

**CITY OF LAPEER
MINUTES OF A REGULAR
PLANNING COMMISSION MEETING
AUGUST 8, 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, August 8, 2019 at 6:30 p.m.

Members Present: Chairperson Jennell RaCosta, Vice Chairman Austin Kelly, Commissioner Joe Black, Commissioner Dale Kerbyson, Commissioner Dave Sommerville and Commissioner Glenn Alverson.

Members Absent: Commissioner Catherine Bostick-Tullius and Commissioner Anne Shenck.

Also Present: Mr. Doug Skylis, Rowe Professional Services Company Consultant.

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

MINUTES

It was moved by Commissioner Kerbyson and supported by Commissioner Kelly to approve the minutes of the meeting held on June 13, 2019 as presented. **MOTION CARRIED.**

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARINGS SCHEDULED

Rezoning – Tortola Holdings, LLC – 840 West St. – R-2 to B-2

Mr. Skylis reviewed the request from Tortola Holdings, LLC to rezone 840 West Street, Parcel #L21-33-305-040-00 from R-2 Single-Family Residential to B-2 General Business. Mr. Skylis reviewed aerial photos and the zoning and future land use map designations of the subject site and adjacent parcels. Mr. Skylis presented the current conceptual site plan for the parcel which shows plans for a quick-service restaurant with a drive-thru and stated the request to rezone the parcel to B-2 General Business is consistent with the current Master Plan.

Discussion was held regarding the current conceptual plan, the fact that the rezoning does not restrict development of the property to the currently presented conceptual plan, that the parcel could be developed for any use currently permitted in the B-2 district and the evolution of the area over time to commercial.

Chairperson RaCosta opened the public hearing at 6:37 p.m.

Mr. Marty Leach, 1130 W. Oregon St. Lapeer, representing the owner of the adjacent property at 830 West Street, Ria Losh, was present and stated the owner who is a recent widow has been approached with trade out and low ball offers to sell her property, that counter offers have been made, that the owner is fine with keeping the property, that there is a residential home on the property and that there are concerns about buffer requirements for sound.

There being no further comments, the public hearing was closed at 6:39 p.m.

Discussion was held regarding landscaping and screening requirements, traffic at the intersection of West, Baldwin and M-24, the access drive on Harrison Street and the traffic review to be conducted during the site plan review process.

After discussion, it was moved by Commissioner Kerbyson and supported Commissioner Kelly to recommend approval to the City Commission of the request to rezone parcel L21-33-305-040-00 located at 840 West Street from R-2 Single Family Residential to B-2 General Business due to the request meeting Standard 1 of Sec. 7.23.06(b) the request is consistent with the master plan.

Yeas: Commissioners Kerbyson, Kelly, Black, RaCosta and Alverson.

Nays: Commissioner Sommerville.

Abstain: None.

Absent: Commissioners Shenck and Bostick-Tullius.

MOTION CARRIED.

Rezoning – Avalanche Ice Arena (Polar Palace) – 3301 Davison Rd. – B-2 to I-1

Mr. Skylis reviewed the request from Eric Burrough of Avalanche Ice Arena, also known as the Polar Palace, to rezone 3301 Davison Rd., Parcel #L20-83-321-040-00, from B-2 General Business to I-1 Industrial including aerial photos and the zoning and future land use map designations of the subject site and adjacent parcels. Mr. Skylis reviewed the applicant's response supporting the rezoning request citing factors such as the size of the existing building making the site not viable as a commercial use and that the property is being marketed for commercial use resulting in no prospective buyers or tenant interest.

Mr. Skylis reviewed the analysis of the request including that the request is not consistent with the current Master Plan Future Land Use Map, that there is a national trend for less demand for commercial pieces of property and large buildings for commercial development and the location of the subject site near an industrial area, railroad tracks and the I-69 interchange to the south.

Discussion was held regarding the surrounding uses along Davison Road and the potential for use of the site as industrial.

Chairperson RaCosta opened the public hearing at 6:47 p.m.

Barb O'Bryan, owner of the dental office located at 3370 Davison Road, was present and stated she never objected to the Polar Palace when it was built, that she does not object to the plan to turn it into an industrial use, that she has heard the plan is to turn it into a use as a marijuana facility and that she does not feel that is an appropriate use with the dental and medical offices nearby.

Mary Ellen Meyer, 125 Ridge Dr. Lapeer, was present and stated she is concerned about the future use of the site since there are nearby residences in the area.

Gary Adams, co-owner of the Polar Palace site, was present and stated there is no demand for the use of the building as is, that a commercial use is not feasible in today's market and that there has been appraisal issues due to the property being zoned commercial rather than industrial.

There being no further comments, the public hearing was closed at 6:51 p.m.

Discussion was held regarding the fact that an industrial use would fit in the area, the potential for the building to sit empty and deteriorate if not repurposed, the fact the adjacent former bowling adjacent property is not being requested for rezoning at this time and that Davison Road is constructed to standards to accommodate semi-truck traffic. Discussion was also held on the hope the area would develop into uses for schools and recreational activities which has not happened, the fact the owners kept the arena open as long as they could when the operation was struggling financially and the status of the liquor license for the arena which is believed to be in escrow.

After discussion, it was moved by Commissioner Kelly and supported by Commissioner Black to recommend approval to the City Commission of the request to rezone parcel L20-83-321-040-00 located at 3301 Davison Road from B-2 General Business to I-1 Industrial due to the request meeting Standard 2 of Sec. 7.23.06(b) that the request is the most suitable alternative zoning.

MOTION CARRIED.

SITE PLAN REVIEWS

There were no site plans to be reviewed.

OTHER BUSINESS

Master Plan – 5 Year Review

Commissioner Kerbyson stated the City has received grant funding for the Master Plan update and the project will continue with more information to be presented at the September Planning Commission meeting including updating and expanding the Downtown section of the plan.

TRAINING REPORT

There were no training items reported.

COMMISSIONER COMMENTS

There were no comments from the Commissioners.

ADJOURNMENT

There being no further business, it was moved by Commissioner Sommerville and supported by Commissioner Black to adjourn the meeting at 6:57 p.m.

MEETING ADJOURNED.

Ms. Anne Shenck
Secretary