

CITY OF BURTON
REGULAR PLANNING COMMISSION AGENDA

The Meeting was called to order by Homer Berry, Chairman, at 7:02 P.M.

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

MEMBERS ABSENT: None.

OTHERS PRESENT: R. Stewart, Building Inspector and C. Ladd, Deputy City Clerk.

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

Moved by Howlett, supported by Bertram to approve the minutes of the Regular Meeting of July 11, 1995 at 7:00 P.M., as printed. Motion carried 8-0.

B. SCHEDULE FIRST PUBLIC HEARING FOR SEPTEMBER 12, 1995 AT 7:00 P.M.

1. LS #95-58

BY: Toni Wright
5376 Lippincott Blvd.
Burton, MI 48519

RE: Q-230
SW 1/4 of NE 1/4 of W 151 ft. of
E 316 ft. of NW 1/4 of NE 1/4
Sec 23, T7N-R7E 44.60 A (80)
59-23-200-001

FOR: Residential Use.

Moved by Howlett, supported by Bertram to schedule Lot Split #95-58 for a public hearing on September 12, 1995 at 7:00 P.M. Motion carried 8-0.

C. PUBLIC HEARINGS:

1. ZC #210

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

RE: Ordinance 19
Section 5.36, Item 9; Site Plan
Review "Time Limits on Approval"

FOR: Text Change - Site Plan Review

Mr. Stewart the DPW is asking to have the proposed language concerning time limits on approval added to Ordinance No. 19, Section 5.36, Item 9.

Audience Participation:

Pauline Dargel, 6119 Hugh, asked if the text change would repeal or delete the ability for a one year extension on a site plan review. She was advised no.

Mrs. Walls asked about sidewalks being included in new construction. Mr. Stewart said she would have to ask Mr. Strasser about that process.

C. PUBLIC HEARINGS CONTINUED:

Moved by Howlett, supported by Perez to recommend approval of Zoning Case #210 to the Burton City Council, contingent upon DPW recommendations. Motion carried 9-0.

2. LS #95-49

BY: Lucjan Fronczak
3480 S. Vassar Rd.
Burton, MI 48519

RE: 59-25-400-006
Section 25
SE Zoned

FOR: Residential Use.

Mr. Fronczak said he would like to split the property so another home could be built in the area.

Audience Participation:

Julie Hunter, 3444 S. Vassar Rd., said she opposes the lot split because they moved in that area so the houses wouldn't be so close together and building a home would impose on the distance between the homes.

Mr. Stewart said the parcel meets all of the DPW requirements for an SE zoned district and DPW has no problems with the split.

Moved by Howlett, supported by Bertram to approve Lot Split #95-49 contingent upon DPW recommendations. Motion carried 9-0.

1. LS #95-51

BY: Vassar Road Associates
702 Church Street
Flint, MI 48502

RE: 59-01-200-005
Section 1
R-1A Zoned

FOR: Residential Use.

Richard Hamilton, Partner in Vassar Road Associates, said the lot split request is for the lot immediately adjacent to the North of Ridgemoore Plat, off Pine Brook. He is requesting to divide four lots for residential use.

Audience Participation:

Pauline Dargel, 6119 Hugh St., asked if the lots would be part of the condo area or separate. Mr. Hamilton said they would be single family residential lots just like those in Ridgemoore. He said this particular lot will be a meets and bounds lot.

Mr. Stewart said the lot split meets all DPW requirements.

Moved by Howlett, supported by Perez to approve Lot Split #95-51 contingent upon DPW recommendations. Motion carried 9-0.

D. AUDIENCE PARTICIPATION:

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

E. PRELIMINARY SITE PLAN REVIEW:

1. SPR #95-59

BY: Dan Clevenger, Center Court L.L.C.
1460 Walton Blvd., Suite 105

Re: Court & Center Commons
SWC Howe Rd. and Court St.
59-15-100-018
Section 15, C-4 Zoned

FOR: New Construction for Retail
Development.

Mr. Dan Clevenger, 1460 Walton Blvd., Suite 105, said he has acquired a purchase agreement for the 22 acres immediately east of Courtland Center and plans to build a 25,000 sq. foot retail building for three (3) or four (4) different uses such a sporting goods, office products, etc. He said he is asking for a preliminary site plan review for the retail portion this evening. There will be 620 parking spaces and the ordinance calls for 617. He explained the materials that would be used for the structure and said if he gets approved this evening, he would submit a completed site plan with landscaping.

Mr. Berry asked Mr. Clevenger if he had reviewed the DPW requirements. He replied he had and the only question was the elimination of the second drive because this would be a landlocked piece of property.

Mr. Stewart said this could be worked out in the DPW as they were trying to not create a traffic problem on Court Street.

Mr. Clevenger said they have no problem with eliminating one of the driveways and coordinating the driveway with Home Depot.

Audience Participation:

Larry Petrella, 1081 Howe Rd., asked if the Board was aware of deed restriction. He said nowhere in the deed restrictions does it allow a retention pond. He said if the Board chooses to disobey the restrictions, it would lead to court proceedings.

Mrs. Howlett asked Mr. Stewart if he was aware of the deed restrictions. Mr. Stewart said the zoning ordinance doesn't address deed restrictions but the site plan meets all of the requirements of the ordinance.

Mr. Clevenger said he is willing to work with the residents along Howe Road. He said he shows a retention pond in the preliminary plans.

Mr. Stewart said DPW has no problems with the plan except the driveway but this can be worked out.

Mr. Perez asked if the retention pond was needed. Mr. Clevenger said it is necessary so the water will not sit in the parking lot area. The size of the pond has been calculated by the engineer.

