

CITY OF BURTON
REGULAR PLANNING COMMISSION MEETING MINUTES
JULY 18, 2000, 6:00 P.M., COUNCIL CHAMBERS

THE REGULAR MEETING IS CALLED TO ORDER BY JERRY GRANTNER AT 6:00 P.M.

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

MEMBERS ABSENT: None

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

Moved by Young, seconded by White to approve the minutes of the Regular Planning Commission Meeting of June 13, 2000, at 6:00 p.m. Motion carried 8-0.

B. PUBLIC HEARINGS:

Post-poned from June 13, 2000:

- | | |
|------------|---|
| 1. ZC #255 | BY: Burton Administration
4303 S. Center Rd.
Burton, MI 48519 |
| | RE: Zoning Ordinance #19
Text Change |
| | FOR: Non-conforming Use Changes
Orientation of Home Addition |

Mr. Strasser indicated at the June Planning meeting, the first portion of this ordinance passed regarding the reconstruction of damaged homes and non-conforming structures. The second portion of the ordinance dealt with the orientation of residential structures, the front of the home is to face the street. The Planning Commission members requested to see the language on it and placement within the ordinance.

AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh St., Burton, MI, stated she is not clear as to the orientation of the home on the lot and if it pertains to an existing neighborhood, looking at new development as well, or new development alone. She spoke further of development in Davison Township along Irish Road and placement of the homes.

Attorney Hamilton said Mrs. Dargel is referring to access to the lot that fronts on two streets. In regards to the proposal at Bristol and Belsay Road, some lots will have exposure on interior subdivision streets as well as Belsay Road, which is a County Road. The County in those situations requires that primary access not be the primary road, but to the City street. This text change is not what this is designed to deal with. It is designed for placement of manufactured housing, which are BOCA compliant, on existing lots. The front door will be in the front of the house as is a conventionally placed house, or at least if on the side face of the structure within the front 25% facing the road of that structure. This would be applicable for both existing neighborhoods and any new neighborhoods that would be developed in the future.

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COMMISSION RECOMMENDATIONS AND/OR ACTION:

Moved by Bertram, seconded by Perez to approve ZC #255.
Motion carried, 9-0.

2. ZC #254

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

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

FOR: Senior Housing Development

Pat Parker from Simen, Figura & Parker, said he is here on behalf of Mary Rolfe & Associates, and also with him is Mary Rolfe and the architect. They have passed out photographs of similar projects Mary Rolfe has built in Genesee County. The land they are looking at is approximately 10 acres in size and presently zoned C-2. Their understanding is the future land use map does not provide for the entire area to be C-2. They feel the classification of HRM is a good buffer from the single family residential on Christner Street and any commercial activity. Mr. Parker stated further, the development will be a three story building.

Mr. Parker passed out information to the Planning Commission members regarding a market study speaking of the need for this type of housing. He spoke briefly regarding the Lockwood Group's proposal and approval.

Mr. Parker said they are asking for a less intensive zoning then C-2. They are acting in conjunction with the church that presently owns the property. Mary Rolfe & Associates has a contract with the church to purchase and develop a portion of the property for that project and partner with the church.

Mary Rolfe said she is present owner of Mary Rolfe & Associates located in Flint, MI, and has lived in Genesee County for 58 years. Her development is planned at almost 7.9 million dollars, a three story senior housing for seniors age 55 and older. The building will have a beauty salon, library, grocery store, pool room, seating areas, and a beautiful 10 acre ground. It is extremely important to her because in the past they have built a 100 unit development on 6 acres or less and this time they have 10 acres. Ms. Rolfe said the development, CK Gardens, will have 100 units and rents are as low as \$337.00 a month for a 750 sq. ft. one bedroom and one bath unit. That is 40% of area median income. They will have units at 50% of area median income which will afford two bedrooms and 2 baths as low as \$434.00 a month. Two bedroom and two baths go up to \$667.00 a month.

Ms. Rolfe stated further, they realize this could be regarded as a competitive development with a prior developer, which they have both discussed this situation at great depth, and agree that the Lockwood development will care for the frail elderly, a congregate facility. Their's is not, and is purely an independent living facility which will have very active and possibly employ senior citizens 55 yrs. old and older. The Lockwood development is geared to congregate housing, meals on site, housekeeping and laundry. Their rents are considerably higher then ours. Ms. Rolfe stated further, Mr. Lockwood and I regard these developments as completely compatible and complimentary of each other. They have with them this evening, the architect Jim Pappas, and also land use designer, architect Ken Michael.

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Mr. Pappas spoke briefly regarding access to the site, and indicated he has brought renderings of the project. He stated their firm has been involved with over 200 projects related to senior housing and presented exhibits to the Commission.

Mr. Grantner said this is a zoning case and not a site plan review.

COMMISSION DISCUSSION:

Mr. Hohloch said in looking through the packet there is a description by Flint Surveying, he noticed a rendering underneath that is a little more detailed, but he is still unsure on the exact boundary of the area they are asking to rezone. He also has not had the chance to review the marketing survey.

