

**WHITE LAKE TOWNSHIP
PLANNING COMMISSION**

Township Annex, 7527 Highland Road
White Lake, MI 48383
February 3, 2022 @ 7:00 PM

CALL TO ORDER

Vice-Chairperson Seward called the meeting to order at 7:00 PM and led the Pledge of Allegiance. Roll was called.

ROLL CALL

Merrie Carlock
Mark Fine
Debby Dehart
Robert Seeley
T. Joseph Seward
Matt Slicker

Absent: Steve Anderson
Scott Ruggles
Pete Meagher

Also Present: Sean O'Neil, Community Development Director
Justin Quagliata, Staff Planner
Mike Leuffgen, DLZ
Lisa Kane, Recording Secretary

Visitors: 10+ members of the public were present

APPROVAL OF AGENDA

Commissioner Carlock moved to approve the agenda of the February 3, 2022 Planning Commission Meeting.

Commissioner Seeley supported and the MOTION CARRIED with a voice vote: 6 yes votes.

APPROVAL OF MINUTES

- a. Regular meeting minutes of January 20, 2022

Commissioner Carlock moved to approve the minutes of January 20, 2022. Commissioner Dehart supported and the MOTION CARRIED with a voice vote: 6 yes votes.

CALL TO THE PUBLIC (FOR ITEMS NOT ON THE AGENDA)

No members of the public spoke.

PUBLIC HEARING

None.

CONTINUING BUSINESS

A. Comfort Care White Lake

Property described as parcel number 12-36-176-002, located on the west side of Union Lake Road, between Hutchins Road and Cooley Lake Road, consisting of approximately 8.7 acres.

Request:

i) Rezoning (from (LB) Local Business to Planned Development (PD))

ii) Preliminary site plan approval

Applicant: Comfort Care, LLC
4180 Tittabawassee Road
Saginaw, MI 48604

Mr. Quagliata re-introduced the project to the Planning Commission. Most of the requested site plan revisions were made; however, the applicant will still need multiple waivers. The applicant was reminded the community benefit should be commensurate with the waivers requested and might not be site specific but benefit the community at large. Building materials were discussed at the last meeting and it was recommended the front facade have a change in the building plane every 60 feet but no changes have been made.

Commissioner Seeley inquired if parking was adequate and what the zoning is of other facilities similar to this. Mr. Quagliata stated the parking does meet the Township requirements and other facilities' zoning is Planned Development and RM-2.

Commissioner Dehart inquired about the south access and the impact on the neighboring residence. Commissioner Carlock expressed concern about the rear setback and how close it is to the residence. Mr. Quagliata explained options such as an extensive landform buffer or a screen wall.

Commissioner Carlock inquired if anyone had communication with the homeowners to the rear. Director O'Neil spoke with the homeowners; they are satisfied with the gravel driveway leading to their home being paved and did indicate concern about the mature trees at the property line. There was discussion of the waivers requested for the greenbelt and the other waivers at the front of the building.

Director O'Neil spoke with the Fire Department, as they have not provided a letter, they indicated they are satisfied with the site plan. Commissioner Seeley inquired if call volume has been considered by the Fire Department. Director O'Neil stated there are a number of items they will need some flexibility on but there needs to be community benefit to offset those requests.

Discussion about the size of the building, whether it met the Master Plan for density, and what the community benefit would be.

Mr. Leuffgen reported on two engineering review letters. From January 27, 2022, for the preliminary site plan review, there is concern over items A & B; emergency access and secondary access are dependent on the West Valley project progressing. They propose a separate emergency outlet to Union Lake Road that would be gated and not open to daily use, if West Valley does not progress. Item C; access must be maintained to the easement for the neighbor's residential driveway. Item D; the retaining wall close to the mature trees on the neighboring property has been addressed. Item E; storm sewer separation needs to be addressed at final site plan. Item F; storm water detention plans, as designed, rely on West Valley progress. West Valley needs to alter their plan to accommodate the discharge. An alternative if West Valley does not progress would be a retention pond, but that changes the size of the pond. Item G; in regards to the watermain connection, the best-case scenario would tie into West Valley. If they cannot connect to the West Valley watermain a separate connection on Union Lake Road would require a high-pressure reducing valve.

