

CITY OF BURTON
REGULAR PLANNING COMMISSION MINUTES
FEBRUARY 8, 1994, 7:00 P.M., COUNCIL CHAMBERS

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 Charles 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 Bertram to approve the minutes of the Regular Meeting of January 11, 1994 at 7:00 P.M., as printed. Motion carried 8-0.

B. FIRST PUBLIC HEARING:

1. LS #94-6

BY: Richard Hamilton
702 Church St.
Flint, MI 48502

RE: Lot 38 Supervisor's Plat - Davison
Acres
Section 1
Zoned RM

FOR: Residential Use.

Mr. Hamilton said he is adding an additional residential lot adjacent to Ridgemoor Drive.

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

Moved by Howlett, supported by Perez to approve Lot Split #94-6, contingent upon DPW recommendations. Motion carried 8-0.

2. ZC #202

BY: Robert Keely
715 W. 12th St.
Flint, MI 48502

RE: 2260 S. Center Rd.
The Western most 30.8' of Lot 61 of
Supervisor's Plat of the City of
Burton to be rezoned from C-2 to R-0
and the Northernmost 34.8' of the
Eastmost 249.7' of Lot 62 of the
Supervisor's Plat of the City of
Burton to be rezoned from R-0 to C-2

FOR: Straightening and simplifying zoning
classifications on 2 platted lots.

Mr. Keely said if approved, this would straighten out zoning boundaries which were switch five (5) years ago when the property was rezoned.

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

Mr. Strasser said these properties were turned around when they were originally rezoned and Mr. Keely is getting them back to their original zoning.

Moved by Howlett, supported by Bertram to recommend approval of Zoning Case #202 to the Burton City Council. Motion carried 8-0.

C. AUDIENCE PARTICIPATION: None.

D. SITE PLAN REVIEW POSTPONED FROM JANUARY 11, 1994 AT 7:00 P.M.:

1. SPR #93-63

BY: C.E.S.O., Inc.
7720 Paragon Road
Dayton, Ohio 45459

RE: Wal-Mart Store
North Side East Court Street
Adjacent to & West of McDonalds
24.69 Acres in the SE 1/4 of Section
II, T7N-R7E, City of Burton, Genesee
County, MI

FOR: Site Plan Approval

Mr. Berry said if there were no objections, this case would be heard last due to maps and drawings having just been received by the Board. There were no objections to moving Site Plan Review as the last item on the agenda.

E. SITE PLAN REVIEW:

1. SPR #94-9

BY: Family Dollar Stores of Michigan Inc
P.O. Box 1017
Charlotte, NC 28201-1017

RE: 4386 Saginaw Street
Lots 321, 322, 323, 324, 325, 326,
436, 437, 438, 439, 440 and 441 of
Greater Flint Subdivision, including
vacated alley between Proper and
Ready, according to the recorded
plat thereof as recorded in Plat
Book 15, page 4-7, Genesee County
Records.

FOR: New Construction for retail outlet.

Bob Giesey, Architect, 1111 Creekwood Trail, Burton, MI, said the owners would like to construct a 7,000 square foot building for a retail sales outlet. Dan Koehler is present representing the Family Dollar Stores. DPW has reviewed the storm and drainage problems with us and that has been taken care of. The easements have been approved and the vacated alley was approved by the City Council on February 7th.

Mrs. Howlett asked if there were any problems with the DPW requirements. Mr. Giesey said no problems. He thinks this will be a good use for the land and the property is properly zoned. He said there needs to be an approval from the ZBA for a setback area and any approvals from the Planning Commission would be contingent upon the ZBA approvals.

Mr. Strasser said the existing vacated alley runs through the property. The City Council has relinquished the rights through the property and the waterline will be moved to the rear of the property. The variances for parking are reasonable. Mr. Giesey is proposing a 10 foot setback on S. Saginaw which will be landscaped. He is asking for a reduction in parking spaces from 47 to 39. DPW has no problem with the lesser amount, but we will have to see if the ZBA approves the parking request. This is a neighborhood shopping outlet.

Moved by Howlett, supported by White to approve Site Plan Review #94-9 contingent upon DPW recommendations with approval from the Zoning Board of Appeals and recommend parking space be reduced from 47 to 39 to ZBA. Motion carried 8-0.

F. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #94-5

BY: Gary E. Baker
3374 S. Center Rd.
Burton, MI 48519

RE: Signature Dental
3364 S. Center Rd., Suite 2
Lots 37-38 Follo Acres
Section 28

FOR: Change of use within a tenant space.

Mr. Strasser said this is a change in tenant space to optometry and dental office. All requirements of the ordinance and the site plan are up to date and there is adequate parking.

Moved by Bertram, supported by Perez to approve Site Plan Review #94-5 contingent upon DPW recommendations. Motion carried 8-0.

2. SPR #94-8

BY: Morrison Properties, Pumpernik's
Bagel Factory
1361 Dupont Street
Flint, MI

RE: Pumpernik's Deli & Bagel Factory
G-4205 S. Saginaw St.
Lots 20, 21, 22 and 23 and all
vacant alley adjoining said lots,
Durant Heights as recorded in Liber
11, Page 15, Genesee County Records.

FOR: Commercial Use

Jim Morgan, of Morgan Construction Company, 3499 S. Linden Rd., Flint, MI, said he is the contractor for Mr. Morrison. There will be a change in use in the tenant space. The building is currently empty on the corner of Saginaw and Schumacher. There will be a deli in front and a bakery in back.

Mrs. Howlett asked if Mr. Morgan agreed with the DPW recommendations. She was advised yes.

