



CITY OF BURTON

BURTON PLANNING COMMISSION MEETING

JULY 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	Excused	
Tom Gorang	Commissioner	Present	
Deb Walton	Chairperson	Present	
John Benthall	Commissioner	Present	
Kris Johns	Commissioner	Present	
Robert Johnson	Commissioner	Present	

C. STAFF PRESENT

Amber Abbey, Planning & Zoning
Bette Bigsby, Acting Clerk

D. APPROVAL OF MINUTES

1. Planning Commission - Regular Meeting - Jun 12, 2018 5:00 PM

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

E. SPECIAL USE

1. SPR #18-36

By: Brian Toma
3341 S. Linden Rd.
Flint, MI 48507

Re: 4186 Davison Rd. Burton, MI 48509
59-10-501-101 / C-2 Zoned

For: Special use to conduct a medical marijuana provisioning facility

Chris Sherman of Sterling Heights said if approved we would focus on security and ventilation systems. Not only would we like to bring the provisioning center to Burton, but other business as well. This would provide around 50 new jobs to the community. The name of the business will be something like, Genesee MMPC.

Jason Treichel, owner of Stone Specialist on Davison Road, said I am in favor of new business. I am concerned about the positive and negative attention it would bring to the area. My business is across the road and I bring out of town clientele into Burton. As the City of Burton is growing, whom are we attracting? I hope this will be considered.

Mrs. Abbey said we have had these type of facilities for the last eight years. Looking at these facilities, you wouldn't know what they were. We do not allow signage that would give away what it is. We do a good job on keeping our facilities looking like a business. This property has been for sale for a long time and in terrible shape. It used to be the old Dog House Lounge. An improvement would be good. I am not comfortable with approving their plan as it is presented today, because I have not had a chance to review it. He will still have to get State approval. He will still have to submit for his license separately for approval of that. The drawing he shows would be an improvement to the building and space. If they purchase the other two parcels, that would be even better. We recommend approval.

Mr. Johnson said with all the new facilities that are now in Burton, we really have not seen any crime issues. If they remodel the building and put up acceptable signage, I do not see a problem with it.

Mr. Gorang asked about security there and the hours of operation and the traffic flow in that area.

Mr. Treichel said we would have security guards in the daytime and at night. We have not had anyone do a traffic survey.

Ms. Abbey said as far as the hours I would recommend Monday through Saturday, 10 AM to 8 PM and Sunday 10 AM to 6 PM.

Mr. Smith stated this would bring in traffic. I think the store fronts will be renovated once people see this.

Mr. Johnson asked have you looked at our Master Plan at all and what influenced you to look at opening the business in Burton.

Mr. Sherman said it was the striving community and we have other businesses in the surrounding area.

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

F. ADMINISTRATIVE SITE PLAN REVIEW

1. SPR #18-37

By: E & N Properties
1514 S. Dort Hwy.
Flint, MI 48503

Re: 3325 S. Dort Hwy. Burton, MI 48519

For: Construction less than 2% for a Pavillion

Mrs. Abbey said this is for the Humane Society of Burton.

2. SPR #18-38

By: GPM Southeast, LLC.
8565 Magellan Pkwy, Ste 400
Richmond, VA 23227

Re: 6010 Davison Rd. Burton, MI 48509

For: Change of ownership for 1 stop food store

G. AUDIENCE PARTICIPATION

None.

H. BOARD DISCUSSION

1. Master Plan Update

Mrs. Abbey said at the last meeting we went over the Central Business District information and I am doing the finishing touches. It still needs to go to the City Attorney for approval. It will be before you at the next meeting. I think we are on the right tract to implement the plan as we wanted to.

2. Planning Commission By Laws

Mr. Johnson said he would like to hold off on any decisions until Mary Ann White gets back. She has some concerns regarding this. I am concerned about the audience participation time limit. I think this should be the same at all the meetings.

Mrs. Abbey said I don't think having a special workshop to go over the By-Laws is necessary. It is only five pages and we could discuss this at the meeting.

