

CITY OF GROSSE POINTE WOODS, MICHIGAN
20025 Mack Plaza Dr.
Planning Commission Meeting
January 22, 2013
7:30 p.m.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **ACCEPTANCE OF AGENDA**
5. **RECOGNITION OF COUNCIL REPRESENTATIVE/S**
6. **APPROVAL OF MINUTES**
Planning Commission – 12/11/12
7. **APPOINTMENTS – ELECTION OF CHAIR AND VICE-CHAIR/SECRETARY**
8. **ADOPTION OF RULES OF ORDER AND PROCEDURE:**
 - A. PC Excerpt – 01/24/12
 - B. Rules of Order and Procedure – 01/24/12
9. **DISCUSSION: GPW PLANNING COMMISSION ANNUAL REPORT 2012:**
 - A. Memo – 01/16/13 Building Official (Tutag)
 - B. DRAFT 2012 Planning Commission Report
10. **CONTINUED DISCUSSION: LAND USES & ZONING ON MACK AVENUE:**
 - A. Memo – 01/15/13 Building Official (Tutag)
 - B. Memorandum – 11/27/12 McKenna Associates (J.Jackson)
11. **BUILDING OFFICIAL'S MONTHLY REPORT:**
Building Department Report – December 2012
12. **COUNCIL REPORT:**
January - Stapleton
13. **INFORMATION ONLY: COUNCIL REPRESENTATIVE FOR NEXT MEETING:**
February – Rozycki
14. **NEW BUSINESS:**
Sub-Committee Reports:
 - 2020 Plan (Hamborsky/Vitale/Fuller/Gilezan)
 - Special Sign (Vaughn/Evola/Fuller/Richardson)

15. PUBLIC COMMENT:

16. ADJOURNMENT:

Submitted by: Gene Tutag, Building Official

313-343-2426

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

Notice: The City of Grosse Pointe Woods will provide necessary, reasonable auxiliary aids and services, such as signers for the hearing impaired, or audio tapes of printed materials being considered at the meeting to individuals with disabilities. All such requests must be made at least five days prior to said meeting. Individuals with disabilities requiring auxiliary aids or services should contact the City of Grosse Pointe Woods by writing or calling the A.D.A. Coordinator or the City Clerk's office, 20025 Mack Plaza, Grosse Pointe Woods, MI 48236 (313) 343-2445; or Telecommunications Device for the Deaf (TDD) (313) 343-9249.

NOTE TO PETITIONERS:

**Please make every effort to be present at the meeting so that public officials
may get the benefit of your input on the matter before them.**

PLANNING COMMISSION
12/11/12 – 042

MINUTES OF THE PLANNING COMMISSION OF THE CITY OF GROSSE POINTE WOODS HELD ON TUESDAY, DECEMBER 11, 2012, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK AVENUE, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:31 p.m. by Chair Gilezan.

Roll Call: Chair Gilezan
Evola, Fuller, Hamborsky, Rozycki, Richardson, Stapleton, Vitale

Absent: Vaughn

Also Present: Building Official Tutag
Recording Secretary Babij Ryska

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

MOTION CARRIED by the following vote:

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

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

MOTION CARRIED by the following vote:

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

Motion by Richardson, seconded by Vitale, regarding **Approval of Minutes**, that the Planning Commission minutes dated November 27, 2012 be approved.

MOTION CARRIED by the following vote:

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

The next item on the agenda was **Planning Commission Attendance – 2013 Monthly Meeting Schedule**. Chair Gilezan stated that this item is for informational purposes only. Commission Member Stapleton will attend the January meetings and Commission Member Rozycki will attend the February meetings.

PLANNING COMMISSION

12/11/12 – 043

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

- The Rivers project is progressing nicely. Expecting full set of plans shortly.
- Denied the application for a Wireless Communications Facility at the Milk River Pump Station due to city ordinances. Applicant believes that new State Legislation supersedes local ordinances. Next step on the local level is a public hearing before the Planning Commission and a second public hearing before the City Council.
- Rental inspections are steady and the Building Department is still a couple weeks behind.

