

City of Flint, Michigan

*Third Floor, City Hall
1101 S. Saginaw Street
Flint, Michigan 48502
www.cityofflint.com*



Meeting Agenda - Final

Wednesday, April 20, 2022

5:00 PM

COUNCIL CHAMBERS

LEGISLATIVE COMMITTEE

*Dennis Pfeiffer, Chairperson, Ward 8
Allie Herkenroder, Vice Chairperson, Ward 7*

*Eric Mays, Ward 1
Quincy Murphy, Ward 3
Jerri Winfrey-Carter, Ward 5*

*Ladel Lewis, Ward 2
Judy Priestley, Ward 4
Tonya Burns, Ward 6*

Eva Worthing, Ward 9

Inez M. Brown, City Clerk

Davina Donahue, Deputy City Clerk

ROLL CALL

READING OF DISORDERLY PERSONS CITY CODE SUBSECTION

Section 31-10, Disorderly Conduct, Assault and Battery, and Disorderly Persons, and will be subject to arrest for a misdemeanor. Any person who prevents the peaceful and orderly conduct of any meeting will be given one warning. If they persist in disrupting the meeting, that individual will be subject to arrest. Violators shall be removed from meetings.

PUBLIC SPEAKING

Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), two (2) minutes per speaker. Only one speaking opportunity per speaker.

COUNCIL RESPONSE

Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), Councilpersons may respond to any public speaker, but only one response and only when all public speakers have been heard. Individual council response is limited to two minutes.

SPECIAL ORDERS

220158 Special Order/Presentation/Draft Zoning Code

A Special Order to allow Planning and Development to present information on the Draft Zoning Code and discuss with Council in preparation for bringing the full ordinance to Council in May.

RESOLUTIONS

ORDINANCES

220145.1 Amended Ordinance/Chapter 50/PC-22-3/Deda Juncevic/Rezoning/4811 Fenton Road/From 'D-3' to 'D-5'/Ward 9

An amended ordinance to amend the Code of the City of Flint has been requested by Deda Juncevic (PC-22-3) to change the District boundaries or regulations established in Chapter 50 thereof, specifically allowing under 50-4 a zoning map amendment, as follows: 4811 Fenton Road, Flint MI 48507, Parcel No. 41-30-302-004, legally described as PART OF SW FRAC ¼ OF SEC 30, T7N R7E DESC AS: BEG AT THE INTERSEC OF E LINE OF FENTON RD WITH THE N LINE OF VAC CARMAN ST; TH ALG SD E LINE N 0 DEG 31' 19" E, 388.75 FT; TH S 89 DEG 28' 41" E, 130 FT; TH N 0 DEG 31' 19" E, 235 FT; TH N 89 DEG 38' 41" W, 130 FT TO SD E LINE OF FENTON RD; TH ALG SD E LINE, 465.76 FT; TH S 89 DEG 9' 27" E, 150 FT; TH N 0 DEG 31' 19" E, 151.27 FT TO S LINE OF HEMPHILL RD; TH ALG SD S LINE THE FOLL FOUR (4) COURSES: 163.40 FT ALG AN ARC OF A CURVE TO THE LEFT, HAVING A RAD 771.10 FT AND A CHORD BEARING N 81 DEG 22' 08" E, 163.09 FT; TH N 75 DEG 17' 08" E,

4.88 FT; TH 174.70 FT ALG AN ARC OF A CURVE TO THE RIGHT, HAVING A RAD OF 664.93 FT AND A CHORD BEARING N 83 DEG 3' 8" E, 174.20 FT AND S 89 DEG 10' 52" E 111.83 FT TO ELY LINE OF W 1/2/ OF NW ¼ OF SW FRAC'L ¼ OF SD SEC 30; TH ALG SD ELY LINE S 0 DEG 6' 3" W, 1283.35 FT TO EXT OF E LINE OF OUTLOT B OF BURTON GARDENS SUBDIVISION; TH ALG SD EXT S 01 DEG 32' 44" W, 283.81 FT; TH S 89 DEG 39' 33" W, 313.62 FT; TH N 0 DEG 20' 27" W, 155.84 FT; TH N 89 DEG 28' 41" W, 288.71 FT TO E LINE OF FENTON RD; TH ALG SD E LINE N 0 DEG 31' 19" E 126.75 FT TO POB CON'T 19.226 AC +/- from "D3" Community Business and future zoned "CC" City Corridor to "D-5" Metropolitan Commercial Service. THE PLANNING COMMISSION RECOMMENDS DENIAL. [NOTE: Amendment changes party requesting a rezoning change from the Flint Planning Commission to Deda Juncevic, changes Planning Commission "approval" to "denial," and changes the rezoning from "CC" City Corridor to "CE" Commerce and Employment to "D3" Community Business and future zoned "CC" City Corridor to "D-5" Metropolitan Commercial Service.]

