

CITY OF GROSSE POINTE WOODS
Electronic Special/Regular Planning Commission Meeting Agenda
Tuesday, July 28, 2020
7:00 p.m.

The Planning Commission will be conducting a meeting of the Grosse Pointe Woods Planning Commission by video (Zoom) and telephone conference in accordance with the City of Grosse Pointe Woods City Council resolution adopted May 4, 2020. This notice is being provided to ensure that those wishing to participate in the meeting have an opportunity to do so. Additional instructions are listed below.

Join Zoom Meeting

<https://zoom.us/j/94218506850?pwd=Snc0aElwbU11aWJERVY4YTVZcFhCUT09>

Meeting ID: 942 1850 6850

Passcode: 782591

Join by Phone:

Dial by your location

877 853 5247 US Toll-free

888 788 0099 US Toll-free

Meeting ID: 942 1850 6850

Passcode: 782591

| | | |
|----|-----------------------------|--|
| 1. | CALL TO ORDER | |
| 2. | ROLL CALL | |
| 3. | ACCEPTANCE OF AGENDA | |
| 4. | MINUTES | June 23, 2020 |
| 5. | PUBLIC HEARING | <p>UNDER THE PROVISIONS OF PUBLIC ACT 110 OF 2006 MCL, SECTIONS 125.3101, AS AMENDED, AND GROSSE POINTE WOODS CITY CODE OF 2017 SECTION 50-32, CONCERNING A SPECIAL LAND USE REQUEST TO ACTIVATE AN SDM LICENSE FROM DETROIT RESTAURANT SOLUTIONS CORP d/b/a GARRIDO'S BISTRO AT 19605 MACK AVENUE, GROSSE POINTE WOODS, MI. THE APPLICATION REQUIRES SPECIAL LAND USE APPROVAL PURSUANT TO SECS. 50-32 AND 50-371(5) OF THE GROSSE POINTE WOODS CODE AND IN ACCORDANCE WITH CITY COUNCIL ACTION ON AUGUST 19, 2019.</p> <p>A. Letter of Request – 05/19/20 – V. Gonzalez</p> <p>B. Application for Special Land Use – 06/30/20 (V. Gonzalez)</p> <p>C. Letter – 06/12/20 – City Atty. Berschback</p> <p>(1) Letter – 07/14/20 City Atty. Berschback</p> <p>(2) Council Council Clipping – 08/19/19</p> |

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|-----|---|--|
| | | <p>(2 pages)</p> <p>(3) Proposed PC Resolution – Approval</p> <p>(4) Proposed PC Resolution – Disapproval</p> <p>D. PC Excerpt 06/23/20</p> <p>E. Memo – 07/20/20 Building Inspector Tutag</p> <p>F. Affidavit of Legal Publication – 07/09/20</p> <p>G. Affidavit w/List of Properties Notified - 07/09/20 (3 pgs)</p> |
| 6. | PUBLIC HEARING | <p>UNDER THE PROVISIONS OF MCL, SECTIONS 125.3101 THROUGH 125.3702 AS AMENDED, TO CONSIDER AMENDMENTS TO CHAPTER 50, ZONING, AND CHAPTER 8, BUILDINGS AND BUILDING REGULATIONS, AN ORDINANCE TO REPEAL CHAPTER 50 ZONING, SECTION 50-539 SOLAR ENERGY SYSTEMS TO RELOCATE THIS SECTION INTO ARTICLE XVII, CHAPTER 8, SEC. 8-501 BUILDINGS AND BUILDING REGULATIONS; AND, AN ORDINANCE TO ADD ARTILE XVII, CHAPTER 8, BUILDING AND BUILDING REGULATIONS SECTION 8-501 TO ELIMINATE THE REQUIREMENT THAT PANELS BE LOCATED WITHIN 4 FEET OF ANY PEAK, EAVE, OR VALLEY, TO PROVIDE THAT THE INSTALLATION OF THE SOLAR ENERGY SYSTEM SHALL COMPLY WITH THE MICHIGAN RESIDENTIAL CODE, AND TO PROVIDE FOR APPEALS TO THE CITY COUNCIL.</p> <p>A. PC Excerpt – 06/23/20</p> <p>B. Letter – 07/17/20 – City Atty. Berschback with Proposed Ordinance</p> <p>C. Memo – 07/20/20 – Building Inspector Tutag</p> <p>D. Affidavit of Legal Publication – 07/09/20 (2 pgs)</p> <p>E. Affidavit of Utility Companies Notified – 07/02/20 (2 pgs)</p> |
| 7. | ANNUAL REPORT | 2019 PLANNING COMMISSION (<i>DRAFT</i>) |
| 8. | BUILDING OFFICIAL’S MONTHLY REPORT | A. BUILDING DEPARTMENT REPORT: June 2020 |
| 9. | COUNCIL REPORT/S | July - Ketels |
| 10. | INFORMATION ONLY: COUNCIL REP FOR NEXT MEETING | August - Profeta |

| | | |
|-----|-------------------------------------|--|
| 11. | NEW BUSINESS/PUBLIC COMMENT: | |
| 12. | ADJOURNMENT: | |

Kevin Ketels, Chair
313 343-2426

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

The City of Grosse Pointe Woods will provide necessary, reasonable auxiliary aids and services to individuals with disabilities. Closed captioning and audio will be provided for all electronic meetings. All additional requests must be made in advance of a meeting.

Instructions for meeting participation

To join through Zoom: The meeting may be joined by clicking on the link provided on the agenda at the start time posted on the agenda, enter the meeting identification number, and password. Zoom may provide a couple of additional instructions for first time use. As an alternative to using the link, accessibility to the meeting may be obtained by using the browser at join.zoom.us. If having trouble logging in, try a different browser e.g. Chrome.

Join Zoom Meeting

<https://zoom.us/j/94218506850?pwd=Snc0aElwbU11aWJERVY4YTVZcFhCUT09>

Meeting ID: 942 1850 6850

Passcode: 782591

Join by telephone: Dial the toll-free conferencing number provided and enter the meeting identification number, and password. Dial *9 to be heard under Public Comment.

Join by Phone:

Dial by your location

877 853 5247 US Toll-free

888 788 0099 US Toll-free

Meeting ID: 942 1850 6850

Passcode: 782591

In an effort to alleviate feedback and disruption of the meeting, choose one of the media options, either phone or Zoom, not both.

Meeting notices are posted on the City of Grosse Pointe Woods website home page at www.gpwmi.us and the on-line calendar, both containing a link to the agenda. The agenda contains all pertinent information including business to be conducted at the meeting, a hyperlink to participate using Zoom, and call-in

telephone number with necessary meeting identification, and a password. Agendas will also be posted on six (6) City bulletin boards along Mack Avenue.

The following are procedures by which persons may contact members of the public body to provide input or ask questions:

1. To assist with meeting flow and organization, all public comment will be taken at the end of the meeting unless it is moved to a different location on the agenda upon a consensus of the Planning Commission;
2. The phone-in audience, when making public comment please state your name (optional) when called upon;
3. Audience participants will be muted upon entry and will have a chance to speak during the public comment portion of the meeting at the end of the agenda, at which time the microphones will be unmuted.
4. Those joining by Zoom will also be muted and may use the virtual raised “hand” to request to be heard under Public Comment.
5. Those joining by telephone need to dial in using the phone number provided on the agenda. When prompted, enter the meeting number and the password also located on the agenda. Dial *9 to be heard under Public Comment.
6. The published agenda invites participants from the community to provide written questions, comments, and concerns in advance of the meeting to any Commission Member or the Building Official regarding relevant City business and may be read under Public Comment. Emails may be sent to:

| | | |
|-------------------------------|--|--------------|
| Kevin Ketels, Chair | Kevin.ketels@gmail.com | 586 260-0845 |
| George Bailey, Vice Chair | George@bailey-built.com | 972 679-8829 |
| Michael Fuller, Member | Michaeljfuller5@gmail.com | 313 881-6681 |
| Grant Gilezan, Member | Ggilezan@dykema.com | 313 885-1360 |
| Douglas Hamborsky, Member | Hamgroup2@gmail.com | 313 881-2134 |
| James Profeta, Member | Prof1126@aol.com | 313 882-5042 |
| Richard Rozycki, Member | Richard.rozycki@z-modular.com | 313 469-7980 |
| Thomas Vaughn, Member | Tvaughn@dykema.com | 313 882-9573 |
| John Vitale, Member | Jvitale@stuckyvitale.com | 313 886-1253 |
| Todd McConaghy, Council Rep. | Todd.mcconaghygpw@yahoo.com | 313 447-5774 |
| Gene Tutag, Building Official | Gtutag@gpwmi.us | 313 343-2426 |

You may contact Building Inspector Gene Tutag at building@gpwmi.us should you have any questions prior to the start of the meeting.

