



**CITY OF WALLED LAKE  
PLANNING COMMISSION  
TUESDAY, MARCH 3, 2020**

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

**ROLL CALL:** Hecht, Novak, O'Rourke, Owsinek, Whitt, Wolfson

**ABSENT:** Palmer

**OTHERS PRESENT:** Recording Secretary Pesta, City Attorney Vanerian, Planning Consultant Ortega, Confidential Assistant Jaquays

**REQUESTS FOR AGENDA CHANGES:** None

**APPROVAL OF MINUTES:**

**PC 03-01-20 APPROVAL OF THE FEBRUARY 11, 2020 PLANNING  
COMMISSION MEETING MINUTES**

Motion by Owsinek, seconded by Novak, CARRIED: To approve the February 11, 2020 Planning Commission minutes.

**COMMUNICATION:** None

**AUDIENCE PARTICIPATION:**

Karen Kolke - 179 Spring Park – Ms. Kolke expressed her concern with the lack of privacy from the Attitude Wellness building. Ms. Kolke asked the board to consider the surrounding residents when new buildings are discussed.

**ATTORNEY'S REPORT:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

1. PC 280 – 1901 E. West Maple – Public Storage – Site Plan

Consultant Planner Ortega explained the proposal is to construct a new storage building on their existing site at 1901 E. West Maple. Mr. Ortega provided background information on what currently exists on-site. Mr. Ortega said the proposed structure would meet the dimensional

requirements and land-area requirements. Mr. Ortega noted that the City does require a three-foot high screen with the vegetation, and the applicant did provide revised plans that included appropriate species. Mr. Ortega explained that parking and access requirements have been met and that 18 parking spaces will be included, two of which will be barrier-free. Mr. Ortega said one issue was in regard to lighting. Mr. Ortega said a photometric light has been provided and will be sufficient from a safety standpoint. Mr. Ortega requested that the applicant provide some shielding for the lights, due to their intensity and proximity to neighboring properties. Mr. Ortega concluded that he recommends site plan approval, contingent that the applicant provides detailed cutsheets on the proposed light fixtures.

Chairman Hecht questioned the reasoning behind identifying the narrow frontage?

Consultant Planner Ortega explained that it provided some reference to the property.

Chairman Hecht commented that their property is well-kept from the MI Airline trail's perspective.

**PC 03-02-20                    MOTION TO APPROVE PLANNING COMMISSION CASE 280  
SITE PLAN FOR PUBLIC STORAGE UPON MEETING ALL  
CONSULTANTS' REVIEW LETTERS AND PROVIDING  
DETAILED CUTSHEETS ON LIGHT FIXTURES**

Motion by Novak, seconded by Wolfson, UNANIMOUSLY CARRIED: To approve planning commission case 280 site plan for public storage upon meeting all consultants' review letters and providing detailed cutsheets on light fixtures.

**2. PUBLIC HEARING**

PC 279 – 1212 E West Maple – McDonalds –  
Special Land Use/Site Plan

Consultant Planner Ortega explained that the applicant is proposing a reconfiguration of their existing drive-through from a single-order to a double-order station. Mr. Ortega further explained that that applicant is proposing to remove the outdoor play area and construct an 800 square foot addition to the North side for an interior play area and dining. Mr. Ortega said special-use approval is required for restaurants with a drive-through. Mr. Ortega described the special-use criteria. Mr. Ortega emphasized that this is an existing site and said that it has demonstrated compatibility with the adjacent properties. Mr. Ortega said in regard to drive-throughs our zoning ordinance has specific requirements. Mr. Ortega said that the applicant is asking for a variance on a few requirements. Mr. Ortega listed the required set-backs and what the existing site currently allows. Mr. Ortega said the applicant will not be increasing their current distance towards the residential property.

Chairman Hecht questioned the frontage requirements.

Consultant Planner Ortega said they are still in compliance.

Commissioner Owsinek suggested the Commission do two motions, one for special-use contingent that the applicant meets the necessary variances and a second for site plan approval.

Open public hearing: 7:57 p.m.

Commissioner Whitt said that administration does not have objections. Mr. Whitt said we have not had any issues with the site and that the six-foot barrier works well. Mr. Whitt said these improvements will be beneficial for the patrons.

#### **AUDIENCE PARTICIPATION:**

Frank Martin – Architect - Explained that he has remodeling experience and is excited to work in Walled Lake.

Close public hearing 7:58 p.m.

**PC 03-03-20                    MOTION TO APPROVE PLANNING COMMISSION CASE 279  
SPECIAL LAND USE FOR MCDONALDS BUILDING  
EXPANSION CONTINGENT ON OBTAINING NECESSARY  
VARIANCES FROM THE ZONING BOARD OF APPEALS**

Motion by Owsinek, seconded by Wolfson, UNANIMOUSLY CARRIED: To approve planning commission case 279 special land use for McDonalds building expansion contingent on obtaining necessary variances from the Zoning Board of Appeals

**PC 03-04-20                    MOTION TO APPROVE PLANNING COMMISSION CASE 279  
SITE PLAN FOR MCDONALDS BUILDING EXPANSION**

Motion by Owsinek, seconded by Wolfson, UNANIMOUSLY CARRIED: To approve planning commission case 279 site plan for McDonalds building expansion

Commissioner Whitt welcomed him to the community and expressed that the City is looking forward to the improvements.

