

**CITY OF LAPEER
MINUTES OF A REGULAR
ZONING BOARD OF APPEALS MEETING
AUGUST 23, 2021**

A regular meeting of the City of Lapeer Zoning Board of Appeals was held at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan on Monday, August 23, 2021 at 6:30 p.m.

Members Present: Chairman Jeff Hogan, Vice Chairperson Catherine Bostick-Tullius, Eric Cattane and Dan Farrington.

Members Absent: Paul Parsch.

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

Chairman Hogan called the meeting to order at 6:30 p.m.

009 2021 08-23 MINUTES

MINUTES

Moved by Cattane. Seconded by Bostick-Tullius.

To approve the minutes of the regular meeting held on June 28, 2021 as amended.

Yeas: Hogan, Cattane, Farrington and Bostick-Tullius.

Nays: None.

Absent: Parsch.

Abstain: None.

MOTION CARRIED.

PUBLIC COMMENTS

There were no public comments at this time.

PUBLIC HEARING SCHEDULED

McLaren Lapeer Regional Hospital – 1375 N. Main – Sign Variances

Planning Consultant Habben reviewed the request from Allied Signs on behalf of McLaren Lapeer Regional Hospital for 3 variances to the signage requirements of Section 7-17.05 Table 7.17.3 regarding the number of permitted signs, total sign area and maximum height of monument signs for signage to be erected on the property known as 1375 N. Main Street. Habben reviewed the on-site locations of the proposed signage, aerial and street level photos of the site and existing signage. Habben reported previous signage variances have been approved by the board for the existing second sign on M-24 and the size of the emergency entrance sign at Knollwood Drive. Habben summarized the applicant's response to the requests and reviewed the standards required to grant a sign variance.

Habben reviewed the staff findings in support and opposition of variance request #1 for the additional monument sign on Barry Drive (sign location #6), variance request #2 to allow an additional (3rd) monument sign on N. Main at Barry Drive (sign location #3) and variance request #3 for the total allowed sign area of the sign to be located at N. Main St./Barry Dr. (sign location #3). Habben reported the hospital site is considered a multi-tenant development and summarized previous variances granted for existing signs on the site.

Discussion was held regarding the previously approved variances, the permitted area of multi-tenant signs, the directional signage to the new medical office building and existing cancer center and confusion on the location of the entrance to the cancer center.

Kathy Wichman of Innerface Architectural Signage Inc. was present and stated the goal of the new signage is to assist first time visitors and provide a safe entry and that the wall signage on the new medical office building is not visible from Barry Drive.

Tim Lipka of McLaren summarized the confusion for drivers going to the new medical office building and cancer center and the medical uses and tenants in the new building.

Discussion was held on the goal to provide a cohesive design of all signage on the site, the corner clearance area for the intersection of N. Main/Barry, directions to the emergency entrance at N. Main/Knollwood and sign area and height of the existing and proposed signage. Discussion was also held on the standards to be met in order to grant the variance requests, the length and curvature of the relocated Barry Drive, public benefits and font size readability of the proposed directional sign at N. Main/Barry.

Chairman Hogan opened the public hearing at 7:31 p.m.

There being no comments, the public hearing was closed.

Additional discussion was held on the public benefits, design consistency, font size and visibility of the new signage proposed.

010 2021 08-23 McLaren Hospital – 1375 N. Main – Signage Variance Request #1

Moved by Farrington. Seconded by Cattane.

To approve the variance request from Allied Signs representing McLaren Lapeer Regional Hospital to allow an additional monument sign along Barry Drive (sign location #6) located at 1375 N. Main Street from Section 7-17.05 Table 7-13.03 because it meets Standard 2 of Section 7-22.04(f) and all of the Standards in Section 7-22.04(g).

ON A ROLL CALL VOTE:

Yeas: Farrington, Bostick-Tullius, Hogan and Cattane.

Nays: None.

Absent: Parsch.

Abstain: None.

MOTION CARRIED.

011 2021 08-23 McLaren Hospital – 1375 N. Main – Signage Variance Request #2

Moved by Farrington. Seconded by Cattane.

To approve the variance request from Allied Signs representing McLaren Lapeer Regional Hospital to allow an additional monument sign along N. Main Street (sign location #3) to be located at 1375 N. Main Street from Section 7-17.05 Table 7-13.03 because it meets Standard 1 and 2 in Section 7-22.04(f) and all of the standards in Section 7-22.04(g).

ON A ROLL CALL VOTE:

Yeas: Farrington, Bostick-Tullius, Hogan and Cattane.

Nays: None.

Absent: Parsch.

Abstain: None.

MOTION CARRIED.

Discussion was held on variance request #3 for the sign area for the proposed sign at N. Main/Barry and the need to review a comparison of the readability of the font size with and without the sign area variance request.

012 2021 08-23 McLaren Hospital – 1375 N. Main – Signage Variance Request #3

Moved by Farrington. Seconded by Cattane.

To postpone action on sign variance request #3 from Allied Signs representing McLaren Lapeer Regional Hospital for a sign area variance for sign location #3 in order to review additional information as directed to be provided by the applicant.

Yeas: Farrington, Bostick-Tullius, Hogan and Cattane.

Nays: None.

