

**CITY OF WYANDOTTE  
PLANNING COMMISSION  
Agenda for Thursday, July 16, 2020 at 6:30 p.m.  
Council Chambers, Wyandotte City Hall**

Via Audio-Only Zoom To attend the meeting by phone:  
Call: 888-475-4499

Use webinar ID: **992 636 8831 (wyandotte1)**

**CALL TO ORDER:**

**COMMISSIONERS:**

Duran	Pasko
Kelly	Rutkowski
Kowalewski	Sarnacki
Lupo	Stec
Parker	

**ALSO PRESENT** \_\_\_\_\_

**COMMUNICATIONS:**

Council Resolutions dated June 29, 2020

**APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING**

Motion by Commissioner \_\_\_\_\_, supported by Commissioner \_\_\_\_\_ to approve the minutes of the regular Meeting of June 18, 2020.

**OLD BUSINESS:**

1. **PUBLIC HEARING #02242020** –Clarification of the Resolution regarding the property at 2011 Oak Street, Wyandotte to include the Applicant’s request to utilize off street parking located at 2205 Oak Street, Wyandotte.

**NEW BUSINESS:**

2. **PUBLIC HEARING #02020-141- To hear comments regarding Amendments to the Zoning Ordinance, Article II – Definitions, Article XV - I-1 Industrial District and Article XXII - Special Land Uses relating to Animal Lodging Facilities and Kennels to I-1 Zoning District.**
3. **PUBLIC HEARING #02020-142 – To hear comments regarding Amendment to the Zoning Ordinance, Article XXIV – General Provisions, Section 2411. – Small Cell Wireless relating to the regulations for installation of small cell wireless facilities (six (6) cubic feet maximum in size and associated equipment no larger than 25 cubic feet) in the City’s right-of-way.**

**OTHER BUSINESS:**

Month Report from the City Planner

**BILLS AND ACCOUNT:**

Motion by Commissioner \_\_\_\_\_, supported by Commissioner \_\_\_\_\_, to:

1. Pay Beckett & Raeder for Planning Consultant fee for: July \$700

**MOTION TO ADJOURN:**

NEXT SCHEDULED MEETING IS THURSDAY, August 20, 2020

City of Wyandotte, Michigan  
Public Notice for Virtual Meeting of the **Planning Commission** via AUDIO-ONLY “Zoom”  
scheduled for  
**Thursday, July 16, 2020 at 6:30 PM**

The City of Wyandotte’s priority is always the health, safety, and welfare of residents, businesses, visitors and its staff. Wyandotte has proactively taken steps to prevent the further spread of the coronavirus (COVID-19) throughout the city, including hosting of virtual meetings. All City Council, Commission and Board meetings will be conducted as virtual meetings until further notice.

The **Planning Commission Meeting** of the City of Wyandotte will be held via “Zoom” audio meeting platform. City Hall and all city-owned buildings and facilities are closed to the public. The meeting is open remotely to the public to follow along and participate during the public portion of the meeting (referred to as Call to the Public on the Planning Commission agenda). The agenda and related information can be accessed on the City of Wyandotte’s website here:

[http://www.wyandotte.net/front\\_desk/agenda\\_and\\_minutes/planning\\_commission.php](http://www.wyandotte.net/front_desk/agenda_and_minutes/planning_commission.php)

Access the electronic meeting by doing the following:

1. To attend the meeting by phone:
  - Call: 888-475-4499
    - Use webinar ID: **992 636 8831 (wyandotte1)**

Should you have any questions or would like to provide input on any business that will come before the public body at the meeting, please contact Kelly Roberts at **(734) 324-4555**, or via email **kroberts@wyandottemi.gov**

**ELECTRONIC PLANNING COMMISSION MEETING PARTICIPATION**

- To help meeting flow and organization, all public comments will be taken at the Call to the Public portion of the meeting and after each item is considered by the Commission as outlined on the agenda.
  - **Phone-in audience: To make a public comment, press “\*9” to signify your desire to speak when public comment is called for and you will be called upon in order by the Chairperson or his designee.**

As required by the Americans with Disabilities Act of 1990, access to all programs, services and activities provided by the City of Wyandotte are available to individuals with disabilities with 48 hours’ notice. Individuals who believe they are in need of an accommodation should contact the Wyandotte City Clerk’s Office by emailing Lawrence Stec at [clerk@wyandottemi.gov](mailto:clerk@wyandottemi.gov).

**CITY OF WYANDOTTE, MICHIGAN  
CERTIFIED RESOLUTION  
2020-157**

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: June 29, 2020

MOVED BY: Councilperson Alderman

SUPPORTED BY: Councilperson Sabuda

RESOLVED that City Council hereby CONCURS with the recommendation of Mayor Pro Tempore DeSana to appoint Brian Kelly of 3886 14th St., Wyandotte, MI to the Planning and Rehabilitation Commission. Term to expire April 2023.  
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 June 29, 2020 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



**City of Wyandotte**  
PLANNING COMMISSION  
***Minutes of the Thursday, June 18, 2020, Meeting***  
**MINUTES AS RECORDED**

The meeting was called to order by Chairperson Pasko at 6:35 p.m. this was a virtual auto-only meeting.

COMMISSIONERS PRESENT: Duran, Kowalewski, Parker, Paso, Rutkowski, Sarnacki  
Stec

COMMISSIONERS EXCUSED: Adamczyk, Lupo

ALSO PRESENT: Kelly Roberts, Recording Secretary

**COMMUNICATIONS:**

MOTION BY COMMISSIONER DURAN, supported by Commissioner Kowalewski to receive and place all communications on file. MOTION PASSED.

**APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:**

MOTION BY COMMISSIONER RUTKOWSKI, supported by Commissioner Parker to approve the minutes of the Meeting of February 13, 2020. MOTION PASSED. (No meeting on March 19, April 16 of May 21, 2020)

**OLD BUSINESS:**

None

**NEW BUSINESS:**

- 1. PUBLIC HEARING #02242020** - Request by Frank Mucci, Owner and Appellant, requesting to rezone the property at 2011 Oak Street, Wyandotte, County of Wayne and State of Michigan (13276 LOTS 119 120 121 EUREKA ESTATES SUBDIVISION). It is proposed that said land be rezoned from O-S (Office Service District) to B-1 (Neighborhood Business District).

MOTION BY COMMISSIONER KOWALEWSKI, SUPPORTED BY COMMISSIONER Rutkowski to recommend to the Mayor and City Council that the property known as at 2011 Oak Street be approved for rezoning to B-1 (Neighborhood Business District).

Reason: The adjacent properties are zoned B-1 and the uniqueness of the property

YEAS: DURAN, KOWALEWSKI, PARKER, PASKO, RUTKOWSKI, SARNACKI, STEC

NAYS: NONE

ABSENT: ADAMCZYK, LUPO

MOTION PASSED



**2. PUBLIC HEARING #060820201702:** Request from Phyllis Soltz Trust, Owner and Applicant, requesting the rezoning of the property known as 1040 Ford Avenue, Wyandotte, Michigan. (LOT 241 and 242 G.F. Bennett's Boulevard Park Subdivision) County of Wayne and State of Michigan. It is proposed that said land be rezoned from B-1 (Neighborhood Business District) to B-2 (General Business District).

MOTION BY COMMISSIONER KOWALEWSKI, Supported by Commissioner Rutkowski to recommend to the Mayor and Council that the requested rezoning of the property at 1040 Ford Avenue to B-2 (General Business District) be denied.

Reason: The request to rezone this property to B-2 would be considered spot zoning and not consistent with Master Plan.

YEAS: DURAN, KOWALEWSKI, PARKER, PASKO, RUTKOWSKI, SARNACKI, STEC

NAYS: NONE

ABSENT: ADAMCZYK, LUPO

MOTION PASSED

**3. PUBLIC HEARING #05142020** Request from Rick DeSana/Les Salliotte, Owner and Applicant, requesting a change to their Outdoor Café at 126 Oak Street, Wyandotte, Michigan. The property is zoned CBD, which conflicts with Section 2200 of the City of Wyandotte Zoning Ordinance.

MOTION BY COMMISSIONER KOWALEWSKI, supported by Commissioner Sarnacki that the Commission reviewed the application and plan for the outdoor café at **126 Oak** as requested by Rick DeSana/Les Salliotte (Owner and Appellant); AND

BE IT RESOLVED that the Permit for an Outdoor Café on Private Property at the rear of the property at 126 Oak Street, Wyandotte is hereby approved with compliance of all ordinance requirements and the conditions below prior to use as an outdoor café:

- Approval of the rear café expansion is for an additional 1,600 square feet.
- Outdoor cafes adjacent to residential properties shall be screened with a solid brick wall at a minimum of eight (8) feet high to be completed within 30 days as indicated by Owner. The existing (or new) fence on the north side of the café shall be reinstalled prior to opening of the rear café, complete with a 36-inch wide gate with panic hardware. Relocation of the gate to the east side if allowed by City.
- A fire extinguisher will be required in the outdoor café, located at the direction of the Wyandotte Fire Chief.
- The occupancy limit for the rear outdoor café shall remain 75 persons.
- The front outdoor café was approved by the Planning Commission by Resolution, March 15, 2018, and remains in effect as there have been no changes.

NOTE: This approval supersedes any previously approved plan for the rear outdoor café.

YEAS: DURAN, KOWALEWSKI, PARKER, PASKO, RUTKOWSKI, SARNACKI, STEC

NAYS: NONE

ABSENT: ADAMCZYK, LUPO

MOTION PASSED

**PERSONS IN THE AUDIENCE:**

None

**OTHER BUSINESS:**

Monthly Report from Ben Tallerico, Beckett & Raeder was received.

Commissioner Kowalewski was appointed to the Design Review Board and Commissioner Stec was appointed as the Alternate Member to the Design Review Board. All agreed.

**BILLS AND ACCOUNT:**

MOTION BY COMMISSIONER RUTKOWSKI, supported by Commissioner Parker to:  
Pay Beckett & Raeder for Planning Consultant fee for March, April, May and June 2020 in the amount of \$2,800.

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

**MOTION TO ADJOURN:**

MOTION BY COMMISSIONER RUTKOWSKI, supported by Commissioner Duran to adjourn the meeting at 8:05 p.m.

---

**PUBLIC HEARING #02242020** Request by Frank Mucci, Owner and Appellant, requesting to rezone the property at 2011 Oak Street, Wyandotte, County of Wayne and State of Michigan.

Chairperson Pasko opened the hearing and asked if there was anyone present who wished to speak about this hearing.

