

CITY OF ORCHARD LAKE VILLAGE

MINUTES OF THE REGULAR PLANNING COMMISSION MEETING

March 4, 2014

Chair Valvona called the Regular March Meeting of the City of Orchard Lake Village Planning Commission to order at 7:08 p.m. on March 4, 2014 at City Hall, and led the Pledge of Allegiance.

ROLL CALL

PRESENT: Chair Valvona, Vice Chair Wade, Commissioners Bradbury, Sutschek, Dziuba, Krause, and Pedell.

ABSENT: Magnell

STAFF: Director of City Services McCallum and Building Department Clerk Yacoub

GUESTS: Mike Karcho, Mr. Bally (son of the owner of Puff Hookah Lounge), Mark Drane from Rogvoy Architects (Representing Walgreens)

DECEMBER 3, 2013 MEETING MINUTES APPROVAL

A MOTION WAS OFFERED BY COMMISSIONER PEDELL AND SECONDED BY COMMISSIONER KRAUSE TO APPROVE THE DECEMBER 3, 2013 PLANNING COMMISSION MEETING MINUTES AS SUBMITTED.

MOTION CARRIED 7-0

APPROVAL OF CROSS-ACCESS EASEMENTS FOR WALGREENS, 4105-4127 ORCHARD LAKE ROAD

Two cross-access easement agreements were submitted to the Planning Commission for approval. The first agreement is to grant a cross-access easement between parcel A (Walgreens) and parcel B (3 unit strip center owned by Mr. Karcho). The second agreement is to grant cross-access easement between parcels A, B and parcel C (BP Gas Station).

Mark Drane from Rogvoy Architects representing Walgreens introduced himself to the Planning Commission and attended the meeting to answer any questions or concerns that the Planning Commission might have.

Director of City Services McCallum stated that at the December 3, 2013 Planning Commission Meeting the Planning Commission approved the lot split for this proposal with one of the conditions being review of cross-access easement by the City Attorney and resubmitted to the Commission for approval.

Commissioner Krause asked the reason for having two individual easement agreements. Commissioner Sutschek commented that the easement agreement between parcels A & B includes parking rights where the easement agreement between parcels A, B, & C only indicates the cross-access rights.

Chair Valvona stated that the cross-access easement drawing doesn't indicate that the parcels have been granted access to the south property line where Nectars is located.

Mr. Drane commented that Parcels A & B have been granted an access easement at the south property line, but parcel C (PB Gas Station) doesn't have those access rights.

