

CITY OF BURTON
REGULAR PLANNING COMMISSION MEETING MINUTES
SEPTEMBER 11, 2001, 6:00 P.M., COUNCIL CHAMBERS

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

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

MEMBERS ABSENT: Mayor Charles Smiley and White.

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 14, 2001 at 6:00 P.M., as printed. Motion carried 5-0.

B. SCHEDULE PUBLIC HEARINGS FOR OCTOBER 9, 2001 AT 6:00 P.M.:

1. LS #01-69

BY: Alma J. Morse
6276 E. Bristol Rd.
Burton, MI 48519

RE: Parcel #59-36-200-005
W 10 Acres of N 3/4 of NE ¼
Section 36, T7N, R7E 10.00 Acres

FOR: Residential Use.

Moved by Young, seconded by Perez to schedule Lot Split #01-69 for a public hearing to be held on October 9, 2001 at 6:00 P.M. Motion carried 7-0.

C. PUBLIC HEARINGS:

1. LS #01-60

BY: Bradley R. Willingham
5174 Lippincott Blvd.
Burton, MI 48519

RE: Parcel #59-23-100-007
R-1A Zoned
Section 23

FOR: Residential Use.

Bradley Willingham, 5174 Lippincott Blvd., explained that his property is divided into two sections and he would like to separate the back half that is on Dortch Drive.

Audience Participation:

Frank Ahern, 5128 Lippincott Blvd., inquired if a new home would be built on that property. He has concerns regarding flooding in the area. He said Gilkey Creek could not handle the drainage if the land is not raised.

Mr. Willingham said the flooding is north of the creek. He does have someone who wants to build a home on the property.

REGULAR PLANNING COMMISSION MINUTES
SEPTEMBER 11, 2001/6:00 P.M.

PAGE -2-

Mr. Strasser stated that the lot does exceed the zoning ordinance. Dortch Drive is a private drive and if the split is approved, the prospective seller would have to obtain a waiver from the Burton City Council to get a building permit for the property.

Mr. Hohloch inquired whether public water or sewer mains had been installed on Dortch Drive.

Mr. Strasser replied there were sewer lines recently installed.

Mr. Perez asked if this property is in the flood plain.

Mr. Strasser replied that part of the property is in the flood plain area.

Mr. Young asked if Gilkey Creek would be the property line. He was advised yes.

Moved by Walls, seconded by Bertram to approve Lot Split #01-60 contingent upon DPW recommendations.
Motion carried 7-0.

2. ZC #265

BY: Al Reno
1088 W. Vienna Rd.
Clio, MI 48420

RE: 2026 Covert Rd.
Lot 73, except the East 201 feet, Hammond Homesites
No. 2
Section 3
Zoned R-1B Residential to C-2 Commercial

FOR: Commercial Offices and Parking.

Al Reno, 1088 W. Vienna Rd., Clio, MI, said he would like to get the property rezoned to C-2 for the purpose of offices and parking. There is property across the street that is zoned C-2. Mr. Reno said he doesn't think the request is unrealistic.

Audience Participation:

Jim Rupert, 2050 Cover Rd. and Virgil Linn, 2038 Covert Rd., both presented petitions against the rezoning. Pastor Rupert said the church members are against the rezoning. The North Burton Neighborhood Association also opposes this proposal because of the noise, dirt and a C-2 zoned business next to a residential home.

Mr. Strasser commented that the proposal presented tonight is exactly the same as the one previously presented to the Planning Commission. This Board will make a recommendation to the City Council in regards to the zoning. The frontage along Davison Road is designated as being commercial. The property directly across the street is zoned commercial. On the East side of Covert Road the houses are designated residential. When the previous zoning case went before the City Council, the request was similar for C-2 zoning and an R-O Zoning was offered and declined by the applicant. At that point the zoning case was denied for C-2 zoning.

Mr. Hohloch said his position has not changed in the past 90 days.

