



**CITY OF WALLED LAKE
PLANNING COMMISSION
TUESDAY, SEPTEMBER 12, 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,

ABSENT: Robertson

OTHERS PRESENT: Assistant City Manager Jaquays, Planning Consultant Ortega, City Attorney Vanerian, City Clerk Stuart

**PC 09-01-23 MOTION TO EXCUSE PLANNING COMMISSIONER
ROBERTSON**

Motion by O'Rourke, seconded by Owsinek, CARRIED UNANIMOUSLY: To excuse Planning Commissioner Robertson

REQUESTS FOR AGENDA CHANGES: NONE

APPROVAL OF MINUTES:

**PC 09-02-23 APPROVAL OF THE AUGUST 8, 2023 PLANNING COMMISSION
MEETING MINUTES**

Motion by O'Rourke, seconded by Owsinek, CARRIED UNANIMOUSLY: To approve the August 8, 2023 Planning Commission minutes

AUDIENCE PARTICIPATION: NONE

COMMUNICATION: NONE

PUBLIC HEARING:

**1. PC CASE 304 – 800 N Pontiac Trail - Site Plan and Special Land Use
Applicant: Black River Bells LLC**

City Planner Ortega said the applicant has submitted revised plans addressing a vast majority of the concerns that were previously raised. Mr. Ortega summarized the changes that were made to the site plan including the building being shifted to the North while still staying in compliance with the City's zoning ordinances and the existing curb cuts will remain to provide for two entry and exit points resulting in an efficient site circulation. Mr. Ortega said the site circulation allows for emergency vehicles to traverse the site effectively. Mr. Ortega noted that there is service access along the Northeast side of the property and access drive on the South side of the property. Mr. Ortega requested the applicant provide the cross-access easements. Mr. Ortega said a minimum of 15 parking spaces are required, the applicant has provided a maximum of 50 parking spaces. Mr. Ortega said if parking will be utilized by adjacent property owners, a parking sharing agreement outlining maintenance, responsibility, and etcetera should be provided. Mr. Ortega said the landscape plan was of high quality and meets zoning ordinance. Mr. Ortega said his review requested the applicant provide dumpster enclosure details and a photometric plan. Since then, the applicant has provided that information and will require administrative review.

**PC 09-03-23 MOTION TO APPROVE PC CASE 304 FOR SPECIAL LAND USE
APPROVAL CONTINGENT UPON RECEIVING REVISED SITE
PLAN AND ADMINISTRATIVE APPROVAL FOR DUMPSTER
ENCLOSURE AND PHOTOMETIC PLANS, ADDRESSING
RECOMMENDATIONS LISTED IN CONSULTANT CITY
PLANNER ORTEGA'S LETTER DATED SEPTEMBER 1, 2023
AND FIRE MARSHALL GONZALEZ'S LETTER DATED
SEPTEMBER 6, 2023 AND CITY ENGINEER'S LETTER DATED
SEPTEMBER 6, 2023, AND IF CROSS- ACCESS AGREEMEMTS
AND PARKING SHARING AGREEMENTS EXIST BE PROVIDED
TO THE CITY**

Motion by Owsinek, seconded by O'Rourke, CARRIED UNANIMOUSLY: To approve PC Case 304 for Special Land Use approval contingent upon receiving revised site plan and administrative approval for dumpster enclosure and photometric plans, addressing recommendations listed in consultant City Planner Ortega's letter dated September 1, 2023 and Fire Marshall Gonzalez's letter dated September 6, 2023 and city engineer's letter dated September 6, 2023, and if cross-access agreements and parking sharing agreements exist be provided to the City

Roll Call Vote

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

PC 09-04-23

MOTION TO APPROVE PC CASE 304 FOR SITE PLAN USE CONTINGENT UPON RECEIVING REVISED SITE PLAN AND ADMINISTRATIVE APPROVAL FOR DUMPSTER ENCLOSURE AND PHOTOMETRIC PLANS ADDRESSING RECOMMENDATIONS LISTED IN CONSULTANT CITY PLANNER ORTEGA'S LETTER DATED SEPTEMBER 1, 2023 AND FIRE MARSHALL GONZALEZ'S LETTER DATED SEPTEMBER 6, 2023 AND CITY ENGINEER'S LETTER DATED SEPTEMBER 6, 2023 AND CONTINGENT ON CITY ENGINEER REVIEWING AND APPROVING TRAFFIC IMPACT STUDY

