

CITY OF GROSSE POINTE WOODS, MICHIGAN
20025 Mack Plaza Dr.
Planning Commission Meeting Agenda
June 26, 2012
7:30 p.m.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **ACCEPTANCE OF AGENDA**
5. **RECOGNITION OF COUNCIL REPRESENTATIVE/S**
6. **APPROVAL OF MINUTES:**
Planning Commission – 05/22/12
7. **CONTINUED DISCUSSION: LAND USES & ZONING ON MACK AVENUE**
 - A. PC Excerpt – 05/22/12
 - B. Ordinance #50-448 Permitted Uses – RO-1 District
 - C. Ordinance #50-370 Permitted Uses – C District
 - D. Ordinance #50-371 Special Land Uses
 - E. Future Land Use Plan Map (rev 10/18/05)
8. **BUILDING OFFICIAL'S MONTHLY REPORT:**
Building Department Report – May 2012
9. **COUNCIL REPORT:**
June - Gilezan
10. **INFORMATION ONLY - COUNCIL REPRESENTATIVE FOR NEXT MEETING:**
July – Rozycki
11. **NEW BUSINESS:**
Sub-Committee Reports:
2020 Plan (Hamborsky/Vitale/Fuller/Gilezan)
Special Sign (Vaughn/Evola/Fuller/Richardson)
12. **ADJOURNMENT**

Submitted by: **Gene Tutag, Building Official**

313-343-2426

IN ACCORDANCE WITH PUBLIC ACT 267 (OPEN MEETINGS ACT) POSTED
AND COPIES GIVEN TO NEWSPAPERS

Notice: The City of Grosse Pointe Woods will provide necessary, reasonable auxiliary aids and services, such as signers for the hearing impaired, or audio tapes of printed materials being considered at the meeting to individuals with disabilities. All such requests must be made at least five days prior to said meeting. Individuals with disabilities requiring auxiliary aids or services should contact the City of Grosse Pointe Woods by writing or calling the A.D.A. Coordinator or the City Clerk's office, 20025 Mack Plaza, Grosse Pointe Woods, MI 48236 (313) 343-2445; or Telecommunications Device for the Deaf (TDD) (313) 343-9249.

NOTE TO PETITIONERS:

Please make every effort to be present at the meeting so that public officials
may get the benefit of your input on the matter before them.

PLANNING COMMISSION

05/22/12 – 015

MINUTES OF THE PLANNING COMMISSION OF THE CITY OF GROSSE POINTE WOODS HELD ON TUESDAY, MAY 22, 2012, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK AVENUE, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:32 p.m. by Chair Gilezan.

Roll Call: Chair Gilezan
Dickinson, Evola, Fuller, Hamborsky, Richardson, Vaughn (7:34 p.m.)

Absent: Vitale

Also Present: Building Official Tutag
Recording Secretary Babij Ryska

Also in Attendance: Council Member Ketels, Planning Commission Representative
Council Member Koester

Motion by Hamborsky, seconded by Richardson, that Commission Members Vaughn and Vitale be excused from tonight's meeting.

MOTION CARRIED by the following vote:

YES: Dickinson, Evola, Fuller, Gilezan, Hamborsky, Richardson

NO: None

ABSENT: Vaughn, Vitale

Motion by Evola, seconded by Dickinson, that all items on tonight's agenda be received, placed on file, and taken in order of appearance.

MOTION CARRIED by the following vote:

YES: Dickinson, Evola, Fuller, Gilezan, Hamborsky, Richardson

NO: None

ABSENT: Vaughn, Vitale

Chair Gilezan welcomed Council Member Ketels, as Planning Commission Representative and Council Member Koester for being in attendance at tonight's meeting.

Motion by Richardson, seconded by Fuller, regarding **Approval of Minutes**, that the Planning Commission Workshop and Regular Meeting minutes dated April 24, 2012 be approved.

MOTION CARRIED by the following vote:

YES: Dickinson, Evola, Fuller, Gilezan, Hamborsky, Richardson

NO: None

ABSENT: Vaughn, Vitale

Discussion ensued regarding **Land Uses & Zoning on Mack Avenue**. Building Official Tutag distributed the Future Land Use Map as set forth in the City's Master Plan (dated 10/18/05), Sec 50-448, Permitted Uses for RO-1 (restricted office) districts, and Sec 50-370, Permitted Uses for C (commercial) districts. Mr. Tutag suggested that the Planning Commission review the Future Land Use Map and determine if they should proceed with any changes. After a brief dialogue, the Commission set a **Workshop meeting on June 26, 2012 at 6:30 p.m.** to discuss the issue.

