



INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE

September 12, 2024

Sean O' Neil, Director  
Community Development Department  
Charter Township of White Lake  
7525 Highland Road  
White Lake, Michigan 48383

**RE: Preserve at Hidden Lake – Planned Development Agreement –Second Amendment- 9<sup>th</sup> Review**

DLZ Job No. 1845-0886-00

Dear Mr. O' Neil,

The applicant is proposing a 68 unit detached single family and a 29 unit attached single family development on a 37.99 acre parcel located off Union Lake Road. This is the second review of the second amendment to the original PDA documents that were prepared for Preserve at Hidden Lake, LLC. and were submitted to this office on August 29, 2024 via Dropbox.

The following items were submitted as part of this review:

- Draft PDA Agreement- ~~First~~ **Second** Amendment -marked up copy-dated ~~July 16, 2022~~ **September 10, 2019**
- Draft PDA Agreement- ~~First~~ **Second** Amendment -clean copy-dated ~~July 18, 2022~~ **September 10, 2019**
- Final Site Plan- dated March 15, 2022- as Exhibit 1
- Overall Hidden Lake Unit Setback Clarification Plan dated ~~March 15, 2022~~ **June 14, 2024** as Exhibit 2  
**1**
- ~~Exhibit 3–Development Schedule-~~ **updated as Exhibit 1**
- ~~Exhibit 4– Lake Irrigation Calculations and the Potential Emergency Overflow Route–dated April 4 and 13, 2022~~
- ~~Exhibit 5– Landscape Planting Plan–dated July 17, 2022~~
- ~~Undated Letter from Kieft Engineering, signed by William Norman~~

We offer the following comments for your consideration:

Please note that comments from our July 8, 2024 review letter are in *italics*. Responses to those comments are in **bold**. Previously addressed comments have been removed; new comments are in standard font.

## General

- The revised Final Site Plan is currently under review by our office. Since the approved revised Final Site Plan will be Exhibit 1 for the above PDA amendment, the PDA amendment approval will need to be conditioned on approval of the revised Final Site Plan. We have since reviewed and approved the Final Site Plan. Please refer to the FSP Review Letter #5 dated July 26, 2021 for comments and context regarding the Final Site Plan dated July 9, 2021. Comment outstanding. The Final Site Plan dated February 2, 2022 has been provided with this PDA submittal. However, comments from our FSP review letter dated February 16, 2022 will need to be addressed on the final site plan. Comment addressed. Comments from our February 16, 2022 review letter have been provided. Please refer to our Final Site Plan review letter dated March 30, 2022. Comment outstanding. There are still outstanding items with respect to the FSP that will need to be addressed. Please reference our FSP review letter dated March 30, 2022. We note that the Landscape Plan has been revised to address comment 'FEP-General-1' in our FSP letter dated March 30, 2022, by adding a note to the landscape plan sheets. Otherwise, the remaining FSP review comments are outstanding. Comments 1 and 3 from our Final Site Plan review letter dated March 30, 2022 continue to remain outstanding. Our office cannot recommend approval of the PDA until these two comments are addressed as the Final Site Plan is an exhibit to the PDA. **Comments 1 and 3 from our Final Site Plan review letter dated March 30, 2022 have been addressed. The applicant provided an undated letter from Kieft Engineering that indicates that "all engineering documents/exhibits for the PDA, final site plan and exhibit B's match DLZ/WLT March 30, 2022 review."** DLZ can find no records supporting review of revised Exhibit B drawings to the Master Deed subsequent to the March 30, 2022 review letter referenced above; additionally, the Township Planning Department has no records of conducting this review either. If the currently recorded exhibit B drawings to the Master Deed have been updated, they likely have not been reviewed. DLZ defers to the Planning Department for further comment and direction regarding this item.*
  - PDA document-First paragraph, second line- The date is old (September 10, 2019). Please update. **Comment rescinded. The referenced date of September 10, 2019 is the original PD Agreement date.***
  - PDA document-Recitals D.1. 1.4- second paragraph-We recommend removal of Unit 43 from this paragraph. The plot plan for this unit was approved with the 25' required setback, from Hidden Lake 1' freeboard elevation, by the Township Engineer on April 13, 2024 and as such no hardship regarding the requirement to adhere to the required rear yard setback has been demonstrated. We defer to the Township regarding this item. **Comment remains. In addition, the section where this language was previously in has been relabeled. Recitals E and Recitals F.1. 1.4 are now where references to Unit 43 are.***
  - Although the setback clarification plan has a new revision date (06/14/2024) it is identical regarding all setbacks as the previously submitted (03/15/2022) clarification plan. No changes are shown.*
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*Please clarify.* **Comment addressed. The narrative section on Sheet 1 of the setback clarification plan was updated to include Units 43 & 44. Please refer to our Comment 3 above regarding Unit 43.**

5. *Please remove all extraneous CAD markings on the setback clarification plan. Reference comment boxes that appear on all plan sheets.* **Comment addressed. All extraneous CAD markings have now been removed from the setback clarification plan.**

**Recommendation-**

We are recommending approval subject to Comments 1 and 3 as we have deferred to the Township regarding these two items.

