

CITY OF BURTON
REGULAR PLANNING COMMISSION MEETING MINUTES
DECEMBER 11, 2012, 5:00 P.M., COUNCIL CHAMBERS
www.burtonmi.gov

Chairman Robert Walls led the Pledge of Allegiance.
Chairman Robert Walls called the Meeting to order at 5:00 p.m.

MEMBERS PRESENT: Walls, Burge, White, Centilli, and Ellenburg.

MEMBERS ABSENT: Bertram and Spouse.

OTHERS PRESENT: L. Moss, Deputy DPW Director and L. Young, Clerk's Office.

Ellenburg moved and White seconded to approve the Regular Planning Commission Meeting minutes on November 11, 2012 at 5:00 p.m. Motion carried 5-0.

SITE PLAN REVIEW:

- | | |
|----------------|--|
| 1. BCPC #12-32 | BY: Jon Sargent
5950 Kader Dr.
Flint, MI. 48506 |
| | RE: 4144 Jimbo Dr., Parcel #59-33-501-030
M-2 General Industrial. |
| | FOR: Special use – conduct junkyard with outside storage |
| 2. SPR #12-46 | BY: Jon Sargent
5950 Kader Dr.
Flint, MI. 48506 |
| | RE: 4144 Jimbo Dr., Parcel #59-33-501-030
M-2 General Industrial. |
| | FOR: Change of Use – Auto Recycling |

Jon Sargent, 5950 Kader Dr., Flint, said he has worked to significantly improve the property. Storage will be indoors and he is going to make a payment by February on his taxes. Mr. Sargent said the only thing he was told by the previous owner was that Mr. Samson brought \$10,000 and a land contract for the rest of the money, instead of the whole amount.

AUDIENCE PARTICIPATION:

Rita Lauer, 9460 S. Saginaw St., said she is the attorney representing the properties on Jimbo Dr. She said the applicant, Jon Sargent, has a significant criminal history and there is \$76,000 in outstanding liens against the property. There is currently no fencing separating the two properties, which needs to be corrected.

REGULAR PLANNING COMMISSION MINUTES

DECEMBER 11, 2012 / 5:00 P.M.

PAGE 2

John Tosto, 503 South Saginaw St., Flint, said he is the attorney representing the applicant. The applicant acknowledges he has misdemeanors and he is aware of the liens on the property and is planning on making a payment in February. The property was vacant for five years before it was purchased by Mr. Sargent. There will not be parts visible from the street. Mr. Sargent is planning on employing 10-20 people. He has invested a significant amount of money, pulled all the necessary permits, worked with Amber and Stuart and is a hard working individual.

Donald Samson, 4741 Gorey St., Flint, said he owns Junk Iron and Metal in Flint. He said he tried to purchase the property for \$40,000, but the owner wanted the money in cash so he didn't have to pay taxes. He said he was threatened regarding this property. He believes the business is funded by drug money and that legitimate business owners don't threaten to kill people.

Ms. Moss said they want to make sure the applicant is not stockpiling tires and that it remains an auto recycling center.

BOARD DISCUSSION:

Mrs. Ellenburg made a motion to table agenda Items 1 and 2 until the next meeting but there was no support.

Mr. Burge said he is not concerned with the applicant's legal background and thought he was here to vote on the site plan.

Mr. Burge said it is a large property with lots of hard surfaces and asked what is going to be done with all the hazardous materials such as gasoline, oil and battery acid.

Mr. Sargent said he will store it in 55 gallon drums after they have been drained from the vehicles and all the parts washed.

Mr. Burge asked where the water is going.

John Gizelle said he is the applicant's architect and that they can incorporate a gas and oil interceptor into the storm line to capture any hazardous materials.

Mrs. Ellenburg asked Mr. Sargent if he was working with the DEQ regarding soil erosion.

Mr. Sargent said he isn't currently, but will in the future.

Mrs. Ellenburg asked if he would have webbed fencing. She doesn't want to discourage new business in Burton.

Mr. Sargent said they would have webbed fencing. He wanted to put in metal fencing, but it isn't allowed in Burton.

Ms. Moss stated an approval or denial does not approve his occupancy.

REGULAR PLANNING COMMISSION MINUTES

DECEMBER 11, 2012 / 5:00 P.M.

