



**CITY OF WALLED LAKE  
PLANNING COMMISSION  
TUESDAY, SEPTEMBER 10, 2024**

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

Pledge of Allegiance led by Chairman Wolfson

**ROLL CALL:** Whitt, Wolfson, Robertson, Owsinek

**ABSENT:** O'Rourke

**OTHERS PRESENT:** Assistant City Manager Jaquays, Planning Consultant Ortega, City Attorney Vanerian, Finance Director Pesta, City Clerk Stuart, Mayor Pro-Tem Woods, Council Member Ambrose, Council Member Fernandes, Council Member Lublin

**REQUESTS FOR AGENDA CHANGES:** NONE

**PC 09-01-24 MOTION TO EXCUSE PLANNING COMMISSIONER  
O'ROURKE**

Motion by Owsienk seconded by Robertson, CARRIED UNANIMOUSLY: To excuse Planning Commissioner O'Rourke

**APPROVAL OF MINUTES:**

**PC 09-02-24 APPROVAL OF THE MAY 14, 2024 PLANNING COMMISSION  
MEETING MINUTES**

Motion by Owsienk seconded by Robertson, CARRIED UNANIMOUSLY: To approve the May 14, 2024 Planning Commission minutes

**AUDIENCE PARTICIPATION:**

Dan Martin, 239 E WL Drive – Submitted and read a letter into the record. Mr. Martin identified himself as a commercial property owner at 239 E. Walled Lake Drive from 1984 to present.

*I'm looking forward to a new development in the district. That said, I have a couple concerns and points that I'd like to bring up now as opposed to them catching up with the proposal in later discussions, meetings or requirements.*

*I believe this will help to streamline the process of planning and save money and time for all.*

*1. On street parking- The district allows for this for shared commercial use. One business does not require all the street parking all the time thus this shared ideology works fairly well. However, this is an ever-changing commodity as businesses change and building uses change. Is there a running tab on how many times and how many spaces have been given to existing businesses in the district?*

*I am aware of Tiki Bar and Grill (formerly Key Largo) was granted a variance for 72 spots and my property was granted 11 spots. There may be more. (may I point out these were existing buildings in the district that had a change of use, Not a new development with a shortage). It has been said the new development will need 30+. Do they exist?*

*The new proposed development is a multi-use building ie ... Residential on upper floors and commercial on ground floor.*

*Does the New Development have enough onsite parking designated for 2 per residential unit? (This is where previous developments failed and a lot of money was spent before the plug was pulled and threats of lawsuits were thrown around). Will granting residential offsite parking cause problems for the existing businesses in the district? (Resident vehicles sometimes do not move for days) Was the district designed to offer offsite parking for new multi-use developments such as this?*

*2. Mercer Beach- Maintaining this park for the residents of Walled Lake.*

*Will this development encroach on the use of the beach park for Walled Lake residents, limiting their access??*

*3. Proposed height of new building- -Does it exceed the limit for the district? Does this proposed height block the lake view of existing Walled Lake residents? Does the proposed height overpower the district?*

*As I said in the beginning, I am very excited about a new development in the district, provided that the new development does not take away from the district and the residents. After a development is completed the developer moves on. Let's be sure that no problems were left behind that cannot be rectified.*

*Thanks for your time.*

Commissioner Whitt said the concerns that were raised by Mr. Martin will need to be looked at. Mr. Whitt said over the years, there has not been a running record of parking space allocation.

