



**CITY OF WALLED LAKE
PLANNING COMMISSION
(ELECTRONIC MEETING PLATFORM)
TUESDAY, SEPTEMBER 14, 2021**

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

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

ABSENT: Novak, Palmer, McComas

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

REQUESTS FOR AGENDA CHANGES: NONE

APPROVAL OF MINUTES:

PC 09-01-21 APPROVAL OF THE JULY 13, 2021 PLANNING COMMISSION MEETING MINUTES

Motion by O'Rourke, seconded by Owsinek, CARRIED UNANIMOUSLY: To approve the July 13, 2021 Planning Commission minutes.

COMMUNICATION:

Recording Secretary Jaquays read into the record two emails of correspondence.

1. *Roger Woznicki
535 Winwood Circle
Walled Lake MI, 48390*

Re: Schaefer Development comments for planning

My previous comments, on this proposal were read, during the city council meeting when first proposed. There are so many negatives and a lack of foresight surrounding this proposal. A proposal of this ill planned magnitude takes away from the beach area. Anyone who has been to the Mercer Beach area recently must have noticed a complete a lack of parking. Parking for the many families and sun worshippers wanting to enjoy the waters of our own Walled Lake. Traffic is another matter, think traffic study on a summer weekend of eighty-five plus degrees. Mercer Beach is the only attraction for our Walled Lake families not to mention those families from the surrounding area that come to enjoy our Walled Lake. Why add to the current congestion. There

are five small businesses, on this road, which are suffering right now, from current restricted parking. Parking that they sorely need for their business to succeed, especially after the past 18 months of covid shutdowns. This proposal will most undoubtedly restrict that parking even more, holding back our own Walled Lake small businesses in their efforts to survive. This is the wrong proposal to the City, and the planning commission should just shut this idea down. Thank you.

2. *Karen Thomas
2167-D Hidden Meadows Drive
Walled Lake MI 48390*

Re: Public Hearing for Rezoning of Parcel 17-23-379-002

*This parcel is in the middle of a neighborhood, it is also a mere stone's throw from the water's edge at Wolverine Lake. This parcel could be an office, a restaurant, a medical/dental building, a hair salon, a coffee house, a bakery. This parcel **should not be** a fuel station, an oil change, a car dealership, a car repair shop, a car wash or a weed shop. The area is over saturated with those types of businesses and they do not add value to the area. Nothing automotive related should be on that spot as the danger of contaminating ground water and the lake to simply too risky. Traffic wise that is a tricky corner as it is and whatever goes there should not be a business that is dependent on drive by traffic but should be a destination: legal office, coffee house. It should not be a business with a drive thru as drive thru traffic extending into the street could be a super hazard for traffic and children/pedestrians from the nearby high school. It should not be a business with late hours (after 10PM). This is a residential area and we already have noise pollution in the evening from racing cars that police seem unable to control and light pollution like from the overly tall unshaded light in the dental/accounting parking lot (that is on all night with no downlight shade despite the offices being closed). Smart ideas are worth waiting for and bad idea are difficult to remedy! The citizens of Walled Lake and Wolverine Lake deserve smart decisions.*

3. **SCHAFFER DEVELOPMENT REGARDING EDGEWATER DEVELOPMENT-
PROPOSED CHANGES AND ISSUES WITH THE CURRENT PLANNED UNIT
DEVELOPMENT (PUD) ORDINANCE WHEN REDEVELOPING
DOWNTOWN PROPERTIES**

Mr. Schafer said that downtown Walled Lake is a jewel. Mr. Schafer said there is prime walkability in the downtown area and that he hopes the proposed development brings in more commercial activity. Mr. Schafer said earlier this year Schafer Development was given the opportunity to present before City Council, DDA, and the planning commission their initial Edgewater plans. Mr. Schafer described the different Schafer developments happening in the city and the impacts they have on the community. Mr. Schafer said this presentation will discuss the modifications made to the initial plan and the obstacles that the development will face with the current PUD ordinance.

Mr. Schafer said the revised proposal includes 20 units and they significantly increased the side-yard setbacks to the East to 20ft 6 inches. Mr. Schafer said part of the eligibility requirements for a PUD is a recognizable benefit to the community. Mr. Schafer said the proposed development

would include high quality rooftops, individuals with high disposable incomes to support commercial activity, and parking that is contained on-site for residents. Mr. Schafer described the results of their environmental studies on the property and noted that there is contamination on site due to the gas station that was there prior. Mr. Schafer said as part of their redevelopment on the site, Schafer Development would complete the remediation. Mr. Schafer said to qualify as a PUD the site must be at least 3 acres in size. Mr. Schafer said he is looking for input from the board if the proposal could still be done on the site which is less than 3 acres. Mr. Schafer said he is also looking from the board on setback requirements.

