

**WHITE LAKE TOWNSHIP
INTER-OFFICE MEMORANDUM
COMMUNITY DEVELOPMENT DEPARTMENT**

DATE: January 11, 2022

TO: Rik Kowall, Supervisor
Township Board of Trustees

FROM: Sean O'Neil, AICP
Community Development Director

SUBJECT: River Caddis, LLC Rezoning Request

Applicant requests to rezone approximately 44.8 acres of the approximately 53.41 acre parcel 12-21-426-005, excluding the northeasterly 8.61 acres, and the approximately 20 acre parcel 12-28-226-001 from (AG) Agricultural to (RM-2) Multiple Family Residential or any other appropriate zoning district.

The above request is now ready for Township Board Consideration. The matter was considered by the Planning Commission at their regular meeting of January 6, 2022 at which time, after the public hearing, the **Planning Commission recommended approval** of the proposed rezoning request.

Please find enclosed the following related documents:

- Draft minutes from the Planning Commission meeting held on January 6, 2022.
- Review letter prepared by the Township Planning Consultant, Ms. Kathleen Jackson, dated December 29, 2021.
- Statement from Mr. John McGraw, River Caddis LLC, dated December 28, 2021.
- Rezoning application dated December 8, 2021.
- Trip generation forecast memo from Bill Stimpson, Giffels and Webster, dated December 30, 2021.
- Public hearing notice.

Please place this matter on the next available Township Board agenda. Do not hesitate to contact me should you require additional information.

**WHITE LAKE TOWNSHIP
PLANNING COMMISSION**
Township Annex, 7527 Highland Road
White Lake, MI 48383
January 6, 2021 @ 7:00 p.m.

Chairperson Anderson called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance. Roll was called.

ROLL CALL: Steve Anderson
Robert Seeley
Debbie Dehart
Joe Seward
Merrie Carlock
Scott Ruggles

Absent: Matt Slicker
Pete Meagher
Mark Fine

Also Present: Sean O'Neil, Community Development Director
Mike Leuffgen, DLZ (via Zoom)
John Jackson, Mckenna & Associates
Nick Spencer, WLT Building Official
Hannah Micallef, Recording Secretary

Visitors: 70+ members of the public present

Director O'Neil said Rhonda Grubb had resigned as she became an official employee of the White Lake Police Department. Mr. Robert Seeley was newly appointed to the Planning Commission. Mr. Seeley comes to the Planning Commission with many years of public services and works at Oakland County as the Chief of Emergency Management. He also welcomed the new recording secretary, Ms. Lisa Kane.

Commissioner Anderson thanked Ms. Grubb for her service.

Approval of Agenda

Director O'Neil asked to put on Preserve at Hidden Lake's Setback Clarification request under Other Business item b, and to shift item b. Election of officers and item c.

Commissioner Carlock moved to approve the agenda as amended to add Preserve at Hidden Lake's request to change their storm water agreement, and to move the election of officers and liaison assignments to items c and d respectively.

Commissioner Dehart supported and the MOTION CARRIED with a roll call vote: 6 yes votes. (Anderson/yes, Seeley/yes, Dehart/yes, Seward/yes, Carlock/yes, Ruggles/yes)

Approval of Minutes

- a. December 2, 2021

Commissioner Ruggles moved to approve the minutes of December 2, 2021 as presented. Commissioner Seward supported and the MOTION CARRIED with a roll call vote: 6 yes votes.

Call to the Public (for items not on the agenda):

Tony Sisco, 620 Hillwood, wanted to know why the rezoning request was not notified to the public. Commissioner Anderson said the notice was communicated to residents by publishing it in the Spinal Column, and on the website. Director O'Neil added there was notices also posted on the doors of Township Hall, as well as a sign posted on the subject property. Residents within 300' of the subject properties were mailed notices as well.

Lori Bender, 826 Beachway, asked when would she be able to address the public hearing items. Commissioner Anderson explained the call to public was for items that were not on the agenda, and there would be a chance to address the public hearing items when the public hearing opened to the public.

Public Hearing:

- a) River Caddis Development, LLC Rezoning Request
Property described as parcel numbers 12-21-426-005 and 12-28-226-001 located at the southwest corner of Highland Road and Elizabeth Lake Road, consisting of approximately 73.41 acres.
Request: **Applicant requests to rezone approximately 44.8 acres of the approximately 53.41-acre parcel 12-21-426-005, excluding the northeasterly 8.61 acres, and the approximately 20-acre parcel 12-28-226-001 from (AG) Agricultural to (RM-2) Multiple Family Residential or any other appropriate zoning district.**
Applicant: River Caddis Development, LLC
1038 Trowbridge Road
East Lansing, Michigan, 48823

Mr. John Jackson, McKenna & Associates reviewed the application on behalf on the Township. In terms of the process, there would be a public hearing regarding the proposed rezoning and then the Planning Commission would vote on a recommendation to the Township Board. There was no site plan for the subject property at the time.

The master plan designation for the subject property was planned community. Planned community includes a mix of residential types and units, with a density of no more than 10 units per acre. The request to rezone the property from AG to RM-2 was consistent with the master plan.

The subject site was currently undeveloped, with some wetlands, and flat and relatively suitable for development. The applicant's request to rezone to MR2 was compatible with the subject site.

The surrounding uses were existing residential to the west and south. The lake served as a natural buffer to the existing residential to the south, and there would be adequate buffering to the existing residential to the west.

The subject site would eventually be served by water and sewer. The adjacent road system was suitable to carry a high volume of traffic. There was not currently any other undeveloped area in the Township zoned RM-2 in the Township, therefore making the requested zoning district in demand. There would be no isolated parcels adjacent to the subject parcel, as to not create a "spot zoning."

Mr. Jackson's recommendation to the Planning Commission was to recommend that the Township approve the applicant's request to rezone the subject parcel from Agricultural to RM-2.

Director O'Neil said he was in concurrence with the recommendation and the findings of Mr. Jackson's review.

Commissioner Seeley asked Director O'Neil what the density was for the 4 Corners project. Director O'Neil said the 4 Corners project had about 25 units per acre. The density in RM-2 was a maximum of 10 units per acre.

Matthew Schwanitz, Giffels Webster, was present to speak on behalf of the applicant. Mr. Schwanitz said the request was to rezone 64.8 acres. He understood the residents' concerns and acknowledged the subject site was sensitive due to the wetlands and the surrounding neighborhoods. He said the project would be a collaborative effort between the Township and the residents. He said the rezoning was the beginning of the process to meet with the residents and hear their concerns and ideas. The future project on the subject site would be an anchor for the Civic Center development project. Buffering the future project from the existing neighbors would be important and done the right way. The lake was a huge asset for the existing neighbors, the future project, and the future civic center development. It was important to keep the lake safe. As of right now, he thought the requested zoning would work, but there would be future phases and the subject site may end up being zoned Planned Development. The morning and afternoon peaks in regards to vehicle trips were 300 per the traffic study that was submitted. He reiterated that the development of the site would be interactive between the developer and current residents.