**COMMUNICATION: NONE**

**PUBLIC HEARING:**

**1. PC 314 – Decker and EW Maple, Vacant Lot  
Applicant: Agree Development**

City Planner Ortega said tonight we are here to discuss a proposed 6-fuel pump gas station and convenience store development at the southwest corner of Decker and E. West Maple Road. Mr. Ortega said the southern half of the site is proposed to be undeveloped. Mr. Ortega said automobile service stations are permitted in the C2 zoning district after receiving special land use. Mr. Ortega discussed the compatibility with nearby zoning districts, noting that the surrounding areas are zoned C2. Mr. Ortega said the property to the west is woodland, and it is zoned commercial. Mr. Ortega said at this time, no development is proposed for the southern portion of the site and no lot split is submitted. Mr. Ortega said with the distance, the level of activity will have little to no impact to adjacent properties. Mr. Ortega noted that these properties have been zoned commercial for a substantial amount of time. Mr. Ortega said this development is slightly smaller than what was proposed by K & G. Mr. Ortega said the applicant has provided a tree survey. Mr. Ortega said it does appear there are opportunities to preserve the trees on the site and in the right of way. Mr. Ortega said the applicant is proposing a conventional stormwater detention pond. Mr. Ortega said the applicant will have to abide by Oakland County's stormwater engineering design standards utilizing best management practices. Mr. Ortega said the applicant has contacted Oakland County Road Commission, they have proposed that the access point on East West Maple be required to have right turn in and right turn out, limited access curb cut, to minimize vehicles standing heading westbound. Mr. Ortega recommended an additional improvement to the site would be to include a raised curb splitter. Mr. Ortega said the applicant intends to retain the natural features on the site to continue the existing buffer.

Applicant Josh Bratton presented a Powerpoint presentation detailing the history on the site, 711 & Speedway acquisition background, market and service statistics, and proposed site plan. Mr. Bratton stated the proposed 711 & Speedway is reflective of some of the comments and resident's concern when K&G was initially proposed including having the development be further from residents, smaller site, and removing any connectivity to the southern portion. Mr. Bratton said the intent is to hold on to the property long term, and maintain ownership. Mr. Bratton said 711 acquired Speedway in 2021, and have yet to open a new 2024 prototype in Michigan. Mr. Bratton said the vast majority of trees on the southern portion of the site will remain undeveloped. Mr. Bratton said due to the installation of the stormwater detention pond, some trees will be removed. Mr. Bratton described the contemporary exterior designs. Mr. Bratton said there will strict adherence to noise containment, delivery schedule, and monitoring loitering and crime prevention. Mr. Bratton said 711 Speedway will abide by the tree ordinance and Oakland County's stormwater management practices.

Mandy Gauss, Project Manager, explained the development was designed to minimize impact of landmark trees. Ms. Gauss explained the detention pond and the outflow control structure.

Discussion was had on Oakland County Stormwater Management best practices and nearby residential flooding.

### **Open Public Hearing 7: 59 PM**

Jannette Decourcy, 773 Woods Court – Ms. Decourcy identified herself as the Vice President of Tamarack Woods. Ms. Decourcy explained that her backyard is dropping and that this past winter she had a flood in her basement. Ms. Decourcy opined that that residential flooding is due to the retention/detention ponds.

Tracey Millman, 741 Woods Court – Ms. Millman opined that if trees are removed, there will be less drainage. Ms. Millman questioned if the design will alleviate what is happening now and what will happen with more cement. Ms. Millman questioned if Woods Court drains into the drain as well.

William Victor, 740 Woods Court – Mr. Woods stated his yard floods. Mr. Woods said this will impact the wildlife. Mr. Woods said he prefers to not have a gas station.

Michael Baruzzini, 1528 Spruce, Commerce Township – Mr. Baruzzini opined that the proposed gas station will add additional congestion.

Joseph Mckevitz, 755 Woods Court – Mr. Mckevitz said the congestion is unbelievable at the intersection. Mr. Mckevitz opined that East West Maple should have 6 lanes. Mr. Mckevitz discussed his concerns with the dangerous area and opined that it should be reconsidered and thought out.

Jacqueline Ciszewski, 719 Woods Court – Ms. Ciszewski said once the trees are removed, you will hear the sounds and light. Ms. Ciszewski opined that there is no need for an additional gas station.

Christopher Wrosch, 719 Woods Court – Mr. Wrosch opined that after construction is completed on the freeway, traffic along East West Maple be reduced. Mr. Wrosch noted that traffic patterns have changed within the past 4-5 years.

Mr. Castillo, 754 Woods Court – Mr. Castillo said that turning left on East West Maple is very difficult and traffic clogs the street making it impossible.

Andrea Bronson, 11101 Lindsey Court – Ms. Bronson said people make left-hand turns out of Advanced Plumbing and that there is drive-through traffic through Trillium Park.