The next item on the agenda was the **Building Official's Monthly Report**. Mr. Tutag reported the following:

- The City Council accepted the project changes submitted by The Rivers developers at 900 Cook Rd. They are scheduled to break ground at the end of the week.
- University Liggett will begin site work when school lets out. The middle school will be located on Cook Rd. in the fall.
- Numerous lawn maintenance notices were sent and most property owners came into compliance quickly.

Commission Member Gilezan gave the **May 2012 Council Reports**:

- May 7th meeting: Council voiced no objection to the changes to The Rivers project.
- May 14th Committee of the Whole meeting: the Committee received presentations from three applicants to fill the vacancies on the Planning Commission.
 - Council Member Ketels informed the Commission that at the Committee of the Whole meeting on May 21st the Committee recommended to Council the appointment of Tonja Stapleton and Rich Rozycki.
- May 21st meeting: Council Member Ketels stated that Council approved the 2012/13 Budget. They also approved ballot language for the November 2012 Election for a 1.85 Headlee Override Proposal and a \$10 million Road Construction Bond for a period of 10 years.

Commission Member Gilezan volunteered to attend the June Council Meetings.

The following **Sub-Committee Reports** were provided:

2020 Plan – Commission Member Hamborsky stated that there are no updates and they will schedule a meeting before the June Planning Commission meeting.

Special Sign Ordinance – Commission Member Vaughn stated the Sub-Committee had a meeting on April 28th. All members were given assignments and the Sub-Committee will give a report at a later date.

Motion by Evola, seconded by Dickinson, to adjourn the Planning Commission meeting at 8:40 p.m. Passed unanimously.

PLANNING COMMISSION EXCERPT
05/22/12

Discussion ensued regarding **Land Uses & Zoning on Mack Avenue**. Building Official Tutag distributed the Future Land Use Map as set forth in the City's Master Plan (dated 10/18/05), Sec 50-448, Permitted Uses for RO-1 (restricted office) districts, and Sec 50-370, Permitted Uses for C (commercial) districts. Mr. Tutag suggested that the Planning Commission review the Future Land Use Map and determine if they should proceed with any changes. After a brief dialogue, the Commission set a **Workshop meeting on June 26, 2012 at 6:30 p.m.** to discuss the issue.

Sec. 50-448. - Permitted uses.

In all RO-1 districts, no building or land, except as otherwise provided in this chapter, shall be erected or used except for one or more of the following specified uses:

- (1) Uses resulting from any of the following occupations: Executive, administrative, professional, accounting, banking, clerical, stenographic and drafting. This list of uses shall not be construed to eliminate offices of recognized manufacturers' agents; provided that no display shall be in an exterior show window, and that the total area devoted to display, including both the objects displayed and the floor space set aside for persons observing the displayed objects, shall not exceed 15 percent of the usable floor area of the establishment using the display of an actual product for sale as a sales procedure; provided further that there shall be no outdoor storage of goods or material, irrespective of whether or not they are for sale; provided further that there shall be no warehousing or indoor storage of goods or material, irrespective of whether or not they are for sale; and provided further that there shall be no warehousing or indoor storage of goods or material beyond that normally incidental to the permitted office type uses listed in this subsection.
- (2) Medical or dental centers, not including veterinary hospitals, but including veterinary practice limited to felines and not including any type of medical facility permitting overnight patients.
- (3) Professional office of a medical doctor, osteopath, chiropractor, dentist, architect, lawyer, professional engineer, land surveyor, landscape architect or community planner.
- (4) Publicly owned buildings and public utility offices, transformer stations and substations, but not including outside storage or warehouse yards.
- (5) Two-story mixed use buildings.
- (6) Three-story mixed use buildings as special land uses under section 50-465

(Code 1975, § 5-11-2; Code 1997, § 98-302; Ord. No. 718, § 1, 10-20-1997; Ord. No. 833, 8-16-2010)

Sec. 50-370. - Permitted uses.

