

City of Wyandotte
PLANNING COMMISSION
Minutes of the Thursday, November 20, 2014, Meeting
MINUTES AS RECORDED

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

COMMISSIONERS PRESENT: Adamczyk, Benson, Duran, Krimmel, Lupo, Rutkowski, Tavernier

COMMISSIONERS EXCUSED: Parker and Pasko

ALSO PRESENT: Ben Tallerico, City Planner
Kelly Roberts, Recording Secretary

COMMUNICATIONS:

None

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:

MOTION BY COMMISSIONER BENSON, supported by Commissioner Tavernier, to approve the minutes of the Meeting of October 16, 2014. MOTION PASSED.

NEW BUSINESS:

1. PUBLIC HEARING #309 – Request from King Cade LLC, Joshua Cade (Owner and Appellant) for a Certificate of Occupancy for an outdoor café at 2929-2935 Biddle Avenue, City of Wyandotte, County of Wayne, State of Michigan in the CBD Zoning District where the proposed conflicts with Section 2202.S.2 of the City of Wyandotte Zoning Ordinance.

MOTION BY COMMISSIONER TAVERNIER, Supported by Commissioner Rutkowski, that Special Approval #309 – requested by King Cade, LLC (Owner and Appellant) for a Certificate of Occupancy for an Outdoor Café at 2929-2935 Biddle Avenue, Wyandotte, Michigan 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. Approval is for the submitted drawings C-1, A-1, A-2 A-3 and five illustrations from Badrak Design Group, Inc., with C-1 dated September 29, 2014 (revisions October 16, 2014 and November 11, 2014, Planning Clarifications); A-1 A-2 and A-3 dated September 29, 2014 (revisions November 11, 2014, Planning Clarifications). Occupancy must comply with these approved plans and standing room only usage is not permitted.

4. Use of the outdoor café shall be allowed from 7 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.

YES: Adamczyk, Benson, Duran, Krimmel, Lupo, Rutkowski, Tavernier

NO: None

ABSENT: Pasko and Parker

MOTION PASSED

2. PUBLIC HEARING #102814– Request from Noreen Mehlhose (Owner) and Joe Maher (Appellant) to rezone the property known as 2927 4th Street, , City of Wyandotte, County of Wayne, State of Michigan. It is proposed that said land be rezoned from Two Family Residential District (RT) to Plan Development District (PD). The proposed use is Architectural Office and 2nd Floor Apartment.

MOTION BY COMMISSIONER BENSON, supported by Commissioner Tavernier to recommend to the City Council that the property at 2927 4th Street, Wyandotte, Michigan, be rezoned from Two Family Residential District (RT) to Plan Development District (PD).

YES: Adamczyk, Benson, Duran, Krimmel, Lupo, Rutkowski, Tavernier

NO: None

ABSENT: Parker and Pasko

MOTION PASSED

OTHER BUSINESS:

Mr. Tallerico reminded the Commission that a training session would be held at the Commission meeting January 15, 2015 at 5:30 p.m.

BILLS AND ACCOUNT:

MOTION BY COMMISSIONER BENSON, supported by Commissioner Lupo, to pay the Planning Consultant fee for November 2014 to Beckett & Raeder, \$700.00 and 9 hours for Secretarial Services: 10/01/14 to 10/31/14.

YES: Adamczyk, Benson, Duran, Krimmel, Lupo, Rutkowski, Tavernier

NO: None

ABSENT: Parker and Pasko

MOTION PASSED

MOTION TO ADJOURN:

MOTION BY COMMISSIONER LUPO, supported by Commissioner Duran to adjourn the meeting at 7:15 p.m.

PUBLIC HEARING #309 – Request from King Cade LLC, Joshua Cade (Owner and Appellant) for a Certificate of Occupancy for an outdoor café at 2929-2935 Biddle Avenue, City of Wyandotte, County of Wayne, State of Michigan in the CBD Zoning District where the proposed conflicts with Section 2202.S.2 of the City of Wyandotte Zoning Ordinance.

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

Matt from Badrak Design Group, Inc., present representing the owners.