Director O'Neil added that the parcel was riparian, and the Township would object to keyhole access, meaning there would be no dockage or marina at the subject site. The access to the lake would be passive, and there wouldn't be development on the water. There could possibly be a pathway network to reach the Library, Stanley Park, and future Civic Center development. There would be no access to Hillway.

Mr. Schwanitz said the wetland line abutted to the water's edge, and EGLE would not allow vertical development in the wetland area as it was protected. The wetland was an asset.

Commissioner Anderson opened the public hearing at 7:42 P.M.

Phil Abbott, 325 Hillwood, appreciated the comments and said they were insightful, he appreciated hearing the limiting of access to the lake. His main concern was excluding the wetland from the rezoning into RM-2.

Christopher Yalko, 7008 Biscayne, wanted to know when the original master plan was adopted, and how often the master plan was updated. He also wanted to know when the zoning standards for RM-2 adopted. He said there was concern with new residents being brought into an area that would share the current resident's natural resources such as the lake.

Grace Springer, 676 Elkinford, said the neighborhood surrounding the subject site was single family. She said 10 units per acre could bring a lot more people, and single-family dwellings should be considered for the subject site.

Eric Walley, 819 Elkinford, asked what the definition of adequate buffering would be.

Brian Lovejoy, 1005 Schuyler, said the lake was the community's common ground, and calling the lake a buffer was unrealistic. He took exception to parcel # 12-28-226-001 being rezoned to RM-2. He said there was no reason to rezone parcel # 12-28-226-001 to RM-2.

Nikki Poland, 8651 Newport, said she was concerned about overdevelopment in White Lake Township, especially over the clearing of woods and displacement of the animals. She felt the roads were not adequate for increased traffic from new developments. She was opposed to the rezoning request as presented.

Dennis Anderson, 7484 Oak Bay Drive, said he rejected the idea of there not being other places for multiple family housing in the Township. Brendel Lake was unique and different from any other lake in this area, and there was a floodplain in the subject site's wetlands, and that's why it had not been developed prior. He wanted to know why parcel 001 was being rezoned as RM-2.

Randy Wojtaszek, 1530 Oak Bay Drive, said he agreed with his neighbors and said he didn't know what passive access to the lake meant. He asked why the wetlands couldn't be excluded from the rezoning.

Kristen Elam, 515 Hillwood, asked if the developer could donate parcel 001 to Stanley Park.

Ann Lovejoy, 1005 Schuyler, said there was a pair of nesting bald eagles on the lake and they needed to be protected.

Candice Rice, 8015 Elkinford, asked what would be done if development was complete, what would be done if damage was sustained to surrounding resident's septic fields.

Ron Creek, 291 Hillwood, said he didn't want the master plan in regards to minimum acreage to be changed without resident involvement. Director O'Neil objected to the statement, and said the Township did not have any meetings that would amend the master plan without notifying residents per state law.

Lori Bender, 826 Beachway Ct, said she wanted to know if someone from the Planning Commission would be involved with contacting EGLE about the wetlands. She wanted to know if an environmental impact study would be done in the future that would include light pollution. She added that stormwater run off was also a big issue.

Mark Lambert, 921 Schuyler, said the Planning Commission should be looking at a more in-depth topography map and information to make their decision.

Jennifer Szelestey, 521 Hillwood, was concerned about noise pollution in addition to potential light pollution.

Rita Doring, 7210 Capri, was concerned about utilities and structural changes to the Township affecting her taxes. She was concerned how her crops were going to grow.

Howard Meyers, 7367 Biscayne, said he was trying to understand tonight's process.

Ed Hennesey, 434 Sunset, asked if the subject site would be potentially able to be rezoned again. He asked why the developer would consider the lake as an asset.

Dawn Pratt, 630 Elkinford, said the back of her house backed up to the woods and wanted to know what type buffering between her home and the future property would be, and how close the future project would be to her home.

Lee Panoushek, 7525 Biscayne, wanted to know if the Planning Commission would consider another zoning district that had less impact than RM-2.

Grace Springer, 676 Elkinford, asked if other areas were considered for the future development.

Brian Lovejoy, 1005 Schuyler, said under RM-2 zoning, condos were a viable construction option and future condo owners would have riparian rights.

Nikki Poland, 8651 Newport, said water recreation was on the rise, but there were other outdoor recreation options available.

Commissioner Anderson closed the public hearing at 8:29 P.M.

Mr. Jackson said RM-2 zoning offered a minimum physical separation buffer of 20', and a 6' berm with landscaping or denser landscaping like preserved woods would be allowed. Commissioner Anderson said the Planning Commission were strong advocates of "green buffering."

Director O'Neil said the Master Plan was last rewritten and updated in 2011, and the master plan is required to be looked at every 5 years. The document as it stands was relevant for today's standards. 2003 was when the RM-2 zoning was last updated.

If the future project went forward, the Township could prevent keyhole access to the future residents and they would not be full riparian owners. The Township would not approve dockage or a launch. An environmental impact statement would be required, in the ways of a community impact statement as a CIS was what the Township ordinance required. Future rezoning requests would be able to be considered in the future. The future project would be connected to municipal water and sewer. In regards to topography, it would be reviewed by the Township Engineer, but the applicant has not brought a plan forward yet. The applicant had not purchased the property, and wouldn't until the rezoning was official. After the rezoning was adopted, the applicant would undergo the traditional site plan process through the Township Planning Department and have to meet requirements through the Township.

Mr. Schwanitz said if parcel # 12-28-226-001 was left out of the rezoning, it would create a "spot zone" and that's illegal per state law. He reiterated there would be no vertical development within the wetland area. He believed the lake was an asset because of the dramatic glimpses of the woods through

the lake. There would be nothing done to drop the water level, and the surrounding water table will be tested and analyzed. Test borings would be done to test ground water as well as the soil. He would take the bald eagles into future assessments. There was a new set of standards for stormwater coming from EGLE that would encourage filtration and percolation for stormwater runoff. Commissioner Anderson added that all stormwater management would be managed and monitored by the DPS Department and DLZ.

Director O'Neil added that there was a demand for the community because there was water and sewer within the Township. as far as there being another parcel suitable for this future development, the only other parcel that the developer could have considered was already underway for a larger residential development.

Commissioner Ruggles stated that the residents of Brendel Lake are passionate, and he benefitted from their comments. He said this was only the first step, and once a site plan was submitted, there would be more room for resident engagement. He said the best way to go about this would be to plan the property wisely, and take all the comments into consideration.

Commissioner Dehart said she agreed with Commissioner Ruggles statement, and said she believed in responsible development. The future development needed the density to help the Civic Center district thrive. She considered all comments made during the public hearing.

Commissioner Carlock said EGLE would definitely protect the wetland, and keep an eye on it as well.

