

CITY OF BURTON
REGULAR PLANNING COMMISSION MEETING MINUTES
MAY 11, 1999, 6:00 P.M., COUNCIL CHAMBERS

THE REGULAR MEETING IS CALLED TO ORDER BY HOMER BERRY, at 6:00P.M.

MEMBERS PRESENT: Young, Bertram, Brawner, Grantner, Berry, Mayor Smiley, White, Perez, Walls

MEMBERS ABSENT: None

OTHERS PRESENT: T. Strasser, Deputy Planning Official, J. Adams, Clerk's Office.

Moved by Bertram, seconded by White to approve and authorize the Regular Planning Commission Meeting of Tuesday, March 9, 1999, at 6:00 p.m.

Motion carried, 9-0.

PUBLIC HEARINGS:

Postponed from April 13, 1999:

- | | |
|------------|--|
| 1. ZC #243 | BY: Blake Rizzo
5273 Empress Dr.
Grand Blanc, MI 48439 |
| | RE: Parcel #59-35-400-015
5465 E. Maple
Burton, MI |
| | FOR: Multi-Family Use/Condominiums |

Mr. Berry indicated the applicant has withdrawn his application.

FIRST PUBLIC HEARING:

- | | |
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| 2. ZC #245 | BY: Kurt V. Hoge
GM Worldwide Real Estate
485 W. Milwaukee Ave.
Detroit, MI 48202 |
| | RE: Southwest corner of Davison and Genesee Roads |
| | FOR: Commercial Development |

Kevin Cleaver from Gould Engineering said he is here tonight representing GM Worldwide Real Estate and Kurt Hoge. They are wanting to have re-zoned the southwest corner of Davison and Genesee Road from its current M-2 general industrial and commercial to a C-3 highway oriented commercial business. The property consists of approximately 2,758 feet along Davison Road, and 660 ft. along Genesee Road. Mr. Cleaver spoke at length regarding the various zoning of the current and surrounding site.

Mr. Cleaver stated further, that the developer has provided a deed restriction. It would eliminate some of the uses allowed in C-3 and would prohibit that type of use. He indicated this is a pictorial, a full site plan review is required for each of the individual businesses that are built, and all the necessary agencies have to approve and meet all the requirements.

AUDIENCE PARTICIPATION:

Jim Rupert, 2050 Covert Road, Burton, MI inquired as to the location of the site.

REGULAR PLANNING COMMISSION MEETING MINUTES
MAY 11, 1999/6:00 P.M.

Pauline Dargel, 6119 Hugh St. Burton, MI, said this parcel has been before the Commission very recently, and statements made at that time were the need to maintain the industrial properties that the City has. Since this location is served by the railroad it would seem to be a desirable location. Mrs. Dargel spoke further regarding industrial space and the traffic at Davison and Genesee Roads.

Mr. Strasser said there was a re-zoning petition of this property recently, and it would be a down-zoning in this area from M-2 heavy industrial, down to a commercial situation. The deed restriction is inclusive of certain uses but those certain uses are called a special use permit in that zoning, so there is a three-fold action there. The amount of traffic on Davison Road is a concern. This is a conceptual plan, and we are not here to review a site plan, but to review whether or not that particular piece of property lends itself to be down-zoned from heavy industrial to the commercial classification.

Mr. Bertram inquired regarding the M-2 and any proposals.

Spike Pearson, 5225 E. Cook Road, Grand Blanc, MI, said there is no proposals, however, he is speaking with General Motors for them to consider should and if, our local growth alliance people are interested. He has heard they might be. Mr. Pearson spoke further regarding the possibility of General Motors contributing acres of land to the growth alliance. He indicated the growth alliance could then build a spec industrial building that could be leased out to companies. He indicated the parcel is approximately 200 acres and the zoning petition is only encompassing about 44 acres of land.

Mr. Pearson spoke briefly regarding the growth alliance to consider the Burton property to initiate some industrial development. Mr. Pearson also addressed the traffic and roads that need improvement.

Mr. Bertram inquired if the concept plan is for General Motors Corporation, and if it is their project.

Mr. Cleaver said they would look at selling off parcels for the development.

Michelle Dumler, 1414 N. Genesee, Burton, MI, said she lives across the street from the proposed zoning change. She spoke of concerns with traffic, the value of her property decreasing, and businesses that would be across the street from her home and residential area.

Mayor Smiley said they have been meeting with General Motors for quite some time on this parcel of property, and also with the growth alliance to try and entice jobs to this area. General Motors approached them and is interested in working with the City and the developer.

