

City of Wyandotte
PLANNING COMMISSION
Minutes of the Thursday, February 18, 2016, Meeting
MINUTES AS RECORDED

The meeting was called to order by Chairperson Elizabeth A. Krimmel at 6:30 p.m.

COMMISSIONERS PRESENT: Benson, Duran, Krimmel, Lupo, Parker, Rutkowski

COMMISSIONERS EXCUSED: Adamczyk, Pasko

ALSO PRESENT: Ben Tallerico
Kelly Roberts, Recording Secretary

COMMUNICATIONS:

Resolution by Commissioner Benson, Supported by Commissioner Lupo to refer back to City Council the amendments to the Zoning Ordinance regarding outdoor sales space for new or used automobiles, trucks, recreation vehicles, mobile homes and boats Section 1401. H and Section 2200. The Commission's recommendation to only allow this use on Fort Street is due to the changes in the State Law. The Commission feels Fort Street is the best location for this use.

YES: Benson, Duran, Krimmel, Lupo, Parker, Rutkowski

NO: None

ABSENT: Adamczyk, Pasko

MOTION PASSED

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:

MOTION BY COMMISSIONER RUTKOWSKI, supported by Commissioner Benson to approve the minutes of the Meeting of January 21, 2016. MOTION PASSED.

YES: Benson, Duran, Krimmel, Lupo, Parker, Rutkowski

NO: None

ABSENT: Adamczyk, Pasko

MOTION PASSED

OLD BUSINESS:

None

NEW BUSINESS:

1. PUBLIC HEARING – Request from Bentley Banquet, 646 Biddle Avenue, Wyandotte, requesting approval of plans including an outdoor wedding area, outdoor gathering space for photos, outdoor café, an expanded parking lot with associated landscaping on the south side of Bennett Street, and approval of the exterior materials for the addition to the building. The property is located in a PD Planned Development District.

MOTION BY COMMISSIONER RUTKOWSKI, supported by Commissioner Lupo; WHEREAS, the site plan for 646 Biddle Avenue proposes the construction of an outdoor wedding area, outdoor gathering space for photos, outdoor café, expanded parking lot and an addition for the Bentley Banquet; and

WHEREAS, the site plan for 646 Biddle Avenue generally meets the criteria of the City of Wyandotte's Zoning Map in terms of the Planned Development District in that the PD District reflects the Master Plan which designates said area; and

WHEREAS, on February 18, 2016, the Planning Commission of the City of Wyandotte, held a Public Hearing with proper notice, in accord with the requirements of Act 207 of 1921 as amended;

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF WYANDOTTE, to recommend to City Council that the site plan dated January 19, 2016, and eight (8) architectural renders of exterior of building and gazebo for the project at 646 Biddle Avenue be accepted and approved subject to the findings of the public hearing on February 18, 2016, as described in the minutes of the Commission meeting and the following:

1. The outdoor café is subject to all conditions applicable to an outdoor café on private property in accordance with Section 2200.S.1 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, if any.
4. Use of the outdoor café shall be allowed from 10 a.m. to 12 midnight from March 15 through October 31.
5. The outdoor café shall comply with all applicable laws and regulations of the City, County, and the State.
6. Umbrellas to have name of establishment on the drip-tee only, no logo's for products.
7. Decorative fencing 6 feet in height and to be white vinyl. Sun Screen and Gazebo to be as indicated on architectural rendering dated February 16, 2016.
8. Wall along Bennett to be stone or tile as indicated on architectural renderings.
9. No outdoor music after 10:00 p.m.

YES: Benson, Duran, Krimmel, Lupo, Parker, Rutkowski

NO: None

ABSENT: Adamczyk, Pasko

MOTION PASSED

2. PUBLIC HEARING – To consider amendments to the City of Wyandotte Zoning Ordinance Article XXV – GENERAL EXCEPTIONS – SECTION 2500 AREA, HEIGHT AND USE EXCEPTIONS, SECTION F – Projections into required open spaces.

MOTION BY COMMISSIONER BENSON, supported by Commissioner Parker to recommend to the Mayor and City Council that the proposed amendment to the City of Wyandotte Zoning Ordinance, Article XXV - General Exceptions – Section 2500 be approved.

