

CITY OF BURTON
REGULAR PLANNING COMMISSION MINUTES

The Regular Meeting was called to order by Homer Berry, Chairman, at 7:00 P.M.

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

MEMBERS ABSENT: Mayor Smiley.

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

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

Moved by Howlett, supported by Perez to approve the minutes of the Regular Meeting of December 12, 1995 at 7:00 P.M., as printed. Motion carried 8-0.

B. SCHEDULE FIRST PUBLIC HEARING FOR FEBRUARY 13, 1996 AT 7:00 P.M.:

1. ZC #214

BY: Keely Realty, Inc.
2224 S. Center Rd.
Burton, MI 48519

RE: 2224 S. Center Rd.
Lots 59, 60, 61, 63 and 64 of
Supervisor's Plat.
Section 21
Change zoning from C-2 to C-4 for
a shopping center.

FOR: Retail Use.

2. ZC #215

BY: James Carnwath & James Hewines
1112 Ottawa
Royal Oak, MI 48073

RE: Parcel #59-35-100-021
Genesee Road
Section 35
Change zoning from SE to R-1A
for the development of a
subdivision.

FOR: Residential Development

Moved by Howlett, supported by Bertram to schedule the first public hearing for Zoning Cases #214 and #215 for February 13, 1996 at 7:00 P.M.
Motion carried 8-0.

C. FIRST PUBLIC HEARING:

1. ZC #213

BY: Deborah Metzger
8302 Butternut Ct.
Grand Blanc, MI 48439

RE: G-2173 S. Center Rd.
59-22-100-009
Section 22
Change zoning from R-0 to C-2
for Retail Stores.

FOR: Commercial Use.

Mr. Berry said this zoning case was advertised to begin at 7:30 P.M., so we need to postpone this to later in the meeting.

Moved by Howlett, supported by Bertram to postpone Zoning Case #213 until the end of the meeting. Motion carried 8-0.

D. AUDIENCE PARTICIPATION:

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

E. SITE PLAN REVIEWS:

1. SPR #96-2

BY: Keely Realty, Inc.
Robert L. Keely, Pres.
2224 S. Center Rd.
Burton, MI 48519

RE: Guardian Glass Company, Tenant
2260 S. Center Rd.
Lot 61, Supervisor's Plat
Section 21
C-2 Zoned

FOR: Construction of a 4,032 sq. ft.
building to be Tenant occupies by
Guardian Glass Company.

Mr. Keely said they are asking for a site plan review to construct a building for Guardian Glass Company. He asked that the architect explain what it is they are proposing.

Ted Hue, Architect, said they are proposing a structure of approximately 4,000 square feet. There will be an office in the front of the building and a repair shop in the rear. This site is about a half acre and is located on Center Road. There is also an area of about four (4) acres for future development. We will be putting in 18 lighted parking spaces with proper landscaping. We have spoken with Genesee County Road Commission regarding curb cuts to Center Road.

Mr. Berry asked if they had any plans for a sign and if there is a problem with any of the DPW requirements. Mr. Hue said there is nothing proposed at this time; and Mr. Keely said the sign would be a low profile type sign and he had no problem with any of the requirements.

Audience Participation:

Larry Stephens, 3049 Vineland, asked about the zoning for Lot 61.

Mr. Strasser said all of the DPW requirements have either been met. We had a concern about the entrance off Center Road, but concur with the Genesee County Road Commission.

Bob Carpenter, 8305 S. Saginaw St., Grand Blanc, briefly discussed the access off Center Road.

Mr. Bertram inquired as to whether there will be trucks coming and going.

Ken Bachman, 1175 W. Reid Rd., Flint, said he was from Guardian Glass. He said there are two trucks each week, but there is plenty of room for them to get in and out.

Moved by Howlett, supported by Walls to approve Site Plan Review #96-2 contingent upon DPW recommendations and that they obtain proper permits. Motion carried 8-0.

F. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #95-89

BY: John Harada
320 E. Grand Blanc Road
Grand Blanc, MI 48439

RE: Burton Therapeutic Clinic/Allied
Rehabilitation & Pain Management,
Inc.
4295 S. Saginaw St.
Lots 10, 11 and 12, Stratmoor and
all of the West 1/2 of the vacated
alley adjoining to the East,
according to the plat thereof as
recorded liber 12, page 11 of Plats,
Genesee County Records.

FOR: Office Use.

Bob Keely, 2224 S. Center Rd., said he is representing Mr. Harada. He explained that the previous Office Products Store has been leased and renovated. An Occupancy Permit was issued on December 22, 1995 for this business.

Mr. Berry asked if there were any problems with the DPW requirements. He was advised there was no problem.

Mr. Strasser said all of the DPW requirements have been met.

Moved by Howlett, supported by Grantner to approve Site Plan Review #95-89, contingent upon DPW recommendations. Motion carried 8-0.

2. SPR #96-1

BY: Gregory Creer
695 Rolling Hills Lane
Lapeer, MI 48446

RE: Gator's Auto Tinting & Car Stereos
3495 S. Center Rd.
59-27-551-003

Lots 2 & 3 Schram Acres
C-2 Zoned

FOR: Change of Use.

