

CITY OF BURTON
REGULAR PLANNING COMMISSION MEETING MINUTES
MARCH 9, 2004, 6:00 P.M., COUNCIL CHAMBERS
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Bill Young, Vice Chairperson, led the Pledge of Allegiance.

Bill Young, Vice Chair, called the Regular Meeting to order at 6:12 P.M.

MEMBERS PRESENT: Bertram, Cross, Cummings, Walls, White and Young.

MEMBERS ABSENT: Grantner, Perez and Mayor Smiley

OTHERS PRESENT: T. Strasser, Deputy Planning Official and C. Ladd, Deputy City Clerk.

A. APPROVAL AND AUTHORIZE THE MINUTES OF THE FOLLOWING MEETING:

Bertram moved and Cross seconded the following motion:

Approve and authorize the Minutes of the Regular Meeting of February 10, 2004 at 6:00 P.M., as printed.
Motion carried 6-0.

B. SCHEDULE PUBLIC HEARING FOR APRIL 13, 2004 AT 6:00 P.M.:

1. ZC #289

BY: Gary H. Ashley
3412 E. Bristol Rd.
Burton, MI 48529

RE: 4014 S. Belsay Rd.
Parcel #59-35-200-021
Section 35
Zoned C-1 to C-2

FOR: Future Commercial Development

2. ZC #290

BY: Referral from Burton City Council
4303 S. Center Rd.
Burton, MI 48519

RE: Ordinance #19, City of Burton Zoning
Ordinance, Section 5.33

FOR: Front Yard Fences.

3. ZC #291

BY: DPG-Burton LLC
c/o Ryan Rosett
2550 South Telegraph Rd., Suite 102
Bloomfield Hills, MI 48302

General Motors Corp.
c/o World Wide Real Estate
200 Renaissance Center
Mail Code: 482-838-696
PO Box 200
Detroit, MI 48265-2000

RE: General Motors Property
Parcel #59-10-100-027
Southwest corner of Genesee Road and Davison Road
Zoned M-2 to C-2, RM & R-1B

FOR: Developing a mix-use project.

4. ZC #292

BY: Joseph L. Cardonna
CRS Companies
14330 Industrial Center Dr.
Shelby Township, MI 48315

RE: Davison Road between Brookwood Golf Course
Parking Lot and 6057 Davison Road
Section 1
Zoned R-1A to R-0

FOR: Office Development

Moved by Walls, seconded by Cross to schedule the following cases for public hearings to be held on April 13, 2004 at 6:00 P.M.: Zoning Case #289, Zoning Case #290, Zoning Case #291 and Zoning Case #292. Motion carried 6-0.

C. PUBLIC HEARING POSTPONED FROM FEBRUARY 10, 2004:

1. ZC #285

BY: James Joseph, Agent for Rizzo Developments
5273 Empress Dr.
Grand Blanc, MI 48439

RE: 5465 E. Maple Rd.
Section 35
Zoned RM to R-1A

FOR: Residential Single-Family

James Joseph, 12196 River Bend Dr., Grand Blanc, MI, gave the Board an updated version of the zoning change request. He explained that the property is the Howlett farm and would like to build homes on the property.

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Mr. Joseph said he is also requesting to split the parcel into three equal sized lots.

Audience Participation:

Eric Strummer, 5495 E. Maple, said he has concerns about this development encroaching on his property.

Mr. Strasser commented that the development would consist of a minimum of 85-foot lots. The DPW staff recommends approval of the zoning change.

Moved by Bertram, seconded by Walls to recommend approval of Zoning Case #285, to rezone the property from RM to R-1A, contingent upon DPW recommendations. Motion carried 6-0.

2. LS #03-64

BY: James Joseph, Agent for Rizzo Developments
5273 Empress Dr.
Grand Blanc, MI 48439

RE: 5465 E. Maple Rd.
Section 35

FOR: Residential Use.

James Joseph, 12196 River Bend Dr., Grand Blanc, MI, explained he is asking to have the property split into three parcels for residential use. He noted that they would keep as much of the wooded areas as possible. The homes would not be modular or manufactured homes.

Audience Participation:

Pauline Dargel, 6119 Hugh St., inquired about the dimension of the lots.

Mr. Strasser said the DPW recommendation is for approval, contingent upon approval of Zoning Case #285 by the Burton City Council.

