

CITY OF GROSSE POINTE WOODS
Electronic Special/Regular Planning Commission Meeting Agenda
Tuesday, June 23, 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/95038580745?pwd=YVFTZGFQV3NobFFWcFR4RFNWV0xyQT09>

Meeting ID: 950 3858 0745

Password: 740904

Join by Phone:

Dial by your location

888 788 0099 US Toll-free

877 853 5247 US Toll-free

Meeting ID: 950 3858 0745

Password: 740904

1.	CALL TO ORDER	
2.	ROLL CALL	
3.	ACCEPTANCE OF AGENDA	
4.	MINUTES	February 25, 2020
5.	SCHEDULE PUBLIC HEARING	A. SPECIAL LAND USE: GARRIDO’S BISTRO & PASTRY, 19605 MACK AVENUE 1. Letter of Request – 05/19/20 – V. Gonzalez 2. Letter w/atts – 06/12/20 – City Attorney (Berschback)
6.	ANNUAL REPORT	2019 PLANNING COMMISSION (DRAFT)
7.	DISCUSSION	A. COLONIAL THEME ORDINANCE Letter w/atts – 06/12/20 – City Attorney (Berschback)
8.	DISCUSSION	A. SOLAR PANEL ORDINANCE Letter w/atts – 06/12/20 – City Attorney (Berschback)
9.	BUILDING OFFICIAL’S MONTHLY REPORT	A. BUILDING DEPARTMENT REPORT: May 2020

10.	COUNCIL REPORT/S	June – Hamborsky
11.	INFORMATION ONLY: COUNCIL REP FOR NEXT MEETING	July – Ketels
12.	NEW BUSINESS/PUBLIC COMMENT:	
13.	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/95038580745?pwd=YVFTZGFQV3NobFFWcFR4RFNWV0xyQT09>

Meeting ID: 950 3858 0745

Password: 740904

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.

Dial by your location

888 788 0099 US Toll-free

877 853 5247 US Toll-free

Meeting ID: 950 3858 0745

Password: 740904

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

MINUTES OF THE REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF GROSSE POINTE WOODS HELD ON FEBRUARY 25, 2020, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK AVENUE, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:03 p.m. by Chair Ketels.

Roll Call: Chair Ketels
Planning Commissioners: Bailey, Fuller, Gilezan, Hamborsky, Profeta, Rozycki, Vaughn, Vitale
Absent: None
Also Present: Building Inspector Tutag
Deputy City Clerk Antolin

The Planning Commission, Administration, and the audience Pledged Allegiance to the Flag.

Motion by Fuller, seconded by Vitale, that all items on tonight's agenda be received, placed on file, and taken in order of appearance, as presented.

Motion carried by the following vote:

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

The Chair recognized Council Representative McConaghy who was in attendance.

Motion by Bailey, seconded by Fuller, regarding **Approval of Minutes**, that the following Minutes be approved as submitted:

1. Planning Commission Minutes dated January 28, 2020.

Motion carried by the following vote:

YES: Bailey, Fuller, Gilezan, Hamborsky, Ketels, Profeta, Rozycki, Vaughn
Vitale

NO: None

ABSENT: None

THE MEETING WAS THEREUPON OPENED AT 7:05 P.M. FOR A PUBLIC HEARING REGARDING THE APPLICATION OF CROSSPOINTE CHRISTIAN CHURCH, 21336 MACK AVENUE, GROSSE POINTE WOODS, REQUESTING TO CONSTRUCT A 1,900 SQ. FT. ADDITION FOR AN ELEVATOR, ELEVATOR EQUIPMENT ROOM, AND AN OFFICE.

