

**WHITE LAKE TOWNSHIP
PLANNING COMMISSION**

Township Annex, 7527 Highland Road
White Lake, MI 48383
October 6, 2022 @ 7:00 PM

CALL TO ORDER

Commissioner Anderson called the meeting to order at 7:00 PM and led the Pledge of Allegiance. Roll was called.

ROLL CALL

Steve Anderson
Pete Meagher
Debby Dehart
Matt Slicker
T. Joseph Seward
Scott Ruggles
Robert Seeley
Merrie Carlock
Mark Fine

Absent: None

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

Visitors: Approximately 20 members of the public were present

APPROVAL OF AGENDA

Commissioner Seeley moved to approve the agenda of the October 6, 2022 Planning Commission Meeting.

Commissioner Dehart supported and the **MOTION CARRIED** with a voice vote: 9 yes votes.

APPROVAL OF MINUTES

- a. Regular meeting minutes of September 1, 2022

Commissioner Meagher moved to approve the Minutes of September 1, 2022.

Commissioner Fine supported and the **MOTION CARRIED** with a voice vote: 9 yes votes.

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

None

PUBLIC HEARING

A. Cosmo's Car Wash

Location: Property described as parcel number 12-20-276-034, located at the northwest corner of Highland Road (M-59) and Bogie Lake Road, consisting of approximately 1.88 acres, currently zoned (PB) Planned Business.

Request: **To receive public comment on the proposed preliminary site plan for the above Planned Business zoned property, consisting of a 4,535 square foot automobile wash establishment.**

Applicant: EWM- Miller Wash, LLC
201 East Ogden Ave, Ste #18-1
Hinsdale, IL 60521

Applicant present: John Pellegrine of Development Management Associates and Cameron Ray, Head of Operations, EWM-Miller Wash, LLC

Director O'Neil clarified that the applicant is requesting preliminary site plan approval.

Mr. Quagliata presented the project as a car wash establishment that would have road access from the Meijer private drive. This parcel size was determined prior to the 10-acre ordinance requirement so it will not require a waiver for size. No wetland or floodplain is impacted at the site and it is a relatively flat lot. The applicant proposes 20 vacuum stations to the west of the building which will be covered by a canopy. The applicant has agreed to all engineering comments. There is a sidewalk along the Meijer private drive on the site plan that needs clarification. Public utilities are available to this site. There will be waivers requested; including the setback from Bogie Lake Road, the number of stacking spaces, window coverage for the front façade, loading space and dumpster enclosure location. The landscaping comments have been addressed. A community benefit of \$15,000 has been proposed to either the parks fund or sidewalk fund. As the applicant has agreed to address all comments, staff recommends approval.

Mr. Leuffgen presented the engineering review. The drive lane requirement adjacent to the handicap parking space has been satisfied. The number of stacking spaces are deficient. Details are needed for the dumpster enclosure. Clarification needed for the proposed sidewalk. Details are needed for the fire truck turning radius near the vacuum stalls. There is an area near the existing sign that will need grading for drainage. A storm water maintenance agreement is needed, whether they will fall under Meijer's or have their own agreement. A sanitary sewer oil/grit separator clarification is needed. Many of these items can be clarified on final site plan.

Commissioner Carlock inquired about the revised plans that were requested.

Mr. Quagliata stated that the revised plans have not been received yet but the applicant has committed to address all of the comments by staff.

Mr. Pellegrine stated that they agree to meet all of the recommendations from staff and engineering and that they are very interested in partnering with the Township.

Commissioner Fine inquired about water reclamation process for the car wash and how oil is contained.

Mr. Ray stated that there are a series of tanks in the ground that separate all the oil and grit. The first 3 tanks are pumped out every 6 months and there are oil sensors inside the tanks.

Commissioner Slicker inquired how this operation is different from other car wash operations in the area.

Mr. Ray stated that there are a greater number of attendants on site to assist customers. Attendants are highly trained and well paid, which motivates them to give high value of service to the community.

Commissioner Dehart inquired about the other out lot on the Meijer property and would like to see a shared driveway agreement.

Mr. Pellegrine stated that they have been in communications with the group considering developing that lot and they have shared the grading plan so that they can consider a plan for a shared driveway.

Commissioner Meagher is concerned with the community benefit.