Commission Member Richardson gave the **December 3, 2012 Council Report**:

- Swore in a new Local Officers Compensation Commission Member.
- First reading of the Solar Energy Ordinance. Second reading on December 17, 2012.

Commission Member Richardson will attend the second December Council Meeting.

Commission Member Stapleton will attend the January Council Meetings.

Hearing no objections, the following items were heard under **New Business**:

- Chair Gilezan confirmed with Building Official Tutag that Administration is clear on the Commissions direction of the ordinance amendment regarding drive-thru restaurants. Building Official Tutag will inform the Commission should they require further assistance from John Jackson, McKenna Associates, Inc.

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

2020 Plan – Nothing to report.

Special Sign Ordinance – Nothing to report.

Motion by Evola, seconded by Rozycki, that the Planning Commission adjourn at 7:44 p.m.
Passed unanimously.

8A

PLANNING COMMISSION EXCERPT
01/24/12

Motion by Gilezan, seconded by Dickinson, that the Planning Commission approve and adopt the **Rules of Order and Procedure** as presented.

MOTION CARRIED by the following vote:

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

NO: None

ABSENT: Hamborsky

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RULES OF ORDER AND PROCEDURE
OF
PLANNING COMMISSION
OF
GROSSE POINTE WOODS

1. The Planning Commission shall be constituted and shall have powers and perform such duties as are provided for in Section 1, Chapter 4, of the City Code of the City of Grosse Pointe Woods.
2. The officers of the Planning Commission shall be a Chair, and Vice Chair/Secretary. The Chair shall preside at all Planning Commission meetings, and in the Chair's absence, the Vice Chair/Secretary shall act in such place and stead.
3. The terms of office of the Chair and Vice Chair/Secretary shall be for a period of one (1) calendar year, or until their respective successors shall be elected and have qualified. At the first scheduled meeting of each calendar year, the Commission shall appoint from among its members, a Chair and Vice Chair/Secretary who shall be seated at the next regularly scheduled meeting.
4. The City Clerk or the Clerk's agent shall record all proceedings of the Planning Commission.
5. The Planning Commission shall hold regular meetings on the fourth Tuesday in each month, except December, which shall be held on the second Tuesday, as such time and at such Planning Commission shall determine.
6. Special meetings of the Planning Commission shall be called by the City Clerk upon the written request of the Chair, endorsed in writing of two other members, or in such absence, by the Vice Chair/Secretary, endorsed in writing by two other members; or the written request of any three members of the Planning Commission on at least twenty-four (24) hours written notice to each member of the Planning Commission served personally or left at the place of residence; or by a majority affirmative vote of those present at a Planning Commission meeting.
7. No business shall be transacted at any special meeting of the Commission unless the same shall have been stated in the notice of such meeting, provided that the provisions hereof may be waived by consent of the members of the Commission present and the written consent of the absent members.
8. All meetings, both regular and special, shall be open to the public.
9. The majority of the members of the Planning Commission in office shall constitute the quorum for the transaction of business at any meeting thereof and in the event of a lack of quorum,

the members of the Commission so present shall adjourn any such meeting to a later date.

10. The business of all meetings of the Commission shall be transacted, so far as possible, in the following order:

Roll Call
Approval of minutes
Matters appearing upon the Agenda
New Business

11. The presiding officer shall preserve order and decorum and shall speak to points of order in preference to other members. The presiding officer shall decide questions of order subject to appeal to the Commission, which appeal must be duly moved and seconded and sustained by majority vote of the Commission.

12. Before any member of the Commission, officers, or person in the audience may address the Commission, permission to do so must be obtained from the presiding officer, provided that any person having the floor shall not be interrupted unless ruled out of order by the presiding officer.

13. Approval of the Planning Commission shall be evidenced by a duly adopted motion or resolution of the Commission and by the execution of the "approval stamp" affixed to the front elevation of the building, the Plot Plan, the plat, the subdivision restrictions, the property use statement and other documents, as the case may be requiring approval by the Chair, or in the Chair's absence, by the Vice Chair/Secretary of the Commission, and when so approved the same shall be delivered to the City Clerk for further processing.