Matt indicated that the owners are looking to add an outdoor café to the development to the south. The outdoor café will have seating, bar and area with fire pit seating, large trellis with seating, a grass area with less dense seating and a small area for outdoor games. Matt indicated that the utilities will be from the building to the south and also the utilities will be supported by this building.

Commissioner Lupo asked if they would have live entertainment.

Matt indicated that there would be no live entertainment at this time, but there might be a DJ.

Commissioner Lupo asked if the fire pits would be used as tables.

Matt indicated that they are decorative not necessary a table.

Commissioner Lupo indicated that the drawings submitted were very detailed.

Commissioner Duran asked about the ingress and egress of the café.

Matt indicated that there would be self-latching gates at each end of the café and you would also be able to enter the café from the building to the south.

Commissioner Rutkowski indicated that there is a noise level that can't be violated.

Matt indicated that they would do their best to meet that requirement, but it will be a challenge, but there will be no live entertainment.

Commissioner Tavernier indicated that noise level is measured from the nearest residential property.

Commissioner Benson indicated that the application request hours until 2:00 a.m. and continued that it can only be opened until mid-night per the ordinance.

Matt indicated that mid-night was fine.

Mr. Tallerico indicated that the outdoor café is very large and there should be a hostess stand at each end of the café to prevent theft.

Matt indicated that they will have people in the café area watching the area, but he has no objection to a hostess stand.

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

Communications were received from the City Engineer, Chief of Police and Fire Chief which were read into the file. No other communications were received.

PUBLIC HEARING #102814– Request from Noreen Mehlhose (Owner) and Joe Maher (Appellant) to rezone the property known as 2927 4th Street, , City of Wyandotte, County of Wayne, State of Michigan. It is proposed that said land be rezoned from Two Family Residential District (RT) to Plan Development District (PD).

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

Tom Roberts, 458 Orange, Wyandotte, present.

Mr. Roberts indicated that he plans on purchasing the property for is business, architect firm , but his use requires rezoning. In talking to the Engineering Department, it was determined that PD zoning would be the best.

Commissioner Lupo asked how much square footage is there on the 2nd floor.

Mr. Roberts indicated about 450 square feet. Mr. Roberts continued that he envisioned that area as a loft use.

Commissioner Benson asked if he plans to live there.

Mr. Roberts indicated that he would not live there.

Commissioner Duran stated that the use would mainly be office.

Mr. Roberts stated that is correct. Mr. Roberts continued that since he was a child he loved this building and he wants to restore it and he feels his plans will preserve the flavor of the original building. Mr. Roberts continued that plans on restoring the marquee and will try to keep the majority of the building historic.

Commissioner Lupo asked if he would keep the original sign.

Mr. Roberts stated yes he would like to restore it and his sign would be somewhere on the front of the building.

Commissioner Benson asked Mr. Roberts how many employees would be working for his company.

Mr. Roberts indicated that he would have no more than 5.

Commissioner Tavernier asked about the landscaping around the parking area in the rear.

Mr. Roberts indicated that he would have low growing bushes, it would screen the adjacent properties.

Mr. Tallerico indicated that the Planning Commission is here today for the rezoning only. If and when this gets approved, the appellant would have to come back to this Commission with plans for review and approval.

Mr. Joseph Maher indicated that he is representing the owner in the sale of the property and the property has been in their name since 1906 and the owners are very thrilled with this proposed use. Mr. Maher indicated that the owners pledge their support for this project.

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

No communications were received in favor of this hearing.

November 11, 2014

RE: Proposed Outdoor Café at
2935 Biddle Avenue

Approved
Mark Konaleski
11-14-14

Dear City of Wyandotte Planning Commission:

Below are responses to the previous open issues. The original statement is followed on **the** next line by the response.

1. Square footage of outdoor seating is very large.
Response: This area is large and is solely on private property. It is ancillary to the adjacent restaurant to the south and provides a unique outdoor dining experience that is uncommon in the City.
2. Occupancy load is calculated incorrectly on plans, must be calculated as per table 1004.1.2 Pg 243 of the MBC Code 2012.
Response: Please see floor plans for adjustments in calculations and clarifications. Previous notes have shown exact seating quantities, the updated plan shows code calculations and clarifications to the occupant loads.
3. Document failed to show location and type of fire pits. Also the fire pits are required to comply with 2012 I.F.C. and requires approval of Wyandotte Fire chief and Building Department.
Response: The drawings did show the locations of the fire pits in the North West corner of the site, but it appears that the label of "fire pit" was not used. The drawing has been updated and information has been included with this letter. These fire pits do appear in the renderings that were issued. These are currently planned to be linear inserts utilizing LP tanks mounted within a masonry base with accessible door and a granite counter top. 20lbs LP containers will be used at each fire pit table.
4. Due to occupant load greater than 50 panic hardware is required at both the front and back gates along with illuminated exit signs at same. Field conditions may warrant emergency lighting.
Response: Panic hardware will be provided per code at both exits as well as exit signs. We will explore the potential need for outdoor emergency lighting and our findings and/or specifications will be indicated in the construction documents upon construction permit submittal.
5. Provide construction details of outdoor awning system and pergola. Is awning opened or closed above seating area, flammability of materials, height, electrical lighting or heating etc.
Response 1: The outdoor pergola will be made from either new or reclaimed timbers and will have the necessary foundation system for supporting the structure and properly bracing the north brick wall.
Response 2: The outdoor awning system is currently planned as an open system utilizing 2" structural steel tubing frame and posts while using stainless steel mounting hardware. The fabric awning covering will be a fire resistant or fire retardant material that will meet fire code regulations. A sample and shop drawings will be provide prior to approval and fabrication.
6. Provide location of fire extinguishers, minimum of 2A-20BC and maximum travel distance of 75 square feet.
Response: Fire extinguishers will be provided per code. The maximum travel distance between 2A fire extinguishers will be 75ft and cover no more than a 3,000sf area as indicated within the fire code. There are no outdoor cooking appliances, but they will be provided within the immediate vicinity of the fire pit tables.
7. Property will be required to be combined with adjacent property owned by Applicant at 2935 Biddle Avenue.
Response: Please see Certificate of Occupancy included in this clarification packet for the lot combination characteristics.

Sincerely,



Matt Badrak
Badrak Design Group, Inc.
336 Ridge Road
Grosse Pointe Farms, MI 48236
p/f: 313-343-0597, c: 313-702-7345

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
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Leonard T. Sabuda
Donald C. Schultz
Lawrence S. Stec

MARK A. KOWALEWSKI, P.E.
CITY ENGINEER

November 14, 2014

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

RE: Proposed Outdoor Café at
2935 Biddle Avenue

Dear Mrs. Krimmel:

The undersigned has reviewed the plan and application submitted for the proposed outdoor café at the above captioned property and the following applies. The plan complies with Section 2200.S.1 of the Wyandotte Zoning Ordinance with the following exception:

1. Permitted hours of operations are from 7:00 a.m. to midnight. The Applicant has requested to be open until 2:00 a.m.

Also, it should be noted that the decibel levels are not to exceed 50 DBA between 8 p.m. and midnight or 55 DBA between 7 a.m. and 8 p.m. which shall constitute a violation of the Code.

A proposed Resolution is attached and if you have any questions, please feel free to contact the undersigned

Very truly yours,


Mark A. Kowalewski
City Engineer


Jeffrey Carley
Fire Chief

MAK/JC:kr

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.
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Donald C. Schultz
Lawrence S. Stec

TO: Kelly Roberts, Development Coordinator

DATE: October 24, 2014

FROM: Daniel J. Grant, Chief of Police

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

SUBJECT: OUTDOOR CAFÉ REQUEST – 2935 Biddle Avenue

CC: Clerks Office

This correspondence is in response to your e-mail dated Wednesday October 15, 2014 relative to the Outdoor Service application at 2935 Biddle Avenue, Wyandotte, Michigan. I have no objections if the proposal for the outdoor service area is 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.
- Since the proposed outdoor service area is adjacent to the sidewalk area to the front and the alleyway/City Lot #1 to the rear, the license holder must assure that the fencing/barrier at each end of the service area is maintained so there will be no movement of patrons outside of the establishment while in possession of alcoholic beverages.
- Approval is received from the Liquor Control Commission for an Outdoor Café.

Further, the police department recommends that the applicant 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 premises. Compliance with this provision is the responsibility of the licensed establishment and failure to comply could result in the issuance of a violation.