NOTE TO PETITIONERS: YOU, OR A REPRESENTATIVE, ARE REQUESTED TO BE IN ATTENDANCE AT THE MEETING SHOULD COUNCIL HAVE QUESTIONS REGARDING YOUR REQUEST

May 19th, 2020



**City of Grosse Pointe Woods
Building Department**
20025 Mack Plaza
Grosse Pointe Woods, MI 48236

Att: Gene Tutag
Building Official

Re: **Special Land Use Request for Garrido's Bistro & Pastry**

Dear Mr. Tutag,

I hope this letter finds you well. We wish to politely submit for your consideration our request to obtain a Special Land Use for our restaurant, Garrido's Bistro & Pastry, located at 19605 Mack Avenue.

On August 19th, 2019 the City Council approved in Public Hearing our request to transfer a Liquor License into the City to be used by our restaurant. This Liquor License consists on two parts: a Class-C License to sell alcoholic beverages for consumption on the premises, and a Specially Designated Merchant (SDM) License to sell, at retail, beer and wine in the original package for consumption off the premises. At that time, the Council approved the Class-C portion of the License and indicated that, in order to use the SDM portion of the License we would need to have an approved Special Land Use.

Due to COVID-19 and the Shelter-in-Place measures our dinning room has been closed since March 16th, 2020. We quickly pivoted our business to take out, and have continued to serve our community this way without interruption.

We are seeking approval of the SDM portion of our Liquor License in order to sell wine and beer with food carryouts to our local loyal patrons, it is not our intention to sell alcoholic beverages exclusively, it is only to enhance our offering of culinary services to the community.

We appreciate your time in considering our request, and humbly request its approval as a continued service to our community and benefit to our business.

Sincerely,



Vanessa Gonzalez
Vice President

5.B.

CITY OF GROSSE POINTE WOODS

Building Department

20025 Mack Plaza, Grosse Pointe Woods, MI 48236

Ph 313.343.2426/Fax 313.343.2439

RECEIVED

JUN 30 2020

CITY OF GROSSE POINTE WOODS
CLERK'S DEPARTMENT

SITE PLAN REVIEW
SPECIAL LAND USE

COMMERCIAL - Zoned As - Please Check One:

(X) C-Commercial Business () RO-1 - Restricted Office () P-1 - Vehicular Parking
() CF-Community Facilities () C-2 High Intensity City Center

Property Owner Name: Richard Trute Date: 06/30/2020

GPW Property Address: 19605 Mack Avenue e-mail: RLTmanagement@gmail.com

Work#: _____ Home/Cell#: (313)320-5238

Contractor/Applicant Name: Vanessa Gonzalez / Detroit Restaurant Solutions, Corp. - DBA: Garrido's Bistro

Telephone # (313)466-3042 Fax # N/A Mobile/Cell # (313)265-9173

Address: 19605 Mack Ave., Grosse Pointe Woods, MI 48236

MI Builder's License #: N/A MI Driver's License #: G 524 839 847 065


e-mail address: vgonzalez@garridosbistro.com

SPECIFY NATURE OF PROPOSED WORK:

See attached cover letter dated May 19, 2020.

Value of Construction \$ N/A

Section 23a of State Construction Code Act of 1972, No. 230 of the Public Acts of 1972, being Section 125.1523a of the Michigan Compiled Laws, prohibits a person from conspiring to circumvent the licensing requirements of the State relating to persons who are to perform work on a residential building or a residential structure. Violations of Section 23a are subject to civil fines.

Applicant Signature: 

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of this jurisdiction.

5.C.

CHARLES T. BERSCHBACK

ATTORNEY AT LAW

24053 EAST JEFFERSON AVENUE

ST. CLAIR SHORES, MICHIGAN 48080-1530

(586) 777-0400

FAX (586) 777-0430

blbwlaw@yahoo.com

CHARLES T. BERSCHBACK

DON R. BERSCHBACK
OF COUNSEL

June 12, 2020

Planning Commission
City of Grosse Pointe Woods
20025 Mack Plaza
Grosse Pointe Woods, MI 48236

RE. Garrido's Special Land Use Request

Dear Planning Commission:

Garrido's previously received City Council approval to use a Class C Liquor License on August 19, 2019. Garrido's signed an agreement in advance in accordance with the motion of City Council that approved the use of the Class C License "with no use of the SDM License unless approved in the future pursuant to the land use requirements of Section 50-371 and other applicable sections of the Zoning Chapter." I have attached a copy of the Council Minutes of its approval on August 19, 2019.

Under Section 50-371(5), a business requesting to utilize a SDM License must request approval of a Special Land Use. Prior to the Public Hearing, administration will determine if Garrido's is within 500 feet of an existing SDD/SDM establishment, church, or school, so no variance is required.

The procedures for Special Land Use Approval are found in Section 50-32(6). The Planning Commission's responsibility is to "pass a resolution setting forth its findings regarding the standards set forth in this Chapter, and recommend the City Council either approval, approval with conditions, or disapproval with its reasons." At the June 23rd meeting, all the Planning Commission needs to do is schedule a Public Hearing for July 28, 2020. Thank you.

Very truly yours,

CHIP BERSCHBACK

CTB:nmg

Enclosures

cc: Gene Tutag

Lisa K. Hathaway

CHARLES T. BERSCHBACK

ATTORNEY AT LAW
24053 EAST JEFFERSON AVENUE
ST. CLAIR SHORES, MICHIGAN 48080-1530

(586) 777-0400
FAX (586) 777-0430
blbwlaw@yahoo.com

CHARLES T. BERSCHBACK

DON R. BERSCHBACK
OF COUNSEL

July 14, 2020

Planning Commission
City of Grosse Pointe Woods
20025 Mack Plaza
Grosse Pointe Woods, MI 48236

RE. Special Land Use Request for Garrido's Bistro and Pastry
Agenda Item July 28, 2020

Dear Planning Commission Members:

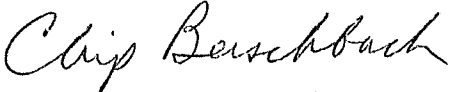
This is a public hearing for special land use approval under Sec. 50-32 and 50-371(5). I have attached a letter from last month's Planning Commission meeting which summarizes the process.

The Chair should declare the public meeting open and then solicit comments from anyone in attendance first in favor of the request, then any in opposition to the request. There should then be a motion to close the public hearing. At that point the Planning Commission should deliberate on the agenda item.

I have proposed two Resolutions, one recommending approval and one denying approval.

After action taken by the Planning Commission, the Special Land Use request will be submitted to the City Council. Thank you.

