



CITY OF BURTON
BURTON PLANNING COMMISSION MEETING
APRIL 10, 2018
MINUTES

Council Chambers

Regular Meeting

5:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by Chairperson Deb Walton at 5:00 PM.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Vaughn Smith	Councilman	Present	
Kevin Burge	Vice Chair	Present	
Mary Ann White	Commissioner	Present	
Tom Gorang	Commissioner	Present	
Deb Walton	Chairperson	Present	
John Benthall	Commissioner	Present	
Kris Johns	Commissioner	Present	
Robert Johnson	Commissioner	Present	

C. STAFF PRESENT

Bette Bigsby, Acting Clerk
Amber Abbey, Deputy Planning Official
Rik Hayman, Chief of Staff
Bob Slattery, DPW Director
Charles Abbey, Deputy DPW Director

D. APPROVAL OF MINUTES

1. Planning Commission - Regular Meeting - Mar 13, 2018 5:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Robert Johnson, Commissioner
SECONDER:	Kevin Burge, Vice Chair
AYES:	Smith, Burge, White, Gorang, Walton, Benthall, Johns, Johnson

E. SPECIAL USE

1. SPR #18-17

By: Heather Miller
6422 Wagner Ave.
Grand Blanc, MI 48439

Re: 6422 Wagner Ave. Grand Blanc, MI 48439
59-36-576-027, SE Zoned

For: Special use to conduct an in home daycare of up to 12 children.

Motion to approve SPR#18-17 with the following stipulations: Six-foot privacy fence installed around the children's play area, and hard surface parking for six vehicles and a review in one year.

Heather Miller said as of now have I have daycare for up to six kids. I am licensed with the State of Michigan and I have passed all of the State reviews. My property is big enough to meet the State of Michigan qualifications to bump up to 12 kids.

Mr. Dewitt of Wagner Street said we moved onto a dead street for a reason. We feel, with up to 12 children that will create more traffic on the street of this residential area. The yard is full of debris now. It is not conducive of a Day Care Center. There should be a fenced in area. This is a safety issue.

Kandy Dewitt of Wagner Street stated we moved here for the peace and tranquility. Now I have a safety concern. There are toys scattered everywhere, a ladder propped up against the garage, a boat on the side of house, no fenced in yard, extra traffic on the road and noise.

Amy Armstrong of Wagner Street said I live right next door to this day care. I do not have a problem with the day care being here, but it does need to be fenced in and the debris around the yard needs to be taken care of. I am also concerned with parking and traffic.

Dan Berlin of Wagner Street stated Wagner is a two way, no parking street. The driveway at this day care cannot handle many more cars. There will be parking on the street so that they are not hemmed in and the street is not big enough for parking. I am concerned about children running out into the street. It used to be a quiet dead end street. I think everyone on the street should have received a notice of this meeting because this does involve everyone on the street. The yard does need to be cleaned. I am not in favor of this day care being here the way it is right now; it is just not the best place for it.

Mrs. Walton said we have received a letter from Russell Hobson of Wagner St. regarding this special use permit for Heather Miller. This letter states they do not approve of this day care. The reasons listed are: the outside of the home is untidy with toys and other items, the bus pickup is right at the corner of their location where parents are dropping off and picking up kids. This is a traffic issue and inconvenience for other residents leaving for work and returning home, as well as safety issues for the children getting on and off the bus. This is a quiet, dead end street with minimal commotion, which is the reason I moved here. I do not feel the day care is in the best interest of Wagner and Pratt Ave. If this permit is approved, I ask that you require a six-foot privacy fence around the day care area.

Mrs. Abbey said the applicant already has a day care there. A few years ago, the State changed the law that you cannot restrict less than six children in a home for zoning purposes. So therefore, the day care does exist. Now she is asking for more, which is why we are here tonight. My concern was the extra traffic and people parking on the road because she has a small driveway. My recommendation would be to add parking spaces on the property. She has plenty of room for this. A six-foot privacy fence around the backyard and in the area in which children are playing

would be a strong stipulation. They also need to keep the toys and other items in that area as well. The commission could add a stipulation to review this in one year.

Mr. Burge asked if these extra parking spaces were added, would they need to go before Zoning to get a variance and have there been any other complaints to the City previously regarding the debris around the yard.

Mrs. Abbey said this is on residential property so they would not go before Zoning. The stipulation would be made for this boards special use approval. This would be a parking stipulation for the day care use.

Mr. Johns asked Kandy Dewitt if they have voiced their safety concerns to a licensed regulatory agency.

Kandy Dewitt said I have not because I wanted to express our concern at this meeting.

Mr. Johnson asked if there have been any complaints made against this property with the code enforcement.

