



**CITY OF WALLED LAKE
PLANNING COMMISSION
TUESDAY, JANUARY 14, 2020**

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

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

ABSENT: O'Rourke

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

REQUESTS FOR AGENDA CHANGES: None

APPROVAL OF MINUTES:

**PC 01-01-20 APPROVAL OF THE OCTOBER 8, 2019 PLANNING
COMMISSION MEETING MINUTES**

Motion by Novak, seconded by Wolfson, CARRIED: To approve the October 8, 2019 Planning Commission minutes.

COMMUNICATION: None

AUDIENCE PARTICIPATION:

**PC 01-02-20 MOTION TO DELAY AUDIENCE PARTICIPATION AND LET
THE APPLICANT SPEAK FIRST**

Motion by Whitt, seconded by Wolfson, CARRIED: To delay audience participation and let the applicant speak first

ATTORNEY'S REPORT: None

UNFINISHED BUSINESS:

- 1. PC 274- Vacant Lot Chestnut Ridge – Lot Split
Applicant: Healy Homes**

Open public hearing 7:32

Consultant Planner Ortega provided a brief summary of the proposed lot split. Mr. Ortega explained that the proposal is within dimension compliance. Mr. Ortega said the T-Turn around like the rest of Chestnut Ridge will be dedicated to the public. Mr. Ortega explained that the site will undergo soil borings and will meet building permit requirements before being built. Mr. Ortega said he recommends approval.

Chairman Hecht questioned if the fire department prior concerns were addressed?

Mr. Ortega said the fire chief did submit a letter referencing the required dimensions and standards.

Wynn Berry – Representing on behalf of Mr. Healy – Mr. Berry stated that the application does meet the requirements of the fire chief and the City. Mr. Berry understood that there were concerns regarding tree removal and turnaround design. Mr. Berry stated that the cul-de-sac would take up twice as much room and would require the buildings to be placed back further, thus creating issues to meet the yard requirements. Mr. Berry explained the decision to keep the T-turnaround in order to meet requirements and limit damage done to property.

Chairman Hecht questioned how the tree concern would be addressed?

Mr. Berry explained that the T-turnaround would remove significantly less trees.

Chairman Hecht questioned how the design application addresses the City's tree ordinance?

Mr. Ortega summarized the City's tree ordinance and stated that applicant would need to comply with the City's ordinance.

City Attorney Vanerian explained that there is a tree permit requirement and that compliance is required.

Commissioner Owsinek explained his concern with the T-turnaround questioning potential conflict with the shared entry way. Mr. Owsinek continued to explain from a public safety perspective that he is uncomfortable with emergency vehicles having to maneuver a T-turnaround. Mr. Owsinek also discussed the potential issue with street parking.

Mr. Berry explained that the planner indicated it would be a public road right of way. Mr. Berry explained that if there was an issue with parking, he believes it would be up to the City to police and alleviate any problem.

Chairman Hecht asked Mr. Ortega why he encouraged a T-turnaround instead of a cul-de-sac?

Mr. Ortega said that the design type of the access is not a requirement. Mr. Ortega stated that there needs to be adequate access to the site and lot lines need to meet dimensional requirements. Mr. Ortega said as proposed, the applicant meets the requirements.

Chairman Hecht restated Mr. Ortega commenting that as-is, the applicant meets the requirements.

AUDIENCE PARTICIPATION

Ryan Woods – 111 Chestnut Ridge, Neighborhood Association President for Chestnut Hills – Spoke on behalf of the residents in Chestnut Hills and their concerns. Mr. Woods said the neighborhood is open to two houses. Mr. Woods addressed his concern with fire, snowplow, and garbage truck access. Mr. Woods stated that there needs to be adequate access to move around. Mr. Woods referenced a plan from 1996 proposing four houses with a cul-de-sac that was previously approved by the planning commission. Mr. Woods noted that the previous plan had the cul-de-sac located to the south. Mr. Woods opinionated that if the cul-de-sac was moved south, the property could be shared equally. Mr. Woods opinionated that the design can include the two houses and a cul-de-sac. Mr. Woods commented that there is no stormwater in-take on the current plan. Mr. Woods referenced plans from 1996 and 1998 indicating the required calculation for stormwater management that the current plan does not account for. Mr. Woods referenced an image of the retention/detention pond displaying the water lines. Mr. Woods explained his concern with catch basin repairs within the neighborhood, overall stormwater management, and drainage.

Chairman Hecht asked Mr. Woods what the neighborhood thinks of the design access?

Mr. Woods responded that the neighborhood prefers a cul-de-sac. Mr. Woods explained that the current driveway design of the neighborhood has a front-facing driveway and the proposed side-facing driveway with a T-turnaround would create push-back into the adjacent properties yard.

Chairman Hecht questioned the concerns with lot sizes.

Mr. Woods said based off of the developer's comments, a cul-de-sac would not work for the north property's lot lines. Mr. Woods opined if the cul-de-sac was re-centered to the property, there would be equal distance to the north and south property and be in compliance with the required setbacks.

Chairman Hecht asked Mr. Woods, hypothetically speaking, how the neighborhood would respond if the developers put in a cul-de-sac and addressed the drainage issues?

Mr. Woods responded that the neighborhood would be open to that.

Chairman Hecht asked Mr. Berry if drainage concerns were addressed and if the developer would be willing to redesign with a cul-de-sac?

