



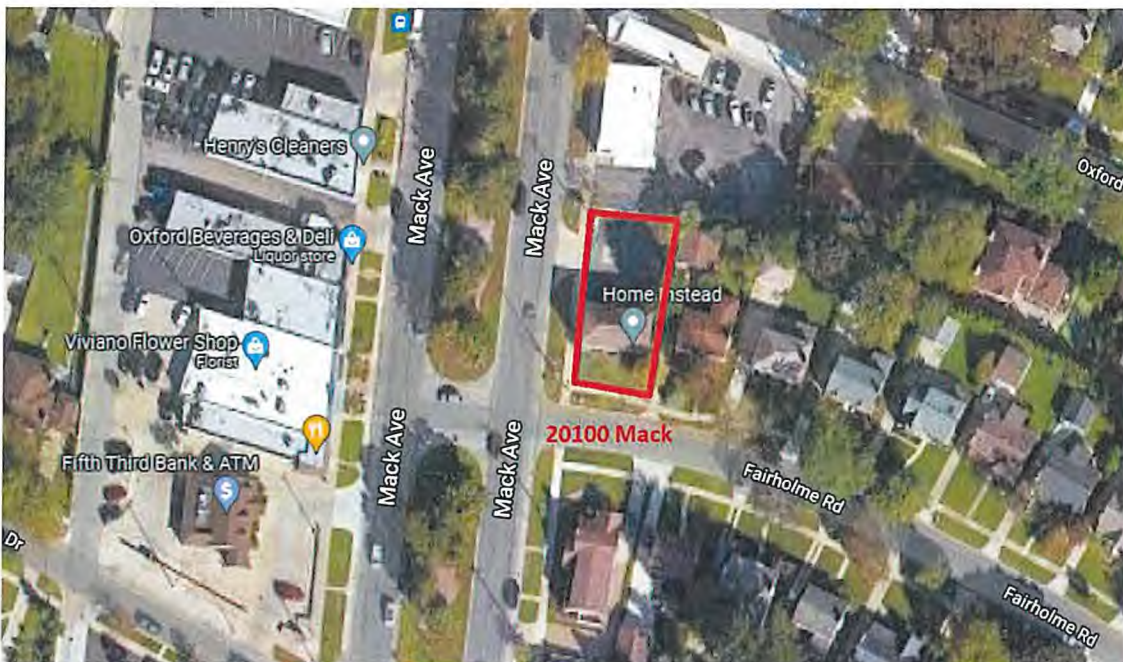
November 7, 2022

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

Subject: P-1 to RO-1 Rezoning Request for 20100 Mack Avenue
Parcel ID: 40-012-05-0090-000
Rezoning Review #1
Existing Zoning: P-1, Parking District
Proposed Zoning: RO-1, Restricted Office District

Dear Commissioners,

We have reviewed the above application for consideration of a rezoning request. Justin Buccellato (the "Applicant") requests a rezoning for 20100 Mack Avenue (the "Site") from the Parking to Restricted Office. The site contains an existing two-story office structure and surface parking lot, and the Applicant wishes to correct an error in the Zoning Map and to continue using the building for commercial purposes appropriate within the RO-1 district. This review is based on the application submitted October 27, 2022.





SUMMARY OF REQUEST

The applicant proposes to rezone the site to bring an existing commercial office structure there into conformance with the Zoning Ordinance. The existing structure onsite was constructed as an office building approximately 30 years ago. It was vacated in September 2022. The applicant wishes to correct the zoning to prepare the site for sale for a future office user.

There is an existing two-story office building with an existing parking lot on the subject parcel. The site sits at the northeast corner of Mack Avenue and Fairholme Road. It shares its eastern boundary with a single-family residence and its northern boundary with additional office uses.

SURROUNDING SITE USES AND ZONING

The following chart provides information on existing land use, current zoning, and future land use.

