



Sheldon Neeley
Mayor

CITY OF FLINT

FLINT PLANNING COMMISSION

Meeting Minutes
November 10, 2022

Commissioners Present

Robert Wesley, Chair
Lynn Sorenson, Secretary
Leora Campbell
Robert Jewell
April Cook-Hawkins

Staff Present

William Vandercook, Zoning Coordinator
JoAnne Gurley, Assistant City Attorney
Jonathon Mateen, Planner I
Max Lester, Planner I

Absent:

Carol-Anne Blower, Vice-Chair
Harry Ryan

ROLL CALL:

Chairperson Wesley called the meeting to order at 5:36 p.m. Roll was taken, and a quorum was present.

The meeting was held both in-person in the Council Chambers and via Zoom and phone conferencing as approved.

Roll Call:

Commissioner Ryan: absent
Commissioner Campbell: appearing in-person
Commissioner Blower: absent
Commissioner Jewell: appearing in-person

Commissioner Cook-Hawkins: appearing
virtually from Flint, MI
Commissioner Sorenson: appearing in-person
Chairperson Wesley: appearing in-person

ADDITIONS/CHANGES TO THE AGENDA:

ADOPTION OF THE AGENDA:

Mr. Vandercook asked that Redevelopment Ready Communities be moved up in Reports.

Commissioner Wesley asked for a motion to approve the agenda. Commissioner Jewell motioned to accept the agenda as amended. Commissioner Campbell seconded the motion.

M/S – Jewell/Campbell

Unanimously carried by voice vote



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MINUTES OF PREVIOUS MEETINGS:

Commissioner Jewell made a motion to approve the minutes of October 25, 2022 as presented. Commissioner Sorenson supported this motion.

Roll Call:

Commissioner Ryan: absent
Commissioner Campbell: yes
Commissioner Blower: absent
Commissioner Jewell: yes

Commissioner Cook-Hawkins: yes
Commissioner Sorenson: abstain
Chairman Wesley: yes

M/S – Jewell/Sorenson

4 yes – 0 no – 2 absent – 1 abstain

The motion carried.

PUBLIC FORUM:

No one spoke.

PUBLIC HEARINGS:

No Public Hearings were heard.

SITE PLAN REVIEW:

No Site Plan Reviews were heard.

CASE REVIEW:

Applicant Case Review

Operation Grow, dba butter – 1110 Tower St.

Mr. Vandercook stated the four Class C Medical Grow licenses and five Class C Adult-Use Grow licenses were administratively approved.

Green Buddha III, LLC – 408 S. Center Rd.

Mr. Vandercook said this case review is pending a letter from Attorney Gurley who is reviewing the information.

Commissioner Campbell asked which date the [Operation Grow] licenses were approved. Mr. Vandercook referred to the provided memo for the date of approval. Commissioner Jewell noted Page 3 of the memo dated November 7th states these licenses were approved on November 2nd.

City Council Action on Planning Commission Recommendations. Jonathon Mateen, Planner I

Mr. Mateen noted **PC 22-3: Deda Juncevic requests a rezoning from D-3 to D-5 at 4811 Fenton Rd. (PID 41-30-302-004)** was presented to the Planning Commission on March 22nd, 2022. Mr. Mateen stated Commissioner Jordan made a motion to recommend denial due to being inconsistent with



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surrounding residential areas. Commissioner Blower supported the motion. Mr. Mateen stated a second motion was made by Commissioner Jordan to recommend to City Council as the new zoning code is adopted that this parcel be rezoned to CE – Commerce and Employment because it is more in keeping with the intended use and maintains compatibility with adjacent residential uses. Commissioner Ryan supported this motion. The second motion was voted on at Council on Wednesday to move to the Monday meeting for a final vote.