Mr. Strasser the City can't knowingly allow parking to be constructed if it infringes on the traffic flow. The Saginaw Street businesses have always had parking problems. They have an agreement with Ritz Lounge for parking of employees and it would also take care of overflow. The existing loading dock will be removed.

Mr. Bertram said the traffic would not exit onto Schumacher, but would exit onto Saginaw Street.

Mr. Perez asked if they could parallel park along the south side of the building to give them more spaces.

Mr. Berry said it is muddy and not level, but it could be done.

Moved by Howlett, supported by Walls to approve Site Plan Review #94-5, contingent upon DPW recommendations and eliminating parking on south side of building. Motion carried 8-0.

3. SPR #94-10

BY: Boylan Sales, Inc.
607 N. Main Street
Plainwell, MI

RE: Boylan Sales
4354 & 4360 E. Bristol Rd.
Q-391-10, Sect 34
C-3 Zoned

FOR: Change of Ownership & Use

Patrick Boylan, 607 N. Main St., Plainwell, MI, said the business is a golf cart dealership and they are presently located in five (5) cities. They have been in the business for 26 years and are currently working out of the Pontiac area. This is basically the same use as a car dealership. There will be more parking than what is currently on site and the area will be fenced in for security reasons. At this time, we are looking at leasing the building.

Mr. Boylan said he has reviewed the DPW recommendations and they would like to have gravel in place of the paving and the privacy fence would be a hardship for the business, as people would not see the carts from the road.

Mr. Strasser said any off-site parking requires a hard surface per the ordinance. However, if the Planning Commission could approve the site plan for gravel behind the building. The privacy fence would be on the west side of the building, not all the way back to where the carts would be hidden. Please will be able to see from the showroom and in the front of the building. Mr. Strasser said the creek that runs through the property is no owned by anyone and it is not maintained. It drains about 1/2 mile behind the property.

Mr. Bertram asked if the lease would be long term. He was advised it would be a two (2) year lease.

Moved by Howlett, supported by Bertram to approve Site Plan Review #94-10, contingent upon DPW recommendations, indicating screening on the west side of the building and they can move in without paving in the back and if there are no problems, it can remain gravel. Motion carried 8-0.

G. SPECIAL USE PERMIT:

1. BCPC #94-7

BY: J. D. Wilkerson
3334 Alpena
Burton, MI 48529

RE: Part of Lot 47 of Follo Acres,
Q-4350-48
Section 28
M-1 Zoned

FOR: For a dog kennel, Section 17.03
Item D of Ord. #19

Mr. Wilkerson said he is asking for a dog kennel for five (5) adult dogs. The kennels have been there for the past 34 years and has had the five dogs. Mr. Wilkerson said he has a petition from his neighbors stating they have no problem with the kennels.

Mrs. Howlett asked how many acres of land he has. She was advised there are 8.2 acres.

Mr. Strasser said the property is zoned M-1 and the permitted use after special approval must come before the Planning Commission. The gentleman is asking for a limited number of five (5) adult dogs. This could be approved on a yearly basis.

Mr. Bertram asked if Mr. Wilkerson would have to pay the fee every year. He was advised yes.

Mrs. Walls asked if the DPW had any complaints about the dogs barking. Mr. Strasser replied none that he is aware of.

Moved by Howlett, supported by Walls to approve BCPC #94-7, for five (5) adult dogs, contingent upon DPW recommendations. If there are any problems with the dogs barking, resident is to come back before the Planning Commission. Motion carried 8-0.

D. SITE PLAN REVIEW POSTPONED FROM JANUARY 11, 1994 AT 7:00 P.M.:

1. SPR #93-63

BY: C.E.S.O., Inc.
7720 Paragon Road
Dayton, Ohio 45459

RE: Wal-Mart Store
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24.69 Acres in the SE 1/4 of Section
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County, MI

FOR: Site Plan Approval

David Oakes, engineer for Wal-Mart, said they wish to construct a free-standing store on Court Street, directly west of the rear of K-Mart. The building will be 124,996 square feet with expansion capabilities up to 68,000-69,000 square feet on the east side of the building. The tire and battery area will be on the west side of the building.

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The store faces the south with the parking lot in the front of the store. There will be access off two drives off Court Street as well as roadway out to Belsay Road, which will be constructed up to City specifications.

Mr. Berry asked how this Wal-Mart would compare in size to the one on Corunna Road. He was advised it would be almost identical.

Mr. Oakes said they are proposing three lanes along Court Street for a turn lane into Wal-Mart's first drive. He said there will be variances needed and they will get them at a later date.

Mrs. Howlett asked if DPW had any concerns. Mr. Strasser said most of the concerns have been taken care of. There are several items the County Drain Commission would like to have done and they will be contacting Mr. Oakes about their concerns.

Mrs. Howlett said she thinks a light should be installed. Mr. Strasser said this would have to be looked at from a safety standpoint.

Mr. Oakes commented that they will work with the DPW regarding the number of lanes on Court Street and come to some kind of agreement.

Moved by Howlett, supported by White to approve Site Plan Review #93-63, contingent upon DPW recommendations, agreeing that all items should be agreed on for lights, streets and number of lanes on Court Street at Belsay Road. Motion carried 8-0.

E. BOARD DISCUSSION:

Mr. Berry asked if anyone from the City would be attending the Metropolitan Planning Commission Workshop to be held on February 9, 1994.

Mr. Strasser said no one that he knew of would be attending.

The next regularly scheduled meeting will be held March 8, 1994 at 7:00 P.M.

Meeting Adjourned at 8:15 P. M.

Respectfully Submitted,

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

CML