Mr. Quagliata stated all engineering comments would need to be a condition of site plan approval, and they may need to be addressed in revised plans which could require a return to the Planning Commission; it would depend on the magnitude of the change to the site plan. Any change to the development agreement would have to be presented to the Township Board.

Commissioner Dehart inquired if the retaining wall could be moved to not disturb the drip line of the trees on the neighboring property and what is the neighbor's recourse if the trees die due to the disruption. Mr. Quagliata explained the options.

Commissioner Slicker inquired if the neighboring property was on septic and if so, would it have the opportunity to tie into sewer. Mr. Leuffgen stated it would be cost prohibitive to bring sewer to the rear of the property.

Mr. Leuffgen introduced the engineering review dated February 3, 2022 regarding the review of the traffic study. Existing traffic on Union Lake Road was contrasted for this site developed as retail versus this project. The proposed project has much less impact than the commercial use. The traffic study did not meet criteria to support a left-turn lane or right-turn taper. The applicant would apply to the Road Commission for Oakland County for the approach and work in the right-of-way.

Applicants present: Doug Boehm, Owner & Executive Director of Comfort Care
John Costa, Architect
Rudy Quaderer, Engineer

Mr. Boehm presented the proposed facility would include 70 units, comprised of 30 independent living units and 40 assisted living/memory care units. They would offer 24/7 care including meals, activities, and services for all residents.

Discussion about the community benefit offered and if it is commensurate with waivers being requested.

Commissioner Slicker expressed concern about the applicant contacting the neighboring property owner. Mr. Boehm stated they could contact the neighbor regarding the landscape buffer between the properties.

Commissioner Fine has concerns about the landscape screening for the front of the building along Union Lake Road.

Mr. Costa gave an overview of what the building will look like. Vice-Chairperson Seward has concerns about the front of the building not meeting what was asked for. Discussion regarding the road elevation and the lack of changes since the last presentation. Staff Planner Quagliata stated there is an inconsistency in the site plan and the architectural plan for the porch dimensions.

Director O'Neil expressed concerns there are multiple issues not addressed and this project is not ready to be presented to the Township Board. Remaining concerns include the size of the building, the density, and the project is contingent on West Valley.

Mr. Quaderer stated they are aware their plans will change if West Valley does not proceed. In regards to the landscaping at the adjoining property, they are willing to adjust the landscaping should the homeowner prefer more trees.

Discussion regarding the size of the building, how it affects the density and waivers being requested.

Commissioner Seeley moved to table the rezoning from LB Local Business to PD Planned Development and the preliminary site plan for the property described as parcel number 12-36-176-002, located on the west side of Union Lake Road, between Hutchins Road and Cooley Lake Road, consisting of approximately 8.7 acres.

**Commissioner Fine supported, and the MOTION CARRIED with a roll call votes (6 yes votes):
(Carlock/yes, Dehart/yes, Fine/yes, Seeley/yes, Seward/yes, Slicker/yes)**

B. Oxbow Lake Private Launch Association

Property described as parcel number 12-22-279-004, (10193 Highland Road) located on the south side of Highland Road between Lakeside Drive and Hilltop Drive, consisting of approximately 1.9 acres.

Request:

i) Rezoning (from Local Business (LB) to Planned Development (PD))

ii) Preliminary site plan approval

Applicant: Oxbow Lake Private Launch Association, Inc.
10835 Oxbow Lakeshore Drive
White Lake, MI 48386

Mr. Quagliata re-introduced the project, indicating changes to the preliminary site plan include paving part of the driveway twenty feet past the proposed gate. Waivers are requested for not installing sidewalks on Highland Road and Lakeside Drive, and fence waivers. The applicant has offered to reimburse the Township if it installs sidewalks in the future. Offering a 3,077-square foot easement to the Township for a pocket park was the proposed community benefit. No signage was proposed but the applicant is requesting "no fueling" signage which could be allowed within the fenced area and not visible from the street.