Mr. Mateen also shared that *PC 22-14: ORP, LLC requests a Group F Class A Special Regulated Use permit for a Medical Marijuana Grow facility at 2905 Davison Rd. (PID 41-04-352-019)*. Commissioner Blower made a motion to approve PC 22-14 because the applicant has met the locational standards and questions asked at the meeting. Mr. Mateen shared the resolution has been drafted and sent to the City Administrator, but no Council action has been taken as of today.

Zoning Board of Appeals Meeting Update, Jonathon Mateen, Planner I
Mr. Mateen shared there were no updates for tonight.

REPORTS:

Redevelopment Ready Communities (RRC), Jason Ball, ROWE Professional Services

Mr. Ball asked if there were any outstanding questions on the background or process of the RRC program. Commissioner Jewell said that it was his understanding that from the previous meeting there was a request for the Conceptual Meeting Checklist draft and the Training Strategies draft and that the Public Participation Plan was also provided for approval at a later meeting. Commissioner Jewell said he does not have questions on the Conceptual Meeting Checklist and Training Strategies drafts, adding that he supports the intent and focus of these documents.

Commissioner Campbell pointed to the Conceptual Meeting Checklist and asked about language on the document saying it was tested by Planning and Development staff, asking how the meeting went. Mr. Ball answered that the meeting went well and there were changes made based on that meeting.

Mr. Ball asked for the two drafts to be approved as there is a history of the Planning Commission approving forms and documents. Mr. Ball added that the Training Strategies includes an end of year report to provide updates on trainings and potentially adjust the training goals based on that information. Commissioner Jewell asked who would be responsible for ensuring the Training Strategies is followed. Mr. Ball answered this would be a role for staff. Commissioner Jewell clarified that he is asking which staff position is responsible for fulfillment. Mr. Ball answered that in terms of the report this has typically been carried out by Corey Christensen from ROWE and would likely continue until staff was ready to take over that role. Commissioner Jewell asked the question again. Mr. Vandercook answered that the Zoning Coordinator is responsible for the operation of the Planning Commission and delegating tasks as needed. Commissioner Jewell noted his concern to ensure there is accountability and responsibility.



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Commissioner Jewell made a motion to approve the Conceptual Meeting Checklist draft as presented. Commissioner Sorenson supported the motion.

Roll Call:

Commissioner Ryan: absent
Commissioner Campbell: yes
Commissioner Blower: absent
Commissioner Jewell: yes

Commissioner Cook-Hawkins: yes
Commissioner Sorenson: yes
Chairman Wesley: yes

M/S – Jewell/Sorenson

5 yes – 0 no – 2 absent – 0 abstain

The motion carried.

Commissioner Jewell made a motion to approve the Training Strategies draft as presented. Commissioner Sorenson supported the motion.

Commissioner Campbell asked if there would be new training requirements for the Commissioners and who would conduct the training sessions. Mr. Vandercook responded that Zoning staff would make the Commissioners aware of upcoming trainings, courses, and classes. Commissioner Campbell asked about the training priorities that are listed, adding that affordable housing is a topic that should be addressed. Mr. Ball replied that the training priorities is a list that was compiled by Ms. Wilcox and staff based on what they felt was relevant to the Commission, adding that the Commission can request certain topics be prioritized to the Zoning Coordinator. Mr. Ball added that there is a lot of information on this topic out right now. Mr. Ball said that a benefit of things being conducted remotely for the past few years is that most trainings now have a follow-up virtual component at a reduced fee which can be convenient when the in-person sessions are held several hours away.

Commissioner Jewell asked for clarification that this document is not related to the training sessions held by ROWE. Mr. Ball confirmed. Commissioner Jewell suggested it may be worthwhile to designate a member of the Commission to relay information on new training sessions. Mr. Ball said the Commission could do that, adding that typically there is an item on the agenda for upcoming training sessions. Commissioner Jewell noted a concern that simply adding it to the agenda may not be enough to ensure accountability and responsibility that this agenda item would be carried out. Mr. Ball added that once the RRC certification is received there are checks to ensure these strategies and processes are implemented, for example, that Commissioners are completing training per the Training Strategies manual.