Mr. Burge said #3.7 in the By Laws, has to do with commission members voting and public hearings. There is a lot of information here that is not very clear.

Mrs. Abbey stated for this Planning Committee, you only have to have a majority of the vote of the members that are present. Zoning is different. If someone has a conflict of interest, they cannot vote and they need to leave the room while the voting is taking place. The Planning Commission representative on the Zoning Board of Appeals cannot vote on the same issue on both boards. So you your case this would mean, if Deb Walton voted on a matter at the Planning meeting she would not be able to vote on the same thing at the ZBA Meeting.

Mr. Gorang said section 7.5, where it talks about conducting site visits; we were going to say, "wearing proper identification badges".

Mrs. Walton said section 8.1, in the case of absence the person needs to let the Clerk's office or the Chairperson know as soon as possible. This will give the designee opportunity to review the issues before they sit in for that person.

Mr. Gorang asked about section 8.3 should say that resignation letters be given to the Mayor and a copy to the Chairperson on Council. A designee should be assigned. There is a due process for anyone that does not follow the By Laws. To remove someone from the board, this would have to go before Council.

Mrs. Abbey stated I will put a draft together and you can vote on it at the next meeting.

Mrs. Walton said she would like to set up a meeting for a class to go over these.

After discussion, it was decided to have a training session August 29, 2018 at 10 AM in the City Hall community room.

THE NEXT REGULARLY SCHEDULED MEETING WILL BE HELD ON TUESDAY, AUGUST 14, 2018 AT 5:00 PM.

Meeting was adjourned at 5:57 PM.



CITY OF BURTON

BURTON PLANNING COMMISSION MEETING

JUNE 12, 2018

MINUTES

Council Chambers

Regular Meeting

5:00 PM

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

Attendee Name	Title	Status	Arrived
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	Present	
Kris Johns	Commissioner	Present	
Robert Johnson	Commissioner	Absent	

C. STAFF PRESENT

Amber Abbey, Planning/Zoning
Marcy Kimball, Clerk's Office

D. APPROVAL OF MINUTES

1. Planning Commission - Regular Meeting - May 8, 2018 5:00 PM

RESULT: **ACCEPTED [UNANIMOUS]**
MOVER: Vaughn Smith, Councilman
SECONDER: Kevin Burge, Vice Chair
AYES: Smith, Burge, White, Benthall, Johns
ABSENT: Johnson
EXCUSED: Gorang, Walton

E. PUBLIC HEARING

1. SPR #18-28 / ZC# 322

By: Ashlea Properties, LLC.
 3412 Bristol Rd.
 Burton, MI 48529

Minutes Acceptance: Minutes of Jun 12, 2018 5:00 PM (Approval of Minutes)

Re: 3491 Bristol Rd. Burton, MI 48529
59-28-576-066 C-3 Zoned

For: Zoning change from C-3, Highway Oriented Business to M-1, Light Industrial and C-3 Highway Oriented Business

Ben Ashley said we would like to get this rezoned to M1 for future development in the near future. The business that is currently there has a special land use permit. If this changed to M1 then they would no longer need the special use permit.

Mrs. Abbey stated this business is currently known as The Barn. It is a medical marijuana dispensary. The business was approved in 2011 with the contingency that the frontage of Center Road stays a C-3. There is no M1 use on Center Road. The M1 use is on the Bristol Road side. There have been no issues with their business. The administration recommends approval. The decision that is made tonight is not the final decision. This would have to go before Council on June 18, 2018 @ 7 PM.

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

F. SPECIAL USE

1. SPR #18-29

By: 4086 Davison, LLC.
6560 Orchard Lake Rd.
West Bloomfield, MI 48322

Re: 4086 Davison Rd. Burton, MI 48509
59-10-100-034, C-2 Zoned

For: Special use to conduct a medical marijuana provisioning facility

Chris Hindo said we have the two homes on this property under land contract. If we receive this approval tonight, we would purchase this and demolish these homes.

