

City of Wyandotte
PLANNING COMMISSION
Minutes of the Thursday, December 17, 2009, Meeting
MINUTES AS RECORDED

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

COMMISSIONERS PRESENT: Eberts, Hovis, Krimmel, Lupo, Parker, Rockershausen, Schultz, Tavernier

COMMISSIONERS EXCUSED: Duran

ALSO PRESENT: Charles Leman, City Planner
Ben Tallerico, City Planner
Kelly Roberts, Secretary

COMMUNICATIONS:

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

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:

MOTION BY COMMISSIONER TAVERNIER, supported by Commissioner Schultz to approve the minutes of the Meeting of November 19, 2009. MOTION PASSED.

NEW BUSINESS:

1. Request of Joseph S. Daly, Daly Merritt Properties, Inc. for a Phase II Final Site Plan approval for the property at 3450 Biddle, Wyandotte. The Applicant is proposing to construct a Social Security Office. The property is located in a PD- Planned Development District.

MOTION BY COMMISSIONER SCHULTZ, supported by Commission Rockershausen

WHEREAS, on December 17, 2009, the Planning Commission of the City of Wyandotte, after holding a Public Hearing on November 19, 2009, with proper notice, adopted a resolution recommending to the City Council that the Preliminary Plan for a Social Security Office at 3450 Biddle be accepted and approved subject to the Plan being revised in accordance with certain findings specified in the resolution; and

WHEREAS, the Final Site Plan submitted by Gharfai Associates, LLC consists of 11 sheets dated December 4, 2009; and

WHEREAS, the Planning Commission hereby determines that except as noted below, the Stage II Final Site Plan generally complies with the resolution adopted by the Commission on November 19, 2009, and the requirements set forth in the Zoning Ordinance, Section 2000, and that said Plan is subject to the applicable terms and conditions set forth therein;

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF WYANDOTTE, to recommend to the City Council that the Stage II Final Site Plan for a Social Security Office project at 3450 Biddle Avenue be accepted and approved subject to the following information being provided to and approved by the City Engineer prior to submittal to the City Council for Final Site Plan Approval.

1. On sheet CP-102 – Maximum size of storm sewer that connects to a public main or manhole shall be six (6) inch diameter, a restrictive basin cover is required on every catch basin, roof conductors must drain onto ground and not into the combined sewer and location of the sanitary connection is required.
2. On Sheet CR 103 – A restrictive basin cover is required on all catch basins. Additional catch basin to be added to parking area on east side of building.

3. On Sheet CR 501 – The last catch basin before the connection to the public sewer main must have a two (2) foot sump and be trapped (see City detail).
4. Decorate Lights to be worked out with the City Engineer in conjunction with Municipal Service to see if the LED lights that were used on other projects such as 81 Chestnut would meet the requirements of the Government for this project.
5. Add 5 to 6 trees in corners of the designated landscape areas of the parking area. Also plant 1 tree on each corner of the 2 main aisles. Each tree to be 2½” in diameter.

YES: Eberts, Hovis, Krimmel, Lupo, Parker, Rockershausen, Schultz and Tavernier

NO: None

ABSENT: Duran

MOTION PASSED

2. Public Hearing - Request from Anthony J. Cole, Owner and Cole Armory LLC, Appellant, for a Certificate of Occupancy for home occupation (Licensed Gun Sales) at 2333 6th Street, Wyandotte, Michigan. The property is located in a RT zoning district where the proposed conflicts with Section 501 of the Zoning Ordinance.

MOTION BY COMMISSIONER LUPU, supported by Commissioner Rockershausen to approve the Certificate of Occupancy for a home occupation (licensed Gun Sales) at 2333 6th Street, Wyandotte provided that they only sell to law enforcement officers and their families and that Mr. Cole installs a home security system as he indicated during the public hearing. Further that there be no advertising of said business on the lawn or windows of the home.

YES: Hovis, Lupo, Parker, Rockershausen Tavernier

NO: Eberts, Krimmel and Schultz

ABSENT: Duran

MOTION PASSED

3. Public Hearing - Request to amend the following Section of the Zoning Ordinance:

- Amending Subparagraph 8 of Paragraph (S) – “Outdoor Café” of Section 2200 by amending Article II – Definitions
- Adding Paragraph 210 – “Specific Terms” by adding Paragraph 155A “Wind Energy System”
- Adding Article XXVIII “Conditional Rezoning”

MOTION BY COMMISSIONER ROCKERSHOUSEN, supported by Commissioner Tavernier to recommend to the City Council approval of the changes to the Zoning Ordinance.

