CITY OF BURTON
REGULAR PLANNING COMMISSION MINUTES
JUNE 10, 1997, 6:00 P.M., COUNCIL CHAMBERS

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

MEMBERS PRESENT: Howlett, Bertram, Perez, Grantner, Berry, Merrell and Walls.

MEMBERS ABSENT: Mayor Charles Smiley and White.

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

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

Moved by Howlett, seconded by Grantner to approve the minutes of the Regular Meeting of May 13, 1997 at 6:00 P.M., as printed. Motion carried 6-0.

B. SCHEDULE PUBLIC HEARINGS FOR JULY 8, 1997 AT 6:00 P.M.:

1. ZC #228

BY: First Centrum
41650 Gardenbrook Rd., Suite 130
Novi, MI 48375

RE: 59-22-300-012
Zoned C-2 General Business
Change to HRM

FOR: Constructing Senior Housing Apartments.

2. LS #97-28

BY: Meijer, Inc. (Elga Credit Union)
2929 Walker Avenue, N.W.
Grand Rapids, MI 48544

RE: 59-22-300-002
Section 22

FOR: Commercial

3. LS #97-31

BY: Thoyd Hunter
4373 E. Bristol Rd.
Burton, MI 48529

RE: 59-27-400-002
Section 27
R-1A Zoned

FOR: Residential Use.

4. ZC #227

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

B. SCHEDULE PUBLIC HEARINGS FOR JULY 8, 1997 AT 6:00 P.M.:

4. ZC #227

RE: NW Corner of Atherton & Belsay Rds.
59-23-400-008 & Part of
59-23-400-010
Zoned R-1A

FOR: Residential Development

Moved by Howlett, seconded by Perez to Schedule the following cases for public hearings on July 8, 1997 at 6:00 P.M.: Zoning Case #228, Lot Split #97-28, Lot Split #97-31 and Zoning Case #227. Motion carried 7-0.

C. PUBLIC HEARING:

1. LS #97-23

BY: Linda Webb
2505 Pennsylvania
Flint, MI 48506-3843

RE: Lot 73 Glendale Acres
Section 14
R-1A Zoned

FOR: Residential Use.

Mrs. Webb said the reason for her request to split the lot is so she can live next door to her 81 year old mother. She said she owns the entire lot, but her mother has a life lease on it. Mrs. Webb wants to build a home on the split lot.

Mr. Berry asked what would be done with the wood shed. Mrs. Webb said the shed would have to be moved.

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

Mr. Strasser said the lot is substandard in width, so the shed would have to be moved. Also, there is no problem with the request, but the cost of the sewer tap is on the property owner, not the City.

Moved by Howlett, seconded by Walls to approve Lot Split #97-23, contingent upon DPW recommendations and the property owner paying for the sewer tap-in. Motion carried 6-0.

2. LS #97-25

BY: Mark Ely
1187 River Valley Dr., Apt.G-10
Flint, MI 48532

RE: 4289 Howe Rd.
59-34-400-010
SE Zoned

FOR: Residential Use

Mr. Ely was present and explained he is requesting the lot split to build a home. His father presently owns the lot.

Mr. Berry said he has been before the Zoning Board of Appeals and was approved with a 7-0 vote.

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

Mr. Strasser said there is no problem with the request. The cost of additional sewer tap-in is on the property owner, not the City.

Moved by Howlett, seconded by Grantner to approve Lot Split #97-55, contingent upon DPW recommendations with the cost of the sewer tap-in being done at the owners expense, not the City.

D. AUDIENCE PARTICIPATION:

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

E. SITE PLAN REVIEWS POSTPONED FROM MAY 13, 1997 AT 6:00 P.M.:

1. SPR #97-20

BY: Verspeeten Transportation, Inc.
G-4007 W. Bristol Rd.
Flint, MI 48507

RE: 4035 Jimbo Drive
59-33-100-001
M-2 Zoned

FOR: Change of Ownership.

Michael Neeley, Ansal Drive, Rochester, MI, said he was representing Verspeeten Transportation, Inc. He said they have entered into a lease agreement. The previous business was a trucking terminal and they are changing ownership.

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

Mr. Strasser said the property is up to code and the building is in excellent condition. There are no problems with the requested use.

Moved by Howlett, seconded by Perez to approve Site Plan Review #97-20, contingent upon DPW recommendations. Motion carried 7-0.

2. SPR #97-21

BY: Metro Fabricators
3162 E. Hemphill Rd.
Burton, MI 48529

RE: Metro Fabricators
Lots 2, 3, 5 Palace Plat
M-2 Zoned

FOR: Addition

Leonard Ruggles, 7227 Gale Rd., Grand Blanc, MI, said he reviewed the DPW recommendations and had no problem with them.

