

**CITY OF LAPEER  
MINUTES OF A REGULAR  
PLANNING COMMISSION MEETING  
AUGUST 13, 2009**

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, August 13, 2009 at 6:30 p.m.

**Members Present:** Chairman Joe Black, Commissioner Mike Robinet, Commissioner Bill Ogden, Commissioner Jennell RaCosta and Commissioner Dale Kerbyson.

**Members Absent:** Vice Chairman Bill Sprague, Commissioner Dave Sommerville, Commissioner Les Daum and Commissioner Jennifer Hubbell.

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

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

**MINUTES**

It was moved by Commissioner Robinet and supported by Commissioner Ogden to approve the minutes of the regular meeting held on July 9, 2009 as presented.  
**MOTION CARRIED.**

**PUBLIC COMMENTS**

There were no comments from the public at this time.

**PUBLIC HEARINGS TO BE SCHEDULED**

There were no public hearings to be scheduled.

**PUBLIC HEARINGS SCHEDULED**

There were no public hearings scheduled.

**SITE PLAN REVIEWS**

**Sonic Drive-In / Drive-Thru Restaurant – 977 S. Main St. - Revised Site Plan**

Ms. Jackman reviewed the revised site plan received for the proposed Sonic Drive-In / Drive-Thru restaurant to be located at 977 S. Main Street. Ms. Jackman reviewed the site location, zoning map and the previously approved site plan which encountered issues with the legal description and the south property line. Ms. Jackman stated the developers revised the site plan to expand parking areas and add an indoor dining area, however, the developer has now been notified by the corporate offices for Sonic that the indoor dining area will not be allowed at the Lapeer location at this time. Ms. Jackman reviewed the building elevation which includes a canopy over a portion of the outdoor dining area and stated the plan has minor remaining issues which can be addressed during the engineering review stage.

Ms. Sejal Shah, of the developer SanSej, Inc., was present and stated the goal is to have indoor dining and reviewed her discussions with Sonic corporate regarding the need for an indoor dining area due to Michigan's climate and that Taco Bell has a large indoor dining area that is highly used.

Mr. Bill Becket, the project engineer with WT Development, was present and stated if Sonic approves indoor dining in the future the covered outdoor dining area could be enclosed with the restrooms relocated to the front of the building at that time and that the parking shown on the proposed plan will remain as shown with no other site changes due to the elimination of the indoor dining area.

Discussion was held regarding the need for the indoor dining area, providing a letter supporting an indoor dining area to the Sonic corporate offices, avoiding additional delays to the project, allowing a future indoor dining area addition to be reviewed as a building modification requiring administrative review and approval and the high use of the Taco Bell indoor dining area.

Mr. Bill Becket clarified the proposed elevation design stating the canopy support posts, and menu board columns at the drive up stalls will be tan with brick at the base.

After discussion, it was moved by Commissioner Kerbyson and supported by Commissioner Robinet to approve the revised site plan received for the proposed Sonic Drive-In / Drive-Thru restaurant to be located at 977 S. Main Street contingent upon all remaining staff comments being addressed during engineering review. **MOTION CARRIED.**

It was moved by Commissioner Kerbyson and supported by Commissioner Robinet to allow a future indoor dining area addition to be reviewed administratively. **MOTION CARRIED.**

After further discussion, it was the consensus of the Commission to authorize the Planning Director to draft a letter to be signed by the Planning Commission Chairman to the Sonic corporate office strongly supporting an indoor dining area at the Lapeer Sonic.

## **OTHER BUSINESS**

### **Zoning Ordinance Update – Draft Review – Part 2**

Ms. Jackman reviewed the draft of part two of the updated Zoning Ordinance which includes Article 7.13 General Provisions, Article 7.14 General Site Development Requirements, Article 7.15 Parking, Loading, Access and Circulation Requirements and Article 7.25 Definitions.

Ms. Jackman reviewed various portions of Article 7.13 General Provisions including provision of administrative modification of side yard setbacks, clarification language for recreational equipment, proposed regulations for swimming pools and hot tubs, outdoor storage and display provisions and requiring initial Planning Commission approval of outdoor storage and display areas.

Discussion was held regarding the need to provide specific language to require elimination of defunct swimming pools.

Ms. Jackman reviewed various portions of Article 7.14 General Site Development Requirements including new provisions for landscaping, ways of allowing flexibility in the landscaping informational requirements, efforts to preserve existing trees on a site, street tree requirements, provisions for detention pond sloping to eliminate fencing, required fences and walls and the addition of lighting provisions which is currently covered in the City's Constructions Specifications.

Discussion was held regarding street tree requirements with the consensus being to require 1 tree per 8 parking spaces, the requirement for one-third of required trees to be located in the interior of parking lot areas, environmental and aesthetic effects of locating landscaping and trees in parking lot interiors, the ability of the Planning Commission to waive certain landscaping requirements and clarifying the aesthetic requirements for required and non-required fencing and walls.

Ms. Jackman reviewed various portions of Article 7.15 Parking, Loading, Access and Circulation Requirements including the authority of the Planning Commission to relax parking requirements, the updated parking requirements to reflect currently accepted standards, the proposed 50 foot parking area setback where adjacent to residential uses, the new parking deferment provision and revised loading space requirements.

Discussion was held regarding the need for additional review of potentially reducing the 50 ft. setback requirement for parking adjacent to residential uses and the option to utilize the buffering requirements for parking.

Ms. Jackman stated Article 7.25 Definitions have been updated and expanded. Commissioner Kerbyson requested definitions for Ditch and Attached be added to the definitions section.

### **ADJOURNMENT**

There being no further business, it was moved by Commissioner Kerbyson to adjourn the meeting at 8:08 p.m. **MOTION CARRIED.**