

CITY OF BURTON
REGULAR PLANNING COMMISSION MEETING MINUTES
OCTOBER 10, 2000, 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, White and Young.

MEMBERS ABSENT: Mayor Charles Smiley and Walls.

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

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

Young moved and White seconded the following motion:

Approve and authorize the minutes of the Regular Meeting of September 12, 2000 at 6:00 P.M., as printed.
Motion carried 7-0.

B. PUBLIC HEARINGS:

1. ZC #255

BY: City of Burton
4303 S. Center Rd.
Burton, MI 48519

RE: Ordinance #19 Text Change

FOR: Orientation of Home Addition.

Mr. Strasser said this zoning case was previously before this body for action and only the first section of the ordinance was approved. This portion of the ordinance was not presented to you in ordinance form and we are asking that a recommendation be made to the City Council for approval or denial on the Orientation of Home Addition. This ordinance states that the front of a home must face the street.

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

Mr. Brawner confirmed with Mr. Strasser that said this body has already approved the ordinance change, but it wasn't in the form of an audience, correct?

Mr. Strasser replied this is correct.

Moved by Bertram, seconded by Young to recommend approval of Zoning Case #255 to City Council. Motion carried 7-0.

C. AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh, inquired about the zoning classification for Site Plan Reviews #00-46 and #00-44. She also inquired if questions would be taken for each individual case heard. She was informed that comments could be made on the individual cases.

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D. SITE PLAN REVIEW(S):

1. SPR #00-46

BY: Gary Ashley
3412 E. Bristol Rd.
Burton, MI 48519

RE: SW Corner of Bristol & Belsay Rd.
Part of Lot or Parcel #59-35-200-004

FOR: Automatic & Self-Serve Car Wash.

Gary Ashley, 4497 Sunnymead, explained that he is asking for approval for a self-serve car wash. He presented a photo of what he is proposing. He said the DPW has a site plan on file.

Audience Participation:

Pauline Dargel, 6119 Hugh, said because of a previous case being turned down the Zoning Board of Appeals for a car wash in a C-1 zoning, she is opposed to this being approved.

Mr. Strasser spoke concerning the review he did on the site plan. He said there are several issues that need to be addressed. One of them is the landscaping legend, but that has been taken care of at this point.

Mr. Ashley spoke regarding Item #5, concerning sidewalks along Belsay and Bristol Roads. He said at the present time and even in the near future, there will not be a business or residential homes adjoining the property at that corner. All of the homes in the condo site will be facing inward instead of facing Belsay Road. He said he can't see where it would be productive to have sidewalks at this time. However, in the future, if sidewalks are brought down to that point, I would be willing to put in sidewalks on Bristol and Belsay Roads.

Mr. Strasser said he understands the issue, but there was a resolution passed by the City Council for sidewalks and the Planning Commission and Zoning Board of Appeals cannot waive this requirement. Mr. Ashley would have to present his case to the City Council and ask for a waiver on the sidewalks.

Mr. Ashley said he has no concerns about the other items.

Mr. Strasser said the setbacks are not adhered to as set forth in the zoning ordinance. We would ask that a revised site plan be submitted implementing the required setbacks, which in this case is 25 feet on the north, south and east line. The west line can be a 0 feet setback. Fortunately there is a detention pond that is required by the condominium that is being proposed and this will take care of any closeness to a residential structure. There is also a 3-foot high landscaped berm that would be required, with added landscaping at critical points, particularly where headlights would be shining through that at night. Mr. Strasser said the property is zoned C-1 and the car wash is a C-3 special use. Mr. Ashley has an application for the Zoning Board of Appeals asking for a special use variance. That meeting will be held next Thursday evening. If you approve this plan, you would have to put in a contingency that an approval from the Zoning Board of Appeals would have to be granted before he could build the car wash.

Mr. Perez said if the Planning Commission was to approve or deny this request, might we influence the decision of the Zoning Board of Appeals either way?

Mr. Strasser replied that the Planning Commission knows the zoning is incorrect and that a variance is required before this can be built. There will be some public input at the Zoning Board of Appeals meeting due to notification.

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Mr. Hohloch said the setbacks had to be complied with on three sides. Is that also going to be an additional variance?

Mr. Strasser explained that Mr. Ashley is not asking for a variance for the setbacks. He plans to amend the site plan and adhere to the setback requirements.

Mr. Hohloch spoke concerning the detention pond being sized only for the site condo development.

Mr. Ashley said he is waiting on the final drawing from the architect, which will show the drainage will be going to Belsay Road rather than the detention pond, because of the elevation. Further discussion continued regarding this issue.

Mr. Perez asked with this particular development, would it hinder the development to sell lots.

Mr. Ashley replied that the landscaping would help buffer this between the condos.

Moved by Hohloch, seconded by Perez to approve Site Plan Review #00-46, Items #1 through #10 with approval of a special use permit from the Zoning Board of Appeals and redirect the drainage to Belsay Road. Motion carried 7-0.

E. SPECIAL USE PERMIT:

1. BCPC #00-43

BY: Hanschmann Masonry
8326 E. Bristol Rd.
Davison, MI 48423

RE: 2487 E. Bristol Rd.
Parcel #59-29-400-007 & 008

FOR: Open Storage Yard of Contractor's Equipment/
Materials.

Mike Haschmann, 8326 E. Bristol Rd., Davison, MI, said he would like to purchase the building.