Commissioner Anderson said over his years on the Planning Commission, the projects he has seen undergo scrutiny and are held accountable by the Township. He encouraged the residents to communicate with the Planning Commission more often for their concerns to be heard.

Commissioner Seward MOVED to recommend the Township Board approval of River Caddis, LLC's request to rezone approximately 44.8 acres of the approximately 53.41-acre parcel 12-21-426-005, excluding the northeasterly 8.61 acres, and the approximately 20-acre parcel 12-28-226-001 from (AG) Agricultural to (RM-2) Multiple Family Residential.

Commissioner Seeley SUPPORTED the MOTION CARRIED with a roll call vote: 6 yes votes. (Anderson/yes, Seeley/yes, Dehart/yes, Seward/yes, Carlock/yes, Ruggles/yes)

b) Taco Bell

Property described as parcel number 12-20-276-036, located at the northeast corner of Highland Road (M-59) and Bogie Lake Road, consisting of approximately 1.07 acres, currently zoned (PB) Planned Business District.

Request: Public comment on the proposed preliminary site plan for the above Planned Business District zoned property, consisting of a 2,235 square foot drive thru restaurant.

Applicant: Great Lakes Taco, LLC
8487 Retreat Drive
Grand Blanc, Michigan, 48439

Mr. Jackson said the subject parcel was one of the remaining out lots from the Meijer development. He had minor comments: lot coverage information was not provided on the plans, and there were 9 stacking spaces at the entrance of the site provided on the plan. There

need to be clear delineation on how vehicles would queue up in the drive thru. The 5' landscape on the east side of the property needed to be expanded to 7', and a full landscape plan needed to be submitted. The sidewalks along Bogie Lake Road and Highland Road needed to have their widths identified on the plans. The average curbs on the site were high, and lighting on the building needed to be detailed more. A full lighting plan would also need to be submitted. The signage package needed to be pared down in order to come into compliance with the Township's signage standards. The dumpster enclosure needed to be increased in height. The 60' setback as shown on Bogie Lake Road was not in compliance, but only the drive thru faced Bogie Lake Road. He suggested the Planning Commission giving the applicant direction on facing the building to Highland Road and Bogie Lake Road. He also added that the outlet to the north would have to have a consistent streetscape as the Taco Bell, provided that the northern outlet was developed in the future. Window coverage on the walls would need to be submitted as well. The applicant proposed a 20' pylon sign, and that wasn't allowed per Township ordinance.

Commissioner Anderson asked if the signage the applicant was requesting differed from the signage at the Taco Bell that was on Union Lake Road and Cooley Lake Road.

Mr. Leuffgen was present and went over his most current review. He said because the subject site was an outlet, some engineering issues were already taken care of during the development of the Meijer project. The site would need to meet ADA requirements, and some of the existing sidewalk on Bogie Lake Road would need to be repaired. Firetruck access was demonstrated, but a turn around movement would be required. Water service was demonstrated based on a 1.5" water service lead. The site would be connected into the Township's sanitary sewer system, and there was an existing pump station in front of the site. The plans showed the required 1000 gallon grease interceptor. The site demonstrated engineering feasibility.

Director O'Neil said Meijer was wrapping up the division of the subject site, and that was the reason why there was a delay in bringing the project before the Planning Commission. Reciprocal access between the subject site and McDonald's would also have to be worked out before final approval. There would be a maintenance agreement that would be shared by McDonald's and Taco Bell.

Greg Lautzenheiser was present to speak on the case. He said a lot of the minor details that were discussed were not a problem and would be taken care of during the final site plan process. He said the subject site was difficult as far as configuration. He said he considered flipping the building as was suggested by the Planning Commission, but that would cause more problems. He said the owner owned the other Taco Bells in the Township, and the final building would look similar to the others. Hardie board was no longer available, but alternative fiber cement board would be used instead. The cement board would be a higher quality material.

Commissioner Anderson asked the applicant if there was opposition to the Township's signage requirements. Mr. Jackson asked if wall signs needed to be on all 4 sides of the building. There would be no signage on the back of the building, and there wasn't adversity towards having wall signage on only two sides.

Commissioner Anderson opened the public hearing at 10:15 P.M. Seeing none, he closed the public hearing at 10:17 P.M.

Commissioner Seward **MOVED** to recommend to the Township Board approval of the preliminary site plan for parcel number 12-20-276-036 located at the northeast corner of Highland Road (M-59) and Bogie Lake Road, consisting of approximately 1.07 acres, currently zoned (PB) Planned Business District, subject to all consultant comments and Planning Commissioner comments, especially in regards to construction materials and signage. Commissioner Dehart **SUPPORTED**, and the **MOTION CARRIED** with a roll call vote (6 yes votes):
(Seward/yes, Dehart/yes, Carlock/yes, Ruggles/yes, Anderson/yes, Seeley/yes).

Continuing Business

None.

New Business

None.

Liaison's Report:

Commissioner Carlock said the Land and Water Conversation fund grant for Stanley Park was awarded to the Township for engineering services for the initial development of Stanley Park.

Commissioner Dehart said the ZBA will be holding ongoing discussions regarding portions of the zoning ordinance, and the sign ordinance would be reviewed as well.

Commissioner Ruggles said the Township Board met in December, the 4 Corners retail out lot preliminary and final site plan were denied. The Township Board approved their preliminary engineering costs for the paving project along Pontiac Road from Margie Drive to Kingston Street.

Planning Consultant's Report

None.

Director's Report:

There will be a meeting on the 20th to hold public hearings for the ComfortCare on Union Lake and for the Oxbow Lake Private Launch Association. Both projects went forward with publishing before review comments came back and will be tabled at the meeting as their plans were recommended for revision from staff and consultants

Other Business:

a) 8300 Pontiac Lake Road conceptual discussion (no action to be taken)

Michael Zeer was present to speak regarding 8300 Pontiac Lake. The property caught his eye, and has met with staff and consultants on what type of development could be the best fit. The subject site was difficult to work with, but he felt what he was presenting would make the subject site functional while meeting the standards that the Pontiac Gateway district presented. He wanted to put 52 multi family units on the subject site, along with a few docks. There would be a common area beach that the residents would have access to.

Director O'Neil said that the property used to have a mobile home park on it, and was a little over 3.5 acres in size. Another group had come in a year ago with a mixed-use conceptual plan for the site, but it never got off the ground. Docks wouldn't be a problem as the lake was public.

Commissioner Seeley asked Mr. Zeer if the buildings were all intended to be multi family, or would the buildings have a mix of commercial and residential? Mr. Zeer said there was currently a lot of commercial vacancy, and it would take time to fill those buildings. Most interested tenants would want to be directly on M-59.

