

**CITY OF WYANDOTTE
PLANNING COMMISSION**

Agenda for the Meeting Thursday, November 17, 2016, at 6:30 p.m.
Council Chambers, Wyandotte City Hall

CALL TO ORDER:

COMMISSIONERS: Adamczyk Parker
 Benson Pasko
 Duran Rutkowski
 Lupo Sarnacki
 Mayhew

ALSO PRESENT _____

COMMUNICATIONS:

None

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

Motion by Commissioner _____, supported by Commissioner _____
to approve the minutes of Meeting of October 20, 2016.

OLD BUSINESS:

None

NEW BUSINESS:

- 1. PUBLIC HEARING #521:** Request from Wine Bistro, Karen Goreta, Owner and Appellant for a Certificate of Occupancy for a change to the approved outdoor café at 2910 Van Alstyne, Wyandotte, in the CBD Zoning District, which conflicts with Section 2202.S.2 of the City of Wyandotte Zoning Ordinance.

Section 2202.S.2: A site drawing showing the detailed plan of the outdoor café must be submitted to and approved by the Planning Commission.

The owner is requesting to increase the size of the outdoor café from 25' x 17'.7" to 31.2" x 19.3".

- 2. PUBLIC HEARING #522:** Request from Portofino Restaurant, Owner and Appellant for a Certificate of Occupancy for a change to the approved outdoor cafe at 3455 Biddle Avenue, Wyandotte, in the PD Zoning District. This public hearing is being held in compliance with Section 1652 of Ordinance No. 841 which governs the procedure for approval of plans in areas zoned as PD (Planned Development District).

**CITY OF WYANDOTTE
PLANNING COMMISSION**

Agenda for the Meeting Thursday, November 17, 2016, at 6:30 p.m.
Council Chambers, Wyandotte City Hall

- 3. PUBLIC HEARING #523:** Request from Gerald chamberlain, Owner and Appellant for a Certificate of Occupancy for a second and third floor single residential unit at 2945-2947 Biddle Avenue, Wyandotte, in the CBDG Zoning District where the proposed conflicts with Section 1301 of the City of Wyandotte Zoning Ordinance:

1301 Special Uses: Second floor dwellings may be permitted by the Planning Commission subject to the conditions hereinafter imposed in Article XXII and subject to the review and approval of a site plan in accord with Section 2607 and after a public hearing in accordance with Section 2608, by the Planning Commission.

The Owner is proposing a single residential unit on the second and third floor.

PERSONS IN THE AUDIENCE:

OTHER BUSINESS:

- Monthly Report from Ben Tallerico, Beckett & Raeder
- 2017 Schedule of Meeting Dates

BILLS AND ACCOUNT:

- Pay the planning consultant fee for November 2016 to Beckett & Raeder: \$700.00

MOTION TO ADJOURN:

City of Wyandotte
PLANNING COMMISSION
Minutes of the Thursday, October 20, 2016, Meeting
MINUTES AS RECORDED

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

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

COMMISSIONERS EXCUSED: Parker, Pasko

ALSO PRESENT: Ben Tallerico
Peggy Green, Acting Recording Secretary

COMMUNICATIONS:

MOTION BY COMMISSIONER SARNACKI, supported by Commissioner Duran to place all communications on file. MOTION PASSED.

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:

MOTION BY COMMISSIONER BENSON, supported by Commissioner Adamczyk to approve the minutes of the Meeting of September 15, 2016. MOTION PASSED.

MOTION BY COMMISSIONER BENSON, supported by Commissioner Adamczyk to extend the time frame until November 15 for the two new outdoor cafes as outlines in the new ordinance that was adopted. MOTION PASSED.

OLD BUSINESS:

None

NEW BUSINESS:

PUBLIC HEARING: Amendments to the City of Wyandotte Zoning Ordinance Article XXIV General Provisions, Section 2408 Signs for the City of Wyandotte.

- a. Council Resolution
- b. Proposed Changes to the Sign Ordinance
- c. Communication from City Engineer, City Attorney, City Planner

MOTION BY COMMISSIONER BENSON, supported by Commissioner Adamczyk to place the Council Resolution on file.

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

NO: None ABSENT: Parker, Pasko

MOTION PASSED

MOTION BY COMMISSIONER BENSON, supported by Commissioner Mayhew that the Planning Commission approves the changes to the Sign Ordinance as presented and hereby refers same to the City Council for their approval.

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

PERSONS IN THE AUDIENCE:

None

OTHER BUSINESS:

Monthly Report from Ben Tallerico, Beckett & Raeder. Mr. Tallerico discussed the report that he had submitted to the Board. The marijuana act will take 15 months before it goes into effect, and there are legal questions.

Commissioner Benson expressed concern regarding Senate Bill 1060, allowing improvement to nonconforming properties, and how this would affect accomplishing the master plan.

BILLS AND ACCOUNT:

MOTION BY COMMISSIONER Rutkowski, supported by Commissioner Benson to:
Pay Beckett & Raeder for Planning Consultant fee for October 2016 in the amount of \$700.00

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

MOTION TO ADJOURN:

MOTION BY COMMISSIONER BENSON, supported by Commissioner Duran to adjourn the meeting at 7:30 p.m.

PUBLIC HEARING: Amendments to the City of Wyandotte Zoning Ordinance Article XXIV General Provisions, Section 2408 Signs for the City of Wyandotte.

- a. Council Resolution
- b. Proposed Changes to the Sign Ordinance
- c. Communication from City Engineer, City Attorney, City Planner

Commissioner Lupo opened the hearing and asked if there was anyone present who wish to speak about this hearing.

Mr. Tallerico informed the Board that the sign ordinance changes are from the Court Case Reed vs. Gilbert in Arizona. There was a 9-0 vote on the Supreme Court, and it is highly likely that all sign ordinances will change. The ordinance was reviewed by Legal, City Engineer, and himself, and will be presented to Council any changes should be in front of Legal at the Council Meeting.

Commissioner Mayhew commented that about signs advertising when there is no business there anymore. Mr. Tallerico stated that this could be addressed under the blight ordinance.

Commissioner Benson commented that the design review for historical reasons has been removed.

Commission Benson questioned why is design review being removed.

Mr. Tallerico explained to the Board that there had been discussion with Legal, and the Design Review is not definitive in place to be more compatible, to be arbitrary to be defendable.

Commissioner Benson commented about Page 6, paragraph 3, removing product. Mr. Tallerico explained that you cannot differentiate.

Commissioner Benson commented on Page 7 the terms public or private, and asked if it covered both. Mr. Tallerico explained that if it is not mentioned, means both.

Commissioner Benson commented on Page 11, no more time and temperature. Mr. Tallerico explained that you cannot distinguish.

Commissioner Mayhew commented about being able to park vehicles where you want. Mr. Tallerico explained that the Court is not consistent on that.

Commissioner Benson commented on Page 16, why remove garage and sale signs. Mr. Tallerico explained that you can't regulate. You could call it a portable sign and require a permit, you can't differentiate signs between bake sales, house sale, and garage sale.

Commissioner Benson commented on political and rental signs no requiring a permit. Mr. Tallerico explained that you can not distinguish.

Commissioner Mayhew commented on Page 21, the size of the sign. There was discussion, and it appears that the size can be 32 square feet.

Commission Benson commented on Page 23, #2, "remove", makes it more consistent.

Gilbert Rose, 2894 VanAlstyne, Wyandotte.

Mr. Rose stated that he owns 3 buildings in Wyandotte and for the last 3 years has wanted to put a digital sign on the west side of Chelsea (2944 Biddle), and with this new ordinance, he will be permitted to do that.

Mr. Rose passed out a picture of what he wanted to do. Mr. Rose stated that his building is 30' wide, and discussed the size of the signs on the building and he would be left with 32-1/2 square feet, and he wants to invest \$25,000 in the sign. The sign would be good for business and also display civic messages, but Mr. Rose added that 32-1/2 would be too small to accomplish this and what could he do to rectify this.

Commissioner Mayhew stated that he could remove some of the existing signage.

Mr. Rose explained that if he did this, there would be holes in the brick, and he does not want to replace the awning.

Mr. Tallerico explained to Mr. Rose that he could appeal to the Zoning Board of Appeals and Adjustment that is what the Board is for the unique situations. Mr. Tallerico added that this is an option, or he could ask this Board to add to the ordinance.

There was discussion regarding painting the awning, to remove some signage.

Mr. Rose stated that he will apply for a permit then it will be denied, that he can appeal it.

Mr. Tallerico suggested to Mr. Rose that he wait until Council approves the Ordinance, and there will be two (2) hearings on this.

There being no further discussion, the hearing was closed.

One (1) communication was received from the City Engineer, City Attorney and City Planner.



OFFICIALS

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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
Kevin VanBoxell

MARK A. KOWALEWSKI, P.E.
CITY ENGINEER

October 13, 2016

Stan Pasko, Chairperson
Planning Commission
City of Wyandotte
3200 Biddle Avenue
Wyandotte, Michigan

RE: Revisions to the Sign Ordinance

Dear Chairperson Pasko:

The City's Sign Ordinance needs to be amended to reflect the decision of the United States Supreme Court decision Reed v. Town of Gilbert, Arizona. The attached proposed changes remove content based messages currently in the requirements of Wyandotte's Ordinance to achieve this compliance.

Also, the City Council has recommended that the proposed changes to the Sign Ordinance include language for signs in the Central Business District (CBD) to allow electronic changeable digital message signs on locations that are not visible from Biddle Avenue and include the necessary restrictions to protect the harmony and historical nature of the CBD.

Beginning with the St. Mary's Treaty with the Indians in 1818, Wyandotte began to be settled by non-native Americans. John Clark was one of the first known settlers who occupied the former log house of the Indian Chief, Blue Jacket. A village developed with a distinct downtown. Wyandotte became a City in 1867.

The City's adopted Strategic Plan indicates, "We are committed to historic preservation and legacy initiatives as they are a critical element to the future of the City". The City's zoning ordinance incorporated restrictions and standards that preserve these historical elements.

Recently, the Historical Commission identified sixteen (16) historical locations in the CBD and has placed historical markers on the buildings. Fourteen (14) of the locations are in the CBD on Biddle Avenue between Oak Street and Eureka Avenue. The remaining two (2) locations are on Biddle Avenue at Pine Street within the Planned Development (PD) Zoning District. The Historical Commission provided a walkable map to visitors called "The Museum In The Streets" so the public can enjoy this walk down Biddle Avenue (enclosed).

The Historical Commission did not identify any locations on streets other than Biddle Avenue. Electronic digital message signs by their nature are very bright to attract attention. These types of signs are NOT historical in nature. In fact, these type of signs are the very opposite of historical. A sign visible from Biddle Avenue on a side street would distract from the historical ambiance of a walk on Biddle Avenue.

