

**CITY OF FRASER PLANNING COMMISSION
MUNICIPAL BUILDING ~ 33000 GARFIELD ROAD
WEDNESDAY, MARCH 5TH, 2014 ~ 7:00 P.M.
MINUTES**

PRESENT: CHAIRPERSON RICKARD, MEMBERS: BARR, EHRKE, LARAMIE, LOY, NEIBORG AND QUERTERMOUS

EXCUSED ABSENCE: MEMBERS CALABRESE AND STONEBREAKER

ALSO PRESENT: TIM TOMLINSON, CITY ATTORNEY
PATRICK MEAGHER, CITY PLANNER
RANDY WARUNEK, BUILDING OFFICIAL
KELLY DOLLAND, RECORDING SECRETARY

1. CALL MEETING TO ORDER:

Chairman Rickard called the meeting to order at 7:07 PM

2.	Chairman	Rickard	Present
	Members:	Barr	Present
		Calabrese	
		Ehrke	Present
		Laramie	Present
		Loy	Present
		Neiborg	Present
		Quertermous	Present
		Stonebreaker	

3. APPROVAL OF AGENDA ~ Regular Meeting of March 5th, 2014

Motion by Member **LARAMIE** Support by Member **EHRKE**

TO: APPROVE the agenda of March 5th, 2014 as Submitted

AYES **7** NAYS **0** MOTION CARRIED

4. APPROVAL OF MINUTES ~ Meeting of the January 15th, 2014

Motion by Member **LARAMIE** Support by Member **QUERTERMOUS**

TO: APPROVE the January 15th, 2014 minutes as Submitted

AYES **7** NAYS **0** MOTION CARRIED

5. PUBLIC HEARING:

a. #01-14SLU / NEW AUTO SERVICE OIL CHANGE / 16801 14 MILE RD / TO ALLOW AN OIL CHANGE FACILITY IN AN EXISTING BUILDING IN THE "CBD – COMMUNITY BUSINESS DISTRICT" ZONING DISTRICT

Mr. Sam Fakih and Mr. Leo Gonzalez represented Mr. Sam Beydoun of Safeway Oil, requested an auto service oil change facility at 16801 14 Mile Rd. location. Also present were Mr. Sam Beydoun and Mr. Nasser Choucair. Mr. Meagher stated he has no objection to the use, however, suggested the Commission make the following recommendation for approval.

1. Recommend having two access drives in southwest corner removed. Provide landscaping.
2. Recommend having walls extend from the drive to the corner.
3. Provide site lighting detail on site plan.
4. Provide dumpster location with screening wall and gate on site plan.
5. Provide fire lane on site plan.

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6. Applicant must meet Eight Standards of a Special Land Use Review.

Mr. Fakih identified himself as general counsel for Mr. Beydoun, stated the building will have a similar façade as the CVS across the street and nice landscaping. The contaminated tanks will be removed, eliminating future contamination and environmental hazards.

Mr. Gonzalez addressed Mr. Meagher's comments, the changes will reflect on the revised site plan.

No Public to be Heard - None

Member Loy asked about the business signage ~ building front and pole sign will use channel letter signage.

Member Quertermous asked about the dumpster location ~ Mr. Meagher suggested a 10x10 concrete pad, brick wall, metal gate with screening, standard typical dumpster enclosure.

Close Public Hearing 7:33pm

Conversation ensued regarding the approval process.

Mr. Meagher stated if the commission was to make a motion to approve, make it subject to the ten comments listed on the Planner's Comments dated 3-5-2014, subject to hours of operation, 8:00 am – 7:00 pm, subject to channel letters on E.F.I.S., curbing rather than blocks and eight foot high brick.

Member Laramie made a motion to approve #01-14SLU with the understanding that no construction will start until drawings are submitted to the Building Department, new drawings will include:

1. Site plan must be signed and sealed.
2. One driveway on each side will be closed.
3. Brick on side of building will be eight feet not six feet high.
4. Lighting will be subject to Administrations approval.
5. Dumpster's location will be indicated on drawing.
6. Fire lane will be labeled.
7. Landscaping will be expanded where curbing will be closed.
8. Hours of operation will not be longer that 8:00 am – 7:00 pm.
9. Signage on the building will be channel letters.
10. No parking boxes must be curb.
11. Must meet Eight Standards of Special Land Use request.
12. Accept Planner's Comments dated 3-15-2014.

Motion by Member **LARAMIE**, Supported Member **QUERTERMOUS**

TO: APPROVE / #01-14SLU / NEW AUTO SERVICE OIL CHANGE / 16801 14 MILE RD AS SUBMITTED

With the following stipulations:

1. Site plan must be signed and sealed.
2. One driveway on each side will be closed.
3. Brick on side of building will be eight feet not six feet high.
4. Lighting will be subject to Administrations approval.
5. Dumpster's location will be indicated on drawing.
6. Fire lane will be labeled.
7. Landscaping will be expanded where curbing will be closed.
8. Hours of operation will not be longer that 8:00 am – 7:00 pm.
9. Signage on the building will be channel letters.
10. No parking boxes must be curb.
11. Must meet Eight Standards of Special Land Use request.

AYES **7** NAYS **0** MOTION CARRIED

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b. #02-14SLU / THE CHAPEL AT THE VINTAGE HOUSE / 31490 UTICA RD / TO ALLOW A WEDDING CHAPEL IN AN EXISTING BUILDING IN AN "IC-INDUSTRIAL-CONTROLLED" ZONING DISTRICT

Mr. Vince Cataldo accompanied Mr. Anthony Jekielek representing the Vintage House stated the scope of the project is to convert the existing bar building (previous Ballew's Bar & Grill) into a wedding chapel. A common building color and parking scheme will tie the two together.

Mr. Meagher stated the applicant must include site lighting on the plan.

Mr. Cataldo stated the site plan does not require a dumpster. Vintage House will provide the dumpster.

Mr. Meagher stated he has no objections to the Special Land Use request.

Member Laramie made a motion to approve the Site plan for The Chapel at the Vintage House.

With the following stipulations:

1. Site lighting details shall be submitted, including location, height, type, intensity and shielding.
2. Dumpster and dumpster location is not necessary.
3. Fire lanes must be labeled.
4. Applicant must meet the 'Eight Standards of Special Land Use'.

Public Hearing Closed

Motion by Member **LARAMIE**, Supported Member **LOY**

TO: APPROVE / #02-14SLU / THE CHAPEL AT THE VINTAGE HOUSE / 31490 UTICA RD AS AMENDED

AYES **7** NAYS **0** MOTION CARRIED

6. SITE PLANS, SIGN REVIEWS, AND OTHER REVIEWS: NONE

7. NEW BUSINESS:

a. Election of Officers

Motion to nominate Chairman, Vice Chair, and Secretary

- 1. Motion to nominate Member RICKARD as Chairman of the City of Fraser Planning Commission**

Motion by Member **QUERTERMOUS**, Supported Member **EHRKE**

Nomination accepted by Member Rickard

AYES **7** NAYS **0** MOTION CARRIED

- 2. Motion to nominate Member EHRKE as Vice Chair of the City of Fraser Planning Commission**

Motion by Member **LARAMIE**, Supported Member **QUERTERMOUS**

AYES **7** NAYS **0** MOTION CARRIED

- 3. Motion to nominate Member NEIBORG, as Secretary of the City of Fraser Planning Commission**

Motion by Member **QUERTERMOUS**, Supported Member **LARAMIE**

AYES **7** NAYS **0** MOTION CARRIED

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b. Discuss Open Air / Temporary Sales

Mr. Tomlinson, stated not proposing a new ordinance, would like the Planning Commission members to share their concerns regarding the current ordinance. Mr. Tomlinson stated usually try to limit the temporary use to the people who have open businesses here, they are the tax payers, and usually they are the ones who are concerned with other people having the ability to pop up a tent, pay a lease for a short period of time and go on their way. Mr. Tomlinson stated he would like the members to review the ordinance and voice your concerns. Mr. Meagher and I can review the ordinance and bring back some proposed changes.

Mr. Warunek gave an example of flower sales, where the temporary sales continue from flower to firework to pumpkin sales. Mr. Warunek mentioned there is no revenue to the city from these businesses. The revenue is from the people that that the buildings and pay taxes in the buildings. Believes Christmas tree sales are a difference scenario, it is not a tent sale and they are there a definite period of time.

Mr Meagher stated many communities have complaints from permanent fixtures, saying how can we compete with people pulling up in vans, paying no taxes are operating for free. Mr. Meagher stated he and Mr. Tomlinson were looking at newer ordinances and maybe meshing a couple and bringing forward to you at the next meeting. As long as we treat everyone fairly, we have the same standards that apply to all we will be fine. Conversation ensued.

Chairman Rickard stated we condensed these two items, temporary sales and tent fire work sales together.

Mr. Meagher stated we covered them both.

c. Discuss Open Air Tent Firework Sales

d. Discuss and make recommendation to City Council regarding proposed Precious Metal and Gem Dealers Ordinance.

Mr. Tomlinson spoke of the ordinance to future regulate the sale of precious metal and gems, consistence with the state statues, precious metal and gen dealers act. Addresses some of the locations, special requirements between this type of business and other businesses that have proven to raise some concerns and concealment of crime. Council has asked for your approval.

Chairman Rickard said the limitation is 500 ft from a variety of different kinds of businesses and homes.

Mr. Tomlinson stated, we must leave some place in the city, we must provide allowable used, allowable sites.

The distance for a pawnshop is 1,100 foot radius.

Mr. Tomlinson stated the state statute does not address zoning issues or special or locational requirements. The state statue deals with licensing provisions.

Mr. Meagher stated if the commission feels comfortable, you can set a public hearing for next month and make a recommendation to city council.

Member Barr made a motion to establish a Public Hearing regarding proposed Precious Metal and Gem Dealers Ordinance.

Motion by Member **BARR**, Supported Member **EHRKE**

AYES **7** NAYS **0** MOTION CARRIED

8. UNFINISHED BUSINESS: NONE

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9. OLD BUSINESS:

a. Reschedule November 5th, 2014 meeting date to the third Monday of the month, November 17, 2014.

TO: APPROVE / RESCHEDULE THE NOVEMBER 5TH, 2014 PLANNING COMMISSION MEETING TO NOVEMBER 17TH, 2014 AS SUBMITTED

Motion by Member **QUERTERMOUS**, Supported Member **EHRKE**

AYES **7** NAYS **0** MOTION CARRIED

10. ZBA LIAISON: NONE

11. COMMISSION MEMBERS TO BE HEARD:

Chairman Rickard: Nothing at this time

Member Laramie: Nothing at this time

Member Barr: Nothing at this time

Member Calabrese:

Member Ehrke: Fraser Public Library 50 year Anniversary

Member Loy: Questioned sign at the 16801 Fourteen Mile Rd. address

Member Neiborg: Nothing at this time

Member Quertermous: Nothing at this time

Member Stonebreaker:

City Planner Meagher: Nothing at this time

City Attorney: Nothing at this time

Building Official: Nothing at this time

12. PUBLIC TO BE HEARD: NONE

13. ADJOURNMENT:

Motion by Chairman **RICKARD** Support by Member **EHRKE**

TO ADJOURN THE MEETING MARCH 5TH, 2014, 8:30PM

AYES **7** NAYS **0** MOTION CARRIED.

Approval: _____

Date: _____

Audience members:

Matt Hemelberg

Anthony Jekielek

Vince Cataldo

Sam Beydoun

Sam Fakih

Nasser Choucair

Leo Gonzalez