Chairperson Pasko read the letter from the City Engineer into the record.

Commissioner Kowalewski indicated that the letter talks about parking required, but the Planning Commission is only reviewing the rezoning of the property and not parking.

Chairperson Pasko indicated that was correct.

Lisa Gunter, 2917 21<sup>st</sup> Street, Wyandotte

Ms. Gunter indicated that her driveway is connected to the parking lot of the property that is being required to be rezoned and her car is always getting blocked in. Ms. Gunter further indicated that the lot is not lined, there is trash all over and not cleaned up. Ms. Gunter indicated that she put up a \$10,000 fence and does not feel this is the place for parties to be held.



Frank Mucci, Owner

Mr. Mucci indicated that he wants to be a good neighbor. Mr. Mucci further indicated that he has applied for funding to repair the building and to keep it a historical building.

Mr. Mucci further indicated that they would not be using the 2<sup>nd</sup> floor of the building. Mr. Mucci indicated that there are 13 parking spaces on the site and he has received permission to utilize the parking lot at 2205 Oak Street for the remaining parking spaces required.

Mr. Mucci stated further that he is planning on bringing the building up to code and having the parking lot resurfaced and striped to bring income in and share with the community.

Ms. Gunter indicted that she is concerned about the smoking and drinking in the parking lot.

Mr. Mucci indicated that he has written rules for the use of the building and if they are not followed their deposit will not be returned. Mr. Mucci indicated that he wants to be a good neighbor.

Commissioner Stec asked what funding source has he applied for to correct the repairs.

Mr. Mucci stated that he talked to the Historical Society and they indicated that there were no funds available for private property so the funds to repair the building will be coming out of his pocket.

Mr. Mucci indicated that he would lease the building to people for small parties.

Commissioner Rutkowski stated that it is too bad the parking lot across 20<sup>th</sup> Street could not be used.

Mr. Mucci indicated that he tried to work a deal with the Church, but they are not interested in leasing any of their property to him.

Commissioner Rutkowski asked if he would consider a shuttle service to use the lot down the block.

Mr. Mucci indicated that he might consider it.

There being no further discussion, the hearing was closed.

Two (2) communications were received.

---

**PUBLIC HEARING#06082020** Request from Phyllis Soltz Trust, Owner and Applicant, requesting the rezoning of the property known as 1040 Ford Avenue, Wyandotte, Michigan.

Chairperson Pasko opened the hearing and asked if there was anyone present who wished to speak about this hearing.

Aaron Burnett, 2666 22<sup>nd</sup> Street, Wyandotte. Proposed purchaser.



Mr. Burnett indicated that he would like to buy the property, but he can't close on the property until his use is approved. Mr. Burnett stated further that there are other businesses on the block being used as the same use as he would like to use the building for.

Mr. Burnett further indicated that he would like to use the building for his plumbing business and the hours would be 9-5 with no equipment on the property.

Mr. Burnett stated further that the property was previously zoned B-2 and he is not sure when the zoning was changed.

Commissioner Kowalewski indicated that the adjacent properties on the north side of Ford Avenue from Electric to 21<sup>st</sup> Street are zoned B-1 and changing the property to B-2 would be spot zoning. Commissioner Kowalewski indicated that the Applicant should apply to the Zoning Board for a use variance.

There being no further discussion, the hearing was closed.

No communications were received regarding this hearing.

---

**PUBLIC HEARING#05142020** Request from Rick DeSana/Les Salliotte, Owner and Applicant, requesting a change to their Outdoor Café at 126 Oak Street, Wyandotte, Michigan.

Chairperson Pasko opened the hearing and asked if there was anyone present who wished to speak about this hearing.

Mr. Bruce Yinger, 117 Chestnut, Wyandotte.

Mr. Yinger indicated that 126 Oak had a site plan approved by the City in 2018 that was never implemented. Mr. Yinger stated that the rear fence is just a cyclone fence with a cloth fabric on it and noise is louder than ever. Mr. Yinger stated further that now they want to enlarge the café to the alley without any building. Mr. Yinger continued that he is concerned that there will be no sound barrier and an increase in occupancy and he is against it.

Chairperson Pasko indicated that the drawing submitted tonight will supersede anything that was previously approved and indicated further that nothing from the old plan was completed.

Mr. Yinger stated that the current restrooms are not sufficient for the change in the size of the rear outdoor café. Mr. Yinger further stated that the handicap parking was never installed.

Chairperson Pasko read the letter received from the City Engineer dated June 10, 2020.

Mr. Yinger asked if the cyclone fence that is 6 feet high was acceptable.

Chairperson Pasko indicated that it would have to be a solid fence at least 6 feet in height.

Mr. Yinger stated that he wants the solid wall constructed adjacent to the neighborhood property.

Joe Hirsch, 144 Chestnut, Wyandotte.

Mr. Hirsch stated that he is concerned since the Governor opened up the State there has been no social distance on the rear outdoor café. Mr. Hirsch stated further that he is tired of the noise and the music all hours of the night.

Mr. Hirsch stated that the expansion of the rear outdoor café will be larger than the inside bar area and he does not feel there are enough bathrooms.

Mr. Hirsch stated that he feels their license should be revoked there is no quality of life for the neighbors adjacent to this bar.

Rick DeSana, Owner 126 Oak, Wyandotte.

Mr. DeSana indicated that the main reason for the expansion is to allow for the requirements of Covid19 and there will be no increase in occupancy. Mr. DeSana indicated that they turn off the music at midnight. Mr. DeSana further indicated that he will put up a wall whatever height the Commission wants and it will take him 30 days to complete.

Mr. DeSana continued that they have been shut down for 3 months and they are only allowed ½ the occupancy in the inside bar and he needs this expansion.

Commissioner Duran indicated that she is concerned that Mr. DeSana has no urgency in completing what needs to be done on the café to meet the City requirements. (ie the brick wall).

Mr. DeSana indicated that no additional occupancy is being asked for. Mr. DeSana just started he wants to expand to meet the social distance requirements. Mr. DeSana further indicated that neither the Commission nor the City ever put a time frame on him to complete the requirements of the previously approved plan.

Mr. Yinger indicated that he understands the struggles that businesses have had, but it has been 5 years and the neighbors are tired of hearing the music/noise from this bar. Mr. Yinger stated that the most important part of the requirements, the wall is not getting done.

Mr. DeSana indicated that he is 100% in compliance he had a 6 foot wooden fence and was going to do a building, but at this time they cannot afford to do it.

Ms. Guilloz, 145 Chestnut indicate that her home is directly behind the bar and she can't even open her windows and sleep because the noise is so bad. Ms. Guilloz indicated that the music is on from 1 pm to 1 am every day. Ms. Guilloz further stated that there is no handicap parking and she can't understand why the plan from 2018 was never started.

Chairperson Pasko indicated that the drawing before the Commission tonight will replace the drawing from 2018.

Mr. DeSana confirmed this plan will replace the plan from 2018. Mr. DeSana further indicated that he is not sure if a building will ever get built.

Chairperson Pasko indicated to Mr. DeSana that if they do decide to build, he would need to get approval for it from the Planning Commission.

Commissioner Parker stated that the plan from 2018 will go away if this plan that is before the Commission tonight is approved.

Chairperson Pasko stated that was correct.

Commissioner Parker stated that he is concerned that the increase in the rear outdoor café will require additional toilets per the Plumbing Code.

Mr. DeSana indicated that he has 3 women's and 3 men's toilets currently and he is not asking for additional occupancy.

Mr. Hirsch indicated that men are urinating in the alley all the time and there is not sufficient toilets for the occupancy.

Chairperson Pasko indicated that there will be no addition to the occupancy for the bar.

Mr. DeSana indicated that all the persons on the rear outdoor café will be sitting, there will be no standing customers.

There being no further discussion, the hearing was closed.

Three (3) communications were received regarding this hearing.



Regarding rezoning of Firehouse at 2011 Oak Street

May I start this letter with my name Lisa Gunter of  
2917 21st Street, Wyandotte.  
I wish all neighbors to be happy, healthy, kind, safe and clean.

I carefully looked for a house to call home in this particular neighborhood ( due to my Grzywa family history).

I have a Dentist across my front, but I was not aware I would have a rental hall behind me.  
I was actually very excited when I was told that my neighbor was an old empty Historical Firehouse.  
(sadly I was mis informed)

I purchased my home in September 2019.  
I've lived in it a little less than 6 months.

When I first started clean up of the outside (weeds and tree removal)  
from my property and neighbors property. I had to track down the owner of the Firehouse to have his  
trailer moved so I could access the side of my garage to clean weeds from alley. He told me his name was  
Frank and he lived a couple hours away, he did have it moved by the next day.

Now the Firehouse is rented out for parties.

This has already become a very big inconvenience for me.  
There has been approximately 20 parties so far, that I've seen.

The main problems are parking, crowds and noise, although I'm not pleased with how many people smoke  
and drink alcohol in the parking lot during some events.

I have 3 times had to walk around the block to ask " customers" to please not block my access and let me  
leave my driveway. The people have all been nice, a couple of times I've been invited in to have food and  
drinks, I declined.

I have also 3 or 4 times just sat in my car and blow my horn until they let me out. (I'm disabled with  
difficulty walking).

One time I had to call Wyandotte Police for help getting cars moved.

(I needed to rush to hospital and couldn't deal with it myself)

I fear the problems will only become worse.

I understand this man has put time and money into this building, but my opinion is this building does not  
have adequate parking for party goers.

Also brings a lot of people very close to mine and others homes.

This can be disturbing in many ways.

This is a nice residential area. This will definitely effect the neighborhood negatively. I've only had a  
chance to speak with a few neighbors, they are unhappy with this building being used this way.

Some are complaining of previous years activities.

Could this building be used for something that wouldn't bring massive amounts of different strangers on a  
regular basis.

I have also put a lot of time, money and energy into my property.

Thousands just into the gates that the " customers" are blocking.

Thankfully nobody has damaged my new fencing, but there have been a few close calls already. There are  
no lights in lot. I light my yard up when I see a party, but I can't always watch the Firehouse.

I'm hoping to peacefully enjoy the rest of my life in my beautiful Wyandotte home and know and care for  
my neighbors.

I plan to attend this meeting in person, but with the new virus I'm not sure.

So in closing I'll say I object to the re zoning.

I have included several pictures that may help visualize my explanation.

