

CITY OF BURTON
REGULAR PLANNING COMMISSION MINUTES
FEBRUARY 13, 1996, 7:00 P.M., COUNCIL CHAMBERS

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

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

MEMBERS ABSENT: None.

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 January 9, 1996 at 7:00 P.M. Motion carried 9-0.

B. SCHEDULE FIRST PUBLIC HEARING FOR MARCH 12, 1996 AT 7:00 P.M.:

1. LS #96-6

BY: Daniel J. Elizondo
7447 E. Bristol Rd.
Davison, MI 48423

RE: Parcel # 59-25-400-011
Section 25

FOR: Residential Use.

Moved by Howlett, supported by Perez to schedule Lot Split #96-6 for first public hearing on March 12, 1996 at 7:00 P.M. Motion carried 9-0.

C. FIRST PUBLIC HEARINGS:

1. ZC #214

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

RE: Lots 59, 60, 61, 63 and 64 of
Supervisor's Plat
2224 S. Center Road
Section 21
Rezone property from C-2 to C-4

FOR: Shopping Center

Bob Keely, 2224 S. Center Rd., said he is proposing the rezoning of property from C-2, General Business to C-4 for a planned shopping center. The property contains 5.17 acres and has municipal sewer, water and storm sewers. There is a 525 feet of frontage on Center Road. The site falls within commercial zones on all sides. The C-4 zoning would be more beneficial to the City than C-2 zoning due to the fact that it is controlled zoning. The DPW provides for yearly maintenance and inspection. There will be a traffic increase but Center Road can handle the increase according to the traffic study. There are four routes to enter and exit, two on Center Road, one on Byers and one on Bilsky Street. This will not increase the hazard of fire or public safety. There will be a sprinkler system for the building.

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Audience Participation: None.

Mr. Strasser said the Road Commission has approved the access and DPW has no problems with the request to rezone the property.

Mrs. Howlett asked about the facade of the building. Mr. Keely replied he is uncertain at this time.

Mr. Bertram asked about the fact that when NAPPA was constructed, we asked them to pave on Byers if they planned to use the street for access to their property. Will Mr. Keely be asked to do the same?

Mr. Strasser replied yes, if he uses the access on Byers and Bilsky.

Mr. Perez asked if Guardian Glass is part of this development. Mr. Keely said yes, they are negotiating this at the present time.

Moved by Howlett, supported by Bertram recommend approval of Zoning Case #214 to the City Council. Motion carried 9-0.

2. ZC #215

BY: James Carnwath
1112 Ottawa St.
Royal Oak, MI 48073

RE: Parcel # 59-35-100-021
Genesee Road
Section 35
Rezone property from SE to R-1A

FOR: Residential Development

Ed Pierson, 10028 Eagle Rd., Goodrich, MI, said he is representing Mr. Carnwath. He said they have purchased property and want to develop it with residential homes. The property is presently zoned SE and we want to rezone to R-1A. There will be a minimum of three (3) parcels per acre.

The following residents expressed their concerns about the development:

Roger Eggert, 4107 S. Genesee Rd., inquired if this would be a trailer park.

Peggy Rusaw, 4139 S. Genesee Rd., asked about the pricing of the homes.

Jim Iacovvaci, 4305 S. Genesee Rd., asked about city water, at whose expense.

Mike Rusaw, 4139 S. Genesee Rd., inquired about the rezoning before plans are presented to the Board.

D. Lenheart, 4271 S. Genesee Rd., spoke concerning the power lines and asked how many homes would be built in the development.

John Battles, 4270 S. Genesee Rd., wants development to enhance the area. He asked about spot zoning and if this is consistent with the master plan.

Richard Vickrey, 2045 Judd Rd., asked if there was a procedural problem.

Mayor Smiley said when a developer plans to develop acreage such as this, they generally come into his office and meets with the administrative staff and discuss the plans for the development. He said the City is receptive to development, but would like Mr. Pierson to meet the staff in his office and discuss the projected plans. Mayor Smiley also said once the waterline is put in, it is not mandatory for the other homes to hook into the system and there is no payment required until a homeowner would hook into it. Mayor Smiley informed the residents that if this case is postponed, they would not be receiving another notification of the meeting.

