

**CITY OF LAPEER
MINUTES OF A REGULAR
PLANNING COMMISSION MEETING
DECEMBER 12, 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, December 12, 2019 at 6:30 p.m.

Members Present: Chairperson Jennell RaCosta, Vice Chairman Austin Kelly, Commissioners Dale Kerbyson, Dave Sommerville, Anne Shenck, Catherine Bostick-Tullius, Debbie Marquardt and Jeff Pattison.

Members Absent: Commissioner Joe Black.

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

Chairperson RaCosta called the meeting to order at 6:30 p.m. and welcomed Mayor Debbie Marquardt and Commissioner Jeff Pattison to the Planning Commission.

MINUTES

It was moved by Commissioner Kerbyson and supported by Commissioner Kelly to approve the minutes of the meeting held on November 14, 2019 as presented.

MOTION CARRIED.

PUBLIC COMMENTS

Clara Longoria, owner of commercial property on S. Lapeer Road, addressed the commission regarding the drive-through restaurant restriction in the Master Plan stating at a recent Zoning Board of Appeals meeting the board discussed the unintended consequences of the restriction and that she has turned away 5 to 7 purchase offers from restaurant franchises due to the restriction. Ms. Longoria stated the restriction is restricting growth, causing traffic issues on smaller sites off M-24, that it is a shame and that she will continue to stress the need to remove the restriction.

PUBLIC HEARINGS SCHEDULED

Special Land Use – Medstar Ambulance Service Station – 1254 N. Main St.

Ms. Habben reviewed the request from Medstar Ambulance for approval of a Special Land Use in order to locate an ambulance service station at 1254 N. Main Street. Ms. Habben reviewed the site location which is zoned OS-1 Office Service, aerial photos of the existing site and surrounding area which is a mix of residential and office uses. Ms. Habben stated the station will occupy a portion of the existing building at the rear of the facility, reviewed the floor plan, site plan and missing information.

Ms. Habben reviewed the standards for the Special Land Use approval of Section 7.19.04(a)-(e) including findings of fact and staff comments and stated the request is consistent with the Master Plan for Future Land Use, the intent of the Zoning Ordinance and compatible with the character of the area. Ms. Habben further stated there are concerns with potential siren noise and the applicant is in favor of keeping the conditions that were in place at their previous location on Barry Drive.

Discussion was held on the number of ambulances to be kept on site, the protocol to be followed for utilizing lights and sirens and the potential for the base at 1254 N. Main to replace one of the other existing Medstar stations at 30 N. Saginaw Street and 971 Baldwin Road in the future.

Chairperson RaCosta opened the public hearing at 6:44 p.m.

Mr. Jeff Johnston, 1315 N. Monroe, stated he shares an east property line with the site and inquired if there would be any new structures or changes to the site. Mr. Johnston expressed concerns with the lights and sirens, that he has an autistic child and that it would be ideal if additional trees were planted as a visual barrier.

The following letter was received regarding the request:

December 9, 2019

City of Lapeer
576 Liberty Street
Lapeer, MI 48446

Planning Commission:

My wife and I are residents living within the block behind the site proposed for an ambulance base to be placed at McLaren's Community Clinic. Our neighborhood, the City of Lapeer vicinity bordered by Second Street to the South, Monroe Street to the East and Fourth Street to the North currently is a 'relatively' quiet area. My wife and I do not wish to have another emergency vehicle siren and its inherent noise distraction added to the current noise of the area. We live across the street (M-24) from the hospital (McLaren-Lapeer Region) and it's Emergency Department, hence suffer the noises associated with emergency vehicle traffic, including ambulances and helicopters coming in from the North, South and from the sky at 'all' times of the day and night.

Health care offices in the building at 1254 and those to the North and across the street South of the hospital have never posed a problem for the neighborhood. We like the current zoning of the area because it does not impact neighborhood tranquility. If this change in the zoning is to occur, I believe we residents in the surrounding area should be able to maintain the current levels of peace and 'relative' quiet that we enjoy and as such would implore restrictions of siren use within 3 city blocks of the hospital Emergency Department (Oregon Street to the South, Monroe to the East, and the bridge at the North city limits.

Thank you for your consideration.

Dr. Russell L. Bush
Peggy Quinlan-Bush
720 Fourth Street
Lapeer, MI 48446

Discussion was held on the existing landscaping on the east side of the site, the agreement of the applicant not to activate lights and sirens until exiting onto M-24 and that most of the ambulance runs are for non-critical calls.