Commissioner Campbell asked how many hours were set for Commissioners to achieve in a year. Mr. Ball answered that the goal was set at two hours a year as a starting point, adding that the Commission can increase this goal.

Roll Call:



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Commissioner Ryan: absent
Commissioner Campbell: yes
Commissioner Blower: absent
Commissioner Jewell: yes

Commissioner Cook-Hawkins: yes
Commissioner Sorenson: yes
Chairman Wesley: yes

M/S – Jewell/Sorenson

5 yes – 0 no – 2 absent – 0 abstain

The motion carried.

Mr. Ball gave an overview of the draft Public Participation Plan, adding that Flint's plan is different from others in that there is a large focus on engaging with existing neighborhood groups as they are an excellent existing resource for connecting with the community and neighborhoods. Mr. Ball added that the next version of this document will include required information on the Community Development Block Grant.

Commissioner Jewell asked who would be responsible for implementing, monitoring, and enforcing compliance with the Public Participation Plan. Mr. Ball said that the plan lists staff, adding that this is something that can be changed in the next presented version to identify a specific role in the Planning and Development department. Commissioner Jewell expressed concern that if a specific role is not designated there may be another scenario of the plan getting stuck in an in-progress state. Mr. Ball said he would work with Director, Lead Planner, and Zoning Coordinator to identify which roles are responsible for the carrying out the items in the plan. Chairperson Wesley said this would be the responsibility of Ms. Wilcox as the Director of the department and that she can delegate tasks to staff. Commissioner Jewell stated that this would be appropriate to identify in the document. Commissioner Jewell added the plan is a job well done.

Mr. Ball added that the project list for the Capital Improvement Plan update is nearly complete and that this and a CIP draft should be ready by the first meeting of the next month. Mr. Ball asked if the Commission would prefer to receive a list of the projects first or to receive them in a written-up packet. Commissioner Jewell said he would prefer a draft with the projects, recommendations, and etc. Mr. Ball replied that is what he was thinking, stating the project list is the meat of the document and that he could present the project list. Commissioner Jewell said he would prefer to have the project listed with the needed dollars and timeframe for completion. Mr. Ball clarified that by project list he means a table format of the document with information such as the project, where does it fall under in the Master Plan, the approximate funding amount, time frame, and will also show the project completed since 2017. Commissioner Jewell said he would be comfortable receiving the complete information in a draft table format. Commissioner Jewell asked if the Procedural Manual and Recruitment Process documents would be presented at a later date. Mr. Ball confirmed they would be.

Status of Approved Zoning Ordinance, Bill Vandercook, Zoning Coordinator

Mr. Vandercook stated the Zoning Ordinance went into effect October 29, 2022, and forms were changed. The marijuana forms were updated to reflect the new numbering and to add Group G - Class



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A Marihuana Microbusiness licenses to the appropriate forms. Mr. Vandercook added that these forms were provided for review as well as a Site Plan Review application.

Status of Permanent Marihuana Ordinance, JoAnne Gurley, Assistant City Attorney

Attorney Gurley stated the Permanent Marihuana Ordinance went into effect October 29, 2022.

Mr. Vandercook requested this item and the Zoning Ordinance status be removed from reports. Chairperson Wesley agreed.

American Rescue Plan/Capital Improvement Plan, Bill Vandercook, Zoning Coordinator

Mr. Vandercook stated that Ms. Wilcox sent an email to the City CFO Mr. Whittigan requesting a memo, but it has not yet been sent. Commissioner Jewell said the Planning Commission was made aware at the last meeting that Mr. Whittigan did not have time to meet with the Commission and that a memo would be prepared. Commissioner Jewell asked why he did not have time to meet and why the memo was not sent, adding that it may be appropriate for staff to pass along the discussion from this meeting. Chairperson Wesley stated that he would follow up with these questions.