Very truly yours,


CHIP BERSCHBACK

CTB:gmr
Enclosures

Council Clipping
08/19/19

THE MEETING WAS THEREUPON OPENED AT 7:04 P.M. FOR A PUBLIC HEARING TO HEAR THE APPLICATION OF **DETROIT RESTAURANT SOLUTIONS CORP D/B/A GARRIDO'S BISTRO & PASTRY, 19605 MACK**, GROSSE POINTE WOODS, WHICH IS REQUESTING TO TRANSFER **LIQUOR LICENSES** INTO THE CITY INCLUDING A CLASS C, SDM, AND SUNDAY A.M. AND P.M. SALES FROM MAN WAH GEE, 3781 DIX HIGHWAY, LINCOLN PARK, MI.

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

1. Booklet Rec'd 08/02/19 - Petitioner
 - a. Tab 1- About Garrido's Bistro & Pastry
 - b. Tab 2-GPW Application
 - i. Affidavit in Support of Application for Grosse Pointe Woods Liquor License Issuance or Transfer and Release
 - ii. Authorization Form in Conjunction with GPW Liquor License Application, C. Garrido
 - iii. Authorization Form in Conjunction with GPW Liquor License Application, V. Gonzalez
 - iv. Conditional License Application 06/12/19
 - v. Retailer License & Permit Application 06/12/19
 - vi. Report of Stockholders, Members, or Partners 06/12/19
 - vii. Live Scan Fingerprint Background Check Request, C. Garrido 06/14/19
 - viii. Live Scan Fingerprint Background Check Request, V. Gonzalez 06/14/19
 - ix. Proof of Financial Responsibility 06/12/19
 - x. Certificate of Liability Insurance 05/30/19
 - xi. Liquor License Purchase Agreement 06/11/19
 - xii. Lease Agreement 06/25/19
 - c. Tab 3-State of Michigan – Conditional License Approval Order and License
 - d. Tab 4-Food Menu and Proposed Beverage Menu
 - e. Tab 5-Surrounding Business Information and Map
 - f. Tab 6-Aerial Views (2)
 - g. Tab 7-Original Floor Plan July 2019
 - h. Tab 8-Renovated Floor Plan July 2019
 - i. Tab 9-Department of Licensing and regulatory Affairs (LARA)
 - i. Annual Report – 2019
 - ii. Articles of Incorporation 05/21/14
 - iii. Certificate of Assumed Name 08/19/14
 - j. Tab 10-Food Establishment Inspection Report/License
 - k. Tab 11-Press/News
2. Letter 08/09/19 – City Attorney, w/attachment:
 - a. Agreement Regarding Class C License
3. Memo 08/08/19 – City Administrator
4. Memo 07/30/19 – Building Official, w/Review Factors

5. Memo 08/08/19 – Director of Public Safety
6. Affidavit of Legal Publication 08/08/19
7. Affidavit of Property Owners Notified
8. Affidavit of Class C/Tavern License Holders/ and Utility Companies Notified
9. Aerial Views (2)

Motion carried by the following vote:

Yes: Bryant, Granger, Koester, McConaghy, McMullen, Novitke, Shetler
No: None
Absent: None

The City Attorney provided an overview of his letter dated August 9, 2019.

The Chair asked if anyone from the audience wished to speak in favor of the proposed request.
The following individual was heard:

Vanessa Gonzalez
Owner, Garrido's

The Chair asked if anyone from the audience wished to speak in opposition to the proposed request. Nobody wished to be heard.

Motion by Granger, seconded by Bryant, that the public hearing be closed at 7:09 p.m. PASSED UNANIMOUSLY.

Motion by Granger, seconded by Bryant, regarding Public Hearing – Detroit Restaurant Solutions Corp d/b/a Garrido's Bistro & Pastry, 19605 Mack, which is requesting to transfer liquor licenses into the City including a Class C, SDM, and Sunday A.M. and P.M. from Man Wah Gee, 3781 Dix Highway, Lincoln Park, MI, that the City Council approve the transfer of the Class C Liquor License and Sunday Sales – A.M. and P.M. from Man Wah Gee, 3781 Dix Highway, Lincoln Park, MI, to Detroit Restaurant Solutions Corp, d/b/a Garrido's Bistro & Pastry, 19605 Mack, with no use of the SDM license unless approved in the future pursuant to the Special Land Use requirements of Section 50-371 and other applicable sections of the Zoning Chapter contained within the City Code of the City of Grosse Pointe Woods.

Motion carried by the following vote:

Yes: Bryant, Granger, Koester, McConaghy, McMullen, Novitke, Shetler
No: None
Absent: None

CC:
File
City Attorney
Building
Public Safety

**PLANNING COMMISSION RESOLUTION
RECOMMENDING APPROVAL OF
GARRIDO'S BISTRO & PASTRY SPECIAL LAND USE APPLICATION**

Minutes of a regular meeting of the Planning Commission of the City of Grosse Pointe Woods, County of Wayne, State of Michigan, held on July 29, 2020, at 7:00 o'clock p.m., Eastern Standard Time.

PRESENT: Members _____

ABSENT: Member _____

The following preamble and resolution were offered by Member _____ and seconded by Member _____.

WHEREAS, Garrido's Bistro & Pastry ("Garrido's") has submitted an application for a special land use regarding the use of an SDM license; and,

WHEREAS, the City Council has previously reviewed and approved an application for transfer of an existing Class C license which has been in use since August 2019 without incident; and,

WHEREAS, the Planning Commission finds that addition of this SDM at the requested location shall not have an adverse affect on the immediate neighborhood or the City of Grosse Pointe Woods.

NOW THEREFORE IT IS HEREBY RESOLVED that the Planning Commission recommends to the City Council that the application be approved.

1. Immediate Certification: This motion is immediately certified.

AYES:

NAYS:

ABSENT:

RESOLUTION DECLARED ADOPTED

CERTIFICATION

I, _____, do hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Planning Commission on _____ 2020, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting have been kept and will be, or have been, made available as required by said Act.

**PLANNING COMMISSION RESOLUTION
RECOMMENDING DISAPPROVAL OF
GARRIDO'S BISTRO & PASTRY SPECIAL LAND USE**

Minutes of a regular meeting of the Planning Commission of the City of Grosse Pointe Woods, County of Wayne, State of Michigan, held on July 28, 2020 at 7:00 o'clock p.m., Eastern Standard Time.

PRESENT: Members _____

ABSENT: Member _____

The following preamble and resolution were offered by Member _____ and seconded by Member _____.

WHEREAS, Garrido's Bistro & Pastry ("Garrido's") has submitted an application for a special land use regarding the transfer of an SDM license; and,

WHEREAS, for the reasons stated on the record it does appear that use of the SDM license will have an adverse affect on the immediate neighborhood of the City of Grosse Pointe Woods; and

NOW THEREFORE IT IS HEREBY RESOLVED that the Planning Commission recommends to the City Council that the application be disapproved.

1. Immediate Certification: This motion is immediately certified.

AYES:

NAYS:

ABSENT:

RESOLUTION DECLARED ADOPTED

CERTIFICATION

I, _____, do hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Planning Commission on _____, 2020, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting have been kept and will be, or have been, made available as required by said Act.



PLANNING COMMISSION EXCERPT
06-23-20

The next item was the **Request for Special Land Use by Garrido’s Bistro & Pastry**, 19605 Mack Avenue, Grosse Pointe Woods, requesting approval of the SDM portion of their liquor license in order to sell wine and beer with food carry outs to patrons.

Motion by Bailey, seconded by Vitale, to schedule a public hearing for a special land use for Garrido's Bistro on July 28, 2020.

Motion carried by the following vote:
YES: Bailey, Fuller, Gilezan, Hamborsky, Ketels, Profeta, Vaughn, Vitale
NO: None
ABSENT: Rozycki

**CITY OF GROSSE POINTE WOODS
BUILDING DEPARTMENT
MEMORANDUM**

TO: Planning Commission
FROM: Gene Tutag, Building Official
DATE: July 20, 2020
SUBJECT: Special Land Use SDM License – Garrido’s, 19605 Mack Avenue

This is a Public Hearing for a special land use to permit the use of a SDM or Specially Designated Merchant License at Garridos, 19605 Mack.

