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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  
December 18, 2014 @ 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: Ms. Dehart and Ms. Novak-Phelps were excused.

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

Also Present: Sean O'Neill, AICP, Community Development Director  
David Birchler, Township Consultant  
Lynn Hinton, Recording Secretary

Visitors: 10

#### Approval of Agenda

Mr. Anderson moved to approve the agenda as presented. Mr. Lewsley supported and the MOTION CARRIED with a voice vote. (7 yes votes)

#### Approval of Minutes

a. December 4, 2014

Mr. Lewsley felt the "Consultant's Report" should be reviewed and modified. Mr. O'Neil will see that this is done.

Mr. Anderson moved to approve the minutes of December 4, 2014 as modified. Mr. Fine supported and the MOTION CARRIED with a voice vote. ( 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:

- 59 a. File No. **14-020 Kroger Remodel**  
60 Location: Located on the southeast corner of Elizabeth Lake Road and Highland Road,  
61 currently zoned (GB) General Business, identified as parcel numbers 12-22-  
62 301-004 and 12-22-301-008, consisting of approximately 19.72 acres.  
63 Request: 1) Special Land Use  
64 2) Preliminary Site Plan Approval  
65 Applicant: LSG Engineering & Surveying  
66 Ms. Michelle Shumaker  
67 3135 Pine Tree Rd., Ste. D  
68 Lansing, MI 48911  
69

70 Mr. Birchler reviewed his report. He is recommending approval subject to the Planning Commission's  
71 finding that the entrance features be exempt from the height limit, granting a waiver from the interior side  
72 setback requirement. This is consistent with the intent of the ordinance and reduces the length of the  
73 continuous wall. Reduce the westerly service drive from 53 ft. to 38 ft. that adjoins the pharmacy drive  
74 thru lane, and resolving the issue with the number and placement of monument signs, as part of the final  
75 site plan. The issue with the signs is that the applicant is proposing 3 monument signs where the  
76 ordinance allows only 2. The applicant has to show that they can qualify the south sign as "on-site", or  
77 seek a variance to locate it there. Mr. Birchler feels this is a good location, and approval of the  
78 preliminary plan this evening would not include approval of the signs.  
79

80 Also, a detailed landscape plan and photometrics plan is required, and it would be nice to know how the  
81 applicant plans on improving the appearance of the large parking lot on the site. The site plan as  
82 presented provides in excess of 68 parking spaces, which is 10% more than the minimum required by the  
83 ordinance. That area could provide for 16 landscape end islands which would have an impact of breaking  
84 up the appearance of the large parking lot. Cart corrals are not shown, but Mr. Birchler feels they should  
85 included. The Planning Commission should strongly encourage islands and use those in conjunction with  
86 cart corrals.  
87

88 Mr. Carr questioned what would be a typical placement for fuel pricing. Mr. Birchler thought fuel pricing  
89 would be located on the canopy of the fuel station, but the applicant could address this. Mr. Carr also felt  
90 there could be issues with potential tenants wanting to be on the Kroger sign. Mr. O'Neil stated that these  
91 are separate parcels and each site would have its own opportunity to have its own monument sign.  
92

93 Mr. Lewsley questioned whether a waiver of the internal side yard setback requirement could be granted  
94 in the (GB) General Business District. He knows the Planning Commission has done this in Planned  
95 Developments, but wants to make sure it can do this in GB. Mr. Birchler thought it could be done as long  
96 as the length of the continuous wall is not more than 500 ft., which in this case it is currently longer, but  
97 the applicant is reducing it. Mr. O'Neil stated he sees this as a benefit and noted the applicant is reducing  
98 the non-conformity. This should be subject to verification from counsel prior to going to the ZBA.  
99