Mrs. Abbey stated there have not.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Kevin Burge, Vice Chair
SECONDER:	Robert Johnson, Commissioner
AYES:	Smith, Burge, White, Gorang, Walton, Benthall, Johns, Johnson

F. SITE PLAN REVIEW

1. SPR #18-22

By: PEA, Inc. (James Butler, PE.)
2430 Rochester Ct.
Troy, MI 48083

Re: 4420 Davison Rd. Burton, MI 48509
59-10-200-003

For: Construction of a new industrial facility

Motion to approve SPR #18-22 By PEA, Inc. regarding 4420 Davison Rd. Burton, MI. Parcel #59-10-200-003 for construction of a new industrial facility with a traffic study recommended by the City of Burton.

Brent Miles from Northpoint Development stated our company is based out of Kansas City we own about 45 million square feet of industrial projects across the country. We are in 12 states and are one of the top two largest industrial privately held landlords in the country. We own between 125-150 buildings. If approved, this warehouse will be used for distribution. This would not be related to marijuana at all. The building would be about 1.1 million square feet and about a \$45 million investment. This 141-acre property is owned by the City. We are only interested in purchasing the City property, not the property next door that is owned by Racer Trust. We have done an environmental report and received a clean bill of health on

this property. This would be a Class A building. There would be a 900-foot setback and a 10 feet tall landscaped berm facing Genesee Road. There will also be a traffic study done. This project has been named Project Fusion.

Gary Peters said I own land on Genesee Road. I do not agree with an entrance coming onto Way Street.

Gary Kautz of Burton said I am concerned with the entrance that would be coming off the back of the facility and onto Way Street. A traffic light would be good to have there. I am concerned about backed up traffic and noise from the warehouse trucks.

Donna Glann from Burton said the presentation is very nice. It will be nice to have a good facility go in there however, this land will be covered with a very large structure. Will there be a retention pond for the rainwater? Will our existing old storm drainage system be able to handle whatever comes its way or will we have to update the storms. I live about 400 feet away from the intersection and just do not want our house to flood. We have well water and just put in a new well last year. We are concerned about rainwater pollution, parking lot lighting being too bright, noise and the destruction of the pavement.

Joann Farrin from Burton said I am concerned about the traffic, noise and the pavement being torn up by semi-trucks. I would also like to know how many jobs this would employ.

Alicia Petrosky from Burton said Genesee Road should be widened between Court and Davison Road to accommodate the excessive traffic. There needs to be a turning lane or if possible have them come in another way, possible Covert Road.

Hal Lindsay from Burton said I am with the Cross Creek Subdivision Home Owners Association and I think there should also be a berm along the back of this property. We have a lot of construction going on in our subdivision. This was approved by the Planning Commission a couple of years ago. We have waited a long time for this and I do not want this to hinder our project. I am also concerned with the exit onto Genesee Road. Genesee Road is nothing but potholes now. It cannot handle this traffic. I would like to see the entrance off Davison Road and it stipulated that their trucks use Center and Davison Road.

Deb Dueler is concerned about air pollution from the warehouse and from the trucks, and traffic and trucks tearing up Davison Road.

Laura Deal of Burton said I am concerned about rainwater and what it will do to my well, traffic, noise, the effect it will have on our home values around this site and the hours of operation.

Mrs. Abbey said this property is zoned M-2 General Industrial. Throughout the years, there have been several residential, commercial, and industrial projects proposed. Every single use that would be proposed on 130 acres will cause traffic congestion in one way or another. That is a major concern for the City and something that we do look to address in this particular case. The uses on this property would be an office, warehouse and distribution center. The parking lot is 895 feet away from Genesee Road, making it over 900 feet from the nearest

residential home. Included in this 900 feet there will be a tree buffer, a ten-foot high berm, a detention pond and a 8 foot high vinyl coated fence that you're probably not even going to see because of the berm. The trucks would come off I-69 to Center Road, turn East onto Davison Road and turn right into the facility through a deceleration lane. They would go around the building and come out onto Davison, also with an acceleration lane, and head east to Belsay Road where they would get back on I-69. All of these roads are a Class A all season roads. There would be no reason for them to use any other roads than these because they can use them all year round. They are designed and built to hold truck traffic. Even though the parking lots appear to be next to each other, you can't get from the truck parking lot to the Genesee Road employee parking lot and they cannot exit out that area. We cannot say there will never be a truck that goes down Genesee Road. Genesee Road is not an all season road; it is a tandem route so the use would be sporadic if that.