Moved by Bertram, seconded by White to approve Lot Split #03-64, contingent upon DPW recommendations and approval of Lot Split #285 by the Burton City Council. Motion carried 6-0.

D. PUBLIC HEARINGS:

1. ZC #286

BY: Billy E. Shasteen
4477 S. Center Rd.
Burton, MI 48519

RE: Parcel #59-34-300-023
Section 34
Zoned SE to C-1

FOR: Small Business Use.

Billy Shasteen, 2905 Miller Rd., Tawas, MI, said he owns the home on the corner of Maple and Center at 4477 S. Center Road. His property is 182.5 feet wide by 598 feet deep. He would like to have the property rezoned from

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residential to commercial. He believes that area of Center Road would be a troublesome spot to raise a family due to the increased traffic. He would rather see the property rezoned to commercial and the property would be an ideal location for medical offices.

Audience Participation:

The following residents spoke in opposition to the rezoning of the property to commercial due to increase in traffic:

Todd Whitten, 4474 S. Center Road
Larry Misiyak, 4081 E. Maple Rd.
Joseph Rivard, 4057 E. Maple Rd.
Janice Wiles, 4105 E. Maple Rd.

Mr. Strasser said the DPW recommendation is to rezone the property to commercial as it does abut commercial property and Center Road is fast becoming mostly commercial property.

Mr. Bertram noted that he would be abstaining from voting on this issue as he has a piece of commercial property across the street from Mr. Shasteen.

Mrs. Walls inquired as to how the property would be taxed.

Moved by Walls, seconded by Cummings to approve the rezoning of the property from SE to C-1 as requested by the applicant. Motion carried 4-1 with White voting no and Mr. Bertram abstaining.

2. ZC #287

BY: SMEA Investments, LLC
418 Woodbridge
Grand Blanc, MI 48439

RE: 1375 Belsay Rd.
Parcel #59-11-526-016 – N ½ of Lot 16 Daly Ranch
Homesites and #59-11-526-017 – S ½ of Lot 16 &
Lot 17 Daly Ranch Homesites
Zoned R-O to C-2

FOR: Commercial Development

Chuck Sekrennes, 418 Woodbridge, Grand Blanc, MI, explained that this parcel is one that was omitted from the application, but on the plan to be rezoned to commercial. He has people who are interested in putting a business on the corner but the zoning needs to be changed from R-O to C-2 for commercial use.

Audience Participation:

The following residents spoke in opposition to the rezoning of the property from R-O to C-2 due to the higher traffic volume in the Belsay and Davison Road area, child safety and changing of the master plan:

Jerry Jennings, 5290 Arnold Dr., Burton, MI
Pauline Dargel, 6119 Hugh St., Burton, MI
Darlene Jennings, 5290 Arnold Dr., Burton, MI
Dale Ellery, 5577 Horseshoe Ln., Lapeer, MI
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Mr. Strasser said the DPW recommendation is for approval to rezone the property to C-2.

Mrs. Walls asked if there were any plans as to the type of business that would be at that location.

Mr. Sekrennes said there are no particular plans at this time.

Mr. Cummings said the For Sale sign indicates the zoning is C-1.

Mr. Bertram asked if the other businesses are zoned R-O along that area? He was advised yes, except the industrial area south of the area.

Moved by Walls, seconded by Cross to approve for discussion purposes of Zoning Case #287 to rezone property from R-O to C-2. Motion denied 6-0.

3. ZC #288

BY: SMEA Investments, LLC
Representative for J.C. Cokley
(Genesee Ceramic Tile)
418 Woodbridge
Grand Blanc, MI 48439

RE: 1307 N. Belsay Rd.
Section 11
Zoned RM to M-1

FOR: Building Expansion

Chuck Sekrennes, 418 Woodbridge, Grand Blanc, MI, explained that the office that is currently in the front of the building would be turned into a showroom and they would have the offices in the back. He said he owns the property around this area and has no objections to the proposal.

Audience Participation:

Darlene Jennings, 5290 Arnold Dr., spoke in favor of the proposal.

Mr. Strasser said the recommendation from the DPW is for approval.

Moved by Cross, seconded by White to approve changing the zoning from RM to M-1 for Zoning Case #288, contingent upon DPW recommendations. Motion carried 6-0.