DISCUSSION ITEMS

220099 Discussion Item/St. Johns Street Committee

A Discussion Item as requested by Councilperson Quincy Murphy to talk about the St. Johns Street Committee. [Referral Action Date: 12/14/2022 @ City Council Meeting.]

ADJOURNMENT

220145.1

ORDINANCE NO. _____

A Proposed ordinance to amend Chapter 50 of the Code of the City of Flint has been requested by Deda Juncevic (PC 22-3) for a rezoning change for the property at 4811 Fenton Rd. (Parcel ID# 41-30-302-004) from D-3 Community Business to D-5 Metropolitan Commercial Service.

The Planning Commission recommends **DENIAL** of a Zoning Ordinance map amendment concerning this property located in WARD 9.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:

Sec. 1. That the code of the City of Flint is hereby amended to change the District boundaries or regulations established in Chapter 50 thereof, specifically allowing under 50-4 a zoning map amendment, as follows:

4811 Fenton Rd. Flint, MI 48507 parcel #41-30-302-004 legally described as PART OF SW FRAC 1/4 OF SEC 30, T7N R7E DESC AS: BEG AT THE INTERSEC OF E LINE OF FENTON RD WITH THE N LINE OF VAC CARMAN ST; TH ALG SD E LINE N 0 DEG 31' 19" E, 388.75 FT; TH S 89 DEG 28' 41" E, 130 FT; TH N 0 DEG 31' 19" E, 235 FT; TH N 89 DEG 38' 41" W, 130 FT TO SD E LINE OF FENTON RD; TH ALG SD E LINE, 465.76 FT; TH S 89 DEG 9' 27" E, 150 FT; TH N 0 DEG 31' 19" E, 151.27 FT TO S LINE OF HEMPHILL RD; TH ALG SD S LINE THE FOLL FOUR (4) COURSES: 163.40 FT ALG AN ARC OF A CURVE TO THE LEFT, HAVING A RAD 771.10 FT AND A CHORD BEARING N 81 DEG 22' 08" E, 163.09 FT; TH N 75 DEG 17' 08" E, 4.88 FT; TH 174.70 FT ALG AN ARC OF A CURVE TO THE RIGHT, HAVING A RAD OF 664.93 FT AND A CHORD

BEARING N 83 DEG 3' 8" E, 174.20 FT AND S 89 DEG 10' 52" E 111.83 FT TO ELY LINE OF W 1/2 OF NW 1/4 OF SW FRAC'L 1/4 OF SD SEC 30; TH ALG SD ELY LINE S 0 DEG 6' 3" W, 1283.35 FT TO EXT OF E LINE OF OUTLOT B OF BURTON GARDENS SUBDIVISION; TH ALG SD EXT S 01 DEG 32' 44" W, 283.81 FT; TH S 89 DEG 39' 33" W, 313.62 FT; TH N 0 DEG 20' 27" W, 155.84 FT; TH N 89 DEG 28' 41" W, 288.71 FT TO E LINE OF FENTON RD; TH ALG SD E LINE N 0 DEG 31' 19" E 126.75 FT TO POB CON'T 19.226 AC +/-from "D-3" Community Business and future zoned "CC" City Corridor to "D-5" Metropolitan Commercial Service.

Sec. 2. This ordinance shall take effect on the ___ day of _____, 2022 A.D.

Approved this ___ day of _____, 2022 A.D.

Sheldon A. Neeley, Mayor

Inez M. Brown, City Clerk

APPROVED AS TO FORM:

William Kim, Acting Chief Legal Officer



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 3/29/2022

BID/PROPOSAL# n/a

AGENDA ITEM TITLE: RESOLUTION AUTHORIZING A REZONING CHANGE FOR THE PROPERTY AT 4811 FENTON RD. (PARCEL ID# 41-30-302-004) FROM D-3 COMMUNITY BUSINESS TO D-5 METROPOLITAN COMMERCIAL SERVICE.

PREPARED BY Suzanne Wilcox, Director of Planning and Development
(Please type Name, Department, Phone Number)

VENDOR NAME: n/a

BACKGROUND/SUMMARY OF PROPOSED ACTION:

At its meeting on March 22, 2022, the Flint Planning Commission DENIED the submitted request for a rezoning from D-3 Community Business to D-5 Metropolitan Commercial Service (PID# 41-30-302-004). The applicant, Deda Juncevic, requests a rezoning in order to find enough occupants to fill the large building, which is nearly 300,000 square feet. The applicant seeks to attract different business uses, including principal permitted uses listed in D-4 and D-5 zoning districts. The applicant hopes to convert vacant units into "contractor condos".

