



Sheldon Neeley
Mayor

CITY OF FLINT

FLINT PLANNING COMMISSION

Draft Meeting Minutes June 22, 2021

Commissioners Present

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

Staff Present

Suzanne Wilcox, Director of Planning and Development
Bill Vandercook, Zoning Coordinator
Keizy Anpalagan, GIS Technician
Corey Christensen, ROWE
Jonathon Mateen, Planner I
Joanne Gurley, Assistant City Attorney

Absent:

April Cook-Hawkins

ROLL CALL:

Chairman Wesley called the meeting to order at 5:35 p.m. Roll was taken and a quorum was present.

The meeting was via Zoom and phone conferencing as approved.

Assistant City Attorney Joanne Gurley read the Amendment to the Open Meeting Act adopted in Senate House Bill 1108 as passed on October 13, 2020, and signed into law on October 16, 2020.

Roll Call:

Commissioner Ryan: appearing remotely,
City of Flint, MI
Commissioner Campbell: appearing
remotely, City of Flint, MI
Commissioner Blower: appearing remotely,
City of Flint, MI
Commissioner Jewell: appearing remotely,
City of Flint, MI

Commissioner Cook-Hawkins: absent
Commissioner Sorenson: appearing
remotely, City of Flint, MI
Commissioner Jordan: appearing remotely,
City of Flint, MI
Chairman Wesley: appearing remotely, City
of Flint, MI

ADDITIONS/CHANGES TO THE AGENDA:

Commissioner Jordan asked to add Neighborhood Symposium under new business.



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ADOPTION OF THE AGENDA:

Commissioner Jordan made a motion to approve the agenda with an addition for the June 22nd meeting. Commissioner Campbell supported this motion.

M/S – Jordan/Blower

Unanimously carried by voice vote

MINUTES OF PREVIOUS MEETINGS:

Minutes of June 8th, 2021.

Commissioner Campbell made a motion to approve the minutes of June 8th, 2021 with corrections. Commissioner Ryan supported this motion.

Roll Call:

Commissioner Ryan, Yes
Commissioner Campbell, Yes
Commissioner Blower, Yes
Commissioner Jewell, Yes

Commissioner Cook-Hawkins, absent
Commissioner Sorenson, Yes
Commissioner Jordan, Yes
Chairman Wesley, Yes

M/S – Campbell/Ryan

The motion carried

7 yes – 1 absent

PUBLIC FORUM:

Chris Yeates, Chief Operating Officer, Bishop International Airport, read a letter regarding the legal and funding ramifications of a marihuana facility existing on Bishop International Airport property. Additionally, Mr. Yeates stated that a marihuana facility within the Airpark that Native X LLC is proposing to locate would not be compatible with the future land use.

Todd Campbell, Richfield Industries, asked for confirmation that the Planning Commission had the letter submitted by him stating that Richfield Industries is opposed to the request for a Special Regulated Use Permit at 3039 Airpark Drive. Chairman Wesley confirmed that the letter was received and reviewed.

Mark Kruger, E&L Construction Group, asked for confirmation the Planning Commission had the letters submitted by E&L Construction Group and their tenants stating that they oppose the request for a Special Regulated Use Permit at 3039 Airpark Drive. Chairman Wesley confirmed that the letter was received and reviewed.

PUBLIC HEARINGS:



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PC 21-406: Native X LLC, requests a Group F Special Regulated Use Permit for an Adult-Use (Growing) marihuana facility at 3039 Airpark Dr. (PID 40-34-100-031). * *Continuation of the PC Hearing* *

Mr. Vandercook noted that the application was presented to the Flint Planning Commission on May 25th, 2021 and postponed to the June 22, 2021 pending the submittal of a final floor plan and an accompanying security plan. The applicant has provided these materials.

Chairman Wesley noted that an Airport Declaration of Restrictions and a Covenant signed by Jim Rutherford in April of 1978 was received. Commissioner Jewell asked if this document was still in effect. Commissioner Jordan stated that the letter received from Bishop International Airport noted that the covenant had expired.

Commissioner Jordan noted that there is consistency between the floor plan and the schematic for the security diagram.

Chairman Wesley asked the applicant if there was a truck driving school located at the building. The applicant shared that there is no truck driving school.

