



**CITY OF WALLED LAKE  
PLANNING COMMISSION  
TUESDAY, JUNE 9, 2015**

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

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

**ABSENT:**

**OTHERS PRESENT:** Planning Consultant\*, Recording Secretary Rodgers, Finance Director Coogan, Intern Velazquez

*\*Laura Hawe substituting for John Jackson*

**REQUESTS FOR AGENDA CHANGES:**

**APPROVAL OF MINUTES:**

**PC 06-01-15 APPROVAL OF THE MAY 12, 2015 PLANNING COMMISSION MEETING MINUTES**

Motion by Robertson, seconded by Palmer, CARRIED UNANIMOUSLY: To approve the May 12, 2015 Planning Commission Minutes

**AUDIENCE PARTICIPATION:**

Reuben Cheney – 1404 Decker Road - said he like to thank the Planning Commission for the great learning experience and time on the Commission and best of luck to the Commissioners in the future.

Doug Step - 929 and 933 N. Pontiac Trail – he said with not a variance for this building would block his business then he will go out of business with the building blocking his sign. He said Maher's fast response company means his people will show up in the middle of the night. He said Spring Park residents should not be subjected to that. He said this building will not benefit anyone in Walled Lake.

Dale representing the owner from 925, 929, 933 N. Pontiac Trail and said his concern about getting out onto Pontiac Trail from the trailer park is already hard to get out on. He said Mr. Maher has another business where in the winter Mr. Maher piles his snow up in the street and in his handicap spot. He is worried about the snow and water issue. He said he is worried about the people trying to get out on to Pontiac Trail. He said if Mr. Maher builds up to the property line

than Walled Lake is sunk. He stated with a thirty (30) foot building the people who live on Spring Park will no longer be able to see out their window.

Karen Kolke – 179 Spring Park – said she is concerned with the two inch gas line that runs underground along Spring Park. She stated in the past a gentleman wanted to build and the gas company he could not put anything over that gas line and there is also a sanitary sewer line and doesn't understand how Mr. Maher can build on top of it. She asked where is the drainage going? She said people already get flooded out. She said they need more the chain link fence that divides the subdivision from the business. She further stated the kids who wait for the bus, their parents won't have a place to wait for their kids and the traffic is bad. She said if Mr. Maher brings his equipment onto Spring Park, which is a residential street, who is going to be responsible for fixing the damage.

Tammy LoGiudice – 221 Spring Park - said she is concerned with the bus stop and where the children are going to stand. She said the bus stop is at the stop sign of Spring Park and Pontiac Trail and the stop sign is not shown in the rendering and it is a Walled Lake bus stop and they cannot do anything about the stop. She said she is forced to park in Doug's parking lot to wait for her children. She said none of the other buildings have a subdivision behind them. She said the building is encroaching on such a small area.

Dennis Parks – 201 Spring Park – he said there are problems with this proposal, the drainage, and when it rains hard the sewer backs up. He said the building will be a sore thumb, and does not see how you consider this with the gas and water line.

Karen Bishop - 234 Spring Park - asked Mr. Maher why does emergencies happen only at night. She said she has no A/C so her windows are always open and emergencies happen 24/7 and she hears and sees everything with Mr. Maher's heavy equipment. She said this is a residential street and he is going to use it to go in and out of his business and she doesn't like that. She said the building was nice.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

1. Consideration of electing of Chair

**PC 06-02-15            APPROVAL OF HAVING MATT MALONE AS CHAIR OF  
                                 PLANNING COMMISSION**

Motion by Whitt, seconded by Palmer, CARRIED UNANIMOUSLY: To approve Matt Malone as Chair of Planning Commission

**2. Public Hearing**

Open Public Hearing 7:38 p.m.