Motion by O'Rourke, seconded by Owsinek CARRIED UNANIMOUSLY: To approve PC Case 304 for site plan use approval contingent upon receiving revised site plan and administrative approval for dumpster enclosure and photometric plans addressing recommendations listed in consultant city planner Ortega's letter dated September 1, 2023 and Fire Marshall Gonzalez's letter dated September 6, 2023 and city engineer's letter dated September 6, 2023 and contingent on City Engineer reviewing and approving Traffic Impact Study

Roll Call Vote

AYES: (4)

O'Rourke, Whitt, Wolfson, Owsinek

NAYS: (0)

ABSENT: (1)

Robertson

ABSTENTIONS: (0)

UNFINISHED BUSINESS:

**1. PC CASE 306- East Bay Village – Site Plan Amendment
Applicant: East Bay Village**

City Attorney Vanerian said last month the Planning Commission did approve East Bay's request for a fence on the waterfront lot. Mr. Vanerian said the issue that is presented tonight is the location of the fence. Mr. Vanerian said East Bay is requesting to place the fence in-line with the legally non-conforming neighbor's fence that is set back approximately seven feet from the pavement which is in the right-of-way (ROW) for East Walled Lake Drive. Mr. Vanerian said the City's Zoning Ordinance requires fences to be located one foot outside of the ROW. Mr. Vanerian said the Department of Public Works (DPW) is recommending the fence be setback at least nine feet from the edge of the pavement due to potential concerns of snow plowing and utility work. Mr. Vanerian said if the Planning Commission grants East Bay's request for locating the fence in the ROW, that approval be contingent on East Bay repairing and replacing the fence if needed at their own cost.

East Bay representative Erika Muir and President of East Bay HOA provided the Planning Commission with photos of neighboring lots with fences along East Walled Lake drive. Ms. Muir said East Bay is requesting the fence be located seven feet and two inches from East Walled Lake Drive.

Commissioner O'Rourke asked for clarification on DPW's request for nine feet.

City Attorney Vanerian said the concern arose from the fence's location and the proximity of snowplow equipment and snow piling during the winter months.

City Planner Ortega said in the future, if the City needed to utilize the right of way- for example, widening the road,- the fence would need to be removed.

Ms. Muir said she understands.

PC 09-05-23 MOTION TO ADOPT RESOLUTION 2023-01: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WALLED LAKE CONDITIONALLY APPROVING APPLICANT'S REQUEST FOR A MINOR AMENDMENT TO THE EAST BAY VILLAGE PUD SITE PLAN TO PLACE A FOUR-FOOT-HIGH WROUGHT IRON STYLE ALUMINUM FENCE UPON THE EAST BAY WATERFRONT PARCEL

Motion by O'Rourke, seconded by Owsinek.

Discussion

PC 09-06-23 MOTION TO AMEND MAIN MOTION TO CHANGE THE MINIMUM SET BACK FROM NINE FEET TO SEVEN FEET AND TWO INCHES

Motion by Whitt, seconded by Owsinek CARRIED UNANIMOUSLY: To amend main motion to change the minimum set back from nine feet to seven feet and two inches

Roll Call Vote

AYES: (4)

O'Rourke, Whitt, Wolfson, Owsinek

NAYS: (0)

ABSENT: (1)


Robertson

ABSTENTIONS: (0)

COMMISSIONERS COMMENTS: NONE

PC 09-07-23 ADJOURNMENT

Motion by O'Rourke, seconded by Owsinek, CARRIED UNANIMOUSLY: To adjourn the meeting at 8:05 p.m.



Hana Jaquays
Recording Secretary

Neal Wolfson
Chairman