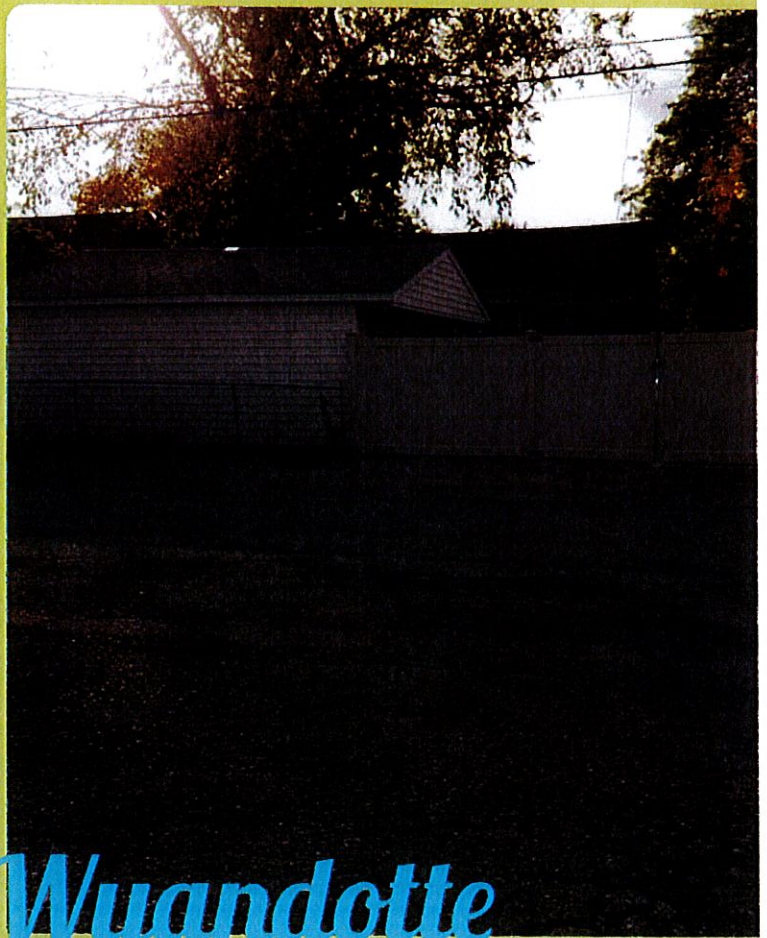
Thank you for your time and consideration.

Lisa Gunter  
2917 21st  
Wyandotte

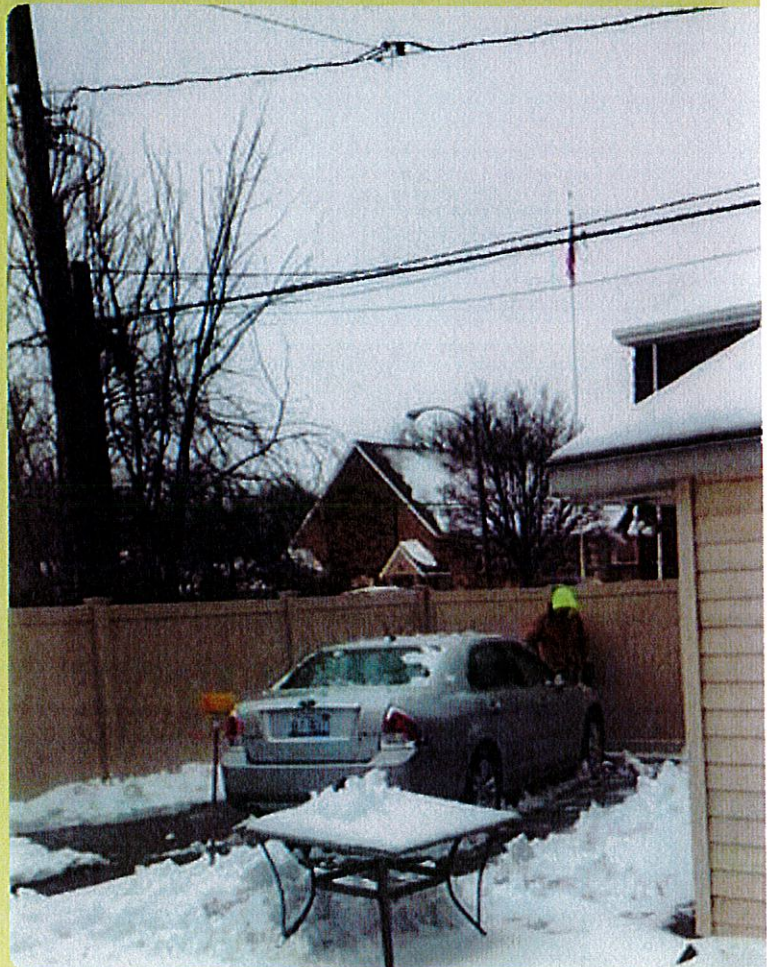
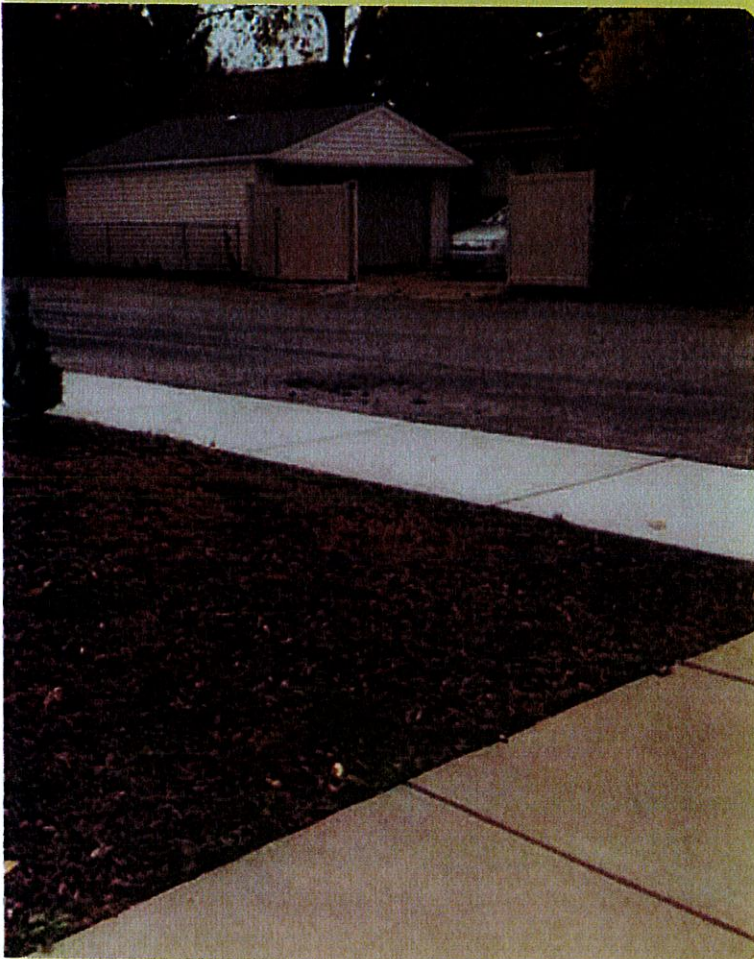
734 675 1213

P.S. Downriver Veterans have helped with proper care and hanging of the Flag on the Firehouse.

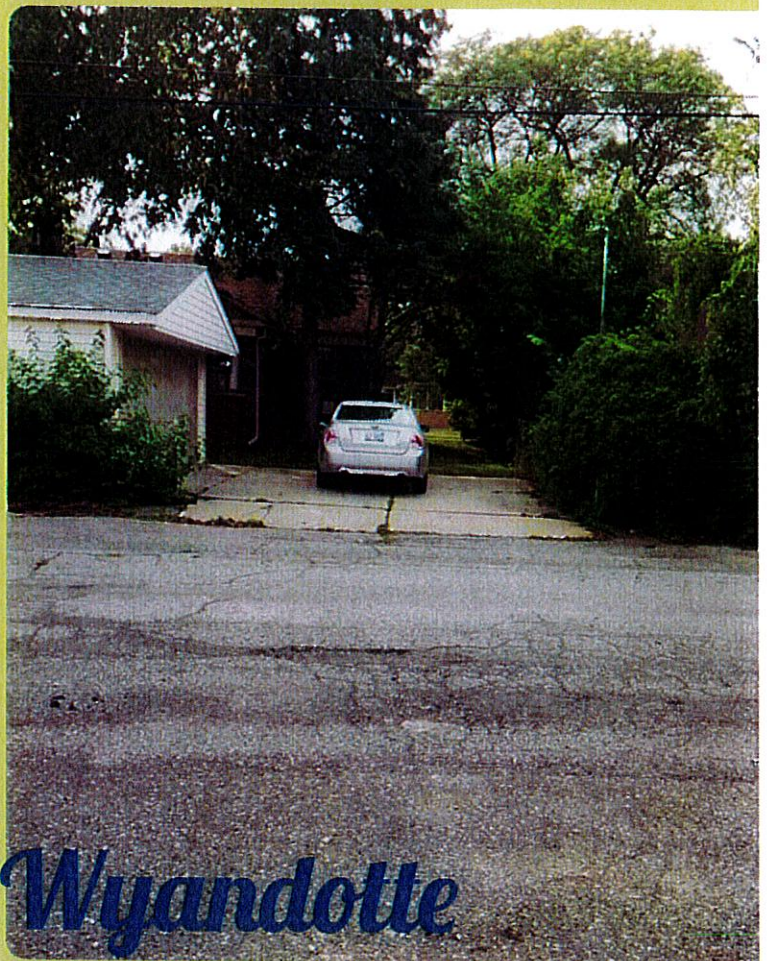
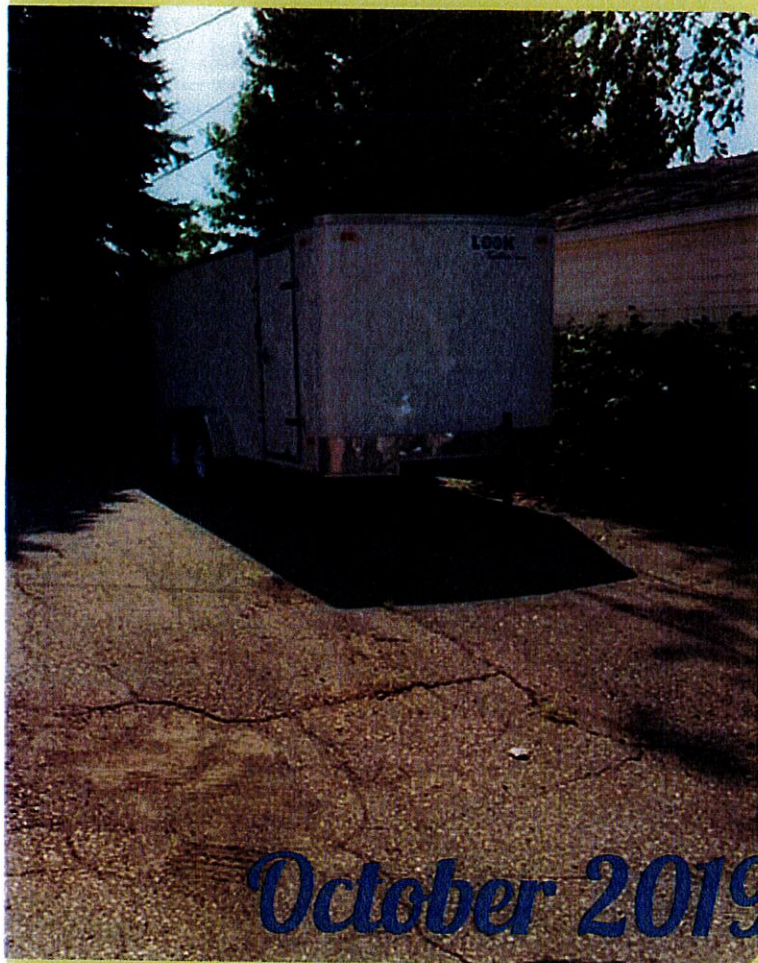