Location	Existing Land Use	Zoning District	Future Land Use Designation
Subject Site	Vacant office building and parking lot	P-1	Office
North	Office	RO-1	Restricted Office
South	Office	RO-1	Office
East	Single-family residential	R-1D	Single Family Medium Density
West	General commercial	C	General Business/Mixed Use

RECOMMENDATIONS

Rezoning Request Consideration. Pending any comments from the public during the public hearing, we recommend the Planning Commission consider the following motion:

I move to recommend approval of the proposed rezoning at 20100 Mack Avenue (Parcel ID 44-012-05-0090-000) from the P-1 Parking District to the RO-1 Restricted Office District to City Council based on the following finding of fact:

- a. *The subject site has historically been and is anticipated to be used for office; and*
- b. *Continuation of the historic office use of the site conforms to the Master Plan Future Land Use Plan Map, which shows Office use for the subject site and sites up and down the same side of Mack Avenue.*

Respectfully submitted,

McKENNA

Michael Boettcher, AICP



Rezoning Review

1. HARMONY WITH MASTER PLAN

Is the requested rezoning consistent with the goals, policies, and future land use map of the Master Plan? Or, has applicant demonstrated conditions have changed significantly since the Master Plan was developed, and request is demonstrably consistent with the development trends in the area?

Findings:

The 2006 Master Plan Future Land Use Map designates this area as *Office*, described in the text of the Master Plan as, “All areas used for office purposes including professional and medical office complexes”, and being “the least intensive commercial district”. The Master Plan Future Land Use Map shows a mix of Office, Commercial and Institutional uses along the Mack Avenue corridor throughout Grosse Pointe Woods, with the subject site in the middle of an approximately quarter mile stretch of Office-designated Mack frontage. The site itself contains an existing two-story office building of approximately 1,080 square feet alongside an existing nine-space parking lot.

Mack Avenue, being the commercial spine of and providing principal entryways into the community receives special attention in the Master Plan. Elements called out in the Plan related to Mack Avenue include architectural design and parking. The Plan calls the popular “colonial theme” in local architecture “attractive” and “still acceptable as a suitable style.” The design of the building on the subject parcel can be called “colonial” and in fact despite being for office use, the building blends harmoniously in terms of design, scale, and style with the neighborhood to its east.

Parking requirements in Grosse Pointe Woods mandate one space per 300 square feet of gross floor area for general business and professional offices and one for each 200 square feet of gross floor area for medical, dental or similar uses. A general business use would therefore require 3.6 parking spaces, and 5.4 spaces for a medical use. The nine spaces currently onsite more than meet both mandates. “Parking” is also a land use category included in the Master Plan Future Land Use Map, but it does not apply to this site.

Although the Master Plan dates to 2006, neither land use trends nor the community’s current vision have changed dramatically. There appears to be little pressure to modify zoning for different types of development, and the Mack Avenue corridor and neighborhoods surrounding the site have maintained their character over time.

2. COMPATIBILITY OF ENVIRONMENTAL FEATURES

Are the site’s physical, geological, hydrological and other environmental features compatible with the host of uses permitted in the proposed zoning district, especially for sites without public utilities?

Findings: The site’s physical features are compatible with the uses permitted in the RO-1, Restricted Office District. The property has an existing office building that has hosted business office uses for approximately three decades. It is reasonable to expect that any permitted uses in the RO-1, Restricted Office District are compatible with the environmental features of the site.



3. COMPATIBILITY WITH SURROUNDING USES

Are all of the potential uses allowed in the proposed zoning district compatible with surrounding uses in terms of land suitability, density of use, environmental impacts, nature of use, traffic impacts, aesthetics, infrastructure and maintenance of property values.

Findings: The site shares its northern boundary with additional office use, zoned RO-1. Immediately east is a single-family residential district with an R1-D, One-Family Residential classification. Across Mack Avenue to the west is a mile-plus corridor of largely single-story commercial storefronts, interrupted by the Grosse Pointe Woods municipal complex nearby to the southwest. Across Fairholme Road, is a single-family home recently converted to office use on an RO-1-zoned parcel, with additional office uses south of that.

Aesthetically, the office building on the subject site blends well with its surroundings. It is similarly scaled to the office uses up and down the east side of Mack Avenue as well as the commercial uses across Mack. The scale of the building makes a good transition between the Mack corridor and Fairholme residential neighborhood. In fact, the hip gabled roof and white shuttered windows, and its placement on the lot give the building a residential feel.

Office use on the site will not generate significant traffic. In fact, onsite parking exceeds the required number of spaces by three to five spaces, depending on the type of office user that occupies the building next. Ingress and egress is limited to Mack Avenue. No curb cuts exist, nor can they be accommodated on Fairholme Road. Local infrastructure is well suited to accommodate site users.

