

**City of Wyandotte**  
PLANNING COMMISSION  
*Minutes of the Thursday, May 21, 2015, Meeting*  
MINUTES AS RECORDED

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

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

COMMISSIONERS EXCUSED: Adamczyk, Duran

ALSO PRESENT: Ben Tallerico  
Kelly Roberts, Recording Secretary

**COMMUNICATIONS:**

1. Communication from Bruce Yinger, 117 Chestnut, Wyandotte regarding outdoor café at 126 Oak Street.

The Owner of the café was present at the meeting and indicated that he had met with City Officials and is developing a revised plan for the rear outdoor café and will present it to the Commission at the July 16, 2015, meeting.

- MOTION BY COMMISSIONER TAVERNIER, supported by Commissioner Lupo to receive and place on file the communication from Mr. Yinger regarding the outdoor café at 126 Oak Street and be it further resolved that this matter be referred to the City Council to recommend that the rear outdoor café be closed until significant progress has been made to meet the plan approved by the Planning Commission and the Outdoor Café Ordinance.

YES: Benson, Krimmel, Lupo, Parker, Pasko, Rutkowski Tavernier

NO: None

ABSENT: Adamczyk, Duran

MOTION PASSED

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

MOTION BY COMMISSIONER PASKO, supported by Commissioner Benson to approve the minutes of the Meeting of April 16, 2015. MOTION PASSED.

**OLD BUSINESS:**

1. PUBLIC HEARING #500 Request from Leonard Mazzola (Owner and Appellant) for a Certificate of Occupancy for outdoor sales of new or used automobiles at 1460 Eureka Avenue, City of Wyandotte, County of Wayne, State of Michigan in a B-2 Zoning District where the proposed conflicts with Section 1401 of the City of Wyandotte Zoning Ordinance.

MOTION BY COMMISSIONER PASKO, supported by Commissioner Rutkowski, to deny the request for a Certificate of Occupancy for outdoor sales of new or used automobiles at 1460 Eureka Avenue due to failure to meet the landscaping requirements of the Ordinance and the Commissions desire to keep sales of new or used automobiles to Fort Street only.

YES: Benson, Krimmel, Lupo, Parker, Pasko Rutkowski Tavernier

NO: None

ABSENT: Adamczyk, Duran

MOTION PASSED



**NEW BUSINESS:**

1. PUBLIC HEARING #502 Request from Claudia O'Hare (Owner) and Mike Ghani (Appellant) for a Certificate of Occupancy for outdoor sales of new or used automobiles at 506 Goddard, City of Wyandotte, County of Wayne, State of Michigan in a B-2 Zoning District where the proposed conflicts with Section 1401 of the City of Wyandotte Zoning Ordinance.

MOTION BY COMMISSIONER BENSON, supported by Commissioner Lupo to deny the request for a Certificate of Occupancy for outdoor sales of new or used automobiles at 506 Goddard due to the failure of the owner/applicant being present at the hearing, the site plan does not meet the requirements of Ordinance and the desire to keep sales of new or used automobiles to Fort Street only.

YES: Benson, Krimmel, Lupo, Parker, Pasko Rutkowski, Tavernier

NO: None

ABSENT: Adamczyk, Duran

MOTION PASSED

2. PUBLIC HEARING #503 Request from Artcraft, Inc. (Owner) and DeCaminada, Jenkin, Jenkins (Appellant) for a Certificate of Occupancy for a cabinetry, wood working and church at 1165 Ford Avenue, City of Wyandotte, County of Wayne, State of Michigan in a B-2 Zoning District where the proposed conflicts with Section 1401.I.24 of the City of Wyandotte Zoning Ordinance.

MOTION BY COMMISSIONER PAKSO, supported by Commissioner Parker to approve the Certificate of Occupant for a cabinetry, wood working and church at 1165 Ford Avenue, Wyandotte, Michigan.

YES: Benson, Krimmel, Lupo, Parker, Pasko Rutkowski, Tavernier

NO: None

ABSENT: Adamczyk, Duran

MOTION PASSED

**PERSONS IN THE AUDIENCE:**

No persons in audience.

**SPECIAL ORDER:**

- The City Engineer submitted a communication to the Commission regarding changes to Section 2200.V of the Zoning Ordinance regarding the requirements for sale of used or new vehicles. The Commission discussed this change and the following resolution was adopted.

MOTION BY COMMISSIONER BENSON, supported by Commissioner Lupo to set the public hearing to hear comments on the proposed change to Section 2200.V of the Zoning Ordinance as requested by the City Engineer.

YES: Benson, Krimmel, Lupo, Parker, Pasko, Rutkowski, Tavernier

NO: None

ABSENT: Adamczyk, Duran

MOTION PASSED

- The Commission discussed amending the Zoning Ordinance to restrict the sales of the used and new car sales to Fort Street only and the following resolution was adopted.

MOTION BY COMMISSIONER BENSON, Supported by Commissioner Rutkowski to refer used and new car sales to only be allowed on Fort Street to the City Planning, Mr. Tallerico and City Engineer to amend the Zoning Ordinance.

