CITY OF BURTON
REGULAR PLANNING COMMISSION MEETING MINUTES
APRIL 10, 2001, 6:00 P.M., COUNCIL CHAMBERS

The Regular Meeting was called to order by Jerry Grantner, Chairman, at 6:00 P.M.

MEMBERS PRESENT: Bertram, Brawner, Grantner, Hohloch, Perez, Mayor Smiley; Walls, White and Young.

MEMBERS ABSENT: None.

OTHERS PRESENT: J. Major, DPW Director; T. Strasser, Deputy Planning Official and C. Ladd, Deputy Clerk.

A. APPROVAL AND AUTHORIZE THE MINUTES OF THE FOLLOWING MEETING(S):

Moved by Young, seconded by Mayor Smiley to approve the minutes of the Regular Meeting of March 13, 2001at 6:00 P.M., as printed. Motion carried 8-0.

B. SCHEDULE PUBLIC HEARINGS FOR MAY 8, 2001 AT 6:00 P.M.:

1. ZC #261

BY: James Korn
5073 Lapeer Rd.
Burton, MI 48509

RE: Lots 47 & 48 Vodden Little Farms
Section 14
Zoned RO to R-1A

FOR: Single Family Use.

2. ZC #262

BY: Ebenezer MBC Ministries
2130 S. Center Rd.
Burton, MI 48519
Mary A. Rolfe & Associates, Inc.
432 N. Saginaw St., Ste 702,
Flint, MI 48502

RE: Vacant land on Lippincott between Center Rd.
and Christner St.
Section 21
Zoned C-2 to HRM

FOR: Senior Rental Housing and Services.

Moved by Young, seconded by Perez to schedule Zoning Case #261and Zoning Case #262 for Public Hearings on May 8, 2001 at 6:00 P.M. Motion carried 8-0.

C. AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh St., spoke concerning the legal notices for Zoning Cases #261 and #262. She also commented about the public having input on the master plan. Mrs. Dargel inquired about zoning of the site north of I-69 that was changed from individual zoning to cluster single family.

Mr. Strasser said no one has submitted an application as of this date.

D. SITE PLAN REVIEW(S):

1. SPR #01-20

BY: Grainger Associates, Inc.
307 E. Third Street
Flint, MI 48502

RE: New Burton Health Center-Genesee County
Health Department
S. Saginaw near Hemphill Road
Part of 59-29-300-017
Section 29, Zoned C-2

FOR: New Health Department Facility.

John Kosta from Grainger & Associates, 307 E. Third Street, Flint, MI, said he was representing the New Burton Health Center-Genesee County, along with Kelly Lawson. Mr. Kosta explained that a presentation was made at the February meeting outlining this project. He said he would be presenting the site plan. The facility is a new health facility for the health department. The project is comprised of three different components and we will be offering services of general health clinic, WIC and Immunization program and a dental office. They will be sharing the reception and administrative areas. The size of the facility is approximately 16,400 square feet. Currently the Health Department operates a health clinic in a building down the road in a smaller building. The site is currently part of a larger parcel that was used for parking trailers for GM. The site is serviced with existing storms; sanitary sewer; water is available at the street, there is an existing curb cut at the entrance to the site, that is not schedules to be changed or revised at all. There is an expensive berm there that will remain.

Audience Participation: None.

Mr. Strasser said after thorough review of this site, there is one deficiency that Mr. Kosta is aware of, which is the width of the aisle way. They have to be 25 feet minimum in width. Mr. Kosta has assured me this requirement would be complied with. The rest of the site meets all of the requirements of the zoning ordinance and the sidewalks are in place. The site is already paved. Mr. Strasser asked what the official name of the building would be. He also asked if an environmental study had been done on the site.

Ms. Lawson said the building would be named the New Burton Health Clinic.

Mr. Kosta said soil boring had been done on the site, but he thinks an assessment of it had been done, but he wasn’t involved in this.

Mr. Strasser asked if Mr. Kosta would be reviewing the study.

Mr. Kosta said yes, he would be reviewing them in his office.

Mr. Major commented that a portion of that land was a fill site and he wanted to make sure that everybody is made aware that there could be some unusual footings at the site.