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Moved by Howlett, supported by Bertram to postpone Zoning Case #215 until the March 12th meeting to give the developer an opportunity to meet with the Mayor and staff to review the projected plans. Also, that the Planning Commission be given a report from that meeting. Motion carried 9-0.

D. AUDIENCE PARTICIPATION:

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

E. SITE PLAN REVIEWS:

1. SPR #96-8

BY: Holy Redeemer Church
1227 E. Bristol Rd.
Burton, MI 48529

RE: Holy Redeemer Activity Center
1227 E. Bristol Rd.
Lots 154 & 155 of The Bronx Sub
Parcel #59-30-300-008

FOR: Renovation & Expansion of Activity Center.

Greg Mason, CHMP, Architect and member of Holy Redeemer, explained they are planning an addition to the activity center. There is 22.5 acres with the Church facility, K thru 8 school, day care center and former convent on the premises. The building is 7,200 sq. feet and half of it will be demolished and adding 9,700 sq. feet for a multi-purpose room for various events. The facade will be decorative colored block to match the brick on the current church facility.

Mrs. Howlett asked if he had any problems with the DPW requirements. Mr. Mason had no problems with the requirements.

Mr. Strasser said the plans are to close one drive on Grand Traverse and the new building will be much nicer than what is presently there.

Moved by Howlett, supported by Perez to approve Site Plan Review #96-8 contingent upon DPW recommendations. Motion carried 9-0.

F. ADMINISTRATIVE SITE PLAN REVIEWS POSTPONED FROM JANUARY 9, 1996:

1. SPR #96-1

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

RE: Gators Auto Tinting & Car Stereo's
3495 S. Center Rd.
Parcel #59-27-551-003
Lots 2 & 3 Schram Acres
C-2 Zoned

FOR: Change of Use.

Gregory Creer, 695 Rolling Hills Lane, Lapeer, MI, said the company is doing auto tinting and car stereo's. Improvements need to be made on the building and all other improvements were made that they were asking for. He said they received permission to get the items done within the next six (6) months. Signs will be put in after requirement improvements are met.

Mr. Bertram inquired about the amount of signs allowed on the property. Mr. Strasser said they are under the required amount of signage allowed.

Mr. Perez asked if they are buying or leasing the building. He was advised they are leasing the building.

Mr. Strasser said the parking is adequate and there is no problem with the request.

Moved by Howlett, supported by Bertram to approve Site Plan Review #96-1 contingent upon DPW recommendations. Motion carried 9-0.

G. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #96-9

BY: Bedrock Tatoo's
4271 S. Dort Hwy.
Burton, MI 48529

RE: 4271 S. Dort Hwy.
Lots 1 & 2 of Lacina Sub.
Section 33
M-1 Zoned

FOR: Change of use within a tenant space.

There was no one present to represent this site plan request.

Moved by Bertram, supported by Howlett to postpone Site Plan Review #96-9 until the March 12th meeting. Motion carried 9-0.

2. SPR #96-10

BY: Burton Tobacco, Inc.
6034 Lapeer Rd.
Burton, MI 48509

RE: Smoker's Palace III
Lots 1-9 Supervisor's Plat #8
Section 13
C-4 Zoned

FOR: Change of Use within a tenant space.

Steve Shinkus, 543 S. Maynard, Lapeer, MI, said he has been in business and was advised he needed an occupancy permit. He said he sells cigars, cigarettes, pipes and anything having to do with tobacco products.

Mr. Berry asked about selling to minors. Mr. Shinkus said no one under 18 is allowed to enter the building and he does have a sign on the door that states this. He also checks ID.

Mr. Strasser said the only thing DPW has is that the portable sign associated with the business be removed; all other requests are in place.

Mr. Bertram asked about the portable signs being placed for a period of 30 days. Mr. Strasser said there is nothing stating that there is a 30 day limit.

Mayor Smiley said the Legislative Committee may be reviewing limits on portable signs.

Mrs. Walls suggested the sign remain for 30 days.

