

**CITY OF LAPEER
MINUTES OF A REGULAR
PLANNING COMMISSION MEETING
FEBRUARY 11, 2016**

A regular meeting of the City of Lapeer Planning Commission was held in the Commission Chambers of Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan on Thursday, February 11, 2016 at 6:30 p.m.

Members Present: Chairman Joe Black, Vice Chairman Bill Sprague, Commissioner Dale Kerbyson, Commissioner Jennell RaCosta, Commissioner Jennifer Hubbell, Commissioner Ed Jamison, Commissioner Anne Shenck and Commissioner Catherine Bostick-Tullius.

Members Absent: Commissioner Dave Sommerville.

Also Present: Mr. Doug Piggott, Rowe Professional Services Company Planning Consultant.

Chairman Black called the meeting to order at 6:31 p.m.

MINUTES

It was moved by Commissioner Sprague and supported by Commissioner RaCosta to approve the minutes of the regular meeting held on November 12, 2015 as presented.
MOTION CARRIED.

PUBLIC COMMENTS

There were no public comments at this time.

PUBLIC HEARINGS TO BE SCHEDULED

There were no public hearings to be scheduled.

PUBLIC HEARINGS SCHEDULED

Medstar Ambulance Station – Special Land Use – 911 Baldwin Rd.

Mr. Piggott reviewed the request from Medstar Ambulance for a Special Land Use in order to operate a 24-hour ambulance station at 911 Baldwin Road. Mr. Piggott reviewed the site location which is zoned OS-1 Office Service and stated the property is an office building with 4 suites and ambulance stations are allowed as a Special Land Use within the OS-1 district. Mr. Piggott reviewed the zoning designations of the surrounding properties which include R-1, B-2, OS-1 and RM-1 and stated the Master Plan designation for the subject site is Commercial.

Mr. Piggott reviewed the proposed operation which is a 24 hour, 7 day a week ambulance station and reported the applicant has agreed to deactivate the back-up alarms while parking, that the vehicles will not be left running when unattended, that gas engine ambulances rather than diesel will be utilized at the site and crews will not utilize emergency lights and sirens until they reach a main thoroughfare. Mr. Piggott reviewed an aerial photo of the subject site and surrounding area, the parking on the site which includes 3 existing spaces and space in front of the garage for 2 ambulances and the interior floor plan of the building.

Discussion was held regarding the employee parking area in the 3 existing spots and the room for two ambulances to park in front of the garage.

Chairman Black opened the public hearing at 6:38 p.m.

Elizabeth Hrlic, owner of 919 Baldwin Road, was present and stated she owns the rental home next to the proposed ambulance station and that the master bedroom faces the station site and is located 10 to 15 feet from the ambulance parking area. Ms. Hrlic stated the station would severely impact the quiet her tenants deserve, that traffic on Baldwin Road is already awful, that there is no place for traffic to move out of the way of ambulances, that she can't see an ambulance station being located there, that there is plenty of space available on M-24 to rent and that she is extremely against the request.

Ms. Hrlic also submitted the following letter.

February 11, 2016

Lapeer City Hall
Attn: Planning Commission
576 Liberty Park
Lapeer, MI 48446

Regarding 24 hour Ambulance Station at 911 Baldwin Rd. Lapeer MI

Attention Planning Commission

I Elizabeth Hrlic own the property just south of said property being considered for the 24 Hour Ambulance Station with living quarters. I want to raise an extreme objection to the Special Land Use request by Medstar Ambulance to use this property as such. My property is a three bedroom rental house with all bedrooms on the North side of the home where the Ambulances would be housed. The master bedroom is just fifteen feet away from the driveway in question. This would severely impact the quiet enjoyment of my tenants. To have ambulances coming and going at all hours of day and night with lights, sirens, back up beeping and just the slamming of their ambulance doors. This would negatively impact my ability to rent my house to families. I am not the only residential property within a close proximity to the said property.

I am also concerned about the traffic patterns would cause at this location. For them to be in a hurry to leave the driveway in such a close proximity to the corner of Baldwin and Meijer drive would be disastrous. There is no place for drivers to move out of the way. The corner is a problem now but to add the emergency traffic would be ridiculous.

I would also raise the concerns about the children and busing. Turrill Estates Apartments are right across this driveway with lots of children.

This property doesn't seem like it would be a good fit for this type of use. Wouldn't it be better to take for them to be on a major road then a quietly used secondary road like Baldwin? There is plenty of other properties for rent on M24 and M21 that would be able to handle their traffic and noise.