Therefore, to include electronic digital message signs in the CBD there needs to be a balance to create a harmony with the historical nature of the CBD and need for new technology. The proposed ordinance changes allow these signs in the CBD but only on limited streets and only on buildings that face west away from Biddle Avenue.

The above is a good compromise and we recommend this ordinance be recommended for approval to the City Council.

Very truly yours,

Mark A. Kowalewski

Mark A. Kowalewski
City Engineer

William R. Look

William R. Look
City Attorney

Ben Tallerico

Ben Tallerico
City Planner

MAK/WRL/BT:kr

Enclosure

Welcome to Wyandotte on the water!

From the earliest times, the Great Lakes and their connecting rivers were the primary means of transportation for this region. This area was a choice spot for settlement of Native American, French and English settlers.

The Wyandot (Wendat) followed their French allies to this region, and in 1732 established the village of Maquaqua (Monguagon). The area proved ideal for hunting, fishing trapping and farming.

The struggle between the French and British empires in North America entangled the Wyandot in conflict during Pontiac's rebellion in 1763 and again during the War of 1812.

It was that later conflict that brought many more white settlers into the area. In 1835, a veteran of that war, Major John Biddle, built his country estate here.

The village of Wyandotte came into existence in 1854 when Eber Ward chose this site for his Eureka Iron Works. The plant was the first to use the Bessemer process in manufacturing.

The railroads arrived in the 1850's, and a large shipyard opened in 1871 that built and launched iron-hulled freighters and excursion boats, including the Boblo boat *S. S. Columbia*. In the 1890's, the Michigan Alkali established a large chemical plant that continued as Wyandotte Chemicals and is known today as BASF Wyandotte.

Wyandotte incorporated as a city in 1867 and has a long history of maintaining an independent identity. In the 1890's, it established its own power and water utilities.

From 1904 to 1924, the city expanded to the south, north and west.

From the beginning of the village, a thriving business district developed along Biddle Avenue. The 16 stops along this walking tour highlight in words and images some of that history.

Along your tour you will pass many delightful shops filled with unique items. We are pleased you have chosen to spend some time in our friendly and historic downtown district.



Wyandotte Historical Society's The Museum in the Streets® Committee:

Nan Wesser, Kenneth Navarre,
Wallace Hayden, George Gouth

*Since 1958, the Wyandotte Historical Society
has been dedicated to preserving,
documenting and displaying local history.*

Come join us!

(734) 324-7299

2624 Biddle Avenue

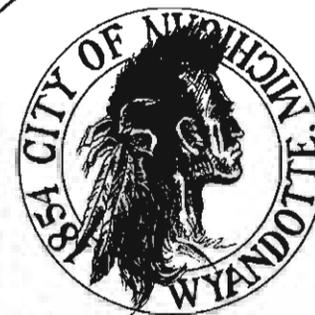
*The Wyandotte Historical Society would like to
thank the following for helping with this project:*

The City of Wyandotte, the Bacon Memorial
District Library, the Wyandotte Museum, the
Downtown Development Authority
and the Wyandotte Business Association

Cover: *Steamer Tashmoo*

THE MUSEUM IN THE STREETS® is a trademark owned and protected.
www.TheMuseumInTheStreets.com • info@themuseuminthestreets.com

THE MUSEUM IN THE STREETS®



*A heritage walking tour of
the City of Wyandotte, Michigan*



Welcome to
BIDDLE AVENUE



1 HOTEL ARLINGTON



2 R. P. MCMURPHY'S



3 THOMAS DRUG STORE



4 FIRST FIRE STATION



5 MELODY BROTHERS BUILDING



6 THE TRIANGULAR CORNER



7 NEISNER'S DIME STORE



8 MILKINS JEWELERS



9 MARK OPERA HOUSE



10 BIDDLE NORTH OF EUREKA



11 SHIPBUILDING



12 POLICE STATION



13 THE NINE LIVES OF 3225 BIDDLE AVENUE



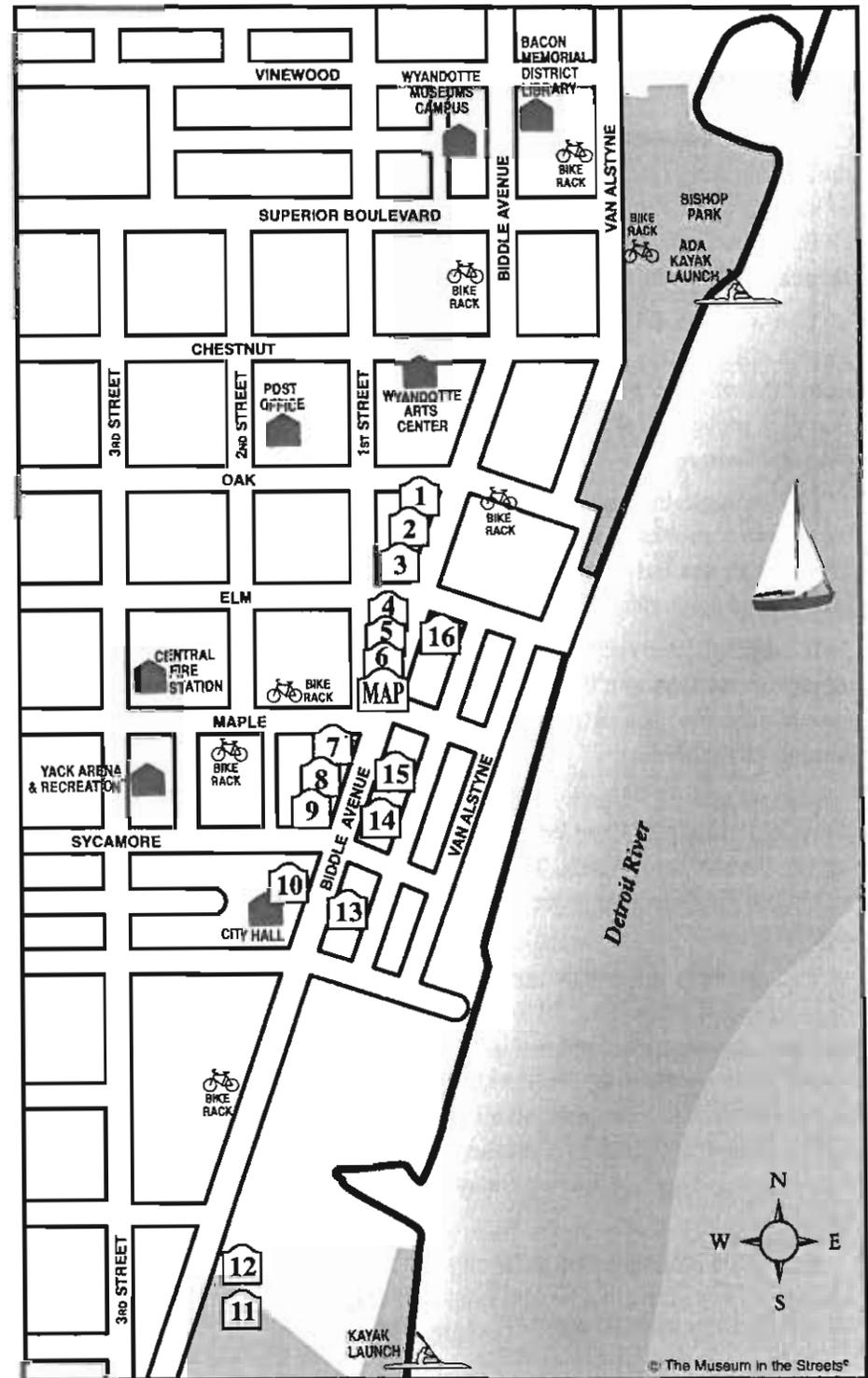
14 MAJESTIC THEATRE



15 CARNEGIE LIBRARY



16 EUREKA IRON WORKS & WYANDOTTE SAVINGS BANK



PG#521

City of Wyandotte Outdoor Café Application

REQUIRED INFORMATION:

Name of individual/business: Wino Doffe Bistro

Individual/business address: 2910 Van Alstyne

Address of sidewalk/street occupancy: _____

Phone Number: 313 262-1558 Fax: Email: _____

Property owner if other than applicant: Karen Foreta 313 282-6158

Name of planner, engineer, architect or agent: Jeff Kret

Café Location: On Public Property _____ on Private Property _____

Dates of proposed occupancy: Seasonal (3/15 thru 10/31) _____ Partial (_____ thru _____)

Hours of proposed occupancy: 12 AM thru 10 PM

Capacity of existing establishment: 32 people (with seating) 10 people (without seating)

Capacity of proposed outdoor café: _____ people (total number of seats)

Area of occupancy in square feet: _____ sq ft; dimensions See plans x _____

Will alcoholic beverages be served at the outdoor café: Yes _____ No

Zoning of property _____

DIAGRAM OF SIDEWALK CAFÉ:

Please attach a separate 8-1/2" x 11" sheet (or larger) illustrating the proposed café area. Show existing sidewalk, buildings, curb, existing improvements in the right-of-way, i.e. lamp posts, street trees and guards, benches, mailboxes, etc., an unobstructed clear area for pedestrian passage along sidewalk (a minimum of 60" wide), proposed area for tables and chairs, number of tables and chairs, and details of the proposed perimeter barrier. Diagram should be of a scale 1" = 10' (or other appropriate scale.) For additional requirements, please refer to the Zoning Ordinance and the Outdoor Café Ordinance pertaining to the zoning of the property.

PURPOSE:

Purpose of sidewalk occupancy _____

INSURANCE:

For outdoor cafes on public property, Applicant covenants and agrees to hold harmless from, indemnify, and defend the City, its agents, officers and employees against all suits, demands, claims, judgments, liens, cost of repair or replacement of any damaged public facilities, or costs, attorney fees and expenses which may arise out of, result from or be caused by Applicant's outdoor café.

Applicant covenants and agrees to strictly comply with all terms and conditions of the Outdoor Café Ordinance, all other ordinances and requirements of State and Federal laws, and further understands and agrees that the Planning and Rehabilitation Commission in its sole and absolute discretion, may approve, deny or set any conditions or limitations on any outdoor café which may be approved. Further, regarding an outdoor café on public property (including but not limited to public sidewalks and public right-of ways), the City Council may approve, deny or set any conditions or limitations on any outdoor café on public property which may be approved, or may at any time rescind or revoke any approval, in the City's sole discretion, all without recourse or remedy by the Applicant, or liability of the City.

