

CITY OF BURTON
PLANNING COMMISSION WORKSHOP MINUTES
FEBRUARY 2, 1999, 5:00 P.M., COUNCIL CHAMBERS

The Workshop was called to order by Homer Berry, Chairman, at 5:10 P.M.

MEMBERS PRESENT: Berry, White, Perez, Walls, Bertram, Howlett, Brawner, Grantner

MEMBERS ABSENT: None

OTHERS PRESENT: Doug Piggott, Rowe Engineering, J. Major, DPW Director, R. LaDuke, Building Supervisor; T. Strasser, DPW, T. Hammon, Council President, J. Adams, Clerk's office.

PURPOSE OF THE WORKSHOP: Update on Master Plan from Rowe Inc.

Mr. Berry spoke regarding scheduling an on-site ZBA seminar to be presented by MML and asked the Commission members if they are interested in attending.

The majority of the Commission expressed an interest in attending.

Mr. LaDuke indicated at the last meeting of the Zoning Board of Appeals, they voted to schedule an on-site seminar presented by MML. If there is enough interest generated in attending, it will probably be scheduled in a couple of months from now.

PRESENTATION:

Doug Piggott spoke regarding recommendations in establishing a new classification, an open space residential district that would incorporate most of the vacant land currently proposed for residential development, particularly in the southeast area of the City. The concept of the open space was to provide an incentive for developers building a subdivision to set aside a portion of the site as open space. Mr. Piggott indicated that if a developer takes property and divides it into residential lots, he can get a higher density than going in per acre, but in order to do so, certain conditions have to be met. The first level of condition, he would have to provide 20% open space for the site, and that 20% would not include wetlands.

Mr. Piggott spoke at length further regarding open space and development at various levels of density.

Mr. Piggott indicated at the last meeting there was discussion regarding specific sites for future mobile home development. They were given a set of criteria to look for property especially along the border of the City. They looked at all the areas surrounding the border of the City, parcels under 40 acres in size, and having access onto a County line road. In taking all this criteria together, they basically came up with four parcels, two of which are multiple parcels put together. Mr. Piggott indicated two parcels on the south boundary line probably are not appropriate due to the fact they appear to be already intended for future development of residential subdivisions that are adjacent to them. Two areas off of Vassar Road are more appropriate and not adjacent to high density development.

Mr. Major indicated he reviewed with Attorney Hamilton and Tom Strasser the proposal as it was presented from a planner's stand point and also from the Attorney and staff's standpoint. They have completely revamped the zoning classifications and re-worked the zoning ordinances. It is not easy to administer and get people use to the new classifications and completely revamp new text. Mr. Major spoke further on the following items: changes to be implemented, open space classification, commercial classification for the Center Road and Court Street area, multi and single family development, and eliminating the SE and P-1.

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Attorney Hamilton spoke regarding eliminating some existing zoning classifications and creating new ones. He spoke further regarding the primary differences between C-2 and C-3 uses, the RM-1 zoning classification for townhouse uses or low-density multi-family use. He indicated those are distinctions that could be made in terms of a low-density multiple, attached dwellings which may be clustered, versus a garden type apartment as a regular multi-family development. Attorney Hamilton stated the possibility of high rises could be developed on Court Street or Center Road where the traffic could bear both kinds of uses. He is not certain of eliminating both pre-categories between the uses, because they serve equal purpose in the existing ordinance.

Attorney Hamilton spoke further on incorporating changes, review the zoning district map for appropriate zoning classifications for the present as well as what they foresee in the future. He stated if we start creating new zoning categories, we will get ourselves into a situation where we are going to have a whole new text for the ordinance. Attorney Hamilton spoke regarding Davison Township and developments that are operating on two different tiers of development standards, and the possibility of having multiple variances or ordinance amendments. Attorney Hamilton spoke briefly on variance requests and indicated they could conduct a study over five years of what type of requests were received and measure those against the existing zoning ordinance. He stated further, that one of the worst things we could do is change our perception from a user friendly City to one where there is more difficulty in developing new projects and creating additional tax base.

Mr. Berry indicated from the ZBA standpoint, most variances are for oversized buildings in residential districts.

Attorney Hamilton said maybe some adjustments can be made in those kinds of provisions to increase the size and availability.

Mr. Major said they tried it once and it did not curtail the applications, they just come in from a different angle.

Attorney Hamilton spoke further on what kind of zoning classifications are being requested, taking a look at the zoning district map to look at the different needs, overlapping utilities and water and sewer availability.

Mr. Piggott spoke regarding multi-family districts being combined with different land uses and stated further, when they updated the City of Flushing zoning ordinances several years ago, there was concern because to the public and many members on the Planning Commission, there is a significant difference townhouse development and apartment complex as far as the level of public acceptability and impact on the community as well. They felt it was important to have a separate zoning classification for each type of use.

Mr. Piggott said they recommend the lower density type of uses such as townhouses, that would be allowed in multi-family districts and the more intense uses would require a special use permit, and reviewed on a case by case basis. He spoke further regarding high and medium density development, open spaces and indicated the intent for tonight's meeting is to give approval or make changes in the general concept as they are presented at the last meeting. Mr. Piggott spoke of re-drafting the Plan based on recommendations from Council and the Commission's approval for them to draft the public hearing document.

