

CITY OF BURTON
REGULAR PLANNING COMMISSION MEETING MINUTES
JULY 14, 1998, 6:00 P.M., COUNCIL CHAMBERS

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

MEMBERS PRESENT: Bertram, Millard, Grantner, Berry, Mayor Smiley; White, Perez and Walls.

MEMBERS ABSENT: Howlett.

OTHERS PRESENT: D. Lowthian, Assessor; T. Strasser, Deputy Planning Official and C. Ladd, Deputy City Clerk.

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

Moved by Grantner, seconded by White to approve the minutes of the Regular Meeting of June 9, 1998, 6:00 P.M. and Special Meetings of June 3 and 16, 1998 at 6:00 P.M., as printed. Motion carried 7-0.

B. SCHEDULE PUBLIC HEARINGS FOR AUGUST 11, 1998 AT 6:00 P.M.:

1. ZC #237

BY: Timothy J. Cocke
11564 Shell Bark Ln.
Grand Blanc, MI 48439

RE: Parcel #59-31-400-067
Section 31
Zoned R-1C to RM

FOR: Multiple Family Use

2. ZC #238

BY: J. Allen Jordan-Member Integra Ent., LLC.
GM Worldwide Real Estate
PO Box 5508
Pinehurst, NC 28374

RE: Part of Parcel #59-10-100-022
Center Road-Next to Starlight Coney Island
Restaurant
Section 10
Zoned M-2 to M-1

FOR: Retail Auto Parts Store

Moved by Walls, seconded by Perez to schedule Zoning Case #237 and Zoning Case #238 for public hearing on August 11, 1998 at 6:00 P.M. Motion carried 7-0.

C. PUBLIC HEARING:

1. ZC #236

BY: Franklin Yow, 13389 Lake Shore, Fenton, MI
James & Margaret Delano, 5349 E. Maple Ave.,
Grand Blanc, MI 48439

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C. PUBLIC HEARING:

RE: 5349 E. Maple
Parcels #59-35-400-025, #59-35-400-026 and
#59-35-400-027, Section 35
Zoned SE to R-1A

FOR: Residential Development.

Brandon Eister, 4327 Colby Lane, Grand Blanc, MI, said he is representing the land owners, as the developer of the property. He explained the request is to rezone the property from SE to R-1A for a residential subdivision on these parcels.

Audience Participation:

Pauline Dargel, 6119 Hugh, asked if there was any difference between this request and the one which was previously made. She asked if any portion of the development would be dedicated for recreational use.

Mr. Strasser said the request for rezoning is the same, but there was a glitch in the paper work, so a decision was made to start the process from scratch.

Mr. Eister said there are no plans at the present time for dedication of land for recreational use.

Mr. Strasser said the subdivision would be serviced with sanitary sewer. The original zoning ordinance requires one acre lots.

Mrs. Walls asked what size the lots would be in this development. She was advised approximately 85x150 foot lots.

Moved by Grantner, seconded by Bertram to recommend approval of Zoning Case #236 to the City Council, contingent upon DPW recommendations. Motion carried 8-0.

D. AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh, inquired about Site Plan Review #98-45 being zoned C-4. She also made reference to the legal notices posted in the newspaper.

Mr. Berry said he would be deviating from the agenda and hearing the Administrative Site Plan Reviews prior to the Site Plan Review.

Shannon Mosier, Rowe, Inc., said she is representing Doug Piggott, Planning Director of Rowe, Inc. She gave a brief synopsis on the master plan and the result of the Town Meeting held on June 23, 1998. Ms. Mosier said during the month of July, Rowe Staff will review the goals and policies and will be reporting back to the Planning Commission before the August meeting. It was agreed that the second public input session will be held on September 23rd, at the Burton Senior Citizens Center.

F. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #98-41

BY: Bernadine Mashburn
6162 Cold Spring Tr.
Grand Blanc, MI 48439

1. SPR #98-41

RE: Burton Blueprinting, Inc.
Lot 852 Baker Park #1
Section 30
C-2 Zoned

FOR: Change of Use.

