CITY OF BURTON
REGULAR PLANNING COMMISSION MEETING MINUTES
SEPTEMBER 10, 2002, 6:00 P.M., COUNCIL CHAMBERS

The Regular Meeting was called to order by Chairman Jerry Grantner at 6:00 P.M.

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

MEMBERS ABSENT: Mayor Charles Smiley and Hohloch.

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 Young, seconded by Bertram to approve the Minutes of the Regular Meeting of August 13, 2002 at 6:00 P.M., as printed. Motion carried 7-0.

B. SCHEDULE PUBLIC HEARINGS FOR OCTOBER 8, 2002 AT 6:00 P.M.

1. LS #02-44

BY: Fred Johnson
6394 Pinebrook Lane
Burton, MI 48509

RE: Parcel #59-01-100-023
2292 N. Belsay Rd.
Section 01, Zoned R-1A

FOR: Residential Use.

2. LS #02-45

BY: Matthew R. Withem
5310 Sitka St.
Burton, MI 48519

RE: Lot 63 of Eastgate No. 3
Section 26, Zoned R-1B

FOR: Residential Use.

Moved by Young, seconded by Bement to schedule Lot Split #02-44 and Lot Split #02-45 for Public Hearings on October 8, 2002 at 6:00 P.M. Motion carried 7-0.

C. PUBLIC HEARING POSTPONED FROM AUGUST 13, 2002:

1. LS #02-40

BY: John Andersen
McDonald's Corp.
2000 Town Center
Southfield, MI 48075

RE: Parcel #59-22-300-020
Section 22

FOR: Commercial

John Andersen, Grand Rapids, was representing McDonald's Corporation. He said the McDonald's Corporation is the former owner of the property that was petitioned for the lot split and there is no objection to the lot split request.

Mr. Strasser stated that the reason for the lot split is for Parcel #2, which was purchased by Belle Tire to build on the site. There has been a minimum amount of work done on the site. DPW staff has no objects to the lot split request.

Moved by Bertram, seconded by Young to approve Lot Split #02-40 contingent upon DPW recommendations. Motion carried 7-0.

2. ZC #273

BY: Tim Cocke
13009 Croftshire Ct.
Grand Blanc, MI 48439

RE: Vacant Property
Parcel #59-31-400-067
Zoned RM to R-1B

FOR: Single Family Development

Tim Cocke, 13009 Croftshire Ct., Grand Blanc, MI 48439, asked to have property rezoned from RM to R-1B for the purpose of single-family homes.

Audience Participation:

Pauline Dargel, 6119 Hugh St., inquired about the location of the site on Maple Road. She asked if the R-1B lots would be adequate for what people are looking for in homes today. There should be a demonstrated need to change this property to single-family R-1B zoning.

Mr. Strasser clarified the location of the property. This case will go before City Council for rezoning. During the review of the master plan this property was never reviewed. The property is rather small and doesn't lend itself to a multi-family situation. The property surrounding this is all single-family zoning.

Moved by White, seconded by Perez to recommend approval of Zoning Case #273 for discussion purposes. Motion carried 7-0.

Mr. Bertram inquired about the size of the property.

Mr. Cocke replied the property is 317 feet wide and 150 feet to 160 feet in depth. He said there would be three or four lots on the property.

Mr. Strasser said the DPW staff recommends approval.

Mr. Bertram asked if the Board could suggest this property be split into three lots versus four lots.

Mr. Strasser commented that the front of the property would determine the size of the lots. If we limit the number of lots to three then the Board would have to approve of R-1A zoning rather than R-1B.

Mrs. White noted that she would rather have R-1A zoning.

Mr. Strasser said the Board has the right to deny the request for R-1B zoning and recommend approval for R-1A zoning.

Discussion continued in regards to the proper zoning for this site.

Mr. White withdrew her motion for approval and Mr. Perez withdrew his second.

Moved by Bertram, seconded by Young to recommend denial of Zoning Case #273 with a recommendation that the zoning be changed to R-1A. Motion carried 7-0.