4. ECONOMIC VIABILITY OF CURRENT ZONING

Has the applicant demonstrated that he/she cannot receive a reasonable return on investment through developing the property with at least one (1) of the uses permitted under the current zoning?

Findings:

The subject parcel is the only one in its vicinity zoned P-1, Vehicular Parking. With this designation, the existing office building becomes nonconforming and loses its potential economic viability. The owner is requesting this rezoning to facilitate the sale of the property to another office user. The sale will not occur if the buyer cannot occupy the existing building. And having been occupied until September, 2022, the building has contributed to the City's taxbase more generously than had the site been merely a parking lot. The Planning Commission should direct any further questions about the economic viability of the current zoning of the site to the applicant.

5. DEMAND FOR PROPOSED USE

Is there evidence of demand for additional land uses permitted in the requested zoning district in relation to the amount of land currently zoned and available to meet the demand?

Findings: The dental office that opened in June, 2022 in the former home across Fairholme Road indicates that there is a demand for office space along the Mack Avenue corridor in Grosse Pointe Woods.

6. EXCLUSIONARY ZONING

Is the rezoning necessary to avoid exclusion of a lawful land use?



Findings: No, the RO-1 Restricted Office zoning classification exists in other portions of the City. This rezoning is necessary to ensure that an existing land use may continue in a location where the zoning does not permit the use, but where the use is a better fit than that which would be permitted by the existing zoning.

7. DESIRABLE ZONING POLICY TREND

Is the rezoning establishing a desirable zoning trend policy for similar or identical lands?

Findings: This rezoning may be seen more as a correction than a trend. Fewer than a dozen parcels in Grosse Pointe Woods carry the P-1 zoning designation and they are geographically scattered along the Mack Avenue corridor. The subject site carries it as well, but also contains an office building that's better suited to the RO-1 zone. And where P-1 does exist, it tends to surround more parking-intensive retail uses than occurs around the subject site.

8. HARMONY WITH DIMENSIONAL REQUIREMENTS

Are the boundaries of the requested rezoning reasonable in relationship to surroundings and ability to meet the dimensional regulations in the zoning ordinance?

Findings: If the site is rezoned to RO-1, the existing office structure meets all dimensional regulations in the zoning ordinance in relation to the adjacent office and residential uses. The requested rezoning is thus reasonable in relation to its surroundings.

9. ZONING CORRECTION

Does the requested zoning correct an error in the zoning map? Or zoning text?

Findings: If the zoning of the site was indeed deliberately meant and approved to be P-1, there is no known error in the zoning map or zoning text associated with this site. If its current zoning were an oversight in the creation and approval the ordinance, it could be seen as the correction of an error.

10. AVOIDANCE OF SPOT ZONING

Does the requested rezoning avoid creating an isolated and unplanned spot zone? (i.e. does it provide the landowner with privileges not readily available to other landowners in similar circumstances?)

Findings: The requested rezoning would not create an isolated or unplanned spot zone. This rezoning would allow the landowner the full, legal use of the site as it is currently developed.

10. REQUEST SUBMISSION

Has the request previously been submitted within the past one (1) year? Or have conditions changed or new information been provided?

Findings: No, this request has not been submitted with the last year.

CITY OF GROSSE POINTE WOODS
20025 Mack Plaza, Grosse Pointe Woods, MI 48236
Phone (313) 343-2440

REZONING APPLICATION

1. Applicant: Justin Buccellato

Mailing Address: 20259 Mack Avenue, Suite 2, Grosse Pointe Woods 48236
Street City Zip

Daytime Phone: (313) 432-8109 Fax: (313) 924-5792

2. Property Owner: Daher B. Rahi

Mailing Address: 503 Lake Shore Rd, Grosse Pointe Shores, MI 48236

Daytime Phone: (313) 886-9117 Fax: _____

3. Project Manager: (required) John A. Vitale, AIA, NCARB - Architect

Mailing Address: 27172 Woodward Avenue, Royal Oak, MI 48067
Street City Zip

Daytime Phone: (248) 546-6700 Fax: (248) 546-8454

Other Phone: (313) 516-9810

4. Address of Property: 20100 Mack Avenue, Grosse Pointe Woods, MI

5. Legal Description of Property: Lot 90, Fairholme No. 1, according to the plat thereof,
as recorded in Liber 68 of Plats, Page 84, Wayne County Records.

