

City of Wyandotte
PLANNING COMMISSION
Minutes of the Thursday, February 18, 2010, Meeting
MINUTES AS RECORDED

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

COMMISSIONERS PRESENT: Eberts, Krimmel, Lupo, Rockershousen, Schultz, Tavernier

COMMISSIONERS EXCUSED: Duran, Hovis, Parker

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

COMMUNICATIONS:

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

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:

MOTION BY COMMISSIONER ROCKERSHOUSEN, supported by Commissioner Eberts to approve the minutes of the Meeting of December 17, 2009. No meeting January 21, 2010. MOTION PASSED.

NEW BUSINESS:

1. Request of Leonard Nadolski, owner of 1 St. Johns, Wyandotte regarding changes to the approved site plan for the property at 1 St. Johns, Wyandotte. The property is located in a PD- Planned Development District

MOTION BY COMMISSIONER ROCKERSHOUSEN, supported by Commissioner Eberts:

WHEREAS, the Planning Commission has received a recommendation from the City Engineer regarding the proposed changes to the previously approved PD Site Plan for the property at 1 St. Johns dated January 4, 2010, wherein the Applicant has applied for a restaurant, banquet hall, outdoor café, racked boat storage, boat stop over boat docking, off street parking and surrounding uses to be operated in accordance with submitted plans; AND

NOW THEREFORE, BE IT RESOLVED that the Planning Commission concurs with the recommendation of the City Engineer and hereby approves the revised uses and plans submitted by JB Wharf for 1 St. Johns shown on the following plans:

Sheet ASP -1 dated 11/26/09 Revision 1/20/10
Sheet A-1.1 dated 11/26/09 Revision 1/20/10
Sheet A-1.2 dated 11/26/09 Revision 1/20/10
Sheet A-2.1 dated 11/26/09 Revision 1/20/10
Sheet A-2.2 dated 11/26/09 Revision 1/20/10
Sheet A-3 dated 11/26/09 Revision 1/20/10
Sheet A-4 dated 11/26/09 Revision 1/20/10

- Provide a Hold Harmless Agreement holding the City of Wyandotte harmless for the use of the pool.

BE IT FURTHER RESOLVED that the permitted hours of operation for the outdoor café is 7:00 a.m. to 2 a.m. and the outdoor café area is subject to all conditions applicable to an outdoor café on private property per the City of Wyandotte's Zoning Ordinance Section 2202.S. The Applicant is responsible for reviewing, understanding and complying with the requirement of the Ordinance.

YES: Eberts, Krimmel, Lupo, Rockershousen, Schultz and Tavernier

); None

ABSENT: Duran, Hovis, Parker

MOTION PASSED

PUBLIC HEARING PC #222 – Request of BCMT O’Hara, LLC (Appellant) and Claudia O’Hara (Owner) for a Certificate of Occupancy for a Used Car Lot at 502 Goddard, Wyandotte, in a B-2 Zoning District

MOTION BY COMMISSIONER ROCKERSHOUSEN, supported by Commissioner Tavernier to grant the Certificate of Occupancy for a Used Car Lot at 502 Goddard provided the Applicant applies to the Zoning Board of Appeals for a variance for the items they do not meet and further that they are limited to two (2) cars at one time for sale.

YES: Rockershousen
NO: Eberts, Krimmel, Lupo, Schultz, Tavernier
ABSENT: Duran, Hovis, Parker
MOTION FAILED TO PASSED

PERSONS IN THE AUDIENCE:

None

SPECIAL ORDER:

None

BILLS AND ACCOUNT:

MOTION BY COMMISSIONER TAVERNIER, supported by Commissioner Rockershousen to:

1. Pay Beckett & Raeder for Planning Consultant Fees for December 2009 and January 2010 in the amount of \$1,400.00
2. Hours for Secretarial Services: 12/10/09 – 01/28/10 Total Hours 14.50

YES: Eberts, Krimmel, Lupo, Rockershousen, Schultz, Tavernier
NO: None
ABSENT: Duran, Hovis, Parker
MOTION PASSED

MOTION TO ADJOURN:

MOTION BY COMMISSIONER ROCKERSHOUSEN, supported by Commissioner Eberts to adjourn the meeting at 9:00 a.m.