Dated this _____ day of _____, 20____

Witnesses:

Signature _____
Printed Name: _____

Applicant's Signature _____
Printed Name: James Gore

Signature _____
Printed Name: _____

GRANT OF LICENSE & INSURANCE REQUIREMENTS FOR AN OUTDOOR CAFÉ ON PUBLIC PROPERTY

(1) General Liability

An Outdoor Café on public property shall carry comprehensive general liability insurance, including premises and all operations, through companies licensed and admitted to do business in Michigan, which shall provide protection from all claims of damage or injury, including death to persons and property which may arise out of, result from or be caused by licensee's use of occupancy of the premises or its operations conducted thereon with occurrence and aggregate limits of not less than \$2,000,000 of comprehensive general liability insurance coverage. The certificates and policies of the required comprehensive general liability insurance shall provide and be endorsed as follows:

"The City of Wyandotte, its officers and employees are additional insureds. The coverage is primary to the City and not contributing or pro rata with any other insurance or similar protection (e.g. risk management association) which is or may not be available to or carried by the City."

(2) Liquor Liability (if applicable)

A Grant of License for an Outdoor Café on public property shall carry liquor liability insurance with combined limits of not less than \$500,000 insuring for any and all damage and liability which may be caused by, related or arise out of sale, furnishing, giving, distribution or consumption of alcoholic beverages on the premises.

(3) Proof of Insurance

Proof of required insurance is not required when applying for an Outdoor Café on public property, but will be required prior to a Grant of License being issued by the Department of Legal Affairs. The applicant must also execute a Hold Harmless Agreement with the City of Wyandotte prior to the issuance of a Grant of License.

Office Use Only		Notes:
Public Department Approval:	<input type="checkbox"/> Yes <input type="checkbox"/> No Date: _____, 20____	_____
Fire Department Approval:	<input type="checkbox"/> Yes <input type="checkbox"/> No Date: _____, 20____	_____
Eng/Bldg. Department Approval:	<input type="checkbox"/> Yes <input type="checkbox"/> No Date: _____, 20____	_____
Insurance Certification on File:	<input type="checkbox"/> Yes <input type="checkbox"/> No Date: _____, 20____	_____
Hold Harmless Agreement Executed:	<input type="checkbox"/> Yes <input type="checkbox"/> No Date: _____, 20____	_____
Grant of License Issued:	Yes No Date: _____, 20____	_____

OFFICIALS

Lawrence S. Stec
CITY CLERK

Todd M. Browning
CITY TREASURER

Thomas R. Woodruff
CITY ASSESSOR



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

September 26, 2016

NOTICE OF VIOLATION

GORETA, KAREN
233 BIDDLE
Wyandotte, MI 48192

Location: 2910 VAN ALSTYNE
Permit #: PBLD16-0646
Inspector: Jesus Plasencia

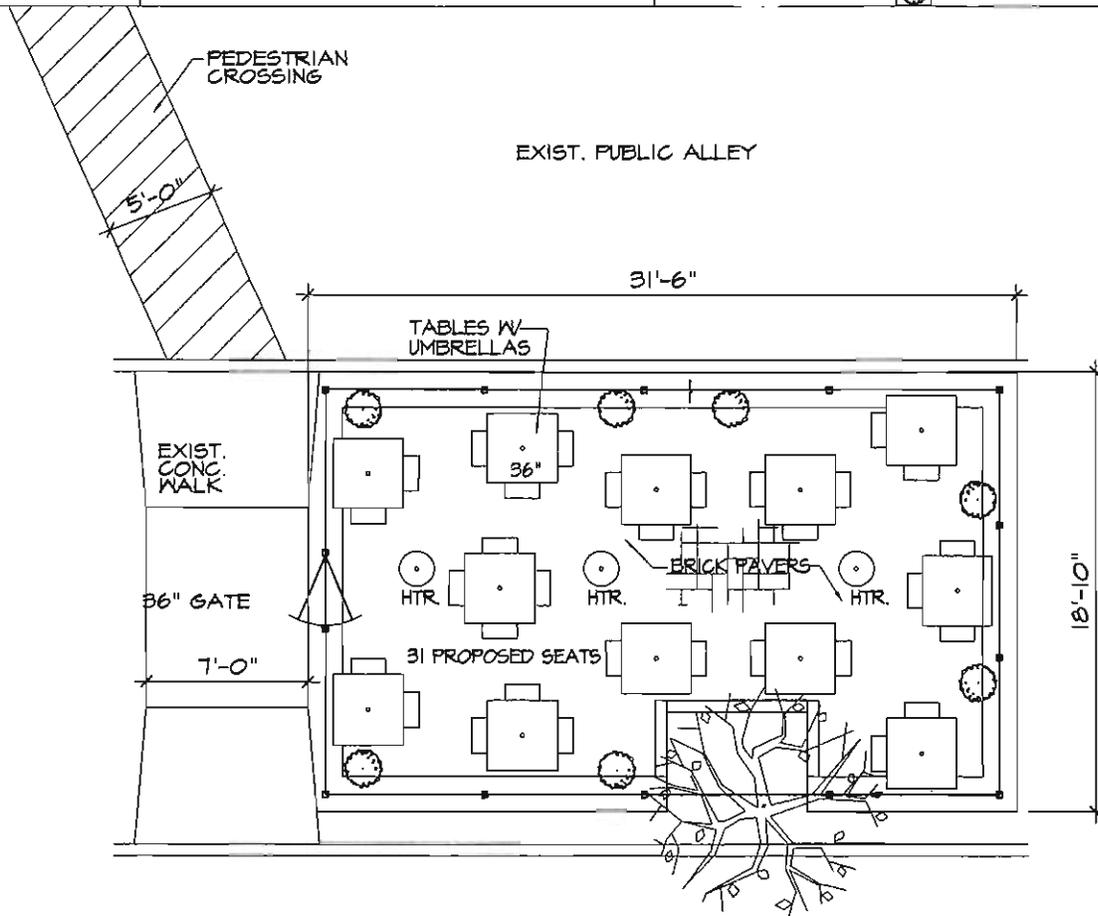
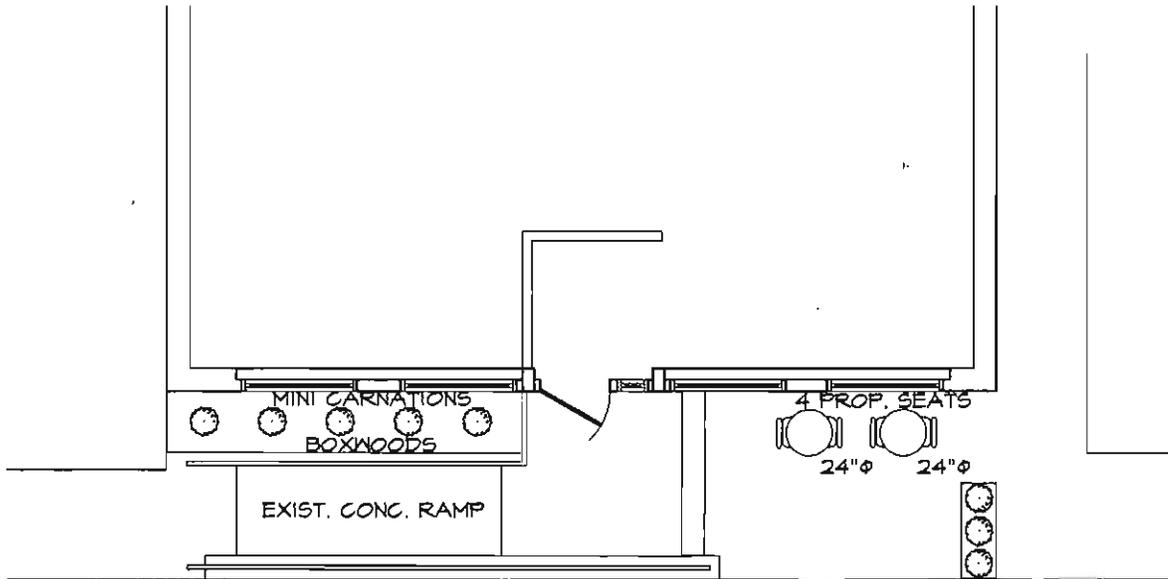
The Inspector performed an inspection at the above address on 09/23/2016. The following violations need to be corrected by 10/26/2016. **Please call to schedule a re-inspection once violations are completed to avoid further action.** Failure to comply can result in a citation being issued.

Phone inquiries may be made between 8:00 and 9:00 AM Monday thru Friday.

VIOLATIONS

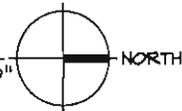
Inspection is for concrete slab for proposed outdoor cafe in City greenbelt. Contractor prepped slab for 7+ inches of concrete. However, dirt subgrade does not match planned subgrade of 6 inch compacted granular fill (although this subgrade is not needed in the opinion of the inspector). Additionally, the footprint of the cafe is larger than what is approved on the plans - 30 feet versus 35 feet. Contractor/Owner advised to follow approved plan or resubmit plans for Planning Commission approval.

NOTE: A \$40.00 REINSPECTION FEE IS REQUIRED TO BE PAID BEFORE SCHEDULING ANY FURTHER INSPECTIONS



PROPOSED ENLARGED SITE PLAN
 OPTION # 3

3/16" = 1'-0"





10/17/16



10/17/16
PORTABLE
HEATER
SEASONAL USE



TABLE 36x36
10/17/16

UMBRELLA
10/17/16





chairs

10/17/16



Black
Rubber
Mutch →

RAILING 10/17/16

MAYOR
Joseph R. Peterson

CITY CLERK
Lawrence S. Stec

TREASURER
Todd M. Browning

CITY ASSESSOR
Thomas R. Woodruff



DANIEL J. GRANT
CHIEF OF POLICE

CITY COUNCIL

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Donald C. Schultz

Kevin VanBoxell

TO: Kelly Roberts, Development Coordinator

DATE: November 9, 2016

FROM: Daniel J. Grant, Chief of Police

A handwritten signature in blue ink that reads 'Daniel J. Grant'.

SUBJECT: NEW OUTDOOR SERVICE – 2910 VAN ALYSTINE

CC: Clerks Office

This correspondence is in response to your e-mail dated Monday June 13, 2016 relative to the Outdoor Service application at the Wine Dotte Bistro, 2910 Van Alystine Street, Wyandotte, Michigan. I have no objections if the **updated** proposal for the outdoor service area which is adjacent to City Lot #1 is approved as illustrated on the 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 the Wine Dotte Bistro for use of the green-belt in the parking area at the front of the building which is 31' 6" long and 18' 10" wide which is proposed for the front of the building facing City Lot #1.
- Approval is received from the Liquor Control Commission for an Outdoor Café.