BOARD DISCUSSION:

Mrs. Walls spoke regarding the re-writing of the zoning ordinance, and if all the zoning classifications are changed, it will be very costly.

Mr. Major said modernization costs more, and we are probably due for a complete overhaul.

Mr. Piggott said they could draft amendments to the existing ordinance. The ordinance is old enough now for a comprehensive review whether or not you update your plan. There are changes that occur as a result of new laws, Zoning Enabling Act, federal regulations and court interpretations, and even if you do not adopt major changes in the plan, you should have the zoning ordinance reviewed extensively, whether by us or someone else.

Mrs. Walls stated she will not vote for anything that will give zoning for a mobile home park, and she believes no one from the Commission asked for that.

Mr. Piggott said he received a request at the last meeting concerning mobile home parks. The concept as presented at the last meeting, did not include and provide for any additional mobile home sites, but it did establish location criteria, so if someone were to come and demonstrate a need for additional mobile homes, there would be a basis for reviewing a specific request to determine if that is a part of the plan.

Mrs. Walls inquired as to who decides on that need.

Mr. Piggott indicated in the end possibly the Court if they wanted to take it that far, and in short term, it is the Planning Commission to determine whether or not the applicant has established a need.

Mrs. Walls inquired as to who demonstrates and establishes the need.

Mr. Piggott said you can request the applicant to provide you with information demonstrating the need as far as the application, and the Commission evaluates and makes the decision.

Mr. Grantner said basically what we have here is a culmination of the initial public hearings. He inquired as to other workshops.

Mr. Piggott spoke of preparing a public hearing draft for the plan.

Mr. Grantner said from a general standpoint, he would like to endorse where they are right now. In due respect to Council, at the time we have a public hearing, some of the issues can come out in front of the public. He does not know at this time what he thinks about all the zoning classifications. Regarding variances, he does not feel it is a significant amount that impacts on the other zoning classifications because they all occur in residential. Mr. Grantner stated further that he likes what they are attempting to do here because it is a reflection of where we are and where we could go. This is responsive to a lot of the input we got from ourselves and the public that came to the previous meetings. Regarding the mobile home parks, he would just as soon fight that when the time comes, as opposed to setting it up there and then having someone say, "it is in writing therefore, we will put it there and therefore, you will get it". No one knows how that property will be developed, we don't have that many big parcels anyway and it is a secondary issue to what we all came here for in the first place.

Mr. Piggott spoke regarding a work session and public hearing.

Mr. Major spoke regarding approval at the next regular Planning Commission and instructing Rowe to set a hearing on whatever dates are appropriate.

Mr. Piggott said there needs to be some critical analysis of their proposals. He thinks they have done a good job of reflecting the thoughts summarized in the public input session, but maybe they were not addressed in the appropriate manner.

Mr. Major said he, Attorney Hamilton and Tom Strasser could put together what Mr. Piggott wants to do, but it will be a while before everyone is comfortable with these classifications and it is not an easy thing to do. He would like to see a little less than what Doug is presenting.

Mr. Perez said he thought what they were trying to accomplish was to try and clean up some of the zoning, classifications, and possibly eliminating the SE. Regarding the Center Road stretch, if they see a tendency going towards being all re-zoned commercial and office use, it may take the pressure off of the Planning Commission for all of these variances people ask for. To re-classify everything is a lot of work and we don't need all that.

Mr. Berry inquired as to scheduling a session with staff and DPW.

Mr. Major stated they can sit down with Mr. Hamilton and take the existing comprehensive development plan and do a Rowe type of philosophy, and combine them together.

Mr. Piggott spoke of a point by point listing of changes to be recommended versus the plan, to be more useful to the Planning Commission.

Attorney Hamilton spoke regarding taking an inventory of open space in existence, existing current development, and existing current physical characteristics of sites that would prevent development. He indicated we would be surprised at the amount of truly open space that we have in this community just by physical characteristics development. We could have an open space category if we put into that category places like For-Mar, Brookwood, Kelly Lake, urban right-of-way owned by Consumers. We would get a real feel for how much open space we have, not by planning but by physical characteristics. We are only able to plan today for property that is not developed. Attorney Hamilton stated further that he understood the process would be looking at where we are and modernizing with some changes, but he did not know we were in the process of going to a whole new master plan and land uses.

Mr. Piggott said he thought the task was to evaluate public input with the Planning Commission and prepare a plan that reflected the Planning Commission's acceptance. We looked at the public input and modified those somewhat before they established the goals and policies, and once established, they used those as a framework for establishing the plan. The approaches they took may be radically different in some instances than what is out there. Mr. Piggott said regarding the issue of along Center Road, one of the policies was to maintain and support three commercial areas. The original master plan, a lot of the area zoned commercial was not planned for commercial development and was planned for open space. Mr. Piggott spoke further of establishing goals and policies.

Mr. Berry said the next Planning Commission work session will be held on **Tuesday, March 2, 1999, at 5:00 p.m.**

Meeting adjourned 6:19 p.m.

JRA