



**CITY OF WALLED LAKE
PLANNING COMMISSION
TUESDAY, FEBRUARY 14, 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:

Commissioner O'Rourke requested to add 'Update to shed ordinance' under new business

APPROVAL OF MINUTES:

**PC 02-01-23 APPROVAL OF THE JANUARY 10, 2023 PLANNING
COMMISSION MEETING MINUTES**

Motion by O'Rourke, seconded by Owsinek, CARRIED UNANIMOUSLY: To approve the January 10, 2023 Planning Commission minutes

AUDIENCE PARTICIPATION: NONE

COMMUNICATION: NONE

UNFINISHED BUSINESS:

1. PC CASE 299- 1186 E. West Maple- Site Plan

City Planner Ortega described the site location and gave a brief description of the history and explained the applicant is proposing a Savy Sliders drive-through. Mr. Ortega said the applicant has provided a draft easement agreement between the two separate parcels for vehicles access, circulation, and parking. Mr. Ortega recommended the easement agreement be revised to include the legal description for both parcels in the exhibits A and B as well as include a copy of the signed easement agreement. Mr. Ortega explained the submitted façade elevations are design-intent renderings. Mr. Ortega noted that the renderings submitted, do not include any proposed elements

for the Walled Lake building. Mr. Ortega said the applicant has submitted a truck maneuvering plan. Mr. Ortega said the emergency vehicle plan appears to extend into an existing building footprint. Mr. Ortega said he defers to the City Fire Marshall and City Engineer for recommended modifications for emergency vehicles. Mr. Ortega said in regards to circulation, the applicant has removed the two-way access point and replaced it with a raised curb along the western side of the site. Mr. Ortega said the applicant has shown a loading zone in front of the dumpster enclosure. Mr. Ortega suggested the site plan be revised to include a functional loading zone with convenient access to building. Mr. Ortega said there currently exists an evergreen hedge for screening. Mr. Ortega recommended a condition of approval should be to reestablish a brick screening or shrubbery if the road commission were to remove the existing hedge. Mr. Ortega said the proposed lighting may cause glare and has recommended that lighting be revised to include an opaque-face or a downward projecting fixture. Mr. Ortega recommended that the site plan approval be contingent on receiving the necessary ZBA variances.

Kevin Heffernan with Stonefield engineering introduced the proposed project and explained the revised site plan. Mr. Heffernan said the revised design includes the closure of the western drive aisle by the western stacking lane, a designated loading area, and included a detailed vehicle analysis. Mr. Heffernan clarified that the vehicle turn should not cause any difficulties for vehicles. Mr. Heffernan said a draft was provided for the shared parking access easements, utilities easement, and the perpetual easement for the proposed drive through that may extend past the restaurant parcel. Mr. Heffernan said Stonefield has no objections with the condition to install the evergreen hedge. Mr. Heffernan said in regard to the lighting, those are welcomed recommendations, Stonefield has no objections to include an opaque-face and restricting the fixture's direction.

City Attorney Vanerian said the applicant is proposing to take part of the parking lot, which is located on a different parcel than the building itself, and turn it into a drive through, eliminating those current parking spaces. Mr. Vanerian said he does not see anything in the easement agreement that dedicates the drive through 'driveway' to be used as a drive through.

Commissioner O'Rourke said he understands the building design renderings are not specific to the Walled Lake site and asked if it was possible to review the proposed changes?

Mr. Heffernan said he understands Mr. O'Rourke's concerns and explained Savy Sliders' order of operations and how they typically receive planning commission and variance approvals first before engaging their architect team. Mr. Heffernan said the intent is to paint the exterior while keeping most of the materials, upgrade the canopy, and keep the materials. Mr. Heffernan said the intent is to give the building a 'modern' update.

Mr. Ortega said in regard to the design intent renderings the mansard roof is proposed to be removed on all four sides. Mr. Ortega advised that the site plan approval be contingent on the applicant submitting construction plans that will show that.

Mr. Heffernan said Stonefield engineering has no objections to the conditions outlined by Mr. Ortega. Mr. Heffernan said a revised draft can be submitted. Mr. Heffernan said they are proposing a perpetual non-exclusive easement for the proposed drive through equipment and signage. Mr.

Heffernan said that can be amended to include the drive-through lanes and the pavement in its entirety. Mr. Heffernan said in regard to lighting, an opaque-front can be included and doesn't have any throw towards the parking area and roadways. Mr. Heffernan said in terms of screening, Stonefield has no objection to reinstalling the hedge if the Road Commission were to remove it.

City Attorney Vanerian advised that the easement agreement should include language that the area is dedicated exclusively for the use of a drive-through. Mr. Vanerian said the owner of the restaurant parcel needs to have the property rights to use the other lot exclusively as a drive through.