Wayne Miller stated I am the wrestling coach of the club that rents at this address. Which building does this pertain to? There are currently six different parcels at this address.

Mr. Burge asked is the address for the pole barn structures behind this property also considered 4086 Davison Road? Has the occupant in the house been notified that if this is approved they will only have 45 days to leave?

Mr. Hindo said yes they are aware of that. We have purchasing agreements with

them. We have already conducted phase 1 on the two homes and the building.

Mrs. Abbey stated there is only one property with that address. It would be the front building. The wrestling club would not be allowed in that building if this were approved. The homes would be too close to a provisioning center, so they would have to be demolished. The ZBA board approved this last month, with the condition that if this board approves this, he would have 45 days from tonight's action to demolish the houses. When the medical marijuana ordinance came along in 2010, we made provisioning centers special uses within the C-2 and C-3 zone. Since this date, we have had two facilities that open up in C-2 and C-3 zone. Both of those were with special use permits. Both facilities have been no problem. The special use was to protect both areas and to have each case looked at individually. This area is mostly business. These uses have restrictions that they have to follow. The administration recommends approval.

Ms. White said she talked to the man that uses the white pole barn. He said he does not have a business, but he rents this for his personal use. Does that 200 feet apply to him?

Mrs. Abbey said the only thing that could be there are businesses. No one is allowed to live there.

Ms. White said he works on cars there, but does not live there.

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

G. SITE PLAN REVIEW

1. SPR #18-32

By: Andrew Webber, Telecad
1961 Northpoint Blvd. Ste 130
Hixson, TN 37343

Re: 5120 Dortch Dr. Burton, MI 48509
59-23-100-027

For: Construction of a wireless communications tower

Representative Ralph from Verizon Wireless stated we have received special land use from the city council, so now the next step would be the site plan approval. Our original location was Judson Church, which was denied by council. We are now asking for this approval at Walker Farms now. If approved the tower would be at the property, 1100 feet from Genesee Road and 1300 feet from Dortch Drive. There is a

heavy tree cover surrounded by wetland in the area. We have received the approvals to move forward from the drain commission, DNR, road commission, FCC and the FAA. The access to the site would come from Dortch Drive. There would be 6 ft. security fencing with barbed wire around the tower.

Mrs. Abbey said we are only here to decide whether or not we approve their site plan as it sits. The city council approved the use. The administration recommends approval on the site plan. The ordinance does allow utilities to have barbed wire. It would depend on if you would consider the tower a utility. The ordinance says that barbed wire may be placed on top of fences enclosing public utility buildings, or whenever deemed necessary by the Zoning Board of Appeals in the interest of public safety or the protection of private property. The Planning Commission cannot make the decision about the barbed wire; they would have to go in front of the Zoning Board of Appeals for this approval.

Mr. Benthall asked if this tower will affect any other electronics in the area.

Ralph stated each bandwidth is unique from anyone else's, so no it will not affect any other electronics in the area. There is a huge coverage gap in this area and there is a capacity issue. This tower will make the other towers in the area work better and this tower will be 5G. A recent decision done by the FCC established that we were an extension, a public service cell phone usage.

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

2. SPR #18-34

By: Aldi, Inc. / Sam Glennen Director of Real Estate
2625 N. Stockbridge Rd.
Webberville, MI 48892

Re: 1054 N. Center Rd. Burton, MI 48509
59-10-551-050 C-2 Zoned

For: Remodel & Addition of the existing Aldi Food Market

Chris from Design Engineers stated we are proposing a 3,030 sq. ft. addition to the Aldi store on Center Road. Aldi's would like to remodel the entire inside of the existing store and build an addition. The exterior will match the existing brick that is there. The entrance tower would be completely reconstructed, for a more modern look. The canopy would be removed and there would be an enclosed cart enclosure to the right of the entrance. Above the entrance would be the tower that would hold the Aldi's Food Market sign. We will have to modify the existing detention basin so some of the parking lot will have to be reconstructed. The entire parking lot will be

resurfaced and restriped which will provide for more parking. We will be replacing all of the existing lighting throughout the parking lot and the exterior lighting with LED fixtures. The sign out front will be replaced. We will be landscaping, installing an irrigation system, replacing and adding trees and shrubs. This will be a 15-month project. We will be open for the first 10 weeks and closed for the final 5 weeks to do the work inside.