Mr. Perez asked if the County had acquired the property.

Mr. Kosta said they have an agreement with General Motors.

Mr. Hohloch asked if a copy of the environmental assessment would be filed with the DPW.

Mr. Kosta said he would file a copy of the environmental assessment if the Board would like to him to do so.

Mr. Strasser said he would like to see a copy of the assessment on file.

Mr. Bertram asked where the sign would be located. He was advised it would be in the greenbelt area.

Moved by Young, seconded by Walls to approve Site Plan Review #01-20, contingent upon DPW recommendations.
Motion carried 9-0.

2. SPR #01-28

BY: Seward Enterprises Realty
290 Monterey Drive
Naples, FL 34119

RE: Center Crossings (A Retail Plaza)
1295 S. Center Rd.
Part of Lots 1 & 2 Cooks Plat
Section 15
Zoned C-2

FOR: Multi Tenant Commercial Building.

Pat Manor, 203 Church Street, Grand Blanc, MI, said he is representing Seward Realty. He said this location was most recently Pro Style Automotive, who vacated the building and moved down the street. What they are proposing to do is demolish the existing building. They have clean environmental and had a complete environmental study done as well as soil borings done. All of the engineering work is completed as of now. We have letters of intent from tenants. Approval is needed from this Board.

Audience Participation: None.

Mr. Strasser commented that this particular development was before the ZBA and was granted a variance on a rear yard setback of 10 feet in lieu of an additional green space on Center Road. The parking requirements are sufficient and there will be one additional catch basin installed and they will have to check with the Road Commission regarding
possibly funneling down the pipe size going into the existing road with storm water run off. They were also granted a
variance on a few square feet for the signs. They run a very clean and professional operation. We are fully behind this project with one minor addition.

Mr. Grantner said he is a member of the ZBA and the setback was more or less a trade off for additional landscaping.
In looking at the plan, he was expecting to see trees, shrubs, etc. and it looks rather bare.

Mr. Manor explained that he received a call from Mr. Strasser and a landscaping plan was resubmitted. He said they are open to the idea of landscaping, but they would also like to have exposure and would rather landscape and at the same time keep a low profile. The tenants want the people to be able to see the business. We can add a green cover with a berm and decorative stone.

Mr. Grantner said he would be comfortable if Mr. Manor spoke with the City staff regarding the landscaping.

Mr. Young commented that he thinks the landscaping in the front, along the Lapeer Road side, should be kept relatively low because this is a corner. The salt that will be splashed up there during the winter time would not be good for the shrubs. The colored stone would be more decorative.

Discussion continued regarding the landscaping.

Mr. Bertram questioned the size of the sign.

Mr. Manor said the sign would be 10 feet above grade and they are trying to work with what the ordinance states, but it may exceed it just a bit.

Mr. Strasser asked how the landscaping issue would be resolved, if this site plan is approved.

Mr. Grantner suggested that Mr. Manor meet with the City and work out the landscaping details.

Mr. Major said the DPW has a set of specs from the State Highway Department that are salt tolerant and will not block the view.

Moved by Bertram, seconded by Hohloch to approve Site Plan Review #01-28, contingent upon DPW recommendations and landscaping specifications. Motion carried 9-0.

3. SPR #01-30

BY: Mary A. Rolfe & Associates, Inc.
432 N. Saginaw St., Ste. 702
Flint, MI 48502

RE: CK Gardens
2130 S. Center Rd.
Parcel #59-21-527-024

FOR: Senior Housing.

Mary Rolfe, 432 N. Saginaw St., Flint, MI, explained that they looked at the impact of the acreage they have and could provide several levels of senior housing. We are before you this evening to rezone a small additional portion of the original acreage. Mr. James Pappas, architect and designer, is here this evening to explain the new site plan and will explain the elements of what we are looking for.

