CITY OF BURTON
REGULAR PLANNING COMMISSION MEETING MINUTES
OCTOBER 11, 2005, 6:00 P.M., COUNCIL CHAMBERS
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Chairperson, Jerry Grantner led the Pledge of Allegiance.
Chairperson, Jerry Grantner called the Regular Planning Meeting to order at 6:00 P.M.

MEMBERS PRESENT: Abbey, Grantner, White, Young, Bertram, Cross, Cummings, Walls.

MEMBERS ABSENT: Mayor Smiley

OTHERS PRESENT: A. Frost, DPW Repr., T. Strasser, Deputy Planning Official, J. Adams, Deputy City Clerk.

Moved by Bertram and seconded by Cross to approve the Regular Planning Commission Meeting held on September 13, 2005 at 6:00 p.m. Motion carried 8-0.

PUBLIC HEARING:

1. ZC #299

BY: Frances Edmonds
3013 S. Genesee
Burton 48519

RE: 3013 S. Genesee, Lot 9 of City Gardens.

FOR: For Residential/ R-1B to Restricted Office.

Frances Edmonds, 3013 S. Genesee, Burton, MI, stated she has been at her Burton residence for 45 years and would like to have the property re-zoned to Restricted Office. The traffic has more than tripled at the Atherton/Genesee intersection. This summer a car hit her home causing $7,100 in damage. Five accidents last year ended up in her yard. Mrs. Edmonds strongly feels it is not safe there for residential.

AUDIENCE PARTICIPATION:

The following residents opposed the request for the following reasons: Increased traffic congestion, safety of children, water run off, upholding the Master Plan, extensive accident police reports, decreased value of surrounding homes, noise from snow removal and dumpsters.

Fred and Mary Darland, 5022 E. Atherton Rd.
Tim Fox, 5036 E. Atherton Rd.
Pauline Dargel, 6119 Hugh St.
Willie and Jacqueline Stratton, 3065 S. Genesee
Bobbie Weatherford, 3084 S. Genesee
Marian McDonald, 3085 S. Genesee
Irene Darland, 3041 S. Genesee Rd., submitted 23 signatures of property owners on Atherton, Genesee and Coin Street, and requested the Commission to deny re-zoning the 3013 S. Genesee property.

The following residents spoke for the approval of the re-zoning:

Maureen McLeod, 6023 Surrey Lane, Burton, MI, stated she is representing the Edmonds. There are doctors offices directly across the street and with the number of accidents at the intersection, she feels Restricted Office is appropriate.

Mr. Edmonds, Lapeer MI, stated he is the Edmonds son and was raised at 3013 S. Genesee. In the 1960s half of the house was a variety store and the garage was already a store. This documentation should be on the old plans, and was at one time commercial zoned.

Sandy Ballard, Davison, MI, said she is the oldest daughter of the Edmonds and was raised in the house. West of her mother's house is doctors offices, the northwest corner is the church property and a parsonage. Her mother has been dedicated to the area for many years. This summer really upset her with the car hitting the house.

Mr. Grantner commended the audience on their professional behavior for both sides of the issue.

Ms. Frost stated the future land use reflects low density residential. The DPW recommends denial.
Mr. Strasser indicated the City Council is scheduled to hear this case on December 5th at 6:30 p.m.

BOARD DISCUSSION:

The Board expressed they feel very much for the Edmonds situation, but with an ingress and egress, cars in and out all day, it could create an even more problem. The number of surrounding residents that opposed the re-zoning was also a strong consideration.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Bertram, seconded by Cummings to approve ZC #299.
Motion carried to deny 8-0. Grantner – no, White – no, Abbey – no, Walls – no, Young – no, Bertram – no, Cummings – no, Cross – no.

AUDIENCE PARTICIPATION:

Mrs. Dargel stated any material submitted to the Drain office should come to the Commission before they look at a site plan review. She inquired regarding condominiums, Master Deeds, conditions on a site plan review, when does an Association take over and is responsible for different infrastructures such as trails that are part of wetlands, and day care centers.

SITE PLAN REVIEW:

(Post-poned from the September 13, 2005 Planning Commission Meeting):

1. SPR #03-45 BY: Joseph Patti
2385 Lakeville Rd.
Oxford MI 48370

RE: Lots 15, 16, 17 of Walker Acres & 59-27-100-004.

FOR: Development of a condominium project.

Kevin Cook, 33518 W. Jefferson Ave., Brownstown, MI, stated he is representing Division Development. They have altered the site plan that was approved originally, but have not asked for any more density. The project will be in five different phases. The first phase was initially planned to come off of Center Rd. and 132 units consisting of 8 unit buildings. Because of sanitary issues, they switched phase one from coming off of Atherton Rd. to Center Rd., and to maintain the density of the first phase, they propose to switch four of the buildings from 8 unit buildings to 12 unit buildings.

