

**CITY OF LAPEER
MINUTES OF A REGULAR
PLANNING COMMISSION MEETING
JANUARY 13, 2022**

A regular meeting of the City of Lapeer Planning Commission was held at 6:30 p.m. on Thursday, January 13, 2022 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan.

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

Members Absent: None.

Also Present: Caitlyn Habben, Rowe Professional Services Company Planning Consultant, and Kimberly Hodge, Recording Secretary

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

MINUTES

057 2022 1-13 Minutes

Motion by Kerbyson. Seconded by Kelly.

Approve the minutes of the regular meeting held on December 9, 2021 as presented.

Ayes: Commissioners RaCosta, Kelly, Kerbyson, Marquardt, Pattison, Johnson, Roberts, Bostick-Tullius and Shenck.

Nays: None.

Absent: None.

MOTION CARRIED.

PUBLIC COMMENTS

There were no public comments at this time.

PUBLIC HEARINGS SCHEDULED

There were no public hearings scheduled.

SITE PLAN REVIEWS

Lapeer M-21 Real Estate – 1280 Imlay City Road – Gas Station/Convenience Store

Planning Consultant Habben reviewed the site plan received from Lapeer M-21 Real Estate LLC to redevelop the existing site at 1280 Imlay City Road for a gas station and convenience store. Habben reviewed an aerial photo of the subject site and surrounding area and uses stating a portion of the existing building will be demolished and repurposed for the convenience store. Habben reviewed the standards for site plan approval and outstanding site plan items to be addressed including utilities, Michigan EGLE permits, sidewalk, site drainage, excess parking spaces and easements.

Discussion was held on sidewalk, traffic flow, no planned alterations to the existing access drives and the number of proposed new and existing parking spaces.

Ivan Kalabat, of Kalabat Engineering, stated most of the parking spaces are existing, that the entrance door will be relocated to face the gas pumps, that staff will use the parking on the east side of the site, that the owner expects to maintain the existing customer base and that any new sidewalk would be isolated and deteriorate and be difficult to install due to the site topography and utilities.

Further discussion was held on the possibility to install sidewalk in the entire corridor in the future utilizing a special assessment district, the fact there are no close residential areas to the site and the topography of the site.

058 2022 1-13 Sidewalk Waiver – 1280 Imlay City Rd.

Motion by Pattison. Seconded by Kerbyson.

To forego the sidewalk installation requirement for the Lapeer M-21 Real Estate LLC site redevelopment project at 1280 Imlay City Road.

Ayes: Commissioners RaCosta, Kelly, Kerbyson, Marquardt, Pattison, Johnson, Roberts and Shenck.

Nays: Bostick-Tullius.

Absent: None.

MOTION CARRIED

059 2022 1-13 Excess Parking Spaces – 1280 Imlay City Rd.

Motion by Kelly. Seconded by Bostick-Tullius.

To support the additional parking spaces for the Lapeer M-21 Real Estate LLC site redevelopment project at 1280 Imlay City Road.

Ayes: Commissioners RaCosta, Kelly, Kerbyson, Marquardt, Pattison, Johnson, Roberts, Bostick-Tullius and Shenck.

Nays: None.

Absent: None.

MOTION CARRIED

**060 2022 1-13 Site Plan Approval – Lapeer M-21 Real Estate, LLC –
1280 Imlay City Rd.**

Motion by Kelly. Seconded by Shenck.

To approve the site plan received from Lapeer M-21 Real Estate LLC to redevelop the building and parking lot for a gas station and convenience store located at 1280 Imlay City Road contingent upon addressing all remaining staff comments during the engineering plan review phase.

Ayes: Commissioners RaCosta, Kelly, Kerbyson, Marquardt, Pattison, Johnson, Roberts, Bostick-Tullius and Shenck.

Nays: None.

Absent: None.

MOTION CARRIED

Popeye's Chicken – 1040 S. Lapeer Rd.

Habben reviewed the site plan received from Technical Group, Inc. for construction of two new drive-through facilities, Phase 1 and Phase 2, and additional parking at 1040 S. Lapeer Road stating the applicant is currently requesting approval of Phase 1 of the plan which is the drive-through restaurant proposed for a Popeye's Chicken, additional parking on the south side of the parcel and the storm water retention pond. Habben reviewed an aerial photo of the subject site and surrounding area and uses, the standards for site plan approval and outstanding site plan items including lighting, MDOT Permits, landscaping, tree inventory, sidewalk along Baldwin Road, light pole height, dumpster enclosure material, excess parking spaces, loading area and utility details.

Discussion was held on the location of the Baldwin Road access drive, the height and species of the loading space screening, landscaping, light pole height, excess parking spaces and the 10:30 a.m. to 11 p.m. hours of operation. Discussion was also held on whether to require sidewalk to be installed along Baldwin Road now or when Phase 3 of the development is constructed, the location of existing sidewalk north of the site and the apartments and residential areas on Baldwin Road.

It was the consensus of the commission to allow the landscape screening and excess parking spaces as proposed.

061 2022 1-13 Sidewalk – 1040 S. Lapeer Road

Motion by Shenck. Seconded by Kerbyson.

To require sidewalk installation on Baldwin Road along the entire length of the property during construction of Phase 1 of the development at 1040 S. Lapeer Road.

Ayes: Commissioners RaCosta, Kelly, Kerbyson, Marquardt, Pattison, Johnson, Roberts, Bostick-Tullius and Shenck.

