


# WHITE LAKE TOWNSHIP

## COMMUNITY DEVELOPMENT DEPARTMENT

**DATE:** September 10, 2021

**TO:** Rik Kowall, Supervisor  
Township Board of Trustees

**FROM:** Sean O'Neil, Planning Director 

**SUBJECT:** Request for Waiver of Minimum Parcel Size (Article 3.11.X)

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As you may recall, Zoning Ordinance No. 58 allows an applicant to request a waiver from the ten (10) acre parcel size minimum in Article 3.11.X, when developing a PD (Planned Development) or PB (Planned Business) project. We now have another waiver request for consideration. The developer, Doug Boehm, wishes to make a PD application to build a Comfort Care assisted living facility on the west side of Union Lake Road, north of Carpathian (across from the Lakepointe Project and Independence Village). The parcel is approximately 8.37 acres in size, is currently zoned LB (Local Business), and is bordered by other residentially zoned properties. The Master Plan designation for this parcel is Planned Neighborhood. The project would be served by both the municipal water and sewer systems.

On August 19<sup>th</sup>, this request was presented to the Planning Commission for their consideration. At that time, the Planning Commission recommended approval, citing that they felt that this project was unique in that it met a local demand for this type of care, and that it would also be likely to produce less traffic than a commercial project. I would consider an assisted living facility on a PD parcel to be in line with the Township's Master Plan for this area of the Township and also appropriate for this parcel. I agree with the Planning Commission that developing this parcel under the current LB zoning is not desirable because of the traffic it would generate, on what is an already busy arterial road, and is also not consistent with the Master Plan vision. It is important to note that a waiver approval does not, in any way, guarantee eventual site plan approval, or bestow any other approvals or rights beyond simply allowing the applicant to proceed ahead through the PD approval process with a parcel smaller than ten (10) acres in size.

For your reference, I have attached the applicant's letter of request, a conceptual site plan layout, the August 19<sup>th</sup> Planning Commission meeting minutes, Article 3.11.X of the Zoning Ordinance, as well as a brief description of the Planned Neighborhood section of the Master Plan. Please contact me if you have any questions, or require further information.

Thank you.



August 5<sup>th</sup>, 2021

White Lake Township Planning Commission  
7525 Highland Rd.  
White Lake, MI 48383

White Lake Township Planning Commission:

My name is Douglas Boehm, and I am the Executive Director of Comfort Care Senior Living. I am writing this letter today regarding the property located with the Property Identification Number 12-36-176-002 (on Union Lake Road, south of Elizabeth Lake Road) in reference to rezoning from Local Business (LB) to Planned Development (PD). The property referenced above is 8.37 acres and is less than the required minimum lot area of 10 acres. This letter is to ask the Planning Commission to approve a waiver of the lot size and for us to move forward with the preliminary site plan and rezoning of this site.

What our organization is proposing is to develop an Independent Living, Assisted Living, and Memory Care facility, a home where the residents of White Lake Township can age in place. According to a third-party market study, there is a need for an additional 303 senior living beds in White Lake Township and its surrounding 5-mile radius.

With this site being proposed from Local Business (LB) to Planned Development (PD), we would see a significant decrease in parking and traffic for our use compared to the uses in the LB district, such as retail commercial uses, restaurants, and fast foods chains. This will benefit and keep the same type of uses as the surrounding area that consists of single and multi-family homes. This development will also work with the RCOC on the future expansion of Union Lake Road and provide a sidewalk along the street Right-of-Way. Our resident will have open space areas which will be beautifully landscaped including the interior courtyards of the structure.

As a part of our development, we will also be working and coordinating with the neighbors to the south, West View, a multi-family residential community, with emergency access and extension of the water main loop onto our site.

Our organization will work with the municipality on other feasible community benefits that we are able to provide.