Commissioner Seeley said his concern with keeping the buildings all residential was that the proposed development would need to have a price point that would drive interest. Mr. Zeer said the units would be beautiful, and even though he might struggle to find a tenant for the one commercial piece, he could do it. He felt like his plan would be the best fit for the subject site. He would be putting a lot of money into the project, and would have to repair the current seawall, as well as putting in a new pump station.

Commissioner Carlock asked Director O'Neil if there was enough proposed parking. Director O'Neil said the plans had not been reviewed with the ordinance standards yet.

Commissioner Anderson asked Mr. Zeer if there was a ballpark for the rental rates. Mr. Zeer said the prices would be around \$1400.00.

Commissioner Dehart asked Mr. Zeer if there was a need for more apartment like products in White Lake. Mr. Zeer said yes.

Commissioner Seeley said he would like to see the whole peninsula redeveloped, but this proposal would be a good start.

Commissioner Seward said the surrounding area has a lot of convenience stores, and he didn't like the concept of rentals in that area. Mr. Zeer said it could be challenging doing homes or condos on the subject site due to the properties that surround it.

Director O'Neil said the Township Board should also provide conceptual feedback before the applicant began the site plan process.

b) Preserve at Hidden Lake Unit Setback Clarification

Director O'Neil said he, Building Official Spencer, Mr. Leuffgen, have met all week in regards to the lake levels rising. Building Official Spencer said he went out to inspect the new homes and noticed they were much closer to the water. The footprint hadn't changed, so engineering went out twice to double check and it was confirmed the water had risen. The grade was shallow, and the water had spread 12'. The notes on the site plan call out the structure's setback 40' from the water's edge and now it's only 25' from the water. As the ordinance currently reads, he wouldn't be able to approve the decks in that area of the development too. There is a proposal of allowing a 12' maximum deck of any home that has the current 25' setback.

Director O'Neil said instead of measuring 40' from the water's edge, the new setback would be 25' from the freeboard level.

Building Official Spencer said the setback was originally based on the water's elevation. He couldn't technically approve the builds based on the current set of plans because of the water that rose. There wouldn't be a risk of the homes flooding; the basement elevations are 6-7' higher than where the water sits, and the soils were great in the area.

Mr. Pat McWilliams, Kieft Engineering, said that the original approved site plan showed lots to have a rear yard setback of 40' off of the original water level of 939.10. Due to the high amount of rainfall last year, the highest the water level has gotten was 941.50. He suggested a modification to the minimum rear yard setback that would result in 25' off of the 1' freeboard

line. Decks would be at least 12', and in the closest scenario, the remainder of homes affected would have a rear setback of 25' from the 1' freeboard elevation line of 942.30.

Commissioner Anderson asked how many lots this would impact. Mr. Craig Piasecki, developer, said in the worst-case scenario, it would affect 16 lakefront homes.

Commissioner Seeley stated the site was never deforested before this, and the forest absorbed a lot of that water. There was nothing that could prove the water wouldn't rise another 2' next year. Mr. McWilliams said the water rose and drop, and there would have to be another 5-6 100-year storms to flood the home.

Commissioner Dehart asked if the homes were in a floodplain and would require a future homeowner to get flood insurance. Mr. Piasecki said no, and other new residents have not needed to purchase floodplain insurance.

Mr. Leuffgen said once the landscaping was installed, it would help with run off. He was not concerned about the basements flooding, there was plenty of elevation. The conditions of the site were very sandy and didn't help the pond levels as they rose. The free board elevation was a 1' pike over the high water level, used as a factor of safety. The water had not gotten than high, and was used as the worst case scenario.

Building Official Spencer suggested using some of the excess water to irrigate common areas. Mr. Piasecki said he wasn't opposed to the idea.

Commissioner Seeley MOVED to recommend the Township Board approval of the modifications to Preserve at Hidden Lake's development agreement to allow staff to make a minor change to the approved site plan and incorporate the exhibit "Preserve at Hidden Lake Unit Setback Clarification" dated January 6th, 2022. Commissioner Seward SUPPORTED and the MOTION CARRIED with a roll call vote: (6 yes votes):

(Seeley/yes, Seward/yes, Ruggles/yes, Anderson/yes, Dehart/yes, Carlock/yes)

c) Election of officers

Commissioner Ruggles nominated Steve Anderson to serve as Chairperson of the White Lake Township Planning Commission for the remainder of 2022. Commissioner Seeley SUPPORTED and the MOTION CARRIED with a voice vote: (6 yes votes)

Commissioner Anderson nominated Commissioner Seward to serve as Vice Chair of the White Lake Township Planning Commission for the remainder of 2022. Commissioner Carlock SUPPORTED and the MOTION CARRIED with a voice vote: (6 yes votes).

Commissioner Anderson nominated Commissioner Seeley to serve as Secretary of the White Lake Township Planning Commission for the remainder of 2022. Commissioner Seward SUPPORTED and the MOTION CARRIED with a voice vote: (6 yes votes).

d) Liaison assignments

Commissioner Anderson nominated Commissioner Dehart to serve as the Zoning Board of Appeals liaison the White Lake Township Planning Commission for the remainder of 2022. Commissioner Carlock SUPPORTED and the MOTION CARRIED with a voice vote: (6 yes votes).

Communications:

There would be meeting on January 20th.

Next Meeting Dates: January 20, 2021
February 3, 2021

Adjournment:

Commissioner moved to adjourn the meeting at 11:32 P.M. Commissioner supported and the MOTION CARRIED with a voice vote: 6 yes votes.

DRAFT



MCKENNA

December 29, 2021

Sean O’Neil – Community Development Director
Charter Township of White Lake
7525 Highland Road
White Lake, MI 48383

Subject: River Caddis
Proposed Rezoning #1
Rezoning from Agricultural (AG) to Multiple Family Residential (RM-2)

Location: South of Highland Road, west of Elizabeth Lake Road
Parcel Numbers 12-21-426-004 and 12-28-226-001

Applicant(s): John McGraw, River Caddis

Dear Mr. O’Neil:

We have received an application for a rezoning review for two undeveloped parcels of property, consisting of approximately 64.8 acres. The site is currently zoned AG Agricultural and has frontage on Elizabeth Lake Road and 31’ of frontage on Hillwood Drive (unimproved right of way). The petitioner is proposing to rezone the property to Multiple Family, RM-2, which, per the Master Plan, allows up to ten (10) dwelling units per acre.

