

CITY OF BURTON
REGULAR PLANNING COMMISSION MEETING MINUTES
DECEMBER 9, 1997, 6:00 P.M., COUNCIL CHAMBERS

The Regular Meeting was called to order by Homer Berry, Chairman, at 6:00 P.M.

MEMBERS PRESENT: Howlett, Bertram, Millard, Grantner, Berry, White, Perez and Walls.

MEMBERS ABSENT: Mayor Charles Smiley.

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

A. APPROVE AND AUTHORIZE THE MINUTES OF THE NOVEMBER MEETING:

Howlett moved and Grantner seconded the following motion:

Approve and authorize the Minutes of the Regular Meeting of November 11, 1997 at 6:00 P.M., as printed.
Motion carried 7-0.

B. SCHEDULE PUBLIC HEARING FOR JANUARY 13, 1998 AT 6:00 P.M.:

1. ZC #233

BY: Blake Rizzo
5273 Empress
Burton, MI 48519

RE: Outlots A & B of Brisdale Sub
Section 25 and Parcels #59-25-200-009,
#59-25-300-001 and #59-25-400-010
R-1B & SE

FOR: Mobile Home Park

Moved by Howlett, seconded by Grantner to schedule Public Hearing for January 13, 1998 at 6:00 P.M.
Motion carried 7-0.

C. FIRST PUBLIC HEARING(S):

1. LS #97-66

BY: Centennial Farms
Ken Thompson
6423 E. Court St.
Burton, MI 48509

RE: Centennial Farms
59-12-400-001 & 59-12-400-004
Section 12

FOR: Modular Park

Ken Thompson, 60630 New Haven Rd., New Haven, MI said he was representing the developer. They are asking for an addition to the modular park after purchasing a piece of property from the railroad track. There is a flood plain in the area.

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Audience Participation:

Pauline Dargel, 6119 Hugh, asked how many units would there be once the park is completed. She also asked if there would be only one access.

Mr. Thompson said there are now 390 units and they are planning to have a total of 450 when completed. He said there is an emergency access on Fox Tail Court.

Mr. Strasser said this is a simple lot split and is required for the assessment purposes. There are no problems with the requirements surrounded by the wetlands.

Mr. Perez asked how many lots have presently be sold. He was advised there are 250 sites now occupied.

Moved by Howlett, seconded by Perez to approve Lot Split #97-66, contingent upon DPW recommendations. Motion carried 8-0.

2. ZC #232

BY: Frank Yow & Brandon Eister
13389 Lakeshore Dr.
Fenton, MI 48430

RE: 5405 E. Maple 59-35-400-025 & 59-35-400-016
Section 35
SE-Zoned

FOR: Residential Development

Ian Hohloch, 4422 Hedgethorn, said he was representing the developers and they plan to develop approximately 56 sites on 30 acres in Section 35. They are asking for rezoning from SE to R-1B. The creek goes through and there will be a detention area. Water and sewer if available at the road, as well as the infrastructure for the northern part on Maple Road. We have taken into consideration all of the city's concerns.

Mr. Eister, 4327 Colley Lane, Grand Blanc, said he has been building in Burton for the past 5 or 6 years. He presented the Board with a handout of the types of homes he would be building.

Mrs. Walls asked what the frontage of the lots would be. She was advised they would be 70 foot wide lots.

Audience Participation:

Pauline Dargel, 6119 Hugh St., asked if this is a site condo or a plat, and will the development be done in phases and have City providing the infrastructure as the others.

Mr. Eister said this will be platted lots and will be done in one or two phases.

Jim Delano, 5349 E. Maple, said he owns the property next to the one being developed. He asked if anything to the East would be developed. He asked if the structures currently on the property would be taken down.

Mr. Eister said there is a smaller parcel that could be used for a smaller development. He said the other buildings would be taken down.

Mr. Strasser said after reviewing the area, we find the surrounding properties are in SE zoning. Therefore, the DPW recommendation is to have this zoning in R-1A rather than R-1B.

Mr. Eister said he would still like to get the R-1B zoning, if possible.

Mr. Strasser explained that this Board only makes a recommendation to the City Council.

Moved by Howlett, seconded by Grantner to recommend approval of Zoning Case #232, contingent upon DPW recommendations with R-1A Zoning. Motion carried 8-0.

3. LS #97-70

BY: Jeffrey S. Brayan
Avalanche, L.L.C.
2500 Gibson Rd.
Grand Blanc, MI 48439

RE: Avalanche, L.L.C.
59-11-400-010 & 59-11-400-011
Section 11

FOR: Ice Arena

Myron Clinton, 6204 Greenview Dr., Burton, MI, said he is representing Mr. Brayan. He explained that there are 43 acres behind Big K and Wal-Mart. They plan to split 23 acres of the property to the south of the railroad tracks between Genesee and Belsay Roads, behind 84 Lumber.

