



**Sheldon Neeley**  
Mayor

# CITY OF FLINT

## FLINT PLANNING COMMISSION

**Meeting Minutes**  
**January 10, 2023**

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### **Commissioners Present**

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

### ***Absent:***

Lynn Sorenson, Secretary  
April Cook-Hawkins

### **Staff Present**

Suzanne Wilcox, Director of Planning and Development  
William Vandercook, Zoning Coordinator  
Joanne Gurley, Assistant City Attorney  
Jonathon Mateen, Planner I  
Max Lester, Planner I

### **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: present in-person  
Commissioner Campbell: appearing virtually  
from Flint, MI  
Commissioner Blower: present in-person  
Commissioner Jewell: present in-person

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

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

Mr. Vandercook requested "Zoning Board of Appeals Update" be added to the agenda under Reports.

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

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

### ***M/S – Jewell/Blower***

***Unanimously carried by voice vote.***



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

Commissioner Jewell noted several grammar corrections to be made on Page 12.

Commissioner Jewell made a motion to approve the minutes of December 13, 2022 as corrected.  
Commissioner Blower supported this motion.

### ***M/S – Jewell/Blower***

Roll Call:

Commissioner Ryan: yes

Commissioner Campbell: yes

Commissioner Blower: yes

Commissioner Jewell: yes

Commissioner Cook-Hawkins: absent

Commissioner Sorenson: absent

Chairman Wesley: yes

5 yes – 0 no – 2 absent

***The motion carried.***

### **PUBLIC FORUM:**

Chairperson Wesley asked if there was anyone in the public wishing to speak during the Public Forum.  
No one spoke.

### **PUBLIC HEARINGS:**

N/A

### **SITE PLAN REVIEW:**

**SPR 23-001:** Michelle Sloop & General Motors is requesting a Site Plan Review at 3248 Van Slyke Rd. (PID 40-26-400-001).

Mr. Mateen read the Staff Report for **SPR 23-001**. Mr. Mateen added that he had a signed and notarized document from the property owner authorizing Nicholas Sparaga to give the presentation.

Commissioner Jewell asked if this was reviewed under the old Zoning Code. Mr. Mateen confirmed. Commissioner Jewell asked what the purpose of the addition is. Mr. Mateen noted the applicant wrote the addition is for additional floor space. Commissioner Jewell asked about the Fire Marshal's comments. Mr. Mateen stated the Fire Department looks for a 20-foot-wide clearance for fire apparatus and the proposed double-gate is indicated at 25 feet wide. The Fire Department also asked for a means of access and a KnoxBox or similar apparatus as approved by the Fire Department is afforded. Commissioner Jewell asked if department comments have been addressed. Mr. Mateen confirmed.

Nicholas Sparaga from General Motors is speaking on behalf of the applicant. Mr. Sparaga stated it is a 42,000 sq. ft. expansion to the south side of the GM Flint Engine Operation to allow storage space for motor equipment. Commissioner Jewell asked for more information. Mr. Sparaga clarified that this



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space is for storing engine parts. Commissioner Jewell asked for an explanation of day-to-day operations in the new space. Mr. Sparaga said there is a planned rack system for parts and there will be automated forklifts that will pick up and move equipment. Commissioner Jewell asked if the building was self-contained. Mr. Sparaga answered that the proposed addition is attached to the existing building. Commissioner Jewell asked for an explanation of fire safety measures. Tom La Cross, civil engineer with Hubbell, Roth & Clark, stated the addition is fully sprinkled and connected to the existing suppression system which has its own tanks and pump houses. The building has two separate zones, and an additional fire hydrant is being added near the addition as well. Commissioner Jewell asked about safety procedures and precautions in the building. Mr. La Cross stated the existing internal access aisle for emergency vehicles will be accessible from the addition. Commissioner Jewell asked if GM has its own internal safety response team. Mr. La Cross confirmed, adding that the addition is adjacent to the ambulance entrance and near to the safety office.