(or attach a legal boundary description)

6. Permanent Parcel Number: 40-012-05-0090-000

7. Request: To Rezone From: P1-Parking To: RO-1 Restricted Office

For the Following Purpose:

Correct property zoning - office. Building has been located on property over

30 years.

Attach a detailed written statement fully explaining your request.

8. Present Use of Property: Office

9. Attach an Accurate Drawing of the Site Showing:

- a) Property boundaries
- b) Existing buildings
- c) Unusual physical features of the site or building
- d) Abutting streets
- e) Existing zoning on adjacent properties
- f) Location of buildings on adjacent properties

10. Names and Addresses of all other Persons, Firms or Corporations having a Legal or Equitable Interest in the Property:

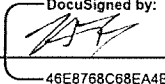
Daher B. Rahi

Applicant must provide lease, purchase agreement or written authorization from Owner.

DECLARATION:

I, the applicant, do hereby declare that I am the owner, or the authorized agent of the owner, of the above, legally described property on which the request is proposed, and that the answers given herein are true to the best of my knowledge. I understand that if the request is granted, I am in no way relieved from all other applicable requirements of the City of Grosse Pointe Woods Zoning Ordinance.

By virtue of my application, I do hereby declare that the appropriate appointed officials and City staff responsible for the review of my application are given permission to visit and inspect the property regarding my petition in order to determine the suitability of the request.

Applicant Signature:  _____ Date: 10/25/2022

DocuSigned by:
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Filing Fee: \$500.00

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

TO: Planning Commission
FROM: Bruce Eck, Interim Building Official
DATE: December 13, 2022
SUBJECT: Rezoning Request for 20100 Mack.
PETITIONER: Justin Buccellato

The applicant, Justin Buccellato, seeks a rezoning of the subject property from P1-Parking to RO-1 Restricted Office. The application is complete as it contains all of the documents and information required by our zoning ordinance.

The information submitted by the applicant has been reviewed by the Planning, Engineering, and Public Safety Departments.

The intent of the re-zoning application is to make the property align with the current office use and to the City's Future Land Use Plan.

The Building Department has no objection to the proposed rezoning.

MEMO 22-49

TO: Paul Antolin, City Clerk
From: James Kowalski, Director of Public Services J.K.
Date: December 7, 2022
SUBJECT: Re-Zoning Request 20100 Mack Ave.

I have reviewed the information from applicant Justin Buccellato requesting the re-zoning of Parcel Number 40-012-05-0090-0000 from P-1 Parking to RO-1 Restricted Office. The approval of this request would have no impact on the Department of Public Services or its utilities.

Please contact me if you have any questions.



**CITY OF GROSSE POINTE WOODS
DEPARTMENT OF PUBLIC SAFETY**

Date: December 7th, 2022

To: Paul Antolin, City Clerk

From: John G. Kosanke, Director of Public Safety

Subject: Rezoning of 20100 Mack Ave

I have reviewed the Rezoning Application for 20100 Mack Ave and find no issues as it relates to the Public Safety Department. I am recommending the application process move forward.

AFFIDAVIT OF PROPERTY OWNERS NOTIFIED

Re: 19483 Mack Avenue
Kevin Crowther & Robert Hakopian

State of Michigan)
) ss.
County of Wayne)

I HEREBY CERTIFY that the notice of Hearing was duly mailed First Class Mail on 11/28/22 to the following property owners within a 300 foot radius of the above property in accordance with the provisions of the 2017 City Code of Grosse Pointe Woods. A Hearing fee of \$500.00 has been received with receipt # 481568.

Paul P. Antolin, MiPMC
City Clerk

See attached document for complete list.

City of Grosse Pointe Woods, Michigan

Notice is hereby given in accordance with the provisions of Act No. 110 of the Public Acts of the State of Michigan for the year 2006, as amended, and the Grosse Pointe Woods City Code, that the Planning Commission will hold a Public Hearing on Tuesday, December 13, 2022, at 7:00 p.m. at the Grosse Pointe Woods Council Chambers at 20025 Mack Plaza Drive, Grosse Pointe Woods, MI 48236, concerning the rezoning request for the following property owner: Applicant, Justin Buccellato – 20100 Mack Avenue – Proposed Rezoning of approximately 0.14 acres of land from P-1 Parking, to RO-1 Restricted Office District. The proposed rezoning includes the following property: 20100 Mack Avenue, PN: 40-012-05-0090-000.