Owner of Mobile Gas Station, 1711 East West Maple – Owner expressed his concern regarding the significant impact of safety. Owner opined he would prefer a franchisee than corporate.

Michael Baruzzini, 1528 Spruce, Commerce Township – Mr. Baruzzini opined that a gas station does not build community.

**Close Public Hearing 8: 21 PM**

Applicant Bratton said he understands the flooding concern and reiterated meeting the Oakland County Stormwater requirements. Mr. Bratton said 711/Speedway corporate identified this location as a corridor for a major investment. Mr. Bratton said he is willing to work with City Staff to meet the requirements outlined in the Tree Ordinance, and preserve as many trees. Mr. Bratton said a traffic review has been completed and Oakland County has recommended a right in and right out.

Chairman Wolfson opined that 711/Speedway is not a destination spot and should not bring an influx of vehicles.

City Planner Ortega said the applicant is generally in compliance with the special land use requirements. Mr. Ortega said there is the potential to save existing trees and a way to enhance the site through tree preservation. Mr. Ortega said in regards to vehicular or pedestrian traffic, including a raised physical splitter island or high visibility cones could help left hand turn prevention. Mr. Ortega said additional signage is something to consider too.

Commissioner Owsinek suggested a deacceleration lane.

Applicant Bratton said he is open to working with the City Engineer and Oakland County Road Commission.

**PC 09-03-24                    MOTION TO APPROVE PC CASE 314 FOR SPECIAL LAND USE  
APPROVAL CONTINGENT ON RECEIVING SITE PLAN  
APPROVAL**

Motion by Owsinek, failed to receive second.

Commissioner Whitt asked City Attorney Vanerian if the applicant is entitled to a full board review?

City Attorney Vanerian said there is a quorum present this evening, however, the applicant can request a full board be present.

Commissioner Whitt said the issues presented today are different than what was discussed a year ago with K&G. Mr. Whitt said he does not believe the applicant is entitled to approval, just because a similar proposal was approval last year. Mr. Whitt said the proposal is different. Mr. Whitt asked for clarification if there was a contract involved?

Applicant Bratton said he would like to request the site plan and special land use application be tabled and reviewed by a full board, and to give time to the applicant to communicate with the City and the residents. Mr. Bratton said yes, the contract is contingent on receiving site plan and special land use approval.

**PC 09-04-24                    MOTION TO TABLE PC CASE 314 UNTIL NEXT REGULARLY  
SCHEDULED MEETING**

Motion by Whitt, seconded by Owsinek. CARRIED UNANIMOUSLY: To table PC Case 314 until next regularly scheduled meeting.

**8: 35 PM Planning Commission stands recessed**

**8: 50 PM Planning Commission comes to order**

**UNFINISHED BUSINESS:            NONE**

**NEW BUSINESS:**

**1. PC 315 – 307, 323, and 335 E. Walled Lake Drive  
Applicant: Watermark Terrace**

City Planner Ortega said this proposal is at the northeast corner of E. Walled Lake and Ferland Street. Mr. Ortega said the site currently is an open grass field zoned C3 and in the downtown overlay district. Mr. Ortega said the applicant is proposing a three-story mixed-use development. Mr. Ortega said the first floor is proposed to include an office space/ workspace and a one two-bedroom apartment. Mr. Ortega said the second and third floor are proposed to have eight two-bedrooms apartments for a total of 17 apartments. Mr. Ortega said the site would have 47 off-street parking spaces. Mr. Ortega said the applicant is proposing a Commercial Planned Development (CPD); the intent is to promote regulatory flexibility. Mr. Ortega said within the zoning ordinance, the process is outlined. Mr. Ortega said at August's City Council Meeting, City Council determined that the applicant met and was granted CPD qualification. Mr. Ortega said the Planning Commission is required to hold a public hearing. Mr. Ortega said City Council has final CPD approval. Mr. Ortega said with a CPD, modifications can be requested and can be granted should they meet the land use goals. Mr. Ortega said the first modification is the office use on the ground floor with one proposed first floor apartment that is a modification to the C3 zoning district. Mr. Ortega described additional modifications that are being requested, building height and front yard modifications. Mr. Ortega said generally speaking, it meets most of the building designs. Mr. Ortega said the applicant would request a site circulation and truck maneuvering plan. Mr. Ortega said regarding parking, there are two sections that allow for residential uses and new uses to reduce the amount of parking spaces on site up to 50% in this location; third standard, multifamily parking may be used jointly by offices not normally operated in the evening hours. Mr. Ortega said they are meeting the ADA requirements. Mr. Ortega said the applicant is proposing 6 new on-street parking spots. Mr. Ortega requested the applicant provide dumpster enclosure details, and if the applicant is going to proposed any building-mounted lighting.

