

**Planning & Zoning Board
Special Meeting – April 22, 2013**

Board Members

Regina Dunay, Chairwoman
Marion Rayburn
Susan Lomas

Absent Board Members

Brian Leahy
Jon Van Voorhis

Staff

Bea L. Meeks, City Clerk
Andrew Hand, City Attorney
Ellen Hardgrove, Planner

Chairwoman Regina Dunay called the Planning & Zoning Board special meeting to order at 6:30 p.m., and led members in the Pledge of Allegiance.

City Clerk Meeks noted that board members Brian Leahy and Jon Van Voorhis were absent however, the board had a quorum.

Russell Home – 2013-SE-01 – Special Exception Application to allow a thrift store in C-1 zoning.

Chairwoman Dunay referred to Planner Hardgrove, who presented her report as follows:

Requested Action by the Planning and Zoning Board

Per Code, the Planning and Zoning Board shall make a recommendation to the City Council for approval or denial of the special exception request.

You are to consider three things when making a recommendation to Council

- Character of the neighborhood in which the proposed use is to be located,
- It's effect on the value of surrounding lands, and
- The area of the site as it relates to the required open space and off-street parking facilities.

A thrift store is compatible with surrounding zoning and uses provided conditions of approval are established to protect property values. Although thrift stores operate similarly to permitted retail uses, there are potential negative issues that could affect surrounding land values. Merchandise donation areas can become unsightly by creating outdoor storage issues and illegal dumping and collection of debris. Warehousing of secondhand goods can sometimes extend beyond the building to outdoor storage or use of outdoor storage containers, which can be unsightly and interfere with operation of a shopping center.

The existing multi-tenant building was constructed in 1963, prior to current parking standards. According to current code, the building would be classified as a "shopping center" and 143 parking spaces would be required. There are 24 parking spaces onsite, including two handicapped spaces. The site is considered legally nonconforming. Unlike retail stores, with scheduled arrivals and unloading of merchandise, thrift store donations can occur at random times. The random times of merchandise drop-off has the potential of creating entrance and/or exit obstacles on site since there is only one driveway through the parking lot and that driveway is one-way.

Conditions can be attached to the approval to avoid these situations.

City Clerk Meeks noted that staff mailed out sixty seven notice letters, and three letters were returned. She said staff received one phone call inquiring about the number of thrift stores in the City. City Clerk Meeks said there are three thrift stores and noted that the City issues about three hundred business tax receipts annually.

Vantrese Blair, Director of Russell Home, came forward to answer questions. In response to Chairwoman Dunay, Ms. Blair said the Edgewood thrift store would be in addition to the thrift store on Michigan Avenue. She said that the Edgewood thrift store would be selling mostly furniture. She said the furniture is picked up, and other items are dropped off at the Russell

Home. Mr. Dawson, property owner, noted the business hours of the other stores. He said the beauty shop and antique store are still in operation; the chiropractor is no longer in business.

Chairwoman Dunay addressed the requested actions:

- Character of the neighborhood in which the proposed use is to be located,
- It's effect on the value of surrounding lands, and
- The area of the site as it relates to the required open space and off-street parking facilities.

The board members agreed there were no issues.

Board member Lomas made the Motion to recommend Council approval of the request for special exception with the six conditions provided by Planner Hardgrove:

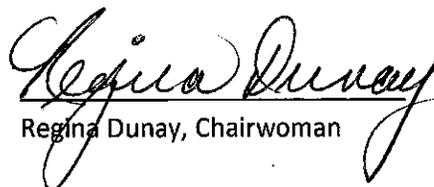
- 1) No outdoor storage of equipment or merchandise
- 2) Loading and unloading/drop-off of merchandise shall take place only behind the building
- 3) Dropped off merchandise shall be stored indoors
- 4) A sign stating something to the effect, "Drop off of Merchandise Donations only accepted during store hours" shall be posted at all entrances to the store (front and back)
- 5) Addition of a storage unit/accessory building must be reviewed as an amendment to the special exception, which will require consideration by the Planning and Zoning Board and City Council approval.
- 6) Per Section 134-104, the special exception shall expire 12 months after the effective date of the approval unless the rights of the special exception granted have been exercised prior to the expiration date. Acquisition of necessary building permits/interior alterations, installation of required equipment or initiation of the activity granted shall be considered adequate exercising of the special exception rights. If the use is abandoned for a period of six months, such special exception is terminated.

Board member Rayburn second the Motion. The Motion passed unanimously 3/0.

City Clerk Meeks announced that there will be a Planning & Zoning board meeting in May if she can meet notice provision for an annexation. City Clerk Meeks reported that the swearing in of Mayor Bagshaw and Council Member Powell took place in March. She said this is the time of

year that she inquires from the Board if everyone plans to stay on Board. She said there have been residents that said they are interested in serving on the board and that if anyone plans on stepping down, this would be the time. The members present did not state any interest in stepping down from the board.

Having no further business, the meeting adjourned at 7:48 p.m.


Regina Dunay, Chairwoman

ATTEST



Bea L. Meeks, MMC, CPM
City Clerk