Further, the police department recommends that the Wine Dotte Bistro owners 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

Kelly Roberts

From: J Carley <jcarley@wyan.org>
Sent: Monday, October 31, 2016 3:00 PM
To: 'Kelly Roberts'
Subject: RE: Outdoor Cafe Review

Kelly

Both Outdoor cafés are approved by WFD

From: Kelly Roberts [mailto:kroberts@wyan.org]
Sent: Thursday, October 27, 2016 11:59 AM
To: Dan Grant <dgrant@wyan.org>; Jeff Carley <jcarley@wyan.org>; 'Jesus Plasencia' <jplasencia@wyan.org>
Subject: Outdoor Cafe Review

All:

Attached are two (2) outdoor café applications. Both applications are changes to the approved plans. Please review and return a response to the undersigned by November 11, 2016.

If you need any additional information please do not hesitate to call or email the undersigned.

Thank you

Kelly Roberts
Development Coordinator
City of Wyandotte
3200 Biddle Avenue 2nd Floor
Wyandotte, MI 48192
Direct No. 734-324-4555
Fax No. 734-556-3179

OFFICIALS

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Donald C. Schultz
Kevin VanBoxell

November 11, 2016

Stan Pasko, Chairperson
Planning Commission
City of Wyandotte

RE: Outdoor Café at 2910 Van Alstyne
Wyandotte, Michigan

Dear Mr. Pasko:

During the inspection of the outdoor café at the above captioned property it was discovered that the café was in the process of being formed larger than shown on the plans previously approved by the Commission: 31'2" by 19'3" versus plan dimensions of 25'0" by 17'7". The table and chair layout was the same.

The undersigned recommends that the Planning Commission approve this revised plan as it does not interfere with any vehicular or pedestrian traffic and the table and chair layout is the same. If you concur, I have prepared a Resolution for your consideration.

Very truly yours,

Mark A. Kowalewski
City Engineer

PLANNING COMMISSION
MEETING OF November 17, 2016
RESOLUTION

RESOLUTION BY COMISSIONER _____

RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF WYANDOTTE that Special Approval #521 – requested by Karen Goreta, owner and appellant of Wine Dotte Bistro, for a Certificate of Occupancy for an Outdoor Café at 2910 Van Alstyne was approved on June 13, 2016 by the Planning Commission and the City Council;

NOW THEREFORE BE IT RESOLVED that the Planning Commission approves the revised layout of the outdoor café to 31'6" by 18'10" provided owner receives approval from the City Council; AND

BE IT RESOLVED that all other terms and conditions indicated on the Resolutions from the Planning Commission and City Council remain in full effect.

I move adoption of the foregoing resolution.

Commissioner _____

Supported by Commissioner _____

YEAS:

NAYS:

ABSENT:

MOTION PASSED

PC# 522

City of Wyandotte
Outdoor Café Application

REQUIRED INFORMATION:

Name of individual/business: Portofino Restaurant and Banquet Facility

Individual/business address: 3455 Biddle Avenue

Address of sidewalk/street occupancy: NA.

Phone Number: (73) 4.281.6700 Fax: () _____ Email: jbeas49@msn.com

Property owner if other than applicant: Jerry Beasley

Name of planner, engineer, architect or agent: Thomas Roberts Architect, llc

Café Location: On Public Property _____ on Private Property

Dates of proposed occupancy: Seasonal (3/15 thru 10/31) _____ Partial (_____ thru _____)

Hours of proposed occupancy: 11 AM thru 10 PM

Capacity of existing establishment: 450 people (with seating) _____ people (without seating)

Capacity of proposed outdoor café: 100 people (total number of seats)

Area of occupancy in square feet: 3,400 sq ft; dimensions _____ x _____

Will alcoholic beverages be served at the outdoor café: Yes _____ No

Zoning of property PD - Planned Development

DIAGRAM OF SIDEWALK CAFÉ:

Please attach a separate 8-1/2" x 11" sheet (or larger) illustrating the proposed café area. Show existing sidewalk, buildings, curb, existing improvements in the right-of-way, i.e. lamp posts, street trees and guards, benches, mailboxes, etc., an unobstructed clear area for pedestrian passage along sidewalk (a minimum of 60" wide), proposed area for tables and chairs, number of tables and chairs, and details of the proposed perimeter barrier. Diagram should be of a scale 1" = 10' (or other appropriate scale.) For additional requirements, please refer to the Zoning Ordinance and the Outdoor Café Ordinance pertaining to the zoning of the property.

PURPOSE:

Purpose of sidewalk occupancy: NA

INSURANCE:

For outdoor cafes on public property, Applicant covenants and agrees to hold harmless from, indemnify, and defend the City, its agents, officers and employees against all suits, demands, claims, judgments, liens, cost of repair or replacement of any damaged public facilities, or costs, attorney fees and expenses which may arise out of, result from or be caused by Applicant's outdoor café.

Applicant covenants and agrees to strictly comply with all terms and conditions of the Outdoor Café Ordinance, all other ordinances and requirements of State and Federal laws, and further understands and agrees that the Planning and Rehabilitation Commission in its sole and absolute discretion, may approve, deny or set any conditions or limitations on any outdoor café which may be approved. Further, regarding an outdoor café on public property (including but not limited to public sidewalks and public right-of-ways), the City Council may approve, deny or set any conditions or limitations on any outdoor café on public property which may be approved, or may at any time rescind or revoke any approval, in the City's sole discretion, all without recourse or remedy by the Applicant, or liability of the City.

Dated this 14th day of October, 2016

Witnesses: [Signature]

Signature
Printed Name: Thomas Roberts, AA

[Signature]
Applicant's Signature
Printed Name: Jarney Benschey

[Signature]
Signature
Printed Name: Donald Covert

GRANT OF LICENSE & INSURANCE REQUIREMENTS FOR AN OUTDOOR CAFÉ ON PUBLIC PROPERTY

(1) General Liability

An Outdoor Café on public property shall carry comprehensive general liability insurance, including premises and all operations, through companies licensed and admitted to do business in Michigan, which shall provide protection from all claims of damage or injury, including death to persons and property which may arise out of, result from or be caused by licensee's use of occupancy of the premises or its operations conducted thereon with occurrence and aggregate limits of not less than \$2,000,000 of comprehensive general liability insurance coverage. The certificates and policies of the required comprehensive general liability insurance shall provide and be endorsed as follows:

"The City of Wyandotte, its officers and employees are additional insureds. The coverage is primary to the City and not contributing or pro rata with any other insurance or similar protection (e.g. risk management association) which is or may not be available to or carried by the City."

(2) Liquor Liability (if applicable)

A Grant of License for an Outdoor Café on public property shall carry liquor liability insurance with combined limits of not less than \$500,000 insuring for any and all damage and liability which may be caused by, related or arise out of sale, furnishing, giving, distribution or consumption of alcoholic beverages on the premises.

(3) Proof of Insurance

Proof of required insurance is not required when applying for an Outdoor Café on public property, but will be required prior to a Grant of License being issued by the Department of Legal Affairs. The applicant must also execute a Hold Harmless Agreement with the City of Wyandotte prior to the issuance of a Grant of License.

Office Use Only		Notes:
Public Department Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No	Date: _____, 20____	_____
Fire Department Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No	Date: _____, 20____	_____
Eng/Bldg. Department Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No	Date: _____, 20____	_____
Insurance Certification on File: <input type="checkbox"/> Yes <input type="checkbox"/> No	Date: _____, 20____	_____
Hold Harmless Agreement Executed: <input type="checkbox"/> Yes <input type="checkbox"/> No	Date: _____, 20____	_____
Grant of License Issued: <input type="checkbox"/> Yes <input type="checkbox"/> No	Date: _____, 20____	_____

Portofino Restaurant Outdoor Cafe

Site Plan Review

3455 Biddle Avenue, Wyandotte, Michigan 48192



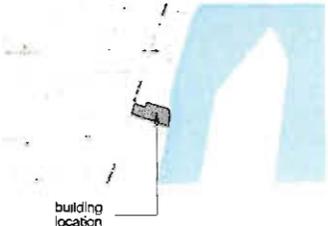
owner
Portofino Restaurant
3455 Biddle Rd.
Wyandotte, Michigan, 48192

architect
THOMAS ROBERTS ARCHITECT, LLC
2927 4th Street
Wyandotte, Michigan 48192
734.250.4032 (t)

Drawing Index

- Cover Sheet
- A101 Existing Site Plan
- A102 Existing Outdoor Cafe Plan
- A103 Existing Site Photos

Location Map



October 14, 2016



16025.0

SITE PLAN REVIEW



Kelly Roberts

From: J Carley <jcarley@wyan.org>
Sent: Monday, October 31, 2016 3:00 PM
To: 'Kelly Roberts'
Subject: RE: Outdoor Cafe Review

Kelly

Both Outdoor cafés are approved by WFD

From: Kelly Roberts [<mailto:kroberts@wyan.org>]
Sent: Thursday, October 27, 2016 11:59 AM
To: Dan Grant <dgrant@wyan.org>; Jeff Carley <jcarley@wyan.org>; 'Jesus Plasencia' <jplasencia@wyan.org>
Subject: Outdoor Cafe Review

All:

Attached are two (2) outdoor café applications. Both applications are changes to the approved plans. Please review and return a response to the undersigned by November 11, 2016.

If you need any additional information please do not hesitate to call or email the undersigned.

Thank you

Kelly Roberts
Development Coordinator
City of Wyandotte
3200 Biddle Avenue 2nd Floor
Wyandotte, MI 48192
Direct No. 734-324-4555
Fax No. 734-556-3179

Kelly Roberts

From: Daniel Grant <dgrant@wyan.org>
Sent: Wednesday, November 09, 2016 4:29 PM
To: 'Kelly Roberts'
Subject: RE: Outdoor Cafe Review

Hi Kelly,

I have reviewed the plans for the outdoor service area/café for Portofino and they have been operating this area as shown on the plans for several years. I have no problem if the formal permits are granted and they continue with the operation of this outdoor area as there have been no law enforcement related issues.

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

From: Kelly Roberts [<mailto:kroberts@wyan.org>]
Sent: Thursday, October 27, 2016 11:59 AM
To: Dan Grant <dgrant@wyan.org>; Jeff Carley <jcarley@wyan.org>; 'Jesus Plasencia' <jplasencia@wyan.org>
Subject: Outdoor Cafe Review

All:

Attached are two (2) outdoor café applications. Both applications are changes to the approved plans. Please review and return a response to the undersigned by November 11, 2016.

If you need any additional information please do not hesitate to call or email the undersigned.

Thank you

OFFICIALS

Lawrence S. Stec
CITY CLERK

Todd M. Browning
CITY TREASURER

Thomas R. Woodruff
CITY ASSESSOR



MARK A. KOWALEWSKI, P.E.
CITY ENGINEER

MAYOR
Joseph R. Peterson

COUNCIL
Sheri Sutherby Fricke
Daniel E. Galeski
Ted Miciura, Jr.
Leonard T. Sabuda
Donald C. Schultz
Kevin VanBoxell

November 11, 2016

Stan Pasko, Chairperson
Planning Commission
City of Wyandotte

RE: Outdoor Café at 3455 Biddle Ave
Wyandotte, Michigan

Dear Mr. Pasko:

During the inspection of the outdoor café at the above captioned property it was discovered that the café was substantially different than as shown on the plans previously approved by the Commission: the outdoor café east of the restaurant is now enclosed and a new outdoor café exists north of the restaurant. The change in plans was never formalized nor approved by the Commission.