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

- A. PC Excerpt – 01/28/20
- B. Affidavit of Legal Publication – 02/06/20
- C. Affidavit of Property Owners Notified w/list – 02/06/20
- D. GIS Maps (2 pgs)
- E. Memo w/photos (5) – 02/19/20 - Building Official (Tutag)
- F. Proposed Resolutions – Approving & Denying – City Attorney (Berschback)
- G. Memo – 02/01/20 – DPW Director (Schulte)
- H. Memo – 02/12/20 – DPS Director (Kosanke)
- I. Memo – 01/31/20 – Fire Inspector (Provost)
- J. Letter of Request – 01/24/20 – Merritt Ceislak Design (S. Schneeman)
 - (1) Site Plan Review & Special Land Use Permit Application – 11/26/19
 - (2) Site Plan Review Meeting Checklist (3 pgs)
 - (1) Sheet G-000 – 11/25/19
 - (2) Boundary, Topographic, and Tree Survey Sheet 1 of 2
 - (3) Boundary, Topographic, and Tree Survey Sheet 2 of 2
 - (4) Sheet AS-100 - Partial Site and Site Demolition Plans
 - (5) Sheet AS-101 – Enlarged Partial Site and Landscape Plan & Details
 - (6) Sheet AS-301 – Floor Plans
 - (7) Sheet A-601 Exterior Elevations

Motion carried by the following vote:

YES: Bailey, Fuller, Gilezan, Hamborsky, Ketels, Profeta, Rozycki, Vaughn
Vitale

NO: None

ABSENT: None

The Building Official provided an overview of his memo dated February 19, 2020, regarding the Special Land Use/Site Plan Review of Crosspointe Christian Church for the construction of an elevator, elevator equipment room, and an office. The Building Official recommended approval.

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

Matt Swiateck, Pastor of Crosspointe Christian Church
Wayne Wagner, lifetime member

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

Motion by Gilezan, seconded by Vaughn, that the public hearing be closed at 7:13 p.m. PASSED UNANIMOUSLY.

Discussion ensued regarding the Commission Members' perspective of the petitioner's request. The architect of Merritt Cieslak Design displayed samples of materials to be used for the project and responded to questions from the Commission.

Motion by Bailey, seconded by Rozycki, regarding Public Hearing – Crosspointe Christian Church, 21336 Mack Avenue, Grosse Pointe Woods, which is requesting to construct a 1,900 sq. ft. addition for an elevator, elevator equipment room, and an office, that the Planning Commission recommends to City Council approval of Crosspointe Christian Church's Special Land Use application and adopt the resolution as presented, including immediate certification of these minutes.

Motion carried by the following vote:

YES: Bailey, Fuller, Gilezan, Hamborsky, Ketels, Profeta, Rozycki, Vaughn
Vitale

NO: None

ABSENT: None

The next item was **Continued Discussion: 2020 Plan Implementation Recommendation.**

Commissioners Bailey and Hamborsky provided an overview of the update of 2020 Plan Implementation. The initial focus was on streetscapes. Commissioner Bailey distributed documents recommending specific types of streetscape elements, including benches, planters and bike racks. Discussion ensued regarding responsibility/upkeep, funding and designs of the streetscape elements. It was suggested to submit a budget request to the Treasurer/Comptroller by the end of March to present to Council.

The next item was the **Building Official's Monthly Report**, and the following items were presented for the month of January 2020:

- Big Boy's update
- Ordinances regarding solar panels

Commissioner Profeta reported on the January 6, 2020 Council Meeting and Commissioner Vitale reported on the February 3 and 24, 2020 Council Meetings.

March 2020 Council Meetings reporting will be determined.

Under New Business, the following items were discussed:

- A. **2020 Plan** – updates will be provided
- B. **Crosswalk/Pocket Park** – A meeting with Wayne County is scheduled on March 10, 2020. Objective is to introduce 2020 plan to County's Public Works Department by discussing Cross walks, explore options for assisting with the projects, and pursue grants available through the County or other resources, as well as, address speed reduction and how traffic calming would benefit businesses.
- C. **Streetscape** – Discussed earlier in the meeting

Under Public Comment, no one wished to be heard.

Motion by Profeta, seconded by Bailey, that the Planning Commission Meeting adjourn at 8:33 p.m. PASSED UNANIMOUSLY.