Mrs. Abbey said anytime an existing business is so successful that they have to add on, is a great thing. Administration recommends approval.

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

H. ADMINISTRATIVE SITE PLAN REVIEW

1. SPR #18-27

By: Deantoiné Walker
114 N. Hazelton St. Apt 2
Flushing, MI 48433

Re: 2358 N. Center Rd. Burton, MI 48509

For: City Lights Beauty Bar

2. SPR #18-30

By: WD Partners
7007 Discovery Blvd.
Dublin, OH 43017

Re: 5323 E. Court St. Burton, MI 48509

For: Canopy in parking lot for online grocery pick up - Walmart

3. SPR #18-31

By: Kristopher & Charlet Jones
1185 Nanbu Lane
Flint, MI 48532

Re: 1235 S. Center Rd. Burton, MI 48509

For: Alexis Samone Salon

4. SPR #18-33

By: Gregory Streeter
4170 Flint Asphalt Dr.
Burton, MI 48529

Re: 4170 Flint Asphalt Dr. Burton, MI 48529

For: Manufacture Firearms

Mrs. Abbey said this is a business that would buy parts for guns online, they assemble and sell online. It's the same thing that Tadricks is doing.

5. SPR #18-35

By: Donna Hedrick
2034 E. Cook Rd.
Grand Blanc, MI 48439

Re: 4463 S. Dort Hwy. Burton, MI 48529

For: Steel Rolling & Light Fabrication

I. AUDIENCE PARTICIPATION

None.

J. BOARD DISCUSSION

1. Master Plan Update

Mrs. Abbey stated the everyone on the board should have received a copy of the Master Plan. They either picked up a copy or received their copy by e-mail.

2. Central Business District - Draft Review

The DDA's recommendation for changes were to minimize the number of access streets on Saginaw Street and more on the side streets for the business uses. They would like to see the lawn maintenance requirement along the Saginaw Street business district change. Right now, the ordinance requires that the city will mow

Minutes Acceptance: Minutes of Jun 12, 2018 5:00 PM (Approval of Minutes)

any property that is 10 inches or higher. They would like to recommend that this be no higher than 6 inches with a suggested height of 4 inches. They would like it to include required maintenance and replacement of landscaping as approved by site plan review. Their other concern is with discharging a door out into the public right of way.

Mr. Smith said he has no issues with this, the DDA knows their area the best and what they need to be successful. They seem to be tightening things up to make it a more marketable area.

Ms. White said the DDA is putting a lot of emphasis on aesthetics and exterior, living space above the commercial places and off street parking coming in from the back instead of Saginaw Street, which will tremendously improve the area.

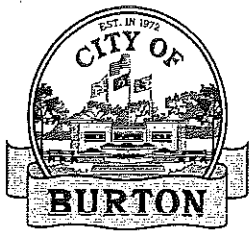
Mrs. Abbey said I will make the changes and bring before you for your approval at the next Planning Commission meeting.

3. Planning Commission By Laws

This will be discussed at the next meeting.

THE NEXT REGULARLY SCHEDULED MEETING WILL BE HELD ON TUESDAY, JULY 10, 2018 AT 5:00 PM.

Meeting was adjourned at 5:50 PM.



City of Burton
Department of Public Works
4093 Manor Drive
Genesee County, Burton, Michigan 48519
(810) 742-9230

E.1.a

Date Filed: 5-23-18
Fee Paid: \$ 600.00
Receipt #: Cash
Check #: PA
Received by: PA
Date Mailed: 6-25-18

APPLICATION FOR PLANNING COMMISSION SPECIAL USE:

BCPC Case #: 18-36

PLEASE PRINT

DATE OF PLANNING COMMISSION HEARING: July 10th, 2018 AT 5:00 P.M.

APPLICANTS NAME: Brian Toma

APPLICANTS ADDRESS: 3341 S Linden Rd K11

CITY: Flint Twp, MI 48507

APPLICANTS PHONE: 586-222-2232

ADDRESS AND PARCEL OR LOT NUMBER: 4186 Davidson rd
Burton mi 48310 59-10-501-101
C-2 Zoned

NATURE OF REQUEST (PERMITTED USE AFTER SPECIAL APPROVAL):

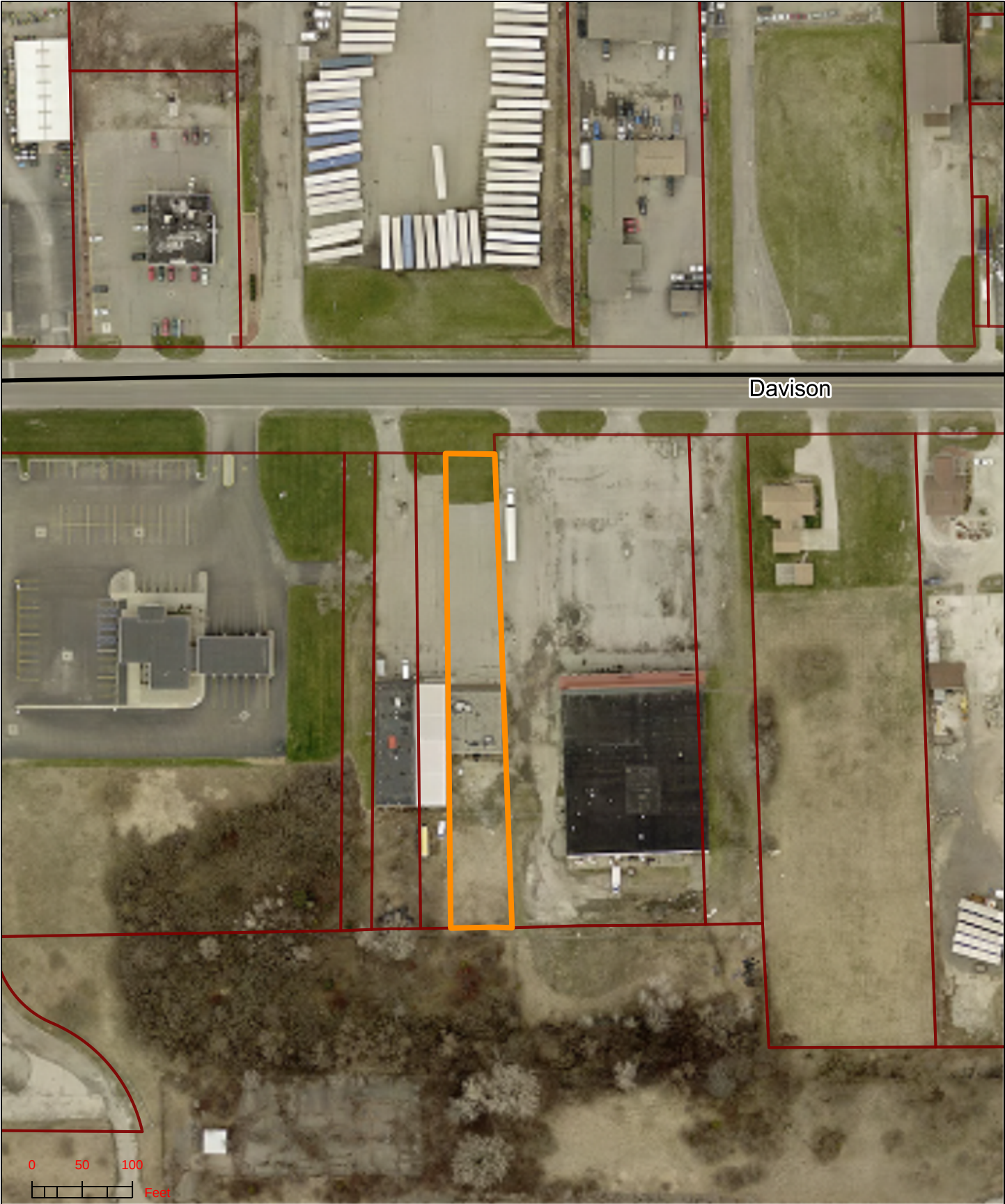
provisioning center - TO conduct a special use
for a medical Marijuana Provisioning
facility.

