

**CITY OF LAPEER
MINUTES OF A REGULAR
PLANNING COMMISSION MEETING
MAY 8, 2008**

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, May 8, 2008 at 6:30 p.m.

Members Present: Chairman Joe Black, Vice Chairman Bill Sprague, Commissioner Mike Robinet, Commissioner Dale Kerbyson, Commissioner Jennell RaCosta, Commissioner Les Daum, Commissioner Jennifer Hubbell and Commissioner Bill Ogden.

Members Absent: Commissioner Dave Sommerville.

Also Present: Ms. Linda Jackman, Planning Director, and Mr. Tom Hubbell, City Assessor.

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

MINUTES

It was moved by Commissioner Daum and supported by Commissioner Robinet to approve the minutes of the regular meeting held on April 10, 2008 as presented.
MOTION CARRIED.

It was moved by Commissioner Robinet and supported by Commissioner Sprague to approve the minutes of the special meeting held on April 24, 2008 as presented.
MOTION CARRIED.

PUBLIC COMMENTS

There were no comments from the public at this time.

PUBLIC HEARINGS TO BE SCHEDULED

Clemens / Bahri – Rezoning – M-24 Properties at Southern City Limits

Ms. Jackman reviewed the request from Ray Clemens and S. Bahri to rezone 18.36 acres of land lying north of the City's southern corporate limits on the east side of M-24 consisting of a portion of Parcel #L20-98-017-028-00 and the entire property known as 1583 S. Lapeer Road and the current split zoning designations of B-2 and OS-1 of parcel #20-98-017-028-00 and the R-7 zoning designation of 1583 S. Lapeer Road. Ms. Jackman stated the parcels, which were recently annexed, were assigned the most closely related City zoning designations as existed on the parcels when located in Lapeer Township. Ms. Jackman reported the request is to rezone both parcels to B-2 General Business and that an alternate request to rezone 1583 S. Lapeer Road from R-7 to OS-1 has also been submitted.

Ms. Jackman reported the new Master Plan was approved by the City Commission on May 5, 2008, reviewed the zoning map and master plan map designations for the properties and stated that the requested rezoning to B-2 General Business is not in compliance with the new Master Plan. Ms. Jackman reviewed the process and notification requirements for amending the new Master Plan including the 42 day waiting period following notification to the surrounding townships and Lapeer County.

Discussion was held regarding the current zoning designations of the properties, the uses permitted in the OS-1 district, the timing of the amendment request in relation to the recent approval of the new Master Plan and whether there is a proposal for development of the property.

Mr. Ray Clemens was present and stated the intention is to market the properties together, that the B-2 zoning designation would allow the property to be marketed to a larger group of developers, that the zoning was put in place by the township before annexation to the City, that he was not aware of the City's new Master Plan and that he has been concentrating on the utility issues.

Mr. Bahri was present and stated that he was not notified of the new Master plan or change in zoning.

Discussion was held regarding the numerous publications regarding development of the new Master Plan, including the Bahri parcel at 1583 S. Lapeer Road in the Office designation on the Master Plan, whether the request will create an issue with the Inter-Local Agreement with Lapeer Township, the residential zoned Lapeer Township properties south of the Bahri parcel and the wetland area located adjacent to the Bahri parcel which creates a natural buffer to the residential properties to the south.

Ms. Jackman reviewed the section in the Master Plan regarding amending the plan which include oversight, changes in conditions and change in policy.

Further discussion was held regarding whether a decision is needed on the request before marketing or a decision is made on the public utilities for the property and scheduling the public hearing for rezoning of 1583 S. Lapeer Road from R-7 to OS-1 prior to the Master Plan public hearing.

After discussion, it was moved by Commissioner Sprague and supported by Commissioner Robinet to schedule a public hearing for 6:30 p.m. on June 12, 2008 to consider rezoning the property known as 1583 S. Lapeer Road from R-7 One Family Residential to OS-1 Office Service. **MOTION CARRIED.**

It was moved by Commissioner Sprague and supported by Commissioner Robinet to schedule a public hearing for 6:30 p.m. on July 10, 2008 to consider a Master Plan amendment for 18.36 acres of land consisting of a portion of Parcel #L20-98-017-028-00 and the entire property known as 1583 S. Lapeer Road from Office to Commercial.

Yeas: Commissioners Sprague, Robinet, RaCosta, Hubbell, Ogden and Black.

Nays: Commissioners Kerbyson and Daum.

Absent: Commissioner Sommerville.

