

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, Grantner, Berry, White and Walls.

MEMBERS ABSENT: Mayor Smiley, Perez and Merrell.

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 and authorize the minutes of the Regular Meeting of May 9, 1995 at 7:00 P.M. and the Special Meeting of May 18, 1995 at 6:00 P.M., as printed. Motion carried 6-0.

B. SCHEDULE FIRST PUBLIC HEARING FOR JULY 11, 1995 AT 7:00 P.M.:

1. ZC #207

BY: Beverly Bowman
1324 Alberta
Burton, MI 48509

RE: 5434 Lapeer Rd.
Lots 42 and 43 and E 1/2 of Lot 41
and Lot 331 Lapeer Heights
Section 14, Zoning C-1

FOR: Commercial Use - Make market wider

2. ZC #208

BY: Robert L. Keely, Pres.
Keely Realty, Inc.
715 W. 12th Street
Flint, MI 48503

RE: 2224 S. Center Road
Lots 59, 60 and 61 of Supervisors
Plat of the City of Burton
Section 21, Zoning R-0

FOR: Expanding the potential uses of this
525 feet of Center Road frontage.

3. ZC #209

BY: Trialon
1477 Walli Strasse Blvd.
P.O. Box 190199
Burton, MI 48519-0199

RE: Walli Strasse Blvd.
Lot 10 and the E 38.75 feet of Lot
11, Walli's Commercial Industrial
Park and a parcel of land adjoining
the north boundary with dimensions
of 136'x188.75'. Legal included in
survey certificate attached.

FOR: New Construction - Testing Facility

B. SCHEDULE FIRST PUBLIC HEARING FOR JULY 11, 1995 AT 7:00 P.M. CONTINUED:

4. LS #95-46

BY: Gregory L. Sweers
6165 E. Atherton Rd.
Burton, MI 48519

RE: Q-258
Section 24
Zoned R-1A

FOR: Residential Use.

Moved by Howlett, supported by White to schedule Zoning Case #207, Zoning Case #208, Zoning Case #209 and Lot Split #95-46 for Public Hearings on July 11, 1995 at 7:00 P.M. Motion carried 6-0.

C. PUBLIC HEARINGS:

1. LS #95-26

BY: Michael D. Pumfrey
3066 S. Vassar Rd.
Burton, MI 48519

RE: Lot 9 of Burton Home Sites
Section 25
Zoned R-1B

FOR: Residential Use.

Mr. Pumfrey said he is requesting to split this lot into three parcels that would be 105x328 feet for new construction of two homes.

Audience Participation:

P. Dargel, 6119 Hugh St., inquired about a survey being presented to the board.

Mr. Strasser said the lots exceed the ordinance requirements. The two vacant parcels would have to have additional sewer connection put in and this would have to be paid for by the developer.

Moved by Howlett, supported by Grantner to approve Lot Split #95-26 contingent upon DPW recommendations and the sewers being put in by the developer. Motion carried 6-0.

2. LS #95-29

BY: Timothy E. Young
6459 E. Maple
Burton, MI 48519

RE: Q-470-B
Section 36
Zoned SE

FOR: Residential Use.

Mr. Young is requesting to split the lots for residential use.

Audience Participation:

Larry Stephens, 3049 Vineland, asked for clarification of lot numbers.

Mr. Strasser said the sewer lead would have to be paid for by the person who develops the lot.

Mr. Bertram asked if the applicants are made aware of the sewers being developed by the developer previous to the meeting. Mr. Strasser said yes.

Moved by Howlett, supported by Bertram to approve Lot Split #95-29 contingent upon DPW recommendations and the sewer being paid for by the developer. Motion carried 6-0.

3. LS #95-32

BY: Rizzo Development, Inc.
31511 Gratiot Ave.
Roseville, MI 48066

RE: Q-431
Section 35
Zoned R-1A

FOR: Residential Use.

Ian Hohloch, 4422 Hedgethorn Ct., Burton, MI 48509, said he is employed by CHMP and is representing Mr. Rizzo. He explained that the lots haven't changed by the Genesee County Drain Commission said there has been a petition drawn for a new county drain to be established. Per the County Drain Department, they have no problems with the relocation of the easement for future development. There would be a retention basin constructed.