APPLICANTS SIGNATURE: [Signature]

MANDATORY ATTENDANCE AT THE ABOVE MEETING IS ACKNOWLEDGED BY THE
APPLICANTS SIGNATURE.

Attachment: Back up 18-36 (3954 : SPR #18-36)

BURTON



Attachment: Back up 18-36 (3954 : SPR #18-36)



City of Burton
Department of Public Works
4093 Manor Drive
Genesee County, Burton, Michigan 48519
(810) 742-9230



APPLICATION FOR ADMINISTRATIVE SITE PLAN REVIEW

DATE FILED: 5-30-18

FEE: \$75.00

RECEIPT NO: fd w/ Perm.

CHECK NO: _____

SPR #: 18-37

PLEASE PRINT

DATE: 5-30-18

APPLICANTS NAME: Ed N Properties

APPLICANTS ADDRESS: 1514 S. DORT BLVD MI 48503

APPLICANTS PHONE NO: 810 691-0307

PROPOSED NAME OF BUSINESS: Humane Society of Genesee Co.

SITE ADDRESS: 6-3325 S. DORT Hwy

SUBDIVISION & LOT # OR PARCEL NUMBER: _____

TYPE: ☐ CHANGE OF OWNERSHIP/USE ☒ CONSTRUCTION LESS THAN 2%

USE OF STRUCTURE: OPEN PAVILLION (see Bldg Plans)

SQ FOOTAGE OF PROPERTY: 4.72 Acres

SQ FOOTAGE OF STRUCTURE: 576

NUMBER OF EMPLOYEES/SEATS: 0

APPLICANTS SIGNATURE: [Signature]

*** ALSO ATTACH A FLOOR PLAN OF THE PROPOSED BUSINESS.

Attachment: Back up 18-37 (3956 : SPR #18-37)



City of Burton
 Department of Public Works
 4093 Manor Drive
 Genesee County, Burton, Michigan 48519
 (810) 742-9230



APPLICATION FOR ADMINISTRATIVE SITE PLAN REVIEW

DATE FILED: 6-7-18

FEE: \$75.00

RECEIPT NO: _____

CHECK NO: 0087252

SPR #: 18-38

PLEASE PRINT

DATE: 6/5/2018

APPLICANTS NAME: GPM Southeast, LLC

APPLICANTS ADDRESS: 8565 Magellan Pkwy, Ste 400, Richmond, VA 23227

APPLICANTS PHONE NO: (804) 730 1568 (x 1176 - licensing)

PROPOSED NAME OF BUSINESS: 1 Stop Food Store (No changes in DBA name or real estate ownership - business ownership change)

SITE ADDRESS: G-6010 Davison Rd, Burton, MI, 48509

SUBDIVISION & LOT # OR PARCEL NUMBER: 59-80-024-294

(change of business ownership only - no changes in use or property ownership)

TYPE: ☒ CHANGE OF OWNERSHIP/USE ☐ CONSTRUCTION LESS THAN 2%

USE OF STRUCTURE: Convenience store with gas station

SQ FOOTAGE OF PROPERTY: 0.59 acres (total property - GPM Southeast, LLC is not acquiring the real estate, only the business)

SQ FOOTAGE OF STRUCTURE: 1,800

NUMBER OF EMPLOYEES/SEATS: 3 | 0

APPLICANTS SIGNATURE: [Signature], CEO

*** ALSO ATTACH A FLOOR PLAN OF THE PROPOSED BUSINESS.

Attachment: Back up 18-38 (3957 : SPR #18-38)