

PLANNING COMMISSION
11/27/12 – 037

MINUTES OF THE PLANNING COMMISSION OF THE CITY OF GROSSE POINTE WOODS HELD ON TUESDAY, NOVEMBER 27, 2012, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK AVENUE, GROSSE POINTE WOODS, MICHIGAN.

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

Roll Call: Chair Gilezan
Fuller, Hamborsky, Rozycki, Richardson, Stapleton, Vaughn (7:37 p.m.), Vitale

Absent: Evola

Also Present: Building Official Tutag
City Attorney C. Berschback
Recording Secretary Babij Ryska

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

MOTION CARRIED by the following vote:

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

Motion by Stapleton, seconded by Richardson, 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: Fuller, Gilezan, Hamborsky, Rozycki, Richardson, Stapleton, Vitale
NO: None
ABSENT: Evola, Vaughn

Chair Gilezan welcomed Council Member Ketels, as Planning Commission Representative, for being in attendance at tonight's meeting.

Motion by Richardson, seconded by Vitale, regarding **Approval of Minutes**, that the Planning Commission Workshop and Regular Meeting minutes dated October 23, 2012 be approved.

MOTION CARRIED by the following vote:

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

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The next item on the agenda was **Public Hearing: Under the provisions of Michigan Compiled Laws, Sections 125.3101 through 125.3702 as amended, and in accordance with the Zoning Enabling Act, to amend Chapter 50 Zoning, Title VI Supplemental Regulations, by adding Section 50-539 to Regulate Solar Energy Systems.**

Building Official Tutag stated that the Committee of the Whole reviewed and recommended some changes to the proposed ordinance. The City Attorney indicated that the Planning Commission will make a recommendation to Council, and then the proposed ordinance will be subject to a first and second reading prior to implementation.

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

- A. Resolution
- B. COW Excerpt – 10/01/12
- C. PC Excerpt – 10/23/12
- D. PC Excerpt – 03/27/12
- E. PCW Excerpt – 02/29/12
- F. PC Excerpt – 02/29/12
- G. PC Excerpt – 01/24/12
- H. PC Excerpt – 11/22/11
- I. PC Excerpt – 10/25/11
- J. Affidavit of Legal Publication – 11/08/12 (GP News)

MOTION CARRIED by the following vote:

YES: Fuller, Gilezan, Hamborsky, Rozycki, Richardson, Stapleton, Vaughn, Vitale

NO: None

ABSENT: Evola

THE MEETING WAS THEREUPON OPENED AT 7:41 P.M. FOR A PUBLIC HEARING **Under the provisions of Michigan Compiled Laws, Sections 125.3101 through 125.3702 as amended, and in accordance with the Zoning Enabling Act, to amend Chapter 50 Zoning, Title VI Supplemental Regulations, by adding Section 50-539 to Regulate Solar Energy Systems.**

The Chair stated for the record that no one was in the audience to speak in favor of or in opposition to the proposed ordinance.

Motion by Richardson, seconded by Vitale, that the Public Hearing be closed at 7:43 p.m. Passed unanimously.

The Chair opened discussion among Commission Members regarding the proposed ordinance. The Commission agreed to two changes to the proposed ordinance; the first, add "heat or" before electricity in the first sentence; second, remove "or wall design" from 7b.

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Motion by Hamborsky, seconded by Vitale, regarding the **Ordinance to amend Chapter 50 Zoning, Title VI Supplemental Regulations, by adding Section 50-539 to Regulate Solar Energy Systems**, that the Planning Commission approve the following amended Resolution recommending adoption of the proposed Solar Energy Ordinance.

**PLANNING COMMISSION RESOLUTION
REGARDING SOLAR ENERGY ORDINANCE**

Minutes of a regular meeting of the Planning Commission of the City of Grosse Pointe Woods, held on Tuesday, November 27, 2012, at 7:30 o'clock p.m.

The following preamble and resolution was offered by Member _____ and seconded by Member _____:

WHEREAS, the Grosse Pointe Woods City Council acting as a Committee of the Whole referred a proposed zoning ordinance to the Planning Commission for purposes of scheduling a public hearing, and

WHEREAS, a public hearing occurred in front of the Planning Commission on November 27, 2012, and

WHEREAS, the proposed ordinance would amend Chapter 50 Zoning by adding Sec. 50-539 to regulate solar energy systems;

NOW THEREFORE, the Planning Commission hereby recommends adoption of the proposed Sec. 50-539 as amended, and refers this matter back to the City Council for a first reading.

Immediate Certification: This motion is immediately certified.

MOTION CARRIED by the following vote:

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

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

MOTION CARRIED by the following vote:

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

The next item on the agenda was **Continued Discussion and Presentation by Planning Consultant John Jackson: Land Uses & Zoning on Mack Avenue**. John Jackson of McKenna Associates, Inc. distributed a handout outlining three approaches to addressing the regulation of drive thru restaurants: prohibition; allow only in C-2 district; allow only with special land use approval. The handout also included a map displaying the distance to drive thru restaurants in the surrounding area. Discussion ensued regarding the benefits and disadvantages of each of the three approaches.

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The Commission agreed that only allowing drive thru restaurants in the C-2 district is an under-utilization of that district. Additionally, due to the limited lot sizes in the C district, construction of a viable drive thru restaurant, without imposing on the residential district, is unlikely. Therefore, general consensus of the Commission was to request that Administration draft language to amend the existing ordinance to update the “fast food” definition and add a prohibition of drive thru restaurants.

Motion by Vitale, seconded by Rozycki, that the following be received and placed on file:

A. Memorandum – 11/27/12 – John R. Jackson, McKenna Associates, Inc.

MOTION CARRIED by the following vote:

YES: Fuller, Gilezan, Hamborsky, Rozycki, Richardson, Stapleton, Vaughn, Vitale

NO: None

ABSENT: Evola

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

- The Rivers project is moving along, paneling and shingles will be up by Friday. Currently doing 6-8 inspections there daily. Full set of plans expected next week.
- Received an application for a Wireless Communications Facility at the Milk River Pump Station.
- The former auto repair shop at 20805 Mack has been completely rehabbed.
- The renovations to Eugenio Paint are going well.
- There are number of new business applications in process.
- There was a fire on Hollywood, waiting to see how that will be handled.
- Permit activity has increased, one property just applied for a \$100,000 addition. People are putting money into their properties.

Commission Member Hamborsky gave the **November 2012 Council Reports**:

- November 5th meeting: Was unable to attend, however, Council did pass a resolution to approve the Project Plan for The Rivers, which allows them to continue with their financing plan with bonds through the Wayne County Economic Corporation.
- November 19th meeting: Council granted the St. John temporary helipad application with three greater restrictions: allowed only a six month period, no extensions will be permitted, and limited to 25 flights.

Commission Member Richardson will attend the December Council Meetings.

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

2020 Plan – Nothing to report.

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Special Sign Ordinance – Nothing to report.

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

- Commission Member Vaughn stated that there are some changes to telecommunications facilities and wanted to ensure that they are being reviewed to determine if they will impact local ordinances. Building Official Tutag is reviewing the changes.

Motion by Vaughn, seconded by Rozycki, that the Planning Commission adjourn at 8:42 p.m.
Passed unanimously.