#### **1. PUBLIC HEARING**

PC 278 – Vacant Lot (14 Mile & Decker) –  
Rezone C-1 to C-2

Consultant Planner Ortega provided reference information on where the property is located and its surrounding properties. Mr. Ortega said it is currently zoned C-1 but is designated as office tech, based on the future land use in the master plan. Mr. Ortega provided history on the property and said that there was consent judgement on the property in 1996. Mr. Ortega said this judgement entitles Commerce Township to review and approve any use on the property. Mr. Ortega explained that while the City can consider amending the zoning map, any proposed use would be subject to ordinance standards and approval of Commerce Township.

Mayor Ackley said the consent judgement went to court and said that the City was not bound by the consent judgement with Commerce Township.

City Attorney Vanerian explained that the City is not bound to the consent judgement and that the property is still subject to the City's ordinances. Mr. Vanerian said the issue is if the property owners needs approval by Commerce Township to do any future developments. Mr. Vanerian stated that the property still needs to comply with Walled Lake's standards.

Chairman Hecht clarified that the owner of the property would be held responsible to comply with the consent judgements that were out there.

Consultant Planner Ortega said that for a rezoning, the City looks at compatibility with the goals and policies listed in the master plan. Mr. Ortega said in the future land use map, the site is identified as Office Tech. Mr. Ortega explained the differences between Office Tech and the applicant's proposal of C-2. Mr. Ortega described the physical features of the site and said it may be difficult to accommodate heavier traffic and establish foundations for a C-2. Mr. Ortega described the surrounding properties and their zoning and how that impacts compatibility. Mr. Ortega said that the commission needs to consider everything that is probable in the C-2 district and if spot zoning would create an isolated location. Mr. Ortega concluded that he does not recommend rezoning because it is not compatible with the master plan.

#### **AUDIENCE PARTICIPATION:**

Open Public Hearing 8:19 p.m.

Kevin Kernen – Mr. Kernen said he is proposing a microbusiness. Mr. Kernen said he is a medical marijuana advocate and is thankful that the City is allowing marijuana businesses. Mr. Kernen explained he is intending to work with cannabinoids medicinally. Mr. Kernen thanked the commission for their time.

Close Public Hearing 8:29 p.m.

Chairman Hecht questioned if this businesses proposal would be subject to the City's marijuana ordinances?

Consultant Planner Ortega said that if the applicant is looking to open a microbusiness under the MRTMA it would be require state licensing and then approval from the City based on what was available at the time.

Commissioner Whitt noted that Commerce Township does not allow marijuana facilities in their jurisdiction. Mr. Whitt further explained that the spot zone would be inconsistent with the master plan.

**PC 03-05-20**

**MOTION TO DENY PLANNING COMMISSION CASE 278 FOR  
REZONE FROM C-1 TO C-2 BECAUSE OF INCONSISTENCY  
WITH THE MASTER PLAN**

Motion by Whitt, seconded by Novak, UNANIMOUSLY CARRIED: To deny planning commission case 278 for rezone from C-1 to C-2

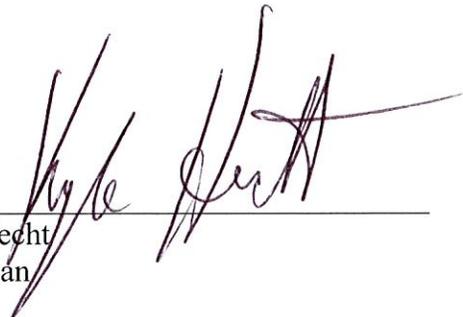
**COMMISSIONERS COMMENTS:**

Commissioner Whitt provided an update on the construction on Spring Park. Mr. Whitt explained that a residential unit has been turned into a parking lot for machinery storage. Mr. Whitt said it has been sighted for blight issues. Mr. Whitt said that a plan may come to the commission for approval to turn a residential home into a commercial storage facility and develop an entry way into that parcel for access to the marijuana facility. Mr. Whitt said this is not what the City approved for the construction of the two buildings. Mr. Whitt said the master plan needs to be referenced. Mr. Whitt said we have a duty to uphold the zoning for residential and commercial properties.

**PC 03-06-20                      ADJOURNMENT**

Motion by O' Rourke, seconded by Novak, CARRIED UNANIMOUSLY: To adjourn the meeting at 8:48 p.m.

  
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Chelsea Pesta  
Deputy City Clerk

  
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Kyle Hecht  
Chairman