

CITY OF BURTON
REGULAR PLANNING COMMISSION MINUTES
AUGUST 10, 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: Berry, Bertram, Howlett, Hammon, Merrell, Perez, Mayor Smiley and White.

MEMBERS ABSENT: Grantner.

OTHERS PRESENT: T. Strasser, Dep. Planning Official and C. Ladd, Deputy Clerk.
R. Hamilton, City Attorney.

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

Howlett moved and Perez supported the following motion:

Approve and authorize the minutes of the Regular Meeting of July 13, 1993 at 7:00 P.M., as printed. Motion carried 7-0.

B. FIRST PUBLIC HEARINGS:

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

Mr. Pylypiw said he has someone interested in purchasing the property for a business, but the zoning needs to be changed. Mr. Pylypiw said he has no contract at the present time because the property is not zoned commercial.

Mrs. Howlett asked what type of business would it be? She was advised it would be a Family Dollar Store.

There was no audience participation.

Mr. Strasser explained there are 30 foot setbacks on Ready, Proper and Saginaw Street, which surround the property. If this is approved, each piece of property would have to go through a site plan review and the Board would have to make sure there is adequate screening for the residential properties.

Mr. Perez asked if there are houses next to the property. He was advised yes, on the west side.

Mr. Bertram asked where the building will set. He was informed the building could be up to the right-of-way to the alley or behind it. No building can set on an alley. They would also be dealing with the 30 foot setbacks on all three (3) streets. An approval from Council would have to be obtained to build the building over the alley.

Moved by Howlett, supported by Perez to recommend approval of Zoning Case #199 to the Burton City Council, contingent upon DPW recommendations. Motion carried 8-0.

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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

There was no one present to represent this zoning case.

Moved by Hammon, supported by Perez to moved this case to the last item on the agenda. Motion carried 8-0.

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

Mr. Strasser represented the City of Burton. He explained the this is not a change in the sign ordinance, but a change in Section 5.28, Item 1-F, of the Zoning Ordinance. This deals with freestanding accessory signs on property by freeways. Mr. Strasser said the City is asking for the following revision: No freestanding accessory sign shall have a height greater than permitted for buildings in said zoning district, except those sites within one thousand (1,000) feet of a freeway right-of-way may have an accessory sign not exceeding ninety (90) feet in height, and shall not exceed two hundred fifty (250) square feet total surface area for signs for two (2) or more faces.

Mr. Strasser said if someone takes advantage of this change in the ordinance, the sign should face the freeway rather than the County primary road. Other communities abutting the freeway, have an ordinance similar to this. Davison Township is one of the communities which has a similar ordinance as what we are proposing. This is not a billboard sign, but will be for businesses which is on that property.

Mrs. Howlett said she thinks there is a real need for these type of signs for the businesses along the expressway.

Audience Participation:

Larry Petrella, 1081 Howe Rd., said the Zoning Board of Appeals turned down a similar request for signs and he expressed concern about the approval of this zoning case. Mr. Petrella said he wants to be sure there is no private legislation taking place regarding this text change with Sam's Club and Wal-Mart coming into Burton.

Mr. Bertram said it's important for the welfare of the City to try and entice businesses into the area.

Mr. Hammon said the residents in the area have to be considered, but it's also important to consider the city as a whole. Any decision he makes will be made for the good of the entire City, not just one certain area.

Pauline Dargel, 6119 Hugh St., questioned why the notice for this zoning case was placed in the Flint Journal and not the Suburban News like to two previous cases.

Mr. Hamilton said because the Suburban News is only distributed bi-weekly, it was necessary to advertise in The Flint Journal to meet the State Statute.

Carol Petrella, 1081 Howe Rd., asked if the sign had to be on the property. She was advised within 1,000 feet of the property.

Mayor Smiley said the last time anything was done with this Ordinance was in 1973. It's important that we look at this very seriously and make recommendations to the City Council. Making these accusations are totally ludicrous.

Mrs. Howlett said businesses coming into Burton is progress and good for the City. She said she resents the comments of Mr. Petrella that the Board is wrongfully making changes in the Zoning Ordinance.

C. AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh, spoke regarding the streets being dedicated back to the City once the site condo project is completed. Mr. Strasser said under the present plans submitted, yes the streets would be dedicated to the City.

D. SITE PLAN REVIEWS:

1. SPR #93-42

BY: Future Development
430 S. State St.
Davison, MI 48423

RE: Hidden Trails Site Condo
Vassar Rd.
Section 24, Q-250
R-1B Zoned

FOR: Final Approval for Site Condo.

Dave Wardin of CHMP was the representative for this site plan.

Mr. Strasser said all lots with meet or exceed the zoning ordinance and all permits have been taken out prior to the development. The developer has indicated on the plans that the streets will be dedicated to the City, however, this is not etched in stone and the developer can change his mind. All utilities will have to be inspected if the streets are dedicated to the City. The back 20 feet of the lot is in the wetland and no permits can be issued for anything in that area.

Mr. Wardin said on the site plan, Lots 34, 38 and the corner of Lot 41 of this area reflect the wetland has been taken out. It is the developer's intention to dedicated the street back to the City.

Moved by Howlett, supported by Perez to approve Site Plan Review #93-42, contingent upon DPW recommendations and information on the memo. Motion carried 8-0.

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E. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #93-43

BY: Blimpie of Flint, Inc.
2305 Stonebridge
Flint, MI 48532

RE: Blimpie
3283 S. Saginaw St.
Q-329-F
Section 29
C-2 Zoned

FOR: Additional Use - Take out restaurant

Mr. Strasser said this is owned by the Drudi family and the building will be on the SE corner of Hemphill and Saginaw Streets. There is adequate parking for the business. This is something new in the area and is similar to the Subway Shop. Presently, there is a Blimpie at Southmoor Golf Course, which is also owned by Drudi's.

Mrs. Howlett asked if they had any problems with the DPW requirements. She was advised no problems.

Mayor Smiley asked if the tanks had been removed from the property. Mr. Hamilton replied yes.

B. FIRST PUBLIC HEARINGS:

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Flint, MI 48507

RE: 2414 S. Center Rd.
The East 214 ft. of Lot 69 of
Supervisor's Plat No. 12
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FOR: Neighborhood Shopping Center

There was still no one to represent this zoning case.

Moved by Howlett, supported by Bertram to postpone Zoning Case #200 until the next regular meeting and for DPW to notify the applicant to attend the meeting. Motion carried 8-0.

F. BOARD DISCUSSION: None.

The next regularly scheduled meeting will be held September 14, 1993, 7:00 P.M.

Meeting Adjourned at 7:57 P.M.

Respectfully Submitted,

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

cml