PLANNING COMMISSION
02-25-20 - 48

Respectfully submitted,

Paul P. Antolin
Deputy City Clerk

**THE CITY OF GROSSE POINTE WOODS
PLANNING COMMISSION RESOLUTION APPROVING
CROSS POINTE CHRISTIAN CHURCH'S SPECIAL LAND USE AND
SITE PLAN REVIEW**

Minutes of a regular meeting of the Planning Commission of the City of Grosse Pointe Woods, County of Wayne, State of Michigan, held on February 25, 2020 at 7:00 o'clock p.m., Eastern Standard Time.

PRESENT: Members: Bailey, Fuller, Gilezan, Hamborsky, Ketels, Profeta, Vaughn, Vitale

ABSENT: Member: None

The following preamble and resolution were offered by Member Bailey and seconded by Member Rozycki.

WHEREAS, Cross Pointe Christian Church ("Petitioner") has submitted an application for Special Land Use and Site Plan Review for an addition to an existing building; and,

WHEREAS, Section 50-339(2) requires approval of the Planning Commission after a public hearing if existing uses are expanded within the community facilities district; and,

WHEREAS, Section 50-34 requires a site plan review for remodeling or additions to existing structures, and site plans are subject to review by the City Council if located in a community facilities district.

NOW THEREFORE IT IS HEREBY RESOLVED that:

1. The Planning Commission recommends approval of the special land use and site plan as submitted.
2. The Planning Commission adopts the findings and conclusions as referenced in Mr. Tutag's memo dated February 19, 2020.
3. The approval is based on the conditions referenced in Mr. Tutag's memo as follows:
Construction of the project is commenced within 6 months and completed within one year of approval date.
4. Immediate Certification: This motion is immediately certified.

AYES: Bailey, Fuller, Gilezan, Hamborsky, Ketels, Profeta, Rozycki, Vaughn, Vitale

NAYS: None

ABSENT: None


RESOLUTION DECLARED ADOPTED



Paul P. Antonin, Deputy City Clerk

CERTIFICATION

I, Paul P. Antolin, do hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Grosse Pointe Woods Planning Commission on February 25, 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.



Paul P. Antolin, Deputy City Clerk



May 19th, 2020

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

RECEIVED
MAY 20 2020
CITY OF GROSSE PTE. WOODS
BUILDING DEPT

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

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



May 19th, 2020

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

RECEIVED
MAY 20 2020
CITY OF GROSSE PTE. WOODS
BUILDING DEPT

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 of 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 dining 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,



Vaneza Gonzalez
Vice President

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

**AGREEMENT REGARDING
CLASS C LICENSE FOR DETROIT RESTAURANT SOLUTIONS, CORP.
("GARRIDO'S")**

WHEREAS, Detroit Restaurant Solutions, Corp., doing business as Garrido's Bistro & Pastry ("Garrido's") has filed an application with the City of Grosse Pointe Woods for the transfer of a liquor license into the City of Grosse Pointe Woods; and,

WHEREAS, the license being transferred has already been given conditional license approval by the Michigan Liquor Control Commission (MLCC) in an order dated July 30, 2019; and,

WHEREAS, the license sought to be transferred involves a 2019 Class C and Specially Designated Merchant license with Sunday sales permit (AM) and Sunday sales permit (PM); and,

WHEREAS, the applicant has been advised by the City that the SDM portion of the license would require special land use approval by the City of Grosse Pointe Woods and involves different levels of review by the City Planning Commission and City Council prior to approval; and,

WHEREAS, Garrido's is requesting that the Council only consider at its initial Council meeting approval of the Class C license.

NOW THEREFORE, GARRIDO'S AGREES AS FOLLOWS:

1. If the City Council approves the Class C license request, Garrido's agrees not to use that portion of the license designated as SDM unless the City approves the SDM license at a later date.
2. Garrido's agrees and understands that the request relating to the SDM portion of the license would require a separate application to the City Council with review by the Planning

Commission and City Council as a special land use under Sec. 50-371 (Special Land Uses), Sec. 50-32 (Special Land Use Approval), and other related zoning ordinance sections and requirements.

3. Garrido's agrees and understands that in the event a Class C license is approved, there is no guaranty that an SDM license would be approved as a special land use.