YES: Benson, Krimmel, Lupo, Parker, Pasko, Rutkowski, Tavernier

NO: None

ABSENT: Adamczyk, Duran

MOTION PASSED

**BILLS AND ACCOUNT:**

MOTION BY COMMISSIONER TAVERNIER, supported by Commissioner Pasko to:  
Pay Beckett & Raeder for Planning Consultant fee for April 2015 in the amount of \$700.00  
Michigan Association of Planning yearly due \$650.00  
Hours for Secretarial Services: 4/1/15 to 5/2/15 11 total hours

YES: Benson, Krimmel, Lupo, Parker, Pasko, Rutkowski, Tavernier

NO: None

ABSENT: Adamczyk, Duran

MOTION PASSED

**MOTION TO ADJOURN:**

MOTION BY COMMISSIONER PASKO, supported by Commissioner Parker to adjourn the meeting at 7:50 p.m.  
MOTION PASSED

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PUBLIC HEARING #500 Request from Leonard Mazzola (Owner and Appellant) for a Certificate of Occupancy for outdoor sales of new or used automobiles at 1460 Eureka Avenue, City of Wyandotte.

Chairperson Krimmel indicated that this hearing was tabled from the April meeting.

Mr. Mazzola, owner present.

Mr. Mazzola indicated that he has submitted a revised site plan to the Commission.

Mr. Tallerico indicated that the revised site plan does meet the requirements of the Ordinance except for Section 2404Q – Landscape requirements for new and used car lots. Mr. Tallerico indicated that a planting area is required.

Mr. Mazzola indicated he had an area behind the sidewalk that he removed brush and put in woodchips he did not realize that landscaping was required.

Mr. Tallerico indicated that a landscape area was not on the plan.

Mr. Mazzola indicated that it was just over looked.

Chairperson Krimmel asked if the cars currently on the property are Mr. Mazzola's.

Mr. Mazzola stated yes they were his.

Commissioner Lupo asked Mr. Mazzola if his current license is held with the business in Ecorse.

Mr. Mazzola indicated that was correct he wants to move his license to Wyandotte. Mr. Mazzola indicated that he is fixing up the building on Eureka to move the license there.

Commissioner Lupu asked if the bump and painting of cars will stop.

Mr. Mazzola stated that is correct he will just be doing detailing of cars only.

Commissioner Lupu asked if he would have any employees.

Mr. Mazzola stated maybe a couple.

Commissioner Lupu indicated that he is concerned that if this is approved what will happen in the future. Commissioner Lupu indicated that there are seven (7) used car lots on Fort Street from Grove to Goddard and he feels that these uses should only be allowed on Fort Street.

Commissioner Pasko indicated that he would agree that used car lots should only be allowed on Fort Street. Commissioner Pasko stated further that he reviewed the plan submitted and he also feels that the landscaping is deficient.

Commissioner Lupu stated that he didn't have any objections to used car lot, but they should be kept on Fort Street where most of them are already. Commissioner Lupu stated that once approved, car lots will need to be maintained.

Commissioner Pasko stated that is an enforcement issue.

Chairperson Krimmel stated that a number of years ago, used car lots were discussed by the City Council with them possibly being restricted, but a resolution was never passed and she would agree that this use should only be allowed on Fort Street.

Commissioner Pasko also agreed.

Mr. Mazzola stated that the Engineering Department never mentioned that landscaping was required. Mr. Mazzola stated further that if the commission is considering restricting this use to just Fort Street why did they not tell him last month and he would not have gone through all of this.

There being no further discussion the hearing was closed. No communications were received regarding this hearing.

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PUBLIC HEARING #502 Request from Claudia O'Hare (Owner) and Mike Ghani (Appellant) for a Certificate of Occupancy for outdoor sales of new or used automobiles at 506 Goddard, City of Wyandotte.

Chairperson Krimmel read the appeal and asked if there was anyone present who wished to speak regarding this hearing.

Chairperson Krimmel asked if the owner or appellant was present.

No one was present.

Mr. Ted Renaud, 4095 23<sup>rd</sup> Street, the adjacent property owner.

Mr. Renaud stated that he lived in his house for two (2) years and now they are using it as a rental. Mr. Renaud indicated that he is happy for the business properties, but this property is in disrepair there are motors stored in the back, there are weeds in the alley the home in the rear is vacant and not being maintained and it also has broken windows.

Commissioner Lupu asked if Mr. Renaud had any knowledge of late evening auto repair work at this site.

Mr. Renaud stated no, not really he does not live in the area anymore.

Commissioner Lupo explained that he has a relative that lives in the area and he was complaining about them working late at night on cars.

Mr. Renaud stated that the property is not being maintained.

Chairperson Krimmel indicated that these issues would be referred to the Ordinance Offices for compliance with the Ordinances.

Mr. Renaud indicated that would be great.

Commissioner Benson indicated that this use does not meet the Master Plan.

Mr. Tallico indicated that they alone have meet the requirements of the B-2 zoning, the Master Plan is for planning for future development not existing uses.