Jim Pappas of Sischo, Schaefer and Pappas Architects, 28382 Franklin Rd., Southfield, MI, said he knows this isn't the rezoning hearing, but he wanted to bring in layouts and present a master plan for the overall parcel. He said they would then return for site plan approval on the individual pieces. Mr. Pappas presented a drawing and said the site includes a total of about 19 acres. He said the site includes a 3-story congregate senior housing which will be built in two phases of 50 units each. There will be a 20-bed assisted living facility, 20 units of senior duplexes and senior and child daycare center. The only two proper locations, from a traffic standpoint, is from Center Road and from Lippincott. There are a few single-family homes around the site. There is an open drain around the site. Mr. Pappas said he thinks for a site of this size, there should not be parking directly off the connector road. We have created a ring road through the site that doesn't have parking directly on it. All of the parking lots were developed off the ring road. The duplexes would include two-bedroom units with a single car garage, designed for elderly residents. The 3-story building will then be moved farther away from the single-family. The 20-bed assisted living facility and the senior day care building would be single story buildings. We are proposing landscaping on the entire site with tree areas along the west, which we hope to maintain. Mr. Papas said because of the scope of this project, it would be a phased site and the first two phases would be the duplex units along the west and the 50 units of the senior congregate, as well as the adjacent community center. With the existing church and the existing church parking lot, and looking at the accessibility, it would be good to discourage any additional traffic coming in at this location. The ring road also provides for access to the church parking, as well.

Mr. Pappas said what he has presented is the overall concept of the plan. He is available for any questions.

Audience Participation:

Pauline Dargel, 6119 Hugh St., asked if the HRM zoning would take care of the different components of the proposed site plan.

Mr. Strasser replied yes.

Mr. Strasser explained that this is a concept and the site plan will be brought before the Planning Commission as each building is proposed. He complimented Mr. Pappas on his presentation. Mr. Strasser said Mrs. Rolfe is going for the financing in July and the zoning case will be heard by the City Council in June. He asked when a site plan would be presented to the planning Commission.

Mr. Pappas replied that as soon as the zoning is in place, the site plan would then be started.

Mrs. Rolfe commented that the deadline for submission is July15th. She said she must have zoning approved and site plan approval prior to the first of July. Mrs. Rolfe said now that this is being built in two phases, we don't feel we can rely on the initial site plan approval.

Mr. Pappas said the process has already been started so we could effectively submit the site plan, so the process could be started without this portion being rezoned. If this were acceptable, we would like to do it that way.

Mr. Strasser said if this is done within the next 30 days, that would allow them to be on the agenda for the next Planning Commission meeting.

Discussion was held concerning this being the concept plan versus the site plan presentation.

Mr. Bertram questioned the driveway coming from the church.

Mrs. Rolfe said they do not want the people leaving through the church parking lot. If they have to provide a gate, they will do so. However, they would like Ebenezer Ministries to have access, because they have people working on this project.

Mr. Bertram commented that this should be incorporated into the site plan, because if there is a mass exodus and they are going four different way, this will not be good for the people living on the street.

Mr. Perez asked if Mrs. Rolfe did not secure the state funding, would she still proceed with the project.

Mrs. Rolfe replied yes, this is something we definitely want to do.

Mr. Hohloch said he has a problem with the parking lot into the church entrance. He suggested a keyed entrance for the people working on the project. There are too many unknowns and potential negatives to the City and to the community.

Moved by Hohloch, seconded by Young to approve the concept plan for Site Plan Review #01-30, as presented. Motion carried 9-0.

E. REVIEW OF PREVIOUSLY APPROVED SITE PLAN:

1. SPR #01-27

BY: Church & Sons, Inc.
4499 Davison Rd.
Burton, MI 48509

RE: Church & Sons Garage
4499 Davison Rd.
Parcel #59-03-400-004

FOR: Review of Previously Approved Site Plan

There was no one present to represent this site plan. Mr. Strasser said he spoke with Mr. Church regarding this site plan.

Moved by Bertram, seconded by Perez to postpone Site Plan Review #01-27 until the next regular meeting of May 8, 2001 at 6:00 P.M. Motion carried 9-0.

F. SITE PLAN POSTPONED FROM 3-13-2001 AT 6:00 P.M.:

1. SPR #01-15

BY: Don Novak (Front End Collision)
G-3447 S. Saginaw St.
Burton, MI 48529

RE: Mr. Front End
G-3447 S. Saginaw St.
Parcel #59-29-300-008 & 015
Zoned C-2

FOR: Addition.

