

City of Wyandotte
PLANNING COMMISSION
Minutes of the Thursday, October 17, 2019, Meeting
MINUTES AS RECORDED

The meeting was called to order by Chairperson Pasko at 6:30 p.m.

COMMISSIONERS PRESENT: Benson, Kowalewski, Lupo, Pasko, Rutkowski, Sarnacki

COMMISSIONERS EXCUSED: Adamczyk, Duran, Parker

ALSO PRESENT: Ben Tallerico, Planning Consultant
Kelly Roberts, Recording Secretary

COMMUNICATIONS:

All communications were received and placed on file.

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:

MOTION BY COMMISSIONER SARNACKI, supported by Commissioner Benson, to approve the minutes of the regular Meeting of September 19, 2019. MOTION PASSED

OLD BUSINESS:

None

NEW BUSINESS:

- 1. PUBLIC HEARING PC #08132019** - Request from American Legion, Applicant, requesting a Certificate of Occupancy for a change to their Outdoor Café at 2817 Van Alstyne, Wyandotte, Michigan. The property is located in RU Zoning District. This request requires the review and approval by the Planning Commission per Section 2200 of the Zoning Ordinance.

MOTION BY COMMISSIONER BENSON, supported by Commissioner Rutkowski, that the Commission reviewed the renewal application and plan for the outdoor café at 2817 Van Alstyne as requested by American Legion (Applicant);

AND BE RESOLVED that the Permit for an Outdoor Café on Public Property at 2817 Van Alstyne, Wyandotte, is hereby approved with compliance of all ordinance requirements and the conditions below prior to use as an outdoor café:

1. The outdoor café is subject to all conditions applicable to an outdoor café per Section 2202.S of the City of Wyandotte's Zoning Ordinance. The applicant is responsible for carefully reviewing, understanding and complying with the requirements of the ordinance.
2. Outdoor café to be constructed in accordance with the site plan submitted by Owner/Applicant dated August 13, 2019.
3. If alcoholic beverages are served, the current Michigan Liquor Control Commission rules and regulations shall apply, and the applicant shall obtain all necessary approvals.
4. Compliance with all Police, Fire and City Engineer requirements.

5. Hours of Operation: 7:00 a.m. to 12 midnight Monday thru Thursday and Sunday. Extended hours to 2:00 a.m. Fridays and Saturdays, 3rd Fridays, Street Art Fair Days, March 17, New Year's Eve, Wednesday before Thanksgiving Day, Thursday before Easter, and events approved by Resolution by City Council.
6. The outdoor café shall comply with all applicable laws and regulations of the City, County, and the State.
7. Umbrellas to have name of establishment on the drip-tee only, no logo's for products.
8. Occupancy is limited to an additional 16 persons.

YEAS: BENSON, KOWALEWSKI, LUPO, PASKO, RUTKOWSKI, SARNACKI

NAYS: NONE ABSENT: ADAMCZYK, DURAN AND PARKER

MOTION PASSED

- 2. PUBLIC HEARING PC #07302019** - Request from Wendy's, Owner and Applicant, requesting a Certificate of Occupancy for an Outdoor Café at 3460 Biddle, Wyandotte, Michigan. The property is located in a PD Zoning District. This request requires the review and approval by the Planning Commission per Section 2200 of the Zoning Ordinance.

MOTION BY COMMISSIONER KOWALEWSKI, supported by Commissioner Benson, that the Commission reviewed the renewal application and plan for the outdoor café at 3460 Biddle Avenue as requested by Wendy's Restaurant (Applicant);

AND BE RESOLVED that the Permit for an Outdoor Café on Private Property at the front of 3460 Biddle Avenue, Wyandotte, is hereby approved with compliance of all ordinance requirements and the conditions below prior to use as an outdoor café:

