



CITY OF GROSSE POINTE WOODS

PLANNING COMMISSION MEETING AGENDA

Tuesday, March 22, 2022 at 7:00 PM

*Robert E. Novitke Municipal Center - Council Chambers/Municipal Court,
20025 Mack Plaza, Grosse Pointe Woods, MI 48236
(313) 343-2426*

- 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**
 - [A.](#) Planning Commission 2/22/22
- 7. PRESENTATION/REVIEW: Chene-Trombley Park Project**
 - [A.](#) Building Official Memo - 3/15/22
 - [B.](#) Chene-Trombley Park Master Plan Design
 - [C.](#) Opinion of Probable Cost
- 8. SCHEDULE PUBLIC HEARING: Solar Ordinance Repeal: Chapter 50 of City Code**
 - [A.](#) Building Official Memo - 3/14/22
- 9. SCHEDULE PUBLIC HEARING: Colonial Design Theme: Chapter 50 of City Code**
 - [A.](#) Building Official Memo - 3/14/22
- 10. DISCUSSION/REVIEW: Mobile Food Vending Ordinance**
 - [A.](#) City Attorney: Final Review of Draft Ordinance - 3/1/22
- 11. BUILDING OFFICIAL UPDATE/DISCUSSION**
 - [A.](#) Building Official Memo - 3/14/22
- 12. REVIEW: PLANNING COMMISSION ANNUAL REPORT**
 - [A.](#) 2021 Planning Commission Annual Report Draft 3/18/22
- 13. BUILDING OFFICIAL'S MONTHLY REPORT/s**
 - A. Building Department Report - February 2022
- 14. COUNCIL REPORT/s**
 - A. February 28, 2022 - Gilezan
 - B. March 7 & 21, 2022 - Hamborsky
- 15. INFORMATION ONLY: Council Representatives for Next Meeting**

A. April 4 & 25, 2022 - Vitale

16. NEW BUSINESS

A. 2020 Plan - Hamborsky, Vitale, Gilezan

B. Crosswalk/Pocket Park - Fuller

C. Streetscape - Bailey

17. PUBLIC COMMENT

18. ADJOURNMENT

PLANNING COMMISSION
PENDING MINUTES 2-22-22 – 4

MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON FEBRUARY 22, 2022, IN THE COUNCIL-COURT ROOM OF THE ROBERT E. NOVITKE MUNICIPAL CENTER, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:01 by Chair Fuller.

Roll Call: Chair Fuller
Planning Commissioners: Bailey, Gerhart, Gilezan, Hamborsky, McNelis, O’Keefe, Vitale
Absent: Fenton
Also Present: City Attorney Tim Tomlinson
Building Official Tutag
Rod Arroyo from Giffels Webster
19850 Mack Owner, Frank Arcori, and Architect, Jason Krieger

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

MOTION by Gerhart, seconded by Bailey, that commissioner Fenton be excused from tonight’s meeting.

Motion carried by the following vote:

YES: Bailey, Fuller, Gerhart, Gilezan, Hamborsky, McNelis, O’Keefe, Vitale
NO: None
Absent: Fenton

MOTION by Bailey, seconded by Gilezan, that all items on tonight’s agenda be received, and placed on file, taken in order of appearance as presented.

Motion carried by the following vote:

YES: Bailey, Fuller, Gerhart, Gilezan, Hamborsky, McNelis, O’Keefe, Vitale
NO: None
Absent: Fenton

Vice-Chair Fuller recognized Council Representative Vaughn who was in attendance at tonight’s meeting.

MOTION by Vitale, seconded by O’Keefe, that the January 25, 2022 Planning Commission Meeting Minutes be received and placed on file as presented.

Motion carried by the following vote:

YES: Bailey, Fuller, Gerhart, Gilezan, Hamborsky, McNelis, O’Keefe, Vitale
NO: None
Absent: Fenton

PLANNING COMMISSION
PENDING MINUTES 2-22-22 – 5

The next item on the agenda was the **Public Hearing regarding the repealer and replacement of the City of Grosse Pointe Woods, Wayne County, Zoning Ordinance and Zoning Map in its entirety.**

Chair Fuller opened the Public Hearing at 7:10 p.m.

Chair Fuller presented the Building Official Memo on behalf of Building Official Tutag. Rod Arroyo from Giffels Webster introduced himself and made a presentation to commissioners, staff and the public on the reformatting of the Zoning Ordinance and how to use the Clearzoning software. Discussion ensued.

Chair Fuller opened up the floor for Public Comment. No one from the Public wished to Comment.

Public Hearing closed at 7:24 p.m.

MOTION by Vitale, seconded by Bailey, to recommend to City Council to approve the repealer and replacement of the City of Grosse Pointe Woods, Wayne County, Zoning Ordinance and Zoning Map in its entirety, as presented.

Motion carried by the following vote:

YES: Bailey, Fuller, Gerhart, Gilezan, Hamborsky, McNelis, O’Keefe, Vitale
NO: None
Absent: Fenton

The next item on the agenda was the **Façade Change Proposal: 19850 Mack Avenue.** Josie Modrack presented the Building Official Memo on behalf of Building Official Tutag. Applicant, Jason Krieger of Krieger Klatt Architects presented the proposed façade change before Commissioners. Also present was the owner of the building, Frank Arcori. Discussion ensued regarding the proposed materials used for the development. Also mentioned was that there would be a masonry dumpster enclosure, the meter area and street frontage would be maintained, tenants are still to-be-determined, rear of the building to be painted, and there is no proposed change to the building’s footprint.

MOTION by Vitale, seconded by McNelis, to approve the façade change proposal for 19850 Mack Avenue, incorporating the comments and stipulations by the Department of Public Works, Department of Public Safety, and Building Official, including there be screening of mechanical units, that the project begin within 6 months and take no longer than 1 year to complete, and encouraged the comments made by Planning Commissioners to enhance the rear entrance of the building also be considered.

Motion carried by the following vote:

YES: Bailey, Fuller, Gerhart, Gilezan, Hamborsky, McNelis, O’Keefe, Vitale
NO: None
Absent: Fenton

PLANNING COMMISSION
PENDING MINUTES 2-22-22 – 6

The next item on the agenda was the **Food Truck Ordinance Discussion/Review**. City Attorney Tim Tomlinson presented to commissioners the newly drafted Mobile Food Vending Ordinance which incorporated their comments from last meeting. Discussion ensued. City Attorney Tim Tomlinson will take the Planning Commissioner’s comments and make those changes to bring forward to the next Planning Commission meeting.

The next item on the agenda was the **Building Official’s Monthly Report**, and the following items were presented for January 2022.

- Sign ordinance: City Attorney has made recommendations to amending ordinance to comply with State Code. Would like this to eventually be in the Clearzoning format.
- Proposed colonial design theme standards will be on COW agenda March 21, 2022.
- Legacy Oaks inspection recently: labor and material shortage, no one occupying yet but 90% of exterior is completed. Possibly plan a tour/inspection before a Planning Commission meeting one month.
- Next month will have a joint meeting with Parks and Rec Committee for the Chene-Trombley Park Project presentation.
- Master Plan RFP: working on this with the budget meetings.

The next item on the agenda was the **Council Reports**:

- Commissioner Vitale reported on behalf of Commissioner Gilezan.

Under **New Business**, the following items were discussed:

- 2020 Plan Subcommittee: nothing to report
- Crosswalk/Pocket Park Subcommittee: nothing to report
- Streetscape Subcommittee: nothing to report

Under **Public Comment**, the following was heard:

- Margaret Potter, 1834 Allard: electric vehicle chargers.

MOTION by Bailey, seconded by Vitale, to adjourn at 8:28 p.m.

Respectfully Submitted,
Josie Modrack
Administrative Assistant to the Building Official

CITY OF GROSSE POINTE WOODS

Building Department

MEMORANDUM

DATE: March 15, 2022
TO: Planning Commission
FROM: Gene Tutag, Building Official
SUBJECT: Chene-Trombley Park – Project Presentation

In your packets you will find the Chene-Trombley Park project master plan design package as well as the current pricing estimate submitted by Stucky Vitale Architects.