Mrs. Mashburn was present and explained that Burton Blueprinting, Inc., is a change of ownership, not a change of use. She said he has had the business opened since June 15. All conditions have been met and she has no problem with any of the DPW requirements.

Moved by Bertram, seconded by Millard to approve Site Plan Review #98-41, contingent upon DPW recommendations. Motion carried 8-0.

2. SPR #98-43

BY: Wendell L. Norman
5151 VanSlyke Rd.
Flint, MI 48507

RE: Norman Realty
1203 E. Bristol Rd.
Lot 88 of Burton Gardens
Section 30, C-2 Zoned

FOR: Real Estate Office.

Rick Swihart, 1111 S. Creekwood Trail, Burton, MI, said he is representing Mr. Norman. He has reviewed the DPW recommendations and has no problem with any of them. Mr. Norman is asking to have a real estate office on E. Bristol Road.

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

Mr. Strasser stated all requirements have been met or exceed the ordinance. There are more parking spaces than what is required and DPW recommends approval.

Mr. Berry inquired about the dumpster being located in the same place.

Mr. Norman said he could put one in the same place and would implement new screening on the plan.

Mr. Bertram inquired about the zoning. Mr. Strasser said the property is zoned C-2.

Moved by Bertram, seconded by White to approve Site Plan Review #98-43, contingent upon DPW recommendations. Motion carried 8-0.

E. SITE PLAN REVIEW(S):

1. SPR #98-45

BY: Jeffrey Sobel
30800 Northwestern Hwy., 2nd Floor
Farmington Hills, MI 48334

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1. SPR #98-45

RE: Lowe's/Pep Boys/Outlots 2 & 3

4274 E. Court St.
Parcel #59-15-100-018
Zoned C-4

FOR: Commercial Development & Request for
4" Additional Pylon Signs.

Rick Walker, 30800 Northwestern Hwy., Farmington Hills, MI, said he is representing Lowe's Home Center and is requesting approval for the site plan. He gave a brief history of the property at this location. He said Lowe's has made a commitment to develop a portion of the property and they have negotiated with the owners of Courtland Mall for easements and the plan has been approved by Forest City. Mr. Walker gave a brief background on Lowe's type of home center business and stated they came into the Michigan market area about 6 months ago. They recently opened a facility in Flint Township and are the largest auto provider in the County. There are two Outlots with no particular retailer use, but there are restaurants who may be interested. One significant concern with the site plan is the placement of the traffic light. The driveway for the development would be in conjunction with that of Home Depot and the light would be installed at this location.

Audience Participation:

Bill Young, 1061 Arapaho Dr., addressed the issues of increased traffic, noise currently from Home Depot and the possibility of getting an additional traffic light for the residents to get in and out of their subdivision easier.

Debra Fader, 1029 Pawnee Dr., said she would like to see the speed limit dropped to 35 MPH and also a traffic signal at the subdivision entrance.

Donna Glann, 1475 Ives, suggested the unoccupied buildings be used for this business rather than construct another building. She addressed the problem with the parking lot area of Home Depot and asked to have a buffer from the noise for the residential neighborhood.

Helen Woody, 1271 Arrowhead Dr., would like to have a traffic survey done.

Larry Petrella, 1081 Howe Rd., discussed the noise problem of Home Depot and asked about traffic and market studies being done. He also inquired about drainage for the storm sewer, a more detailed site plan and commented that he didn't think there was enough information given to approve this site plan.

Mr. Walker explained there will be a full and complete engineering plan done following the approval of the site plan.

Mayor Smiley noted there will be a retention pond, if necessary, 100 feet from Howe Rd. He said he agrees with the need for a traffic light being placed at the entrance to the subdivision, but at this time, a traffic study does not require one. He said the traffic studies and drainage issues are done through the County. Mayor Smiley said he held a Town Hall Meeting to get input from the residents regarding Lowe's coming into the City.

Julie Rencsek, 1093 Zuni Dr., said she came to Burton to a quiet setting and to raise her family. She would rather see a development like a Senior Citizens High Rise. She asked to be kept informed of things happening in Burton.

Pauline Dargel, 6119 Hugh, inquired as to whether this was a sketch development under C-4 Zoning.

