



**CITY OF WALLED LAKE
PLANNING COMMISSION
TUESDAY, JULY 10, 2018**

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

ROLL CALL: Hecht, Novak, Owsinek, Palmer, Wolfson

ABSENT: Maurer, Whitt

OTHERS PRESENT: Consultant Planner Deem, City Attorney Vanerian, Recording Secretary Pesta

**PC 07-01-18 MOTION TO EXCUSE CHAIRMAN MAURER AND
COMMISSIONER WHITT FROM TONIGHT'S MEETING**

Motion by Owsinek, seconded by Novak, CARRIED UNANIMOUSLY: To excuse Chairman Maurer and Commissioner Whitt from tonight's meeting.

REQUESTS FOR AGENDA CHANGES:

APPROVAL OF MINUTES:

**PC 07-02-18 APPROVAL OF THE JUNE 12, 2018 PLANNING COMMISSION
MEETING MINUTES**

Motion by Novak, seconded by Owsinek, CARRIED UNANIMOUSLY: To approve the June 12, 2018 Planning Commission minutes.

COMMUNICATION: None

AUDIENCE PARTICIPATION: None

ATTORNEY'S REPORT: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

- 1. Public Hearing**
Planning Commission Case #268
1237 E. West Maple Rd. – Outdoor Storage

Open Public Hearing 7:31 p.m.

Consultant Planner Deem said the property is down the road from City Hall and the property is zoned C-2. Mr. Deem said the city treats outdoor storage as special land use. Mr. Deem said when looking at the site plan the site itself is just under 2 acres and it meets the dimensional standards. Mr. Deem said when looking at outdoor storage the most important aspect is the screening and what the view will be to the neighboring properties. Mr. Deem said this property backs up to the Airline Trail. Mr. Deem said the site plan proposes twenty-eight (28) 25-foot tall evergreen trees on a berm and the city received a modification showing the height of the berm at 2-feet that the trees will be planted on. Mr. Deem said there have been code enforcement issues and Mr. Rondeau has been working with the owner to clean up the site and there has been improvement. Mr. Deem said the proposed site plan is consistent with the current zoning ordinances. Mr. Deem said the screening will improve the health, safety and welfare for the city. Mr. Deem said the revised plan showing the 2-foot berm meets the standards of the zoning ordinance and recommends the planning commission approve the request. Mr. Deem said the two conditions one was the height of the berm and that has been completed and the site plan will to clean up the cars and junk and to be removed from the site and recommends that condition be upheld.

Vice Chairman Hecht said it is a special land use and the reason the case is before the commission is because the owner has never received permission for outdoor storage and to get the site into compliance with the zoning ordinance.

Consultant Planner Deem said correct.

Audience Participation: None

Lisa Hamameh is the attorney for the applicant. Ms. Hamameh said there is nothing to add and Mike Deem did a great job on the overview of the application. Ms. Hamameh said she understands the desire to clean up the property that sits along the trail.

Commissioner Palmer asked is there a drawing of the landscape. Mr. Palmer asked if the applicant have taken care of the perimeter. Mr. Palmer asked if there are any drainage issues.

Consultant Planner Deem said there is no drainage problem on the site.

Jeff Burgoon said there is a creek that goes behind his property and it is the Greenaway Drain that is located behind the property.

Vice Chairman Hecht said if the commission approves the special land use tonight any issues with the storage is done through code enforcement going forward.

Lisa Hamameh said the applicant is talking with landscapers to see when the best time is to plant trees. Ms. Hamameh stated she does not want to lock her client in if the landscapers cannot get trees until next spring.

PC 07-03-18 MOTION TO CLOSE PUBLIC HEARING

Motion by Owsinek, seconded by Novak, UNANIMOUSLY CARRIED: To close public hearing.

Closed Public Hearing 7:42 p.m.

Discussion: None

PC 07-04-18 MOTION TO RECOMMEND APPROVAL FOR PLANNING COMMISSION CASE 268 SPECIAL LAND USE FOR OUTDOOR STORAGE AT 1237 E. WEST MAPLE ROAD AND TO ALLOW FOR ONE YEAR FROM APPROVAL TO COMPLETE LANDSCAPE PLAN.