Audience Participation:

T. Heckman, 5217 E. Maple, said he is concerned about additional flooding. He asked that the tube, ditch and retention pond be constructed and checked by the County Drain Department prior to any other construction. He said he has no objections to any improvements in parcels in the City, but is concerned about the flooding.

Mr. Hohloch said on Parcels A, B & C there should be no increase in the existing grade elevation.

L. Petrella, 1081 Howe Rd., asked about a permit to dump dirt on the property.

P. Dargel, 6119 Hugh, said the area was recently rezoned and asked what the purpose of the lot split was.

Mr. Hohloch said he is exercising his rights under the law to split four lots.

Mr. Strasser said all lots exceed the ordinance. A couple of the lots will have available sewer leads and others may have to be paid for and have the line tapped. He said he would check with Jim Gerth at the Drain Commission regarding drainage easements to take care of the problem.

Mrs. Walls asked if the construction of the homes would be this season or next. She was advised it would be this season.

Moved by Howlett, supported by Grantner to approve Lot Split #95-32 contingent upon DPW recommendations and make certain the Genesee County Drain Commission inspects the drainage and the retention pond constructed prior to the building of a house and permit being issued. Motion carried 6-0.

4. LS #95-33

BY: Rizzo Development, Inc.
31511 Gratiot Ave.
Roseville, MI 48066

RE: Q-432
Section 35
Zoned R-1A

FOR: Residential Use.

Ian Hohloch, 4422 Hedgethorn Ct., Burton, MI 48509, said he is employed by CHMP and again is representing Mr. Rizzo. He explained that the same scenario applies in this lot split as in the previous one. The lots exceed the zoning ordinance requirements.

Audience Participation:

P. Dargel, 6119 Hugh, asked if the land has been sold to a builder. Mr. Hohloch said the land can't be sold until the lot split has been approved to make the property marketable.

T. Heckman, 5217 E. Maple, said he is again requesting that the retention pond, ditch and tube be put in prior to construction of the homes.

L. Petrella, 1081 Howe Rd., said it would be hard to determine where the water will go even with engineering plans.

Mr. Strasser said he has the same determination as in the previous lot split.

Moved by Howlett, supported by Grantner to approve Lot Split #95-33 contingent upon DPW recommendations and approval from the Genesee County Drain Commission and the retention pond to be constructed before construction of homes. Motion carried 6-0.

D. AUDIENCE PARTICIPATION:

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

E. REVIEW OF PREVIOUS SITE PLAN REVIEW:

1. SPR #1342

BY: Paul Paris
10415 E. Bristol Rd.
Davison, MI 48423

RE: Bristol Storage
4070 E. Bristol Rd.
Q-397-6
Section 34

FOR: Personal Self Storage Facility

Joe Paris, 1801 Brenner, Saginaw, MI, said they would like to get permit to build two (2) new buildings, but prior to receiving the permits, they would have to complete the paving. He said another business went in after they did and this requirement was not placed upon them. He said they would like to be given the same consideration. He said they are planning to pave from the road back about 200 plus feet.

Mrs. Howlett said Ashley Storage went through site plan prior to yours. She said that Bristol Storage came before the board in 1987 for an extension, and to date, the paving requirements have not been completed.

Mr. Berry asked what material is being used in the driveway. He was advised it is crushed limestone. Mr. Berry asked if the DPW requirements have been reviewed and Mr. Paris said no.

Mr. Paris reviewed the DPW requirements.

Mr. Strasser explained the process for obtaining permits after approval from the Planning Commission and what the difference was between this site plan and that of Ashley Storage.

Mr. Berry asked when Mr. Paris would be paving the driveway. He was advised it would be after the buildings were in, or at least by next year.

Mr. Bertram asked if he would be paving in the front of the building. Mr. Paris said yes, because he is proposing a mini strip mall across the front. The two new buildings will double our revenue. We have an estimate of approximately \$40,000 to \$50,000 to pave and at this time we just can't afford it.

Mr. Paris reviewed and discussed the DPW requirements.

Moved by Howlett, supported by Grantner to approve Site Plan Review #1342 contingent upon DPW recommendations and give him the opportunity to pave only the driveway as soon as the two buildings are up. Also, within four (4) years (1999) he should be able to have the rest of the paving done unless he can do it sooner. Motion carried 6-0.