Sincerely,

Douglas Boehm  
Executive Director  
Comfort Care Senior Living  
Doug@comfortcaresl.com  
Phone: 248-930-7875



**WHITE LAKE TOWNSHIP  
PLANNING COMMISSION**  
7525 Highland Road  
White Lake, MI 48383  
**AUGUST 19, 2021 @ 7:00 p.m.**  
**Electronic Meeting**

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

ROLL CALL: Steve Anderson, White Lake, MI  
Peter Meagher, White Lake, MI  
Rhonda Grubb, White Lake, MI  
Merrie Carlock, White Lake, MI  
Debbie Dehart, White Lake, MI  
Joe Seward, White Lake, MI  
Mark Fine, White Lake, MI

Absent: Matt Slicker  
Scott Ruggles

Also Present: Sean O'Neil, Planning Director  
Justin Quagliata, Staff Planner  
Sherri Barber, Recording Secretary

Visitors: Kathleen Jackson, McKenna  
Michael Leuffgen, DLZ

**Approval of Agenda**

**Commissioner Meagher moved to approve the agenda as presented. Commissioner Seward supported and the MOTION CARRIED with a roll call vote: (Meagher – yes; Anderson – yes; Grubb – yes; Seward – yes; Carlock – yes; Dehart – yes; Fine -- yes). 7 yes votes.**

**Approval of Minutes**

a. August 5, 2021

**Commissioner Meagher moved to approve the minutes of August 5, 2021 as presented. Commissioner Grubb supported and the MOTION CARRIED with a voice vote: 7 yes votes.**

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

No callers were waiting to speak at the Call to the Public.

### Public Hearing:

None.

### Continuing Business

a)

Trailside Meadow

Location: Located on the south side of Elizabeth Lake Road,  
Consisting of approximately 73 acres. Identified as parcel numbers  
12-25-251-001 and 12-25-201-004. Zoned as (PD) Planned Development.

Request: **1) Amended Final Site Plan Approval**

Applicant: M/I Homes of Michigan, LLC  
1668 S. Telegraph Road, Suite 200  
Bloomfield Hills, MI 48302

Planning Director O'Neil noted that they are just changing the type of ownership and discussed the type of motion that should be included. MI Homes has interest in their active adult houses but potential owners don't really want them to be condos. Kathleen Jackson from McKenna discussed her letter and a minor revision. The landscape plan is different from what was originally received and MI Homes needs to clarify this. Commissioner Carlock asked if they are site condos? Yes, they are. Brandon Guest from MI Homes discussed their reasoning for the changes. It's mainly an ownership type issue. Commissioner Dehart asked if they have sold any of the Active Adult units, and they have sold some dirt lots. She asked if they will continue to be ranches? They will have two stories mixed in. How does it affect the condo docs for the prior owners. Those condos would stay as they are today, it would affect the future units. Phase 1 will remain the same. They will meet the original landscape requirements. Mr. Leuffgen noted that from an engineering standpoint there really aren't any changes.

**Commissioner Meagher moved to recommend that the Planning Commission approve the Amended Final Site Plan for Trailside Meadow located on the south side of Elizabeth Lake Road and consisting of approximately 73 acres and identified as parcel numbers 12-25-251-001 and 12-25-201-004. Zoned as (PD) Planned Development. Subject to all staff and consultant review comments, and final landscape plan review and approval from McKenna. Commissioner Seward supported and the MOTION CARRIED with a roll call vote: (Meagher – yes; Anderson – yes; Grubb – yes; Seward – yes; Carlock – yes; Dehart – yes; Fine -- yes). 7 yes votes.**

**Commissioner Meagher moved to recommend to the Township Board the approval of the revised Planning Development Agreement for Trailside Meadow (located on the south side of Elizabeth Lake Road and consisting of approximately 73 acres and identified as parcel numbers 12-25-251-001 and 12-25-201-004, it is zoned as (PD) Planned Development and will consist of the revised exhibits. Commissioner Anderson supported and the MOTION CARRIED with a roll call vote: (Meagher – yes; Anderson – yes; Grubb – yes; Seward – yes; Carlock – yes; Dehart – yes; Fine -- yes). 7 yes votes.**

**Old Business:**

No old business.

