



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

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

Pledge of Allegiance to the flag.

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

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

**REQUESTS FOR AGENDA CHANGES:** None

**PCM 03-01-14 MOTION TO EXCUSE COMMISSIONER PALMER FROM  
TONIGHT'S MEETING**

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

**APPROVAL OF MINUTES:**

**PCM 03-02-14 MOTION TO APPROVE THE FEBRUARY 11, 2014 MINUTES**

Commissioner Gersten stated there were a couple things that need to be changed in February's minutes. He said on page 2 under Discussion it reads "*Draft 2013 Annual Planning Report*" and then on page 3 it says "*Downtown Parking Review Requirements (attachment A)*", he felt "*attachment A*" should be after "*Draft 2013 Annual Planning Report*" not after "*Downtown Parking Review Requirements*" the attachment has nothing to do with the "*Downtown Parking Review Requirements*". If you look at attachment A, it discusses the annual report. He it felt it should be reversed.

He said on page 3, the first paragraph, "*said he brought this up to the park, they are for it,*" he had a question at the last meeting: who prepares the Parks and Recreation Master Plan report? He was told it was the Planning Commission. It was not in the minutes. He said another line says the "Planning Commission will prepare the report". Who is it?

Council Member Robertson stated the Parks and Recreation Commission will prepare their plan and then it goes before City Council for approval.

City Attorney Vanerian stated Walled Lake has two Parks and Recreation plans. One pertains to the Trailway project in which three communities participate. This plan has been submitted and they are using it to obtain grants to acquire and improve the trailway. The other is the Parks and Recreation Master Plan. This is separate from the Trailway plan.

Commission Gersten stated looking at the annual report on the fourth page of Attachment A, this was the plan to draft. Item 5, Parks and Recreation Master Plan, he asked who is going to prepare this report. He was told the Planning Commission would prepare the report. There are conflicting answers and he is confused who is going to do it.

Mr. Jackson said it should say the Parks and Recreation Commission will prepare. However, he would still support putting this on the Annual Planning Report list as it does have a lot of connection with the Master Plan itself; it's even in our Master Plan.

Motion by Gersten, supported by Wolfson: CARRIED UNANIMOUSLY: To approve the February 11, 2014 minutes as amended.

**VOTE:**

**UNANIMOUSLY CARRIED**

**COMMUNICATIONS:** None

**AUDIENCE PARTICIPATION:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

**PUBLIC HEARING**

Open Public Hearing 7:18 p.m.

1. Text Amendments to Zoning Ordinance
  - i. *Section 2.02: Definitions*
  - ii. *Section 8.04: Special Uses in the O-1, Office District*
  - iii. *Section 9.03: Special Uses in the C-1, Neighborhood Commercial District*
  - iv. *Sections 11.02 and 11.04: Permitted and Special Uses in the C-3, Central Business District*

Mr. Jackson said there has been discussion on changing where various taverns and restaurants are permitted within the City. He said they found "Drive Thru's" on its own under the "D section" of the Zoning Ordinance as opposed to the "Restaurants" section. There was some discussion regarding the difference between "drive thru", "fast food", and "carry out" restaurants. The Planning Commission decided not to take them out since they are all different in some respects. He said, for instance, fast food restaurants are where you might just have a fast food counter and server without a drive thru. He said they decided to leave it as is to give the Planning Commission more latitude.

He said the O-1, Office District will allow restaurants that are the sit down or carry out type no fast food or drive thru restaurants and no restaurants with alcohol.

He said the C-1, Neighborhood Commercial District permit restaurants, dining rooms and carry out. The Commission added restaurants with a dining room including alcohol as a Special Use approval.

He said the C-3, Central Business District allows restaurants with dining rooms and dining rooms serving alcohol as a permitted use as well as taverns and bars.

**Close Public Hearing 8:00 p.m.**

Commissioner Wolfson asked about C-1, *no more than 5 persons shall be employed*, how was that figure established? What if they wanted six persons employed. City Planner Jackson said the idea is to keep the scale of the operation down. If they chose have more than 5 persons employed, they would need to apply for a variance.

Council Member Robertson stated he would request that items C & D in 11.02, Permitted Uses, be moved to 11:04, Permitted Uses after Special Approval. He believes there were changes or exchanges of liquor licenses within the City without Council knowledge. It used to be that Council approved all liquor licenses.

City Attorney Vanerian said the State Liquor License Commission always has the last say on a liquor license. They do review and consider the recommendations from the local community. Commissioner Robertson said there were a couple of transfers that the Police Chief was not a part of and also ones the City did not approve before they took place. He felt if the request was placed under Special Use with Approval, the City has some say. He agrees restaurants should be in those areas; however, the City should be able to approve them having liquor or not.

Commissioner Novak said in his experience, when an offer for a liquor license became available from another City in Oakland County, the applicant still needed to obtain City Council approval.

City Attorney Vanerian stated if the Commission requires Special Use Approval, they can decide about the use of a liquor license.

City Planner Jackson said there were not any pressing applications and we have hosted the required public hearing. He suggested tabling this and coming back to it at the next meeting with more information to understand how liquor licenses are transferred and how they are allocated to Walled Lake.

Vice Chairman Malone asked if this is tabled to next meeting, is another public hearing required. City Planner Jackson replied no.

