



**CITY OF WALLED LAKE
PLANNING COMMISSION
(ELECTRONIC MEETING PLATFORM)
TUESDAY, JULY 14, 2020**

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

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

ABSENT: Novak, Palmer

OTHERS PRESENT: Recording Secretary Pesta, Confidential Assistant Jaquays,
Planning Consultant Ortega, City Attorney Vanerian

REQUESTS FOR AGENDA CHANGES: None

APPROVAL OF MINUTES:

**PC 06-01-20 APPROVAL OF THE JUNE 9, 2020 PLANNING COMMISSION
MEETING MINUTES**

Motion by O'Rourke, seconded by Wolfson, CARRIED: To approve the June 9, 2020
Planning Commission minutes.

COMMUNICATION:

Confidential Assistant Jaquays read into the record one letter of correspondence.

*Walled Lake Planning Commission
1499 E. West Maple Road
Walled Lake, MI 48390*

Planning Commission Members,

I received finally the plans for the Maher parking addition. If your intention is to truly hold "Spring Park residents harmless" I am wondering how putting a crosswalk within 3 car lengths of the stop sign at Pontiac trail does this. This means that one entrance and exit from our residences we will be required to stop twice to access our homes. Pedestrian crossings so close together are an accident waiting to happen.

In addition I question the openness of these meetings due to the fact that many of the residents on our street do not have internet access or the understanding of the process of using Zoom.

Pushing through this project under these circumstances and over the objections of this community, regardless of how humble, is unconscionable, even if the rules were followed due to COVID.

Regards,

*Nancy Fassinger
178 Spring Park*

ATTORNEY'S REPORT: None

UNFINISHED BUSINESS:

NEW BUSINESS:

Public Hearing

1. Discussion- Update on Zoning Map

City Attorney Vanerian said this is a proposed update to the City's official zoning map. Mr. Vanerian said the last time City Council adopted a zoning map was in 1989. Mr. Vanerian said the most recent certification was done in 2016. Mr. Vanerian explained that this update would include recent rezoning and PUDs. Mr. Vanerian said this update would ensure that zoning district boundaries are accurately depicted, and individual parcels of land that border these boundaries are correctly zoned.

Mr. Vanerian explained that the City's planning consultant would prepare an updated zoning map and then bring it before the Planning Commission for review, discussion, and public hearing. Mr. Vanerian said after approval from the Planning Commission, it would be referred to City Council.

Chairman Hecht clarified that this update would address discrepancies regarding individual parcels?

Mr. Vanerian said that zoning discrepancies, rezonings, boundaries, and PUDs would be included in this update.

Chairman Hecht asked about proactively rezoning properties downtown to allow for flexibility and encouragement of future development. Mr. Hecht asked if this is possible?

Mr. Vanerian said that yes, that is a possibility and has been done before. Mr. Vanerian said if there are additional areas that would like to be rezoned that can be done.

Chairman Hecht identified Decker road and areas downtown.

Commissioner Whitt said that the described planning issues would be addressed under future land use. Mr. Whitt said these suggestions would be listed in the Master Plan. Mr. Whitt said the city's consultant planner can look at the Master Plan to determine if changes need to be made.

Planning Consultant Ortega said that the last certified map would go through verification to determine accurate depictions of rezoning. Mr. Ortega said the intentions of this is for uniformity and accuracy for City Council, Planning Commission, and the Clerks office.

Mr. Ortega said yes, it is possible to look at the future land use map in comparison with the zoning map. Mr. Ortega said it is up to the Commission to determine which action takes place first.

Commissioner Whitt said the subject matter is the same, but the mission is slightly different. Mr. Whitt said the Commission should proceed with getting an updated zoning map. Mr. Whitt suggested two separate motions.

Chairman Hecht requested that the downtown areas be reviewed for housing and density opportunities to invite families downtown.

**PC 07-02-20 MOTION TO REFER UPDATE ON ZONING MAP TO
CONSULTANT CITY PLANNER FOR REVIEW**

Motion by Wolfson, seconded by O' Rourke, CARRIED: To refer update on zoning map to consultant city planner for review.

