



**CITY OF WALLED LAKE  
PLANNING COMMISSION  
FEBRUARY 11, 2014**

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

Pledge of Allegiance to the flag.

**ROLL CALL:** Present: Cheney, Gersten, Malone, \*Mendelsohn, Novak,  
Palmer, Robertson, Wolfson  
Attorney: Vanerian  
Absent: Ankrom  
Planner: Haw, Jackson

There being a quorum present, the meeting was declared in session.

**REQUESTS FOR AGENDA CHANGES:** None

**PCM02-01-14 MOTION TO EXCUSE COMMISSIONERS ANKROM AND  
MENDELSONH FROM TONIGHT'S MEETING**

Motion by Malone, seconded by Palmer to excuse Commissioners Ankrom and Mendelsohn from tonight's meeting.

**VOTE: UNANIMOUSLY CARRIED**

**APPROVAL OF MINUTES:**

Commissioner Gersten said he made motion PCM01-04-14 and he requested the last line of the motion be corrected to read "...to include the word "unit" after the word "building", as discussed from tonight's meeting."

**PCM02-02-14 MOTION TO APPROVE THE JANUARY 14, 2014 MINUTES AS  
AMENDED**

Motion by Robertson, seconded by Palmer to approve the January 14, 2014 minutes as amended.

**VOTE: UNANIMOUSLY CARRIED**

\*7:40 p.m. Commissioner Mendelsohn arrived

**COMMUNICATIONS:** None

**AUDIENCE PARTICIPATION:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:** None

**ADMINISTRATIVE REPORT:**

**1. Code Enforcement Report**

Commissioner Robertson asked which home was being referenced for demolition. City Attorney Vanerian replied 452 Sparks Lane.

Vice Chairman Malone said he knows quite a few neighbors that are upset with the recent notifications given about snow removal on sidewalks and responsibility of who is to do it. He said the Code Enforcement Officer said homes next to schools are responsible for snow removal on sidewalk. There are common areas that are the responsibility of the neighborhood association. Recording Secretary Stuart will forward to Code Enforcement Officer.

## **DISCUSSION:**

### **1. DRAFT 2013 annual planning report**

Mr. Jackson, McKenna Associates, said they drafted a 2013 Annual Planning Commission report as required by the Michigan Planning Enabling Act. He said this is a draft for the Planning Commission to review and provide comments. He said City Council received and accepted the Master Plan, and it will be good for the next five years. Now it is time to implement it. One of the first items is to update the Zoning Map to reflect the changes in the Master Plan.

He reviewed a few items from the February 4, 2014 draft report.

#### 2014 Work Plan

##### #1 Master Plan Implementation

He provided a map of the central business district, mixed of uses retail and residential. In order to update the zoning map with the changes to include the central business district, he suggested a Form Based Code, to break it into sub areas. The "core area" has retail in bottom units and residential above. The surrounding outline or edge would be more commercial and allow for multiple family housing into the strong residential zoned area. Each would have design standards of how to address parking and building design and placement.

##### #2 Zoning Amendments

The concept of a Form Based Code is to address the form of buildings to face each other or the road in a certain way or configuration. There is not as much focus on the particular use of the building or unit. This maximizes the small urban downtown area and boosts the walkability.

Commissioner Palmer asked is this would affect road and driving configuration, if you don't have an actual plan, you will affect the property values for the people who currently own the surrounding properties. How do you create effective parking somewhere? How do you work the existing buildings into a cohesive downtown area? He asked for examples of where this has been done. He asked what other communities have done this that are similar to our size.

##### #3 Complete Streets

Mr. Jackson said with the adoption of a Complete Streets Policy, the County is obligated to implement the policies of the Community. If the community has adopted a Complete Streets Policy it must be adhered to and it is implemented with the Future Land Use Map. It outlines the transportation plans, pedestrian accessibility, street infrastructure, etc. This was briefly discussed in the recent Master Plan revision. He said Capital Improvement Plans provide for roads and utilities, if you have this, Master Plan, and Complete Streets Policy; there are grants available.

##### #5 Parks and Recreation Plan

The City's Parks and Recreation plan needs to be updated. He said similar to the Master Plan, it has a five year life expectancy. Once adopted, it has to be submitted to the Michigan Department of Natural Resources (MDNR). It must be submitted by March 2, 2015.

