

CITY OF BURTON
REGULAR PLANNING COMMISSION MEETING MINUTES
DECEMBER 9, 2003, 6:00 P.M., COUNCIL CHAMBERS

Jerry Grantner, Chairperson, led the Pledge of Allegiance.

Jerry Grantner, Chairperson, called the meeting to order at 6:00 P.M.

MEMBERS PRESENT: Bertram, Cummings, Grantner, Perez, Walls, White and Young.

MEMBERS ABSENT: Mayor Charles Smiley and Cross.

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

A. APPROVAL AND AUTHORIZE THE MINUTES OF THE FOLLOWING MEETING:

Young moved and Bertram seconded the motion to approve and authorize the following minutes:

1. Regular Meeting of October 14, 2003 at 6:00 P.M.
2. Regular Meeting of November 11, 2003 at 6:00 P.M.

Motion carried 7-0.

B. SCHEDULE PUBLIC HEARING FOR JANUARY 13, 2004 AT 6:00 P.M.

1. ZC #284

BY: Blake Rizzo
5273 Empress Dr.
Grand Blanc, MI 48439

RE: Parcel Nos. 59-25-100-003, 59-25-200-009,
59-25-300-001 and 59-25-400-010
Outlots A & B Brisdale Sub.
Section 25

FOR: Residential Development

2. LS #03-61

BY: Marcos Makohon-K-4 Architecture L.L.C.
26899 Northwestern Hwy, Ste 208
Southfield, MI 48034

RE: Parcel #59-32-300-007
NW Corner of Saginaw & Maple

FOR: Construction of a New Banking Center

3. LS #03-62

BY: Carol Conover
Revocable Living Trust
15205 Pinewood Trail
Linden, MI 48451

RE: 4085 S. Center Rd.
Parcel #59-34-100-027

FOR: Office Use

Young moved and Perez seconded the motion to schedule Zoning Case #284, Lot Split #03-61 and Lot Split #03-62 for public hearings to be held on January 13, 2004 at 6:00 P.M. Motion carried 7-0.

C. PUBLIC HEARING:

1. LS #03-52

BY: Tim Cocke
13009 Croftshire Ct.
Grand Blanc, MI 48439

RE: Parcel #59-31-400-067
R-1C Zoned
Section 31

FOR: Residential Use.

Tim Cocke, 13009 Croftshire Ct., Grand Blanc, MI 48439, said he owns the property on Maple Road. He is requesting to split the property into four lots for residential use. Mr. Cocke said he has someone who is interested in purchasing property to build a residential home.

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

Mr. Strasser commented that each of the lots exceeds the zoning ordinance requirements in regards to size. Any of the lots that do not have sanitary sewer leads would have to be supplied by the owner at the developer's cost.

Moved by Walls, seconded by Perez to approve Lot Split #03-53, contingent upon DPW recommendations. Motion carried 7-0.

2. LS #03-53

BY: Wilma A. Powers
2271 N. Eugene St.
Burton, MI 48519

RE: Lot 20 Pioneer Acres
Section 24
Zoned R-1A

FOR: Residential Use.

Wilma Powers, 2271 N. Eugene St., Burton, MI, said she is requesting the lot split because there is a family who is interested in putting a modular home on the property.

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

Mr. Strasser said the lot exceeds the ordinance requirements. If the lot does not have a sanitary sewer lead, it would have to be supplied by the owner at his/her cost.

There was no further discussion regarding the lot split.

Perez moved and Walls seconded the motion to approve Lot Split #03-53, contingent upon DPW recommendations. Motion carried 7-0.

3. ZC #283

BY: S.M.E.A. Investments, LLC
418 Woodbridge
Grand Blanc, MI 48439

RE: Vacant Land @ Davison Rd. between
Cummings Harley & Schaffer Dr.
Parcel Nos. 59-11-200-001, 59-11-200-009
and Lots 16 & 17 Daly Ranch Homesites
Zoned C-2 & M-1 to RM