In all C districts, no building, structure or premises shall be used and no building or structure shall be erected or altered which is arranged, intended or designed to be used for other than one or more of the following purposes:

- (1) All uses permitted in R-1 and R-2 districts; provided, however, that there shall be no residential or living quarters erected, constructed, arranged or used as part of any building or structure erected, altered, arranged or designed for commercial purposes.
- (2) Retail business for local or neighborhood needs to the following limited extent:
 - a. The sale and manufacture of baked goods, or the sale of confectionery, dairy products, delicatessen, fruits, vegetables, groceries, meats or food products; provided that the provisions of this subsection shall not be construed so as to permit the housing of live poultry or animals on the premises which are to be sold therefrom or which are to be slaughtered or processed into food or food products thereon.
 - b. The sale of dry goods and variety merchandise.
 - c. The sale of men's and boy's furnishings, shoes and hats, and women's ready-to-wear, furs, millinery, apparel and accessories.
 - d. The sale of china, floor coverings, hardware, household appliances, radios, paint, wallpaper, materials and objects for interior decorating, or furniture.
 - e. The sale of books, magazines, newspapers, cigars, drugs, flowers, gifts, music, photographic goods, sporting goods or stationery.
 - f. Restaurants, lunchrooms and cafeterias and places for the sale of soft drinks, juices, ice cream and nonalcoholic liquors, but excluding places or businesses providing dancing or entertainment and places where food or beverages are dispensed to or served in automobiles parking on private property adjacent to and in connection with such establishments or are dispensed or served from an outside counter.
 - g. Service establishments, barbershops, beauty shops, custom tailor shops, laundry agencies, self-service laundries or cleaning establishments, shoe repair, dry cleaning, and pressing and tailor shops in which only nonexplosive and nonflammable solvents are used and where no work is done on the premises for retail outlets elsewhere.
 - h. Medical clinics and centers, provided that the provisions of this subsection shall not be interpreted so as to permit sanitariums,

hospitals, convalescent homes, resthomes, nursing homes or rooming houses or the like in C districts.

The provisions of this subsection (2) shall not be construed or interpreted so as to permit the operation of a pawnshop, or of a business wherein the purchase, exchange or sale of used or secondhand clothing, wearing apparel or personal effects, or used or secondhand furniture or household effects, is conducted. This provision shall apply with like effect where such articles are handled upon consignment, or as the agent for the owner thereof. The prohibition relating to selling used or secondhand goods, clothes and materials shall not apply to antique stores or businesses selling no more than 25 percent of such goods.

- (3) Business offices as follows: Real estate, insurance and other similar offices and the offices of the architectural, clerical, engineering, legal, dental, medical or other established recognized professions in which only such personnel are employed as are customarily required for the practice of such business or profession.
- (4) Funeral homes or mortuaries.
- (5) Automotive services as follows: Automobile sales and service buildings owned and operated by a duly authorized and franchised dealer in new automobiles, together with a space provided for the outside storage of used cars which have been acquired in connection with the operation of such automobile sales business, which outside storage space shall be immediately adjacent to the property used for automobile sales and service and shall be limited in area to a space not exceeding 50 percent of the ground floor area of the building structure used for automobile sales and services, but in no event shall such space exceed 50 percent of the Mack Avenue frontage occupied by such automobile sales and service business. Where public safety shall require, barriers shall be erected as may be directed by the department of public safety, and such property so used shall be properly graded, drained and surfaced with concrete or asphalt. No lighting system shall be permitted whereby overhead wires equipped with lighting fixtures or bulbs are strung over or across such property. No advertising of price or the like shall be placed upon any used car stored on such area, but one sign of not more than ten square feet in area shall be permitted to advertise the sale of used cars, provided that nothing in the provisions of this section shall be interpreted to permit or allow the operation of used car sales lots as such.
- (6) Advertising billboards and poster boards designed to advertise the sale or lease of property upon which such sign shall be located, provided that not more than one such sign shall be permitted on any one parcel of property; and signboards attached to, erected upon or painted upon any building

advertising the business conducted in such building or structure; provided that such advertising billboards, poster boards and signboards shall conform in size, location, structure requirements and other regulations and restrictions as contained in chapter 32, pertaining to signs, the provisions of which shall control.