1. The outdoor café is subject to all conditions applicable to an outdoor café per Section 2202.S of the City of Wyandotte's Zoning Ordinance. The applicant is responsible for carefully reviewing, understanding and complying with the requirements of the ordinance.
2. Outdoor café to be constructed in accordance with the site plan submitted by Owner/Applicant dated July 30, 2019.
3. If alcoholic beverages are served, the current Michigan Liquor Control Commission rules and regulations shall apply, and the applicant shall obtain all necessary approvals.
4. Compliance with all Police, Fire and City Engineer requirements.
5. Hours of Operation: 7:00 a.m. to 12 midnight Monday thru Thursday and Sunday. Extended hours to 2:00 a.m. Fridays and Saturdays, 3rd Fridays, Street Art Fair Days, March 17, New Year's Eve, Wednesday before Thanksgiving Day, Thursday before Easter, and events approved by Resolution by City Council.
6. The outdoor café shall comply with all applicable laws and regulations of the City, County, and the State.
7. Umbrellas to have name of establishment on the drip-tee only, no logo's for products.
8. Occupancy is limited to 12 persons.

YEAS: BENSON, KOWALEWSKI, LUPO, PASKO, RUTKOWSKI, SARNACKI

NAYS: NONE ABSENT: ADAMCZYK, DURAN AND PARKER

MOTION PASSED

- 3. PUBLIC HEARING PC #09092019** – Request from the City of Wyandotte to rezone the properties known as 3, 5, 5.5, 7, 7.5, 9.5, 11, 11.5, 13, 13.5, 15, 15.5, 17, 17.5, 19, and 19.5 Walnut, Wyandotte, Michigan (Lots 5 to 15 and Lots 17 to 21 River Park Subdivision). It is proposed that said land be rezoned from RU (Recreation Unit) to RA (Single Family Residential District).

MOTION BY COMMISSIONER KOWALEWSKI, supported by Commissioner Rutkowski, that the Planning Commission held the public hearing on October 17, 2019; AND

WHEREAS, comments were heard from the property owners in objection to the request to rezone the properties to RA;

NOW THEREFORE, BE IT RESOLVED that the Commission hereby recommends to the City Council that the rezoning of the properties known as 3, 5, 5.5, 7, 7.5, 9.5, 11, 11.5, 13, 13.5, 15, 15.5, 17, 17.5, 19, and 19.5 Walnut, Wyandotte, Michigan (Lots 5 to 15 and Lots 17 to 21 River Park Subdivision) from RU to RA be denied.

YEAS: BENSON, KOWALEWSKI, LUPO, PASKO, RUTKOWSKI, SARNACKI

NAYS: NONE ABSENT: ADAMCZYK, DURAN AND PARKER

MOTION PASSED

- 4. PUBLIC HEARING PC #09232019** – Amendments to Article IX. RM-3 Multiple Family Residential District Section 900 Principal Uses Permitted by adding Subsections B and C as follows:

- B. All principal uses permitted in the RM-1 Multiple-Family Residential District and subject to all regulations and requirements of the RM-1 District.
- C. Accessory buildings and uses customarily incidental to any of the above permitted uses, provided such building and uses are located on the same zoning lot with a permitted use.

MOTION BY COMMISSIONER BENSON, supported by Commissioner Sarnacki, WHEREAS, the Commission held the Public Hearing on October 17, 2019, regarding changes to certain portions of Article IX. RM-3 Multiple Family Residential District Section 900 Principal Uses Permitted by adding Subsections B and C;

AND WHEREAS, no public comments were received; AND

NOW THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommends to the City Council to adopt said changes.

YEAS: BENSON, KOWALEWSKI, LUPO, PASKO, RUTKOWSKI, SARNACKI

NAYS: NONE ABSENT: ADAMCZYK, DURAN AND PARKER

MOTION PASSED

- 5. PUBLIC HEARING PC #09172019** – Request of Ciara Brooks, Owner and Applicant, requesting a Certificate of Occupancy for a health and wellness store at 1609 Ford Avenue (Lot 321 West Park No. 1 Subd), Wyandotte, Michigan. The property is located in an O-S Zoning District. This request requires special approval by the Planning Commission per Section 1101.A

MOTION BY COMMISSIONER KOWALEWSKI, supported by Commissioner Benson WHEREAS, Ciara Brooks, Owner and Applicant of the property at 1609 Ford Avenue, Wyandotte, has applied for a Certificate of Occupancy for a health and wellness store; AND

BE IT RESOLVED that the Planning Commission has taken into consideration all comments from the public hearing held on October 17, 2019.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission hereby Approves the request for a health and wellness store at 1609 Ford Avenue, Wyandotte provided the parking agreement with New Eyes Optical, Bob Schmittou, property owner at 1616 Ford Avenue, remains in place as long as the health and wellness store is operating and no CBD items, massages, or vape products are sold or used.