E. SPECIAL USE PERMIT:

1. BCPC #04-09

BY: Mallard Ponds Development LLC
418 Woodbridge
Grand Blanc, MI 48439

RE: Parcel #59-11-200-001, #59-11-200-009 and
#59-11-200-012 SW Corner of Davison & Belsay

FOR: Cluster Condominium Development

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Chuck Sekrennes, 418 Woodbridge, Grand Blanc and Michael Pifer, Kraft Engineering, 409 W. 7th St., Flint, MI, gave a presentation in regards to the entrances area, landscaping, street lighting, style and façade of homes for the condo project at Belsay and Davison Road area. He noted that Plan A would consist of 1,282 sq. footage and Plan B

would have 1,297 sq. footage. We are asking for a special use permit to construct the condominium development under the current zoning classification. There would be 174 units within the development.

Mr. Pifer asked to give an overall presentation for both the special use permit and the site plan review.

Mr. Strasser commented that if the special use permit isn't approved, then the site plan wouldn't be approved either because these cases are tied in together. The same presentation would be given for both.

Mr. Pifer said the site is at Davison and Belsay Road with 100-foot frontage on Belsay Road and 300-foot frontage on Davison Road. The area consists of approximately 47-acres of land and is zoned R-1B and RM. The property was rezoned by the City Council on January 19, 2004. Mr. Pifer explained the number of units and discussed the wetland area, public road, utilities, water and sewer availability. A discussion was held with the Genesee County Drain Commission and there are two drains on Davison Road.

Audience Participation:

Pauline Dargel, 6119 Hugh St., spoke concerning the wetlands area.

Dale Ellery, 5577 Horseshoe Ln., Lapeer, MI, inquired about the selling price of the condos.

Mr. Strasser said the recommendation is for approval from the DPW. All requirements in the ordinance have been exceeded and this would be a good development for the area.

Moved by Walls, seconded by White to approve BCPC #04-09, contingent upon DPW recommendations for a cluster condominium development. Motion carried 6-0.

G. SITE PLAN REVIEW:

1. SPR #04-08

BY: Mallard Ponds Development
418 Woodbridge
Grand Blanc, MI 48439

RE: Mallard Ponds
Parcel #59-11-200-001, #59-11-200-009 and
#59-11-200-012
SW Corner of Belsay & Davison

FOR: Final Site Plan Approval

Chuck Sekrennes, 618 Woodbridge, Grand Blanc, MI, said he is asking for final site plan approval.

Mr. Strasser noted that the County requires a capacity study for new developments and they have the appropriate capacity. We recommend approval for the final site plan.

Mr. Young asked if approval had given by the Genesee County Drain Commission and if the City Attorney has reviewed the master deed.

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Mr. Pifer replied that he has met with the Drain Commission and their approval is pending. They are not at the point for the attorney to make his review of the master deed.

Moved by Cross, seconded by Walls to approve Site Plan Review #04-08 for Final Site Plan Review, contingent upon

DPW recommendations. Motion carried 6-0.

2. SPR #04-10

BY: Bristol Road Associates
1030 Lake Angelas Shore Dr.
Auburn Hills, MI 48326

RE: Bristol Commons
1200 E. Bristol Rd.
Burton, MI 48529
Parcel #59-31-100-031

FOR: Commercial Addition

Dale Grainger, Grainger & Associates, 307 E. Third St., Flint, MI, explained that they applied for a site plan in 2001 and there is a one-year grace period to complete the project. That grace period has expired and that is the reason for the site plan approval request. He gave a brief history of the property and noted that they are looking at seven (7) retail spaces. They may include a video store, sandwich shop, Laundromat and a Dollar store. The construction would match what is currently located on the Kroger Store with the same color of glass and aluminum.

There was no audience participation.

Mr. Strasser commented that this site plan was previously approved. The curbs have been installed and the retention area is at the west end of the development. DPW recommends approval of the site plan.

Moved by Walls, seconded by Cummings to approve Site Plan Review #04-10, contingent upon DPW recommendations for a commercial addition. Motion carried 6-0.

The next regularly scheduled meeting will be held on Tuesday, April 13, 2004, at 6:00 P.M.

Meeting Adjourned at 7:22 P.M.

Cheryl M. Ladd, CMC
Deputy City Clerk

CML