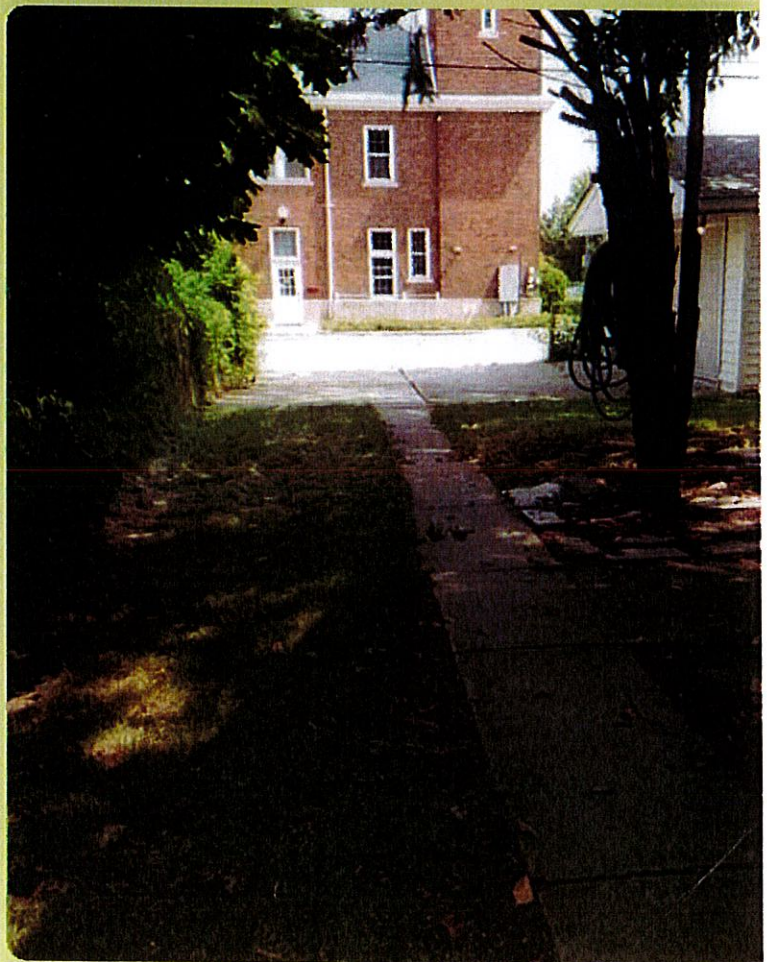
*November 2019 Wyandotte*



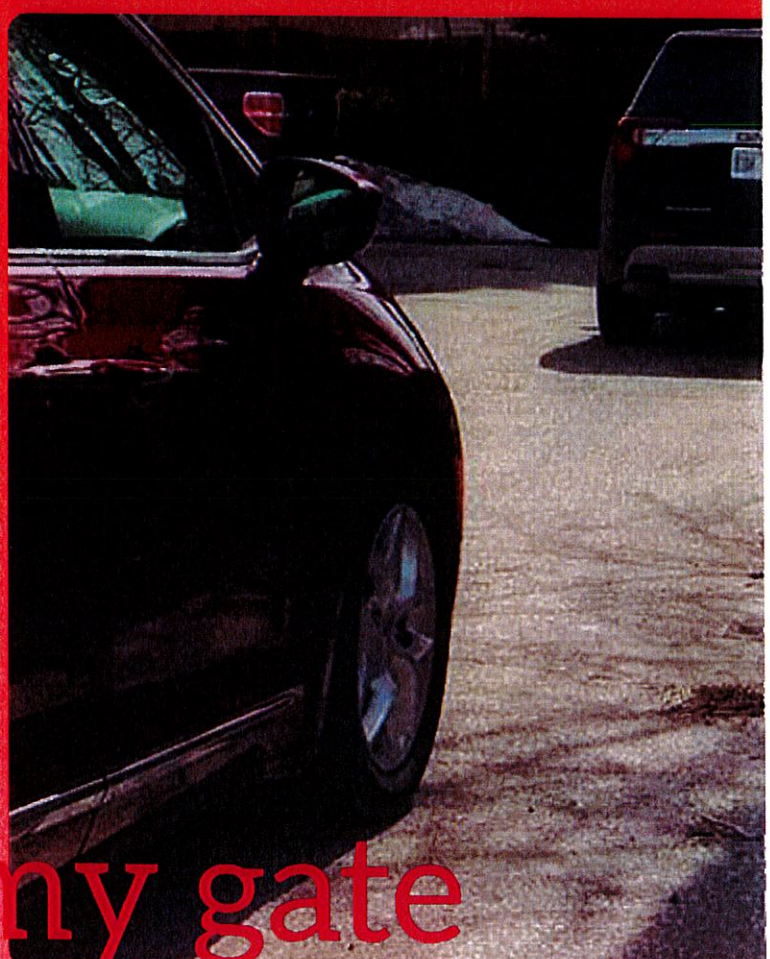
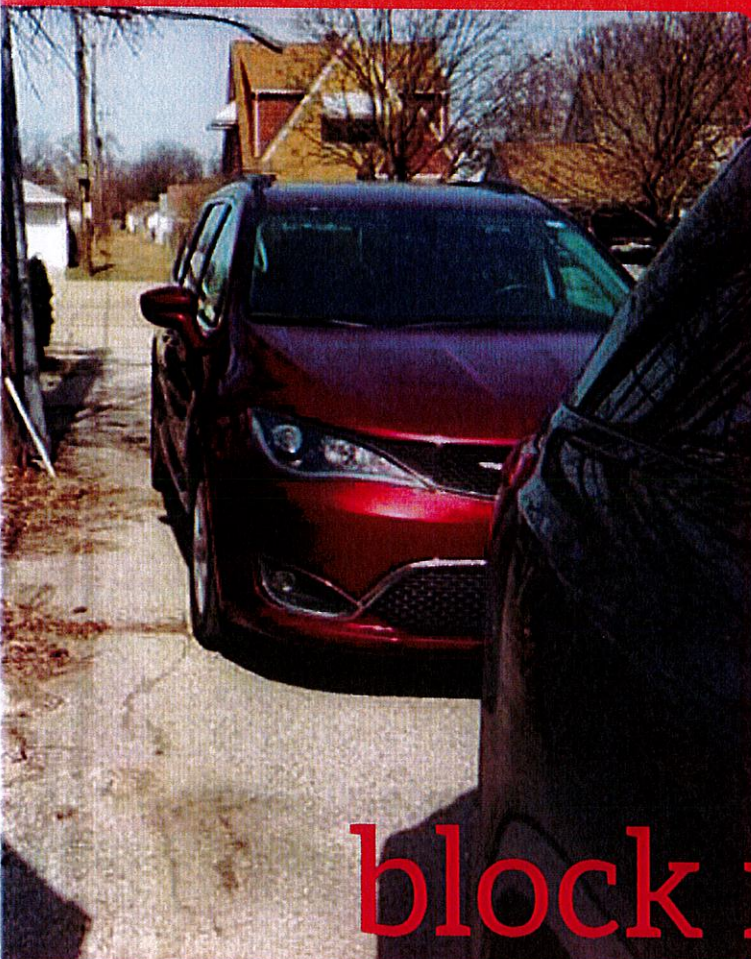




*October 2019 Wyandotte*



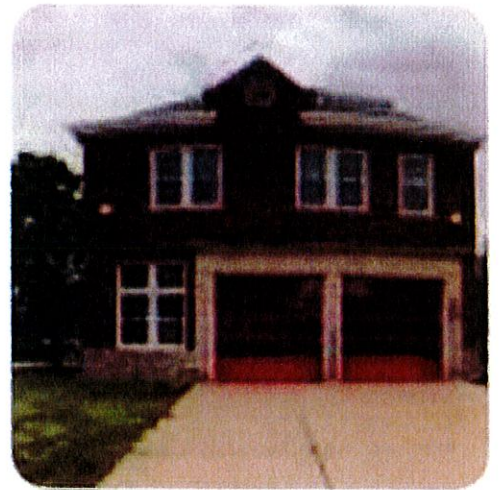






# Wyandotte Party Station No. 3 - Home | Facebook

Host your PARTY  
at the historical  
decommissioned  
Wyandotte Fire



Station No 3 ! Perfect for  
Baby showers, birthdays,  
holiday parties, ...







## **Wyandotte Party**

### **Station No. 3 added 7 new photos.**

Oct 29, 2019 at 10:50  
PM • 🌐

**Host your PARTY at the  
historical decommissioned  
Wyandotte Fire Station No  
3!**

**Perfect for Baby showers,  
birthdays, holiday parties,  
work celebrations, and  
corporate events.**

**\$300 hall rental!**

**\$395 hall including seating  
for 32 guests!!**

**\$495 hall including seating  
for 64 guests!**

**Space includes the use of a  
full kitchen if needed.**

**Email us now while  
availability exists!**



## 61 Banquet Halls and Wedding Venues around Wyandotte, Michigan

61 Banquet Halls and  
Wedding Venues around  
Wyandotte, Michigan.



## Best 30 Hall Rentals in Wyandotte, MI with Reviews - YP.com

261 results · Hall Rentals in  
Wyandotte on YP. com. ...  
more for the best Halls,  
Auditoriums & Ballrooms in  
Wyandotte, MI. ... this  
banquet hall for many other  
friends and family ...