If you have any questions, please feel free to contact us.

Sincerely,

DLZ Michigan



Michael Leuffgen, P.E.  
Department Manager



Victoria Loemker, P.E.  
Senior Engineer

Cc: Andrew Littman, Community Development, *via email*  
Aaron Potter, DPS Director, *via email*  
Hannah Kennedy-Galley, Community Development, *via email*  
Lisa Hamameh, RSJA Law, *via email*

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**SECOND AMENDMENT TO  
PRESERVE AT HIDDEN LAKE  
PLANNED DISTRICT DEVELOPMENT AGREEMENT**

This is the Second Amendment to the Preserve at Hidden Lake Planned District Development Agreement dated September 10, 2019 (“PD Agreement”) by and between Preserve at Hidden Lake, LLC, a Michigan limited liability company (“Developer”) having its principal office at 8255 Cascade Ave., Suite 110, Commerce, MI 48382, and the Charter Township of White Lake, a Michigan municipal corporation (“Township”), having its principal office at 7525 Highland Rd., White Lake, MI 48383. This amendment is effective \_\_\_\_\_.

**Recitals**

A. Developer and Township entered into the PD Agreement in order to allow Developer to develop, or cause to be developed pursuant to and in accordance with the Township Zoning Ordinance, the property described on Exhibit A of the PD Agreement and as shown in the Final Site Plan on Exhibit B of the PD Agreement, according to the Development Schedule set forth on Exhibit C of the PD Agreement. The PD Agreement was recorded in the office of the Oakland County Register of Deeds on September 13, 2019 at Liber 53248, Page 511, ~~on September 13, 2019 at Liber 53248, Page 530~~ and on September 13, 2019 at Liber 53248, Page 549.

B. Developer and Township entered into a First Amendment to the PD Agreement on July ~~626~~, 2022, which was recorded in the office of the Oakland County Register of Deeds on August 3, 2022 at Liber 58008, Pages 851 through 879, inclusive: ~~(“First Amendment”).~~

~~C. The Final Site Plan dated March 15, 2022 (“Final Revised Site Plan”) which was approved by the Township Board of Trustees on April 13, 2022 remains unchanged and remains effective. The Overall Hidden Lake Unit Setback Clarification Plan dated June 14, 2024 remains unchanged and remains effective.~~

~~D. Developer has revised the Development Schedule, which revision is attached as Exhibit 1.~~

E. This Second Amendment to the PD Agreement ~~(“Second Amendment”)~~ is being entered into in order to add Units 43 and 44 to the list of Units receiving waivers and/or modifications of the setback for decks and/or patios. ~~The Overall Hidden Lake Unit Setback~~

~~Clarification Plan dated June 14, 2024 is attached as Exhibit 1.~~ The Second Amendment to the PDA Agreement was approved by the Township Board of Trustees on \_\_\_\_\_.

~~DF.~~ Developer and Township desire to amend the PD Agreement by amending Article 1.4 ~~of in both~~ the PD Agreement and the First Amendment as set forth below.

NOW, THEREFORE, Developer and Township agree as follows:

1. Article 1.4 of the PD Agreement and the First Amendment is hereby deleted and the following inserted in its place and stead:

1.4 Waivers/Modifications to Standard Zoning Requirements. The development requires a 25 foot front setback for all lots, instead of the 40 foot front setback required by the Township Ordinances. Except as otherwise provided herein, Developer shall adhere to all Township Ordinances. Waivers/modifications from the Township Zoning Ordinance which the Township shall be deemed to have granted, and hereby grants, as well as modifications to standard zoning requirements which will be requested, if any, are as set forth on the Final Site Plan and the Overall Hidden Lake Unit Setback Clarification Plan. The development requires the following setbacks, as set forth on the Final Site Plan and the Overall Hidden Lake Unit Setback Clarification Plan:

<b>Rear Yard Setback from Arcadia Lane</b>	
<u>Unit Number</u>	<u>Distance (feet)</u>
69	22.1
70	29.3
71	26.2
72	25.0
73	23.3
74	28.4
<b>Rear Setback from Union Lake Road</b>	
<u>Unit Number</u>	<u>Distance (feet)</u>
89	25.0
<b>Portion of Rear Patios Located in Storm Sewer Easement</b>	
<u>Unit Number</u>	<u>Distance (feet)</u>
70	0.9 and 2.7
71	6.1
72	7.1
73	8.6
74	4.9
89	5.0
90	5.0
91	5.0
92	5.0
93	5.0

All building envelopes for the back of each residence that is located on Hidden Lake will be a minimum of 25 feet from the Retention Basin (Hidden Lake) 1-foot freeboard elevation of 942.30 feet. Waivers/modifications of the setback for decks and/or patios for Units 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 43 and 44 are granted as set forth on The Final Revised Site Plan. All other Units are required to maintain a rear setback for decks and/or patios of 25 feet from the Retention Basin (Hidden Lake) 1-foot freeboard elevation of 942.30 feet. No deck or patio attached to any of the above-numbered Units may be longer than 12 feet as measured from the shortest distance from the structure on the Unit to the Retention Basin (Hidden Lake) 1-foot freeboard elevation of 942.30 feet. For Units located on Hidden Lake, an as-built drawing of each Unit shall be submitted to the Township after construction showing that the walkout elevations for these Units are within acceptable tolerances of the approved individual plot plans.