1. 118 & 122 Coalmont – Lot Split & Lot Combination

Planning Consultant Howe explained the application before the Planning Commission for the Lot Split and Lot Combination for 118 & 122 Coalmont. She said the site is zoned R1-B single family residential and in terms of dimensional standards the lot is non-conforming currently with this lot split division the lots would still be non-conforming in terms of the width and square footage. She explained there are some documents needed to complete the application and process. She recommended to the Commission to not approve the lot split and if the applicant wishes to pursue that the applicants can appeal to City Council. She said the applicants would need to provide the warranty deed, any deed restriction, and show that there are no delinquent taxes, as well as the legal description of the property.

Mike Maceri - 118 Coalmont - explained there is a half lot with nothing on it but grass. He explained the goal is to pull out the tucked in garage that he has now and put in a nice one in the front. He said it is what is best for the street and Walled Lake, it will be something that improves the street and to help the City grow.

Commissioner Robertson said the Planning Commission has no choice but to turn it down. He said the applicants can go to City Council to appeal. He said the Commission just had the same case on Leon Street and City Council approved it.

Chairman Malone said the Commission can't approve the non-conforming lots but the applicant can follow up with City Council.

*Close Public Hearing 7:42 p.m.*

Discussion:

**PC 06-03-15            MOTION TO DENY LOT SPLIT & LOT COMBINATION FOR 118  
& 122 COALMONT**

Motion by Robertson, seconded by Palmer, CARRIED UNANIMOUSLY: To deny lot split and lot combination for 118 & 122 Coalmont

**3. Public Hearing**

Open Public Hearing 7:45 p.m.

2. 1172 & 1134 N. Pontiac Trail – Site Plan & Special Land Use

Planning Consultant Howe said that the applicant is proposing an accessory parking facility to their existing vehicle dealership. She said that the site is in compliance with the standards of the zoning ordinance. She said that they feel a special land use approval is not a concern for this project. She said that in terms of the landscape and screening the applicant exceeds a lot of the landscaping standards. She explained in terms of open space and the green belt there is a requirement that there be a two (2) foot berm along the front and rear of the site adjacent of the

road. She stated the applicant is requesting a modification to that standard and instead of a berm there will be evergreen landscaping. She stated if the commission feels that this meets the intent of the zoning ordinance then that landscaping can be shown on a revised plan and accepted. She said the applicant needs to provide a detailed landscape maintenance plan to fulfill the landscape ordinance requirement. She explained for the parking and access, the applicant is proposing a deviation from the typical parking maneuvering aisle standards and parking space dimensions and this is consistent with other dealerships. She stated this won't be an area where customers will be pulling in and parking. She explained the applicant does provide spaces where customers may park if needed that comply with City standards. She said the applicant did provide a lighting plan that is in accordance with City standards.

Nick Mendelhall – Schonscheck Inc. - He said in order to ensure continued success at the dealership in Walled Lake that they need to make sure they have inventory available for car sales. He explained that the opportunity came up to purchase this property which is in close proximity to the existing dealership and this will maximize parking on site for their inventory. He said they want to achieve this by demolishing the residence on site and the old teen club. He explained that they will be focusing their attention on landscape along the Pontiac Trail boundary and they are looking at some trees shrubs, ornamental grasses, and some lilies for pop of color. He said they are not proposing the berm.

Bob Shuman said there are not any existing berms on either side of the street. He stated that the purpose of the lot is for storage. He explained that although he intends to use this lot for storage he would like it if the cars are visible from the side of the road which is why they are not proposing the berm. He explained that the landscaping will be a little more involved than what is currently in front of the used car lot on the south side of Pontiac Trail. He explained that the used car lot sits lower and the new lot is more level, and due to this the landscaping covers some of the cars which is why they do not want a berm there. He said they will have some low landscaping alongside the road so that the cars are more visible. He said this is a three step process. He is going to come back to the Planning Commission to expand the service department in the back of the dealership. He said where the interior ride up area it is a single lane and would put in another garage door and reconfigure the interior so he can get a two lane ride up area. He said he would also do some changes to the used car lot.