Land situated in the City of Grosse Pointe Woods, County of Wayne, and State of Michigan, described as follows: Lot 90, Fairholme No. 1, according to the plat thereof, as recorded in Liber 68 of Plats, Page 84, Wayne County Records.

The complete application may be viewed at City Hall located at 20025 Mack Plaza Drive, Grosse Pointe Woods, MI 48236, Mon.-Fri. 8:30 am to 5 pm, 313-343-2440.

Public comment is welcome. If you are unable to attend the hearing, written comments will be accepted at CityClerk@gpwmi.us until 12:00 noon on December 13, 2022.

Paul P. Antolin, MiPMC
City Clerk

20100 Mack Ave. - 300 Ft. Radius

Property Address	Owner Name2	Owner Address	City-State-Zip
20139 MACK AVE	20139 MACK AVENUE LLC	20139 MACK AVE	GROSSE POINTE WOODS, MI 48236
1680 OXFORD RD	GARY FELTS	1680 OXFORD RD	GROSSE POINTE WOODS, MI 48236
20155 MACK AVE	20155 MACK LLC	1270 N OXFORD	GROSSE POINTE WOODS, MI 48236
1665 S RENAUD RD	PATRICIA & JON DOUGHERTY	1665 S RENAUD RD	GROSSE POINTE WOODS, MI 48236
1670 OXFORD RD	JAMES W FRANCIS	1670 OXFORD RD	GROSSE POINTE WOODS, MI 48236
1640 OXFORD RD	WILLIAM T WORDEN	1640 OXFORD RD	GROSSE POINTE WOODS, MI 48236
20129 MACK AVE	20129 MACK LLC	20139 MACK AVE	GROSSE POINTE WOODS, MI 48236
20119 MACK AVE	HONG COOK	20119 MACK AVE	GROSSE POINTE WOODS, MI 48236
20115 MACK AVE	20107 MACK AVE LLC	20107 MACK AVE	GROSSE POINTE WOODS, MI 48236
20107 MACK AVE	20107 MACK AVE LLC	20107 MACK AVE	GROSSE POINTE WOODS, MI 48236
20100 MACK AVE	DAHER B RAHI	503 LAKESHORE ROAD	GROSSE POINTE SHORES, MI 48236
	OCCUPANT	20100 MACK AVE	GROSSE POINTE WOODS, MI 48236
1680 FAIRHOLME RD	MICHAEL C JOHNSTON	1680 FAIRHOLME RD	GROSSE POINTE WOODS, MI 48236
20099 MACK AVE	MARTIN CASEY	221 RIDGE RD	GROSSE POINTE FARMS, MI 48236
	OCCUPANT	20099 MACK AVE	GROSSE POINTE WOODS, MI 48236
1621 OXFORD RD	JOHN R MCATEE	1621 OXFORD RD	GROSSE POINTE WOODS, MI 48236
1670 FAIRHOLME RD	JOSEPH P YOUNGBLOOD	1670 FAIRHOLME RD	GROSSE POINTE WOODS, MI 48236
1660 FAIRHOLME RD	STEPHANIE & JUSTIN OWEN	1660 FAIRHOLME RD	GROSSE POINTE WOODS, MI 48236
20091 MACK AVE	JULIA CAPRARA	471 SHOREHAM RD	GROSSE POINTE WOODS, MI 48236
1650 FAIRHOLME RD	NICHOLAS LAZARUS	1650 FAIRHOLME RD	GROSSE POINTE WOODS, MI 48236
1640 FAIRHOLME RD	GAIL F DONALDSON (TRUST)	1640 FAIRHOLME RD	GROSSE POINTE WOODS, MI 48236
20081 MACK AVE	JO ANN BARTO REVOC LIV TRST	58976 VALLEY VIEW DRIVE	WASHINGTON, MI 48094
	OCCUPANT	20081 MACK AVE	GROSSE POINTE WOODS, MI 48236
1630 FAIRHOLME RD	DAVON-FRANCES KARS	1630 FAIRHOME	GROSSE POINTE WOODS, MI 48236
20065 MACK AVE	FIFTH THIRD BANK	2727 LBJ FREEWAY SUITE 806	DALLAS, TX 75234
	OCCUPANT	20065 MACK AVE	GROSSE POINTE WOODS, MI 48236
1620 FAIRHOLME RD	ROBERT SZABO	1620 FAIRHOLME RD	GROSSE POINTE WOODS, MI 48236
1685 FAIRHOLME RD	ESTATE OF WILLIAM L BATES	8300 LONG ISLAND CT	FAIR HAVEN, MI 48023
	OCCUPANT	1685 FAIRHOLME RD	GROSSE POINTE WOODS, MI 48236
1675 FAIRHOLME RD	LEONARD SACHS	1675 FAIRHOLME RD	GROSSE POINTE WOODS, MI 48236
1665 FAIRHOLME RD	STEPHEN P ARMBRUSTER	1665 FAIRHOLME RD	GROSSE POINTE WOODS, MI 48236
1655 FAIRHOLME RD	GEORGE MONDALEK	1655 FAIRHOLME RD	GROSSE POINTE WOODS, MI 48236
1645 FAIRHOLME RD	DANIEL J CIMINI	1645 FAIRHOLME RD	GROSSE POINTE WOODS, MI 48236

