

**PLANNING COMMISSION
A MEETING OF THE ST. CLAIR SHORES PLANNING COMMISSION
HELD ON TUESDAY, MAY 11, 2021 AT 7:00 P.M.,
VIA TELECONFERENCE**

PRESENT

Lou Schelosky, Vice-Chairman
Kathy Hanson, Secretary
Robert Hison
Ed Jones
James Kalich
Jeff Mazzenga

ALSO, PRESENT

Shantelle Hubbard, Recording Secretary
Liz Koto, Planning

ABSENT

Brandon Johnson, Excused
Patrick McKay, Excused
Anthony Stonik, Excused
Paul Doppke, Excused

CALL TO ORDER

Vice-Chairman Schelosky called the meeting to order at 7:00 p.m.

Secretary Hanson called roll. Six members were present.

A motion was made by Secretary Hanson, and seconded by Commissioner Mazzenga, to excuse Commissioners Mazzenga, Johnson, McKay and Chairman Doppke from tonight's meeting.

A ROLL CALL WAS TAKEN:

AYES: ALL

NAYS: NONE

MOTION: PASSED

CASE NO. PPC210009: REQUEST FOR SITE PLAN APPROVAL – 32215 Jefferson, request for site plan approval for additional permanent outdoor seating within the parking lot of Tony J's Restaurant, represented by Steve Elias of Grace's Investments

The request is reviewed as follows:

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The applicant is requesting Site Plan Approval for a 1,720 square foot permanent outdoor seating area within the parking lot. The outdoor seating area is located immediately south of the existing outdoor seating area. The plans indicate the area will only be used during the summer as needed, such as Wednesday Concert Nights, Friday Nights, and Fireworks Night. The plans indicate the placement of 28-inch-high cinder blocks with 8 foot long 2X4's and orange

barrels to create a fence within the parking lot. Parking is still available on either side of the outdoor seating area.

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Planning Commission Chairman – Please read this statement into the record prior to reviewing the site plan to the petitioner.

The Planning Commission and City Council understand that your presence here tonight constitutes that you are a legal representative of the petitioner for Planning Case PPC210009. Each statement of intent, promise and/or pledge, made by you, the petitioner or agent, either orally or in writing, if permitted by Ordinance, shall be binding upon the petitioner and shall be a condition of said special land use and site plan approval.

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The request is reviewed as follows:

- 1) **Zoning**- The zoning of the parcel is B-1 Local Business District
 - 2) **Adequacy of Information** (Section 35.82, 5, a) –The information provided is adequate for this review.
 - *3) **Site Design Characteristics** (Section 35.82, 5, b) – The applicant is requesting Site Plan Approval for a 1,720 square foot permanent outdoor seating area within the parking lot. The outdoor seating area is located immediately south of the existing outdoor seating area. The plans indicate the area will only be used during the summer as needed, such as Wednesday Concert Nights, Friday Nights, and Fireworks Night. The plans indicate the placement of 28 inch high cinder blocks with 8 foot long 2X4’s and orange barrels to create a fence within the parking lot. Parking is still available on either side of the outdoor seating area.
- Please have the petitioner clarify the seasonal schedule for the operation of the outdoor seating area. Outdoor storage of the fencing and seating during the off-season is prohibited. The items must be stored indoors or offsite during the off-season.**
- 4) **Preservation of Natural Areas** (Section 35.82, 5, c) – There are no natural areas to preserve.
 - 5) **Privacy** (Section 35.82, 5, d) – Not applicable.
 - 6) **Emergency Vehicle Access** (Section 35.82, 5, e) – Emergency vehicle access will not change.
 - 7) **Ingress and Egress** (Section 35.82, 5, f) – Ingress and egress to the site will remain the same.
 - 8) **Pedestrian Circulation** (Section 35.82, 5, g) – Pedestrian circulation will remain the same.
 - 9) **Vehicular and Pedestrian Circulation Layout** (Section 35.82, 5, h) –The parking lot will no longer be contiguous. Access to the rear parking area will be from Edgewater, and access to the front parking area will be from Jefferson.
 - 10) **Drainage** (Section 35.82, 5, i) – No changes are proposed.
 - 11) **Exterior Lighting** (Section 35.82, 5, j) – Exterior lighting will not change.

12) Public Services (Section 35.82, 5, k) – Public services will not be affected by the proposed use.

13) Landscaping, Fences, and Walls (Section 35.82, 5, l) – No changes are proposed.

14) Exterior Building Treatment (Section 35.82, 5, m) – No changes are proposed.

15) Waste Storage (Section 35.82, 5, n) – No changes are proposed.

16) Mechanical Equipment (Section 35.82, 5, o) – No changes are proposed.

***17) Parking** (Section 35.73, 12, a) – There will be a net loss of four parking spaces, and there will be an increase in service area of 1,700 square feet requiring an additional 31 parking spaces.

A 31 space parking variance is required from the ZBA.

18) Setbacks (Section 35.66) – Setbacks will not change as the fencing around the dining area will be removable.

19) Building Height (Section 35.66) – N/A

20) Transformer Pad – No new transformers are proposed.

21) Screening Wall – No changes are proposed.