The undersigned recommends that the Planning Commission approve this revised plan as it does not interfere with any vehicular or pedestrian traffic. Additional seating was approved by the Fire Chief. If you concur, I have prepared a Resolution for your consideration.

Very truly yours,

Mark A. Kowalewski
City Engineer

PROPOSED RESOLUTION
PLANNING COMMISSION
November 17, 2016

RESOLUTION BY COMMISSIONER _____

SUPPORTED BY COMMISSIONER _____

RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF WYANDOTTE, that Special Approval #522 – request by Jerry Beasley, Owner and Appellant of Portofino Restaurant, for a Certificate of Occupancy for an Outdoor Café at 3455 Biddle Avenue, Wyandotte, Michigan

Be hereby approved contingent upon approval by the Wyandotte City Council and the following:

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 A101, A102, A103 dated October 14, 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.
5. Use of the outdoor café shall be allowed from 7:00 a.m. to Midnight from March 15 through November 15.
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.

ADDITIONAL COMMENTS FROM THE PUBLIC HEARING

YES:

NO:

This appeal is respectfully submitted to your Commission for hearing because:

It is my understanding and belief that the City Engineer has erred in finding that the building and/or use covered by the application is not in conformity with all the provisions of the zoning ordinance.

It is my understanding and belief that the Commission is expressly given the power to authorize the Certificate under Section 1301.0 of the zoning ordinance.

It is my understanding and belief that unusual conditions applying to my land render the strict application of the provisions of the ordinance unduly harsh and unreasonable to an extent not intended by the ordinance and not generally suffered by others.

In my support of this claim, I submit the facts and information contained herein, which are made a part of this appeal, and are to the best of my knowledge, true and accurate.

Signature of Applicant *Donald Chamberlain* Address 19485 LIGHTHOUSE POINT
GROSSE ILE, MI 48138

In what way does the applicant represent the owner? _____

Indicate below any person in addition to applicant to whom notices of the date of the hearing and decision in the case should be sent.

Name *Rickard Bonn* Address 29725 Bay View Grosse Ile MI 48138
kohl@kohlarch.com

Use the space below or attach an additional sheet for a sketch of the land and the buildings thereon.

NOTE: The Commission shall fix a reasonable time for hearing of the appeal and shall give due notice thereof to the parties including all owners of record of property within 300 feet of the premises in question, such notice to be delivered personally or by mail addressed to the respective owners at the address given in the last assessment roll, and shall decide the same within a reasonable time. (Act 207 of the Public Acts of Michigan for 1921, as amended.)

OFFICIALS

Lawrence S. Stec
CITY CLERK

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CITY ASSESSOR



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Leonard T. Sabuda
Donald C. Schultz
Kevin VanBoxell

MARK A. KOWALEWSKI, P.E.
CITY ENGINEER

September 16, 2016

Gerald Chamberlin
19485 Lighthouse Pointe
Grosse Ile, Michigan 48138

RE: PLAN REVIEW OF ADDITION AT 2947 BIDDLE AVENUE

Dear Mr. Chamberlin:

A plan review has been completed of the proposed addition at the above address the following items are required to be addressed:

1. Provide fire suppression system plans for the second floor and third floor apartment areas as required by Section 903.2.8. *NFPA 13R*
2. The building construction type is III B typically for these building Downtown, Section 602.3 only allows fire retardant treated wood framing. Also, Type III B construction requires a 2 hour fire rating for exterior walls. *NOTED*
3. A fire alarm system may be required please check with Wyandotte Fire Chief Jeff Carley. Also check about possible stand pipe requirements. *NOTED*
4. **Approval by the Planning Commission is required for the second and third floor addition as a Special Land Use. Approval by the Zoning Board of Appeals for the lack of parking on site for one car because of the expansion. Approval by the Design Review Board for any exterior work in the Central Business District (CBD).** *EXISTING APT.*
APPROVED
5. Provide a continuous handrail to second floor. *OK*
6. The glass rail (Guardrail) would be required to be safety glazing and ~~42~~ *36* inches high. *NOTED*
7. There is a 3070 door opening to roof below this would also require a guardrail system along with the proper roof system or eliminate door. *OK CHANGED TO WINDOW*

RE: PLAN REVIEW OF ADDITION AT 2947 BIDDLE AVENUE

8. The proposed study; ^{OK} how are you providing mechanical ventilation for fresh air use to the lack of natural ventilation as in windows?
9. There is a two hour fire rated floor ceiling required between the business below and the ~~apartment~~ ^{OK ADDRESSED} and addition above Table 508.4. How is this being addressed?
10. ^{OK} Require sound transmission rating, Section 1207 is required to be shown for the assembly.
11. Indicate compliance with com check for a residential use by going to www.energycodes.gov. *Note: Architect will check com/check for RESIDENTIAL USE*
- ^{OK} 12. The roof drain water must be transported to a pipe where it spills out into the public alley at the rear. If cannot be piped into the sanitary sewer system.

If you have any questions regarding this matter, please contact the undersigned at 734-324-4569 or email at cmarcoux@wyan.org.

Very truly yours,



Claude Marcoux
Building Inspector

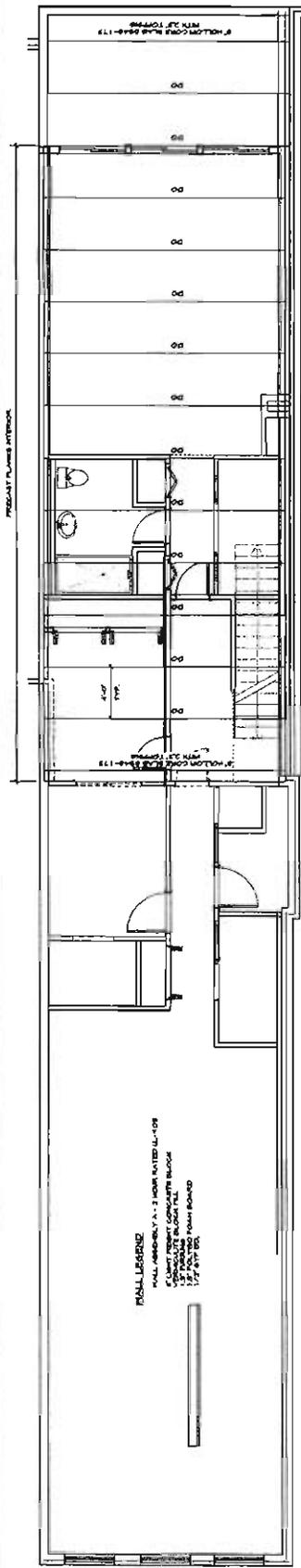
CM/pg

w/plan review/2945 Biddle

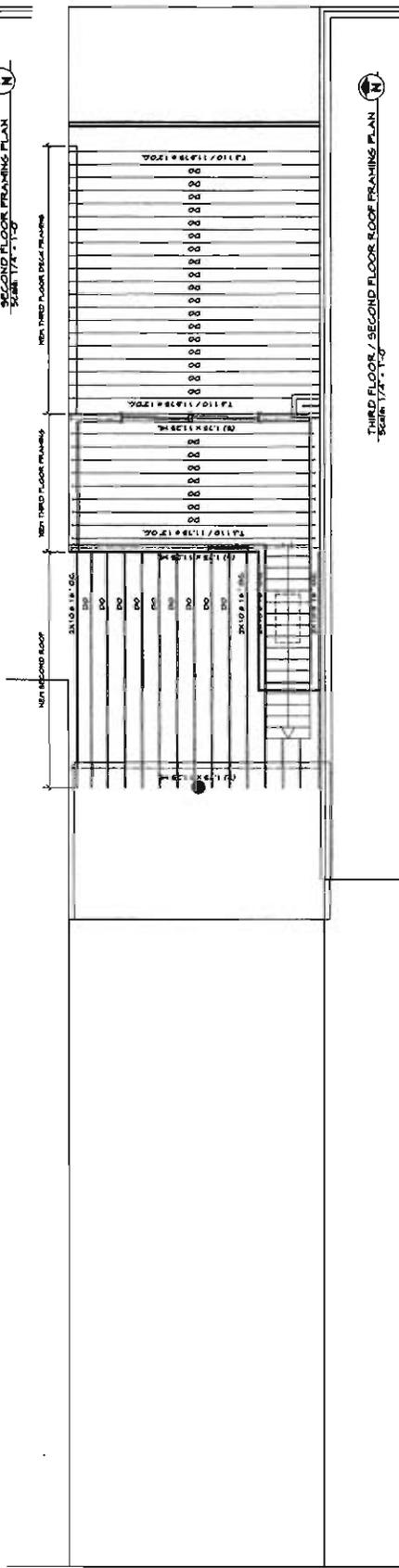


ROBERT BOK
ARCHITECT
1000 MARKET STREET, SUITE 200
PHILADELPHIA, PA 19102
TEL: 215-592-1234
WWW.RBOK.COM

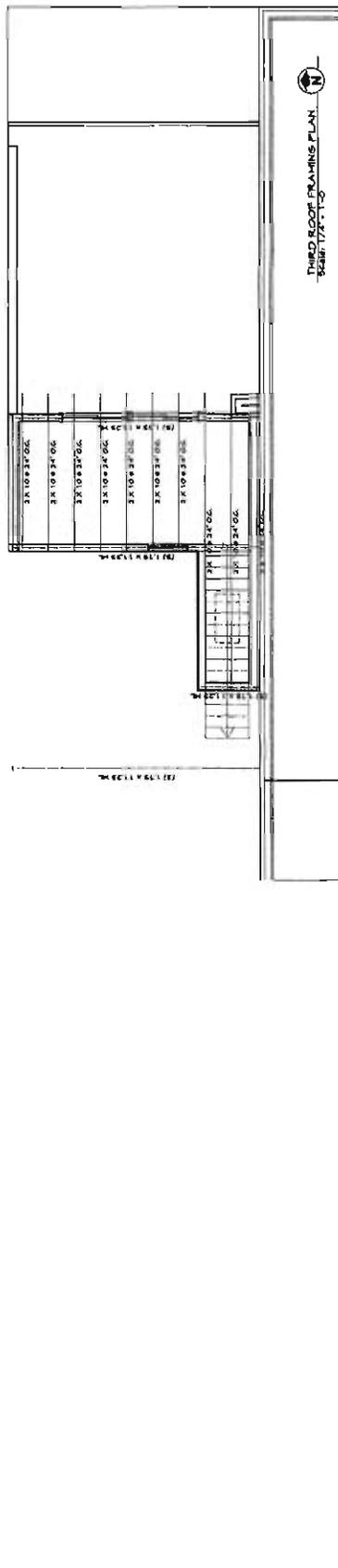
Mr. Gerald Chamberlain
Apartment Residence Addition
2027 Market
Philadelphia, PA 19103