20100 Mack Ave. - 300 Ft. Radius

1635 FAIRHOLME RD	DOUGLAS ZASACKY	1635 FAIRHOLME RD	GROSSE POINTE WOODS, MI 48236
1625 FAIRHOLME RD	ANTHONY NELSON	1625 FAIRHOLME RD	GROSSE POINTE WOODS, MI 48236
1690 FAIRCOURT ST	MARY S STONISCH	20040 MACK AVE	GROSSE POINTE WOODS, MI 48236
1680 FAIRCOURT ST	JAMES KELLY	1680 FAIRCOURT ST	GROSSE POINTE WOODS, MI 48236
1670 FAIRCOURT ST	BURTON RUDOLPH	1670 FAIRCOURT ST	GROSSE POINTE WOODS, MI 48236
1660 FAIRCOURT ST	DUANE & AMANDA BUSH	1660 FAIRCOURT ST	GROSSE POINTE WOODS, MI 48236
20160 MACK AVE	REAL PROPERTIES INC	20160 MACK AVE	GROSSE POINTE WOODS, MI 48236
1651 OXFORD RD	JANET L PEPPLER	1651 OXFORD RD	GROSSE POINTE WOODS, MI 48236
1681 OXFORD RD	SALVATORE CIARAVINO	1681 OXFORD RD	GROSSE POINTE WOODS, MI 48236
20136 MACK AVE	ANDREW W OTTAWAY	20136 MACK AVE	GROSSE POINTE WOODS, MI 48236
20148 MACK AVE	LAKMACK LLC	20148 MACK AVE	GROSSE POINTE WOODS, MI 48236
	DTE ENERGY - SAUNDRA ROBERTS	ONE ENERGY PLAZA, 1510 WCB	DETROIT, MI 48226
	AT&T - MICHAEL HENDERSON	100 S. MAIN ST. RM #314	MT. CLEMENS, MI 48043

AFFIDAVIT OF PUBLICATION
IN
Michigan.com
Detroit Publication

State of Michigan
County of Macomb) ss

GPW CITY CLERK OFFICE DET
20025 MACK PLAZA DR
GROSSE POINTE WOODS, MI 48236

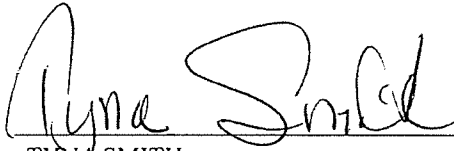
IN THE MATTER OF:

Being duly sworn, deposes and says that the attached advertisements(s)
appeared in:

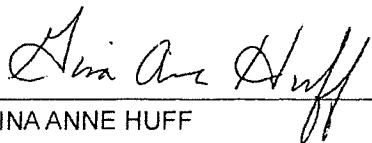
Published in: DET-DFP-Detroit Free Press
Published on : Tuesday, November 29, 2022

Published in: DET-DN-Detroit News
Published on : Tuesday, November 29, 2022

Invoice 0005501374 and as an authorized employee of Michigan.com,
he/she knows well the facts stated herein.


TYNA SMITH

On this 29th of November 2022
Sworn to and Subscribed to me,


GINA ANNE HUFF

Notary Public State of Michigan
County of Livingston
My commission expires March 9, 2023

A Notary Public:
Acting in the County of Macomb

City of Grosse Pointe Woods
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Paul P. Antalin, City Clerk
City of Grosse Pointe Woods
Posted: 11/23/2022