14. The Chair, in consultation with the Building Official, shall prepare an agenda of all matters which will be considered at each meeting, which agenda shall be distributed among the Commission members at least forty-eight (48) hours prior to the time of holding the meeting. Any matter not on the agenda shall not be acted upon without the unanimous consent of the members of the Commission present at such meeting, provided, if any matter is presented upon motion duly made and seconded, objection to action thereon shall be immediately voiced by any objecting members of the Commission before discussion is entered upon and, if no such objection is voiced, no objection shall thereafter be voiced to any action taken or proposed to be taken.

15. Upon request of a majority of the members of the Commission present, any question PROPERLY before the Commission shall be put to vote; such request for a vote shall be acted upon immediately without further discussion of the subject, and shall thereupon bring the question to a direct vote upon a motion to table, a motion to refer, a motion to amend, or upon the main question, in the order named.

16. At the request of a Commission member, any question shall be divided if such question, in the opinion of the presiding officer, is subject to division and shall be submitted as divided.

17. No motion or proposition different from that under consideration shall be admitted under cover of amendment, provided that a substitute motion may be submitted to cover the same subject matter and, if carried, shall result in determining the original motion out of order.

18. No motion shall be debated or put to a vote unless the same shall have been seconded and properly read by the Clerk, or summarized by the Chair.

19. A motion to reconsider any vote upon any question shall be in order at the following meeting of the Commission; provided that a member of the prevailing side intending to move to reconsider shall file a notice in writing of the Member's intention to do so with the Vice Chair/Secretary and the City Clerk within twenty-four (24) hours after the action to be reconsidered was taken. The same number of votes shall be required to reconsider any action of the Commission as is required to adopt the same.

Upon the filing of a Notice for reconsideration, the effect of the action to be reconsidered shall be suspended until action can be taken upon such consideration. Action upon the reconsideration shall be taken at the next regular Commission meeting or at a prior Special Meeting called for that purpose.

20. When any question is under debate, no motion shall be received except the following, and in the order named:

- Motion to adjourn
- Motion to table
- Motion for the question
- Motion to refer
- Motion to amend
- Substitute motion

21. A motion to adjourn shall always be in order except when a vote is being taken or when a member of the Commission has the floor. A motion to adjourn or to table shall be decided without debate.

22. These Rules of Order may be amended or altered by a majority vote of the Commission.

23. The Commission, by a majority affirmative vote of the Commission, may suspend the operation of any one of the aforementioned Rules for a single session, except Section 18.

24. Making of remarks by Commission members should be preceded by asking permission of the presiding officer.

25. Upon the City Clerk receiving a petition directed to the Planning Commission, which petition requires a public hearing under the provisions of the City Code, the City Clerk shall determine whether such petition contains all necessary information and, if so, the City Clerk may establish a date for a public hearing before the Planning Commission and publish any notices required and shall forward such petition to the Planning Commission which shall conduct the public hearing on the date established therefore.

26. **IMPORTANT:** If a Planning Commission Member will be absent for a meeting, the Member must notify the Chair of such anticipated absence as soon as possible prior to such meeting.

27. Except as above provided, Roberts "Rules of Order" shall govern.

28. The Chair shall prepare an annual report to be submitted to the City Council in accordance with the Planning Enabling Act. The report shall be submitted to the Planning Commission for approval in January of each calendar year to ensure that the report is submitted to the City Council for their budget deliberations. The report should summarize the Commission's operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development.

29. **Conflict of Interest**

- A. Before casting a vote on a matter on which a member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the Planning Commission. The member is disqualified from voting on the matter if a conflict exists.
- B. Each member of the Commission shall avoid conflicts of interest and/or incompatibility of office. As used here, a conflict of interest shall at a minimum include, but not necessarily be limited to, the following:
 - 1. Issuing, deliberating on, voting on, or reviewing a case concerning him or her.
 - 2. Issuing, deliberating on, voting on, or reviewing a case concerning work on land owned by him or her or which is adjacent to land owned by him or her.
 - 3. Issuing, deliberating on, voting on, or reviewing a case involving a corporation, company partnership, or any other entity in which he or she is a part owner, or any other relationship where he or she may stand to have a financial gain or loss.
 - 4. Issuing, deliberating on, voting on, or reviewing a case which is an action which results in a pecuniary benefit to him or her.
 - 5. Issuing, deliberating on, voting on, or reviewing a case concerning his or her spouse, children, step-children, grandchildren, parents, brothers, sisters, grandparents, parents in-law, grandparents in-law, or members of his or her household.