Chairperson RaCosta closed the public hearing at 6:49 p.m.

Discussion was held on the public safety need for ambulances to operate lights and sirens while on M-24, the residential character of the surrounding area and Medstar's transfer contract with McLaren Hospital which are non-critical calls.

It was moved by Commissioner Bostick-Tullius and supported by Commissioner Kerbyson to approve the Special Land Use request for an ambulance service station to be located at 1254 N. Main Street based on the following conditions:

- Address all outstanding missing information noted in the December 3 staff memo;
- Back-up alarms will not be active during parking;
- Ambulances will not be left running when unattended;
- To keep engine noise to a minimum, a gas rather than diesel ambulance will be utilized;
- Crews will be directed and are expected to only utilize emergency lights and sirens once they have reached a main thoroughfare; and
- Sleeping quarters shall not be provided for onsite without the Building Department's approval.

Yeas: Commissioners Bostick-Tullius, Kerbyson, Shenck, Pattison, Kelly, Marquardt and Sommerville.

Nays: Commissioner RaCosta.

Abstain: None.

Absent: Commissioner Black.

MOTION CARRIED.

SITE PLAN REVIEWS

There were no site plans to be reviewed.

OTHER BUSINESS

Alex Puckett – Ya Eat Yet? Special Land Use Expiration Extension

Ms. Habben reported the required Outdoor Merchandise Display and Sales Permit application has not been submitted by Mr. Puckett for annual renewal of the Special Land Use for the Ya Eat Yet? mobile food truck/trailer to operate at 543 S. Main Street, 1491 S. Lapeer Road and 1555 DeMille Road which was due November 8th. Ms. Habben stated two reminder letters were sent to the applicant and a conversation was held with the applicant who stated he does wish to continue to utilize the approved Special Land Use. Ms Habben recommended a one month extension before beginning proceedings to revoke the Special Land Use which requires a public hearing before the Planning Commission.

Discussion was held that no complaints have been received regarding the operation, when to start the revocation process and the need for the applicant to comply with the conditions associated with the Special Land Use approval.

It was moved by Commissioner Kerbyson and supported by Commissioner Kelly to postpone action on the Special Land Use for Alex Puckett's Ya Eat Yet? mobile food trailer/truck operation.

MOTION CARRIED.

Commissioner Sommerville left the meeting at 7:05 p.m.

Roles and Responsibilities Review

Ms. Habben provided an overview of the roles and responsibilities of the Planning Commission as well as the City Commission, Downtown Development Authority, City Staff, Consultants and Applicants. Ms. Habben reviewed the approval process for special land uses, site plan reviews, rezoning, text amendments, Master Plan and Zoning Ordinance. Ms. Habben also reviewed the process for approval of a Conditional Rezoning and the requirement for the applicant to offer and submit the conditions in writing which is included in the Michigan Zoning and Enabling Act.

Master Plan – 5 Year Review

Ms. Habben continued the review process for the Master Plan including updates made to the Police Department section and the Goals, Objectives and Strategies section. Ms. Habben reviewed and gathered input from the commissioners on Master Plan Goals which are visionary statements, Objectives which are a sub-components of the goals and Strategies which are measurable actions to reach objectives.

Ms. Habben reviewed General Goals, Objectives and Strategies including initiatives encouraged by the MEDC RRC program to incorporate into the plan and the fact the Master Plan is a policy and the contents of the Zoning Ordinance are rules. Discussion was held on including a strategy to explore the tiny house trend concept for vacant parcels and PUD developments and continuing the strategy of gradual elimination of non-conforming uses.

Mr. Kerbyson left the meeting at 8:00 p.m.

Ms. Habben began review of the Residential Goals, Objectives and Strategies. Discussion was on the requirements for a mix of uses in PUD developments, permitted uses in various zoning districts, buffer zones, residential landscaping requirements, blight and the need to add a strategy to form a new Beautification Committee.

TRAINING REPORT

There were no training items reported.

COMMISSIONER COMMENTS

Commissioner Bostick-Tullius commented that the new checklists utilized for the Special Land Use and Zoning Compliance Site Plan review for the Medstar request were very helpful.

Chairman RaCosta commented that the review of roles and responsibilities of the Planning Commission was also very helpful.

ADJOURNMENT

There being no further business, it was moved by Commissioner Shenck to adjourn the meeting at 8:37 p.m.

MEETING ADJOURNED.

Ms. Anne Shenck, Secretary