FOR: Condo Development

Michael Pifer from Kraft Engineering, 409 W. Seventh St., Flint, MI, said he is representing S.M.E.A. Investments. He explained that the body of land is located on the Southwest corner of Davison and Belsay Roads, west of the railroad track between Cummings Harley Davison and Schaffer Drive. There is about 1,000 feet of frontage on Davison Road and there are three means of egress and ingress on Davison and Belsay Road. Mr. Pifer referred to a map and explained that the outer boundary of the entire parcel of land consists of approximately 84 acres. Mr. Pifer gave the Board some supplemental information that had been obtained since the first map was turned in to DPW. We have the location of the wetlands area and want to pass this along to the Board. Mr. Pifer explained how the property is currently zoned and what the developer is proposing to do. We would like to rezone property so there is a more uniform type of zoning and develop a parcel residentially with condominium type development. We would want to leave the areas of commercial zoning, south of Davison Road. We would like to rezone property so there is a more uniform type of zoning and develop a parcel residentially with condominium type development. There would be about 350-foot of frontage to be developed commercially. All green areas on the map are currently zoned commercial, but we want to rezone the property to RM to have a more uniform residential zoning. Mr. Pifer said his client believes that the extreme south end of the property, which is currently zoned industrial, doesn't have much marketability to develop that piece of land. There is also a large wetland area on this site that prevents ingress and egress from the

60-foot strip that was locked from Belsay Road. To be able to cross the wetland area, we would have to find a way to provide mitigation, which we don't really want to do. We would like to get the zoning changed on this piece of property the same as the one to the North, which is RM. In the last area we want to get zoned, which is currently zoned office, we would like to provide some type of commercial usage that would support the residential development. Also, my client believes that the residential usage is about taxed out and he doesn't think he could find user for a residential development in this area. To be able to develop the parcel, he would like the area to be zoned commercial. There are extensive wetlands to the south with approximately 13 acres of wetlands. We are losing quite a large developable area to the wetlands. To the north, my client would like to put some type of single-family and/or duplex single-family residential development. If everything goes well in this area and it sells well, he would like to continue that same type of development to the South.

Mr. Grantner asked Mr. Pifer to show the map to the audience and briefly review what the applicant is requesting.

Audience Participation:

James Hager, 1298 Clairwood Dr., Burton, MI, stated he doesn't see a purpose of the rezoning of the commercial property. He understood from the notice that the applicant wants to building single-family and condos. This type of development could be put in R-1A and R-1B zoning, not mixed with commercial. Mr. Hager had concerns with possible spot zoning. He opposes an industrial area close to a nice residential area. Another area of concern is the traffic increase along Belsay Road. Mr. Hager didn't oppose residential homes.

Pauline Dargel, 6119 Hugh St., objected to the Board hearing any further information concerning commercial zoning because the notice did not include commercial zoning and there was no commercial property involved in the proposal. She objects to having commercial buildings on Belsay Road. If there is no specific proposal she doesn't believe there is a need for the commercial zoning. Mrs. Dargel spoke about a traffic study being done before more apartments are developed. She also inquired about who the investors are in the proposal.

Dale Ellery, CPA, Blanche Bekkerring, Belsay Rd., expressed his concern over the increased traffic on Belsay Road. He commented that Belsay Road is a mess now. He owns two lots located across from Hugh Street and would be willing to sell them to the applicant. A traffic light could be put in at Belsay and Hugh.

James Shank, 1359 N. Belsay Rd., had some concerns with the proposed commercial zoning. It's difficult to get through this area now with the railroad tracks and traffic congestion. He also inquired about a study being done in regards to the school districts.

Mr. Strasser commented that after reviewing the plan, there is a discrepancy in the wording. He informed the Board that they should not take action on Parcel B, but action could be taken on parcel A and C.

Mr. Grantner confirmed that Parcel B is to be removed from the table.

Moved by Walls, seconded by Bertram to recommend approval for Zoning Case #283 for discussion purposes only. Motion carried 7-0.

Mr. Young asked if the proposal should be tabled until the corrections are made.

Mr. Pifer commented that his client would like a decision rendered this evening if possible.

Mr. Bertram asked if the developer could put in a de-acceleration lane.

Mr. Perez commented that Belsay Road is curb and gutter and constructing a de-acceleration lane would be difficult.

A brief discussion was held concerning the rezoning of parcels A and C.

Mr. Perez asked if there was a reason why Mr. Sekrennes wanted Parcel B rezoned to C-2 rather than RO.

Mr. Sekrennes replied there is no need for offices on Belsay Road. There are enough there already.

Mr. Perez inquired about a traffic count.