**New Business**

**PD Waiver for Vacant Parcel 12-36-176-002**

Planning Director O'Neil noted that there was a memo in your packet with what is being requested. It's 8.37 acres and zoned LB. Comfort Care is interested in building an assisted living facility. This is surrounded by other residential uses. Douglas Boehm was in attendance from Comfort Care and they are an assisted living and memory care company out of Saginaw. They have developed 11 senior living developments in Michigan. They are just asking for a waiver of the 10 acre minimum down to 8.37 acres. He presented a video showing one of their other facilities. This is proposed as a one story building. They offer occupational therapy for short term stays. Commissioner Carlock asked about the ring road, it is a Fire Department requirement. This is a taxable, for profit business. They did a study and there is a need in White Lake Township. Some units have a kitchenette. Planning Director O'Neil noted that traffic is a big deal on Union Lake Road and it's important to show any projects that will have a lesser impact on traffic. Planning Director O'Neil mentioned that the RCOC and White Lake Township may be requiring a passing lane. He wanted to clarify that the 8.77 acres needs to be at 10 acres. This doesn't set any precedent, does it? No action you take tonight can impact the site plan. Each site stands on it's own. The PD project would not have to go before the ZBA. Planning Director O'Neil said that the PD waiver will run with the applicant and it's for this specific project.

**Commissioner Seward moved to recommend to the Township Board the approval of the waiver of the 10 acre requirement under the PD Development zoning designation. This is a unique project and parcel and they are providing a benefit to White Lake Township, and the traffic will likely be less. Commissioner Grubb supported and the MOTION CARRIED with a roll call vote: (Meagher – yes; Anderson – yes; Grubb – yes; Seward – yes; Carlock – yes; Dehart – yes; Fine -- yes). 7 yes votes.**

**Other Business:**

**A. Review and Discussion of Draft 2022-2027 Capital Improvement Plans (CIP)**

Staff Planner Quagliata presented the draft CIP. The public hearing will be at the September 2<sup>nd</sup> Planning Commission meeting. This plan is required. Most of the updates were changing dates and dollar amounts. Next week the sewer section will be updated. The 2020 census data has not been fully released yet for the report. The Triangle Trail is a success for 2021 and is currently underway with DLZ. They have received a \$50,000 grant from the Ralph Wilson Foundation for the trail. A new project that was added is a generator for the Township. The current generator for the Township is undersized. The new one that is purchased will go with us to the Civic Center. For the CIP, each project gets rated. Planning Director O'Neil said they usually get a binder for the CIP and Staff Planner Quagliata noted that if anyone wants one we'll get them ready for pickup. Planning Director O'Neil appreciates all of Staff Planner Quagliata's hard work on this. Commissioner Carlock noted that this is one of the better ones that she sees around the State.

**B. Conceptual Plan Discussion for Elizabeth Lake Retail**

They are looking for feedback and direction tonight, again. There is no action being taken.

Richard Shapack stated that they have interest from Starbucks, Chipotle and Panera. They won't commit until we have the site plan approved. You won't see the drive-throughs from M-59 or Elizabeth Lake Road, they will be completely screened. Commissioner Meagher asked if you still have residential units there? There are, and whether they are 2 or 3 stories is to be determined, it is currently proposed at 54 units. Commissioner Anderson noted that you mentioned three major restaurants. There was a piece of land that was looked at by Panera west of this. They communicated that they couldn't put it in because the Waterford Panera was too close. One of the developers had a letter of intent about 6 months ago. Commissioner Grubb feels that three drive-throughs is too much for this. Commissioner Dehart asked if they will have indoor dining? Yes, Starbucks may not have. There will be outdoor dining. Commissioner Anderson feels three drive-throughs is excessive but they are demanding it now. Commissioner Dehart noted that three very good restaurants could help support the development. Commissioner Seward stated that he doesn't like the three drive-throughs. We can't tie site plan approval to the three possible restaurants. Staff Planner Quagliata noted that you can exclude some undesirable uses with the development agreement. Commissioner Fine likes that they have taken our comments into account. He's for what they are doing. Commissioner Carlock would like to see this run by the Civic Center group. River Caddis is opening to meeting. Planning Director O'Neil noted that we would like the parking reduced. We would like to have awnings, etc. Commissioner Carlock stated that we are concerned why you need 85 additional parking spots. Commissioner Carlock would like to see some bicycle parking. Planning Director O'Neil would like to see 15 spaces short instead of 85 over. Kathleen Jackson noted that when you add up the added parking spots, it's a lot more asphalt and impervious spaces that could be landscape. She is a little concerned that there isn't enough landscaping. Two weeks from now isn't possible for another meeting on this, we'll need updated plans and time to review them. We'll have to decide if we need another public hearing.