Mr. Grantner said he feels this will really change the area especially as it applies to traffic, and he will be voting in the negative on this rezoning. He believes for consistency reasons, he voted against the mobile home development because he did not think it belonged there. Currently the M designation provides somewhat of a buffer, but that whole mile square down to Belsay over to Court and back up Genesee is becoming a race track and this will add to it.

Mr. Brawner asked if they rezone the 40 acres for this type of development, what happens to the other 150 acres that will stay heavy industrial and will they still be able to develop it. Mr. Brawner also inquired as to the entrances.

Mr. Strasser indicated there would be entrances off of Davison Road. Mr. Strasser spoke further regarding conceptual plans and site plan reviews.

REGULAR PLANNING COMMISSION MEETING MINUTES

MAY 11, 1999/6:00 P.M.

COMMISSION RECOMMENDATIONS
AND/OR ACTION:

Moved by Bertram, seconded by Mayor Smiley to approve ZC #245, contingent upon the DPW recommendations. Motion carried, 5-4. Young – No, Bertram – Yes, Brawner – No, Grantner – No, Berry – Yes, Mayor Smiley – Yes, White – Yes, Perez – Yes, Walls – No.

3. LS #99-16

BY: Scott Amy
2229 Judd
Burton, MI

RE: 5048 Atherton Rd.
Lot 6, City Gardens

FOR: Residential Use.

Scott Amy, 2229 Judd Rd., Burton, MI, said he wants a lot split to put a home on the property. He spoke with the City building inspectors and they indicated what he needed to submit to be able to build a house. He was told he needed 8,400 sq. ft. to put a house on the property, and he has 11,000 sq. ft.

Mr. Berry inquired regarding the drawing.

Thelma Poole, 3039 Coin St., Burton, MI, said when the area was first sub-divided, all the lots were almost an acre. The reason she and most people bought there was because of the large lots. The proposal here is to have one of the lots split in two, and this will make a very shallow lot going onto Coin St. She feels it would be difficult for them to line a house up, and once this is started, the reason she moved out there is gone. They like the spaciousness of the area, and do not want to see something like this get started.

Donald Bair, 3038 Coin St., Burton, MI, said this property backs up to his home. He likes the area, and this is his second home on Coin St. because of the spacious lots. There are nice homes in the area, and when he looks out his side window, he would be looking at his back door if the applicant is able to put a home on that small lot. He would see nothing down Atherton Road. Mr. Bair stated further, that he has a nice home and just remodeled it, and wants to keep the area the way it is. He does not want the value of his home to decrease by putting a home like this next to his.

Joan Bair, 3038 Coin St., Burton, MI, said their lots are 135 x 250, and if this house goes next door to them, the only way to position it on the lot would be to move it way up to the street. If it was lined up with their house, they would step out to their back door to the other people's property. She feels it would change the look of the neighborhood, and she worries about the precedence it would set. Mrs. Bair said whatever changes the appearance of the neighborhood also changes the value of a property.

Patricia Hatch, 3090 Coin St., Burton, MI, said when they moved into the neighborhood over 28 years ago, that was one of the attractions that they had of that area, was because of the size of the lot. To take one of the lots on the street and divide it in half, would not be in the best interest of that neighborhood since all of the lots are that particular size. Mrs. Hatch said it would not be in the best interest of the neighborhood or the City of Burton.

Brenda Milburn, 3273 Connecticut, Burton, MI, said her street is one of the three streets in that subdivision. She does not live near this property and it will not affect her as far as being a boundary neighbor. However, she is a new resident in that neighborhood and bought in 1991, and the reason is because she like the large lots. She lives on one of the smaller lots in the subdivision which is 100 x 200, and this is a lot that is 100 x 110. Her concern is once they set that predence in their subdivision, there will be other lots that can be subdivided, because the standard has been set that can be allowed and we are going to start scrunching homes. They will lose the very reason people buy in there. Mrs. Milburn stated further, she is a realtor, and it will affect property values because big lots are a big draw to that neighborhood.

Judy Denham, 3093 Coin St., Burton, MI, re-iterated the same feelings of the residents that spoke before her. She loves the neighborhood, and said when you turn down and see the tree-lined street, it is very appealing. She really does not want to turn down a street and see a home immediately by the curb. Mrs. Denham said she feels sorry for the Bair's because they do have one of the nicest homes in the area. She is also a realtor and knows that it will affect their value and is very concerned of setting a precedence.

Robert Davis, 3052 Coin St., Burton, MI, said he is within the 300 ft. distance. He agrees with all the statements the residents have stated, and he does not want to see anything change of the standards there. He has been there for 20 years and would like to see that standard maintained.