COMMENTS

1. **Existing Conditions.** The conditions of the site and the surrounding area are summarized below:

Location	Existing Land Use	Master Plan	Existing Zoning
Site	Undeveloped	Planned Community	Agricultural
North	Agricultural (proposed PD)	Planned Community	Agricultural
East	Library & Undeveloped Land	Planned Community	Agricultural
South	Brendel Lake, Single Family Residential	Residential Resort	Brendel Lake, R-1C, Single Family Residential
West	Single Family Residential	Residential Resort	R-1D, Single Family Residential

2. **Zoning Ordinance Rezoning Requirements.** Section 7.13 of the Zoning Ordinance provides standards for the review of rezoning proposals. The following review criteria are specified in Section 7.13 (a) through (n):

- a. **Consistency with the goals, policies and future land use map of the White Lake Township Master Plan, including any subarea or corridor studies. If conditions have changed since the Master Plan was adopted, the consistency with recent development trends in the area.** The Future Land Use map shows this site as being Planned Community. Per the Master Plan:



Planned Community is characterized by a mix of uses that includes higher residential densities and a variety of housing product types as well as a core area with retail, dining, entertainment, governmental, recreational, institutional, office and personal service establishments. These are proposed to be the “town centers” of White Lake that give the community an identifiable “sense of place” as well as a central and satellite gathering locations. Residential elements of a Planned Community may take the form of a freestanding neighborhood, or may be permitted on the upper floors of non-residential development in the community core area. Multi-use/story buildings are expected to have 2 or 3 stories, however open space must be provided. Dedicated, usable open space with a variety of amenities will be featured as an element of large-scale, mixed use development, and the Township will seek public park and connected open space dedications from landowners/developers. Connections to and segments of the Township’s community-wide pathway system will be required as an integral part of all Planned Community developments.

A planned development with commercial and multiple family is currently proposed for the area north of the subject area. The proposed RM-2 zoning is compatible with the proposed project.

Additionally, the north portion of the subject parcel is located in the Lakes Town Center Area Plan. These guidelines should be adhered to at the time of site plan review, as well as those guidelines/requirements of the Civic Center Development Plan, once it is adopted.

- b. ***Compatibility of the site's physical, geological, hydrological and other environmental features with the host of uses permitted in the proposed zoning district.*** The site is presently undeveloped and relatively flat. It appears to be a reasonable piece of land for multiple family development. There are some wetlands on the site and the applicant has stated that a future development will allow the preservation and management of the lake edge and wooded wetland habitats.
- c. ***Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) of the uses permitted under the current zoning.*** While no such evidence has been submitted, we observe that the request is compatible with the use and zoning of other properties on the south side of Highland Road in this area and the Township’s Master Plan. If the property was developed under the current zoning of Agricultural the return on investment would likely be less than development under the RM-2 zoning.
- d. ***The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*** Multiple family uses are compatible. As noted above, the properties to the south of the site are zoned residential and are physically separated by Brendel Lake. This physical feature provides a buffer between the single family and any future multiple family uses. Appropriate screening between the single family residential to the west and the subject property could be accomplished through site plan review.
- e. ***The capacity of the Township’s utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the “health, safety and welfare” of the Township.*** It appears that the site is an area that is intended to be serviced by public water and sanitary sewer. We defer to the Township Engineer regarding this matter.



- f. ***The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district. A rezoning traffic study shall be prepared as described in Section 6.3, if required based on the standards of Section 6.3.B.i of the Zoning Ordinance.*** A rezoning traffic study (“RTS”) is required if the proposal is either a) inconsistent with the Master Plan or b) involves other than residential down-zoning. This requirement can be waived if recent studies have been completed in the area and the study would be of little benefit. The proposed use, which could result in as many as 650 multi family dwelling units will definitely require a traffic study; however, with respect to the proposed development to the north, it is more appropriate to have a traffic study done in conjunction with a site plan. The applicant submitted a trip analysis.
- g. ***The apparent demand for the types of uses permitted in the requested zoning district in relation to the amount of land in the township currently zoned and available to accommodate the demand.*** The petitioner should address the demand for multiple family units. The applicant states, in his cover letter, that the demand for multiple family exceeds the supply; however, this statement should be backed up by a quantitative (gap) analysis of the demand for multiple family units. There are currently other applications in the Township for multiple family projects.
- h. ***The boundaries of the requested rezoning district are reasonable in relationship to its surroundings, and construction on the site will be able to meet the dimensional regulations for the zoning district listed in the Schedule of Regulations.*** Part of the intent of the RM-2 district is that areas zoned as such should be located near shopping, community services and facilities, and major roads for good accessibility. The subject parcels meet all of these standards. Additionally, the parcels are more than adequate to meet the minimum lot size and dimensional requirements for multiple family developments. It’s location with respect to Highland Road also furthers the intent of the proposed district, as well as it’s proximity to the White Lake Library and future community service uses that may be located in the immediate area.
- i. ***The requested zoning district is considered to be more appropriate from the township's perspective than another zoning district.*** This proposed RM-2 District is more consistent with the Master Plan than the existing Agricultural zoning designation.
- j. ***If the request is for a specific use, is rezoning the land more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use?*** Rezoning to RM-2 is the most appropriate way to allow for multiple family units on these parcels. Amending the Agricultural zoning district to allow for such uses is not in keeping with sound planning principals.
- k. ***The requested rezoning will not create an isolated and unplanned spot zone.*** Multiple family development is consistent with the Mast Plan.
- l. ***The request has not previously been submitted within the past one (1) year, unless conditions have changed or new information has been provided.*** It is our understanding that this request had not been previously made.
- m. ***An offer of conditions submitted as part of a conditional rezoning request shall bear a reasonable and rational relationship to the property for which rezoning is requested.*** This is not a conditional rezoning.
- n. ***Other factors deemed appropriate by the Planning Commission and Township Board.*** If the Planning Commission or Township Board desire information on other considerations related to the proposal, we would be happy to assist them.



RECOMMENDATION

We are comfortable with recommending that the Planning Commission recommend that the Township Board approve the request to rezone the site from AG, Agricultural to RM-2, Multiple Family Residential for the following reasons:

1. The requested RM-2 zoning district is consistent with uses outlined in the Master Plan for the Planned Community area.
2. Rezoning the parcel to RM-2 is compatible with the character of the surrounding area.

Granting the rezoning of the parcels does not guarantee future site plan/development approval, as those applications will still need to be made.

If you have any questions about this report or require additional information, please do not hesitate to contact us.

Respectfully submitted,

MCKENNA

cc: Mr. Justin Quagliata
Ms. Hannah Micallef



December 28, 2021

Sean O'Neil
Community Development Director
White Lake Township

RE: River Caddis Development Statement of Zoning Request for the Property Located at the Corner of M-59 and Elizabeth Lake Road.

Sean,

Pursuant to the attached rezoning package, River Caddis Development, LLC ("RCD") is requesting the rezoning of the above referenced property. The property in question is approximately 70 acres ("Property") and is currently zoned agricultural. RCD is requesting the zoning be changed from agricultural to RM-2 allowing for up to 10 multifamily units per acre. RCD plans to master plan the Property in coordination of the Master Development Plan of the Civic Center Development Plan in partnership with White Lake township.

