

City of Wyandotte
PLANNING COMMISSION
Minutes of the Thursday, May 19, 2016, Meeting
MINUTES AS RECORDED

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

COMMISSIONERS PRESENT: Adamczyk, Benson, Duran, Lupo, Mayhew, Parker, Pasko, Rutkowski

COMMISSIONERS EXCUSED: Krimmel

ALSO PRESENT: Ben Tallerico
Peggy Green, Acting Recording Secretary

COMMUNICATIONS:

1. MOTION BY COMMISSIONER LUPO, supported by Commissioner Benson to receive and place on file communications.

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

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:

MOTION BY COMMISSIONER LUPO, supported by Commissioner Benson to approve the minutes of the Meeting of March 16, 2016. MOTION PASSED.

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

OLD BUSINESS:

None

NEW BUSINESS:

1. PUBLIC HEARING #512 – Request from Rose Mary Prato, Owner and Appellant, has applied for a Certificate of Occupancy for a Computer Repair Business at 1611 Ford Avenue, Wyandotte, Michigan in a O-S Zoning District where the proposed conflicts with Section 1101:

MOTION BY COMMISSIONER Benson, supported by Commissioner Mayhew to approve the request of Rose Mary Prato (owner & appellant) to allow a Certificate of Occupancy for a computer repair business at 1611 Ford, Wyandotte.

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

2. PUBLIC HEARING #041816 – Request from Gail Rademacher, Wayne A. Senior and Jordan Podsiad, Owners and Appellants, to rezone the properties known as 21, 21½ and 23 Walnut, Wyandotte, Michigan,

MOTION BY COMMISSIONER MAYHEW, supported by Commissioner Parker to recommend to the Mayor and City Council that the property known as 21, 21-1/2 and 23 Walnut (Lots 1 thru 4 River Park Subdivision) be rezoned to RA (One Family Residential District).

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

3. PUBLIC HEARING #513 - Request from Whiskeys on the Water, A & J Realty, owner and appellant, for a Certificate of Occupancy for an outdoor café at 2903 Biddle Avenue, Wyandotte, Michigan in a CBD Zoning District

MOTION BY COMMISSIONER LUPO, Supported by Commissioner Rutkowski that Special Approval #513 – request by Whiskeys on the Water (Owner and Appellant) for a Certificate of Occupancy for an Outdoor Café at 2903 Biddle Avenue, Wyandotte, Michigan, be hereby approved contingent upon City Council approval 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 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 Central Business District (CBD) Zoning District, Special Land Uses, Section 2202.S of the City of Wyandotte's Zoning Ordinance. The applicant is responsible for carefully reviewing, understanding and complying with the requirements of the ordinance.
2. Outdoor café to be constructed in accordance with the site plan and lane marking plan submitted by Owner indicated as drawings by Badrak Design Group, Inc., dated May 17, 2016, revisions, and elevations #1 thru #5.
3. If alcoholic beverages are served, the current Michigan Liquor Control Commission rules and regulations shall apply, and the applicant shall obtain all necessary approvals.
4. Compliance with all Police, Fire and City Engineer requirements attached. Planter boxes to be approved by the City Engineer.
5. Use of the outdoor café shall be allowed from 7:00 a.m. to Midnight from March 15 through October 31.
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. Fence to be black decorative metal.
9. Table detail to be black metal or plastic with matching chairs.
10. Clearance to underside of trellis to be a minimum of seven (7) feet.
11. Building Permit shall be obtained for temporary construction of deck and trellis.
12. Applicant to pay all costs to the City of Wyandotte, Department of Public Services for providing and removing temporary reflective tape as indicated on lane marking plans.

13. Flowers to be utilized in planter boxes to receive prior written approval of Planning Consultant and Chairman of the Planning Commission.

14. No music after 10:30 p.m.

YES: Adamczyk, Duran, Lupo, Mayhew, Parker, Pasko, Rutkowski

NO: Benson

ABSENT: Krimmel

MOTION PASSED

PERSONS IN THE AUDIENCE:

No persons in audience.