Mr. Strasser said the zoning classification this parcel is in, the minimum lot allowed is 70 ft. wide by 120 ft. deep. What they are asking for does exceed what the ordinance requires. The depth does not but the square footage makes up for it, it is somewhere around 11,000 and it is only required to be 8,400. Speaking from the zoning ordinance, it does fit. If approved they would have to pay for the sewer tap-in.

Mr. Young asked Mr. Amy if he currently owns the existing property or if split, would he be buying it.

Mr. Amy indicated he would be buying the split portion.

COMMISSION RECOMMENDATIONS AND/OR ACTION:

Moved by Bertram, seconded by Young to deny lot split #99-16.
Motion carried to deny, 9-0.

4. LS #99-17

BY: David E. Burton/Kimberly A. Burton
460 Buchanan
Davison, MI

RE: 1266 Rinn
Lot 73, Rinn Acres, Sect. 13

FOR: Residential use.

David Burton, 460 Buchanan, Davison, MI, said he would like to split the corner lot basically in half. He spoke of the size of the property and indicated he would like to put a home on the property. The other lots are 99 ft. wide, and the lot as it exists now, is over 114 ft. wide.

REGULAR PLANNING COMMISSION MEETING MINUTES
MAY 11, 1999/6:00 P.M.
PAGE -5-

AUDIENCE PARTICIPATION:

Postponed from April 13, 1999:

1. SPR #99-19

BY: Stephen Gilling
3200 Wyans Mill
Metamora, MI

RE: Follo Acres Lots #43, 44, 45

FOR: Landscape and nursery sales

Mr. Strasser said this case came before the Commission at the last meeting and was post-poned to this meeting. He has not heard anything further from the applicant.

COMMISSION RECOMMENDATIONS
AND/OR ACTION:

Moved by Bertram, seconded by Young to postpone SPR #99-19 until the next regular scheduled meeting of June 8, 1999, at 6:00 p.m.
Motion carried, 9-0.

Postponed from April 13, 1999:

2. SPR #99-20

BY: C/O John McCullough (D.A.V.)
1027 E. Bristol Rd.
Burton, MI 48529

RE: Parcel #59-34-200-019 and
Parcel #59-34-200-020

FOR: New Construction for D.A.V. Chapter

John McCullough, 1211 Anzio Lane, Mundy Township, said at the last meeting they were having difficulty with the type of building that they were going to put on that property. It was recommended that they go with a conventional building, and they are in agreement. At present, he has the floor plan for the structure, and the complete site plan. Mr. McCullough said he would like the Commission to give them authority to go ahead with their site plan preparation, and if necessary, come back before the Commission with the actual building. The entrance would be on Howe Road, 250 ft. south of Bristol Rd.

Tom McGee, 1131 Green Meadow Dr., Grand Blanc, MI, also present for the D.A.V. Chapter, indicated they are currently working out of the County Building and would like to start on the project as soon as possible. Mr. McGee spoke further regarding the project and the DPW recommendations.

AUDIENCE PARTICIPATION: No audience participation.

REGULAR PLANNING COMMISSION MEETING MINUTES
MAY 11, 1999/6:00 P.M.
PAGE -7-

Mr. Strasser said the applicant at last month's meeting requested a modular, and that has been changed to a stick built structure.

Mrs. Walls said she thinks this would be a good location for this organization because they have the Moose club there and the landscaping company behind it.

COMMISSION RECOMMENDATIONS
AND/OR ACTION:

Moved by Walls, seconded by Mayor Smiley to approve SPR #99-20.
Motion carried, 9-0.

Postponed from April 13, 1999:

3. SPR #99-21
- BY: Dan Shippy
75 Lockwood
Ortonville, MI 48462
- RE: Out Lot B Brookwood Estates and
Parcel #59-01-200-009
- FOR: Site Condominium - preliminary

John Lauder milk representing Dan Shippy, said they are presenting a conceptual drawing on the site, and it does meet the zoning requirements.

AUDIENCE PARTICIPATION: No audience participation.

Mr. Strasser said all the lots meet or exceed what is required in that zoning ordinance. This is a preliminary for a site condominium. If the Commission gives a favorable review, it is up to the applicant to provide us with a copy of the condominium document which will be reviewed by the City Attorney.

Mr. Berry asked if there is any access to the property.

Mr. Strasser indicated Potter Road.

COMMISSION DISCUSSION:

Mr. Brawner asked if the existing house would be tore down.

Mr. Lauder milk stated it will be encompassed in one of the lots.

Brief discussion followed regarding the property, construction and development.