Commissioner Campbell noted that Mr. Yeates stated Bishop International Airport will disallow marijuana anywhere on the property. Chairman Wesley shared that the facility is not directly on the property of Bishop International Airport, however, the gate to access the airport is on the property at 3039 Airpark Drive. This runs the risk for Bishop International Airport to be denied Federal funding to support their Master Plan.

Commissioner Jewell referenced the Bishop International Airport Master Plan and questioned if a marihuana business would be compatible with the future land use.

Commissioner Ryan noted that the airpark is an annex of the City of Flint and asked Ms. Gurley if the City of Flint would give money to this area in the future. Ms. Gurley stated that she would find this out.

Chairman Wesley read letters of opposition from The E&L Construction Group, Krueger Developments, LLC, Richfield Industries, Am Edge Inc, and Arco Systems.

Commissioner Sorenson made a motion to deny PC 21-406 Native X LLC, requests a Group F Special Regulated Use Permit for an Adult-Use (Growing) marihuana facility at 3039 Airpark Dr. (PID 40-34-100-031) based on incompatibilities with adjacent land use, a through the fence agreement that gives access to the runway, and opposition raised by surrounding businesses. Commissioner Campbell supported this motion.

Roll Call:



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Commissioner Ryan, Yes
Commissioner Campbell, Yes
Commissioner Blower, Yes
Commissioner Jewell, Yes

Commissioner Cook-Hawkins, absent
Commissioner Sorenson, Yes
Commissioner Jordan, Yes
Chairman Wesley, Yes

M/S – Sorenson/Campbell
The motion carried

7 yes – 1 absent

PC 21-411: PAGRATI ENTERPRISES LLC requests a Medical Marihuana Facilities Location Variance from 300 feet from a residential zone for a Group F Growing facility at 2424 Kansas, Flint (PID# 41-08-284-013).

Corey Christensen stated that the applicant is requesting 238.6 feet of relief from the 300 foot setback requirement for residences. The nearest residence is 61.4 feet away. Mr. Christensen read standards shared with Commissioners that included findings in support and findings in opposition for their consideration.

Steve Kiouis presented the application on behalf of the applicant, Pagrati Enterprises LLC. Alfred Zaitouna, the property owner, was also present. Commissioner Jewell asked for clarity on what Mr. Kiouis' role is with the applicant. Mr. Kiouis stated the he is the attorney representing the applicant.

Mr. Kiouis shared that Pagrati Enterprises LLC has put together a blight remediation plan in conjunction with the location variance application. The blight remediation plan contains an overview of contact made with neighborhood associations, charitable contributions and benefits to the community, and potential jobs. Mr. Kiouis stated that they are aware of the residential property to the north and noted that the property at 2424 Kansas Ave. is zoned industrial. Pagrati Enterprises LLC plans to beautify the property, have security on premises, and 24-hour video surveillance. Additionally, Mr. Kiouis stated that they will support GST Michigan Works in search of employees for the business.

Commissioner Ryan asked the applicant if they have contacted the residents from the community to find out their opinion. Mr. Kiouis stated that they have not contacted residents as they were expecting them to attend the Flint Planning Commission meeting. Mr. Zaitouna stated that they have spoken to residents directly across the street from the property and they have given their support noting the added security to the neighborhood. Commissioner Ryan asked if any letters noting their support have been received. Mr. Zaitouna stated that no letters were in their possession.

Commissioner Jordan noted that the materials in the application refers to a social equity plan exemption which only applies to smaller operations owned by Flint residents. Commissioner Jordan asked the applicant to clarify if they were applying for a formal social equity exemption. Mr. Kiouis



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stated that they are not applying for the formal social equity exemption, they are instead applying for a variance with a social equity plan as recommended by Kelly Thompson, former Assistant City Attorney.

Commissioner Jordan asked the applicant if they would like to elaborate on the one word responses given in the application. Mr. Kiouis stated that Pagrati Enterprises LLC believes that the answers to the questions on the variance application were covered in the blight remediation plan and reiterated the ways in which they will benefit the community.

Commissioner Jewell asked the application if he was aware that the Planning Commission originally recommended a 500-foot setback from a residential area before City Council changed the requirement to 300 feet. Mr. Kiouis stated that he was aware of the location restriction and had the understanding that with a blight remediation plan they would be able to apply for a variance.

