

**City of Wyandotte**  
PLANNING COMMISSION  
*Minutes of the Thursday, June 27, 2012, Meeting*  
MINUTES AS RECORDED

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

COMMISSIONERS PRESENT: Adamczyk, Duran, Krimmel, Lupo, Parker, Schultz, Tavernier

COMMISSIONERS EXCUSED: Eberts and Hovis

ALSO PRESENT: Charles Leman  
Kelly Roberts, Recording Secretary

**COMMUNICATIONS:**

- No Action Taken

**APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:**

MOTION BY COMMISSIONER SCHULTZ, supported by Commissioner Lupo to approve the minutes of the Regular Meeting of May 17, 2012. MOTION PASSED.

**OLD BUSINESS:**

Communication from the City Council regarding the request from Gerald E. Diamond, 126 Oak Street, Wyandotte relative to internet café at 122-128 Oak Street.

Mr. Diamond contacted the Planning Commission Secretary and explained that they are closing their doors and will not be operating this business any longer.

Mr. Leman indicated that under state law internet gambling is illegal.

The Commission discussed the different definitions of internet cafes, for example, the coffee houses have internet that they offer to their customers. The Commission continued to discuss what should be done with this request and further requests.

MOTION BY COMMISSIONER TAVERNIER, supported by Commissioner Duran to forward a communication to the City Council to add internet cafes to the Zoning Ordinance.

YES: Adamczyk, Duran, Krimmel, Lupo, Parker, Schultz, Tavernier

NO: None

ABSENT: Eberts, Hovis

MOTION PASSED

**NEW BUSINESS:**

1. **PUBLIC HEARING - #300**– requested by Anja Dinion and Samaa Rizk (Appellant) and Pete Zouzaneas (Owner) for A Certificate of Occupancy for an Outdoor Café at 121 Maple, Wyandotte, Michigan

MOTION BY COMMISSIONER TAVERNIER, supported by Commissioner Lupo to APPROVE the request for the the outdoor café subject to the following conditions:

1. All conditions applicable to an outdoor café on public 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 11 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. Approval by City Council for use of the public property.
8. Outdoor enclosure to be similar to the streetscape design typical in appearance as others in the Downtown Area.

YES: Adamcyk, Duran, Krimmel, Lupo, Parker, Schultz, Tavernier

NO: None

ABSENT: Eberts, Hovis

MOTION PASSED

2. **PUBLIC HEARING #301** – requested by R. P. McMurphy's (Appellant) and Marie Stevenson (Owner) for a Certificate of Occupancy to for an Outdoor Café at 2922 Biddle Avenue, Wyandotte be

MOTION BY COMMISSIONER SCHULTS, supported by Commissioner Parker to APPROVE the request for the the outdoor café 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 11 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 are approved provided only the name of establishment is used on the drip-tee only, no logo's for products.
7. Plans indicate six (6) tables, they should be spaced to allow a 44 inch aisle for egress.
8. Café needs to be handicap accessible from the landing off of the ramp or be accessible from Oak Street sidewalk with a minimum 44 inch width wrought iron gate in the private alley right of way with approved gate that can be opened in a wheel chair position on a sloped surface.

9. A drainage plan of alley in conjunction with drainage of outdoor café shall be submitted and approved by the City Engineer before any work proceeds.
10. Applicant described brick pavers which is an approved hard surface.
11. A 44" minimum width gate is required at the south and north end of fenced area.

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

**3. PUBLIC HEARING #060512** Request from the City of Wyandotte to consider changes to the City of Wyandotte's Zoning Ordinance Article XXIV – General Provisions, Section 2408 Signs, Sub-Section F (2) (k) (1) and (2) – permitted signs by Zoning District, O-S, B-1, B-2 & PD, Changeable Message Signs

MOTION BY COMMISSIONER PARKER, supported by Commissioner Schultz that the Commission concurs with the recommendation of the changes to the City of Wyandotte Zoning Ordinance entitled Article. XXIV – General Provisions, Section 2408 Signs, Sub-Section F (2) (k) (1) and (2) – permitted signs by Zoning District, O-S, B-1, B-2 & PD, Changeable Message Signs

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

**PERSONS IN THE AUDIENCE:**

No persons in audience.