YEAS: BENSON, KOWALEWSKI, LUPO, PASKO, RUTKOWSKI, SARNACKI
NAYS: NONE ABSENT: ADAMCZYK, DURAN AND PARKER
MOTION PASSED

OTHER BUSINESS:

Commissioner Benson stated that he has been seeing feather banners along Fort Street, Eureka and Ford Avenue and asked if these types of banners were allowed in the City.

Commissioner Pasko indicated that they are not allowed.

A Motion by Commissioner Benson, Supported by Commissioner Sarnacki that a communication be sent to the Police Department and the Mayor's Office asking the Ordinance Department to enforce the ordinance and have the feather banners removed.

YEAS: BENSON, KOWALEWSKI, LUPO, PASKO, RUTKOWSKI, SARNACKI
NAYS: NONE ABSENT: ADAMCZYK, DURAN AND PARKER
MOTION PASSED

BILLS AND ACCOUNT:

MOTION BY COMMISSIONER BENSON, supported by Commissioner Rutkowski to:
Pay Beckett & Raeder for Planning Consultant fee for September 2019 in the amount of \$700.00

YEAS: BENSON, KOWALEWSKI, LUPO, PASKO, RUTKOWSKI, SARNACKI
NAYS: NONE ABSENT: ADAMCZYK, DURAN AND PARKER
MOTION PASSED

MOTION TO ADJOURN:

MOTION BY COMMISSIONER BENSON, supported by Commissioner Sarnacki to adjourn the meeting at 7:20 p.m.

PUBLIC HEARING PC #08132019 - Request from American Legion, Applicant, requesting a Certificate of Occupancy for a change to their Outdoor Café at 2817 Van Alstyne, Wyandotte, Michigan. The property is located in RU Zoning District. This request requires the review and approval by the Planning Commission per Section 2200 of the Zoning Ordinance.

Chairperson Pasko asked if there was anyone present who wished to speak regarding this hearing.

Doug Williams, Maintenance Manager for the American Legion. Mr. Williams explained that they would like to increase the current outdoor café area 8 feet and add an additional 4 tables. Mr. Williams indicated that this would make the area look better.

Chairperson Pasko asked if it would match the existing outdoor café area.

Mr. Williams indicated that they would just extend the current fence and add the stamped concrete and everything would match.

Chairperson Pasko asked if there was anyone else present who wished to speak regarding this hearing. There being none the hearing was closed.

No communications were received.

PUBLIC HEARING PC #07302019 - Request from Wendy's, Owner and Applicant, requesting a Certificate of Occupancy for an Outdoor Café at 3460 Biddle, Wyandotte, Michigan. The property is located in a PD Zoning District. This request requires the review and approval by the Planning Commission per Section 2200 of the Zoning Ordinance.

Chairperson Pasko asked the City Planner to explain the current use of the property.

Mr. Tallerico indicated that the current use is a fast food restaurant, to the north is commercial, to the south is commercial and to the west is residential and to the east is commercial. Mr. Tallerico indicated that the property is zoned PD and indicated that the outdoor request is allowed in this zoning district.

Chairperson Pasko asked if there was anyone present who wished to speak regarding this hearing.

There was no one present representing Wendy's.

It was noted by the Commission that the outdoor café would be where the atrium was removed in front of the restaurant.

There was no one in the audience to speak to this issue, therefore the hearing was closed.

No communications were received.

PUBLIC HEARING PC #09092019 – Request from the City of Wyandotte to rezone the properties known as 3, 5, 5.5, 7, 7.5, 9.5, 11, 11.5, 13, 13.5, 15, 15.5, 17, 17.5, 19 and 19.5 Walnut, Wyandotte, Michigan (Lots 5 to 15 and Lots 17 to 21 River Park Subdivision).