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

Mr. Strasser said everything that is included in the site plan is up to code. They will be putting in a physically handicap paving. Everything else is fine.

Moved by Howlett, seconded by Grantner to approve Site Plan Review #97-21 contingent upon DPW recommendations. Motion carried 7-0.

F. SITE PLAN REVIEW:

1. SPR #97-35

BY: Emro Marketing Company
500 Speedway Drive
Enon, OH 45323

RE: Speedway/Starvin Marvin
3514 E. Bristol Rd.
Part of the NE 1/4 of the NE 1/4
Section 33, Twp 7 N, Range 7 E,
City of Burton

FOR: Rebuild of existing Speedway
Convenience Store & Fuel Sales.

Chris Crisenbery, 209 E. Washington Ave., Suite 234, said the plan is to remove the structure at 3514 E. Bristol Rd. and have the complete station rebuilt. He said they are working with the Genesee County Drain Commission and will be removing the existing tanks and install new ones.

Mrs. Walls asked if it would be like the one on Center and Court St. She was advised it would be.

Mr. Strasser said this would spruce up the corner, with more parking spaces, and a canopy.

Mr. Perez asked if they acquired more property and if any geological testing had been done.

Mr. Crisenbery said yes, they had acquired more property and the testing would be done after the removal of the tanks.

Mr. Bertram said after the tanks are dug up and the testing results are returned, he would like a copy sent to the Board.

Moved by Walls, seconded by Bertram to approve Site Plan Review #97-35, contingent upon DPW recommendations. Motion carried 7-0.

G. SPECIAL USE:

1. BCPC #97-34

BY: Roger & Hope Elsworth
7012 S. Gale Rd.
Grand Blanc, MI 48439

RE: E 12 RDS of W 20 RDS of E 1/2 of
SE 1/4 of SW 1/4 Except N 20 RDS
Section 3, T7N, R7E
4219 Davison Rd.
Burton, MI 48509

FOR: Special Use permit for Roller
Skating Rink/Family Fun Center

Ron Sabo, 8275 Holly Rd., Grand Blanc, said he is the attorney for Mr. and Mrs. Elsworth. They are also present tonight if there are any questions. He explained that when the application was submitted, details of what they want to do was given to the DPW. Mr. Sabo said the property has been vacant for about two (2) years.

Mr. Sabo said Mr. Elsworth has been in the skating rink business for the past 20 years. His family owns Rollerhaven on South Saginaw Street. What they plan to do is reopen the business on Davison Road as a rollerink and encourage young people to get involved in skating and competition.

Mr. Sabo said he is aware there is a requirement between residential and commercial property regarding sound. Mr. Elsworth has retained the firm of Simoni to manage the sound control.

Audience Participation:

Mr. Berry read a note from a resident, Mr. Buttus that he did not object to the family fun center, but did have concern about the noise factor because they have to get up early for work.

Jim Townsend, 2051 Covert Rd., said he is not opposed to the rollerink, but would like peace and tranquility in the neighborhood. He said there is a Court Order regarding the noise factor. He asked Mr. Sabo if he had read the City Ordinance regarding noise.

Mr. Sabo said his clients would not violate any Court Orders and will comply with all of the City ordinances. He said if it is required, they would put in a berm, spruce trees or whatever is necessary to keep the noise down.

Mr. Townsend said the noise echoes out of the building because it is a steel building. He said the sound is not to be above 50 decimals.

Dave Sturgill, 2069 Covert Rd., said he lives east of this property. He explained that last year a sound engineer checked the noise and said the bass is bad. He said he is also concerned about the hours of operation.

Mr. Elsworth said the hours of operation would be Friday and Saturday till 11:30 P.M. and Sunday until 10:00 P.M. They will have ceiling mounted speakers and it will be well insulated so the sound can't escape and come down to the floor. We will be playing the Top 40 and some country style music. The theme will be similar to Disney and Chuckie Cheese with western rail town type of theme. Mr. Elsworth said he is aware that sound was a problem and that is why he hired a sound engineer before signing the purchase agreement.

Mr. Strasser said they have worked with Mr. Elsworth on this proposal. He said he hopes there will not be a problem for the neighbors and the City to deal with as in the past.

Mr. Sabo said they have obtained financing from Old Kent Bank and they use it to acquire the building, upgrade the sound system and operating finances.

Mr. Bertram asked about the security for the business and the lighting in the parking area. He also inquired about a sign.

Mr. Elsworth said he would be providing security, either his own or contract with a firm. He wants this to be a safe place for families to come and enjoy. He plans to have lighting in the parking area. Presently, there are six or eight light poles. He said when the sign is designed, it will be in compliance with the City ordinances.