Commissioner Pasko stated that he feels that used car lots should be kept on Fort Street.

Commissioner Pasko read the non-conformance that was prepared by the Engineering Department.

There being no further discussion the hearing was closed. No communications were received regarding this hearing.

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PUBLIC HEARING #503 Request from Artcraft, Inc. (Owner) and Decaminada, Jenkin, Jenkins (Appellant) for a Certificate of Occupancy for a cabinetry, wood working and church at 1165 Ford Avenue, City of Wyandotte.

Chairperson Krimmel read the appeal and asked if there was anyone present who wished to speak regarding this hearing.

Mr. Fred Decaminada, proposed buyer of the property present.

Mr. Decaminada indicated that they are proposing to purchase the property and they want the church to stay as a tenant. Mr. Decaminada indicated that the church has been there for years.

Commissioner Benson asked if the property would be a tax paying business with a church in it.

Mr. Decaminada indicated yes, they will be paying taxes unless that can be changed.

Chairperson Krimmel indicated that if it was just a church, it would tax exempt.

Commissioner Pasko asked if there have been any parking issues.

Jeremy Gyorke, Pastor of the church, indicated that they have secured additional parking with other businesses across the street and have a total of 105 parking spaces.

Commissioner Lupo asked if the church would mostly be opened on Sunday.

Pastor Gyorke stated yes, unless there is a special event.

Commissioner Lupo asked if they are affiliated with any other church.

Pastor Gyorke stated yes, with Assembly of God.

Commissioner Lupo asked if the cabinetry and wood working would be in one side and the church in the other.

Mr. Decaminada stated that is correct.

Chairperson Krimmel asked if they were moving their business from another location.

Mr. Decaminada stated that they are moving their Southgate and Taylor business to Wyandotte.

There being no further discussion, the hearing was closed.

No communications were received regarding this hearing.

Wyandotte Planning Commission

May 07 2015

Attn: Elizabeth Krimmel RE: 126 Oak St.

Madam Chairperson,

I am writing to express my concerns and serious disappointment with the lack of enforcement and non-compliance regarding the appearance and function of the outdoor café operations of Captains pub

I was in attendance at the Commission meeting of August of 2013 and listened to the owners of the building present how the expanded Outdoor Café service design would enhance the new façade of the building that is truly a positive aspect to the business district on Oak St.

Minutes from the Public Hearing (PS#303) stipulated compliance with all stated conditions prior to the use as an Outdoor Café. Based upon that meeting, any of my concerns I had were addressed in writing by the commission.

As of May 2015, 18 months have passed and operating conditions stipulated and agreed to from the August 2013 meeting have not been met, giving the appearance and intent to be with total disregard to the conditional approval of the City's Planning Commission, Public Safety and Engineering Offices.

The rear of the property had been excavated and has been partially paved; the entire lot was to be completed with new pavement.

The rear enclosure of the Café area exceeds the approved plan dimensions (by approximately 20 ft.) and is constructed of wooden stockade fencing; it was to be the same as Belicoso Café

The seating detail consists of a mix of picnic tables; it was to be the same as Belicoso Café.

There is no landscaping; Planters with trees in all four corners were shown on the plan.

Access to the rear Café area requires entrance through the address front of the building; a side gate not shown on the approved plan has been installed, allowing patrons to enter and exit the rear Café on to private property.

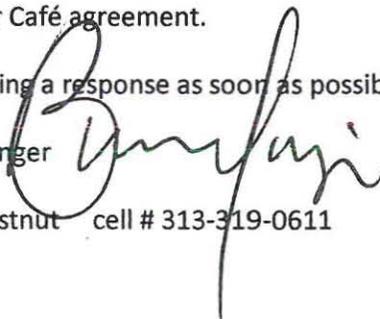
The area at the north end of the enclosure requires an emergency exit gate with panic hardware; there is no mechanism in place and the gate is chained with a pad lock.

Clearly, this situation requires an immediate formal review and enforcement actions of Captains Outdoor Café agreement.

Requesting a response as soon as possible ASAP

Bruce Yinger

117 Chestnut cell # 313-319-0611



Special order

**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**

**MARK A. KOWALEWSKI, P.E.**  
**CITY ENGINEER**

May 15, 2015

Elizabeth A. Krimmel, Chairperson  
Wyandotte Planning Commission  
2300 Biddle Avenue  
Wyandotte, Michigan 48192

RE: Special Land Uses for Outdoor Sales  
New and Used Vehicles

Dear Ms. Krimmel:

On your Agenda for May 21, 2015, you have two (2) requests for approval of outdoor sales of new and used vehicles. I would suggest you consider adding the following requirement for this use by amending Section 2200.V of the Zoning Ordinance:

8. No used car lot shall be permitted within seven hundred fifty (750) feet of another used car lot.

If you concur with this recommendation, I would also recommend that you hold the required public hearing at your next meeting and forward your hearing results to the City Council.

Thank you for your consideration.

Very truly yours,

Mark A. Kowalewski  
City Engineer

MAK:kr