

PLANNING COMMISSION
03/27/12 – 008

MINUTES OF THE PLANNING COMMISSION OF THE CITY OF GROSSE POINTE WOODS HELD ON TUESDAY, MARCH 27, 2012, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK AVENUE, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:33 p.m. by Chair Gilezan.

Roll Call: Chair Gilezan
Evola, Hamborsky, Richardson, Vaughn, Vitale

Absent: Dickinson, Fuller

Also Present: Building Official Tutag
City Attorney C. Berschback
Recording Secretary Babij Ryska

Also in Attendance: Council Member Ketels, Planning Commission Representative

Motion by Richardson, seconded by Evola, that Commission Members Dickinson and Fuller be excused from tonight's meeting.

MOTION CARRIED by the following vote:

YES: Evola, Gilezan, Hamborsky, Richardson, Vaughn, Vitale
NO: None
ABSENT: Dickinson, Fuller

Motion by Vaughn, seconded by Richardson, 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: Evola, Gilezan, Hamborsky, Richardson, Vaughn, Vitale
NO: None
ABSENT: Dickinson, Fuller

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

Motion by Richardson, seconded by Vitale, regarding **Approval of Minutes**, that the Planning Commission Workshop and Regular Meeting minutes dated February 29, 2012 be approved.

MOTION CARRIED by the following vote:

YES: Evola, Gilezan, Hamborsky, Richardson, Vaughn, Vitale
NO: None
ABSENT: Dickinson, Fuller

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THE MEETING WAS THEREUPON OPENED AT 7:35 P.M. FOR A PUBLIC HEARING **UNDER THE PROVISIONS OF MICHIGAN COMPILED LAWS, SECTIONS 125.3101 THROUGH 125.3702 AS AMENDED, TO CONSIDER AMENDMENTS TO CHAPTER 50 ZONING, ARTICLE III DISTRICT REGULATIONS, BY ADDING SECTION 50-185 PROHIBITED USES, TO PROVIDE THAT ANY USE CONTRARY TO STATE, FEDERAL OR LOCAL LAWS IS PROHIBITED.**

Motion by Vitale, seconded by Vaughn, that for purposes of the public hearing the following items be received and placed on file:

- A. PC Excerpt – 02/29/12
- B. City Council Excerpt – 02/27/12
- C. COW Excerpt – 02/13/12
- D. Letter – 01/14/12 – Assistant City Attorney (C. Berschback)
- E. Proposed Ordinance - Section 50-185 – Prohibited Uses
- F. Affidavit of Legal Publication – 03/08/12
- G. Proposed Resolution – 03/27/12 – Asst City Atty (C.Beschback)

MOTION CARRIED by the following vote:

YES: Evola, Gilezan, Hamborsky, Richardson, Vaughn, Vitale

NO: None

ABSENT: Dickinson, Fuller

City Attorney C. Berschback gave an overview of the proposed ordinance and a summary of the procedure for the Public Hearing.

The Chair stated for the record that no one was in the audience to speak in favor of or in opposition to the proposed ordinance.

Motion by Evola, seconded by Vaughn, that the Public Hearing be closed at 7:40 p.m. Passed unanimously.

Brief discussion ensued among Commission Members.

Motion by Vitale, seconded by Evola, regarding the Proposed **Amendments to Chapter 50 Zoning, Article III District Regulations, by Adding Section 50-185 Prohibited Uses, to Provide that any Use Contrary to State, Federal or Local Laws is Prohibited**, that the Planning Commission adopt the following Resolution recommending that City Council approve the proposed ordinance:

PLANNING COMMISSION RESOLUTION

Minutes of a regular meeting of the Planning Commission of the City of Grosse Pointe Woods, County of Wayne, State of Michigan, held on Tuesday, March 27, 2012, at 7:30 o'clock p.m., Eastern Standard Time.

PRESENT: Members Evola, Gilezan, Hamborsky, Richardson, Vaughn, and Vitale

ABSENT: Members Dickinson, and Fuller

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The following preamble and resolution was offered by Member Vitale and seconded by Member Evola:

WHEREAS, the Grosse Pointe Woods City Council acting as a Committee of the Whole referred a proposed zoning ordinance to the Planning Commission for purposes of scheduling a public hearing, and

WHEREAS, a public hearing occurred in front of the Planning Commission on March 27, 2012, and

WHEREAS, the proposed ordinance would amend Chapter 50 Zoning by adding Sec. 50-185 Prohibited Uses, to provide that any use contrary to state, federal or local law is prohibited, and

NOW THEREFORE, the Planning Commission hereby recommends adoption of the proposed Sec. 50-185 as submitted, and refers this matter back to the City Council for a first reading.

Immediate Certification: This motion is immediately certified.

MOTION CARRIED by the following vote:

YES: Evola, Gilezan, Hamborsky, Richardson, Vaughn, Vitale
NO: None
ABSENT: Dickinson, Fuller

Motion by Richardson, seconded by Evola, that the Planning Commission immediately certify the previous motion.

MOTION CARRIED by the following vote:

YES: Evola, Gilezan, Hamborsky, Richardson, Vaughn, Vitale
NO: None
ABSENT: Dickinson, Fuller

The next item on the agenda was **Continued Discussion: Solar Energy**. The City Attorney gave an overview stating that the ordinance is needed so the Building Official has some guidelines should requests be made to install solar energy systems. Discussion ensued and some minor changes were made to the proposed ordinance.

Motion by Hamborsky, seconded by Vitale, that the Planning Commission refer the **proposed Ordinance To Regulate Solar Energy Systems** to the City Council as amended.

MOTION CARRIED by the following vote:

YES: Evola, Gilezan, Hamborsky, Richardson, Vitale
NO: Vaughn
ABSENT: Dickinson, Fuller

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

- The Grosse Pointe Music Academy will be opening once sound proofing is complete.
- Home Solutions of Grosse Pointe will be opening soon as well.

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- Will do the vacancy rate for next meeting.
- Yogo-Hut is finally open after doing extensive renovations.
- Have spent a lot of time on the University Liggett project.
- Have been working with The Rivers engineer on details of the project.
- There has been a lot of interest in the Robusto's property.

Commission Member Hamborsky gave the **March 2012 Council Reports:**

- March 5th meeting: Did not attend.
- March 20th meeting: Nothing that pertained to the Commission.

Commission Member Vaughn will attend the April Council Meetings.

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

2020 Plan – Commission Member Hamborsky stated that the Sub-Committee had a substantive meeting with discussions of conceptual ideas should the city obtain control over the right of way on Mack Avenue. Another Sub-Committee **meeting is scheduled for Saturday, April 21, 2012 at 8:00 a.m.**

Special Sign Ordinance – Nothing to report.

Motion by Vaughn, seconded by Evola, that the Planning Commission appoint Member Richardson to the Special Sign Ordinance Sub-Committee.

MOTION CARRIED by the following vote:

YES: Evola, Gilezan, Hamborsky, Richardson, Vaughn, Vitale

NO: None

ABSENT: Dickinson, Fuller

A Special Sign Ordinance Sub-Committee **meeting is scheduled for Saturday, April 28, 2012 at 9:00 a.m.**

Motion by Evola, seconded by Vaughn, to adjourn the Planning Commission meeting at 8:33 p.m.
Passed unanimously.