**SPECIAL ORDER:**

**Murals and Public Art:**

Mr. Leman indicated that he had passed out the proposed ordinance to all the Commissioners, City Engineer and DDA Director and some minor changes were suggested and they were changed.

Therefore, a MOTION BY COMMISSIONER SCHULTZ, supported by Commissioner Tavernier to recommend to the City Council the proposed mural and public art ordinance prepared by Mr. Leman and submitted to the Commission be hereby approved.

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

**2012-2013 BUDGET:**

MOTION BY COMMISSIONER LUPO, supported by Commissioner Schultz to approval the 2012-2013 Budget as follow:

Overtime	101-810-725-120	\$4,000
FICA	101-810-725-150	\$306.00
Office Supplies	101-810-750-210	\$100.00
Consultant & Master Plan Update	101-810-825-390	\$18,400.00
Travel/Education	101-810-925-710	\$1,500.00

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

**BILLS AND ACCOUNT:**

MOTION BY COMMISSIONER SCHULTZ, supported by Commissioner Duran to:  
Pay Beckett & Raeder for Planning Consultant fee for June 2012 in the amount of \$700.00  
Hours for Secretarial Services: 05/05/12 – 06/03/12 14 Total Hours

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

**MOTION TO ADJOURN:**

MOTION BY COMMISSIONER LUPO, supported by Commissioner Schultz to adjourn the meeting at 7:45 p.m.

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PUBLIC HEARING - #300 - Requested by Anja Dinion and Samaa Rizk (Appellant) and Pete Zouzaneas (Owner) for A Certificate of Occupancy for an Outdoor Café at 121 Maple, Wyandotte, Michigan

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Chairperson Krimmel opened the Public Hearing and asked if there was anyone present who wishes to speak about this public hearing.

Mr. Leman asked if there would be smoking.

Ms. Dinion and Ms. Rizk, Appellant, present.

Ms. Dinion stated that they would be running the outdoor café with the Laperla Hooka Café. Ms. Dinion explained who the Café would work and there would be smoking outside and inside.

Mr. Leman asked if it would be like the cigar bar.

Ms. Dinion stated yes, kind of.

Mr. Leman asked if there would be alcohol.

Ms. Dinion stated no, just soft drinks and they would purchase time with a hooka. Ms. Dinion reviewed how the hooka works.

Chairperson Krimmel asked if there was a fee.

Ms. Dinion stated yes, the person would come in and order a hooka and the supplies would be provided by them. Ms. Dinion explained how the hooka works with water and tobacco supplied to them.

Commissioner Lupo asked if someone could bring in their own tobacco.

Ms. Dinion stated no, that the tobacco comes sealed from them only, you cannot bring in your own.

Ms. Dinion asked if they could have a sponsor's name on the umbrellas.

Commissioner Schultz stated no, you could only have their name on the drip tee of the umbrellas no other business.

Chairperson Krimmel stated that you can't advertise products, only the establishment.

PC# 300

**Kelly Roberts**

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**From:** Daniel Grant <dgrant@wyan.org>  
**Sent:** Tuesday, June 12, 2012 2:14 PM  
**To:** 'Kelly Roberts'  
**Subject:** RE: Outdoor Cafe at 3106 Biddle / 121 Maple

Hi Kelly,

I have no problems if the plans as submitted are approved as long as they don't violate any ordinances of the City of Wyandotte.