PAGE 3

Ms. White asked if the gas and oil interceptors are reviewed by the DEQ.

Mr. Gizelle said they were.

Ms. White asked if the Administration recommends approval or denial.

Ms. Moss said they don't mind either way.

Mr. Walls asked if there was anything about the applicant's criminal history that would prevent him from opening this business.

Ms. Moss said she did not know.

BOARD DISCUSSION AND/OR ACTION:

Burge moved and White seconded to table agenda Items 1 and 2 until the next meeting on January 8, 2013.
Motion carried 5-0.

ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #12-34
BY: Mark Campbell
1198 Emerald Forest Ln.
Davison, MI 48423

RE: 4231 E. Court St.

FOR: Movie / Game Retail (Media Reload)
2. SPR #12-35
BY: Mike Sewers
1265 S. Belsay Rd.
Burton, MI 48509

RE: 1265 S. Belsay Rd.
Parcel# 59-13-503-052

FOR: Change of ownership – Commercial Retail
(Pop's Man Cave)
3. SPR #12-38
BY: Amar Garmo
G3015 S. Dort Hwy.
Burton, MI 48529

RE: G3015 S. Dort Hwy.

FOR: Cell Phone Retail

REGULAR PLANNING COMMISSION MINUTES

DECEMBER 11, 2012 / 5:00 P.M.

PAGE 4

4. SPR #12-39
- BY: Mann Construction
P.O. Box 609
Harrison, MI 48625
- RE: 5238 Lapeer Rd.
- FOR: Retail (Dollar General)
5. SPR #12-40
- BY: Thomas Joubran
3108 E. Bristol Rd. Bldg. 1A
Burton, MI 48529
- RE: 3108 E. Bristol Rd. Bldg. 1A
Parcel #59-33-503-013
- FOR: Change of ownership – Medical Marijuana
Dispensary (MEME's)
6. SPR #12-41
- BY: Chad Greschke
3365 Associates Dr.
Burton, MI 58529
- RE: 3365 Associates Dr.
Parcel #59-29-551-023
- FOR: Change of ownership – Medical Marijuana
Dispensary (Hemphill Wellness Center)
7. SPR #12-42
- BY: Nicholas Agro
1291 Beach Dr.
Lake Orion, MI 48360
- RE: G4057 S. Dort Hwy.
Parcel #59-33-503-004
- FOR: Change of ownership – Medical Marijuana
Dispensary (Burton Alternative Dispensary)
8. SPR #12-43
- BY: Douglas Gibson
2902 Circle Dr.
Flint, MI 48509
- RE: 4251 Davison Rd.
Parcel #59-03-554-011
- FOR: Change of ownership – Salon (Pride & More Salon)

REGULAR PLANNING COMMISSION MINUTES

DECEMBER 11, 2012 / 5:00 P.M.

PAGE 5

9. SPR #12-44

BY: Felix Caballero
4154 Risedorph
Burton, MI 48509

RE: 4164 S. Saginaw St,

FOR: Body Art (T-Cats)

10. SPR #12-45

BY: Thomas Cook
4164 S. Saginaw St. A
Burton, MI 48529

RE: 4164 S. Saginaw St.

FOR: Non-Profit resale (We Care America Inc.)

BOARD DISCUSSION:

Ms. White asked about the restaurant at Court and Belsay and if they are coming before the Planning Commission.

Ms. Moss said she will have Mrs. Abbey look into it and give Mr. Walls a call.

Mr. Burge said Thrifty Drugs is closing on December 21st. He wished everyone a nice holiday.

Mr. Walls said he would like to have the Fire and/or Police Department present at the meetings and asked to have them sent packets before each meeting.

Mrs. Ellenburg said the Christmas parade will be on Saturday, December 16th and they will be on Natalie St. by Rocky's.

BOARD DISCUSSION AND/OR ACTION:

Burge moved and White seconded to keep Mr. Walls as the Chairman and Mr. Burge as the Co-Chairman of the Planning Commission. Motion carried 5-0.

The next regularly scheduled meeting will be held on **Tuesday, January 8, 2012, at 5:00 P.M.**

Meeting adjourned at 6:50 p.m.

ly