YES: Eberts, Hovis, Krimmel, Lupo, Parker, Rockershausen, Schultz and Tavernier

NO: None

ABSENT: Duran

MOTION PASSED

PERSONS IN THE AUDIENCE:

None

SPECIAL ORDER:

1. Approval of the 2010 Schedule of Meetings for the Planning Commission. MOTION BY COMMISSIONER LUPU, supported by Commissioner Rockershausen to approve the 2010 Schedule of Meetings for the Planning Commission. MOTION PASSED

BILLS AND ACCOUNT:

MOTION BY COMMISSIONER LUPO, supported by Commissioner Rockershausen to:

1. Pay Beckett & Raeder for Planning Consultant fee for November 2009 in the amount of \$700.00
2. Hours for Secretarial Services: 11/07/09 - 12/03/09 -10 Total Hours

YES: Eberts, Hovis, Krimmel, Lupo, Parker, Rockershausen, Schultz, Tavernier

NO: None ABSENT: Duran

MOTION PASSED

MOTION BY COMMISSIONER ROCKERHSOUSEN, supported by Commissioner Eberts to approve the request of Commissioner Tavernier to attend an on-line class through Michigan Citizen Planner – Fundamentals of Planning and Zoning in the amount of \$150.00.

YES: Eberts, Hovis, Krimmel, Lupo, Parker, Rockershausen, Schultz

NO: None ABSENT: Duran ABSTAIN: Tavernier

MOTION PASSED

MOTION TO ADJOURN:

MOTION BY COMMISSIONER ROCKERSHOUSEN, supported by Commissioner Eberts to adjourn the meeting at 8:45 p.m.

Public Hearing - Request to amend Section of the Zoning Ordinance.

Chairperson Krimmel opened the Public Hearing for comments.

Mr. Leman explained that these changes were discussed at the last Commission Meeting. The ordinance changes are as follows:

1. Amending the sign or any other form of advertising for outdoor café.
2. A new ordinance to allow Conditional Rezoning
3. Amend the requirements for wind energy systems

Mr. Leman explained that the Commission needs to recommend to the City Council approval of these changes.

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 #221 Request of Anthony J. Cole for a Certificate of Occupancy for a home occupation (Licensed Gun Sales) at 2333 6th Street, Wyandotte.

Chairperson Krimmel opened the Public Hearing for comments.

Before comments were received Mr. Leman reviewed the Home Occupation Ordinance with the Commission.

Dr. Anthony Cole, Owner present.

Dr. Cole indicated that he applied for a license through the ATF and according to their requirements, you need local community approval.

Dr. Cole explained that he and his brother Brandon will be running the business at 2333 6th Street which is Dr. Cole's residence. Dr. Cole stated that there will be no signs and he will be selling mostly to law enforcement officers. Dr. Cole indicated that they will not be advertising and it will not be open to the public.

Brandon Cole, Dr. Cole's Brother. B. Cole indicated that he use to sell fire arms out of his home in Southgate about 3 years ago, but he stopped because he wanted to do something else. B. Cole indicated further that he is a Detroit Policeman and he only sold to his fellow officers. B. Cole also stated that he has been asked to get back into the business and start selling again.

Mr. Leman asked if they would be selling new or used guns.

Dr. Cole indicated that they would all be new guns.

B. Cole explained that he will be very selective as to who he sells to because of his occupation. B. Cole stated that he does not want to sell to just anyone.

Commissioner Lupo asked if there would be any walk-ins.

B. Cole stated no and they will only be selling to officers and their families.

Commissioner Lupo asked what the hours would be.

B. Cole stated Monday through Friday 9 to 5. B. Cole explained that he or his bother Anthony are the only ones who can sell a gun to someone.

Mr. Leman asked if they do a background check on whoever they sell to.

B. Cole stated yes there is an application that needs to be completed by the person who wants to purchase the gun and the ATF will say yes or no to the sale and that is the final say.

Commissioner Lupo asked if they will be storing ammo.

Dr. Cole stated that when they order a gun they will order ammo at the same time, but that is the only ammo they will sell is with a new gun sale.

Commissioner Lupo asked if they were inspected by the ATF.

Dr. Cole explained that the ATF does surprise inspections.

Commissioner Lupo asked if they have an alarm system in the house.