Director O'Neil explained how the community benefit needs to be weighed depending on the project.

Commissioner Slicker inquired what was the interest in this area by the Parks & Rec Committee. Commissioner Carlock explained the Parks & Rec Committee was interested in installing a walking path and gazebo.

Mr. Leuffgen introduced the engineering review dated January 14, 2022. Most items have been addressed. The site geometry and turning radius template has been provided, boat launch crosses under electrical lines that need adequate clearance and while DTE said it did not have any concerns the applicant should provide written documentation to confirm.

Frank Bowers of 10185 Lakeside Drive, representing the Applicant, presented the public benefit consisted of three elements: public safety; Knox box will give access to first responders for the lake not just the site, the easement for the pocket park and the beautification of the site. The proposed fence will not block any view of the lake.

Commissioner Fine moved to recommend approval to the Township Board, subject to getting final site plan approval, the rezoning from LB Local Business to PD Planned Development for the property described as parcel number 12-22-279-004, (10193 Highland Road) located on the south side of Highland Road between Lakeside Drive and Hilltop Drive, consisting of approximately 1.9 acres.

Commissioner Carlock supported, and the MOTION CARRIED with a roll call votes (6 yes votes): (Carlock/yes, Dehart/yes, Fine/yes, Seeley/yes, Seward/yes, Slicker/yes)

Commissioner Fine moved to recommend approval to the Township Board, subject to the applicant addressing all of the staff and consultant comments and recommendations and subject to rezoning approval, the preliminary site plan for the property described as parcel number 12-22-279-004, (10193 Highland Road) located on the south side of Highland Road between Lakeside Drive and Hilltop Drive, consisting of approximately 1.9 acres.

Commissioner Slicker supported, and the motion carried with a roll call vote (6 yes votes): (Carlock/yes, Dehart/yes, Fine/yes, Seeley/yes, Seward/yes, Slicker/yes)

C. Szott Automotive Group

Property described as parcel number 12-20-427-011 (6700 Highland Road), located on the south side of Highland Road, east of Bogie Lake Road, consisting of approximately 10.2 acres and zoned Planned Business (PB).

Request:

i) Amended final site plan approval

ii) Amended planned business development agreement approval

Applicant: Partners in Architecture, PLC
65 Market Street
Mount Clemens, MI 48043

Mr. Quagliata introduced the request for an amendment to the final site plan approved in 2014 and planned business development agreement approved in 2014, for modifications to the exterior facade of the Szott dealership. This would include installation of new wall signs and a new monument sign along Highland Road. The current planned business development agreement does not allow minor modifications. The modifications include painting, new metal panels, and new wall signs that would reduce the overall square footage of sign area. The applicant is requesting a waiver for LED lighting that would not be in compliance with the Township ordinance; staff recommends removing the LED lighting. The height of the proposed monument sign would remain the same as the current pylon sign, however the size of the sign area would be reduced. This sign would require a waiver from the masonry base requirement.

Commissioner Dehart has concerns with the LED lighting proposed and with the height of the monument sign.

Applicants present: David Gasson of Partners in Architecture Design Group
Thad Szott owner of Szott Automotive

Mr. Gasson gave a description of the proposed modifications to enhance the Jeep brand and increase aesthetic appeal. He believes this will add curb appeal. The LED lighting compliments the overall material changes and defines the building's three sections.

Commissioner Carlock inquired about the materials used and expressed concern over the LED light strips. Discussion about the materials used and which panels were being painted, as well as the levels of the LED lighting.

Director O'Neil stated this would have been considered administratively if it were allowed in the current planned business development agreement, with exception of the lighting. Staff will request the Township Board allow minor modifications in the planned business development agreement modification.

Discussion about requesting a reduction of height of the monument sign or adding landscaping around it to make it appear shorter.

