

CITY OF BURTON
REGULAR PLANNING COMMISSION MEETING MINUTES
NOVEMBER 14, 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, Perez, Walls, White and Young.

MEMBERS ABSENT: Mayor Smiley and Hohloch.

OTHERS PRESENT: J. Major, DPW Director and C. Ladd, Deputy City Clerk.

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

Due to the election the minutes were not available for approval and will be approved at the December meeting.

1. Regular Meeting of October 10, 2000 at 6:00 P.M.
2. Special Meeting of November 1, 2000 at 6:00 P.M.

B. SCHEDULE PUBLIC HEARINGS FOR DECEMBER 12, 2000, AT 6:00 P.M.:

1. LS #00-48

BY: Samy Meshraky
4081 S. Belsay Rd.
Burton, MI 48519

RE: Part of the Northwest ¼ of Section 36
Parcel #599-36-100-037
Section 36

FOR: Residential Use.

2. ZC #256

BY: Paul Van Doorne
710 Ludlow
Rochester, MI 48307

RE: Parcel #59-10-400-012
Zoned M-1 to R-1A

FOR: Cluster Subdivision.

Moved by Walls, seconded by Young to schedule Lot Split #00-48 and Zoning Case #256 for public hearings on December 12, 2000 at 6:00 P.M. Motion carried 7-0.

C. AUDIENCE PARTICIPATION:

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

D. ADMINISTRATIVE SITE PLAN REVIEW POSTPONED FROM SEPTEMBER 12, 2000:

1. SPR #00-37

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

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1. SPR #00-37 (Continued)

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 said she moved from the previous site into the old Home Access Shop and added a fitness center. She said she was told to be present this evening for the site plan. She noted that Creekwood did her architecture work.

Mr. Grantner asked if she agreed with all of the DPW recommendations.

Mrs. Burlingame replied yes, and that she would be having the parking lot restriped, but asked about the necessary repairs. She said she is having 60-40 gravel brought in to fill the potholes.

Mr. Major said if there are potholes they need to be patched and repaired. Mr. Major said for Mrs. Burlingame to put the handicapped sign up and the barrier free entryway onto the raise sidewalk if there is one around there. You must make certain this can be accessed.

Mrs. Burlingame had no problems with the rest of the items.

Mr. Major said the sidewalk requirements are a resolution set by the City Council. In this particular case, the sidewalks exist up to the west property line of the cleaners and from that point on, it is only hard surface. It serves the purpose of a hard surface. They have met the intent of what we are trying to do. No striping needs to be done on the walkway.

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

Mr. Brawner asked where the business was previously located. He was advised it had been in the Bentley Plaza.

Moved by Young, seconded by White to approve Site Plan Review #00-37, contingent upon DPW recommendations. Motion carried 7-0.

E. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #00-54

BY: Auto Mart
2101 S Dort Hwy
Flint, MI 48507

RE: Auto Mart
3437 S Dort Hwy
Burton MI 48529

FOR: Vehicle Sales.

There was no one present to represent the site plan.

Mr. Major said as Stop Work Order was given. They moved in without permission from the City and they have no vehicles sales license from the State of Michigan for that location. We talked to them and they made a sketch drawing and they were told to be here tonight for the meeting. He said he has no idea why they are not here.

Mr. Brawner asked if the business would stay closed until they come before the Planning Commission.

Mr. Major said they are in the building and operating the business. Their sign is on the building and cars are parked there. They are in the old Frenchy Tire building, so we don't know if the building was sold or if they are renting or leasing it. They came in and filed for site plan review immediately. We asked them about their license and they knew they needed a license in Flint to sell vehicles, and were told they also needed one in Burton, as this is a State license.

We will go out there tomorrow and issue them an appearance ticket.

Mrs. White said they cannot sell with a license from the State until we okay this.

Moved by Young, seconded by Bertram to postpone SPR #00-54 until the next regularly scheduled meeting in December. Motion carried 7-0.

F. ADDITION TO SITES IN COMPLIANCE:

1. SPR #00-49

BY: Antcliff Windows & Doors Inc
2417 E Judd Rd
Burton MI 48529

RE: Antcliff Windows & Doors Inc
Lots 11, 12 Industrial Sub #1
Section 32

FOR: Heritage steel building for storage.