100 Mr. Kowall noted that on the proposed plan, the westerly property line of the current site is 40 ft into the  
101 new building and it looks like it's on a separate parcel. Mr. O'Neil confirmed that that was the Hallmark  
102 Store. A November 26 review letter from the Assessor states that the project crosses property lines. The  
103 applicant is working with the attorney and the Assessor to meet the intent of the land ordinance. Mr.  
104 Birchler added that the Land Division Act notes that a long term lease is an alternative to combining the  
105 parcels. The motion can address this with a recommendation to include staff and consultant comments.  
106

107 Mr. O'Neil read Mr. Gucwa's report. J&A recommends approval contingent upon the water main being  
108 extended into Elizabeth Lake Road and the existing sanitary sewer be reviewed and corrected if needed.  
109

110 Alan Boyer of LSG Engineering and Surveyors in Lansing addressed the board on behalf of the Kroger.  
111 He gave a visual presentation of what they are proposing for the new facility. They will tear down existing  
112 Kmart and build a new Kroger marketplace and relocate the existing Kroger. The existing Kroger building  
113 will be repurposed for another tenant. The existing well tank and fire system will be taken out of service  
114 and the site will be connected to township water. The sanitary sewer will also be taken out and  
115 connected to municipal. The fuel station will be at the back of the site and current drain field and utilities  
116 will be placed in public easements.

117 Kroger would like to work with the staff and consultants on the sign issue. A sign would make sense at  
118 Town Center Drive and Elizabeth Lake Road and they would like to resolve this. Their intent is to have 3  
119 signs with fuel pricing on each sign. Per Mr. Birchler's recommendation, they will also reduce the width of  
120 pharmacy drive thru driveway and he will talk to staff regarding adding parking in this area. Kroger ideally  
121 wants to see 5 spaces per 1000 and is currently at 3.7 per 1000. They have provided additional  
122 landscaping in the parking lot and there will be a plan to show trees and shrubs. He noted that cart  
123 corrals are part of Kroger's standard and will be added to the plan. With regard to outdoor seating and  
124 the "grab and go" food service, he noted that there is no wait staff involved.

125  
126 Lewsley referenced the landscaping in the parking lot and that Kroger wants more parking. He and Mr.  
127 Birchler feel there should be more landscaping in the parking lot and allowing additional parking along the  
128 pharmacy drive thru might be an acceptable trade off.

129  
130 Also, Mr. Lewsley stated he didn't see any mention to environmental concerns for the gas station  
131 regarding tanks, etc., which he knows is regulated by the State, but he asked what provision is being  
132 made to capture fuel so it doesn't end up in ground water or sewer system.

133  
134 Matthew Pisko indicated there will be a swirl system to prevent contaminants from getting into the water  
135 system. Employees are trained in safe operation for contamination, treating and fueling. Wet kits are  
136 housed on site if there is a spill at the nozzle. He can provide a packet to show how extensive their  
137 training program is. Mr. Lewsley asked if there were traps and a reservoir. Mr. Pisko stated that Kroger  
138 is very conscientious about safety and welfare and always puts in measures to stop any contaminants.  
139 Their system stops 90% of a full drop on site.

140  
141 Mr. Anderson questioned whether an employee housed there would be able to address this type of issue.  
142 He made a comparison to the Commerce store and noted he has never seen a person leave their area so  
143 how would they know if there are spillage issues? Mr. Pisko indicated it is not difficult to sense if there is  
144 a spill and it's not something that people would ignore. Mr. Anderson also noted that Costco physically  
145 has someone walking around the pumps. Mr. Pisko stated that per their national code, every kiosk is  
146 visible to the attendant.

147  
148 Mr. Kowall asked if this was the first choice for the gas station location. Mr. Pisko stated that the station  
149 works perfectly on the site from a stacking standpoint. They would lose a lot of parking if it were in the  
150 front. Mr. O'Neil added that he was adamant about not having this up front on the site because the  
151 township didn't want this image on the M-59 frontage.