Mr. Perez said he has been in the store and it is a very clean business. He said the sign for the 23 Supermarket has been there for years. It seems like 30 days is a short period of time to request for this business.

Moved by Howlett, supported by Walls to approve Site Plan Review #96-10 contingent upon DPW recommendations and allow the portable sign to remain on the premises for a period of 30 days. Motion carried 9-0.

Moved by Howlett, supported by Walls to amend the motion to allow the portable sign to remain for a period of 90 days or until the City Council passes legislation concerning this issue. Amended Motion carried 9-0.

G. ADMINISTRATIVE SITE PLAN REVIEWS:

3. SPR #96-11

BY: USPCI-LAIDLAW
Mr. Dave Hodge
4475 S. Dort Hwy.
Burton, MI 48529

RE: USPCI-LAIDLAW
3075 Maple Ave.
Parcel #59-33-300-012
M-1 Zoned

FOR: Office Addition

Mr. Greg Mason, CHMP, 5198 Territorial Rd., Grand Blanc, said he is representing USPCI. He explained they want to add a prefabricated office and the building would be 66'x 35'. Additional parking is required and will accommodate 26 spaces total. The owner has no problem with any of the DPW requirements.

Mr. Strasser asked if they would be adding additional employees. He was advised by David Hodge, facility manager, that there would be two or three new employees and a total of seven additional people would be added. Mr. Strasser said all other requirements were made at the inception of the business.

Mr. Bertram asked why they are are not using the drive on Maple Road. Mr. Hodge said the drive is too narrow and they are now coming in and out on Dort Highway. Mr. Bertram inquired the the storage of empty containers on the premises. Mr. Hodge said it is his understanding that empty contained are allowed for open storage.

Discussion was held concerning the open storage issue.

Moved by Howlett, supported by White to approve Site Plan Review #96-11 contingent upon DPW requirements. Motion carried 9-0.

4. SPR #96-12

BY: LaGarda Security
2123 S. Center Rd.
Burton, MI 48519

RE: LaGarda Security
2123 S. Center Rd.
Parcel # 59-22-100-006

FOR: Change of Use.

Robert Jacobs, Otisville, MI, said the building has been leased for a period of two years. They have agreed to pay for half of the paving in the parking area. He said he has reviewed the DPW requirements and all items except two would have to come from the owner of the building. He said they can comply with the barrier free requirement and the performance bond.

Mr. Berry asked if he had contacted the property owner. Mr. Jacobs replied yes, but hasn't heard from the owner since September.

Mr. Strasser said he spoke with the owner, but he can't get a definite answer as to what they are planning to do with the paving, which is an issue.

Mr. Perez said he would like to see landscaping plans and have the parking lot paved with curbs. He would also like to see a set of plans as to what will be done to enhance the area as the building is located in a commercial area. He said he would like to see the plans presented at the March meeting.

Mr. Bertram asked if it was the renters responsibility to go to owner, not the city's.

Mr. Berry asked if they had applied for an occupancy permit. Mr. Strasser said a permit will not be issued until the site plan is completed.

Moved by Howlett, supported by Perez to postpone Site Plan Review #96-12 until the March 12th meeting, to give time for the owners or renters to come in and talk with DPW regarding the site plan. Motion carried 9-0.

5. SPR #96-13

BY: Larry Noyce
Precision Ceramic Tile, Inc.
5094 Davison Road
Burton, MI 48509

RE: Precision Ceramic Tile, Inc.
5094 Davison Road
Parcel # 59-11-100-093

FOR: Additional Storage Space.

Larry Noyce, 5376 Pierson Rd., Flint, MI said he would like additional storage space for his equipment. He has no problems with the DPW requirements.

Mr. Strasser said the proposed improvements will enhance the looks of the area. He is scheduled to go before the Zoning Board as the property is zoned R-0 with a C-2 use. He is asking to expand the C-2 use. There is a 20 ft. side yard setback and 8 feet to facilitate three (3) parking spaces. He plans on putting in additional paving and storm waters will go to the catch basin.