AUDIENCE PARTICIPATION:

Monte Mansfield, 3490 Lippincott, Burton, MI, said the billboard sign states 20 acres spiritually development site. He inquired regarding the location of the 10 acres, access to Center Road, taxes, if sewer, water and drains have been met, a rehab center, and if this project is government funded.

Ms. Rolfe said the proposal is for funding from the Michigan State Housing Development Authority. It is not federally subsidized and there is no plans for a rehabilitation center. In every case, they have developed exactly what they said they were going to develop. Her field is senior housing and not rehabilitation. She cannot address the tax issue right now. Ms. Rolfe indicated further that Ebenezer Church owns the property and she has option for 10 acres.

Cleandous Lanter 3402 Lippincott, Burton, MI, spoke of concerns regarding traffic at Christner and Lippincott, sewer and water issues, and taxes.

Mr. Grantner indicated sewer and water is a site plan issue, and this is a request for a zoning change, and those issues are not addressed at this time.

Mr. Hamilton said the church would sell this property and would no longer be owned by the church. Based on prior experiences, the developers would probably come to the City and request a Pilot Ordinance, which is a payment in lieu of taxes.

Urundi Knox, 4408 Lippincott, Burton, MI, said he is a professor of business at Mott Comm. College, pastor of Ebenezer Ministries, and former Vice-President of Career Alliance under Govenor Engler, for welfare to work programs. Mr. Knox spoke briefly regarding his start with the church and indicated they have 700 active members. Their ministry's focus is the elderly, battered and abused women, and working with prison ministry. Their sign states they are developing a 20 acre spiritual and economic development. Ten acres are earmarked to Mary Rolfe & Associates because they met with the goals and objectives of their ministries.

Carol Mansfield, 3490 Lippincott, Burton, MI, asked if everything that is zoned commercial, they want changed to HRM, and if this is spot zoning.

Mr. Parker responded that the rezoning request is just for the 10 acres and is consistent with the existing neighborhood.

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Roscoe Hill, Jr., said he is a member of Ebenezer Ministry, and re-iterated that their focus is on the elderly, battered and abused women and the incarcerated. He stated with the City's approval, they believe the project will be a glowing light in the community and proud to show to other cities.

Mr. Strasser stated the existing Master Plan indicates this property as C-2. It would be a good buffer between the left commercial property and residential zoning to the west if developed as such.

COMMISSION DISCUSSION:

Mr. Bertram inquired regarding the comment made of training for the incarcerated.

Mr. Knox indicated they go to the prisons and administer there, it is not a site in Burton.

Mr. Perez inquired regarding financing and if they have had any input back as yet.

Ms. Rolfe responded yes, they are currently in the appeal process with MSHDA.

Mr. Perez asked if it has anything to do with the prior approval of her competitors.

Ms. Rolfe responded that it does.

Mr. Perez inquired further, that if this is turned down by MSHDA would the project still continue.

Ms. Rolfe indicated it would with the City's approval.

Mr. Young asked if there are any time lines.

Ms. Rolfe said they have not begun their full architectural design yet. It is subject to approval for zoning by this Commission and approval by the Burton City Council. With the site plan they would commence their financing immediately, and hopefully start the project late spring of 2001.

Mr. Young said he shares the concern of Mr. Hohloch that it is difficult to visualize what they want zoned HRM. He would like to see a more definitive map showing exactly what they want re-zoned.

Ms. Rolfe apologized for the lack of information. They checked tax documents sent to them and with the description, which was taken from the legal description from Flint Surveying & Engineering, they thought it would be sufficient.

Mr. Hohloch re-iterated his discomfort with the existing data they have. They were given a market survey and some other information which he would like to review. He spoke further regarding Mr. Lockwood concurring with Ms. Rolfe on the market analysis, and inquired regarding ownership.

Ms. Rolfe said it is an option agreement, and is her development. She is bringing Ebenezer Ministries in as a partner in her general partnership. They will be a minority member in the general partnership. The financial legal obligations are hers in full.

Mr. Hohloch asked if you have a non-profit entity as a limited partner, is there any tax ramifications.

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Mr. Hamilton responded that the partnership would be a taxable entity and would be eligible pursuing that it qualifies for either MSHDA financing or MSHDA credits. It is his understanding it would be eligible under the

statutes for a Pilot Ordinance. There is a fee for service that is still available and there is the amount payable under the provision of the Pilot Ordinance. It is not tax exempt, there would be money paid in lieu of taxes.

Ms. Rolfe said she believes at the present time there are no taxes on that site.

Mr. Hohloch requested a scale drawing.

COMMISSION ACTION AND/OR ACTION:

Moved by Young, seconded by Bertram to table ZC #254 until the next Regular Planning Commission meeting so the Planning Commission can obtain the information they have requested.

AUDIENCE PARTICIPATION: No audience participation at this time.

D. ADMINISTRATIVE SITE PLAN REVIEW(S):

- | | |
|---------------|--|
| 1. SPR #00-29 | BY: Kayleen Smith
5112 Winston Dr.
Swartz Creek, MI 48473 |
| | RE: Smitty's Towing
3098 Kleinpell
Burton, MI
Lots 79, 80 and 81 Supervisor's Plat of
Atherton Gardens |
| | FOR: Towing yard storage area. |

The applicant was not present.

