

PLANNING COMMISSION
05/25/10 – 018

MINUTES OF THE PLANNING COMMISSION OF THE CITY OF GROSSE POINTE WOODS HELD ON TUESDAY, MAY 25, 2010, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK AVENUE, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:35 p.m. by Chair Fuller.

Roll Call: Chair Fuller
Dickinson, Evola, Gilezan, Hamborsky, Nederhood, Richardson, Vaughn, Vitale

Absent: None

Also Present: Building Official Tutag
Recording Secretary Babij Ryska

Attendance: Council Member Boddy, PC Representative
Council Member Sucher

Motion by Gilezan, seconded by Evola, 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, Nederhood, Richardson, Vaughn, Vitale
NO: None
ABSENT: None

Chair Fuller welcomed Council Member Boddy, as Planning Commission Representative, Council Member Sucher for being in attendance at tonight's meeting.

Motion by Evola, seconded by Richardson, regarding **Approval of Minutes**, that the Planning Commission minutes dated April 27, 2010 be approved as submitted.

MOTION CARRIED by the following vote:

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

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The first item on the agenda was concerning the **Recommendation: Variance Regarding Proposed Cell Tower, 1200 Parkway**. Wallace Haley of Haley Law Firm, on behalf of AT&T, presented the proposed cell tower project. Building Official Tutag indicated that the applicant worked with city officials to come up with an ideal location that was acceptable to the City and AT&T. Discussion ensued regarding the logistics of the tower and the impact that it may have in the community.

Motion by Vaughn, seconded by Vitale, that the Planning Commission hereby **recommends that the Zoning Board of Appeals grant a variance to AT&T to construct a Cell Tower at 1200 Parkway** under Section 50-621(3)(a) (setback from residential) and Section 50-621(3)(c) (setback from nonresidential buildings) for the following reasons:

- The 300 percent of the antenna's height setback to a residential lot required by Section 50-621(3)(a) is excessive for the type of antenna being proposed. A letter is enclosed with the application indicating that the monopole design is such that in the event of a total separation, the pole would result in collapse of that section to the ground within a radius of half the height of the pole, in this case 50'. Even if the entire pole failed at the foundation, a 121' safety margin from any residential lot exists. The proposed setback of 212' provides an adequate margin of safety even in the event of total failure. A sealed letter from a structural engineer licensed in the State of Michigan will be required prior to issuance of a building permit verifying this will be required.
- Section 50-621(3)(c) requirement of a minimum of 100' from the tower's base to any non-residential building. The City of Grosse Pointe Woods is the owner of any nonresidential building within 100' of the base of the tower, indemnification and insurance exits within the lease addressing this issue in the event the tower causes any damage to City buildings or property. The existing tower at City hall currently sits within 6' of the building.
- The grant of the requested variances will not have a negative impact on the safety of the residential area. The technology in the design of cell towers and antennas has evolved since our ordinance was adopted where lesser setbacks (fall-zone) will safely allow the construction of the proposed antennas. No alternative sites are available in the area that would allow construction without any variances. The applicant has worked with City staff in the citing of the proposed antennas. The proposed site is the only one that will not interfere with current or future operations at the DPW facility.

MOTION CARRIED by the following vote:

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

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Motion by Vaughn, seconded by Vitale, that the Planning Commission immediately certify the previous motion.

MOTION CARRIED by the following vote:

YES: Dickinson, Evola, Fuller, Gilezan, Hamborsky, Nederhood, Richardson, Vaughn, Vitale

NO: None

ABSENT: None

The next item on the agenda was **Discussion: Proposed Amendment To Chapter 50, Zoning, Article I In General, Section #50-1 Definitions; Article III District Regulations, Division 7, C Commercial Business District, Sections #50-370 Permitted Uses and #50-371 Special Land Uses; Division 9, RO-1 Restricted Office District, Section #50-448; and by Adding New Section #50-465 Special Land Uses, to Allow Three Story Mixed Use.** Chair Fuller noted that some minor reference and grammatical changes were addressed the Workshop meeting earlier in the evening.

Motion by Vitale, seconded by Evola, that the Planning Commission approve the language of the **Proposed Amendment To Chapter 50, Zoning, Article I In General, Section #50-1 Definitions; Article III District Regulations, Division 7, C Commercial Business District, Sections #50-370 Permitted Uses and #50-371 Special Land Uses; Division 9, RO-1 Restricted Office District, Section #50-448; and by Adding New Section #50-465 Special Land Uses, to Allow Three Story Mixed Use.**

MOTION CARRIED by the following vote:

YES: Dickinson, Evola, Fuller, Gilezan, Hamborsky, Nederhood, Richardson, Vaughn, Vitale

NO: None

ABSENT: None

Motion by Hamborsky, seconded by Vitale, that the Planning Commission **Schedule a Public Hearing to Amend Chapter 50, Zoning, Article I In General, Section #50-1 Definitions; Article III District Regulations, Division 7, C Commercial Business District, Sections #50-370 Permitted Uses and #50-371 Special Land Uses; Division 9, RO-1 Restricted Office District, Section #50-448; and by Adding New Section #50-465 Special Land Uses, to Allow Three Story Mixed Use,** on June 22, 2010.

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MOTION CARRIED by the following vote:

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

The next item on the agenda was **KIP Scanner/Copier**. Building Official Tutag requested that the Planning Commission continue to contribute to the KIP fees as they did last year.

Motion by Evola, seconded by Vaughn, regarding **KIP Scanner/Copier**, that the Planning Commission contribute \$1,059.00 to the Building Department for expenses related to service and preventative maintenance (through June 2011) for copying and scanning documents.

MOTION CARRIED by the following vote:

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

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

- Attended the neighborhood meeting regarding proposed CCRC of Grosse Pointe project at 900 Cook Rd..
 - The project received positive feedback from residents.
 - Administration has hired a planner to assist in the rewriting of the CF – Community Facilities District ordinance.
- Submitted a monthly report to the Planning Commission outlining Building Department activity for April 2010.
- Received a letter from Kroger indicating they will not be moving forward with the truck well project at this time.

Commission Member Evola gave the **Council Report**:

May 3, 2010

- Nothing of interest to the Planning Commission.

May 17, 2010

- Council adopted the 2010/2011 Budget.

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Chair Fuller will report on the June Council meetings.

The following **Subcommittee Reports** were provided:

2020 Plan (*Fuller/ Gilezan/ Hamborsky/ Vitale*) – Commission Member Hamborsky stated that the subcommittee will now begin a new project now that the language for the proposed ordinance amendments is complete. The subcommittee will meet in June to determine what that project will be.

Business & Development (*Evola/ Nederhood/ Richardson/ Vaughn*) – Commission Member Nederhood stated that the subcommittee will be scheduling a meeting with local Realtors to discuss ways to promote Grosse Pointe Woods.

Under **New Business**, Chair Fuller stated that the Historical Commission has extended an invitation to the Planning Commission to attend the Memorial Day Ceremony on May 31, 2010.

Building Official Tutag reminded the Planning Commission that the exemption period on the **banning of neon signs** is expiring. The ban becomes effective October 2010, notices will be sent to businesses that have neon signs. Building Official Tutag will provide a list of all affected businesses to the Planning Commission.

Motion by Evola, seconded by Vaughn, to adjourn the Planning Commission meeting at 8:39 p.m. Passed unanimously.