Planning Commission Vacancies and Expired Terms, Max Lester, Planner I

Max Lester stated that the current expired terms are for Ward 1 – Commissioner Ryan, Ward 3 – Commissioner Campbell, and Ward 4 – Commissioner Blower. Max added that due to the Ward boundaries changing Commissioner Ryan went from living in Ward 1 to Ward 3 and that to their knowledge Commissioner Ryan would continue to server as the Commissioner for Ward 1 until a new appointment is made. Max said that this also means Commissioner Ryan and Commissioner Campbell now both live in Ward 3. Max also shared that Ward 1 and Ward 9 are both vacant, and Ward 1 will need a new appointment.

Mr. Vandercook added that the Janell Johnson in the Clerk's Office sent out individual emails to City Council members explaining the outstanding appointments for their ward.

Commissioner Campbell asked if Wards 1 and Ward 3 were being combined to a single person. Max clarified that the only change to the Wards was the change in boundaries. Commissioner Campbell noted that the Commission should have been made aware at the time of the boundary change that there would be an impact on the Commissioners. Commissioner Jewell added that Legal may need to weigh in on whether a Commissioner continues to serve out their term if they now live in a new ward. Mr. Mateen added that Max had said previously that Commissioner Ryan would continue to represent Ward 1 until a new appointment is made. Commissioner Jewell asked this be verified and in the minutes.

Commissioner Jewell asked about the issue of staggered terms and whether this was being corrected. Mr. Vandercook said that the terms are no longer in order due to a previous Emergency Manager and that this was being kept in mind by the Clerk's Office moving forward so that terms can be re-staggered. Commissioner Jewell asked if the Mayor has been informed of the status of the



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Commission. Mr. Vandercook replied that Zoning staff has not contacted the Mayor. Commissioner Jewell suggested staff inform the Mayor of the present status of the Planning Commission and the discussions around this. Chairperson Wesley suggested a copy of the minutes be sent to the Mayor.

Website Update, Jonathon Mateen, Planner I

Mr. Mateen noted the memo regarding the updates to the website including fixing links, old forms and documents have been hidden from the Zoning page, new applications were added, and the sections were reorganized. Additionally, public notices, agendas, and minutes are now located in the Public Notices section of the website. Chairperson Wesley asked what it means for the documents to be hidden. Mr. Mateen answered that they are not viewable to people visiting the website.

Commissioner Jewell asked if there is a link from the Planning and Zoning page to the Public Notices section of the website. Mr. Mateen said staff could check for this and add one if a link is not found. Mr. Vandercook asked if this item could be removed from reports. Commissioner Jewell requested a report be given on the issue of the link.

Educational Update – Administrative Hearings, Bill Vandercook, Zoning Coordinator

Mr. Vandercook said the educational update would be a general overview of the Administrative Hearing process and would not cover specific cases or properties. Mr. Vandercook pointed to the sample agenda and read through the items. Chairperson Wesley discussed giving opening remarks as to the purpose of the administrative hearing and the role of the Commission. Mr. Vandercook noted the requirement to notify and provide documents to a property owner twenty days prior to an administrative hearing as well as posting the meeting in the paper fifteen days prior to a meeting. Chairperson Wesley added that the Commission will have an opportunity to ask questions to a property owner and any witnesses they may bring. Attorney Gurley confirmed this. Mr. Vandercook asked if a property owner can cross-examine staff after the Staff Report is given. Attorney Gurley said cross-examine is not the correct word, but a property owner can ask for clarification. Attorney Gurley added that at the previous meeting a day was set on December 13th for the administrative hearing and if this is changing this should be made as a motion.