Audience Participation:

Gerald Jennings, 5290 Arnold Dr., said he would like to know the layout of the plans. He asked if the parking lot would be lit.

Mr. Clinton said the parking would be in front of the building. He presented a drawing of the plans to the residents in the audience.

Darlene Jennings, 5290 Arnold Dr., asked if there is anything planned for the property directly behind her home. She was informed that the 23 acres had been sold.

Pauline Dargel, 6119 Hugh, said she understands there are investors in this property.

Mr. Strasser said site plan has already been approved by this body and the request before the Board tonight is for a lot split.

Mr. Bertram asked if the property would be landlocked. He was advised no.

Moved by Howlett, seconded by White to approve Lot Split #97-70, contingent upon DPW recommendations. Motion carried 8-0.

AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh, inquired about which City Board would go to the Genesee County Metropolitan Planning Commission in regards to the number of mobile home parks in the County. Possibly the City could seek outside assistance when dealing with the mobile home parks.

E. REVIEW OF PREVIOUS SUBMITTAL FOR A SUBDIVISION:

1. SPR #97-40

BY: Tobin Group
31500 W. Ten Mile
Farmington, MI 48336

RE: The Orchards
N.W. Corner of Atherton & Belsay Rds.

FOR: Preliminary Plat Approval

Mike Tobin, 31500 W. Ten Mile, Farmington, MI 48336, said he was previously approved for R-1B zoning, but was turned down for the P.U.D. because of the lot size only being 65 feet. We went through the subdivision and it is much the same except we have now made the lots 70 feet wide. The retention pond was moved and was made larger. We have given up about 20 lots after making the changes. Some of the lots are deeper and some are exactly the same as previously approved.

Audience Participation:

Leona Stephens, 3049 Vineland, said she would like to see the lots larger than 70 feet wide.

Mr. Strasser said the plat meets or exceeds the requirements of the ordinance.

Mrs. Walls asked if there were any lots less than 70 feet. She was advised the only ones would be the ones in the cul-de-sac, where it might be slightly less at the road frontage.

Mr. Bertram asked if this would be curb and gutter or open ditch.

Mr. Tobin said they came up with a plan to use curb and gutter.

Moved by Howlett, seconded by Walls to approve Site Plan Review #97-40, contingent upon DPW recommendations. Motion carried 8-0.

F. SITE PLAN REVIEWS:

1. SPR #97-72

BY: Cranberry Builders
44899 Centre Court
Clinton, MI 48038

RE: Creekside Development
59-27-100-004 & 59-27-100-007
RM Zoned

FOR: Apartment Complex

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Jerry Schmeizer, 54590 Ridge Road, New Baltimore, MI, said he was representing Guy Rizzo and Jack Patel. The property has a gas easement and an outlet onto Center Road. The property is irregular in shape. We plan to have two outlets, one onto Center Road and one onto Atherton Road. Mr. Schmeizer gave the demographics of the area and explained the property is in Atherton School District. They are planning an apartment complex with 1,328 units on an 110 acre parcel. This will be a gated community with a club house. The residents will have a pedestrian access to the club house, playground and tennis courts. The Pierson portion of Thread Creek wetlands will be utilized by the residents. There will be one and two bedroom units; which meets the ordinance requirements. There will be an entrance from Center Road ¼ mile long.

Audience Participation:

Ernest Barcey, 4132 E. Atherton Rd., asked the developer if he was given right-of-way rights from Consumers Energy, because he said he has a 99 year lease on that right-of-way that he has had for the past 50 years. If that drive is put in, it will go right past his window.

Mr. Strasser thanked Mr. Schmeizer for the presentation. He said the entrance off Atherton Road could be used for emergency vehicles and a secondary outlet. If this is not feasible, there is still the access off Center Road.

Mr. Bertram asked if there would be two outlets on Center and Atherton. Mr. Strasser said there would be two with the boulevard.

Mr. Bertram asked about the possibility of a double egress and ingress. He doesn't think one entrance is enough with the size of this project. Mr. Schmeizer said he agrees with Mr. Bertram.

Mr. Schmeizer said the Ordinance calls for major road frontage, which there is.

Discussion continued regarding the Consumers Energy right-of-way and the placement of the roadway.

Mr. Perez asked if the developer had other existing developments.

Guy Rizzo, Clinton Township, Michigan, said he has four buildings that have been under construction with 350 units. He also has built in Macomb Township area. He has a good record and is excited about coming into the Burton area. The development will be built in phases, with 200 units in each phase and we hope to have the entire project completed between five (5) and seven (7) years. There will be 550 one bedroom units and 650 two bedroom units. He said studies indicate there is a need for the apartments.