Commissioner Blower made a motion to approve **SPR 23-001: Michelle Sloop & General Motors** is requesting a Site Plan Review at 3248 Van Slyke Rd. (PID 40-26-400-001). Commissioner Ryan supported the motion.

**Roll Call:**

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

***M/S – Blower/Ryan***  
5 yes, 0 no, 2 absent  
***The motion carried.***

**SPR 23-002: Ken Bowen & Flint Commerce Center, LLC** is requesting a Site Plan Review at 931 E. Hamilton Ave. (PID 41-06-326-050).

Mr. Vandercook read the Staff Report for **SPR 23-002**. Mr. Vandercook explained an approved Site Plan is required before a purchase agreement between the purchaser and RACER Trust can be executed and the parcels on the site can be combined.

Commissioner Ryan asked who would be responsible for contamination responsibilities on the site once the purchase agreement is executed. Mr. Vandercook deferred to the representatives for Ashley Capital and RACER Trust.

Chairperson Wesley asked what a conditional approval would be based on. Mr. Vandercook answered it is based on the closing of the sale, adding a lot combination will be required before any Building Permits are granted. Commissioner Blower asked for confirmation that this is not a way to avoid red-



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tape. Mr. Vandercook confirmed, stating the approved Site Plan is a condition of the purchase agreement and lot combinations must be approved by the Zoning and Building Departments.

Commissioner Jewell asked for clarification on department concerns. Mr. Vandercook replied that there are no department concerns outside of the lot combination. There is one comment about a sewer on the property that may have been filled, but this was provided as a notification rather than a concern. Commissioner Jewell noted a concern with ensuring the checklist matches the sheet numbers.

Atasi Bagchi spoke on the project with the applicant Ken Bowen. Ms. Bagchi gave a brief overview of the project and site. Commissioner Ryan asked if there would be a change to the drain system, and if so, what research has been done. Mark Quimby, Development Manager for Ashley Capital, stated there has been extensive studies conducted on the site to monitor contamination. The subject site is the least contaminated as there was no GM operation directly on the property. Mr. Quimby stated the area of most concern is across Industrial Ave., adding that connections to Industrial will have chemically resistant gaskets to ensure contamination does not enter the sewer system. Commissioner Ryan asked what measures are in place to monitor the sewers. Mr. Quimby replied that the levels on the site are under the limits for non-residential uses and the lot will be significantly paved and act as a contact barrier. Mr. Quimby added as a new owner, they are responsible for any contributions to the system, but responsibility falls on RACER Trust once the trunkline is reached. Mr. Quimby stated RACER Trust monitors the system for contamination and that Ashley Capital is not obligated to continually monitor the sewers. Steve Black, Transactions and Operations Manager for RACER Trust, confirmed what Mr. Quimby said, adding that RACER Trust is responsible for the contamination left by GM. The deed will transfer to Ashely Capital.

Commissioner Jewell asked what the intended operations are. Ms. Bagchi answered that they are a speculative builder and that they do not know as of now, but the likely use is warehousing for one or more tenets. Commissioner Jewell asked about fire safety measures. Doug Scott, Engineer for the project, said the building is fully sprinklered and any other safety protocols will fall on the tenets to enact for their individual operations. Commissioner Jewell asked for additional landscaping details. Cameron Alvado, an Engineer with ROWE, stated they worked with the landscaping requirements of the new Zoning Ordinance, keeping existing landscaping where it is and adding additional landscaping where it is needed.

Commissioner Jewell asked if there were any other letters, statements, or items that need to be included. Chairperson Wesley stated there is not from what he has seen, but that the relevant items for conditional approval will be presented to the Chair before an administrative approval.

Commissioner Blower asked about parking details. Mr. Alvado explained the parking and loading areas are separated.



