

**WHITE LAKE TOWNSHIP
PLANNING COMMISSION
MAY 2, 2024**

CALL TO ORDER

Chairperson Seward called the meeting to order at 6:30 P.M.

Roll was called:

Present:

T. Joseph Seward, Chairperson
Steve Anderson
Debby Dehart
Pete Meagher
Matt Slicker (late arrival)
Robert Seeley
Merrie Carlock, Vice Chairperson
Mona Sevic

Absent:

Scott Ruggles, Township Board Liaison

Others:

Sean O'Neil, Community Development Director
Justin Quagliata, Staff Planner
Mike Leuffgen, DLZ
Hannah Kennedy-Galley, Recording Secretary

APPROVAL OF AGENDA

Commissioner Anderson wanted to swap Other Business items A & B.

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

APPROVAL OF MINUTES

A. April 4, 2024

Commissioner Anderson wanted to correct the spelling of "sidewalk" on page two, paragraph four.

MOTION by Commissioner Carlock, seconded by Commissioner Anderson to approve the minutes as amended. The motion carried with a voice vote: (8 yes votes).

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

None.

PUBLIC HEARING

A. Culver's

Property described as parcel number 12-20-276-035, located on the north side of Highland Road (M-59) and west of Bogie Lake Road, with a project area on the parcel consisting of approximately 1.69 acres, currently zoned (PB) Planned Business District.

Request:

1) Preliminary site plan approval

Applicant: Katie Schmitt

Staff Planner Quagliata briefly went over the applicant's request.

Commissioner Slicker asked staff to clarify that the waivers were not variances. Staff Planner Quagliata confirmed.

Chairperson Seward asked staff if there were other options aside from a monetary public benefit. Staff Planner Quagliata said yes, there was an ability for the developer to use the community benefit to participate in other Township projects, for example, Triangle Trail.

Commissioner Carlock stated that she would like to see sidewalks for the pedestrians along Bogie Lake Road.

Director O'Neil said the developer may encounter issues trying to install sidewalks in that area due to the proximity of the ITC corridor.

Commissioner Carlock stated that the Township was trying to become a pedestrian friendly community and the walkway would add to that.

Commissioner Anderson asked staff if the dumpster issue was resolved. Staff Planner Quagliata said the dumpster was north of the building, and the site was challenged in that sense and required a waiver. The dumpster would be enclosed with masonry products that would match the building.

Commissioner Anderson asked staff about the tree count. Staff Planner Quagliata said the plan was deficient by eight trees; 18 trees were required and the plan showed 10.

Commissioner Carlock took issue with the use of Redspire pear trees on the site, and wanted to see another tree species used instead.

Mr. Leuffgen briefly went over his report.

Commissioner Carlock noted that it was the first letter she had seen from DLZ that had the comments addressed on every item. She appreciated that.

Chairperson Seward asked staff what the reason was behind the 21' wide pathways. Staff Planner Quagliata said it was a requirement of the Fire Department, and the applicant was proposing a work around.

Commissioner Slicker asked what the stacking spaces on the south side of the boulevard were for. Staff Planner Quagliata said they were proposed "waiting spaces".

Chris Brzezinski, Griggs Quaderer, was present to speak on behalf of the project. The sidewalk on the south side was a consideration, but there was a big grade difference on the site. A sidewalk could be installed, but it wouldn't be ADA compliant, or a significant amount of landscape would need to be removed. Mr. Brzezinski said he would need to confer with the owners about sidewalk installation. Mr. Leuffgen said an existing fire hydrant would have to be moved to make room for a sidewalk.

Staff Planner Quagliata said due to the proposed Zoning Ordinance amendments, the proposed parking spaces could be reduced to allow for more landscaping.

Director O'Neil reiterated that there were unknowns with the ITC corridor.

Commissioner Slicker asked staff if the sidewalk could be a requirement of approval. Staff Planner Quagliata confirmed, and said it would be able to do so due to the Planned Development zoning.

Director O'Neil said staff did not find any issues with the waivers that would be requested.

