



**CITY OF WALLED LAKE
PLANNING COMMISSION
TUESDAY, JANUARY 10, 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, City Clerk Stuart

REQUESTS FOR AGENDA CHANGES: NONE

APPROVAL OF MINUTES:

**PC 01-01-23 APPROVAL OF THE NOVEMBER 1, 2022 PLANNING
COMMISSION MEETING MINUTES**

Motion by Owsinek, seconded by Robertson, CARRIED UNANIMOUSLY: To approve the November 1, 2022 Planning Commission minutes

AUDIENCE PARTICIPATION: NONE

COMMUNICATION: NONE

UNFINISHED BUSINESS: NONE

NEW BUSINESS: NONE

PUBLIC HEARING:

1. PC CASE 299- 1186 E. West Maple- Site Plan and Special Land Use

City Planner Ortega described the site characteristics and said the applicant is proposing to renovate the existing building for a Savy Sliders drive-through and restaurant. Mr. Ortega said generally, the proposed use is compatible with the surrounding uses and zoning. Mr. Ortega said the proposed use with the initial drive-way configuration could result in creating traffic conflict points at the driveway entrance. Mr. Ortega described the location of where those traffic points

would be. Mr. Ortega said there is also potential for the stacked vehicles to block circulation within the parking lot and the main access drive into the site itself. Mr. Ortega said the current site design does have existing buffering and screening along E. West Maple Road, however, the shrubs are located in the right-of-way under Oakland County Road Commission's jurisdiction. Mr. Ortega said the site plan should be revised to provide some additional screening or have the applicant revise the site plan with a note stating that if the shrubs were removed, the applicant would install a screening wall. Mr. Ortega said a requirement for drive-thrus is to have a minimum building setback of 35 feet. Mr. Ortega said to ensure full compliance with ordinance standards, the applicant must obtain a variance. Mr. Ortega said another drive thru requirement is that the drive-thru shall not be located closer than 250 feet from any other drive-thru unless separated by a major road. Mr. Ortega noted that there are two drive-thrus within the 250 feet radius. Mr. Ortega said the applicant must obtain a variance from this standard as a condition of this special land use approval. Mr. Ortega said speakers must be muted to not be audible beyond any lot line. Mr. Ortega recommended that the ordering station be shifted to create a greater distance from the front property line. Mr. Ortega said there should be a 10-foot landscaping setback from all side and rear yards. Mr. Ortega said the applicant could complete a lot combination to satisfy the requirement for the rear yard landscape setback and/or obtain a variance. Mr. Ortega said the zoning ordinance requires that there be only one ingress/egress per street frontage. Mr. Ortega said with the separate parcel configurations, there could be a way to complete a lot split without needing a variance from this requirement. Mr. Ortega said in summary, these proposed modifications would renovate a vacant building and establish a new use. Mr. Ortega said any approval by the planning commission should include the site plan being revised to reflect any changes to screening, driveway configuration, and menu ordering station.

Kevin Heffernan said he is with Stonefield Civil Engineers representing applicant Maple Plaza Shopping Center II. Mr. Heffernan described the proposed changes to the site and gave a brief history on Savy Sliders. Mr. Heffernan said the applicant has no objections to a lot configuration, whether that be a lot split or lot combination, and completing any necessary easements. Mr. Heffernan said a photometric plan can be provided and informed the board that they would be using any existing lighting on-site. Mr. Heffernan said in the site plan review there was a request to provide a loading area. Mr. Heffernan said Savy Sliders typically does off-hours loading in a designated area where they are out of the way of any traffic. Mr. Heffernan said if we need to provide an area, the site plan can be revised to show that. Mr. Heffernan said there is no objection to installing a hedge for screening along Maple road if the County did decide to remove the existing hedge. Mr. Heffernan said the applicant is willing to work with the City on the ordering station location to determine a good place, noting that there are utilities that may cause difficulty. Mr. Heffernan said in regards to the western driveway connection, he opined that if that intersection were to close it would have negative impacts to the site and other tenants. Mr. Heffernan said Savy Sliders does not anticipate any stacking issues with cars, and noted that the site design offers 11 spaces and typically they recommend 8-10 and have not experienced any stacking issues at their other locations. Mr. Heffernan thanked the board for their time and the opportunity to renovate the building.

Commissioner Whitt opined that there is a lot of activity that is outstanding for the site.

City Planner Ortega said the applicant is aware that there are variances required and has submitted the required ZBA application to go before the February meeting. Mr. Ortega suggested the applicant could provide a revised site plan and then come back at the next meeting.