OTHER BUSINESS:

Communication from City Engineer, City Attorney and City Planner regarding changes to Zoning Ordinance regarding Section 2200 Special Land Uses for Outdoor Cafes.

MOTION BY COMMISSIONER BENSON, supported by Commissioner Duran that the Commission received a communication from City Engineer, City Attorney and City Planner regarding changes to the ordinance for Outdoor Cafes is hereby received and accepted and be it further resolved that the Planning Commission will hear public comments on said changes at the next meeting of the Commission.

YES: Adamczyk, Benson, Duran, Lupo, Mayhew, Parker, Pasko, Rutkowski

NO: None

ABSENT: Krimmel

MOTION PASSED

2016-2017 Budget

MOTION BY COMMISSIONER BENSON, supported by Commissioner Duran to approve the 2016-2017 Budget for the Planning Commission as presented.

YES: Adamczyk, Benson, Duran, Lupo, Mayhew, Parker, Pasko, Rutkowski

NO: None

ABSENT: Krimmel

MOTION PASSED

BILLS AND ACCOUNT:

MOTION BY COMMISSIONER PARKER, Supported by Commissioner Benson to:
Pay Beckett & Raeder for Planning Consultant fees for April and May 2016 in the amount of \$1,400.00

Hours for Secretarial Services: 03/02/2016 to 04/29/2016 10 total hours

YES: Adamczyk, Benson, Duran, Lupo, Mayhew, Parker, Pasko, Rutkowski

NO: None

ABSENT: Krimmel

MOTION PASSED

MOTION TO ADJOURN:

MOTION BY COMMISSIONER PARKER, Supported by Commissioner Benson to adjourn the meeting at 7:30 p.m.

Other Business

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

May 11, 2016

Elizabeth A. Krimmel, Chairperson
Planning Commission
City of Wyandotte

RE: Proposed Changes to the Outdoor Café Ordinance

Dear Chairperson Krimmel:

The enclosed City Council Resolution was forwarded to the City Engineer, City Attorney and City Planner to make recommendations to the Planning Commission regarding the current Outdoor Café Ordinance. We have met and recommend the enclosed changes be considered by the Planning Commission at a future public hearing. After the public hearing the Planning Commission shall submit their recommendations to the City Council.

Also, enclosed is a list of all approved outdoor cafes.

Very truly yours,

Mark A. Kowalewski
City Engineer

William R. Look
City Attorney

Ben Tallerico
City Planner

MAK/WRL/BT:kr

Enclosures: Council Resolution
Proposed Ordinance Changes (Changes shown in red)
List of Approved Outdoor Café



SECTION 2200 SPECIAL LAND USE DESIGNATED (S) OUTDOOR CAFÉ (1)

A. Outdoor Café

1. An outdoor café may be set up and used from ~~March-April~~ 15 through ~~October~~ ~~November 31~~ 15. The permitted hours of operation are from 7:00 a.m. to 12 midnight in CBD Districts, and from 10:00 a.m. to 12 midnight in RU and B-2 Districts unless longer hours are specifically approved by the Planning Commission and the City Council. Noise radiating from an outdoor café, which exceeds 75 DBA between 8:00 a.m. to 12 midnight or 65 DBA for all other times shall, 50 DBA between 8:00 p.m. and 12 midnight, or other approved hours, or 55 DBA between 7:00 a.m. and 8:00 p.m., shall constitute prima facie evidence that such noise unreasonably disturbs the comfort, quiet and repose of persons in the area. The "DBA" represents the sound pressure level in decibel measured on the "A" scale of a standard sound level meter. Noise level measurements shall be taken at the zoning district boundary of any residential zoning district, recreation unit district and any planned development as may be appropriate. In all other districts, noise level measurements shall be taken at the property line of an affected property. The City Council may, by resolution, extend the dates of operation or the hours of operation for a stipulated number of days, not to exceed a total of 30 days per calendar year.