A Specially Designated Merchant License, as defined by MCL 436.1111(13), is a business licensed to sell at retail, beer and wine in the original package for consumption off the premises. Grocery stores, convenience stores, food specialty stores, pharmacies, gas stations, and other establishments selling beer and wine for consumption off the premises require a Specially Designated Merchant License.

Garrido’s previously received City Council Approval to transfer a Class C and a SDM license into the City on August 19, 2019 with the stipulation that the SDM license not be used until the applicant received approval of its use pursuant to the Special Land Use requirements of Section 50-371(5).

50-371(5) states:

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.

No existing SDM or SDD license is located within a 500 foot radius of Garrido’s at 19605 Mack. The requested use of the license will have no adverse impact on the immediate neighborhood or the City of Grosse Pointe Woods.

Recommend adoption of the proposed resolution of the application be approved.

S.F.

AFFIDAVIT OF LEGAL PUBLICATION

Grosse Pointe News

16980 Kercheval Avenue
Grosse Pointe, Michigan 48230
(313) 882-3500

COUNTY OF WAYNE
STATE OF MICHIGAN, SS.

John Minnis
being duly sworn deposes and says that attached advertisement of

City of Grosse Pointe Woods

was duly published in accordance with instructions, in the GROSSE POINTE NEWS on
the following date:

July 9, 2020

#3 GPW 7/9 PHN GARRIDOS

and knows well the facts stated herein, and that he is the Publisher of said
newspaper.

John Minnis

Lisa Kay Hathaway
City Clerk

Notary Public

Dawn M. Lopiccolo

Dawn M. Lopiccolo

Notary Public - State of Michigan
County of Macomb

My Comm. Exp. 06-02-2024 Acting
in County of Macomb Date 7/9/2020

City of Grosse Pointe Woods, Michigan NOTICE OF PUBLIC HEARING

Notice is hereby given that the Grosse Pointe Woods Planning Commission, under the provisions of Public Act 110 of 2006, MCL 125.3101 as amended, and Grosse Pointe Woods City Code of 2017 Section 50-32, will hold a remote (Zoom) Public Hearing on July 28, 2020, at 7:00 p.m. concerning a Special Land Use request to activate an SDM license from Detroit Restaurant Solutions Corp d/b/a Garrido's Bistro at 19605 Mack Avenue, Grosse Pointe Woods, MI. The application requires special land use approval pursuant to Secs. 50-32 and 50-371(5) of the Grosse Pointe Woods Code and in accordance with City Council action on August 19, 2019. The Planning Commission's recommendation is subject to City Council approval to be scheduled at a later date. Agenda documents are available for inspection on the City's website at www.gpwwmi.us. All interested persons are invited to attend and will be given opportunity or public comment. The public may appear in person or be represented by counsel. Written comments will be received in the City Clerk's office, up to the close of business preceding the hearing. A group spokesperson is encouraged on agenda items concerning organized groups. Individuals with disabilities requiring auxiliary aids or services at the meeting should contact the Grosse Pointe Woods Clerk's Office at 313 343-2440 seven days prior to the meeting.

P.N.: 7/9/2020

AFFIDAVIT OF PROPERTY OWNERS NOTIFIED

Re: 19605Mack Avenue
Detroit Restaurant Solutions Corp. (Garrido's Bistro)

56

State of Michigan)
) ss.
County of Wayne)

I HEREBY CERTIFY that the notice of Hearing was duly mailed First Class Mail on 07/09/2020 to the following property owners within a 300 foot radius of the above property in accordance with the provisions of the 2017 City Code of Grosse Pointe Woods. A Hearing fee of \$500.00 has been received with receipt # 390831.

Lisa Kay Hathaway, CMMC/MMC
City Clerk

See attached document for complete list.

City of Grosse Pointe Woods, Michigan

Notice is hereby given that the Grosse Pointe Woods Planning Commission, under the provisions of Public Act 110 of 2006, MCL 125.3101 as amended, and Grosse Pointe Woods City Code of 2017 Section 50-32, will hold a remote (Zoom) Public Hearing on July 28, 2020, at 7:00 p.m. concerning a Special Land Use request to activate an SDM license from Detroit Restaurant Solutions Corp d/b/a Garrido's Bistro at 19605 Mack Avenue, Grosse Pointe Woods, MI. The application requires special land use approval pursuant to Secs. 50-32 and 50-371(5) of the Grosse Pointe Woods Code and in accordance with City Council action on August 19, 2019. The Planning Commission's recommendation is subject to City Council approval to be scheduled at a later date. Agenda documents are available for inspection on the City's website at www.gpwmi.us. All interested persons are invited to attend and will be given opportunity for public comment. The public may appear in person or be represented by counsel. Written comments will be received in the City Clerk's office, up to the close of business preceding the hearing. A group spokesperson is encouraged on agenda items concerning organized groups. Individuals with disabilities requiring auxiliary aids or services at the meeting should contact the Grosse Pointe Woods Clerk's Office at 313 343-2440 seven days prior to the meeting.