YES: Benson, Duran, Krimmel, Lupo, Parker, Rutkowski
NO: None
ABSENT: Adamczyk, Pasko
MOTION PASSED

PERSONS IN THE AUDIENCE:

No persons in audience.

SPECIAL ORDER:

The Commission reviewed legislative changes regarding historic districts HB5232 and SB720. These changes effectively eliminate historic districts in Michigan. The Commission is opposed to these house bills. Therefore, the following Resolution was offered:

MOTION BY COMMISSIONER BENSON, supported by Commissioner Parker to send a communication to Representative Clemente and Senator Young to oppose these two (2) bills.

YES: Benson, Duran, Krimmel, Lupo, Parker, Rutkowski
NO: None
ABSENT: Adamczyk, Pasko
MOTION PASSED

BILLS AND ACCOUNT:

MOTION BY COMMISSIONER DURAN, supported by Commissioner Parker to:
Pay Beckett & Raeder for Planning Consultant fees for February 2016 in the amount of \$700.00
Hours for Secretarial Services: 01/09/2016 – 02-06-2016 8.50 total hours

YES: Benson, Duran, Krimmel, Lupo, Parker, Rutkowski
NO: None
ABSENT: Adamczyk, Pasko
MOTION PASSED

MOTION TO ADJOURN:

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

PUBLIC HEARING – Request from Bentley Banquet, 646 Biddle Avenue, Wyandotte, requesting approval of plans including an outdoor wedding area, outdoor gathering space for photos, outdoor café, an expanded parking lot with associated landscaping on the south side of Bennett Street, and approval of the exterior materials for the addition to the building. The property is located in a PD Planned Development District.

Chairperson Krimmel read the appeal and asked if there was anyone present who wished to speak regarding this hearing.

Mr. Zaid Nakad, Owner, 646 Biddle Avenue, Present.

Mr. Nakad played a video showing the Commission what they are planning for the property.

Mr. Nakad explained after the video that this will be an asset to the City and the neighborhood.

Mr. Kulaszewski, 159 Bennett, Wyandotte.

Mr. Kulaszewski stated that he feels that a public hearing should have been held first before any work was started. Mr. Kulaszewski continued that other projects in Wyandotte went through the public hearing process before worked started and he wants to know why this was allowed to start, this hearing seems like a big waste of time.

Chairperson Krimmel stated that the Commission is reviewing the exterior, the addition of the outdoor area and expanding the parking lot.

Mr. Kulaszewski asked why the public hearing was not held first.

Chairperson Krimmel stated that the City Engineer is here and maybe he could answer your questions.

Mr. Kulaszewski stated that he went to the Council meeting and no one there cared about the neighborhood when the home at 149 Bennett stood vacant for years with nothing being done.

Chairperson Krimmel stated that the condition of the home is not under control of the Commission's authority.

Mr. Kulaszewski stated that the sale and the application were before the City Council and now there is a public hearing on stuff that is already started. Mr. Kulaszewski stated further that the neighborhood thinks this is a done deal and this is a big waste of time.

Mr. Tallerico stated that the Commission tonight is reviewing the outdoor wedding area, outdoor gathering space for photos, outdoor café, and the expanded parking lot with associated landscaping the Commission can't talk to the process of the application.

Mr. Kulaszewski stated that the biggest issue is that stuff is being done with no public hearing so why is the hearing be held now? Mr. Kulaszewski continued that when Labadie Park project started there were all sorts of hearings before anything started regarding the colors of the exterior and stuff.

Mr. Kowalewski stated that Labadie Park Project was vacant property and it was required under the PD District to have a Phase I and Phase II hearings there were a lot more steps. The project before the Commission today, is an existing club/banquet facility with no use change and under Section 2004.D of the Ordinance the City Engineer has authority to review and approve without Council or Planning Commission review.

Mr. Kowalewski stated further that under the PD District the application goes to the City Council first and then they refer the application to the Planning Commission for the public hearing. Mr. Kowalewski continued that the sale of the lot was on the same agenda and it should probably

been approved before the application was submitted because the lot is on the plans. Had the Council not approved the sale of the lot, the plans before you would have to be changed.