Upon request, the city council may, by resolution, extend the dates of operation or the hours of operation for the following events:

3rd Fridays as sponsored by Wyandotte Business Association
Street Art Fair sponsored by City of Wyandotte
Events approved by Resolution of City Council

- ± A public hearing on said request shall first be held by the Planning Commission (under the same procedures for approval of special land use). Upon receipt by the city council of recommendation of the planning commission the City Council may approve the request. The criteria for approval will include the impact on adjacent or nearby residential, religious, educational or commercial properties and review of previous or current compliance with all city ordinances, state and federal regulations. Any approval for extension of dates or hours shall be issued on a calendar year basis and shall expire on December 31st and must be renewed annually. The city council may grant a renewal of the extended dates or hours without the necessity of a public hearing if it determines the applicant is in compliance with all requirements of all city ordinances and approvals for the special land use. Any approval for extension of dates or hours is subject to revocation by the planning commission in accordance with paragraph h, section 2201.

2. A site drawing showing the detailed plan of the outdoor café must be submitted to and approved by the Planning Commission. The detailed plan is to include: the design, relevant details and location of all temporary structures such as awnings, planters, landscaping, railing, tables, chairs and other equipment, as well as lighting and electrical outlet locations. The location of entrances and exits shall be shown. For cafes on public property, the plan shall also show existing sidewalks, buildings, curbs, existing improvements, i.e., lamp posts, street trees, benches, mailboxes, etc., and an unobstructed clear area for pedestrian use (a minimum of 60"). A minimum clearance of seven (7) feet shall be maintained between the sidewalk and bottom edge of table umbrellas or awnings. The layout shall show all seating, tables and chairs and shall be used to determine maximum

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occupancy load for the outdoor café. The occupancy load shall be posted in a conspicuous location.

3. Plans for setting up the outdoor café must be approved by the Department of Engineering and Building to provide for the free passage of pedestrians along the sidewalks, by the Police Department to provide for traffic and pedestrian safety, and by the Fire Department for fire-safety issues. If alcohol is served, entrance to the outdoor café is required to be from inside the building. An outdoor café which is adjacent to residential properties or shares an alley with residential properties shall be screened with a solid fence a minimum of six (6) feet high.
4. The outdoor café must be part of a licensed restaurant and meet all the requirements of the department of health and any other local, county or state requirements, including the City of Wyandotte's ordinance and the Michigan Liquor Control Commission (if applicable).
5. For outdoor cafes on public property, liability insurance and property damage coverage naming the City of Wyandotte as an insured party, in an amount approved by the City of Wyandotte's Financial Director, must be provided before an outdoor café may be set up and be maintained for as long as the outdoor café is in operation.
6. Approval of the City Council is required for the proposed use of any public area or facility. All provisions of a Grant of License must be complied with at all times.
7. An outdoor café in a B-2 district may provide for only thirty five percent (35%) more seating than is provided inside the restaurant. Additional parking shall be provided for the square foot area of the outdoor café in accordance with Section 2403.
8. No sign or any other form of advertising is permitted in the dining area, nor on fences or railings of such area with the except of an identification or menu sign. The name of the establishment may appear on the valance of an umbrella. No display of merchandise for sale shall be allowed.
9. Furnishings of an outdoor café shall consist solely of readily removable awnings, covers, canopies, railings, tables, chairs, planters containing plants and accessories. Furnishings may not be attached, even in a temporary manner, to the sidewalk or other public property, except that canopies and railings, if specifically approved by the Planning Commission and the City Council, shall may be secured by means of flush mounted anchors or other methods approved by the Building Official. No objects which are part of an outdoor café, except lighting fixtures, railings, awnings, or other nonpermanent covers or canopies, may be attached, even in a temporary manner, to any building, or structure on which the outdoor café abuts. When the associated establishment and/or the outdoor café on public property are not open for daily use, all furnishings and fixtures, unless otherwise specifically approved, shall be removed from the public property or stored in an approved manner which shall not cause a public nuisance or hazard. The Building Official shall determine when fences on public property shall be

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~~removed.~~ The Building Official shall determine when a hazardous condition exists in the public right-of-way and on other public property.