### **Liaison's Report**

Commissioner Grubb reported that Parks and Recreation didn't meet for an August meeting. The Stanley Park picnic tables are in.

Commissioner Dehart noted that she wasn't in attendance at the special meeting but the last meeting was over 2 hours for one case. The next meeting will be a regular meeting with 4 cases on the agenda.

Commissioner Carlock would like to hear about the tornado. Planning Director O'Neil stated that it was very interesting. We are thankful there weren't major injuries. It was interesting to work with Oakland County and the Fire Department for emergency management and our Building Official, Nick Spencer, handled everything very well.

### **Planning Consultant's Report**

No report.

### **Director's Report:**

Planning Director O'Neil reported that the redevelopment of Sonic was approved. They found a way to locate the loading zone on the site near the bail out lane. The Township had a resolution for remote meetings and we'll be able to continue through the end of this calendar year. Commissioner Carlock

noted that the Township did a great job. The residents had water, ice, oxygen and all the things you would need in a major emergency. There was some discussion about the Civic Center Development and some monies that were provided for the roads.

Mr. Leuffgen reported that they are waiting on the Road Commission for Oakland County to finish the geometrics so we know where they will leave off for the Triangle Trail. They promised it for mid August.

Commissioner Anderson asked Planning Director O'Neil to remind the Planning Commission that the September meeting is in person.

Staff Planner Quagliata wanted to thank Kathleen Jackson for their food and other donations for the Township during the tornado emergency.

**Other Business:**

None.

**Communications:**

The September 2nd meeting will be in person.

**Next Meeting Dates:** September 2, 2021  
September 16, 2021

**Adjournment:**

Commissioner Meagher moved to adjourn the meeting at 9:20 p.m. Commissioner Dehart supported and the MOTION CARRIED with a roll call vote: (Meagher – yes; Anderson – yes; Grubb – yes; Seward – yes; Carlock – yes; Dehart – yes; Fine -- yes). 7 yes votes.



Commission may increase the minimum required setback up to one hundred fifty (150) feet based upon consideration of the site plan, landscape plan, and building elevation drawings.

- N. No interior side setback required where adequate provision is made for emergency access and loading/unloading access at the rear of the building. If a residential use abuts an RB district, the total of the two side yard setbacks may be reduced to 25 feet.
- O. In RM-1 and RM-2 districts, the Planning Commission may permit building heights up to 3 stories subject to approval of a site plan that demonstrates an increase in open space.
- P. Total minimum amount of habitable floor area ready for occupancy must equal the minimum amount of floor area required for a one story building in the same zoning district. One half of the finished habitable floor area of the story below the ground story may be included within the total minimum amount of floor area required per unit.
- Q. No building shall be located closer than 25 feet to any regulated wetland, submerged land, watercourse, pond, stream, lake or like body of water. The setback shall be measured from the edge of the established wetland boundary as reviewed and approved by the Township.
- R. No structure shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height limit established in Article 3.0, Zoning Districts, of this ordinance for the district in which the building is located, except that roof structures for the housing of elevators, stairways, tanks, ventilating fans, or similar equipment, required to operate and maintain the building, and fire or parapet walls, skylights, towers, steeples, stage lofts and screens, flagpoles, chimneys, smokestacks, individual domestic radio, television aerials and wireless masts, water tanks, or similar structures may be erected above the height limit, herein prescribed. No such structure may be erected to exceed by more than fifteen (15) feet the height limits of the district in which it is

located; nor shall such structure have a total area greater than twenty-five (25) percent of the roof area of the building; nor shall such structure be used for any residential purpose or any commercial or industrial purpose other than a use incidental to the main use of the building.

