



**Sheldon Neeley**  
Mayor

# CITY OF FLINT

## FLINT PLANNING COMMISSION

**Meeting Minutes**  
**January 24<sup>th</sup>, 2023**

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### **Commissioners Present**

Robert Wesley, Chair  
Carol-Anne Blower, Vice-Chair  
Lynn Sorenson, Secretary  
Harry Ryan  
Leora Campbell  
Robert Jewell

### **Staff Present**

William Vandercook, Zoning Coordinator  
Joanne Gurley, Assistant City Attorney  
Max Lester, Planner I

### ***Absent:***

April Cook-Hawkins

### **ROLL CALL:**

Chairperson Wesley called the meeting to order at 5:39 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: appearing in-person  
Commissioner Campbell: appearing in-person  
Commissioner Blower: appearing in-person  
Commissioner Jewell: appearing in-person

Commissioner Cook-Hawkins: absent  
Commissioner Sorenson: appearing in-person  
Chairperson Wesley: appearing in-person

### **ADDITIONS/CHANGES TO THE AGENDA:**

### **ADOPTION OF THE AGENDA:**

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

***M/S – Jewell/Ryan***

***Unanimously carried by voice vote***



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### **MINUTES OF PREVIOUS MEETINGS:**

Commissioner Jewell recommended grammar corrections on Page 3. Commissioner Jewell asked Chairperson Wesley if the summary of additional documents on Page 4 was accurate. Mr. Vandercook explained this was in relation to the delayed lot combination following the execution of the purchase agreement.

Commissioner Jewell made a motion to approve the minutes of January 10, 2023 as corrected. Commissioner Blower supported this motion.

#### **Roll Call:**

Commissioner Ryan: yes	Commissioner Cook-Hawkins: absent
Commissioner Campbell: yes	Commissioner Sorenson: abstained
Commissioner Blower: yes	Chairperson Wesley: yes
Commissioner Jewell: yes	

#### ***M/S – Jewell/Blower***

5 yes – 0 no – 1 absent – 1 abstention

***The motion carried.***

### **PUBLIC FORUM:**

Joel Arnold of Flint Residents for Stronger Neighborhoods spoke on improvements that were made with the current Zoning Code that they believe builds stronger neighborhoods, including orientating main entrances facing the front property line and the restriction on parking in front yards in specified districts.

Emily Doerr spoke on potential changes to be made to the Zoning Code regarding signage in Mixed Residential districts. Ms. Doerr stated she is attempting to have window signage approved for her soon to open business in Carriage Town, despite having HDC approval the Zoning Code limits signage in the MR-3 district strictly.

Bill Vandercook asked what the size of the signage is that she wants to install and what is allowed in the MR-3 district. Ms. Doerr stated she wants blade signs to be mounted that come out 28 inches, and anything projecting more than 12 inches is not permitted. Ms. Doerr said the style of sign she wants fits well with the historic character of the building, but a similar sign like a wall sign does not match. Ms. Doerr also said she wants to put window stickers up as well but these are also not permitted at all in Mixed Residential districts. Chair. Wesley asked if this was regarding the Old Berridge building. Ms. Doerr confirmed it is and that she is opening a wine, meat, and cheese shop on the first floor below apartments.



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### PUBLIC HEARINGS:

**PC 22-16:** CFMJ LLC requests a Marihuana Facilities Location Variance from 4 or more Group E and Group A uses within 2,000 ft for a Group E – Adult Use Marihuana Facility at 2926 Robert T. Longway (PID 41-09-303-002).