22) Signs – No changes are proposed.

23) Loading (Section 35.75) – Loading and Unloading will not change as the outdoor service area will be removed when it isn't needed.

24) Other – No changes are proposed.

ITEMS OF CONCERN – 3 17

Staff recommends approval of this proposal based on attention to the items listed above.

Steve Elias, Owner of Tony J's explained that he is looking for extra outdoor seating in the parking lot. The expanded outdoor seating area will be open on Wednesdays for the concerts at Memorial Park and for the fireworks. Wednesday is the busiest night in the summer. He may also use the outdoor seating area on some Fridays. He will have 28-inch-high cinder blocks with 8-foot long 2X4's and orange barrels to create a fence within the parking lot. The next day in the morning everything will be put away behind the store against the back wall.

Correspondence: None

Audience Participation: None

Secretary Hanson asked where the patio furniture will be stored. Mr. Elias indicated that they are putting behind the building against the back wall. During the winter, they will store the blocks, 2X4's and barricades within the dumpster enclosure where it won't be seen. Secretary Hanson said that the application states that the outdoor seating area will be used on Friday nights also. Mr. Elias explained that they will put out the barricades on Friday nights if needed.

Secretary Hanson questioned why he needs to get this approval from the city. Ms. Koto stated that approval from the Planning Commission and City Council is required for the business to be able to put up the seating area each season and take it down in the winter.

Commissioner Hison stated that when the seating area is in place no one can drive through the parking lot. He thinks it would be beneficial to have signs to let the patrons know so it doesn't cause a safety hazard. Mr. Elias stated that he has orange barrels on each side of the seating area. He will add signs too.

Secretary Hanson asked about the timeframe seasonally. Mr. Elias stated that it will be from May 1st through November 1st. She mentioned that they will have to go to ZBA. He agreed.

A motion was made by Secretary Hanson and supported by Commissioner Hison, to approve the request for site plan approval for additional permanent outdoor seating within the parking lot of Tony J's Restaurant, represented by Steve Elias of Grace's Investments at 32215 Jefferson with items of concern – seasonal operation from May 1st to November 1st, storage of the fencing and seating will be contained within the dumpster enclosure and not visible during the off seasons, a 31 space parking variance is required from the ZBA, and signs will be added in the parking lot to ensure safety.

A ROLL CALL WAS TAKEN:

AYES: HANSON, HISON, MAZZENGA, JONES, KALICH, SCHELOSKY

NAYS: NONE

ABSENT: STONIK, JOHNSON, MCKAY, DOPPKE

MOTION: PASSED

CASE NO. PPC210010: CDBG – CV3 PUBLIC HEARING

This is hearing to entertain any public comments regarding the amendment to the 2015-2019 Consolidated Plan and Annual Action Plan for CDBG-CV and CDBG-CV3 Funds. The Plan is being amended to increase the funding for Microenterprise Grants and for Subsistence Payments.

Ms. Koto explained that no action needs to be taken at the conclusion of this hearing. It is only being held to hear any comments from the public regarding the changes in funding for the CARES Act activities.

Vice-Chairman Schelosky opened the public hearing.

No audience participation.

Vice-Chairman Schelosky closed the public hearing.

Vice-Chairman Schelosky asked if there were any comments from the Planning Commission. Seeing none and hearing none, Chairman Schelosky moved on to the next item on the agenda.

APPROVAL OF MINUTES FROM THE APRIL 27, 2021 PLANNING COMMISSION MEETING

A motion was made by Secretary Hanson and supported by Commissioner Hison, to approve the Planning Commission Meeting Minutes of April 27, 2021, as amended.

A ROLL CALL WAS TAKEN:

AYES: HANSON, HISON, SCHELOSKY, MAZZENGA, JONES, KALICH
ABSENT: STONIK, JOHNSON, MCKAY, DOPPKE
MOTION: PASSED

REPRESENTATIVE'S REPORT OF CITY COUNCIL MEETINGS

Secretary Hanson stated that the Watermark Bar & Grill passed. No food will be served on the rooftop. Dr. Issa was approved. He had already had the building torn down before the council meeting. The city will be paving the alley this summer. The City Council liked Shore Lanes' idea and it passed.

CITY PLANNER LIZ KOTO'S STAFF REPORT

Ms. Koto stated that there will be more outdoor seating requests. Travis is planning to submit an application. The shopping center north of Village Market started remodeling without a permit. She has not heard about the Kroger gas station at the 9-mile location. The Kroger gas station at 13 & Harper's lease is up in August. They have to completely take down the gas station into a parking lot.

AUDIENCE PARTICIPATION: None

ADJOURNMENT

A motion was made by Secretary Hanson, and supported by Commissioner Mazzenga, to adjourn the Planning Commission Meeting at 7:24 p.m.

A ROLL CALL WAS TAKEN:

AYES: HANSON, HISON, SCHELOSKY, MAZZENGA, JONES, KALICH
ABSENT: STONIK, JOHNSON, MCKAY, DOPPKE
MOTION: PASSED

[THE PRECEDING MINUTES ARE A SYNOPSIS OF A PLANNING COMMISSION MEETING AND DO NOT REPRESENT A VERBATIM RECORD.]