REGULAR PLANNING COMMISSION MINUTES
SEPTEMBER 11, 2001/6:00 P.M.
PAGE -3-

Mr. Young asked Mr. Reno why he is not making a request to rezone the property RO if it is an office that he would like on that property.

Mr. Reno replied that he wanted the whole property to be zoned C-2 and not just RO zoning. If RO is the only zoning he can get, he would take it.

Mr. Grantner said the Board could only act on the zoning that was requested.

Moved by Hohloch, seconded by Bertram to deny the request for C-2 zoning for ZC #265. Motion carried 7-0.

D. AUDIENCE PARTICIPATION:

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

E. SITE PLAN REVIEW(S):

1. SPR #01-64

BY: Mark D. Engelman and Peter Vergos
3364 S. Center Rd.
Burton, MI 48519

RE: Doctor's Office
Center Road, Part Lot 8 & 9 Schram Acres
Parcel #59-27-551-010

FOR: Development for Medical Offices.

Dr. Mark Engelman and Dr. Peter Vergos explained they are requesting approval of their site plan so they may begin construction of their office facility. They presented copies of the site plan to the Board.

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

Mr. Strasser provided the Board with a worksheet and a copy of the site plan. Mr. Strasser reviewed the listing of the worksheet. He said the Genesee County Road Commission and Drain Commission still have to do their reviews on the plan. The items to be reviewed are the curb cuts, storm water detention, sizing of the pipe going into Center Road drainage. Still needed are the building elevations, landscaping plan and whether this would be a public water and sewer system.

Mr. Grantner stated that what has been presented is not a completed site plan.

Mr. Strasser said that is correct. To complete the plan, the requirements listed on the worksheet would have to be taken care of.

Mr. Grantner asked Mr. Strasser if there is a recommendation from the DPW.

Mr. Strasser replied that the Doctors are attempting to have a prefabricated structure placed on the site by Winter. The items on the worksheet could be taken care of and approval could be given, but the County still would have to do their reviews and give their approval. Mr. Strasser said the architect that we are dealing with doesn't know our process and is not a local person. It would be better to bring back a completed site plan because final approval cannot be given at this time.

REGULAR PLANNING COMMISSION MINUTES
SEPTEMBER 11, 2001/6:00 P.M.
PAGE -4-

Dr. Engelman asked where they go from this point.

Mr. Strasser said the first step is to get approval from the Road and Drain Commissions.

Further discussion continued regarding how the applicants should proceed with their request.

Moved by Young, seconded by Bertram to table Site Plan Review #01-64 until the next regularly scheduled meeting of October 9, 2001 at 6:00 P.M. Motion carried 7-0.

2. SPR #01-65

BY: Bina Zuccaro/ReMax Real Estate Team
405 S. State
Davison, MI 48423

RE: Spring Gardens Subdivision
5253 E. Atherton Rd.
Parcel #59-26-200-005

FOR: Reapproval of Preliminary Plat Tentative Approval
and Reapproval of Preliminary Plat Final Approval
for Phase I.

Neil Martz, 6384 S. Belsay Rd., Grand Blanc, MI, said he is representing Spring Gardens Subdivision and that Bina Zuccaro is also present. The approvals once given have expired and there are three parties interested in pursuing this project. This will be a R-1B subdivision complete with curbs and gutters, including public utilities. Mr. Walker wants to see this design come to fruition and have it be nothing short of what he has proposed.

There was no audience participation.

Mr. Strasser said the DPW recommends approval as nothing has changed since the project was previously proposed.

Mr. Martz noted that the storm drain has already been installed and the watermain has been stubbed under Atherton Road. The sanitary sewer lines are in front of the property and many dollars have been expended to continue with this project.

Mr. Young asked if there have been any changes in regard to the detention pond at the County level. He was advised no.

A brief discussion was held concerning changes in the phases.

Moved by Perez, seconded by Bertram to approve Site Plan Review #01-65 contingent upon DPW recommendations. Motion carried 7-0.