City Attorney Vanerian provided clarification that we are updating by way of zoning ordinance amendment which means that the updated zoning map would require a public hearing before the planning commission, and then a first and second reading before City Council. Mr. Vanerian said the benefit by doing an update through ordinance amendment is that there is a public hearing, which allows for discrepancies to be brought forward. Mr. Vanerian said another benefit is that it eliminates any disputes going forward when determining the zoning of a piece of property.

**PC 07-03-20 MOTION TO HAVE CITY PLANNER EXAMINE ZONING MAP
TO ENCOURAGE FUTURE DEVELOPMENT**

Motion by Hecht, seconded by O'Rourke, CARRIED: To have the city planner examine the zoning map to encourage future development.

2. Presentation – Forestbrook Park – Proposed Schafer PUD

Applicant Schafer opened the presentation stating their proposed developed will be on the southeast corner of Pontiac Trail and Decker and will be called Forestbrook Park. Mr. Schafer provided details on its location and that it is on a key corridor that invites people toward Walled Lake. Mr. Schafer said that there are three parcels involved and noted that there are two single-family houses and an apartment complex involved. Mr. Schafer said that the house located on the corner is maintained but is falling into disrepair as it has not been occupied in a few years.

Mr. Schafer said according to the zoning map, it is zoned RM-1 and according to the future land use map it is zoned gateway-mixed use. Mr. Schafer said they are looking to do a planned unit development. Mr. Schafer said they are looking to design an enhanced streetscape that provides a good entry feature, while also offering residents a nice view. Mr. Schafer said they are looking to install sidewalks as well. Mr. Schafer said in the back, they are looking to enhance the tree line by planting additional trees.

Mr. Schafer said they are proposing 57 units. Mr. Schafer said there will be three buildings, each with 19 units. Mr. Schafer said they are proposing 23% of the site to be preserved as open space. Mr. Schafer said they are looking to develop in an environmentally conscious way. Mr. Schafer said there is a total of 30 trees; he noted that some are in poor condition or are undesirable. Mr. Schafer highlighted the importance of amenities, such as bike racks, BBQ areas, benches, and such.

Mr. Schafer said that they are proposing a combination of one-bedroom and two-bedroom units. Mr. Schafer said they have partnered with an architect to do the designs. Mr. Schafer noted the renderings presented are conceptual. Mr. Schafer thanked the commission for their time.

Chairman Hecht said he appreciates the greenspace included in the presentation.

Commissioner Owsinek questioned if the apartment houses currently on the property will be demolished?

Mr. Schafer said, yes. Mr. Schafer further explained that there will be two means of ingress and egress into the development to address traffic issues and access for emergency vehicles.

Commissioner Whitt said that both Schafers have been working with city administration. Mr. Whitt said thank you for the presentation.

City Attorney Vanerian said no action from the Planning Commission is required tonight. Mr. Vanerian said a formal application will need to be submitted.

3. Public Hearing – Proposed Amendment to Chapter 51 Marijuana Facilities

City Attorney Vanerian said this is an amendment to the zoning ordinance regarding Medical Marijuana Facilities and Adult Use recreational facilities. Mr. Vanerian said the purpose is to create consistency, and to reflect the new state laws passed. Mr. Vanerian said the three main changes are setback requirements, hours of operation, and execution of State departmental forms. Mr. Vanerian suggested the Planning Commission make a recommendation to City Council for final adoption.

Open Public Hearing 8:18pm

Christyn Scott – Ms. Scott said she is the Attorney for Lume. Ms. Scott asked for clarification in regard to the 500ft setback from retail establishments.

City Attorney Vanerian clarified that under the proposed amendment the 500ft separation requirement between a provisioning center and another provision center is retained.