Mr. Bertram said he would like to see a copy of the deed restrictions prior to final approval.

Moved by Howlett, supported by Merrell to approve Site Plan Review #95-59 contingent upon DPW recommendations and the driveway being worked out through the DPW, in the best interest of the City. Motion carried 9-0.

F. SITE PLAN REVIEWS:

1. SPR #95-57

BY: Southwest Brake & Parts
G-5191 S. Saginaw
Burton, MI 48529

RE: Southwest Brake & Parts
Corner of Bristol Rd. & Jimbo Dr.
Lots 9, 10 Bristol Rd. Industrial
Park, Section 33
M-2 Zoned

FOR: New construction for an automotive
repair facility.

Mikek Siterlet, Construction Manager for MGS Design, said he has Mr. Barnwell, head engineer and Robert Foster, Store Manager with him. He said they are planning to build a new facility which will be used for warehousing of truck parts and accessories. It will be a 2,000 square foot retail sales building. He said after reviewing the DPW requirements, the only question is why there is a need for curbing.

Mr. Stewart said the zoning ordinance requires curbing in the parking lot.

Mr. Bertram asked if anything over five acres doesn't fall into the wetland? Mr. Stewart said there is a dispute as to whether there was wetlands. He said DPW has no problems with the request.

Mr. Perez asked if they were planning to close the business in Grand Blanc after this one is built. Mr. Siterlet said they are still uncertain as to what will be done.

Moved by Howlett, supported by White to approve Site Plan Review #95-57 contingent upon DPW recommendations. Motion carried 9-0.

2. SPR #95-60

BY: Miller Apple L.P./DBA Applebee's
4488 Bristol Rd.
Flint, MI 48507

RE: Applebee's Neighborhood Grill & Bar
Outlot C of Courtyard Shopping Ctr.
4135 E. Court St.
59-10-300-008
Section 10, C-4 Zoned

FOR: New construction for a Restaurant.

Rick ,420 Carrie St., Flushing, MI, said he is representing Giesey and Associates. He explained they are proposing an Applebees Restaurant on outlot in

Courtyard. It will be located on the NE corner of the light. The building will be 5,300 sq. ft. brick veneer and will seat between 120 and 160 people. It will be very similar in appearance to the one on Miller Road.

Mr. Stewart said they can eliminate the berms on the entrance drive. The site plan meets all DPW requirements.

Moved by Howlett, supported by Perez to approve Site Plan Review #95-60 contingent upon DPW recommendations. Motion carried 9-0.

G. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #95-55

BY: Committee to Elect Tom Martinbianco
3142 Connecticut
Burton, MI 48519

RE: Committee to Elect Tom Martinbianco
4232 S. Dort Hwy.
Burton, MI 48529

FOR: Campaign Headquarters

There was no one present representing this site plan request.

Mr. Stewart said after reviewing the request, DPW has no problems with it.

Mr. Bertram asked if there was a determination made concerning the need for the applicant to come before the Board under Administrative Site Plan Reviews.

Mr. Berry said nothing has been decided at this point.

Moved by Howlett, supported by Walls to approve Site Plan Review #95-55 contingent upon DPW recommendations, as this is a temporary site. Motion carried 8-1 with Mr. Bertram voting no.

2. SPR #95-56

BY: Select Used Homes
4396 S. Dort Hwy.
Burton, MI 48529

RE: Select Used Homes
Q-356-6
Section 32
C-2 Zoned

FOR: Mobile Home Sales Lot.

There was no one present representing this site plan review request.

Mr. Stewart said the building is located south of the golf course. We have been through the building for an inspection and have no problems with the request.

Moved by Howlett, supported by Grantner to approve Site Plan Review #95-56 contingent upon DPW recommendations. Motion carried 8-1 with Mr. Bertram voting no.

H. C-4 ADMINISTRATIVE SITE PLAN REVIEW:

1. SPR #95-61

BY: Maria Louise Thompson
2610 Pinetree Dr.
Burton, MI 48509

RE: Hair Emmanuel
1235 S. Center Rd., Site #14
Park Place Centre
C-4 Zoned

FOR: Change of Use Within a Tenant Space.

There was no one present representing this site plan review request.

Mr. Stewart said this is a change of use in Park Place Centre. The building is in compliance and DPW has no problems with the request.

Moved by Howlett, supported by Perez to approve Site Plan Review #95-61, contingent upon DPW recommendations. Motion carried 9-0.

I. BOARD DISCUSSION:

Mr. Perez said Rizzo Development Co., on Maple Road, would like to have a special meeting. Mr. Strasser is on vacation this week and in his absence, DPW was unable to locate the necessary paper work and didn't want to put him on the agenda. If he filed the plans in a timely manner, we could have a special meeting either next week or the week after, so we don't hold him up for another month. Ian Hohloch thinks the paperwork was submitted to the DPW but we will have to go by Mr. Strasser as to the filing date.

The Board set a tentative special meeting for August 24th at 5:00 P.M. for the Rizzo Development.

A discussion was held concerning the need for applicants to appear before the Board when they are filing under Administrative Site Plan Review. It was the consensus of the Board to continue handling the Administrative Site Plan Reviews and C-4 Administrative Site Plan Reviews in the same manner as before.

Mayor Smiley gave a report concerning the Just We Three building on Davison Road. He said there has been great progress made and by having the neighborhood meetings previous to the businesses coming in, it has made it easier for the residents to accept the businesses in that area. Also, there may be a chance for another business coming in and we would like to handle that in the same way as the previous one by holding neighborhood meetings

The next regularly scheduled meeting will be held September 12, 1995 at 7:00 P.M.

Meeting Adjourned at 8:12 P.M.

Respectfully Submitted,

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk
CML