# *Grace Missionary Baptist Church*

June 12, 2020

Dear Wyandotte Planning Commission,

This letter is in response to the Rezoning request for 2011 Oak St.

We have a concern with this request because of the lack of parking at this location.

Our Church building is located at 1812 Oak St. (NE corner of intersection) and own the parking lot directly across Oak St. (SE corner of intersection) which is directly across 20th St. from the property requesting this rezoning (SW corner of intersection)

The owner of the 2011 Oak St building approached the Church awhile back requesting permission to use our lot which we denied because of liability.

On several occasions, as members and visitors have arrived to attend Services, Weddings and Funerals at the Church, our lot was almost half full of cars associated with events going on at 2011 Oak St. even though our lot is posted Church Parking only. We are concerned that this rezoning will cause this issue to grow.

We understand they have secured additional parking that is 2 blocks away, but we are concerned that most of their guests are not going to park 2 blocks away but are going to continue to use our private lot, especially in poor weather.

We sincerely hope the owner can find a profitable use of the building that works within the neighborhood using the parking spaces on their property.

Robin Roberts  
Deacon  
Grace Missionary Baptist Church  
1812 Oak St.  
Wyandotte, MI 48192  
734-281-1484



Kelly Roberts

---

**From:** Joseph Hirsch <jhirsch447@att.net>  
**Sent:** Tuesday, June 09, 2020 10:37 PM  
**To:** Kelly Roberts  
**Subject:** Captain's Bar and patio

Dear Ms. Kelly Roberts,

Joe Hirsch here on Chestnut Street. I am sending this note as I am concerned about an apparent expansion of the patio at Captain's.

I do know that one day last week a new concrete pad was installed to within a couple feet of the alley. This as I'm sure you know was on the agenda for Zoning Board of Appeals and then removed before the meeting on June 3rd. So I am unaware of any approval of this expansion.

And with the restrictions being lifted they opened yesterday (Monday) and in the evening they did have patrons occupying the entire space. In fact they operated out there until at least 12:30 last night. It was at that time that I moved to a different room to escape the noise so they could have gone on even later. The owners there seem to bend and break the rules at will.

Any light that could be shed on this would be appreciated. Thank you.

Regards,  
Joe Hirsch



Joseph & Sharon Schichl  
163 Chestnut  
Wyandotte, MI 48192  
Tel: (734) 285-6874

June 15<sup>th</sup>, 2020

Kelly Roberts, Secretary  
Wyandotte Planning Commission  
3200 Biddle Avenue, Suite 200  
Wyandotte, MI 48192

RE: Notice of Public Hearing 05142020

Dear Ms. Roberts:

As long term residents of 163 Chestnut, we would like to offer our comments and concerns regarding the request for a change to the outdoor café located at 126 Oak Street. It is our understanding that they wish to increase the size of their patio with an extension reaching all the way to the alley, but are not requesting an increase in occupancy.

We purchased our home at 163 Chestnut 50 years ago and in all that time, have never had cause to complain about noise coming from the businesses located along Oak Street. While we are sympathetic to businesses investing in our city, we do not approve any decision that would contribute further to the noise level that has already been very disruptive to our community. There are several residential properties surrounding 126 Oak Street. In addition to the homes located directly behind the outdoor café along Chestnut Street, there is a multi-unit apartment building directly to the east as well as a future high-end residential property to the west. The level of noise coming from the outdoor patio as a result of both music and patrons is beyond an acceptable level. An expansion to the size of the outdoor café will both increase the volume and the proximity for these residences.

According to Sec. 25-85 of the Wyandotte code of ordinances:

*"A person is guilty of a misdemeanor if he or she operates or permits the operation of an amplified or un-amplified radio, tape, cassette, stereo, television, phonograph, musical instrument, boom box, loud speaker, other electronic sound producing device, or similar device, which causes total noise exceeding 82 DBA. or which may be heard more than one hundred feet away from the source of the noise."*

There are some evenings that it feels as though a wedding reception is taking place in our backyard and can assure you that we live well over 100 feet away from the outdoor café patio. We can't imagine what it is like for the apartment unit directly adjacent or the residence located directly behind. The extension of the patio area can only bring the noise closer to ourselves and our neighbors.

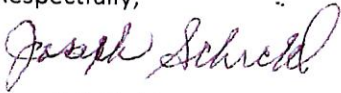
The notice states that the outdoor café located at 126 Oak Street is proposing a change to the layout with no increase in occupancy. It appears that they've already done the expansion to the patio and

tables and chairs will soon be filling it, which leaves us with some questions. If they've increased the seating, how does this not automatically add to their capacity? Can we expect city officials and/or the police to be enforcing their current capacity limit following their outdoor expansion? Will they be prevented from requesting an increase to their capacity in the future or is that just their next step?


Rick DeSana and Les Salliotte, or any future owner of this property, should understand that they did not purchase a property backing up to a commercial district and as a result their business model ought to reflect that. There must be limitations to how a business backing up to a residential neighborhood can and should operate.

The noise level coming from this establishment is unacceptable and it's not just noise from music, their patron's voices and laughter carry all the way to our side of the street. Any decisions made, that will contribute to the volume and its proximity to the residences, we will have to oppose.

Respectfully,

A handwritten signature in dark ink, appearing to read "Joseph Schichl". The script is fluid and cursive.

Joseph Schichl

A handwritten signature in dark ink, appearing to read "Sharon Schichl". The script is fluid and cursive.

Sharon Schichl



**OFFICIALS**

**Theodore H. Galeski**  
CITY ASSESSOR

**Lawrence S. Stec**  
CITY CLERK

**Todd M. Browning**  
CITY TREASURER



**ITEM #3**  
**HEARING #05142020**

**MAYOR**  
**Joseph R. Peterson**

**COUNCIL**  
**Robert Alderman**  
**Chris Calvin**  
**Robert A. DeSana**  
**Megan Maiani**  
**Leonard T. Sabuda**  
**Donald Schultz Jr.**

**GREGORY J. MAYHEW, P.E.**  
**CITY ENGINEER**

June 10, 2020

Stan Pasko, Chairperson  
Planning Commission  
City of Wyandotte  
3200 Biddle Avenue  
Wyandotte, MI 48192

**RE: Outdoor Café Application at 126 Oak**  
**Captain's Bar and Grill**

Dear Mr. Pasko:

The undersigned has reviewed the application for the expanded rear outdoor café at 126 Oak Street. Note the rear café is located on private property in the Central Business District. The proposed expansion would be for the purpose of providing ample space for social distancing. Captain's is not requesting an increase in occupancy for the rear café. If the expansion is approved, the occupancy limit of the rear outdoor café will remain unchanged. The 2020 outdoor café application has been approved for use with no changes to the previous approval.

The following items are contingent for approval of the expansion of the rear café:

- Approval of the rear café expansion is for an additional 1,600 square feet.
- Outdoor cafés adjacent to residential properties shall be screened with a solid fence a minimum of six (6) feet high. The existing (or new) fence on the north side of the café shall be reinstalled prior to opening of the rear café, complete with a 36-inch wide gate with panic hardware.
- A fire extinguisher will be required in the outdoor café, located at the direction of the Wyandotte Fire Chief.
- The occupancy limit for the rear outdoor café shall remain 75 persons.
- The front outdoor café was approved by the Planning Commission by Resolution, March 15, 2018, and remains in effect as there have been no changes.
- On January 18, 2018, the Planning Commission, by Resolution, approved an expansion of the rear outdoor café that included a new enclosed patio, an accessory building with storage and restrooms, and the area of use extended to the north property line. This expansion has not been completed/constructed.

If this new application for the rear outdoor café is approved, it would replace the expansion previously approved January 18, 2018, either temporarily or permanently.



The plans meet the requirements of the City of Wyandotte Zoning Ordinance. The enclosed outdoor café plans are provided for your review and approval.

If you have any questions you may contact the undersigned at (734) 324-4554.

Sincerely,

  
Gregory J. Mayhew  
City Engineer

3200 Biddle Avenue • Wyandotte, Michigan 48192 • 734-324-4551 • Fax 734-324-4540 • [www.wyandotte.net](http://www.wyandotte.net)

 Equal Housing Opportunity Equal Opportunity Employer 

**Kelly Roberts**

---

**From:** bvk96@wyan.org  
**Sent:** Friday, June 05, 2020 1:41 PM  
**To:** Kelly Roberts  
**Subject:** 126 Oak St. Captains rear outdoor patio layout change

Kelly,

I received the resent notice of request for a change to the layout with no additional increase in occupancy of the rear outdoor cafe at Captains.

A serious concern I have, and would be against, any expansion of the patio area regardless of the number of patrons it will occupy, without the construction of an 8 ft. sound barrier wall which was proposed as part of the patio expansion and required as a condition of approval by the Commission in 2017.

The 2017 patio expansion plan and patio capacity, had specific night time conditions of use by the Commission as well as additional permanent bathroom requirements that did not allow for porta potties.

Thank You for working.

Bruce Yinger

117 Chestnut

313-319-0611



**DEPARTMENT OF ENGINEERING AND BUILDING  
CITY OF WYANDOTTE, MICHIGAN**

**NOTIFICATION**

**Nonconformance of Proposed Building or Occupancy**

Date: November 20, 2019

**REVISED February 4, 2020**

**Appellant:**

Oak Firehouse LLC  
P.O. Box 815  
Trenton, MI 48183

**Owner:**

same

✓ EMAILED 2-11-20

**RE: 2011 Oak**

In accordance with Section 2600 of the Zoning Ordinance, you are hereby notified that your application, dated November 15, 2019, for a Certificate of Occupancy for small event venue 1<sup>st</sup> floor on Lots 119 120 121 Eureka Estates Sub., in an OS zoning district does not comply with Sections 1100 and 1101 2403.R.3.K and 2403.B of the Zoning Ordinance, which requires:

**SECTION 1100 and 1101:**

A special events venue is not an allowable use in an OS zoning district as a principal use or special use.

**SECTION 2403.R.3.K**

Dance halls, roller rinks, exhibition halls and assembly halls without fixed seats; a minimum of one (1) parking space is required for each 75 square feet of usable floor area. In those instances where patrons are served without seating one (1) parking space for each twenty (20) square feet of standing room floor area in addition to the above requirements shall be provided. The proposed use requires a total of nineteen (19) off street parking spaces.

