



**Sheldon Neeley**  
Mayor

## **CITY OF FLINT**

### **FLINT PLANNING COMMISSION**

#### **Meeting Minutes** **December 12th, 2023**

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#### **Commissioners Present**

Robert Wesley, Chair  
Carol-Anne Blower, Vice-Chair  
Lynn Sorenson, Secretary  
Joshua Brown  
Robert Jewell  
Mona Munroe-Younis  
Jeffrey Curtis Horton

#### **Staff Present**

Bennet Bush, Assistant City Attorney  
Bennett Bush, Assistant City Attorney  
Max Lester, Int. Zoning Coordinator  
Brian Acheff, Zoning Coordinator  
Dalton Castle, Planner I  
Montel Meniffee, Marihuana Facilities Licensing Coordinator  
Tyler Bailey, Deputy Director of Business Services

#### ***Absent:***

Leora Campbell  
April Cook-Hawkins

#### **ROLL CALL:**

Chairperson Wesley called the meeting to order at 5:41 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 Brown: present  
Commissioner Campbell: absent  
Commissioner Blower: present  
Commissioner Jewell: present  
Commissioner Cook-Hawkins: absent

Commissioner Sorenson: present  
Commissioner Munroe-Younis: present  
Commissioner Horton: present  
Chairperson Wesley: present

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

Commissioner Wesley asked for a motion to approve the agenda as written. Commissioner Blower motioned to accept the agenda as presented. Commissioner Munroe-Younis seconded the motion.

***M/S – Blower/Munroe-Younis***  
***Unanimously carried by voice vote***



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

The Minutes of November 14<sup>th</sup> & 28<sup>th</sup>, 2023 are prepared for review.

Commissioners Jewell and Sorenson noted grammatical corrections in the minutes for November 14<sup>th</sup>, 2023 on pages 4 and 5.

Commissioner Brown made a motion to approve the minutes of November 14<sup>th</sup>, 2023 as corrected. Commissioner Sorenson seconded this motion.

#### **Roll Call:**

Commissioner Brown: yes  
Commissioner Campbell: absent  
Commissioner Blower: abstain  
Commissioner Jewell: yes  
Commissioner Horton: yes

Commissioner Cook-Hawkins: absent  
Commissioner Sorenson: yes  
Commissioner Munroe-Younis: abstain  
Chairman Wesley: yes

#### ***M/S – Brown/Sorenson***

5 yes – 0 no – 2 abstain

***The motion carried.***

Commissioners Jewell and Blower noted minor edits to the language used in the minutes for November 28<sup>th</sup>, 2023 discussing an alternate word choice and capitalization as well as further clarifying that Map and Text Amendments were being referenced in previous corrections to minutes.

Commissioner Jewell made a motion to approve the minutes of November 28<sup>th</sup>, 2023 as corrected. Commissioner Blower seconded this motion.

#### **Roll Call:**

Commissioner Brown: yes  
Commissioner Campbell: absent  
Commissioner Blower: yes  
Commissioner Jewell: yes  
Commissioner Horton: yes

Commissioner Cook-Hawkins: absent  
Commissioner Sorenson: yes  
Commissioner Munroe-Younis: yes  
Chairman Wesley: yes

#### ***M/S – Jewell/Blower***

7 yes – 0 no – 0 abstain

***The motion carried.***

### **PUBLIC FORUM:**

Chairman Wesley opened the floor for public forum. No one spoke.



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#### **PUBLIC HEARINGS:**

**PC 23-9:** VJG Investments, LLC/Applicant Green Bean Company, Inc. located at 1609 W. Atherton Rd. AKA 1625 W. Atherton Rd. Flint, MI 48507 (PID # 40-25-201-056) requests a Marihuana Facilities Location Variance relief of 298.4 feet from the 1000-foot setback requirement from schools, or such distance as may be needed to comply with 50-80 Marihuana Facilities Ordinance.

Max Lester read the PC 23-9 Update Letter dated December 11th, 2023.

Commissioner Jewell Clarified with Max that based on the letter it is staff recommendation that the Commission refers this application back to staff for proper processing and noticing.