Close Public Hearing 8: 25pm

PC 07-04-20 **MOTION TO APPROVE PROPOSED ORDINANCE AND TO FORWARD ORDINANCE TO CITY COUNCIL FOR FINAL APPROVAL**

Motion by Owsinek, seconded by O'Rourke, CARRIED: To approve proposed ordinance and to forward ordinance to City Council for final approval.

Roll Call Vote

Ayes (4)	Hecht, Owsinek, Wolfson, O'Rourke
Nays (1)	Whitt
Absent (2)	Novak, Palmer
Abstention (0)	

4. PC 282 – 152 Spring Park – Office/Parking Lot Site Plan Applicant: Jim Maher

Applicant Mike Powell introduced himself as the design engineer and thanked the Planning Commission and public for their assistance with this proposal. Mr. Powell said the existing parking lot has an existing office building that is currently being used by a contractor. Mr. Powell said the parking situation is currently unorganized at this site. Mr. Powell said due to the request of the planning commission and members of the public, they reevaluated the entire site to reflect information gathered through a traffic study. Mr. Powell said the traffic consultant

pointed out a few recommendations, one of them being the inclusion of directional signs alongside Spring Park. Mr. Powell additionally pointed out the recommendation of directional signs to direct users to leave through Eagle Pond Drive. Mr. Powell said a crosswalk has been added and a sidewalk. Mr. Powell said the landscaping has been enhanced as well. Mr. Powell said he believes this will be an asset to all the businesses in the area.

Commissioner O'Rourke questioned if the traffic study reviewed the option of having the entrance and exit for the parking lot on Eagle Pond Drive?

Mr. Powell said it was intended for users to come in from Spring Park Drive, so patrons do not need to turn around in someone's driveway. Mr. Powell pointed out that this parking lot is not being proposed for the dispensary, but for Mr. Maher's three other businesses. Mr. Powell said the traffic consultant recommended having access from Spring Park.

Commissioner O'Rourke noted a local business that has their commercial parking off the business site and said that their use of traffic signs works well.

Mr. Powell said Mr. Maher expects more patrons at his commercial business and that people coming there will first initially go down Spring Park and look for parking there.

Commissioner O'Rourke said there is a difference in business volume amongst those properties.

Chairman Hecht brought up his concerns with having residents park along the street and having to turn around in people's driveways.

Commissioner Wolfson said a parking lot may relieve the parking issue created. Mr. Wolfson questioned if there is signage on Spring Park that indicates it is a dead-end?

Planning Consultant Ortega said the issue with Eagle Pond access are the multiple conflict points with left-turns on Pontiac Trail. Mr. Ortega said it is not a desirable situation as it creates additional traffic volume.

Commissioner O'Rourke said he does not envision multiple cars stacking on Spring Park as they begin to realize the entrance is on Eagle Pond. Mr. O'Rourke said it will be a practice of safe-driving techniques.

Planning Consultant Ortega said his concern was with multiple conflict points. Mr. Ortega said signage can help address the dead-end street for residential traffic only.

Chairman Hecht said once people realize that it is dead-end street it will be too late to turn around.

Planning Consultant Ortega explained that while the traffic study did identify the directional signs, they are not shown in the site plan. Mr. Ortega said they did request a parking sharing agreement between the properties which was provided however, it does indicate that all the businesses would have access to the parking lot. Mr. Ortega said if the parking lot was to be used

for Enterprise's overflow of rental cars, the parking lot would not relieve the commercial business parking issue. Mr. Ortega recommended that the parking agreement be amended to specifically prohibit the use of rental vehicles. Mr. Ortega said the parking lot lighting which is currently proposed to be at 20ft, needs to be at the height of the building or shorter as per the City's ordinance. Mr. Ortega said for landscaping, additional shrubs be placed for the parking that is orientated towards Spring Park. Mr. Ortega said in regard to the masonry wall, the site plan needs to reflect the piers and modulations.

Mr. Powell said he is willing to comply with the listed recommendations from Mr. Ortega

Commissioner O'Rourke explained his position that customers turn onto left onto Eagle Pond and then left into the parking lot. Mr. O'Rourke opinioned this would reduce the traffic on Spring Park.