152  
153 Mr. Kowall is also concerned with an unexpected large spill going into the basin since the basins  
154 ultimately end up in Brendel Lake. Mr. O'Neil indicated that the parking lot is loaded with catch basins.  
155 They will either work or not work whether 50 ft. or 500 ft. away.

156  
157 Mr. Meagher opened the public hearing at 7:50 p.m.

158  
159 Howard Carr, 2553 Porter Road, referenced the landscaping material and whether it would be mulch or  
160 rocks. He is concerned with using rocks in the medians, as they will scatter in the road. Vehicles  
161 currently hit larger rocks down by Applebee's and they go flying in the air. Mr. Boyer stated they would  
162 talk all comments into consideration. He noted that plans will reflect items of low maintenance, and rocks  
163 tend to be low maintenance, but they could put those in areas less traffic prone so they wouldn't be a  
164 hazard.

165  
166 With no other comments, the public hearing was closed at 7:55 p.m.

167  
168 **Mr. Lewsley moved in File 14-020 to recommend to the Township Board, that the applicant be**  
169 **permitted Special Land Uses for outdoor seasonal sales, a pharmacy drive thru, a gas station, and**  
170 **outdoor seating for dining. Mr. Kowall supported and the MOTION CARRIED with a roll call vote:**  
171 **Anderson – yes; Grubb – yes; Carr – yes; Kowall – yes; Meagher – yes; Lewsley – yes; Fine – yes.**  
172 **(7 yes votes)**

173  
174 **Mr. Lewsley moved in File 14-020 to recommend to the Township Board approval of the**  
175 **Preliminary Site Plan, excluding preliminary approval for any signage, subject to**

176 recommendations from staff and consultants, and finding that the height variance over the entry  
177 area is not necessary because it is architectural rather than enclosed, granting a waiver to the  
178 side yard setback, and conditioned upon working with the township staff to integrate more  
179 landscaping in the front parking area in conjunction with acquiring additional parking in the 38 ft.  
180 side driveway in the pharmacy area to make up for reduced parking in the front area. Mr.  
181 Anderson supported and the motion carried with a roll call vote: Anderson – yes; Kowall – yes;  
182 Grubb – yes; Meagher – yes; Carr – yes; Fine – yes; Lewsley – yes. (7 yes votes)  
183

184 **New Business:**

- 185
- 186 b. File No. **14-010 B59 Crossing**  
187 Location: Property described as parcel number 12-20-276-032, located on the  
188 northwest corner of Bogie Lake Road and Highland Road, consisting of  
189 approximately 1.56 acres and is currently zoned Planned Business (PB)  
190 Request: 1) Final Site Plan Approval  
191 Applicant: Versa Development  
192 Mr. Josh Cykiert  
193 25900 W. 11 Mile, Ste. 250  
194 Southfield, MI 48034  
195

196 Mr. O'Neil stated the township is still working internally on the development agreement with Meijer  
197 and only the Final Site Plan approval is being considered this evening.  
198

199 Mr. Birchler reviewed his report. He is recommending approval of the final site plan subject only to  
200 the property address being added to the final site plan for the file, and subject to them correcting the  
201 numbers of shrubs, as there are minor discrepancies. He did suggest to the applicant, but not as a  
202 condition, that they give thought to dressing up the outdoor seating area to improve the character of  
203 the area.  
204

205 Mr. Carr questioned whether there was adequate room for a garbage truck to come in a square up  
206 with the dumpsters. He thinks this will be a jam point. Mr. Birchler felt the applicant will make sure  
207 they schedule their trash pickups for off hours when customers are not on site. Mr. Kowall felt a  
208 simple solution would be to extend the area 10 more feet to the west and the problem would be  
209 solved.  
210

211 Mr. O'Neil read Mr. Gucwa's report. J&A recommends that the FDC connection be corrected. This  
212 was not called out by the Fire Department, but rather the engineer.  
213

214 Josh Cykiert stated they would address any and all comments from consultants and commissioners.  
215 He has no problem moving the dumpsters in 10 ft. to prevent any conflict with maneuverability and  
216 safety.  
217