6. Issuing, deliberating on, voting on, or reviewing a case where his or her employee or employer is:
 - a) An applicant or agent of an applicant, or
 - b) Has a direct interest in the outcome.
- C. If there is a question whether a conflict of interest exists or not, the question shall be put before the Commission. Whether a conflict of interest exists or not shall be determined by a majority vote of the remaining members of the Commission.
- D. When a conflict of interest exists, the member of the Commission, or committee, shall do all of the following as soon as possible.
 1. Declare a conflict exists at the first available meeting of the Commission or committee;
 2. Cease to participate at the Commission or committee meetings, or in any other manner, or represent one's self before the Commission, its staff, or others, provided however that the member may remain in the Council chambers during deliberation.
- E. If a member of the Commission is appointed to another office, which is an incompatible office with his or her membership on the Commission, then on the effective date of the appointment to the other office, that shall result in an automatic resignation from the Commission. If a member of another office is appointed to the Commission, which is an incompatible office with his or her membership in the other office, then on the effective date of the appointment to the Commission, that shall result in an automatic resignation from the other office.

30. **Capital Improvement Review**

The Planning Commission will review information regarding appropriate capital improvement projects as provided to it by the Administration in order to comply with state law regarding the capital improvement review process.

* * *

9 A

CITY OF GROSSE POINTE WOODS

BUILDING DEPARTMENT

MEMORANDUM

TO: Planning Commission

FROM: Gene Tutag, Building Official

DATE: January 16, 2013

SUBJECT: Grosse Pointe Woods Annual Planning Commission Report – 2012
(DRAFT)

The Planning Enabling Act requires the Planning Commission to submit an annual report to the City Council.

We have assembled a DRAFT annual report with the activities of the Planning Commission for the year 2012.

Please review the attached DRAFT report for additional information, editing, or anything else that the Planning Commission feels should be included.

Attachment

/KZ

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GROSSE POINTE WOODS
PLANNING COMMISSION
ANNUAL REPORT

2012

GROSSE POINTE WOODS PLANNING COMMISSION REPORT - 2012

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 monthly during 2012. During that time, the Commission reviewed, discussed and acted on items contained in the following report:

2012 Planning Commission Overview

JANUARY

- PC Meeting: Election of Chair Gilezan and Vice-Chair Richardson (*in compliance with the Michigan Planning Enabling Act*).
2011 PC Annual Report approved w/revisions and sent to Council
Continued Discussion: Solar Energy

FEBRUARY

- PC Workshop Meeting: Presentation: Solar Energy (Amy Strutz) in lieu of "PC tasks of 2012" as discussed at Jan 2012 meeting
- PC Meeting: Continued Discussion: Solar Energy

MARCH

- PC Subcommittee Meeting: Discussion: 2020 Plan
- PC Workshop Meeting: Discussion: Tasks for the Planning Commission in 2012
- PC Meeting: Continued Discussion: Solar Energy
PC Public Hearing: Directed by COW, Prohibited Uses
Resolution to City Council to amend Zoning Chapter 50 by adding Section #50-185 Prohibited Uses

APRIL

- PC Subcommittee Meeting: 2020 Plan
- PC Subcommittee Meeting: Special Sign
- PC Meeting: Commission Member Dickinson submitted his resignation from the Planning Commission

MAY

- PC Meeting: Discussion: Land Uses & Zoning on Mack Avenue

JUNE

- PC Subcommittee Meeting: Special Sign
- PC Workshop Meeting: Continued Discussion: Land Uses & Zoning on Mack Avenue
- PC Meeting: Continued Discussion: Land Uses & Zoning on Mack Avenue.