Abstain: None.

MOTION CARRIED.

It was moved by Commissioner Sprague and supported by Commissioner RaCosta to schedule a public hearing for 6:30 p.m. on July 10, 2008 to consider rezoning the 18.36 acres of land consisting of a portion of Parcel #L20-98-017-028-00 from OS-1 Office to B-2 General Business and the entire property known as 1583 S. Lapeer Road from R-7 Residential to B-2 General Business.

Yeas: Commissioners Sprague, RaCosta, Robinet, Hubbell, Ogden, Kerbyson and Black.

Nays: Commissioners Daum.

Absent: Commissioner Sommerville.

Abstain: None.

MOTION CARRIED.

McDonald's – Special Use Permit for Drive-Thru – 486 S. Main Street

Ms. Jackman reviewed the request from McDonald's for a Special Conditional Use Permit for the drive-thru operation of the site redevelopment project at the McDonald's restaurant located at 486 S. Main Street.

It was moved by Commissioner Kerbyson and supported by Commissioner Sprague to schedule a public hearing for 6:30 p.m. on June 12, 2008 to consider the request from McDonald's USA, LLC for a Special Conditional Use Permit for a proposed drive-thru operation for the site redevelopment project at the McDonald's restaurant located at 486 S. Main Street. **MOTION CARRIED.**

Walgreens – Special Use Permit for Drive-Thru – 571/591 S. Main Street

Ms. Jackman reviewed the request from Walgreens for a Special Conditional Use Permit for the drive-thru pharmacy at the Walgreens to be constructed at the properties known as 571/591 S. Main Street.

After discussion, it was moved by Commissioner Daum and supported by Commissioner Sprague to schedule a public hearing for 6:30 p.m. on June 12, 2008 to consider the request from Walgreens for a Special Conditional Use Permit for the drive-thru pharmacy at the proposed Walgreens to be located at 571/591 S. Main Street. **MOTION CARRIED.**

PUBLIC HEARINGS SCHEDULED

There were no public hearings scheduled.

SITE PLAN REVIEWS

McDonald's – Site Redevelopment Project – 486 S. Main Street

Ms. Jackman reviewed the site plan received for redevelopment of the McDonald's restaurant site located at 486 S. Main Street consisting of a tear down and rebuild, merging the two parcels, locating the building more central on the parcels and the incorporation of a double drive-thru lane. Ms. Jackman reported the site plan meets all pertinent zoning requirements.

Discussion was held regarding the enlarging of the building by approximately 500 sq. ft., the existing dumpster enclosure situation with four separate dumpsters located outside of the corral, the need to enlarge the dumpster corral, the proposed exterior materials and design of the new building, the double drive-thru operation and the proposed connection at the rear of the site to the service drive constructed by Home Depot.

After discussion, it was moved by Commissioner Sprague and supported by Commissioner Daum to approve the site plan received for the redevelopment project at the McDonald's restaurant site located at 486 S. Main Street contingent upon approval of the Special Conditional Use Permit for the drive-thru, satisfactory resolution of the dumpster issue and all remaining staff comments being addressed during engineering review.

Yeas: Commissioners Sprague, Daum, RaCosta, Robinet, Ogden, Kerbyson and Black.

Nays: Commissioners Hubbell.

Absent: Commissioner Sommerville.

Abstain: None.

MOTION CARRIED.

OTHER BUSINESS

A-Frame Sign Ordinance Amendment – Article 7.17(J)(2)(I)

Ms. Jackman reported the Downtown Development Authority has recommended approval of the revised amendment proposal to the A-Frame/Sidewalk Sign Ordinance including the prohibition of electronic and/or illuminated signs.

It was moved by Commissioner Daum and supported by Commissioner Sprague to recommend the City Commission approve the revised request from the Planning Director to amend Article 7.17(J)(2)(I) of the zoning ordinance regulating A-Frame/Sidewalk Signs. **MOTION CARRIED.**

Ms. Jackman reported the new Master Plan was approved by the City Commission on May 5th, that she has begun preparations for the Zoning Ordinance update project and that the proposed zoning ordinance amendment establishing the Mixed Use district will be presented at the next meeting.

Mayor Sprague thanked staff and commissioners for their efforts on the Master Plan project.

ADJOURNMENT

There being no further business, it was moved by Commissioner Daum and supported by Commissioner Sprague to adjourn the meeting at 7:21 p.m. **MOTION CARRIED.**

Mr. Dale Kerbyson
Secretary