10. Outdoor dining areas must remain clear of litter, food scraps and soiled dishes at all times.

SECTION 2100 GENERAL PROVISIONS

~~H. Revoke special land use. A special land use can be revoked by the planning commission, under the same procedure as the section used to approve it, if it is found that it no longer meets the standards of this ordinance. Revoke special land use. A special land use may be revoked by the planning commission under the following procedures:~~

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- ~~1. Mail notice of the proposed action to revoke the special land use to the owner/operator of the business at least 10 calendar days prior to the hearing.~~
- ~~2. Provide with the notice the reasons for the proposed action.~~
- ~~3. Provide with the notice the date, time and place of the hearing for the proposed action.~~
- ~~4. Include in the notice a statement that the owner/operator may present evidence and testimony and question any witness at the hearing.~~
- ~~5. At the hearing, the city engineer's office or planner will present to the planning commission any witnesses, reports, documents and recommendations concerning the proposed revocation of the special land use.~~

Criteria for revocation.

The planning commission may revoke a special land use upon a determination by the commission that, based upon a preponderance of evidence presented at the public hearing, any of the following exists:

1. Violation of any of the restrictions of the special land use set forth in the city ordinance or in any conditions set by the city when it approved the special land use.
2. Maintenance of a nuisance upon the premises, including, but not limited to, any of the following:
 - a. Existing violations of building, zoning, health, fire or regulatory codes.
 - b. A pattern of patron conduct upon or in the neighborhood of the licensed establishment which is in violation of the law or disturbs the peace, order and tranquility of the neighborhood.
 - c. Failure to maintain the grounds and exterior of the license establishment, including litter, debris, refuse blowing, or being deposited on adjoining properties.
 - d. Entertainment without a permit or entertainment which disturbs the peace, order and tranquility of the neighborhood.
 - e. Any advertising, promotion or activity which by its nature causes, creates or contributes to disorder, disobedience to rules, ordinances or laws, or contributes to the disruption of normal activity of those in the neighborhood of the licenses establishment.
 - f. Any condition of default in the payment of any tax, fee, charge, water bill, special assessment or other debt to the city or any unpaid judgment payable to the city.
 - g. Any misrepresentation of any information in any application or hearing for the grant or renewal of any special land use.

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**CITY OF WYANDOTTE, MICHIGAN
CERTIFIED RESOLUTION**

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: November 9, 2015

MOVED BY: Councilperson Miciura

SUPPORTED BY: Councilperson Fricke

RESOLVED by the City Council that the City Engineer, City Attorney, and City Planner forward recommendations to the Planning Commission concerning Special Land Use approval and extended hours for Special Land Use of outdoor cafes and to hold a public hearing to review our current ordinance and to submit recommendations to the City Council on the following:

1. Consider the current outdoor cafes and possible future growth
2. Insure compatibility with adjacent use of land
3. Review decibel level standards
4. Recommend reasonable conditions to accomplish the provisions of this resolution
5. Review the revocation procedure currently outlined in the ordinance and recommend revocation procedure for the extended hours portion of the ordinance
6. Review sample ordinances from other communities
7. Make recommendations concerning enforcement of the ordinance
8. Any other matters the commission feels useful and relevant

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 November 9, 2015, 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