JULY

- PC Subcommittee Meeting: Special Sign
- PC Workshop Meeting: Continued Discussion: Land Uses & Zoning on Mack Avenue
- PC Meeting: Welcome new PC Members Tonja Stapleton and Rich Rozycki
Sign Appeal for Woods Wholesale Wine
Continued Discussion: Land Uses & Zoning on Mack Avenue
- Demolition of Administrative Buildings started at The Rivers, 900 Cook

AUGUST

- PC Subcommittee Meeting: Special Sign
- PC Subcommittee Meeting: 2020 Plan
- PC Meeting: Continued Discussion: Land Uses & Zoning on Mack Avenue
- Council & PC Members attended a Test Landing/Takeoff by Superior Ambulance Helicopter at St. John Hospital & Medical Center (SJH&MC) for a proposed Heliport

SEPTEMBER

- PC Subcommittee Meeting: 2020 Plan
- PC Meeting: Continued Discussion: Land Uses & Zoning on Mack Avenue

OCTOBER

- PC Workshop Meeting: 2020 Plan
- PC Meeting: Continued Discussion and Presentation by Planning Consultant John Jackson: Land Uses & Zoning on Mack Avenue
- PC Meeting: Public Hearing: Special Land Use Approval for SJH&MC Heliport.
Resolution to City Council to approve a temporary heliport in the north parking lot with conditions

NOVEMBER

- PC Meeting: Public Hearing: Amend Chapter 50 by adding Section 50-539 to regulate Solar Energy Systems
Resolution to City Council to adopt proposed ordinance
- City Council granted SJH&MC temporary helipad with greater restrictions: Allowed only a 6 month period, no extensions permitted, and limited to 25 flights

DECEMBER

- PC Meeting: Information: PC Attendance at City Council Meetings in 2013
- City Council reappointment of PC members: Fuller, Hamborsky and Stapleton
- City Council approved Solar Energy Ordinance #50-539

SUB-COMMITTEE REPORTS:

2020 Plan:

The 2020 Plan sub-committee's goal is "to provide fresh, forward thinking, realistic design, zoning and administrative tools that foster and support progressive future development to achieve maximum sustained viability, growth and value within the City of Grosse Pointe Woods. The subcommittee will continue to work on additional pro-development initiatives.

Special Sign:

BUDGET REPORT:

Payee/Description	Amount
Planning & Zoning News	\$ 370.00
KIP Copier/Scanner	\$ 270.64
Geisler (PC Name Plates)	\$ 34.95
McKenna (Plng Consultant)	\$ 1,776.74

BALANCE - \$ 2,547.67

CONTINUED GOALS & OBJECTIVES:

- Continue to make improvements to the Zoning Ordinance by reviewing and updating the sign ordinance and 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 by **Planning Commission Members:**

Grant Gilezan, 2012 Chairperson

Ross Richardson, Vice-Chair/Secretary

Carroll Evola

Michael Fuller

Doug Hamborsky

Rich Rozycki

Tonja Stapleton

Thomas Vaughn

John Vitale

Date

10A

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

TO: Planning Commission

FROM: Gene Tutag, Building Official

DATE: January 15, 2013

SUBJECT: Drive-thru Facilities

As we all are aware the Planning Commission has discussed adding language to Chapter 50 of the city's Zoning Ordinance clarifying that businesses with drive-thru facilities other than banks and financial institutions are not permitted uses in the C or C-2 zoning districts...

The conclusion of the Planning Commission is based upon the following facts that are unique to the commercial districts of Grosse Pointe Woods:

- The average depth of a commercially zoned lot along Mack Ave is approximately 125 feet. This relatively small lot depth does not allow for adequate protection of our adjacent residential from the noise associated with menu boards, car speakers, exhaust fumes and noise, lights and late hours of operation, in most cases only separated by a 20 foot wide alley.
- A drive thru establishment on a parcel of inadequate size can cause problems with traffic circulation, the stacking of vehicles and will create a hostile environment for pedestrians.

The Planning Commission engaged the services of planning consultant, John Jackson from McKenna Associates, to provide insight into this matter. A copy of the memorandum is attached.