Chairman Wolfson said some of his concerns with parking.

Commissioner Owsinek thanked Schafer development for their presentation and said he will address the presentation in his commissioner's comments.

PUBLIC HEARING:

1. PC CASE 291 -REZONE PARCEL 17-23-379-002 Office District (O-1) to Neighborhood Commercial District (C-1)

City Planner Ortega described the property, the site dimensions, and what currently exists on the property. Mr. Ortega described the neighboring parcels. Mr. Ortega said the master plan indicates that this site is zoned as a transition area that will continue its mix of multi-family residential and small-scale office use. Mr. Ortega said the rezoning of the site to C1 would be consistent with the goals of the master plan. Mr. Ortega said an important factor to consider is the site's physical size. Mr. Ortega said the site will constrain the amount of improvements. Mr. Ortega clarified what the C1 district allows. Mr. Ortega said C1 includes small retail and professional services for the surrounding areas. Mr. Ortega said in conclusion, based on compatibility and the master plan, this rezoning would be appropriate.

Applicant Fakhoury said he has no intention on changing the building to include automotive or gas station business or drive-through establishments. Mr. Fakhoury said he would improve the parking lot. Mr. Fakhoury said he hopes to help the community and encourage other businesses to open up.

8:13pm Open Public Hearing

Public Participant – Stated that he lives in Hidden Meadows Condos and that the entrance to the property is very close to the in the intersection of Decker and S. Commerce. Participant opined that this would create traffic congestion at the corner.

8:15pm Close Public Hearing

Commissioner Owsinek said he concurs with the comments from the audience member regarding the traffic volume to the three-way intersection. Mr. Owsinek said his assessment is that he cannot approve the rezoning at this time.

Commissioner O'Rourke listed local ice cream stores that experience traffic and parking challenges based on their location. Mr. O'Rourke said he would appreciate further studies before approval.

Planning Commissioner Wolfson said the ingress/egress and parking at the site would create problems.

PC 09-02-21 MOTION TO DENY CASE 291 TO REZONE PARCEL 17-23-379-002 FROM OFFICE DISTRICT (O-1) TO NEIGHBORHOOD COMMERCIAL DISTRICT (C-1)

Motion by Owsinek, seconded by O'Rourke, CARRIED UNANIMOUSLY: To deny case 291 to rezone parcel 17-23-379-002 from office district (O-1) to neighborhood commercial district (C-1)

Applicant Fakhoury said he appreciates the board's concerns with the parking lot. Mr. Fakhoury said he will not be putting an automotive or gas station business there. Mr. Fakhoury said he would appreciate the board to reconsider.

2. PROPOSED ORDINANCE AMENDMENT TO CHAPTER 51, ZONING ORDINANCE, ARTICLE 21, GENERAL PROVISIONS SECTION 21.13

City Planner Ortega described the proposed amendment and how it would allow decorative fences to delineate properties around East Walled Lake Drive.

Commissioner Owsinek questioned if this ordinance included the suggestions made by the Building Official?

Cit Planner Ortega said yes, and summarized footnote two.

8:23pm Open Public Hearing

8:24pm Close Public Hearing

PC 09-03-21 MOTION TO RECOMMEND PROPOSED ORDINANCE AMENDMENT TO CHAPTER 51, ZONING ORDINANCE, ARTICLE 21, GENERAL PROVISIONS SECTION 21.13 TO CITY COUNCIL

Motion by O'Rourke, seconded by Owsinek, CARRIED UNANIMOUSLY: To recommend proposed ordinance amendment to chapter 51, zoning ordinance, article 21 general provisions section 21.13 to City Council

UNFINISHED BUSINESS:

1. PC- 289- Site Plan – Godoy’s Tree Service- 1987 EW Maple

City Planner Ortega described the revised site plan submitted for review. Mr. Ortega said there are several issues outstanding that need to be addressed from the applicant. Mr. Ortega advised the planning commission that if there are any exterior improvements that the commission would like, to include it their recommendations. Mr. Ortega described the parking on-site. Mr. Ortega said when it comes to parking, Mr. Ortega noted that the planning commission should review the provided parking for employees. Mr. Ortega said the applicant will need to provide revised plans that indicate a raised curb. Mr. Ortega said when it comes to landscaping, the revised plans are in compliance. Mr. Ortega said the city engineer has provided their review of the stormwater detention pond. Mr. Ortega said the two lots should be combined, or an easement be agreed upon as a condition of site plan approval for the shared detention pond so it is legally established between the property owners. Mr. Ortega said should a dumpster enclosure be needed in the future, they would need to provide one that complies with the City’s ordinance.