Chairman Malone asked if he is planning on moving the vehicles from the school to the new parking lot.

Shuman said yes that is one of the goals. He said the stock of inventory he has parked between him and the restaurant to the North is to take some of that inventory too and move it over to give him more room for employee parking and customer service vehicle parking. He said he has 60 to 70 vehicles he works on in day at the shop. He stated he needs more room and this will serve as a reliever for the new cars.

Commissioner Palmer asked about the drainage and addressed Boss Engineering's letter. He said some of the elevations the ponding and where the outlets are at, you are actually you don't have the amount of drainage you need. He said it is pretty flat.

Allen Press – Civil Engineer for Shuman Motors - he said he has reviewed Boss Engineering's letter and is going to make adjustments and the pond will be sized properly. He said it is a flat site and is going to try and raise it a bit more but there is not enough depth to go underground. He said he will work with the City Engineer. He said there will not be a lot of traffic going through the lot at all.

Shuman said there are no plans to have deliveries there. He said just for parking cars.

*Close Public Hearing 7:56 p.m.*

Discussion:

**PC 06-04-15            MOTION TO APPROVE SPECIAL LAND USE FOR 1172 & 1134  
N. PONTIAC TRAIL**

Motion by Robertson, seconded by Palmer, CARRIED UNANIMOUSLY: To approve Special Land Use for 1172 & 1134 N. Pontiac Trail

**PC 06-05-15            MOTION TO APPROVE SITE PLAN FOR 1172 & 1134 N.  
PONTIAC TRAIL SUBJECT TO ADDRESSING BOSS  
ENGINEERING'S REVIEW LETTER AND WAIVE THE BERM  
REQUIREMENT**

Motion by Palmer, seconded by Robertson, CARRIED UNANIMOUSLY: To approve site plan for 1172 & 1134 N. Pontiac Trail subject to addressing Boss Engineering's review letter and waive the berm requirement

3. 861 N. Pontiac Trail - Site Plan – Jim Maher

Planning Consultant Hawe said the application is for an office and warehouse addition which is permitted in C-2. She said there are outstanding items that still need to be addressed. She explained since the applicant first submitted a site plan the applicant has submitted a new site plan recently, with some changes, but there are still a number of issues that need to be addressed. She explained proof of ownership does need to be provided and the applicant has stated in a letter there will be no outdoor storage and that the existing storage will be removed and that needs to be noted on a revised site plan. She further explained some of the standards discussed will be coming from the downtown overlay district. She said the applicant is in the process of getting two variances one for the building height 6 foot 8 inch addition the applicant is requesting to accommodate the overhead doors. She said the applicant is also seeking a front yard setback on Pontiac Trail and Spring Park Avenue a fifteen (15) foot setback is required on both streets, the applicant has shifted back two feet, it was at zero foot setback but it still does not meet the fifteen (15) feet setback. She explained the issue with the clear visibility in the intersection with Pontiac Trail, the zoning ordinance states there will be clear vision triangle of 25 feet measure along the right of way, this standard does conflict with the downtown overlay district of 0 – 15 feet setback requirement and the 25 feet is really a suburban type standard for sight lines and fifteen (15) feet can be acceptable but the building is still not proposed to that

