

City of Wyandotte
PLANNING COMMISSION
Minutes of the Friday, June 5, 2009, Meeting
MINUTES AS RECORDED

The meeting was called to order by Chairperson Elizabeth Krimmel at 8:00 a.m.

COMMISSIONERS PRESENT: Duran, Eberts, Krimmel, Parker, Rockershausen, Schultz and Tavernier

COMMISSIONERS EXCUSED: Lupo, and Hovis

ALSO PRESENT: Charles Leman, Planning Consultant
Kelly Roberts, Recording Secretary

COMMUNICATIONS:

1. MOTION BY COMMISSIONER ROCKERSHOUSEN, supported by Commissioner Schultz, to receive and place on file all communications. MOTION PASSED.

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:

MOTION BY COMMISSIONER SCHULTZ, supported by Commissioner Parker to approve the minutes of the Regular Meeting of April 16, 2009. MOTION PASSED.

NEW BUSINESS:

1. PUBLIC HEARING PC#216 – Request from Lions & Tigers & Beers/LTB Operations, LLC (Owner and Appellant) for a Certificate of Occupancy for an outdoor café in front of 2930 Van Alstyne/2929 Biddle, Wyandotte in a CDB Zoning District where the proposed conflicts with Section 2200.S.2. of the Zoning Ordinance.

RESOLUTION BY COMMISSIONER SCHULTZ, Supported by Commissioner Parker that Special Approval #216 – requested by Lions & Tigers & Beers/LTB Operations, LLC (Appellant and Owner) for:

A Certificate of Occupancy for an Outdoor Café on Biddle Avenue frontage at 2930 Van Alstyne/2929 Biddle. 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 Central Business District (CBD) Zoning District, 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 a.m. 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 Belicoso Café at 3030 Biddle Avenue.
10. Width of the outdoor enclosed area fencing to be at least three (3) feet from curb and no more than 9'8" in width.
11. Approval by Wayne County dated April 13, 2009 is attached.
12. The fencing shall be removed from November 1st to March 14th of each year

YEAS: Duran, Eberts, Krimmel, Parker, Rockershousen, Schultz and Tavernier

NAYS: None

ABSENT: Hovis and Lupo

MOTION PASSED

2. PUBLIC HEARING PC#217 – Request from Gizmos (Owner and Appellant) for a Certificate of Occupancy for an outdoor café in front of 3225 Biddle, Wyandotte in a CDB Zoning District where the proposed conflicts with Section 2200.S.2. of the Zoning Ordinance.

RESOLUTION BY COMMISSIONER SCHULTZ, Supported by Commissioner Rockershousen, that Special Approval #217 – requested by Gizmo's (Appellant and Owner) for: A Certificate of Occupancy to for an Outdoor Café at 3225 Biddle 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 on private property in the Central Business District (CBD) Zoning District, 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 attached.
4. Use of the outdoor café shall be allowed from 10 a.m. to 12 midnight from March 15 through October 31, Monday through Sunday. If Applicant requests extended hours approval is required by City Council.
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. Approval by City Council for use of the public property, if 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.
8. Decorative fencing and gate to be of the exact same design, material and height so as to match Belicoso Café at 3030 Biddle Avenue.

9. Approval by Wayne County is also required.
10. Fencing shall be removed from November 1st to March 14th each year.

YEAS: Duran, Eberts, Krimmel, Parker, Rockershausen, Schultz and Tavernier

NAYS: None

ABSENT: Hovis and Lupo

MOTION PASSED

SPECIAL ORDER:

Approval of 2009-2010 Budget: MOTION BY COMMISSIONER ROCKERSHOUSEN, supported by Commissioner Duran, to approve the 2009-2010 Budget as presented to the Commission.

YEAS: Duran, Eberts, Krimmel, Parker, Rockershausen, Schultz and Tavernier

NAYS: None

ABSENT: Hovis and Lupo

MOTION PASSED

PERSONS IN THE AUDIENCE:

None

BILLS AND ACCOUNT:

MOTION BY COMMISSIONER SCHULTZ, supported by Commissioner Rockershausen to:

1. Pay Beckett & Raeder for Planning Consultant fee for April 2009 in the amount of \$700.00
2. Hours for Secretarial Services: 3/29/09 – 5/04/09 7 Total Hours
3. Annual Membership Dues – Michigan Association of Planning \$625.00

YEAS: Duran, Eberts, Krimmel, Parker, Rockershausen, Schultz and Tavernier

NAYS: None

ABSENT: Hovis and Lupo

MOTION PASSED

MOTION TO ADJOURN:

MOTION BY COMMISSIONER SCHULTZ, supported by Commissioner Parker to adjourn the meeting at 8:20 a.m.

PUBLIC HEARING PC#216 – Request from Lions & Tigers & Beers/LTB Operations, LLC (Owner and Appellant) for a Certificate of Occupancy for an outdoor café in front of 2930 Van Alstyne/2929 Biddle, Wyandotte.

Chairperson Krimmel opened the Public Hearing for comments.

Chairperson Krimmel asked if there was an outdoor café in the rear and asked if they are now for one in the front.

Brian Sollars, Owner 2930 Van Alstyne/2929 Biddle present.

Mr. Sollars indicated that was correct.

Commissioner Schultz indicated that the rear was approved a couple of years ago.

Mr. Sollars indicated that he has already received Wayne County approval and is looking for the City's approval.

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 hearing.

PUBLIC HEARING PC#217 – Request from Gizzmos (Owner and Appellant) for a Certificate of Occupancy for an outdoor café in front of 3225 Biddle, Wyandotte.

Chairperson Krimmel opened the Public Hearing for comments.

Al Fritz, Owner 3225 Biddle, present.

Mr. Fritz indicated that he has received approval from Wayne County and is looking for the City's approval.

Commissioner Tavernier asked what the hours of operation would be.

Mr. Fritz indicated that he would like Monday through Saturday from 12 a.m. to midnight.

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

One (1) communication was received regarding this hearing.