AUDIENCE PARTICIPATION:

Cheryl Billings, 4056 Hemphill, Burton, MI, stated she owns the private road that goes along the property, and a total of 2.9 acres there. She addressed problems with the use of her private road, costs to repair it, and standing water problems.

Pauline Dargel inquired regarding the plan submitted to the County Drain office.

Mr. Cook said the plans approved by the Drain Commission shows the initial 4 units off of Atherton Rd. being 8 units. The Drain Office received the revised plans and had no objections. It did not effect the water run off.

Ms. Frost said the only change is the first 4 buildings are the 12 units.

Mr. Abbey spoke regarding widening of the road, water and sewer issues and delays. He clarified that the County Drain office would not permit them to come off the other road until the sewer relief systems are built. This is currently being done.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Walls, seconded by Abbey to approve SPR #03-45. Motion carried 8-0.

2. SPR #05-31 BY: Wal-Mart Stores, Inc.

2001 SE 10th St.
Bentonville, AR 72716-0550

RE: 5323 Court St.
Parcels #59-11-400-014 & 59-11-400-018.

FOR: Wal-Mart Supercenter Expansion Project.

Robert Matco, CESO, civil engineers for Wal-Mart, stated they are requesting site plan approval for the Wal-Mart expansion. The expansion is to convert the store into a supercenter which will add the grocery component to the general merchandise. This will be on the west side of the existing building and will add approximately 86,000 square feet. The original site plan is slightly modified with some additional paved parking and the existing detention basin on the west side of the site as being relocated to the south portion. The proposed detention basin has been configured to create a more natural type of feature with wetland type characteristics and plantings in it, along with a decorative black wrought iron ornamental fence around the basin. Mr. Matco stated further the access points to the development are unchanged. The development will expand slightly to the rear of the store and there is 2.5 plus acres that are being acquired from the adjacent property owner to accommodate the development. They are renovating the façade and the front of the building, there will be a drive thru pharmacy, new paving on the east side of the site, a truck turn-around revised to the rear, and the entire parking lot will be overlaid. It will look entirely like a brand new store.

AUDIENCE PARTICIPATION:

Mrs. Dargel said the plan submitted to the County Drain Office has yet to be reviewed. Due to the Gilkey Creek water shed, this is an important step. Mrs. Dargel questioned hours of operation, semi-trucks in the front parking lot, entrances and traffic congestion.

Ms. Frost said there is a problem with exceeding signage and the fence height.
Mr. Grantner stated the fence and signage will be addressed by the Zoning Board.

BOARD DISCUSSION:

The Board inquired regarding property being leased or owned, semi-trucks parked in the main front parking lot, creation of more jobs, impact to other area businesses, approval of plans by the County, construction permits, and timetable for construction.

Mr. Matco stated they are looking at purchasing the property from Mr. Daly. This will be a 24 hour store. Wal-Mart would not promote the semi-trucks to park. The truck drivers are given a map regarding entrances and how to enter the site. The store expansion will create 150 more jobs to the community. Construction will start in early spring of next year.
BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Walls, seconded by Bertram to approve SPR #05-31 exclusive of signage and fence. Motion carried 7-1. Young – no.

E. SCHEDULE FOR PLANNED UNIT DEVELOPMENT REVIEW FOR NOVEMBER 1, 2005.

1. SPR #05-32

BY: DPG Burton L.L.C.
6024 W. Maple Rd.

RE: Davison Rd. Parcel #59-10-200-003.

FOR: Request preliminary site plan approval of proposed PUD Development Plan for single family and two-family condominium project.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Cummings, seconded by Cross to schedule SPR #05-32 to the next regularly scheduled meeting on Tuesday, November 1, 2005 at 6:00 p.m. Motion carried 8-0.

ADMINISTRATIVE SITE PLAN REVIEW (S):

1. SPR #05-33

BY: Pete Caleca
868 Boutell Dr.
Grand Blanc, MI 48439
RE: 1384 E. Bristol Rd.
FOR: Change of ownership.

No comments from the Board.

BOARD DISCUSSION:

Mr. Grantner indicated the Board will have the opportunity to have a say in what is going on with the PUD (Planned Unit Development). The City has never dealt with one before and this will be brand new for the Commission.

Mr. Strasser said he has a full packet of information and plans to give to the Commission before the November 1st. meeting. Also, an 8-10 page handout from the Ordinance, starting with Sect. 9, he has highlighted pertinent topics to review.

Mr. Grantner stated the next regularly scheduled meeting will be held on **Tuesday, November 1, 2005, at 6:00 P.M.** instead of November 8th because it is the General Election.

Meeting adjourned at 7:30 P.M.

jra