There was no one present to represent this site plan.

Mr. Strasser said there was a situation after the last meeting regarding sidewalks along James Street. The architect did bring in a revised site plan showing the sidewalk along James Street.

Moved by Young, seconded by Bertram to postpone Site Plan Review #01-15 until the next regular meeting of May 8, 2001 at 6:00 P.M. Motion carried 9-0.

G. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #01-21

BY: Bryan Miller
1153 W. Maple
Flint, MI 48507

RE: McComb Pipe & Supply
3365 Associates Dr.
Lots 9/10 14 Associates Commercial Sites
Section 29, Zoned M-1

1. SPR #01-21

FOR: Change of Ownership & Use.

There was no one present to represent the site plan.

Moved by Perez, seconded by Hohloch to postpone Site Plan Review #01-21 until the regular meeting of May 8, 2001, at 6:00 P.M. Motion carried 9-0.

2. SPR #01-22

BY: Allen Audio & Communications/Jeff Allen
4101 Davison Rd.
Burton, MI 48509

RE: Allen Audio
5479 Lapeer Rd.
E 30 ft. of Lot 13 and Lots 14 & 15 Cardinal Gardens.
Section 14, Zoned C-2

FOR: Change of Use.

Jeff Allen, 5506 Cannonberg, Grand Blanc, MI, said he is before the board to get authorization to move his business into the existing property at 5479 Lapeer Rd., otherwise known as the Pink Castle. He said they have remodeled he interior and has received the occupancy permit last week and moved in over the weekend. The nature of his business is commercial telephone equipment, voice mail, commercial sound systems, structure cable, for cable networks, fiber optics, etc. The initial game plan was to pull the pink castle roof off yesterday and put in a truss type roof. However, the weather has pushed that back about a week or so. A copy of the design of the building has been given to the DPW and there will be a 3,000 sq. foot addition off the back of the building.

There was no one in the audience who wished to speak.

Mr. Major commented that Mr. Allen has been very cooperative while taking over this building. He has no problems with compliance with the City's requirement of a paved parking lot. The building needs some work and he has done about everything we have asked him to do. We have also talked about sidewalks over there and he understands there are sidewalks on the other side and they will be connected in. His is one of those sites that falls into the category of when is it the appropriate time to put in the sidewalks.

Mr. Allen stated that the parking lot is paved, but we have intentions of resealing it. However, through the process of conducting an environmental review, there was some contamination found under the parking lot. The environmental attorney and Sunoco Oil Corp. are negotiating having the Sunoco clean it up, because the house beside us is having some problems. He said they are talking about putting in wells and pumping it out that way.

Mr. Major said if this is approved contingent upon DPW recommendations, with the sidewalk requirement, we can tie it back into when they would be installed.

Mr. Young asked if the tanks are gone.

Mr. Allen replied yes, the tanks were removed in 1983, according to state records. However, it was filled with sand and the tanks had leaked and it spilled back into the sand.

Moved by Young, seconded by Walls to approve Site Plan Review #01-22, contingent upon DPW recommendations. Motion carried 9-0.

3. SPR #01-23

BY: AMC, Inc.
3340 W. 95th St.
Evergreen Pk. IL

RE: Family Dollar

6010 Lapeer Rd.
Lot 5 816-820 Lapeer Hgts. & 1-8 & pt Lot 9
Supervisor's Plat #8

FOR: Change of Use.

There was no one present to represent this site plan.

Mr. Strasser said this is an existing building on the SE corner of Lapeer and Belsay Road. The parking lot, as well as all the emanates, are up to DPW requirements. There are no site improvements required.

Mr. Major said there is a list of clean up items under the Building Inspector's report. They are addressing walls, where they ripped out air conditioning units. This was a clean administrative site plan. The Fire Marshal and the Building Inspector handled the items necessary to comply with City code.

Moved by Bertram, seconded by Walls to postpone Site Plan Review #01-23 until the next regular meeting of May 8, 2001 at 6:00 P.M. Motion carried 9-0.