John Vitale of Stucky Vitale Architects will be making a presentation on the Chene-Trombley Park project.

Frank Schulte, City Administrator, will also be presenting on behalf of the Chene-Trombley Park project and the logistics of the project.

CHENE-TROMBLEY PARK

MASTER PLAN DESIGN PACKAGE



STUCKY VITALE ARCHITECTS

27172 WOODWARD AVENUE
ROYAL OAK, MI 48067-0925
P. 248.546.6700
F. 248.546.8454
WWW.STUCKYVITALE.COM



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| SP1.3 | ENLARGED SITE PLAN [AREA B - TOT LOT] |
| SP1.4 | ENLARGED SITE PLAN [AREA C - WALKWAY] |



CITY OF GROSSE POINTE WOODS
20025 MACK PLAZA
GROSSE POINTE WOODS
MICHIGAN 48236
(313) 343-2440



CREDIT: www.gpwfoundation.org

INTRODUCTION

THIS DOCUMENT IS INTENDED TO SERVE AS A PLANNING GUIDELINE FOR ONGOING IMPROVEMENTS TO THE GROSSE POINTE WOODS CHENE-TROMBLEY PARK. STUCKY VITALE ARCHITECTS WAS CONTACTED BY THE CITY OF GROSSE POINTE WOODS IN 2020 TO REVIEW THE EXISTING CONDITIONS ON SITE AND PROVIDE RECOMMENDATIONS FOR POTENTIAL FUTURE IMPROVEMENTS IN A MASTER PLAN DOCUMENT.

WORKING IN CONJUNCTION WITH CITY OFFICIALS AND MEMBERS OF THE COMMUNITY, THE CHENE-TROMBLEY PARK MASTER PLAN DESIGN PACKAGE IS THE PRODUCT OF A DELIBERATE AND COLLABORATIVE PROCESS, REPRESENTING THE CONTINUING COMMITMENT OF THE CITY AND ITS RESIDENTS TO THE IMPROVEMENT OF THESE SHARED AMENITIES.

INCLUDED IN THIS DOCUMENT ARE A SERIES OF DETAILED SITE PLANS INDICATING RECOMMENDED MODIFICATIONS TO THE EXISTING SITE AS WELL AS PROPOSED NEW FEATURES & AMENITIES TO ENHANCE THE APPEARANCE, THE ACCESSIBILITY, AND THE USABILITY OF THE PARK FOR FUTURE GENERATIONS.



PARK HISTORY

"ON APRIL 26, 1938, A NEIGHBORHOOD MEETING WAS HELD AT THE HOME OF MRS. EDGAR HALLEAD TO DISCUSS WAYS OF OBTAINING RECREATIONAL FACILITIES FOR THEIR COMMUNITY AND CHILDREN.

"MRS. HATTIE CHENE DONATED THE USE OF A PARCEL OF LAND, LOCATED AT RIDGEMONT AND MACK AVENUE, TO THE NEWLY ORGANIZED GROUP - THE GROSSE POINTE WOODS COMMUNITY CLUB - IN MEMORY OF HER MOTHER AND FATHER, MRS. AND MRS. COLUMBUS TROMBLEY. MRS. HALLEAD BECAME THE CLUB'S FIRST PRESIDENT.

"LATER, MRS. CHENE DEEDED THE LAND TO THE VILLAGE OF GROSSE POINTE WOODS WHICH LATER BECAME THE CITY OF GROSSE POINTE WOODS. MRS. CRYSTAL GREGORY, THEN PRESIDENT OF THE CLUB, APPOINTED MRS. HALLEAD, MR. A.A. GHESQUIERE AND MRS. HOWARD IIAMS TO THE BUILDING COMMITTEE. WITH CONTRIBUTIONS OF MONEY AND VOLUNTEER HELP FROM MEMBERS OF THE COMMUNITY, THE COMMUNITY CLUB BUILDING OPENED IN 1941. A FIVE-ROOM ADDITION WAS ADDED IN 1952 THROUGH THE EFFORT OF MR. MERVYN GASKIN AND MR. LEON RATCLIFFE.

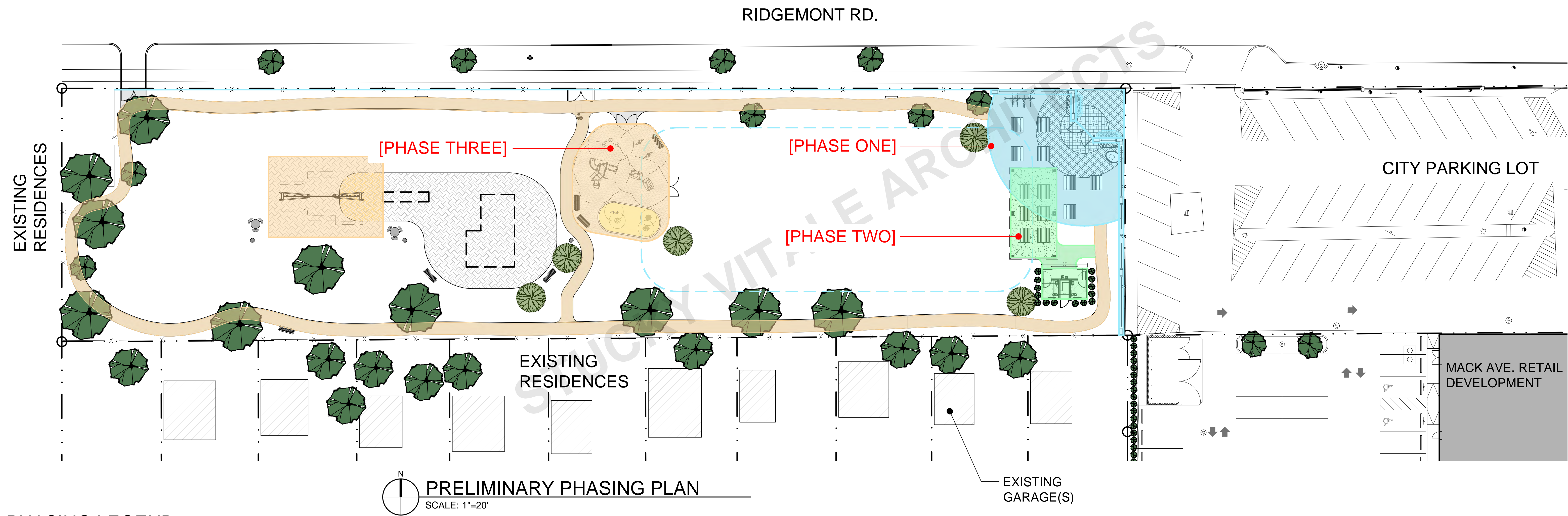
"FOR MANY YEARS THE ACTIVITIES OF THE CLUB INCLUDED A NURSERY SCHOOL, DANCING CLASSES AND SUPERVISED RECREATIONAL ACTIVITIES, AND THEN THE EMPHASIS SHIFTED TO GROUP WORK, INFORMAL EDUCATION AND FURTHER RECREATIONAL ACTIVITIES.

"AS TIME WENT ON, RECREATIONAL ACTIVITIES WERE SEEN AS A MUNICIPAL FUNCTION AND WERE TAKEN OVER BY A CITY RECREATION COMMISSION. THE COMMUNITY CLUB THEN MOVED TO BRING TO A CLOSE ITS LONG YEARS OF SERVICE WHICH HAD BEEN FINANCED BY THE LOCAL COMMUNITY AND BY UNITED COMMUNITY SERVICES. WHEN THE BUILDING FELL INTO DISREPAIR AND WAS NOT ADAPTABLE FOR THE RECREATIONAL NEEDS OF THE CITY, IT WAS DEMOLISHED, THOUGH THE CHENE-TROMBLEY PLAYGROUND IS STILL MAINTAINED AND USED TO THIS DAY."

