

**WHITE LAKE TOWNSHIP
PLANNING COMMISSION**

Township Annex, 7527 Highland Road
White Lake, MI 48383
May 19, 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

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

Absent: Robert Seeley

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

Visitors: 14 members of the public were present

APPROVAL OF AGENDA

Director O'Neil asked to amend the agenda, adding *8B. Elizabeth Lake Retail Conceptual Discussion*.

Commissioner Dehart moved to approve the amended agenda of the May 19, 2022 Planning Commission Meeting.

Commissioner Fine supported and the MOTION CARRIED with a voice vote: 8 yes votes.

APPROVAL OF MINUTES

- a. Regular meeting minutes of May 5, 2022
- b. Correction of minutes as noted by Commissioner Seward of a typographical error.

Commissioner Fine moved to approve the amended Minutes of May 5, 2022.

Commissioner Seward supported and the MOTION CARRIED with a voice vote: 8 yes votes.

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

John Hunt of 871 Oxhill Drive had concerns about snow removal at the proposed Black Rock site and made suggestions on how to accommodate snow removal in the parking lot.

PUBLIC HEARING

A. 1392 S. Williams Lake

Property described as parcel number 12-36-476-002 (1392 S. Williams Lake Road) located on the west side of Williams Lake Road, north of Cooley Lake Road and contains approximately 386.60 feet of frontage on Williams Lake Road. Consisting of approximately 2.50 acres.

Request: **Applicant requests to rezone the parcel from AG (Agricultural) to RM-1 (Attached Single-Family).**

Applicant: Justin Jundy
1392 S. Williams Lake Road
White Lake, MI 48386

Applicant Present: Justin Jundy of 1392 S. Williams Lake Rd, Azher Matty and Andrew Markell of J & D Architectural Engineering

Director O'Neil stated the rezoning request was consistent with the Master Plan. This property could be served by public utilities would have no access to Whetherstone's roads, storm sewer, or other utilities. The concept drawing, which was not reviewed for compliance with the zoning ordinance and not under consideration by the Planning Commission, indicated the only road access being on Williams Lake Road. DLZ did not have any objections to the rezoning traffic study submitted. Staff recommends approval of the rezoning.

Commissioner Slicker asked staff if Stony Court met the standards for a dead-end road.

Director O'Neil explained Stony Court was compliant 19 years ago and was considered an extended driveway. There was an ongoing issue of traffic cutting through Whetherstone and adding another access point to Williams Lake Road would have a negative impact.

Commissioner Dehart asked staff about RM-1 zoning density and if units had to be owner-occupied.

Director O'Neil stated the density for RM-1 was 6 to 8 units per acre and any development of this site would be expected to present 6 to 8 units per acre.

Mr. Matty presented the conceptual drawing and discussed the rezoning traffic study.

Mr. Jundy stated they would like to bring more families to the area.

Commissioner Carlock stated natural vegetation was preferred over new, young trees.

Mr. Matty stated they intend on having an arborist visit the site and give recommendations.

Commissioner Slicker confirmed the Commission was only considering the rezoning request at this time and inquired about the conceptual drawing.

Commissioner Anderson opened the public hearing at 7:26 p.m.

Bruce Scarcella of 8052 Stony Court inquired about the density proposed and the zoning of his neighborhood.

Director O'Neil answered the resident and encouraged him to contact the Community Development Department for more information regarding the zoning of his neighborhood.

Joellen Bennett of 1357 Waverly Drive inquired about the utilities available to this development and if this would be accessible through her neighborhood.

Commissioner Anderson explained those matters were not considered during a rezoning request.

Director O'Neil explained a new development would not be allowed to access any utilities or roads without the consent of Whetherstone.

Christine Grimes of 1373 Waverly Drive was concerned about traffic and asked when the traffic study was completed.

Mr. Quagliata stated the rezoning traffic study utilized traffic count information from July 2021 and December 2021.

Michael Bennett of 1357 Waverly Drive was also concerned about traffic.

Corey Fowler of 8624 Newport co-owns a unit on Waverly Drive and was concerned about the animals in the nearby wooded area.

Marilyn Waltz of 1365 S. Williams Lake Road (Waterford) had concerns about the increase of traffic.

Commissioner Anderson closed the public hearing at 7:39 p.m.

Commissioner Anderson asked the applicants to take the feedback from the public hearing into consideration when preparing their site plan.