2. The ~~remainder of Development Schedule attached as Exhibit C to the PD Agreement and attached to the First Amendment as Exhibit 2~~ is hereby ~~reaffirmed~~ ~~deleted~~, and the ~~Development Schedule attached hereto as Exhibit 1 shall be substituted~~ in its ~~entirety~~ ~~place and stead~~ as ~~Exhibit C to the PD Agreement~~.

3. The remainder of the PD Agreement and the First Amendment are hereby reaffirmed in their entirety.

4. This Second Amendment to Preserve at Hidden Lake Planned District Development Agreement shall be executed by the Developer and the Township. Recording of the original executed Amendment shall be completed by the Township and all recording fees shall be paid by the Developer.

(SIGNATURES ON NEXT PAGE)

The undersigned have executed this Second Amendment to Preserve at Hidden Lake Planned District Development Agreement effective as of the day and year first written above.

DEVELOPER:

Preserve at Hidden Lake, LLC, Michigan limited liability company

By: \_\_\_\_\_  
Craig Piasecki  
Its: Member

STATE OF MICHIGAN     )  
  ) SS  
COUNTY OF OAKLAND    )

The foregoing Second Amendment to Preserve at Hidden Lake Planned District Development Agreement was acknowledged before me on \_\_\_\_\_ by Craig Piasecki, Member of Preserve at Hidden Lake, LLC, a Michigan limited liability company, on behalf of said limited liability company.

\_\_\_\_\_  
Notary Public,  
Oakland County, Michigan  
My Commission Expires:  
Acting in \_\_\_\_\_ County

TOWNSHIP:

CHARTER TOWNSHIP OF WHITE  
LAKE, a Michigan municipal corporation

By: \_\_\_\_\_  
Rik Kowall  
Its: Supervisor

By: \_\_\_\_\_  
Anthony L. Noble  
Its: Clerk

STATE OF MICHIGAN     )  
  ) SS  
COUNTY OF OAKLAND    )

The foregoing Second Amendment to Preserve at Hidden Lake Planned District Development Agreement was acknowledged before me on \_\_\_\_\_ by Rik Kowall, Supervisor of the Charter Township of White Lake, a Michigan municipal corporation, on behalf of said municipal corporation.

\_\_\_\_\_  
Notary Public,  
Oakland County, Michigan  
My Commission Expires:  
Acting in \_\_\_\_\_ County

STATE OF MICHIGAN     )  
  ) SS  
COUNTY OF OAKLAND    )

The foregoing Second Amendment to Preserve at Hidden Lake Planned District Development Agreement was acknowledged before me on \_\_\_\_\_ by Anthony L. Noble, Clerk of the Charter Township of White Lake, a Michigan municipal corporation, on behalf of said municipal corporation.

\_\_\_\_\_  
Notary Public,  
Oakland County, Michigan  
My Commission Expires:  
Acting in \_\_\_\_\_ County

Prepared by:  
  
Bruce M. Hug  
Attorney and Counselor  
PO Box 600  
Union Lake, MI 48387

Return to:  
  
Charter Township of White Lake  
7525 Highland Rd.  
White Lake, MI 48353



**SECOND AMENDMENT TO**  
**PRESERVE AT HIDDEN LAKE**  
**PLANNED DISTRICT DEVELOPMENT AGREEMENT**

**EXHIBIT 1 – DEVELOPMENT SCHEDULE**

<b><u>Date of Commencement</u></b> <b><u>(First Phase)</u></b>	<b><u>Activity</u></b>
<u>Complete</u>	<u>Clearing of Land</u>
<u>Complete</u>	<u>Grading of Land</u>
<u>Complete</u>	<u>Underground Work</u>
<u>Complete</u>	<u>Curbs and Paving</u>
<u>Complete</u>	<u>Final Grading and Seeding</u>
<u>Complete</u>	<u>Landscaping</u>
<b><u>Date of Commencement</u></b> <b><u>(Second and Third Phases)</u></b>	<b><u>Activity</u></b>
<u>Complete</u>	<u>Clearing of Land</u>
<u>Complete</u>	<u>Grading of Land</u>
<u>Complete</u>	<u>Underground Work</u>
<u>Complete</u>	<u>Curbs and Paving</u>
<u>Complete</u>	<u>Final Grading and Seeding</u>
<u>Complete</u>	<u>Landscaping</u>
<b><u>Date of Commencement</u></b> <b><u>(Phases 4 through 17)</u></b>	<b><u>Activity</u></b>
<u>Complete</u>	<u>Clearing of Land</u>
<u>Complete</u>	<u>Grading of Land</u>
<u>Complete</u>	<u>Underground Work</u>
<u>Complete</u>	<u>Curbs and Paving</u>
<u>Complete</u>	<u>Final Grading and Seeding</u>
<u>Complete</u>	<u>Landscaping</u>