Mr. Szott stated this design is directly from the CEO of Jeep, and he is concerned about the LED lighting being denied. He believes the LED accent lighting is soft and appealing. This will be the only Jeep stand-alone dealership in the midwest. Szott is dependent on participating in the campaign to be allowed to sell electric vehicles and to have access to new technology being available to dealerships who do participate.

Mr. Szott mentioned the community benefit the dealership has brought to the Township with their partnership with the Police and Fire Departments, West Oakland Transportation Authority, and the Huron Valley School District.

Commissioner Seeley asked if the lighting is on all night. Mr. Szott stated the lighting is on during the night and it is soft and appealing. Staff Planner Quagliata stated corporate brand standards often do not coexist with zoning ordinances.

Commissioner Fine moved to approve the amendment of the final site plan, subject to the monument sign base having landscaping to obscure the height and the removal of the LED accent light strips for the property described as parcel number 12-20-427-011 (6700 Highland Road), located on the south side of Highland Road, east of Bogie Lake Road, consisting of approximately 10.2 acres and zoned Planned Business (PB). Commissioner Carlock supported, and the MOTION FAILED with a roll call votes (2 yes votes, 4 no votes): (Carlock/yes, Dehart/no, Fine/yes, Seeley/no, Seward/no, Slicker/no)

Vice-Chairperson Seward moved to approve the amendment of the final site plan subject to the monument sign being brought into compliance with the Township's zoning ordinance and the removal of the LED accent light strips for the property described as parcel number 12-20-427-011 (6700 Highland Road), located on the south side of Highland Road, east of Bogie Lake Road, consisting of approximately 10.2 acres and zoned Planned Business (PB). Commissioner Dehart supported, and the MOTION CARRIED with a roll call votes (5 yes votes): (Carlock/yes, Dehart/yes, Fine/yes, Seeley/no, Seward/yes, Slicker/yes)

Commissioner Seward moved to recommend approval to the Township Board the planned business development agreement amendment subject to the comments and recommendations of staff and consultants and to include the allowance of minor modification be addressed administratively, for the property described as parcel number 12-20-427-011 (6700 Highland Road), located on the south side of Highland Road, east of Bogie Lake Road, consisting of approximately 10.2 acres and zoned Planned Business (PB).

Commissioner Dehart supported, and the motion carried with a roll call vote (6 yes votes): (Carlock/yes, Dehart/yes, Fine/yes, Seeley/yes, Seward/yes, Slicker/yes)

NEW BUSINESS

None.

OTHER BUSINESS

A. Lake Pointe & West Valley final site plan extension request

Director O'Neil introduced the extension requests of Lake Pointe and West Valley final site plans. Extensions would grant Lake Pointe approval to May 6, 2023 and West Valley approval to March 18, 2023.

Clif Seiber, representing the Applicant, explained the request for extension will give them time to coordinate with Comfort Care for emergency access and for the watermain loop.

Commissioner Seeley moved to approve the extension requests of the final site plans for Lake Pointe & West Valley.

Commissioner Dehart supported, and the motion carried with a roll call vote (6 yes votes): (Carlock/yes, Dehart/yes, Fine/yes, Seeley/yes, Seward/yes, Slicker/yes)

LIAISON'S REPORT

Commissioner Dehart: Zoning Board of Appeals had three cases, one was approved, one was approved with modifications, and one was denied.

Commissioner Carlock: The Parks & Rec Committee has not met since the last Planning Commission meeting.

PLANNING CONSULTANT'S REPORT

No report.

DIRECTOR'S REPORT

Director O'Neil is seeking Request for Proposals for both the Land Use Master Plan and Parks Master Plan. Director O'Neil thanked Mr. Quagliata for his help with preparing those requests. The Civic Center Development Committee met with River Caddis who provided conceptual layouts which will be presented at next Thursday's special Board meeting. The Board will vote on the professional services agreement amendment.

COMMUNICATIONS

Nothing to share.

NEXT MEETING DATES: February 17, 2022
March 3, 2022

ADJOURNMENT

Commissioner Fine moved to adjourn the meeting at 9:43 PM. Commissioner Slicker supported and the MOTION CARRIED with a voice vote: 6 yes votes.