Mr. Tallerico stated that proper procedures were followed in accordance with the PD Ordinance.

Mr. Kowalewski stated that his Department issued permits for the foundation and building, but noted that the exterior materials would require approval by the Planning Commission. Mr. Kowalewski continued that the outdoor areas are a new use and would require approval by both the City Council and the Planning Commission. The PD District looks at similar zoning districts that allow for this use which includes B-2, CBD and B-1 District, it is appropriate to allow an outdoor café at this location because this area is underlined zoned B-2.

Mr. Kowalewski stated further that review of the landscaping for the parking lot and the exterior building meet the requirements of the Ordinance.

Commission Benson stated that he understands that the Outdoor Café Ordinance is under review and he has no problem with the parking lot landscaping and the colors of the building, but maybe the outdoor area should be held off until the revisions to the Ordinance are completed.

Mr. Tallerico stated that the Commission must review this application with the Ordinance that is in effect now.

Mr. Kowalewski stated that rules for outdoor cafes are in place now and this application should be reviewing in accordance with those rules. It is not appropriate to hold this application up.

Commission Benson stated that there have been problems with outdoor cafes near residential areas and with residential properties right across the street, he is concerned.

Mr. Tallerico stated that an ordinance change might not get passed in a timely manner and this application should not be held up.

Mr. Kowalewski stated that if the City Council felt the Ordinance was outdated, it would be up to them to put a moratorium on any outdoor café approvals which is not the case.

Chairperson Krimmel stated that the café will be on private property.

Mr. Kowalewski stated that is correct.

Chairperson Krimmel stated that the outdoor area would mostly be used on the weekends.

Mr. Kowalewski stated that is correct there would be limited activity.

Mr. Nadak stated that the outdoor café is not a bar it is part of an elegant banquet facility. Mr. Nadak stated further that he would not really consider, it an outdoor café it would be used for wedding and showers.

Mr. Nadak stated that he owns and operates the hall/banquet facility behind the Hospital since 2009 and there have been no complaints.

Mr. Nadak stated that he tried to meet with Mr. and Mrs. Kulaszewski, he told them to contact him but they have not.

Mr. Nadak stated that they will not have music outside and it really is not an outdoor café.

Mr. Kulaszewski asked if the area could be opened until 12 midnight.

Chairperson Krimmel stated yes.

Mr. Kulaszewski stated that he has seen the previous operators of outdoor cafes and he is concerned that this will be like the bars downtown.

There being no further discussion, the hearing was closed. No communications were received regarding this hearing.

PUBLIC HEARING – To consider amendments to the City of Wyandotte Zoning Ordinance Article XXV – GENERAL EXCEPTIONS – SECTION 2500 AREA, HEIGHT AND USE EXCEPTIONS, SECTION F – Projections into required open spaces.

Chairperson Krimmel read the ordinance change and asked if there was anyone present who wished to speak regarding this hearing.

There was no one in the audience to speak to this ordinance change.

Mr. Tallerico stated that this ordinance is to clean-up the language in the ordinance regarding construction of porches.

There being no further discussion, the hearing was closed. No communications were received regarding this hearing.

OFFICIALS

Lawrence S. Stec
CITY CLERK

Todd M. Browning
CITY TREASURER

Thomas R. Woodruff
CITY ASSESSOR



MARK A. KOWALEWSKI, P.E.
CITY ENGINEER

MAYOR
Joseph R. Peterson

COUNCIL
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Daniel E. Galeski
Ted Miciura, Jr.
Leonard T. Sabuda
Donald C. Schultz
Kevin VanBoxell

February 3, 2016

Elizabeth A. Krimmel, Chairperson
Wyandotte Planning Commission
3200 Biddle Avenue
Wyandotte, Michigan

RE: Bentley Banquet Hall
646 Biddle Avenue
Wyandotte, Michigan

Dear Chairperson Krimmel:

The City Council has received an application from Bentley Banquet at 646 Biddle Avenue requesting approval in a PD Planned Development District. The plans include an outdoor wedding area, outdoor gathering space for photos, and outdoor café. There is an expanded parking lot with associated landscaping on the south side of Bennett Street and the Applicant is constructing an addition to the existing building which requires approval of the exterior materials.