4. Garrido's agrees and understands that the issuance of the conditional license approval order and any subsequent license approval order from the MLCC does not eliminate the need to obtain all other required state and local licenses, permits, and approvals.

DETROIT RESTAURANT SOLUTIONS, CORP.
d/b/a GARRIDO'S BISTRO & PASTRY

By: 

VANESSA V. GONZALEZ

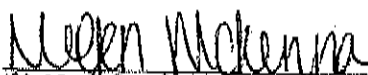


CHRISTOPHER GARRIDO,

in their individual and representative capacities.

State of Michigan)
County of Wayne)^{ss}

On this 8th day of August, 2019, before me, a Notary Public, personally appeared, Vanessa V. Gonzalez and Christopher Garrido who executed the above Agreement Regarding Class C License for Detroit Restaurant Solutions, Corp. ("GARRIDO'S"), in their individual and representative capacities.


Megan McKenna, Notary Public
Macomb County, MI
My Commission Expires: 7/8/2022
Acting in Wayne County

MEGAN MCKENNA
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MACOMB
My Commission Expires July 8, 2022
Acting in the County of WAYNE

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 Marijuana Act' (MRTMA) – *Recommended to City Council that the ordinance be adopted.*
- City Council: N/A

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: N/A

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: N/A

MAY

- PC Meeting: N/A
- City Council: N/A

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: N/A

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: N/A

NOVEMBER

- PC Workshop: DISCUSSION: 20/20 PLAN
- PC Meeting: DISCUSSION: Colonial Theme
- City Council: N/A

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

7.

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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. Colonial Theme Ordinance / Planning Commission Agenda June 23, 2020

Dear Planning Commission:

I have attached a Planning Commission Excerpt from 11.26.2019. The Planning Commission's request to the City Council was discussed at a Committee of the Whole meeting on 02.10.2020. Those minutes state:

"There was a consensus of the Council to direct the City Attorney to collaborate with the Planning Commission regarding proposed modifications to the ordinance to encourage a colonial theme but providing the Planning Commission with suitable flexibility, for review and consideration by the Council."

I have attached a proposed Ordinance for your review and discussion. Note that the amendments to Sec. 50-340 only relates to CCRC special land uses, Sec. 50-373 relates to more general design standards in C, C-2, and RO-1 districts.

This is being submitted to the Planning Commission for discussion purposes, with further review by the City Council sitting as a Committee of the Whole. Thank you.

Very truly yours,



CHIP BERSCHBACK

CTB:nmg

Enclosures

cc: Gene Tutag

ORDINANCE # _____

AN ORDINANCE TO AMEND CHAPTER 50 ZONING,
SEC. 50-340 SPECIAL LAND USES AND
SEC. 50-373 DESIGN STANDARDS REGARDING
COLONIAL THEMES

The City of Grosse Pointe Woods Ordains:

Sec. 50-340 Special Land Uses.

1. *Design standards.*

1. *Building height.* The following maximum building heights shall apply to buildings within a CCRC:

Building Type	Max. Height (Ft ¹ /Stories)
Mixed Use	The exterior wall height shall not exceed 36' from grade to the "top plate" The total exterior height of the building shall not exceed 45 feet from grade to the top of the ridge or highest point of the building. The total number of stories shall not exceed three (3)
Attached Residential	30/ 2
Detached Residential	30/ 2
Accessory	15/1

2. *Minimum unit size.* The following minimum unit sizes shall apply to units within a CCRC:

Unit Type	Minimum Unit size
Independent Living - Detached	1,000 s.f.
Independent Living - Attached Apartment	525 s.f.
Efficiency/Studio Apartment	400 s.f.
Assisted Living	200 s.f.
Nursing Home	200 s.f.

3. *Massing and style.* Building massing and style must be distinctively residential in character, ~~drawing on the historical~~ Historical design elements that are contextually consistent with Early

3. *Massing and style.* Building massing and style must be distinctively residential in character. Historical design elements that are contextually consistent with Early American, Colonial architecture, and traditional design elements are encouraged but not required.

