

PLANNING COMMISSION  
10-24-06 – 035

MINUTES OF THE REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF GROSSE POINTE WOODS HELD ON OCTOBER 24, 2006 IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK AVENUE, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:37 p.m. by Chair Vitale.

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

Absent: Ismail

Present: Building Official Tutag  
City Attorney C. Berschback  
Recording Secretary Stewart

Also in Attendance: Council Member Spicher, Planning Commission Rep.  
Council Member Granger, Alt. Planning Commission Rep.  
Scott Baumgart, Robusto's

Motion by Vaughn, seconded by Evola, that Commission Member Ismail be excused from tonight's meeting.

Motion carried by the following vote:

YES: Evola, Gilezan, Hamborsky, Hames, Richardson Vaughn, Vitale, Zolik  
NO: None  
ABSENT: Ismail

Motion by Evola, seconded by Hames, 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, Hames, Richardson Vaughn, Vitale, Zolik  
NO: None  
ABSENT: Ismail

Chair Vitale welcomed and thanked City Council Members Granger and Spicher for their attendance at tonight's meeting.

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Motion by Vaughn, seconded by Zolik, regarding Approval of Minutes, that the regular Planning Commission Minutes of September 26, 2006 BE AMENDED to read as:

Page 3, second line, insert the word "must" between "City" and "approve".

Motion carried by the following vote:

YES: Evola, Gilezan, Hamborsky, Hames, Richardson Vaughn, Vitale, Zolik  
NO: None  
ABSENT: Ismail

The first item on the agenda was regarding **Continued Discussion of Dance Ordinance to Amend Chapter 98, Zoning Article VII C Commercial Business District, Section 98-203(4) Special Land Uses and Article VIII C-2 High Intensity City District, Section 98-242(1)(g), Permitted Uses, to Allow Establishments Licensed by the Liquor Control Commission to Obtain a Dance Permit and an Ordinance to Amend Chapter 50, Liquor Control Ordinance, to Provide Procedures and Standards for Issuance of a Dance Permit.**

This discussion is a continuation from a Planning Commission Workshop meeting held previously this evening. A decision is required as to whether the Planning Commission should recommend Ordinance changes to the Council, and if so, should this be limited to the C-2 (High Intensity) District or both the C-2 (High Intensity) and C (Commercial) Districts. The following items were discussed and may be considered in a proposed final draft of the Ordinance by City Attorney C. Berschback:

- Require the applicant to sign an agreement which would make clear that the applicant would have to comply with all LCC laws, Ordinances of the City, and also agree to an ex parte injunction if the City finds them to be in violation.
- Add a section to the Ordinance indicating the Dance Permit is revocable based upon the Standards and Procedures found in Section 50-11.
- Add an exemption clause that makes clear that schools, churches, or city sponsored events are exempt along with current dancing that occurs at local country clubs.
- Consider regulating hours and days.
- Make sure the permit applies only to the applicant, as a transfer would be subject to Council review.
- Limit to the C-2 District, or C District, or both C-2 and C Districts.
- Limit size of dance floor.

Motion by Zolik, seconded by Hames, regarding the Dance Ordinance, that the Planning Commission RECOMMEND to Council approval of the petitioner's request for a dance permit

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at Robusto's located in the C-2 District based on drafting of the Ordinance as prepared by City Attorney C. Berschback.

Motion AMENDED by Zolik, seconded by Hames, to include both C-1 and C-2 Districts.

Motion FAILED by the following vote:

YES: Hamborsky, Hames, Zolik  
NO: Evola, Gilezan, Richardson, Vaughn, Vitale  
ABSENT: Ismail

Motion by Hamborsky, seconded by Zolik, that the Planning Commission direct City Attorney C. Berschback to present a final draft of the Dancing Ordinance subject to the C-2 District only and shall include reference to a separate agreement with a petitioner or, such license shall be subject to annual review by City Council and shall have aggressive revocable language within its content, and that the ordinance be available for review by the Planning Commission at the next scheduled meeting.

Motion carried by the following vote:

YES: Hamborsky, Hames, Vaughn, Vitale, Zolik  
NO: Evola, Gilezan, Richardson  
ABSENT: Ismail

The next item on the agenda was regarding **Continued Discussion: Rezoning Ordinance**. The three areas of continued discussion for this proposed rezoning are: Broadstone/Severn, Littlestone/Stanhope, and Norwood/Oxford.

An informal meeting is scheduled at 7:00 p.m. on November 2, 2006 in the Council Chambers at City Hall. Letters were sent to residents, business owners and tenants within a 300' radius of the affected areas regarding this meeting.

The next item on the agenda was regarding **Initial Discussion: Codification Process**.

City Attorney C. Berschback indicated the city code book is being updated with the assistance of municode.com. Mr. Berschback has met with Building Official Tutag several times to discuss changes that will affect Zoning, Chapter #98. For example:

- 1) Changes as mandated by the new Zoning Enabling Act;
- 2) specify details for variances, such as ZBA findings of fact for practical difficulties and unnecessary hardships;
- 3) and update the definition of "Family".

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An updated draft version of the Zoning Ordinance will be provided to the Planning Commission Members in the near future.

The next item on the agenda was regarding **Building Official's Monthly Report**.

- Mr. Tutag spoke with Melanie Brown from the Redevelopment Ready Communities (RRC) this week. Grosse Pointe Woods' RRC certification is well on its way and a presentation should be made in November or December.
- Mr. Tutag and City Attorney C. Berschback met with Salvatore Scallopini's. Plans have been submitted for interior renovations at 19655 Mack Avenue.
- Mayor Novitke, Chair Vitale and Mr. Tutag attended a Town Hall Meeting hosted by Wayne County Executive Ficano at the Grosse Pointe Neighborhood Club last week to listen to discussion regarding Landbank TURBO, One Stop Shop, and Pinacle.
- Peoples State Bank submitted revised plans, they were reviewed and approved by Mr. Tutag. Chair Vitale signed approval for them this evening.
- Reviewing plans for demo and rebuild of a new home on Renaud.
- Discussion of garages/accessory buildings to be resumed. Mr. Berschback indicated this discussion should be on January's agenda.

The next item on the agenda is regarding **Council Report, October – Hamborsky**:

October 2, 2006 - Although Mr. Hamborsky was unable to attend the October 2, 2006 meeting, upon visual review of the minutes he reported a motion was made to have the Planning Commission move forward with rezoning on Mack Avenue.

October 16, 2006 - Mr. Tutag indicated the Cook School is to be placed in Ghesquire Park in the area northwest of City Hall.

Council Member Granger stated the Mack Avenue turn-arounds and crosswalks were approved. The State is handling the bids and work is expected to start this spring.

The last item on the agenda was regarding **New Business**. A Planning Commission Workshop meeting is scheduled for November 28, 2006 to continue follow-up

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discussions of the Master Plan's Matrix Chart, namely the subcommittee topics concerning Colonial Themes and Cross Walks. Mr. Tutag indicated the RRC may provide free services with planners to assist with some of these Master Plan items.

Council Member Granger indicated the Ad Hoc Recreation Bond Committee has been formed and Chair Vitale was appointed to represent the Planning Commission. This committee is planning a future public workshop meeting similar to that of the Master Plan.

Motion by Zolik seconded by Hames, to adjourn tonight's meeting at 8:30 p.m., PASSED UNANIMOUSLY.