**PC 02-02-23 MOTION TO APPROVE PC CASE 299 FOR SITE PLAN
CONTINGENT UPON MEETING CITY PLANNER LETTER
DATED FEBRUARY 8, 2023, FIRE MARSHALL LETTER DATED
FEBRUARY 10, 2023, OBTAINING NECESSARY ZBA
APPROVALS, ADMINISTRATIVE REVIEW OF REVISED
PLANS, AND SUBMITTING A REVISED EASEMENT
AGREEMENT SUBJECT TO REVIEW AND APPROVAL BY
CITY ATTORNEY**

Motion by Whitt, seconded by O'Rourke, CARRIED UNANIMOUSLY: To approve PC Case 299 for site plan contingent upon meeting City Planner's letter dated February 8, 2023, Fire Marshall letter dated February 10, 2023, obtaining necessary ZBA approvals, administrative review of revised plans, and submitting a revised easement agreement subject to review and approval by City Attorney

AYES: (5) O'Rourke, Whitt, Wolfson, Robertson, Owsinek
NAYS: (0)
ABSENT: (2) Novak, Palmer
ABSTENTIONS: (0)

NEW BUSINESS:

**1. PC CASE 302- 1172 N. Pontiac Trail- Site Plan
Applicant: LAG Development**

City Planner Ortega described the site location and said the applicant is proposing a fence. Mr. Ortega noted that the proposed improvements to the site fall within Oakland County's future Right of Way. Mr. Ortega said the City's fence ordinance permits a maximum height of 8 feet in the C-2 district. Mr. Ortega said the fence is proposed to be 6 feet in the front, side, and rear yard. Mr. Ortega noted that the front-yard fence would not be in compliance with the ordinance, and the applicant would need to obtain a variance from the ZBA. Mr. Ortega noted that the depth of posts is a requirement to be determined by a graphic. Mr. Ortega recommended the applicant submit a construction detail cross-section to show the depth of posts.

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Rachelle Cress with Lafontaine Automotive Group explained Lafontaine is requesting a fence due to an increase in theft. Ms. Cress said if planning commission grants site plan approval, a construction cross-section will be provided from their engineers. Ms. Cress said she is aware, and has no objections to going before the ZBA. Ms. Cress said if the road commission does propose plans in the future right of way, Lafontaine has no objections to relocating the fence.

Commissioner O'Rourke asked City Attorney for clarification in regard to Oakland County's future right-of-way and what potential issues that may cause.

City Attorney Vanerian said the fence that is being proposed is not in the existing right of way.

Commissioner Whitt said the commission should not be making decisions on the future right of way.

**PC 02-03-23 MOTION TO APPROVE PC CASE 302 FOR SITE PLAN
AMENDMENT CONTINGENT UPON MEETING
RECOMMENDATIONS LISTED IN CONSULTANT CITY
PLANNER ORTEGA'S LETTER DATED FEBRUARY 8, 2023,
AND OBTAINING NECESSARY ZBA APPROVALS**

Motion by O'Rourke, seconded by Robertson, CARRIED UNANIMOUSLY: To approve PC Case 302 for site plan amendment contingent upon meeting recommendations listed in consultant city planner Ortega's letter dated February 8, 2023 and obtaining necessary ZBA approvals

AYES: (5) O'Rourke, Whitt, Wolfson, Robertson, Owsinek
NAYS: (0)
ABSENT: (2) Novak, Palmer
ABSTENTIONS: (0)

2. Update to Shed Ordinances for Waterfront Lot

Commissioner O'Rourke shared proposed amendments to the shed ordinance for waterfront lots.

Commissioner Owsinek said this would be a good item to discuss at City Council.

**PC 02-04-23 MOTION TO REQUEST CITY ATTORNEY TO REVIEW SHED
ORDINANCE AND DRAFT A PROPOSAL FOR REGULATION OF
SHEDS ON WATERFRONT LOTS**

Motion by Owsinek, seconded by Robertson, CARRIED UNANIMOUSLY: To request City Attorney to review shed ordinance and draft a proposal for regulation of sheds on waterfront lots

AYES: (5) O'Rourke, Whitt, Wolfson, Robertson, Owsinek
NAYS: (0)
ABSENT: (2) Novak, Palmer
ABSTENTIONS: (0)


COMMISSIONERS COMMENTS: NONE

PC 02-05-23 ADJOURNMENT

Motion by Owsinek, seconded by Robertson, CARRIED UNANIMOUSLY: To adjourn the meeting at 8:29 p.m.



Hana Jaquays
Recording Secretary



Neal Wolfson
Chairman