Mr. Strasser said a traffic count could only be done on a daily basis. Any further information would have to be done through the Genesee County Metropolitan Planning Commission.

Mr. Grantner clarified that the Belsay Road lot is strictly a second entrance and that the main entrance would be off Davison Road.

Discussion was held concerning the wetland area and the various zoning classifications. Mr. Pifer said Mr. Sekrennes needs to have an alternate plan with the commercial zoning.

Mrs. White commented that she would think the residents in Schaffer Manor would rather have a residential

Mr. Perez asked Mr. Sekrennes if he would be opposed to working with a R-1B zoning classification. He noted that the new requirement for R-1B is for the property to be 5 feet wider.

Mr. Sekrennes said he had no problems with the R-1B zoning classification.

Mr. Perez asked if the motion included the new R-1B zoning classification that is before the City Council at this time.

Mr. Young replied yes, the motion would be for the proposed R-1B zoning that is currently before the City Council.

Moved by Young, seconded by Bertram to approve Zoning Case #283 with the change that Parcel A is changed to R-1B zoning rather than RM, as requested. Also, eliminate Parcel B from any consideration at this time. The proposed R-1B zoning is to be the one that is currently before the City Council. Motion carried 6-1 with Walls voting no.

D. AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh St., said the case that was just heard is not in sync with the new master plan. She spoke regarding the notice for zoning case #283.

Dale Ellery, Belsay Rd., said the board does a very good job. He was uncertain that the location of the proposal for the previous zoning case was on Belsay Road. He said again spoke in reference to the lots he owns on Belsay Road across from Hugh St. and expressed interest in selling them to Mr. Sekrennes. He noted that three lots would be more beneficial to the proposal than one lot.

E. SITE PLAN REVIEW:

1. SPR #03-60

BY: Marcos Makohon-K4 Architecture LLC
26899 Northwestern Hwy, Ste. 208
Southfield, MI 48034

RE: Fifth Third Bank
S. Saginaw St., NW Corner of Saginaw & Maple
Parcel #59-32-300-007

FOR: Construction of a new banking center.

Mr. Makohon, 26899 Northwestern Hwy, Ste 208, Southfield, MI, said he was representing Fifth Third Bank. The banking center would be located behind the newly constructed gas station at Saginaw and Maple. The lot split was approved for this parcel and Fifth Third would be the catalyst for the entire parcel, as the present owners are considering development for the other side. The banking center is residential in scale with brick facade and shingled roof. We would be relocating our present banking center just south of Maple Road to this facility, which gives us many opportunities to conduct our banking business. We would enhance the Saginaw Street corridor by landscaping the front, setting the parking towards the building. There would be a considerable amount of landscaping to the North side of the building to handle the required stacking. Mr. Makohon explained the placement of the entrance to the bank off Saginaw Street.

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

Mr. Strasser commented that the DPW recommendation is to shift the driveway cut off Saginaw Street to the North.

Banking customers would pull into the driveway and go to the left into the banking center. Other than this one item, the plan is an excellent one. We recommend approval of the site plan.

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Mr. Perez asked if this lot was part of the original proposal acted on at a previous meeting.

Mr. Strasser replied this lot was part of the original proposal.

Moved by Young, seconded by White to approve Site Plan Review #03-60 contingent upon DPW recommendation. Motion carried 7-0.

F: BOARD DISCUSSION:

Mr. Young noted that Mr. Strasser did a good job in making the presentation for the zoning ordinance text change to the City Council.

Mr. Grantner asked if there had been a first reading of the ordinance.

Mr. Young replied the first reading was done and there were two items removed. One of them was in reference to the requirement of paving for the used car lots and the other dealt with lot splits being done administratively.

Mr. Perez commented that he and Mr. Grantner discussed the issue of sending the residents a copy of the map with their notification, of the location of the property in question. This would solve a great deal of confusion to the residents.

Mr. Grantner said he believes this would be a good for the residents to refer to when they receive their notices.

A brief discussion was held concerning the location of the property for zoning case #283.

Mr. Grantner commended Mrs. Walls for running for the office of councilperson.

Mr. Grantner wished everyone a Happy Holiday.

The next regularly scheduled meeting will be held on Tuesday, January 13, 2004 at 6:00 P.M.

Meeting Adjourned at 7:10 P.M.

Cheryl M. Ladd, CMC
Deputy City Clerk

CML