A review of the proposed uses and site plan has been completed by the Engineering and Building Department and the following applies. The proposed additional uses meet the parking and landscaping requirements for the entire site. Further, the outdoor café will be required to meet the requirements of Outdoor Cafes Section 2200.S of the Ordinance.

I have prepared a proposed Resolution for your consideration.

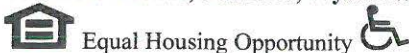
If you have any questions, feel free to contact the undersigned.

Very truly yours,

Mark A. Kowalewski
City Engineer

MAK:kr
Enclosures

3200 Biddle Avenue, Suite 200, Wyandotte, Michigan 48192 734-324-4551 • Fax 734-324-4535 email: engineering1@wyan.org



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OFFICIALS

Thomas Woodruff
CITY ASSESSOR

Lawrence S. Stec
CITY CLERK

Todd M. Browning
CITY TREASURER



JEFFERY CARLEY
FIRE CHIEF

MAYOR
Joseph R. Peterson

COUNCIL
Sheri Sutherby Fricke
Daniel E. Galeski
Ted Miciura, Jr.
Leonard T. Sabuda
Donald C. Schultz
Kevin VanBoxell

February 5, 2016

Engineering Department
City of Wyandotte
3200 Biddle Avenue
Wyandotte, Michigan 48192

PLAN REVIEW


Address: Outdoor Café.

The undersigned has reviewed the plans submitted for the outdoor café at 546 Biddle Bentley Banquet:

1. Approved outdoor café documents to date.
 - ✓ 105.4.4 Approved Documents.
 - ✓ *Construction documents approved by the fire code official are approved with the intent that such construction documents comply in all respects with this code. Review and approval by the fire code official shall not relieve the applicant of the responsibility of compliance with this code.*

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

Sincerely,


Jeffery Carley, Fire Chief

266 Maple • Wyandotte, Michigan 48192 • Telephone Number 734-324-7252 • Fax Number 734-288-7078

email: wfdchief@wyandotte.org



Equal Housing Opportunity/Equal Opportunity Employer

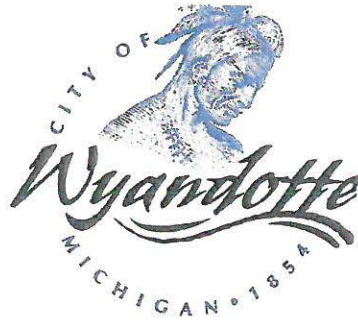


MAYOR
Joseph R. Peterson

CITY CLERK
Lawrence S. Stec

TREASURER
Todd M. Browning

CITY ASSESSOR
Thomas R. Woodruff



DANIEL J. GRANT
CHIEF OF POLICE

CITY COUNCIL

Sheri Sutherby Fricke
Daniel E. Galeski
Ted Miciura, Jr.
Leonard T. Sabuda
Donald C. Schultz
Kevin VanBoxell

TO: Kelly Roberts, Development Coordinator

DATE: February 9, 2016

FROM: Daniel J. Grant, Chief of Police

SUBJECT: OUTDOOR CAFÉ REQUEST – 646 Biddle Avenue, Bentley Banquet

CC: Clerks Office

This correspondence is in response to your e-mail dated Thursday February 4, 2016 relative to the Outdoor Service application at 646 Biddle Avenue, Wyandotte, Michigan. I have no objections if the proposal for the outdoor service area is approved as illustrated on the engineering drawings submitted by the applicant, with the following conditions:

- The applicant meets all laws and ordinances as required by the Fire and Engineering Departments.
- I presume that the applicant intends to make application to the Michigan Liquor Control Commission (LCC) for the serving of alcoholic beverages on-site which is obviously prevalent in the operation of a banquet facility. If they intend to serve in their outdoor areas, approval will be required from the LCC for an outdoor café.
- If approved for serving alcoholic beverages outside, it must be contained in a well-defined and clearly marked area outside of the licensed premises.

If you need any further assistance with this proposed outdoor café, please do not hesitate to contact me at your convenience.