

CITY OF BURTON
REGULAR PLANNING COMMISSION MINUTES
DECEMBER 13, 1994, 7:00 P.M., COUNCIL CHAMBERS

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

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

MEMBERS ABSENT: Mayor Charles Smiley and Bertram.

OTHERS PRESENT: T. Strasser, Dep. Planning Official and C. Ladd, Deputy Clerk.

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 November 1, 1994 at 7:00 P.M., as printed. Motion carried 7-0.

B. SCHEDULE FIRST PUBLIC HEARING FOR JANUARY 10, 1995 AT 7:00 P.M.:

1. LS #94-69
BY: Ron Nelson
1382 Calvin Dr.
Burton, MI 48509

RE: Q-9559-A
Part of Lot 31 Supervisor's Plat #14
Section 14
R-1B Zoned

FOR: Residential Use.
2. LS #94-70
BY: Gary L. Jackson
5244 Dortch Dr.
Burton, MI 48519

RE: 5206 Lippincott & 5194 Lippincott
Burton, MI 48519
Section 23

FOR: Residential Use.
3. SPR #94-72
BY: Richard A. Hamilton
702 Church Street
Flint, MI 48502

RE: Lot 38 Supervisor's Plat
Davison Acres
Section 1
RM Zoned

FOR: Residential Use.

Moved by Howlett, supported by Grantner to schedule Lot Split #94-69, Lot Split #94-70 and Lot Split #94-72 for first public hearing to be held on January 10, 1995 at 7:00 P.M. Motion carried 7-0.

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C. FIRST PUBLIC HEARINGS:

1. LS #94-64

BY: John Cashin
4378 Richfield Rd.
Flint, MI 48506

RE: 2472 Covert Rd.
Q-29-F, Section 3
N 198 ft. of S 792 Ft. of W 660 Ft.
of NW 1/4 of NE FR 1/4 SEC 3
T7N R7E 3 A

FOR: Residential Use.

Moved by Howlett, supported by Perez to postpone Lot Split #94-64 to the end of the meeting as there is no one here to present the case for the Lot Split.
Motion carried 7-0.

2. ZC #205

BY: Rizzo Development
Louis Albert-Blake Rizzo, President
31511 Gratiot Ave.
Roseville, MI 48066

RE: Q-431, Q-432
North Side of Maple Rd., between
Genesee & Belsay Roads
Section 35
Zoned SE to R-1A

FOR: Residential Development.

Louis Albert-Blake Rizzo, 31511 Gratiot Ave., Roseville, MI 48066, explained that since the sanitary sewers are now available to his property, he would like to change the zoning from SE to R-1A for residential development.

Audience Participation:

The following residents spoke against the rezoning stating there are drainage problems in the area and if a residential development were to be built, the problems would get even worse. Also, traffic would increase.

Charles Dougherty, 4320 S. Belsay Rd.
James Delano, 5349 E. Maple Rd.
Margaret Delano, 5349 E. Maple Rd.
Dan Rozboril, 5360 E. Maple Rd., Grand Blanc Township
Tom Heckman, 5217 E. Maple Rd.
Herbert Justice, 4032 Day St.

Pauline Dargel, 6119 Hugh St., asked if the petition would require greater than the majority of those homeowners who are adjacent to the property.

Larry Stephens, 3049 Vineland Ave., asked if there would be a site plan for the homes they want to build.

Mr. Strasser said a site plan is not in order at this time. We are only here tonight to decide whether or not this property should be rezoned. The Planning Commission is a recommending body to the City Council, who makes the final decision.

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Mr. Grantner asked how many acres are on this parcel and how many homes would be built.

Mr. Rizzo said there are approximately 80 acres and possibly 200 or so homes built. He said a retention pond would be built to handle the excess water.

Mrs. Walls asked Mr. Strasser if he had spoken with anyone at the County Drain Office regarding the drainage problem. Mr. Strasser replied he had not.

Mr. Perez asked Mr. Rizzo what time frame he was looking at for construction. Mr. Rizzo replied probably early next summer.

Moved by Perez, supported by Walls to table ZC #205 until a study is done by the Genesee County Drain Department and given back to the Planning Commission. Motion carried 7-0.

Mrs. Walls asked to have the study done as soon as possible.

D. AUDIENCE PARTICIPATION:

Jimmy King, 3201 E. Court St., Consumers Power Area Manager, said he is here with Ed Steelman and Darrell Albers to talk about the installation of natural gas for the vehicles which use natural gas.

Ed Steelman, 1197 Ferndale, Jackson, MI, said natural gas vehicles are going to become very popular. There are about 5,000 of these in Michigan and approximately 50,000 throughout the U.S. In the State of Michigan there will be 18 operational stations and one of them will be in Burton at the corner of Dort and Bristol Rd.

Mr. Steelman gave a brief explanation of how the natural gas would be installed.

Mr. Grantner asked why the City of Burton was chosen to have a station. Mr. Steelman said because of the location to the interstates.