APPROVED OUTDOOR CAFES								
Address	Street	Occupant	Owner	Approval Date	Private or Public Property		Letter sent	Fencing to be removed for snow removal
2356	Biddle	Gregorio's Italian Restaurant		4/16/2009	Public Property		B	NO
2848	Biddle	Coffe Bar & Unique Gifts		7/27/1999	Public Property	Removed		
2913	Biddle	Yogurtown		5/20/2014	Public Property		B	
2922	Biddle	R.P. McMurphy's		7/27/2012	Private Property		A	
2929	Biddle	Lions & Tigers & Beers		5/19/2006	Private Property	Removed		
2935	Biddle	Former Lions & Tigers & Beers	King Cade	11/20/2014	Private Property		A	
2945	Biddle	Bagel Street		6/18/1998	Public Property	Removed		
2945	Biddle	Kimberly's Incredible		7/11/1995	Public Property	Removed		
2962	Biddle	Nanna's		7/13/2004	Public Property		B	NO
3030	Biddle	Belicoso Café		4/26/2005	Public Property		C	YES*
				4/17/2008	Public Property			
3042	Biddle	Sanders/TMX-2 Inc.		5/1/2007	Public Property		B	
3144	Biddle	Franks Restaurant & Pizza		4/30/2013	Public Property		B	NO
3162	Biddle	Sycamore Plaza (100-200 Sycamore)		7/10/2001	Sycamore Right-of-way		B	NO
3169	Biddle	Jimmy Johns		4/26/2005	Public Property		B	
3203	Biddle	Biddle Blend LLC		8/10/2004	Public Property		B	
3225	Biddle	Gizzmos		6/9/2009	Public Property		C	YES*
3233	Biddle	Alvis BBQ		4/29/2014	Public Property		C	YES*
3249	Biddle	Austin Bar & Grill		5/18/2006	Public Property	Removed		
3455	Biddle	Portofino's		5/21/1984	Private Property		A	
3530	Biddle	K of C		7/15/2010	Private Property		A	
1254	Eureka	Brooklyn's		6/17/1999	Private Property	Rear	A	
633	Ford	VFW #1136		6/18/2015	Private Property		A	
109	Maple	Divine Cheesecake		6/20/2002	Public Property		B	
121	Maple	LaPerle Hookah Lounge		7/3/2012	Public Property		B	
130	Maple	Sushi Bar/Baba's		8/3/2015	Public Property		D	YES
166	Maple	Sports 50		7/10/2001	Public Property		B	NO
232	Maple	Do Hickey's Irish Pub		8/14/2001	Private Property		B	
116	Oak	Dotte Pub		7/15/2010	Public Property		D	YES
126	Oak	Captain's		9/10/2013	Public Property	Front	D	YES
				8/3/2015	Revised Plan Approved			
126	Oak	Captain's		8/15/2013	Private Property	Rear	A	
				10/15/2015	Revised Plan Approved			
6	Perry Place	Seaway Boat Club		12/20/2005	Private Property		A	
1	Pine	Boat Club		9/16/1999	Private Property		A	
2817	Van Alstyne	American Legion Post		10/21/2010	Public Property		A	
2919	1st Street	Java Joe's		8/1/1995	Public Property	Removed		
2929	1st Street	Di'Maggio's Italian Pizza		6/20/2002	Public Property	Removed		
507	Biddle	Peir 500			Private Property Existing Non-Conforming		A	
749	Biddle	Speed Boat Bar			Private Property Existing Non-Conforming		A	
YES* SECTION ADJACENT TO CURB OK TO LEAVE UP								

YES* SECTION ADJACENT TO CURB OK TO LEAVE UP

PUBLIC HEARING – Request from Rose Mary Prato, Owner and Appellant, has applied for a Certificate of Occupancy for a Computer Repair Business at 1611 Ford Avenue, Wyandotte, Michigan.

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

Rose Mary Prato, owner, present and Doug Pettigrew, proposed tenant, present.

Ms. Prato explained that she has Doug Pettigrew who wants to rent the building, there will be no changes to the inside or outside of the building.

Commissioner Benson stated that there is no parking in the front and asked about the parking area in the back. Ms. Prato stated that only the cracks will be repaired in the lot.

There was discussion regarding the parking spaces. Commissioner Benson commented that a parking issued is not in front of the Commission.

Mr. Pettigrew stated that he mostly goes to businesses to do repairs, there will be minimal traffic to the building.

Commissioner Duran asked Mr. Pettigrew his hours of business. Mr. Pettigrew replied that it depends on this customers needs, mostly usual business hours.

Commissioner Pasko asked if the building next to this one was vacant. Ms. Prato replied yes, and she owns that one, too.

There being no further discussion, the hearing was closed.

No communications were received regarding this this request.

PUBLIC HEARING– Request from Gail Rademacher, Wayne A. Senior and Jordan Podsiad, Owners and Appellants, to rezone the properties known as 21, 21½ and 23 Walnut, Wyandotte, Michigan, (Lots 1 thru 4 River Park Subdivision).

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

Gail Rademacher, 21-1/2 Walnut, owner, present.

Ms. Rademacher explained that she has been turned down for spot zoning, and at that time the Planning Commission suggested that she speak to her neighbors, and apply for rezoning, and that is what she is doing.

