

City of Wyandotte
PLANNING COMMISSION
Minutes of the Thursday, October 21, 2010, Meeting
MINUTES AS RECORDED

The meeting was called to order by Chairperson Elizabeth Krimmel at 7:00 p.m.

COMMISSIONERS PRESENT: Duran, Hovis, Krimmel, Parker, Rockershousen, Schultz, Tavernier

COMMISSIONERS EXCUSED: Eberts and Lupo

ALSO PRESENT: Charles Leman
Peggy Green, Recording Secretary

COMMUNICATIONS:

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:

MOTION BY COMMISSIONER TAVERNIER, supported by Commissioner Rockershousen to approve the minutes of the Regular Meeting of September 16, 2010. MOTION PASSED.

OLD BUSINESS:

1. PUBLIC HEARING - Request from Bruce Chapin (Owner and Appellant) to remove an existing sign and construct a new ground sign 11'-2 7/8" to the peak at 3530 Biddle Avenue. The property is zoned PD (Planned Development District). In accordance with the PD District, the Planning Commission is required to review the alteration of the site as to whether such change should be approved.

- A. MOTION BY COMMISSIONER ROCKERSHOUSEN, supported by Commissioner Hovis that the sign be in conformance with the Ordinance for ground signs.

YEAS: Hovis, Rockershousen, Schultz

NAYS: Duran, Krimmel, Parker, Tavernier

ABSENT: Eberts, Lupo

MOTION DID NOT PASSED

- B. MOTION BY COMMISSIONER PARKER, supported by Commissioner Duran to approve the sign as submitted

YEAS: Duran, Krimmel, Parker, Tavernier

NAYS: Hovis, Rockershousen, Schultz

ABSENT: Eberts, Lupo

MOTION PASSED

2. PUBLIC HEARING – Request from the City of Wyandotte to rezone the property known as Bishop Park and Parking Lot from RA – Single Family Residential District to RU – Recreational Use.

MOTION BY COMMISSIONER SCHULTZ, supported by Commission Tavernier to TABLE this request and request a letter from the Engineer clarifying the boundaries of the proposed rezoning.

YEAS: Duran, Hovis, Krimmel, Parker, Rockershousen, Schultz, Tavernier

NAYS: None

ABSENT: Eberts, Lupo

MOTION PASSED

3. PUBLIC HEARING – Request from American Legion Post 217, 2817 Van Alstyne, Wyandotte for a Certificate of Occupancy for an Outdoor Café at 2817 Van Alstyne, Wyandotte.

RESOLVED BY THE PLANNING AND REHABILITATION COMMISSION OF THE CITY OF WYANDOTTE, that Special Approval #227 – requested by American Legion Post (Appellant) for:

A Certificate of Occupancy to for an Outdoor Café on Biddle Avenue at 2817 Van Alstyne. Be hereby approved on the basis of the following reasons:

The proposed outdoor café complies with all ordinance requirements or will comply with said requirements and the conditions below prior to use as an outdoor café. Further, during the public hearing for this application, there were no objections to the proposed project.

Said approval is subject to the following conditions:

1. The outdoor café is subject to all conditions applicable to an outdoor café in the Section 2200.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. If alcoholic beverages are served, the current Michigan Liquor Control Commission rules and regulations shall apply, and the applicant shall obtain all necessary approvals.
3. Compliance with all Police, Fire and City Engineer requirements attached.
4. Use of the outdoor café shall be allowed from 10 a.m. to 12 midnight from March 15 through October 31 on Sundays through Thursday.
5. Use of the outdoor café shall be allowed from 10 a.m. to 1:00 from March 15 through October 31, on Fridays and Saturdays. This is also subject to the approval of the City Council for the extended hours.
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. Approval by City Council for use of the public property is required. If approved by City Council liability insurance and property damage coverage naming the City of Wyandotte an insured party in an amount approved by the City's Financial Director is required.
9. Decorative fencing and gate to be of the exact same design, material and height so as to match Belicose Café at 3030 Biddle Avenue.
10. Property required to be rezoned to recreational Use District (RU).
11. Dumpster needs to be screened on the west and north side at new location.