Commissioner Seward moved to recommend approval to the Township Board of the rezoning from AG (Agricultural) to RM-1 (Attached Single Family), for parcel number 12-36-476-002.

Commissioner Fine supported, and the MOTION CARRIED with a roll call vote (8 yes votes): (Anderson/yes, Dehart/yes, Carlock/yes, Fine/yes, Meagher/yes, Seward/yes, Slicker/yes, Ruggles/yes)

B. VCA

Property described as parcel number 12-21-276-023 (7755 Highland Road) located on the north side of Highland Road, west of Elizabeth Lake Road. Consisting of approximately 1.27 acres.

Request: **1) Amended final site plan**

2) Special land use to establish and operate a veterinary clinic

Applicant: VCA Animal Hospitals, Inc

12401 West Olympic Blvd

Los Angeles, CA 90064

Applicant Present: Rebecca Wilson of 5434 Mancelona Dr., Grand Blanc

Director O'Neil introduced the request and explained how the zoning ordinance was previously amended to allow for the special land use of a veterinary clinic in the LB (Local Business) zoning district. The applicant requested an amendment to the final site plan for the outdoor pet areas. The site was already on municipal water and sewer. Staff recommended approval of the special land use and the amended final site plan, and suggested to include hours of operation as a condition of the special land use approval.

Commissioner Seward asked staff if the neighboring business, Auto Zone, operated 24 hours a day.

Director O'Neil stated it did not.

Commissioner Carlock asked staff about the other tenants in the building.

Director O'Neil explained there would be a second tenant occupying one unit and an unoccupied unit in between the veterinary clinic and the carry out restaurant on the opposing end of the building.

Commissioner Slicker inquired about the turf used in the outdoor pet areas and cleaning of the areas.

Ms. Wilson stated the VCA needed two exterior areas for walking dogs, one for those who had communicable illnesses and a separate area for dogs that had a medical procedure. The artificial turf would be cleaned every day. The facility would not offer grooming, or boarding besides surgical stays. No after-hours emergency services would be offered; the VCA referred patients to 24-hour veterinary hospitals in the area. Ms. Wilson stated the requested hours of operation were Monday through Friday from 9 a.m. to 7 p.m. and Saturday from 9 a.m. to 1 p.m. The clinic was closed Sundays.

Commissioner Anderson opened the public hearing at 8:00 p.m.

No members of the audience spoke during the public hearing.

Commissioner Anderson closed public hearing at 8:02 p.m.

Commissioner Meagher moved to approve the amendment of the final site plan subject to all staff and consultants' review comments being addressed, for Parcel Number 12-21-276-023 (7755 Highland Road).

Commissioner Dehart supported, and the **MOTION CARRIED** with a roll call vote (8 yes votes): (Anderson/yes, Dehart/yes, Carlock/yes, Fine/yes, Meagher/yes, Seward/yes, Slicker/yes, Ruggles/yes)

Commissioner Meagher moved to approve the Special Land Use subject to the stipulated hours of operation to establish and operate a veterinary clinic, for Parcel Number 12-21-276-023 (7755 Highland Road).

Commissioner Dehart supported, and the MOTION CARRIED with a roll call vote (8 yes votes): (Anderson/yes, Dehart/yes, Carlock/yes, Fine/yes, Meagher/yes, Seward/yes, Slicker/yes, Ruggles/yes)

CONTINUING BUSINESS

A. Comfort Care White Lake

Property described as parcel number 12-36-176-002, located on the west side of Union Lake Road, between Hutchins Road and Cooley Lake Road, consisting of approximately 8.7 acres.

Request: **i) Rezoning (from (LB) Local Business to Planned Development (PD))**
ii) Preliminary site plan approval

Applicant: Comfort Care, LLC
4180 Tittabawassee Road
Saginaw, MI 48604

Applicant Present: Doug Boehm, Owner & Executive Director of Comfort Care
John Costa, Architect and Rudy Quaderer, Site Engineer

Mr. Quagliata stated the size of the building and density were reduced from the previous plan. The secondary access to Union Lake Road had been removed; an emergency/secondary access through the West Valley site (if the project was constructed) was proposed. Staff recommended posting 'No Parking' signs and designating the secondary access as a fire lane. A public benefit of \$20,000 to the Parks and Recreation fund was offered by the applicant. Five waivers (deviations from the zoning ordinance) were requested. The facade of the building had been changed with improved quality of materials used. A screen wall had been added to provide screening at the rear property line. Staff recommended approval subject to all comments being addressed and the Commission discussing the community benefit with the applicant.