standard. She explained she did apply MDOT's standards and their sight distance for eighteen (18) feet and the building does not encroach into that sight line and MDOT would apply that standard. She further explained the building design there are some discrepancies the rendering and the proposed elevation there is a large window on the second floor that is shown on the rendering and not on the elevation. She said the rendering still suggest a stone base with stone detailing where everything is just brick but everything should just be consistent. She said the applicant is requesting for a reduction in the window area on the part that faces Spring Park Avenue they have stated it is an interior storage area where they would like to put some shelving. She explained that although there are some benefits to only using brick that they recommend that they consider adding some frosted glass. In terms of landscaping Howe explained that they are proposing a hard scaped treatment. She said that some of that will need permission from Oakland county road commission and will need to provide some additional details on irrigation. They have stated that they are fine to screen the AC units and utility equipment but no landscaping around that method has been shown on plans so they will need to revise that. Howe explained that the residential screening ordinance requires a 6 foot wall that would be tapered down towards the right of way and the applicant is requesting a modification; the applicant would like to keep the existing natural vegetation. She explained the applicant's parking is okay but she is asking that the parking be reduced to 18 feet in length and the sidewalk expanded to 7 feet and that would allow for greater pedestrian movement. She said the dumpster enclosure needs to show that it is five feet from the property line and details on the enclosure of a wall detail. She said a photometric plan and cut sheets need to be submitted. She has recommended a financial security would be granted and any approval would be contingent on engineering approval and variance approval.

Jim Maher said the elevation layout to match the rendering he put a note the rendering is for conceptual only, however, he has a revised drawing for an elevation that specifically shows the bands and the intention of the building is to look exactly like that with two exceptions. He said he eliminated the step.

Chairman Malone asked Mr. Maher if the frosted glass would be much of a design change or costly to add to the project.

Mr. Maher said the North elevation is up to Spring Park Avenue and he is asking to not put glass in there. He said talked about putting glass in it and what he has done with the arches across that match the other side. He said no glass from stand point of maintenance and aesthetics will hinder the building.

Commissioner Robertson asked if it has to be that tall. He said six feet is sufficient in getting the equipment in the warehouse, especially since there is no second story.

Mr. Maher said the doors are currently fourteen (14) feet high and has sixteen (16) feet wide. He has 2 foot clearance minimum. He said on the first floor he has space and a lift for where the utilities will go. He said that is why he raised the building which is thirty (30) feet from the ground.

Commissioner Robertson said he is not okay with two (2) feet setback on either side of the building; it does not conform to any of the other buildings on the street. He said the height is not good. He said the masonry wall in the back is a mandatory item because a chain link fence with some bushes is two feet off of the fence does not work. He stated that Mr. Maher needs to relook at this proposal. He said if there are kids on Pontiac Trail waiting for the bus for a half hour is dangerous for the children. He said he appreciates the citizen's concerns and he feels for them when Mr. Maher is building almost forty (40) foot tall building when the houses behind him are less than half of that. He said he has an issue with the heavy equipment driving on a residential street and stated he does not believe it is wide enough nor built to handle that heavy equipment.

Commissioner Wolfson asked Mr. Maher what his objection is with the masonry wall.

Mr. Maher handed the Commission a picture to review. He discussed his letter and said he is requesting to not have masonry and the reason being is because he feels he has put substantial amount of masonry into the actual building itself and are exceeding the requirements for the community. He said he is adding too much masonry to the site. He said he has a beautiful natural barrier and is a fan of natural barrier. He said if someone wants to arm wrestle to have a six (6) foot masonry wall. He said he tried to stay consistent to the buildings next door who has a natural barrier and he is just trying to stay consistent. He said that is his only reason. He said currently he is not proposing any masonry. He said there is not masonry there as of today.

Commissioner Robertson stated in the winter his natural barrier doesn't look full and blooming, it has no leaves on it. He said he knows masonry can be expensive.

Mr. Maher said it is not about expense. He said he is trying to comply with the downtown overlay district. He said he is the first one other than the Dairy Queen with a all masonry structure.

Commissioner Robertson said he is concerned with the size and setback. He said he cannot okay this project.

Commissioner Wolfson asked if his trucks currently drive on Spring Park. Mr. Maher said no.