YEAS: Duran, Hovis, Krimmel, Parker, Rockershausen, Schultz, Tavernier

NAYS: None

ABSENT: Eberts, Lupo

MOTION PASSED

PERSONS IN THE AUDIENCE:

None

SPECIAL ORDER:

- a. Update from Mr. Leman regarding changes to the B-1 Zoning District to allow Special Land Uses.

Mr. Leman indicated that the Commission had received a request from a property owner on Ford Avenue for a party store and it was determined that rezoning for that use would be spot zoning. Mr. Leman indicated that the Commission did not want to rezone the property. Mr. Leman developed a change to the Special Land Uses which would allow is use in a B-1 with Special Approval. Mr. Leman reviewed the requirements and they are attached to these minutes. Mr. Leman indicated that these changes would need to be submitted to the City Council and referred back to the Commission for the required public hearing.

Chairperson Krimmel asked the Commission if they had anything else that needed to be added to these requirements. There being none, the following motion was offered.

MOTION BY COMMISSIONER ROCKERSHOUSEN, supported by Commissioner Schultz to submit these changes to City Council.

YEAS: Duran, Hovis, Krimmel, Parker, Rockershousen, Schultz, Tavernier

NAYS: None

ABSENT: Eberts, Lupo

MOTION PASSED

- b. Updates from the Sign Committee.

Chairperson Krimmel indicated who the Sign Committee was, Commissioner Rockershousen, Schultz and Chairperson Krimmel.

Commissioner Rockershousen indicated that the Committee reviewed other City Sign Ordinances and they do not allow banner signs and the City Engineer feels that way also. Commissioner Rockershousen indicated that banners should be allowed but regulated. Commissioner Rockershousen suggested the following for banner signs from the Sub-Committee:

- Banner shall not exceed 24 square feet for CBD, OS, B-1 and B2 Districts
- Banner shall require permits with fees to offset administrative cost. Fees would be \$50 for 3 months in the CBD and \$50 per year for the OS, B-1 and B-2 Districts.
- Banners and temporary signs shall be prohibited on outdoor café enclosures.
- Municipal Banners and holiday decorations are exempt.

Chairperson Krimmel asked if there were any other requirements that needed to be added, there being none the following resolution was offered.

MOTION BY COMMISSIONER TAVERNIER, supported by Commissioner Rockershousen to send a letter to City Council with these requirements for Banner Signs.

YEAS: Duran, Hovis, Krimmel, Parker, Rockershousen, Schultz, Tavernier

NAYS: None

ABSENT: Eberts, Lupo MOTION PASSED

BILLS AND ACCOUNT:

MOTION BY COMMISSIONER SCHULTZ, supported by Commissioner Eberts to:

1. Pay Beckett & Raeder for Planning Consultant fee for September in the amount of \$700.00
2. Hours for Secretarial Services: 8/26/10 – 8/31/10 16 Total Hours

YEAS: Duran, Hovis, Krimmel, Parker, Rockershousen, Schultz, Tavernier

NAYS: None

ABSENT: Eberts, Lupo

MOTION PASSED

MOTION TO ADJOURN:

MOTION BY COMMISSIONER SCHULTZ, supported by Commissioner to adjourn the meeting at 8:00 p.m.

Special order
a.

ZONING ORDINANCE CHANGES TO B-1 DISTRICTS

Add to: ARTICLE XII - B-1 NEIGHBORHOOD BUSINESS DISTRICTS

The following: 1201 SPECIAL USES
C. Stores that sell alcoholic beverages

Add to: 2200 SPECIAL LAND USES

The following: LL Stores that sell alcoholic beverages

1. A masonry wall not less than five (5) feet high or a densely planted evergreen planting not less than five (5) feet high shall be provided abutting any residential district..
2. All outdoor lighting shall be screened from nearby residential areas.
3. No drive through service areas should be provided.
4. Outdoor storage of any nature is prohibited.
5. On street truck loading and unloading is prohibited.
6. Signage shall be limited to that provided for in Section 2408. No signs advertising products and prices of any nature shall be permitted on the outside walls, windows, doors or the roof of the building.
7. A Certificate of Occupancy and all other State and City permits and licenses as may be appropriate shall be required.