Absent: Parsch.

Abstain: None.

MOTION CARRIED.

Ray Clemens – Ray C’s – Landscaping Variances – 1491 S. Lapeer Rd.

Habben reviewed the request from Ray Clemens for three variances from the landscaping requirements of Section 7.15 concerning Greenbelts, Buffer Zones and Parking Lot for the Ray C’s Harley Davison/Extreme facility located at 1491 S. Lapeer Road.

Chairman Hogan opened the public hearing at 8:07 p.m.

Habben reviewed the reasons for requiring the landscaping in order to bring the expanded site into full compliance with the ordinance and stated that some of the landscaping has been installed, however, not all required trees and shrubs have been planted. Ms. Habben reviewed aerial photos of the site prior to the recent building addition, the landscaping shown on the approved site plan and the current as-built plan showing a portion of the installed landscaping. Ms. Habben also reviewed the standards for approval of the variance requests, staff findings in support and opposition of each standard and summarized the applicant’s response to the variance request.

The following letter received from Lapeer Township was read into the record:

August 16, 2021

City of Lapeer

Attn: Zoning Board of Appeals

576 Liberty Park

Lapeer, MI 48446

RE: Variance at 1491 S. Lapeer Road

Dear Commissioners:

The Township has received notice for the City Zoning Board of Appeals meeting on Monday, August 23, 2021. This parcel of land is part of the City/Township Annexation Agreement of 2006. As so the following is an excerpt from the agreement:

...DEVELOPMENT RESTRICTIONS. The TOWNSHIP hereby approves of development on any annexed land described in attached Exhibits A and B so long as it is developed under City zoning ordinance provisions **which are substantially the same** as the ordinance provisions applicable in the TOWNSHIP at the signing of this agreement... For any proposed development not in substantial compliance with township ordinances, the township shall have the right to review and approve or deny the site plan for any such development....

As so, we respectfully request that a denial of landscaping variances be approved until such time that the terms of our agreement are upheld.

If there are any further questions, please contact the Township during regular business hours.

Thank you.

Dawn M. Walker
Lapeer Township Clerk
On behalf of the Board

There being no further comments, the public hearing was closed at 8:25 p.m.

Variance #1 – Parking Lot Landscaping

Discussion was held on the existing trees in the parking lot islands on the site.

013 2021 08-23 Ray C's – 1491 S. Lapeer Rd. – Landscaping Variance Request #1

Moved by Farrington. Seconded by Cattane.

To approve the request from Ray Clemens for a variance of 3 trees required to be located in the islands of the parking lot area per Section 7-15.02(G) for the Ray C's facility located at 1491 S. Lapeer Road because it meets all 5 standards in Section 7-22.04(e).

ON A ROLL CALL VOTE:

Yeas: Farrington, Cattane, Hogan and Bostick-Tullius.

Nays: None.

Absent: Parsch.

Abstain: None.

MOTION CARRIED.

Variance #2 – Greenbelt Landscaping

Discussion was held on the staff findings in opposition and support of Standards 1 through 5, the type C buffer required, the Planning Commission's waiver granted for landscaping on the east side of the property and the existing landscaping on the north and south sides of the parcel.

014 2021 08-23 Ray C's – 1491 S. Lapeer Rd. – Landscaping Variance Request #2

Moved by Bostick-Tullius. Seconded by Cattane.

To approve the request from Ray Clemens for a variance of 4 shrubs from the greenbelt landscaping requirements of Section 7-15.02(E) for the Ray C's facility located at 1491 S. Lapeer Road because it meets all 5 standards in Section 7-22.04(e).

ON A ROLL CALL VOTE:

Yeas: Farrington, Cattane, Hogan and Bostick-Tullius.

Nays: None.

Absent: Parsch.

Abstain: None.

MOTION CARRIED.

Variance #3 – Buffer Zone Landscaping

Discussion was held regarding the existing landscaping between Ray C's and the Jim Riehl's dealership to the south, the non-conforming status of the existing landscaping on the site, the increase in paved area on the Ray C's site, security issues and site visibility.

015 2021 08-23 Ray C's – 1491 S. Lapeer Rd. – Landscaping Variance Request #3

Moved by Bostick-Tullius. Seconded by Cattane.

To approve the request from Ray Clemens for a variance of 12 trees & 18 shrubs from the buffer zone landscaping requirements in Section 7-15.02(F) along the south property line for the Ray C's facility located at 1491 S. Lapeer Road because it meets all 5 standards in Section 7.22.04(e).

ON A ROLL CALL VOTE:

Yeas: Farrington, Cattane, Hogan and Bostick-Tullius.

Nays: None.

Absent: Parsch.

Abstain: None.

MOTION CARRIED.

Chairman Hogan requested the Planning Commission to review the current landscaping requirements of the Zoning Ordinance to determine if any amendments are warranted.

TRAINING REPORT

There was no new member training reported. Habben reported a training session will be held at the October meeting on the topic of the text amendment process.

ADJOURNMENT

There being no further business, it was moved by Bostick-Tullius and supported by Cattane to adjourn the meeting at 9:15 p.m. **MEETING ADJOURNED.**

Eric Cattane, Secretary

Kimberly Hodge, Recording Secretary