

**WHITE LAKE TOWNSHIP
PLANNING COMMISSION
APRIL 6, 2023**

CALL TO ORDER

Chairperson Seward called the meeting to order at 7:00 P.M.

ROLL CALL

Present:

Matt Slicker

Mark Fine

Steve Anderson

T. Joseph Seward, Chairperson

Debby Dehart, Secretary

Peter Meagher

Rob Seeley

Absent:

Merrie Carlock, Vice Chairperson

Scott Ruggles, Township Liaison

Others:

Sean O'Neil, Community Development Director

Justin Quagliata, Staff Planner

Rowan Brady, Beckett & Raeder

Hannah Micallef, Recording Secretary

8 members of the public present.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

MOTION by Commissioner Seeley, seconded by Commissioner Meagher to approve the agenda as presented. The motion carried with a voice vote: (7 yes votes).

APPROVAL OF MINUTES

A. Minutes of March 16, 2023

Commissioner Meagher stated there was a clerical error on page 1.

MOTION by Commissioner Anderson, seconded by Commissioner Fine, to approve the minutes as amended. The motion carried with a voice vote: (7 yes votes).

CALL TO THE PUBLIC

John Hunt, 871 Oxhill Drive, voiced concerns regarding the drainage on a neighboring property to his. Chairperson Seward closed the public hearing at 7:07 P.M.

PUBLIC HEARING

No public hearing.

CONTINUING BUSINESS

None.

NEW BUSINESS

- A. Kohl's
located on the north side of Highland Road, west of Porter Road. Currently zone PB (Planned Business). Identified as 12-21-100-072 (7375 Highland Road). Consisting of approximately 9.07 acres.
Request:
1) Amended final site plan approval
2) Amended planned business development agreement approval
Applicant: Porter Holdings LLC
N56 W 17000 Ridgewood Dr.
Menomonee Falls, WI 53051

Staff Planner Quagliata gave a brief report on the applicant's request. The monument sign had been refaced with the new Sephora branding; the façade signs would need tonight's approval. The proposed sign on the south façade would be larger.

Will Johnson, Johnson Sign Company, was present to speak on behalf of Kohl's. The new rebranding with Kohl's & Sephora was occurring across the state. The Kohl's letters would be replaced sized of sized, and the Sephora signage would be added directly underneath it. In this instance, due to the age of the Kohl's sign, the Kohl's sign with its associated lighting would be replaced with neon to LED. The LED would be brighter, but it wouldn't be as faulty as a neon sign.

Commissioner Seeley asked Mr. Johnson if just the frame or the entire Kohl's sign would be replaced. Mr. Johnson said the entire sign.

Chairperson Seward asked if the sign was made already. Mr. Johnson said no. Chairperson Seward asked if the sign could be reduced to come into compliance. Mr. Johnson said it could be considered.

Commissioner Anderson asked staff how the signage was measured. Staff Planner Quagliata said the ordinance interpreted the square measurement of the sign as the total perimeter around the sign. The measurement was made including both the Kohl's and Sephora signs. The east façade sign would not have the Sephora added to it.

Commissioner Anderson asked staff if there was concern about setting a precedent. Director O'Neil said there wasn't a concern, and he didn't feel that the sign would make an impact along the M-59 Corridor.

Commissioner Dehart stated that she didn't feel the façade signs would make a big impact, but she had concern about how other businesses being able to request similar changes. Director O'Neil said there was always an avenue to ask for changes, it would just depend on the zoning of a subject parcel as to which board an applicant would request said changes.

**MOTION by Commissioner Meagher, seconded by Commissioner Anderson to approve the amended final site plan for Kohl's, identified as parcel number 12-21-100-072 (7375 Highland Road).
Seeley/yes, Meagher/yes, Dehart/yes, Seward/yes, Anderson/yes, Fine/yes, Slicker/yes)**

**MOTION by Commissioner Seeley, seconded by Commissioner Slicker to recommend approval to the Township Board of the amended planned development agreement for Kohl's, identified as parcel number 12-21-100-072 (7375 Highland Road), as proposed.
The motion CARRIED with a voice vote: (7 yes votes).**

OTHER BUSINESS

A. Oakland Harvesters site plan extension request

Director O'Neil clarified that the applicant would be seeking a land use approval extension as well. The Planning Division had met with the applicant and his civil engineer prior to iron out timeline details. The applicant was requesting a five-month extension.

Commissioner Anderson asked staff if a preconstruction meeting would be held to establish a timeline. Director O'Neil said that he had verbally discussed the timeline with the applicant, and his civil engineer was working with the architect to finish the final site and engineering plans. A pre-construction meeting would be held before permits would be issued. Active construction could potentially begin as soon as this fall.