Mr. Vandercook requested **PC 22-16** be postponed. Mr. Vandercook started the Commission asked staff to determine if MPMR-Flint, LLC dba. Common Citizen at 310 S. Averill has an active license. Mr. Vandercook stated on December 14<sup>th</sup>, 2022 the Building Department and Planning Department, and on December 15<sup>th</sup> the Police Department, went to the location and found the building was unoccupied. On January 13<sup>th</sup>, 2023 a certified letter was sent to notify the owner that the building was closed for over 30 days. Mr. Vandercook said another letter would be sent. Chair. Wesley asked if the letter would state that they have not responded to the notice. Mr. Vandercook confirmed. Comm. Blower asked at what point would their license no longer be valid. Mr. Vandercook sated when a determination is made and no contact is made from the owner. Mr. Vandercook said he had been informed by the business that they had been closed for a couple months and informed two police officers that they had been closed from late September 2022 to early October 2022. Comm. Blower asked if they had a timeframe to respond in. Mr. Vandercook stated the certified letter went out January 13<sup>th</sup> and they had seven days to respond, January the 20<sup>th</sup>, 2023.

Attorney Gurley stated in addition to the building being closed for more than 30 days, the police officers noted in their annual re-licensure inspection there was no product in the building.

Commissioner Blower made a motion to postpone **PC 22-16:** CFMJ LLC requests a Marihuana Facilities Location Variance from 4 or more Group E and Group A uses within 2,000 ft for a Group E – Adult Use Marihuana Facility at 2926 Robert T. Longway (PID 41-09-303-002) to the next regularly scheduled Planning Commission meeting on February 14<sup>th</sup>, 2023 at the discretion of staff. Commissioner Sorenson seconded the motion.

#### Roll Call:

Commissioner Ryan: yes	Commissioner Cook-Hawkins: absent
Commissioner Campbell: yes	Commissioner Sorenson: yes
Commissioner Blower: yes	Chairperson Wesley: yes
Commissioner Jewell: yes	

#### *M/S – Blower/Sorenson*

6 yes, 0 no, 1 absent  
*The motion carried.*

### SITE PLAN REVIEW:

N/A



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#### **CASE REVIEW:**

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

Mr. Vandercook stated staff reviewed the case information and determined Green Buddha had lost their original license but could reapply under the new ordinance adopted October 2022. Mr. Vandercook requested this item be removed from the agenda until the owner contacts staff to reapply. Comm. Jewell asked for clarification of a date in the review. Mr. Vandercook noted in the report it is stated the case was reviewed at the January 12<sup>th</sup>, 2023 meeting when it was reviewed at the January 10<sup>th</sup>, 2023 meeting. Commissioners discussed existing marihuana locations in the area around 408 S. Center Rd. Mr. Vandercook stated when they apply, they will need to submit another Location Confirmation Form and will be placed at the end of the application queue which could have an impact on location restrictions.

Comm. Jewell said he believes the case has been reviewed and that he doesn't object to the item coming off the agenda and being added again later if applicable.

*Holistic Vibes Flint, LLC – 2849 Miller Rd.*

Mr. Vandercook said the Administrative Hearing originally set for December 15<sup>th</sup>, 2022 was postponed at the request of the applicant's attorney to January 12<sup>th</sup>, 2023 where the Commission determined the license could not be renewed. Currently the minutes for the meeting are in progress. Comm. Jewell asked if staff has received any communications from the respondent. Mr. Vandercook stated Zoning staff has not. Attorney Gurley stated at this time there were documents that were incorrectly served on the City. Attorney Gurley said she has tried twice to reach the attorney for Holistic Vibes Flint, LLC and has not received a return call. As of now, the City has not been properly served by the respondent.

Chair. Wesley suggested whether it was appropriate to remove this item from the agenda until new information is received. Comm. Jewell suggested leaving this item on the agenda until the Commission has reviewed staff minutes for the January 12<sup>th</sup>, 2023 special meeting.

*Court Ruling – Green Skies Healing Tree, LLC*

Mr. Vandercook stated the Court ordered that an adult use license be granted to the applicant following the normal fee is paid and full application is received. As of now additional required application materials have been requested by staff but have not yet been received. Attorney Gurley stated to her understanding the Zoning Division is reviewing the materials that have been submitted and that a chronology is being prepared regarding any communication between the applicant and staff and when the applicants have appeared before a Board or Commission. Attorney Gurley stated as of now the City is in compliance with the court ordered conditional license, conditioned on paying the appropriate fees and the submission of a full application.



