

PLANNING COMMISSION
6/24/14 – 014

MINUTES OF THE PLANNING COMMISSION OF THE CITY OF GROSSE POINTE WOODS HELD ON TUESDAY, JUNE 24, 2014, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK AVENUE, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:30 p.m. by Chair Rozycki.

Roll Call: Chair Rozycki
Fuller, Gilezan, ~~Hamborsky~~, Harrell, Profeta, Stapleton, Vaughn, Vitale

Absent: Hamborsky

Also Present: City Administrator Fincham
Building Official Tutag
City Planner John Jackson

Corrected per Planning Commission 09/23/2014

Motion by Harrell, seconded by Vitale, that Commission Member Hamborsky be excused from tonight's meeting.

MOTION CARRIED by the following vote:

YES: Fuller, Gilezan, Harrell, Profeta, Rozycki, Stapleton, Vaughn, Vitale
NO: None
ABSENT: Hamborsky

Motion by Rozycki, seconded by Harrell, 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, Harrell, Profeta, Rozycki, Stapleton, Vaughn, Vitale
NO: None
ABSENT: Hamborsky

The Chair recognized Council Members Ketels, Bryant, and Shetler who were in attendance at tonight's meeting.

Motion by Vaughn, seconded by Profeta, regarding **Approval of Minutes**, that the Planning Commission and Workshop minutes dated May 27, 2014, be approved.

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MOTION CARRIED by the following vote:

YES: Fuller, Gilezan, Harrell, Profeta, Rozycki, Stapleton, Vaughn, Vitale
NO: None
ABSENT: Hamborsky

The next item on the agenda was the **schedule a public hearing: Legacy Oaks, 850 Briarcliff for conditional rezoning on June 24, 2014**. Building Official Tutag gave an overview.

THE MEETING WAS THEREUPON OPENED AT 7:33 P.M. FOR A PUBLIC HEARING TO HEAR THE APPLICATION OF **LEGACY OAKS, 850 BRIARCLIFF, GROSSE POINTE WOODS**, WHICH IS REQUESTING A CONDITIONAL REZONING FOR 8.8 ACRES OF LAND FROM R-1A ONE FAMILY RESIDENTIAL TO R-4 HIGH DENSITY MULTIPLE DWELLING DISTRICT FOR NO MORE THAN 13 UNITS IN PHASE I AND II AND 12 UNITS IN PHASE III, REZONING REQUIRED IN ACCORDANCE WITH SECTION 50-88.

Motion by Vitale, supported by Fuller, that for purposes of the public hearing the following items be received and placed on file:

- A. PCW Excerpt — 05/27/14
- B. PC Excerpt — 05/27/14
- C. Affidavit of Legal Publication — 06/05/14
- D. Affidavit of 300' Radius Notice — 06/05/14
 - (1) Aerial Map — 06/05/14
 - (2) List of Property Owners Notified
- E. Report — 06/06/14 McKenna Associates (J. Jackson)
- F. Memo — 06/12/14 Public Works Director (J. Ahee)
- G. E-mail — 06/17/14 Public Safety Traffic Safety Officer (D. Koerber)
- H. Letter — 06/18/14 Public Safety Fire Inspector (J. Provost)
- I. Memo — 06/17/14 Assistant City Attorney (C. Berschback)
 - (1) Proposed Resolution to Approve Conditional Rezoning Request
 - (2) Proposed Resolution to Deny Conditional Rezoning Request
- J. Memo — 06/19/14 Building Official (G. Tutag)
- K. GP Woods City Ordinance - #50-88 Conditional zoning approval
- L. Contract-for Conditional Rezoning for Tax ID Parcel #40-002-99-0001
- M. Development Proposal — Legacy Oaks Condominiums (rec'd 06/05/14)
 - (1) Introductory Letter — 05/12/14 (J. Williamson)
 - (2) Letter of Intent — 05/13/14 — Progressive Assoc., Inc. — (D. Tosch)
 - (3) Environmental Impact Statement — 05/13/14 (D. Tosch)
 - (4) Wall Pack Cutoff Light Specs — Rec'd 6-18-14
 - (5) Cover Sheet #CS — 05/27/14
 - (6) Land Title Survey — 05/09/14

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- (7) Fire Access/Hydrant Coverage & Preliminary Storm Drain Calculations — 06/17/14
- (8) Aerial View
- (9) Proposed Site Plan #ASP1 — 03/26/14
- (10) Site Details #ASP2 — 03/26/14
- (11) Landscape Plan #LP — 05/07/14
- (12) Phase I / II Proposed Building Plans #SK1 — 03/19/14
- (13) Unit Plans #SK2 — 04/14/14
- (14) Proposed Elevations #SK3 — 05/13/14
- (15) Proposed Elevations #SK4 — 06/16/14
- (16) Front & West Elevations Photo Sheet
- (17) Proposed Brick & Proposed Shingle & Paint Photo Sheet

Motion carried by the following vote:

YES: Fuller, Gilezan, Harrell, Profeta, Rozycki, Stapleton, Vaughn, Vitale
NO: None
ABSENT: Hamborsky

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

Mr. John Williamson
Senior V.P. / American Community Developers, Inc.
105 Tonnocor Place
Grosse Pointe Farms

Raymond Andary
995 Briarcliff

Jim Moore
899 Briarcliff

Jack Galsterer
825 South Rosedale

Frank Pallazolo
854 Moorland

The Chair asked if anyone from the audience wished to speak in opposition to the proposed request. No one wished to be heard.