- S. Lots on a cul-de-sac or curvilinear street shall have a minimum of 65 feet of frontage and shall comply with the lot width requirement at the minimum front setback line.
- T. The minimum side yard setback for a side-entry garage shall be 25'.
- U. Structures located within a multiple-family development, including attached condominiums, row and townhouse dwellings, and the like, shall have a minimum setback of 25' from the back of sidewalk or 25' from back of curb for developments without sidewalks.
- V. Maximum depth to width ration of 4:1.
- W. A maximum 30% lot coverage may be approved administratively by the Director of the Community Development Department or his/ her designee on existing lots of record where all of the following criteria are present:
  - i. The lot has sanitary sewer service, and
  - ii. Storm water collected from the roof of the home and garage is directed to a storm drain, retention or detention basin, lake or other body of water, and
  - iii. The proposed building development complies with all setback requirements of the appropriate zoning district, unless a variance has been approved by the Zoning Board of Appeals.
- X. To be eligible for Planned Development or Planned Business District approval, the Township Board, upon recommendation by the Planning Commission, may permit a smaller parcel than otherwise required by this Ordinance if:
  - i. The proposed project has unique characteristics and benefits; or
  - ii. The parcel in question has unique characteristics that significantly impact development.

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

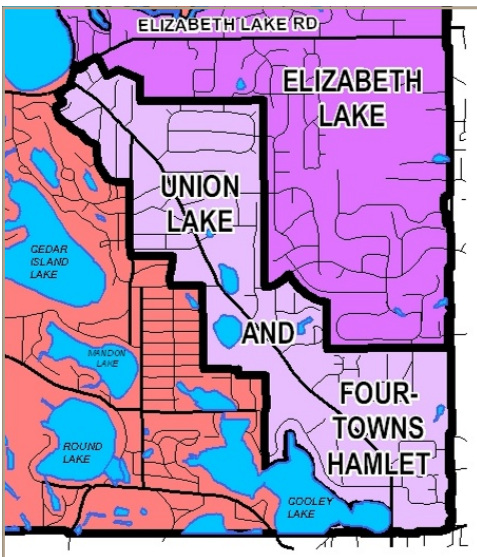
**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



## LAND USE PLAN



density, single family subdivision developments, such as, recreation space, pedestrian circulation systems and amenities, preservation of sensitive natural features, and attractive landscaping of common areas. As an element of future Mobile Home development approval, the Township will require 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 new or redeveloped Mobile Home communities.

### Planned Neighborhood

The Planned Neighborhood land use category is envisioned as a primarily residential land use of mixed densities and multiple product types, in a setting that may occasionally include a limited number of neighborhood retail, office and personal service clusters. Planned Neighborhoods are proposed to be located in the Highland West; Highland East; Lakes Village; and Union Lake and Four Towns Gateway planning areas. Connections to and segments of the Township's community-wide pathway system will be required as an integral part of all Planned Neighborhoods. Dedicated, usable open space with a variety of amenities will be sought as an element of large-scale, residential development, and the Township will seek public park and connected open space dedications from landowners/ developers. All Planned Neighborhood development is intended to be served by Township sanitary sewers and either Township public water or community well systems. Net residential densities are anticipated to range between 2.0 and 8.0 units per acre, and non-residential elements should not exceed 25% of the net neighborhood land area after preservation of natural features.

### Multiple Family

The Multiple Family land use category provides appropriate locations for the Township's highest residential densities. This category may be characterized by owner-occupied duplexes, townhomes, stacked ranches, and flats, as well as traditional multi-family rental apartments. Developments in this land use category would typically require an RM-1 or RM-2 zoning classification and be characterized by state-of-the-art products types with significant amenities and facilities for their residents. As an element of large-scale, Multiple Family residential development, 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 expected as an integral part of all Multiple Family communities. Densities are expected to range between 6.0 and 10.0 units per acre, based upon the product type, zoning classification, and approved development plan.