



**CITY OF WALLED LAKE  
PLANNING COMMISSION  
TUESDAY, JULY 11, 2017**

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

**ROLL CALL:** Malone, Maurer, Novak, Robertson, Whitt, Wolfson

**ABSENT:** Palmer

**OTHERS PRESENT:** Building Official Wright, City Attorney Vanerian, Recording Secretary Rodgers

**PC 07-01-17 MOTION TO EXCUSE COMMISSIONER PALMER FROM TONIGHT'S MEETING**

Motion by Robertson, supported by Maurer, CARRIED UNANIMOUSLY: To excuse Commissioner Palmer from tonight's meeting.

**REQUESTS FOR AGENDA CHANGES:** None

**APPROVAL OF MINUTES:**

**PC 07-02-17 APPROVAL OF THE APRIL 11, 2017 PLANNING COMMISSION MEETING MINUTES**

Motion by Robertson, seconded by Novak, CARRIED UNANIMOUSLY: To approve the April 11, 2017 Planning Commission minutes.

**PC 07-03-17 APPROVAL OF THE JUNE 13, 2017 PLANNING COMMISSION MEETING MINUTES**

Motion by Robertson, seconded by Wolfson, CARRIED UNANIMOUSLY: To approve the June 13, 2017 Special Planning Commission minutes.

**COMMUNICATION:** None

**AUDIENCE PARTICIPATION:**

Dan Lauffer – 1488 Dover Hill North- asked questions about the Rails to Trails and the Depot saying he knows there has been progress going ahead but what plans do the planning

commission have. Chairman Malone explained that is not something the planning commission is involved with.

Commissioner Whitt explained that Mr. Lauffer was at the DDA meeting earlier today asking the same type of questions and explained to Mr. Lauffer that the Planning Commission does not deal with the Rails of Trails. Commissioner Whitt explained to Mr. Lauffer that the planning for the Rails to Trails falls under the authority of the Parks and Recreation Commission, yet in the last several years not one member from the Parks and Recreation Commission had attended one Rails to Trails meeting and that can be explained away by a lack of interest on the part of certain board members. Mr. Whitt explained that now that there are new members on the recreation commission the specifics for the plan for the trail is finally being updated because the new members of the recreation recognize the importance of the trail as a linear park. Mr. Whitt explained to Mr. Lauffer that the trail and the depot development are not voted upon by the Planning Commission and does not fall under the authority of the Planning Commission.

Mr. Lauffer asked the Planning Commissioners if they were willing to see a report if he made one. Commissioner Whitt said he doesn't understand what Mr. Lauffer mean, a report on what? Mr. Lauffer said the report would be on what to do with the trail. Commissioner Whitt stated that he had three minutes to speak. Mr. Lauffer then stated he wasn't going to waste any more time because he has other things he wants to talk about.

Commissioner Whitt explained that the legal responsibility for planning of all linear parks falls under the jurisdiction of the Recreation Commission and that the Planning Commission does not make recreation plans at all, that is not their statutory role. Mr. Whitt said the legal responsibility for the Planning Commission is different than the Recreation Commission and the Downtown Development Authority.

Mr. Lauffer asked if that is true for the Dolbeer Banks house? Commissioner Whitt explained that project had been and is handled for years by a non-profit group that handles all the developments, the collection of monies, the city has had little input. Commissioner Whitt said the city owns the park where the structure is located, but the building and the whole process is handled by a non-profit. Mr. Whitt explained that the Banks Dolbeer is not the responsibility of this Planning Commission or the Downtown Development Authority.

Mr. Lauffer claimed that he was on a volunteer committee and that committee is selling \$10 coupons for a number of business in Walled Lake and Wixom and people get a reduction. Mr. Lauffer passed around a coupon and said that whoever holds on to it must give him \$10.

Karen Kolke – 179 Spring Park – stated that the January and the April minutes are not on the website but said she knows the minutes are not put up until they are approved but said that explains now why the April and June minutes are not up there because they were just approved.

Brian Massey – 163 East Bay Drive – explained that one thing he has tried to enhance is work on the lakefront at East Bay and building one to enhance the landscape and he learned he had to submit a site plan for the landscaping project.

Mr. Massey said he did not know he had to go through a process but he is trying to enhance his complex but the City of Walled Lake looks like junk. Chairman Malone said the Planning Commission does not approve landscape plans. Commissioner Whitt agreed with Chairman Malone and explained that he is unaware of what looks like junk but the planning commission they do not do landscape.

Building Official Wright said it was brought to his attention that additional work was going on at East Bay and the project has never been completed as a complete project. Mr. Wright said when the additional work was going on from the code enforcement officer being that was walls being taken down with additional landscaping being added. Mr. Wright said there was an egress door and a gate that was taken out, as he found out later, that was a temporary gate that the fire department required to have egress to the property.