There are however a couple of notes that I would like to make. These are a few things that we have already passed along to the engineer and they have agreed to the following:

1. The fence will need a variance to stay at 8' high ordinance allows only a 6'. This is not an unusual request for industrial properties.
2. The sidewalk is not shown on the Site Plan, however it is shown on the rendering today because I called them and had them add it.
3. The engineering division has requested the applicant get a traffic engineer to do a study, to review the egress and ingress for left turn treatments or the restriction of left turns.

There would be no need for additional right of way or ditching. The shoulder itself is wide enough if need be. As far as the noise concern, we believe the buffers, berms and trees will take of any noise issues. With the traffic study, what they will look at is the location of the entrance on Genesee Road and whether or not a bypass lane is necessary. I have been assured by our engineering division, if that is necessary, there is plenty of room for it. There will be detention ponds around the property. The storm drain will be relocated and upgraded so there should not be an issue with water runoff. In fact, it should be better than it is now. Our ordinance states that any lighting be directed toward the property. With the berms and trees, you should not see that at all. The traffic study will tell us if a traffic light is warranted. There should be around 425 employees on the day shift and 350 to 375 on second shift. I have spoken to the Assistant Fire Chief and he thinks there will be no issue with their ability to get in and out. There is not enough room to put a berm on the back of the building. Regarding the question about a Center Road Drive, this property does not go to Center Road so this would not be possible. As far as home values being effected, the assessors assured me that property values are not necessarily effected by developments.

The administration is excited to see development in Burton, and more so a development of this magnitude. I hope that everyone can see past his or her personal feelings of wanting to leave this property vacant and do what is best for the City as a whole.

We recommend approval with the contingency of the completion of the traffic engineers study and the recommendations of said report be accepted by the City of

Burton engineer/road division for the ingress and ingress and egress on Davison and Genesee Roads.

Brent Miles with Northpoint Development stated this would be a two-shift operation that runs Monday through Friday with the last shift ending between 10-11 PM. There will be improvements on Genesee and Davison Road. As far as the storm water question, this is a regulatory issue that will be regulated and reviewed by the County as part of this plan. It's never a bad thing to add 600 plus jobs into a community with a \$45 Million investment. I know that this field doesn't produce any traffic now, but this was going to at some point develop.

BOARD DISCUSSION:

Mr. Burge asked about rerouting the drain and the shields around the lights.

Mrs. Abbey stated Genesee County has an easement through there and they will be rerouting that drain.

Mr. Miles said there would be a shield around the lights to direct the light down.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	John Benthall, Commissioner
SECONDER:	Vaughn Smith, Councilman
AYES:	Smith, Burge, White, Gorang, Walton, Benthall, Johns, Johnson

G. ADMINISTRATIVE SITE PLAN REVIEW

1. SPR #18-16

By: Community Disposal, Inc.
P.O. Box 250
Holly, MI 48442

Re: 2323 Bristol Rd. Burton, MI 48529

For: Dispatch, office, & truck repair for garbage hauling

2. SPR #18-18

By: Dena Craine
P.O. Box 90865
Burton, MI 48509

Re: 5502 Lapeer Rd. Burton, MI 48509

For: Office for building maintenance contractor

3. SPR #18-19

By: Emil Abuita
3147 S. Dort Hwy.
Burton, MI 48529

Re: 3147 S. Dort Hwy. Burton, MI 48529

For: Retail smoke shop

4. SPR #18-20

By: JRJ Ventures I, LLC.
17195 Silver Pkwy. #215
Fenton, MI 48430

Re: 2512 E. Bristol Rd.
Burton, MI 48529

For: Medical Marijuana Provisioning Center

5. SPR #18-21

By: JRJ Ventures II, LLC.
17195 Silver Pkwy. #215
Fenton, MI 48430

Re: 2512 Bristol Rd. Ste B Burton, MI 48529

For: Medical Marijuana Grow Facility

H. BOARD DISCUSSION

None.

I. AUDIENCE PARTICIPATION

Duane Burnash of Burton said with this new business, please take into consideration that pulling out of Covert Road onto Davison Road is bad now and that projects always seem to happen toward the end of the year.

J. MASTER PLAN UPDATE

Mrs. Abbey said I went to the DDA meeting last month and asked what they would like to see in the DDA district. Many things they want to see are the same as what the Planning Commission would like. I think we are all on the same page as far as moving forward with developing that ordinance.

Mr. Burge said I received a copy of the land use that is in the Master Plan book. I would like a copy of the land use separate from the Master Plan book and a copy of the Planning

Bylaws so that we can review this.

Mrs. Abbey I will bring this to the next meeting.

Mrs. Walton said we need to set up a date for the training meeting at the next meeting.

Meeting was adjourned at 6:30 PM.
