

CITY OF BURTON
REGULAR PLANNING COMMISSION MEETING MINUTES
AUGUST 10, 1999, 6:00 P.M., COUNCIL CHAMBERS

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

MEMBERS PRESENT: Berry, Bertram, Brawner, Grantner, Perez, Walls, White and Young.

MEMBERS ABSENT: Mayor Charles Smiley.

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

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

Moved by Bertram, seconded by Young to approve the minutes of the Regular Meeting held July 13, 1999 at 6:00 P.M., as printed. Motion carried 7-0.

B. SCHEDULE PUBLIC HEARINGS FOR SEPTEMBER 14, 1999 AT 6:00 P.M:

1. LS #99-38

BY: Lucinda Duehring
5121 Raymond
Burton, MI 48509

RE: Lot 123 Garden Acres
Section 13
R-1B Zoned

FOR: Residential Use.

2. LS #99-39

BY: Guy H. Burns
5176 Kendall Dr.
Burton, MI 48509

RE: Lots 65 & 66 Vodden Little Farms #1
Section 14
R-1A Zoned

FOR: Residential Use.

Moved by Grantner, seconded by White to schedule Lot Split #99-38 and #99-39 for public hearing for September 14, 1999 at 6:00 P.M. Motion carried 7-0. (Mr. Perez was not present for the vote)

C. SPECIAL USE:

1. BCPC #99-33

BY: Charles McCann
13933 Eckles Rd.
Plymouth, MI 48170

RE: G-1145 N. Belsay Rd.
Burton, MI 48509

FOR: Penske Truck Leasing would like to open the Penske Auto Center on G-1145 N. Belsay Rd. as a truck rental agent. Would require parking up to 10 vehicles maximum on the parking lot overnight.

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Charles McCann, 702 Harding, Plymouth, MI 48170, stated they are trying to use their sister company, Penske Auto Service, as Penske Truck Leasing Agent. There will be a maximum of 10 vehicles, as we operate on a just in time inventory. We don't let trucks sit that are not being utilized and we don't rent out trailers. Our equipment is 1996 or newer. The vehicles are rented through reservations.

Mr. Berry asked if this location is on the K-Mart property. He asked if all of the property would be utilized or just a portion of it.

Mr. McCann said yes, this is the K-Mart property and we would only utilize the portion by the Auto Center area.

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

Mr. Strasser said the property is zoned C-3 and a Special Use is allowed for this type of operation. There is plenty of room to park the vehicles. There are many more parking spaces than what is required by the ordinance. DPW recommends approval.

Mr. Young asked if the parking could be limited to the north end of the parking lot and if the vehicles could be parked in a row. He also asked if a specific time limit could be set for the Special Use Permit.

Mr. Strasser said conditions may be placed on the special use, but a time limit could not be set.

Mr. Perez asked if the vehicles would be in a fenced area. Mr. McCann said no, they would be left out with the keys locked in them.

Mr. Grantner asked what size trucks would be involved.

Mr. McCann replied there are four sizes of trucks with the smallest being a 10-foot truck with a box on the back. The largest truck is a 25-foot box with total length of 32 feet.

Mrs. Walls asked what would happen if there were more than 10 trucks parked there at one time.

Mr. Strasser said this would be a violation of the ordinance and would be handled accordingly. It is an honorary system and rather difficult to control.

Mr. Grantner said he agreed with Mr. Young in having the vehicles parked in an orderly fashion.

Mr. McCann said they would have all the trucks parked in and aligned in their proper spots. They would park them wherever the City designates.

Mr. Perez asked if the use could be changed, should Penske move out.

Mr. Strasser said no, because the use permit is there and the property is zoned for this type of business. A key player in this is K-Mart. They own the property and have some controls on this also.

Mrs. Walls stated the zoning classification goes with the land.

Discussion continued regarding the Special Use Permit and options should Penske move out and another business of a similar type moves in.

Moved by Walls, seconded by Brawner to approve BCPC #99-33, contingent upon DPW recommendations.

Moved by Young, seconded by Bertram to amend the motion, adding that the vehicles are to be parked at the north end of the K-Mart building and parked in an orderly fashion.

Amended Motion carried 7-1 with Mr. Perez voting no.

Main Motion carried 8-0.

D. PUBLIC HEARING(S):

1. LS #99-31

BY: Howecourt Development, L.L.C.
30800 Northwestern Hwy., Second Floor
Farmington Hills, MI 48334

RE: Parcel #59-15-100-018 (Lowe's)
4274 Court St.

FOR: Commercial Use.

Bill Blake, 105 Arch Dr., Holly, MI, said the drawings were self-explanatory. They are hoping to create out-lots for restaurants or other compatible uses, by Lowe's..