Immediately below are our explanations of rezoning based off Article 7.13 Criteria for Amendment of the zoning map:

- A. Our plan remains consistent with the goals of White Lake Township's master plan for Higher Density Residential.
- B. Our development will allow the preservation and management of the lake edge and wooded wetland habitats.
- C. The current zoning is not consistent with the master plan.
- D. Consistent with "C"
- E. Existing utilities are likely sufficient
- F. RCD is Performing Trip Analysis
- G. Demand for Multi-Family in the area exceeds current supply.
- H. Requested Zoning allows for special land use from the "Towne Center" to Surrounding Land Uses, and the land size allows for conformance with the local design standards.
- I. The request is compatible with the Towne Center Master Plan and is a suitable district to implement the master plan goals.
- J. Rezoning the Land is more appropriate
- K. No Spot Zoning will result from this request.
- L. No request for rezoning of the parcel have been applied for in the last year
- M. NA
- N. NA



RCD also requests the rezoning be subject to the closing and transfer of ownership from the Glynn Property Owners to River Caddis Development, LLC or an entity to be named in the future.

We look forward to discussing this further with the Township and its stakeholders and are free to answer any questions as to our process we are going to be undertaking.

Sincerely,

RIVER CADDIS DEVELOPMENT, LLC

John McGraw
Director of Development



CHARTER TOWNSHIP OF WHITE LAKE
COMMUNITY DEVELOPMENT DEPARTMENT
7525 Highland Road, White Lake, Michigan 48383-2900
248-698-3300, Ext. 163

APPLICATION TO REZONE PROPERTY

Date: 12/8/21

Applicant: River Caddis Development, LLC

Address: 1038 Trowbridge Road. East Lansing, MI 48823

Phone No.: 517.420.7393 Fax No.: _____

E-mail: jmcgraw@rivercaddis.com

Applicant's Interest in Property: Purchaser/Future Owner

Property Owner: Glynn Properties, LLC

Owner's Address: 995 La Salle Avenue. Waterford, MI 48328

Phone No.: 248.807.1453 Fax No.: 248.681.2493

Location of Property: Southwest Corner of Highland Road and Elizabeth Lake Road, White Lake Township, MI. As depicted hereto

Sidwell No(s): 1221426005; 1228226001

Total area of change: 70 Acres acres

I, the undersigned (owner, attorney, or option holder) hereby request that this property now classified as Agriculture District, be reclassified as RM-2 District.

Applicant's Signature:  _____

(If owner does not sign application, attach letter signed by owner, requesting zoning change.)

Please Print Name: John McGraw

Required Attachments:

- _____ 1. Legal description of the property proposed to be rezoned.
- _____ 2. Location map
- _____ 3. Rezoning sign location map
- _____ 4. Statement indicating why change is requested
- _____ 5. Review fee (check payable to the Charter Township of White Lake)

To: Matt Schwanitz Date: December 30, 2021

CC: Mike Polmear, Mike Darga, Project: Rezoning of Parcels
 Andy Wakeland on Elizabeth Lake Rd

From: Bill Stimpson

RE: White Lake Twp Trip Generation Forecast

The following table summarizes the requested trip generation forecast:

Trip Generation Forecast for 700 Low-Rise Multifamily Dwelling Units¹

Land Use	ITE Use Code	Size	Weekday Trips	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Multifamily Housing (Low-Rise)	220	700 d.u.	5,251	70	233	303	210	124	334

¹ A trip is a one-directional vehicular movement into or out of the site (5,251 daily trips here represent 2,625.5 round trips). Forecast is based on trip rates and application methodology recommended by the Institute of Transportation Engineers in its *Trip Generation Manual – 10th Edition + Supplement (2020)* and *Trip Generation Handbook – 3rd Edition (2017)*. In this case, all trips are forecasted using ITE-recommended equations for data-fitted curves. The forecast is based on data collected nationally prior to the pandemic and is therefore conservatively high, since it does not reflect the “work-from-home” phenomenon.

Supporting data from the Institute of Transportation Engineers’ *Trip Generation Manual* are attached, along with a description of the assumed land use. Please note that on the plot for daily trips, ITE’s software in this case only displays the number of trips based on the sample average rate (5,124). Per ITE guidelines, the recommended forecasting method – use of the equation for the fitted curve – yields the forecasted 5,251 trips shown in the table above.

Multifamily Housing (Low-Rise) (220)

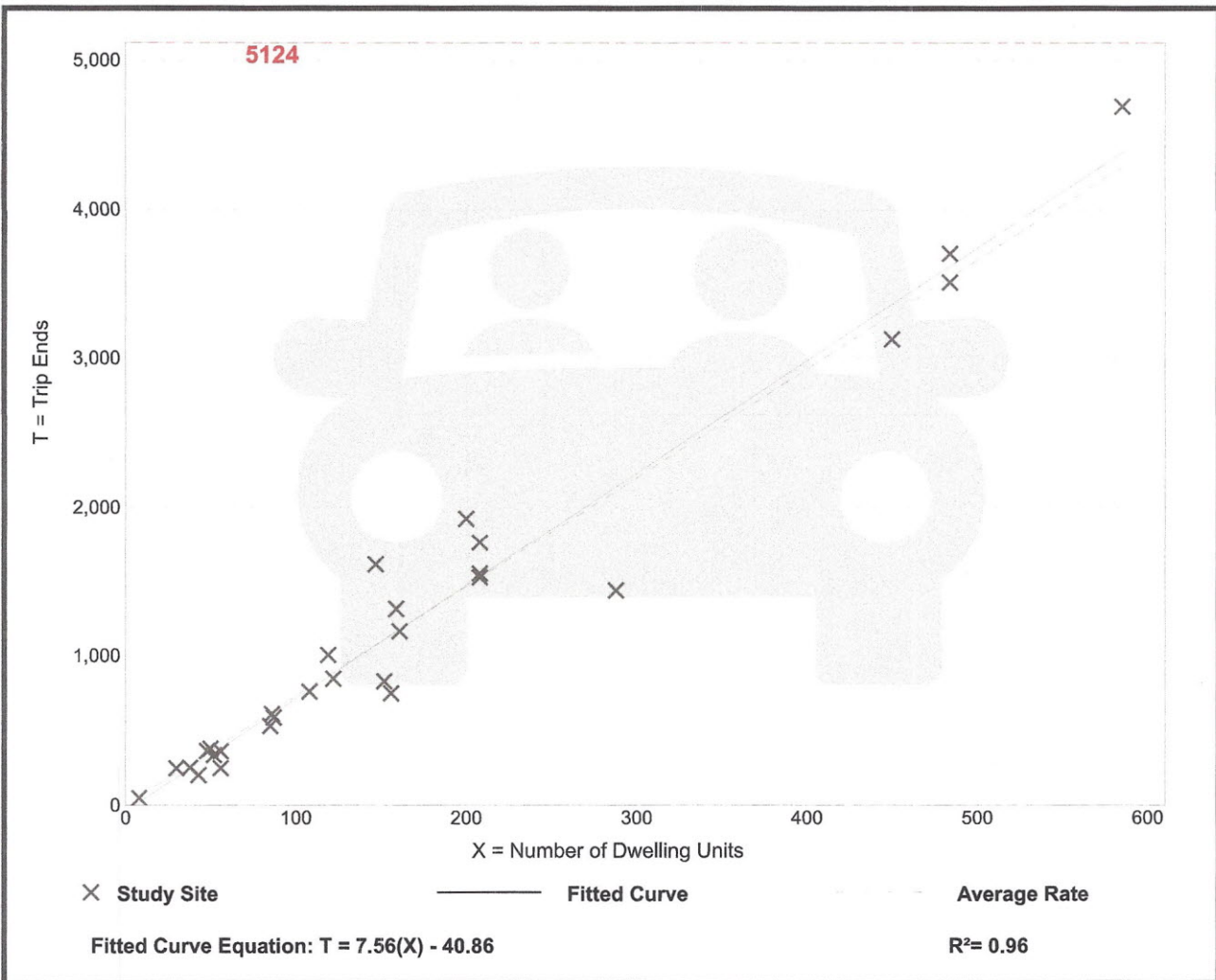
Vehicle Trip Ends vs: Dwelling Units
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 29
Avg. Num. of Dwelling Units: 168
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
7.32	4.45 - 10.97	1.31

