



**Sheldon Neeley**  
Mayor

# CITY OF FLINT

## FLINT PLANNING COMMISSION

### Meeting Minutes June 8, 2021

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#### **Commissioners Present**

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

#### **Staff Present**

Bill Vandercook, Zoning Coordinator  
Keizy Anpalagan, GIS Technician  
Corey Christensen, ROWE  
Jonathon Mateen, Planner I  
Joanne Gurley, Assistant City Attorney

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

#### **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.

City Attorney 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: late  
Commissioner Blower: appearing remotely,  
City of Flint, MI  
Commissioner Jewell: appearing remotely,  
City of Flint, MI

Commissioner Cook-Hawkins: late  
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:**

No additions or changes to the agenda.



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

Commissioner Jordan made a motion to approve the agenda as presented for the June 8th meeting. Commissioner Blower supported this motion.

*M/S – Jordan/Blower*

*Unanimously carried by voice vote*

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

Minutes of May 25<sup>th</sup>, 2021.

Commissioner Ryan made a motion to approve the minutes of May 25<sup>th</sup>, 2021 with corrections. Commissioner Jordan supported this motion.

Roll Call:

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

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

*M/S – Campbell/Ryan*

*The motion carried*

### **PUBLIC FORUM:**

No one from the public spoke.

### **PUBLIC HEARINGS:**

**PC 21-407:** Green Skies – Healing Tree LLC requests a Marihuana Facilities Location Variance from 300 feet from a residential zone at 3401 Corunna Rd. (PID 40-23-101-010).

This application was postponed to the July 13<sup>th</sup>, 2021 Planning Commission meeting.

**PC 21-409:** RBRB INVESTMENTS LLC requests a Marihuana Facilities Location Variance from 300 feet from a residential zone at 817 W Twelfth St. (PID 41-19-106-007).

Corey Christensen shared that the parcel does not have any SRU approvals or conditional approvals attached to it currently. The parcel will need 121 feet of relief from a residential zone and 95 feet of relief from the faith-based organization setback. Mr. Christensen cited the following standards from the adopted marihuana ordinance to guide the Planning Commission's decision making: The proposed use cannot alter the essential character of the area; the problem cannot be a self-created hardship; the use has to be compatible with adjacent uses of land; the plight that the applicant is facing has to be unique and particular to this property, and issuance of the variance should ensure that the spirit of the ordinance remains intact.



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Nathan Shevick, Attorney for RBRB Investments LLC, presented the application. Also present with Mr. Shevick was Chris Jamil and Jacob Zaitouna.

Commissioner Jewell asked if Barbara Massey was the owner of the property. Mr. Shevick stated that Ms. Massey is the property owner and is a member of RBRB Investments LLC. Commissioner Jewell asked for the status of Ms. Massey. Mr. Shevick stated that Ms. Massey is not available for the meeting.

Chairman Wesley asked for clarification on Mr. Shevick's role. Mr. Shevick stated that he represents Ms. Massey individually and represents RBRB Investments LLC as an entity, and represents the potential operator of the property.

Mr. Shevick stated RBRB Investments believes that a Marihuana Grow Facility would be the best use for this property after being approached by a potential operator. Mr. Shevick stated that letters for support have been collected from property owners who are neighboring this property. Mr. Shevick stated that there is a neighborhood on Kathleen Street, Erie, and Jarvis. The residents in this neighborhood have signed letters stating the proposed use would not be a problem. Additionally, Mr. Shevick stated that the proposed use of the property would be compatible with other properties located in the area noting that there is an oil refinery, sign shop, and fuel storage facility in the neighborhood. Mr. Shevick stated that the facility would not impact traffic and that the building would be sealed during the renovation.

Commissioner Jordan asked for Mr. Shevick to elaborate on the unique circumstances peculiar to the property. Mr. Shevick stated that the property being in an industrial zone while abutting a residential zone is what makes the property unique. Mr. Shevick stated that he does not have a number on how many industrial zones abut residential zones.

Commissioner Sorenson asked for the history of the property. Mr. Shevick stated that he did not have this answer. Commissioner Sorenson asked how long has RBRB Investments LLC owned the property. Mr. Shevick stated that RBRB Investments LLC has owned the property for a couple of years.

Commissioner Sorenson asked if the building was a setback from the road. Mr. Shevick confirmed this. Commissioner Sorenson asked for the square footage of the building. Mr. Jamil stated that the building is 3,000 square feet. Commissioner Sorenson asked if the building was the Goodie Barn in the past. Mr. Jamil confirmed this.

Commissioner Sorenson asked if the nearby church was still operating. Mr. Shevick stated that they have attempted to make contact with the church, however, they were not able to make contact with anyone. Due to the lack of contact, Mr. Shevick believes the church is not operating. Chairman Wesley noted that many churches are not operating due to the Pandemic. Mr. Shevick noted that there were no Zoom instructions for church services nor was any information on the marquee.