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Mr. Strasser explained this is a site plan review and another term for the site plan would be sketch plan. The preliminary and final development plans follow this procedure. He said the setback requirements meet or exceed the ordinance. The southwest corner would be the loading dock area, which is far removed from

the Howe Rd. residents. On the application they are asking for 4 additional Pylon signs. This request will go before the Zoning Board of Appeals for approval of the height variance. There is 30 feet allowed and they are asking for 38.6'. which is a 9' height variance. This site fits the C-4 zoning. Pep Boys will be installing tires, batteries, antifreeze, etc. Other issues, such as drainage, is an engineering function, as well as water and sewer and plans will be submitted through the engineering firm. After the plans are submitted, this could be brought back before the Board for your review. DPW believes this use does fit the zoning and criteria by the zoning ordinance.

Mayor Smiley said he shared the resident's concerns, which include the light on Court Street at either Pawnee or Arapaho. He said he agrees that a light is necessary at one of these streets, as well as a traffic light at the entrance to Lowe's.

Mr. Walker said Lowe's would agree to pay one half the cost of the light, up to \$25,000.00, at Court Street and the subdivision entrance if it is warranted, but it is up to the County Road Commission to make this determination. He noted that the truck traffic faces away from the residential homeowners, on the west side of the building. The traffic will be able to move between the mall and Lowe's without going onto Court Street, therefore, the traffic will be somewhat controlled within the mall area. Pep Boys looks like a standard retail building. We are aware of the 100 foot setback as it relates to this project. All drainage must meet the County requirements. There will be no outdoor storage and the light shielding requirements will be met. We want to be a good neighbor to the residents.

Mr. Bertram said he thought there was a time frame for the trucks to stop operating for Home Depot. He stated he would like to see the final engineering plans brought back before the Planning Commission.

Mr. Walker said if an ordinance is on file regarding the hours of operation, Lowe's will comply with the hours of operation. He noted the building sign will be on the rear of the building and they are asking for 3 pylon signs along I-69, for Lowe's, Pep Boys and 2 Outlot businesses. If the size of the signs are done as required by the ordinance, it would be difficult to see on I-69 with the rate of speed of traffic.

Mr. Grantner said he was concerned about the enforcement of the hours of loading and unloading at Home Depot. He said some concerns which should be addressed are the enforcement of the ordinance, safety and quality of life. The whole area at Genesee and Belsay Roads is exploding and it is critical to have a light with this project. He said he thinks this should be made clear to the Council when they look at the proposal. The individuals concerns from a safety aspect should be considered when doing this development.

Mr. Walker said he has no problem with having a traffic light at the entrance to the subdivision, and would agree to pay up to \$25,000.00 should it be deemed necessary by the County Road Commission. He said Lowe's would like to start construction this year.

Mayor Smiley asked about the storage of the lumber Mayor Smiley also inquired about the maintenance of the retention pond and possibly the use of unionized trades.

Mr. Walker advised the Mayor that the lumber would be stored internally. Also, maintenance of the retention pond would be addressed and the use of unionized trades is between Lowe's and their contractor.

Discussion was held regarding the placement of the light at the entrance to Lowe's, across from Home Depot.

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Mrs. Millard asked who owned the property of the proposed development. She was advised it is owned by the mall.

Moved by Bertram, seconded by Millard to approve Site Plan Review #98-45, contingent upon the following stipulations:

1. Traffic light be installed at entrance to Lowe's.
2. Continued maintenance of the retention pond.
3. Abide by same hours of operation as that of Home Depot.
4. Pay up to \$25,000.00 for installation of second traffic light at the intersection of Court Street and the Maple Court Subdivision, if deemed necessary by the Genesee County Road Commission.
5. Properly shielded lighting from the residential property.

Motion carried 8-0.

G. BOARD DISCUSSION:

Discussion was held regarding the next Master Plan meeting. It was agreed upon by the Board to meet on September 23rd, 1998 at 6:00 P.M., and November 4th, 1998 at 6:00 P.M., at the Burton Senior Citizen's Center.

The next regularly scheduled meeting will be held on August 11, 1998, at 6:00 P.M.

Meeting Adjourned at 7:43 P.M.

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

CML