Nays: None.

Absent: None.

MOTION CARRIED

**062 2022 1-13 Site Plan Approval – 1040 S. Lapeer Rd. – Phase 1 –
Popeye's Chicken**

Motion by Kelly. Seconded by Bostick-Tullius.

To approve Phase 1 of the site plan received from Technical Group Inc. representing Popeye's to construct a drive-through restaurant located at 1040 S. Lapeer Road contingent upon addressing all remaining staff comments during the engineering plan review phase.

Ayes: Commissioners RaCosta, Kelly, Kerbyson, Marquardt, Pattison, Johnson, Roberts, Bostick-Tullius and Shenck.

Nays: None.

Absent: None.

MOTION CARRIED

Beasley – 891 Baldwin Rd. – Additional Parking

Habben reviewed the site plan received from Matt Beasley to construct an additional rear parking lot at 891 Baldwin Road. Habben reviewed an aerial photo of the subject site and surround area and uses, standards for site plan approval and outstanding site plan issues including landscaping, corner clearance, sidewalk dimensions, dumpster enclosure, drainage, landscaping buffer zones and utility details.

Matt Beasley stated the Fire Department has no issue with the existing driveway.

063 2022 1-13 Site Plan Approval – 891 Baldwin – Additional Parking

Motion by Kelly. Seconded by Marquardt.

To approve the site plan received from Matt Beasley to add a rear parking lot at 891 Baldwin Road contingent upon addressing all remaining staff comments during the engineering plan review phase.

Ayes: Commissioners RaCosta, Kelly, Kerbyson, Marquardt, Pattison, Johnson, Roberts, Bostick-Tullius and Shenck.

Nays: None.

Absent: None.

MOTION CARRIED

Commissioner Roberts left the meeting at 7:25 p.m.

NH Property Investments – Vacant Imlay City Rd. – Parcel #L20-83-462-040-20

Habben reviewed the site plan received from NH Property Investments for construction of a 30,000 sq. ft. marijuana grow and processing facility on vacant parcel #L20-83-462-040-20 located on the north side of Imlay City Road west of Mold Masters. Habben reviewed an aerial photo of the subject site and surrounding uses and stated a cross access agreement will be required for the access drive. Habben reviewed the standards for site plan approval and outstanding site plan items including utilities, odor control and security plans, building appearance, windows, the location of overhead doors, landscaping, the 30 ft. light pole height, the dumpster enclosure and other various staff comments.

Discussion was held on the exterior building material requirements, screening of the overhead doors, location of water and sewer lines, Fire Department requirements, windows, parking requirements, locations on the site for installation of additional parking spaces and light pole height. It was the consensus of the commission to accept the 30 ft. light pole height and landscape buffering of the overhead doors as proposed.

**064 2022 1-13 Site Plan Approval – NH Property Investments – Vacant
Imlay City Rd. – Parcel #L20-83-462-040-20**

Motion by Kelly. Seconded by Kerbyson.

To approve the site plan received from NH Property Investments to construct a new marijuana grow and processing facility on vacant parcel #L20-83-462-040-20 located along Imlay City Road contingent upon addressing all remaining staff comments during the engineering plan review phase.

Ayes: Commissioners RaCosta, Kelly, Kerbyson, Marquardt, Pattison, Johnson, Roberts, Bostick-Tullius and Shenck.

Nays: None.

Absent: None.

MOTION CARRIED

OTHER BUSINESS

Election of Officers

065 2022 1-13 Election of Officers

Motion by Shenck. Seconded by Bostick Tullius.

To nominate and elect:

Jennell RaCosta as Planning Commission Chairperson;
Austin Kelly as Planning Commission Vice Chairman; and
Jeff Pattison and Planning Commission Secretary.

Ayes: Commissioners RaCosta, Kelly, Kerbyson, Marquardt, Pattison, Johnson, Roberts, Bostick-Tullius and Shenck.

Nays: None.

Absent: None.

MOTION CARRIED

Annual Report

Habben reviewed the Planning Commission Annual Report for 2021 summarizing planning and zoning activities including special land use requests, site plan reviews and extensions, rezonings, text amendments, training and other business items conducted. The report also summarized the economic and marketing strategies and 2022 Goals. Discussion was held on ideas for future training topics including new development trends and downtown indoor entertainment uses. Discussion was also held on marketing vacant City-owned properties, MEDC marketing services available and the former White Jr. High site.

066 2022 1-13 Annual Report

Motion by Bostick-Tullius. Seconded by Kerbyson.

To approve the Planning Commission Annual Report for 2021 and submit the report to the City Commission to be accepted.

Ayes: Commissioners RaCosta, Kelly, Kerbyson, Marquardt, Pattison, Johnson, Roberts, Bostick-Tullius and Shenck.

Nays: None.

Absent: None.

MOTION CARRIED

TRAINING REPORT

Habben reported a joint meeting has been scheduled with the City Commission, Planning Commission, Downtown Development Authority and the Zoning Board of Appeals on February 21st.

COMMISSIONER COMMENTS

There were no additional comments from the commissioners.

ADJOURNMENT

Motion by Kelly.

Adjourn the meeting at 8:12 p.m.

MEETING ADJOURNED

Commissioner Jeff Pattison
Secretary

Kimberly Hodge
Recording Secretary