CITY OF BURTON
REGULAR PLANNING COMMISSION MEETING MINUTES
OCTOBER 10, 2006, 6:00 P.M., COUNCIL CHAMBERS
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Chairman Jerry Grantner led the Pledge of Allegiance.
Chairman Jerry Grantner called the Meeting to order at 6:00 p.m.

MEMBERS PRESENT: Grantner, Mayor C. Smiley, Sclater, White, Abbey, Walls, Cummings, and Tinnin.

MEMBERS ABSENT: Bertram.

OTHERS PRESENT: T. Strasser, Deputy Planning Official, J. Adams, Deputy City Clerk.

Moved by Cummings and seconded by Tinnin to approve the minutes of the Regular Planning Commission Meeting on Tuesday, September 12, 2006 at 6:00 p.m. Motion carried 8-0.

AUDIENCE PARTICIPATION: None.

SITE PLAN REVIEWS:
Extension and previous approval:

1. SPR #05-32

BY: DPG Burton LLC
6024 W. Maple, # 106
West Bloomfield Hills, MI 48322

RE: Parcel #59-10-200-003, Southwest corner
Davison and Genesee Rd.

FOR: Request for extension to site plan approval for
Midtown of Burton & Villas of Burton.

Howard Ludwig, 6024 W. Maple, West Bloomfield Hills, MI, stated he is representing DPG Burton LLC. They are requesting an extension due to the poor market conditions for housing.

AUDIENCE PARTICIPATION: None.

Mr. Strasser stated on November 1, 2005, the Planning Commission approved the site plan and special use permit, and it was presented to Council a month later. Under the provision of Site Plan Review 5.37 of the Ordinance, within one year of the approval, if permits have not been pulled and work has not commenced then the plan is void. In the past, the Commission has followed the Ordinance, and as long as an applicant comes in and renews their approval with the Commission, we extend the approval for another year. We have done this on numerous occasions. Mr. Strasser indicated further, nothing has changed in the plan and the applicants are waiting for the housing market to change. He recommends approval.

BOARD DISCUSSION:

Mrs. Walls commented concerning the growth of high weeds on the property.
Mr. Ludwig said he will make sure the weeds are taken care of.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Abbey, seconded by Walls to approve SPR #05-32. Motion carried 8-0.

Mr. Grantner indicated the Board will proceed on the agenda to address the Special Use Permit for BCPC #06-24 before they address the site plan.

SPECIAL USE PERMIT:

1. BCPC #06-24 BY: Recovery Services, Inc.
7233 Lobdell
Linden, MI 48451

RE: 3397 and 3423 Warehouse Drive and vacant lot.
Parcels #59-28-553-010, #59-28-553-012.

FOR: Store and distribute colored mulch.

Raymond Foley, 56441 Twelve Mile Rd., New Hudson, MI, stated he is representing RSI. They intend to use the facility for manufacturing and distribution of colored mulch. The site was previously used for that purpose. Ground mulch piles are stored until they are delivered to nurseries and homeowners.

AUDIENCE PARTICIPATION: None.

Mr. Strasser said the property is zoned heavy industrial and is somewhat hidden from view and located at the end of Warehouse Drive. The south and east side of the property is bounded by railroad. They recommend approval.

BOARD DISCUSSION:

Mr. Cummings inquired concerning processing the product on site, EPA regulations with regards to paint and fumes.

Mr. Foley spoke regarding their Waterford site, the coloring process and Michigan DEQ regulations.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Walls, seconded by Abbey to approve BCPC #06-24. Motion carried 8-0.

SITE PLAN REVIEWS:

2. SPR #06-23 BY: Recovery Services, Inc.

7233 Lobdell
Linden, MI 48451

RE: 3387 & 3423 Warehouse Dr., and vacant lot. Hemphill-Dort Commercial sites, Parcels: #59-59-28-553-010, #59-28-553-011, and #59-28-553-012.