Mr. Quagliata stated that the community benefit should be commensurate with the waivers requested.

Director O'Neil clarified that they typically consider not just the number of waivers requested, but the significance of the requested waiver.

Commissioner Anderson stated that a recommendation can be made at this step of the process and consideration can be modified before final site plan review.

Mr. Ray stated the community benefits that they intend to provide in addition to the \$15,000 would include Back to School drives, Teacher Appreciation Week, School District staff lunches, Annual Thanksgiving food drives and Annual Toys for Tots drive.

Commissioner Anderson inquired about the cost of the services.

Commissioner Anderson opened public comment at 7:32 p.m.

Ed Liker of 847 W. Oxhill Dr. is concerned about water runoff being tracked onto the road being dangerous when it ices over.

Mr. Ray stated that they have blowers which push the water into the water separators to reduce water run-off and the 20 feet before and at the exit concrete slabs are heated.

Commissioner Anderson closed public comment at 7:35 p.m.

Commissioner Dehart inquired when the waivers are granted.

The board deliberated the waivers that have been requested.

Commissioner Meagher moves to forward a favorable recommendation, subject to the applicant addressing all of the staff and consultant comments and recommendations to the Township Board, the preliminary site plan for the property described as parcel number 12-20-276-034, located at the northwest corner of Highland Road (M-59) and Bogie Lake Road, consisting of approximately 1.88 acres, currently zoned (PB) Planned Business.

Commissioner Seeley supported, and the MOTION CARRIED with a roll call vote (9 yes votes): (Anderson/yes, Dehart/yes, Carlock/yes, Fine/yes, Meagher/yes, Seeley/yes, Seward/yes, Slicker/yes, Ruggles/yes)

B. Black Rock

Location: Property described as parcel number 12-23-129-018, located south of Highland Road and east of White Banks Blvd, consisting of approximately 1 acre. Currently zoned as (GB) General Business.

Request: **Preliminary Site Plan Approval**

Special Land Use Approval- The applicant is requesting to construct a restaurant with outdoor dining.

Applicant: Black Rock White Lake, LLC

30553 S Wixom Road #300

Wixom, MI 48393

Applicant present: Wayne Perry with Design Engineering and Lonny Morganroth, owner of Black Rock

Director O'Neil clarified that the lot size is 2.7 acres, not 1 acre as indicated on the agenda. The driveway location on M59 may require a variance due to proximity to White Banks Blvd. A right lane deceleration taper on eastbound M59 has been indicated by the applicant's traffic engineer. The building materials will be presented at the final site plan review. The window percentage on the west façade is deficient by a small amount. The landscaping will be addressed at final site plan review. The number of parking spaces has been reduced to 128 spaces, due to the reduced size of the building. A sign variance would be requested for the location of the digital area of the proposed sign. The proposed sign on the east wall would require a variance. The door handles will not require a variance as they fall under incidental signage. Outdoor seating requires a special land use approval by the Commission. The hours of operation will need to meet the ordinance, the applicant has not indicated what hours they would be requesting. The lighting plan was revised to reduce the impact on the neighbors. No additional parking is needed for the outdoor seating. Staff recommendation for approval is subject to meeting all comments in the staff review letter and obtaining any necessary variances.

Commissioner Seeley inquired if they could reduce the number of parking spaces and still be within tolerances for the ordinance.

Director O'Neil stated that they could, however the applicant indicated that they believe they will need all of the spaces on the plan during weekends, holidays and special events. The applicant moved secondary access further north to accommodate the neighbors' request. Employees would be parking in the lot furthest from the door which reduces the noise in that area.

Mr. Leuffgen presented the engineering review. This site plan demonstrates engineering feasibility for this level of plan submittal. The storm sewer will require a permit from M-DOT to outlet into the road right of way. The site utilizes underground detention storage for storm water. There are possible contamination tanks near the Speedway. Environmental reports have been presented indicating no contamination impacting this site. Engineering is committed to reviewing the site to make sure there are no adverse impact on adjacent properties.

Commissioner Carlock inquired how many parking spots over what is required by the ordinance.

Director O'Neil stated there were 31 parking spots over the requirement of the ordinance.