- (7) Miscellaneous business establishments as follows: Businesses which are not obnoxious or offensive to the locality by reason of the emission of odor, fumes, dust, smoke, waste, vibration or noise; provided that there is not in connection therewith any manufacturing, repairing, converting, altering, finishing or assembling except that which is incidental to such retail business for local or neighborhood service, and upon which not more than five mechanics or workers are customarily engaged. The limitation on the number of mechanics or workers employed shall not apply to auto salesrooms or service stations, it being the intent of this subsection to prohibit light or heavy manufacturing or industries of any description in C district. The provisions of this subsection shall not be interpreted so as to permit pool and billiard rooms, dancehalls, ice skating or roller rinks, or amusement enterprises.
- (8) Material and supply businesses, providing the materials and supplies handled in the operation of the business are kept and stored within the building structure used for such business.
- (9) Lodge rooms, club rooms, etc., where their use is primarily by the members of the organization owning the lodge room or club room; provided the premises shall not be leased or rented to private parties, groups or organizations where wrestling, boxing or other sport activities are to be engaged in or where intoxicating liquors and beverages are to be dispensed or consumed upon the premises in conjunction with such lease or rental. The provisions of this subsection shall not be interpreted so as to permit privately owned or operated community buildings, structures or premises primarily used for shortterm leasing or renting to private parties, groups or organizations for the purpose of conducting dances, entertainment or sports events.
- (10) Equipment storage, provided that all equipment shall be placed and stored within the building structure used in connection with the business.
- (11) Display of goods, provided that there shall be no display of goods in front of the building setback line except newspaper sales racks.
- (12) Other main uses as follows: Any other neighborhood store, shop or service similar to the uses listed in this section in type of goods or services sold, in business hours, in the number of persons or cars to be attracted to the premises, and in effect upon the adjoining residence districts.
- (13) Accessory uses, only to the extent necessary and normally accessory to the limited types of neighborhood service use permitted under this section.

- (14) Outdoor patio areas for the sale and service of food and beverages; provided, however, that the sale and service of alcoholic liquors shall be in conformance with the rules of the state liquor control commission (LCC), and provided further, that such patio area shall be subject to site plan approval by the planning commission. In granting such site plan approval, the planning commission may require the installation of a fence or a greenbelt around the patio area, lighting, and compliance with the design standards ordinance. Tables, chairs, benches and umbrellas used or to be used in the patio area shall conform to such design criteria and shall be subject to the prior approval of the planning commission. The department of public safety shall review such site plan for traffic and pedestrian safety concerns and report to the planning commission prior to any approval of such plan being granted by the planning commission. The planning commission may reject any site plan found to be located close to residential property where sound levels may be intrusive. Rooftop patio areas shall not be permitted.
- (15) Massage establishments.
- (16) Two-story mixed use buildings.

(Code 1975, § 5-8-2; Code 1997, § 98-202; Ord. No. 674, § 1, 6-6-1994; Ord. No. 731, § 1, 3-15-1999; Ord. No. 833, 8-16-2010)

Sec. 50-371. - Special land uses.

The following uses shall be permitted as special land uses in the commercial business district subject to the standards set forth for each use and in accordance with the procedures set forth in section 50-32:

- (1) Fast-food restaurants and carry-out restaurants provided that:
 - a. A five-foot-high ornamental brick wall on both sides shall be erected between such restaurant site and any adjacent residential zone, provided that if separated from the residential zone by a public alley the wall shall be located along the alley line nearest the restaurant, and provided further that no wall shall be required where the restaurant structure abuts the rear lot line or public alley.
 - b. Lighting shall be installed in a manner which will not create a driving hazard on abutting streets, and which will not cause direct illumination on adjacent residential properties.
 - c. Entrances and exits to the restaurant shall be at least 50 feet from the intersection of any street right-of-way.
 - d. A license shall be obtained pursuant to section 10-465
- (2) Bowling alleys, subject to compliance with requirements of article III of chapter 10 as regards bowling activities.
- (3) Gasoline service stations whereby such service stations also shall be permitted to do minor automotive repairs and installation, including installation of mufflers, provided that:
 - a. The provisions of this subsection shall not be construed so as to permit outside storage of automobiles or auto wash establishments, or muffler installations where such is the primary business activity.
 - b. A gasoline service station shall be located on a lot having a frontage along the principal street of not less than 140 feet and having a minimum area of not less than 14,000 square feet.
 - c. A gasoline service station building housing an office or facilities for servicing, greasing or washing motor vehicles shall be located not less than 25 feet from any side or rear lot line adjoining a residentially zoned district.
 - d. All driveways providing ingress to or egress from a gasoline service station shall be not more than 30 feet wide at the property line. No more than one curb opening shall be permitted for each 50 feet of frontage or major fraction thereof along any street. No driveway or curb opening shall be located nearer than 20 feet to any corner or exterior lot line, as measured along the property line. No driveway shall be located nearer than 30 feet, as measured along the property