Chairperson Pasko asked the City Planner to explain the current use of the property.

Mr. Tallerco indicated that the City has rezoned 3 or 4 of the boat houses already and instead of rezoning each boat house separately to match the Master Plan, the Commission suggested that the City move forward in rezoning the remaining boat houses to RA.

Mr. Pappas, 1725 12th Street, owner of 7 ½ Walnut, Wyandotte.

Mr. Pappas indicated the he uses his boat house as a seasonal building and he does not see any reason why the zoning should be changed. Mr. Pappas asked why it should be changed to RA.

Mr. Tallerico indicated that the current use would still be allowed.

Mr. Robert Kulick, 5 Walnut, Wyandotte.

Mr. Kulick indicated that his property is a dock and there is no land under his boat house and he sees no reason to change the zoning to residential a home could never be built there.

Chairperson Pasko indicated that this request is consistent with the Master Plan for the City of Wyandotte.

Thomas Dudas, Representative for the Boat Club.

Mr. Dudas indicated that the Boat Club owns the property across the bay known as Silver Shores and the Marina and Mr. Dudas asked how this rezoning would affect their property as far as if they wanted changes to their liquor license.

Chairperson Pasko indicated that as far as he knows the change in zoning should not affect the Boat Club's property.

Mr. Tallerico stated that if the property on Walnut were to change to a religious one, it might have an effect. Mr. Tallerico further indicated that 3 or 4 other boat houses have already been rezoned to RA.

Justin Bise, 7 Walnut, Wyandotte.

Mr. Bise indicated that he does not want to see the property rezoned, he does not want any additional buildings to be built there. Mr. Bise asked what changes to the taxes would there be if the properties were rezoned.

Mr. Bise stated that he does not want the property rezoned.

Fredrick Miller, 15 Walnut, Wyandotte.

Mr. Miller stated that he does not see any reason why the property should be rezoned. Mr. Miller indicated that his boat house has exposed sewer and water lines and does not see any reason for changing the zoning.

William Kazmierski, 3 ½ Walnut, Wyandotte.

Mr. W. Kazmierski stated that he is against the rezoning and does not see any reason to change it. Mr. W. Kazmierski stated that he would like an answer about the changes in taxes.

Chairperson Pasko indicated that the questions on taxes should be addressed when this issue goes back to City Council.

Mr. W. Kazmierski asked if the issue could be held until the Assessor could answer this question and Mr. W. Kazmierski stated again he is against the rezoning.

Michael Conti, 17 Walnut, Wyandotte.

Mr. Conti stated that he is opposed to the rezoning and he feels that more information needs to be received before changing the zoning. Mr. Conti further stated that he does not believe any homes could be built there that the State would be opposed to that.

James Kazmierski, 3 ½ Walnut, Wyandotte

Mr. J. Kazmierski stated that he is opposed to the rezoning. Mr. J. Kazmierski further stated that additional information is needed about the taxes before any rezoning should be determined.

Chairperson Pasko asked if there was anyone else present who wished to speak regarding this hearing. There being none the hearing was closed.

No communications were received.

PUBLIC HEARING PC #09232019 – Amendments to Article IX. RM-3 Multiple Family Residential District Section 900 Principal Uses Permitted by adding Subsections B and C

Chairperson Pasko asked if there was anyone present who wished to speak regarding this hearing.

There was no one in the audience to speak to this issue.

Mr. Tallerico stated that this change would allow for one and two family homes to be constructed in RM-3 Districts where in the past it was not allowed.

Chairperson Pasko asked if there was anyone else present who wished to speak regarding this hearing. There being none the hearing was closed.

No communications were received.

PUBLIC HEARING PC #09172019 – Request of Ciara Brooks, Owner and Applicant, requesting a Certificate of Occupancy for a health and wellness store at 1609 Ford Avenue (Lot 321 West Park No. 1 Subd), Wyandotte, Michigan.

Chairperson Pasko asked if there was anyone present who wished to speak regarding this hearing.

Ciara Brooks, 8215 Church Road, Grosse Ile, present.