There was no one here to represent this site plan. Mr. Strasser said he told the applicant he should be at the meeting.

Moved by Bertram, supported by Grantner to postpone Site Plan Review #96-1 until the next regular meeting of February 13, 1995. Motion carried 8-0.

3. SPR #96-5

BY: William R. Elzay
10435 Rustic Ridge
Fenton, MI 48430

RE: D.F. Corporation dba Nichol's
Paint Co., dba D.F. Floorcovering
6020 Davison Rd.
Lot 31 & Part of Lots 32, 33, 34 of
Supervisor's Plat Eastmoreland Acres
Section 12
C-1 Zoned

FOR: Change of Use.

Mr. Elzay said he is leasing the building at 6020 Davison Road and this is a commercial and residential painting and floorcovering business. He said they install various types of floorcovering and do exterior and interior custom paint work.

Mr. Berry asked if there was a problem with any of the DPW requirements. He was advised no.

Mr. Strasser said it's important that the street number be placed on the building so it can be seen from the street for emergency purposes.

Audience Participation:

Larry Stephens, 3049 Vineland, inquired about the zoning and parking.

Mr. Strasser asked how much paint is stored inside the building. He was advised between 100 and 150 gallons going in and out everyday. Mr. Elzay said they are following the State Fire Marshall's guidelines.

Moved by Howlett, supported by White to approve Site Plan Review #96-5, contingent upon DPW recommendations. Motion carried 8-0.

C. FIRST PUBLIC HEARING:

1. ZC #213

BY: Deborah Metzger
8302 Butternut Ct.
Grand Blanc, MI 48439

RE: G-2173 S. Center Rd.
59-22-100-009

Section 22
Change zoning from R-0 to C-2
for Retail Stores.

FOR: Commercial Use.

John Hermann, Attorney representing Deborah Metzger, said they are asking for a zoning change from R0 to C-2. He presented an aerial review of the property located on Center Road, south of the Orthodox Church.

Mrs. Metzger said she has owned the property for 20 years and would like to develop it for commercial use. She said the property was offered for sale for about a year and she received no offers to buy it.

Mrs. Howlett asked how many stores would be included in the proposal. She was advised there would be 3.

Audience Participation:

Walt Borkovich, 6228 Greenview Dr., said he is a member of St. Nick's Church and is representing the membership. He explained that the Church is north of the property in question. He said the membership thinks this would be an encroachment of their operation and they are concerned about the additional traffic this would encourage. He said at one time there was a discussion concerning the possible purchase of this property between the previous owner and the church. Mr. Borkovich asked if the proposed buildings would be facing north and south and he was advised yes, they would facing that direction.

Mr. Hermann, Attorney, said the previous owner was Mr. Petris, who is the father of Mrs. Metzger. To their knowledge, there was never an offer made on the property when Mrs. Metzger had it up for sale. He said that Mrs. Metzger has not been insensitive to the church. She could have asked for C-4 zoning but thinks the more appropriate zoning is C-2, which still permits retail stores. The property immediately to the south is already C-2 zoning.

Larry Stephens, 3049 Vineland, said he thinks the original master plan should be followed and is against the rezoning.

Paul Hildreth, 2364 Meadowcroft, said he is a member of the church and is against the rezoning because of the traffic and the potential for vandalism. He said they don't expect the property to never be developed, but would rather have a professional office than a shopping center.

Mrs. Howlett said in the future, she expects to see more commercial development coming down Center Road. She inquired as to why an offer wasn't made for the property, from the church, when it was for sale.

Mr. Perez asked if the church would be willing to pay the money that Mrs. Metzger is asking for the property and if so, would Mrs. Metzger be willing to sell the property?

Mrs. Metzger said she no longer is interested in selling the property because of all the plans she has made for it.

Mr. Perez said though he is sympathetic to churches and houses, he thinks the board members first responsibility is what is in the best interest of the City.

He said there are safeguards that can be taken to screen the church property from the commercial property. This can be done through site plan review, should the rezoning be approved by Council.

Mr. Bertram said the City can also police what type of use will be going into the buildings.

Moved by Howlett, supported by Bertram to recommend approval of Zoning Case #213 to the City Council, contingent upon DPW recommendations. Motion carried 8-0.

J. BOARD DISCUSSION:

Mr. Perez said he is against spot zoning.

Mr. Bertram said he thinks the Master Plan should be reviewed and a recommendation made to the administration to review and possibly update the Master Plan.

Mrs. Walls said it is expensive to review and update the plan. She said he doesn't agree with bringing in Brandon Rogers to accomplish this task because of the expense.

Mr. Perez asked if there is someone locally that could do this. Mr. Strasser said yes.

Mr. Berry asked that Mrs. Walls inform the Council of the Board's wishes.

Mr. Perez said he could pursue bids from different companies if the Board wishes.

The next regularly scheduled meeting will be held February 13, 1996 at 7:00 P.M.

Meeting adjourned at 8:05 P.M.

Respectfully Submitted,

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

CML