Commissioner Whitt said this is an administrative issue but if there is a dispute that cannot be resolved at this meeting it can be resolved at the city. Mr. Massey asked when he will know. Mr. Wright said he will be in his office tomorrow morning and he will have the information for him.

**ATTORNEY'S REPORT:** None

**UNFINISHED BUSINESS:**

**1. Update on the Community Education Center Building**

Commissioner Whitt explained that he had met with the school board administration in his capacity as city manager and the board was not willing to negotiate a first right of refusal. Mr. Whitt said the board explained to the city that they did not need city approval to demolish the building, and that they would move ahead based on their own schedule. Mr. Whitt said two members of the school board were present, the superintendent and his deputy and other employees. Mr. Whitt said the city informed the School Board the City Council supported looking at possibility of rehabbing the building and the School Board did not want to discuss that. Mr. Whitt said there was no movement and that the School Board had a time frame. Mr. Whitt said there was nothing personal about it but City Council would act on his account and indeed they did. Mr. Whitt said City Council moved to have the city attorney file into court to slow down the demolition of the building. Mr. Whitt said at this stage it would be inappropriate to discuss at this point. Mr. Whitt said as a public matter it looks like it is unanimous on the City Council to try and rehabilitate and repurpose the building. Mr. Whitt said it is about protecting the taxpayers' dollars in that regard. Mr. Whitt said the DDA members appear to be on the same page in considering rehabbing the building as well. Mr. Whitt explained the draft was not filed and it will be amended. It is a dispute and the City can win. Mr. Whitt explained that the Planning Commission will be looking into the rezoning of the property.

**NEW BUSINESS:**

**1. Public Hearing**

*Open Public Hearing 7:49 p.m.*

1. Ordinance Amendment C-333-17: Chapter 51: drainage, grading, & height for building

Building Official Wright said one of the issues the city has run across is with the new development of residential homes is the increase in the height. He said not so much in the total height of the building but the height of basements that requires an increase of grading. Mr. Wright said the previous ordinance use to have a maximum height of thirty (30) feet. Mr. Wright explained that in order to accomplish that builders have been raising the grade of the properties and then taking the measurement from increase grade to the thirty (30) height of the building which could cause problem with drainage to the neighbors. Mr. Wright said to alleviate that problem the new drafted ordinance takes an average grade and finished grade height of the adjoining neighbors in relation to their finished first floor. He explained if one property that sits at one level and the other property adjacent at another level, there would not be a new building going above the average of the two neighboring properties. Mr. Wright said previously builders were able to comply with the thirty (30) foot maximum building height by increasing their grade, and previously the measurement was taken from the grade. Applicants are going to have to keep their grade at an average.

**Audience Participation:** None

*Close Public Hearing 7:52 p.m.*

**Discussion:**

Commissioner Maurer said with the flooding, is this a fix to that problem.

Building Official Wright said there has been flooding in the past with some properties. Mr. Wright said with some recent developments and in the past applicants have submitted plans to build a new home and then during the process they have decided to raise these properties three to four feet from their original approval. Mr. Wright explained there are properties within 10 feet of their neighbor and when there is basement four feet higher the builder has to bring the grade up. Mr. Wright explained that makes the house bigger with more impervious surface that can cause more flooding issues. Mr. Wright said the ordinance now gives a clear definition of grade.

Commissioner Maurer asked if this is common in adjacent cities. Building Official Wright said yes, it is. Mr. Wright advised this ordinance is good to have because multiple communities have this to take advantage of average grade height from neighbors as oppose to thirty (30) foot from the grade.

PC 07-04-17

**MOTION TO RECOMMEND APPROVAL TO AMEND  
ORDINANCE C-333-17 CHAPTER 51: DRAINAGE, GRADING,  
AND HEIGHT FOR BUILDING**

Motion by Wolfson, seconded by Robertson, CARRIED UNANIMOUSLY: To recommend approval to amend ordinance C-333-17 Chapter 51: drainage, grading, and height for building.

**ADMINISTRATIVE REPORT:**

**1. Code Enforcement Report June**

**DISCUSSION:**

Commissioner Whitt said he like to thank Jim Wright for coming to fill in for the meeting tonight. Mr. Whitt said Mr. Wright has a tough job and has to work with a lot of people, who may not agree with him.

**COMMISSIONERS COMMENTS:**

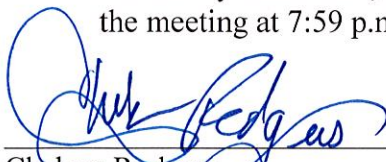
Chairman Malone said that Legato's final two buildings are being built and is happy to see the project being completed.

Building Official Wright said the new owner is working on building4 and once that is complete he will then finish building 5 and nothing has been changed from the original approval.

PC 07-05-17

**ADJOURNMENT**

Motion by Robertson, seconded by Maurer, CARRIED UNANIMOUSLY: To adjourn the meeting at 7:59 p.m.

  
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Chelsea Rodgers  
Recording Secretary

  
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Matt Malone  
Chairperson