**SECTION 2403.B:**

The applicant is proposing to use off street parking located at 2205 Oak which requires Planning Commission Approval.

The parking lot at 2205 Oak has 18 paved off street parking spaces, the hair salon utilizes 11 of these parking spaces based on Section 2403.R.3.G, which provides 7 non-required spaces for proposed use at 2011 Oak.

The parking lot at 2011 Oak has 13 paved off street parking spaces, the 2<sup>nd</sup> floor businesses requires 7 parking spaces, which provides 6 non-required spaces for the proposed use.

Therefore, the proposed special events venue, using the available parking at 2205 Oak and 2011 Oak will be 6 spaces short of the required amount.

  
Gregory J. Mayhew

City Engineer

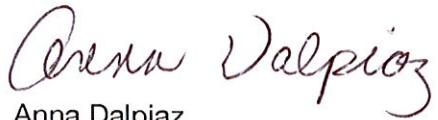
Date: 1/17/2020

To Whom it may concern:

I am giving my consent for the use of my parking lot (located at 2205 Oak Street) to the owners and guests of Oak Firehouse LLC (2011 Oak Street).

This lot will accommodate sufficient parking for 23 vehicles.

Thank you in advance,

A handwritten signature in dark ink, reading "Anna Dalpiaz". The signature is written in a cursive, flowing style.

Anna Dalpiaz  
Anna's Shear Rumors  
(734)250-1841



RESOLUTION  
PLANNING COMMISSION  
JUNE 18, 2020

**PUBLIC HEARING #02242020:** Request by Frank Mucci, Owner and Appellant, requesting to rezone the property at 2011 Oak Street, Wyandotte, County of Wayne and State of Michigan (13276 LOTS 119 120 121 EUREKA ESTATES SUBDIVISION).

It is proposed that said land be rezoned from O-S (Office Service District) to B-1 (Neighborhood Business District).

---

RESOLUTION

MOTION BY COMISSIONER KOWALEWSKI, SUPPORTED BY COMMISSIONER Rutkowski to recommend to the Mayor and City Council that the property known as at 2011 Oak Street be approved for rezoning to B-1 (Neighborhood Business District).

Reason: The adjacent properties are zoned B-1 and the uniqueness of the property

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

**CITY OF WYANDOTTE, MICHIGAN**  
**CERTIFIED RESOLUTION**  
**2020-53**

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

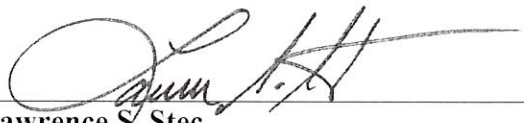
UNDER THE DATE OF: February 24, 2020

MOVED BY: Councilperson Maiani

SUPPORTED BY: Councilperson Schultz

Resolved by the Mayor and City Council that the rezoning application regarding the property at 2011 Oak Street is hereby received and forwarded to the Planning Commission to hold a 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 February 24, 2020 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



Residential: \$300.00  
Commercial: \$600.00  
Plan Development \$1,000.00

CITY OF WYANDOTTE  
3131 Biddle Avenue  
Wyandotte, Michigan 48192  
734.324.4551

## APPLICATION FOR REZONING

**INSTRUCTIONS TO APPLICANT:** Application must be submitted to the Department of Engineering and Building on Monday before 5:00 p.m. to be placed on the next Council Agenda. The application must be reviewed by the Department of Engineering and Building to insure proper legal description, requested zoning and a review of the site plan if required.

The Honorable Mayor and City Council:

I (We), the undersigned, hereby petition the City Council to amend the Zoning Ordinance and change the zoning map as hereinafter requested, and in support of this application, the following facts are shown:

The property sought to be rezoned is located at 2011 OAK ST <sup>(FIREHOUSE)</sup> between 21<sup>st</sup> STREET and 20<sup>th</sup> STREET on the S side of the street, and is known as lot(s) number of LOTS 119, 120, 121 of EVERETT ESTATES SUB Subdivision, Lot Size \_\_\_\_\_

### The property is owned by:

Name FRANK MUCCI Street Address 2738 HAWTHORNE DR. S.  
City SHELBY TOWNSHIP State MI Zip 48316  
Phone # (734) 915-4553

PRESENT ZONING: O.S. REQUESTED ZONING: ~~B2~~ B1

It is proposed that the property will be put to the following use: Small EVENT SPACE/VENUE ON THE FIRST FLOOR. 2<sup>nd</sup> FLOOR AND REST OF BUILDING will REMAIN Empty AND UNUSED.

**\*\*REQUIRED FOR P-1 or RM-1A\*\***

Attached hereto are three (3) prints of a site plan showing the lot(s) or parcel(s) under petition, and the intended layout. These prints are made a part of this petition and are drawn to scale.

**\*\*OPTIONAL\*\***

I (We) attach a statement hereto indicating why, in our opinion, the change requested is necessary for the preservation and enjoyment of substantial property rights, and why such change will not be detrimental to the public welfare, or to the property of other persons located in the vicinity thereof.

Signature of Applicant: [Signature] Address: 2738 HAWTHORNE DR. S.

\*\*\*\*\*  
SHELBY TOWNSHIP MI 48316  
\*\*\*\*\*

Receipt # \_\_\_\_\_ Date: 2/13/2020

Engineer's Signature [Signature]

Date: Feb 11th, 2020

To whom it may concern:

I appreciate the opportunity to discuss adjusting the zoning designation for 2011 Oak Street, Wyandotte Mi from an "Open Space" designation to a "B1" business classification.

The historical Fire Station on Oak Street is an iconic building that many of us local residents remember from our childhoods. My goal has been to share the nostalgia and experiences of this beautiful building with our neighbors and friends, while still respecting the surrounding homes and businesses.

In order to try and maintain compliance with city regulations, I have made a list of guidelines we will adhere to in an attempt to minimize any inconvenience to our neighbors.

Additionally, I understand that appropriate parking arrangements are an important consideration in approving this zoning adjustment. In anticipation of that, I have made several accommodations to try and provide solutions and prevent inconveniences to our neighbors as well as to our guests at the firehall.

1) I will forfeit the use of the 2nd floor space (vacant), so all on site parking spaces will be dedicated to the first floor of the firehall. (The only use of the entire building will be the first floor as a small event venue). This allows for 13 parking spaces off street on site. Plus any additional street parking permitted in the allowable calculations.

2) I have made arrangements with Anna's Shear Rumors (2205 Oak Street) to give us full access to their parking lot for overflow parking. The business hours for both businesses do not overlap. This lot will accommodate an additional 23 vehicles.

3) To ensure that guests to the firehall abide by the parking arrangements, and to prevent inconvenience to the neighborhood, written parking instruction will be distributed to guests/ hosts prior to every event. These rules will also be reviewed prior to booking events, and displayed on our website.

4) I believe the firehall was previously registered as an event venue by an owner a few years ago. I know that several local residents have shared great memories of having small gatherings in the building, and I look forward to being able to continue those experiences. If they previously found an adequate solution, then I am confident we can find one as well.

In conclusion, I feel as though the above arrangements will allow for appropriate accommodations to allow for the zoning to be adjusted from OS to B1. I wish to be fully compliant with city regulations, and be a good steward to this historical building. I would love to continue renovations on this important Wyandotte symbol, and to have the ability to share its history with our community.

Thank you in advance,

Frank Mucci  
Oak Firehouse LLC

734-915-4553



Date: 1/29/2020

To whom it may concern within the city of wyandotte building/engineering dept:

In regards to the proposed shared parking agreement between Oak Firehouse LLC (2011 Oak St. Wyandotte, Michigan) and Anna's Sheer Rumors (2205 Oak St. Wyandotte Michigan), our intention is to share the parking space without overlap in utilization.

The business hours for Anna's Shear Rumors are as follows:

Sunday-Monday:	Closed
Tuesday:	9-5pm
Wednesday:	9-6pm
Thursday:	11-6pm
Friday:	9-3pm
Saturday:	9-2pm

The proposed business hours for Oak Firehouse LLC are as follows:

Fridays:	5:30pm-9pm	(By reservation only)
Saturday:	3pm-9pm	(By reservation only)
Sunday:	10am-8pm	(by reservation only)

Please feel free to contact me with any questions or concerns.

Respectfully,

Frank Mucci  
Oak Firehouse LLC  
734-915-4553  
Frankudm@yahoo.com

To whom it may concern:

In regards to the historic decommissioned fire station at 2011 Oak street, Wyandotte, I would like to briefly express my intentions and motives. My family grew up a few blocks south of the fire station and lived on Oak street for 50 years. I grew up admiring the beauty, architecture, and spirit of historic Wyandotte, and I feel 2011 Oak street is an excellent example of this culture!

My intentions are to continue preservation and restoration of the old fire house, and to share this iconic location with our neighbors. I wish to be fully compliant with city requirements and will gladly conform the structure of any business dealings to accommodate any necessary changes.

In light of recent world events, Covid 19 will be reshaping our daily lives in ways we may not even realize yet. There will surely be a need for small, clean, organized event centers going forward as we begin to move away from large crowds to maintain social distancing measures. 2011 Oak street can help provide this service and ensure there are adequate options for responsible hosts who wish to keep group gatherings to smaller, more intimate numbers.

I understand that parking is a primary concern, and I wish to be a good steward to the community and our neighbors. I have secured additional parking within reasonable walking distance, and will continue to work on additional arrangements if required. In addition, I will be forfeiting the use of the second floor space (will remain vacant) so 100% of on site parking is allocated to the first floor event guests. I've prepared detailed instruction packets that explain these parking mandates for hosts/guests, and they will be presented well in advance of events to try and minimize inconveniences to the neighborhood.

In short, I would love to uphold the history of Wyandotte and prevent any additional decay to our historic sites, and to share these landmarks with on going generations. In order for me to sustain that endeavor financially, I will need a little flexibility. By allowing a zone change to accommodate a small event venue I believe I can provide a much needed service to the community, while also safeguarding the history of the fire hall.

Thank you in advance for your consideration,  
Frank Mucci



**CITY OF WYANDOTTE, MICHIGAN  
CERTIFIED RESOLUTION  
2020-141**

**New Business #2  
Public Hearing #02020-141**

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF WYANDOTTE, WAYNE COUNTY, MICHIGAN, HELD VIA VIRTUAL TELECOMMUNICATION METHODS, DUE TO COVID-19 IN ACCORDANCE WITH EXECUTIVE ORDER 2020-75 USING THE ZOOM AUDIO PLATFORM.