There being no further discussion, the hearing was closed.

One (1) communication was received regarding this request.

Braun Dental Lab.

586-949-2800

I am owner of 9 Walnut.
I support ~~this prop~~ THIS
property's request to change the
Zoning to Residential From Recreational.
ALL THE properties in the area
on Walnut should be zoned the
same.

Ran T. J. L. DDS

P.H. # 041816

Re: 21, 21½, 23 Walnut

✓ RECEIVED 5-18-16

* Empress All Ceramic System * Cosmetic Veneers * Implants * Captek *

* Full Mouth Reconstruction * Diagnostic Waxup * Crowns * Bridges *

* Cosmetic Consultation * All Porcelain Inlays & Onlays *

* Internal Custom Characterization *

Public Hearing - Request from Whiskeys on the Water, A & J Realty, owner and appellant, for a Certificate of Occupancy for an outdoor café at 2903 Biddle Avenue, Wyandotte, Michigan.

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

Josh Cade, 1243 Lindbergh, owner, present and Ed Sollars, partner, also present.

Commissioner Benson asked if the main entrance would open on the side. Mr. Cade replied yes, it would be staffed by a hostess when the outdoor café is open.

Commissioner Lupo asked Mr. Cade if he was aware of the letter from Municipal Service. Mr. Cade replied yes.

Letters from City Engineer dated May 17, 2016, Police Chief, First United Methodist Church and Municipal Service were read.

Commissioner Mayhew asked who will maintain the traffic lines. Mr. Cade replied that he will pay the Department of Public Service for providing and removing temporary reflective tape.

Commissioner Mayhew asked about the time frame for people to leave the café. Mr. Cade stated when they stop serving, and people are finished with their drinks, they start leaving. Commissioner Mayhew asked Mr. Cade if he would also be announcing that the customers have to leave by 12 midnight. Mr. Cade replied yes. Commissioner Mayhew asked if there would be music. Mr. Cade replied maybe occasionally. Commissioner Mayhew stated that he recommend no music due to the condominiums.

Commissioner Rutkowski stated that there is seating for 66, and asked what will happen in inclement weather. Mr. Cade replied that there will be shading over the café. Mr. Cade continued that there is a second level to the building, but it is not open yet. Plans have been submitted, and that could hold up to 200 people.

Commissioner Pasko asked if the elevator was working yet. Mr. Cade replied not yet. Commissioner Pasko asked if the only access to the second floor was stairs. Mr. Cade replied yes.

Commissioner Adamczyk asked if at the end of the year, would everything be removed. Mr. Cade replied yes, except for the lane markings.

Commissioner Lupo asked if the car would be moved at the end of the season. Mr. Cade replied yes.

Joe Tarris, 2864 VanAlstyne, present.

Mr. Tarris discussed the occupant load, and stated that he is opposed to putting people at risk on Oak Street. There needs to be a barrier, and he does not see anywhere where a 6' fence will be installed.

Mr. Tarris continued that he is opposed to exterior music, and the café should close at 10 p.m. and the vacated by 12 p.m.

Mr. Tarris also stated that in the past, people have been urinating in their parking lot.

Mr. Tarris stated that he would like to see the occupant load be 40 and a barrier put up because Oak Street is a busy street, and also a sign in the condo parking lot stated that vehicles will be towed if they park there.

Mark Madach, 2892 VanAlstyne, present.

Mr. Madach stated that he loves Wyandotte, but he is concerned about the noise from the café. He is an airplane pilot and required to be rested and his bedroom faces Oak Street. He needs to be alert for his job.

Bruce Yinger, 117 Chestnut, present.

Mr. Yinger stated that the Commission approves these café's, but the enforcement is not being done. Rules are important and need to be followed. Mr. Yinger continued that he is concerned about public safety and this is an issue.

There being no further discussion, the hearing was closed.

Communications were received regarding this request see attached.