Commissioner Jewell asked the applicant to address the issue regarding a hardship that would be faced. Mr. Kiouis stated the property is zoned industrial and the best use for the property is a marihuana grow facility. Mr. Kiouis stated that not being able to continue with the proposed use would be a hardship on Pagrati Enterprises LLC. Mr. Kiouis believes that the proposed use would not alter the character of the area due to the fact that the building is zoned industrial. Mr. Kiouis stated that the proximity limit is what creates the hardship.

Chairman Wesley noted findings in the staff report which indicate that the existing use of the area is already industrial and the proposed use would not represent a significant detour from these uses, the proposed marihuana facility would represent an incompatible use with the residences directly to the north, and there does not appear to be anything to buffer the proposed use from directly impacting these residences.

Commissioner Sorenson asked how long has the current owner owned the property. Mr. Zaitouna stated that the property has been owned for four months. Commissioner Sorenson asked if this would be the applicant's first marihuana facility. Mr. Zaitouna stated that he owns two other marihuana facilities on 408 South Center Rd. and 2100 Dort Highway.

Chairman Wesley opened the floor for the public to speak in favor of PC 21-411. No one from the public spoke in favor. Mr. Vandercook confirmed that no phone calls or emails were received from the public.

Chairman Wesley opened the floor for the public to speak in opposition of PC 21-411. No one from the public spoke in opposition. Mr. Vandercook confirmed that no phone calls or emails were received from the public.

Commissioner Jordan made a motion to deny PC 21-411 PAGRATI ENTERPRISES LLC requests a Medical Marihuana Facilities Location Variance from 300 feet from a residential zone for a Group F



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Growing facility at 2424 Kansas, Flint, MI (PID# 41-08-284-013) on the basis that the four following standards have not been met: 1) there is not an imposed hardship; 2) incompatibility with the adjacent land use, in particular the lack of a buffer; 3) there is no peculiar circumstances to that parcel of land; 4) the spirit of the ordinance is to provide a distance between the proposed use and residential zones. Commissioner Ryan supported this motion.

Roll Call:

Commissioner Ryan, Yes
Commissioner Campbell, Yes
Commissioner Blower, Yes
Commissioner Jewell, Yes

Commissioner Cook-Hawkins, absent
Commissioner Sorenson, Yes
Commissioner Jordan, Yes
Chairman Wesley, Yes

M/S – Jordan/Ryan
The motion carried

7 yes – 1 absent

SITE PLAN REVIEW:

There were no site plan reviews.

CASE REVIEW:

SPR 20-941: Sylvester Broome Empowerment Village is requesting a Site Plan Review at 4119 N Saginaw St. (PID# 46-36-428-059)

Mr. Vandercook stated that there is no report and noted a correction to the meeting date listed on the case review memorandum.

SPR 21-945: Communities First / Glenn Wilson is requesting a Site Plan Review at 2765 Flushing Rd., Flint, MI, 48504 (PID# 40-11-351-001).

Mr. Vandercook stated that there is no report.

SPR 21-946: Securecann Inc. is requesting a Site Plan Review at 2502 South Dort Hwy, Flint, MI 48507 (PID # 41-20-278-030, 001).

Mr. Vandercook stated that there is no report.

SPR 21-948: QPS Michigan Holdings LLC is requesting a Site Plan Review at Merrill St. and E Wood St. (PID # 41-07-134-030 and 41-07-134-031).

Mr. Vandercook stated that during the May 11th Planning Commission meeting, QPS Michigan Holdings LLC presented a floor plan with a special regulated use application. When this floor plan was presented within the site plan, the floor plan was altered by more than 50%. The applicant was required



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to supply the Commission with an updated site plan that included a landscaping plan, details on lighting, and an external rendering of the building.

Chairman Wesley noted that the lighting and landscaping are shown on the updated site plan and asked the Commission if they would be comfortable to amend the motion of SPR 21-948 to reflect that the floor plan had been changed and that they provided an updated floor plan for review.

Commissioner Jewell noted that there had been acceptance of the revised floor plan and that a security plan needed to be provided. Additionally, Commissioner Jewell noted that lighting, landscaping, and a rendering would be a part of administrative review.

Mr. Vandercook noted that the ordinance states if an individual makes significant changes to the floor plan, that the applicant would need to return to the Planning Commission to present the changes. There was a determination made that the floor plan should be reviewed by the Planning Commission.