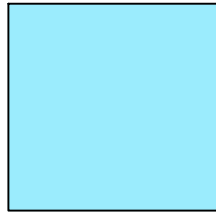
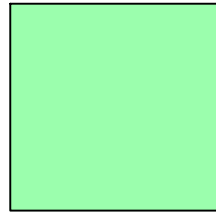
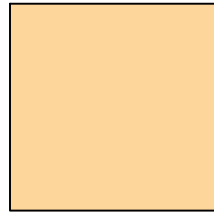
REFERENCE: BROCHURE "TAKE A WALK IN THE WOODS: A GUIDE TO PARKS IN THE CITY OF GROSSE POINTE WOODS" PREPARED BY THE GROSSE POINTE HISTORICAL COMMISSION.



MASTER PLAN DESIGN



PHASING LEGEND

| PHASE INDICATION | BRIEF DESCRIPTION | PHASE INDICATION | BRIEF DESCRIPTION | PHASE INDICATION | BRIEF DESCRIPTION |
|--|--|---|--|--|---|
|  PHASE #1 | <ul style="list-style-type: none">- MASONRY ENTRY & UP-LIGHTING- FOUNDATIONS- WROUGHT IRON GATE- PERIMETER FENCE & GATES- BOULDER & HISTORICAL PLAQUE- HARD-SCAPE PAVERS- TREE REMOVAL- RE-GRADE ICE RINK AREA- DEMO. EXISTING FENCE |  PHASE #2 | <ul style="list-style-type: none">- PAVILION SLAB- PAVILION FOOTINGS- PAVILION (PRE-FAB)- BIKE RACK- TOILET ROOMS- LANDSCAPE SCREENING- CONCRETE SLAB AND FOOTINGS- UNDERGROUND UTILITIES |  PHASE #3 | <ul style="list-style-type: none">- TOT LOT CONSTRUCTION- TOT LOT PLAY EQUIPMENT- TOT LOT FENCING- WALKING PATH (ASPHALT)- WALKING PATH BENCHES- NEW SWINGS- BI-LEVEL PEDESTAL FOUNTAIN- TREES- BENCHES |

NOTE: DEVIATIONS FROM THE INDICATED PHASES MAY OCCUR DUE TO CONSTRUCTION FEASIBILITY. IN-FIELD REVISIONS WILL BE COORDINATED WITH THE LOCAL TRADE INSPECTORS. G.C. SHALL DEVELOP A CONSTRUCTION PLAN AND COORDINATE CHANGES IN ADVANCE.



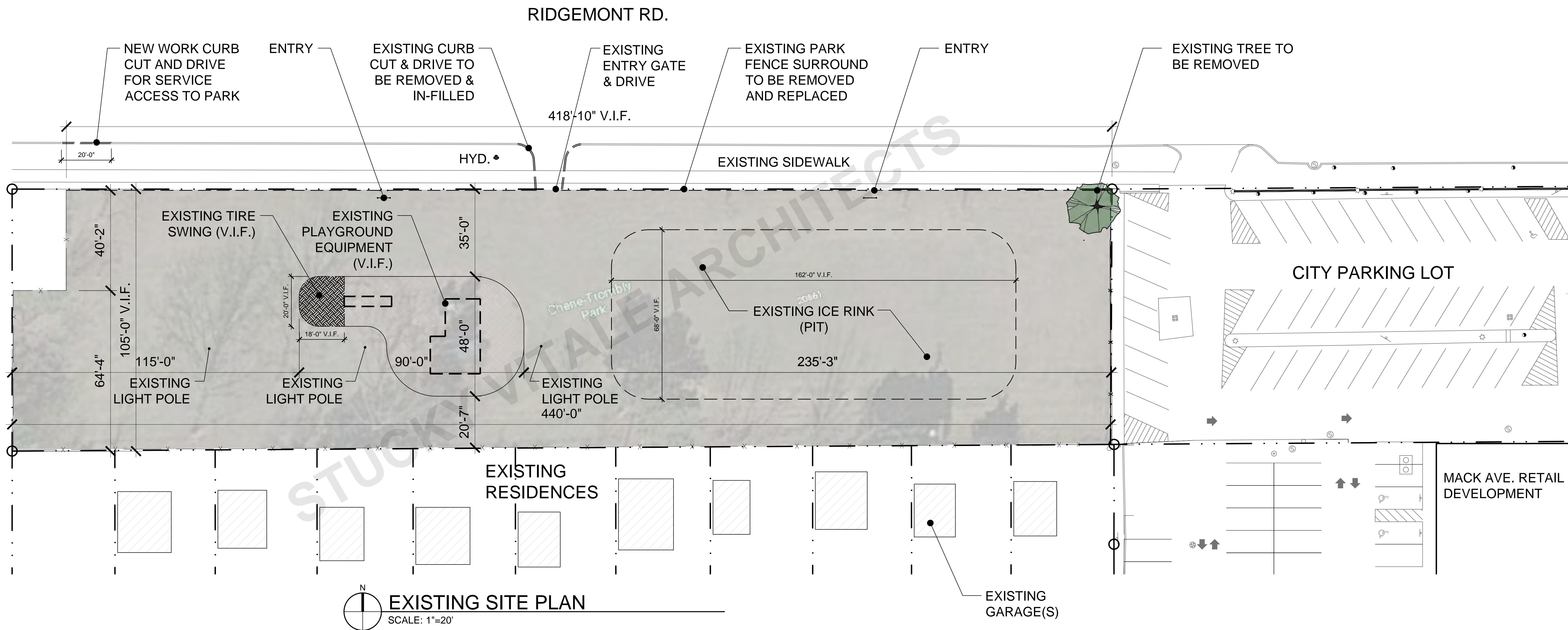
2021.027
CHENE-TROMBLEY PARK MASTER PLAN
20861 RIDGEMONT RD.
GROSSE POINTE WOODS, MI 48236
DRAWN BY: JPM

MASTER PLAN DESIGN

CONCEPTUAL DESIGN PACKAGE

FEBRUARY 24, 2022

CHENE-TROMBLEY PARK



VICINITY MAP
SCALE: NOT TO SCALE



MASTER PLAN DESIGN



2021.027

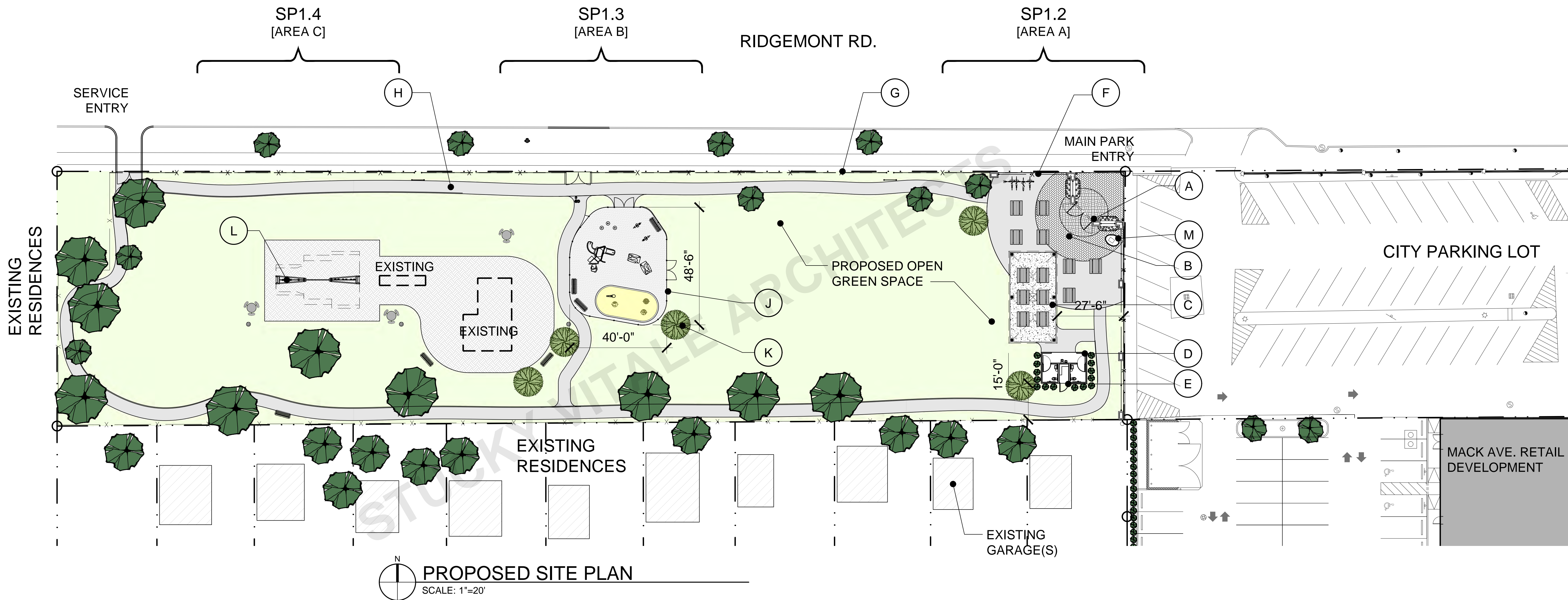
CHENE-TROMBLEY PARK MASTER PLAN
20861 RIDGEMONT RD.
GROSSE POINTE WOODS, MI 48236
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CONCEPTUAL DESIGN PACKAGE