Mr. Powell said that folks who come into the business, would only be aware of the Spring Park entrance and would then need to turn around.

Commissioner Whitt said that he does not support the proposal and that he supports the integrity of the residential neighborhood. Mr. Whitt said the office was initially a residential unit for years and was only just remodeled as a residential unit. Mr. Whitt said it became an office when they bought it for parking. Mr. Whitt said what they are asking for us to do is make a change that benefits only one business owner to the detriment of all the people on Spring Park. Mr. Whitt said all those buildings have been built with existing parking. Mr. Whitt said it will become a curbside parking lot. Mr. Whitt said it will diminish the neighborhood. Mr. Whitt said we need to vote for Spring Park residents in this case.

Chairman Hecht questioned if the property is zoned residential?

Commissioner Whitt said it was built residential, in a commercial area. Mr. Whitt said they need approval from the Planning Commission before moving forward. Mr. Whitt said adjustments will be made to address the parking issue. Mr. Whitt said we need to protect the residents.

**PC 07-05-20 MOTION TO DENY PLANNING COMMISSION CASE 282 FOR
SITE PLAN AT 152 SPRING PARK FOR OFFICE SPACE AND
PARKING LOT EXPANSION**

Motion by Wolfson seconded by Whitt, CARRIED: To deny planning commission case 282 for site plan at 152 Spring Park for office space and parking lot expansion.

Roll Call Vote

Ayes (5)	Hecht, O'Rourke, Owsinek, Whitt, Wolfson
Nays (0)	
Absent (2)	Novak, Palmer

Abstention (0)

AUDIENCE PARTICIPATION:

Denise Rothstein – 164 Spring Park – Ms. Rothstein said that the property has never been an office space; it has been rented out. Ms. Rothstein said the current parking spaces at Mr. Maher’s are never filled. Ms. Rothstein said there is available parking across the street at Dave & Amy’s. Ms. Rothstein stated that she does not want a parking lot in a residential area.

Jerry Millen – 103 E Walled Lake Drive – Mr. Millen said he strongly does not recommend including a parking lot for a dispensary in the middle of a subdivision. Mr. Millen said he would like to address a wolf in sheep’s clothing, City Council Member Costanzo, who is acting like he is in the best interest of Spring Park’s residents. Mr. Millen said Mr. Costanzo has had several meetings with Steve Atwell, from BDS Sky’s the Limit Dispensary, a company that is suing the City. Mr. Millen said Mr. Costanzo continues to try and help them secure a license which is completely inappropriate for a sitting council member to meet with someone who is suing the City he represents. Mr. Millen said Mr. Costanzo has pushed for the depo to be torn down so BDS can have parking for their dispensary. Mr. Millen said Mr. Costanzo has had interests in helping BDS get a license, and strongly encourages Spring Park residents to not trust him.

Karen Kolke – 179 Spring Park – Ms. Kolke expressed her concerns with the proposed cross walk. Ms. Kolke opinioned the only people who would utilize it would be those going to Lume. Ms. Kolke opinioned that there would be many people who would come, thus causing residents to stop multiple times.


AUDIENCE PARTICIPATION: Addressed earlier in the meeting.

COMMISSIONERS COMMENTS:

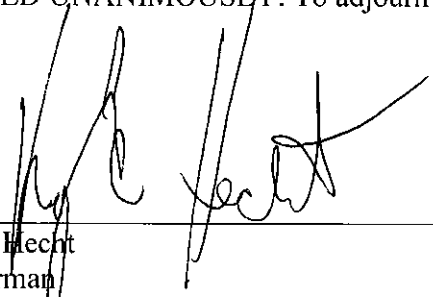
Commissioner Owsinek said he stands with the residents on Spring Park.

PC 07-06-20 ADJOURNMENT

Motion by O’Rourke, seconded by Hecht, **CARRIED UNANIMOUSLY**: To adjourn the meeting at 9:12 p.m.



Hana Jaquays
Recording Secretary



Kyle Hecht
Chairman