4. *Roofs.* Preference shall be given to roof pitches consistent with single-family, residential design. Early American or Colonial styles are preferred but not required. Material must be consistent with the architecture of the building. Composition shingle material is acceptable, providing that it is of high quality and provides architectural definition to the tab shingle to emulate traditional wood shingle styles. Tile, slate, or metal roofing is permitted, provided it is consistent with the architectural style of the building. The installation of chimneys on the roofs of all buildings is encouraged to convey the look and feel of residential use.

5. *Facade element.* Design of the facade shall be highly detailed and articulated to be compatible with the scale and sensitivity to the residential uses of the project. Facades should have a well defined foundation, a modulated wall element, and pitched roof or articulated cornice which defines the character of the building, and provides relation to the human scale of typical family residences.

6. *Entrances.* Building entrances must comply with all current accessibility regulations; however the use of ramps and lifts is discouraged. Buildings should be designed with entrances that are barrier-free for the intended uses. The use of sloping entry walks, covered entryways, porticos, arcades, and covered porches is encouraged. Where grade separation of an entrance is required because of site topography, accommodation should be provided in the architectural detail of the entry to allow barrier-free use by building residents and visitors.

7. *Door and window openings.* Doors and windows form the transition from public to private space, and should reflect residential detailing in design and placement. The use of cornices, architectural moldings, side lights, transom lights, and raised panels in doors is encouraged. Window openings should vary between buildings, but should not be unbroken and continuous in any circumstance. The use of opening sash windows with true divided lights, or detailing to convey the character of divided lights is encouraged. The use of shutters consistent with the architecture of a building is encouraged. A wide range of material for doors and windows is acceptable, except that the use of commercial, anodized or painted aluminum or steel storefront assemblies is discouraged.

8. *Materials and design elements.* Material chosen for exterior elements traditionally found in residential design in Early Colonial America are encouraged. Siding materials such as clapboard and shingle are preferred, and the use of new materials which reduce maintenance, but emulate the look and feel of traditional materials is encouraged. The use of a variety of trim material to provide detail at the eaves, corners, gables, pediments, lintels, sills, quoins, and balustrades are encouraged. The use of bays, towers, cupolas, reverse gables, and dormers to provide unique character to a building and provide articulation of the facade is encouraged. The color palette chosen for any building should be consistent approved colors on file with the building department.

9. *Garages.* Detached garages or carports may not be located within a front yard. Any structure with a front loaded attached garage including structures on culs-de-sac shall have the front yard

setback lines staggered to achieve a differentiation with a minimum between adjacent buildings of three feet and a maximum of eight feet, no front yard shall be less than the minimum specified in this section. The attached garage may not occupy more than 60 percent of the length of the total building frontage.

10. *Exterior lighting.* The lighting of buildings and site areas shall be designed so the light does not directly shine onto adjoining properties or cause glare for motorists. The design and selection of light fixtures shall compliment the overall design of the campus and not cause the property to be overly lit. Lighting shall be coordinated with landscaping designs so trees and shrubs will not interfere with lighting as they grow, creating dark areas. The use of "green" technology is encouraged.

11. *Signs.* One externally illuminated ground sign is permitted at each entry to the campus provided that, the signs design is consistent to the overall design of the development, does not exceed 32 square feet in area and is no higher than seven feet above grade. The lettering and colors of the signs are subject to the requirements of section 32-29 of the Sign Code. Directory or directional signs are subject to the conditions of chapter 32 or the City Code.

Sec. 50-373. - Design standards.

(a) General.

(1) New construction, renovations, remodeling or exterior building alterations within all C commercial, C-2 high intensity city center, and RO-1 restricted office zoning districts shall be designed in conformance with approved design standards found in this section and on file with the building department. The purpose of these design standards is to promote a complimentary use of design elements that result in a harmonious appearance and image for the commercial and high intensity residential areas of the city.

(2) The use of assorted architectural design elements generally described as "Colonial," "Williamsburg Colonial," "Georgian Colonial," "Early American," "Classic" or "Traditional" are encouraged but not required. Specific definitions and examples of these elements are included within this section, and in the "design standards" guidelines on file with the building department. The guidelines may be modified by the city council after recommendation by the planning commission.

