

CITY OF BURTON
REGULAR PLANNING COMMISSION MINUTES
MAY 14, 1996, 7:00 P.M., COUNCIL CHAMBERS

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

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

MEMBERS ABSENT: Mayor Smiley and Walls.

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, seconded by Grantner to approve and authorize the Minutes of the Regular Meeting of April 9, 1996 at 7:00 P.M., as printed. Motion carried 7-0.

B. SCHEDULE ZONING CASE #212 FOR RECONSIDERATION:

1. ZC #212

BY: John Stewart
1765 Eastern Ave.
Traverse City, MI 49686

RE: Southwest Corner I-475 & Bristol Rd.
59-31-100-026 & 59-31-300-002
Section 31
Zoned C-4 & RM

FOR: Mobile Home Community

Moved by Howlett, supported by Merrell to schedule Zoning Case #212 for hearing on June 11, 1996 at 7:00 P.M. Motion carried 7-0.

C. FIRST PUBLIC HEARING:

1. ZC #217

BY: Rizzo Development
31511 Gratiot Ave.
Roseville, MI 48060

RE: 59-35-100-024, 59-35-200,016 and
59-35-200-014
Maple Road
Section 35, Zoned SE

FOR: Residential Development

Mr. Rizzo said he wants to rezone the property on Maple Road from present zoning of SE to R-1A to extend Maplewood Meadows. He said there will be approximately 2 houses per acre because of the unique design of the subdivision.

Audience Participation:

Duncan Wooster, 5230 E. Maple Rd., said he is opposed to the rezoning of the property, because he originally bought his property so he wouldn't be part of a subdivision and he doesn't want one backed up to his property. He said this would be a negative change for his area. He asked if this would affect the zoning of his property and was advised it would not.

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Bob LaBell, 4077 Day St., asked how this would affect the homes on Day Street because this would landlock a section of that area.

Mr. Rizzo replied that the subdivision roads will be designed so there will be no landlocked area.

Mr. Allen, 4099 Day St., inquired about other uses Mr. Rizzo had planned if the rezoning was approved. He was advised this would only be used for residential development.

Mr. Allen also inquired about the access for heavy vehicles and what would happen to the wildlife in the area. He asked about the timetable for the project.

Mr. Rizzo said he would have a construction entrance and that area will be closed in after construction is completed. He said he is in phase 1 now and if the economy holds out, he hopes to start phase 2 in the fall.

Herbert Jestes, 4332 Day St., asked what the pricing of the homes would be. He was advised between \$130,000.00 and \$160,000.00 and this would be with water and sewer.

Pauline Dargel, 6119 Hugh, inquired about ownership of the property, and if the ingress and egress locations are off Maple Road. Also, she said the school districts should be notified of the probable increase in students.

Tom Heckman, 5217 E. Maple, said with the increase in development, should have increase in police and fire protection. The City should be addressing these issues, as well as the condition of Maple Road.

Mr. Strasser said the area is serviced by sanitary sewers and with the building trends, this is the type of property people are wanting today.

Mrs. Howlett said if there are approximately 2-1/2 houses per acre, that does not put the homes too close together and will bring in tax base for the City.

Moved by Howlett, supported by Perez to recommend approval of Zoning Case #217 to the Burton City Council. Motion carried 7-0.

2. LS #96-29

BY: Franklin Williams
7133 Kessling St.
Davison, MI 48423

RE: Lot 13 Thomas Replat of Lots 5 & 6
Section 25, Zoned R-1B

FOR: Residential Use.

Dorothy Williams, 7133 Kessling St., Davison, MI, said the property is 285'x135' and they would like to split this in half so their son can build on the property.

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

Mr. Strasser said both lots would exceed the ordinance requirements and there is sanitary sewer available. DPW recommends approval.

Moved by Bertram, seconded by Perez to approve Lot Split #96-29 contingent upon DPW recommendations. Motion carried 7-0.

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D. AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh St., asked Mr. Berry, as Planning Commission Chairman and Zoning Board of Appeals Member, if he was ever advised about litigation against the City. She was advised he is not.

Donna Glann, 1475 Ives, asked when Precision Ceramic Tile would come before the Board again. She was advised they asked to have their case postponed until June 11th. She asked the Planning Commission to read and consider the information she presented to them this evening. (A copy is on file in the Clerk's Office).

E. SITE PLAN REVIEW POSTPONED FROM 2-13-96:

1. SPR #96-13

BY: Larry Noyce/Precision Ceramic Tile
5094 Davison Rd.
Burton, MI 48509

RE: Precision Ceramic Tile, Inc.
5094 Davison Rd.
59-11-100-093

FOR: Additional Storage Space.

Mr. Berry said the applicant asked to have this site plan postponed until the June 11th regular meeting.

Moved by Howlett, seconded by Bertram to postpone Site Plan Review #96-13 to the June 11th meeting at 7:00 P.M. Motion carried 7-0.

F. SITE PLAN REVIEWS:

1. SPR #96-35

BY: Chester Jones
7146 W. Baldwin Rd.
Swartz Creek, MI 48473

RE: Lot 22-23 Dort-Hemphill Site
Section 28
M-2 Zoned

FOR: Parking Lot Development

Mr. Jones presented pictures to the Board stating he wants parking/storage area. He said he doesn't want to pave the driveway or put in a fence, because the mobile home sales next to him uses the property to turn around.

Mr. Strasser said the parking lot will be used for storage and what he has proposed does meet the ordinance. DPW recommends approval.

Mr. Merrell asked which site would he access his property from? He was advised from Allied Rental.

Moved by Howlett, seconded by White to approve Site Plan Review #96-35 contingent upon DPW recommendations. Motion carried 7-0.

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SPR #96-36

BY: Gilbert McCord
1234 N. Center Rd.
Burton, MI 48509

RE: B & B Pet Supply
1234 N. Center Rd.
59-10-300-004
M-2 Zoned

FOR: Warehouse Addition

There was no one present to speak on Site Plan Review #96-36.

Moved by Howlett, seconded by Bertram to postpone Site Plan Review #96-36 until the next regular meeting of June 11, 1996. Motion carried 7-0.

3. SPR #96-37

BY: Wolverine Turf Development, Inc.
G-3193 Kleinpell St.
Burton, MI 48529

RE: Lot #36 and #37 Supervisor's Plat
Atherton Gardens
Section 28, M-2 Zoned

FOR: Storage Building

Joe Brasher, 3193 Kleinpell St., said they want to use the building for cold storage for construction equipment. There will not be a lot of traffic generated.

Mr. Strasser said if approved, he will have to get two variances from the ZBA, one for a 50 foot setback in the rear and a 30 foot side yard setback. These setbacks are not an uncommon request. He is also requesting an 8 foot fence and the ordinance requires 6 foot.

Mrs. Howlett asked if he had any problem with the DPW requirements. Mr. Brasher replied he has no problem with them and would like to clarify that the fence will be 6 foot, not 8 foot.

Moved by Howlett, supported by Bertram to approve Site Plan Review #96-37 contingent upon DPW recommendations and getting the necessary variances for the setbacks from the ZBA. Also, that a 6 foot fence be constructed, not an 8 foot fence, and it should be placed in accordance with the DPW recommendations. Motion carried 7-0.

4. SPR #96-40

BY: Gerald Schwartzkopf
113 S. Glassford St.
Capac, MI 48014

RE: Cyclone Super Wash
2201 S. Center Rd.
N 114.2 ft. of W 396 ft. of South
1/2 of Southwest 1/4 of Northwest
1/4, Section 22, T7N, R7E

FOR: Car Wash

Mr. Schwartzkopf presented a drawing of the car wash he is proposing. He said he presently has one in Port Huron and one in Inlay City and now would like to

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bring one into the City of Burton. He said there will be three automatic bays and 5 self-service bays. He said he hopes to be able to provide the service of car washing to vehicles that other car washes are unable to do. This will be a touch-free car wash and there will be someone on duty from 6:00 to 7:00 a.m. until 6:00 or 7:00 p.m., most days. He will be there only if there is a malfunction or problem with the equipment.

Mr. Strasser said this is the first of two meetings for this request. The property is zoned C-2 and is a special use permit. This is scheduled to be on the ZBA agenda May 16th and everything exceeds our ordinance requirements. The exit is on the northeast corner of the property and an easement will have to be obtained from the Road Commission.

Ron Bell, 1289 N. Belsay Rd., said he develops car washes all over the county and a feasibility study has been done for this area. There are different kinds of car washes that appeal to different kinds of people.

Mr. Perez asked if the car wash would shut down during the night. He was advised it would be open 24 hours per day, but not manned for that period of time. However, if problems arise, we may close and not be open 24 hours.

Mr. Bertram asked what the depth of the property is and if there is sufficient room for cars to be off Center Road.

Mr. Schwartzkopf said the depth is 396 feet less the roadway right-of-way and there is enough room for four (4) stacks of cars plus the entrance and exit. There is a left turn into the car wash, but only a right hand turn exiting.

Mr. Berry asked if he had any problems with the DPW requirements and he was advised no.

Moved by Howlett, seconded by Perez to approve Site Plan Review #96-40, contingent upon DPW recommendations and the granting of the Special Use Permit approved by the Zoning Board of Appeals. Motion carried 7-0.

G. ADMINISTRATIVE SITE PLAN REVIEW POSTPONED FROM 3-12-96:

1. SPR #96-15

BY: David D. MacDonald
8431 S. Vassar Rd.
Grand Blanc, MI 48439

RE: Premier Die Cutting
5350 Davison Rd.
59-11-200-003

FOR: New use within a tenant space.

There was no one present to present this site plan. Mr. Strasser said he has heard nothing from the applicant, but heard that he has moved out of the building.

Moved by Bertram, seconded by Merrell to deny Site Plan Review #96-15. Motion carried 7-0.

ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #96-28

BY: Tom Bowles
1174 W. Cook Rd.
Grand Blanc, MI 48439

RE: Tiger Auto
Kleinpell St.
59-28-576-060 & 061 & Lot 6 Follo
Acres, Section 28
M-2 Zoned

FOR: Warehouse addition.

Mr. Strasser said there is no one here representing this site plan, but the applicant was aware of the meeting.

Mr. Berry said there are several non-conforming signs that face Bristol Road and they shouldn't have that many signs.

Moved by Howlett, seconded by Bertram to postpone Site Plan Review #96-28 until the June 11th meeting and have DPW notify the applicant that he should attend the meeting. Motion carried 7-0.

2. SPR #96-31

BY: Thomas Spence Ins. Agency, Inc.
4100 S. Saginaw
Burton, MI 45829

RE: 4100 S. Saginaw St.
Lots 5,6, & 7 Wilson Homestead
Section 31, C-2 Zoned

FOR: Change of Ownership & Use.

Mr. Spence said he would like to start another insurance agency at this location.

Mr. Strasser said the building was previously used for a doctor's office. There is adequate parking and the building meets the building codes. DPW recommends approval.

Moved by Howlett, seconded by White to approve Site Plan Review #96-31 contingent upon DPW recommendations. Motion carried 7-0.

3. SPR #96-32

BY: Timothy Taipalus
G-4449 S. Saginaw St.
Burton, MI 48529

RE: Distinctive Floors
G-4449 S. Saginaw St.
Lots 43, 44, 45 & Part of 42
Stratmoor Sub.
Section 32, C-2 Zoned

FOR: New use within a tenant space.

Mr. Strasser said the applicant is not here, but the business is in the new building of Ron's Kitchens and Baths. All DPW requirements have been met.

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Moved by Howlett, seconded by Bertram to approve Site Plan Review #96-32, contingent upon DPW recommendations. Motion carried 7-0.

4. SPR #96-34

BY: Rene Dorn
2101 Plaza Dr. West

RE: Rene
G-4164 S. Saginaw
Lot 30 Webber Place
Section 32, C-2 Zoned

FOR: Psychic Readings - Change of use
within a tenant space.

Mr. Strasser said this is the same building that the Northern Lights Bookstore is in. All site plan requirements are up to date and there is adequate parking. There is another parking lot on the north side of the street that can also be used by customers. Everything is up to code and DPW recommends approval.

Mr. Bertram asked if the use of the building falls within the zoning. He was advised the zoning is correct.

Moved by Howlett, seconded by White to approve Site Plan Review #96-34, contingent upon DPW recommendations. Motion carried 7-0.

SPR #96-38

BY: Arlo Holiday
4584 Dogwood
Saginaw, MI 48603

RE: PM Trailer Service
G-4101 Flint Asphalt Drive
Lot 17, Bristol Road Industrial Park
Parcel #59-33-501-014

FOR: Change of Use.

Mr. Holiday inquired about the sanitary sewer and watermain tap-in fees. He said the only use they will have for water is for the toilets. There will be bottled water brought in for drinking purposes.

Mr. Strasser said if there is any type of change where costs would increase or decrease, the fees would be adjusted accordingly. The parking spaces need to be striped and under the federal guidelines, you must provide handicap parking spaces. The grade of that building is handicap accessible.

Moved by Howlett, seconded by Bertram to approve Site Plan Review #96-38, contingent upon DPW recommendations. Motion carried 7-0.

6. SPR #96-39

BY: Al Reno
1088 W. Vienna Rd.
Clio, MI 48420

RE: Muffler Man
4275 Davison Rd.
Lot 72 Hammond Homesites #2
Section 3, C-2 Zoned

ADMINISTRATIVE SITE PLAN REVIEWS CONTINUED:

6. SPR #96-39

RE: 3 Bay addition.

Mr. Reno said the curbs on the east and south side of the new parking lot, he doesn't think are necessary. He said he would like to gravel one lot and blacktop the other in the front of the building.

Mrs. Howlett asked why he doesn't want to put them in. Mr. Reno said the expense is a factor.

Mr. Strasser said curbing is required by ordinance when property can be expanded upon. This property has the potential to be expanded and therefore, curbing is required.

Mr. Reno said the auto parts business next to his, uses his parking area and that's why he doesn't want to pave the one section.

Discussion continued regarding the curbing requirements.

Moved by Howlett, seconded by Bertram to approve Site Plan Review #96-39, contingent upon DPW requirements and he must adhere to the ordinance and install concrete curbs if the expansion of the parking area goes all the way to the east. If he does not expand that far back, then curbing is not be required. Motion carried 7-0.

BOARD DISCUSSION:

None.

The next regularly scheduled meeting will be held June 11, 1996 at 7:00 P.M.

Meeting Adjourned at 8:25 P.M.

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

CML