

**CITY OF LAPEER
MINUTES OF A REGULAR
PLANNING COMMISSION MEETING
OCTOBER 9, 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, October 9, 2008 at 6:30 p.m.

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

Members Absent: Commissioner Dale Kerbyson, Commissioner Mike Robinet and Commissioner Dave Sommerville.

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

Chairman Black called the meeting to order at 6:32 p.m.

MINUTES

It was moved by Commissioner Daum and supported by Commissioner Hubbell to approve the minutes of the regular meeting held on September 11, 2008 as presented.
MOTION CARRIED.

PUBLIC COMMENTS

There were no comments from the public at this time.

PUBLIC HEARINGS TO BE SCHEDULED

Robertson – Rezoning – 1048 S. Lapeer Rd. (7 Acre Parcel) – R-5 to PUD

Ms. Jackman reviewed the request from Kevin Robertson to rezone the 7 acre parcel known as 1048 S. Lapeer Road from R-5 One Family Residential to PUD Planned Unit Development. Ms. Jackman reviewed the site location which is part of the newly annexed property from Lapeer Township, and stated that the PUD zoning will be based on a conceptual site plan which shows a mix of uses including an assisted living facility, food services and medical offices. Ms. Jackman reviewed the process for rezoning property to PUD, which requires an additional public hearing to be held by the City Commission, and the proposal's compliance with the Master Plan with the exception of the recommendation against drive-thru food service establishments in the subject area.

After discussion regarding the rezoning and notification requirements, it was moved by Commissioner Daum and supported by Commissioner Sprague to schedule a public hearing for 6:30 p.m. on November 13, 2008 to consider the request from Kevin Robertson to rezone the property known as 1048 S. Lapeer Road from R-5 to PUD.
MOTION CARRIED.

Clemens / Bahri – Master Plan Amendment – South Portion of Parcel #20-98-017-028-00 & Entire Parcel Known as 1583 S. Lapeer Road – Office to Commercial

Ms. Jackman updated the Planning Commission on the City Commission's recent action to approve the request from Ray Clemens to rezone his property known as the south portion of Parcel #20-98-017-028-00 from OS-1 Office Service to B-2 General Business and the request from Steve Bahri to rezone his property located at 1583 S. Lapeer Road from OS-1 Office Service to B-2 General Business against the recommendation from the Planning Commission to deny the rezoning requests. Ms. Jackman reviewed the site location and the recommendation from the City Attorney and subsequent direction from the City Commission to amend the Master Plan from Office to Commercial for the subject properties. Ms. Jackman requested that due to the 42 day public notice requirement, the public hearing be scheduled for the December meeting.

Commissioner Daum expressed his disappointment with the City Commission's approval of the rezoning request against the Planning Commission's recommendation.

It was moved by Commissioner RaCosta and supported by Commissioner Hubbell to schedule a public hearing for 6:30 p.m. on December 11, 2008 to consider amending the Master Plan for the Clemens and Bahri parcels from Office to Commercial.

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

Nays: Commissioner Daum

Abstain: None.

Absent: Commissioners Kerbyson, Robinet and Sommerville.

MOTION CARRIED.

Shah / Sonic Drive-In/Drive-Thru Restaurant – Special Use Permit – 977 S. Main Street

Ms. Jackman reviewed the request received from Ms. Sejal Shah for a Special Conditional Use Permit in order to construct a Sonic drive-in/drive-thru restaurant on the vacant property located at 977 S. Main Street. Ms. Jackman reviewed the site location located immediately south of the Michigan State Police Post and the conceptual site plan for the project.

It was moved by Commissioner Daum and supported by Commissioner Ogden to schedule a public hearing for 6:30 p.m. on November 13, 2008 to consider the request from Sejal Shah for a Special Conditional Use Permit in order to construct a Sonic drive-in/drive-thru restaurant on the vacant property located at 977 S. Main Street.

MOTION CARRIED.

PUBLIC HEARINGS SCHEDULED

There were no public hearings scheduled.

SITE PLAN REVIEWS

Dollar General (Engelman) – 538 E. Genesee Street

Ms. Jackman reviewed the site plan received for a new 9,100 sq. ft. commercial building for Dollar General to be constructed at 538 E. Genesee Street. Ms. Jackman reviewed

the site location which was recently rezoned from I-1 to B-2, the ZBA variance granted to allow 30 parking spaces, the 31 parking spaces provided on the site, the pavement areas to be removed and replaced, the green space and landscaping on the site and sidewalk locations. Ms. Jackman reported the building will feature a partial masonry front facade, that the owner was unable to acquire a joint access easement with the property owner to the east and reviewed issues with outside lighting and shielding requirements.

Discussion was held regarding encouraging the owners to provide additional masonry on the building sides to enhance the appearance of the building.

Mr. Cory Mabery, the project engineer, was present and stated that the applicants have considered upgrading the appearance of the building and reviewed the setback of the building which is partially blocked from view by the building to the west and stated that trees on the east side of the site could be relocated to break up the appearance of the building from the east.

After discussion, it was moved by Commissioner Daum and supported by Commissioner Ogden to approve the site plan received for the construction of a new Dollar General store to be located at 538 E. Genesee Street contingent upon all remaining staff comments being addressed during the engineering review stage.

MOTION CARRIED.

CORRESPONDENCE

Ms. Jackman reviewed the correspondence materials included in the packet focusing on zoning and land use and the brochure regarding training opportunities for the commissioners.

Commissioner and Mayor Sprague informed the commission that an agreement was reached at the October 6th City Commission meeting regarding the M-24/I-69 Corridor Utility Project and stated that the City Commission's decision to approve the Clemens/Bahri rezoning against the recommendation of the Planning Commission consisted of significant discussion and was not a decision taken lightly.

ADJOURNMENT

There being no further business, it was moved by Commissioner Daum and supported by Commissioner Sprague to adjourn the meeting at 6:58 p.m. **MOTION CARRIED.**