FINANCIAL IMPLICATIONS: No financial implications

BUDGETED EXPENDITURE? YES NO IF NO, PLEASE EXPLAIN: n/a

Dept.	Name of Account	Account Number	Grant Code	Amount
FY19/20 GRAND TOTAL				

PRE-ENCUMBERED? YES NO REQUISITION NO:

ACCOUNTING APPROVAL: n/a Date: _____

FINANCE APPROVAL: n/a Date: _____



CITY OF FLINT

WILL YOUR DEPARTMENT NEED A CONTRACT? YES NO
(If yes, please indicate how many years for the contract) YEARS

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: (This will depend on the term of the bid proposal)

BUDGET YEAR 1

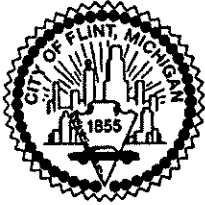
BUDGET YEAR 2

BUDGET YEAR 3

OTHER IMPLICATIONS (i.e., collective bargaining): none

STAFF RECOMMENDATION: (PLEASE SELECT): **APPROVED** **NOT APPROVED**

DEPARTMENT HEAD SIGNATURE: Suzanne Wilcox, Director, Dept. of Planning and Development
(PLEASE TYPE NAME, TITLE)



CITY OF FLINT

FLINT PLANNING COMMISSION
ROBERT WESLEY, CHAIRMAN

STAFF REPORT (22-3)

DATE: March 18, 2022

TO: City of Flint Planning Commission

STAFF REPORT BY: Bill Vandercook, Zoning Coordinator

ADMINISTRATIVE DEPT: Department of Planning and Development

SUBJECT: 22-3, Deda Juncevic/Flint Plaza LLC, Rezoning from D-3 to D-5

LOCATION: 4811 Fenton Rd. (41-30-302-004)

AFFECTED WARD: Subject site is located in Ward 9.

PERTINENT SECTION OF THE ORDINANCE: D-3 Permitted and Special Land Uses (50-47 & 50-48); D-5 Permitted and Special Land Uses (50-58 & 50-59) Planning Commission Action for Amendments (50-151).

EXISTING LAND USE PATTERNS:

North-Commercial
East- Multi-Family (Burton)
South-Residential/Commercial (Burton)
West-Residential (Flint Township)

EXISTING ZONING PATTERNS:

Subject Property – D-3

North- D-3 & D-1
East- N/A (Burton)
South- N/A (Burton)
West- N/A (Burton)

BACKGROUND

The property had several complaints for blight issues in 2015-2018, but there have not been any complaints or issues since according to city records. All the blight violations on record have been addressed and the complaint has been closed out. The South Flint Plaza is identified as the City Corridor Placetype in the Master Plan.

APPLICANT REQUEST:

The applicant is requesting a rezoning from the D-3 zoning district to the D-5 zoning district to provide for a wider range of allowable uses on the property including "contractor condos", which are typically small spaces for use by small contractors (plumbing, HVAC, minor home repair and remodel, etc.). The applicant indicated that due to a decreased demand for retail space, there was a need for a larger range of allowable uses.

The D-5 district permits any use in the D-3 District as well as:

- **D-4 district uses**, which include office buildings, printing, light manufacturing, residential uses of any kind provided that such use does not occupy the ground floor, clubs and lodges.
- **C-2 district uses**, which include multifamily housing and institutional uses by-right, and hotels, offices, clinics, funeral homes, and mobile home parks as conditional land uses.
- **D-5 district uses**, which include automotive service and repair, rental, and sales; manufacturing, provided such use shall not occupy any ground floor street frontage, schools, wholesale and warehouses, laboratories, and studios.
- **Group B Special Regulated Uses**, which include pawnshops, liquor stores, and tattoo parlors.

The Commercial Corridor Placetype Land Use is described in the Master Plan as:

City Corridors can host a range of commercial uses of varying types and intensities, including commercial uses that serve and draw customers from a larger region, including grocery stores and large format retailers. Smaller commercial can also be located along the City Corridor, as standalone uses, in mixed retail centers, or as outlots of larger centers. Mixed use development, consisting of multi-family uses above ground floor commercial uses, can be suitable for the City Corridors. While better suited for other place types, institutional uses may also be appropriate.

This parcel is zoned CC in the draft zoning ordinance. The draft ordinance states:

The CC City Corridor district is intended to accommodate a wide range of commercial and institutional uses strung along Flint's major roadways. Retail, service, and employment are the primary uses with structures oriented toward the roadway. Development may be auto-oriented in nature, but with amenities such as sidewalks, benches, pedestrian-scale lighting, and landscaping that make it easy for residents and visitors to traverse the corridor. Multi-family residential and mixed-use development with residential on the upper floors is also permitted. Duplexes and attached single-family residential development such as rowhomes are allowed as a special land use where they will serve as a transition between City Corridor and a lower density residential district.