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

May 17, 2016

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

RE: Outdoor Cafes at 2903 Biddle Avenue
Wyandotte, Michigan


Dear Ms. Krimmel:

The undersigned has reviewed the revised plans submitted for the outdoor cafe at the above captioned property and the following applies:

1. Since the Applicant is proposing the outdoor café in the Oak Street Right-of-Way, approval by the Mayor and City Council will be required along with a Grant of License and Hold Harmless Agreement.
2. The revised plans now include planter boxes to provide additional separation between the traffic lane and outdoor café. The plan also includes pavement markings to further delineate the traffic lane from the outdoor café.

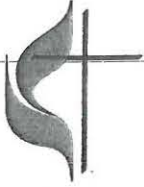
If you have any questions, feel free to contact the undersigned.

Very truly yours,


Mark A. Kowalewski
City Engineer

MAK:kr

cc: Jeff Carley, Fire Chief
Dan Grant, Police Chief
Brian Zulewski, Inspector



First United Methodist Church of Wyandotte
72 Oak Street, Wyandotte, Michigan 48192
Office: (734) 282-9222 Fax: (734) 282-3054

May 18, 2016

✓ RECEIVED
5-18-16

Kelly Roberts,
Wyandotte Planning Commission
3131 Biddle Avenue
Wyandotte, MI 48192

Dear Ms. Roberts:

SUBJECT: NEW OUTDOOR CAFÉ – 2903 BIDDLE AVENUE

This correspondence is in response to your Notice of Public Hearing dated May 3, 2016 relative to the Outdoor Café application at Whiskey's on the Water located at 2903 Biddle Avenue, Wyandotte, Michigan. The Leadership Team at Wyandotte First United Methodist Church has concerns regarding the request. The concerns are as follows:

- First and foremost the close proximity/distance to Wyandotte First UMC
- The added clean-up of our property that we would incur. Which is already an issue.

We are currently surrounded by restaurants/bars on all sides. We have maintained a good neighbor approach to all the changes happening in our city of Wyandotte. Although, we cannot say that our neighbors have extended the same courtesy. It is a rare occasion when we don't have to pick-up beer bottles, or half consumed drinks from our lawn, parking lot and steps of our church. Just the other night one of our church member had to swerve their car away from hitting a glass beer bottle that was placed in the middle of First Street. It appears that the lack of supervision with Outdoor Cafes is in need of review in terms of allowing customers to leave the premises with their drinks.

Please accept this letter as our formal concern/objection to adding another Outdoor Café so close to Wyandotte First UMC.

Sincerely,

Robin Rupert
Christian Education Program Director
Wyandotte First United Methodist Church

Rev. Dianna Rees, Pastor
David Waggoner, Contemporary/Traditional Worship
Music Director

Vicki Dorland, Secretary
Robin Rupert, Christian Education
/Program Director

Municipal Service Commission
Leslie G. Lupo
Gerald P. Cole
Robert K. Alderman
Bryan J. Hughes
Michael Sadowski



Roderick J. Lesko
General Manager and Secretary
3200 Biddle Avenue, Suite 200
Wyandotte, MI. 48192-0658
Telephone: (734) 324-7100
Fax: (734) 324-7119

May 18, 2016

Wyandotte Planning Commission
Attn: Kelly Roberts, Secretary

Re: Notice of Public Hearing
City of Wyandotte Planning Commission
Special Approval #PC513

In regards to the proposal to construct the outdoor café along the Oak Street right of way at 2903 Biddle Avenue, Wyandotte Municipal Services Electric Department poses no opposition as long as the following conditions are met:

- Wyandotte Municipal Services has the right to remove this outdoor café should a need arise to repair/replace any electrical infrastructure, street lighting or planter box equipment.
- Nothing related to this outdoor café can impede the repair of any electrical infrastructure.
- The electrical plugs in the planter boxes will not be used to supply any electrical needs for this structure.
- If any part of this structure is proposed to be permanent, it is the responsibility of the owner to ensure Miss Dig has been called to verify the location of all underground facilities/equipment.
- If this area is to be locked, Wyandotte Municipal Services must be given a key in order to expedite electrical repairs.

If you have any questions regarding this response, please contact me at (734) 324-7158.

Sincerely,

Charlene Hudson
Power Systems Supervising Engineer
Wyandotte Municipal Services