Lisa Kay Hathaway
City Clerk

19605 MACK AVE. - 300' RADIUS

| wnersname | ownersna_1 | ownersname2 | ownerstreet | ownercity | ownerstate | ownerzipco | propertyst |
|------------------------------------|------------------|-----------------------------------|-------------------------|---------------------|------------|------------|---------------------|
| AXTER LISA | | LISA BAXTER | 16312 FORESTVIEW DR | CLINTON TOWNSHIP | MI | 48036 | 19583 MACK AVE |
| OCCUPANT | | OCCUPANT | 19583 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 19583 MACK AVE |
| FEELING GOOD FEELING GREAT LLC | | FEELING GOOD FEELING GREAT LLC | 121 KERCHEVAL AVE | GROSSE POINTE FARMS | MI | 48236 | 19565 MACK AVE |
| OCCUPANT | | OCCUPANT | 19565 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 19565 MACK AVE |
| JUPITER PROPERTIES LLC | | JUPITER PROPERTIES LLC | 318 TOURAINE RD | GROSSE POINTE FARMS | MI | 48236 | 19613 MACK AVE |
| OCCUPANT | | OCCUPANT | 19613 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 19613 MACK AVE |
| SINE & MONAGHAN | | SINE & MONAGHAN | 18412 MACK AVE | GROSSE POINTE FARMS | MI | 48236 | 19591 MACK AVE |
| OCCUPANT | | OCCUPANT | 19591 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 19591 MACK AVE |
| SINE THOMAS D | | THOMAS SINE | 18412 MACK AVE | GROSSE POINTE FARMS | MI | 48236 | 19587 MACK AVE |
| OCCUPANT | | OCCUPANT | 19587 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 19587 MACK AVE |
| LEES STEVEN J | LEES MARY L | STEVEN & MARY LEES | 1657 BROADSTONE RD | GROSSE POINTE WOODS | MI | 48236 | 1657 BROADSTONE RD |
| MEREDITH MICHAEL E | MEREDITH JEAN | MICHAEL & JEAN MEREDITH | 1649 BROADSTONE RD | GROSSE POINTE WOODS | MI | 48236 | 1649 BROADSTONE RD |
| DUSHANE IRENE T | | IRENE DUSHANE | 1692 LITTLESTONE RD | GROSSE POINTE WOODS | MI | 48236 | 1692 LITTLESTONE RD |
| PODZIKOWSKI CARLY & JAMES | | JAMES & CARLY PODZIKOWSKI | 1684 LITTLESTONE RD | GROSSE POINTE WOODS | MI | 48236 | 1684 LITTLESTONE RD |
| POVLITZ DONALD D | | DONALD POVLITZ | 1676 LITTLESTONE RD | GROSSE POINTE WOODS | MI | 48236 | 1676 LITTLESTONE RD |
| LOSSOM-MACK LLC | | BLOSSOM-MACK LLC | 19660 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 19660 MACK AVE |
| CAMPBELL CLAY | CAMPBELL ALICIA | CLAY & ALICIA CAMPBELL | 1668 LITTLESTONE RD | GROSSE POINTE WOODS | MI | 48236 | 1668 LITTLESTONE RD |
| KURAS GUS | | GUS SKURAS | 1660 LITTLESTONE RD | GROSSE POINTE WOODS | MI | 48236 | 1660 LITTLESTONE RD |
| BROWN JESSICA | | JESSICA BROWN | 1652 LITTLESTONE RD | GROSSE POINTE WOODS | MI | 48236 | 1652 LITTLESTONE RD |
| LITTLESTONE PROFESSIONAL BUILDING | | LITTLESTONE PROFESSIONAL BUILDING | 19637 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 19635 MACK AVE |
| OCCUPANT | | OCCUPANT | 19635 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 19635 MACK AVE |
| NAUMANN ROBERT GARY | | ROBERT NAUMANN | 19652 BLOSSOM LN | GROSSE POINTE WOODS | MI | 48236 | 19652 BLOSSOM LN |
| HOLLOWELL KEITH D SR | | KEITH HOLLOWELL SR. | 19654 BLOSSOM LN | GROSSE POINTE WOODS | MI | 48236 | 19654 BLOSSOM LN |
| NEELANDS JAMES A | | JAMES NEELANDS | 1699 LITTLESTONE RD | GROSSE POINTE WOODS | MI | 48236 | 1699 LITTLESTONE RD |
| DOROS DAWN MARIE | | DAWN DOROS | 1683 LITTLESTONE RD | GROSSE POINTE WOODS | MI | 48236 | 1683 LITTLESTONE RD |
| DAVIS, JUSTIN - LINDSEY | | JUSTIN & LINDSEY DAVIS | 1675 LITTLESTONE RD | GROSSE POINTE WOODS | MI | 48236 | 1675 LITTLESTONE RD |
| MILLER PHILIP J | MILLER DEANNA | PHILIP & DEANNA MILLER | 1667 LITTLESTONE RD | GROSSE POINTE WOODS | MI | 48236 | 1667 LITTLESTONE RD |
| SELLARS BRUCE N | SELLARS RENEE | BRUCE & RENEE SELLARS | 1659 LITTLESTONE RD | GROSSE POINTE WOODS | MI | 48236 | 1659 LITTLESTONE RD |
| MCDUFFIE ROBERT & CONNOLLY MEGAN | | ROBERT MCDUFFIE & MEGAN CONNOLLY | 1651 LITTLESTONE RD | GROSSE POINTE WOODS | MI | 48236 | 1651 LITTLESTONE RD |
| TRUTE, RICHARD | | RICHARD TRUTE | 507 SHOREHAM | GROSSE POINTE WOODS | MI | 48236 | 19603 MACK AVE |
| OCCUPANT | | OCCUPANT | 19603 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 19603 MACK AVE |
| MOORES PETER | MOORES CHRISTINE | PETER & CHRISTINE MOORES | 1690 BROADSTONE RD | GROSSE POINTE WOODS | MI | 48236 | 1690 BROADSTONE RD |
| MCCLOSKEY JONATHAN | MCCLOSKEY DENISE | JONATHAN & DENISE MCCLOSKEY | 1658 BROADSTONE RD | GROSSE POINTE WOODS | MI | 48236 | 1658 BROADSTONE RD |
| ROZYCKI ANTHONY J | ROZYCKI LINDA | ANTHONY & LINDA ROZYCKI | 1642 BROADSTONE RD | GROSSE POINTE WOODS | MI | 48236 | 1642 BROADSTONE RD |
| ALLOR RICHARD W | | RICHARD ALLOR | 19928 FAIRWAY DR | GROSSE POINTE WOODS | MI | 48236 | 19579 MACK AVE |
| OCCUPANT | | OCCUPANT | 19579 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 19579 MACK AVE |
| ALLOR RICHARD W | | RICHARD ALLOR | 19571 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 19571 MACK AVE |
| OCCUPANT | | OCCUPANT | 1641 BROADSTONE RD | GROSSE POINTE WOODS | MI | 48236 | 1641 BROADSTONE RD |
| PONTERA, JOSEPH S | | JOSEPH PONTERA | 1633 BROADSTONE RD | GROSSE POINTE WOODS | MI | 48236 | 1633 BROADSTONE RD |
| LUBERTO, MARY K | | MARY LUBERTO | 656 CANTERBURY RD | GROSSE POINTE WOODS | MI | 48236 | 19557 MACK AVE |
| OCCUPANT | | OCCUPANT | 19557 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 19557 MACK AVE |
| HUTTING MARTHA B | | MARTHA HUTTING | 1682 BROADSTONE RD | GROSSE POINTE WOODS | MI | 48236 | 1682 BROADSTONE RD |
| DAVISON THOMAS A & NANCY J (TRUST) | | THOMAS & NANCY DAVISON | 1666 BROADSTONE RD | GROSSE POINTE WOODS | MI | 48236 | 1666 BROADSTONE RD |
| LITTLESTONE PROFESSIONAL BUILDING | | LITTLESTONE PROFESSIONAL BUILDING | 19639 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 19635 MACK AVE |
| ERNST, ROBERT | | ROBERT ERNST | 1647 STANHOPE ST | GROSSE POINTE WOODS | MI | 48236 | 1647 STANHOPE ST |
| PCM | | JPCM | 3802 HOUSTON LOOP NORTH | SOUTHAVEN | MS | 38671 | 19653 MACK AVE |
| OCCUPANT | | OCCUPANT | 19653 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 19653 MACK AVE |
| TRATTORIA ANDIAMO/SERVENTI | | TRATTORIA ANDIAMO/SERVENTI | 20930 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 20930 MACK AVE |
| TRATTORIA ANDIAMO/SERVENTI | | TRATTORIA ANDIAMO/SERVENTI | 20934 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 20934 MACK AVE |
| DA EDOARDOS | | DA EDOARDOS | 19767 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 19767 MACK AVE |
| LOCHMOOR CLUB | | LOCHMOOR CLUB | 1018 SUNNINGDALE DR | GROSSE POINTE WOODS | MI | 48236 | 1018 SUNNINGDALE DR |
| MERIT WOODS PHARMACY | | MERIT WOODS PHARMACY | 19325 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 19325 MACK AVE |
| WOODS FINE WINE & SPIRITS | | WOODS FINE WINE & SPIRITS | 20787 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 20787 MACK AVE |