Chairman Cheney said he brought this up to the Parks and Recreation Commission. They are for it. He asked where this begins - Planning Commission or Parks and Recreation Commission.

## **2. Text amendment for restaurants and parking in the C-3 district**

Mr. Jackson reviewed his letter dated February 4, 2014 Permitted Restaurant Uses by Zoning District and C-3 Shared Parking (Attachment A). He said the City received a call for a restaurant with liquor license that had an interest in a building in the C-3 zoning district. However, under the Zoning Ordinance, C-3 districts do not permit alcohol.

Commissioner Palmer asked if the City had any liquor licenses available. Commissioner Robertson said no. Mr. Jackson said you can purchase a liquor license anywhere in Oakland County and transfer it into the City.

He recommended at a minimum, in order to help promote a pedestrian-friendly entertainment oriented downtown area, the Planning Commission should consider adding “Restaurants (Including Alcohol)” and “Bars/Lounges and Taverns” as a permitted use in the C-3, General Business District. As far as C-1 and O-1, it would be at the discretion of the Planning Commission through Special Land Use requests.

Commissioner Robertson asked how a hookah lounge was permitted in the downtown. Mr. Jackson said our Zoning Ordinance does not regulate them any differently than tobacco shop establishments. He suggested adding hookah lounges under the Adult-Regulated Use approval.

Commissioner Gersten said he is opposed to alcohol in the C-1 zoning. Mr. Jackson said with a special land use, criteria can be imposed. Commissioner Palmer said he felt ok to allow it; you can control if it’s an open bar or sit down establishment. That is a big differential.

The proposed schedule of changes of uses by Zoning District includes allowing:

- Bars/Lounges and Taverns as a permitted use in C-2 and C-3
- Restaurants, Dining Room and Carryout as permitted in O-1, C-1, C-2, and C-3
- Restaurants, Drive-in/Thru as permitted in a C-2 with Special Land Use approval from Planning Commission
- Restaurants (including Alcohol) as permitted in C-2 and C-3, and C-1 with Special Land Use approval from Planning Commission.

Commissioner Gersten said on page 1 of the February 4, 2014 memorandum, last paragraph, Article 2.02, Definitions should be amended to clarify “drive-thru” restaurants. He asked if that includes “fast food” restaurants. Mr. Jackson said under the current definitions it does include fast food. He suggested changing “fast food” to “drive thru”.

### **Downtown Parking Review Requirements (Attachment A)**

Mr. Jackson stated the Zoning Ordinance has provisions that allow retail and/or office use to utilize adjacent businesses for parking. If someone wished to take advantage of that, they have to come before the Planning Commission. He said, basically, a restaurant use in the downtown would have to provide a signed document that they are permitted to utilize the church parking lot during non-peak hours.

Commissioner Novak asked if there was any vacant land behind the downtown buildings for them to use. Mr. Jackson said currently there is none.

Vice Chairman Malone said a proposal came before the City for a brand new City Hall and grand conference center which had a parking structure included. Mr. Jackson said the key is to utilize all tools

available; i.e. parking meters are revenue generators they have hour time limits which provides revenue stream from fines and violations.

**COMMISSIONER COMMENTS:**

Commissioner Mendelsohn thanked Mr. Jackson and McKenna Associates.

Commissioner Gersten said the Master Plan was approved by City Council. Were there any changes made to it. Commissioner Robertson said there were two words added to clarify the Trailway property is set to be acquired not that it was acquired. Mr. Jackson said the plan will be finalized and placed on the City website. It is up to City administration how many copies are to be generated and provided to boards and commissions.

Commissioner Novak - None

Vice Chairman Malone - None

Commissioner Robertson said he is happy to have the Master Plan approved.

Commissioner Wolfson – None

Chairman Cheney – None

**PCM 02-03-14 Motion to adjourn**

Motion by Malone, seconded by Mendelsohn to adjourn.

**VOTE:**

**UNANIMOUSLY CARRIED**

Meeting adjourned at 8:43 p.m.

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Jennifer Stuart, Recording Secretary

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Reuben Cheney, Chairman