(b) Design components.

(1) Colonial designs and elements are encouraged, but not required. In considering a colonial design theme element, the words "Colonial," "Williamsburg Colonial," "Georgian Colonial," "Early American," "Classic" or "Traditional" shall collectively refer to use of a pallet of materials, trim, shapes, forms, colors and details most commonly associated with the dominant architectural styles utilized during the early development of the east coast American towns and cities. Some examples of where these designs are commonly found and featured include Williamsburg, Virginia, Cape Cod, New England and Philadelphia.

(2) To more specifically define the assorted components that can be utilized to achieve any one design style, the design standards guidelines include graphic examples of design elements, all of

which are considered by definition of this section to be acceptable when collectively used within a total design. These elements shall be utilized in appropriate proportions and quantity to form an overall total design consistent with the requirements of this section.

(3) Colors utilized in all design components shall be consistent with the approved color chart on file with the building department and shall be utilized to produce a balanced, and complimentary total design solution.

(Code 1975, § 5-8-5, Code 1997, § 98.205)

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CHARLES T. BERSCHBACK

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OF COUNSEL

June 12, 2020

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

RE. Solar Panel Ordinance / PC Agenda Item June 23, 2020

Dear Planning Commission:

The Zoning Board of Appeals recently approved a variance for installation of a solar panel system and directed Mr. Tutag and I to draft amendments to the ordinance. The attached proposed ordinance eliminates the requirement that panels shall not be installed within four feet of any peak or eve, and instead follow the requirements of the Michigan Residential Code. We are also removing the ordinance from the Zoning Chapter, and placing it into Chapter 8, Buildings and Building Regulations. Since the ZBA will no longer be involved, appeals will be heard by the City Council.

Gene and I have discussed whether panels should be permitted on the front elevation of any roof. The existing language of Section (3), indicating that systems shall be configured to the degree practicable to have a minimum visual impact as seen from the street, does not specifically prohibit front elevation installations. I am requesting input from the Planning Commission on this issue before I submit this ordinance to the City Council for final adoption.

Since we are amending the Zoning Chapter by eliminating this section from the zoning chapter, we need to schedule a public hearing at the Planning Commission level at the appropriate time.

Thank you.

Very truly yours,



CHIP BERSCHBACK

CTB:nmg

Enclosures

cc: Gene Tutag

ORDINANCE NO. - _____

AN ORDINANCE TO REPEAL CHAPTER 50 ZONING,
SEC. 50-539 SOLAR ENERGY SYSTEMS TO RELOCATE THIS
ARTICLE INTO CHAPTER 8, BUILDINGS AND BUILDING REGULATIONS,
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 an *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. Systems that are visible from the street must be either composed of

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) The placement and installation of roof top solar energy systems shall comply with the Michigan Residential Code in effect at the 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 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.

(11) Section 50-539 of the Zoning Chapter is hereby repealed.

GPW Permit Summary by Category

MAY 2020

9.

Category	Estimated Cost	Permit Fee	Number of Permits
Deck	\$0	\$170.00	2
Electrical	\$0	\$1,502.00	7
Fence	\$0	\$600.00	12
Garage, detached	\$16,880	\$355.00	1
Mechanical	\$0	\$850.00	6
Plumbing	\$0	\$3,557.00	18
Pool	\$0	\$300.00	2
Porch	\$0	\$115.00	1
Res, Miscellaneous	\$0	\$50.00	2
Res. Add/Alter/Repair	\$87,200	\$1,575.00	8
Roof	\$158,819	\$3,020.00	19
Sale	\$0	\$4,500.00	31
Sign	\$0	\$230.00	2
Waterproofing	\$19,500	\$405.00	3
Zoning Compl. Sheds<200 sq.ft	\$70,000	\$815.00	2
ZONING COMPLIANCE (Gen	\$0	\$660.00	9
Totals	\$352,399	\$18,704.00	125

Rental Certificates

\$750

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