G. ADMINISTRATIVE SITE PLAN REVIEWS CONTINUED:

4. SPR #01-25

BY: Party Pure Ice Co. (David L. Taylor)
1281 Sugarbush
Lapeer, MI

RE: Party Pure Ice Co.
3300 E. Bristol Rd.
Lots 13, 14, 15 Bristol Road Industrial Park
Section 33, Zoned M-2

FOR: Change of Ownership/Use.

David Taylor, 1281 Sugarbush, Lapeer, MI, said he had no problems with the DPW requirements, but he questioned the sidewalk requirements.

There was no one in the audience who wished to speak.

Mr. Major said the problem with putting in the sidewalk is the timing issue. The sidewalks should still be included in the Planning Commission.

Mr. Strasser said this is the old London Dairy site. The parking lot is paved in front and the physically handicapped parking spaces are in the rear of the property.

Moved by Walls, seconded by Bertram to approve Site Plan Review #01-25 contingent upon DPW recommendations, including the sidewalks. Motion carried 9-0.

5. SPR #01-26

BY: Douglas Willy
2267 Howe Rd.
Burton, MI

RE: Furniture & More
4255 S. Saginaw
Lots 4-6 Durant Hgts.

Section 32
Zoned C-2

FOR: Change of Use.

Douglas Willy, 2267 Howe Rd., Burton, MI, said this is an existing building that has been used for many years and I think it is in compliance with the DPW requirements. He stated that the Building Inspector has informed him as to what needs to be done. He said he had to do minor remodeling to make the bathroom barrier free.

There was no one in the audience who wished to speak.

Mr. Strasser said on this site there are two things, the building and asphalt. The only thing that would be regulated from the site plan is the sign.

Mr. Perez asked if Mr. Willy was selling furniture.

Mr. Willy replied yes, he sells furniture and home interior decorations.

Mr. Brawner asked what business was previously in the building.

Mr. Willy said it was originally a pharmacy.

Moved by Young, seconded by White to approve Site Plan Review #01-26, contingent upon DPW recommendations. Motion carried 9-0.

6. SPR #01-31

BY: Genesys Health System
3935 Beecher Rd.
Flint, MI 48532

RE: Genesys Medical Building
1096 S. Belsay Rd.
Lots 41, 42 Cardinal Gardens & Lots 41, 42, 43 & 44 of Raymond Sub
Section 14, Zoned C-2

FOR: Addition to Existing Building.

Bruce Calhoun, Creekwood Architect, 1111 Creekwood Trail, Burton, MI, said he is representing Genesys Health System. They are proposing to put a 413 sq. foot addition on the south side of the existing 18,000 sq. foot building. There is no additional parking required and the landscaping will remain the same.

Mr. Strasser said this is a small addition and they have agreed to install the sidewalk in the front. He asked Mr. Calhoun if the oak trees would be staying.

Mr. Calhoun said yes, the trees would stay.

Mr. Brawner asked what would go in this small of an addition.

Mr. Calhoun said there would be two exam rooms.

Moved by Bertram, seconded by White to approve Site Plan Review #01-31, contingent upon DPW recommendations. Motion carried 9-0.

H. BOARD DISCUSSION:

1. Establish Dates & Times for Master Plan Workshops.

Mr. Grantner asked if Mr. Piggott from Rowe, Inc. would be attending the master plan workshops.

Mr. Major replied Mr. Piggott would be attending the workshops. His schedule would be open for whatever dates and times the Board decides upon.

Mr. Grantner asked if everyone would be open to holding the workshops during the day rather than at night. The audience would have an opportunity for their input at the public hearing. He asked for comments on the suggestion.

Mr. Major said the workshops would be posted. We will be going through the master plan section by section.

Further discussion continued regarding dates and times.

The Board determined that the master plan workshops would be held on the following dates and times:

1. Monday, May 7, 2001 at 9:00 A.M.
2. Tuesday, May 15, 2001 at 9:00 A.M.
3. Tuesday, May 22, 2001 at 9:00 A.M.

Mr. Major said the notification of the workshop for the Planning Commission would be precisely the same as that of the City Council Audit and Budget Workshops. We will do the posting as required by the Open Meetings Act and the public is invited to sit in at the meeting. There will then be a public hearing held so that the public may give their input.