PUBLIC HEARING PC#222 – Request of BCMT O’Hara (Appellant) and Claudia O’Hara (Owner) for a Certificate of Occupancy for a Used Car Lot at 502 Goddard, Wyandotte.

Chairperson Krimmel opened the Public Hearing for comments

Mr. Brad O’Hara, Owner present.

Chairperson Krimmel wanted clarification on how Mr. O’Hara would get these vehicles to sell.

Mr. O’Hara indicated that if he works on a car and the people do not have the funds to pay him, he would keep the car and wants to be able to sell it on the property.

Chairperson Krimmel asked if he gives them an estimate, why they would not have the funds to pay him.

Mr. O’Hara indicated that he does give an estimate, but sometimes the cost exceeds the value of the car, but the car is still worth fixing and selling to him or selling the parts of the car.

Commissioner Lupo asked if Mr. O’Hara if he owns the house adjacent to the business.

Mr. O’Hara indicated that he did and it had a different address.

Commissioner Lupo asked if they had 3 bays that they use and how would the cars be stored if all the bays were in use.

Mr. O’Hara reviewed the site plan submitted with the application.

Mr. Leman reviewed the Ordinance for Used Car Lots with the Commission and indicated that additional requirements per the Ordinance would be required under Special Use.

Mr. Leman indicated that some of the items are not shown on the site plan that are required could be appealed to the Zoning Board of Appeals.

Mr. O’Hara indicated that this would not be your typical used car lot. Mr. O’Hara indicated that he would only be selling cars that were left which would help with the cost of running the business.

Mr. Leman asked if he would have more than 3 vehicles for sale at one time.

Mr. O’Hara indicated that 3 would probably be the most.

Chairperson Krimmel indicated that there are currently 3 or 4 cars on the west side of the building.

Mr. O’Hara indicated that they are waiting to be fixed.

Mr. Leman asked if he parks cars on 5th Street.

Mr. O’Hara indicated that he did not.

Chairperson Krimmel asked if there are cars on the west side of the building, where would the cars go that are for sale.

Mr. O’Hara indicated that they would be parked in the front and on the east side of building with a for sale sign on them.

Commissioner Lupo asked if they did bumping and painting in the shop.

Mr. O’Hara stated that they did not.

Commissioner Lupo asked how long they have been in business.

Mr. O'Hara indicated 4 months.

Commissioner Lupo asked what the hours of operation are.

Mr. O'Hara indicated that they were from 8 a.m. to 6 p.m.

Chairperson Krimmel indicated that Mr. O'Hara wants only to sell 2 or 3 cars at a time, but the City does not have the man power to enforce this should the Commission approved this.

Mr. O'Hara indicated that he lives in Wyandotte and he is raising his family here and he does not want to do anything that would create a problem in the neighborhood.

Commissioner Lupo asked if he had cars for sale now.

Mr. O'Hara indicated that he has his personal car for sale but that is it.

Ms. Teresa Renaud – Owner of the adjacent property 522 Goddard, Wyandotte.

Ms. Renaud indicated that she does not live in the home at 522 Goddard it is a rental, but there are cars parked up against the fence and her tenants have complained to her about this business. Ms. Renaud indicated that approving this use would lower the value of her property and she is not for this appeal.

Chairperson Krimmel stated that Mr. O'Hara is only asking for permission for 2 cars at a time that would be for sale.

Ms. Renaud indicated that there are 4 cars parking there now. Ms. Renaud further indicated that her tenants did complain about the noise.

Commissioner Eberts indicated that this property is in a residential district.

Mr. Leman indicated that the subject property is zoned B-2 which is proper for this use.

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.