Dr. Cole stated that he had planned to have the alarm installed by now, but the company has not gotten to it. Dr. Cole stated that it should be done by the end of the year.

Commissioner Lupo asked if there was anyone else in the area who sells guns.

Dr. Cole stated no.

Dr. Cole also stated that he will have a fire arms safe that will be bolted to the ground and wall and that safe holds 8 long arm type guns and 5 to 6 pistols.

Chairperson Krimmel asked if Dr. Cole is living in the home at 2333 6th Street.

Dr. Cole stated yes with his wife and 1 child.

Commissioner Rockershousen asked if they would only be selling to police officers and their families.

Dr. Cole stated that they will mostly just sell to police officers and their families. Dr. Cole continued that most of their sales will be ordered and then whoever ordered the gun will come to them to pick it up.

Commissioner Lupo asked if they would be fixing guns also.

Dr. Cole stated no, only cleaning. Dr. Cole stated further that fixing guns is a different kind of license.

Commissioner Lupo asked if people are required to sign in when they purchase a gun.

Dr. Cole stated that they have to keep a record book on every gun that they sell and who purchases it.

Commissioner Schultz indicated that there is limited parking on that street. Commissioner Schultz stated that the street is a dead end and the turn-around is very small.

Dr. Cole stated that he has a 2 car garage with a driveway and he has parking in front of his house. Dr. Cole stated that at the most there might be 2 additional cars at this house at one time. Dr. Cole stated that people will make appointments to pick up their guns.

Commissioner Eberts asked if he had a security system.

Dr. Cole stated that he is in the process of installing one. Dr. Cole stated further that he does have a gun safe that will hold the guns and the safe is in his office.

Commissioner Lupo asked if he would be selling automatic weapons.

Dr. Cole stated that the ATF is very restrictive on whom selling automatic weapons you need a level 3 license and he has no intention of selling that type of gun.

Commissioner Hovis asked if Dr. Cole needed any special insurance on his home to have this type of home occupation.

Dr. Cole stated that he has liability insurance which is required, but he cannot get his license until the City approves the occupancy.

Commissioner Krimmel asked Brandon when he sold guns in Southgate, did they have any trouble.

B. Cole stated that they had no problems.

Commissioner Rockershousen asked if there would be display cases.

Dr. Cole stated they will not have any display cases, they will be using catalogs.

Commissioner Parker asked if they would be stocking guns.

Dr. Cole stated no that each gun would be a special order.

Commissioner Rockershousen asked if this would be a part-time job.

Dr. Cole stated yes.

Commissioner Parker asked if they order the gun and receive it on the same day.

Dr. Cole stated that they will not receive it on the same day.

April Dunnigan, 2352 6th Street, Wyandotte.

Mrs. Dunnigan stated that she lives across the street from Dr. Cole with her husband and 3 kids and she has no problem with this use. Mrs. Dunnigan stated that she did have some questions, but they were all answered at this meeting.

Commissioner Tavernier stated that he recently had to get a license for guns that he received from his father and he talked about the process he had to go through with the local Police Department. Commissioner Tavernier stated that someone could not just go and buy a gun without a license from their local Police Department.

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

Eight (8) communications were received regarding this hearing.

12

Dec. 12, 2009

To whom this concerns,

PC #221

This letter is to appose the
granting of special approval for
Certificate of occupation of license
gun sales at 2333 6th St, Wyandotte, Mo.

Sincerely,

M. Passero

PC #221

12/14/09

City of Wyandotte
Planning Commission
Attn: Kelly Roberts, Secretary

Re: Notice of Public Hearing
Special Approval
#PC 221

Let it be known:

That as a homeowner living in the
Cambridge Commons Condo Subdivision
at 486 Mulberry - Wyandotte, Michigan
I whole-heartedly disapprove of any home
in our area being used for "Gun Sales". It
will bring a whole brand of unwanted
in our back-yard (and we do not need
this. Let this gentleman, rent one of the
empty buildings (of which there are many)
in our fair business district, to be counted
as a legitimate business. Many of our
friends & neighbors feel the same way.
Please do not allow this.

Thank-you

Aloence Ouen
486 Mulberry
Wyandotte, Mi
48192

PC #221

To Whom It May Concern:

I am writing in opposition that Anthony J. Cole of Cole Armory LLC be given a Certificate of Occupancy for a Home Occupation. Though I do appreciate that he is following the law and requesting permission, I really feel this is a matter of safety. I have a young child, and live just a few blocks from his address. His home is just blocks from an elementary school, which should be very concerning. Granting this certificate will hurt the neighborhood image, and the city's image in general. It will also greatly decrease the value of our homes. I am also concerned about who would be coming into the neighborhood/home to buy these guns. I consider Wyandotte a safe place to live, and am asking you to keep it that way.