Commissioner Jewell asked if the Commission would receive a packet of information prior to the meeting. Mr. Vandercook said the Commissioners would receive materials at least four days prior to the administrative hearing. Commissioner Jewell asked if the Commissioners are to ask clarifying questions and if questions should be directed from the Commission to the Chair. Chairperson Wesley said the normal procedures would be followed with an emphasis on being recognized before speaking. Commissioner Jewell asked if someone would be there to step in if a question is inappropriate. Chairperson Wesley said he would do this. Mr. Vandercook noted there may be many residents that show up for an administrative hearing to speak during the Public Forum. Commissioner Jewell asked if Commissioners could use the deliberation period to ask questions of staff and a property owner. Chairperson Wesley confirmed. Commissioner Jewell asked if the Commission would make a motion to accept or deny the recommendations of staff. Attorney Gurley answered that there are questions pertaining to whether violations of the zoning code have occurred, and the decision would be to



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determine what those violations are from the findings discussed the night of the administrative hearing. Attorney Gurley added that the Commission can approve of the staff recommendation or oppose the staff recommendation. Commissioner Jewell asked if the Commission would be basing any decision on the prior Marihuana Ordinance or the new Permanent Marihuana Ordinance. Mr. Vandercook stated that it would depend on the specific property and the dates involved. Attorney Gurley added that a time limit should be considered for speakers in the Public Forum similar to City Council meetings. Chairperson Wesley suggested three minutes for the time limit. Mr. Vandercook asked if someone is able to speak in the Public Forum if a letter they have sent is also read during the meeting. Chairperson Wesley said that this would be hard to keep track of and that he would give a reminder that X number of letters have been received to let attendees know that they will be read. Commissioner Jewell suggested informing attendees that the Commission will not respond to comments made in the Public Forum. Commissioner Jewell asked what Attorney Gurley's role would be in the process. Attorney Gurley responded that she would serve in a legal capacity to ensure the administrative hearing process is followed. Attorney Gurley added that care should be put into making sure anyone who may be the subject of an administrative hearing is given due process which comes through notice and an opportunity to be heard. Chairperson Wesley asked if an appeal would go to the Zoning Board of Appeals or to Circuit Court. Attorney Gurley replied that this is still being researched.

Current Articles, Bill Vandercook, Zoning Coordinator

Mr. Vandercook said there are no new articles, but an article posted that day would be made available at the next Planning Commission meeting.

RESOLUTIONS:

OLD BUSINESS:

Mr. Vandercook asked the administrative hearing for 2849 Miller Rd be rescheduled from December 13, 2022 to December 15, 2022.

Commissioner Jewell made a motion that the Planning Commission convene a special meeting for administrative hearing on Thursday December 15th, 2022 at 5:30 PM in the City Council Chambers. Commissioner Campbell supported the motion.

Mr. Vandercook suggested adding the entity 2849 Miller Rd. to the motion. Commissioner Jewell replied so noted. Attorney Gurley suggested adding that the date of the administrative hearing is moving from December 13 to December 15 in the motion. Commissioner Jewell noted that he does not believe a motion was made on the date at a prior meeting. Mr. Mateen added that it was put into the public record.

Commissioner Jewell restated and made the motion that a special meeting for an administrative hearing regarding Holistic Vibes at 2849 Miller Rd. be held on Thursday December 15th, 2022 at 5:30 PM in the City Council Chambers, not on Tuesday December 13th, 2022 as previously discussed. Commissioner Campbell supported the motion.



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Roll Call:

Commissioner Ryan: absent

Commissioner Campbell: yes

Commissioner Blower: absent

Commissioner Jewell: yes

Commissioner Cook-Hawkins: yes

Commissioner Sorenson: yes

Chairman Wesley: yes

M/S – Jewell/Campbell

5 yes – 0 no – 2 absent – 0 abstain

The motion carried.

NEW BUSINESS:

Attorney Gurley noted that as part of the Charter there is a yearly report to be made to City Council and that this should start to be worked on. This report would include information on how many cases the Planning Commissions has heard throughout the year, any outstanding issues, information on the adoption of the zoning code and marihuana ordinance. Mr. Vandercook noted that staff has been discussing the report. Commissioner Jewell noted staff presented a draft around this time last year.

ADJOURNMENT:

M/S – Sorenson/Campbell

Unanimously carried by voice vote.

Meeting adjourned at 7:23 PM.