Thanks,

Dan



**Daniel J. Grant, Chief of Police**  
**Wyandotte Police Department**  
**2015 Biddle Ave, Wyandotte, MI. 48192**  
**Office 734 324-4420**  
**FAX 734 324-4442**  
**[dgrant@wyan.org](mailto:dgrant@wyan.org)**

**OFFICIALS**

WILLIAM R. GRIGGS  
CITY CLERK

ANDREW A. SWIECKI  
CITY TREASURER

COLLEEN A. KEEHN  
CITY ASSESSOR



PCH 300

**MAYOR**  
JOSEPH R. PETERSON

**CITY COUNCIL**  
TODD M. BROWNING  
JAMES R. DESANA  
SHERI M. SUTHERBY-FRICKE  
DANIEL E. GALESKI  
LEONARD T. SABUDA  
LAWRENCE S. STEC

June 12, 2012

Engineering Department  
City of Wyandotte  
3131 Biddle Avenue  
Wyandotte, Michigan 48192

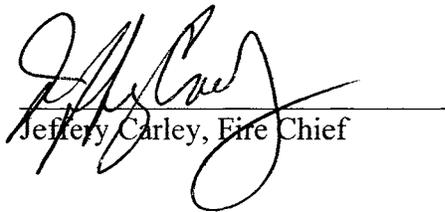
**PLAN REVIEW**

Address: 121 Maple

The undersigned has reviewed the plans for an Outdoor Café submitted for 121 Maple:  
The fire department approves as submitted

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

Sincerely,

  
Jeffery Carley, Fire Chief

OFFICIALS

William R. Griggs  
CITY CLERK

Andrew A. Swiecki  
CITY TREASURER

Colleen A. Keehn  
CITY ASSESSOR



MARK A. KOWALEWSKI, P.E.  
CITY ENGINEER

PC#300  
MAYOR  
Joseph R. Peterson

COUNCIL  
Todd M. Browning  
James R. DeSana  
Sheri Sutherby Fricke  
Daniel E. Galeski  
Leonard T. Sabuda  
Lawrence S. Stee

June 2, 2012

Elizabeth A. Krimmel, Chairperson  
Planning Commission  
City Hall  
Wyandotte, Michigan

RE: Plan Review for the Outdoor Café  
At 121 Maple  
Wyandotte, Michigan

Dear Chairperson Krimmel and Commission Members:

A plan review has been completed for the outdoor café at 121 Maple and the following items are required to be addressed:

- The metal guardrail fence to be erected around the outdoor café should be black to be typical in appearance as others in the Downtown Area.
- Plans do not indicate umbrellas, benches, or planters it's assumed none will be installed.

In addition, if the Planning Commission approves said plans they must also be approved by the Mayor and City Council since the outdoor café is within the public right-of-way.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mark A. Kowalewski".

Mark A. Kowalewski  
City Engineer

cc: Anja Dinion & Samaa Rizk

Chairperson Krimmel asked if there was anyone else present who wishes to speak about this public hearing.

There being no further questions, the public hearing was closed.

Communication were received from the Police Chief, Fire Chief and City Engineer. These communications were read and made part of the file.

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PUBLIC HEARING Approval #301 – requested by R. P. McMurphy's (Appellant) and Marie Stevenson (Owner) for a Certificate of Occupancy to for an Outdoor Café at 2922 Biddle Avenue, Wyandotte be

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Chairperson Krimmel opened the Public Hearing and asked if there was anyone present who wishes to speak about this public hearing.

John Rusu and Cory Rusu, Appellant, present.

Chairperson Krimmel as if the café would be behind the building on the private property.

C. Rusu stated that is correct. C. Rusu stated further that this was never an alley it has always been just vacant property behind the buildings.

J. Rusu stated that the property was always used for parking for their employees and egress for the other buildings.

Chairperson Krimmel stated that we need to just state that it is private property not an alley.

Chairperson Krimmel asked how wide if the café.

J. Rusu stated it will be 18 feet wide to the handicap ramp and 42 feet deep to the property line.

Chairperson Krimmel asked about the gate.