218 Mr. Lewsley noted that it was suggested to spruce up landscaping to the outdoor seating area. Mr.  
219 Cykiert showed a rendering of the area, where they added a fence with ornamental grasses.  
220

221 Mr. Carr asked about specifying trees for landscaping. He would like to maintain a greenery feel year  
222 round and he suggested pines. Mr. Anderson agreed it could be green year round, but the growth  
223 factor of pines in particular will eventually grow above the structure.  
224

225 Mr. Birchler cautioned the commission about using large evergreen trees in a project like this unless  
226 they are located on a perimeter where they could never interfere with driver visibility. They get very  
227 big and they are quite a barrier. Be careful about them being place anywhere that would be a  
228 problem for drivers of all angles.  
229

230 Mr. Cykiert reviewed the proposed landscape plan in detail and the types of trees they will be  
231 planting. The commission was satisfied with the proposed plan.  
232

233 **Mr. Lewsley moved in File 14-010 to recommend to the Township Board approval of the Final Site**  
234 **Plan subject to the applicant meeting all recommendations and conditions from staff and**

235 consultants and specific landscape to dress up the outdoor seating area, move the dumpsters  
236 back far enough to satisfy township staff, and address signage with the development agreement.  
237 Mr. Kowall supported and the motion carried with a roll call vote: Anderson – yes; Kowall – yes;  
238 Grubb – yes; Fine – yes; Meagher – yes; Carr – yes; Lewsley – yes. (7 yes votes)

239

#### 240 Liaison's Report

241

242 Mr. Kowall reported the Board made appointments to the Planning Commission and Zoning Board; they  
243 presented Wellhead Protection Awards; ITC did not show up for a presentation on corridor trails; the  
244 fireworks permit was granted to Alpine for New Year's Eve; the approved the purchase of new fire houses  
245 and new tasers; added/removed residences from refuse collection, adopted Federal Property Guidelines;  
246 and approved the building department to have a substitute building inspector; approved the Pontiac Lake  
247 Gateway rezoning; the Szott Jeep sign; a lease agreement for ambulance service; signed a franchise  
248 agreement with Comcast, and put the Fire Chief on the new salary rate

249

250 Mr. Carr reported that the Parks and Rec meeting for December was cancelled due to the holiday, but  
251 that the Fisk Farm Steering Committee selected Beckett and Raeder to assist with the site.

252

253 The ZBA has 2 cases before them last month for home/garage additions.

254

#### 255 Consultant's Report

256

257 Mr. Birchler indicated that Ms. Bahm has been doing research on event barns and will have information  
258 soon.

259

#### 260 Director's Report

261

262 Mr. O'Neil reported the Pontiac Lake Gateway rezoning was approved, which led to map amendments,  
263 which have been completed, including the street index map. The Clearzoning ordinance online will be  
264 updated soon. The Szott post pilon sign was approved by the Board. A public hearing is coming in  
265 January for a cell tower on a 72 acre parcel in the northeast corner of the township. There has been  
266 fracking going on in this area and there is currently no township permitting required.

267

268 The Andover Park project is working on getting the gas well removed from the property and hopefully they  
269 will come back with decent revised plan. This is located on the north side of Cedar Island Road, west of  
270 Bogie Lake.

271

272 There is a tentative joint session scheduled for February to discuss ethics training, moving forward as a  
273 group, and conflicts of interest. Let him know if there is anything else the commission wants to see  
274 addressed.

275

#### 276 Communications:

277

#### 278 Next meeting dates:

279

- Regular Meeting – January 15, 2015 Public hearing
- Regular Meeting – February 5, 2015

280

281

#### 282 Adjournment

283

284 Mr. Anderson moved to adjourn the meeting at 8:45 p.m. Mr. Kowall supported and the MOTION  
285 CARRIED with a unanimous voice vote. (7 yes votes)