Ms. Brooks indicated that she purchased the property in May 2019. Ms. Brooks indicated that she talked to the adjacent property owners and they are in favor of her use. Ms. Brooks further indicated that the business owner across the street has submitted a letter allowing her to utilize his parking. Ms. Brooks submitted the letter to the Commission. The letter was read into the minutes and attached.

Chairperson Pasko asked how many people would be in the building at one time.

Ms. Brooks indicated that it would be her and the trainer and maybe 5 or 6 students.

Chairperson Pasko indicated that the Engineering Department stated 10 parking places are required where only 2 are on the property.

Commissioner Benson asked who owns the parking lot to the east of the building.

Ms. Brooks said she was not sure.

Commissioner Lupo asked what the hours of operation would be and if they would conflict with the business across the street that is going to let her use their parking.

Ms. Brooks stated that her classes would be offered early in the morning and at night there should not be any issues with using their parking lot.

Commissioner Benson indicated that the parking lot Ms. Brooks is going to be using is under-utilized.

Commissioner Lupo asked if the meals pick-ups will be by appointment or just walk-ins.

Ms. Brooks indicated that the meals would be prepackaged and there will be no cooking at the building. Ms. Brooks indicated that she would be making smoothies, coffee and have a small refrigerator.

Commissioner Lupo asked how many employees.

Ms. Brooks indicated that it would be her and 1 trainer.

Commissioner Kowalewski asked if any CBD products would be used.

Ms. Brooks stated no.

Rose Mary Prato, 1611 Ford Avenue, Wyandotte.

Ms. Prato indicated that she has owned the buildings since 1985 and she is selling to Ms. Brooks on land contact.

Ms. Prato stated that she thought there were 3 parking spaces at the rear of the property.

Commissioner Benson asked Ms. Prato if she owned the adjacent parking lot.

Ms. Prato stated no, but she did own the adjacent buildings. (1605 and 1611 Ford Avenue)

Commissioner Kowalewski asked what the uses were previously in the building.

Ms. Prato stated a salon, senior health care office, home health care office with supplies.

Commissioner Kowalewski asked what the use is at 1611 Ford Avenue.

Ms. Prato indicated that it is computer repair and sales.

Commissioner Kowalewski asked what was in 1605 Ford Avenue.

Ms. Prato stated a roofer, but he is never there.

Chairperson Pasko asked if Ms. Brooks could use their parking.


Ms. Prato stated she was not sure.

Manager of Advanced Holistic Health (AHH), 1539-1543 Ford Avenue present.

AHH indicated that they are 2 doors down on the corner of Ford and 15th Street and they have similar uses. AHH indicated that the parking lot is theirs and she is not sure if they could share the parking. AHH indicated that parking could be an issue in the future. AHH did indicate that she would like to see Ms. Brooks succeed.

Chairperson Pasko asked if there was anyone else present who wished to speak regarding this hearing. There being none the hearing was closed.

One (1) communication was received during the hearing.



Kelly Roberts
Secretary

To whom it may concern. I Bobby Schmittou
approve of Ciara Brooks and her
health and wellness bussiness. It is to
my understanding that parking was
brought up as a possible issue in regards
the workout classes. I have given her
my permission to use my parking lot
located directly across the street from
her building (1616 Ford Ave). Any concerns
please reach out to me.

Kind regards,



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CITY OF WYANDOTTE

OCT 17 2019

RECEIVED

Public Hearing #09172019

**CITY OF WYANDOTTE, MICHIGAN
CERTIFIED RESOLUTION
2019-419**

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF WYANDOTTE,
WAYNE COUNTY, MICHIGAN, HELD IN THE COUNCIL CHAMBERS, OF THE MUNICIPAL
BUILDING.


UNDER THE DATE OF: October 21, 2019

MOVED BY: Councilperson Calvin

SUPPORTED BY: Councilperson Alderman

BE IT RESOLVED that the application for rezoning of the property at 141 Goodell is hereby referred to the Planning Commission for the required public hearing.
Motion unanimously carried.

I, LAWRENCE S. STEC, duly authorized City Clerk of Wyandotte, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City Council on October 21, 2019 said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meeting Act, being Act 267, Public Acts of Michigan, 1976.



Lawrence S. Stec
City Clerk