Chairman Wesley asked legal counsel Tom Sparrow for his perspective on this application.

Mr. Sparrow disagreed with Max's recommendation. He believes the Commission should decide on this application today as the system thus far has failed the applicant. Commissioner Jewell expressed concern of a lack of communication between Legal and Zoning on this case. Mr. Sparrow assured him that they had met on multiple occasions to discuss this case.

Montel Meniffee explained the location is an existing nonconforming use for medical marihuana provisioning. The need for the variance is because they are seeking a recreational marihuana license.

Max clarified their stance that the Planning Commission does not have authority to approve variances. Chairman Wesley and Commissioner Blower agreed.

Commissioner Jewell discussed roles and responsibilities of the Planning Commission and Zoning Board of Appeals as delineated by the State.

Commissioner Munroe-Younis asked if it would still be appropriate to allow the applicant and the public to present given the public hearing was noticed. Chairman Wesley said that it would and invited the applicant to speak.

Attorney John Fraser represented the applicant. Mr. Fraser explained the history of the business and stressed that the application was submitted two and a half years ago. He then went on to explain the timeline of the application. He expressed his belief that despite the public notice outlining this application as a variance the commission should still move to have this public hearing fulfill ordinance 50-80.22 C requirement for a public hearing.

Commissioner Jewell and Mr. Frasier discussed whether a variance was even required based on the language in the Marihuana Ordinance, as the location has grandfathered status.



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Commissioner Blower stated that the application submitted to them today does not meet the needs of the applicant nor is it within the power of the Planning Commission to approve. Commissioner Blower noted confusion around Mr. Fraser's request to fulfill the public hearing requirement.

Rochelle Arnott, applicant, presented more information about the business. Ms. Arnott stressed the need for a recreational license to keep the business operational, noting they have had to let staff go in the meantime as medical provisioning is completely overshadowed by adult-use marihuana which does not require a medical card to purchase.

Commissioner Jewell noted that he had spoken prior to the applicant. Commissioner Jewell asked the applicant to describe how the business operates, the layout of the building, and the security.

Chairman Wesley opened the floor to public comment.

Jamie Rogers, the owner of the plaza the business is located within, expressed his confusion on the situation. Mr. Rogers stated his concern that there is a lack of foot traffic in the plaza making it harder for him to rent out the units.

Public comment closed.

Chairman Wesley asked Max if there was any way to move the applicant forward through the process. Max said that if the Commission agrees with Legal's interpretation that the discussion today fulfilled the Ordinance 50-80.22 C requirement for a public hearing then they could move to have the application administratively approved by staff.

Commissioner Blower made a motion to acknowledge the discussion and public hearing fulfilled the Ordinance 50-80.22 C requirement for a public hearing and have an administrative review conducted by staff in consultation with the Planning Commission Chair. Commissioner Sorenson seconded the motion.

#### **Roll Call:**

Commissioner Brown: yes  
Commissioner Campbell: absent  
Commissioner Blower: yes  
Commissioner Jewell: yes  
Commissioner Horton: yes

Commissioner Cook-Hawkins: absent  
Commissioner Sorenson: yes  
Commissioner Munroe-Younis: yes  
Chairman Wesley: yes

#### ***M/S – Blower/Sorenson***

7 yes, 0 no, 0 abstain

***The motion carried.***



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**PC 23-13:** Ranesha Cavette requests review from the Planning Commission for a Planned Sign Program at 130 E Second St. Flint, MI 48502 (PID # 41-18-129-001).

Max read the staff report. They explained the Historic District Commission has previously approved a Certificate of Appropriateness for the proposed signage. It is staff recommendation that the Planning Commission review the application and determine if it meets the standards outlined in the Zoning Code.

Ranesha Cavette, applicant, stressed the need for the sign and explained how lack of signage has hurt her business as she accepts appointments and when clients have trouble locating her business it creates time conflicts. Her address relates to E. Second St., however, her unit fronts Harrison St. which is a one-way street.