Chairman Wesley noted that the floor plan was included in the meeting packets for review by the Planning Commission and suggested that the previous floor plan could be replaced with the updated floor plan through an amended motion.

Commissioner Jordan made a motion to accept the updated floor plan that was provided by SPR 21-948: QPS Michigan Holdings LLC is requesting a Site Plan Review at Merrill St. and E Wood St. (PID # 41-07-134-030 and 41-07-134-031) based on the fact that the site plan is consistent and that the updated floor plan will prevail in terms of any associated special regulated use. Commissioner Jewell supported this motion and added that the motion will include the security plan, landscaping plan, and lighting details.

Roll Call:

Commissioner Ryan, Yes
Commissioner Campbell, Yes
Commissioner Blower, Yes
Commissioner Jewell, Yes

Commissioner Cook-Hawkins, absent
Commissioner Sorenson, Yes
Commissioner Jordan, Yes
Chairman Wesley, Yes

***M/S – Jordan/Jewell
The motion carried.
7 yes – 1 absent***

REPORTS:

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

Attorney Gurley reported that a timeframe is being discussed to bring the remaining ordinances before the Planning Commission. Commissioner Jewell asked for clarity on what ordinances would be



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brought before Planning Commission. Attorney Gurley stated that the amendments to the marijuana ordinance would be presented and more information on the timeframe would be given at a future meeting.

Status of Marijuana Related Revenue, Suzanne Wilcox, Director of Planning and Development:

Ms. Wilcox shared that there is no update on the funds as of yet. There has been a resolution presented to the Flint City Council regarding an additional position for a Planner I which would be funded by using a portion of the American Rescue Plan. This resolution was denied. Ms. Wilcox shared that more details will be provided during the next Planning Commission meeting.

Status of Draft Zoning Ordinance and Staffing Update, Suzanne Wilcox, Director of Planning and Development:

Ms. Wilcox stated that a timeframe for the next six articles to be presented to City Council has yet to be determined. Ms. Wilcox noted that there has been an idea to reduce the number of articles presented to council each time.

Ms. Wilcox shared that additional recruitment efforts are being made for the Planner I position and Lead Planner position. Interviews for the Planner I position will be scheduled soon.

Status of Planning Commission Recommendation for PC 21-408 Shaltz Acquisitions LLC requests a rezoning from D-4 to D-5 at 448 S. Saginaw St. (PID 41-18-107-019), Suzanne Wilcox, Director of Planning and Development

Ms. Wilcox shared that the resolution to set a public hearing was approved at the last City Council meeting. The public hearing will be held on July 12th. A memorandum that outlines the Planning Commission's recommendation will be given to City Council for review.

Commissioners noted several items to include in the memorandum to City Council which include all of the potential uses that would be available if the property is rezoned, information on spot zoning, and information on contractual zoning.

Status of I-475 Committee and appointment of Planning Staff:

Mr. Mateen shared that an I-475 Steering Committee meeting will take place on June 23. The meeting will inform the committee on public responses given at the May 11 public workshop. More details regarding the meeting will be given at the July 13th Planning Commission meeting.

Planning Commission Recommendation for Site Plans – Commissioner Jewell



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Commissioner Jewell shared that he will be meeting with Mr. Vandercook to bring forth information on approaches to the site plan review process. Commissioner Jewell noted that there are sections on site plan review within the Planning Commissioner's Toolkit and Planning and Zoning Essentials booklet and encouraged Commissioners to review.

RESOLUTIONS:

No resolutions.

OLD BUSINESS:

Planning Commission Member Orientation Binder (Planning Commissioner's Toolkit):

Chairman Wesley provided an overview of the Planning Commissioner's Toolkit. Topics covered include roles and responsibilities of a Planning Commissioners, agencies that the Planning Commission works with, and process that are under the Planning Commissions purview such as site plan review.

American Rescue Plan

This item was not discussed.

NEW BUSINESS:

Neighborhood Symposium

Commissioner Jordan shared that Patrick McNeal, North Flint Neighborhood Action Council, invited her to the Neighborhood Symposium to inform residents about the draft zoning code and provide information about the Master Plan and how residents can be involved. Commissioner Jordan noted that Planning Staff will attend to present the information.

ADJOURNMENT:

Unanimously carried by voice vote.

Meeting adjourned at 8:07 P.M.