STAFF COMMENTS

Current D-5 zoning surrounds Flint's Downtown and includes the areas along Saginaw St. and Martin Luther King Jr. Ave. North of the Flint River. Generally, D-5 zoning is not

in close proximity to residential uses and neighborhoods. Furthermore, the range of uses permitted in the D-5 district, particularly manufacturing and automotive uses, do not correspond to the Commercial Corridor Placetype designation in the Master Plan.

Based on the information provided, at this time we recommend denial of the rezoning request.

SUBMIT TO:
 City of Flint
 Zoning Office
 1101 South Saginaw Street Rm. S105
 Flint, MI 48502
 810.766.7355
 Fax: 810.766.7249 www.cityofflint.com

For Office Use Only
 Case No. PC 22-3
 Date Rec'd 3-3-2022
 Meeting Date 3-22-2022

*Reviewed by BV. on 3-3-2022
 CK. No. 52009 \$/1002.00*

APPLICATION FOR FLINT PLANNING COMMISSION

Concerning a request to amend, supplement, or change the district boundaries of regulations established in Chapter 50, commonly referred to as the Zoning Ordinance of the City of Flint.

Application Filing Fee due at time of submission. Fees are non-refundable.

To be completed by applicant:

<u>Applicant/Agent</u>			<u>Property Owner (if different than Applicant)</u>		
Name	<u>JEDA Tuncevic</u>		Name	<u>Flint Plaza LLC</u>	
Address	<u>379 E 2nd St.</u>		Address	<u>53 Micy Brook Rd</u>	
(City)	(State)	(Zip)	(City)	(State)	(Zip)
	<u>Imlay City</u>	<u>MI</u>	<u>48444</u>	<u>Danbury</u>	<u>CT</u>
					<u>06810</u>
Telephone	<u>586-822-7440</u>		Telephone	_____	
Fax	_____		Fax	_____	
Email	<u>dauid@allcitiesrestoration.com</u>		Email	_____	

Requested Action and Non-refundable Filing Fee:

- Street Name Change - \$1,002.00
- Rezoning - \$1,253.00
- Conditional Rezoning - \$1,002.00
- Street/Alley Vacations - \$1,002.00
- Conditional Use - \$1,002.00
- Special Regulated Use - \$1,002.00

Information regarding the site:

Street Address 4811 Fenton Rd

Major Cross Streets Fenton & Hemphill

Parcel No. 41-30-302-004 Current Zoning District D-3

Current Use Commercial

Information regarding request:

Proposed Use Commercial Proposed Zoning District D-5

Explain Request (On Page 2)

Explain Request:

Today's Society does not support Business and Mercantile uses enough to fill nearly 300,000 square feet of building. In order to find enough occupants to fill this large building, we need to be able to attract different types of businesses including those uses listed in D-4 and D-5 principal permitted uses possibly make some units into "contractor condos"

PROPERTY OWNER MUST ATTEND PLANNING COMMISSION MEETINGS OR BE REPRESENTED BY A PERSON WITH NOTORIZED LETTER OF REPRESENTATION TO ACT ON BEHALF OF OWNER.

I hereby affirm that the above information is correct to the best of my knowledge and grant permission for City Officials and/or City Staff to conduct an on-site inspection.

Signature of Property Owner

Print Name

3/02/2022
Date

Signature of Applicant

Print Name

3/02/2022
Date

-----> For Office Use Only <-----

3-22-2022

Date Planning Commission Hearing is Scheduled

3-6-2022

Date notice of Planning Commission meeting published

3-4-2022

Date notice of Planning Commission meeting was mailed to property owners/occupants within 300ft of parcel

Planning Commission Decision:

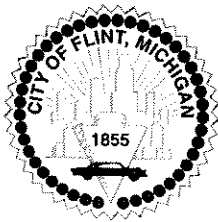
Approved

Denied

Approved as Amended

Other: _____

Remarks:



CITY OF FLINT

FLINT PLANNING COMMISSION
ROBERT WESLEY, CHAIRMAN

March 23rd, 2022

Deda Juncevic
379 E. 2nd St.
Imlay City, MI 48444

RE: Planning Commission Public Hearing Action Notification

PC 22-3: Deda Juncevic requests a rezoning from D-3 to D-5 at 4811 Fenton Rd. (PID 41-30-302-004).

At its meeting on March 22nd, 2022, the Flint Planning Commission recommended Denial to City Council for the request for rezoning from D-3 to D-5 at 4811 Fenton Rd. based on the fact that the request is inconsistent with the surrounding area in terms of the D-5 principal permitted uses impact on the surrounding residential parcels.

If you have any questions, please contact the Planning & Zoning Office at (810) 766-7426 ext. 3060

Sincerely,

William Vandercook
Zoning Coordinator
City of Flint – Planning & Zoning Division
1101 S. Saginaw St. Rm. S105
P: 810.766.7426 x.3060