

**CITY OF LAPEER  
MINUTES OF A REGULAR  
PLANNING COMMISSION MEETING  
MARCH 9, 2023**

A regular meeting of the City of Lapeer Planning Commission was held at 6:30 p.m. on Thursday, March 9, 2023 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan.

**Members Present:** Chairperson Jennell RaCosta, Vice Chairman Austin Kelly and Commissioners Dale Kerbyson, Marty Johnson, Anne Shenck, Jeff Pattison (arrived 6:33 p.m.) and Debbie Marquardt (arrived 6:36 p.m.)

**Members Absent:** Commissioners Catherine Bostick-Tullius and Doug Roberts.

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

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

**AGENDA APPROVAL**

**126      2023      3-9                      Agenda Approval**

Motion by Kerbyson. Seconded by Shenck.

To approve the agenda for the March 9, 2023 meeting as amended adding item G.3 111 W. Genesee – Building Appearance.

**Ayes:** Commissioners RaCosta, Kelly, Kerbyson, Shenck and Johnson.

**Nays:** None.

**Absent:** Commissioners Bostick-Tullius, Roberts, Pattison and Marquardt.

**MOTION CARRIED.**

**MINUTES**

**127      2023      3-9                      Meeting Minutes**

Motion by Kelly. Seconded by Shenck.

Approve the minutes of the regular meeting held on February 9, 2023 as presented.

**Ayes:** Commissioners RaCosta, Kelly, Kerbyson, Shenck and Johnson.

**Nays:** None.

**Absent:** Commissioners Bostick-Tullius, Roberts, Pattison and Marquardt.

**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**

**Tommy's Car Wash – S. Lapeer Rd. – Site Plan Extension**

Consultant Habben reviewed the request from Tommy's Car Wash for a one-year site plan approval extension.

**128      2023      3-9      Tommy's Car Wash – Site Plan Extension**

Motion by Kerbyson. Seconded by Kelly.

To approve the site plan extension request for Tommy's Car Wash to construct a new car wash on vacant property along S. Lapeer Road because the project is likely to commence construction before the plan expires on February 10, 2024.

**Ayes:** Commissioners RaCosta, Kelly, Kerbyson, Shenck and Johnson.

**Nays:** None.

**Absent:** Commissioners Bostick-Tullius, Roberts, Pattison and Marquardt.

**MOTION CARRIED.**

Jeff Pattison arrived at 6:33 p.m.

Debbie Marquardt arrived at 6:36 p.m.

**2023-2029 Capital Improvement Program**

Dale Kerbyson, City Manager, reviewed the proposed 2023-2029 Capital Improvement Program and 2022-2023 expenditures scheduled for the Buildings & Land, Public Safety, Parks & Recreation, Cemetery, Water, Wastewater Treatment, Local Streets, Major Streets, Sidewalks and Equipment funding categories.

Kerbyson highlighted the following items/projects included in the program:

- Wastewater Treatment Plant Oxidation Ditch Repairs, Pipe Repairs and Substation Maintenance;
- Linear Park Pathway Replacement;
- Center for the Arts Building Improvements;
- Fox Street Culvert & Sanitary Main;
- Genesee St. Bridge Replacement;
- DPW Power Gate & parks Garage Exterior Paint;
- Drinking Fountain Replacements;
- Andrew's River Estates Paving;
- Monroe St. Bridge Preventative Maintenance;
- Community Center Improvements;
- Mt. Hope Cemetery Road Repairs;
- Park St. Repair & Water Main Improvements;
- Public Safety Building Concrete Replacement;
- Pump Track;
- Oakdale Tunnel Rehab & Mural;
- Genesee St. Water Main;
- Cramton Park Drinking Fountain, Pickleball Courts, & 9-Hole Disc Golf Course;
- M-24 Pedestrian Tunnel Walkway;
- Albar Lift Station Rehab;
- Various Vehicle & Equipment Purchases; and
- Infrastructure & Continuing Initiatives.

Discussion was held on the future water tower base repair project, water fountain replacements, the tandem axle dump truck purchase, the Building Inspector's vehicle purchase, the future Oregon Street rehabilitation project from M-24 to Suncrest Drive and whether the new City Manager will be provided a City vehicle.

**129      2023      3-9      2023-2029 CIP Approval**

Motion by Kelly. Seconded by Shenck.

To adopt the FY 2023-2029 Capital Improvement Program.

**Ayes:** Commissioners RaCosta, Kelly, Kerbyson, Shenck and Pattison.

**Nays:** Commissioners Marquardt and Johnson.

**Absent:** Commissioners Bostick-Tullius and Roberts.

**MOTION CARRIED.**

**111 W. Genesee – Building Appearance**

Consultant Habben reviewed photos of changes made to the exterior building materials at marihuana provisioning center Exclusive located at 111 W. Genesee Street consisting of repainting the entire exterior black. Habben reviewed rendering of the previously approved building exterior colors consisting of neutral light brown/beige and stated the property and business owners were sent a zoning violation letter due to the newly painting black not complying with zoning ordinance requirements. Habben reported the applicant is asking the Planning Commission to approve the black as their trademark color.

Discussion was held on the use of the trademark red color for Tommy's car wash, photos of the building exterior materials/color scheme of other Exclusive locations submitted by the applicant and whether black is considered a neutral or earth-tone color. Discussion was also held on the need for commissioners to personally view the building exterior, various options for the commission to process the request including: whether black is considered a neutral color; considering black as the applicant's trademark color; and not considering black as a neutral or trademark color.

**130      2023      3-9      111 W. Genesee – Tabling of Building Exterior Request**

Motion by Kerbyson. Seconded by Pattison.

To table the request from Exclusive located at 111 W. Genesee to approve the black building exterior as their trademark color and to allow the applicant to provide alternative designs.

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

**Nays:** None.

**Absent:** Commissioners Bostick-Tullius and Roberts.

**MOTION CARRIED.**

**CORRESPONDENCE**

The Development Activities Report was as submitted.

Consultant Habben reported she has been notified the Blain's Farm & Fleet store footprint is being reduced by approximately 20% with the balance of the building on the south side planned to be constructed as a future expansion phase.

**TRAINING REPORT**

Consultant Habben reviewed upcoming MSU Extension training session opportunities.

**COMMISSIONER COMMENTS**

Commissioner Shenck thanked Kerbyson for his year of service.

Commissioner Kelly commented he is proud of the planned upcoming alternative sport outlets to town and stated it has been a pleasure working with Kerbyson.

Commissioner Johnson commented the pump track will be a great addition to the City.

Commissioner Marquardt commented she is looking forward to the pump track and disc golf course.

Chairperson RaCosta commented it has been a pleasure working with Kerbyson and that he will be greatly missed.

City Manager Kerbyson commented the process of the CIP dovetailing into the City budget, that City staff works hard on developing the CIP and receiving grant funding for various project. Kerbyson also commented it has been a great honor working with the Planning Commission which has focused on what is best for the City and not politics.

**ADJOURNMENT**

Motion by RaCosta.

Adjourn the meeting at 7:56 p.m.

**MEETING ADJOURNED.**

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Commissioner Jeff Pattison  
Secretary

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Kimberly Hodge  
Recording Secretary