Mr. Strasser asked if there is a completion date scheduled. Mr. Steelman replied that the unit is being built and will be delivered to the site within the next two or three weeks and operation will begin in late December or early January.

Pauline Dargel, 6119 Hugh, said the zoning ordinance hasn't been updated since 1989 and since that time there has been a great deal of development. Are we still going with the suburban estates or are we going to start developing on smaller lots. She asked who is responsible for the liability of drainage ponds, the City's or the developers?

Mr. Berry said the reason for the larger lots was because there was no sewer and water available and as these become available, it is possible we could move to small lot sizes.

Mr. Strasser said if it is not a platted area, it could be the responsibility of the City, but we would require that the detention pond be fenced or gradient of less than 1x3.

Mr. Perez said at one time there was a problem on Savoy and the City put up a fence and paid for it.

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E. REVIEW OF PREVIOUSLY APPROVED SITE PLAN:

1. SPR #94-33

BY: Municipal Services Corporation
24125 Aldine Westfield Rd.
Spring, TX 77373

RE: MSC Truck Intermodal Terminal
3075 Maple Ave.
Burton, MI 48529

FOR: Truck Terminal Facility.

There was no one present representing MSC Truck Terminal.

Mr. Strasser explained that the Company is asking for approval of an amended site plan. The large transfer building, presently located outside the fenced area, they want to place it inside the fence. They have found that the railroad will not allow a building to be built in the right-of-way area. This would be better for MSC because if the building is inside the fenced area there is more security and also, should a train derail, it wouldn't hit the building.

Moved by Howlett, supported by Walls to approve Site Plan Review #94-33 contingent upon DPW recommendations. Motion carried 7-0.

E. SITE PLAN REVIEWS:

1. SPR #94-71

BY: Troy's Lock & Safe
2254 Old Hickory Blvd.
Davison, MI 48423

RE: Troy's Lock & Safe
1290 N. Belsay Rd.
Q-110-A
Section 12
M-1 Zoned

FOR: Remodel and renovate existing
structure for a Locksmith Service
and Used Car Lot.

Jim Zimmer, Attorney, 934 Church Street, Flint, MI, said he is representing Troy's Lock & Safe. He presented a picture of the sign which will be used and said the setback area is the same as the residence next door. There will be a 6 foot fence with barbed wire. He is asking for approval pending approval from the ZBA for the setback area.

Mrs. Howlett asked Mr. Strasser if there is any problem with where they want to move the sign. Mr. Strasser said no.

Mr. Strasser said they are not asking for anything out of the ordinary. He asked Mr. Richardson what he planned to do with the garage.

Troy Richardson, 2254 Old Hickory Blvd., Davison, MI, said he will paint it and clean it up, but didn't plan to remove it.

Mr. Perez asked how many cars would be on the premises? Mr. Strasser said there is only room to have four (4) on display out in front. The principle use of the building is for the lock and safe business.

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Mr. Berry asked if Mr. Zimmer had reviewed the DPW requirements. Mr. Zimmer reviewed the list and had no problem with any of the requirements.

Moved by Howlett, supported Perez to approve Site Plan Review #94-71 contingent upon DPW recommendations and approval of ZBA for setback requirements. Motion carried 7-0.

G. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #94-68

BY: Betty Star
6189 Hugh St.
Burton, MI 48509

RE: Sun Star Tanning, Inc.
G-4280 S. Saginaw St.
Burton, MI 48529

FOR: Tanning Salon. Change of use
within a tenant space.

Mr. Strasser said this is a simple change of use on Saginaw Street at Judd Rd. There is adequate parking in the rear of the building and the use does fit the zoning classification. The site plan is up to date.

Moved by Howlett, supported by White to approve Site Plan Review #94-68, contingent upon DPW recommendations. Motion carried 7-0.

C. FIRST PUBLIC HEARINGS CONTINUED:

1. LS #94-64

BY: John Cashin
4378 Richfield Rd.
Flint, MI 48506

RE: 2472 Covert Rd.
Q-29-F, Section 3
N 198 ft. of S 792 Ft. of W 660 Ft.
of NW 1/4 of NE FR 1/4 SEC 3
T7N R7E 3 A

FOR: Residential Use.

Mr. Cashin explained that there is three (3) acres of land with a house on the north end of the three acres. It has a 198 foot frontage. He would like to take 98 foot front and split it into 1.5 acres each.

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

Mr. Strasser said there is adequate land for the split, but the vacant parcel doesn't have a sewer lead. Sewer is available, but it just doesn't have a sewer lead.

Moved by Howlett, supported by Grantner to approve Lot Split #94-64 contingent upon DPW recommendations. Motion carried 7-0.

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H. BOARD DISCUSSION:

Mrs. Walls asked if there is anything written that states when a home is built it must be built in line with the other homes on the street. Mr. Strasser said the only thing written is the front and rear setback and a home can be placed anywhere between them.

Mrs. Howlett wished everyone a happy holiday.

The next regularly scheduled meeting will be held January 10, 1995 at 7:00 P.M.

Meeting Adjourned at 8:21 P.M.

Respectfully Submitted,

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

CML