SECOND FLOOR FRAMING PLAN
SCALE 1/4" = 1'-0"



THIRD FLOOR / SECOND FLOOR ROOF FRAMING PLAN
SCALE 1/4" = 1'-0"



THIRD FLOOR FRAMING PLAN
SCALE 1/4" = 1'-0"

FINISH LEGEND
 FLOOR FINISH: 3/4\"/>

PRECAST PUMPS INTERIOR

PROPOSED RESOLUTION
PLANNING COMMISSION
NOVEMBER 17, 2016

RESOLVED BY COMMISSIONER: _____

SUPPORTED BY COMMISSIONER: _____

WHEREAS, on November 17, 2016, the Planning Commission held the required public hearing to hear comments and concerns on the request of Gerald Chamberlain for a residential unit on the second and third floor at 2945-2947 Biddle Avenue, Wyandotte; AND

WHEREAS, the Plans submitted by Richard Bohl Architects consisting of pages A0, A1,A1.1, A2,A3, A4, A5 all dated October 17, 2016; AND

ADDITIONAL COMMENTS FROM PUBIC HEARING

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF WYANDOTTE, that the Commission APPROVES/DENIES the use of the second and third use as a residential unit at 2945-2947 Biddle Avenue, Wyandotte, Michigan

YES:

NO:

ABSENT:

Monthly report

Date: November 11, 2016

From: Benjamin J. Tallerico, AICP, CNU-A, HDFP, FBCi, NCI

To: **Stanely Pasko, Chair**
Members of the Wyandotte Planning Commission
Mr. Mark Kowalewski, City Engineer
Ms. Kelly Roberts, Development Coordinator
Other Interested Parties
3200 Biddle Avenue
Wyandotte MI 48192

Re: **the URBAN notebook**
November e 2016 Planning Consultant's Report

“ One of the key problems today is that politics is such a disgrace. Good people don't go into government. ”

----- Donald Trump

Planning Conference Kalamazoo MI- Important Sessions

Telecommunications

Modern telecommunications enhances connectivity between people, objects and urban infrastructures. Effective telecommunications crosscut through and shape a community, including public safety; cultural, economic and social development; and infrastructure. Current and future telecommunication technology, and existing regulatory requirements for both the public and private sectors, specifically addressing the impact that both technology and regulation have on wireless and telecom deployment is something we should be aware of.

Medical Marihuana

We now have five classifications in the new medical marihuana law, and the ability to regulate, or not, depending on what we decide to do.

Airbnb's

Short term rental units are impacting quality of life, housing, affordability and community safety across our state and the nation. There are legal and economic issues surrounding this new “sharing” economy, along with common challenges we may encounter if we attempt to regulate.

Articles

Vermont Fights Small Box Sprawl. November 2016 Planning Magazine
 A Course in Small Town Revitalization. November 2016 Planning Magazine



Strong local zoning and design standards in Bennington, Vermont, resulted in a centrally located Dollar General store that fits well into the fabric of the community. Because of a loophole in Act 250, which was intended to regulate land use and development statewide, Vermont towns with no—or weakly worded—zoning have little say in the appearance or siting of small discount retail stores.

VERMONT FIGHTS SMALL-BOX SPRAWL

SUSANNE PACILIO WANTED TO FIGHT when she found out that Dollar General, a discount retailer, intended to build a store in the hayfield across the highway from her neighborhood in Fairlee, Vermont. “It does not contribute to the traditional and loved New England small-town appearance,” she says.

But there was little she could do to prevent the rapidly growing retail chain from expanding into her neighborhood. “To have any zoning, you have to have a valid town plan, and our town plan had expired,” Pacilio says.

Two state laws are credited with preserving Vermont’s charm: the 1968 Billboard Act, which bans off-premise advertising signs, and Act 250, a 1970 law that regulates development on 10 acres if local zoning regulations are in force, or on more than one acre if the municipality does not have both permanent zoning and subdivision bylaws.

In the 1990s, Act 250 was credited with allowing the state to steer Walmart into opening smaller-than-typical stores in existing buildings, including one in downtown Rutland.

But Act 250 has not given municipalities that kind of leverage against Dollar General and other small discount retailers such as Family Dollar. Dollar General has built 32 stores in Vermont in 10 years, says Dollar General Corporation spokesperson Crystal Ghassemi. “We plan to identify additional areas for new store growth in the state.” That expansion is typical of both the chain, which added about 5,000 stores nationwide in the past 10 years, and the small-footprint, discount store category, which has boomed in recent years. (See “Big Box Bust,” July; planning.org/planning/2016/jul/bigboxbust.)

Calculated per person, the number of Dollar General stores built in Vermont in the last 10 years is three times higher than the national average. The stores have been built in small towns with no other national retail chains and, in some cases, only 10 miles apart.

“Too many communities rely on Act 250 to be the savior, and it’s not,” says Thomas Kennedy, AICP, executive director of the Southern Windsor Regional Planning Commission. Vermont’s regional planning commissions, which are part of state government, oversee planning issues often done at the county level in other states.

“Less than 10 percent of Dollar Generals in Vermont went through Act 250,” says Kate McCarthy, AICP, sustainable communities program director of the Vermont Natural Resources Council. “The size has kept them under the radar of Act 250,” adds Kirwin Wroth, former director of Vermont Law School’s Land Use Institute.

All about zoning

The goal, Vermont planners say, is not to keep any type of store out of Vermont, but to keep downtowns vibrant and the rural outskirts undeveloped. “It’s always about location and scale,” says Paul Bruhn, executive director of the Preservation Trust of Vermont.

There have been victories among towns that have tried to apply smart growth principles to small discount retail development. The Dollar General in Bennington, for example, was built in a commercial district with a sidewalk entrance. “The credit goes to the planning and development boards in Bennington,” says Bruhn. “I’m sure that wasn’t the prototype design.”

Well-written municipal plans and zoning ordinances are the only way other towns will find similar success, experts say. It’s work townspeople may be more willing to do once they’ve experienced the consequences of inaction, Kennedy says.

Pacilio did not let the education she gained by opposing Dollar General go to waste. "I joined the town planning board," she says. "We actually have a town plan and now we are writing zoning to accom-

pany it. It's a lot of work, but I feel like I'm making a difference."

—Madeline Bodin

Bodin is a freelance journalist who writes about science and the environment. She lives in Vermont.

ONTARIO TAKES ON REGIONAL PLANNING—TIMES FOUR

SOUTHERN ONTARIO IS MAKING synchronized planning a new sport, as more than 110 municipalities and dozens of local and provincial government agencies coordinate to refine four regional plans within the province's Greater Golden Horseshoe region.

One of the plans, the *Growth Plan for the Greater Golden Horseshoe*, won APA's Daniel Burnham Award for a Comprehensive Plan in 2007, the first time the award was given for a plan outside the U.S., in large part for its success in striking a balance between new development and open space.

One in four Canadians—about 9 million—live in the Greater Golden Horseshoe, an area the size of Maryland wrapping around the western end of Lake Ontario. That population is projected to swell to 13.5 million by 2041. Centered around Toronto, the region produces two-thirds of Ontario's gross domestic product, is home to several unique landforms and ecosystems, and includes some of the best agricultural land in the country.

Over the last 18 months, local officials have undertaken a review of the growth plan, along with three conservation-oriented plans for areas within the Greater Golden Horseshoe: the *Greenbelt Plan*, the *Oak Ridges Moraine Conservation Plan*, and the *Niagara Escarpment Plan*. A 10-year review is legislatively required for each, but the concurrent process is new.

Since the plans cover the same geographical area, stakeholders urged officials to consult with them on all four plans at the same time to avoid redundancy in the process, says Larry Clay, assistant deputy minister of the Ontario Growth Secretariat, the provincial agency coordinating the review process.

A joint panel comprised of farmers, planners, developers, and natural resource managers, and headed up by former Toronto Mayor David Crombie, conducted 17 town hall meetings across the region and numerous technical briefings for stakeholder groups.

Precision is needed, Clay explains, because the enabling legislation for the four regional plans require the municipalities covered by them to comply with each of the plans' objectives. "The regional plan is basically the law here [in Ontario]" rather than just a guiding document, he says.

The panel's report gives 87 specific recommendations, which include increasing the growth plan's "intensification target" for built-up areas, future development-designated greenfield areas, and areas around existing transit. That last part meshes with efforts to better maximize public investment in the expanding network of regional rail and local bus rapid transit and light-rail transport infrastructure. The density bump would enable increased protection of agricultural land and conservation areas covered by the other three plans, including an expansion of the Greenbelt with 21 additional urban river corridors, seven coastal wetlands and the addition of about 111,000 acres to the bank of conservation lands in the Niagara Escarpment.

Clay says the report was well received both by the government and most stakeholders. The new mandates are expected to be finalized in late 2016.

—Brian Barth

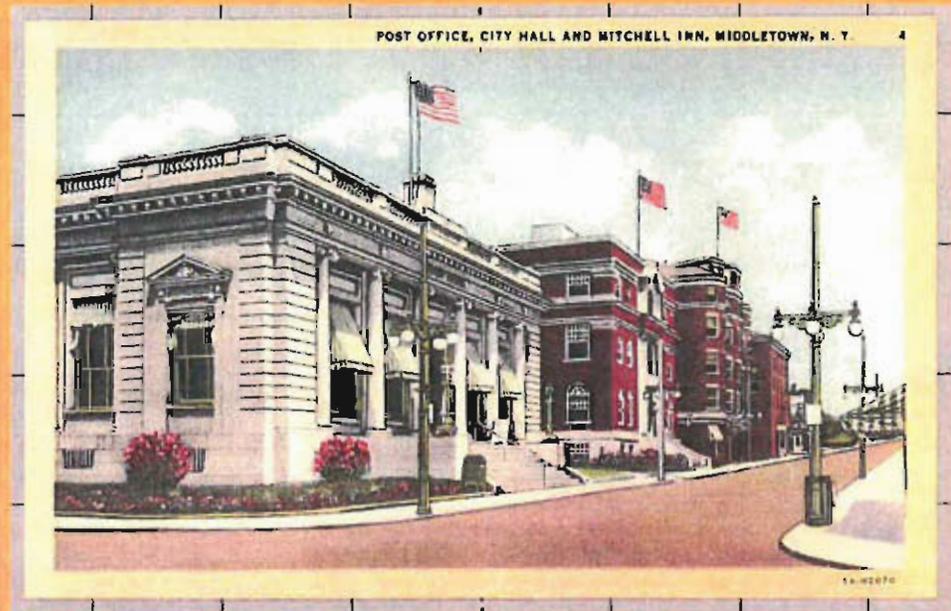
Barth is a Toronto-based freelance writer with a background in environmental planning.