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The following individuals posed questions regarding the project:

Wayne Wagner
677 Briarcliff

Arabella Wujek
765 Perrien Place

Motion by Rozycki, seconded by Gilezan, that the public hearing BE CLOSED at 8:10 p.m. PASSED UNANIMOUSLY.

Discussion then took place among the Commission Members and questions posed to the developer Mr. Williamson, Mr. Tutag, Mr. Jackson, and Mr. Berschback. Based on this discussion, a resident had a question and requested to be heard.

Motion by Harrell, seconded by Vaughn, that the public hearing thereby be reopened at 8:47 p.m. PASSED UNANIMOUSLY.

The following individual wished to be heard:

Lillian Licata
612 Moorland

Hearing no objections, the Chair closed the Public Hearing at 8:50 p.m.

Motion by Gilezan, supported by Stapleton, regarding Conditional Rezoning for Briarcliff 2014 LLC, a/k/a Legacy Oaks, 850 Briarcliff, Grosse Pointe Woods, that the Planning Commission adopt the Proposed Resolution recommending that the City Council approve this request for conditional rezoning for the following reasons:

1. Is consistent with the goals, policies, and objectives of the master plan.
2. Is compatible with the uses permitted in the surrounding single family zoning district.
3. The capacity of the City's utilities and services is sufficient to accommodate the uses permitted in the requested district.
4. The street system is capable to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.
5. The boundaries of the requested rezoning district are reasonable in relationship to surrounds and construction on the site will be able to meet dimensional regulations for the requested zoning district.
6. The requested rezoning will not create an isolated or incompatible zone in the neighborhood.

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7. The conditions proposed by Briarcliff 2014 LLC in the draft rezoning with conditions contract are acceptable and made conditions of this approval.

Motion carried by the following vote:

YES: Fuller, Gilezan, Harrell, Profeta, Rozycki, Stapleton, Vaughn, Vitale
NO: None
ABSENT: Hamborsky

Motion by Rozycki, seconded by Vaughn, that the previous motion be immediately certified.

Motion carried by the following vote:

YES: Fuller, Gilezan, Harrell, Profeta, Rozycki, Stapleton, Vaughn, Vitale
NO: None
ABSENT: Hamborsky

The next item on the agenda was the **Building Official's Monthly Report – May 2014**. Mr. Tutag reported the following:

- A synopsis of the monthly building report as attached to the minutes.

Regarding the **June 2014 Council Reports**:

- Hamborsky (Absent), no report.
- Harrell had nothing to report.
- Mr. Tutag-gave an update on the recent Metro Act request from Fibertech.
- Commissioner Profeta discussed the Solar Panel variance request from the June 2, 2014 Council meeting (section 50.539). Commissioner Profeta indicated some cities have modified their ordinances from the 4' setback to 3' on the roofs; however, based upon Fire Marshall Provost's letter regarding fire safety for the officers and the access to the roofs, he fully supports keeping the ordinance as it is. Mr. Tutag concurred.

Commission Member Rozycki will attend the Council Meetings in July.

Under **New Business**, the following **Subcommittee Reports** were provided:

2020 Plan – Hamborsky (Absent) no report.

Special Sign – Vaughn had nothing report.

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Hearing no objections, the following was discussed under New Business:

- Commissioner Vaughn suggested that a workshop should be scheduled in the near future to discuss a possible ordinance for underground utilities for all new construction to alleviate issues of congested unsightly utility lines as discussed by Mr. Tutag in his Metro Act update.

Public Comment:

- Council Member Ketels raised the question as to the currently adopted 2006 Fire Code and why we have not updated to the 2012 Code as was discussed at the June 2, 2014, Council meeting. Mr. Tutag was instructed to research whether the City should adopt the 2012 Fire Code and if so, should we amend it in any way. Mr. Tutag indicated he would look into the matter.
- Mark Decker, 1006 Moorland, made a comment that he had not received any other notices other than for tonight's meeting. He understood other meetings have taken place and he as well as some neighbors did not receive notice for any of those meetings.

Motion by Stapleton, seconded by Gilezan, to adjourn the Planning Commission meeting at 9:15 p.m. Passed unanimously.

Respectfully submitted,

Alfred Fincham
City Administrator