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Commissioner Campbell made a motion to conditionally approve **SPR 23-002: Ken Bowen & Flint Commerce Center, LLC** is requesting a Site Plan Review at 931 E. Hamilton Ave. (PID 41-06-326-050)., with the conditions of the lot combination and department concerns, with administrative approval made in consultation with the Chair. Motion made with amendments from Commissioner Jewell, Commissioner Blower, and Chairperson Wesley for the conditional approval. Commissioner Ryan supported the motion.

Mr. Vandercook added for clarification that the lot combination will not be completed until the end of the year due to the combination process.

**Roll Call:**

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

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

***M/S – Campbell/Ryan***

5 yes, 0 no, 2 absent

***The motion carried.***

**CASE REVIEW:**

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

Mr. Vandercook noted Attorney Gurley is in the meeting and has a prepared document regarding the property. Attorney Gurley summarized the letter stating Green Buddha has been closed for more than 30-days in violation of the City’s Ordinance. As a result, they are not able to renew the license. Chairperson Wesley asked Mr. Vandercook what the next steps would be in taking action. Mr. Vandercook stated the property is now zoned Commerce and Employment and the owners can apply for a new license. Attorney Gurley noted locational restrictions may be affected and there is a possibility of an Administrative Hearing if their application is denied.

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

Mr. Vandercook said there is an Administrative Hearing set for this location on Thursday January 12<sup>th</sup>, 2023 in City Council Chambers at 5:30 P.M. Commissioner Jewell asked about materials for this meeting. Mr. Vandercook stated the Commissioners present would receive them tonight and copies would be emailed and delivered to those attending via Zoom or are absent. Commissioner Blower asked if the respondent were allowed only the one postponement. Mr. Vandercook confirmed.



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*Court Ruling - Green Skies Healing Tree, LLC – 3401 Corunna Rd.*

Attorney Gurley gave a short history of the relevant case and court proceedings. Attorney Gurley stated the Circuit Court ruled the City would have to provide the Adult-Rec license to the applicant to prevent medical and adult-use marihuana from being treated differently. The City has had to provide a conditional license for adult-recreational two weeks ago as ordered. The license is conditional on Green Skies fully completing their application and paying outstanding fees.

Chairperson Wesley asked if the Court considered the locational restrictions and grandfathered status and if the Court's opinion is that the locational restrictions for recreational do not matter. Attorney Gurley stated the Court looked at this particular case and the ruling pertains to this case. Attorney Gurley said this is an unpublished case that could be persuasive in cases where the facts of the case are similar. Attorney Gurley noted that she is hesitant to say this is precedent setting as the major issue was not related to the grandfathered status or the intensity of the use.

**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 gave a summary of the follow-up from staff after the December 13<sup>th</sup>, 2022 meeting. Commissioner Blower asked if the recent fire at the facility across the street impacts this application. Mr. Vandercook stated that because that applicant has submitted their Site Plan Review materials in a timely manner and were nearly prepared to appear before the Commission, they have the ability to notify staff and ask for time to redesign prior-submitted plans. Commissioner Blower asked if this impacts the SPR case. Mr. Vandercook said new plans would need to be submitted for a new building which would effectively start the review process over. Commissioner Jewell asked if the license is still valid for this address and if the applicant can inform staff of their plans. Mr. Vandercook confirmed. Commissioner Blower asked if there is a time limit on an in-process application. Mr. Vandercook replied that he will need to do more research, but he does not believe there is an explicit expiration for an application that is actively being worked on. Commissioner Jewell asked if staff has been notified by that applicant. Mr. Vandercook stated he received notice that their architect would be in contact with him. Commissioner Blower asked if the fire has no bearing on PC 22-16. Mr. Vandercook confirmed.

Commissioner Jewell noted the case is for a location variance and the reason for postponing was to determine if one of the existing licenses was still valid, and if that impacted the need for a location variance.

