



# **CITY OF BURTON**

## **BURTON PLANNING COMMISSION MEETING**

**FEBRUARY 12, 2019**

### **AGENDA**

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**Council Chambers**

**Regular Meeting**

**5:00 PM**

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**4303 S. CENTER ROAD  
BURTON, MI 48519**

**A. PLEDGE OF ALLEGIANCE**

**B. CALL TO ORDER**

**C. STAFF PRESENT**

**D. APPROVAL OF MINUTES**

1. Planning Commission - Regular Meeting - Jan 8, 2019 5:00 PM

**E. PRESENTATION**

**F. AUDIENCE PARTICIPATION**

Now is the time set-aside for members of the audience to address the Burton Planning Commission. I would ask each individual to give their name and address for the record and to limit their comments to three (3) minutes and to speak on the topics germane to City business.

**G. BOARD DISCUSSION**



# CITY OF BURTON

## BURTON PLANNING COMMISSION MEETING

### JANUARY 8, 2019

### MINUTES

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**Council Chambers**
**Regular Meeting**
**5:00 PM**


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**4303 S. CENTER ROAD  
BURTON, MI 48519**

**This meeting was opened by Vice Chair Kevin Burge at 5:00 PM.**

#### **A. PLEDGE OF ALLEGIANCE**

#### **B. ROLL CALL**

| <b>Attendee Name</b> | <b>Title</b> | <b>Status</b> | <b>Arrived</b> |
|----------------------|--------------|---------------|----------------|
| Vaughn Smith         | Councilman   | Present       |                |
| Kevin Burge          | Vice Chair   | Present       |                |
| Mary Ann White       | Commissioner | Present       |                |
| Tom Gorang           | Commissioner | Excused       |                |
| Deb Walton           | Chairperson  | Excused       |                |
| John Benthall        | Commissioner | Excused       |                |
| Kris Johns           | Commissioner | Absent        |                |
| Robert Johnson       | Commissioner | Present       |                |

#### **C. STAFF PRESENT**

Amber Abbey, Planning/Zoning Superintendent  
Racheal Boggs, Deputy Clerk

#### **D. APPROVAL OF MINUTES**

1. Planning Commission - Regular Meeting - Dec 11, 2018 5:00 PM

|                  |                              |
|------------------|------------------------------|
| <b>RESULT:</b>   | <b>ACCEPTED [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | Kevin Burge, Vice Chair      |
| <b>SECONDER:</b> | Mary Ann White, Commissioner |
| <b>AYES:</b>     | Smith, Burge, White, Johnson |
| <b>ABSENT:</b>   | Johns                        |
| <b>EXCUSED:</b>  | Gorang, Walton, Benthall     |

#### **E. APPOINTMENTS**

1. Approve and Authorize Deb Walton for Planning Commission Chairperson for January 2019-December 2019 term.

Minutes Acceptance: Minutes of Jan 8, 2019 5:00 PM (Approval of Minutes)

**RESULT:** **CARRIED [UNANIMOUS]**  
**MOVER:** Mary Ann White, Commissioner  
**SECONDER:** Robert Johnson, Commissioner  
**AYES:** Smith, Burge, White, Johnson  
**ABSENT:** Johns  
**EXCUSED:** Gorang, Walton, Benthall

2. 4140 : Approve and Authorize Kevin Burge for Planning Commission Vice Chairperson for January 2019-December 2019 term.

**RESULT:** **CARRIED [UNANIMOUS]**  
**MOVER:** Robert Johnson, Commissioner  
**SECONDER:** Mary Ann White, Commissioner  
**AYES:** Smith, Burge, White, Johnson  
**ABSENT:** Johns  
**EXCUSED:** Gorang, Walton, Benthall

## F. SITE PLAN REVIEW

1. SPR #18-61

By: Andrew Johnson  
 5053 S. Court St.  
 Burton, MI 48509

Re: 5053 S. Court St. Burton, MI 48509  
 59-11-300-006 / C-2 Zone

For: Addition to Building

Mrs Abbey stated the applicant is not in attendance tonight. She will present the site plan for the applicant. This is an add on to the existing building. A few months ago, you approved him to demo the building and add an additional building on the property. Due to the cost of that project, he has changed his mind. Because of the significant change from the old plan, I did not feel comfortable making the decision to allow it. So, he has applied for a new site plan review: addition to a building.

Mr. Burge stated there is a big drain field there. Will he be redoing the county drain or expanding it at all?

Mrs. Abbey stated the detention basin is already there from when he paved that area. The Genesee County Drain Commission approved it. The area he is building on is already an impervious area. In this particular project, he will not be adding to the

detention at all.

Mr. Burge asked about soil erosion and sediment permits.

Mrs. Abbey said yes, he will have to put in soil erosion measures through the city.

Motion to approve Site Plan Review (SPR #18-61) as written.

|                  |                              |
|------------------|------------------------------|
| <b>RESULT:</b>   | <b>CARRIED [UNANIMOUS]</b>   |
| <b>MOVER:</b>    | Robert Johnson, Commissioner |
| <b>SECONDER:</b> | Mary Ann White, Commissioner |
| <b>AYES:</b>     | Smith, Burge, White, Johnson |
| <b>ABSENT:</b>   | Johns                        |
| <b>EXCUSED:</b>  | Gorang, Walton, Benthall     |

## G. ADMINISTRATIVE SITE PLAN REVIEW

### 1. SPR #18-57

By: Jacob Root  
1644 Ford Ave.  
Wyandotte, MI 48192

Re: 3525 S. Saginaw St. Burton, MI 48529

For: Medical Office Building

### 2. SPR #18-58

By: Rob Oda  
5004 Rockaway Lane  
Clarkston, MI 48348

Re: 4238 Davison Rd. Burton, MI 48509

For: Change of Ownership

### 3. SPR #18-59

By: Rob Oda  
5004 Rockaway Lane  
Clarkston, MI 48348

Re: 4199 Davison Rd. Burton, MI 48509

For: Change of Ownership

Minutes Acceptance: Minutes of Jan 8, 2019 5:00 PM (Approval of Minutes)

Mr. Burge asked when someone changes ownership during the administrative site plan review process, can we put restrictions on anything or does it need to be done during site plan review?

Mrs. Abbey stated it really should be done during site plan. The administrative site plan is limited on what you can force a property owner to do. If it was a requirement, we can make them do it. Since it is not a requirement but rather what that particular place chose to do, the Planning Commission would have to add that during their site plan review. I don't have any right to make that decision through the administrative approvals.

4. SPR #18-60

By: Don & Molly Sherman  
1268 N. Belsay Rd.  
Burton, MI 48509

Re: 1268 N. Belsay Rd. Burton, MI 48509

For: New Trailer Sales

Mr. Burge asked if the city will keep an eye on the trailer sales at 1268 N. Belsay Road. The trailers are very close to the edge of the road.

Mrs. Abbey stated she noticed that and will have a conversation with him about encroaching.

## H. AUDIENCE PARTICIPATION

None.

## I. BOARD RECOMMENDATION AND/OR ACTION

Mrs. Abbey stated regarding the new KFC at 1195 Belsay Road, the elevations at the front of the property were not done correctly. So, when they anticipated that they were going to put a sidewalk from the existing sidewalk to the building, the elevations were thought to be flat and they are not. The sidewalk cannot meet ADA requirements if they put it in today. They will have to modify it or get rid of it. They are requesting to take it off the site plan completely. It is not required by our ordinance; just something they put on the plan themselves. Otherwise, it will need reengineering which will include a retaining wall and be quite awkward. I recommend we allow them to remove the sidewalk completely.

Ms. White asked if there will be steps from the parking lot to the building without the sidewalk.

Mrs. Abbey stated the sidewalk was coming from the road.

Board discussion regarding the sidewalk, handicap parking and review of pictures of the area provided by the applicant.

1. Motion to bypass the sidewalk in the original site plan for the KFC located at 1195 Belsay Road.

|                  |                              |
|------------------|------------------------------|
| <b>RESULT:</b>   | <b>CARRIED [UNANIMOUS]</b>   |
| <b>MOVER:</b>    | Robert Johnson, Commissioner |
| <b>SECONDER:</b> | Vaughn Smith, Councilman     |
| <b>AYES:</b>     | Smith, Burge, White, Johnson |
| <b>ABSENT:</b>   | Johns                        |
| <b>EXCUSED:</b>  | Gorang, Walton, Benthall     |

## J. BOARD DISCUSSION

Mr. Burge stated the medical center on Center and Lippincott is looking really nice. We were all a part of that and many other great things that happened within the city in 2018. I would like to see more businesses come into Burton and fill up some of our vacant buildings in 2019. Around six months ago, I brought up the idea of a pay increase for Board Chair and Co-Chair people for our various boards in the city. The City Council acted on that last night and it was approved unanimously.

Ms. White would like to thank the City Council for approving the increase.

Mr. Smith will relay that to the City Council. He would like to know if there is any truth to Costco coming to Burton. He has been receiving phone calls about it.

Mrs. Abbey stated absolutely not. This came up at ZBA also. I have never spoke with anyone regarding Costco coming to Burton. From what I understand, this came from a disgruntled Lowe's employee who put it on social media and it went wild from there. I have received calls from every news station and newspaper. There is zero truth to it. I would love if it were true but unfortunately, it is not.

Mr. Smith stated he handles the phone at the Chamber of Commerce. I had a call come in inquiring about Kings Lane Apartments. I directed them to the DPW. Did he ever call you?

Mrs. Abbey stated I have received several inquiries in the last month about Kings Lane Apartments. They must be selling it because people have come in and looked at the building files.

Mr. Burge would like to know when the ordinance books will be ready.

Mrs. Abbey stated I was under the understanding that American Legal Publishing was updating them and that's what I was waiting for. I discovered that they still aren't done so, I will update them and get them out to you.

Mr. Burge wants to know if recreational marijuana is going to be worth it for us.

Mrs. Abbey stated there is benefit to anyone occupying a vacant building for the city and there is revenue in the license but will these facilities cause more headache than they are worth? No one can answer that question because it hasn't happened yet.

Mr. Burge stated this could be a lot of money. We need some ordinances on it. It's in the news everyday and we don't know what's fact or fiction.

Mrs. Abbey stated the state is still slowly issuing licenses for recreational.

Meeting was adjourned at 5:30 PM.