Chairperson Seward asked Mr. Brzezinski if any other community benefits were considered. Mr. Brzezinski said the owners held a lot of fundraisers for individual organizations. Staff Planner Quagliata said that was not a public benefit; a public benefit was a site improvement.

Director O'Neil said if the site had more acreage, it would drive a more beneficial community benefit. He gave the example of a pocket park inside of a residential development. He said in the case of the Meijer out lots, there wasn't the room to provide a meaningful community benefit, so a monetary contribution was considered so that the Township put it toward a park or sidewalk.

Commissioner Seeley asked Mr. Brzezinski where the grease interceptor would be located. Mr. Brzezinski said it would be located north of the building.

Commissioner Sevic asked staff what the operation hours would be for outdoor dining. Director O'Neil said it could be clarified. Operating hours were clarified to be from 10 A.M-11 P.M.

Chairperson Seward opened the public hearing at 7:15 P.M.

Mary Earley, 5925 Pine Ridge Court, spoke in favor of the plan and did not see a need for the sidewalk. The topography of the site didn't facilitate the need.

Chairperson Seward closed the public hearing at 7:16 P.M.

Commissioner Dehart asked if the trees and parking spots needed to be addressed this evening. Director O'Neil said it could be included into the motion.

It was MOVED by Commissioner Sevic, seconded by Commissioner Seeley to recommend the Township Board approve the Culver's preliminary site plan, identified as parcel number 12-20-276-035, subject to the approval of waivers, operating hours of the outdoor seating to end at 11 P.M., and a \$10,000.00 public benefit, and additionally subject to staff and consultant comments. The motion was approved with a roll call vote: (6 yes votes).

(Slicker/yes, Sevic/yes, Anderson/yes, Seward/no, Carlock/no, Dehart/yes, Seeley/yes, Meagher/yes).

B. 8357 Pontiac Lake - Rezoning Request

Location: Property described as 8357 Pontiac Lake Road, identified as parcel number 12-13-454-002, located on the south side of Pontiac Lake Road, north of Highland Road consisting of approximately 0.41 acre.

Request: **Applicant requests to rezone the parcel from R1-C (Single Family Residential) to RM-1 (Attached Single Family) or any other appropriate zoning district.**

Applicant: Kathryn Chipman

Director O'Neil briefly went over the applicant's request.

Commissioner Dehart asked staff for clarification on the chosen rezoning district. Director O'Neil said the zoning needed to be congruent, and both the subject property and the Puppy Pirates property allowed for child care.

Oakland County Road Commission would need to be involved to create the pedestrian crossing along Pontiac Lake Road.

Chairperson Seward asked staff if the Township had an ordinance that limited the amount of pontoon boats allowed at a property. Director O'Neil said no, but a resident couldn't have several boats or they would be considered a marina, per the ordinance. Two or three boats would be acceptable; it was more of interpreting the spirit and intent of the ordinance.

Commissioner Seeley asked staff if RM-1 was the best zoning for the proposed use. Director O'Neil said RM-1 allowed for daycare use, and it was appropriate to seek the daycare use for the RM-1 district.

Commissioner Sevic asked staff if the applicant owned the subject property. Director O'Neil confirmed.

Commissioner Dehart stated that the rezoning would run with the land. She asked staff what would happen if the applicant did not see their plan through, and someone else were develop the property, would the ZBA become involved due to the non-conformity of the lot. Director O'Neil confirmed.

Kathryn Chipman, property owner, spoke on behalf of her case. She was in business over 20 years, and had previously been utilized Walt's Point marina. The rent on the property was increased to over \$150,000.00. She said the plan she had in mind for the pathway was her alternative plan. She had spoken with the owner of 8300 Pontiac Lake Road, to lease his property for the 2024 season, due to the property being vacant. She was seeking a temporary use permit to use the 8300 Pontiac Lake property as a drop off loop. She added that her daughter could potentially develop the subject site as a day care center in the future.