Mr. Perry responded on behalf of the owner of Black Rock White Lake. MDOT has responded that the entrance on M59 has to move about 50 feet to the west, which will align with the convenience store across the street. They anticipate approval for the storm water drainage to drain to M59. Due to the utility easement on the southern property line, they are not able to plant any landscaping in that area. At the

request of staff, they have lowered the lights and have them facing the restaurant so that they will not impact the residences.

Commissioner Seeley inquired if the lighting continues around the parking lot.

Mr. Perry stated that it does.

Commissioner Carlock inquired if some parking spaces could be removed to increase landscaping.

Mr. Perry stated that the Black Rock restaurant has a high volume of customers at the end of the week and the weekend and they will need to utilize all of the parking spaces indicated on the plan.

Director O'Neil inquired about the revision to the parking lot with the entrance moving west on M59.

Mr. Perry presented an updated site plan which indicates the change to the entrance and parking spaces. The handicap spaces move to the curb and closer to the front door, which is a better location for them.

Commissioner Ruggles inquired about the entrance shift on White Banks Blvd. to the north and noted that it appears they have made effort to accommodate the residents.

Commissioner Slicker inquired about a line on the west side of the rear parking indicated on the site plan.

Mr. Perry stated that it is an existing retaining wall that belongs to the neighbors, which is encroaching on their property.

Commissioner Anderson opened public comment at 8:19 p.m.

Dan Torossian of 844 E. Oxhill is concerned about the entrances on M59 and on White Banks Blvd.

Brenda of 232 Cranberry Beach is concerned about traffic to get into her home and would like a traffic light.

Heather Emerson of 846 W. Oxhill is concerned about traffic and believes a traffic light would alleviate much of the problem. Ms. Emerson would like to see less parking spaces and would like to see a "no outlet" sign on White Banks Blvd. She is also concerned about the possibility of outdoor speakers, what the hours would be and if they would play music or just be for announcements.

Bill of 232 Cranberry Beach is concerned about storm water run-off during winter with snow removal.

Christopher Emerson of 846 W. Oxhill is also concerned about traffic coming into his neighborhood and the peninsula of parking near the residences.

Ed Liker of 847 W. Oxhill Dr is concerned about traffic on M59 and the weeds being maintained between the retaining wall and privacy fence.

Lois Demers of 860 W. Oxhill Dr would like to see the parking spaces removed so they are not next to the residential lot.

Theresa Bismack of 548 E. Oxhill Dr. is concerned about traffic as well and would like to see a traffic light at this location.

John Hunt of 871 Oxhill Dr would like to speak with Mr. Perry. He is very concerned about the grading next to his house where the parking lot will be and does not want to have the parking lot next to his property.

David Youngquist of 669 Robar Circle doesn't believe this restaurant will be successful at this location.

Debbie Torossian of 844 E. Oxhill inquired if there is a screen wall at the end of the parking area, where the location of the dumpster will be and about the lighting plan. She also inquired if there has to be two entrances.

Director O'Neil addressed the lighting and stated that no outdoor speakers are allowed. The Township has no authority over traffic lights on M59, only MDOT can authorize a new traffic light and encouraged the residents to appeal to MDOT to consider a traffic light at that location.

Commissioner Anderson closed public comment at 8:48 p.m.

Mr. Perry addressed the storm water and snow melt retention on the site, acknowledged the drainage challenges and stated that they propose to raise the site and have it slope inwards towards the drain for the underground detention. Under the parking lot will be a large, underground detention infiltration system. The dumpster location is near the building, not in the south parking lot, and parking islands are a requirement of the ordinance.

Mr. Morganroth founder of Black Rock is a Lakeland High School graduate and is happy to bring this restaurant home. Mr. Morganroth purchased the property in 2002 and removed the dilapidated building years ago. He believes that the restaurant will be successful at this site and stated that he gives back to the community where they have restaurants. They will have 150 employees.

Commissioner Anderson thanked Mr. Morganroth for speaking.

Commissioner Carlock inquired about the second entrance on White Banks and if it was eliminated would it change the location of the parking spaces.

Director O'Neil stated that a traffic engineer would need to address the issue.

Commissioner Seeley stated that the second entrance could keep traffic from entering the neighborhood looking for the entrance to the restaurant.

The board deliberated the two proposed entrances to the restaurant.