Mr. Berry asked if there would be two restaurants. He was advised yes, they are hoping so.

Audience Participation:

Larry Petrella, 1081 Howe Rd., asked Mr. Blake if there was anything scheduled for this property at the present time. He was advised no. Mr. Petrella asked if Mr. Blake was aware of the 100-foot buffer from the residential properties. He was advised yes, they are aware of the deed restrictions. Mr. Petrella complained about the dust, and mounds of dirt needing to be re-seeded. He asked the Members to be cautious when granting the lot split. He also complained about the lighting,

Mr. Strasser said the conceptual plan for this property was for Pep Boys. Leasing off out-lots is a common practice in the business world.

Mr. Petrella said the lighting was supposed to be shielded and he would like more conditions on the people who want these lots, than what was placed upon Lowe's. He requested to be notified when the property will be occupied.

Mr. Strasser said the out-lots meet the ordinance requirements and there is sufficient room for the buildings and the parking area. When the developments are laid out like this proposal, they usually have reciprocal parking agreements for any overflow of parking. DPW has no problem with the request.

Mr. Perez asked that the lighting be shielded so it isn't bothering anyone.

Mr. Strasser said the site isn't completed, but all requirements will be adhered to prior to issuing Occupancy Permit.

Moved by Bertram, seconded by Grantner to approve Lot Split #99-31, contingent upon DPW recommendations. Motion carried 8-0.

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2. LS #99-32

BY: Belsay & Lapeer, L. L. C. "Jar Group"
500 N. Woodward, Ste. #330

Bloomfield Hills, MI 48304

RE: Lots 1, 2, 3, 7 & 8, Sup. Plat #8
Section 13
C-2 Zoned

FOR: Commercial Use.

Steven Swartz, 500 N. Woodward, Bloomfield Hills, MI 48304, explained the reason for the lot split is for financing purposes. The Rite Aid store is now done, and we want to secure loan.

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

Mr. Strasser said there will be nothing noticeable at the site, only a line on a piece of paper that shows the property description.

Mr. Perez asked if they planned to utilize the existing building.

Mr. Swartz said they would continue to market the space and hope to develop the center, but don't know who will occupy the space. They plan to have more retail stores.

Moved by Young, seconded by Perez to approve Lot Split #99-31, contingent upon DPW recommendations. Motion carried 8-0.

3. ZC #246

BY: City of Burton
4093 Manor Dr.
Burton, MI 48519

RE: Delete Section 5.29 Ordinance #19 in its entirety.

Mr. Strasser said currently in the Zoning Ordinance there is one paragraph blurb concerning radio and television towers. Recently, the City Council passed a more restrictive ordinance, and therefore, would like to have this section deleted from the zoning ordinance.

Audience Participation:

Pauline Dargel, 6119 Hugh, said the notice was not published for this zoning case and if the board acts on this tonight, it would be illegal. The Deputy Clerk advised her, that the notice was published on July 22, 1999, in the Flint Journal, per Mr. Hamilton's office.

Moved by Young, seconded by Bertram to recommend approval of Zoning Case #246. Motion carried 8-0.

E. AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh, asked if the members of the Planning Commission have been provided with an executive summary of the master plan, as requested by Mr. Young. She asked about notification to the people about when the next public hearing would be for the master plan. Mrs. Dargel thinks the members should have a letter from the County Road and Drain Commission, prior to acting on a site plan. She referenced the property on Belsay Road and I-69.

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Mr. Bertram said he thinks it would be a good idea to have the reports prior to the meeting. However, the County does not get their reports back to the City in a timely fashion and the applicants would have their projects on hold.

Mr. Perez stated we used to ask for their opinion, but didn't get a response.

Mrs. Walls said it became the County's policy not to respond in the interest of time and money.

Mr. Strasser said at one time all the zoning cases were mailed to them, but then they said if we sent any more zoning cases to them, they would start charging us for their services.

A brief discussion continued.

F. BOARD DISCUSSION:

Mrs. Walls asked if the dirt that is piled at Lowe's would be moved. She was advised yes.

Mr. Berry said he was told they are under contract to remove the dirt.

Mrs. Walls noted that they would be opening on August 18th to put merchandise in the store and open to the public on October 1st.

Discussion was held in regards to changing the date of the Master Plan Workshop.

Moved by Young, seconded by Bertram to cancel the Master Plan Workshop on August 24th and Public Hearing on September 28th and schedule a Work Session on November 23, 1999 at 6:00 P.M. Motion carried 8-0.

The next regularly scheduled meeting will be held on September 14, 1999, at 6:00 P.M.

Meeting Adjourned at 6:50 P.M.

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

CML
cml