Mr. Maher said he does have parking on Spring Park for the parents to wait for their kids on the bus. He explained his business is an emergency response company and do insurance restoration. He said goes out day and night. He explained his business has not changed since he has been in Walled Lake for the past eight (8) years. He said he wants to grow with this is and to be competitive with his competitors is to have his vehicles under one roof. He further explained he is emergency ready but sometimes he fumbles through it and he wants to eliminate that. He said he wants to get everything he owns under one roof. Mr. Maher addressed Commissioner Robertson's concerns and said he has looked at the proposal and he wants to stay in Walled Lake. He stated again he has looked at this building for eight (8) months and the "let's make it smaller," this is the minimum size building he needs to get his vehicles and to make is a fully functional place. He said with that he has not run into anyone who does not like the building, except for one person. He said he has eight (8) vehicles and is looking to purchase one more. He said if he eliminated a bay it would not work out. He said he laid it out like a fire hall. He said

the existing building is used for his offices. He said once he was in the new building he would lease out the old building.

Commissioner Robertson asked what the number of parking spaces Mr. Maher had and if he got rid of two spaces he could move the building back.

Mr. Maher said he is at the required number of 35 spaces. He said he made the parking work. He said it meets the ordinance and the overall integrity of the site.

Commissioner Palmer said to move the building back five (5) feet and put the masonry wall up and make it three (3) or four (4) feet so not right up against the fence. He said Mr. Maher could take out one (1) or two (2) parking spaces and he can pull the building back. He said move it back seven (7) or ten (10) feet and can write a variance on corner setback. He asked if Mr. Maher has to lease out the other building. He said it is a big building and asked Mr. Maher to knock the height down.

Mr. Maher said he cannot change the building size or design. He said that is currently what he plans from a standpoint of financial banking. He said he originally had it at zero lot lines. He said other buildings are at zero lot lines. He said he brings it up is he is working in a downtown overlay district and Maher is not asking for anything more than what is there. He said he is trying to be consistent with this and make the building work.

Commissioner Robertson said that all those buildings were not at zero lot lines until the roads were expanded. He said they cut 25 feet off of that to get that one corner to zero lot lines. He said these things were created by the expanding of the right of way and the road. He said we can't do anything about that but look forward with some sort of standard. He stated again he is not okay with two feet zero setback.

Mr. Maher asked the Commissioners to be pro-business. He said he hopes it is his building. He said his building is beautiful. He said he meets the ordinance. He is asking for approval so he can go before the ZBA for setback issues. He said he did address the height and is asking for permission to not change it. He said he does not want this to be tabled.

Chairman Malone said there are so many issues in the McKenna letter that is concerning. He said in his ten (10) on the Planning Commission he has never seen a McKenna that has so many recommendations to make so many changes. He stated there are so many changes and the change of the building. He said he is interested in the comment about the drainage issue.

**PC 06-06-15            MOTION TO TABLE THE MAHER PROJECT UNTIL  
REVISIONS HAVE BEEN MADE AND IF NEED BE CALL A  
SPECIAL MEETING**

Motion by Robertson, seconded by Wolfson , CARRIED UNANIMOUSLY: To table the Maher project until revisions have been made and if need be call a special meeting.

ROLL CALL VOTE

YES (5) Novak, Palmer, Robertson, Wolfson, Malone  
NO (1) Whitt  
ABSENT (0)  
ABSTAIN (0)

**ADMINISTRATIVE REPORT:**

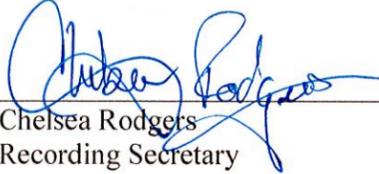
1. Code Enforcement Report

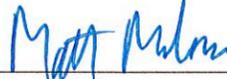
**DISCUSSION:**

**COMMISSIONERS COMMENTS:**

**PC 06-07-15 ADJOURNMENT**

Motion by Wolfson, seconded by Novak, CARRIED UNANIMOUSLY: To adjourn the meeting at 9:32 p.m.

  
Chelsea Rodgers  
Recording Secretary

  
Matt Malone  
Chairperson