Director O'Neil stated that the "no outlet" sign on White Banks Blvd. was an excellent idea and encourages the residents to request that of the Road Commission, and the Township will request it as well.

Commissioner Carlock inquired about "no parking" signs on White Banks Blvd.

Director O'Neil stated that the Road Commission would need to address that request and that it is a long process that involves the Michigan State Police.

Commissioner Seward moved to approve the Special Land Use subject to all staff and consultant review comments being addressed and obtaining approval of final site plan approval for the property described as parcel number 12-23-129-018, located south of Highland Road and east of White Banks Blvd, consisting of approximately 1 acre. Currently zoned as (GB) General Business.

Commissioner Fine supported, and the MOTION CARRIED with a roll call vote (9 yes votes): (Anderson/yes, Dehart/yes, Carlock/yes, Fine/yes, Meagher/yes, Seeley/yes, Seward/yes, Slicker/yes, Ruggles/yes)

Commissioner Meagher moves to forward a favorable recommendation, subject to the applicant addressing all of the staff and consultant comments and recommendations, upon Zoning Board of Appeals approvals and posting that the parking area known as “the leg” will be posted as Employees Only, to the Township Board, the preliminary site plan for the property described as parcel number 12-23-129-018, located south of Highland Road and east of White Banks Blvd, consisting of approximately 1 acre. Currently zoned as (GB) General Business.

Commissioner Fine supported, and the MOTION CARRIED with a roll call vote (7 yes votes): (Anderson/yes, Dehart/no, Carlock/no, Fine/yes, Meagher/yes, Seeley/yes, Seward/yes, Slicker/yes, Ruggles/yes)

CONTINUING BUSINESS

None

NEW BUSINESS

None

OTHER BUSINESS

A. New Hope Landscape Reduction Request

Applicant present: Rumi Shahzad of New Hope White Lake, LLC

Director O’Neil stated Site Plan for this approval was granted in July of 2020. This request for modification will need to be forwarded to the Township Board for approval as it will necessitate an amendment to the Planned Development Agreement.

Mr. Shahzad addressed the request to scale back the overall landscaping of the project, noting that there are large forested areas on the site which remain natural area. They accommodated a request of one neighbor who could see the building from their home and installed a fence. Mr. Shahzad proposes that the current, existing trees and the new landscaping be adequate as built.

Director O’Neil stated there are three options: approve this request as it is, deny the request and have him add the trees or suggest something else.

Commissioner Anderson inquired what landscaping is lacking.

Director O’Neil stated the deficiency is in the courtyard area and all screening landscaping has been provided.

The board deliberated the landscaping deficiencies and if variances were granted.

Rick Brown of 8159 High Point Trail shared that he is a nearby resident and his sister will be a resident of New Hope White Lake. Mr. Brown would like to see the facility open soon.

Commissioner Carlock moves to forward a favorable recommendation to the Township Board to allow a general 40% reduction in landscaping that the landscaper and land owner find most useful and subject to administrative review.

Commissioner Seeley supported, and the MOTION CARRIED with a roll call vote (9 yes votes): (Anderson/yes, Dehart/yes, Carlock/yes, Fine/yes, Meagher/yes, Seeley/yes, Seward/yes, Slicker/yes, Ruggles/yes)

B. Master Plan Update

Director O'Neil presented a brief update on the RFP for the Master Plan. Seven firms were sent Request for Proposals and 2 firms have responded. They will present to the Planning Commission at the next meeting.

LIAISON'S REPORT

Commissioner Ruggles stated that the Township Board approved the Capital Improvement Plan. The Road Commission of Oakland County has approved the potential road design entrance to the new Town Hall on Elizabeth Lake Road. The Board also approved DLZ to do the engineering for the project.

Commissioner Dehart reported that the Zoning Board of Appeals states that the sign ordinance needs to be discussed.

Commissioner Carlock reported that they are working on the 5-year Parks & Rec plan. They will be meeting with the National Park Service regarding threatened and endangered species. Trunk or Treat next Saturday.

DIRECTOR'S REPORT

None

COMMUNICATIONS

NEXT MEETING DATES: October 20, 2022
November 3, 2022

ADJOURNMENT

Commissioner Fine moved to adjourn the meeting at 9:53 PM
Commissioner Carlock supported and the MOTION CARRIED with a voice vote: 9 yes votes