FEBRUARY 24, 2022

SP1.0

CHENE-TROMBLEY PARK



| NEW PROPOSED PARK IMPROVEMENTS | | NEW PROPOSED PARK IMPROVEMENTS | |
|--------------------------------|---|--------------------------------|--|
| TAG | DESCRIPTION | TAG | DESCRIPTION |
| (A) | NEW MASONRY AND DECORATIVE METAL ENTRANCE GATE + SIGNAGE WITH UP-LIGHTING | (F) | NEW WROUGHT IRON FENCING AND MASONRY PIER(S) |
| (B) | NEW OUTDOOR HARDSCAPE PICNIC AREA | (G) | NEW 36" HT. FENCE |
| (C) | NEW OUTDOOR PAVILION STRUCTURE WITH ADA B.F. ACCESS | (H) | NEW QUARTER-MILE CONCRETE WALKING PATH WITH DISTANCE MARKERS |
| (D) | ADA UNISEX TOILET(S) + DRINKING FOUNTAIN WITH BOTTLE RE-FILL | (J) | NEW TOT LOT WITH 30" HT FENCE |
| (E) | STORAGE SHED WITH HOSE-BIBB WATER CONNECTION | (K) | NEW SHADE TREES |
| | | (L) | NEW SWING EQUIPMENT + WOOD CHIP BASE |
| | | (M) | BOULDER WITH HISTORIC DEDICATION PLAQUE |



2021.027
CHENE-TROMBLEY PARK MASTER PLAN
20861 RIDGEMONT RD.
GROSSE POINTE WOODS, MI 48236
DRAWN BY: JPM

MASTER PLAN DESIGN

CONCEPTUAL DESIGN PACKAGE

FEBRUARY 24, 2022

SP1.1



TREE TOP PRODUCTS POWDER-COATED PARK-IT BIKE RACKS (OR APPROVED EQUAL) PER GROSSE POINTE WOODS DESIGN STANDARDS



PERSONALIZED & SPECIALTY EMBOSSED HARDSCAPE MASONRY PAVERS



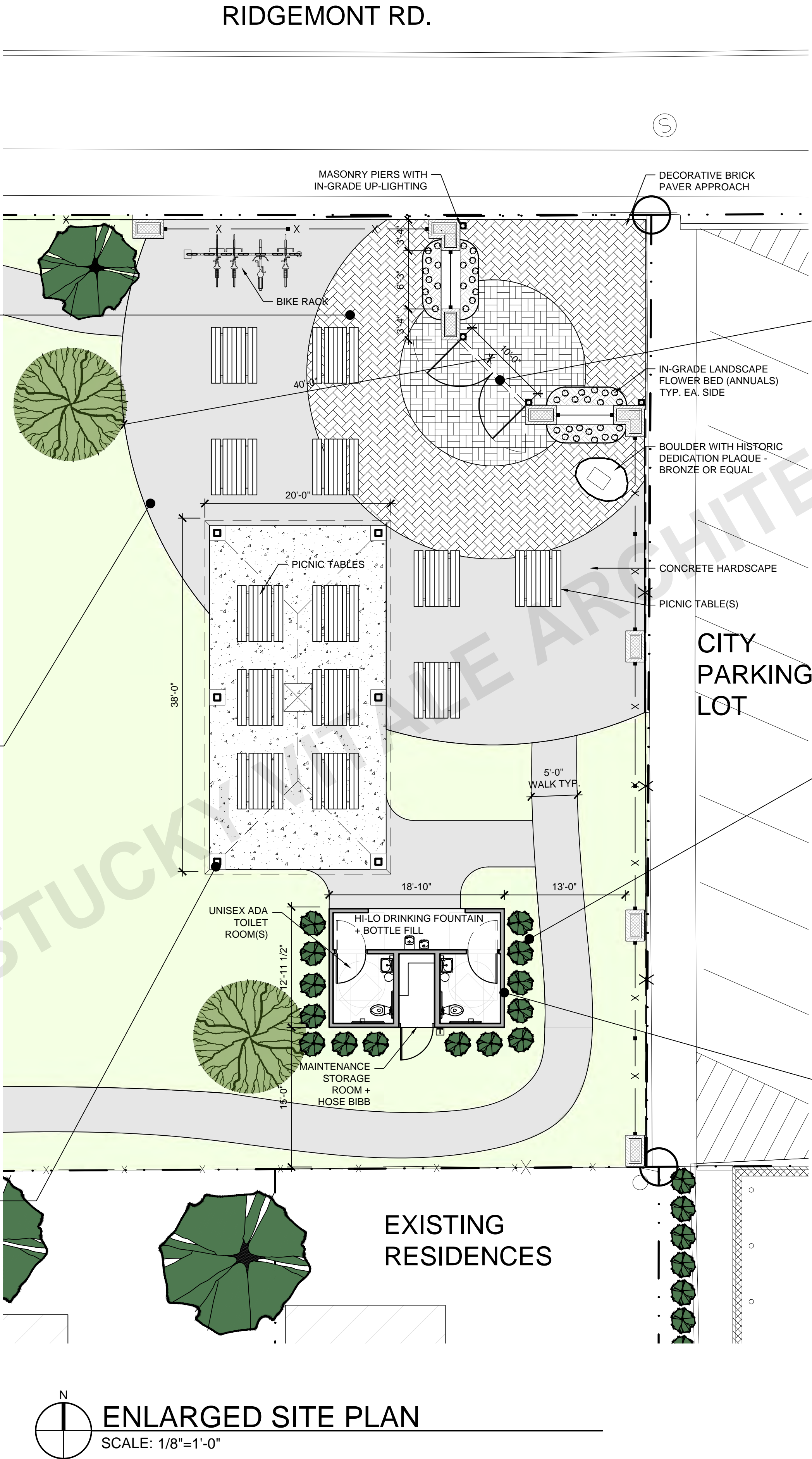
BARRIER FREE



GROSSE POINTE WOODS STANDARD PICNIC TABLE WITH UMBRELLA HOLE. SUPERSAVER COMMERCIAL ROUND PICNIC TABLES (OR APPROVED EQUAL).



COMMERCIAL 20' X 40' HIP ROOF STYLE WOOD PAVILION KIT. AMERICAN LANDSCAPE STRUCTURES OR APPROVED EQUAL.