Ty Nuottila was present to speak on behalf of his request. He said he had faced many challenges due to COVID-19. He caught it himself, and was living with one lung.

Chairperson Seward asked the applicant if he had the resources to finish out the project. Mr. Nuottila agreed, and said he had a good staff working with him.

Director O'Neil said the project was almost shovel-ready, and the requested extension would not cost the Township anything.

Commissioner Slicker asked the applicant what the lead time was on building construction. Mr. Nuottila said 4-6 months.

MOTION by Commissioner Anderson, seconded by Commissioner Fine to approve a five-month special land use and site plan extension for Oakland Harvesters, identified as vacant parcel 12-01-127-001, based on the comments received this evening.

The motion CARRIED with a voice vote: (7 yes votes).

B. 8300 Pontiac Lake Road- Conceptual Discussion

Director O'Neil said the plan had not been reviewed yet, and the applicant was seeking comments from the Planning Commission regarding his new concept.

Michael Zeer, 8300 Pontiac Lake Road, apologized for missing his previously scheduled meeting. He said over the past several months, the plans for the property had changed. The project would be the first project to develop under the Pontiac Lake Gateway District zoning. He said he reduced the variances requested from 21 variances to 10 variances. He said he had received many calls from residents within the community in support of the project. He asked the Planning Commission to be sensitive to his situation based on the size of the property and surrounding neighbors.

Commissioner Seeley asked the applicant if the new concept plan had been reviewed by the fire department. He had concerns due to the proposed height of the building and the fire department's lack of a ladder truck. Director O'Neil clarified to say that the fire department had not seen the newest concept plan.

Commissioner Anderson stated that the height of the buildings could be a key issue.

Commissioner Dehart asked if the parking to the south of the restaurant would be for both the condos and the restaurant. Mr. Zeer said the property had enough parking for the condos, and the parking to the south of the restaurant would be primarily for the restaurant. There would also be raised platform parking for the condos, which would serve as the first floor of the buildings

Commissioner Dehart asked Mr. Zeer what the potential pricing for the condos would be. Mr. Zeer said he was thinking about \$400,000-\$600,000 a unit.

Commissioner Anderson asked Mr. Zeer how many of the units would have lake views. Mr. Phillips, his engineer, said all of the 44 units would.

Commissioner Dehart asked the applicant if the building would have elevators. Mr. Zeer confirmed. Commissioner Dehart asked the applicant if beach area was proposed. Mr. Zeer said he was considering it, but there was a seawall that wrapped along the property. There could be a nice green area with picnic tables and a gazebo.

Mark DeGroff, 9766 Bonnie Briar, spoke in support of the applicant's conceptual plan. He said he would be an owner of the proposed restaurant.

Ejay Jonah, introduced himself as Mr. Zeer's partner.

Mary Earley, 5925 Pineridge Court, spoke in opposition to the applicant's conceptual plan.

Mr. Zeer stated in regards to the Airport, DNR, RCOC, and the fire department, he would make sure there was compliance. His main concern at this time was the proposed density.

Commissioner Meagher said this plan was better than the previous plan. Commissioner Dehart said she liked this plan better, but would like to see the products guaranteed as for sale condos as opposed to apartments. Commissioner Slicker said the docks spaces needed to be represented clearer. Commissioner Fine said the proposed conceptual plan was what the Township was looking for. Commissioner Anderson said he appreciated the applicant's efforts and was in support of his plan. Chairperson Seward said he didn't like the density and height of the condo buildings, but liked the restaurant location.

C. Master Plan Update

Rowan Brady stated that the Natural Features chapter would be moved to the next meeting.

A total of 1,411 people participated in the Master Plan survey, with a 70% of the surveys completed. Mr. Brady then went over the survey questions and the received responses. He revisited the recommendations from the Housing chapter.

LIAISON'S REPORT

Commissioner Dehart said the ZBA met last month. One case was approved, and there was a request to waive the ZBA's survey requirement, which was denied.

The Board chose McCarthy & Smith at the CMR for the Civic Center project at the March Township Board meeting. A kickoff meeting was held earlier this week.

DIRECTOR'S REPORT

The permit for the reconstruction of Elizabeth Lake Road should be issued soon. The bid opening was earlier today. The water main work was anticipated to begin next month. The plans for Stanley Park will need to be reviewed by the DNR. The Corridor Improvement Authority will meet again on May 4th to review their by-laws and draft CIA TIF plan.

COMMUNICATIONS

No communications.

NEXT MEETING DATE: May 4, 2023

ADJOURNMENT

MOTION by Commissioner Fine, seconded by Seeley, to adjourn at 9:48 P.M. The motion CARRIED with a voice vote: (7 yes votes).