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

Mr. Strasser said he would link the special use permit, which is in the M-2 zoning and the site plan together. The site plan is already established with buildings on it. The driveway is there and part of it is paved and fenced. It is considered an administrative site plan review, but the gentleman had to come before the board for the special use permit. The property is surrounded by heavy industrial with outdoor storage. The location and the zoning is appropriate for this gentleman's request for the special use permit.

Mr. Young asked what kind of materials would be stored there, just equipment or different kinds of materials.

Mr. Masonry said there would be mostly equipment. There may be brick there until I take it to a job site.

Moved by Bertram, seconded by Hohloch to approve BCPC #00-43, contingent upon DPW recommendations. Motion carried 7-0.

F. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #00-44

BY: Hanschmann Masonry
8326 E. Bristol Rd.
Davison, MI 48423

RE: 2487 E. Bristol Rd.
Parcel #59-29-400-007 & 008

FOR: Open Storage Yard of Contractor's Equipment/
Materials.

Mr. Strasser said all of the emanates are there and there is no reason to deny this site plan.

Mr. Grantner said Mr. Strasser has already commented on this site plan under the special use permit for Mr. Masonry.

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

Moved by Perez, seconded by Hohloch to approve Site Plan Review #00-44, contingent upon DPW recommendations. Motion carried 7-0.

2. SPR #00-37

BY: Connie Burlingame
1360 Lyle St.
Burton, MI 48509

RE: Hot Spot Tanning & Fitness Center
5520 Lapeer Rd.
Lots 64 thru 68 Lapeer Hgts.
C-1 Zoned.

FOR: Change of Ownership & Use

Mrs. Burlingame was not present to represent her site plan review request.

Mr. Strasser said he hadn't heard from her, but she was aware of the meeting this evening.

Moved by Bertram, seconded by Young to postpone Site Plan Review #00-37 until the next regular meeting of November 14, 2000 at 6:00 P.M. Motion carried 7-0.

3. SPR #00-41

BY: Mike Binger
G-2122 E. Hemphill Rd.
Burton, MI 48529

RE: Bobcat of Flint
G-2122 E. Hemphill Rd.
Lots 22 & 23 Associates Commercial Sites
Section 29
M-1 Zoned

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3. SPR #00-41

FOR: Change of Use/Ownership/Wash Bay Addition.

Mike Binger, G-2122 E. Hemphill Rd., Burton, MI, said they took over the facility several months ago and they are a distributor for the Bob Cat Skid Loaders. We are trying to put in a wash bay get into compliance with the EPA Standards.

Mr. Grantner asked if Mr. Binger had reviewed the requirements from the DPW.

Mr. Binger replied that they have no problems with the with requirements and will work with what is being proposed.

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

Mr. Strasser said the business is neat and they are proposing a 20'x26' addition for washing vehicles and equipment. The building is quite a distance away from the road and there is an accessory building on site. The gentleman says they have been in there for several months and we have been working with them along the way, trying to get the change of ownership and wash bay done all at one meeting. Mr. Strasser said the staff doesn't have a problem with the request that is being made.

Mr. Perez asked if there are sidewalks across the front.

Mr. Strasser replied yes.

Mr. Young asked if the wash bay would be used for washing the equipment that is loaned out?

Mr. Binger replied it would be used to wash the equipment that is rented, loaned and sold.

Moved by Young, seconded by Brawner to approve Site Plan Review #00-41, contingent upon DPW recommendations. Motion carried 7-0.

4. SPR #00-45

BY: Best Car Co.
Lon Neuville
4199 Davison Rd.
Burton, MI 48509

RE: Best Car Co.
4199 Davison Rd.
Parcel #59-03-300-062
C-2 Zoned

FOR: Addition of 50'x96' Building.

Lon Neville, 2210 Armor Shore Drive, Fenton, MI, explained that the building being proposed to accommodate the speedometer shop. In addition to selling cars, we have an import company and we import between 100 and 150 cars per week. The speedos have to be cooled, modified and reinstalled. We are now doing that in the same building that we clean and wash cars in and that is not good. A clean, separate environment is needed for this operation. The business has grown so much that we need the extra room. This will be placed in the back where it is by itself.

Mr. Grantner asked Mr. Neville if he had seen the DPW requirements.

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Mr. Neville replied no, but he has a contractor doing the building and he would assume everything would be complied with and whatever it takes to get it done, he will do.

Mr. Strasser noted that Mr. Neville requested a special meeting for the Zoning Board of Appeals, which was held last week. He requested a 0' setback for the north end of his property, where the building will be located. The building will not be at 0, but a few feet off the property line. The reasoning behind this is there is nothing to the north of him but asphalt or gravel parking areas for a trucking company or skating rink. The Board granted his request. Mr. Neville has done a tremendous job cleaning it up and adding new buildings and paving. It is an asset to the City and we recommended approval on the site plan.

Mr. Hohloch said he was on the ZBA when Mr. Neville came before them and he has done a great job and kept his word when he says he is going to do something.

Moved by Brawner, seconded by Hohloch to approve Site Plan Review #00-45, contingent upon DPW recommendations. Motion carried 7-0.

G. BOARD DISCUSSION:

Mr. Hohloch stated that he would not be attending the November 14th meeting.

The next regularly scheduled meeting will be held on Tuesday, November 14, 2000, at 6:00 P.M.

Meeting Adjourned at 6:34 P.M.

Cheryl M. Ladd, CMC
Deputy City Clerk

CML