DECORATIVE MASONRY ENTRY AND GATE [CONCEPT IMAGE]



ARBORVITAE LANDSCAPE SCREENING



PRE-FABRICATED PUBLIC TOILET FACILITY WITH DRINKING FOUNTAIN + BOTTLE FILL, EQUIPMENT STORAGE SHED + HOSE BIBB CONNECTION. [CONCEPT IMAGE]



MASTER PLAN DESIGN



2021.027
CHENE-TROMBLEY PARK MASTER PLAN
20861 RIDGEMONT RD.
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FEBRUARY 24, 2022

SP1.2



EDUCATIONAL PANELS



STEPPER - NATURAL STONE



PLAYGROUND EQUIPMENT



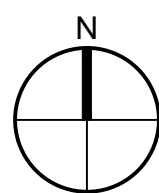
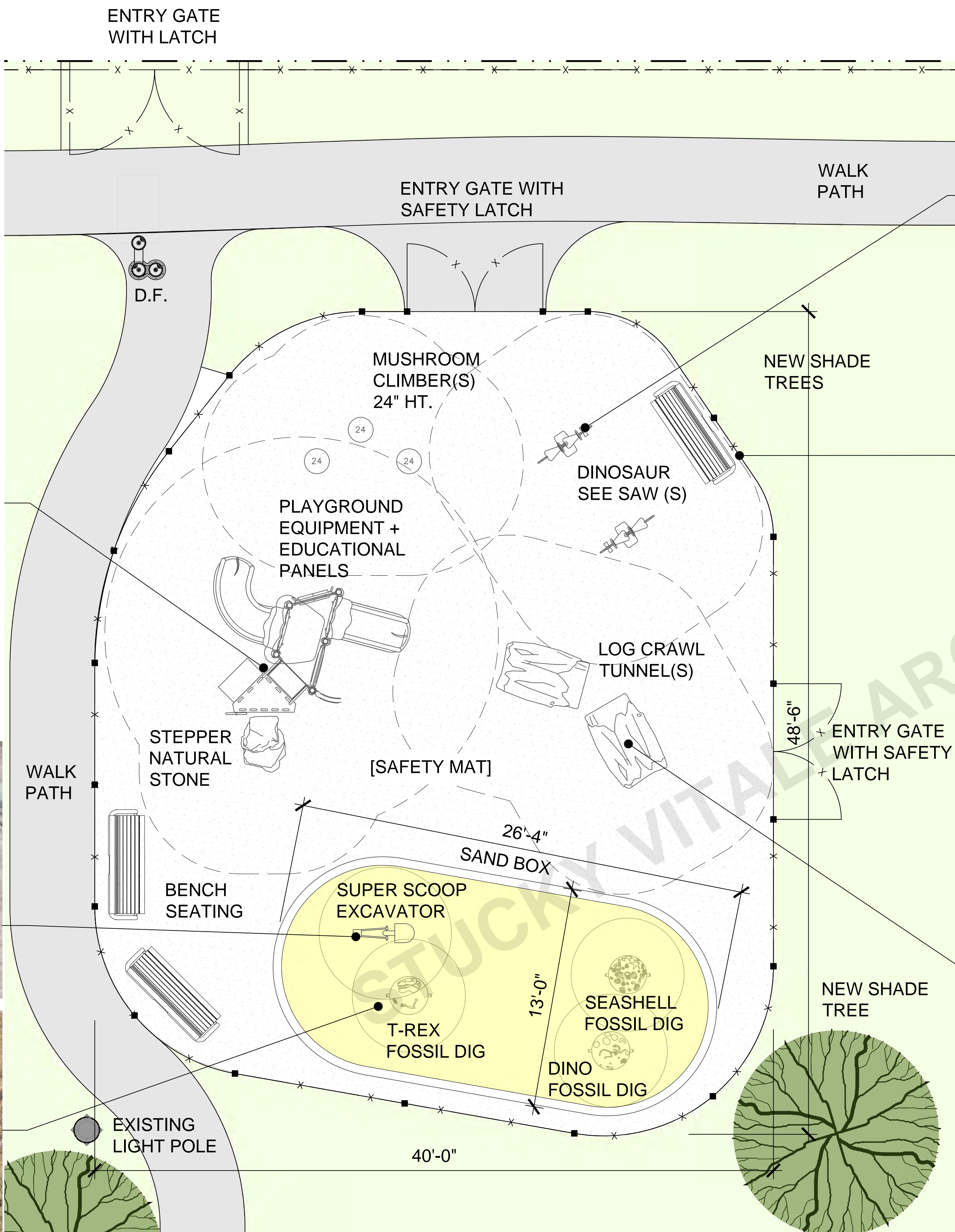
DINO
FOSSIL DIG - STONES



SEASHELL



T-REX



ENLARGED SITE PLAN - TOT LOT

SCALE: 1/4"=1'-0"

GENERAL NOTE: DASHED LINES
INDICATE PLAYGROUND
EQUIPMENT CLEARANCES



PLAYSCAPE FENCE SURROUND



LOG CRAWL TUNNEL



MASTER PLAN DESIGN



2021.027

CHENE-TROMBLEY PARK MASTER PLAN
20861 RIDGEMONT RD.
GROSSE POINTE WOODS, MI 48236
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CONCEPTUAL DESIGN PACKAGE

FEBRUARY 24, 2022

SP1.3



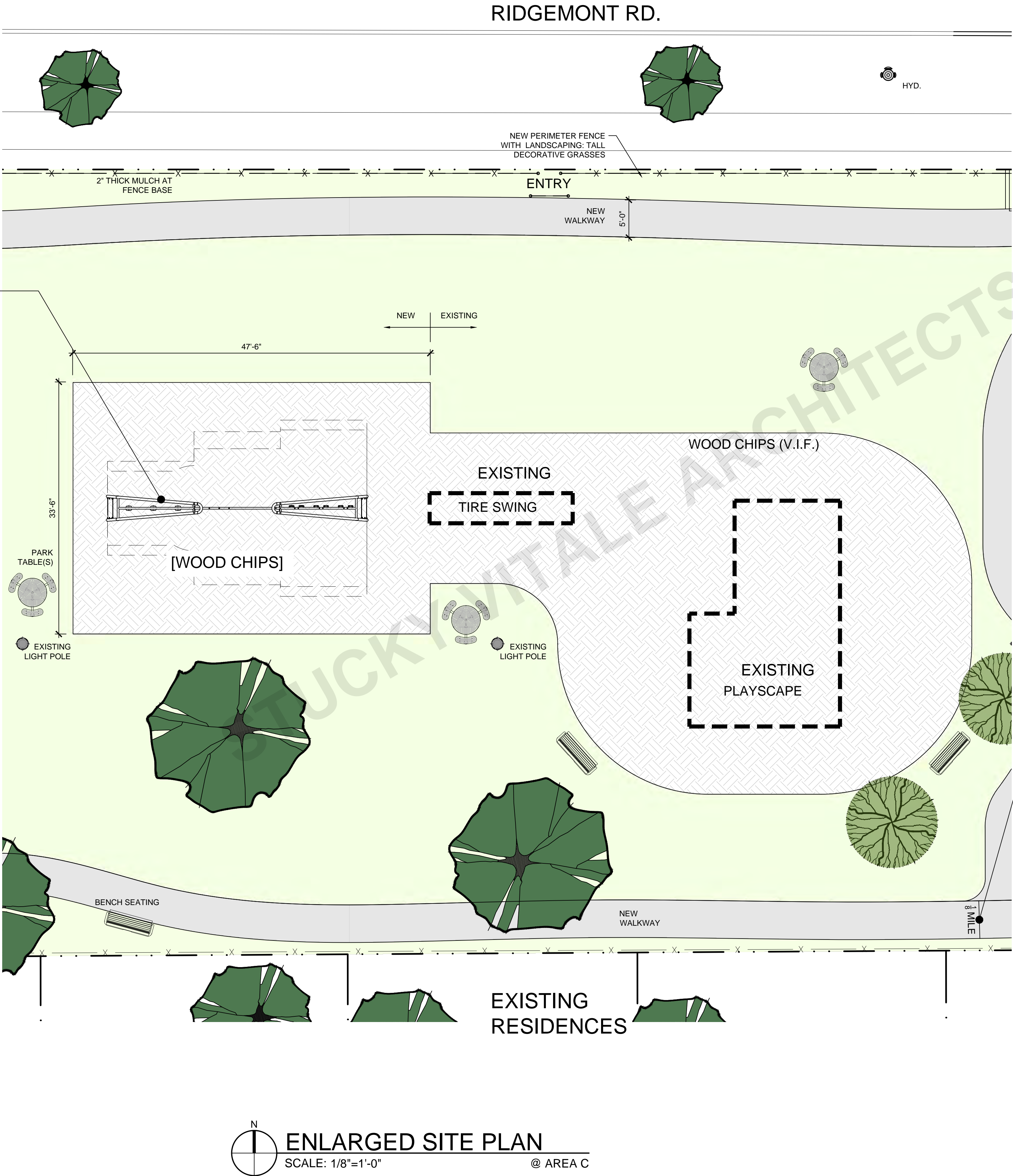
SWING EQUIPMENT + NEW EXPANDED WOOD CHIP AREA



