

CITY OF BURTON
REGULAR PLANNING COMMISSION MINUTES
JULY 13, 1993, 7:00 P.M., COUNCIL CHAMBERS

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

MEMBERS PRESENT: Mayor Charles H. Smiley; B. Howlett; S. Perez; H. Berry and G. Grantner.

MEMBERS ABSENT: Bertram, White, Merrell and Hammon.

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 Grantner to approve the minutes of the Regular Meeting of June 8, 1993 at 7:00 P.M.

B. SCHEDULE FIRST PUBLIC HEARING FOR AUGUST 10, 1993 AT 7:00 P.M.:

1. ZC #199

BY: Mike Pylypiw
4371 S. Saginaw St.
Burton, MI 48529

RE: Lots 326 & 436 Greater Flint Sub
Section 32
Zoned R-1C change to C-2

FOR: Commercial Development
2. ZC #200

BY: Jeff Pedersen, et al
4811 Fenton Rd.
Flint, MI 48507

RE: 2414 S. Center Rd.
The East 214 ft. of Lot 69 of
Supervisor's Plat No. 12
Zoned R-0 change to C-4

FOR: Neighborhood Shopping Center
3. ZC #201

BY: City of Burton
4303 S. Center Rd.
Burton, MI 48519

RE: Text Amendment
Ordinance No. 19
Section 5.28, Signs

FOR: Text Amendment Change

Moved by Howlett, supported by Grantner to schedule Zoning Case #199, #200 and #201 for first public hearing to be held on August 10, 1993 at 7:00 P.M. Motion carried 5-0.

C. FIRST PUBLIC HEARINGS:

1. LS #93-26

BY: Mike Serra
1033 Howe Rd.
Burton, MI 48509

RE: Lot 14 of Madarasz Acres
Section 2
R-1A Zoned

FOR: Residential Development.

Mr. Serra explained he wants to develop residential homes on three of the lots and the original owner will keep one of the lots.

Audience Participation:

Carol Webster, 5472 Statler, asked why type of homes would be built? Mr. Serra replied they would be between 1400 and 1700 sq. ft. in size and would run in the range of \$90,000.00 to \$100,000.00.

Mr. Strasser said the lot which the owner is keeping has sewer and the other three lots would have sewer leads brought across the road. DPW recommends approval.

Moved by Howlett, supported by Perez to approve Lot Split #93-26, contingent upon DPW recommendations. Motion carried 5-0.

2. ZC #198

BY: Carl M. Schultz, Inc.
6010 E. Bristol Rd.
Burton, MI 48519

RE: Q-454-8
Section 36
S.E. Corner of Bristol & Belsay Rd.
Zoned C-1

FOR: Gas Station/Convenience Store

Richard Philabaum, 3757 Wearingham, Waterford, MI., said he is representing Mr. Schultz. He explained that Mr. Schultz previously had a business located at this site for 10 years and the tanks have been taken out of the ground. At that time, it was not economically possible to rebuild and have new tanks installed.

Audience Participation:

Jerry Thomas, 4057 S. Belsay Rd., asked why it is necessary to change the zoning from C-1 to C-2.

Mr. Strasser replied that gas stations are not allowed in C-1 zoning and a decision had to be made whether to rezone the property or go before the ZBA for a variance.

Mr. Thomas said there is a convenience store across the street from the station and it closes at 10:00 P.M. every night. Would the hours of the gas

station/convenience store be about the same or would they be open 24 hours per day?

Mr. Thomas also asked if alcohol would be sold and how his property would be protected. He said he is concerned about the business hours and alcohol being sold.

Mrs. Howlett asked if Nehring's Market was notified that a convenience store could be going in across the street from them. Mr. Strasser said they were notified.

Mr. Grantner asked what the process is for getting a liquor license.

Mayor Smiley replied there is not liquor license to consume to be obtained as they are all taken at this time. However, if they want to sell beer and wine they apply to the State Liquor Control Commission.

Mrs. Howlett said the hours of the convenience store can be addressed when the site plan is brought before the Planning Commission.

Moved by Grantner, supported by Perez to recommend approval of Zoning Case #198 to the City Council. Motion carried 5-0.

3. LS #93-28

BY: Gary Sabo
430 S. State
Davison, MI 48423

RE: Q-250
Section 24
R-1B Zoned

FOR: Residential Development

Mr. Sabo, 10134 E. Atherton Rd., Davison, MI said a piece of land on Vassar Road which is part of an 80 acre parcel but not part of the subdivision. He wants to sell the lot by itself, separate from the subdivision.

Audience Participation: None.

Moved by Howlett, supported by Perez to approve Lot Split #93-28, contingent upon DPW recommendations. Motion carried 5-0.