COMMISSISON RECOMMENDATIONS
AND/OR ACTION:

Moved by Perez, seconded by Walls to approve SPR #99-21.
Motion carried, 7-2. Bertram – No, Brawner – No.
REGULAR PLANNING COMMISSION MEETING MINUTES
MAY 11, 1999/6:00 P.M.
PAGE –8-

4. SPR #99-22
- BY: Pierre Najjar
8395 Wesley Dr.
Flushing, MI 48433
- RE: Parcel #59-11-200-006
Southwest corner of Davison and Belsay Rd.

FOR: New construction for a convenience/gas station.

Pierre Najjar said he would like to develop this property and build a convenience store with a gas station. Mr. Najjar presented drawings to the Commission.

AUDIENCE PARTICIPATION:

Pauline Dargel said she has been paying attention to this property for 10 years. She stated the building is demolished and asked if the signs there will be eliminated.

Mr. Najjar stated all the signs on the property will be taken down. They demolished the building because it was in bad shape and it was on the DPW's list for demolition.

Mr. Strasser said the property was an eyesore on that corner for several years. This is a nice plan and would be a great improvement for the area.

COMMISSION DISCUSSION:

Mayor Smiley asked the applicant if he has other projects in the area.

Mr. Najjar said he just finished one on Dort Hwy. and Hemphill Rd., and another one is in construction in Grand Blanc Township.

COMMISSION RECOMMENDATIONS
AND/OR ACTION:

Moved by Bertram, seconded by Brawner to approve SPR #99-22, contingent upon DPW recommendations. Motion carried, 9-0.

5. SPR #99-23

BY: Tobin Group
31500 W. Ten Mile
Farmington, MI 48336

RE: Parcels #59-23-400-008 and #59-23-400-010
Sect. 23, R-1B Zoned

FOR: Plat approval

Mike Tobin, 31500 W. Ten Mile, Farmington, MI 48336, indicated this is the site that was approved a little over a year ago. They are here to renew the site plan and they have all their permits in place. Mr. LaDuke is checking into what City permits might be lacking.

REGULAR PLANNING COMMISSION MEETING MINUTES

MAY 11, 1999/6:00 P.M.

PAGE -9-

AUDIENCE PARTICIPATION: No audience participation.

Mr. Strasser said the applicant received approval a year ago. The ordinance stipulates that when one year lapses and a significant development has not taken place, the site plan is null and void. That is why the applicant is back before the Commission. Mr. Strasser stated further, that there has been no additions or deletions to the plan.

COMMISSION DISCUSSION:

Mr. Young asked what kind of housing this project is for.

Mr. Tobin said the project would be stick built and they are targeting around \$100,000 to \$120,000 price range.

Mr. Bertram inquired as to the comment of stick built.

Mr. Tobin said he could put a deed restriction that you cannot put a manufactured home in there, but Federal law will say otherwise that it is non-forceable.

COMMISSION RECOMMENDATIONS AND/OR ACTION:

Moved by Walls, seconded by Brawner to approve SPR #99-23.
Motion carried, 9-0.

AUDIENCE PARTICIPATION:

Pauline Dargel spoke in reference to the Master Plan and the petition in the Court St. area between Howe and Genesee Roads. She indicated if the Planning Commission is considering petitions, to make sure everyone gets a chance. Mrs. Dargel also stated in regards to changing the Master Plan, to consider the impact of the neighborhoods that are established. She is dismayed to think that there could be people affected, a whole neighborhood subdivision, and not be aware that someone is petitioning the master planners to make a change and they would be unaware.

Chuck Sekrenes, 5390 McCandlish, Burton, MI, spoke in reference to the Master Plan and asked if it has been discussed more with regards to the property on Belsay Road from the railroad tracks, north of Davison Road. He indicated that he is currently in negotiations to purchase the property. Mr. Sekrenes inquired as to the date of the public meeting.

Mr. Strasser said during Board discussion they were going to ask the Planning Commission to set the public hearing for the Master Plan.

Mr. Sekrenes spoke further regarding the property on Belsay Road and his plans that he would like to implement.

The Mayor indicated that even if the Master Plan retro-fitted to fit his needs, it still need to have the zoning text to match it.

Mr. Strasser said the zoning is still in place.

Mrs. Dargel indicated people would support Mr. Sekrenes proposal for condominiums on Davison Road.

REGULAR PLANNING COMMISSION MEETING MINUTES
MAY 11, 1999/6:00 P.M.
PAGE -10-

Ralph Misener, 2328 S. Vassar Rd., Burton, MI, inquired as to the withdrawal of ZC #243.

Brief discussion followed regarding setting the Master Plan meeting.

Mr. Berry stated the next regularly scheduled meeting will be held on June 8, at 6:00 P.M.

MEETING ADJOURNED AT 8:26 P.M.

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