I respectfully ask that you turn down their request for the Special Land Use Permit.

Thank You
Elizabeth Hrlie
919 Baldwin Road
Lapeer, MI 48446

Doreen Starr, 880 Baldwin, was present and stated she has a terrible time getting in and out of her driveway, that the Meijer traffic does not stop, that adding ambulance traffic will make it harder, that over the last 40 years she has lived with the changes and this is a tough one.

Charlene Miles, 906 Baldwin, was present and stated that she also has a hard time getting in and out of her driveway, that traffic is congested at the intersection, that an ambulance has hit a car at the intersection and that there is a bus stop at the apartments entrance.

Kolby Miller, Medstar Ambulance CEO, was present and stated Medstar operates ambulance service stations from Hamtramck to Oakland County in addition to the Lapeer area, that many are located in residential areas, that they monitor their driver's performance, that the back-up alarm switches will be deactivated, that they intentionally purchase gas engine ambulances for stations in residential areas and that the station will support 6 employees and will not be used as a business office for Medstar.

Discussion was held regarding Medstar's operation and reasons for determining the subject site is an appropriate location for a station.

Mr. Miller stated Medstar maps out the service call area and demand patterns and strives to decrease response times. Mr. Miller reported the 70% of calls occur between 8 a.m. and 8 p.m., that Medstar has not completed a traffic study in the past for approval of any of their sites and that they operate on small residential streets in many areas and a very respectful of the neighborhoods. Mr. Miller stated the 2 current Medstar stations will remain and that the proposed station would likely serve the areas in and around the south, southwest and southeast areas of the City most often.

Barbara Dick, owner of the Dairy Queen located at 888 S. Main Street, was present and stated they purchased the parking lot behind the Dairy Queen specifically to provide access to Baldwin Road and expressed safety concerns if the ambulances were to drive through the lot if traffic was backed up. Ms. Dick inquired if this station would put Lapeer Ambulance out of business and if the business will use the Dairy Queen lot for overflow parking.

Barbara Gross, 840 West Street, was present and stated the traffic is a cluster, that her daughter gets dropped off at her driveway, that the traffic goes too fast and it will be an accident waiting to happen.

There being no further comments, the public hearing was closed at 6:58 p.m.

Discussion was held regarding the buffering requirements between the proposed station and the residence to the south, conducting an annual review to determine if the use is compliant with the approval conditions, the ability of the Planning Commission to issue a revocation of the Special Land Use, whether or not Medstar plans additional stations in the area and the need to determine the thoroughfare noted in the proposed conditions. Discussion was also held on the fact the station has 4 to 6 runs daily, other uses permitted in the OS-1 zoning district for the subject site, the fact an ambulance station is on the low end of traffic volume generators, that a single family residence produces 10 trips per day, traffic code rules for emergency response vehicles, the fact the location was selected to reduce response times and the landscape buffering requirements of Section 7.15 applicable to the subject site.

After discussion, it was moved by Commissioner Sprague and supported by Commissioner RaCosta to approve the request from Medstar Ambulance for a Special Land Use in order to operate a 24-hour ambulance station at 911 Baldwin Road contingent upon the following:

- Back-up alarms will not be active during parking;
- Ambulances will not be left running when unattended;
- To keep engine noise to a minimum a gas, rather than a diesel ambulance will be utilized;
- Crews will be directed and are expected to only utilize emergency lights and sirens once they have reached the Baldwin Road thoroughfare;
- Approved parking is the three existing spaces and space in front of garage only;
- Compliance with local buffering requirements;
- The ambulances will travel on public roads only;
- An annual review of compliance of the operation; and
- Site plan administrative approval.

ON A ROLL CALL VOTE:

Yeas: Commissioners RaCosta, Black, Kerbyson and Sprague.

Nays: Commissioners Hubbell, Bostick-Tullius, Shenck and Jamison.

Absent: Commissioner Sommerville.

Abstain: None.

MOTION FAILED.

Mr. Piggott informed the commission that due to the tie vote resulting in the request being neither approved nor denied the applicant has the right to resubmit their application following any changes they determine appropriate.

Rezoning – DeMille Blvd. Parcel #20-93-502-040-00 – R-2 to Conditional B-2

Mr. Piggott reviewed the City-initiated request to rezone 11+/- acre vacant parcel #20-93-502-040-00 located on the north side of DeMille Boulevard and west of Farmers Creek from R-2 to Conditional B-2 stating the parcel was inadvertently left out of the previous rezoning request of several parcels south of DeMille Boulevard in order to accommodate the DTE/Inovateus Solar Farm project and that the request is consistent with the Master Plan.

Chairman Black opened the public hearing at 7:26 p.m.

There being no comments, the public hearing was closed.

It was moved by Commissioner Sprague and supported by Commissioner Bostick-Tullius to recommend the City Commission approve the conditional rezoning of Parcel #20-93-502-040-00 located on the north side of DeMille Boulevard and west of Farmer's Creek from R-2 Single Family Residential to B-2 General Business: The condition being that the use of the property as zoned would be limited to the use classification of "Publicly owned buildings, public utility buildings, telephone exchange buildings; electric transformer stations & substations; gas regulator stations with service yards, but without storage yards; water & sewage pumping stations".

MOTION CARRIED.

SITE PLAN REVIEWS

ZeerCo Commercial Building – S. Main/Baldwin – Preliminary Site Plan:

Doug Piggott reviewed the site plan submitted by ZeerCo Development for "Preliminary" approval in order to construct an approximately 5,900 sq. ft. multi-tenant commercial building at the southwest corner of S. Main Street and Baldwin Road. Mr. Piggott reviewed the site location which includes a portion zoned B-2 General Business and a portion zoned R-2 Single Family Residential and stated the applicant is proposing to combine the parcels and demolish the existing buildings on the site. Mr. Piggott reported the project will require approvals of rezoning, variances and a Special Land Use for the drive-thru café window being proposed. Mr. Piggott stated the development of the site has many challenges created by the 3 front yards which limits the amount of green space on the site.

Mr. Piggott reviewed the various issues with the current proposal including the drive-thru window speaker location, the sidewalk requirements along Baldwin Road frontage, the fact two double-length parking spaces can be required and one is proposed, the Fire Department comment regarding the turning radius to enter and exit the site, the required variance from the landscaping requirements, the location of the access drive and the access to and location of the garbage dumpster. Mr. Piggott stated the applicant would like preliminary approval of the site plan indicating the Planning Commission's support of the proposal prior to moving forward with the project and preparing engineered plans to address the various issues facing the development.

Discussion was held regarding the fact a parking variance would alleviate some of the other issues on the site relating to traffic flow, the project's compliance with the M-24 Access Plan and the need for City staff to meet with the developer regarding the location of the Baldwin Road access drive.

Mr. Mike Zeer was present and stated he has been a residential and commercial developer for several years, that he has developed several 7-11 sites, that the site currently has 4 entrances, that he has had three meetings with MDOT representatives and that MDOT recommended closing two of the three Baldwin Road drives and lining up the remaining drive with West Street. Mr. Zeer stated the area is Master Planned to be developed as commercial, that he will meet with the owner of the residence to the south regarding landscape buffering and that one parking spot may be lost in order to meet the Fire Department vehicle turning radius requirement.

Discussion was held regarding the proposed use, various inquiries received to occupy the tenant spaces, the fact the drive thru operation is necessary for the success of the development, remedies for the dumpster location and access issue and loading area. Discussion was also held regarding the landscaping variances, the sidewalk along Baldwin Road, the fact none of the existing trees are proposed to remain, the 3 front yard street frontages, the need for access to Baldwin Road, the fact that lining up the access drive with West Street will make it easier to exit the site and the Special Land Use required for the drive-thru operation.

After discussion, it was moved by Commissioner Bostick-Tullius and supported by Commissioner Kerbyson to approve the preliminary site plan received from ZeerCo Development for construction of a new multi-tenant commercial building at the southwest corner of S. Main Street and Baldwin Road contingent upon:

- Approval of the variances requested;
- Issuance of a Special Land Use approval;
- City Commission approval of rezoning of the portion of the site currently zoned R-2 to B-2;
- Extension of sidewalk along Baldwin Road on the north side;
- Require verification of turning movement by refuse vehicles;
- Require meeting between applicant and City staff to determine best solution to Baldwin Road driveway issue; and
- Planning Commission agreement to require only one double-length parking space and approve the proposed location of drive-thru speaker.

MOTION CARRIED.

OTHER BUSINESS

Election of Officers

It was moved by Commissioner Kerbyson and supported by Commissioner Sprague to nominate and elect Joe Black as Chairman, Jennell RaCosta as Vice Chairman and Anne Shenck as Secretary of the Planning Commission.

MOTION CARRIED.

CORRESPONDENCE

The Development Activities Report was reviewed.

ADJOURNMENT

There being no further business, it was moved by Commissioner Shenck and supported by Commission RaCosta to adjourn the meeting at 8:09 p.m.

Mr. Dale Kerbyson
Secretary