4. LS #93-29

BY: Eino Rajala
614 S. Grand Traverse
Flint, MI 48503

RE: Q-468
Section 36
SE Zoned

FOR: Residential Development

Mr. Douglas Halstead, 6371 E. Maple, said he wants to split the lot and sell his present home to his daughter and build a smaller home for himself. The sewers leads are in place.

Audience Participation: None.

Mr. Strasser if the split is approved, two lots would be 200 ft. and 100 ft., respectively, and will have to go before the Zoning Board of Appeals for a variance. The placement of the homes makes a difference in size. DPW recommends approval.

Moved by Howlett, supported by Grantner to approve Lot Split #93-29, contingent upon DPW recommendations. Motion carried 5-0.

D. AUDIENCE PARTICIPATION:

Larry Petrella, 1081 Howe Rd., questioned why Zoning Case #201 is being considered. He also asked if there would be light for driving range on E. Court Street for night use.

Mrs. Howlett said she has been approached several times by business people in the City as they are aware of her seat on the Planning Commission.

E. SITE PLAN REVIEW:

1. SPR #93-38

BY: M.L.C. Contracting
3178 S. Dye Rd.
Flint, MI 48432

RE: Atherton Rd. between Ludwig St. and
Railroad Tracks
Q-311
Section 28
M-2 Zoned

FOR: Stone Yard

Lyle Hippensteel, 6112 E. Carpenter Rd., Flint, MI, said he wants to have a stone yard on Atherton Road. He said he has a need for a place to dispose of broken concrete where it will then be trucked to Flint Township to the concrete crushing facility.

Mr. Berry asked if he had read the DPW requirements. Mr. Hippensteel replied yes and he has no problem with any of them. Mr. Berry asked if there is ever any wire in the crushed concrete. Mr. Hippensteel said there is a minimal amount of wire.

Mr. Berry asked what impact the stone yard would have on the drainage situation in that area.

Mr. Strasser said there is a swale and wetlands south of this property. Mr. Hippensteel said it is presently in a holding pattern.

Mr. Strasser said he has a revised print of the plans. The parking is moved to the East side of the property. To implement his plans, there is a two-fold process. Outside storage requires special use permit so if this is not approved, the site plan cannot be approved.

Mr. Hippensteel said the yard will be attended during all business hours and there will not be any concrete crushing on this site.

Audience Participation:

Dennis Skaggs, 3042 Ludwig St., said there are two stone yards presently in Burton and there is not need for another.

Mr. Gagne, 3048 Ludwig, said he has a petition to get the street blacktopped. If this type of business is allowed, it will not help our neighborhood, which we are trying to improve. He asked if a privacy fence has been considered. He was advised yes, it was. Mr. Gagne asked if the business would be allowed to use Ludwig Street once it is paved.

Mr. Strasser said the property is zoned M-2, heavy industrial and is proper zoning. The site plan does not indicate this to be a junk yard or equipment storage yard. There will be equipment to load the materials.

Mr. Berry asked if the City could stop the trucks from using Ludwig Street. Mr. Strasser said it is a local street and a permit will not be issued so Ludwig can be used.

Mark West, 3036 Ludwig, also objected to the business.

Mr. Berry asked if a worse kind of business could go in under M-2 Zoning. He was advised yes.

Eva Dipzinski, 3152 Ludwig St., spoke about the junk behind the car wash and the danger it poses to the children in that area.

Moved by Howlett, supported by Perez to approve Site Plan Review #93-38 contingent upon DPW recommendations. Motion carried 5-0.

F. PUBLIC HEARING FOR SPECIAL USE PERMITS:

1. BCPC #93-36

BY: Ecker Mechanical Contractors, Inc.
3149 E. Maple (PO Box 190099)
Burton, MI 48529

RE: 3149 E. Maple Rd.
Q-383-F
Section 33

FOR: Open storage yard of contractors
equipment & supplies.

Floyd Ecker, 3149 E. Maple Rd., said he is requesting an open storage yard for contractors equipment and supplies.

Audience Participation:

Wes Seibert, Killarney Pk. Dr., asked where the storage area would be and what is going to be stored there. He is opposed to the business being allowed.

Steven Johnson, 4437 Killarney Pk. Dr., said he is also opposed to the business because of the drainage problem and the problems with Chupek and George's Towing.

Mr. Strasser said the property is zoned heavy industrial. The location of 3149 Maple is the principle building for the contractor's materials and the location of 3171 Maple will be used for inside and outside storage. The DNR has taken over the Chupek problem and George's Towing is in litigation.

Mr. Johnson asked if a hold could be put on the business until the present business are brought into compliance.

Rachel Johnson, 4437 Killarney Pk. Dr., asked what type of equipment are they planning to store on the property.

Mr. Ecker replied there would be four or five delivery trucks. There may be some job site trailers placed on the property.

Moved by Howlett, supported by Perez to approve BCPC #93-36, contingent upon DPW recommendations. Motion carried 5-0.

