

**City of Wyandotte**  
PLANNING COMMISSION  
*Minutes of the Thursday, June 23, 2016, Meeting*  
**MINUTES AS RECORDED**

The meeting was called to order by Vice Chairperson Pasko at 6:30 p.m.

COMMISSIONERS PRESENT: Adamczyk, Benson, Duran, Lupo, Mayhew, Pasko, Rutkowski

COMMISSIONERS EXCUSED: Krimmel, Parker

ALSO PRESENT: Ben Tallerico  
Kelly Roberts, Recording Secretary

**COMMUNICATIONS:**

MOTION BY COMMISSIONER LUPO, supported by Commissioner Duran to receive and place on file communications.

YES: Adamczyk, Benson, Duran, Lupo, Mayhew, Pasko, Rutkowski  
NO: None                      ABSENT: Krimmel, Parker                      MOTION PASSED

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

MOTION BY COMMISSIONER BENSON, supported by Commissioner Rutkowski to approve the minutes of the Meeting of May 19, 2016. MOTION PASSED.

YES: Adamczyk, Benson, Duran, Lupo, Mayhew, Pasko, Rutkowski  
NO: None                      ABSENT: Krimmel, Parker                      MOTION PASSED

**OLD BUSINESS:**

None

**NEW BUSINESS:**

- 1. PUBLIC HEARING #514 (A)** - Request from Wine Dotte Bistro, Karen Goreta, owner and appellant, for a Certificate of Occupancy for an outdoor café on Private Property at 2910 Van Alstyne, Wyandotte, Michigan in a CBD Zoning District, which conflicts with Section 2202.S.2 of the City of Wyandotte Zoning Ordinance.

RESOLVED BY COMMISSIONER MAYHEW, Supported by Commissioner Lupo, that Special Approval #514 (A) – request by Wine Dotte Bistro (Owner and Appellant) for a Certificate of Occupancy for an Outdoor Cafés on Private Property at 2910 Van Alstyne, Michigan, be hereby **approved** 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 in the Central Business District (CBD) Zoning District, Special Land Uses, Section 2202.S 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. Outdoor café to be constructed in accordance with the site plan submitted by Owner indicated as drawings by Kret's Classic Kitchens & Construction dated June 10, 2016.
3. If alcoholic beverages are served, the current Michigan Liquor Control Commission rules and regulations shall apply, and the applicant shall obtain all necessary approvals.
4. Planter box to be approved by the City Engineer, and seven (7) illustrations indicating type of landscaping, umbrella, brick for patio, table and chairs.
5. Use of the outdoor café shall be allowed from 7:00 a.m. to Midnight from March 15 through October 31.
6. The outdoor café shall comply with all applicable laws and regulations of the City, County, and the State.
7. Umbrellas to have name of establishment on the drip-tee only, no logo's for products

YES: Adamczyk, Duran, Lupo, Mayhew, Pasko, Rutkowski

NO: Benson

ABSENT: Krimmel, Parker

MOTION PASSED

- 2. PUBLIC HEARING #514 (B)** - Request from Wine Dotte Bistro, Karen Goreta, owner and appellant, for a Certificate of Occupancy for an outdoor café on Public Property at 2910 Van Alstyne, Wyandotte, Michigan in a CBD Zoning District, which conflicts with Section 2202.S.2 of the City of Wyandotte Zoning Ordinance.

MOTION BY COMMISSIONER BENSON, Supported by Commissioner Rutkowski, that Special Approval #514(B) – request by Wine Dotte Bistro (Owner and Appellant) for a Certificate of Occupancy for an Outdoor Cafés on Public Property at 2910 Van Alstyne, Michigan, 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 in the Central Business District (CBD) Zoning District, Special Land Uses, Section 2202.S 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. Outdoor café to be constructed in accordance with the site plan submitted by Owner indicated as drawings by Kret's Classic Kitchens & Construction dated June 10, 2016, seven (7) illustrations indicating type of landscaping, umbrella, brick for patio, fence, table and chairs.

