



**CITY OF WALLED LAKE
PLANNING COMMISSION
TUESDAY, APRIL 11, 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, Robertson

ABSENT: Novak, Palmer

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

REQUESTS FOR AGENDA CHANGES:

APPROVAL OF MINUTES:

**PC 04-01-23 APPROVAL OF THE MARCH 14, 2023 PLANNING
COMMISSION MEETING MINUTES**

Motion by Owsinek, seconded by Robertson, CARRIED UNANIMOUSLY: To approve the March 14, 2023 Planning Commission minutes

AUDIENCE PARTICIPATION: NONE

COMMUNICATION: NONE

PUBLIC HEARING:

- 1. PC CASE 303-1264 S. Commerce Road- Site Plan and Special Land Use
Applicant: Penny Lake Properties**

Open Public Hearing 7:33 PM

Close Public Hearing 7:34 PM

Applicant Kyle Shammami said he is proposing a hookah lounge at 1264 S. Commerce. Mr. Shammami said he has been working with an architect to prepare the plans.

Planning Consultant Ortega described the site characteristics and said the site is in the C-2 district. Mr. Ortega said the applicant is proposing to renovate the unit for a hookah lounge. Mr. Ortega said hookah lounges are not specifically listed in the zoning ordinance; the zoning ordinance does allow, determined by the planning commission, for similar uses to be established. Mr. Ortega highlighted a few requirements for special land use approval. Mr. Ortega described the surrounding sites and compatibility with nearby areas. Mr. Ortega noted the level of activity on site could increase and would be similar to adjacent uses. Mr. Ortega requested the applicant submit information regarding characteristics of the business to determine compatibility (Hours of operation, products and services offered, and entertainment etc.) Mr. Ortega described the C2 zoning district characteristics and the consistency with the zoning ordinance. Mr. Ortega said when special land uses are being considered, the review process includes reviewing how the proposed use protects the public's health, safety, and welfare. Mr. Ortega said if approved, the hookah lounge would need to receive an exemption from the state for smoking activities to be conducted inside. Mr. Ortega said the proposed use, would not negatively impact residents as the site is surrounded by other commercial entities. Mr. Ortega recommended that if the proposed use is approved, the planning commission grant approval contingent on the applicant receiving a valid exemption from MDHHS and contingent on receiving site plan approval.

Mr. Shammami said he has received the license from the state; however, it was issued to 1268 S. Commerce Road. Mr. Shammami said the license is currently being reviewed to be transferred to the new address at 1264 S. Commerce Road. Mr. Shammami said the businesses hours will be from 2:00 or 3:00 PM till midnight and perhaps longer hours on the weekends.

Mr. O'Rourke asked if any other food products or items will be offered to patrons?

Mr. Shammami said the business will be offering bottled beverages (Pop, water, etc.), chips, and candy.

Mr. Ortega said if Mr. Shammami wanted to serve alcohol, the license would need to include that.

**PC 04-02-23 MOTION TO APPROVE PC CASE 303 FOR SPECIAL LAND USE
CONTINGENT UPON MEETING RECOMMENDATIONS LISTED
IN CONSULTANT CITY PLANNER ORTEGA'S LETTER DATED
APRIL 6, 2023 AND FIRE MARSHALL GONZALEZ'S LETTER
DATED MARCH 7, 2023**

Motion by Whitt, seconded by Owsinek, CARRIED UNANIMOUSLY: To approve PC Case 303 for special land use contingent upon meeting recommendations listed in consultant City Planner Ortega's letter dated April 6, 2023 and Fire Marshall Gonzalez's letter dated March 7, 2023

Mr. Ortega noted on the application that no exterior modifications were proposed and wanted to confirm that with the applicant. Mr. Ortega requested detail be added to the site plan for circulation for fire apparatuses. Mr. Ortega said based on the number of parking spaces on site, the minimum parking requirements have been met for the existing tenants and the proposed tenant. Mr. Ortega said if the other two vacant units find tenants, the parking arrangement will need to be reviewed. Mr. Ortega said no landscaping plan has been submitted. Mr. Ortega said the ordinance does give the planning commission the authority to waive any landscaping requirements. Mr. Ortega said any lighting be installed, all lights will need to be shielded down.

Mr. Shammami clarified that there is one vacant unit remaining. Mr. Shammami said he intends to repave the lot later this summer.

**PC 04-03-23 MOTION TO APPROVE PC CASE 303 FOR SITE PLAN
CONTINGENT UPON MEETING RECOMMENDATIONS LISTED
IN CONSULTANT CITY PLANNER ORTEGA'S LETTER DATED
APRIL 6, 2023 AND FIRE MARSHALL GONZALEZ'S LETTER
DATED MARCH 7, 2023**

Motion by Whitt, seconded by Owsinek, CARRIED UNANIMOUSLY: To approve PC Case 303 for special land use contingent upon meeting recommendations listed in consultant City Planner Ortega's letter dated April 6, 2023 and Fire Marshall Gonzalez's letter dated March 7, 2023

UNFINISHED BUSINESS:

1. Proposed Zoning Amendment to Waterfront Lots

Chairman Wolfson summarized the remarks made at last month's public hearing and noted that residents want an obstructed view of the lake. Mr. Wolfson suggested the board discuss dock boxes.

Commissioner O'Rourke said he had been receiving many calls/questions after the approval at 174 S. Pontiac Trail so he brought this discussion to the planning commission's attention. Mr. O'Rourke said he spoke with multiple lake-front owners for their feedback. Mr. O'Rourke questioned if it is necessary for lake-front owners to incur additional fees for a shed when the ordinance could be amended to include sheds/structures while still preserving the view of the lake. Mr. O'Rourke shared his ideas for larger lake front lots and smaller lake front lots.

Commissioner Whitt said ultimately, the City Council will approve any decision on zoning amendments. Mr. Whitt agreed with Mr. O'Rourke about the importance of preserving the look of the lake.

Commissioner Owsinek said by having the special land use application process, residents within 300 feet can voice their opinions at the public hearing.

Commissioner O'Rourke summarized how his proposal would affect large lots and small lots. Mr. O'Rourke said currently, property owners can still apply for a waterfront shed through the special land use/ ZBA process.

Commissioner Whitt said tonight we are here to determine if the planning commission should provide City Council any additional information regarding the proposal.


Discussion was held on set-backs, height requirements, and proposed sizes of sheds/structures.

NEW BUSINESS: NONE


COMMISSIONERS COMMENTS: NONE

PC 04-05-23 ADJOURNMENT

Motion by Owsinek, seconded by Robertson, CARRIED UNANIMOUSLY: To adjourn the meeting at 8:43 p.m.



Hana Jaquays
Recording Secretary



Neal Wolfson
Chairman