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Commissioner Jordan noted that there is a vacant lot between the subject property and Kathleen Street and asked if it is correct to believe that there is no buffering between the subject property and homes. Mr. Shevick confirmed that there is no buffer.

Chairman Wesley reiterated the question asking Mr. Shevick if there was no buffer. Mr. Shevick stated that there are shrubs and that the subject property is across from another business, not the neighborhood.

Mr. Jamil stated that the church did give approval of the proposed facility location. Mr. Vandercook stated that the church signed a letter stating that they would leave the decision to the discretion of the Planning Commission.

Commissioner Sorenson asked for clarity on the entrance that would be used if the applicant was approved. Mr. Shevick stated that the Twelfth Street entrance would be primarily used.

Commissioner Jordan noted that the subject property was once used as a self-storage facility. Mr. Jamil stated that this was true.

Commissioner Jewell asked the applicant to provide how many letters of support were signed and if any letters of opposition were signed. Mr. Shevick stated that 24 form letters of support were signed and no letters of the opposition have been received. Commissioner Jewell asked Mr. Shevick to provide details on the letter provided by the church. Mr. Shevick stated that the letter provided by the church was not for or against the property, it stated that they will let the Flint Planning Commission make the final decision.

Chairman Wesley opened the floor to the public for those wishing to speak in favor of PC 21-409. No one from the public spoke.

Chairman Wesley noted that communication has been received by residents in support of the property. Commissioner Blower asked if the body of the form letter could be read aloud. Mr. Vandercook stated that he did not have the letter in his possession to read. Mr. Shevick had the letter in his possession and read it to the Flint Planning Commission.

Chairman Wesley opened the floor to the public for those wishing to speak in opposition of PC 21-409. No one from the public spoke.

Commissioner Ryan asked if the church owner is planning to reopen the church and if the church owner signed the letter to the City of Flint. Mr. Vandercook stated that the letter from the church was signed by church treasurer Timothy Stevens and by a board member. Commissioner Ryan asked if the church was the owner of the property. Mr. Vandercook confirmed that the church owned the property.



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Commissioner Campbell noted that the church owner should be the one signing the letter and asked for the name of the owner. Mr. Vandercook stated that according to the City of Flint database, the owner of the church is listed as the Flint Church of Christ. Mr. Vandercook stated that the individuals who signed the letter have the authority to sign on behalf of the church.

Commissioner Campbell asked if approval of this location variance would set a precedent for future location variance requests. Chairman Wesley noted that answers given by applicants on location variance applications will be considered, as such an approval will not set a precedent for any future location variances.

Commissioner Jewell noted that Flint Planning Commission originally recommended that marijuana facilities be located 500 feet away from residential districts, however, the City Council decided to set the location requirement to 300 feet. Additionally, Commissioner Jewell stated that hardship has not been identified as there are other parcels that do not conflict with locational boundaries. As such, Commissioner Jewell shared difficulty in supporting the location variance.

Commissioner Jordan noted that one of the goals for the Master Plan was to see greater attention given to buffering and minimizing heavy industrial uses alongside residential zones. Commissioner Jordan noted that this goal was also ensconced into the marijuana ordinance. Additionally, Commissioner Jordan noted that there is nothing about the parcel that indicates the individual location is needing relief, however, it is more of a condition of the parcel being in an industrial zone that is near a residential zone. As such, Commissioner Jordan stated that it is difficult to support the location variance request.

Chairman Wesley supported statements made by Commissioner Jewell and Commissioner Jordan, noting that residents wanted more buffering between residential and industrial zones.

Commissioner Sorenson shared that the property is unique and noted that the businesses in the area such as the oil refinery, the sign shop, and the fuel storage facility, are all industrial uses. As such, Commissioner Sorenson stated that the proposed use of the property would be in line with the current uses of the properties in the area.

Commissioner Jewell asked if separate motions could be made for PC 21-409 and PC 21-410. Chairman Wesley confirmed that this could be done.

Commissioner Jordan made a motion to decline the request for the location variance based on the findings that the spirit of the ordinance is to maintain a residential buffer, that the conditions are not peculiar to the individual parcel, and that there hasn't been undue hardship demonstrated in that the property has recently been used for other purposes. Commissioner Blower supported this motion.

Roll Call:

Commissioner Ryan, Yes

Commissioner Cook-Hawkins, Yes



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

Commissioner Sorenson, No  
Commissioner Jordan, Yes  
Chairman Wesley, Yes

***M/S – Jordan/Blower***

***The motion carried.***

***7 yes – 1 no***

***PC 21-410:*** RBRB INVESTMENTS LLC requests a Marihuana Facilities Location Variance from 500 feet from a faith-based organization(s) at 817 W Twelfth St. (PID 41-19-106-007).

Commissioner Jordan made a motion to deny the request for a location variance based on the findings that the conditions are not peculiar to the parcel, the spirit of the ordinance is to maintain a buffer from faith-based organizations, and that no undue hardship has been demonstrated as this facility has recently been used for other purposes. Commissioner Campbell supported this motion.