F. PRELIMINARY PLAT FINAL APPROVAL:

1. SPR #95-47

BY: Clayton MacAinch, Sr.
G-1091 Carlson Dr.
Burton, MI 48509

RE: MacAinch Acres
59-13-100-002
Section 13
Zoned R-1B

FOR: Preliminary Plat Final Approval.

Mr. Ian Hohloch, 4422 Hedgethorn Ct., said he is representing the applicant. He is requesting a preliminary plat final approval for the property which lies between Kettering and Adams, north of Lapeer Road.

Audience Participation:

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

Mr. Strasser said all 15 lots exceed the ordinance requirements. Both Adams and Kettering are paved streets. Sanitary sewers are available in front of all lots proposed and the leads must be paid for by the developer. DPW recommends that the developer extend the City watermain from Lapeer Road to limits of the development.

Mr. Hohloch questioned whether the City would allow an alley. He and Mr. Strasser will discuss this issue further.

Moved by Howlett, supported by Bertram to approve of Site Plan Review #95-47 contingent upon DPW recommendations. Motion carried 6-0.

G. SITE PLAN REVIEWS:

1. SPR #95-42

BY: Randy Deuman
5365 Olde Shawboro
Grand Blanc, MI 48439

RE: Genesee Refrigeration, Inc.
3375 E. Bristol Rd.
Parts of Lots 21 and 22 of Follo
Acres, Outlot "B" and Lot 13 and
part of Lots 12 and 14 of "Martin
Acres." (A partial replat of
"Follo Acres")

FOR: New Construction For A Heating
Contractor.

Mr. Deuman said he has nothing further to submit to his request.

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

Mr. Strasser said presently this business is located on Fenton Road and they want to build a larger facility. The ground is lower than the roadway and they will have to sheet drain the water to the north. Most of the water runoff would be from the roof. They will be connecting to the water and sewer.

Moved by Howlett, supported by Walls to approve Site Plan Review #95-42 contingent upon DPW recommendations. Motion carried 6-0.

2. SPR #95-43

BY: Robert W. Giesey & Associates, Inc.
1111 S. Creekwood Tr.
Burton, MI 48509

RE: Genesys Health Care
Lots 41 & 42 of Cardinal Gardens and
Lots 41, 42 "part of" and all of 44
of Raymond Sub.
Section 14
Zoned C-2

FOR: New Construction For A Medical
Facility.

Mr. Rick Swihart, 420 Carrie Dr., Flushing, MI, said he is with Giesey and Associates and is representing the applicant. He explained that they are building a new medical facility for Genesys and they have no problems with any of the DPW recommendations. There will be six doctors and they will have physical therapy and radiology departments.

Audience Participation:

L. Stephens, 3049 Vineland, asked about the size of the facility. He was advised it would be approximately 18,000 square feet.

Mr. Strasser said there are several parking spaces that face the backyards on Raymond Avenue. Genesys has agreed to construct a privacy fence. The driveway onto Raymond that services 13 parking spaces will be for employees of Genesys. Also, the kids stand in the road to be picked up by the bus and Genesys has agreed to construct a sidewalk on the right-of-way line for the kids to stand.

Moved by Howlett, supported by Bertram to approve Site Plan Review #95-43 contingent upon DPW recommendations and stipulation that they agreed to install a sidewalk for the children and fence for the neighbors. Motion carried 6-0.

3. SPR #95-44

BY: R & R Development Corp.
1670 Southfield Rd.
Milford, MI 48381

RE: Hawkshire Estates
Atherton & Genesee Rds.
59-27-200-002
Section 27
Zoned RM

FOR: Final Approval For Condominium
Project "Hawkshire Estates"

Mr. Randy Morris said they would like to make additional improvements to the existing drain and the City requested use of the easement right to be granted in light of any problems until the streets are dedicated to the City.

Mr. Strasser asked when they would start the improvements. Mr. Morris said they have changed the sales staff locally and hope to pull a permit for the first two homes.

Moved by Howlett, supported by Walls to approve Site Plan Review #95-44 contingent upon DPW recommendations. Motion carried 6-0.

4. SPR #95-45

BY: Mary Moss O'Mara
3130 Eugene St.
Burton, MI 48519

RE: O'Mara Dance Arts School
6435 E. Atherton Rd.
E. 76 ft. of the S 91.70 ft. of
Lot 6 Pioneer Acres

FOR: Dance Studio

Mary O'Mara, 3130 Eugene St., said she had no problems with any of the DPW requirements.