Moved by Howlett, seconded by Walls to approve the Special Use Permit #97-34 contingent upon DPW recommendations. Motion carried 7-0.

H. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #97-29

BY: Stephanie Burge
11307 Potter
Davison, MI 48423

RE: Illusions Styling Salon
1290 N. Belsay Rd.
59-12-100-005
M-1 Zoned

FOR: Change of use and ownership.

Mrs. Burge was present and said she has owned Illusions Styling Salon for the past nine (9) years. Presently, the business is located on E. Court Street and she is planning to purchase the building on Belsay Rd.

Audience Participation:

Pauline Dargel, 6119 Hugh, asked what business is there now. She was advised Troy's Lock & Safe.

Mr. Strasser said the property is paved and barrier free. DPW recommends approval.

Moved by Howlett, seconded by Perez to approve Site Plan Review #97-29 contingent upon DPW recommendations. Motion carried 7-0.

2. SPR #97-32

BY: William A. Berry, Architect
G-4229 Corunna Road
Flint, MI 48532

RE: Pilgrim Lutheran Church
3222 S. Genesee Rd.
59-27-200-008
R-1A Zoned

FOR: Fellowship Hall Addition.

William Berry, G-4229 Corunna Road, Flint, MI, Architect, explained that the Church is in the growing stage and they need a larger fellowship hall. The parking nor sanctuary will be increased, only the Christian Administration/ Education area.

No one in the audience wished to speak.

Mr. Strasser said the use does fit the zoning. The Site Plan has been submitted and no additional parking is required.

Mr. Berry said all of the City's requirements would be met. He commended Burton and Mr. Strasser as being top in the County to work with.

Moved by Howlett, seconded by Bertram to approve Site Plan Review #97-32, contingent upon DPW recommendations. Motion carried 7-0.

. ADMINISTRATIVE SITE PLAN REVIEWS CONTINUED:

3. SPR #97-33

BY: Roger & Hope Elsworth
7012 S. Gale Rd.
Grand Blanc, MI 48439

RE: Skate Depot
E 12 RDS of W 20 RDS of E 1/2 of SE 1/4 of SW 1/4 Except N 20 RDS
Section 3, T7N, R7E
Zoned C-2
4219 Davison Rd.

FOR: Roller Skating Rink/Family Fun Center.

Ron Sabo, Attorney for Mr. and Mrs. Elsworth, said there are no problems with the list of requirements from the DPW.

Mr. Strasser said the lighting adjoining the residential area cannot shine on the homes.

Mr. Sabo said they would work with the architect so the lighting is proper.

Mr. Elsworth said the lights need to be replaced and the area needs a basic cleanup.

Mr. Bertram inquired if there would be any major renovations, and if they did, would they have to come back before the Planning Commission.

Mr. Strasser said yes, they would have to come back if any major renovations were done.

Mr. Elsworth said they didn't plan to do anything major, just general cleanup.

Mr. Sabo said his clients will comply with what is required.

Moved by Howlett, seconded by Perez to approve Site Plan Review #97-33, contingent upon DPW recommendations. Motion carried 7-0.

4. SPR #97-36

BY: St. Thomas Moore Academy
6457 E. Bristol Rd.
Burton, MI 48519

RE: St. Thomas Moore Academy
59-36-200-016
SE Zoned

FOR: Addition of gymnasium.

. Strasser said he spoke with the architect who was called out of town ...expectedly. He asked to have this case postponed until next month or asked me to intercede on his behalf. He said all of the Ordinance No. 19 regulations have been followed.

Moved by Howlett, seconded by Bertram to postpone Site Plan Review #97-36 until the next regular meeting of July 8, 1997 at 6:00 P.M. Motion carried 7-0.

5. SPR #97-37

BY: Teresa Harper
4307 Beechwood
Burton, MI 48509

RE: Caribbean Splash
5470 Lapeer Rd.
Lots 49 thru 53 Lapeer Heights
Section 14
C-1 Zoned

FOR: Change of Use-Tanning Salon.

Teresa Harper, 4307 Beechwood, Burton, said she has followed everything as asked by the DPW and has applied for her permits.

Mr. Strasser said the building they plan to use meets the codes with adequate parking. DPW has no problems with the request.

Moved by Howlett, seconded by Grantner to approve Site Plan Review #97-37 contingent upon DPW recommendations. Motion carried 7-0.

J. BOARD DISCUSSION:

Mr. Grantner said at the next meeting he would like to discuss the process and procedures of the Planning Commission.

The next regularly scheduled meeting will be held July 8, 1997 at 6:00 P.M.

Meeting Adjourned at 7:05 P.M.

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

cml