Roll Call:

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

Commissioner Cook-Hawkins, Yes  
Commissioner Sorenson, No  
Commissioner Jordan, Yes  
Chairman Wesley, Yes

***M/S – Blower/Ryan***

***The motion carried.***

***7 yes – 1 no***

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

***Planning Commission Recommendations for Site Plans***

Commissioner Jewell noted that there has been a number of questions and concerns raised regarding site plans and site plan documents. As such, Commissioner Jewell encouraged Commissioners to reference the Planning Commissioner's Toolkit, which discusses site plans. Commissioner Jewell asked Commissioners to provide key expectations they have regarding site plans. Expectations shared include: streamlining the approval process; adhering to site plan guidelines, communicating what needs to be included in site plans with the applicant; consistency between the site plan checklist and the City of Flint Zoning Ordinance; and clarity to applicants on what is approved by the Planning Commission.

Commissioner Campbell recommended that case review items related to site plans that have been conditionally approved should have the conditions listed on the agenda. Mr. Vandercook confirmed that this could be done.



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Commissioner Jewell noted that additional criteria can be established for special regulated use site plans. Mr. Christensen confirmed that this is true.

#### **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 shared that there was no report. Mr. Vandercook noted that the conditions required for the approval included a walkway coming from an access lot be added to the site plan and an agreement with the City of Flint regarding lighting.

**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 shared that there was no report. Mr. Vandercook noted that the conditions required for the approval included the addition of ingress and egress for fire department vehicles. Commissioner Jewell noted that there was also a requirement for the term Not For Construction to be removed from the site plan drawing.

**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 was no report. Mr. Vandercook noted that the conditions required for the approval included the location of a fire hydrant as well as ingress and egress for the fire department. Commissioner Jewell noted that follow-up needed to be provided regarding the splitting of the parcel. Mr. Vandercook confirmed this.

**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 shared that SPR 21-948 was approved with the conditions of an updated exterior detail lighting and landscaping plan as noted in the site plan checklist. Mr. Vandercook noted that the revised site plan included a floor plan that was changed by more than 50% from the original approval.

Chairman Wesley noted that the site plan will need to be presented to the Planning Commission.

Commissioner Jewell asked Mr. Vandercook if the applicant has submitted schematics regarding lighting and landscaping. Mr. Vandercook stated that the schematics have been submitted with the revised plans, however, the schematics have not been included in the meeting packets.



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Commissioner Jewell asked if an administrative review has been conducted between Mr. Vandercook and Chairman Wesley. Mr. Vandercook stated that a discussion with Chairman Wesley has been held.

Commissioner Jordan made a motion to request that QPS Michigan Holdings LLC provide to Planning Staff no later than June 10, 2021, an updated security layout that is consistent with the site plan for which they're seeking final authorizations so that it can be administratively reviewed and Commissioners can have the information pertaining to that administrative review in time to address the Special Regulated Use request during the last meeting in June. Commissioner Ryan supported this motion.

#### Roll Call:

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

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

***M/S – Jordan/Ryan***

***The motion carried.***

***8 yes – 0 no***

#### **REPORTS:**

*Status of Permanent Marihuana Ordinance, JoAnne Gurley, Assistant City Attorney:*  
Attorney Gurley reported no updates.

*Status of Marihuana Related Revenue, Suzanne Wilcox, Director of Planning and Development:*  
This item was not discussed.

*Status of Draft Zoning Ordinance and Staffing Update, Suzanne Wilcox, Director of Planning and Development:*  
This item was not discussed.

*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 and an update will be given during the July 13<sup>th</sup> meeting.

#### **RESOLUTIONS:**

No resolutions.

#### **OLD BUSINESS:**

*Planning Commission Member Orientation Binder (Flint Planning Commission Bylaws, Planning and Zoning Essentials Booklet):*





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Commissioner Jordan opened a discussion regarding the Flint Planning Commission Bylaws and the Planning and Zoning Essentials Booklet. Commissioner Jordan asked Commissioners to share what their most important duties are as Planning Commissioners. Answers provided included: making sure information is correct; providing proof behind actions; not violating the Master Plan; making decisions for the best interests of the community; standing together as a group; ensuring residents are informed, and ensuring applicants are properly informed.

Commissioner Jordan asked Commissioners to provide answers on why having the Master Plan in the Zoning Ordinance is important and how it relates to the Planning Commission's work. Answers provided include: ensuring residents see the changes they want in their community; serving as oversight for the community; and that the zoning code provides legitimacy to the decision making on the Planning Commission.

Commissioner Jordan asked Commissioners about practices they use to ensure ethical decision-making. Answers provided include: using facts behind decision making; maintaining professionalism and consistency; and relying on expertise.

Chairman Wesley shared that a walkthrough of the Planning Commissioner's Toolkit will be provided during the next meeting.

#### *American Rescue Plan*

This item was not discussed.

#### **NEW BUSINESS:**

No new business.

#### **ADJOURNMENT:**

*Unanimously carried by voice vote.*

Meeting adjourned at 7:45 P.M.