PUBLIC HEARING – Request from Bruce Chapin (Owner and Appellant) to remove an existing sign and construct a new ground sign 14'-4" to the peak at 3530 Biddle Avenue.

Chairperson Krimmel opened the public hearing for comments.

Bruce Chapin, Owner and Appellant, present.

Mr. Chapin stated that he redesigned the sign as requested. Mr. Chapin indicated that the sign is now 11 feet high and 11 ½ feet wide. Mr. Chapin indicated that he did look at moving the sign closer to the building, but that area will be where the outdoor seating will be located that the light from the sign disrupt that area. Mr. Chapin indicated that he is asking that the sign stay in the location as requested where the old sign is located.

Commissioner Rockershousen asked about the canopy that Mr. Chapin talked about at the last meeting that would be at the entrance.

Mr. Chapin indicated that he thought that the Commission did not need to approve that.

Chairperson Krimmel indicated that anything that is put on the site would need approval by the Planning Commission because the property is located in a PD District.

Mr. Chapin indicated that he is not going to put up a canopy, but will be installing a wall with fabric (canvas) to block the wind. Mr. Chapin passed around a picture of where this wall would be located.

Chairperson Krimmel indicated that the Commission is here tonight to talk about the sign.

Chairperson Krimmel read two (2) letters received from the Police Chief and Fire Chief.

Mr. Chapin indicated that the Chief had the old drawing the sign size has changed.

Commissioner Rockershousen indicated that he agrees with the Police Chief. Commissioner Rockershousen indicated that he drove by the site and the existing sign was clear and visible and Commissioner Rockershousen indicated that he does not feel that Mr. Chapin needs to exceed the requirement of the ordinance for a ground sign.

Mr. Leman indicated that the ordinance requirements for a ground sign is 6 feet high.

Mr. Chapin indicated that know body would see that sign.

Commissioner Rockershousen indicated that Jakalope's was bright and clear.

Mr. Chapin indicated that Commissioner Rockershousen was looking for it that is why he saw it. Mr. Chapin indicated further that the current ground sign works for the one (1) business, but he has other businesses in the building and that sign will not work.

Mr. Leman indicated that all businesses could be put on one (1) sign.

Mr. Chapin indicated that you would not be able to see it.

Mr. Leman indicated that the sign is too high.

Commissioner Hovis asked if Mr. Chapin had looked at putting up to ground sign, one at each location. One (1) at the north side of the parking lot and one (1) on the south side of parking lot.

Mr. Chapin indicated that he did, but work there is not enough room on the sign to advertise all businesses in the building.

Chairperson Krimmel asked if there were any other persons who wished to speak on this issue. There being none, the public hearing was closed.

Two (2) communications were received regarding this request.

OFFICIALS

WILLIAM R. GRIGGS
CITY CLERK

ANDREW A. SWIECKI
CITY TREASURER

COLLEEN A. KEEHN
CITY ASSESSOR



#1

MAYOR
JOSEPH R. PETERSON

CITY COUNCIL
TODD M. BROWNING
JAMES R. DESANA
SHERI M. SUTHERBY-FRICKE
DANIEL E. GALESKI
LEONARD T. SABUDA
LAWRENCE S. STEC

October 11, 2010

Planning Commission
City of Wyandotte
3131 Biddle Ave.
Wyandotte, Michigan 48192

RE: Proposed Sign at 3530 Biddle Avenue

The undersigned has reviewed the plans for the proposed sign at 3530 Biddle Avenue.

Generally the Fire Department does not use Pine Street as an emergency route so it would probably not seriously impair my emergency vehicles but it may impact persons using Pine Street and attempting to turn left onto Biddle Avenue. Traffic impact would be better judged by the Police Department rather than me or my department.

Please feel free to contact my office if you require anything further with regards to this matter.