- line, to any other driveway giving access to or from the same gasoline service station.
- e. A raised curb six inches in height shall be erected along all street lot lines, except for driveway openings.
 - f. The entire lot, excluding the area occupied by a building, shall be hard-surfaced with concrete or a plant-mixed bituminous material, or, if any part of the lot is not so surfaced, then that area shall be landscaped and separated from all surface areas by a low barrier or curb.
 - g. All lubrication equipment, motor vehicle washing equipment, hydraulic hoists and pits shall be enclosed entirely within a building. All gasoline pumps shall be located not less than 15 feet from any lot line, and shall be arranged so that motor vehicles shall not be supplied with gasoline or serviced while parked upon or overhanging any public sidewalk, street or right-of-way.
 - h. Lighting shall be installed in a manner which will not create a driving hazard on abutting streets, and which will not cause direct illumination on adjacent residential properties.
 - i. Compliance with chapter 20, article III, division 3, pertaining to outside parking of motor vehicles at gasoline service stations and all other city codes, is required.
- (4) Taverns where spirituous liquors and beverages are sold and served for consumption on the premises; provided that no dancing, or entertainment other than musical instruments, is permitted in the operation thereof.
 - (5) Businesses where packaged liquor or alcoholic liquors are sold for consumption off the premises, being SDD (specially designated distributor) and SDM (specially designated merchant) licenses issued by the state. No SDD or SDM use shall be approved within the commercial business district if such proposed use or establishment is within a 500-foot distance from an existing SDD or SDM establishment or within a 500-foot distance from a church or an elementary, junior or senior high school site. The distance required in this subsection shall be calculated in accordance with the applicable rules of the state liquor control commission.
 - (6) Residential or living quarters in conjunction with a physician's, dentist's or realtor's office or funeral home when such building meets the same yard requirements as required in R-1 districts, provided that parking requirements for such mixed occupancy shall comply with section 50-530
 - (7) Three-story mixed use buildings provided that:
 - a. Where a three-story building abuts a residential use, or abuts an alley abutting a residential use, then the following setbacks are required for

only that portion of the building that abuts those uses as illustrated in section 50-1

1. For that portion of the building 28 feet or less in height, a 30-foot setback is required, as measured from the nearest lot line used as a residence.
 2. For that portion of the building above 28 feet in height, a 40-foot setback is required, as measured from the nearest lot line used as a residence to any vertical portion of the building above 28 feet.
 3. The width of any alley or landscape buffer shall be included in measuring any setback.
- b. A ten-foot wide buffer is provided as illustrated in section 50-1, subject to:
1. Plantings at least six feet high, comprised of at least 50 percent evergreen, consistent with section 50-532, greenbelts.
 2. The planning commission may also require a four-foot masonry wall.
 3. The location of the buffer, and the location of the wall (if required) shall conform to illustration in section 50-1, unless the planning commission determines during site plan review that the purposes of this division would be better served by modification of this requirement.
- c. All residential components of a mixed use building shall comply with the following minimum square footage requirements:
- 1. For a studio apartment: 750 square feet.
 - 2. For a one bedroom: 1,000 square feet.
 - 3. For a two bedroom: 1,200 square feet.
 - 4. For a three bedroom: 1,350 square feet.
- d. The minimum off-street parking and loading requirements for any use or building in a mixed use area shall be calculated from, and not be reduced below, that required in the property's underlying use as set forth in section 50-530, off-street parking requirements, except as follows:

Mixed Use Residences	
Studio (minimum 750 square feet)	1 space per dwelling unit
1 bedroom (minimum 1,000 square feet)	1.50 spaces per dwelling unit
2 bedrooms (minimum 1,200 square feet)	1.75 spaces per dwelling unit
3 bedrooms (minimum 1,350 square feet)	2 spaces per dwelling unit

The planning commission may consider and recommend, and the city council may approve, a total reduction of off-street parking, if a parking study, which details the combined uses and the customary operation of those uses, demonstrates that adequate parking is available.

- e. Mixed use applications are subject to section 50-372 review of architectural plan and site plan and section 50-373 (design standards).
- f. Mixed use buildings in the C commercial district require the ground floor to be nonresidential use and require any third story to be residential use.

(Code 1975, § 5-8-3; Code 1997, § 98-203; Ord. No. 833, 8-16-2010)



**City of Grosse Pointe Woods
BUILDING DEPARTMENT
Monthly Financial Report – May 2012**

Permits Issued:	221	
Rental Certificates:	23	Total Amount: \$ 35,321
Vacant/Foreclosure:	1	

CODE ENFORCEMENT

Abandoned/Foreclosure Compl. Notices Issued:	1
# of Complaints Investigated by Code Enforcement:	44
Closed Due to Compliance:	33
Open for Longer Compliance Time:	11
Citations Issued:	2
Early Trash Notices:	6
Code Violation Notices to Residents:	36
Tall Grass Notices Issued:	124
Stop Work notices to Contractors (working w/o permit):	10
Outside Storage:	4

NEW BUSINESS

Atty Sean Byrne, PLLC, 21002 Mack Avenue