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Moved by Howlett, supported by White to approve Site Plan Review #96-13 contingent upon DPW recommendations and obtaining approval from the Zoning Board of Appeals for C-2 use. Motion carried 9-0.

6. SPR #96-14

BY: George Gilliam
2347 E. Bristol Rd.
Burton, MI 48529

RE: Shamrock Fabricating, Inc.
2347 E. Bristol Rd.
Parcel #59-29-400-010
M-2 Zoned

FOR: 24'x24' Addition and a 15'x40'
Awning.

Larry Cool, American Building Company, said he has submitted the layout, but has no actual architectural drawings.

Mr. Strasser said the Board received additional information regarding the site plan review meeting of 1992. It is a downsized version of the original plan. All outside storage was to be kept north of the building and that has not been done. There has been outside storage of the skids to the front of the building, and he has received complaints about this issue.

George Gilliam, 1349 Cass St., Flint, MI, said they load and unload five to six trucks per day and needs to store beside the plant. He said he was unaware, until tonight, that any complaints had been made. He said he would like to turn the front fence and add slats for a privacy fence.

Mr. Berry said the Board has received complaints and this was passed on to some member of the company.

Mr. Bertram asked if the paving requirements from the 1992 site plan was completed. Mr. Gilliam said yes, this has been completed. He said he thinks the improvements will enhance the property, but there is concern about the outside storage.

Mr. Gilliam said he will not store from the front of the plant to the road.

Mayor Smiley said he also received calls about the storage problem, as well as cars parked along side the road.

Moved by Howlett, supported by Walls to approve Site Plan Review #96-14 contingent upon DPW recommendations and there is to be no outdoor storage in the front area of the building. Motion carried 9-0.

H. SITE PLAN REVIEW: (Addition to Agenda)

1. SPR #96-16

BY: Green Briar
774 Balfour
Grosse Pointe Park, MI 48230

RE: Green Briar
59-31-100-026 and
59-31-300-002

H. SITE PLAN REVIEW: (Addition to Agenda)

1. SPR #96-16

FOR: Mobile Home Park

Walter Walker, 774 Balfour, Grosse Pointe Park, MI, said the major issues from the residents in Shenandoah was that all lots south of Judd Road contain doublewide lots. There will be a double row of evergreens and there will be no ingress or egress on Judd Road. He said there are no problems with any of the DPW requirements.

Mr. Berry asked if he has been in touch with Kessel's. Mr. Walker said this site plan is for the community behind the proposed mobile home park. He said they received a preliminary draft from the traffic study and indications are that a traffic light could be needed at Kessel's and Bristol Road.

Discussion was held regarding mobile home and manufactured homes. Mr. Walker said both are BOCA and HUD approved.

Ian Hohloch, 4422 Hedgethorn, said 100% of the lots will accommodate doublewides and there will be no used homes allowed, nor will there be any rented units.

Mr. Strasser asked if there are still plans for a walkway, as Dillon School is west of the proposed site. He was advised this is still in the plans.

Moved by Howlett, supported by Perez to approve contingent upon DPW memo and letter of February 12, 1996 to Green Briar Mobile Home Community. Motion carried 9-0.

Moved by Howlett, supported by Mayor Smiley to include the letter to Shenandoah Subdivision. Motion carried 9-0.

I. BOARD DISCUSSION:

Mr. Berry said there are seminars offered by MML and Baker College. The one for Baker is on Wednesday, April 24th from 6:00 to 9:00 P.M. Discussion was held and it was agreed that to try and get the MML seminar set for the the first Saturday in May to be held in the morning.

Mayor Smiley said he will request that the Legislative Committee address the issue of portable signs. He also said letters would be mailed to the residents regarding the Veteran's Memorial regarding plates being sold in honor of the veterans.

Mayor Smiley said Al Klaus reported that his subdivision is doing great. He is having an Open House on March 15th for Pinecreek Estates, north of Atherton Road on Genesee Road.

Mr. Bertram asked that consideration be given to changing wording in the ordinance to Manufactured Housing Community.

The next regularly scheduled meeting will be held March 12, 1996 at 7:00 P.M.

Meeting Adjourned at 9:08 P.M.

Respectfully Submitted,

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk