

CITY OF BURTON
REGULAR PLANNING COMMISSION MINUTES
MARCH 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: Berry, Howlett, Bertram, Perez, Grantner, Mayor Smiley, Merrell, Walls and White.

MEMBERS ABSENT: None.

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

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

Moved by Howlett, supported by Grantner to approve the minutes of the Regular Meeting of February 8, 1994 at 7:00 P.M., as printed. Motion carried 9-0.

B. RECONSIDERATION FOR EXISTING SITE PLAN REVIEW:

1. SPR #88-32

BY: Kevin McNally
4173 Jimbo Dr.
Burton, MI 48529

1.

RE: KIM Towing & Auto Parts
4173 Jimbo Dr.
Lot 31 Bristol Rd. Industrial Park
Section 31

FOR: Reconsideration for existing site plan.

James Whalen, Attorney for Kevin McNally, 2467 E. Hill Rd., Grand Blanc, MI 48439, said the Building Department has a concern about the appearance of the building. A building was to be constructed for secure storage and repairs of wreckers used in the business. Mr. McNally said he doesn't want to construct the building as he requested in his previous site plan. He has between a dozen and two dozen cars on the property, which have been abandoned by the owners and he is waiting for titles to the vehicles to come in from the State so he can dispose of the vehicles. He is proposing a stockade fence to be erected on the Northeast corner of the property for storage of these vehicles.

Mrs. Howlett said according to the pictures, the property is an eyesore to the City. Is there a reason the building was not built as requested?

Mr. Whalen said he and the City Attorney discussed this case and he was told that the problems would be solved at this meeting. Mr. Whalen said there was a pile of engine parts and they are now gone. The tires have been reduced and Mr. McNally has assured the Building Department the junk tires will be removed from area as quickly as possible. Mr. Whalen said the reason the building was not built was because of financial reasons.

Mr. Strasser said this site plan was approved in 1988. There were substantial setbacks approved by the ZBA for a towing yard and auto facility. There has been appearance tickets issued and went in front of a judge and it was sent back to the Planning Commission. The pictures presented to the Board were taken a week ago.

Mr. Berry said there are 9 or 10 wreckers on Jimbo Drive that look like they en't been used in quite some time and they have different names on the wreckers than the name of this business.

Mrs. Howlett said she is concerned about approving this because Mr. McNally has not kept this property cleaned up.

Mr. Perez said though this is an industrial park, the other businesses have kept their property appealing in the front of the business and this site is in bad condition.

Mr. Whalen said this could be kept tidy, but this is a towing business and the vehicles that are being towed in are either junkers or older vehicles whose owners abandoned them.

Mayor Smiley asked what the waiting period is from the State in getting the titles returned. Mr. Whalen replied approximately 90 days. He said before voting on this he would like to confer with the City Attorney as to what happened when this went to Court.

Mr. Bertram asked if there is a limit of the number of vehicles that can be stored on the property. Mr. Strasser said no. Mr. Bertram expressed concern of the spills. Mr. Whalen assured him the spills were taken care of properly.

Mrs. Walls asked if it would be possible for Mr. McNally to provide the City with a bond, so that should he not complete the site requirements, the bond could be used. Mr. Whalen said he would have to confer with his client and get an answer back at a later date.

Mr. Grantner said if this case is postponed, between now and the next meeting, if anyone has any questions, they should call Tom and bring any concerns to his attention so all issues can be addressed at the meeting.

Moved by Howlett, supported by Perez to postpone Site Plan Review #88-32 until the meeting of April 12, 1994. Prior to the meeting, pictures should be taken to show any improvements done on the site and the City should have input from the attorney. Motion carried 9-0.

C. AUDIENCE PARTICIPATION:

No one in the audience wished to speak.

D. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #94-15

BY: Stephenson & Son's Roofing, Inc.
3368 Associates Dr.
Burton, MI 48529

RE: Stephenson & Son's Roofing, Inc.
3368 Associates Dr.
Lot 14 of 14 Associates Commercial
Sites

FOR: New addition & exterior improvements

Craig Stephenson, 3368 Associates Dr., Burton, MI explained they would like to tie the two buildings together and add a conference room and two additional offices. The building will be a metal facade and there will be no interference with the other businesses. The changes will dress up the property.

Mr. Berry asked if he had reviewed the DPW recommendations. Mr. Stephenson said and he has no problems with any of them.

Mr. Strasser said DPW has no problems with this site plan, except the site could be more tidy. Mr. Stephenson said it will be done.

Moved by Howlett, supported by Grantner to approve Site Plan Review #94-15, contingent upon DPW recommendations. Motion carried 9-0.

2. SPR #94-14

BY: Kamal Assaf
5504 Kellar Ave.
Flint, MI 48505

RE: M & M Party Store
5479 Lapeer Rd.
Lots 13, 14, 15 Cardinal Gardens

FOR: Change of Use.

Mr. Assaf said he had nothing more to present than his site plan.

Mrs. Howlett asked if this would be a take-out party store. Mr. Assaf said it would be an ice cream store with two tables outdoors. Mrs. Howlett asked if he agreed with the DPW recommendations and he indicated he did agree.

Mr. Strasser said any sign on the site should comply with the City Ordinance regarding free-standing signs.

Mrs. Walls asked if the zoning was proper and she was advised yes.

Mayor Smiley asked if Mr. Assaf had previously owned another store and he was advised yes. Mayor asked if the beer and wine license had been transferred and Mr. Assaf said he has taken care of that through the Liquor Control Commission. Mayor Smiley asked if he would be renting videos and Mr. Assaf said only adult videos. Mayor Smiley asked if they would be kept out of site and he was advised they would be out of site.

Mr. Strasser said according to the City Ordinance all adult videos will be kept out of site of minors.

Moved by Howlett, supported by Walls to approve Site Plan Review #94-14 contingent upon DPW recommendations. Motion carried 9-0.

3. SPR #94-13

BY: James Krueger
Davison Oil & Gas Company
701 Mill St.
Davison, MI 48423

RE: Davison Oil & Gas Company
2514 S. Belsay Rd.
Q-249-B, Section 23
C-2 Zoned

FOR: Remodel of existing site.

Mr. Krueger said his architect and contractor are both here this evening should anyone have any questions for them. He said the construction would be a station and convenience store and is a downsized version of the one on Hill and Saginaw Street.

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Mr. Berry asked if he had any problems with the DPW recommendations. Mr. Krueger said he had none.

Mr. Strasser said as stated this will be a convenience store and it has plenty of parking area and will be a nice addition to the corner.

Mr. Bertram asked what would happen to the present building. Mr. Krueger said it would be torn down and a new building would be constructed.

Mr. Perez asked if anything had been done to see if there are any gas leaks on the property. Mr. Krueger said nothing at this time, but the new tanks will be put in on the other side of the property and if any leaks are found, it would be taken care of properly by MUSTFA.

Mayor Smiley asked when construction would begin. Mr. Krueger said they would like to get started as soon as the weather breaks.

Moved by Howlett, supported by Perez to approve Site Plan Review #94-13 contingent upon DPW recommendations. Motion carried 9-0.

4. SPR #94-12

BY: Motor City Home Improvement
2501 S. Saginaw
Flint, MI

RE: Brookwood Golf Course
6045 Davison Rd.
Section 1, Q-9
R-1A Zoned

FOR: Construct a 60x80 pole barn for
equipment storage.

Mr. Strasser said a pole type structure would be constructed to store equipment. It would be located east of the clubhouse that is there and it would be shielded from the road by trees. There is a lower spot, like a shelf, and it will sit lower than the parking lot. It will be a metal structure all the way around.

Mr. Berry asked if it would be colored siding. Mr. Strasser said it would be similar to the clubhouse.

Moved by Howlett, supported by Perez to approve Site Plan Review #94-12 contingent upon DPW recommendations. Motion carried 9-0.