The U.S. Department of Transportation awarded Oregon a \$2.1 million grant to expand its "pay by the mile" pilot program as a potential alternative to the gasoline tax. Launched last year, Oregon's "OReGo" program charges volunteer participants 1.5 cents per mile driven. California launched a similar pilot in June.

In September, the Obama administration released a white paper (tinyurl.com/gnbdezc) calling for local governments to lessen regulations on housing development and warning that zoning barriers and other housing constraints are exacerbating the affordability crisis in cities across the U.S.

Oakland, California, approved sharp cuts to its parking requirements aimed at lowering housing costs and making the city more walkable. Near major transit hubs, the requirement is now zero with a maximum cap. Also, rental property owners are required to separate parking charges from rent.

The U.S. Fish and Wildlife Service has listed the eastern massasauga rattlesnake as a threatened species under the Endangered Species Act after considering it as a "candidate" for more than 30 years. Considered shy and nonaggressive, the snake lives in areas within the Midwest and Great Lakes regions. Elsewhere in the U.S., voluntary efforts are helping some at-risk species stay off the endangered species list (see "Good Habitats Pay Off," August/September 2016: planning.org/planning/2016/aug/goodhabitats).



POST OFFICE, CITY HALL AND MITCHELL INN, MIDDLETOWN, N. Y. 4

1935

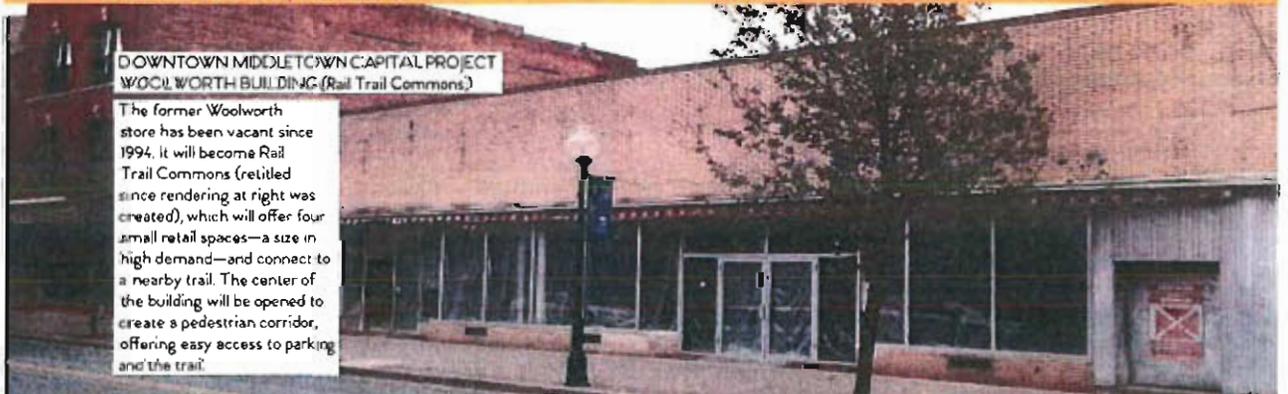
A COURSE IN SMALL TOWN REVITALIZATION

A regional planning organization in New York's Hudson Valley helps a small class of stakeholders achieve community-building success.

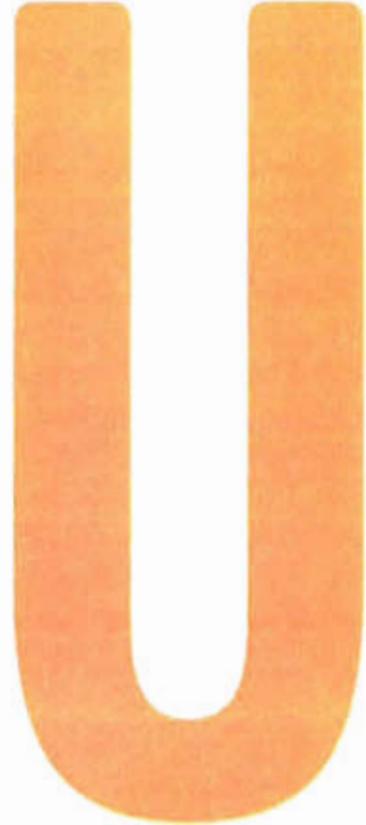
MIDDLETOWN, New York

DOWNTOWN MIDDLETOWN CAPITAL PROJECT WOOL WORTH BUILDING (Rail Trail Commons)

The former Woolworth store has been vacant since 1994. It will become Rail Trail Commons (retitled since rendering at right was created), which will offer four small retail spaces—a size in high demand—and connect to a nearby trail. The center of the building will be opened to create a pedestrian corridor, offering easy access to parking and the trail.



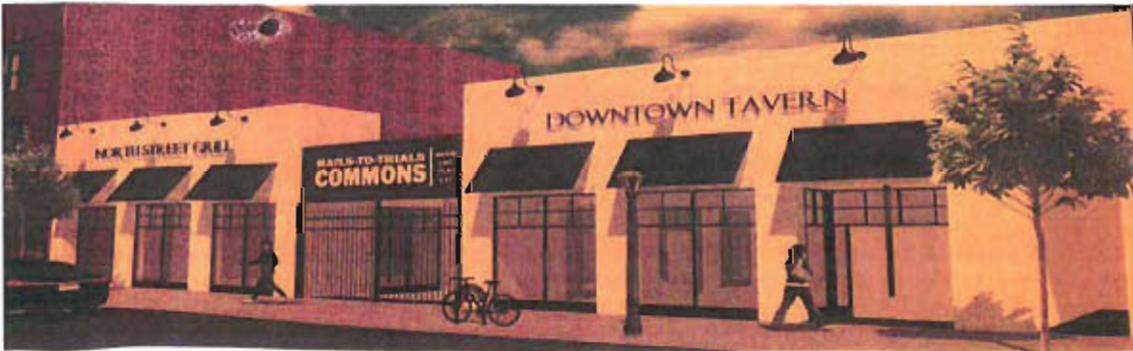
By
JONATHAN LERNER



TOP: ALAMY; BOTTOM: PHOTO AND CONCEPTUAL IMAGE COURTESY CITY OF MIDDLETOWN

UNLIKE OTHER SMALL URBAN AREAS in its region, the city of Middletown, New York, has been gaining population and jobs. About 28,000 people live there, a nearly 10 percent increase since 2000. Among its centers of employment and vitality are a community college and a state university branch; a college of osteopathy, which opened in 2014 in a disused hospital; and a satellite campus of an English-Chinese bilingual college that is moving into part of a former state psychiatric institution.

Middletown grew up in the 19th century as a rail hub, and has an attractive, intimately scaled and largely intact historic downtown. But rail and manufacturing disappeared in the mid-20th century, and retail moved to the outskirts—the typical story. While not one but two craft breweries—those heralds of urban renaissance—have opened recently downtown, many commercial spaces remain vacant. Residential neighborhoods are deteriorated, with a high poverty rate.



American Planning Association 15

"There is this notion of moving back to cities and walkable communities," says Jonathan Drapkin, president and CEO of Hudson Valley Pattern for Progress, a nonprofit regional planning organization. Drapkin and others want to see that trend happen in small towns with good, urbanistic street networks and underutilized building stock.

Pattern for Progress is one group that's helping to do that, working with communities in the nine-county Hudson Valley area. This year, Pattern initiated a program called Community Builders, "a six-month intensive commitment of resources" to build leadership capacity in eight individuals who are championing "anchor projects that can encourage growth and revitalization in existing urban places," Drapkin explains. Two of these projects are in Middletown.

On the main commercial street, a 20,000-square-foot former Woolworth store is to be transformed. An open-air pedestrian corridor will cut through its center, creating a connection to parking behind the building and functioning as the terminus of a spur off a rail trail under development that passes nearby. The remaining sections of the Woolworth building will be renovated into four turnkey retail spaces. "What's hampering us is the big empty stores," says Maria Bruni, Middletown's director of community development. "We have great retail starting, but we're running out of places for smaller shops." Besides enhancing connectivity, Rail Trail Commons, as the project is called, could be a model for adapting other problematically large buildings.

About a half-mile north, in a depressed neigh-

borhood dominated by one- and two-family houses, many carved into smaller apartments, is the headquarters of the Regional Economic Community Action Program. Directly across the street sits an empty 41,000-square-foot former clothing factory. RECAP has developed more than 50 units of supportive housing in existing buildings in the neighborhood, and has additional plans for improving housing stock there.

As a centerpiece of this renewal effort, they also propose to renovate the factory. In concept, the building could contain a Head Start program, a food pantry, a program for job training in solar energy services, and office and conference spaces for other nonprofits and start-up businesses. But RECAP COO Michele McKeon says, "I'm a social worker. I know how to fix human problems. Object problems that benefit humans are a leap for me." She didn't know "the technical process of starting from a shell and moving a building through the concept phase, the grant writing phase, the planning stage," or the process of preserving the historic building.

McKeon, Bruni, and the six other Community Builders participants met biweekly from January through June with Joe Czajka, Pattern for Progress's executive director and senior vice president for research, development, and community planning, and other technical staff. They did classwork to develop practical skills like using Gantt Charts, budgeting and leveraging resources, and understanding environmental reports and comprehensive plans. Even more important, the participants say, was the sharing of their projects' progress and challenges—and

Community Builders is 'a six-month intensive commitment of resources' to build leadership capacity in eight individuals who are championing 'anchor projects that can encourage growth and revitalization in existing urban places.'

—JONATHAN DRAPKIN, HUDSON VALLEY PATTERN FOR PROGRESS



DOWNTOWN MIDDLETOWN CAPITAL PROJECT WOOLWORTH BUILDING (Rail Trail Commons)

Work will begin in late 2016 on the 12-mile, \$12 million extension of the Heritage Trail from Goshen to East Main Street in Middletown, being developed by the Orange County Department of Parks, Recreation & Conservation. When it is completed at the end of 2018, a short spur will lead pedestrians to Rail Trail Commons.

the mentoring they received both from staff and each other.

"Our projects are similar in some ways and dissimilar in other ways, but there's always something you can gain from somebody else's experience," says participant Lisa Silverstone. She is executive director of Safe Harbors, in Newburgh, a nonprofit promoting both affordable housing and the arts. Her project is the renovation of a former hotel and movie palace into a complex of performance, coworking, artists' studio, gallery, and retail spaces. Safe Harbors had already created 128 units of supportive housing in the building. In Community Builders, "there are connections to be made, in an environment that's nonjudgmental. Basically we're all placemakers. That's the thrust."