UNDER THE DATE OF: June 8, 2020

MOVED BY: Councilperson Schultz

SUPPORTED BY: Councilperson Calvin

BE IT RESOLVED that Council concurs with the proposed amendments to Chapter 4 Downriver Central Animal Control Ordinance; AND

BE IT FURTHER RESOLVED that the first reading of the ordinance will be held in coordination with the related Zoning Ordinance, pending approval and re-submission to the Council by the Planning Commission.

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 June 8, 2020 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.**

A handwritten signature in black ink, appearing to read 'Lawrence S. Stec', is written over a horizontal line.

**Lawrence S. Stec**  
City Clerk

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

**MEETING DATE: 6/8/2020**

**AGENDA ITEM # 13**

**ITEM: Amendment to Zoning Ordinance - Animal Lodging Facility and Kennels**

**PRESENTER:** Gregory J. Mayhew, City Engineer

**INDIVIDUALS IN ATTENDANCE:**

**BACKGROUND:** The current zoning ordinance does not permit kennels or animal lodging facilities. The attached proposed amendment to the Zoning Ordinance would establish kennels and animal lodging facilities as Special Land Uses in I-1 Zoned Districts along with guidelines for approval.

**STRATEGIC PLAN/GOALS:** This is consistent with the 2010-2015 Goals and Objectives of the City of Wyandotte Strategic Plan in the continuing effort to enhance the quality of life for residents.

**ACTION REQUESTED:** Refer the proposed Zoning Amendment to the Planning Commission for the required public hearing.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** No budget implications.

**IMPLEMENTATION PLAN:** If recommended by the Planning Commission after the public hearing, hold 1st and 2nd readings of the proposed Zoning Ordinance amendments.

**LIST OF ATTACHMENTS:**

1. 1502 I-1 Industrial Animal Lodging 052920



AN ORDINANCE ENTITLED

AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE  
ZONING ORDINANCE BY AMENDING  
ARTICLE II – DEFINITIONS,  
ARTICLE XV – I-1 INDUSTRIAL DISTRICTS  
And  
ARTICLE XXII – SPECIAL LAND USES

CITY OF WYANDOTTE ORDAINS:

Section 1. Article II. Definitions, shall be amended as follows:

The following definitions shall be added:

*Domesticated companion animal.* An animal that has traditionally, through a long association with humans, lived in a state of dependence upon humans or has been traditionally kept as a household pet, including but not limited to: dogs, cats, hamsters, gerbils, guinea pigs, ferrets, mice, rabbits, parakeets, parrots, cockatiels, cockatoos, canaries, love birds, finches, and tropical fish.

*Domesticated companion animal lodging facility.* An establishment where domesticated companion animals are kept or confined for the purpose of providing training, boarding, sale or day care or extended sheltering and includes kennels.

The following definition shall be amended to read as follows:

*Kennel.* An establishment wherein or whereon three (3) or more dogs are confined and kept for sale, boarding, breeding, or training purposes.

Section 2. Article XV. I-1 Industrial Districts, shall be amended as follows:

Sec. 1501. – Special Uses, shall be amended by adding the following:

- D. Domesticated companion animal lodging facility.
- E. Kennel.

Section 3. Article XXII. – Special Land Uses, shall be amended as follows:

Special Uses-Index of Items Covered, shall be amended by adding the following:

- LL Stores that sell alcoholic beverages
- MM Murals
- NN Public art
- OO Domesticated companion animal lodging facility
- PP Kennel

Sec. 2202. – Special land use designated, shall be amended by adding the following:

OO. Domesticated companion animal lodging facility.

1. An establishment where domesticated companion animals are kept or confined for the purpose of providing training, boarding, sale or day care or extended sheltering, and includes kennels.
2. A domesticated companion animal facility which includes a dog kennel, shall obtain a kennel license in accordance with the "Dog Law of 1919" as amended, or as may be amended, as currently set forth in MCL 287.270, et seq.
3. The facility shall be brought into compliance with all City of Wyandotte codes and ordinances.
4. Animal care and maintenance shall comply with Code of Ordinance Sec. 4-5. Animal care and Sec. 4-6. Additional violations.
5. The domesticated companion animal facility shall comply with Code of Ordinance Sec. 4-24.
6. A six (6) foot solid wall such as brick, decorative block, or decorative poured concrete must be provided where abutting or adjacent districts are zoned or used as residential. The height of the wall will be measured from the surface of the ground at the rear yard line of the premise.
7. Off street parking shall be provided at one (1) parking space for each employee in the largest working shift and one (1) additional parking space for each three (3) animals able to be housed.
8. All lighting shall be shielded from adjacent residential districts.

PP. Kennel.

1. An establishment where three or more dogs are kept or confined for sale, boarding, breeding or training purposes. A kennel established as an accessory use by a licensed veterinarian or technician specializing and trained in the medical treatment or medical observation of dogs shall be allowed in the Zoning District in which the primary use is allowed.
2. A dog kennel shall obtain a kennel license in accordance with the "Dog Law of 1919" as amended, or as may be amended, as currently set forth in MCL 287.270, et seq.
3. The facility shall be brought into compliance with all City of Wyandotte codes and ordinances.
4. The kennel shall comply with Code of Ordinance Sec. 4-24.
5. The kennel shall comply with Code of Ordinance Sec. 4-5. Animal care and Sec. 4-6. Additional violations.
6. A six (6) foot solid wall such as brick, decorative block, or decorative poured concrete must be provided where abutting or adjacent districts are zoned or used as residential. The height of the wall will be measured from the surface of the ground at the rear yard line of the premise.
7. Off street parking shall be provided at one (1) parking space for each employee for the largest working shift and one (1) additional parking space for each three (3) animals able to be housed.
8. All lighting shall be shielded from adjacent residential districts.



Section 4. Reservation of Rights.

Nothing in this Ordinance or in the Code hereby adopted shall be construed to affect any suit or proceeding in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy or any character be lost, impaired or affected by this Ordinance.

Section 5. Severability.

Severability. Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be so invalid and shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

Section 6. Conflicting Ordinances.

Conflicting Ordinances. All prior existing ordinances adopted by the City of Wyandotte inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

Section 7. Effective Date.

This Ordinance shall be published along with the notice of adoption in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption and shall take effect fifteen (15) days after its adoption or seven (7) days after publication whichever is later. The notice of adoption shall include the text of the amendment, the effective date of the Ordinance, and the place and time where a copy of the Ordinance may be purchased or inspected.

On the question, "SHALL THIS ORDINANCE NOW PASS?" the following vote was recorded.

YEAS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Alderman  
Calvin  
DeSana  
Maiani  
Sabuda  
Schultz

NAYS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSENT \_\_\_\_\_

I hereby approve the adoption of the foregoing Ordinance this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

W

Public Hearing #3  
Public Hearing #02020-142

**CITY OF WYANDOTTE, MICHIGAN  
CERTIFIED RESOLUTION  
2020-142**

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF WYANDOTTE, WAYNE COUNTY, MICHIGAN, HELD VIA VIRTUAL TELECOMMUNICATION METHODS, DUE TO COVID-19 IN ACCORDANCE WITH EXECUTIVE ORDER 2020-75 USING THE ZOOM AUDIO PLATFORM.

UNDER THE DATE OF: June 8, 2020

MOVED BY: Councilperson Schultz

SUPPORTED BY: Councilperson Calvin

BE IT RESOLVED that the communication from the City Engineer regarding an amendment to the Zoning Ordinance to regulate the installation of small cell wireless facilities in the public right of way is hereby received and placed on file, and,  
FURTHER RESOLVED, that the said proposed Zoning Ordinance amendment is 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 June 8, 2020 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



0

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

**MEETING DATE: 6/8/2020**

**AGENDA ITEM # 15**

**ITEM: Amendment to Zoning Ordinance - Small Cell Wireless**

**PRESENTER:** Gregory J. Mayhew, City Engineer

**INDIVIDUALS IN ATTENDANCE:** N/A

**BACKGROUND:** On December 12, 2018, Governor Snyder signed the small wireless communications facilities deployment act, Act No. 365 of the Public Acts of 2018 (the “Act”). The Act’s purpose is to accelerate and encourage deployment of small wireless infrastructure in the public right-of-way and provide a framework for review by municipalities. A companion act was also enacted, Act No. 366 of the Public Acts of 2018 which amends the Michigan Zoning Enabling Act to incorporate PA 365.

Small wireless communications facilities are wireless service antennas, six (6) cubic feet maximum in size, and associated equipment no larger than 25 cubic feet. The antennas are attached to utility or other types of poles in the public right-of-way. It is anticipated that a dense network of smaller cells will provide better signal coverage, and that the use of small cell wireless technology is required for the more advanced 5G networks, as well as for the development and implementation of autonomous vehicles and the development of “smart cities” technology.

The Act provides a regulatory framework for municipalities to process applications by wireless providers through both a regulatory permitting and a zoning ordinance. The Act also allows for some design criteria requirements, time frames and fees for review of these applications.

The attached proposed Zoning Ordinance amendment sets forth regulations for installation of small cell wireless facilities in the City's right of ways.

**STRATEGIC PLAN/GOALS:** Committed to maintaining and developing excellent neighborhoods by: Matching tools and efforts to the conditions in city neighborhoods; tracking infrastructure conditions in all neighborhoods. The City will work to establish and sustain the quality of street lighting, sidewalks, curbs, gutters and pavement. Continuing neighborhood renewal projects, where needed, in order to revitalize structures and infrastructures in residential and commercial areas.

**ACTION REQUESTED:** Refer the proposed Zoning Amendment to the Planning Commission for the required public hearing.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** N/A

**IMPLEMENTATION PLAN:** If recommended by the Planning Commission after the public hearing, hold 1st and 2nd readings of the proposed Zoning Ordinance amendments.

**LIST OF ATTACHMENTS:**

1. Proposed Wyandotte Small Cell Zoning Ord 052920



AN ORDINANCE ENTITLED

AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE  
ZONING ORDINANCE BY ADDING  
ARTICLE XXIV. – GENERAL PROVISIONS  
SECTION 2411. – SMALL CELL WIRELESS

CITY OF WYANDOTTE, WAYNE COUNTY, MICHIGAN ORDAINS:

Section 1. Purpose and Intent.

Section 2411. – Small Cell Wireless shall be added to Article XXIV. – General Provisions as follows:

Sec. 2411. – Small Cell Wireless.