Sincerely,

Michael MacDonald, Fire Chief

(H1)

City of Wyandotte

POLICE DEPARTMENT

Departmental Communication

DATE: October 13, 2010

TO: Kelly Roberts, Engineering Department

FROM: Daniel J. Grant, Chief of Police

SUBJECT: PROPOSED SIGN AT 3530 BIDDLE AVENUE

CC:

I have reviewed the application from Bruce Chapin for a new sign which is proposed for his business at 3530 Biddle Avenue. With the new sign being significantly larger than the existing sign, I had concerns that a larger sign may result in some traffic flow concerns in the adjacent intersection.

After visiting the site, I noted that the proposed sign which will be located where the existing sign is, will in my opinion not obstruct the view of motorists or pedestrians who are entering the intersection of Plum Street and Biddle Avenue. Despite the proposed sign being 14'4" high and 11'5" wide, taking into account the slight angle of the Plum Street intersection, the view of the sidewalks and roadway for approaching vehicles is not obstructed. From a law enforcement perspective, I have no problem if the application for the proposed sign is approved.

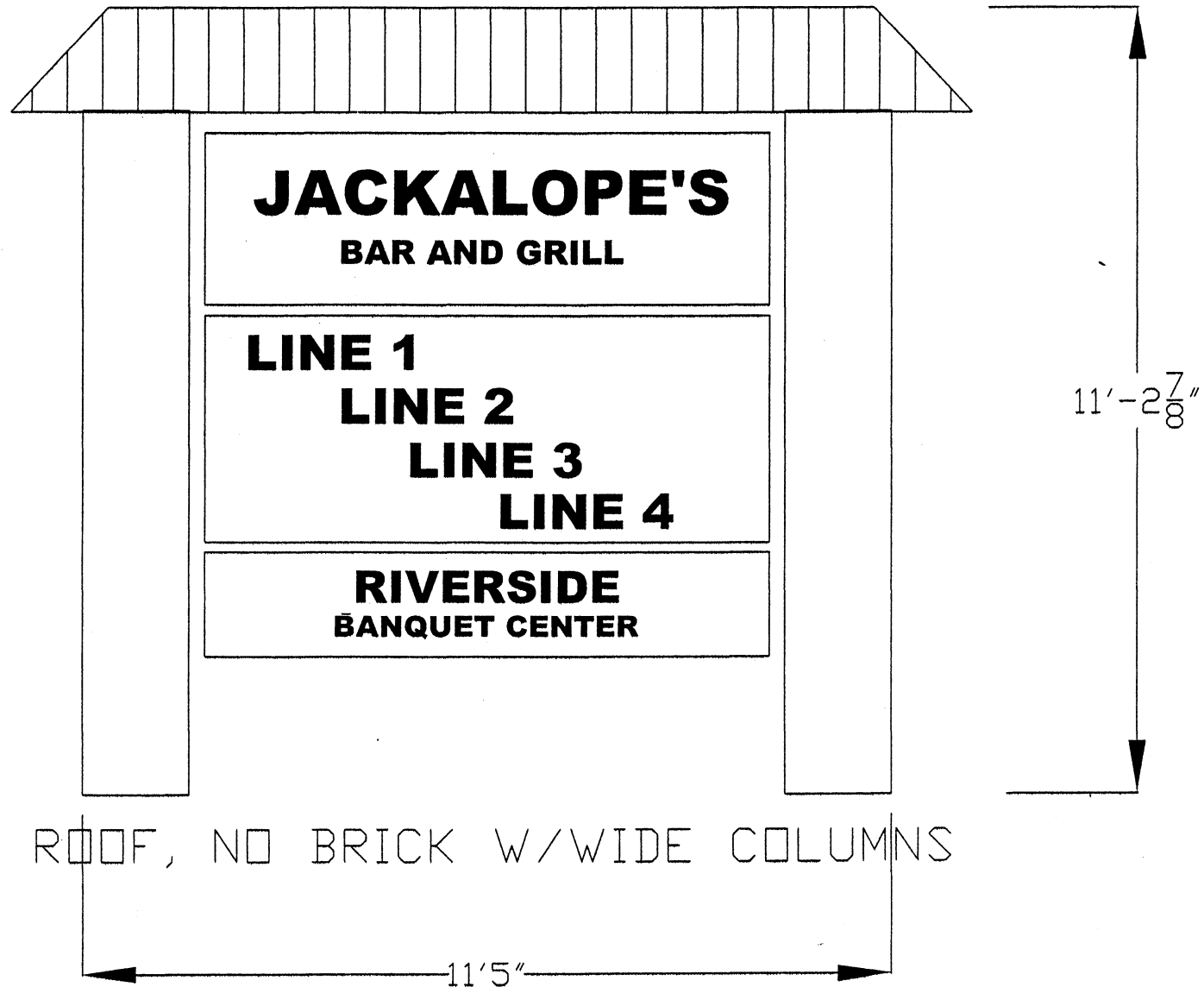
If you need any further information, please do not hesitate to contact me at your convenience.

