

City of Wyandotte
PLANNING COMMISSION
Minutes of the Thursday, September 5, 2013, Meeting
MINUTES AS RECORDED

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

COMMISSIONERS PRESENT: Adamczyk, Benson, Krimmel, Lupo, Parker, Pasko, Tavernier

COMMISSIONERS EXCUSED: Duran, Booms

ALSO PRESENT: Ben Tallerico
Kelly Roberts, Recording Secretary

COMMUNICATIONS:

MOTION BY COMMISSIONER BENSON, supported by Commissioner Lupo to receive and place on file all communications. MOTION PASSED

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:

MOTION BY COMMISSIONER BENSON, supported by Commissioner Pasko to approve the minutes of the Regular Meeting of August 15, 2013. MOTION PASSED.

OLD BUSINESS:

1. PUBLIC HEARING PC303– Request from Rick DeSana, operator of Captain's, for a Certificate of Occupancy for an outdoor café in the front of the property at 126 Oak Street, Wyandotte, Michigan. The property is located in the CBD District where the proposed café conflicts with Section 2202.S.2

MOTION BY PASKO, supported by Commissioner Benson that Special Approval #303 – requested by Captains (Owner and Appellant) for a Certificate of Occupancy for an Outdoor Café in front of 126 Oak 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 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 2202.S.2 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. Fence detail to be the same as Belicoso Café, 3030 Biddle Avenue, Wyandotte.
8. Table detail to be the same as Belicoso Café, 3030 Biddle Avenue, Wyandotte.
9. Approval by City Council for use of the public property is required.
10. A minimum of 32" clearance would be required from the curb flow line to the proposed south outside edge of the 5' walk. This distance is required to prevent the out word swing of the vehicle door from encroaching into the walk.
11. The existing planter and tree shall remain.

YEAS: Adamczyk, Benson, Krimmel, Lupo, Pasko, Parker, Tavernier

NO: None

ABSENT: Booms, Duran

NEW BUSINESS:

None

PERSONS IN THE AUDIENCE:

No persons in audience.

SPECIAL ORDER:

None

BILLS AND ACCOUNT:

None

MOTION TO ADJOURN:

MOTION BY COMMISSIONER PASKO, supported by Commissioner Lupo to adjourn the meeting at 6:55 p.m.

PUBLIC HEARING PC303– Request from Rick DeSana, operator of Captain's, for a Certificate of Occupancy for an outdoor café in the front of the property at 126 Oak Street, Wyandotte, Michigan. The property is located in the CBD District where the proposed café conflicts with Section 2202.S.2.

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

Rick DeSana, 2530 Medford, Trenton.

Planning Commission
Meeting September 5, 2013

Mr. DeSana thanked the Commission for having the special meeting to review his request for the outdoor café. Mr. DeSana stated that he has revised his plan and it will match the adjacent outdoor café at the Dotte Pub. Mr. DeSana continued that all the requirements of the outdoor café will be met.

Chairperson Krimmel read the communications received from the Police, Fire and City Engineer.

Mr. DeSana stated that the fencing would be black aluminum the same as the Dotte Pub.

Commissioner Pasko asked if there would be a gate between the two (2) cafes.

Mr. DeSana stated no. Mr. DeSana stated that they would talk to the Dotte Pub and see if they could just continue their fencing.

Commissioner Benson asked about the planter boxes that the trees are located in and questioned if these should be removed.

There was a discussion regarding the planter boxes.

Mr. DeSana stated that there is a bush that will need to be removed.

Commissioner Benson indicated that other outdoor cafes have incorporated the trees and he did not feel the trees should be removed.

Mr. DeSana stated that the tree could remain and they would work around them like the Sycamore Plaza outdoor cafe.

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

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

No communications were received regarding this hearing.

OFFICIALS

William R. Griggs
CITY CLERK

Todd M. Browning
CITY TREASURER

Thomas R. Woodruff
CITY ASSESSOR



MAYOR
Joseph R. Peterson

COUNCIL
Sheri Sutherby Fricke
Daniel E. Galeski
Ted Miciura, Jr
Leonard T. Sabuda
Donald C. Schultz
Lawrence S. Stec

PLANNING COMMISSION

August 27, 2013

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

RE: Proposed Outdoor Café
in the front of 126 Oak Street

Dear Mrs. Krimmel:

The undersigned has reviewed the plan and application submitted for the proposed outdoor café in front of the above captioned property and the following applies.

1. There are no details of proposed fencing or tables.
2. The plan needs to show the distance from the flow line of the curb to the fence. It is recommended 32 inches clear to prevent a car door from swinging out and hitting the fence.
3. Since the proposed café is located in the City right-of-way, City Council approval will be needed.

Therefore, a proposed Resolution is attached for your consideration. If you have any questions, please feel free to contact the undersigned.

Very truly yours,

Mark A. Kowalewski
City Engineer

Jeffery Carley
Fire Chief

MAK/JC:kr

Attachment

cc: Rick DeSana, Captains

MAYOR
Joseph R. Peterson

CITY CLERK
William R. Griggs

TREASURER
Todd M. Browning

CITY ASSESSOR
Thomas R. Woodruff



DANIEL J. GRANT
CHIEF OF POLICE

CITY COUNCIL
Sheri Sutherby Fricke
Daniel E. Galeski
Ted Miciura, Jr.
Leonard T. Sabuda
Donald C. Schultz
Lawrence S. Stec

TO: Kelly Roberts, Development Coordinator

DATE: August 27, 2013

FROM: Daniel J. Grant, Chief of Police

A handwritten signature in black ink that reads "Daniel J. Grant".

SUBJECT: NEW OUTDOOR SERVICE – 126 OAK STREET

CC: Clerks Office

This correspondence is in response to your e-mail dated Tuesday August 27, 2013 relative to the Outdoor Service application at Captain's, 126 Oak Street, Wyandotte, Michigan. In regards to the proposed rear service area on the north side of the building, there are 2 parking lots to the rear of the building on the north side of the alley which create a significant distance to the homes on Chestnut Street and should alleviate any concerns related to excessive noise. I have no objections if the proposal for front and rear outdoor service areas are approved as illustrated on the engineering drawings submitted by the applicant, with the following conditions:

- The applicant meets all laws and ordinances as required by the Fire and Engineering Departments.
- Engineering approves Captain's for use of the intervening property at the front of the building which is 45' long which is the width of the building front and 6' 3" wide which is proposed for the front sidewalk area.
- Since the proposed outdoor service area is adjacent to the Dotte Pub, the license holder must assure that the fencing/barrier between the two areas is maintained so there will be no movement of patrons between the two licensed areas while in possession of alcoholic beverages.
- Approval is received from the Liquor Control Commission for an Outdoor Café.

Further, the police department recommends that Captain's be reminded that an outdoor service permit allows the sale, service, and consumption of alcoholic beverages in a well-defined and clearly marked area outside of the licensed premises¹. Compliance with this provision is the responsibility of the licensed establishment, and failure to comply can result in the issuance of a violation.

¹ R 436.1419 - Outdoor Service