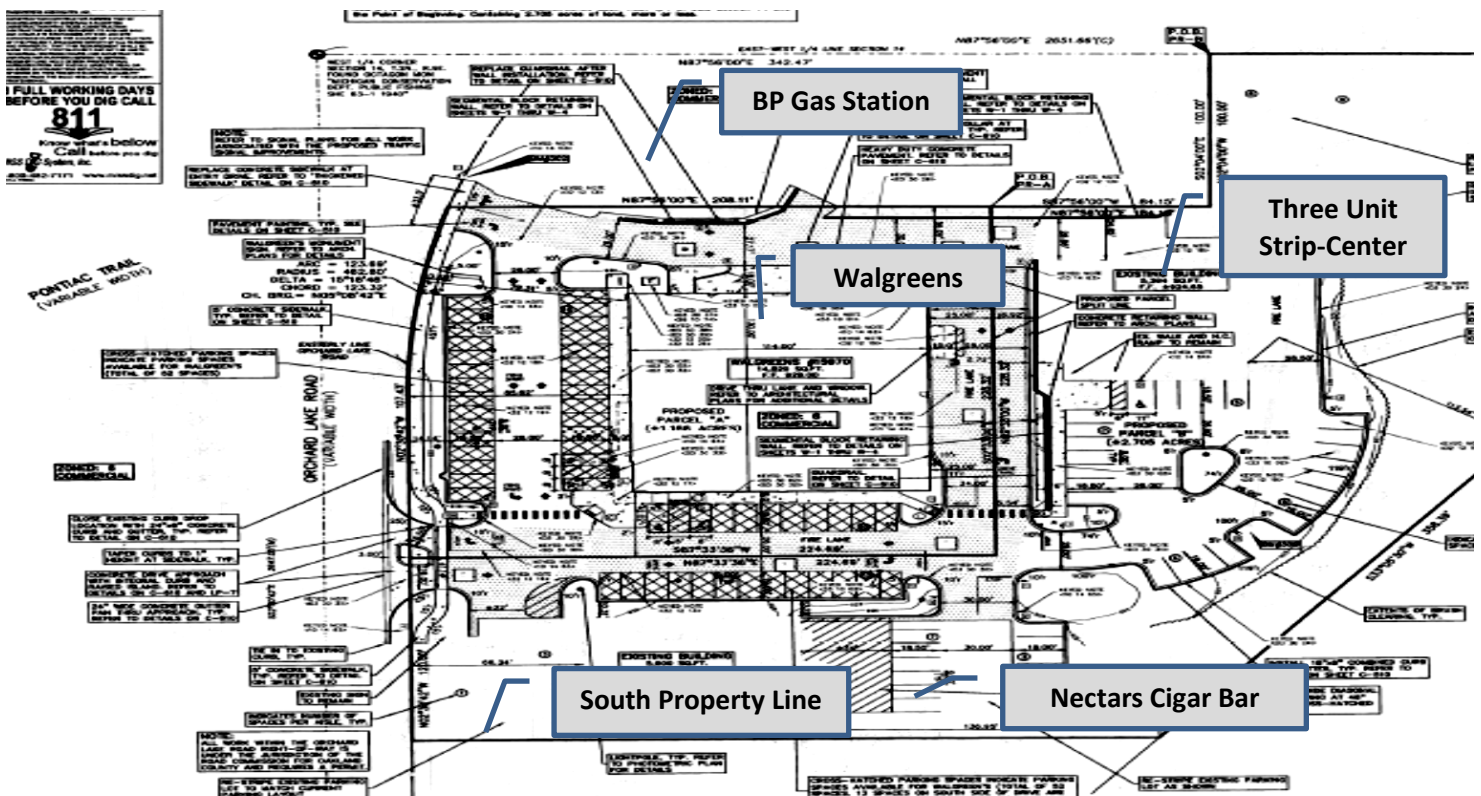
Commissioner Sutschek commented that the drawing doesn't show the access easement to the south property line and the legal description language doesn't clarify that either. Commissioner Sutschek suggested approving the cross-access easement agreement with a condition to modify the drawing and the legal description to specify the right to access the south property line.

Mr. Drane and Mr. Karcho agreed on granting the south property line access easement to parcels A & B.

Chair Valvona mentioned that the revised drawing and legal description must be submitted to the City Attorney for approval.

A MOTION WAS OFFERED BY COMMISSIONER SUTSCHEK AND SECONDED BY COMMISSIONER PEDELL THAT CONDITION NUMBER THREE OF THE PREVIOUSLY APPROVED LOT SPLIT GRANTED AT THE DECEMBER 3, 2013 FOR THE CROSS ACCESS AGREEMENTS BE APPROVED WITH THE CONDITION THAT THE CROSS ACCESS EASEMENT BE EXTENDED TO THE SOUTH PROPERTY LINE OF PARCEL B IN FRONT OF THE EXISTING NECTARS BAR AND WINE SHOP AND THAT THE REVISED ACCESS EASEMENT BE REVIEWED BY THE CITY ATTORNEY.

MOTION CARRIED 7-0



Chair Valvona mentioned that at the December 3, 2013 Planning Commission Meeting, the lot split was approved with three conditions. Condition number two was to provide a maintenance agreement with Walgreens for the maintenance of the retaining wall at the East property line of Walgreens, and the reconstruction and maintenance of the retaining wall north into the BP gas station property.

Chair Valvona commented that the maintenance agreement must be reviewed and approved by the Director of City Services McCallum.

Mr. Drane indicated that the maintenance agreement was provided to the Commission with the easement agreement. Chair Valvona commented that the provided maintenance agreement is not clear and needs to be detailed.

Mr. Drane stated that Walgreens will submit a detailed maintenance agreement to the City for review and approval.

Director of City Services McCallum mentioned that he will provide Walgreens with a list of all of the items that need to be completed before processing the lot split.

ADJOURNMENT

THERE BEING NO FURTHER BUSINESS, VICE CHAIR WADE MOVED TO ADJOURN THE MEETING AT 7:40 P.M. COMMISSIONER KRAUSE SECONDED THE MOTION.

MOTION CARRIED 7-0

VINCE VALVONA
CHAIRMAN

RHONDA MCCLELLAN
CITY CLERK