Sincerely,

Daniel J. Grant

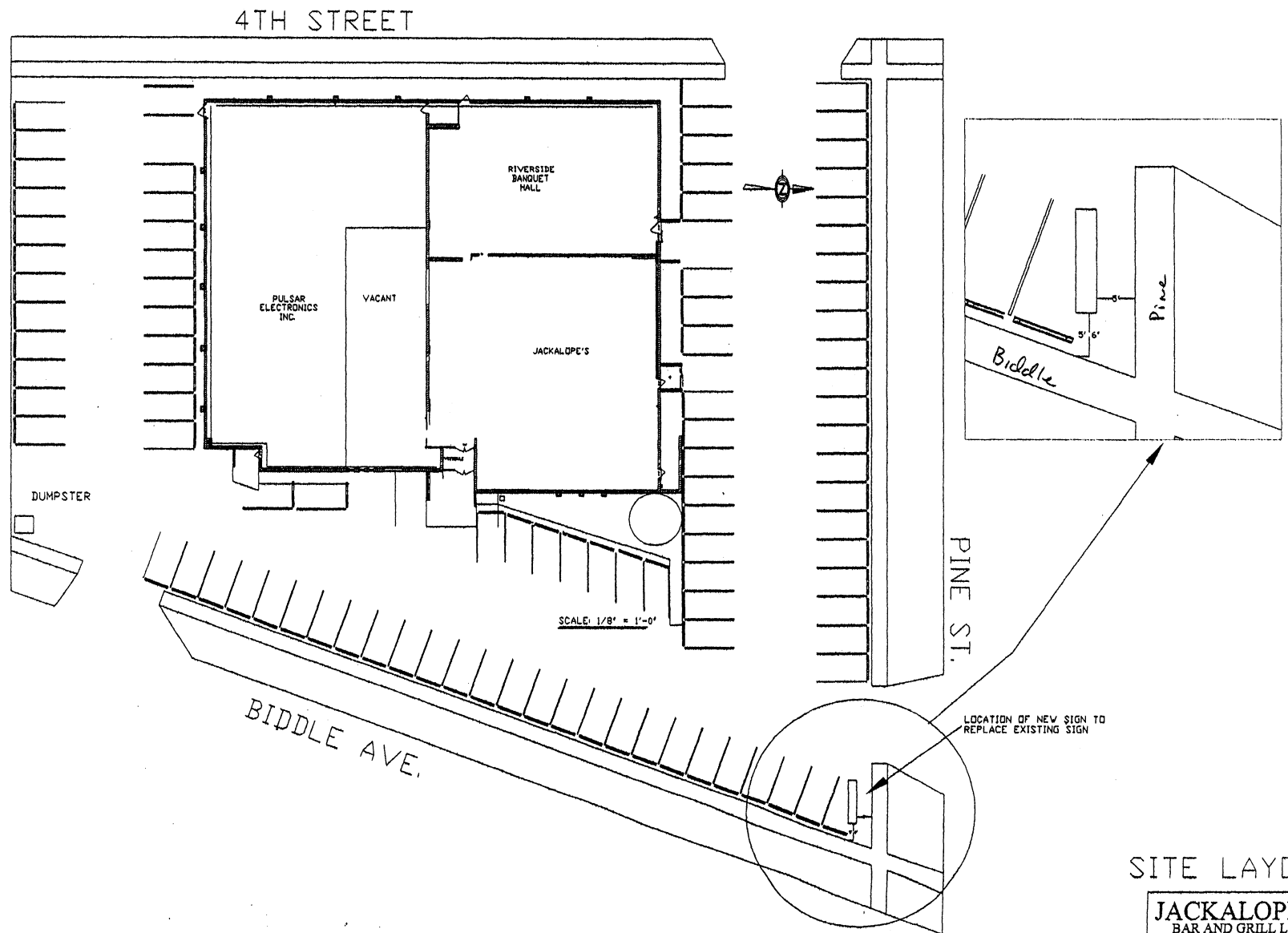


Revised Sign Drawing



Rec 10/13/10

#1



SITE LAYOUT

JACKALOPE'S
BAR AND GRILL LLC
3330 BIDDLE AVE, WYANDOTTNE NE 68193

PUBLIC HEARING – Request from the City of Wyandotte to rezone the property known as Bishop Park and Parking Lot from RA – Single Family Residential District to RU – Recreational Use.

Chairperson Krimmel opened the public hearing for comments.

Mr. Leman stated that the RU District was put in to take care of the boat houses on Walnut and it fits with the needs of Bishop Park. Mr. Leman indicated further that this change is in conformance with the Master Plan for this area. Mr. Leman stated that this would allow for the outdoor café use that is next on the agenda.

Commissioner Tavernier asked about the boundaries of the rezoning.

The Commission discussed the boundaries of the rezoning.

Mr. Leman indicated that what is being rezoned is from Elm to Vinewood.

Chairperson Krimmel indicated that it is not very clear.

Mr. Leman indicated that it does not make any difference what is being rezoned, it would all be in compliance.

Chairperson Krimmel indicated that a clarification needs to be submitted.

Chairperson Krimmel asked if there were any other persons who wished to speak on this issue. There being none, the public hearing was closed.

No communications were received regarding this request.

PUBLIC HEARING – Request from American Legion Post 217, 2817 Van Alstyne, Wyandotte for a Certificate of Occupancy for an Outdoor Café at 2817 Van Alstyne, Wyandotte.

Chairperson Krimmel opened the public hearing for comments.

Mr. Don Howard, appellant, American Legion Post.