Commissioner Jewell asked staff if there had been any additional communications regarding this application. Max confirmed there have been none.

Commissioner Brown made a motion to approve the application as written on the basis of it meeting approval standards one through seven for a Planned Sign Program. Commissioner Sorenson seconded the motion.

**Roll Call:**

Commissioner Brown: yes  
Commissioner Campbell: absent  
Commissioner Blower: yes  
Commissioner Jewell: yes  
Commissioner Horton: yes

Commissioner Cook-Hawkins: absent  
Commissioner Sorenson: yes  
Commissioner Munroe-Younis: yes  
Chairman Wesley: yes

***M/S – Brown/Sorenson***

7 yes, 0 no, 0 abstain

***The motion carried.***

**PC 23-14:** McNicol Properties/Crooked Ladder requests a Marihuana Facilities Location Variance to allow a Group G - Class A Marihuana Microbusiness in a GN-1: Green Neighborhood Zoned District located at 2730 S. Dort Hwy., Flint, MI 48507 (PID # 41-20-278-019)

Max read the staff report. It is staff recommendation that the Planning Commission dismiss this application on the basis that the Planning Commission does not have the authority to approve a variance.



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Commissioner Jewell asked Mr. Sparrow his opinion on this application. Mr. Sparrow said that he is in agreement with Max that the Planning Commission does not have authority to grant a variance. He clarified the difference between this application and the PC 23-9 is that this application does not involve a grandfathered location.

John McNicol, applicant, stressed that the rezoning of the property caused the need for a variance.

Candace McNicol spoke in favor of the application, she explained that they had been directed to this Commission and feel their time is not being valued and they meet the qualifications for the variance.

Chairman Wesley and Commissioner Blower explained they do not have the power to grant variances.

Tyler Bailey, Deputy Director of Business Services for the City of Flint, explained that a new future land use map would be a priority when updating the Comprehensive Plan in 2024. He acknowledged that commercial corridors were largely zoned incorrectly on the current Zoning Map.

Commissioner Jewell made a motion to deny the application based on staff recommendation that the Planning Commission does not have authority over this matter and to refer the case to the Zoning Board of Appeals. Commissioner Blower seconded the motion.

#### **Roll Call:**

Commissioner Brown: yes  
Commissioner Campbell: absent  
Commissioner Blower: yes  
Commissioner Jewell: yes  
Commissioner Horton: yes

Commissioner Cook-Hawkins: absent  
Commissioner Sorenson: yes  
Commissioner Munroe-Younis: yes  
Chairman Wesley: yes

#### ***M/S – Jewell/Blower***

7 yes, 0 no, 0 abstain

***The motion carried.***

**PC 23-15:** McNicol Properties/Crooked Ladder requests a Marihuana Facilities Location Variance for 300 ft. relief from the 300 ft. required distance from a residential zone for a Group G - Class A Marihuana Microbusiness located at 2730 S. Dort Hwy., Flint, MI 48507 (PID # 41-20-278-019)

Max explained the staff recommendation is the same for this application as the PC 23-14.

Mr. McNicol asked an open-ended question of what is supposed to happen to commercial buildings like the property in question.

Mr. Bailey explained the City's capacity to rezone properties. He reiterated the importance of the Comprehensive Plan update.



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Discussion turned to the processes for rezoning a parcel, with applicants confused on whether they will need to go to City Council. Max noted discussion had gone off-topic and clarified that the variances the applicants are seeking are separate from a rezoning and does not need approval from Council.

Commissioner Jewell asked staff if there had been any additional communications received regarding this application. Max confirmed there have been none.

Commissioner Jewell made a motion to deny the application based on staff recommendation that the Planning Commission does not have authority over this matter and to refer the case to the Zoning Board of Appeals. Commissioner Munroe-Younis seconded the motion.