Motion by Owsinek, seconded by Novak, UNANIMOUSLY CARRIED: To recommend approval for planning commission case 268 special land use for outdoor storage at 1237 E. West Maple Road and to allow for one year from approval to complete landscape plan.

2. Public Hearing

C-339-18 Zoning Ordinance Amendment Regarding Expiration of Variances

Open Public Hearing 7:44 p.m.

City Attorney Vanerian said the zoning amendment aligns the expiration of zoning variances with the expiration of corresponding site plans, CPDs and PUDs. Mr. Vanerian explained currently variances expire after six (6) months if there is no permits pulled or site work has not begun. Mr. Vanerian further explained however the corresponding approval of site plans or CPDs are given a year or two to pull permits and begin work. Mr. Vanerian said the variances granted in conjunction with the site plan approval, CPDs, and PUDs needed for development to go forward sometimes they inadvertently expire because the applicants assume the variance is good as long as the site plan approval. He said the amendment now align together so the variance and site plan approval expire at the same time.

Commissioner Palmer asked if this would affect any applicants that have already received variance approvals?

Mr. Vanerian said it would not have a retroactive effect. Mr. Vanerian said any variances that are out there in conjunction with a site plan or CPD the applicant would have to come back to the ZBA for an extension.

Audience Participation: None

PC 07-05-18 MOTION TO CLOSE PUBLIC HEARING

Motion by Owsinek, seconded by Novak, UNANIMOUSLY CARRIED: To close public hearing.

Closed Public Hearing: 7:48 p.m.

Discussion:

Vice Chairman Hecht asked about the Maher project and how this affects that project.

Consultant Planner Deem said the Maher project site plan approval had expired.

City Attorney Vanerian said Maher did get site plan approval for a development on his property and he also received some variance. Mr. Vanerian said the applicant had to come back because he did not pull permits or commence construction of the project. Mr. Vanerian said the applicant did receive an extension at both planning commission and ZBA.

Vice Chairman Hecht asked why the planning commission would not recommend amending the zoning ordinance.

City Attorney Vanerian said he does not know of a reason not to amend the zoning ordinance. Mr. Vanerian said this amendment would only be in affect if a variance was granted in conjunction with a development that required a site plan, CPD, or PUD so everything expires at the same time.

PC 07-06-18 MOTION TO RECOMMEND APPROVAL FOR AMENDMENT TO CHAPTER 51, "ZONING", OF TITLE V, "ZONING AND PLANNING", THE CITY OF WALLED LAKE ZONING ORDINANCE, ARTICLE 23.00 "ZONING BOARD OF APPEALS", SECTION 23.05 "DECISIONS BY THE ZONING BOARD OF APPEALS" TO ALIGN EXPIRATION OF VARIANCES WITH EXPIRATION OF SITE PLANS, COMMERCIAL PLANNED DEVELOPMENTS AND PLANNED UNIT DEVELOPMENTS AND SEND BACK TO CITY COUNCIL FOR SECOND READING.

Motion by Owsinek, seconded by Palmer, UNANIMOUSLY CARRIED: To recommend approval for amendment to Chapter 51, "Zoning", of title V, "Zoning and Planning", The City of Walled Lake Zoning Ordinance, Article 23.00 "Zoning Board of Appeals", Section 23.05 "Decisions by the zoning board of appeals" to align expiration of variances with expiration of site plans, commercial planned developments and planned unit developments and send back to city council for second reading.

ADMINISTRATIVE REPORT:

1. Code Enforcement Report – June

**PC 07-07-18 TO RECEIVE AND FILE THE MONTHLY CODE
ENFORCEMENT REPORT**

Motion by Owsinek, seconded by Palmer, UNANIMOUSLY CARRIED: To receive and file the monthly code enforcement report.

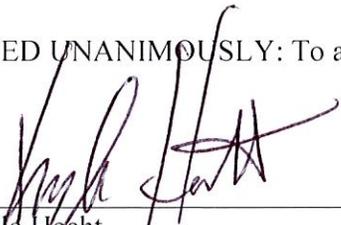
COMMISSIONERS COMMENTS: None

PC 07-08-18 ADJOURNMENT

Motion by Novak, seconded by Palmer, CARRIED UNANIMOUSLY: To adjourn the meeting at 7:53 p.m.



Chelsea Pesta
Recording Secretary



Kyle Hecht
Vice Chairman