19605 MACK AVE. - 300' RADIUS

| wnersname | ownersna_1 | ownersname2 | ownerstreet | ownercity | ownerstate | ownerzipco | propertyst |
|------------------------------------|------------|-------------------------------------|----------------------------|---------------------|------------|------------|----------------|
| UCCI | | BUCCI | 20217 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 20217 MACK AVE |
| OXFORD BEVERAGE | | OXFORD BEVERAGE | 20107 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 20107 MACK AVE |
| ROGER STORE #454 | | KROGER STORE #454 | 20422 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 20422 MACK AVE |
| ROGER STORE #454 | | KROGER STORE #454 | P.O. BOX 305103 | NASHVILLE | TN | 37230 | 20422 MACK AVE |
| HAMPS | | CHAMPS | 20515 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 20515 MACK AVE |
| MERCHANT'S FINE WINES | | MERCHANT'S FINE WINES | 21034 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 21034 MACK AVE |
| MERCHANT'S FINE WINES | | MERCHANT'S FINE WINES | 21038 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 21038 MACK AVE |
| CVS/PHARMACY #8107 | | CVS/PHARMACY #8107 | 20460 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 20460 MACK AVE |
| CVS/PHARMACY #8107 | | CVS/PHARMACY #8107 | ONE CVS DRIVE, MC #1160 | WOONSOCKET | RI | 2895 | 20460 MACK AVE |
| TELLY'S PLACE | | TELLY'S PLACE | 20791 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 20791 MACK AVE |
| TELLY'S PLACE | | TELLY'S PLACE | 20795 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 20791 MACK AVE |
| MACK AVENUE GRILLE | | MACK AVENUE GRILLE | 19841 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 19841 MACK AVE |
| HURCHILL'S BISTRO/CIGAR BAR | | CHURCHILL'S BISTRO/CIGAR BAR | 19271 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 19271 MACK AVE |
| ICAVOLI'S MARKET | | LICAVOLI'S MARKET | 20915 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 20915 MACK AVE |
| ALVATORE SCALLOPINI/FABIO VENTURES | | SALVATORE SCALLOPINI/FABIO VENTURES | 19655 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 19655 MACK AVE |
| ERLITO'S/CHEF MOWEN, LLC | | FERLITO'S/CHEF MOWEN, LLC | 20745 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 20745 MACK AVE |
| LITTLE TONY'S LOUNGE | | LITTLE TONY'S LOUNGE | 20513 MACK AVE | GROSSE POINTE WOODS | MI | 48236 | 20513 MACK AVE |
| CIARARINO, KATY-WILLIAM | | WILLIAM & KATY CIARARINO | 489 SHELBOURNE RD | GROSSE POINTE FARMS | MI | 48236 | |
| DOELLE, BRYAN | | BRYAN DOELLE | 494 SHELBOURNE RD | GROSSE POINTE FARMS | MI | 48236 | |
| DONLEY, BRIAN O | | BRIAN DONLEY | 496 SHELBOURNE RD | GROSSE POINTE FARMS | MI | 48236 | |
| NOBLOCK, G-T | | G-T KNOBLOCK | 493 SHELBOURNE RD | GROSSE POINTE FARMS | MI | 48236 | |
| KOSKI, CONRAD-LORAIN | | CONRAD & LORAIN KOSKI | 490 SHELBOURNE RD | GROSSE POINTE FARMS | MI | 48236 | |
| KRISHER, KAREN | | KAREN KRISHER | 480 LEXINGTON RD | GROSSE POINTE FARMS | MI | 48236 | |
| MALONEY, SANDRA | | SANDRA MALONEY | 478 LEXINGTON RD | GROSSE POINTE FARMS | MI | 48236 | |
| WELLS, CARRIE A | | CARRIE WELLS | 495 SHELBOURNE RD | GROSSE POINTE FARMS | MI | 48236 | |
| WILSON, TAMIKA | | TAMIKA WILSON | 482 LEXINGTON RD | GROSSE POINTE FARMS | MI | 48236 | |
| AT & T - TIM BLACK | | AT & T - TIM BLACK | 100 S. MAIN RD., ROOM 314 | MT. CLEMENS | MI | 48043 | |
| DTE ENERGY - SAUNDRA ROBERTS | | DTE ENERGY - SAUNDRA ROBERTS | ONE ENERGY PLAZA, 1510 WCB | DETROIT | MI | 48226 | |
| DTE ENERGY - GAS - WILLIAM HARVEY | | DTE ENERGY - GAS - WILLIAM HARVEY | 17150 ALLEN RD. | MELVINDALE | MI | 48122 | |



PLANNING COMMISSION EXCERPT
06-23-20

The next item was discussion regarding the **Solar Panel Ordinance**. Discussion ensued regarding considering revisions to Zoning Sec. 50-539 Solar Energy Systems to rescind that section, and adopt a revised Solar Energy System Ordinance.

Motion by Profeta, seconded by Hamborsky, to schedule a public hearing for the Solar Panel Ordinance on July 28, 2020.

Motion carried by the following vote:

| | |
|---------|---|
| YES: | Bailey, Fuller, Gilezan, Hamborsky, Ketels, Profeta, Vaughn, Vitale |
| NO: | None |
| ABSENT: | Rozycki |



CHARLES T. BERSCHBACK

ATTORNEY AT LAW

24053 EAST JEFFERSON AVENUE

ST. CLAIR SHORES, MICHIGAN 48080-1530

(586) 777-0400

FAX (586) 777-0430

blbwlaw@yahoo.com

CHARLES T. BERSCHBACK

DON R. BERSCHBACK
OF COUNSEL

July 17, 2020

Planning Commission
City of Grosse Pointe Woods
20025 Mack Plaza
Grosse Pointe Woods, MI 48236

RE. Solar Energy Ordinance Public Hearing
Agenda Item July 28, 2020

Dear Planning Commission Members:

At the June 23, 2020 meeting, we reviewed amendments to the Solar Energy System Ordinance.

Technically, the public hearing in front of you on July 28th only relates to your recommendation to the Council to eliminate the ordinance from Chapter 50 Zoning. The new Ordinance will be placed in Chapter 8 Buildings and Building Regulation. The Planning Commission also recommended that last phrase (2 lines) of Sec. 8-501(3) be eliminated. I have attached a new version of the new ordinance.

After the public hearing is open to elicit any comments from the floor, I would request a motion to recommend to the City Council that the Solar Energy System Ordinance be eliminated from the Zoning Chapter, and that the proposed revised Ordinance be inserted into Chapter 8.

If you have any questions please call.

Very truly yours,

CHIP BERSCHBACK

CTB:gmr

Enclosures

cc: Gene Tutag
Sue Stewart
Lisa Hathaway

Sue Stewart

From: Berschback Law Offices <blbwlaw@yahoo.com>
Sent: Friday, July 17, 2020 12:29 PM
To: Gene Tutag
Cc: Sue Stewart; Lisa Hathaway
Subject: Solar Energy Ordinance
Attachments: PC letter.pdf; Sec. 50.539 (Showing Changes) 6.24.2020.doc; Ord Repealing from Chapter 50 6.24.2020.doc

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Gene:

In accordance with our meeting on Friday, July 17th, I have attached a final copy of the cover letter for the Planning Commission meeting along with minor revisions you and I made to the ordinance. If you have any questions please call.

Chip Berschback
Law Offices
24053 Jefferson Avenue
St. Clair Shores, MI 48080
586.777.0400 / 0430 fax
blbwlaw@yahoo.com

ORDINANCE NO. - _____

AN ORDINANCE TO ADOPT ARTICLE XVII SOLAR ENERGY SYSTEMS,
CHAPTER 8, BUILDINGS AND BUILDING REGULATIONS, SEC. 8-501
TO ELIMINATE THE REQUIREMENT THAT
PANELS BE LOCATED WITHIN 4 FEET OF ANY PEAK,
EAVE OR VALLEY, TO PROVIDE THAT THE
INSTALLATION OF THE SOLAR ENERGY SYSTEM SHALL
COMPLY WITH THE MICHIGAN RESIDENTIAL CODE,
AND TO PROVIDE FOR APPEALS TO THE CITY COUNCIL.

THE CITY OF GROSSE POINTE WOODS ORDAINS:

ARTICLE XVII
SOLAR ENERGY SYSTEMS

Sec. 8-501. - *Solar energy systems.*

Solar Energy System means an accessory to a main structure, or accessory structure, or use, which is comprised of a combination of solar collector(s) and ancillary solar equipment used to generate electricity primarily for consumption on the property on which the system is located. A Solar Energy System can include a photovoltaic or solar thermal system that uses the sun's energy to produce electricity or heat.

Solar Panel means a grouping, module, or array of photovoltaic cells that produce electricity from sunlight.

A *solar energy system* is permitted in any city zoning district. However, it shall be unlawful for any person to install or operate a *solar energy system* unless all of the following conditions are met:

(1) A building permit and any necessary mechanical, plumbing and electrical permits shall be secured prior to the start of the installation of a *solar energy system*.

Dimensioned plans are required with the building permit application.

(2) Only rooftop *solar energy systems* are permitted. Freestanding or wall-mounted *solar energy systems* are not permitted.