Data Plot and Equation



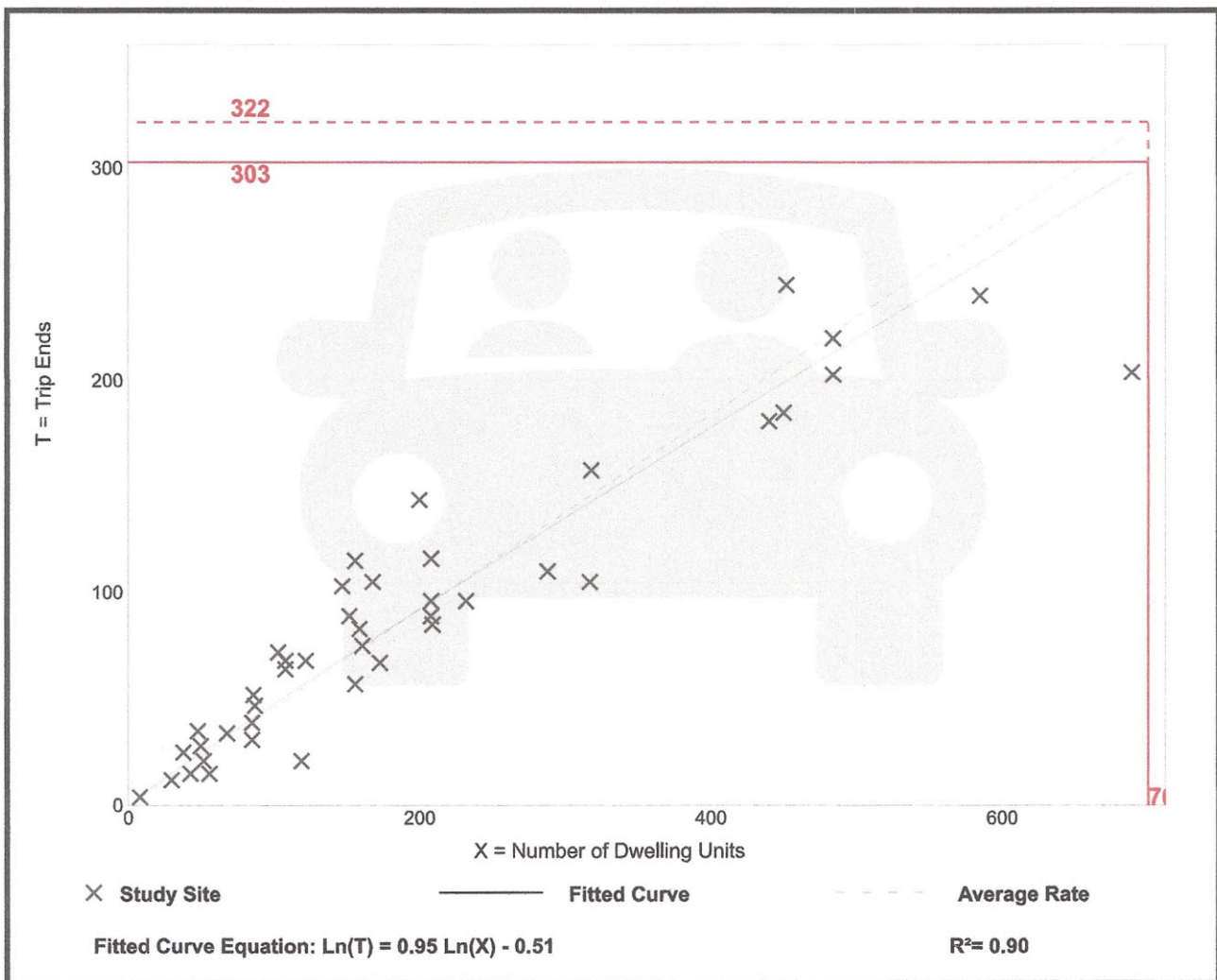
Multifamily Housing (Low-Rise) (220)

Vehicle Trip Ends vs: Dwelling Units
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 7 and 9 a.m.
 Setting/Location: General Urban/Suburban
 Number of Studies: 42
 Avg. Num. of Dwelling Units: 199
 Directional Distribution: 23% entering, 77% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.46	0.18 - 0.74	0.12