Commissioner Seeley asked Ms. Chipman if the walkway was her plan B. Ms. Chipman confirmed, and was hoping to work things out with the 8300 Pontiac Lake Road owner in the future to incorporate her use.

Mike Chipman, owner, said the usage on the property would be minimal as far as traffic went. He offered to get a traffic study done for the subject property.

Commissioner Anderson asked staff if the applicants had looked at the traffic study that was done for 8300 Pontiac Lake Road. Director O'Neil said that traffic study would have been done for a different zoning district, with different generated trip counts. The applicant was considering using the same traffic engineer that 8300 Pontiac Lake Road. Director O'Neil suggested DLZ's traffic engineer to reaching out to the traffic engineer to fine tune what scope was needed within the study.

Chairperson Seward asked staff for clarification for the property owners surrounding the subject site. There was a 10' riparian strip that went with the subject property.

Chairperson Seward opened the public hearing at 8:03 P.M.

James Cabana, 8365 Pontiac Lake Road, spoke in opposition of the applicant's request due to the noise of children disrupting the surrounding property owner's tranquility. He did not need a sidewalk next to his condominium complex.

Michael Chipman stated he owned a condo at the complex, and there would not be 400 children a day passing through.

Becky Cabana, 8365 Pontiac Lake Road, expressed concerns regarding access to her condominium's access to the parking and the parking lot by condominium owners.

Chairperson Seward closed the public hearing at 8:07 P.M.

Michael Chipman said his purpose was not to affect the neighbors at the condominium complex. He said 150 children would be passing through a day on average. The adult only fundraiser would be held in September.

Director O’Neil said the only approval being sought for tonight was rezoning. Nothing related to Skull Island could be added to the property right now without a site plan and special land use approval for the subject property and the Puppy Pirate’s property.

Commissioner Sevic asked the applicant if they understood if the house burned down, they could not rebuild. Mr. Chipman confirmed, and said he was taking the chance.

Commissioner Slicker said he didn’t see the rezoning as an option. He said he would have felt better if the property next door asked to be rezoned as well.

Chairperson Seward stated he would not support a rezoning that was establish a non-conforming use. He wouldn’t support the plan B as well.

Commissioner Dehart said she wanted to see the rezoning to be in conjunction with other surrounding parcels so if something were to happen, there could be room to rebuild.

MOTION by Commissioner Anderson, seconded by Commissioner Sevic to postpone the rezoning request for 8357 Pontiac Lake Road, identified as parcel number 12-13-454-002, until all parties are agreeable to be scheduled on the agenda. The motion carried with a roll call vote: (5 yes votes) (Slicker/yes, Anderson/yes, Sevic/yes, Seward/no, Dehart/yes, Carlock/no, Meagher/yes, Seeley/no).

CONTINUING BUSINESS

None.

NEW BUSINESS

None.

OTHER BUSINESS

A. Master Plan Executive Summary Review

Director O’Neil presented a draft copy of the Executive Summary to the Planning Commission and Mrs. Earley. He asked the Planning Commission for their feedback on the document. The Board would receive the document as a “FYI”.

The document would be available to view online, and would be printed on an as needed basis.

Commissioner Slicker said a location map of the redevelopment sites would be helpful.

Chairperson Seward said the acknowledgements should list the administrative staff first, and the Board of Trustees last. Director O’Neil said the staff recommended keeping the acknowledgements as is. He mentioned language revision to page seven of the executive summary to read “but rather the Master Plan is planning framework”. He did not like the language of “highest and best use” under Development Opportunities on page 12; he suggested it to be changed to “appropriate use.”

B. 8285 Highland Road (Former General RV Site) Concept Presentation

Josh Tauriainen, 58154 10 Mile Road, was present. He was in the used car business, and was more franchised at this point. His businesses were in Chelsea, Wixom, and Brighton and he felt that White Lake would be a good fit. When he was first approached by the owners to purchase the land, he was unaware it wasn't zoned properly. The special land use was not an issue, he understood the process of obtaining compliance for his proposed use.

