

CITY OF BURTON
SPECIAL PLANNING COMMISSION MEETING MINUTES
NOVEMBER 1, 2000, 6:00 P.M., BURTON SENIOR CITIZENS CENTER

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

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

MEMBERS ABSENT: None.

OTHERS PRESENT: J. Major, DPW Director; T. Strasser, Deputy Planning Official and C. Ladd, Deputy Clerk.

PURPOSE OF THE MEETING: PUBLIC HEARING FOR ZONING CASE NO. 249 TO REZONE
PARCEL NO. 59-29-400-022, VACANT PROPERTY PER CONCEPT
#1 OR #2 OR COMBINATION THEREOF AS ALLOWED BY CITY
ORDINANCE #19, AS DIRECTED BY THE PLANNING COMMISSION
FOR THE PURPOSE OF THE PERMITTED USE WITH THE ZONING
CLASSIFICATIONS AS APPROVED.

A. PUBLIC HEARING:

1. ZC #249

BY: ZI-MAR GROUP, INC.
G-8033 Fenton Rd.
Grand Blanc, MI 48439

RE: Parcel No. 59-29-400-022
Section 29
Zoned R-1C to M2/M1

FOR: Permitted uses with zoning classifications
as approved.

Mr. Grantner announced that the Planning Commission is a recommending body and any decision made this evening will have to go before the City Council for final approval.

PRESENTATION:

Mr. Major said he prepared a draft of the informational meeting that was held on Thursday, October 12, 2000. This proposal includes the six points that would serve as safeguards in this zoning case. Mr. Major then read the six conditions relative to Zoning Case #249. (See Attached)

Mr. Grantner announced that the developer would make a presentation and then the audience will have time to speak on the zoning case.

Mr. Martz stated that there are two particular proposals regarding this zoning change. He gave an overview of the progress of this proposal since he first introduced it earlier this year. Mr. Martz said during the informational meeting, many people indicated that they would like residential zoning. The second proposal shows there are 12 acres that would be rezoned multi-family. He said he would like to take the multi-family zoning off the table and would like to amend it to be zoned M-2 north of Red Arrow Road. He stated that there was a concern by the neighbors about the type of factory going in and he has decided to downgrade the zoning along Joyce Street and Ogema Street. We would also be willing to put in berms and have submitted drawings with 5 feet to 6 feet in height.. He said he is

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proposing to place trees along Hemphill Road right-of-way. He said this represents most of the concerns of the people in the neighborhood.

B. AUDIENCE PARTICIPATION:

Tom Bundschuh, Menominee Street, Burton, MI, said he objects to having a rock crushing plant in this area, but doesn't object to light industrial zoning as long as it is not polluting and creating a great deal of noise. He said he doesn't want large trucks coming in and out of there. He inquired about whether Hemphill Road is a Class One truck Route.

Mayor Smiley commented that the Planning Commission is only considering the rezoning of M-1 and there are several types of businesses that fit in this zoning classification. Once the zoning is approved or denied by the City Council, Mr. Martz will then bring back more specific uses that will fit the particular zoning.

Gary Ashley, 4497 Sunnymead, Burton, MI, stated that he owns property adjacent to these properties. He thinks this request is a positive move for the City. He said he lived in this area for a period of ten years and never knew what they would find in the area. He said anything that is beneficial to the City and the residents would be good. There is no control over vandals, but the City can make the businesses clean up the area.

Carol Popovich, 701 E. Hemphill Rd., Flint, MI, said she is the President of the Hemphill Road Association. She said they are united and don't want anything but residential in this area. She said they are concerned about the safety of the children and the added traffic that this would create. Ms. Popovich said the informational meeting, it was expressed to Mr. Martz that the residents don't want and egress onto Hemphill Road and that Red Arrow Road could be used. She said the Fire Chief expressed the need for two entrances and since then, they have checked other areas and they all come in off a thoroughfare. Hemphill Road is not a major thoroughfare, Dort Highway is such. Children need to be safe while riding their bicycles and playing on the sidewalks.

Kevin Irwin, 1459 W. Judd Rd., Flint Township, MI, said he is a member of the church. He inquired about the master plan and asked about the function of the Planning Commission in relation to the master plan.

Scott Kincaid, 3493 Beach St., Flint, MI, said he was present to represent the residents and his constituents in the City of Flint. He thanked Mayor Smiley for the informational meeting that was held. He said he understands the development and the need for it. He inquired about the depth of the setback area on Hemphill Road and asked that the Planning Commission look at have an ingress and egress only off Dort Highway and if this development progresses in the future, then take another look at having an ingress and egress off Hemphill Road. For the developer to really flourish, he should have an ingress and egress off Dort Highway. This will help keep the quality of life for the residents in the City of Flint and the City of Burton. He asked that he be informed of what the setback area is for the development off Hemphill Road.

Attorney Steve Iamarino said a deed restriction could be drafted for that area so no buildings would be erected in that Area.

Mr. Young inquired about the affect of the trucks having an egress onto Dort Highway.

Mr. Martz said he doesn't want to agree to never have an access on Hemphill Road, because it was designed to take truck traffic. He said it makes no sense to minimize the use of Hemphill Road from this park.

Mr. Hohloch asked if the items that was agreed to could be part of the deed restriction and this be approved contingent upon those items being included.

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Mr. Hamilton replied no, because these items are directed more at site plan approval or plat approval, rather than a rezoning request.

A lengthy discussion was held regarding the publication of the rezoning case.

Mr. Iamarino stated that the original proposal was to rezone from M-1 to M-2 and they are now asking to downgrade the zoning from M-2 to M-1 and convert the blue area to red area.

Mr. Martz stated that the portion to be rezoned by Ogema should be changed from M-2 to R-1C. He said north of Red Arrow Road the zoning would be changed from M-2 to M-1, Lots 1 & 2 from M-2 to R-1C.

Mr. Hamilton said there is not a problem when going to a lesser zoning, which in this case is being done.

Mayor Smiley wanted to be certain that residents were completely aware of what parcels would be rezoned to M-1.

Attorney Iamarino suggested that the proposal be put in written form before the zoning case goes before the City Council.

Further discussion was held concerning the egress on Hemphill Road during Phase 2 of the project.

Mr. Martz said he has no plans for Phase 2 and at the present time, no potential businesses coming into the industrial park. Mr. Martz said he would agree to add as Item #7, there would be no egress onto Hemphill Road until Phase 2 of the project.

Mr. Hohloch stated that with Mr. Martz proposing a letter of agreement and adding item #7 to the list, he thinks this rezoning request is appropriate for the property. He has done business with Mr. Martz over the past 10-12 years and thinks the area will have a fine corporate neighbor.

A brief discussion was held concerning the date this zoning case would be heard before the City Council.

Mr. Brawner commented that all concerns addressed at this meeting should be presented at the site plan review meeting, to be held at a future date.

Moved by Bertram, seconded by Hohloch to recommend to the Burton City Council, approval of Zoning Case #249, as applicable to proposal #1 rezoning to R-1C and the areas that were proposed to be zoned M-2 and M-1 be rezoned to all M-1. (See attached map). Motion carried 9-0 with a roll call vote.

C. BOARD DISCUSSION:

Mr. Hohloch and Mayor Smiley indicated they 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 7:00 P.M.

Cheryl M. Ladd, CMC
Deputy City Clerk

CML