E. SITE PLAN REVIEW PRELIMINARY REVIEW FOR SITE CONDO:

1. SPR #94-11

BY: Daystar Development Corporation
282 Hyatt Lane
Linden, MI 48451

RE: Pine Creek Estates "Site Condo"
Genesee Rd. North of Meadowcroft
Estates
Q-225-2, Section 22
R-1B Zoned

SITE PLAN REVIEW PRELIMINARY REVIEW FOR SITE CONDO:

1. SPR #94-11

FOR: Development of a site condominium.
"Single Family"

Mr. Alfred Kloss, 282 Hyatt Ln., Linden, Mi 48451, said he is the representative and president of Daystar Development Company. He has with him the engineer of the development, Brian Prooz and his wife and partner, Diane Kloss.

Mr. Kloss said a site plan has been submitted and there are several items we would like to see different from the plan. When the do the final preliminary we will address the following issues:

1. At the N.E. corner of Lot 5 there is a 30'wide parcel of land that abuts Genesee Rd. that is not shown on the plans.
2. Misty Lane is shown as being a dead end at the north property line of the development. There are two options available;
 - a. Create a cul-de-sac at the end of the street.
 - b. Extend the street north and connect into Amy St. "paved" rename the street Amy.
3. The existing drain that runs through the property "North to South" must be exactly defined as far as location, flood plain.
4. Pine Creek Dr., at the west end of the development in phase 2 must be constructed with a Cul-de-sac.

Mr. Strasser said the City welcomes the development of the single family condos. This is basically the same as a subdivision, but it gets through the approval process much quicker.

Mr. Strasser said if a cul-de-sac is built, it would be good for emergency vehicles, but residents on Amy St. may not want the traffic, as this was just paved and has been a dead end street.

Mayor Smiley said he thinks the residents on Amy St. will not want the extra traffic. Is parking allowed on the streets?

Mr. Kloss said a cul-de-sac could be built but he would prefer not to. All - streets are curb and gutter and parking is allowed along the side.

Mayor Smiley said he would like to have the opportunity to speak with the residents on Amy Street and find out how they feel about the through street or a cul-de-sac.

Mr. Perez asked if the residents did want the road extended, would the development pick up the paving costs?

Mr. Strasser said the cost would be greater if a cul-de-sac was built.

Mr. Bertram asked if the residents of Amy St. would be notified. Mr. Strasser said notification is not necessary.

Mayor Smiley said he would be sure to notify the residents. There are traffic problems and drainage problems. This subdivision's streets will be built to better standards, which wasn't done in other subdivisions.

Mr. Grantner said unless somebody came up with new rationale, he doesn't see why the street couldn't run into Amy St. It seems like this would be good for traffic safety.

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Mrs. Walls said she agrees with Mr. Grantner.

Mr. Kloss said after the Mayor speaks with the people, should they decide they don't want this street to go through, would it be possible to put in a T-Turn, so in the future, if necessary, it would be a matter of eliminating the block.

The Board saw no problem with this alternative.

Mayor Smiley said he would be going door to door on Amy Street to get an idea as to how the residents would receive this proposal.

Mr. Berry asked if the construction equipment would be taken down Amy Street. Mr. Kloss assured him this would not happen, as the development at that end of the street would be the last to be constructed.

Mayor Smiley asked Mr. Kloss if he would be the sole builder. He replied he would be the primary builder, but may invite other builders in for construction. Mayor Smiley asked what the price range would be. Mr. Kloss replied from \$90,000 up or whatever the market does. He said he anticipates starting construction as soon as possible and he will be putting in models and spec houses.

Moved by Howlett, supported by White to approve Site Plan Review #94-11 contingent upon DPW recommendations. Motion carried 9-0.

1. BOARD DISCUSSION:

Mrs. Howlett said she has been asked if Wal-Mart would definitely be coming to the City.

Mayor Smiley said at this point, it is all on paper. There is no financial backing to date. It is in the negotiating stage.

Mayor Smiley said to update the Board on Chuck Sekrenes, he has sold the six (6) lots in the cul-de-sac and wants to start phase 2, which consists of 32 lots. He can't build homes fast enough. Also, Neil Martz is ready to start phase 2 of his project.

Mr. Strasser said this is going to be a busy year with single family homes.

Mrs. White said Chuck Sekrenes builds very nice homes.

The next regularly scheduled meeting will be held April 12, 1994 at 7:00 P.M.

Meeting Adjourned at 8:29 P.M.

Respectfully Submitted,

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk