



**CITY OF WALLED LAKE
PLANNING COMMISSION
TUESDAY, AUGUST 8, 2023**

The Meeting was called to order at 7:30 p.m.

Pledge of Allegiance led by Chairman Wolfson

ROLL CALL: O'Rourke, Owsinek, Whitt, Wolfson,

ABSENT: Robertson

OTHERS PRESENT: Assistant City Manager Jaquays, Planning Consultant Ortega, City Attorney Vanerian, City Clerk Stuart, Council Member Ambrose

**PC 08-01-23 MOTION TO EXCUSE PLANNING COMMISSIONER
ROBERTSON**

Motion by Owsinek, seconded by ORourke, CARRIED UNANIMOUSLY: To excuse Planning Commissioner Robertson

REQUESTS FOR AGENDA CHANGES:

APPROVAL OF MINUTES:

**PC 08-02-23 APPROVAL OF THE JULY 11, 2023 PLANNING COMMISSION
MEETING MINUTES**

Motion by ORourke, seconded by Owsinek, CARRIED UNANIMOUSLY: To approve the July 11, 2023 Planning Commission minutes

AUDIENCE PARTICIPATION: NONE

COMMUNICATION:

Dear Walled Lake Planning Commission,

My name is Christy Brown-Ambrose, owner of Casey's of Walled Lake. I wanted to highlight my concerns regarding PC Case 304-800 N Pontiac Trail Site Plan and Special Land Use Applicant: Black River Bells LLC.

Clint Lyders, a member of Black River Bells LLC, had presented a written licensing agreement to Casey's of Walled Lake as what Clint described, as "a resolution to overflow parking."

Black River Bells LLC offered Casey's of Walled Lake 18 parking overflow spots along the north and east side of the property. Then cut it down to 10 spots (see attached map). The site plan drawings submitted to Planning Commission during July's meeting only exhibited spots along the north side of the property. Casey's of Walled Lake denied signing any written licensing agreements with Black River Bells LLC until Planning Commission had approved the site plan and special land use. The tactic performed by Black River Bells LLC represents what I believe to be a bad corporate neighbor.

The curb cut between Casey's of Walled Lake and 800 N Pontiac Trail was designed with the intent of delivery vehicles to accommodate the two properties. With the current preliminaries, the parking lot of Casey's of Walled Lake will no longer be accessible for delivery vehicles. During normal business operations, Casey's of Walled Lake requires 11 delivery vehicles per week. Delivery vehicles are 18-wheeled semi trucks, and unloading these deliveries would be performed on Maple Road, creating significant public safety concerns.

A major portion of our business at Casey's of Walled Lake is the ability to accommodate guests onto our patio. The patio is located less than 50 feet from 800 N Pontiac Trail. The intercom system will be an extreme disturbance to guests on our patio.

I crucially suggested the building located at 800 N Pontiac Trail be more centrally located within the property. A centrally located building will provide more parking to surrounding entities, allow for an accessible curb cut, and limit the nuisance a drive-thru may cause on an outdoor dining experience.

I appreciate your consideration on this matter.

Christy Brown-Ambrose

DISCUSSION:

1. Zoning Ordinance Amendment- Generator Discussion

City Attorney Vanerian said this discussion arises from a proposal brought before City Council from the Building Official concerning placement of generators. Mr. Vanerian said the proposal requested the Planning Commission review the zoning ordinance requirements to allow generators permitted as of right in side yards in certain situations and to provide the Building Official more guidance when reviewing permits.

Consultant City Planner Ortega said currently, the zoning ordinance states generators need to be located in the rear yard, however, they can be permitted in side yards if a practical difficulty is present.

**PC 08-03-23 MOTION TO REFER ZONING ORDINANCE AMENDMENT TO
PLANNING CONSULTANT FOR REVIEW**

Motion by Owsinek, seconded by O'Rourke, CARRIED UNANIMOUSLY: To refer zoning ordinance amendment to planning consultant for review

PUBLIC HEARING:

**1. PC CASE 304 – 800 N Pontiac Trail - Site Plan and Special Land Use
Applicant: Black River Bells LLC**

Open Public Hearing 7: 35 PM

Scott Campbell, 784 N. Pontiac Trail – Mr. Campbell identified himself as the business owner of Tuffy's of Walled Lake. Mr. Campbell said currently, Tuffy's has a rent agreement with the landowner at 800 N. Pontiac Trail to use the parking lot for storing vehicles. Mr. Campbell said he is concerned the proposed Taco Bell may affect his business and his current parking arrangement.

Margaret, resident – said she was confused with the proposed layout and how a drive-through will be designed on-site.

Rita, Fawn Lake Estates – said Pontiac Trail has a lot of traffic currently, getting in and out of the subdivision is difficult. Ms. Rita opined the proposed Taco Bell will cause additional traffic.

Close Public Hearing 7:45 PM

Excel Engineer Dustin Salter said he is here to answer any questions the commissioners may have.

Clint Lyders identified himself as the owner and developer of the project.

City Planner Ortega said the applicant has proposed demolishing the building on-site to construct a drive-through Taco Bell. Mr. Ortega said there are easements for the existing overhead powerlines; due to those easements, the proposed structure is on the southern side of the site. Mr. Ortega said the building location creates a nontraditional design that limits the ability for emergency vehicles and tractor-trailer vehicles to maneuver the site. Mr. Ortega said since the first review, the applicant has submitted revised plans with an alternative design. Mr. Ortega said because the revised plan have not substantially changed, he believes there are opportunities to redesign access paths that are more functionable. Mr. Ortega said there are concerns with the turning movements on the site. Mr. Ortega opined that the wheel path plan provided does not

represent all the possible turning possibilities. Mr. Ortega said there are two access points into the neighboring properties.

City Attorney Vanerian said a title report was provided. Mr. Vanerian said Did not find any recorded instruments that would have provided access to the neighboring properties along E. West Maple. Mr. Vanerian said there are recorded utility easements along the North property line.

Planning Commissioner Owsinek said his concern is ingress and egress on the property. Mr. Owsinek said there is no deceleration or acceleration lane shown on the plans. Mr. Owsinek said he is concerned with emergency vehicle access.

Planning Commissioner Whitt said one of the biggest issues for this site is providing access to the surrounding businesses and not impacting their current operations. Mr. Whitt said

Mr. Lyders said access has been provided for the dumpster easement on the North side of the property. Mr. Lyders asked why another access needs to be provided?

Mr. Ortega said historically, there has been access along the Southern property line. Mr. Ortega said while a curb-cut has been provided, it is unclear of the turning movements.

Mr. Lyders said he spoke with 'Casey's' ownership to address overflow parking. Mr. Lyders said he added the Southern curb-cut to be a good neighbor and a written agreement will detail the overflow parking arrangement. Mr. Lyders gave a brief description of Taco Bell's history and future direction in Walled Lake.

**PC 08-03-23 MOTION TO TABLE PC CASE 304 UNTIL THE NEXT
REGULARLY SCHEDULED MEETING**

Motion by Owsinek, seconded by O'Rourke, CARRIED UNANIMOUSLY: To table PC Case 304 until the next regularly scheduled meeting

Discussion

Mr. Whitt said City Administration will contact neighboring property owners to have a meeting.

Roll Call Vote

AYES: (4)	O'Rourke, Whitt, Wolfson, Owsinek
NAYS: (0)	
ABSENT: (1)	Robertson
ABSTENTIONS: (0)	

2. PC CASE 305 – Decker Road & EW Maple, Vacant Lot – Site Plan and Special Land Use
Applicant: Kum n Go

City Planner Ortega described the proposed project to construct a 'Kum and Go' gas station at the corner of Decker and EW Maple. Mr. Ortega said as proposed, a majority of the site design and concerns have been addressed. Mr. Ortega said in regards to compatibility the proposed business does comply with the City's zoning ordinance. Mr. Ortega said half of the property will remain untouched and creates a natural screening. Mr. Ortega said the Traffic Impact Study has recommended a deceleration lane.

Open Public Hearing 8:28 PM

Marilyn Amberger, 704 Woods Court - Ms. Amberger asked why this specific site was chosen? Ms. Amberger referenced the Walled Lake Master Plan and the language used to describe vacant land. Ms. Amberger shared her concerns about the natural resources and habitats in Walled Lake.

Joseph McKevez, 755 Woods Court – Mr. McKevez opined that it was the wrong corner for a gasoline station. Mr. McKevez described his traffic experience along EW Maple.

Janette Decourcy, 773 Woods Court – Ms. Decourcy opined walled lake does not need a gas station. Ms. Decourcy listed various businesses in the area with similar service. Ms. Decourcy noted there is an overflow of traffic on Leon and 14 Mile Road. Ms. Decourcy opined that a gas station should not be located at the intersection.

Steve Burns, 1501 E. West Maple Road – Mr. Burns said there could be a screening concern during the winter once the trees have lost their leaves. Mr. Burns suggested fuel delivery be scheduled in the morning.

Close Public Hearing 8:47 PM

Mr. Owsinek discussed the proposed plans.

Mr. Wolfson explained his perspective on traffic.

Eric Lord said he is with Atwell Engineering and said he was able to provide the truck-turning plan, relocated the air machine, and landscaping plan was revised. Mr. Lord said a traffic study was provided. Mr. Lord provided an aerial visual of the proposed site and the location of the building to the residential homes.

PC 08-04-23

MOTION TO APPROVE PC CASE 305- DECKER AND EW MAPLE, VACANT LOT FOR SPECIAL LAND USE APPROVAL CONTINGENT UPON RECEIVING REVISED SITE PLAN AND ADMINISTRATIVE APPROVAL ADDRESSING RECOMMENDATIONS LISTED IN CONSULTANT CITY PLANNER ORTEGA'S LETTER DATED JULY 5, 2023 AND FIRE

**MARSHALL GONZALEZ’S LETTER DATED AUGUST 5, 2023
AND CITY ENGINEER’S LETTER DATED AUGUST 8, 2023**

Motion by Owsinek, seconded by O’Rourke

Discussion

Mr. Whitt asked what the distance is from the proposed structure to the residents?

Mr. Ortega said from the corner of the development to the nearest residential lot line, it is about 300 feet.

Mr. Whitt said that is about a football field of trees.

Roll Call Vote

AYES: (4)

O’Rourke, Whitt, Wolfson, Owsinek

NAYS: (0)

ABSENT: (1)

Robertson

ABSTENTIONS: (0)

PC 08-05-23

**MOTION TO APPROVE PC CASE 305- DECKER AND EW
MAPLE, VACANT LOT FOR SITE PLAN APPROVAL
CONTINGENT UPON RECEIVING REVISED SITE PLAN AND
ADMINISTRATIVE APPROVAL ADDRESSING
RECOMMENDATIONS LISTED IN CONSULTANT CITY
PLANNER ORTEGA’S LETTER DATED JULY 5, 2023 AND FIRE
MARSHALL GONZALEZ’S LETTER DATED AUGUST 5, 2023
AND CITY ENGINEER’S LETTER DATED AUGUST 8, 2023**

Motion by Owsinek, seconded by O’Rourke, CARRIED UNANIMOUSLY: To approve PC Case 305 for site plan approval contingent upon receiving revised site plan and administrative approval addressing recommendations listed in consultant City Planner Ortega’s letter dated July 5, 2023 and Fire Marshall Gonzalez’s letter dated August 5, 2023 and City Engineer’s letter dated August 8, 2023

Roll Call Vote

AYES: (4)

O’Rourke, Whitt, Wolfson, Owsinek

NAYS: (0)

ABSENT: (1)

Robertson

ABSTENTIONS: (0)

UNFINISHED BUSINESS:

NONE

NEW BUSINESS:**1. PC CASE 307 – 1745 EW Maple – Site Plan Amendment****Applicant: Jax Kar Wash**

City Planner Ortega described the site characteristics and said the applicant is proposing a two-lane automated pay station system with gated access. Mr. Ortega raised the issue regarding access from Decker Road, location of employee parking, enclosure for dumpster, and recommended that any current or proposed lighting be shielded downward.

Todd Gesund identified himself as the former owner of Super Car Wash and is now the Vice-President of Jax Kar Wash. Mr. Gesund shared his background with the Walled Lake community and his history with the car wash companies. Mr. Gesund said currently, vehicles that enter from Decker Road go along the west side of the building and enter the line from the east side. Mr. Gesund said temporary signage is set-up on busier days to direct traffic flow, and employees are trained to direct vehicles from Decker Road. Mr. Gesund said he understands that the dumpster will need to be brought into compliance and will comply. Mr. Gesund said dumpster vehicles will have access from Decker Road or enter along the western side of the property, they typically provide service in the morning. Mr. Gesund said there are no wall-packs that face Maple Road and opined that the property is insufficiently lit. Mr. Gesund said there are many parking spots in the back for employees.

Planning Commissioner O'Rourke asked if there is any shared pavement with the laundromat?

Mr. Gesund clarified that the laundromat's pavement is strictly theirs. Mr. Gesund said with the two-lane pay stations, the stacking for vehicles will be improved.

Chairman Wolfson asked if the vacuum stations will be removed?

Mr. Gesund said the vacuum stations on the north side of the property will be removed

PC 08-05-23

MOTION TO APPROVE PC CASE 307 FOR SITE PLAN AMENDMENT CONTINGENT UPON RECEIVING REVISED SITE PLAN AND ADMINISTRATIVE APPROVAL ADDRESSING RECOMMENDATIONS LISTED IN CONSULTANT CITY PLANNER ORTEGA'S LETTER DATED JULY 31, 2023 AND FIRE MARSHALL GONZALEZ'S LETTER DATED JULY 20, 2023 AND CITY ENGINEER'S LETTER DATED JULY 12, 2023

Motion by O'Rourke, seconded by Owsinek, CARRIED UNANIMOUSLY: To approve PC Case 307 for site plan amendment contingent upon receiving revised site plan and administrative approval addressing recommendations listed in consultant City Planner Ortega's letter dated July 31, 2023 and Fire Marshall Gonzalez's letter dated July 20, 2023 and City Engineer's letter dated July 12, 2023

Roll Call Vote

AYES: (4) O'Rourke, Whitt, Wolfson, Owsinek
NAYS: (0)
ABSENT: (1) Robertson
ABSTENTIONS: (0)

2. PC CASE 308 – 1016 N Pontiac Trail – Site Plan Amendment
Applicant: Jax Kar Wash

City Planner Ortega asked about dumpster access?

Mr. Gesund said dumpster service will be done before opening hours and will have access from the escape lane on the North side of the property.

PC 08-06-23 MOTION TO APPROVE PC CASE 308 FOR SITE PLAN AMENDMENT CONTINGENT UPON RECEIVING REVISED SITE PLAN AND ADMINISTRATIVE APPROVAL ADDRESSING RECOMMENDATIONS LISTED IN CONSULTANT CITY PLANNER ORTEGA'S LETTER DATED JULY 31, 2023 AND FIRE MARSHALL GONZALEZ'S LETTER DATED JULY 20, 2023 AND CITY ENGINEER'S LETTER DATED JULY 12, 2023

Motion by Owsinek, seconded by O'Rourke, CARRIED UNANIMOUSLY: To approve PC Case 308 for site plan amendment contingent upon receiving revised site plan and administrative approval addressing recommendations listed in consultant City Planner Ortega's letter dated July 31, 2023 and Fire Marshall Gonzalez's letter dated July 20, 2023 and City Engineer's letter dated July 12, 2023

Roll Call Vote

AYES: (4) O'Rourke, Whitt, Wolfson, Owsinek
NAYS: (0)
ABSENT: (1) Robertson
ABSTENTIONS: (0)

COMMISSIONERS COMMENTS: NONE

PC 08-07-23 ADJOURNMENT

Motion by O'Rourke, seconded by Owsinek, CARRIED UNANIMOUSLY: To adjourn the meeting at 9:18 p.m.



Hana Jaquays
Recording Secretary

Neal Wolfson
Chairman