Bob Emerine, 3229 Country Club, was present. He said there were three building existing on site. The main building would be used as the sales office; the accessory buildings would be utilized for maintenance. The site was paved, and would need to be rehabilitated. A 20' greenbelt would be required across the Highland Road frontage. Some existing parking would be removed to provide a 20' buffer on the east side of the site. Landscape islands would be proposed. Parking would be revised along the buildings to provide ADA compliant parking. The asphalt shoulder in the right of way would be removed, as well as the non-compliant sign. The building facades would be updated as well.

Mark Shamoun, 7929 Barrington, was present. The site was nice. He dealt with newer models of used vehicles from 2016 to current. The exteriors of the building would be very inviting to attract a customer who would be looking for a high-end product. He wanted the new façade to extend past the building, and the lot would be beautified with landscaping. The time on the due diligence was running out, so it was time to make a decision.

Commissioner Seeley said he would not support a used car lot on the site. The Planning Commission spent a lot of time and effort on master planning the area, and the proposed use was not what was in mind for the area.

Commissioner Anderson said he visited the property, and said the dealership in Wixom did not give off "used car dealership", and was high end. He said the site was a current eyesore and would like to see improvement to the site.

Mr. Tauriainen said the property was expensive, and a small business would not be locating to the site. He said the current owner did not need the money from the sale, and if the dealership didn't develop the location, it could stay vacant for the foreseeable future. He said there was potential of adding a "Welcome to White Lake" and sitting area on the property as well.

Commissioner Dehart said improving this site might spur improvements to surrounding sites in the area. She was in favor of all the beautification proposed.

Commissioner Carlock suggested keeping LEED practices in mind for the redevelopment of the site.

Mr. Tauriainen said cars would not be dropped off, so flat beds would not be coming in and out of the site. He proposed posting a performance bond to ensure the completion of the redevelopment, if a preliminary site plan and special land use application were approved.

25 jobs would be created with the development, and he had many current employees who were interested in working at a White Lake location.

Director O'Neil said the site plan could be reviewed administratively, if the Planning Commission was comfortable with it. Commissioners Dehart and Seeley said they wanted to see the plan come back before the Planning Commission as opposed to being approved administratively.

Commissioner Meagher said he had mixed feelings about the proposal, but understood it wasn't the typical used car dealership.

Commissioner Sevic echoed Commissioner Meagher's statement and added that a car dealership did not comply with master plan for the location.

Commissioner Slicker said if the dealership was done right, it could become a nice amenity for the community.

The Planning Commission wanted to see the project coming through the normal planning process, so they would consider the preliminary site plan and special land use approval.

John Hunt, 871 Oxhill Drive, he said a B dealership had never made it in this area.

Steve Woodard, 953 Schuyler, was in favor of something nice coming to the site and having that corner of the Township upgraded.

LIAISON'S REPORT

Stanley Park Phase One construction would begin in the near future. The Triangle Trail was under construction. The parks millage would be put on the August ballot. The ZBA considered four cases; one case was postponed; three others were approved. Rockin the Farm would be held again this summer, the Lakes Area Chamber would be spearheading the event. It was scheduled for July 20.

DIRECTOR'S REPORT

The Master Plan was approved at the April 16 Board meeting. The Gateway Crossing preliminary site plan was approved. There was robust discuss regarding some of the proposed zoning ordinance amendments in relation to parking. The Board wanted to allow four stories in the Pontiac Lake Gateway district with special land use.

The easements for the Elizabeth Lake Road Reconstruction were waiting on approval. Construction would be underway by the end of the month until July, there would be several different stages of closures. Designs on the new Township Hall and Public Safety buildings would be finalized soon. The Calvary Church rezoning would be coming back to the Planning Commission on May 16. Panera had not submitted for final site plan.

COMMUNICATIONS

None.

NEXT MEETING DATE: May 16, 2024

ADJOURNMENT

MOTION by Commissioner Carlock, seconded by Commissioner Meagher, to adjourn at 9:41 P.M. The motion carried with a voice vote: (8 yes votes).