J. Rusu stated that they like the feel of old Chicago and the fence will enhance the look of the café and the whole area will be cleaned up.

Chairperson Krimmel read a letter received from the Church across Oak Street.

J. Rusu stated that their café will not be any closer than The Dot's Café on Oak Street on the next block.

Mr. Leman asked if that area was for trash collection, as indicated in the letter from the Church.

J. Rusu stated that the trash is not picked up in that area. J. Rusu stated that the area does need to be cleaned up.

Mr. Leman asked if the area would be paved.

C. Rusu stated yes with flag stone.

Mr. Leman asked if there would be only one way in.

C. Rusu stated, you could enter from Oak Street or from the building.

Commissioner Lupu indicated that the other buildings that face this area need to be fixed up.

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J. Rusu stated that he would be working with the other owners to make the area look nice.

Commissioner Lupo indicated that every door should have an address on it and stated further that it is hard to know what address is what.

C. Rusu stated that he agrees and the whole area needs to be cleaned up along with the buildings and that will be done.

Chairperson Krimmel read the letters received from the Police Chief, Fire Chief and City Engineer into the record.

Mr. Leman asked if they had an outdoor café in the front.

J. Rusu yes, they received approval for an outdoor café out front and they will set it up again during the art fair.

Commissioner Tavernier questioned the comments from the Fire Chief about the gate for the handicap accessibility.

C. Rusu stated that there will be a gate that is accessible for the handicap and they will comply will all ordinances.

J. Rusu reviewed the site plan with the Commissioner.

Mr. Marvin Scallon, 93 Oak Street, present.

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Mr. Scallon stated that his building egresses out onto this property and he feels Mr. Rusu has answered all his questions and he supports this café and what Mr. Rusu is doing. Mr. Scallon stated further that he is excited about the concept and he is sure it will be a first class operation.

Chairperson Krimmel stated that they have to comply with the requirements of the City Engineer.

C. Rusu stated yes, and they will be working with the Engineering Department to ensure that the drainage is away from the buildings off of this area.

Commissioner Tavernier questioned the type of fencing that will be used.

J. Rusu stated that they are reclaiming an old fence and it will look very nice. J. Rusu supplied a copy of the fence type.

Chairperson Krimmel indicated that the café is on private property and the fence does not need to match the other fences in the downtown.

J. Rusu stated that the fence they are going to use is more architectural to the building than the fences in the outdoor cafés.

Chairperson Krimmel asked if there was anyone else present who wishes to speak about this public hearing.

There being no further questions, the public hearing was closed.

Communications were received from the Police Chief, Fire Chief and City Engineer and one (1) from the First United Methodist Church. These communications were read and made part of the file.

**PUBLIC HEARING #060512** Request from the City of Wyandotte to consider changes to the City of Wyandotte's Zoning Ordinance Article XXIV – General Provisions, Section 2408 Signs, Sub-Section F (2) (k) (1) and (2) – permitted signs by Zoning District, O-S, B-1, B-2 & PD, Changeable Message Signs

Chairperson Krimmel opened the Public Hearing and asked if there was anyone present who wishes to speak about this public hearing.

Chairperson Krimmel indicated that this change is due to the request of Hood's Hardware and a changeable message sign on existing ground and pole signs in Zoning District, O-S, B-1, B-2 & PD is a good idea.

There being no further questions, the public hearing was closed.

No Communications were received regarding this public hearing.

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pc # 301

*First United Methodist Church  
72 Oak Street  
Wyandotte, Michigan 48192*

*Rev. Dr. Alan J. Hanson, Pastor  
(734) 282-9222  
June 25, 2012*

Wyandotte Planning Commission  
3131 Biddle Ave.  
Wyandotte, Michigan 48192

Dear Commission Members,

I am writing to you in regard to the application for R P McMurphy's to have an Outdoor Café behind their establishment at 2922 Biddle. Our congregation's Administrative Council considered this request at its meeting on June 19 and have gone on record as being in opposition to this proposal.