(3) The *solar energy system* installation shall be configured ~~to the degree practicable~~ to have a minimal visual impact as seen from the street. ~~Accordingly, systems~~ Systems that are visible from the street must be ~~either composed of solar shingles building-integrated-components (such as solar shingles)~~ that are not readily evident, ~~or be designed and mounted to match the shape, proportions, and slope of the roof.~~

(4) Installation of *solar energy system* equipment, including the rails and panels, are subject to the height limitations of the specific zoning district where they are being installed.

(5) ~~Solar panels shall not be located within four feet of any peak, eave or valley to maintain adequate accessibility. The placement and installation of roof top solar energy systems shall comply with the Michigan Residential Code in effect at the~~

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Formatted: Justified

time the building permit application for the system is received by the city.

(6) *Solar* panels shall not project more than one foot above the roof deck.

(7) The following additional design standards shall apply:

a. *Solar* panels shall be arranged so that the panels do not reflect sunlight or glare onto adjacent buildings, properties or roadways.

b. The system shall use materials and colors that ~~blend into~~ are compatible with the existing roof or wall design.

c. The system shall include high quality mesh to enclose the space between the roof surface and the *solar* panels to deter animal nesting.

(8) If a system is defective or not in operation for a period of 12 months, the system shall be deemed a nuisance. The current owner of the property shall be required to either remove the system or repair it at the owner's expense.

(9) Denials of an application may be appealed to the city council. An applicant seeking an exception to the provisions of this article shall pay a hearing notice fee set by council resolution. The city shall mail a notice of the hearing to adjacent property owner(s) and property owners located directly across the street from the applicant (as determined by the Building Official), at least seven (7) days prior to the hearing date.

(10) On appeal, the council may consider the following along with other information:

a. Balancing relative hardships between the property owner and adjacent property owners.

b. Whether special circumstances or conditions exist.

c. General health, safety, and welfare of the neighborhood.

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL SECTION 50-539, SOLAR ENERGY SYSTEMS,
CHAPTER 50 ZONING OF THE CODE OF ORDINANCES OF THE
CITY OF GROSSE POINTE WOODS, MICHIGAN TO REMOVE THIS SECTION
OUT OF THE ZONING CHAPTER, MAKE CERTAIN AMENDMENTS, AND
INSERT IT INTO CHAPTER 8 BUILDINGS AND BUILDING OPERATIONS

THE CITY OF GROSSE POINTE WOODS ORDAINS:

Section 50-539 of the City of Grosse Pointe Woods Zoning Chapter is hereby deleted in its
entirety, effective _____.

First Reading:
Second Reading:
Published:
Adopted:
Effective:
Posted:



**CITY OF GROSSE POINTE WOODS
BUILDING DEPARTMENT
MEMORANDUM**

TO: Planning Commission

FROM: Gene Tutag, Building Official *GT*

DATE: July 20, 2020

SUBJECT: Public Hearing to Repeal Section 50-539
Solar Energy Systems

It is recommended that after the public hearing, the Planning Commission adopt the attached resolution repealing Section 50-539 Solar Energy Systems from the Zoning Ordinance, make certain amendments, and insert into Chapter 8 Buildings and Building Operations.

As stated in the City Attorneys Letter dated July 14, the public hearing only relates to the repeal of this section from Chapter 50.

G.D.

AFFIDAVIT OF LEGAL PUBLICATION

Grosse Pointe News

16980 Kercheval Avenue
Grosse Pointe, Michigan 48230
(313) 882-3500

COUNTY OF WAYNE
STATE OF MICHIGAN, SS.

John Minnis

being duly sworn deposes and says that attached advertisement of

City of Grosse Pointe Woods

was duly published in accordance with instructions, in the GROSSE POINTE NEWS on
the following date:

July 9, 2020

#2 GPW 7/9 PLANNING COMMISSION NOTICE

and knows well the facts stated herein, and that he is the Publisher of said
newspaper.

John Minnis

Lisa Kay Hathaway
City Clerk

Notary Public

Dawn M. Lopiccolo

Dawn M. Lopiccolo
Notary Public - State of Michigan
County of Macomb
My Comm. Exp. 06-02-2024, Aging
in County of Macomb Date *7/9/2020*

Grosse Pointe Woods, Michigan PLANNING COMMISSION NOTICE

IS HEREBY GIVEN that the Planning Commission
ity of Grosse Pointe Woods will hold a remote (Zoom)
earing under the provisions of Michigan Compiled
ections 125.3101 through 125.3702 as amended, to
amendments to Chapter 50, *Zoning*, and Chapter 8
gs and Building Regulations, at a meeting scheduled for
July 28, 2020, at 7:00 p.m. A link to the remote meeting
published with the agenda on the City's website at
gpmi.us, as well as the proposed ordinances for inspection
ublic. All interested persons are invited to attend and will
opportunity for public comment. The public may appear
on or be represented by counsel. Written comments will
ived by the City Clerk at cityclerk@gpmi.us, up to the
business preceding the hearing. A group spokesperson is
aged on agenda items concerning organized groups.

ORDINANCE TO REPEAL CHAPTER 50 ZONING,
50-539 SOLAR ENERGY SYSTEMS TO RELOCATE
SECTION INTO ARTICLE XVII, CHAPTER 8, SEC.
BUILDINGS AND BUILDING REGULATIONS; AND,

ORDINANCE TO ADD ARTICLE XVII, CHAPTER 8,
LDING AND BUILDING REGULATIONS, SEC. 8-501
ELIMINATE THE REQUIREMENT THAT PANELS BE
CATED WITHIN 4 FEET OF ANY PEAK, EAVE OR
LLEY, TO PROVIDE THAT THE INSTALLATION OF
E SOLAR ENERGY SYSTEM SHALL COMPLY WITH
E MICHIGAN RESIDENTIAL CODE, AND TO PROVIDE
R APPEALS TO THE CITY COUNCIL.

7/9/2020

City of **Grosse Pointe Woods**, Michigan
PLANNING COMMISSION NOTICE

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Grosse Pointe Woods will hold a remote (Zoom) public hearing under the provisions of Michigan Compiled Laws, Sections 125.3101 through 125.3702 as amended, to consider amendments to Chapter 50, *Zoning*, and Chapter 8 Buildings and Building Regulations, at a meeting scheduled for Tuesday, July 28, 2020, at 7:00 p.m. A link to the remote meeting will be published with the agenda on the City's website at www.gpwmi.us, as well as the proposed ordinances for inspection by the public. All interested persons are invited to attend and will be given opportunity for public comment. The public may appear in person or be represented by counsel. Written comments will be received by the City Clerk at cityclerk@gpwmi.us, up to the close of business preceding the hearing. A group spokesperson is encouraged on agenda items concerning organized groups.

AN ORDINANCE TO REPEAL CHAPTER 50 ZONING, SEC. 50-539 SOLAR ENERGY SYSTEMS TO RELOCATE THIS SECTION INTO ARTICLE XVII, CHAPTER 8, SEC. 8-501 BUILDINGS AND BUILDING REGULATIONS; AND,

AN ORDINANCE TO ADD ARTICLE XVII, CHAPTER 8, BUILDING AND BUILDING REGULATIONS, SEC. 8-501 TO ELIMINATE THE REQUIREMENT THAT PANELS BE LOCATED WITHIN 4 FEET OF ANY PEAK, EAVE OR VALLEY, TO PROVIDE THAT THE INSTALLATION OF THE SOLAR ENERGY SYSTEM SHALL COMPLY WITH THE MICHIGAN RESIDENTIAL CODE, AND TO PROVIDE FOR APPEALS TO THE CITY COUNCIL.

Lisa Kay Hathaway
City Clerk

G.P.N.: 7/9/2020

G.E.