3. ZC #274

BY: Gary Ashley
4497 Sunnymeade
Burton, MI 48519

RE: The south west corner of Belsay & Bristol Roads
Parcel #59-35-200-004
Section 35
Zoned C-1 to R-1A

FOR: Single Family Homes

Rod Besick, representative of Kraft Engineering, 409 W. 7th St., Flint, MI, explained that the project was started in 1999. The corner was zoned with 450 feet along Belsay Road and 250 feet along Bristol Road. By the time the condo plans and the subdivision plans we decided we need 271 feet along Belsay Road versus the 450 feet so that two of the lots are not zoned C-1.

Audience Participation:

Jim Rayburn, 3484 S. Belsay Rd., representing the New Testament Church across the road, asked if they only wanted to downsize the commercial zoning on Belsay Road.

Mr. Besick replied this is correct.

Pauline Dargel, 6119 Hugh St., asked if there would be a lot split. She asked if there is one parcel number that describes the entirety of this location.

Mr. Strasser said part of the recorded condominium has yet to go through the lot split process. This would be like a subdivision lot. Mr. Strasser said as of now the site is all one because it has not received final approval from the Planning Commission for the condominium. If this property is rezoned there would be an additional two lots and would up the number of lots from 39 to 41.

Mr. Strasser explained that the owner is proposing to have almost half of the commercial property rezoned back to residential. The commercial property would be very limited. DPW staff recommends approval.

Moved by Perez, seconded by Young to recommend approval of Zoning Case #274 to rezone parcel #59-35-200-004 from C-1 to R-1A for single-family homes. Motion carried 7-0.

D. AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh St., spoke concerning the Maple Creek Development and the deed restrictions for that property. She also questioned what is being done at O'Malley's and I-69 as their permit expired in April of this year.

She asked the enforcement of Ordinance No. 19 at this site.

E. SITE PLAN REVIEW(S):

1. SPR #02-46

BY: The Tobin Group
31500 West Ten Mile Road
Farmington Hills, MI 48336

RE: The Orchards
N.W. corner of Belsay & Atherton Roads

FOR: Final Approval/Condominium

Mike Tobin, 31500 West Ten Mile Road, Farmington Hills, MI, said he is asking for final approval for the site condo for the subdivision.

Audience Participation:

Pauline Dargel, 6119 Hugh St., asked if this would include the entire parcel.

Mr. Tobin replied yes, with the exception of the commercial site.

Mr. Strasser said the documents were received at the Register of Deed and there is no reason to deny the request.

Mr. Perez said he heard a rumor that the property had been sold. He asked for clarification whether Mr. Tobin would be continuing on with the development.

Mr. Tobin confirmed that he would be continuing with the development. He has sold 40 out of the 45 lots available.

Moved by Bertram, seconded by Walls to approve SPR #04-46 for plat and final condo.
Motion carried, 7-0.

F. ADMINISTRATIVE SITE PLAN REVIEW(S):

1. SPR #02-43

BY: Carmel S. Halloun
5006 Lapeer Rd.
Burton, MI 48509

RE: Ideal Pizza Ice Cream
5006 Lapeer Rd.

FOR: Commercial

2. SPR #02-43

BY: Kosta Popoff
1096 E. Bristol Rd.
Burton, MI 48529

RE: Coty's Burgers
1096 E. Bristol Rd.

FOR: Change of Ownership

A brief discussion was held concerning the Administrative Site Plans, but no one had any major concerns or questions.

G. BOARD DISCUSSION:

Mr. Young addressed the issue of a workshop being held in regards to the zoning ordinance. He asked Mr. Strasser if the ground work had been started.

Mr. Strasser stated that he has two ordinances from other jurisdictions and he is waiting for direction as to what the next step would be.

Mr. Young said he thinks this issue should be addressed as soon as possible.

Mr. Grantner noted that Mr. Major was going to take the lead for this project. He asked Mr. Strasser to remind Mr. Major and give the board whatever information you already have with our October packet. We could set the work session at the October meeting.

Mrs. White gave a brief report on her attendance at the Michigan Municipal League seminar for Planning Commission Members.

Mr. Bement addressed the issue of the digital signs such as those at Mancino's and Ebenezer Church. There will be a Legislative Meeting concerning this issue.

Mr. Grantner said he would contact Mayor Smiley regarding the setting up of a meeting for this Board with the Michigan Municipal League.

The next regularly scheduled meeting will be held on Tuesday, November 12, 2002, at 6:00 P.M.

Meeting Adjourned at 7:41 P.M.

Cheryl M. Ladd, CMC
Deputy City Clerk

CML