Commissioner Whitt asked if the applicant is the owner of all the parcels in the shopping center?

Mr. Heffernan confirmed that the applicant, Maple Plaza Shopping Center II, Nick Sandiha, is the owner of all the parcels.

Commissioner O'Rourke expressed his concern with the traffic arrangement and stacking.

Commissioner Whitt echoed the concerns with traffic flow.

Commissioner Owsinek said there is a laundry list of items that need to be completed. Mr. Owsinek said an updated plan could address some of those issues.

Commissioner Robertson said he does have concerns with stacking. Mr. Robertson asked if the commission were to table this case until February would that cause a delay in going before ZBA?

City Attorney Vanerian said this site has multiple parcels under common ownership. Mr. Vanerian said the applicant will need to determine what direction they want to take it.

Mr. Heffernan said he is open to working with the City and McKenna to resubmit plans with the discussed changes and their proposed lot configuration.

Commissioner Whitt said from an administrative point of view, the City does not want to hold up the project however, there are many outstanding items that need to be addressed.

City Planner Ortega suggested the applicant could submit a lot combination application and then at a future date, complete the lot split. Mr. Ortega suggested the board could grant special land use approval contingent upon meeting the highlighted items in paragraphs G, H, and 6 and the site plan could be tabled until next month.

City Attorney Vanerian said when something is approved conditionally, all the conditions must be met for the approval to carry.

**PC 01-02-23 MOTION TO APPROVE PC CASE 299 FOR SPECIAL LAND USE
CONTINGENT UPON MEETING THE CRITERIA FROM
CONSULTANT CITY PLANNER'S LETTER DATED JANUARY 4,
2023 MEETING THE REQUIREMENTS IN PARAGRAPH G, H,
AND 6, FIRE MARSHALL'S LETTER DATED DECEMBER 7,
2022 AND CONSULTANT CITY ENGINEER'S LETTER DATED
NOVEMBER 7, 2022 AND CONTINGENT UPON RECEIVING
SITE PLAN APPROVAL AND CONTINGENT UPON RECEIVING
NECESSARY ZBA VARIANCES**

Motion by Owsinek, seconded by Robertson

PC 01-03-23 MOTION TO AMEND MAIN MOTION TO INCLUDE CITY ATTORNEY'S REMARKS

Motion by Whitt, seconded by Owsinek, CARRIED UNANIMOUSLY: To amend main motion to include City Attorney's Remarks

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

PC 01-04-23 MOTION TO APPROVE PC CASE 299 FOR SPECIAL LAND USE CONTINGENT UPON MEETING THE CRITERIA FROM CONSULTANT CITY PLANNER'S LETTER DATED JANUARY 4, 2023 MEETING THE REQUIREMENTS IN PARAGRAPH G, H, AND 6, FIRE MARSHALL'S LETTER DATED DECEMBER 7, 2022 AND CONSULTANT CITY ENGINEER'S LETTER DATED NOVEMBER 7, 2022 AND CONTINGENT UPON RECEIVING SITE PLAN APPROVAL AND CONTINGENT UPON RECEIVING NECESSARY ZBA VARIANCES, INCLUDING CITY ATTORNEY'S REMARKS REGARDING CONDITIONAL APPROVAL

Motion by Whitt, seconded by Owsinek, CARRIED: To approve PC Case 299 for special land use contingent upon meeting the criteria from consultant city planner's letter dated January 4, 2023 meeting the requirements in paragraph G, H, and 6, fire Marshall's letter dated December 7, 2022 and consultant city engineer's letter dated November 7, 2022 and contingent upon receiving site plan approval and contingent upon receiving necessary ZBA variances, including city attorney's remarks regarding conditional approval

AYES: (4) O'Rourke, Whitt, Robertson, Owsinek
NAYS: (1) Wolfson
ABSENT: (2) Novak, Palmer
ABSTENTIONS: (0)

PC 01-05-23 MOTION TO TABLE PC CASE 299 FOR SITE PLAN APPROVAL

Motion by Whitt, seconded by Owsinek, CARRIED UNANIMOUSLY: To table PC Case 299 for site plan approval

AYES: (5) O'Rourke, Whitt, Wolfson, Robertson, Owsinek

NAYS: (0)
ABSENT: (2) Novak, Palmer
ABSTENTIONS: (0)

COMMISSIONERS COMMENTS:

PC 01-06-23 ADJOURNMENT

Motion by O'Rourke, seconded by Owsinek, CARRIED UNANIMOUSLY: To adjourn the meeting at 8:34 p.m.



Hana Jaquays
Recording Secretary

Neal Wolfson
Chairman