Applicant Daniel Stakhiv said we are requesting feedback from the Planning Commission before the public hearing. Mr. Stakhiv introduced his architect and civil engineer. Mr. Stakhiv described the co-working space operations. Mr. Stakhiv said there are two other locations in Berkley and

Ferndale. Mr. Stakhiv said typically, the office members leave before 5 PM and that he expects when people are coming home, people are leaving the office. Mr. Stakhiv described the building design and site layout. Mr. Stakhiv discussed his presentation. Mr. Stakhiv an underground detention system is being proposed. Mr. Stakhiv said he is aware of the natural runoff that occurs from Market Stret during heavy rains.

Planning Commissioner Whitt invited Ms. Amin to speak.

Mital Amin, 415 E. Walled Lake Drive – Ms. Amin opined that was is being proposed is an apartment complex in the guise of a mixed-use development. Ms. Amin questioned how and why they qualify for CPD. Ms. Amin opined that it is not compatible with the Master Plan. Ms. Amin referenced Zoning Ordinance 51-11.4. Ms. Amin said what is being proposed is high density apartments, versus commercial, and opined that it should be rezoned for multi-family use. Ms. Amin discussed her concerns with parking and how that it would affect the building footprint. Ms. Amin said the area and the height concerns. Ms. Amin discussed the C3 Zoning District setback requirements. Ms. Amin asked if there will be restrictions if the mixed office use does not stay. Ms. Amin said she implores the Planning Commission to reject the proposal and to have the site be utilized to its full potential as a mixed-use property. Ms. Amin said she would like the Planning Commission to work with the developer or other developers to build an actual mixed use space that follows the Zoning Ordinance.

Commissioner Whitt clarified that the ordinance allows for activity and proposals such as this to come before the Planning Commission. Mr. Whitt said CPDs, PUDS, are allowed and negotiable. Mr. Whitt said it is not fair to state that the Planning Commission is allowing the applicant to do something they are not allowed to do. Mr. Whitt said what is being discussed is a conceptual plan. Mr. Whitt said ultimately City Council will make the decision.

Mr. Stakhiv said what is being proposed is boutique apartments and not high density. Mr. Stakhiv said parallel parking on Witherell would be challenging. Mr. Stakhiv clarified some setbacks and lot coverage items. Mr. Stakhiv understands that parking is going to be the biggest issue.

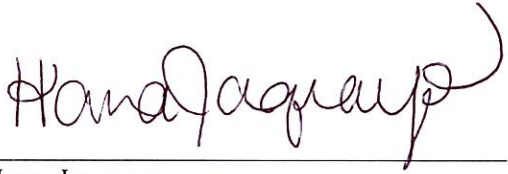
**PC 09-05-24                    MOTION TO SCHEDULE A PUBLIC HEARING AT THE NEXT  
REGULARLY SCHEDULED PLANNING COMMISSION  
MEETING WITH TWO PUBLIC NOTICES SENT**

Motion by Whitt, seconded by Owsinek. CARRIED UNANIMOUSLY: To schedule a Public Hearing at the next regularly scheduled Planning Commission meeting with two public notices sent

**COMMISSIONERS COMMENTS:            NONE**

**PC 09-06-24                    ADJOURNMENT**

Motion by Wolfson, seconded by Whitt. CARRIED UNANIMOUSLY: To adjourn the meeting at 9:36 PM



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Hana Jaquays  
Recording Secretary



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Neal Wolfson  
Chairman