

**CITY OF LAPEER
MINUTES OF A REGULAR
PLANNING COMMISSION MEETING
JANUARY 9, 2020**

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, January 9, 2020 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.

MINUTES

It was moved by Commissioner Bostick-Tullius and supported by Commissioner Kerbyson to approve the minutes of the meeting held on December 12, 2019 as presented.

MOTION CARRIED.

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARINGS SCHEDULED

There were no public hearings scheduled.

SITE PLAN REVIEWS

There were no site plans to be reviewed.

OTHER BUSINESS

Woodbridge Park Phase 2 – Site Plan Extension

Ms. Habben reviewed the request for a one year extension to the site plan approval for the Woodbridge Park Phase 2 development consisting of construction of an additional 58 attached conventional condominium units along Luxington Drive and Lincoln Street. Ms. Habben reported the applicant is requesting the extension due to the need to complete various details with the neighboring land owner prior to implementation of the project, reviewed the project design plan and stated there have been no changes in conditions which would affect the project's site plan compliance.

Discussion was held on drainage and easement issues for the project. After discussion, it was moved by Commissioner Kerbyson and supported by Commissioner Bostick-Tullius to approve a one year extension to expire on January 10, 2021 for the approved site plan for Woodbridge Park Phase 2 for the construction of 58 attached conventional condominium units north and west of the existing Woodbridge Park development.

MOTION CARRIED.

Lapeer Infused – 111 W. Genesee St. – Metal Roof Approval

Ms. Habben reviewed the request from the owner of 111 W. Genesee Street, LLC for approval to install a metal roof on the proposed medical marijuana provisioning center to be located at 111 W. Genesee Street pursuant to Section 7.15.01(d)(4). Ms. Habben reviewed the exterior facade design and materials of the existing building currently being renovated. Discussion was held on the project's improvement to an existing building, that approval of the metal roof does not affect the interior odor control requirements for medical marijuana facilities and that the interior building renovation plans are being reviewed by the Building Department.

Discussion was also held on the neighboring building which has a metal roof, the proposed standing seam design of the metal roof and snow and ice retention. The project architect was present and indicated a final decision has not been made on the roof color, however, it is planned to be earth tone and will not be green.

After discussion, it was moved by Commissioner Marquardt and supported by Commissioner Shenck to approve the proposed metal roof located at 111 W. Genesee due to it being compatible with the overall architectural design of the building.

MOTION CARRIED.

Alex Puckett – Ya Eat Yet? Special Land Use Expiration

Ms. Habben reported Mr. Puckett submitted the required Outdoor Merchandise Display and Sales Permit application and fee on the afternoon of January 9, 2020 and was informed the permit approval would be put on hold pending outcome of the scheduled discussion by the Planning Commission to consider whether to begin revocation proceedings of his existing Special Land Use to operate at 543 S. Main, 1491 S. Lapeer and 1555 DeMille. Ms. Habben distributed a photo of the Ya Eat Yet? food trailer in operation as of the evening of Wednesday, January 7, 2020 in the Meijer parking lot and stated the annual renewal permit and fee was due in November. Ms. Habben reviewed the Planning Commission's options concerning the Mr. Puckett's Special Land Use which include accepting the renewal permit and fee and moving forward or starting the revocation process.

Discussion was held regarding Mr. Puckett's violation of his Special Land Use conditions, ongoing operation of the food trailer at various locations within and outside of the City of Lapeer, the need to enact a permit late fee and the required 1 year waiting period for an applicant to submit a similar Special Land Use application.

It was moved by Commissioner Bostick-Tullius and supported by Commissioner Shenck to start the revocation process for Mr. Puckett's Special Land Use approval.

Yeas: Commissioners Bostick-Tullius, Shenck and Sommerville.

Nays: Commissioners Kelly, Pattison, RaCosta, Kerbyson and Marquardt.

Absent: Commissioner Black.

Abstain: None.

MOTION FAILED.

Further discussion was held regarding the need to develop and enact a permit renewal late fee, various attempts to contact Mr. Puckett regarding the renewal, details of the revocation process and approving the required Outdoor Merchandise & Sales Permit for one year from the original annual renewal date of November 2019.

It was moved by Commissioner Kerbyson and supported by Commissioner Sommerville to accept the current annual permit renewal for a one year extension of Mr. Puckett's Special Land Use approval which is to be renewed again by the November 2020 renewal due date and to start the revocation process and hold the required public hearing at the December 2020 Planning Commission meeting if the required annual renewal permit is not received by the required due date in November 2020.

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

Nays: Commissioner Shenck.

Absent: Commissioner Black.

Abstain: None.

MOTION CARRIED.

Election of Officers

Commissioner Sommerville nominated Ms. RaCosta as Chairperson, Mr. Kelly as Vice Chairman and Ms. Shenck as Secretary of the Planning Commission.

Ms. Shenck declined the nomination as Secretary.

It was moved by Commissioner Kerbyson and supported by Commissioner Sommerville to nominate Ms. RaCosta as Chairperson, Mr. Kelly as Vice Chairman and Mr. Pattison as Secretary of the Planning Commission, to close nominations and to cast a unanimous vote for the nominated slate of officers.

MOTION CARRIED.

2019 Annual Report

Ms. Habben reviewed the 2019 Planning Commission Annual Report stating during the 11 meetings held in 2019 the Planning Commissioner reviewed 2 Special Land Use requests, conducted 3 full site plan reviews, considered 6 rezoning requests and conducted various other business items including the Master Plan review, consideration of alternative air filtration systems, site plan extensions and the CIP Program. Ms. Habben reviewed the status of compliance with commissioner RRC training requirements and several Goals for the upcoming year.

After discussion, it was moved by Commissioner Kerbyson and supported by Commissioner Bostick-Tullius approve and submit the 2019 Planning Commission Annual Report to the City Commission.

Master Plan – 5 Year Review

Ms. Habben reiterated that Master Plan Goals are visionary statements, Objectives are sub-components of the goals and Strategies are measurable actions to reach objectives.

Ms. Habben continued the review and commissioner input process of the Residential Goals, Objectives and Strategies section and began the review and input process for the Commercial Goals section.

Commissioner Sommerville left the meeting at 7:53 p.m.

Commissioner Kerbyson left the meeting at 7:55 p.m.

Discussion was held on development of a welcome packet for distribution to new residents, signage and updates needed to the Zoning Ordinance. It was the consensus of the commission to dedicate one hour of Master Plan review time at the February 13th meeting.

Discussion was also held on the upcoming joint meeting of the City Commission, Planning Commission and Downtown Development Authority on January 21, 2020.

TRAINING REPORT

There were no training items reported.

COMMISSIONER COMMENTS

There were no additional commissioner comments.

ADJOURNMENT

There being no further business, it was moved by Commissioner Shenck and supported by Commissioner Pattison to adjourn the meeting at 8:22 p.m.

MEETING ADJOURNED.

Mr. Jeff Pattison, Secretary