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Chair. Wesley asked if this case sets precedent. Attorney Gurley stated that research is still in-progress, and that the Court looked at a very specific issue and the use is not to be expanded. Comm. Jewell suggested leaving this item on the agenda. Mr. Vandercook asked for clarification on the chronology requested by the Court. Attorney Gurley clarified the City is to preparing the chronology and that this was not ordered by the Court and this is considered best practice. Attorney Gurley recommended communications with applicants be documented. Chair. Wesley suggested Zoning staff meet with Legal to determine the best method of documenting all written and spoken communications with applicants. Chair. Wesley stated this item will remain on the agenda at this time.

*913 Hamilton Ave – Flint Commerce Center/Ashley Capital*

Mr. Vandercook stated the Commission conditionally approved this case at the previous meeting and that as of now the owners have not closed on the property yet so the parcels cannot be combined. Mr. Vandercook is waiting for an update from the applicants.

*ZBA Case Reviews, Max Lester, Planner I*

Max Lester stated three cases were heard at the January 17<sup>th</sup>, 2023 meeting:

**ZBA 23-1:** Christopher Bowman requests a use variance at 1109 N. Dort Hwy. Flint, MI 48506 (PID 41-08-280-013) to allow for a fitness center in the MR-2 Mixed Residential district was approved with a vote of 6 yes and 0 no votes. This will appear as a Zoning Permit to be reviewed administratively.

**ZBA 23-2:** Robert Brown requests a use variance at 1720 E. Carpenter Rd. Flint, MI 48505 (PID 47-29-126-049, future PID 47-29-126-051) to allow for a gas station and convenience store in the GN-1 Green Neighborhood district was approved with a vote of 5 yes and 1 no votes. This will appear as a Site Plan Review once the property owner files an application.

**ZBA 23-3:** Robert Brown requests a non-use variance at 1720 E. Carpenter Rd. Flint, MI 48505 (PID 47-29-126-049, future PID 47-29-126-051) to provide an additional 1,400 sq. ft. for a convenience store was approved with a vote of 6 yes and 0 no votes. This will appear as a Site Plan Review once the property owner files an application.

Comm. Jewell asked if the normal process following the granting of a variance in this case would be to go to a Site Plan Review with the variance in mind. Mr. Lester confirmed.

*City Council Action on Planning Commission Recommendations*

Mr. Lester stated there were no actions to report at this time. Comm. Jewell asked if **PC 22-3** is still with the Council. Mr. Lester said they would contact the Clerk's office and report back at the next meeting.



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### **REPORTS:**

#### *American Rescue Plan/Capital Improvement Plans*

Mr. Vandercook stated an email was sent requesting information regarding the American Rescue Plan and there is no information to update at this time. Comm. Jewell said that there have been numerous requests from the Commission for information on ARPA, how it ties into the Master Plan and the Capital Improvement Plans and the role of the Planning Commission. Comm. Jewell noted the Commission was informed the current Chief Financial Officer was unable to come to a Planning Commission meeting but would send a memo with the requested information that has not yet been received. Comm. Jewell noted on the City website is a page for ARPA including funding categories and process and procedure. Comm. Jewell noted news coverage of a webinar hosted by the City to discuss the grant application process for community groups and businesses. Comm. Jewell asked when the Planning Commission will have an opportunity to provide input on ARPA. Mr. Vandercook said he does not have information as he believes the proper process is for the information to come from the CFO Rob Widigan through Suzanne Wilcox. Comm. Jewell added that following many requests for information and not receiving it, the information appears to be available elsewhere. Chair. Wesley stated it feels like the Commission is being left out of the loop and the Commission has no way of knowing if the Master Plan was taken into account for ARPA. Comm. Campbell asked for information on the ARPA information available. Chair. Wesley stated to his knowledge there are funding categories, an application process, and an Advisory Committee to be set up. Comm. Blower added that applications are open from January 23, 2023 to March 27, 2023. Mr. Lester said the website has funding categories that list the application requirements and funding amount for each category. The Commission discussed processes and procedure for requesting and receiving information pertinent to the role of the Planning Commission.