State of Michigan)
) ss.
County of Wayne)

Lisa Kay Hathaway, CMMC/MMC
City Clerk

Lisa Kay Hathaway
City Clerk

Solar Energy Panels (Ordinance Amendment) - Utility Companies

| ownersname | ownersna_1 | ownerstree | ownercity | ownerstate | ownerzipco |
|-----------------------------------|-----------------------------------|----------------------------|---------------|------------|------------|
| AT&T - Tim Black | Mr. Tim Black - Area Manager | 100 S. Main Room 314 | Mount Clemens | MI | 4804 |
| DTE Energy - Sandra Roberts | DTE ENERGY - SAUNDRA ROBERTS | ONE ENERGY PLAZA, 1510 WCB | DETROIT | MI | 4822 |
| DTE Energy - Gas - William Harvey | DTE ENERGY - GAS - WILLIAM HARVEY | 17150 ALLEN RD. | MELVINDALE | MI | 4812 |



DRAFT



GROSSE POINTE WOODS
PLANNING COMMISSION
ANNUAL REPORT
2019

GROSSE POINTE WOODS PLANNING COMMISSION REPORT – 2019

The Planning Commission of the City of Grosse Pointe Woods is governed by the Planning Enabling Act, State of Michigan PA 33 of 2008 and by the Charter and Zoning Ordinance of the City of Grosse Pointe Woods.

Under the Planning Enabling Act, the Commission must provide an annual report to the City Council as the legislative body of the City. The report shall contain information concerning the operations and status of planning activities including recommendations regarding actions by the legislative body related to Planning and Development.

The Planning Commission met 10 out of 12 months during 2019. During that time, the Commission reviewed, discussed and acted on items contained in the following report:

2019 Planning Commission Overview

JANUARY

- PC Meeting:
 - ELECTION OF CHAIR: *Profeta*
 - ELECTION OF VICE-CHAIR: *Ketels*
 - In accordance with Michigan Planning Enabling Act
 - RULES OF ORDER AND PROCEDURE: *Adopted as presented.*
 - PUBLIC HEARING: Add Section #50-186 "Prohibited Uses – Marijuana Establishments" to Prohibit Marijuana Establishments under the 'MI Regulations & Taxation of Marihuana Act' (MRTMA) – *Recommended to City Council that the ordinance be adopted.*
- City Council: Not applicable to Planning Commission

FEBRUARY

- PC Meeting:
 - NEW BUSINESS: PC End of the Year Report 2018 – *Approved as amended.*
 - BUILDING OFFICIAL'S MONTHLY REPORT: Blade Signs – *handout provided for discussion.*

- City Council: PUBLIC HEARINGS: Fence Variance, 20155 Morningside – *Denied*

Liquor License Reclassification from Tavern to Class C, Ferlito's, 20745 Mack - *Adopted resolution recommending approval to MLCC.*

ORDINANCE: 50-186 "Prohibited Uses - Marijuana Establishments" - *Approved*

MARCH

- PC Meeting: CONTINUED DISCUSSION: Blade Signs
- City Council: Not applicable to Planning Commission

APRIL

- PC Meeting: NEW PC MEMBER: GEORGE BAILEY

DISCUSSION: Sign Ordinance to Amend Chapter 32 – Signs, to permit and regulate "Blade" Signs – *Recommended to City Council to Approve Proposed Sign Ordinance Amendment.*

- City Council: Not applicable to Planning Commission

MAY

- PC Meeting: Commission Member Bailey provided self-introductory.
- City Council: Not applicable to Planning Commission

JUNE

- PC Meeting: FAÇADE CHANGE: Feeling Good, Feeling Great, 19565 Mack Avenue (*The Corner Studio*) – *Approved with conditions.*
- City Council: NEW BUSINESS: Building Dept part-time season hire – *APPROVED, not to exceed 360 hours*

JULY

- PC Meeting: CANCELED
- City Council: ORDINANCE: 1st Reading to Amend Chapter 32 Signs, to Permit and Regulate "Blade" Signs, and to Amend Certain Sections Consistent with this New Ordinance – *APPROVED for 2nd reading on 7/15/19*

ORDINANCE: 2nd Reading Ordinance to Amend Chapter 32 – Signs, To Permit and Regulate "Blade" Signs, and to Amend Certain Sections Consistent with New Ordinance – *POSTPONED to August.*

AUGUST

- PC Meeting: SCHEDULE A PUBLIC HEARING: The Kroger Co. of Michigan
20422 Mack Ave: Special Land Use Request for Transfer of SDD License.

DISCUSSION: Design Standards
- City Council: ORDINANCE: 2nd Reading Ordinance to Amend Chapter 32 – Signs, To Permit and Regulate "Blade" Signs, and to Amend Certain Sections Consistent with this New Ordinance – *APPROVED – effective 08/25/19.*

ORDINANCE: Transfer into City: Class C/SDM/Sunday a.m./p.m. Sales Liquor Licenses, Detroit Restaurant Solutions, Corp d/b/a Garrido's Bistro & Pastry, 19605 Mack Ave. – *APPROVED Class C/Sunday a.m./p.m. Sales only. SDM to be Addressed in the future.*

SEPTEMBER

- PC Meeting: PUBLIC HEARING: Under the provisions of Public Act 110 of 2006 Michigan Compiled Laws, Section 125-3103 as amended, and Grosse Pointe Woods Required Special Land Use Approval Pursuant to Sections 50-32 and 50-371(5) Concerning the Application to Transfer Ownership and Location of an SDD License to the Kroger Company of Michigan, 20422 Mack Ave., GPW – *PC recommends City Council DISAPPROVAL of Kroger's SDD Application and ADOPT the RESOLUTION as presented.*

- PC Workshop: DISCUSSION: Material & Design Standards, Commercial & Office Districts
- City Council: Not applicable to Planning Commission

OCTOBER

- PC Meeting: CHANGE OF APPEARANCE OF BUILDING EXTERIOR IN A COMMERCIAL DISTRICT: PROPOSED RETAIL DEVELOPMENT, 20861 MACK AVENUE – *Approved as presented with conditions stated by the Building Official's memo.*
- City Council: Not applicable to Planning Commission

NOVEMBER

- PC Workshop: DISCUSSION: 20/20 PLAN
- PC Meeting: DISCUSSION: Colonial Theme
- City Council: Not applicable to Planning Commission

DECEMBER

- PC Meeting: CANCELED
- City Council: REAPPOINTMENTS: Gilezan, Ketels, Rozycki

BUDGET REPORT:

| Date | Description | Debit | Credit | Balance |
|----------|---------------------------|-----------|--------|-------------|
| | 2019/20 Start Fiscal Year | | | \$ 5,000.00 |
| 02/07/19 | APA Membership | \$ 365.00 | | 4,635.00 |
| 02/12/19 | Planning & Zoning News | \$ 370.00 | | 4,265.00 |
| 04/30/19 | Name Plate (Bailey) | \$ 12.34 | | 4,252.66 |
| 05/30/19 | MAP Membership Dues | \$ 675.00 | | 3,577.66 |
| | 2019/2020 Year to Date | | | \$3,577.66 |

PLANNING COMMISSION CONTINUED GOALS & OBJECTIVES:

- Continue to make improvements to the zoning ordinance by reviewing and updating the sign & awning ordinances, parking requirements, and adding provisions dealing with alternative energy facilities.
- Continue to align our efforts with the Mayor, City Council, local Business Associations, and Realtors to attract new businesses and encourage people to live and work in Grosse Pointe Woods.
- Continue to study mechanisms to promote city development.
- Continue to encourage sustainable development.

The Planning Commission will continue to consult with the City Council, and appropriate Departments or Commissions, when significant projects, policies, and legislative acts provide opportunities to support the Master Plan.

Respectfully submitted:

Planning Commission Members:

Kevin Ketels, Chairperson

George Bailey, Vice-Chair/Secretary

Mike Fuller

Grant Gilezan

Douglas Hamborsky

James Profeta

Richard Roczycki

Thomas Vaughn

John Vitale

Date