*City Council Action on Planning Commission Recommendations, Jon Mateen, Planner I*

Mr. Mateen stated **PC 22-4**, a rezoning request for 4811 Fenton Rd, is still pending in City Council. Mr. Mateen stated it was supposed to appear on the Council agenda for the previous night but was not.





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#### **REPORTS:**

*American Rescue Plan/Capital Improvement Plan, Suzanne Wilcox, Director of Planning and Development*

Ms. Wilcox stated she is in contact with the CFO who is still working on sending a memo to the Commission discussing how the Master Plan was used to make ARPA recommendations. Mr. Vandercook noted that Corey Christensen from ROWE will speak on the CIP.

*Redevelopment Ready Communities & Capital Improvement Plan, Corey Christensen, ROWE*

Mr. Christensen said there was nothing to act on today, but, Jason Ball would appear next month with documents to approve. For the CIP, ROWE has heard back from nearly all departments and there are six outstanding items to complete before meeting the requirements for RRC status. The first draft of the CIP is expected to be ready next month. Additionally, the Public Participation Plan is nearing completion. Mr. Christensen read the Roles and Responsibilities of the Planning Commission from the previous meeting's materials. Commissioner Jewell asked if this document is in line with the Michigan [Planning/Zoning] Enabling Acts in regard to experience and background for Commissioners. Mr. Christensen answered that he believes the only requirement spelled out is residency. Commissioner Jewell asked for this to be researched. Commissioner Jewell noted some proper nouns that needed capitalizations. Mr. Christensen discussed Joint Meeting requirements, stating a joint meeting needed to be held between the Planning Commission, Zoning Board of Appeals, and Historic District Commission to meet the requirement. Commissioner Jewell asked about accountability and designating responsibilities to specific positions and roles. Mr. Christensen asked what format this should be in as job titles and people change. Commissioner Jewell and Mr. Christensen discussed using job titles such as "Zoning Coordinator."

Chairperson Wesley asked what the purpose of a joint meeting is. Mr. Christensen answered intergovernmental communication and understanding the roles and responsibilities of other public bodies in the development process.

*Planning Commission Vacancies and Expired Terms, Suzanne Wilcox, Director of Planning and Development*

Ms. Wilcox stated she provided a list of vacancies and expired terms to the Mayor who is now working on reappointing Commissioners and getting names for vacancies. Chairperson Wesley asked how to handle two Commissioners in a single Ward. Ms. Wilcox stated she believed the Ordinance did not specifically say Commissioners needed to be from different Wards, however, she will check this to be sure. Commissioner Jewell recommended checking the City Charter as well.



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### *Questions or Concerns Regarding Administrative Hearings*

Commissioner Jewell asked if it would be appropriate to have deliberations noted on the agenda. Mr. Vandercook noted this is already on the agenda. Chairperson Wesley discussed the importance of appearing in-person. Commissioner Jewell said it is important to meet quorum rules.

### *Planning Commission Annual Report, Corey Christensen, ROWE*

Mr. Christensen read through the Annual Report. Commissioner Jewell asked for the number of meetings held to be checked as he is not sure if he missed one or two meetings or how that may impact his attendance.

Commissioner Jewell made a motion to conditionally approve the draft Annual Report 2022 as presented with clarification on questions raised in consultation with the Chair. Commissioner Campbell supported the motion.

#### Roll Call:

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

#### *M/S – Jewell/Campbell*

5 yes, 0 no, 2 absent

***The motion carried.***

#### *Zoning Board of Appeals Update, Jonathon Mateen, Planner I*

Mr. Mateen stated there are two variances and one non-use variance, none of which will come to the Planning Commission. An update will be ready for the January 24<sup>th</sup> meeting.

### **RESOLUTIONS:**

### **OLD BUSINESS:**

### **NEW BUSINESS:**

### **ADJOURNMENT:**

***M/S – Ryan/Blower***

***Unanimously carried by voice vote.***

Meeting adjourned at 7:34 PM.