Mr. Berry responded that drainage concerns off the site would be addressed when applying for building permits. Mr. Berry additionally explained that the T-turnaround would generate less storm water while the cul-de-sac would take up twice as much land, thus increasing the amount of pavement and stormwater. Mr. Berry said that he believes the developer would not be open to including a cul-de-sac.

Mark Lariviere - 121 Chestnut Ridge – Mr. Lariviere discussed his concerns with the T-turnaround and how that impacts his privacy. Mr. Lariviere stated when he was building his pool, he was under the impression that there would be a cul-de-sac as per initial design. Mr. Lariviere said he would appreciate a cul-de-sac and asked that plans be true to design and respectful to the neighborhood.

Pat Gaffney - 115 Chestnut Ridge – Raised the question if there were stormwater concerns that stopped the developers during the initial stages of development?

Dave Pankow - 1580 High Pointe Drive, Commerce Township- Voiced his concern regarding privacy fencing. Mr. Pankow commented that his HOA does not allow for any fencing. Mr. Pankow wanted to know how he would go about getting a fence.

Close public hearing 8:03 p.m.

Discussion

Commissioner Whitt explained that city administration met with Mr. Berry to discuss potential changes. Mr. Whitt explained that he addressed the concerns of the Chestnut Hills residents and expressed to Mr. Berry the desire for a cul-de-sac. Mr. Whitt stated that the commission is not obligated to grant the lot split because the developer wants to make more money but is obligated to listen to the residents and folks in the surrounding neighborhood. Mr. Whitt expressed his vote would be no if the developer did not address making any changes to the plan and the developer asked to come back to the commission to present the case as it was originally presented. Mr. Whitt said the paperwork presented to the commission shows a cul-de-sac with four houses on it and now there are two homes.

Chairman Hecht asked City Attorney Vanerian if the commission could grant the lot split under specific requirements?

City Attorney Vanerian responded that no, he does not recommend that. Mr. Vanerian said that the commission will need to vote on what is being presented.

Commissioner Owsinek commented that once the lot is split, the developer can do what he wants because it will be private property. Mr. Owsinek emphasized there is no site plan before the commission, only a lot split and if the lot split is approved, the design of the plan can change.

Mr. Ortega further explained that the developers would need to comply with the City's ordinances, one of them being that no lot can be created which causes increased drainage on adjacent property.

Commissioner Whitt reiterated that the commission does not have to approve the lot split. Mr. Whitt further explained that if the commission denies the lot split, the developer can return with a design that takes into consideration the concerns of the Chestnut Hills residents.

Mr. Ortega clarified that the design of the access is not required by the ordinance. Mr. Ortega explained that because the applicant wants to make it a public right of way and dedicate it to the City, the City would need to accept it under standards that the City finds acceptable.

Commissioner Palmer expressed his concerns regarding stormwater and land durability.

**PC 01-03-20 MOTION TO DENY PLANNING COMMISSION CASE 274 FOR A
LOT SPLIT IN CHESTNUT HILLS**

Motion by Owsinek, seconded by Palmer, CARRIED: To deny planning commission case 274 for a lot split in Chestnut Hills

2. Discussion – Residential Design Standards Ordinance – DRAFT

Consultant Planner Ortega explained that the City's ordinance does not have any requirements for design. Mr. Ortega summarized the first section on definition revisions to provide more clarity on manufactured dwelling units and mobile homes. Mr. Ortega explained the second section is to introduce basic design standards for the whole community. Mr. Ortega highlighted that a requirement is for the housing unit to be compatible with adjacent residences. Mr. Ortega further explained that the zoning administrator will consider properties within a 1000 ft.

Chairman Hecht brought up his concern with the 1000ft compliance explaining that there can be a wide range of variety in different areas of the City. Mr. Hecht suggested a 500 ft compliance.

Mr. Ortega suggested that the language can include, "predominant design within 1000 ft". Mr. Ortega explained that the intent is to focus on the majority and prominent character of the neighborhood.

Commissioner Palmer brought up his concern with roofing material.

Chairman Hecht questioned if there are specific areas of the City that can exclude manufactured homes?

Mr. Ortega referenced the definitions in the ordinance and further explained the difference between manufactured homes and mobile homes. Mr. Ortega explained that units on chassis can only be located in manufactured home parks and cannot be placed on an individual lot. Mr. Ortega additionally explained that the ordinance language can include, "predominant style of neighborhood".

Chairman Hecht discussed his concern regarding the impact on the resale for the neighborhood, traditional financing, and preserving certain areas of the City. Mr. Hecht emphasized his concern for addressing manufactured homes in specific areas of the City.

Mr. Ortega provided an explanation to when and how the definition for mobile home changed. Mr. Ortega explained that state law revised the definitions of mobile homes. Mr. Ortega proposed that the ordinance can reference the state's definition of manufactured homes, thus

locating manufactured homes to mobile home parks. Mr. Ortega concluded he will do more research on pre-assembled materials and the City's ability to regulate and will bring back for first reading. Mr. Ortega said he will look to see what surrounding communities are doing and will put in points that were discussed tonight.

NEW BUSINESS: None

COMMISSIONERS COMMENTS: None

PC 01-04-20 ADJOURNMENT

Motion by Novak, seconded by Owsinek, CARRIED UNANIMOUSLY: To adjourn the meeting at 8:47 p.m.



Chelsea Pesta
Deputy City Clerk



Kyle Hecht
Chairman