FOR: Industrial Use for a mulch yard.

Raymond Foley, 56441 Twelve Mile Rd., New Hudson, MI, indicated the planners that prepared the site plan are present in the audience.

AUDIENCE PARTICIPATION: None.

Mr. Strasser stated due to the nature of the business and its location, the plan presented is very adequate for what they are doing. A building is on site with an office and restroom facilities. The applicants are aware it has to meet barrier-free requirements and be inspected by the Building Inspector.

Mr. Strassser addressed the issue of sidewalks and stated they are not included in the plan. Under Section 5.37 of Site Plan Review, Item #8 requires sidewalks in front of every development, unless determined to be required by the Planning Commission during site plan review, sidewalks shall not otherwise be required for interior streets in a platted subdivision. Mr. Strasser indicated this is a platted subdivision and does not fit the criteria for sidewalks. Also, the location does not fit the criteria for sidewalks. Mr. Strasser said the decision is up to the Board.

Mr. Abbey said he concurs that it does not make sense to require sidewalks at this point because it is still gravel roads and there are no sidewalks on Joyce or Warehouse Dr. going into the facility. Mr. Abbey asked if it would be appropriate for the Planning Commission under site plan to require that at such time the City Council paves all existing roads, sidewalks would be addressed at this location.

Mr. Strasser said the Planning Commission has been given the latitude in the ordinance to require sidewalks if they deem it necessary. He believes they also have the latitude to put criteria on that. A recommendation could be made if the streets are paved at that time, sidewalks will be installed, per the cost of the land owner.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Abbey, seconded by Tinnin to approve SPR #06-23 with the stipulation that if the road gets paved and sidewalks are installed, they would be required at that point to put sidewalks in front of their the facility. Motion carried 8-0.

3. SPR #06-26 BY: Ron Moore / Jamas Community Center
PO Box 930
Fenton, MI 48430

RE: 3501 Maple, Parcel #59-33-400-002

FOR: Change of Use.

Ron Moore, 2011 Howser, Holly, MI, said they have been running a community center in Holly for 3 years, and have outgrown that location. They want to expand in a populated area and found the older school house at Center and Maple Rd. They are renting from a landlord with the option to buy in a year. There is a lot of work to do but they have volunteers that consists of painters, contractors, plumbers and many that want to help. Mr. Moore said they are endorsed by the Holly Ministerial Association and the Holly Police Department. They would like to be a part of the community here.

AUDIENCE PARTICIPATION: None.

Mr. Strasser said the site plan is still not complete at this point and it is quite a ways off before we can get to any point of occupancy. The structure was built around 1860 or 1870. The building inspector has some very legitimate concerns due to the age of the building. Paving, size of detention area, engineering plans for storm water runoff, parking spaces required, letters of agreement from adjoining property owners, ADA requirements, interior building renovations, safety and other pertinent issues still need to be addressed. Mr. Strasser recommends to post-pone the case until the plan is in compliance with the ordinance.

Board discussion ensued regarding many of the issues Mr. Strasser brought forth.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Cummings, seconded by White to post-pone SPR #06-26 to the next regularly scheduled meeting of Tuesday, November 14, 2006 at 6:00 p.m. Motion carried 8-0.

ADMINISTRATIVE SITE PLAN REVIEW:

1. SPR #06-25 BY: James Ezell

1125 Jordan Ln.
Grand Blanc, MI 48439

RE: 3265 Card Dr.

FOR: Change of Use for towing company.

BOARD DISCUSSION:

The Mayor commented regarding the upcoming Focus Workshop Session.

Mr. Strasser gave a brief report on the business at the NE corner of Dort and Joyce. He said it looks like a brand new facility with all new pavement and sidewalks.

The next regularly scheduled meeting will be held on **Tuesday, November 14, 2006, at 6:00 P.M.**

Meeting adjourned at 6:50 p.m.

jra