Discussion was held concerning whether minutes would be taken or simply running a tape of the workshop.

Mr. Major said he gave the Planning Commission the DPW version of the master plan. He said Mr. Piggott stands by his original proposal he did two years ago. His version is based on the citizen's public hearing.

Mr. Major addressed the issue of mandatory sidewalks. He gave each of the members a copy of the Site Plan Review
Sidewalk Reform. He noted that no where in the memo have they suggested eliminating the sidewalks, but make them
Reasonable and install them at the proper time. He said he gave five different scenarios for the Board to consider. He asked that they review the memo and give their input.

Mr. Grantner asked that if the Planning Commission reviews, accepts or modifies the suggestions, then these would go to the City Council for their concurrence?

Mr. Major replied yes, this would then go back to the City Council.

Mr. Young inquired as to why Home Depot didn't come before the Board when they put on their addition.

Mr. Strasser commented that there was a point in time when the Administrative Site Plans didn't come before the Planning Commission, they were done in-house. This could have been done during this period of time.

Mayor Smiley said by ordinance, the Administrative Site Plans do not have to come before this Board. We decided to take all of these before the Board.

Mr. Major said he thinks concurrence by the Planning Commission is needed.

Mr. Young said if policy allows the City Administration to handle the these site plans, then why are they coming before us? Why clutter our agenda?

Mr. Major said he disagrees with Mr. Young. The City of Burton doesn't have a business license program and when the businesses come into the City, they will not have an opportunity to come before the Board if these are done in-house. He said he thinks it is good PR and it is important. He thinks Planning Commission concurrence is necessary so the business people can meet someone from the City.

Mr. Grantner said he agrees with Mr. Young, but no one is prepared to deal with this issue this evening. He suggested having this item on the next agenda for discussion.

Mr. Bertram said when the cases come before this Board the applicant should be present.

Discussion was held at length concerning how the Administrative Site Plans and full-blown Site Plans are handled.

Mr. Hohloch asked how the actual structural additions come under the administrative site plan reviews.

Mr. Strasser said in a full-blown site plan, the vacant piece of property is being developed. Under the administrative site plans, there is a existing building or business on site and an addition is being placed onto it.

Mr. Bertram asked if a temporary occupancy could be given to the business until they come before the Planning Commission.

Mr. Major replied this could be done.

Mrs. Walls inquired about the building and parking spaces at the Genesee and Lapeer Road location.

Mr. Strasser said if a business doesn't have the proper amount of parking spaces, a permit would not be issued.

Discussion continued regarding the building at the Genesee and Lapeer Road business.

Mayor Smiley invited the Board to attend the State of the City Address on April 30, 2001 at 6:00 P.M. at the Burton Senior Citizen's Center. The Mayor also commented that he is the President of the Michigan Municipal League and it is an honor to serve in this capacity. Mayor Smiley said there would be a Power Point presentation made at the State of the City Address and this is the first time we have made this type of presentation. Mayor Smiley said the Citizen's
Academy will be started in the near future. There was an article in the Suburban News for the residents with my e-mail address and I haven't received one e-mail. We will be teaching the residents rules of the departments. The people I appoint to various boards and committees should attend the Citizen's Academy. Many of our residents don't know a great deal about the workings of the City. The Mayor said there are funds available to the City for becoming an E City.

Mr. Young addressed the issue of getting the approvals from the Drain Commission and the Road Commission prior to approving the site plans that come before the Board.

Mr. Hohloch commented that in 98% of the municipalities the site plans are brought to the board after approval from the county agencies have given their approval.

Mr. Major said there is a difference between Townships and Cities. There are people in the drain commission office that just doesn't get the job done in a timely fashion. It's not fair to have the business people waiting from these agencies and delay the entire process.

Mr. Bertram suggested having Mr. Wright attend our meeting and hear our concerns.

Further discussion continued.

The next regularly scheduled meeting will be held on Tuesday, May 8, 2001, at 6:00 P.M.

Meeting Adjourned at 7:45 P.M.

Cheryl M. Ladd, CMC
Deputy City Clerk

CML