Mr. Howard indicated that the outdoor café would be located on the south side of the building.

Commissioner Schultz asked about the fencing.

Mr. Howard indicated that he submitted a picture of the site that included the tables and fencing types.

Commissioner Schultz asked if this is approved, when the café would start.

Mr. Howard indicated that are other issues going on the with the building and most likely it would be Spring next year.

Commissioner Hovis asked how many tables would there be.

Mr. Howard indicated 4 tables with 4 chairs. Mr. Howard indicated that the umbrellas would have no writing on them.

Chairperson Krimmel read the letters received from the Police Chief, Fire Chief and City Engineer.

Mr. Howard indicated that you would have to access the outdoor café from the inside only.

Commissioner Tavernier asked about the relocation of the dumpster.

Mr. Howard indicated that dumpster area is very tight and it would be hard to enclose.

Commissioner Tavernier asked if there would be anything planted to obscure the dumpster from the residents on Van Alstyne. Commissioner Tavernier indicated that he feels that some type of screening materials needs to be placed on the Van Alstyne side of the dumpster for screening.

Mr. Leman indicated that the west and north should be screened.

Mr. Howard indicated that he had no problem with that.

Mr. Leman indicated that the property still needs to be rezoned before this request can be approved.

Chairperson Krimmel asked if there were any other persons who wished to speak on this issue. There being none, the public hearing was closed.

Three (3) communications were received regarding this request.

