

**CITY OF LAPEER
MINUTES OF A REGULAR
PLANNING COMMISSION MEETING
NOVEMBER 14, 2019**

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, November 14, 2019 at 6:30 p.m.

Members Present: Chairperson Jennell RaCosta, Vice Chairman Austin Kelly, Commissioner Joe Black, Commissioner Dale Kerbyson and Commissioner Anne Shenck.

Members Absent: Commissioner Dave Sommerville.

Also Present: Ms. Caitlyn Habben, Rowe Professional Services Company Planning Consultant.

Chairperson RaCosta called the meeting to order at 6:30 p.m.

PUBLIC COMMENTS

There were no public comments at this time.

MINUTES

It was moved by Commissioner Black and supported by Commissioner Kerbyson to approve the minutes of the meeting held on October 10, 2019 as presented.

MOTION CARRIED.

PUBLIC HEARINGS SCHEDULED

Rezoning – Ammori / Flory – 1356 Imlay City Rd. – B-2 to I-1

Ms. Habben reviewed the request from Ivan Ammori to rezone the property known as 1356 Imlay City Road from B-2 General Business to I-1 Industrial and the standards for approval of Section 7.23.06(b). Ms. Habben reviewed aerial photos and the future land use and zoning map designation of the subject site and adjacent City parcels and the Lapeer Township R-1B Single Family Residential zoning map designation of the parcel to the south of the subject site. Ms. Habben reported the current Master Plan designation of the subject site is Commercial-Auto. Ms. Habben reviewed the applicant's response supporting the rezoning request stating the site has an existing building, that the site was grandfathered with lower on site parking, that any new use or tenant in the building will be required to meet the current parking requirements and that a cross access or shared parking agreement with either of the adjacent developments is not possible.

Ms. Habben reported the rezoning request is not consistent with the current City Master Plan Future Land Use Map, reviewed the detailed parking calculation analysis for potential commercial and industrial uses on the site which would accommodate limited commercial uses due to the limited parking on site. Ms. Habben stated staff recommends denial of the rezoning request due the request is not consistent with the current Master Plan and that the site is able to accommodate some commercial uses.

Discussion was held on the current Future Land Use Map, previous discussions on the possibility of establishing a mixed-use district for portions of the Imlay City Road corridor, parking requirements for various use categories, the former use of the site as a Sears store and the 14 parking spaces provided on the site.

Chairperson RaCosta opened the public hearing at 6:50 p.m.

Mr. Ivan Ammori was present and stated he has a purchase agreement for the property, that was aware of the City's parking requirements when he purchased the adjacent building at 1330-1332 Imlay City Road, that Sears customers have used his parking lot at busy times in the past, that there is no extra parking available on his parcel and that a significant parking space variance would be required for most commercial uses on the subject site which may cause the building to stay vacant.

Ms. Marlana Swindell, owner of the Healing Leaf Wellness Center located in the adjacent multi-tenant commercial building at 1330 Imlay City Road, was present and stated there are no vacancies in the building where her business is, that Mr. Ammori has improved and filled the building since he purchased the property, that she doesn't see the request as an issue that the rezoning makes sense and that it would be bad business to purchase the building if there is not enough parking for use as retail.

Mr. Don Flory, current property owner, was present and stated he purchased the property in 1993, that the building was destroyed by fire and rebuilt in 2000 and that he has a purchase agreement with Mr. Ammori to sell the property. Mr. Flory also stated industrial use seems like a reasonable request for the site, that it will be extremely difficult to find a retail business for the site due to parking requirements, that the former Sears operation on the site sold large ticket items and was not regular retail Sears store and that he is in favor of the rezoning request.

There being no further comments, the public hearing was closed at 6:58 p.m.

Discussion was held on the layout of the parking spaces on the site, the former commercial business on the site, the option to request a parking variance for the site, the zoning designations of parcels in the surrounding area, parking requirements for industrial uses and the potential for the site to remain vacant.