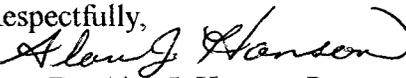
First let us state that we support the expansion of business within Wyandotte and regard R P McMurphy's highly. We also believe that the addition of outdoor eating areas to be a positive addition to the downtown atmosphere. However we have a number of concerns that lead us to oppose this particular application.

At the time of our discussion, we had no idea what this plan would look like. Are we talking about it being on the sidewalk along Oak Street or in the alley behind the building. We oppose Oak Street as this would be directly across from the church and would introduce alcohol too close to our facility. The alley is also too close to our facility and our many activities. The alley is the avenue for delivery trucks and garbage disposal from the restaurant, and we fail to see how that is a suitable site for eating. Even if it is refinished in some way, it leaves it too close to our front door. We would not oppose the Outdoor Café if it were placed on Biddle. That seems much more appropriate and appealing.

In the recent past you approved a outdoor site at Jerry's Lounge on Oak Street, which we also opposed. Our observations have been that there is more drinking going on there than eating. We continue to believe this is too close to the church. We have been co-operative with various Third Friday and other activities downtown, but believe that restrictions were put in place for good reasons and would like them upheld.

We hope that Ms. Stevenson would consider moving the Outdoor Café to Biddle Street and preserve the activities in front of the church. Because we are conducting Bible School this week, I am unable to come in person. If there are questions, please contact me.

Thank you for your work, and serious consideration of our concerns.

Respectfully,  
  
Rev. Dr. Alan J. Hanson, Pastor

PC #301

**Kelly Roberts**

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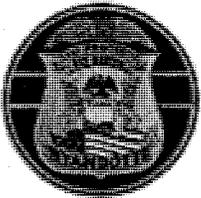
**From:** Daniel Grant <dgrant@wyan.org>  
**Sent:** Wednesday, June 06, 2012 10:53 AM  
**To:** 'Kelly Roberts'  
**Subject:** RE: Outdoor Cafe at 2922 Biddle

Hello Kelly,

I have reviewed the plans for the outdoor café as proposed for the alley area behind R.P. McMurphy's. I have no problem with the proposal being approved as long as it meets all standards as prescribed by our local ordinances. Being a licensed establishment with the Michigan Liquor Control Commission, they are required to get an outdoor service permit from the LCC if they are going to be serving alcoholic beverages within this proposed area.

If you need anything further, please let me know

Dan Grant



**Daniel J. Grant, Chief of Police**  
**Wyandotte Police Department**  
**2015 Biddle Ave, Wyandotte, MI. 48192**  
**Office 734 324-4420**  
**FAX 734 324-4442**  
**[dgrant@wyan.org](mailto:dgrant@wyan.org)**

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**From:** Kelly Roberts [<mailto:kroberts@wyan.org>]  
**Sent:** Friday, June 01, 2012 8:25 AM  
**To:** Dan Grant; Jeff Carley  
**Subject:** Outdoor Cafe at 2922 Biddle

Chiefs: Please review the attached application for an outdoor café behind the building at 2922 Biddle Avenue.

If possible I will need your comments or approval by June 13<sup>th</sup> for the Planning Commission Agenda.

Thank you.