Mr. Ortega noted that the applicant is currently using the site with a soil parking surface. Mr. Ortega said code enforcement and the building official have been in discussion with the applicant to try and remedy that. Mr. Ortega explained that all commercial facilities are required to have a hard surface parking lot. Mr. Ortega said asphalt plants close in November, due to the cold. Mr. Ortega suggested the commission provide the building official with a recommended timetable for improvements prior to November, or closure of asphalt plants. Mr. Ortega said the applicant is taking an existing non-conforming use into compliance use. Mr. Ortega advised the commission to grant site plan approval contingent upon providing revised plans that include a raised curb, cross-section detail of the sidewalk, lot combination, meeting the requirements of the City’s engineer, and a time table of completion of improvements.

Engineer Briskner described the operations and administration of Godoy’s Tree Service business. Mr. Briskner expressed his concern and said he does not feel like he can commit with reasonable assurance to complete pavement by November.

Commissioner Owsinek said he would like to voice approval for the business contingent upon meeting the review letters by the Fire Marshal, City Engineer, and City Planner. Mr. Owsinek said he understands the applicant’s concern with meeting the November deadline of meeting the asphalt timeline.

Chairman Wolfson noted his concern with the parking of vehicles on site.

Mr. Briskner said the intention is to move the equipment and vehicles to the back of the property.

Chairman Wolfson asked if trucks are able to park back there right now?

Ms. Maynor reassured the commission that vehicles can be parked in the rear moving forward.

Engineer Briskner described the improvements that will happen to renewing the site and said there are no additional architecture improvements.

Mr. Ortega asked about painting the exterior?

Ms. Maynor said yes; the proposed color can be included in the revised site plan.

**PC 09-04-21 MOTION TO APPROVE PC CASE 289 FOR SITE PLAN
APPROVAL CONTINGENT UPON MEETING THE CRITERIA
FROM CONSULTANT PLANNER DATED SEPTEMBER 8, 2021,
CONSULTANT ENGINEER DATED AUGUST 26, 2021, FIRE
REVIEW LETTER DATED APRIL 22, 2021 AND COMPLETION
OF A LOT COMBINATION OR EASEMENT AGREEMENT, AND
CHANGE OF PARKING LOCATION OF VEHICLES ON-SITE**

Motion by Owsinek, seconded by Whitt, CARRIED UNANIMOUSLY: Approve PC case 289 for site plan approval contingent upon meeting the criteria from consultant planner dated September 8, 2021, consultant engineer dated August 26, 2021, fire review letter dated April 22, 2021 and completion of a lot combination or easement agreement, and change of parking location of vehicles on-site

NEW BUSINESS: NONE

AUDIENCE PARTICIPATION: NONE

Brian O’Leary- 202 Witherall Street- Mr. O’Leary opined that the presentation had a lot of fluff. Mr. O’Leary said he would not appreciate what is being presented for that site.

Mital Amin – 415 E Walled Lake Drive – Ms. Amin opined that Schafer Development did not address any concerns that were raised since their last presentation. Ms. Amin said the proposal would create a very dense downtown complex in Walled Lake. Ms. Amin said she believes this would be a downgrade for downtown Walled Lake. Ms. Amin said the proposal has issues with the City’s zoning ordinances.

COMMISSIONERS COMMENTS: NONE

Commissioner Owsinek said at the present time he does not see the zoning ordinance being amended to meet Schafer Development’s proposal.

Commissioner O’Rourke said the property is not designed to meet the PUD requirements. He does not believe this piece of property will allow the proposed design.

Chairman Wolfson said the proposal does not meet the PUD requirements. Mr. Wolfson suggested a review of the master plan may help provide direction.

PC 09-05-21

ADJOURNMENT

Motion by O'Rourke, seconded by Owsinek, CARRIED UNANIMOUSLY: To adjourn the meeting at 9:00 p.m.



Hana Jaquays
Recording Secretary

Neal Wolfson
Chairman