COMMISSION RECOMMENDATIONS AND/OR ACTION:

Moved by Bertram, seconded by Young to post-pone SPR #00-29 until the next Regular Planning Commission meeting. Motion carried, 8-0.

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|---------------|--|
| 2. SPR #00-30 | BY: Roxann Boisclair
7092 E. Carpenter Rd. |
| | RE: Rocki's Relaxation Massage
4251 Davison Rd.
Lots 1, 2, 3 Hammond Gardens, Section 3
C-2 Zoned |
| | FOR: Additional use |

Roxann Boisclair, 7092 E. Carpenter, said she has an established tanning spa and swim wear, and would like to also to have therapeutic massage.

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AUDIENCE PARTICIPATION: No audience participation.

Mr. Strasser said the tenant space she would occupy is a commercial building on the northwest corner of Davison and Covert. It is a multi-use building, the building inspector has been through the facility and it meets all qualifications of BOCA. Mr. Strasser said he has been instructed that all uses will come back before this body.

COMMISSION DISCUSSION:

Mr. Brawner asked if all businesses such as those at Courtland Center will start coming before the Planning Commission.

Mr. Strasser indicated to his understanding, yes.

Brief discussion followed regarding administrative site plan reviews.

COMMISSION RECOMMENDATIONS AND/OR ACTION:

Moved by Young, seconded by Hohloch to approve SPR #00-30.
Motion carried, 9-0.

3. SPR #00-31	BY: Anthony Patric Co., Inc. / Pat Mannor 203 Church St. Grand Blanc, MI 48439
	RE: Tom's Coney Café 3441 Fenton Rd. (Former Taco Bell)
	FOR: Change of ownership

Pat Mannor, 203 Church St., Grand Blanc, MI, said they are proposing to do esthetic improvements and take ownership of the former Taco Bell.

AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh St., Burton, MI, inquired regarding the location and spoke of traffic concerns for residents on Mandeville.

Mr. Mannor said he plans to abandon the drive thru and they are planning on using the drive as a delivery area.

Mr. Strasser said the drive thru will be abandoned and used as a delivery point. They are going to add three handi-cap parking spaces directly adjacent to the north side of the building where the entrance will be.

Mr. Mannor said part of the project will include re-surfacing the parking lot and re-working the curbing in the drive thru area. Mr. Mannor showed a rendering of the building and spoke further of improvements to the site and the restaurant's menu.

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COMMISSION RECOMMENDATIONS AND/OR ACTION:

Moved by Hohloch, seconded by Young to approve SPR #00-31.
Motion carried, 9-0.

COMMISSION DISCUSSION:

Mr. Grantner spoke regarding the change of date of the next Regular Planning Commission Meeting due to the August 8, 2000, Primary Election.

COMMISSION RECOMMENDATIONS AND/OR ACTION:

Moved by Young, seconded by Perez to schedule the next Regular Planning Commission Meeting for August 15, 2000, at 6:00 p.m.
Motion carried, 9-0.

COMMISSION DISCUSSION:

Discussion followed regarding administrative site plans.

Mr. Hohloch said there are pros and cons, and it is good for the Board to know what is going on.

Mr. Bertram commented regarding change of ownership of USPCI and Laidlaw.

Mr. Strasser said there are cases he has received calls from lending institutions asking for formal approval, a business license or copy of the minutes. Most people that have businesses want something official.

Mr. Young commented regarding the length of the agendas.

Mr. Strasser indicated he could re-vamp the agenda so there are different categories.

Mrs. Walls said she liked it better when everything came before the Board.

Mr. Brawner asked if it would also include temporary businesses.

Mr. Strasser said in years past they were not required to come before the Board, but the Board had a list.

Mr. Perez suggested they be put first on the agenda.

Mr. Grantner said he thinks the Board's concern is not so much clogging the agenda as it is they want to know what is going on in the City.

Mr. Strasser said he can have something to show the Board at the next regular meeting.

Mr. Bertram commented that Safety Kleen has filed Chapter 11, and spoke of concerns that he and residents have.

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Mr. Grantner indicated at the last meeting they requested a copy of the original minutes to review exactly what they promised.

Discussion followed regarding change of ownership, a representative from the City to address the Board, the amount of containers on the property, reviewing the original minutes and any changes made by the ZBA.

Mr. Grantner said it would be helpful to have that information included in their packets for the August 15th meeting.

Mayor Smiley said they will have a copy of everything on file of the original meetings, and a report from the Assistant Fire Chief.

Mayor Smiley spoke regarding the Master Plan and indicated there has been problems. He spoke with Jeff Major in moving it forward. Mayor Smiley indicated he has heard positive comments from residents with regards to road improvements and good development projects. He spoke briefly regarding deed restrictions on a condominium project.

Mr. Grantner indicated the next regularly scheduled meeting will be held on **Tuesday, August 15, 2000, at 6:00 P.M.**

MEETING ADJOURNED AT 7:40 P.M.

Julie Adams
Clerk's Office