

**MINUTES**  
**PLANNING COMMISSION**  
**MONDAY MARCH 24, 2014 – 7:30 PM**

Meeting called to order by Chairman Lambrix at 7:30 PM

**1. PLEDGE OF ALLEGIANCE:**

**2. ROLL CALL OF MEMBERS:**

Present: Chairman Lambrix, Commissioner Smedley, Hendley, Lambrix Bobcean,  
Farrar, Ballard, Little

Absent: Commissioner Sell

Motion by Farrar to excuse the absent members, support by Hendley

All present voting yes, motion carried unanimously

**3. APPROVAL OF MINUTES:**

- a. February 24, 2014

Motion by Farrar to approve the minutes as submitted, support by Ballard

All present voting yes, motion carried unanimously

**4. APPROVAL OF AGENDA:**

Motion by Farrar to approve the agenda as presented, support by Ballard

All present voting yes, motion carried unanimously

**5. CITIZENS TO BE HEARD:**

None

**6. UNFINISHED BUSINESS:**

None

**7. NEW BUSINESS:**

- a. **Public Hearing – Regulation of Pawn Shops** – A public hearing was held December 8, 2013, Planning Commission sent recommendation to council. At a regular Council meeting Monday February 18, 2014, the Pawn Shop regulation was referred back to the Planning Commission for further discussion. The proposed changes were significant enough in nature to require another public hearing. (See McKenna Letters dated 1/3/2014 & 2/21/2014)

Motion by Ballard to open public hearing, support by Farrar

All present voting yes, motion carried

Public hearing now open for comment

No audience members wished to comment during the public hearing

Motion by Lambrix, to close public hearing, support by Farrar

All present voting yes, motion carried

New proposed language for Potential Regulated Use Areas, illustrates the impact of the proposed text amendments, highlighting the protected areas and the parcels within the C-3 District that could be potentially developed as a regulated use.

The C-2 Business District and any public parks and public recreation facilities, schools, and religious institutions within 1,000 feet of the C-3 District. Regulated uses cannot be developed within a 1,000 feet of the protected uses. The 1,000 foot separation requirement is consistent with the separation distance required for adult regulated uses in the Zoning Ordinance.

Any remaining parcels that could be developed as a regulated use, may not all be developed. The proposed text amendment would restrict regulated uses to be a minimum of 2,000 feet from one another. With this separation standard applied, only four potential regulated uses could be developed. This scenario assumes that regulated uses would be perfectly distributed along the C-3 Telegraph corridor. However, it's more likely that two regulated uses would develop along the corridor. A third or fourth use could be developed in the C-3 district located on the Gibraltar Road, near the I-75 interchange.

Another regulated tool specific for pawn shops and pawn brokers is a pawn broker license. The application provides review by the Police Department and the Mayor and requires annual review of the license.

The City's right to regulate pawn shops through licensing is provided by PA 273 of 1917 (as amended).

The proposed text amendment language would create and define "regulated uses" in two tier groups.

Tier One Regulated Uses would include adult regulated uses, pawn shops or pawn brokers, tattoo parlor.

Tier Two regulated uses (optional) would include, smoke shop, hookah lounge, motel, pool / billiard hall, secondhand stores, youth adult.

Permit regulated uses as a special land use in the C-3 District, General Commercial District, Section 15.02.B, subject to additional conditions.

Motion by Lambrix to recommend approval to council for pawn shop regulated uses to include the applicant to complete and submit all required applications, Pawn Brokers

license approval for any pawn shop / pawn broker establishment, along with Mayor, clerk & city council approvals, support by Farrar

All present voting yes, Motion carried unanimously

- b. **Preliminary Review Site Plan 338-14** – Proposed O'Reilly Automotive store at 27517 Telegraph Road. (Former Flat Rock Family Café)

The subject site is zoned as C-3, General Commercial where the proposed use, a retail business and the indoor storage of related auto parts, is a permitted use by right. The rear of the site (easterly property line) is zoned as the M-3, Railroad Industrial District. This portion of the site is currently covered by a wooded area and will remain as vegetation. No construction is proposed on the area zoned M-3.

The proposed building is in compliance with all applicable dimensional requirements. The site contains two curb cuts which will be removed and replaced with one access point on Telegraph Road. The access point is in compliance with the required dimensions.

The required 33 parking spaces, including two barrier free spaces, are provided and comply with the required dimensional standards.

In general it meets the landscaping standards.

The applicant has proposed a split faced CMU façade. It is the recommendation of the planning commission the applicant provide brick on the north, south and west elevations. The proposed rooftop equipment must be screened from view.

Paul Anderson representing O'Reilly asked the commission to reconsider the CMU façade versus the brick, the commission can appreciate the applicants request but is firm on the brick façade design.

The screening shall be consistent with the City's streetscape specifications along with Evergreens hedge to provide sufficient screening of the parking lot

Motion by Lambrix to approve both the Preliminary and Final Site plan, subject to Engineering, DEQ and County approvals including brick to be provided on the North, South and West elevations, fencing, wrought iron knee wall, support by Smedley

Motion passed 6 to 2 – Farrar and Bobcean Nay votes

- c. **Discussion** – Article #4 – Zoning Ordinance, RV Storage & Recreational vehicles

Discussion

Motion by Bobcean to set public hearing for April 28, 2014 to review Article 4 in total, support by Farrar.

All present voting yes, motion carried unanimously

- d. **Huron Watershed** – Request from Anita Twardesky to present Trail Towns program with Flat Rock.

Mrs. Twardesky explained the trail towns program, follows the main street program.

Request to include the water shed council in future Master Plan work.

**8. PLANNERS CORNER:**

**9. TABLED ITEMS:**

**10. INFORMATION \ CORRESPONDANCE:**

- a. Zoning Board of Appeal Minutes, February 10, 2014
- b. Zoning Board of Appeals Minutes, March 10, 2014

**11. ADJOURNMENT:**

Motion by Little to adjourn meeting, support by Smedley

All present voting yes, motion carried unanimously

Meeting adjourned at 9:10 PM

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DAVID LAMBRIX, CHAIRMAN

CARRIED: April 28, 2014