**PCM 03-03-14                    MOTION TO TABLE NEW BUSINESS AGENDA ITEM 1, TEXT  
AMENDMENTS TO ZONING ORDINANCE TO NEXT MONTH'S  
MEETING IN ORDER TO OBTAIN MORE INFORMATION ABOUT  
LIQUOR LICENSE TRANSFERS**

Motion by Robertson, supported by Ankrom: CARRIED UNANIMOUSLY: To table New Business agenda item 1, Text Amendments to Zoning Ordinance to next month's meeting in order to obtain more information about liquor license transfers

**ADMINISTRATIVE REPORT:**

**1. Code Enforcement Report - None**

**DISCUSSION:**

City Planner Jackson said the Planning Commission was introduced to Form Based Codes during the Master Plan update. It is another form of zoning. The City recently adopted an updated Master Plan that discusses the character the City wishes to see in the historic downtown area.

He stated the next part of a Form Based Code is called an **Illustrative** Plan. The Master Plan is general, colors, and zoning maps. The **Illustrative** Plan is placement of buildings to give a visual idea of what the land would like when developed; how they relate to streets, each other, open space, etc.

He provided visual examples of Illustrative Plans via PowerPoint. Elements may look like a zoning map, but it is a regulating plan. It doesn't specify the building usage but how it should be planned, how the placement of building should be on the lot and what kind of streets we would like to see. It provides details on what type of road, how wide, turning lanes, streetscapes, pedestrian crossing, bike lanes, etc. These plans also include details of turning radius, tree placement, curb cuts, on-street parking, building frontage all glass, door placement, etc.

Mr. Jackson discussed several examples of buildings, streetscape and road design. He encouraged the Planning Commission to develop a Form Based Code for the C-3 district- create a unique design requirement for the City to tie all districts together.

He stated the City is almost a 100% built out; the redesign or implementation of a Form Based Code policy would have to happen when redevelopment occurs. Applicants may go to the DDA for help. The City needs to update the zoning districts.

He said the City was recently approached by a developer interested in building a multiple family project: 71 high-end unit apartments facing Walled Lake. It would have on street parking. It would require the closing of Witherall-the one block.

Vice Chairman Malone asked what the developer's asking price for each unit is. Mr. Jackson replied \$1,000. Vice Chairman Malone said, in his opinion that was not high-end. He stated the Citation Club in Farmington Hills is asking \$1,300 and they are run down in appearance.

Commissioner Ankrom asked if the project moves forward, are there protections/restrictions that will be put in place so it cannot, and will not fall, into Section 8 housing.

Mr. Jackson said the applicant is requiring the closing of Witherall-one block. They are conducting a traffic study. The proposal will come before Council as a Planned Unit Development (PUD). He has spoken with Oakland County regarding Brownfield Development options. The site is located in the DDA district; items could be paid for through their funding source. Commissioner Robertson said this district is designated DDA, so the DDA could spend money in this area. He didn't believe the DDA collects TIF money.

City Attorney Vanerian agreed with Mr. Jackson: the PUD allows for local control. There are avenues in the process for the City to restrict it so it doesn't become low-income rentals. There are ways to get around the government subsidy.

Commissioner Wolfson felt angle parking in this area is more dangerous. Mr. Jackson said angle parking is great at calming and slowing traffic down; you can see your blind spot.

Commissioner Mendelsohn asked how tall the project will be. Mr. Jackson said 3 floors, which is 42 feet. She said she is concerned and asked if there are going to be people checking every phase throughout the project, especially the grading, to make sure the Planning Commission doesn't get blamed for it. City Attorney Vanerian stated there are grading plans and permits that will have to be done along the way. It will not be another East Bay development.

Vice Chairman Malone asked if all the units in East Bay were condominiums or apartments. There are buildings there that have not yet been built. He is concerned with capacity. He is thinking of developer's selling point, first floor apartments will have a lot of foot traffic.

## COMMISSIONER COMMENTS:

Commissioner Mendelsohn thanked Confidential Administrative Assistant Rodgers for taking the minutes at tonight's meeting.

Commissioner Gersten had questions specific for Mr. Jackson on his March 3, 2014 Annual Planning Commission Report.

- The first page "*the Planning Commission held X regular meetings*", will that be filled in? Mr. Jackson said he will speak with the Planning Commission Secretary for the total.
- Under the 2014 Work Plan, item c, "CIP", he requested Mr. Jackson to spell out what CIP stood for.
- Second to last paragraph, he asked if the design of a Form Based Code for the City needed to be approved or ordered by the Planning Commission to get started. City Planner Jackson said if the Commission is on board, he will discuss with City Administration for funding.
- Last page, paragraph 5, he asked who is going to prepare/develop the Park and Recreation Master Plan. City Planner Jackson said he will clarify the process in his revision and be specific in the final draft.

McKenna letter dated February 4, 2014

- "Downtown parking review" is this going to be done? Mr. Jackson said if the Commission felt this should be done, he will include this with his fee proposal to City Administration.

Commissioner Gersten added that the copy of his Zoning Ordinance does not have updated information such as the "Bed and Breakfast" in section 11.04. City Attorney stated once an item is tabled, you are not permitted to discuss again.

Commissioner Novak – None

Vice Chairman Malone – None

Commissioner Robertson stated Commissioner Gersten and Mendelsohn were reappointed for another term at the last council meeting.

Commissioner Wolfson – None

Chairman Cheney – None

### **PCM 03-04-14 Motion to adjourn**

Motion by Malone, seconded by Gersten to adjourn.

**VOTE:**

**UNANIMOUSLY CARRIED**

Meeting adjourned at 8:49 p.m.

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Chelsea Rodgers  
Confidential Administrative Assistant

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Reuben Cheney, Chairman

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Jennifer Stuart  
Planning Secretary