Terry Betts, 11077 Torrey Rd., Fenton, MI, said they plan to build a 110'x188' steel structure on the premises.

Mr. Grantner asked Mr. Betts if he had reviewed the DPW requirements.

Mr. Betts replied he had reviewed them and his only problem is the 35-foot setback requirement on Quinlan Drive. According to the architect, there is only a 20-foot setback required.

Mr. Major said M-1 zoning requires a 35-foot front setback.

Mr. Betts said the area is called a side street lot line. The building will be addressed off Judd Road and the buildings are already at the 20-foot setback.

Mr. Major said he doesn't read the ordinance the same way as the architect. He said there are two front lots and this requires a 35-foot setback area.

Mr. Betts said the architect drew up the 20-foot setback area, but he is not opposed to the 35-foot setback. This will make the structure 100'x173'.

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

Mr. Betts said he would abide by the 35-foot setback.

Mr. Major spoke concerning the sidewalk situation. He said this building fronts on Judd Road and Quinlan Drive. All site plans are required to install a 5-foot walkway (he read the Council resolution concerning sidewalks). The new site developments have received 90% compliance on sidewalks. Our problem is the existing businesses in the community have not bought into that program. He said he would try to work out something, possibly a special assessment, to meet this provision.

Mr. Grantner informed Mr. Betts that Mr. Major would work with him on this issue.

Mr. Perez spoke concerning the way the right-of-way jogs in front of his office building. He said on Quinlan Drive, Commercial Wire owns part and someone else owns another lot and we are asking one person to put in a sidewalk along there.

Mr. Major said he knows this is difficult, but just like McDonald's on Center Road, the sidewalk doesn't connect to anything. This is an isolated location.

Moved by Walls, seconded by Perez to approve Site Plan Review #00-49 contingent upon DPW recommendations. Motion carried 7-0.

2. SPR #00-50

BY: Morgan Construction Co.
5454 Gateway Centre, Suite C
Flint, MI 48507

RE: Family Dollar
4386 S Saginaw St
Lots 321 thru 326 & Lots 436 thru 441
Greater Flint Sub
Section 32

FOR: Addition to building.

Larry Leazenby, 1111 Creekwood Dr., Burton, MI, stated he is the architect and they are proposing to put in a 125-foot square foot addition between Proper Street and Ready Avenue. There is not much site work but we will put in pine trees for landscaping. He said more display space is needed in the store and they want to get rid of the trailers. They plan to close the existing drive on Saginaw Street. The construction will match the existing building.

Mr. Leazenby said he didn't receive a copy of the DPW requirements. He was provided with a list of the requirements and said he had no problem with any of them.

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

Mr. Major said the semi-trailer is out of there, but there are two storage trailers there also.

Mr. Leazenby said the owners want the storage trailers gone also.

Mr. Major said the trash container area needs to be repaired. There are sidewalks around the perimeter. He said they run a good business other than the vandals who continue to paint the building.

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Moved by Bertram, seconded by White to approve Site Plan Review #00-50 contingent upon DPW recommendations. Motion carried 7-0.

3. SPR #00-52

BY: C G Most Construction
Robert W. Giese & Architects
PO Box 422
Flushing MI 48433

RE: Humane Society
3325 S Dort Hwy
Part of Lots 11 & 12 & 49-52 Hemphill Dort
Commercial Sites #2

FOR: Cold Storage Building

Mr. Major said this is an administrative site plan. The Building Department gave them a permit to construct a storage building, but he was to attend the meeting. There is a gravel parking area that was enlarged. The sidewalk situation on Dort Highway will be taken care of with the road widening. Mr. Major said he is uncertain why the applicant isn't here.

Moved by Bertram, seconded by Brawner to postpone Site Plan Review #00-52 to the next regular meeting in December. Motion carried 7-0.

F. BOARD DISCUSSION:

Mr. Bertram inquired about the vehicles at the back of Quinlan Drive.

Mr. Major said the Zoning Board of Appeals granted a variance for a temporary storage lot, but we don't know where the vehicles are come from.