50 years of Progress

Pattern for Progress was founded in 1965. Its membership comprises both individuals and organizations in government, business, academia, and the nonprofit sector. The small staff includes two people with master's degrees in regional planning, two others with degrees in economics, and Drapkin, who has degrees in both economics and law. Its general mission has always been to promote sustainable development and quality of life in the Hudson Valley.

It produces educational and networking programs for government leaders. It develops capacity and leadership through an annual fellows program for about 25 mid-career professionals, essentially "a course in regionalism," as Czajka describes it, and now through Community Builders. And it provides

services, often on contract to municipalities, such as demographic and issues research, strategic planning, and grant writing.

Recently Pattern for Progress defined the priorities of educational improvement and urban revitalization. Both are aimed at keeping and attracting young people, while also aiming to preserve the valley's primarily rural character—a significant component of the economy, through tourism and agriculture—by encouraging growth in already built places.

But many of the villages, towns, and even cities in the region have no planning staffs at all. Most struggle with limited budgets and the legacies of disinvestment; unlike Middletown, the majority have lost population and employment opportunities, and continue to do so. Community Builders was conceived as a way to address those obstacles, by encouraging projects that will stimulate infill and economic growth. Pattern is one of a very few regional nonprofits to support small urban places that lack planning infrastructure; others include Handmade in America's Small Town Revitalization Program, in Western North Carolina; the Pennsylvania Downtow Center; and the Orton Foundation's Community Heart & Soul program, which works with towns across the country.

David Church, AICP, the planning commissioner for Orange County, New York, where Middletown and Newburgh are located, is a Pattern for Progress member. "Focusing on leadership and skills training, they fill a void," he says. His office, with a staff of 24, does take on projects in the municipalities. In Middletown, the county planning department

'Our projects are similar in some ways and dissimilar in other ways, but there's always something you can gain from somebody else's experience.'

—LISA SILVERSTONE, SAFE HARBORS, NEWBURGH



THE LUSTBERG & NAST NEIGHBORHOOD REVITALIZATION PLAN, MIDDLETOWN

Across the street from the office of the Regional Economic Community Action program is an empty 41,000-square-foot former clothing factory. RECAP wants to renovate the building to use for a Head Start program, a food pantry, job training, and office and conference spaces. It is near more than 50 units of supportive housing that RECAP developed.

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is leading the redevelopment of a regional bus hub and, with the county parks department, creating the rail trail. But it also is responsible for grant writing for all units of the county government, and runs the county water authority, too.

"We have our own initiatives," he says. "But we have capacity issues. So Pattern's participation is valuable. There's some confusion sometimes when NGOs become essentially contractors, but we're comfortable with them stepping in."

Tangible steps

Community Builders, while designed to build technical and leadership skills, is strongly project-focused. For this first iteration of the program, one goal was that by the end of the six months, each participant's project should be ready to take a tangible step forward, for example, by having identified a funding source and being ready to apply. The program, which formally concluded in June, included a basic curriculum, but the content also was "built on the fly. We learned from the expertise and the desires of the participants," says Czajka. Based both "on their individual needs and commonalities, it was free-form learning, a swapping of ideas."

Most of the projects did meet that "tangible step forward" goal. Safe Harbors, for example, has applied for a Main Street Stabilization Grant from New York State Homes and Community Renewal to repair the roof of the old theater and to address architectural and engineering issues of further renovation.

Another project was moved forward by being scaled back. Beacon is a city of about 15,000 in

Dutchess County, nestled between the Hudson River and a 1,600-foot peak. The Mount Beacon Incline Railway Restoration Society has been trying to recreate a historic funicular that was destroyed by fire in 1983, and enhance park infrastructure that is now rudimentary to nonexistent at the top.

From the summit, "you can access hundreds of miles of trails," that are now only reachable by vigorous hikers, says Jeff McHugh, the group's volunteer president. "It would be a one-of-a-kind destination in the valley, for experiential tourism," with universal accessibility. Beacon is only 90 minutes via commuter rail from Manhattan, which presents an enormous market of potential day-trippers.

The society's ambitious concept envisions not only a new funicular, but also station facilities at either end, and a mountaintop visitor center and restaurant. The project is simple in concept, but complicated because it requires coordination with the adjacent town of Fishkill, the state parks department, a conservation nonprofit which owns some of the property—plus it has a big price tag. "Jeff [McHugh] wasn't getting traction with a \$40 million project that he's raised no money for," says Drapkin.

But as a result of the mentoring process in the group, McHugh says, he realized that breaking it into smaller chunks could help, by creating incremental successes and smaller steps that eventually could be folded into the larger plan.

Peer mentoring

One of the benefits of the program is working through issues as a group. In Beacon, a crumbling

BEACON, New York

The Mount Beacon Incline Railway Restoration Society wants to recreate a historic funicular that was destroyed by fire in 1983. The ambitious \$40-million plan would include park infrastructure, a visitors center, and a restaurant at the top of the 1,600-foot peak, allowing visitors to connect with hundreds of miles of trails. It is complicated by cost and coordination with an adjacent town, a conservancy, and the state.



emergency service road up the mountain is “one big storm away from being washed out,” McHugh notes, and would need to be rebuilt anyway before other construction could go forward. “So what I’m proposing is to go back to the city and say, ‘How about we find out exactly how much that would cost,’” McHugh said at a Community Builders class in April. Czajka suggested they might also talk to Dutchess County and Fishkill, and with Beacon, seek a shared-services grant specifically for the planning of that road. The exchange, which included others, helped McHugh realize that getting enough money for a study is a good start to the ambitious project. The brainstorm session was “the perfect example of how helpful it is to talk this stuff out with people who actually know,” McHugh adds.

Not every one of the eight projects made such identifiable progress. “A lot of things are hard to move in six months, if you have a political issue, or grants to write,” Drapkin says. But he says that although most participants can’t realistically achieve their whole project in six months, they can conceptualize it. Drapkin asks them, “Okay, what are the first two things you’re going to get done? And by when?” [We get] them from day one of our program to say, ‘Here’s where I want to be at the end’—subject to change of course, then integrate some milestones.”

To the surprise of Drapkin and Czajka—and the eight Community Builders themselves—at their final meeting they all insisted on staying together for a second six-month “semester” in 2017. Perhaps each “sophomore” will be paired with a member of the incoming group, or the two groups will alternate

“We learned from the expertise and the desires of the participants. Based both on their individual needs and commonalities, it was free-form learning, a swapping of ideas.”

—JOE CZAJKA, EXECUTIVE DIRECTOR, PATTERN FOR PROGRESS

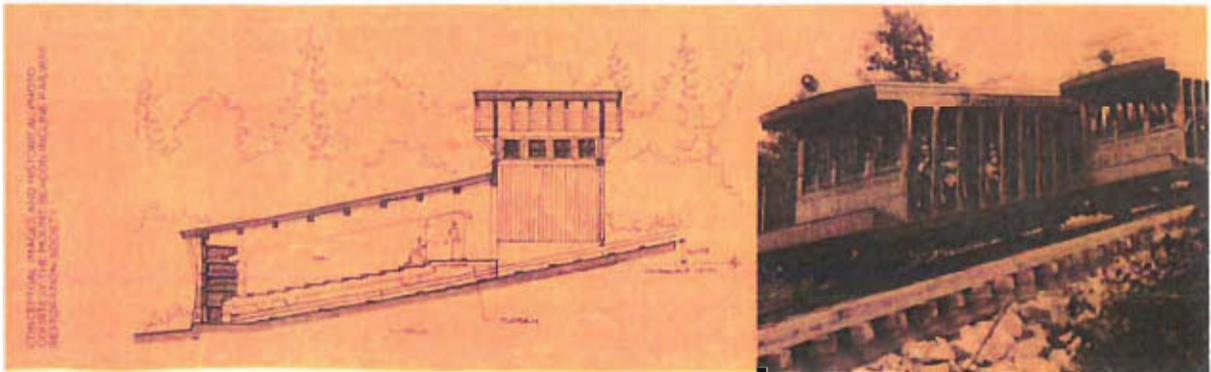
meeting separately and together. What else will differ remains to be seen. The first group’s members are all professionals in local government or social service organizations, except McHugh, who is a business consultant. All already knew the Pattern staff.

“There was a strong willingness to say, ‘Help us.’ That may not be true in future years,” Drapkin notes. “We’re very interested in the not-for-profit world, and the community organizing world. That’s a group with less of a skill set,” he adds. “We want to make it known that you don’t have to be a professional. But you have to come as a person with an idea, and explain it in a one-page application.”

Appropriately, being nonprofit rather than governmental, Pattern has the ability to be nimble and reshape Community Builders to suit each new group of participants. As Joe Czajka observes, “Community development is fluid in nature.” ■

Jonathan Lerner writes on architecture, environment, and planning and is a contributing editor to *Landscape Architecture Magazine*. He is also a communications consultant to professionals in those fields. Reach him at urbanistcommunications.com

As a result of the mentoring process in the group, Jeff McHugh, the society’s volunteer president, says he realized that breaking it into smaller chunks could help, by creating incremental successes and smaller steps that eventually could be folded into the larger plan. He plans to start with the goal of producing a study for a road that would need to be rebuilt before anything else can happen.



**CITY OF WYANDOTTE
 PLANNING COMMISSION
 SCHEDULE OF MEETINGS AND FILING
 DEADLINES FOR 2017**

Planning Commission Meetings are held the 3rd Thursday of each month at 6:30 p.m. in the Council Chambers of City Hall, 3200 Biddle Avenue, Wyandotte.

<u>PLANNING COMMISSION MEETING DATES</u>	<u>**DEADLINE FOR PUBLIC HEARINGS</u>	<u>DEADLINE FOR NO PUBLIC HEARING</u>
January 19, 2017	December 16, 2016	December 28, 2017
February 16, 2017	January 23, 2017	February 3, 2017
March 16, 2017	February 20, 2017	March 3, 2017
April 20, 2017	March 20, 2017	March 31, 2017
May 18, 2017	April 17, 2017	May 5, 2017
June 15, 2017	May 22, 2017	June 2, 2017
July 20, 2017	June 19, 2017	June 30, 2017
August 17, 2017	July 17, 2017	July 28, 2017
September 21, 2017	August 14, 2017	August 31, 2017
October 19, 2017	September 18, 2017	September 29, 2017
November 16, 2017	October 16, 2017	November 3, 2017
December 21, 2017	November 13, 2017	December 1, 2017
January 18, 2018	December 18, 2017	December 28, 2016

Contact person: Kelly Roberts (Engineering Department) 734-324-4555 or by e-mail at kroberts@wyan.org.

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Special Approval: \$125.00 - Residential
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