

**CITY OF LAPEER  
MINUTES OF A REGULAR  
PLANNING COMMISSION MEETING  
JUNE 11, 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, June 11, 2009 at 6:30 p.m.

**Members Present:** Chairman Joe Black, Commissioner Les Daum, Commissioner Jennell RaCosta, Commissioner Mike Robinet, Commissioner Dave Sommerville and Commissioner Bill Ogden.

**Members Absent:** Vice Chairman Bill Sprague, Commissioner Dale Kerbyson 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 6:31 p.m.

**MINUTES**

It was moved by Commissioner Daum and supported by Commissioner RaCosta to approve the minutes of the regular meeting held on May 14, 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**

**Master Plan Designation Review – 109, 155 & 219 S. Saginaw Street**

Ms. Jackman reviewed the three properties being considered for review and possible amendment of the Master Plan designations for future land use which include 109 S. Saginaw (a residential duplex), 155 S. Saginaw (two parcels consisting of the Lapeer Grain operations), and 219 S. Saginaw (two parcels developed as Lapeer County Mental Health Department's Harmony House). Ms. Jackman stated the Lapeer Grain operation has received a Class A Nonconforming Use designation for the southern parcel of their property which allowed the construction of an additional storage building during which it was discovered the Master Plan designation, zoning and current use of the subject properties do not match. Ms. Jackman reviewed the current use, zoning and Master Plan designations for each the subject properties.

Chairman Black opened the public hearing at 6:39 p.m.

Mr. Joe Herr, owner of 109 S. Saginaw, was present and stated his position has been submitted in a letter to the commission.

The following letter was received:

Lapeer City Hall  
Attn: Planning Commission

To whom it may concern:

This is in regards to the "Notice of Public Hearing" for the Planning Commission we received, which is scheduled for 6/11/09, where you will be discussing future land use designations for properties including our property at 109 S. Saginaw (L20-84-000-040-00). As I discussed with Linda Jackman via telephone conversation, we prefer the current zoning of I-1 Industrial stay as is for our property. The zoning was one of the criteria we looked at when purchasing the property in 2001, and therefore feel it should stay as is.

Thank you.

Sincerely,  
Lisa Herr  
JLK Enterprises, LLC  
6/5/2009

Mr. Greg Jarvis, representing Lapeer Grain, was present and stated Lapeer Grain is very comfortable with the property the way it is.

There being no further comments, the public hearing was closed at 6:41 p.m.

Discussion was held regarding whether the Lapeer Grain operations constitute an industrial or commercial use, the commercial Master Plan designation of 109 S. Saginaw and 219 S. Saginaw which increase the development options for the properties as either industrial as zoned or commercial as master planned and the split designations of the 219 S. Saginaw Street property which consists of two individuals parcels as one development with Master Plan designations of commercial on the northern parcel and residential on the southern parcel.

After discussion it was moved by Commissioner Robinet and supported by Commissioner Daum to affirm the current Master Plan future land use designations of the 109 S. Saginaw and 155 S. Saginaw properties and to amend the Residential Master Plan designation of the southern parcel of the 219 S. Saginaw Street property to Commercial. **MOTION CARRIED.**

### **SITE PLAN REVIEWS**

There were no site plans to be reviewed.

### **OTHER BUSINESS**

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

### **Zoning Districts & Use Requirements**

Ms. Jackman reviewed the draft of part one of the updated Zoning Ordinance and the correspondence from Rob Nesbitt of LSL Planning, Inc. summarizing the new format and detailing the major changes to the various zoning districts including Article 7.02 Mapped Districts, 7.03 Single Family Residential Districts, 7.04 Multiple Family Residential Districts, 7.05 Manufactured Home Parks District, 7.06 Business and Office Districts, 7.07 Central Business Districts, 7.08 Industrial Districts, 7.09 Parking Districts and 7.12 Use Requirements.

Discussion was held regarding various items in the updated ordinance including the elimination of the pyramid zoning district format, the reduction of the residential districts from eight to three, the name change of the existing B-4 Regional Business District to B-3 to provide a logical numbering sequence and restriction of large scale churches in single family residential districts. Discussion was also held regarding the intent of the proposed change to the qualifications for the large scale regional business retail use from requiring a stand alone 80,000 sq. ft. retail use building to allowing one or more uses and a minimum of 80,000 sq. ft. building in order to accommodate a regional scale commercial development consisting of a large anchor use and other commercial uses as part of the overall development, the market changes in big box retail development and the need to determine whether the Planning Commission is in agreement with the proposed change.

Discussion was held regarding the elimination of drive-thru financial institutions in the Central Business District, permission of daycare and restaurant facilities in the Industrial districts, the need to determine the distinguishing features of the I-1 and I-2 Industrial districts and the building separation formula in the Multiple Family district. It was noted the updated ordinance needs to facilitate the restriction of drive-thru establishments on M-24 between the new Taco Bell southerly to Turrill Road as well as ensure the ordinance facilitates a means to permit the utilization of former new automobile dealerships as automotive repair activities. Further discussion was held regarding the proposed language for adult uses, dumpster enclosures, outdoor storage and home occupations.

Ms. Jackman requested the commissioners forward to her any specific comments or suggestions regarding part one of the draft Zoning Ordinance for submission to LSL Planning, Inc.

### **Sign Survey Results**

Mr. Rob Nesbitt briefly reviewed the results of the sign survey held at the April 30<sup>th</sup> workshop and stated the results will be incorporated into the sign regulations section of the draft ordinance.

### **ADJOURNMENT**

There being no further business, it was moved by Commissioner Daum and supported by Commissioner Sommerville to adjourn the meeting at 8:06 p.m. **MOTION CARRIED.**