A. General

The collocation of a small cell wireless facility and associated support structure within a public right of way (“ROW”) is not subject to zoning reviews or approvals under this ordinance to the extent exempt from such reviews under Act 365 of 2018, as amended (“Act 365”). In such case, a utility pole in the ROW may not exceed 40 feet above ground level without special land use approval and a small cell wireless facility in the ROW shall not extend above a utility pole or wireless support structure on which the small cell wireless facility is colocated.

Collocation of a small cell wireless facility or installation of an associated support structure shall require that the wireless provider apply for and obtain a permit from the City of Wyandotte Department of Engineering and Building consistent with the current Michigan Building Code and the City of Wyandotte Code of Ordinances governing small cell wireless installations.

Small cell wireless facilities and associated support structures not exempt from zoning reviews are only permitted in accordance with the provisions of this zoning ordinance and Act 365, and upon application for and receipt from the City of Wyandotte Engineering and Building Department of a permit consistent with the current Michigan Building Code and the City of Wyandotte Code of Ordinances governing small cell wireless installations.

B. Definitions

*Wireless Communication Equipment*: the set of equipment and network components used in the provision of wireless communication services, including, but not limited to, antennas, transmitters, receivers, base stations, equipment shelters, cabinets, emergency generators, power supply cables, coaxial and fiber optic cables, but excluding wireless communications support structures.

*Wireless Communication Support Structure:* a structure that is designed to support, or is capable of supporting, wireless communication equipment. A wireless communication support structure may include a monopole, lattice tower, guyed tower, water tower, utility pole or building.

*Small Cell Wireless Facility:* a wireless facility that meets both of the following requirements:

1. Each antenna is located inside an enclosure of not more than 6 cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements would fit within an imaginary enclosure of not more than 6 cubic feet.
2. All other wireless equipment associated with the facility is cumulatively not more than 25 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

*Equipment Compound:* A building, or open space with specific boundaries, where multiple wireless communication equipment, support structures and facilities are located.

#### C. Wireless Communications Equipment

Wireless communication equipment (but not a wireless communication support structure) is a permitted use and allowed in all zoning districts. Wireless communication equipment does not have to be related to the principal use of the site. Wireless communications equipment is not subject to zoning review and approval if all of the following requirements are met:

1. The wireless communications equipment will be colocated on an existing wireless communications support structure or in an existing equipment compound.
2. The existing wireless communications support structure or existing equipment compound is in compliance with the City of Wyandotte's zoning ordinance or was approved by the appropriate zoning body or official for the City of Wyandotte.
3. The proposed collocation will not do any of the following:
  - a. Increase the overall height of the wireless communications support structure by more than 20 feet or 10% of its original height, whichever is greater.
  - b. Increase the width of the wireless communications support structure by more than the minimum necessary to permit co-location.
  - c. Increase the area of the existing equipment compound to greater than 2,500 square feet.
4. The proposed collocation complies with the terms and conditions of any previous final approval of the wireless communications support structure or equipment compound by the appropriate zoning body or official of the City of Wyandotte.



Notwithstanding the foregoing, wireless communications equipment otherwise exempt must still comply with all other applicable City of Wyandotte ordinances and codes including a requirement that the building inspector determines that the co-location will not adversely impact the structure to which it is attached.

Any collocation that does not meet the requirements of Paragraph C, 3 and 4, shall be denied. The applicant may apply for a non-use variance upon appeal to the Zoning Board of Appeals in accordance with Sec 2703. Appeals, how taken and Section 514 (2-6) of Act 366 of 2018, as amended (“Act 366”).

Wireless communications equipment that is not attached to an existing structure (thus requiring the installation of a new wireless communications support structure), is subject to special land use review consistent with the City of Wyandotte zoning ordinance and consistent with the City of Wyandotte Master Plan.

#### D. Special Land Use Standards for Wireless Communication Facilities

1. Wireless communications support structures must be installed on a lot of record for the zoning district in which it is located, either as a principal use, or as an accessory use related to the principal use.
2. The facility must comply with Wyandotte Municipal Service Pole Attachment Ordinance (including attachment tariff)
3. The facility must comply with City of Wyandotte Code of Ordinance – Small Cell Wireless Facilities. (attached).

#### E. Special Land Use Standards for Non-Exempt Small Cell Wireless Facilities

The modification of existing or installation of new small cell wireless facilities or the modification of existing or installation of new wireless support structures used for such small cell wireless facilities that are not exempt from zoning review in accordance with Act 365 shall be subject to special land use review and approval in accordance with the following procedures and standards:

1. The processing of an application is subject to all of the following requirements:
  - a. Within 30 days after receiving a building permit application under this section, the Engineering and Building Department shall notify the applicant in writing whether the application is complete. The notice tolls the running of the 30-day period.
  - b. The running of the time period tolled under subdivision (a) resumes when the applicant makes a supplemental submission in response to the Engineering and Building Department's notice of incompleteness.
  - c. The Engineering and Building Department shall approve or deny the building permit application and notify the applicant in writing within 90 days after a building permit application for a modification of a wireless support structure or installation of a small cell wireless facility is received or 150 days after a building permit application for a new

wireless support structure is received. The time period for approval may be extended by mutual agreement between the applicant and Engineering and Building Department.

2. Upon denial of a building permit, the applicant may request Special Land Use approval from the Planning Commission, as set forth in Sec. 2201.B. "Application Of Special Land Use", and subject to the review and approval of a site plan in accord with Section 2607 and after a public hearing in accord with Section 2608 by the Planning Commission.

3. The Planning Commission shall base its review of the special land use request on the standards contained in Sec.2201.D; provided, however that a denial shall comply with all of the following:

- a. The denial is supported by substantial evidence contained in a written record that is publicly released contemporaneously.
- b. There is a reasonable basis for the denial.
- c. The denial would not discriminate against the applicant with respect to the placement of the facilities of other wireless providers.

4. In addition to the provisions set forth in Paragraph E (2), in the Planning Commission's review:

- a. An applicant's business decision on the type and location of small cell wireless facilities, wireless support structures, or technology to be used is presumed to be reasonable. This presumption does not apply with respect to the height of wireless facilities or wireless support structures.
- b. An applicant shall not be required to submit information about its business decisions with respect to any of the following:
  - i. The need for a wireless support structure or small cell wireless facilities.
  - ii. The applicant's service, customer demand for the service, or the quality of service.
- c. The Planning Commission may impose reasonable requirements regarding the appearance of facilities, including those relating to materials used or arranging, screening, or landscaping.
- d. The Planning Commission may impose spacing, setback, and fall zone requirements substantially similar to spacing, setback, and fall zone requirements imposed on other types of commercial structures of a similar height in a similar location.

5. The fee for zoning review of a special land use and associated site plan shall be as established by the City Council of the City of Wyandotte by resolution from time to time.

6. Within one (1) year after a zoning approval is granted, a small cell wireless provider shall commence construction of the approved structure or facilities that are to be operational for use by a wireless services provider, unless the Planning Commission and the applicant agree to extend this period or the delay is caused by a lack of commercial power or communications facilities at the site. If the wireless provider fails to commence the construction of the approved structure or facilities within the time required the zoning approval is void.



Section 2. Reservation of Rights.

Nothing in this Ordinance or in the Code hereby adopted shall be construed to affect any suit or proceeding in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy or any character be lost, impaired or affected by this Ordinance.

Section 3. Severability.

Severability. Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be so invalid and shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

Section 4. Conflicting Ordinances.

Conflicting Ordinances. All prior existing ordinances adopted by the City of Wyandotte inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

Section 5. Effective Date.

This Ordinance shall be published along with the notice of adoption in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption and shall take effect fifteen (15) days after its adoption or seven (7) days after publication whichever is later. The notice of adoption shall include the text of the amendment, the effective date of the Ordinance, and the place and time where a copy of the Ordinance may be purchased or inspected.

On the question, "SHALL THIS ORDINANCE NOW PASS?" the following vote was recorded.

<u>YEAS</u>		<u>NAYS</u>
_____	Alderman	_____
_____	Calvin	_____
_____	DeSana	_____
_____	Maiani	_____
_____	Sabuda	_____
_____	Schultz	_____
	ABSENT	_____

I hereby approve the adoption of the foregoing Ordinance this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

CITY OF WYANDOTTE  
PLANNING COMMISSION MEMBERS

Stanley J. Pasko Chairperson <a href="mailto:spaskoj@aol.com">spaskoj@aol.com</a>	1291 10 <sup>th</sup> Street Wyandotte, MI	W: 313-436-2374 C: 313-815-5230
Charles M. Lupo Vice-Chairperson <a href="mailto:Lupo2390@att.net">Lupo2390@att.net</a>	459 Cedar Wyandotte, MI	H: 734-282-1257
Barb Duran Member <a href="mailto:Bduran3326@yahoo.com">Bduran3326@yahoo.com</a>	3326 12 <sup>th</sup> Street Wyandotte, MI	W: 313-300-1710 H: 734-281-1408
Mark Kowalewski <a href="mailto:Mark3kowalewski@gmail.com">Mark3kowalewski@gmail.com</a>	1540 Davis Wyandotte, MI	C: 313-528-1245
Raymond D. Parker Member <a href="mailto:repdezign@yahoo.com">repdezign@yahoo.com</a>	1203 Superior Wyandotte, MI	H: 734-282-2213 C: 734-341-3129
Stanley A. Rutkowski Member <a href="mailto:Srutkow7@wyandotte.org">Srutkow7@wyandotte.org</a>	2508 19 <sup>th</sup> Street Wyandotte, MI	C: 734-775-7884
Jay Sarnacki Member <a href="mailto:jsarnacki@sarnackiaia.com">jsarnacki@sarnackiaia.com</a>	2285 21 <sup>st</sup> Street Wyandotte, MI	O: 734-282-3900
Kelly Stec Member <a href="mailto:kellymstec@gmail.com">kellymstec@gmail.com</a>	2414 15 <sup>th</sup> Street Wyandotte, MI	C: 734-778-3138
Brian Kelly Member <a href="mailto:Bkelly09@outlook.com">Bkelly09@outlook.com</a>	3886 14 <sup>th</sup> Street Wyandotte, MI	C: 734-812-3844

PLANNING CONSULTANT:  
Ben Tallerico, Beckett & Raeder  
[btallerico@bria2.com](mailto:btallerico@bria2.com)  
Office: 734-663-2622 C: 734-216-2970

SPECIAL APPROVAL:  
Key Code: 801  
101-00-670-10

RECORDING SECRETARY:  
Kelly Roberts  
[kroberts@wyandottemi.gov](mailto:kroberts@wyandottemi.gov)  
734-324-4555

FAX NUMBERS:  
Engineering 734-556-3179

06/29/2020