MAYOR
Joseph R. Peterson

CITY CLERK
William R. Griggs

CITY ASSESSOR
Colleen A. Keehn



#3

CITY COUNCIL
Todd M. Browning
James R. DeSana
Sheri Sutherby Fricke
Daniel E. Galeski
Leonard T. Sabuda
Lawrence S. Stec

DANIEL J. GRANT
CHIEF OF POLICE

September 28, 2010

Kelly Roberts, Development Coordinator
Wyandotte Engineering Department
3131 Biddle Avenue
Wyandotte, MI 48192

Dear Ms. Roberts:

SUBJECT: NEW OUTDOOR SERVICE – 2817 VAN ALSTYNE

This letter is in response to your memo dated September 22, 2010 relative to the Outdoor Café application at American Legion Post 217, 2817 Van Alstyne, Wyandotte, Michigan. I have no objection to the proposed “outdoor patio area,” as illustrated on the engineering drawing submitted by the applicant, with the following conditions:

- The applicant meets all laws and ordinances as required by the Fire and Engineering Departments.
- Approval is received from the Liquor Control Commission for an Outdoor Café.

Further, the police department recommends that American Legion Post 217 be reminded that an outdoor service permit allows the sale, service, and consumption of alcoholic beverages in a well-defined and clearly marked area outside of the licensed premises¹. Compliance with this provision is the responsibility of the licensed establishment, and failure to comply can result in the issuance of a violation.

Sincerely,

Daniel Grant
Chief of Police

cc: Clerk's Office

¹ R 436.1419 - Outdoor Service

***OFFICIALS**

WILLIAM R. GRIGGS
CITY CLERK

ANDREW A. SWIECKI
CITY TREASURER

COLLEEN A. KEEHN
CITY ASSESSOR



#3

MAYOR
JOSEPH R. PETERSON

CITY COUNCIL
TODD M. BROWNING
JAMES R. DESANA
SHERI M. SUTHERBY-FRICKE
DANIEL E. GALESKI
LEONARD T. SABUDA
LAWRENCE S. STEC

September 24, 2010

Planning Commission
City of Wyandotte
3131 Biddle Ave.
Wyandotte, Michigan 48192

RE: Outdoor Café Request @ 2817 Van Ashtyne

Please be advised that the undersigned has reviewed the request of American Legion Post 217 to establish an outdoor café at their club and have no objection to the granting of this request.

Please feel free to contact me if you require anything further with regards to this matter.

Sincerely,

Michael MacDonald, Fire Chief

OFFICIALS

William R. Griggs
CITY CLERK

Andrew A. Swiecki
CITY TREASURER

Colleen A. Keehn
CITY ASSESSOR



#3

MAYOR
Joseph R. Peterson

COUNCIL
Todd M. Browning
James R. DeSana
Sheri Sutherby Fricke
Daniel E. Galeski
Leonard T. Sabuda
Lawrence S. Stec

MARK A. KOWALEWSKI, P.E.
CITY ENGINEER

October 12, 2010

Elizabeth A. Krimmel, Chairperson
Planning Commission
City of Wyandotte
Wyandotte, Michigan

RE: Proposed Outdoor Café at
2817 Van Alstyne

Dear Mrs. Krimmel:

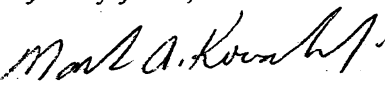
The undersigned has reviewed the plan and application submitted for the proposed outdoor café for the above captioned property and the following applies.

1. The current zoning of the property is RA – Single Family Residential District. The undersigned has applied for rezoning of the property to RU- Recreational Use which allows for an outdoor café. The rezoning must be approved to allow this use.
2. The outdoor café will be located in Bishop Park, which is City Owned. Approval for this use will be required from the City Council along with proper insurance naming the City as additional insured.
3. There was not fence detail on the plan. The fencing material, design, and height must match the decorative fence at 3030 Biddle Avenue (Belicose Café).

Further, if alcohol is going to be serviced on the café a Commercial Inspection by the Engineering Department will be required for the entire property including the inside bar area.

A proposed Resolution is attached and if you have any questions, please feel free to contact the undersigned.

Very truly yours,


Mark A. Kowalewski
City Engineer

MAK:kr

cc: American Legion