2. BCPC #93-37

BY: Ecker Mechanical Contractors, Inc.
3149 E. Maple (PO Box 190099)
Burton, MI 48529

RE: 3171 E. Maple Rd.
Q-383-02
Section 33

FOR: Open storage yard of contractors
equipment & supplies.

Mr. Strasser said this is the same as the previous case.

Moved by Howlett, supported by Grantner to approve BCPC #93-37 contingent upon DPW recommendations. Motion carried 5-0.

3. BCPC #93-39

BY: M.L.C. Contracting
3178 S. Dye Rd.
Flint, MI 48532

RE: Atherton Rd. between Ludwig St.
and railroad tracks.

FOR: Open storage yard of contractors
equipment & supplies.

Mr. Hippensteel said he reviewed the DPW recommendations and has presented a site plan which would meet with the requirements.

Moved by Howlett, supported by Perez to approve BCPC #93-39 contingent upon DPW recommendations. Motion carried 5-0.

G. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #93-31

BY: David Visser
4091 Richfield Rd.
Flint, MI 48506
RE: Outdoor Driving Range
5053 E. Court St.
Q-94-E
Section 11, C-2 Zoned

1. SPR #93-31

FOR: Outdoor Driving Range

Dr. Visser said he owns the enclosed dome and is trying to expand and make it a year around facility. He plans to have indoor and outdoor golf year around.

Mr. Berry asked if Dr. Visser had any problems with the DPW requirements. He was advised no, he has completed most of the requirements. Dr. Visser said he has no plans, at this time, to light the outdoor range.

Mrs. Howlett asked what the hours would be and was advised the dome would be open 9:00 a.m. to 9:00 p.m. seven (7) days per week.

Audience Participation:

Larry Petrella, 1081 Howe Rd., asked if there would be any nets to stop the balls from going into the neighbors yards. Dr. Visser replied not at this time because the houses are not close enough for the balls to reach the yards when hit and the industrial park is in back with woods and trees.

Moved by Howlett, supported by Grantner to approve SPR #93-31 contingent upon DPW recommendations. Motion carried 5-0.

2. SPR #93-34

BY: Ecker Mechanical Contractors Inc.
3149 E. Maple (PO Box 190099)
Burton, MI 48529

RE: 3171 E. Maple Rd.
Q-383-02
Section 33
M-2 Zoned

FOR: Change of Use

Moved by Howlett, supported by Grantner to approve Site Plan Review #93-34 contingent upon DPW recommendations. Motion carried 5-0.

3. SPR #93-35

BY: Ecker Mechanical Contractors, Inc.
3149 E. Maple (PO Box 190099)
Burton, MI 48529

RE: 3149 E. Maple Rd.
Q-383-F

Section 33
M-2 Zoned

FOR: Change of Use

Moved by Howlett, supported by Perez to approve Site Plan Review #93-35 contingent upon DPW recommendations. Motion carried 5-0.

4. SPR #93-40

BY: RTS Transportation Systems, Inc.
4169 Davison Rd.
Burton, MI 48509

G. ADMINISTRATIVE SITE PLAN REVIEW:

4. SPR #93-40

RE: RTS Transportation Systems, Inc.
4169 Davison Rd.
The west half of the east half of
the west half of the southeast
quarter of the southwest quarter of
Section 3, T7N, R7E. Permanent
parcel No. Q-63-J.

FOR: Change of use and parking expansion.

Mr. Sankraint, Vice President of Operations for RTS Transportation Systems, Inc., said they plan to expand the parking lot.

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

Mr. Strasser said he has been working with this company and they are very cooperative. There was a problem with soil erosion, but that has been taken care of. They need a 30 foot setback and landscaping needs to be done. Mr. Strasser asked if the parking lot surface would be gravel and he was advised yes, for about a year and then it will be paved. Mr. Strasser asked how he plans to control the dust from the parking and was advised chloride would be used.

Moved by Howlett, supported by Grantner to approve Site Plan Review #93-40 contingent upon DPW recommendations. Motion carried 5-0.

H. C-4 ADMINISTRATIVE SITE PLAN REVIEW:

1. SPR #93-32

BY: Jim Madden
Con Co., Inc
4208 Drummond Rd.
Toledo, OH 43613

RE: Babbages
G-4190 E. Court St.
Courtland Center

FOR: Change of Use.

Mr. Strasser said this company is a computer software business moving into Courtland Center. DPW recommends approval.

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Moved by Howlett, supported by Grantner to approve SPR #93-32 contingent upon DPW recommendations. Motion carried 5-0.

I.BOARD DISCUSSION: None.

The next regularly scheduled meeting will be held August 10, 1993 at 7:00 P.M.

Meeting Adjourned at 9:42 P.M.

Respectfully Submitted,

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

CML