3. If alcoholic beverages are served, the current Michigan Liquor Control Commission rules and regulations shall apply, and the applicant shall obtain all necessary approvals.
4. Use of the outdoor café shall be allowed from 7:00 a.m. to 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. Applicant to pay all costs to the City of Wyandotte, Department of Public Service for providing and removing temporary reflective tape as indicated on lane marking plans and placing permanent pedestrian crossing sign.

YES: Adamczyk, Benson, Duran, Lupo, Mayhew, Pasko, Rutkowski

NO: None

ABSENT: Krimmel, Parker

MOTION PASSED

- 3. PUBLIC HEARING #515** - Request from Dotte Pub, Dan Helka, owner and appellant, for a Certificate of Occupancy to move the outdoor café at 116 Oak, Wyandotte, Michigan in a CBD Zoning District, which conflicts with Section 2202.S.2 of the City of Wyandotte Zoning Ordinance.

MOTION BY COMMISSIONER LUPO, Supported by Commissioner Benson, that Special Approval #515 – request by Dotte Pub (Owner and Appellant) for a Certificate of Occupancy for an Outdoor Café at 116 Oak, Wyandotte, Michigan, 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 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 in the Central Business District (CBD) Zoning District, Special Land Uses, Section 2202.S 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. Outdoor café to be constructed in accordance with the site plan submitted by Owner indicated as drawings by Kret's Classic Kitchens & Construction with final revision dated May 31, 2016.
3. If alcoholic beverages are served, the current Michigan Liquor Control Commission rules and regulations shall apply, and the applicant shall obtain all necessary approvals.
4. Compliance with all Police, Fire and City Engineer requirements attached. Planter boxes to be approved by the City Engineer.
5. Use of the outdoor café shall be allowed from 7:00 a.m. to Midnight from March 15 through October 31.
6. The outdoor café shall comply with all applicable laws and regulations of the City, County, and the State.
7. Umbrellas to have name of establishment on the drip-tee only, no logo's for products.
8. Fence to be black decorative metal.

9. Table detail to be black metal or plastic with matching chairs.
10. This outdoor café shall be relocated at the same time as the outdoor cafe at 126 Oak Street.
11. Applicant shall apply for a variance from the Zoning Board of Appeals to Section 2202.S.3 for outside entrance of café.

YES: Adamczyk, Benson, Duran, Lupo, Mayhew, Pasko, Rutkowski

NO: None

ABSENT: Krimmel, Parker

MOTION PASSED

**4. PUBLIC HEARING** – To consider amendments to the City of Wyandotte Zoning Ordinance Article XXII Special Land Uses, Section 2201 General Provisions Sub-Section H Revoke Special Land Use and Section 2202 Special Land Use Designated Sub-Section S Outdoor Cafes.

The Commission reviewed each Section of the proposed changes to Article XXII- Special Land Uses, Section 2202 Special Land Use Designated Sub-Section S Outdoor Cafes and the following was determined:

**Section 2202.S.1** Change to: The permitted hours of operation are from 7:00 a.m. to 12 midnight Monday, Tuesday, Wednesday, Thursday and Sunday and 7:00 a.m. to 2:00 a.m. Friday and Saturday only in the CBD District and 10:00 a.m. to 12 Midnight Monday, Tuesday, Wednesday, Thursday and Sunday and 10:00 a.m. to 2:00 a.m. Friday and Saturday only in the RU and B-2 Districts. All of changes to this section are approved as presented.

MOTION BY COMMISSIONER RUTKOWSKI, supported by Commissioner Mayhew to approve the permitted hours of operation Section 2202.S.1.

YES: Adamczyk, Duran, Lupo, Mayhew, Pasko, Rutkowski

NO: Benson

ABSENT: Krimmel, Parker

MOTION PASSED

**Section 2202.S.2** – All proposed changes were accepted and approved.

**Section 2202.S.3** – All proposed changes were accepted and approved.

**Section 2202.S.4** – All proposed changes were accepted and approved.

**Section 2202.S.5** – All proposed changes were accepted and approved.

**Section 2202.S.6** – All proposed changes were accepted and approved.

**Section 2202.S.7** – All proposed changes were accepted and approved.

**Section 2202.S.8** – All proposed changes were accepted and approved.

**Section 2202.S.9** – All proposed changes were accepted and approved.

**Section 2202.S.10** – All proposed changes were accepted and approved.

**Section 2202.S.11** – Add: Annual inspection of the outdoor café to be conducted by the Engineering and Building Department for compliance with approved plan.

MOTION BY COMMISSIONER BENSON, supported by Commissioner Rutkowski to approve the addition of Section 2202.S.11.

YES: Adamczyk, Benson, Duran, Lupo, Mayhew, Pasko, Rutkowski

NO: None

ABSENT: Krimmel, Parker

MOTION PASSED

MOTION BY COMMISSIONER BENSON, supported by Commissioner Rutkowski to recommend to the Mayor and City Council that amendments to the City of Wyandotte Zoning Ordinance Article XXII Special Land Uses, Section 2201 General Provisions Sub-Section H Revoke Special Land Use and Section 2202 Special Land Use Designated Sub-Section S Outdoor Cafes be approved with the recommended changes by the Planning Commission.

YES: Adamczyk, Benson, Duran, Lupo, Mayhew, Pasko, Rutkowski

NO: None

ABSENT: Krimmel, Parker

MOTION PASSED

The Commission wishes to thank City Engineer, Mark Kowalewski, City Attorney, William R. Look and City Planner Ben Tallerico for their hard work in reviewing and recommending changes to the Outdoor Café Ordinance.

**PERSONS IN THE AUDIENCE:**

No persons in audience.

**OTHER BUSINESS:**

None

**BILLS AND ACCOUNT:**

MOTION BY COMMISSIONER BENSON, Supported by Commissioner Rutkowski to:  
Pay Beckett & Raeder for Planning Consultant fees for June 2016 in the amount of \$700.00  
Michigan Association of Planning dues July 1, 2016 to June 30, 2017 \$650.00

YES: Adamczyk, Benson, Duran, Lupo, Mayhew, Pasko, Rutkowski

NO: None

ABSENT: Krimmel, Parker

MOTION PASSED

**MOTION TO ADJOURN:**

MOTION BY COMMISSIONER BENSON, Supported by Commissioner Rutkowski to adjourn the meeting at 8:50 p.m.

**PUBLIC HEARING # 514 (A)**- Request from Wine Dotte Bistro (Appellant and Owner) for a Certificate of Occupancy for an outdoor café on private property at 2910 Van Alstyne, Wyandotte, Michigan. The property is located in CBD Zoning District where the proposed café conflicts with Section 2202.S.2.

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

Jeff Kret, architect for owner, indicated that the owner was not present yet and he could speak to the request.

Commissioner Benson asked if there was going to be a fence around the café.

Mr. Kret indicated that there would be no fence that the planter box/flower pots will define the café.

Commissioner Benson stated that he is opposed to no fence, there will be no defined space for the café.

Mr. Kret indicated that the ramp and stairway would be barricades to the space.

There was a discussion among the commission members about defining the space for outdoor café.

Commissioner Mayhew asked what the distance was between the building and the alley.

Mr. Kret indicated that it is 6 to 8 feet or more.

Commissioner Lupo asked if there would be any entertainment/music.

Mr. Kret indicated that there would be no entertainment or music.

Vice-Chairperson Pasko 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 regarding this request and read into the record.

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**PUBLIC HEARING # 514(B)** - Request from Wine Dotte Bistro (Appellant and Owner) for a Certificate of Occupancy for an outdoor café on public property at 2910 Van Alstyne, Wyandotte, Michigan. The property is located in CBD Zoning District where the proposed café conflicts with Section 2202.S.2.

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

Karen Goreta, Owner and Jeff Kret, architect for owner, present.

Mr. Kret indicated that the outdoor café would be located in the green space area adjacent to the brick pavers. The café would be fenced in on all sides, with tables and chairs.

Vice-Chairperson Pasko stated that he felt it was a nice layout.

Commissioner Benson asked if the grass area would be leveled out.

Mr. Kret indicated that it would be leveled and with proper drainage.

Commissioner Mayhew indicated that the City might have sprinkler heads in that area that would need to be maintained.

Mr. Kret indicated that he would make sure there was no damage to the City's sprinklers in that area.

Commissioner Mayhew asked if there was going to be an attendant present in the cafe area.

Ms. Goreta indicated that there would be.

Vice-Chairperson Pasko 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 regarding this request and read into the record.

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**PUBLIC HEARING # 515** - Request from Dotte Pub (Appellant and Owner) for a Certificate of Occupancy to move an outdoor café on public property at 116 Oak, Wyandotte, Michigan. The property is located in CBD Zoning District where the proposed café conflicts with Section 2202.S.2.

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

Mark Hayes, representative for the owner, present.

Mr. Hayes indicated that they are just planning to move the café and attach the fence to the building. Mr. Hayes further stated that the walkway would be better for the pedestrians.

Vice-Chairperson Pasko asked if this was going to be just like Captain's café which has already been approved.

Mr. Hayes stated yes and it would be same type of fence.

Commissioner Benson indicated that the current ordinance requires the entrance from the building and this request indicates that the entrance is from the street.

Mr. Hayes indicated that there is only 1 door to enter the building and the café would be on each side of this door. Mr. Hayes indicated further that there is no way to have another entrance.

There was a discussion regarding the current ordinance and the entrances for outdoor café.

Mr. Tallerico stated that you could argue that the entrance is from the building and from the sidewalk.

Vice-Chairperson Pasko indicated that they could not redesign this cafe and it was the Planning Commission that recommended this café and Captains be moved so it was attached to the buildings.

Commissioner Duran asked if there was going to be a gate.

Mr. Hayes indicated there would be no gate.

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

There being none, the public hearing was closed.

Communications were received regarding this request and read into the record.

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**PUBLIC HEARING** – To consider amendments to the City of Wyandotte Zoning Ordinance regarding Special Land Use – Outdoor Café.

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

Mr. Bruce Yinger, 117 Chestnut. Mr. Yinger indicated that he reviewed the proposed changes and feels that some of the changes should help. However, Mr. Yinger feels that the occupancy should be addressed. Mr. Yinger feels that occupancy should be determined on how many seats not allowing standing. Also, Mr. Yinger asked if smoking was allowed in the outdoor café or if that is part of the bar and should not be allowed.

Mr. Yinger continued that last call should be 30 minutes before the outdoor area closes so that will allow for all to leave in a timely manner by midnight. Mr. Yinger indicated that he sees people stay longer than midnight and changing last call could help with that.

Corki Benson, read a communication which had suggestions. The communication is attached and made part of the record.

Joe Gruber, DDA Director read a communication which suggested the hours of operation be changed to 2:00 a.m. The communication is attached and made part of the record.

Dean Robinett, Attorney for Captains. Mr. Robinett indicated that he agrees with the change with the decibel levels and realistically in this area is a good thing. Mr. Robinett asked if the Commission would consider changing the hours for the café to 2:00 a.m. to be consistent with LCC for the inside bar area.

Mr. Robinett indicated further that businesses need to be competitive with other cities by allowing the outdoor cafes to stay open longer this will make Wyandotte a destination city not just a drive by city. Mr. Robinett indicated that by changing the hours you take away from each owner having to apply to extended hours.

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

There being none, the public hearing was closed.

Communications were received regarding this ordinance change and were read into the record.

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