

**Charter Township of Filer  
Minutes of the Planning Commission Public Hearing  
Held on June 21, 2016**

Present: Jennifer Williams, Shirley Ball, Karen Kolk, Richard Mark, Roger Dittmer.

Absent: Linda Rogers and Christa Johnson

Also present: Lynn Kooyers, Zoning Administrator, Richard Wilson, Township Attorney

Hearing called to order at 6:48 p.m. by Chairman Mark.

Arissa, LLC- Special Use Permit Application

Zoning Administrator Kooyers stated that the purpose of this hearing is to accept public comment on the Special Use Permit Application filed by Arissa, LLC on behalf of their tenant O'Reilly Auto Enterprises, LLC proposing to operate an auto parts store in an existing commercial building in the General Commercial District of Filer Township, located at 1662 US 31 South, on Parcels #51-06-113-425-11 and #51-06-441-703-04.

Johnson entered the hearing at 6:50 p.m.

No written or verbal comments were received on the application.

Property owner, Jason Balaban is located in California, the O'Reilly Auto Parts home office is located in Missouri, therefore there will not be a representative present at the hearing this evening.

Zoning Administrator Kooyers reviewed the main points of the application:

- Subject parcels #51-06-113-425-11 and #51-06-441-703-04 are adjacent parcels that have not been combined because the smaller triangle parcel #51-06-441-703-04, with frontage on US 31, is a subdivision lot which cannot be combined with the larger parcel.
- Filer Township issued the original Land Use Permit in 1994 allowing 2 buildings to be built at this location for the original occupants, Mammoth Video and Dr. Lube. A special use permit was not required by Filer's Zoning Regulations at that time.
- O'Reilly Auto Parts will be leasing only the larger 7,200 sq/ft store. The building interior will be remodeled by removing the existing dividing walls to make one large space for the auto parts store. The proposed store floor plan layout is included in the application.
- The exterior of the store will be remodeled to bring the building up to the O'Reilly Auto Enterprises chain standards. The elevation drawings included in the SUP application depict the updated exterior of the store.
- Property Owner Jason Balaban has stated in his application that the smaller 1,120 sq/ft Dr. Lube building located on this property will not be leased by O'Reilly Auto.
- O'Reilly Auto Parts has been informed that a separate sign application will be required to display the wall sign depicted on the front elevation.
- Proposed hours of operation will be 7:30 am – 9:00 pm daily.
- No additional outdoor lighting will be added to the building or parking lot.
- Existing drive will be used. No new entrance/exit drives will be added.
- Existing parking lot is paved and striped with 45 spaces, including handicapped parking. Filer requires 38 spaces for this commercial use, therefore current parking is adequate.

Discussion of application ensued and included the following points:

- Knox Box for fire protection should be required.
- All exterior lighting must shine downward as required by Article 55. (General Commercial District, 31.55.5505 E.3)
- Bicycle rack should be included in permit conditions.
- Special Use Permit must cover entire parcel, including the un-used Dr. Lube building
- Site plan presented is quite old, there is a question about the driveway location.

Public Comment

Chairman Mark called for public comment. None was given.

Motion by Williams, seconded by Johnson to close the Public Hearing. All in favor. M/C

Hearing adjourned at 7:15 p.m.

Respectfully submitted,

Roger Dittmer, Secretary  
Charter Township of Filer Planning Commission