There was some dialog with regard to a legal challenge regarding the concept of excluded uses. However, due to the limited commercial zoning districts (C and C-2), the city does not have available land or zoning districts to accommodate every use imagined while providing reasonable protection of the greater good of the established residential and commercial community. As indicated in the McKenna Memorandum and in the Zoning Enabling Act "*if an applicant wishes they may request a land use variance from the Zoning Board of Appeals*". It was also noted that "*within a 10 minute drive, drive-thru facilities are available*". (See attached McKenna map dated Nov 27, 2012)

Listed below for your review and comment is a proposed definition of a drive-thru facility that would be added to Section 50-1, proposed language to be added to Sections 50-370 and 50-419 that would prohibit drive thru facilities in the C Commercial Business District and the C-2 High Intensity City Center District.

Proposed Definition to be added to Section 50-1:

Drive-through Facility. The use of land, buildings, or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or window or automated machine, to persons remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be permitted only as an accessory use in combination with a bank or financial institution.

Add the following language to Section 50-370(2)f. for the C Commercial Business District:

*Restaurants, lunchrooms and cafeterias and places for the sale of soft drinks, juices, ice cream and nonalcoholic liquors, but **excluding drive-thru facilities and** places or businesses providing dancing or entertainment and places where food or beverages are dispensed to or served in automobiles parking on private property adjacent to and in connection with such establishments or are dispensed or served from an outside counter.*

And add to Section 50-419(1)f. for the C-2 High Intensity City Center District:

*Restaurants, lunchrooms and cafeterias and places for the sale of soft drinks, juices, ice cream and nonalcoholic liquors, but **excluding drive-thru facilities and** places or businesses providing dancing or entertainment and places where food or beverages are dispensed to or served in automobiles parking on private property adjacent to and in connection with such establishments or are dispensed or served from an outside counter.*

Upon completed review by the Planning Commission, it is recommended that the proposed changes be forwarded to the Committee of the Whole for their review and recommendation.

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Hand out PC mtg
11-27-12
MB

MEMORANDUM

TO: Gene Tutag, Building Official
City of Grosse Pointe Woods

FROM: John R. Jackson, AICP, LEED-GA

DATE: November 27, 2012

SUBJECT: Regulation of Drive Thru Restaurants

The City of Grosse Pointe Woods is a tight-knit community with tree-lined neighborhoods and convenient shopping on Mack Avenue. This convenient shopping poses a tremendous asset for residents of the community to walk to nearby shops. However, it also poses a significant challenge.

The vast majority of commercial areas in Grosse Pointe Woods are zoned C Commercial Business. This district is primarily located along Mack Avenue. There is a C-2 High Intensity City Center district located on Mack Avenue between Kingsville Ave and Bournemouthe Road. The majority of property located in the Commercial Business District can be characterized as shallow lots fronting on Mack Avenue with residentially zoned and used property located immediately behind. This configuration lends itself to land use conflicts between the residential neighborhoods and commercial uses.

The City has adopted screening requirements that minimize the impact of most of the typical commercial impacts such as parking, deliveries, refuse collection, etc. However, these standard screening techniques are not sufficient to offset the impacts of drive-thru restaurants.

The drive-thru aspect of a fast food restaurant on a parcel of inadequate size can cause problems with traffic circulation and create areas that are hostile to the pedestrian. Moreover, drive-thrus have the potential to generate undesirable impacts for adjacent properties such as odors from vehicle exhaust and noise from engines, car stereos, and menu board speakers.