Sincerely,

Robert Epperson

547 Mulberry

PC #221

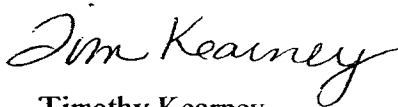
December 14, 2009

Wyandotte City Hall
3131 Biddle Ave.
Wyandotte, MI 48192

To Whom It May Concern:

This letter is in regards to the firearms sales permit request of the owner of 2333 6th St. I do not approve of this request in our neighborhood. One of the main concerns is the parking situation. He has absolutely no parking in front of his house and the rest of the street has very limited spacing. Another concern is that it's a dead end street with no turn around. I have a private parking lot for the tenants and I do not want people parking there that do not live there. I am also concerned of the people it may attract and the traffic it may generate. There are quite a few children that live in the area and I just do not think it's the right choice for this neighborhood. This has nothing to do with the owner personally. I am against this firearms sales permit for the reasons stated above.

Thank you,



Timothy Kearney
2346 6th St.

December 8, 2009

Wyandotte Planning Commission
3131 Biddle Avenue
Wyandotte, MI 48192
ATTN: Kelly Roberts, Secretary

RE: Special Approval #PC221

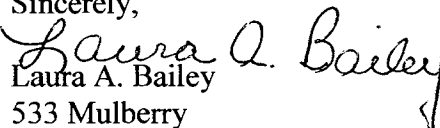
To Whom It May Concern:

I am a concerned citizen in the Wyandotte community and am writing to express my opinion regarding the application of Anthony J. Cole for a Special Approval for a Certificate of Occupancy for Licensed Gun Sales out of his home. I believe Mr. Cole should be denied this certificate for obvious reasons. This will be a danger to the community and also invite people in who would otherwise not use a gun for protection.

I live one block from the 2333 6th Street address and have a teenage son. I do not support this kind of environment in the vicinity of where I reside and do not want my child or any child affected by this kind of danger. I do not believe that one person's need to sell guns out of their home should override all the other families in our community. \

I trust that the Wyandotte Planning Commission will deny without hesitation the approval of this certificate.

Sincerely,


Laura A. Bailey
533 Mulberry
Wyandotte, MI 48192
(734)284-5414

PC#221

*Louis and Aileen Parker
518 Mulberry Street
Wyandotte, Michigan
48192*

December 4, 2009

City of Wyandotte Planning Comm.
Re: Special Approval #PC221

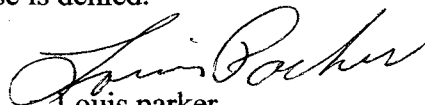
This letter is to inform you that we oppose the granting of the Special Approval for a Certificate of Occupation (License Gun Sales at 2333 6th. Street, Wyandotte, Michigan.)

It totally is unacceptable to have gun sales in a residential neighborhood; common sense requires a denial of this request.

There are plenty of stores available in the business district.

Should there be a burglary of guns and ammunition from this home, what a getaway, the railroad tracks with dead end streets surrounding this home, one way in and one way out by motorized vehicles.

Certainly hope and pray this license is denied.


Louis parker


Aileen Parker

PC#221

December 9, 2009

To the City of Wyandotte Planning Commission
Regarding Special Approval PC 221

In our opinion this request to sell guns out of a basement, of a private home, located at 2333 6th Avenue here in the City of Wyandotte, in a residential neighborhood is reprehensible.

It is our sincere hope that this request be resolved by a strong vote of "No". Wyandotte neighborhoods are regarded as a good place to live, raise families and should not be tainted by honoring such a request.

Hopefully the Planning Commission gives some very serious and strong thought and good judgement and denies this possibility.

Gene and Hanna Barnes
526 Mulberry

PC#221

To Whom It may Concern 12-7-09

As a resident of Cambridge Commons I have been made aware of a situation which I am vehemently opposed to. I have been made aware that a resident at 2333 6th street has applied to sell guns from his home residence. We do not need to be concerned about the implications or for the safety of the residents of our complex as well as the residents of surrounding areas. This letter is to state my opposition to this residents request

Respectfully yours
Resident of
Cambridge Commons
Mulberry street

PC#221