Comm. Jewell asked when to expect the draft CIP from Jason Ball and why staff stated there was nothing to report. Mr. Vandercook stated that he and Max reached out to Mr. Ball, and he stated he did not have materials to present at this meeting, but that they will be coming to a February meeting. Comm. Campbell asked if Mr. Vandercook said an update would be given in February with materials to approve. Mr. Vandercook stated that to his recollection at the last meeting Mr. Ball attended, he stated he would be back in February with materials.

#### *Planning Commission Vacancies and Expired Terms, Bill Vandercook, Zoning Coordinator*

Mr. Vandercook stated Ms. Wilcox informed him that she has been in contact with the Mayor and he is working initially on filling the vacancies in Ward 2 and Ward 9 with the respective Council members.

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

Mr. Vandercook stated Mr. Ball would be appearing in February. Comm. Jewell asked if we know which meeting in February Mr. Ball will attend. Mr. Vandercook stated February 14, 2023. Comm. Jewell read the minutes which notes Mr. Ball will return in February. Comm. Jewell asked if





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information and materials will be provided in the packets prior to the meeting, noting he will not have time to review materials if they are provided at the meeting. Comm. Jewell noted CIP materials will be provided in February as well.

### *Planning Commission Annual Report, Bill Vandercook, Zoning Coordinator*

Mr. Vandercook stated at the last meeting the Annual Report was provided and changes were recommended by the Commission, the updated copy was provided for this meeting. Chair. Wesley went over the requested changes pertaining to the attendance records, the numbering of development reviews, the description given to Comm. Blower's role as Vice-Chair regarding resigning as ZBA Representative, and additional license types. Comm. Jewell discussed the Special Meeting held for the CRA presentation. Comm. Sorenson noted she attended an MIAPA training separately last year.

### *Staffing Update*

Mr. Vandercook stated there is an additional Zoning Coordinator job posting that is open now and applications are being reviewed, this position will focus on marihuana applications. The Marihuana Zoning Coordinator position will be a part of the Legal Department rather than Planning and Development. Mr. Vandercook added that Jonathon Mateen's last day was January 20<sup>th</sup>, 2023.

Comm. Campbell spoke about the turnover rate in Planning and Development, noting steps should be taken to retain staff rather than train them to quickly move to another job. Chair. Wesley agreed with Comm. Campbell.

### **RESOLUTIONS:**

N/A

### **OLD BUSINESS:**

N/A

### **NEW BUSINESS:**

#### *Remote Meeting Discussion*

Chair. Wesley stated he should have included this as an additional report, but according to the City Attorney William Kim, Commissioners are no longer able to attend meeting virtually and must meet in person. Mr. Vandercook noted the email presented to the Commissioners is an internal document and is not to be shared or distributed. Comm. Blower asked if this would void the By-Laws. Mr. Vandercook says it would supersede the By-Laws. Mr. Vandercook expressed that further clarification was needed from Legal on the matter. Comm. Jewell asked about ADA accommodations for Commissioners and expressed wanted further discussion on the matter. Attorney Gurley stated she will need time to research the questions asked. Attorney Gurley added that the Attorney General's opinion



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is not binding though it can be considered persuasive. Attorney Gurley added that she believes the City Attorney's opinion likely applies to other Commissions and Boards, not just the Planning Commission.

#### **ADJOURNMENT:**

*M/S – Ryan/Campbell*

*Unanimously carried by voice vote.*

Meeting adjourned at 7:08 PM.