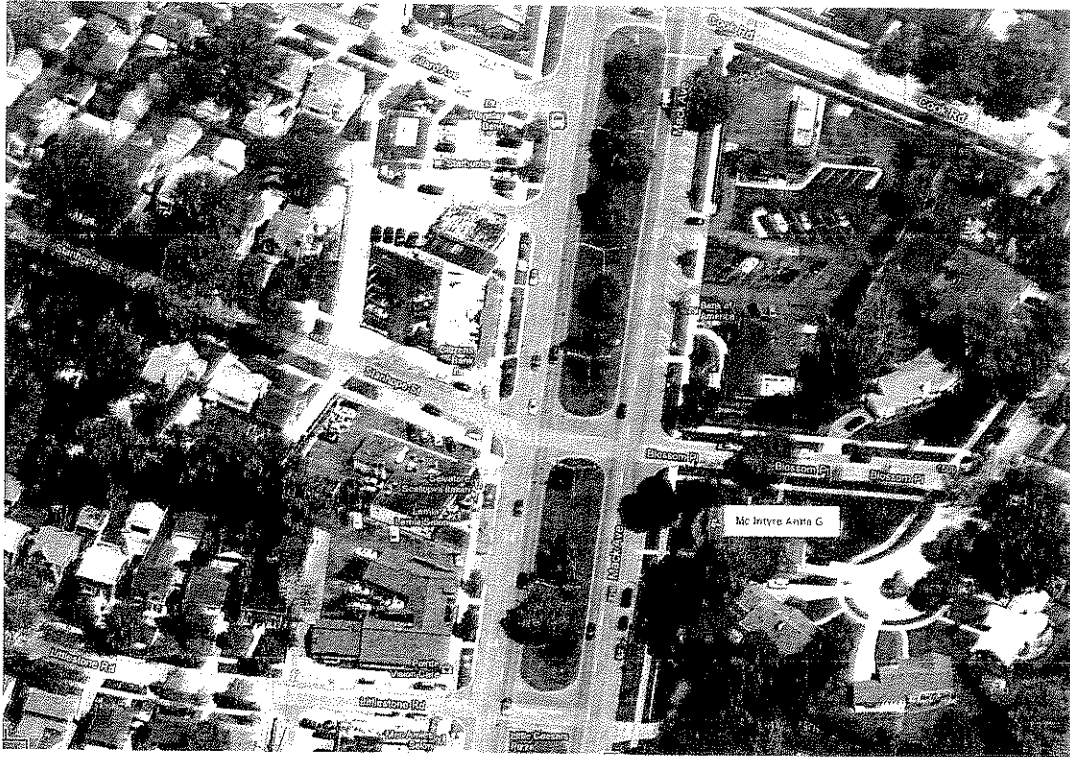
In addition to screening, other methods for minimizing the impacts of a drive thru include generous setbacks from residential districts and separation requirements. For example; a restaurant with a drive thru may not be located within 50 feet of a residential district or use. Unfortunately, with the configuration of the commercial property and the relative proximity to residential property, neither of these approaches is available to the City.

Based on our experience we offer the following issues to consider:

1. **PROHIBITING RESTAURANTS WITH DRIVE THRUS:** An argument can be made that there are not appropriate locations for a restaurant with a drive thru in the existing Commercial district based on the configuration of the lots in this district. It could also be argued that there are a number of restaurants with drive thrus within close proximity to the City providing residents of the community convenient vehicular access to those uses.

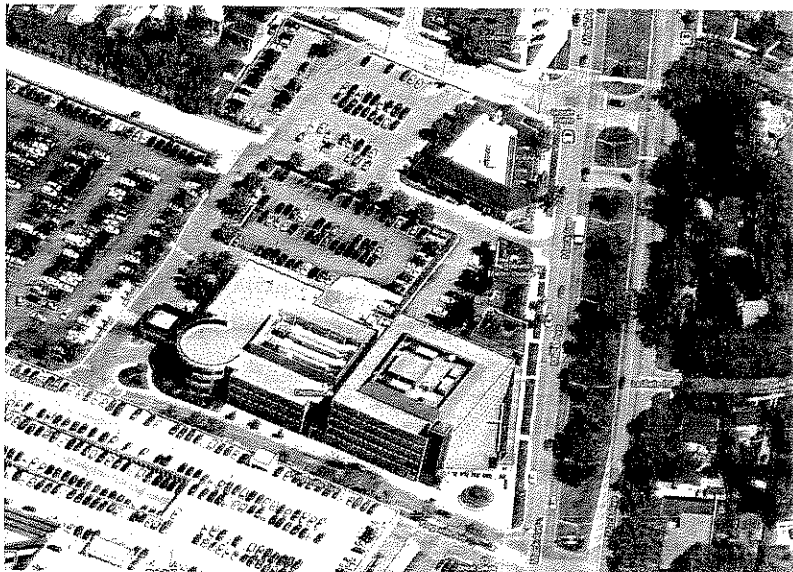
If an applicant wishes, they may request a land use variance from the Zoning Board of Appeals.