Mr. Strasser said the square footage exceeds the ordinance requirements.

Mrs. Millard asked if any of the apartments would be handicapped accessible. She was advised yes.

Moved by Howlett, seconded by Perez to approve Site Plan Review #97-72, contingent upon DPW recommendations. Motion carried 8-0.

2. SPR #97-74

BY: Babbitt
3140 Kleinpell
Burton, MI 48529

RE: Burton Stoneyard
Lots 74, 75, 76, 77 of Supervisor's Plat of
Atherton Gardens, Section 28, M-2 Zoned

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2. SPR #97-74

FOR: Proposed Office Building & Garage

There was no one present to represent this site plan.

Moved by Perez, seconded by Millard to postpone Site Plan Review #97-74 until January 13, 1998. Motion carried 8-0.

G. SITE PLAN REVIEW POSTPONED FROM NOVEMBER 11, 1997 AT 6:00 P.M.:

1. SPR #97-47

BY: Jeffrey Sweers
2285 Popplewood Ct.
Davison, MI 48423

RE: ATA'J Salon of Design
1184 S. Belsay Rd.
Burton, MI 48509

FOR: Change of use within a tenant space.

Mr. Sweers apologized for not attending the previous months meeting. He explained this would be a hair and nail salon. There will be 7 stylists and 2 nail techs. We will be located at the north end of Jim Mathis Shoes and will have 1,200 square feet.

There was no one in the audience.

Mr. Strasser said DPW has no problem with the request.

Moved by Howlett, seconded by White to approve Site Plan Review #97-47, contingent upon DPW recommendations. Motion carried 8-0.

H. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #97-73

BY: Kai Zhi Liang
3521 Holly Ave.
Flint, MI 48506

RE: Chinese Restaurant
4233 S. Saginaw St.
Burton, MI 48529

FOR: Change of Use.

Mr. Berry said the building they are going into is the old Bristol Appliance building on S. Saginaw Street.

Mr. Liang said people can eat inside, but it will mainly be a take-out. The building is between Williamson and Schumacher.

Mr. Strasser said the parking lot is shared by Mr. Liang and the building next door. It is in need of some repair.

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Moved by Howlett, seconded by Bertram to approve Site Plan Review #97-73, contingent upon DPW recommendations. Motion carried 8-0.

2. SPR #97-75

BY: Jackson Hewitt
1350 E. Bristol Rd.
Burton, MI 48529

RE: Tax Service
1350 E. Bristol Rd.
59-1-200-003-004

FOR: Change of use.

Mr. Hewitt was not present to represent his case.

Moved by Howlett, seconded by Bertram to postpone Site Plan Review #97-75 until the meeting of January 13, 1998. Motion carried 8-0.

3. SPR #97-74

BY: Craig Judson
429 E. Hemphill Rd., Apt. A
Flint, MI 48507

RE: Battery Shop
G-3425 S. Dort Hwy.
Lots 30-31 Hemphill Dort Commercial Sites
Section 28
M-2 Zoned

FOR: Retail Sales of Batteries

Mr. Judson said he gave the map to Mr. Stewart in the DPW. He said he has been in this business for about 10 years and has been on Bristol Road since 1992. He said they install some of the batteries and they have access to the garage to put the batteries in. We do not repair any automobiles.

Mrs. Millard asked if he was moving the business from the present location. She was advised yes.

Audience Participation:

Leona Stephens, 3049 Vineland, asked if Mr. Judson took away old batteries and if there was a charged involved.

Mr. Judson said yes, he takes the old batteries and it is without a charge. The car batteries are recycled through battery solutions.

Mr. Strasser said DPW has no problem with the request they are proposing. He asked Mr. Judson if he made any money off the batteries or if it is just a service he provides. He said it is a service, because the people don't know what to do with their old batteries.

Moved by Walls, seconded by Howlett to approve Site Plan Review #97-7, contingent upon DPW recommendations. Motion carried 8-0.

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I. BOARD DISCUSSION:

Mr. Perez said he appreciates Mrs. Dargel's concerns regarding the mobile home parks, but the Planning Commission has to schedule the zoning case to be heard and then vote on the rezoning.

Mrs. Walls inquired about updating the Master Plan. Mr. Strasser said he working on this issue.

Mrs. Millard inquired about Esquire Antiques having cars parked on the lot. She wanted to know if they had taken out a used car sales license. She was advised no.

The next regularly scheduled meeting will be held on January 13, 1998, at 6:00 P.M.

Meeting Adjourned at 7:30 P.M.

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

CML