Kelly Roberts  
City of Wyandotte  
3131 Biddle Avenue  
Wyandotte, MI 48192  
Direct No. 734-324-4555  
Fax No. 734-324-4535

PCH301

**OFFICIALS**

WILLIAM R. GRIGGS  
CITY CLERK

ANDREW A. SWIECKI  
CITY TREASURER

COLLEEN A. KEEHN  
CITY ASSESSOR



**MAYOR**

JOSEPH R. PETERSON

**CITY COUNCIL**

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JAMES R. DESANA  
SHERI M. SUTHERBY-FRICKE  
DANIEL E. GALESKI  
LEONARD T. SABUDA  
LAWRENCE S. STEC

June 1, 2012

Engineering Department  
City of Wyandotte  
3131 Biddle Avenue  
Wyandotte, Michigan 48192

**PLAN REVIEW  
OUTDOOR CAFÉ**

Address: 2922 Biddle R. P. McMurphy's

The undersigned has reviewed the plans submitted for 2922 Biddle:

Listed below you will find 7 businesses that use this alley for their second means of egress, also, you will find in this alley utilities. (Attached you will find photos of 2<sup>nd</sup> egresses and utilities)

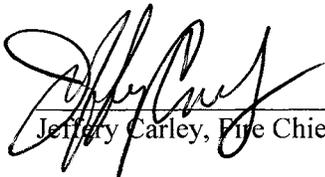
Businesses that currently use this alley for their second means of egress

- |                                    |                                   |
|------------------------------------|-----------------------------------|
| 1. 93 Oak                          | 5. 2932 Biddle currently vacant   |
| 2. 95 Oak                          | 6. 2934 Biddle Eclipse Studios    |
| 3. Private Residence above 99 Oak  | 7. 2938 Biddle Total Health Foods |
| 4. 2928 Biddle Little Mons Success |                                   |

- An exit passageway must be maintained to the public way (Oak Street).
  - IFC 1023.1 An exit passageway shall not be used for any purpose other than as a means of egress.
  - IFC 1023.2 The width of exit passageways... shall not be less than 44 inches and shall be unobstructed
- Access to Buildings Openings and Roofs and to Building Services and Systems
  - IFC 504.1 Exterior doors and openings... shall be maintained readily accessible for emergency access by the fire department

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

Sincerely,

  
Jeffery Carley, Fire Chief

OFFICIALS

William R. Griggs  
CITY CLERK

CITY TREASURER  
Andrew A. Swiecki

Colleen A. Keehn  
CITY ASSESSOR



PH 301  
MAYOR  
Joseph R. Peterson

COUNCIL  
Todd M. Browning  
James R. DeSana  
Sheri Sutherby Fricke  
Daniel E. Galeski  
Leonard T. Sabuda  
Lawrence S. Stec

PLANNING COMMISSION

June 2, 2012

Elizabeth A. Kimmel, Chairperson  
Planning Commission  
City Hall  
Wyandotte, Michigan

RE: Plan Review for the Outdoor Café  
At 2922 Biddle Avenue  
Wyandotte, Michigan

Dear Chairperson Kimmel and Commission Members:

A plan review has been completed for the outdoor café at behind R. P. McMurphy's Café, 2922 Biddle Avenue and the following items are required to be addressed:

- Plans indicate six (6) tables, they should be spaced to allow a 44 inch aisle for egress.
- There is no elevation on drawing it needs to be handicap accessible from the landing off of the ramp or be accessible from Oak Street sidewalk with a minimum 44 inch width wrought iron gate in the private alley right of way.
- The proposed wrought iron gate at the bottom of the ramp is a violation of the Barrier Free Code in that you cannot open a gate while in a wheel chair positioned on a sloped surface. Therefore, the gate at this location is prohibited.
- Plan does not indicate if umbrellas will be present, planter boxes or electrical outlets.
- A drainage plan of alley in conjunction with drainage of outdoor café due to the exiting roof drainage of five (5) buildings whose rain gutters currently drain into this alley. This needs to be completed prior to a hard surface being placed.
- The plans fail to indicate what type of hard surface will be placed.
- A wrought iron fence is planned for both ends of café as per conversation with R.P. McMurphy employee, but not indicated on the plans. A 44" minimum width gate is required at the south and north end to allow for emergency egress and access to a public way.

Very truly yours,

Mark A. Kowalewski  
City Engineer

cc: R.P. McMurphy's