This approach may encounter legal challenge due to the fact that excluding uses is generally not allowed.



2. **ACCOMMODATING RESTAURANTS WITH DRIVE THRUS IN THE HIGH INTENSITY CITY CENTER DISTRICT:** The other commercial district in the City is the High Intensity City Center District. Restaurants with drive thrus would not be appropriate in this district for a number of reasons. First, the intent of this district is to encourage high density mixed use development in a single building or in an integrated campus. A drive thorough would be inconsistent with the intent and it would also be the only auto-oriented use permitted in the district.

Second, this area is relatively well developed and there is little opportunity for this type of redevelopment to occur in this area.



3. **ACCOMMODATING RESTAURANTS WITH DRIVE THRUS AS A SPECIAL LAND USE:** Many communities allow restaurants with drive thrus as a special use. This approach allows the City to establish specific siting standards, setback requirements, and other restrictions relative to the potentially negative impacts. In addition, this approach gives the City the ability to develop conditions of approval on a case-by-case basis, again, relative to the anticipated impacts of the proposed drive thru. Finally, the special use approach would allow the City to deny a request based on a finding that the proposed use does not meet the special land use tests for compatibility.

The City Council would make the final determination in the case of a special land use request for a restaurant with a drive thru.

4. **STACKING REQUIREMENTS;** While the ordinance currently allows other uses with drive thrus, these uses, banks for example, have a much lower typical stacking requirement. Banks typically require three stacking spaces per window according to ITE. Pharmacies four, car washes six. Fast food restaurants with a drive thru typically require between 10 and 12 stacking spaces per window.
5. **ISSUES TO CONSIDER WHEN REGULATING THESE FACILITIES WOULD BE:**

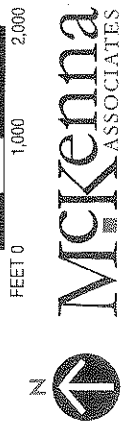
- Minimum lot area
- Proximity to residential districts
- Setbacks from residential districts
- Screening
- Traffic studies
- Driveway locations
- Stacking distances
- Sound level control
- Drive Thru window location
- Hours of operation



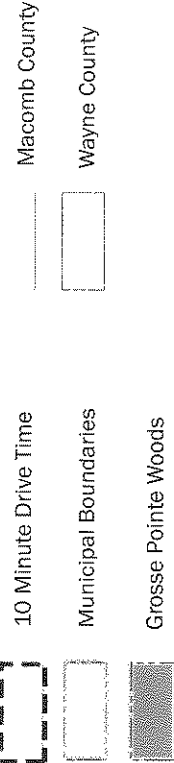
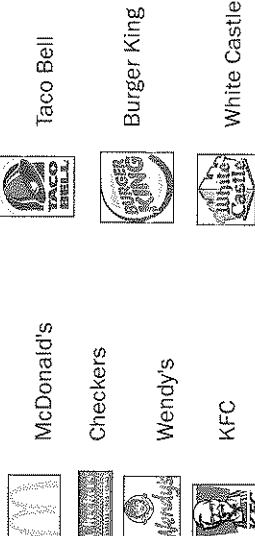
November 27, 2012

Trade Areas

Grosse Pointe Woods, Wayne County, Michigan



LEGEND



MCKenna
ASSOCIATES

**City of Grosse Pointe Woods
BUILDING DEPARTMENT
Monthly Financial Report – December 2012**

Permits Issued: 91
Rental Certificates: 16
Vacant/Foreclosure: 2

Total: \$ 19,458

CODE ENFORCEMENT

Abandoned/Foreclosure Compl. Notices Issued:	0
# of Complaints Investigated by Code Enforcement:	25
Closed Due to Compliance:	11
Open for Longer Compliance Time:	14
Citations Issued:	2
Early Trash Notices:	2
Code Violation Notices to Residents:	23
Tall Grass Notices Issued:	0
Stop Work notices to Contractors (working w/o permit):	3
Outside Storage:	1

NEW BUSINESS

Mes Amies Salon, 19609 Mack Avenue (New owner)
Abstrakt Motion USA, 20805 Mack Avenue