WALKING PATH BENCHES PER GROSSE POINTE WOODS DESIGN STANDARDS



CHAIN LINK PERIMETER FENCE BLACK OR GREEN COATED



OUTDOOR DRINKING FOUNTAIN BI-LEVEL PEDESTAL WITH PET STATION. ELKAY OR EQUAL (FOR LOCATION - REFER TO SP1.3)



DISTANCE MARKERS 1/4 MILE PERIMETER WALK



MASTER PLAN DESIGN



2021.027

CHENE-TROMBLEY PARK MASTER PLAN
20861 RIDGEMONT RD.
GROSSE POINTE WOODS, MI 48236
DRAWN BY: JPM

CONCEPTUAL DESIGN PACKAGE

FEBRUARY 24, 2022

SP1.4



OPINION OF PROBABLE COST
CHENE-TROMBLEY PARK MASTER PLAN
GROSSE POINTE WOODS, MI
SVA PROJECT #2021.027
DATE: 02/24/2022

ARCH FEES FOR BIDDING & CONST OVERSIGHT \$8,000.00

INITIAL OPINION
OF PROBABLE
COST

PHASE I

| | |
|-----------------------------|----------------------|
| MASONRY & ENTRY | \$ 35,000.00 |
| FOUNDATIONS | \$ 6,000.00 |
| WROUGHT IRON GATE | \$ 16,000.00 |
| PERIMETER FENCE & GATES | \$ 16,000.00 |
| BOULDER & HISTORICAL PLAQUE | \$ 2,000.00 |
| PAVERS | \$ 32,500.00 |
| TREE REMOVAL | \$ 3,000.00 |
| RE-GRADE ICE RINK AREA | \$ 16,000.00 |
| DEMO EXISTING FENCE | \$ 1,500.00 |
| PHASE 1 - TOTAL | \$ 128,000.00 |

PHASE II

| | |
|----------------------------|----------------------|
| PAVILION SLAB | \$ 6,000.00 |
| PAVILION FOOTINGS | \$ 3,000.00 |
| PAVILION (PRE-FAB) | \$ 40,000.00 |
| BIKE RACK | \$ 300.00 |
| TOILET ROOMS | \$ 65,000.00 |
| LANDSCAPE SCREENING | \$ 3,000.00 |
| CONCRETE SLAB AND FOOTINGS | \$ 6,000.00 |
| UNDERGROUND UTILITIES | BY CITY |
| PHASE II - TOTAL | \$ 123,300.00 |

PHASE III

| | |
|--------------------------------------|----------------------|
| TOT LOT EXCAVATION AND BASE MATERIAL | \$ 8,000.00 |
| TOT LOT PLAYScape | \$ 17,000.00 |
| SEE-SAW | \$ 6,000.00 |
| SAND PIT | \$ 5,000.00 |
| SAND EXCAVATOR | \$ 2,500.00 |
| SAND FOSSIL EXHIBIT | \$ 4,000.00 |
| STAKING AND SUPERVISION | \$ 9,000.00 |
| CONCRETE FOUNDATIONS | \$ 4,000.00 |
| FENCING | \$ 6,000.00 |
| WALKING PATH (ASPHALT) | \$ 28,000.00 |
| WALKING PATH BENCHES | \$ 4,000.00 |
| NEW SWINGS | \$ 10,000.00 |
| BI-LEVEL PEDESTAL FOUNTAIN | \$ 6,000.00 |
| TREES | \$ 6,000.00 |
| BENCHES | BY CITY |
| PHASE III - TOTAL | \$ 115,500.00 |

NOTE: NOT INCLUDING ENGINEERING, SURVEY & UTILITIES

CITY OF GROSSE POINTE WOODS

Building Department

MEMORANDUM

DATE: March 14, 2022
TO: Planning Commission
FROM: Gene Tutag, Building Official
SUBJECT: Solar Ordinance Repeal in Chapter 50 of City Code – Schedule Public Hearing

A new ordinance was adopted regarding Solar Panels. Since the adoption, the old ordinance in section 50-539 needs to be repealed in its entirety.

A Public Hearing needs to be scheduled for the repeal of section 50-539 of City Code and we are requesting that it be scheduled for the Planning Commission meeting on April 26, 2022 at 7 p.m. located in the Council Chambers at the Robert E. Novitke Municipal Center.

CITY OF GROSSE POINTE WOODS

Building Department

MEMORANDUM

DATE: March 14, 2022
TO: Planning Commission
FROM: Gene Tutag, Building Official
SUBJECT: Colonial Design Ordinance – Schedule Public Hearing

After many discussions with the Planning Commission and Mayor Bryant, a final draft of the proposed changes to section 50-373 of the City Code relating to Colonial Design Standards has been prepared.

We are requesting that a Public Hearing for the amendments of section 50-373 of the City Code relating to Colonial Design Standards be scheduled for the Planning Commission Meeting on April 26, 2022 at 7:00 p.m., located in the Council Chambers at the Robert E. Novitke Municipal Center.

CITY OF GROSSE POINTE WOODS
WAYNE COUNTY, MICHIGAN

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF GROSSE POINTE WOODS, *CHAPTER 10 – BUSINESSES*, BY ADDING *ARTICLE XVII – MOBILE FOOD VENDING*, TO REGULATE MOBILE FOOD VENDING, PROVIDE DEFINITIONS, PERMITTING, APPLICATION PROCESS, FEES, PERMIT EXPIRATION, LIMITATIONS ON PERMIT TRANSFER, EXCEPTIONS, LOCATIONS, HOURS OF OPERATION, APPEALS, VIOLATIONS AND TO PROVIDE FOR REPEALER, SEVERABILITY AND EFFECTIVE DATE.

THE CITY OF GROSSE POINTE WOODS ORDAINS:

Section 1. The City of Grosse Pointe Woods Code of Ordinances, *Chapter 10 – Businesses*, is hereby amended by adding *Article XVII – Mobile Food Vending*, as follows:

ARTICLE XVII - MOBILE FOOD VENDING

Sec. 10-640 - Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Mobile Food Vending means vending, serving, or offering for sale food and/or beverages from a mobile food vending unit, which may include the ancillary sales of other items consistent with the food provided, such as a tee shirt that bears the name of the organization engaged in mobile food vending.

Mobile Food Vending Unit means any motorized or non-motorized vehicle, trailer, cart, or other similar device designed to be portable and not permanently attached to the ground from which food is vended, served, or offered for sale. This definition does not apply to vehicles which dispense food or beverages that move from place to place and are stationary in the same location for no more than 15 minutes at a time, such as ice cream trucks.

Operate means all activities associated with the conduct of business, including set up and take down and/or actual hours where the mobile food vending unit is open for business.

Vendor shall mean any individual or group of individuals engaged in the business of mobile food vending. If more than one individual is operating a single stand, cart or other means of conveyance, then vendor shall mean all individuals operating such single stand, cart or other means of conveyance.

Sec. 10-641 - Permit Required.