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

Mr. Strasser said this property is zoned residential and is a non-conforming building. He said she plans to pave around the building and is looking at putting on a small addition in the front. What they are lacking in parking space will be taken care of by the barbershop next door. Mrs. O'Mara will go before the ZBA at their next meeting for action on their non-conforming and will make a decision as to whether they will be allowed in the building.

Moved by Howlett, supported by Walls to approve Site Plan #95-45 contingent upon DPW recommendations. Motion carried 6-0.

H. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #95-38

BY: Committee to Elect Charles Smiley
2253 McLaren
Burton, MI 48529

RE: Committee to Elect Charles Smiley
3495 S. Center Rd.
Lots 2 & 3 of Schramm Acres
Section 27, Zoned C-2

FOR: Change of Use Within A Tenant Space.

Ken McArdle, 2183 S. Belsay Rd., said he was present to answer any questions anyone might have regarding this site plan.

Mr. Strasser said this building will be an office type use. The building has been inspected and they have been granted temporary occupancy. This is nothing out of the ordinary.

Moved by Howlett, supported by Walls to approve Site Plan Review #95-38 contingent upon DPW recommendations. Motion carried 6-0.

2. SPR #95-39

BY: Wolgast Construction
1494 N. Graham
Freeland, MI 48623

RE: Gordon Foods
1501 Walli Strasse
Lots 1 & S 1/2 of Lot 2 Walli
Strasse
Section 15, Zoned M-1

FOR: Parking Lot Expansion

Mr. Strasser said this is simply a parking lot expansion, considered to be temporary. Parking is for semi-trailers. All permits have been pulled.

Moved by Howlett, supported by Grantner to approve Site Plan Review #95-39 contingent upon DPW recommendations. Motion carried 5-1 with Mr. Bertram voting no.

3. SPR #95-40

BY: Bob Carpenter
G-8309 S. Saginaw
Grand Blanc, MI 48439

RE: Trialon
1477 Walli Strasse
Lots 4 & 5 Walli's Commercial and
Industrial Park
Section 15, Zoned M-1

FOR: Additional Floor Space.

Bob Carpenter, G-8305 S. Saginaw, Grand Blanc, MI, said he is representing Trialon. He said he has given Mr. Strasser a modified site plan which consists of driveway, dumpster and new landscaping plans.

Mr. Strasser asked what the use would be of the addition. Mr. Carpenter explained that the expansion is for future customer business. There is nothing specific at this time. Discussion was held concerning a new sanitary sewer line.

Mr. Berry asked if the facade would be the same as the existing one. He was advised yes.

Moved by Howlett, supported by Grantner to approve Site Plan Review #95-40, contingent upon DPW recommendations. Motion carried 6-0.

I. C-4 ADMINISTRATIVE SITE PLAN REVIEW:

1. SPR #95-37

BY: Nhung Thanh Nguyen
2324 Lapeer Rd., Apt. 203
Flint, MI 48503

RE: Foxy Nails
Courtland Center Mall, "Suite 76"
4244 E. Court St.
Burton, MI 48509

FOR: Change of Use Within A Tenant Space.

Mr. Strasser said this is a change of use in Courtland Center.

Moved by Howlett, supported by Grantner to approve Site Plan Review #95-37, contingent upon DPW recommendations. Motion carried 5-1 with Mr. Bertram voting no.

J. BOARD DISCUSSION:

Mr. Berry asked the Board if they wanted to discuss the issued of changing the wording on the Site Plan Review Applications at this meeting or wait until the full board is present. It was determined to wait for a full board for discussion.

Mr. Berry asked about the owner of the day care on Lapeer Rd. being at the meeting earlier.

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Mr. Strasser said he wanted to get on this agenda, but never made contact with DPW so he will be on the next agenda.

Mrs. Walls asked if he would be allowed in the building. Mr. Strasser said yes.

Mr. Strasser gave an update on the Wal-Mart and Home Depot developments.

Mr. Berry said the next regularly scheduled meeting will be held July 11, 1995 at 7:00 P.M.

Meeting Adjourned at 8:45 P.M.

Respectfully Submitted,

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

CML