

**CITY OF LAPEER
MINUTES OF A REGULAR
PLANNING COMMISSION MEETING
APRIL 14, 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, April 14, 2016 at 6:30 p.m.

Members Present: Chairman Joe Black, Commissioner Bill Sprague, Commissioner Dale Kerbyson, Commissioner Dave Sommerville, Commissioner Anne Shenck, Commissioner Ed Jamison and Commissioner Catherine Bostick-Tullius.

Members Absent: Vice Chairperson Jennell RaCosta and Commissioner Jennifer Hubbell.

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

Chairman Black called the meeting to order at 6:30 p.m.

MINUTES

It was moved by Commissioner Kerbyson and supported by Commissioner Sprague to approve the minutes of the regular meeting held on March 10, 2016 as presented.
MOTION CARRIED.

PUBLIC COMMENTS

There were no public comments at this time.

PUBLIC HEARINGS SCHEDULED

Alyass Fireworks – Special Land Use – 552 Imlay City Rd. (Reed’s Appliance)

Mr. Piggott reviewed the request from Alyass Fireworks for a Special Land Use in order to erect a 20 ft. by 60 ft. tent and sell State approved fireworks at 552 Imlay City Road (Reed’s Appliance). Mr. Piggott reviewed the site location which is zoned I-1 Industrial, aerial photos of the site and the site plan showing the proposed tent location at the northwest corner of the property in an area that is paved and not striped for parking. Mr. Piggott reported the operation is proposed for June 9th through July 9th from 9 a.m. to 10 p.m., that the tent will not occupy any required off-street parking spaces and the use can be considered a use permitted per Section 7.13.11 of the zoning ordinance.

Mr. Piggott reviewed the findings of fact as related to the standards required in order to approve the Special Land Use request and informed the commission that in the future he recommends the findings of fact be included in the approval motion of a Special Land Use request. Mr. Piggott recommended approval of the Special Land Use be contingent upon future operations by Alyass at the subject site be reviewed administratively on an annual basis and that the site plan be approved separately.

Chairman Black opened the public hearing at 6:37 p.m.

Mr. Samir Alyass stated his company is licensed and approved by the State of Michigan and that all required insurances are in place.

Mr. Rudy Rodriguez, of The Wizards Fireworks, stated a \$10 million insurance policy is required and reviewed the strict setbacks required by the State of Michigan.

There being no further comments, the public hearing was closed at 6:40 p.m.

After discussion, it was moved by Commissioner Sprague and supported by Commissioner Sommerville to approve the request from Alyass Fireworks for a Special Land Use in order to erect a 20 ft. by 60 ft. tent and sell State approved fireworks at 552 Imlay City Road (Reed's Appliance) with the condition that the operation be reviewed administratively on an annual basis. **MOTION CARRIED.**

It was moved by Commissioner Sprague and supported by Commissioner Sommerville to approve the proposed site plan for Alyass Fireworks at 552 Imlay City Road based on the finding that the drawing as submitted meets the ordinance requirements. **MOTION CARRIED.**

The Wizards Fireworks – Special Land Use – 700 S. Main St.

Mr. Piggott reviewed the request from The Wizards Fireworks for a Special Land Use in order to erect a 20 ft. by 40 ft. tent and sell State approved fireworks at 700 S. Main Street (Lapeer Market Place). Mr. Piggott reviewed the site location which is zoned B-2 General Business, aerial photos of the site and the site plan showing the proposed tent location at the southeast corner of the DeMille Street/Harrison Street intersection. Mr. Piggott reported the operation is proposed for June 8th through July 8th, the tent location will not occupy any required off-street parking spaces and will be not be located within the clear vision triangle for the intersection of DeMille Road and Harrison Street. Mr. Piggott stated tent lighting will be required after dark and that the use can be considered as a use permitted per Section 7.13.11 of the zoning ordinance.

Mr. Piggott reviewed the findings of fact as related to the standards required in order to approve the Special Land Use and recommended approval be contingent upon future operations by The Wizards Fireworks at the subject site be reviewed administratively on an annual basis and that the site plan be approved separately.

Chairman Black opened the public hearing at 6:45 p.m.

Mr. Rudy Rodriguez of The Wizards Fireworks stated the tent is fire retardant and that the proposed hours of operation will be 9 a.m. to 12 midnight.

There being no further comments, the public hearing was closed at 6:46 p.m.

After discussion, it was moved by Commissioner Sprague and supported by Commissioner Jamison to approve the request from The Wizards Fireworks for a Special Land Use in order to erect a 20 ft. by 40 ft. tent and sell State approved fireworks at 700 S. Main Street (Lapeer Market Place) with the condition that the operation be reviewed administratively on an annual basis. **MOTION CARRIED.**

It was moved by Commissioner Sprague and supported by Commissioner Bostick-Tullius to approve the proposed site plan for The Wizards Fireworks at 700 S. Main Street based on the finding that the drawing as submitted meets the ordinance requirements. **MOTION CARRIED.**

SITE PLAN REVIEWS

There were no site plans to be reviewed.

OTHER BUSINESS

2016-2022 Capital Improvement Program

Mr. Dale Kerbyson, City Manager, reviewed the proposed 2016-2022 Capital Improvement Program and 2016-2022 expenditures scheduled for the Buildings & Land, Public Safety, Parks & Recreation, Cemetery, Water, Wastewater Treatment, Local Street, Major Streets, Sidewalks and Equipment funding categories.

Mr. Kerbyson highlighted various projects and discussion was held on the following items/projects included in the program:

- Sewer Main Lining near the former Irwin School site;
- Court Street Reconstruction;
- Oak Street Reconstruction;
- Pix Theatre Building Improvements;
- Voting Equipment Upgrades;
- Woods at Oakdale natural habitat development;
- DeMille Street Reconstruction/Scrap Tire Grant;
- Baldwin Road Micro-Seal;
- Wayfinding Signage;
- Vehicle and Equipment purchases; and
- 1 Million Gallon Water Storage Tank.

After discussion, it was moved by Commissioner Bostick-Tullius and supported by Commissioner Sommerville to adopt the 2016-2022 Capital Improvement Program.

Yeas: Commissioners Bostick-Tullius, Sommerville, Jamison, Black, Sprague, Shenck, and Kerbyson.

Nays: None.

Absent: Commissioners RaCosta and Hubbell.

Abstain: None.

MOTION CARRIED.

ADJOURNMENT

There being no further business, it was moved by Commissioner Bostick-Tullius and supported by Commissioner Sommerville to adjourn the meeting at 7:53 p.m.

Ms. Anne Shenck
Secretary