It shall be unlawful for any person to operate a mobile food vending unit in the City without first obtaining a permit as provided in this Article.

Sec. 10-642 - Application.

A person desiring to operate a mobile food vending unit shall make written application for a permit to the City Clerk. Mobile food vending shall only be permitted at a special event, such as a store opening, fair, school function, church function, community sports event, block party, or other similar type of event. The application for a permit shall be on forms provided by the City Clerk, and shall include the following:

- (1) Name, signature, business address, telephone number, and email contact information of the applicant.
- (2) Information on the mobile food vending unit, to include a copy of the current vehicle registration and dimensions, which shall not exceed thirty-six feet (36') in length or ten feet (10') in width.
- (3) A plan which includes information setting forth the proposed location of operation, dates of operation (rain date, if applicable), hours of operation, plans for power access, water supply and wastewater disposal, and written property use agreements, if applicable.
- (4) Copies of all necessary licenses or permits issued by Wayne County and the State of Michigan.
- (5) Insurance coverage:
 - (a) Proof of Commercial Liability Insurance policy with limits of no less than Two Million Dollars (\$2,000,000) combined Single Limit coverage issued by an insurer licensed to do business in this state, and which names the City as an additional insured.
 - (b) Proof of Commercial Auto Policy with bodily injury and property damage with limits of no less than Two Million Dollars (\$2,000,000) per accident issued by an insurer licensed to do business in this state.
- (6) At the time of filing the application, a fee as established by resolution to cover the cost of the review and administrative processing, no part of which shall be refundable.

- (7) A signed statement that the licensee shall indemnify and hold harmless the City, its officers, agents, and employees for any claims, damages, or injuries to persons or property which arise out of any activity by the licensee, its employees, or agents carried on under the terms of the license.

Sec. 10-643 - Review of Application and Issuance.

- (1) Upon receipt of an application, the original shall be forwarded to the City Clerk, the Public Safety Department, the Building Department and any other necessary City departments for review as to compliance with all applicable laws and Ordinances.
- (2) If as a result of such review the application is found not to be in compliance with all applicable laws and ordinances, the City Clerk shall endorse on the application disapproval and the reasons for disapproval, and shall notify the applicant that the application is disapproved and that no permit will be issued.
- (3) If as a result of such review the application is satisfactory, the City Clerk shall approve the application. The City Clerk, upon payment of the prescribed fee, shall issue a permit. All such permits shall contain the signature of the City Clerk, and show the name and address of the applicant, a description of the mobile food vending unit, the amount of the fee paid, and the date of the permitted event.

Sec. 10-644 - Fees.

An applicant for a mobile food vending unit permit shall pay a daily fee as established by resolution of City Council.

Sec. 10-645 - Limitations on Transfer of Permits.

- (1) A permit issued under this Article shall not be transferable from person-to-person, from business-to-business, from vendor-to-vendor, from member/shareholder-to-member/shareholder, or any combination thereof.
- (2) A permit is valid for one mobile food vending unit, and shall not be transferred between mobile food vending units.

Sec. 10-646 - Exceptions.

A permit issued under this Article shall not be required for the following:

- (1) any school-sponsored mobile food vending unit operating on school property.
- (2) any City sponsored special event.
- (3) a private party so long as the mobile food vending unit is wholly situated within the owner's private property, and not within any public street, right-of-way or public place.
- (4) restaurants who operate a permanent business physically present in the City while mobile vending on their own private property, but shall not subcontract or hire such vendors in an attempt to evade this Article.
- (5) mobile food vending that occurs entirely indoors, located inside a building.

Groups and individuals who are exempt under this Article from permitting must still receive written permission from the City before operating on public property under the control or jurisdiction of the City or Wayne County.

Sec. 10-647 - Locations.

- (1) Appropriate locations for mobile food vending units shall be limited to private property with a written agreement signed by the property owner. The use of public areas, including on-street parking, parking lots or parks, is prohibited without written permission from the City without exception.
- (2) The issuance of a mobile food vending unit permit does not grant or entitle the vendor to the exclusive use of any service route or space.

Sec. 10-648 - Hours of Operation.

- (1) Mobile food vending units shall be permitted to operate between 9am and 9pm unless for a private party.
- (2) A mobile food vending unit shall not be parked overnight on public or private property, or left unattended and unsecured at any time food is in the vehicle or at the location. Any mobile food vehicle unit found to be unattended shall be considered a public safety hazard and may be ticketed and impounded.

- (3) Mobile food vending units shall be permitted to operate on private property during the hours of operation of the primary use business and shall not operate as an accessory use before or after the primary use business is open for business. The private property owner may dictate mobile vending operations less than their business hours.

Sec. 10-649 - Regulations.

- (1) Customers of mobile food vending units shall be provided with single service articles such as plastic utensils and paper plates.
- (2) All mobile food vending units shall provide a waste container for public use which the vendor shall empty at its own expense. All on-site trash and garbage originating from the operation of mobile food vending units shall be collected and disposed of off-site by the operators each day, and in such a manner so as to not allow overflowing containers during the course of operations. Spills of food or food by-products shall be cleaned up, and no dumping of gray water is permitted.
- (3) No mobile food vending unit shall make or cause to be made any unreasonable or excessive noise. The operation of all mobile food vehicles shall meet the City noise ordinance, including generators. No loud music, other high-decibel sounds, horns, "crying out" or any other audible methods to gain attention are permitted.
- (4) Signage is permitted when placed on mobile food units, so long as it does not extend above or beyond the mobile vending unit itself. One free-standing temporary sign of no more than six square feet (6') in residential districts or twenty-four square feet (24') in commercial or industrial districts is permitted but the signage must be located entirely within twenty feet (20') of the mobile vending unit. The vendor must otherwise follow the City's sign ordinance, including sandwich board signs.
- (5) No flashing or blinking lights, or strobe lights, are allowed on mobile food vending units or related signage at any time, unless part of an approved Special Events Application. All exterior lights with over sixty (60) watts shall contain opaque hood shields to direct the illumination downward.
- (6) Awnings for mobile food vehicles shall have a minimum clearance of seven feet (7') between the ground level and the lowest point of the awning. Seating, tables, waste disposal or cleaning apparatus of the vendor shall be located within twenty feet (20') of the vending unit and shall not constitute a danger or impedance to the public.

- (7) Any power required for the mobile food vending unit shall be self-contained, and a mobile food vending unit shall not use utilities drawn from the public right-of-way. Mobile food vending units on private property may use electrical power drawn from the property being occupied or an adjacent property, but only if the property owner provides written consent to do so. No power cable or equipment shall be extended at or across any City street, alley, or sidewalk.
- (8) The vendor shall make the mobile food vending unit permit available for inspection by any member of law enforcement or the Building Department at any time the vendor is operating.
- (9) The vendor shall follow all local, state and federal laws, rules and regulations in their operation of the mobile vending unit. A permit obtained under this Article shall not relieve the vendor of the responsibility of obtaining any other permit or authorization required by other ordinance, statute or administrative rule.
- (10) The vendor shall not represent the granting of a permit under this article to be in any way an endorsement by the City.
- (11) All permits and licenses shall be prominently displayed on the mobile food vending unit.

Sec. 10-650 - Revocation.

- (1) Permits issued under the provisions of this Article may be revoked by the City Administrator or Building Director after notice and hearing, by a preponderance of the evidence for any of the following causes:
 - (a) Fraud, misrepresentation, or false statement contained in the application for permit or made in the course of operating a mobile food vending unit; or
 - (b) Conducting the business of a mobile food vending unit in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety, or general welfare of the public; or
 - (c) Any violation of this Article; or
 - (d) Failure to possess or maintain any required food safety licensure.
- (2) Notice of the hearing for revocation of a permit shall be given in writing, setting forth specifically the grounds of complaint and the time and place

of hearing. Such notice shall be mailed, postage prepaid, to the applicant at the address provided at least five days prior the date set for the hearing.