Moved by Young, seconded by Walls to bring Site Plan Review #00-54 back to the agenda. Motion carried 7-0.

G. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #00-54

BY: Auto Mart
2101 S Dort Hwy
Flint, MI 48507

RE: Auto Mart
3437 S Dort Hwy
Burton MI 48529

FOR: Vehicle Sales.

Carrie Dursham, 13459 Pamona Dr., Fenton, MI, said she is requesting a Class B dealership at 3437 S. Dort Highway.

Mr. Grantner asked Ms. Dursham if she had reviewed the list of DPW requirements.

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Ms. Dursham replied she had reviewed the DPW list of requirements and the only thing that will take time is making the bathroom door barrier free.

Mr. Major said this could be referred to the Building Inspector for his review of the inside of the building.

Ms. Dursham spoke concerning the striping of the parking lot. She said she plans to put in more landscaping and will add more flower boxes for decoration. She agreed to all DPW recommendations. She said the building has been emptied for the past six years and she plans to improve it.

Mr. Major asked if she was buying or renting the building.

Mrs. Dursham said she is renting the building.

Mr. Major asked said he was bothered by the fact that she didn't speak to anyone at the city prior to opening the business. He asked how she was selling vehicles without a state license. He said the property may have received a variance from the Zoning Board of Appeals to conduct the auto sales operation on the premises, but this is a totally different sales operation than Mr. Campbell's sales operation.

Mrs. Dursham said she was told that the property was zoned for a used car lot because he had his dealer's license. She said they deal more in newer, cleaner used cars.

Mr. Major said when they looked at the property there were a bunch of semi-trailers in the rear yard area that must be taken care of, but you as a tenant, are not responsible for them. Mr. Major said that Mrs. Dursham indicated that she would be painting the building and cleaning it up.

Mrs. Dursham said she is all for getting rid of the semi-trailers and wants to update the building. We have already painted the front of the building.

Mr. Major said that the temporary signs need to come down. We can live with them for the grand opening but after that, we don't want them there. You can then put up a permanent sign.

Moved by Young, seconded by Bertram to approve Site Plan Review #00-54, contingent upon DPW recommendations. Motion carried 7-0.

BOARD DISCUSSION CONTINUED:

Mr. Bertram asked that the sidewalk requirement be added to the inter office memorandum.

Mr. Major said he would modify the form to include the sidewalks. He said that in some of the cases, the sidewalks will be done immediately, while others may have to wait due to road construction. This should also be indicated on the form.

Mrs. Walls addressed the meeting of the Planning Commission held on November 1, 2000 at the Senior Citizen's Center. She said she thinks an error was made in allowing people to speak concerning the ladies on Dort Highway. This is a Council issue, not for the Planning Commission.

Mr. Brawner said many of the questions asked at that meeting were for the site plan review and not the rezoning.

Mr. Major said he received a call from a new tenant at the quick stop store on Dort and Hemphill for body piercing.

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The tenant will be getting a permit issued through the Health Department and she seems to want to do a decent job with the business. She is concerned about the ladies of the evening being in the area.

Mr. Brawner said there was a sting in Flint and this has pushed them further south into Burton.

Mr. Major said possibly Mr. Brawner could speak with the Police Chief and get some input.

Mr. Young asked if there should be a place on the agenda for people to ask a question or make a complaint when it doesn't pertain to our agenda.

Mr. Grantner said he thought the meeting went well and yet was very glad the attorney was there, as he pointed out that conditions cannot be placed on rezoning issues.

Mr. Young said the Planning Commission is assembled for a specific purpose and there is nothing that can be done about the different subjects that are addressed by the public. However, the subjects should pertain to the business that is handled by the Planning Commission.

Mr. Grantner said in the future, this board can direct the people where to take their concerns and we can continue on with the business on the agenda.

Mr. Major said he would make a change on the agenda under the audience participation.

Mr. Young spoke concerning the removal of trailers from Home Depot and the outdoor storage of pallets.

Mr. Major said he would address this issue with Home Depot.

The next regularly scheduled meeting will be held on Tuesday, December 12, 2000, at 6:00 P.M.

Meeting Adjourned at 6:55 P.M.

Cheryl M. Ladd, CMC
Deputy City Clerk

CML