3. SPR #01-67

BY: Hani Halloun
26201 Thornridge Dr.
Grand Blanc, MI 48439

REGULAR PLANNING COMMISSION MINUTES
SEPTEMBER 11, 2001/6:00 P.M.
PAGE -5-

3. SPR #01-67

RE: 6010 E. Atherton Rd.
Part of Lot 33 Eastgate #2
Section 25

Zoned C-1

FOR: Change of Ownership.

Mr. Halloun said he is requesting approval for a party store.

There was no audience participation.

Mr. Strasser said this building is located at the corner of Belsay and Atherton and was the old White House building. Mr. Halloun plans to put in a convenience store. His plans lack a few required items. On the East side he is adjacent to a residential home and a privacy fence must be installed. There are landscaping requirements and we do have the elevation of the building. Mr. Halloun plans to put an addition on the South side and remodel the entire outside. We are waiting for a determination from the City Council regarding the sidewalks. These would be installed at sometime down the line.

Mr. Halloun said he would do what is required of him.

Mr. Young asked if the tanks have been removed from the site. He was advised yes.

Mr. Perez asked if the old addition is still there.

Mr. Strasser said the old addition is coming off the building and a new one added.

Moved by Young, seconded by Walls to approve Site Plan Review #01-67 contingent upon DPW recommendations. Motion carried 7-0.

F. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #01-66

BY: Tom Anderson Construction
1523 Line Creek Rd.
Senoia, GA 30276

RE: Household Finance
1235 S. Center Rd., Ste. 7
Burton, MI 48519

FOR: Change of Use.

Mr. Strasser said that the Household Finance building is located in Parkwood Center at I-69 and Center Road. There are no problems with this site plan.

2. SPR #01-68

BY: Hoang Bao Nguyen
767 East St.
Lapeer, MI 48446

REGULAR PLANNING COMMISSION MINUTES
SEPTEMBER 11, 2001/6:00 P.M.
PAGE -6-

F. ADMINISTRATIVE SITE PLAN REVIEWS (CONTINUED):

2. SPR #01-68

RE: Nails for You
1394 E. Bristol Rd.
Bristolwood Plaza

FOR: Change of Use.

Mr. Strasser noted that Site Plan Review #01-68 is located on Bristol Road by I-475. There are no problems with this site plan.

G. BOARD DISCUSSION:

Mr. Young addressed the issue of applicants obtaining approvals from the Genesee County Road and Drain Commissions prior to obtaining Planning Commission approval.

Mr. Hohloch said he is uncomfortable approving a site plan that doesn't have approval from Genesee County Road and Drain Commissions and then dumping this back on DPW. The pressure should be put on the consultants. The applicants should have all preliminary approvals from the County agencies prior to getting approval from the Planning Commission.

Mr. Young said he would like Mr. Strasser's input on this issue.

Mr. Strasser stated that six months ago this wouldn't have been an issue. However, today with such involvement from the County, the nicest building could be constructed and then meet with the County and not get their approval. He said it would be helpful to get County approvals and then take back to the individual architect or engineer and show them what there is to work with.

Further discussion continued regarding this subject.

Mr. Grantner asked who stipulates how we operate?

Mr. Strasser replied the Planning Commission can make the determination if they want to make this requirement or not. He noted that at the present time, a building permit is not issued until the applicant provides a receipt from the County agencies that they have obtained their approvals.

Move by Young, seconded by Perez to require that the applicants obtain approvals from the County Road Commission and the County Drain Commission prior to appearing before the Planning Commission for approval of all site plans. Motion carried 7-0.

Mr. Grantner announced that a public hearing would be held on Tuesday, September 25, 2001 at 6:00 P.M. on the proposed Master Plan.

The next regularly scheduled meeting will be held on Tuesday, October 9, 2001, at 6:00 P.M.

Meeting Adjourned at 6:48 P.M.

Cheryl M. Ladd, CMC
Deputy City Clerk