- (3) Permits issued under the provisions of this Article may be immediately suspended by any law enforcement, health safety officer, **City Administrator or Building Director** prior to notice and hearing if continued operations of the mobile vending unit would be harmful to the health or safety of the general public. Any permit suspended under this section shall remain suspended until such time as a notice and hearing may take place regarding the truth of the accusation made regarding the health or safety effects of the mobile vending unit.

Sec. 10-651 - Appeals.

Any person aggrieved by the action of the City Clerk, law enforcement, **health safety officer, City Administrator or Building Director** in the denial of an application for a mobile vending permit, or in the decision with reference to the revocation or suspension of a permit as provided in this article shall have the right of appeal to the City Council. Such appeal shall be taken by filing with the Council, within 14 days after notice of the action complained of has been mailed to such person's last known address, a written statement setting forth fully the grounds for the appeal. The City Council shall set a time and place for a hearing on such appeal, and a notice of such hearing shall be given the appellant in the same manner as provided for notice of a hearing on revocation. The decision and order of the City Council on such appeal shall be final and conclusive.

Sec. 10-652 - Violations.

Except as otherwise provided by state law, persons who violate any of the provisions of this Article are responsible for a municipal civil infraction punishable by a fine of \$500. Each day that a violation exists shall be considered a new and separate offence and shall have imposed a new a separate municipal civil infraction.

Section 2. **Repealer Clause.** Any ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3. **Validity and Severability.** Should any portion of this Ordinance be found invalid for any reason, such a holding shall not be construed as affecting the validity of the remaining portions of the Ordinance.

Section 4. **Effective Date.** This Ordinance shall be effective twenty (20) days from and after its adoption and publication by the City of Grosse Pointe Woods City Council.

AYES _____

NAYS _____

ABSENT _____

Arthur W. Bryant, Mayor

Attested:

, City Clerk

CERTIFICATION OF CLERK

I, Lisa K. Hathaway, City Clerk of the City of Grosse Pointe Woods, Wayne County, Michigan, do hereby certify that Ordinance No. _____ was adopted by the City Council of Grosse Pointe Woods, assembled in regular session on February _____, 2022. Said Ordinance was posted in the following places:

Notice of said posting was published in _____ *(insert newspaper)* on February _____, 2022.

, City Clerk

First Reading: _____

Proposed Second Reading: _____

Published by Title: _____

Adopted: _____

Effective: _____

Published Final: _____

CITY OF GROSSE POINTE WOODS

Building Department

MEMORANDUM

DATE: March 14, 2022

TO: Planning Commission

FROM: Gene Tutag, Building Official

SUBJECT: Update: Sign Ordinance/Master Plan/Zoning Audit

I will be providing a verbal update regarding the City’s Sign Ordinance, Master Plan, and Zoning Audit.

GROSSE POINTE WOODS PLANNING COMMISSION REPORT – 2021

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 9 out of 12 months during 2021. During that time, the Commission reviewed, discussed and acted on items contained in the following report:

2021 Planning Commission Overview

| | |
|----------------------------|---|
| PC Meeting – January 2021 | <ul style="list-style-type: none"> • Election of Chair: <i>George Bailey</i> • Election of Vice-Chair: <i>Thomas Vaughn</i> • In accordance with MPEA: Rules of Order and Procedure: <i>Adopted subject to modifications presented by Commissioner Profeta.</i> • Building Official Updates: <i>Legacy Oaks, Clearzoning, Mack/Hollywood Project</i> • 2020 Plan/Streetscape: <i>Mack Avenue streetscape proposal updates/changes made to the original document created March 2020</i> |
| PC Meeting – February 2021 | Canceled |
| PC Meeting – March 2021 | <ul style="list-style-type: none"> • Continued Discussion: <i>Legacy Oaks, Milk River Project, Clearzoning.</i> • 2020 Plan/Streetscape: <i>Mack Avenue streetscape proposal passed, materials to be ordered and installed shortly.</i> |
| PC Meeting – April 2021 | <ul style="list-style-type: none"> • Council Representative: <i>No longer Todd McConaghy, now Thomas Vaughn.</i> • Vice-Chair: <i>Motion passed unanimously for Mike Fuller to take position for remainder of 2021.</i> • Sign Variance Request: Starbucks, 20861 Mack Avenue: <i>Denied. Applicant encouraged to work with Building Official on modifying the request.</i> • Façade Change Request: Lou’s Pet Shop, 20779 Mack Avenue: <i>Approved with conditions.</i> • 2020 Plan/Streetscape: <i>DPW ordered all materials, benches, trashcans, bike racks, and planters approved by Council to be placed along each block in the Streetscape Plan.</i> |
| PC Meeting – May 2021 | Canceled |
| PC Meeting – June 2021 | Canceled |

| | |
|-----------------------------|---|
| PC Meeting – July 2021 | <ul style="list-style-type: none"> • Discussion: City Solar Ordinance compared to Michigan’s State Code. <i>Solar Ordinance Subcommittee formed.</i> • Discussion: Outdoor Patios along Mack Avenue. <i>Commissioners to explore standards on this.</i> • Building Official Updates: <i>Clearzoning Software was approved by Council in July, upcoming proposed ordinance revisions to Sign Ordinance and the Colonial Design Standards.</i> |
| PC Meeting – August 2021 | <ul style="list-style-type: none"> • Sign Variance Request: Estia Greek Food, 20871 Mack Avenue: <i>Motion passed unanimously to postpone request until next meeting with applicant’s modified request.</i> • Discussion: Covered Bus Stops along Mack Avenue: <i>Requested by City Council for PC to discuss. Discussion to resume at an upcoming meeting after receiving clarity from Council.</i> • Building Official Updates: <i>Full-time Property Maintenance Inspector approved by Council, received positive feedback regarding outdoor patios on Mack Avenue.</i> • Solar Ordinance Subcommittee: <i>Motion carried unanimously to recommend to City Council the approval of the revised Solar Ordinance as submitted including mentioned changes.</i> |
| PC Meeting – September 2021 | <ul style="list-style-type: none"> • Sign Variance Request: Estia Greek Food, 20871 Mack Avenue: <i>Motion carried unanimously to recommend approval with conditions.</i> • Building Official Updates: <i>New hires: Property Maintenance and Code Enforcement. Grosse Pointe Public Library proposing interior/exterior renovations – may require PC review unless handled administratively.</i> |
| PC Meeting – October 2021 | <ul style="list-style-type: none"> • New Planning Commission Members: <i>Chris Fenton, Steve Gerhart, Donna O’Keefe.</i> • Appeal of Determination: 1469 Hawthorne requesting City responsibility for CofO repairs: <i>Denied.</i> • Discussion: <i>Master Plan Review. Subcommittee formed.</i> • Building Official Updates: <i>Chene-Trombley Park Project, Clearzoning.</i> |
| PC Meeting – November 2021 | Canceled |
| PC Meeting – December 2021 | <ul style="list-style-type: none"> • Master Plan Subcommittee: <i>Motion passed unanimously to recommend revamping the existing 2006 Master Plan, requesting from Administration the funds to be included in the '22- '23 fiscal year budget.</i> |

BUDGET REPORT:

| Date | Description | Debit | Credit | Balance |
|-----------|--|----------|--------|------------|
| 6/8/2021 | Planning & Zoning Center, Inc. | \$333.00 | | \$4,667.00 |
| 6/8/2021 | MAP Membership Dues | \$675.00 | | \$3,992.00 |
| 11/9/2021 | 4 each: Name Plates & Holders: Fenton, Gerhart, O'Keefe, Modrack | \$79.96 | | \$3,912.04 |
| 2/28/2021 | 1 Name Plate: McNelis | \$10 | | 3902.04 |
| | | | | |
| | 2021/2022 End Fiscal Year | | | \$3,902.04 |
| | 2022/2023 NEW Fiscal Year | | TBD | |

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:

George Bailey – Chairperson
Mike Fuller – Vice-Chair
Christian Fenton
Steven Gerhart
Grant Gilezan
Douglas Hamborsky
James McNelis
Donna O'Keefe
John Vitale