After discussion, it was moved by Mr. Black and supported by Mr. Kelly to recommend approval to the City Commission of the rezoning request from Ivan Ammori to rezone the property known as 1356 Imlay City Road from B-2 General Business to I-1 Industrial due to the request meeting Standard 2 of Section 7.23.06(b).

Yeas: Mr. Black, Mr. Kelly, Ms. Shenck and Ms. RaCosta.

Nays: Mr. Kerbyson.

Absent: Mr. Sommerville

Abstain: None

MOTION CARRIED.

Rezoning – Matt Beasley – 891 Baldwin Rd. - R-2 to B-2

Ms. Habben reviewed the request from Matt Beasley to rezone the property known as 891 Baldwin Road from R-2 Single-Family Residential to B-2 General Business including aerial photos and the zoning map and Master Plan Future Land Use Map designation of the subject site and adjacent parcels. Ms. Habben reported the site consists of parcels #L20-98-704-040-00 & #L20-98-704-050-00, that it is the applicant's intent to use the property for an insurance office, that the request is consistent with the Master Plan and that staff recommends approval of the request.

Chairperson RaCosta opened the public hearing at 7:07 p.m.

Mr. Matt Beasley was present and stated there will be no parking issues for the site with his planned conversion to an office use.

There being no further comments, the public hearing was closed at 7:08 p.m.

It was moved by Mr. Kerbyson and supported by Mr. Kelly to recommend approval to the City Commission of the rezoning request from Matt Beasley to rezone the property known as 891 Baldwin Road (Parcels #L20-98-704-040-00 & #L20-98-704-050-00) from R-2 Single Family Residential to B-2 General Business due to the request meeting Standard 1 of Section 7.23.06(b).

MOTION CARRIED.

SITE PLAN REVIEWS

There were no site plans to be reviewed.

OTHER BUSINESS

Jim Riehl's Photo Building – 1515 S. Lapeer Rd. - Site Plan Approval Extension

Ms. Habben briefly reviewed the site plan for the Jim Riehl's Photo Building to be constructed at 1515 S. Lapeer Road which was reviewed and approved administratively on November 15, 2018. Ms. Habben stated the applicant is currently in the process of paving parking areas on the site and is requesting approval of a one year extension for the photo building project.

After discussion, it was moved by Mr. Black and supported by Mr. Kerbyson to approve a one year extension to expire on November 14, 2020 for the approved site plan for the Jim Riehl's/Charger LLC photo building to be constructed at 1515 S. Lapeer Road.

MOTION CARRIED.

Master Plan – 5 Year Review

Ms. Habben continued the review process for the Master Plan including updates made to the Utilities section and the Transportation section including adding the updated DuPont Airport Approach Plan. Ms. Habben reviewed the new stand alone chapter for the Downtown Area which incorporates updates to key issues including dumpster enclosures, 2nd floor occupancy, transition to the river front, access to the historic courthouse square, vision efforts concerning uses for the former White Jr. High site and the residential area south of downtown.

Ms. Habben also reviewed the Design section regarding various streetscape elements, alley and rear entrance area improvements, recycling and cigarette receptacles and additional gateway entrance statements. Ms. Habben reviewed the Strategies section including parking, traffic flow, cooperative partnerships, building facade improvements, encouraging specialty retail and entertainment uses and encouraging pedestrian friendly signage and lighting. Ms. Habben reported the DDA is currently working on updating their goals and objectives which may be incorporated into the Master Plan, that the upcoming sections for the Planning Commission to review include Goals & Objectives, Strategies, the Future Land Use Map and district descriptions.

Discussion was held on the fact there are no current proposals for redevelopment of the White Jr. High site and the Team Work building facade improvement project.

TRAINING REPORT

Ms. Habben reported a City Commission, Planning Commission and DDA board joint meeting has been scheduled for Tuesday, January 21, 2020. There were no additional training items reported.

COMMISSIONER COMMENTS

There were no additional Commissioner comments.

ADJOURNMENT

There being no further business, it was moved by Commissioner Kerbyson and supported by Commissioner Black to adjourn the meeting at 7:32 p.m.

MEETING ADJOURNED.

Ms. Anne Shenck, Secretary