#### Roll Call:

Commissioner Brown: yes  
Commissioner Campbell: absent  
Commissioner Blower: yes  
Commissioner Jewell: yes  
Commissioner Horton: yes

Commissioner Cook-Hawkins: absent  
Commissioner Sorenson: yes  
Commissioner Munroe-Younis: yes  
Chairman Wesley: yes

#### ***M/S – Jewell/Munroe-Younis***

7 yes, 0 no, 0 abstain

***The motion carried.***

Commissioner Munroe-Younis asked staff to check on and verify the proper processes to ensure applicants do not have to come back for multiple meetings.

#### **SITE PLAN REVIEW:**

**SPR 23-006:** Nick Sparaga, representing General Motors LLC, requests a Site Plan Review for a 253,000 s.f. Addition to the GM Flint Body Shop, a new 6,000 s.f. Shipping and receiving building, and a new 100,000 s.f. vehicle storage area at 3248 Van Slyke Rd., Flint, MI 48507 (PID 40-26-400-001).

Max read the staff report.

Commissioner Brown recused himself from voting and deliberating on this case due to a conflict of interest as a GM Employee.

Nick Sparaga and Brian Becker presented the site plan and explained the benefits of additional capacity being added to their current operations.

Commissioner Jewell asked about fire safety design. Mr. Sparaga explained the fire safety precautions in their design, including their own emergency response team. There has been only one fire incident recently which was contained to a dumpster and was quickly extinguished.





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Commissioner Munroe-Younis asked for clarity on what the expansion would be used for. Mr. Becker, representing the applicant, explained this would add more bays to expand capacity to their Body Shop where trucks are assembled, though no new employees are expected to be hired at this time.

Commissioner Jewell asked about air quality control measures at the site. Mr. Becker explained they are meeting energy codes, and they use air filters to reduce the dust accumulation from the manufacturing process. Mr. Becker stated their production produced heat and as a result they burn less natural gas than other shops.

Commissioner Blower made a motion to conditionally approve the application pending review by the Fire, Water, & Engineering Departments. Commissioner Sorenson seconded the motion.

#### **Roll Call:**

Commissioner Brown: abstain  
Commissioner Campbell: absent  
Commissioner Blower: yes  
Commissioner Jewell: yes  
Commissioner Horton: yes

Commissioner Cook-Hawkins: absent  
Commissioner Sorenson: yes  
Commissioner Munroe-Younis: yes  
Chairman Wesley: yes

***M/S – Blower/Sorenson***

6 yes, 0 no, 1 abstain

***The motion carried.***

#### **CASE REVIEW:**

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

Attorney Bennett Bush explained there are still deficiencies in Green Skies' application to work through.

Commissioner Jewell commented that this has been on the agenda for quite some time and a detailed update in January may be helpful.

##### **SPR 23-005 529 ML King Ave. Conditional Approval Status**

No update at this time.

##### **City Council Action on Planning Commission Recommendations**

No action taken at this time. The recommended W. Fifth Ave. rezonings have not yet appeared on the Council agenda.

##### **Zoning Board of Appeals**





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The next regularly scheduled meeting is on December 19th, 2023 and six variance applications are expected to be heard.

#### **REPORTS:**

##### **Redevelopment Ready Communities**

Max provided the Michigan Economic Development Corporation (MEDC) by-laws for review, which gives an overview of the makeup and purpose of the MEDC.

##### **Planning Commission Expired Terms**

No updates at this time.

##### **Staffing Update**

Max provided updated contact information for Tyler Bailey to Commissioners.

##### **5-Year City of Flint Comprehensive Plan Review**

Max read an excerpt from a memorandum sent by Jason Ball explaining the process of updating a Comprehensive Plan.

##### **Equity in Zoning Policy Guide**

No update at this time.

#### **RESOLUTIONS:**

No resolutions at this time.

#### **OLD BUSINESS:**

##### **Status of PC-ZBA Liaison**

Commissioner Blower clarified with staff and Legal that everyone is on the same page about the purpose of the role.

Max explained that the Zoning Board of Appeals has gotten impatient in this matter and noted that the lack of a full Board has made voting more difficult.

#### **NEW BUSINESS:**

No new business at this time.

#### **ADJOURNMENT:**

***M/S – Jewell/Blower***

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

Meeting adjourned at 8:52 PM.