

FLINT PLANNING COMMISSION

Meeting Minutes

May 13, 2008

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Commissioners Present

Robert Wesley
Jerri Howell
David Jackson, Sr.
Kay Kelly
Leora Campbell
Robert Jewell

Staff Present

Sheree Pierce, Zoning Coordinator
Daniel Klemptner, City Attorney

Commissioners Not Present

Ward 2 – Vacant
Ward 4 – Vacant
Ward 9 – Vacant

ROLL CALL:

Chairman Wesley called the meeting to order at 6:00 p.m. Roll was taken and a quorum was present.

ADOPTION OF AGENDA:

M/S – Kelly/Campbell

The Planning Commission adopted the agenda as submitted.

Unanimously carried.

ADOPTION OF MINUTES:

M/S – Kelly/Howell

Motion to adopt the minutes of April 8, 2008 as submitted.

Unanimously carried.

PUBLIC FORUM:

The Chair announced the rules of the public forum. No one from the public addressed the Commission.

SITE PLAN REVIEW:

There was no site plan review on the agenda.

CASE REVIEW:

There was no case review on the agenda.

PUBLIC HEARING:

PC-209 James Beaty requests a zoning change to 9 vacant properties identified as parcel #'s 47-31-184-011 on Industrial Dr., 47-31-184-012 on Industrial Dr., 47-31-184-014 on Industrial Dr., 47-31-184-015 on Industrial Dr., 47-31-184-026 on Maines St.; 47-31-184-028 on Maines St.; 47-31-184-029 on Maines St.; 47-31-184-031 on Maines St.; 47-31-184-032 on Maines St., from "B" Two Family to "D-3" Community Business District. Ward 3

James C. Beaty, Rose of Sharon Masonic Lodge, addressed the Board and explained that the rezoning request is to allow them to build a Masonic Lodge and banquet hall across from the current lodge. They

intend to tear down the current lodge and use the new facility for lodge related uses and member uses such as birthday parties, weddings and showers. There will be some public rentals. The building will front the west side of Maines St. The current structure has been operating and used as a lodge since 1953.

The Chair asked if there was anyone to speak in favor of the application. Hearing none, the Chair closed this portion of the public hearing.

The Chair asked if there was anyone to speak in opposition of the application.

Pastor Latrelle Holmes, Greater Galilee Baptist Church, 4418 Industrial Dr. Residents have expressed concerns about what takes place at the current lodge. The concerns are that it may be used as a club and may have illegal gambling. Pastor Randolph, Antioch Church, and himself have had discussion with the local police although they have not gone into the establishment and observed illegal activity for themselves. Hearing none other, the Chair closed this portion of the public hearing.

The Planning Commission informed the applicant that this may be an enforcement issue and not a zoning or land use issue.

William Bennett, Rose of Sharon Masonic Lodge, stated that it is not a club. The men hold a meeting there once a month and so do the women. They rent it out for wedding parties, open houses, etc. There is no gambling on the premises.

Ms. Pierce stated that she received a phone call from a property owner who received a notice and expressed they were in favor of the proposed use.

M/S – Kelly/Jackson

Motion to send a recommendation of approval to Flint City Council for PC-209 James Beaty request for a zoning change to 9 vacant properties identified as parcel #'s 47-31-184-011 on Industrial Dr., 47-31-184-012 on Industrial Dr., 47-31-184-014 on Industrial Dr., 47-31-184-015 on Industrial Dr., 47-31-184-026 on Maines St.; 47-31-184-028 on Maines St.; 47-31-184-029 on Maines St.; 47-31-184-031 on Maines St.; 47-31-184-032 on Maines St., from “B” Two Family to “D-3” Community Business District. Ward 3 – based on the consultant report, the applicant’s presentation and that the establishment has been in operation at this location since 1953.

Board discussion that the D-3 zoning district is an appropriate land use and if there are any concerns of inappropriate activity, enforcement issues will need to be addressed. Also, that the zoning stays with the land and not the owner. There are other D-3 properties in existence currently along Stewart St. in the surrounding area.

Ayes: Jackson, Jewell, Kelly, Howell, Wesley

Nays: Campbell

Motion carried 5-1

REPORTS:

Attorney Klemptner: Petition Signatures

Attorney Klemptner relayed that petitions are considered speech under the 1st Amendment. It falls within political speech and is afforded more protection. As long as someone has some type of interest they can sign a petition and do not have to live within a certain distance.

Commissioner Howell felt that someone who signs a petition for a case before the Planning Commission should live within 300 ft. of the subject site because they would have a vested interest.

Attorney Klemptner explained that this type of decision does not lie within this group. It has already been made by the Supreme Court. It is the Planning Commission responsibility to give credence to the signatures and where the people live.

Commissioner Kelly and Commissioner Campbell announced that they will not be in attendance for the June 10, 2008 Planning Commission meeting.

RESOLUTIONS:

There were no resolutions on the agenda.

OLD BUSINESS:

There was no old business on the agenda.

NEW BUSINESS:

There was no new business on the agenda.

ADJOURNMENT:

M/S – Kelly/Campbell

Motion to adjourn the meeting.

Meeting adjourned at 7:10 P.M.

Submitted by: Sheree J. Pierce