Data Plot and Equation



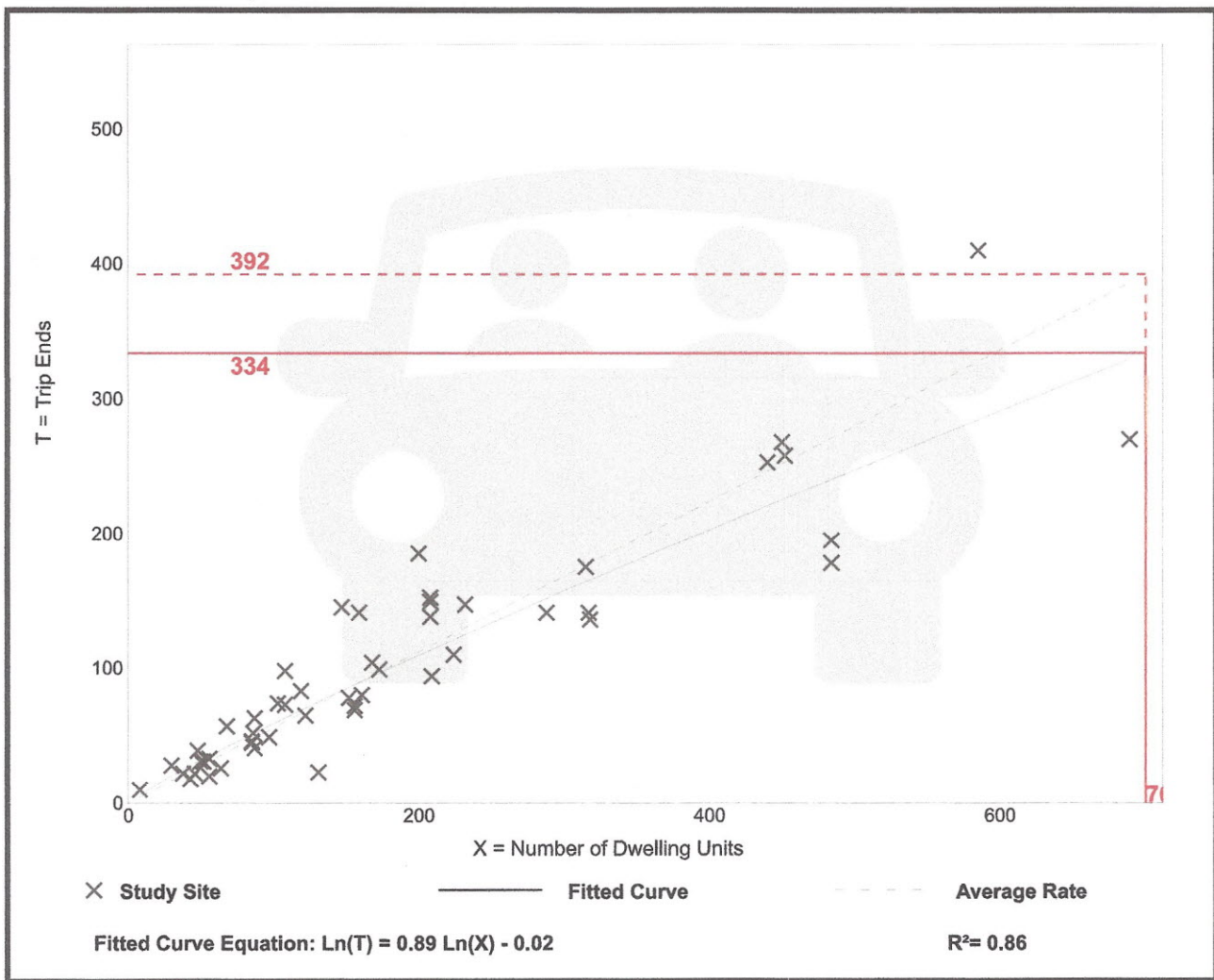
Multifamily Housing (Low-Rise) (220)

Vehicle Trip Ends vs: Dwelling Units
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 4 and 6 p.m.
 Setting/Location: General Urban/Suburban
 Number of Studies: 50
 Avg. Num. of Dwelling Units: 187
 Directional Distribution: 63% entering, 37% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.56	0.18 - 1.25	0.16

Data Plot and Equation



Land Use: 220

Multifamily Housing (Low-Rise)

Description

Low-rise multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and that have one or two levels (floors). Multifamily housing (mid-rise) (Land Use 221), multifamily housing (high-rise) (Land Use 222), and off-campus student apartment (Land Use 225) are related land uses.

Additional Data

In prior editions of *Trip Generation Manual*, the low-rise multifamily housing sites were further divided into rental and condominium categories. An investigation of vehicle trip data found no clear differences in trip making patterns between the rental and condominium sites within the ITE database. As more data are compiled for future editions, this land use classification can be reinvestigated.

For the three sites for which both the number of residents and the number of occupied dwelling units were available, there were an average of 2.72 residents per occupied dwelling unit.

For the two sites for which the numbers of both total dwelling units and occupied dwelling units were available, an average of 96.2 percent of the total dwelling units were occupied.

This land use included data from a wide variety of units with different sizes, price ranges, locations, and ages. Consequently, there was a wide variation in trips generated within this category. Other factors, such as geographic location and type of adjacent and nearby development, may also have had an effect on the site trip generation.

Time-of-day distribution data for this land use are presented in Appendix A. For the 10 general urban/suburban sites with data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 7:15 and 8:15 a.m. and 4:45 and 5:45 p.m., respectively. For the one site with Saturday data, the overall highest vehicle volume was counted between 9:45 and 10:45 a.m. For the one site with Sunday data, the overall highest vehicle volume was counted between 11:45 a.m. and 12:45 p.m.

For the one dense multi-use urban site with 24-hour count data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 7:00 and 8:00 a.m. and 6:15 and 7:15 p.m., respectively.

For the three sites for which data were provided for both occupied dwelling units and residents, there was an average of 2.72 residents per occupied dwelling unit.

The average numbers of person trips per vehicle trip at the five general urban/suburban sites at which both person trip and vehicle trip data were collected were as follows:

- 1.13 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 1.21 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in British Columbia (CAN), California, District of Columbia, Florida, Georgia, Illinois, Indiana, Maine, Maryland, Minnesota, New Jersey, New York, Ontario, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Virginia, and Washington.

It is expected that the number of bedrooms and number of residents are likely correlated to the number of trips generated by a residential site. Many of the studies included in this land use did not indicate the total number of bedrooms. To assist in the future analysis of this land use, it is important that this information be collected and included in trip generation data submissions.

Source Numbers

168, 187, 188, 204, 211, 300, 305, 306, 319, 320, 321, 357, 390, 412, 418, 525, 530, 571, 579, 583, 864, 868, 869, 870, 896, 903, 918, 946, 947, 948, 951

**WHITE LAKE TOWNSHIP
NOTICE OF PUBLIC HEARING**

Notice is hereby given of a public hearing by the White Lake Township Planning Commission on **Thursday, January 6, 2022 at 7:00 P.M.** at the Township Annex, 7527 Highland Road, White Lake, Michigan 48383, to consider the following changes to the zoning map:

Property described as parcel numbers 12-21-426-005 and 12-28-226-001, located at the southwest corner of Highland Road and Elizabeth Lake Road, consisting of approximately 73.41 acres.

Applicant requests to rezone approximately 44.8 acres of the approximately 53.41 acre parcel 12-21-426-005, excluding the northeasterly 8.61 acres, and the approximately 20 acre parcel 12-28-226-001 from **(AG) Agricultural to (RM-2) Multiple Family Residential** or any other appropriate zoning district.

Persons interested are requested to be present. Pertinent information relative to this rezoning request is on file at the Community Development Department and may be examined at any time during regular business hours of 8:00 a.m. to 5:00 p.m. Persons interested may visit the Community Development Department, contact the Community Development Department by telephone at 248-698-3300, ext. 5, or attend the Public Hearing on the date specified. Written comments are also welcome at 7525 Highland Road, White Lake, MI 48383. Individuals with disabilities requiring auxiliary aids or services should contact the Clerk's Office at least 5 days before the hearing.

Sean O'Neil, AICP
Community Development Director



PROPERTIES OUTLINED IN RED
PROPOSED TO BE REZONED.

