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Trustees  
Carol J. Burkard  
Michael Powell  
Todd T. Birkle  
David Lewsley

## WHITE LAKE TOWNSHIP

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### WHITE LAKE TOWNSHIP PLANNING COMMISSION

Regular Meeting  
7525 Highland Road  
White Lake, MI 48383  
**December 1, 2011 @ 7:00 p.m.**

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

ROLL CALL: Steve Anderson, Chairperson  
Todd Birkle, Board Liaison  
Steve Martinko, Vice Chairperson  
Sarah McNulty - **Excused**  
Peter Meagher, Secretary  
William Pierson  
Gail Novak-Phelps  
Stan Woodhouse

Also Present: Sean O'Neil, Community Development Director  
David Birchler, Township Consultant  
Kristen Goetze, Township Engineer  
Lynn Lindon, Recording Secretary

Visitors: 0

#### Approval of Agenda

Ms. Novak-Phelps moved to approve the agenda as presented. Mr. Meagher supported and the MOTION CARRIED with a voice vote. (7 yes votes)

#### Approval of Minutes

a. November 3, 2011

Mr. Martinko moved to approve the minutes of November 3, 2011 as presented. Mr. Birkle supported and the MOTION CARRIED with a voice vote. (7 yes votes)

Mr. Birkle moved to approve the minutes of November 17, 2011 as presented. Mr. Woodhouse supported and the MOTION CARRIED with a voice vote. (7 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.

#### Continuing Business

a. Continuing work on Clearzoning

Mr. Birchler indicated he had submitted the final draft of the 3 new zoning districts via email to the planning commissioners.

With regard to the Town Center district, he noted that he adjusted some of the terminology to be consistent with other terminology found in the Zoning Ordinance.

He stated that within the Mixed Use district, he wanted to keep the scale compatible with the areas where this zoning might occur and also made minor adjustments to the graphics to make them simpler and easy to understand.

Mr. Woodhouse referenced "Principle Permitted Uses" under the section pertaining to Restaurants and questioned whether this could be construed as a drive-in.

Mr. Birchler responded that the way the ordinance is currently structured a drive-thru and anything lower than (GB) General Business requires the addition of a Special Land Use. The intention of the Mixed Use district is to not have a drive thru. He added that this category would be typical with a carry-out restaurant, i.e., deli, Chinese, etc. The commission may have to take restaurants to 4 levels and separate them from carry-outs. He will take this under advisement and report back to the commission.

Mr. Anderson noted that the Four Towns and Lakes Area would be covered under a Special Land Use, but Mr. Birchler stated he couldn't see where Mixed Use could support a drive thru without impacting the residents and the area. He will research this further, along with the banking industry and report back to the commission.

Mr. Birchler continued that the biggest change is with the Town Center District, which makes this a form-based code. The way this is written now tells the developer they can mix all the permitted uses by the floors they are listed on, but the form has to have certain characteristics. He explained in detail how those criteria would be positive additions to the character of the development.

Mr. Woodhouse referenced the Introduction paragraph as it pertains to the shared parking area. He questioned whether there a provision that shared parking could serve a dual use, and whether there was a qualification that each use shall meet the parking needs of their individual user.

Mr. Birchler responded that the township doesn't want to have more parking than what is required. He will make sure this is cross-referenced in all the related documents.

Mr. Woodhouse commented on the requirement of moving the buildings back with a 0 or 2 ft. setback and he is not in favor of this. He would like to see the language changed that innovative plans shall be reviewed on the basis of conformity with the rest of the block.

Mr. Martinko questioned the "Building Lighting" section and whether this is defaulting to the existing lighting ordinance to double check on this form-based code. He wants to make sure the commission is thinking about proper shielding of light for the residents living above. He also questioned what standard would be applied in this case – business or residential. Mr. Birchler indicated that he would look into this further and agreed that there should be reference to the required standard if we're not going to have a specific standard for this.

Ms. Novak-Phelps stated expressed concern at the last meeting with regard to primary roads and whether these would be primary roads with lights and signs. There could be a line of site hazard if one driver has a stop and the other drive has a go thru out-fare.

Mr. Birchler asked the commissioners to keep in mind there is a build-to line and a required minimum width of sidewalk at 14 ft. with 8 ft. of parking to the side. Ms. Novak-Phelps suggested reviewing on a per development basis.

Based on the comments from the commissioners, Mr. Birchler will respond to the concerns raised this evening and revise accordingly. At the January meeting, he will review all the districts and provide



more detail of the districts themselves, their layout, permitted land uses, sign regulations, and the new expedited approval process.

Mr. Birchler distributed the revised Portable Sign proposal, addresses permit and design standards, weekend portable sign regulations, daily portable sign requirements, and enforcement provisions.

There was discussion on allow 2 different signs, which could be permitted at different times, i.e., having a daily sign during the week and a different sign for weekend use. Permit fees, infraction fees, and enforcement were also discussed.

Mr. Woodhouse stated he has reservations that everyone can have one of these signs. Generally this is not abused, but there is potential for the township looking overdone. Mr. Birkle agreed that signs lead to clutter. He noted that he is not opposed to allowing signage 10 ft. from the door.

Mr. Meagher asked what the repercussions would be if this ordinance wasn't successful. Mr. Birchler stated that it could be repealed. Mr. O'Neil felt that the standardization of signs would clean up the corridor and alleviate some of the enforcement problems. The Township Board will be most sensitive to this issue and the commission will visit this issue again. A rough draft will be sent to the Board for their feedback.

Mr. O'Neil noted that the many signs in the township have been pulled. Business owners were handed a form letter when the signs were removed. It's important not to get punitive and the enforcement department doesn't want to write a ton of tickets. The intent is to be patient now and educate the business owners to prepare them for changes coming this spring.

Mr. Birchler discussed his first draft on Electronic Message Boards, where they may be permitted subject to regulations. He gave an overview of the proposed regulations.

The consensus of the commission was to eliminate electronic message boards all together, but grandfather those in that are already there. Without grandfathering, the township would have to buy the signs back. Mr. Birchler noted that an amortization provision could be established, but they take time. Also discussed was to have a moratorium by the Township Board to prevent any more electronic signs from going up before the ordinance is adopted. This will be discussed again at the January meeting.

### **New Business**

#### **a. 2012 Meeting Dates**

**Ms. Novak-Phelps moved to approve the 2012 Planning Commission meeting dates as presented. Mr. Woodhouse supported and the MOTION CARRIED with a unanimous voice vote. (7 yes votes)**

### **Liaison's Report**

Mr. Birkle did not have a report this evening since the Township Board had not met since the last Planning Commission meeting.

### **Consultant's Report**

Mr. Birchler had nothing further to add.

### **Director's Report**

Mr. O'Neil did not have anything further to add.

### **Communications:**

#### **Next meeting dates:**

- Regular Meeting – December 15, 2011 - canceled

- Regular Meeting – January 5, 2012

The annual tree lighting ceremony is scheduled for December 7, 2011.

#### **Adjournment**

**Mr. Birkle moved to adjourn the meeting at 8:35 p.m. Mr. Pierson supported and the MOTION CARRIED with a unanimous voice vote. (7 yes votes)**