

CITY OF BURTON
SPECIAL PLANNING COMMISSION MINUTES
JUNE 7, 1994, 7:00 P.M., COUNCIL CHAMBERS

This Special Meeting Was Called To Order by Homer Berry, Chairman, at 7:00 P.M.

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

MEMBERS ABSENT: Mayor Charles Smiley and Merrell.

OTHERS PRESENT: J. Major, DPW Director; R. Hamilton, City Attorney and C. Ladd, Deputy City Clerk.

A. SITE PLAN REVIEW:

1. SPR #94-33

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

RE: MSC Truck Intermodal Terminal
3075 Maple Avenue
Q-382-B, the South 900 ft. of tax
parcel No. 376-4 and including an
easement across the northerly 50 ft.
of the southerly 100 ft. of a
portion of Q-373-1
Section 36

FOR: Truck Terminal Facility

Richard Figura, Attorney representing MSC, introduced the gentlemen from MSC. He said they are aware it is the duty of the Planning Commission to make certain the findings of this information presented tonight is in the best interest of the City.

Hugh Shannonhouse, 24125 Aldine Westfield Ave., Spring, TX 77373, explained that USPCI is a waste management company, which was founded in 1968 in Oklahoma. He said they are not the biggest business in the industry but the best managed business. Their revenue is about \$340 million and they employ approximately 1,600 people. He said they do not acquire a facility from someone else and manage it, but develop their own facility. MSC is a subsidiary of USPCI and MSC manages all of General Motors non-hazardous industrial waste across the United States. Mr. Shannonhouse gave a brief background of the history of MSC and General Motors working relationship.

Mr. Shannonhouse said the activities and operations of the facility is to operate a truck terminal. They have specially constructed intermodel container boxes. Because the containers are involved in railroad transportation, as well as truck transportation, they meet various standards and have been tested for holding water and crash tested. After the boxes pass the test they are approved for rail transportation. There are 10 to 20 loads per day sent out to two (2) facilities, one in North Dakota and one in Oklahoma. The rail cars are switched daily and shipped out daily. The hours of operation would be approximately 6:00 a.m. to 6:30 p.m. with limited Saturday operations and no Sunday operations. Of the 16 acres of land we would only be utilizing about three (3) or four (4) acres. Maple Avenue does not have truck loading capabilities as does Dort Highway. A 6 foot fence would be put up on Maple and Dort sides with landscaping between the roads and the fence.

SPECIAL PLANNING COMMISSION MINUTES

JUNE 7, 1994/7:00 P.M.

PAGE -2-

The existing building on the site would be rehabilitated on the outside and all windows would be repaired. We would bring in a modular building with a gable roof and everything would be up to code. Although there are no permits needed from the DNR, we will meet all DNR requirements.

Greg Gucgwa, CHMP, said the traffic patterns would be the loaded trucks would go in off Dort Highway and would exit (with empty containers) onto Maple Road and go back onto Dort Highway and use the traffic light to go back south on Dort Highway to the freeway. This would be a long term facility.

Mr. Shannonhouse said the containers have a heavy plastic liner on the walls of the container and after dumping, they are cleaned at another site and reinspected for reuse.

Mrs. Howlett asked Mr. Major about the DPW memorandum with regards to the limited use of Dort Highway only. She said it would be advantageous to use Maple Road to exit back to Dort Highway.

Mr. Major said the City has a hard time policing Maple Road and pays 50% of the repairs on local roads. With the trucks being so heavy, it damages the road.

Jim McCulley, USPCI General Manager, 24125 Aldine Westfield Rd., Spring, TX, said the company trains their drivers and they have strict disciplinary rules and regulations. They would be told the drive off Maple Road could not be used by the trucks which have the loaded containers on them. We use two subcontractors and those drivers are also trained by our company.

Mr. Gucgwa said the first drive off Maple Road will be gated off and used only for emergency purposes.

Mr. Bertram asked how many vehicles would be used. Mr. Shannonhouse replied there are 12 trucks. There would be no diesel fueling on the site and no storage tanks.

Mr. Perez asked what the hazardous waste materials consisted of. Mr. Shannonhouse said mostly grinding soil from machine tooling, paint sludge or residue.

Mr. Bertram asked what the hours would be for the switching of the cars? He was advised this would be done about 4:00 or 5:00 P.M. so the load could be taken to Flint by rail and leave for Chicago by 9:00 P.M. Mr. Bertram asked if there is an odor problem. He was advised no.

Mr. Figura said the use of a truck terminal is allowed in the Zoning Ordinance under M-1 Zoning. This is not a storage facility, but a truck terminal.

Mr. Shannonhouse said the cost of building the facility is about \$400,000.00 and they have a 20 year agreement with General Motors but the property belongs to the railroad.

Audience Participation:

Mike Sunday, 4406 O'Heren St., said he lives in Killarney Park Subdivision and is against this proposal. He said they are already having problems selling their homes with the problem of the other business which abuts the subdivision. He thinks this would decrease the value of their homes. He also said there was no notification sent to the residents in that area.

SPECIAL PLANNING COMMISSION MINUTES

JUNE 7, 1994/7:00 P.M.

PAGE -3-

George Turner, 4427 Killarney Park Dr., said he thinks this project will be too close to the flood plain and he agreed with Mr. Sunday.

Mr. Major said there is no State Statute requirement for notification to residents if this is being used as a truck terminal.

Mr. Hamilton said he did some research and couldn't find one case in any jurisdiction in the United States that defined a truck terminal. Truck terminal is not defined in our Ordinance. The Zoning Board of Appeals could interpret the Ordinance.

Mr. Perez said this site is an eyesore to the City and if this business is willing to spend that amount of money already, they will have a nice operation in there. There is a difference between hazardous waste and toxic waste.

Mr. Bertram said he is concerned about the problems with the other business and doesn't want to see this turn out to be another problem to the City.

Mr. Berry asked where the drainage water from the parking lot go. He was advised it went into Thread Creek.

Mr. Grantner said with this company having a 20 year contract with GM, he doesn't foresee a problem.

Mr. Bertram said he would like to get more information on the M-1 and M-2 zoning and table this proposal.

Moved by Howlett, supported by Grantner to approve Site Plan Review #94-33 contingent upon DPW recommendations, excluding Item #1 from the DPW recommendations and Item #4 to read ingress to site off Dort Highway and trucks to egress onto Maple Road only with empty containers and Item #11 to close exit drive on Maple Road for all but emergency use or secondary use. Also, eliminate going to Zoning Board of Appeals as there is no storage on the property. Motion carried 6-1 with Mr. Bertram voting no.

B. AUDIENCE PARTICIPATION:

Diane Miller, 3245 Shannon Rd., asked about the cleaning of the containers.

Mr. Shannonhouse assured her the containers are cleaned at a site in North Dakota and are not cleaned at this location.

C. BOARD DISCUSSION:

None.

The next regularly scheduled meeting will be held June 14, 1994 at 7:00 P.M.

Meeting Adjourned at 8:47 P.M.

Respectfully Submitted,

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

cml