Commissioner Meagher asked staff what the difference was between a waiver and a variance.

Director O'Neil explained Planned Development zoning allowed for deviations from the zoning ordinance through the development agreement.

Commissioner Ruggles asked staff about the proposed public benefit.

Mr. Quagliata referenced the waivers requested and stated a community benefit must be for the use and enjoyment of the public-at-large.

Commissioner Fine had concerns about the amount of greenbelt landscaping.

Commissioner Dehart asked staff about the number of waivers requested and if there were any comparable developments that could help them determine the public benefit.

Mr. Quagliata answered five waivers were requested.

The Commission discussed the proposed public benefit.

Commissioner Slicker noted the plan indicated a retaining wall and stated that could increase the adjacent homeowner's potential for drainage issues.

Mr. Quagliata stated screening of the neighbor's property had been increased compared to the previous plan and screen wall details would need to be clarified on the final site plan.

Mr. Leuffgen noted the plans had not changed significantly from an engineering standpoint and this project's feasibility remained entirely dependent on the West Valley project being redesigned and constructed.

Mr. Boehm stated he spoke with the resident of 900 Union Lake Road regarding the retaining wall.

Mr. Quaderer reviewed the landscaping on the plan.

The Commission reviewed the renderings provided by the applicant, and deliberated the waivers requested and required setbacks.

Commissioner Dehart inquired about the size of the Comfort Care Clarkston facility.

Commissioner Meagher asked Commissioner Dehart her opinion about how the Zoning Board of Appeals would respond if the Board had to hear this case.

The Commission discussed the proposed public benefit.

Mr. Boehm stated he had discussed the public benefit with his team and increased the proposed amount from \$5,000 to \$20,000.

Commissioner Meagher moved to recommend approval to the Township Board the rezoning of Parcel Number 12-36-176-002 from LB (Local Business) to PD (Planned Development), subject to the applicant obtaining preliminary site plan approval from the Township Board. Commissioner Fine supported, and the MOTION CARRIED with a roll call vote (8 yes votes): (Anderson/yes, Dehart/yes, Carlock/yes, Fine/yes, Meagher/yes, Seward/yes, Slicker/yes, Ruggles/yes)

Commissioner Meagher moved to recommend approval to the Township Board approval of the preliminary site plan for Parcel Number 12-36-176-002, subject to the applicant addressing all of the staff and consultant comments and recommendations, West Valley being redesigned and constructed, no parking signs being placed in the secondary access drive, landscaping meeting all zoning ordinance requirements, and an increased public benefit commensurate with the waivers requested.

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

B. Elizabeth Lake Retail Conceptual Discussion

Commissioner Ruggles recused himself from the case and left the meeting.

Commissioner Anderson explained the applicant had fifteen minutes to present and for the Commission to discuss the matter.

Director O'Neil provided an update on the project.

Joe Maynard of Washtenaw Engineering presented the project. The applicant was seeking Planning Commission input on the residential aspect of the project and indicated a wetland permit had been applied for through EGLE.

Nazir Jawich explained the history of the project and the concerns about the future demand of mixed use.

Discussion by the Commission regarding appropriate zoning and the residential component of the project.

NEW BUSINESS

None.

OTHER BUSINESS

None.

LIAISON'S REPORT

Commissioner Dehart: On behalf of the Zoning Board of Appeals thanked the Planning Commission for its input on a project brought before them.

Commissioner Carlock: Ms. Carlock was not able to attend the last Parks and Recreation Committee meeting and asked Mr. Quagliata to provide an update. Mr. Quagliata stated the National Parks Service required a biological assessment for the Stanley Park grant application. The 5-Year Parks & Recreation Master Plan would be updated this year. A community event was planned for June 25, 2022 – a family fun day at Hawley Park from 3 p.m. to 9 p.m.

DIRECTOR'S REPORT

The Capital Improvements Plan (CIP) update would begin in June. The draft would be presented to the Planning Commission in August followed by a public hearing in September. Ultimately the CIP would be presented to the Township Board for approval.

Implementation of Corridor Improvement Authority was upcoming.

The contract with River Caddis expired and the Township was reconsidering its options.

COMMUNICATIONS

No meeting on June 2, 2022.

NEXT MEETING DATES: June 16, 2022

ADJOURNMENT

Commissioner Fine moved to adjourn the meeting at 9:21 PM

Commissioner Carlock supported and the MOTION CARRIED with a voice vote: 7 yes votes

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