Mr. Kowall, and feels this is a nice change to the property. The hours of operation are great. She thinks this is a "box" design and would also like to see the façade enhanced. She also agrees there needs to be a slow down lane. Drivers can't turn in there without almost getting in an accident. She likes suggestion of doing something with the display area and also feels there is a need for more plantings and buffer for the neighbors. She asked if there was a loading area for customers. Mr. Witte showed on the plan where customer loading would be located and also noted that shopping carts will be in store and there would not be a cart corral outside the store.

Mr. Meagher feels the consultants comments were valid and the decel lane is a safety issue.

Ms. McNulty questioned the speaker system and asked for clarification. Mr. Witte indicated the speakers are for announcements only and would not be a constant noise. Ms. McNulty also agreed with having a decel lane because traffic will be a safety concern. Overall she feels the plan is good but would also like to see the façade enhanced.

Mr. Woodhouse thinks the 1 on 2 slope can be handled, but there is an erosion potential. This is not a large area. There is wetlands and swamp junk trees that can compliment that area. He has mixed feelings with getting into architectural control, but some trim work to simulate some frame might be a good idea.

Ms. Dehart stated she likes Tractor Supply stores and there is a brand to their look and façade. The decel lane and landscaping buffer are issues for her.

Mr. Lewsley supports the planner's suggestion of waiving the berm, but feels it is important in the Special Land Use permit to prohibit them from piling goods higher than fence in the area outside. He feels they can put look-like windows, still keep the brand, and it would dress up the appearance and maintain the general look.

Mr. O'Neil stated that those details would be finalized when this comes back for final review. There is a special board meeting on the 29th with the township board and they are trying to assist them in the approval process.

Ms. Novak-Phelps moved in File12-024 to grant Special Land Use approval, contingent upon products/good not exceeding the height of the fence, Permanent sidewalk display areas in front of permanent trailer and equipment display 48-60 in. range?

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MOTION: conditions, no stacking behind fence area higher than fence, and bagged good merchandise stored in outside display area will not exceed 60 " in height. Ms. Novak Phelps supported and MOTION CARRIED with a roll call vote:

Mr. Lewsley moved in File 12-024 to grant the Special Land Use subject to the outside fenced display areas having no bagged goods stacked higher than 60" and no merchandise stored in the front of the store higher than 84", and utility sheds be displayed inside the fenced area. Ms. Novak-Phelps supported and the MOTION CARRIED with a roll call vote: Kowall – yes; Meagher – yes; Novak-Phelps – yes; Anderson – yes; Meagher – yes; McNulty – yes; Dehart – yes; Woodhouse – yes. (8 yes votes)

Mr. Lewsley moved in File 12-024 to recommend Preliminary Site Plan approval subject to consultant's, staff, and engineer recommendations and that the façade incorporate a window treatment. Mr. Kowall supported and the MOTION CARRIED with a roll call vote: Kowall – yes; Meagher – yes; Novak-Phelps – yes; Anderson – yes; Meagher – yes; McNulty – yes; Dehart – yes; Woodhouse – yes. (8 yes votes)

Liaison's Report

Mr. Kowall stated the rezoning request went through for McDonalds/Dave & Amy's.

Ms. Dehart stated the Parks and Rec visioning session went well, and encouraged residents to complete the survey that is posted on line.

Planning Consultant's Report

Mr. Birchler reported that 3 developers were consulted regarding mixed use and all said they would not build a mixed use more than 1 story tall in a mixed center. One developer was concerned that the timing for these types of developments isn't right in White Lake Township. He feels the township should look at other types of residential that it might consider other than upper floor mixed use.

Director's Report

Mr. O'Neil had nothing further to add.

Communications:

Next meeting dates:

- Regular meeting – February 7, 2013
- Regular meeting – February 21, 2013

Adjournment

Mrs. Novak-Phelps moved to adjourn the meeting at 8:56 p.m. Mr. Anderson supported and the MOTION CARRIED with a voice vote. (8 yes votes)