

FLINT PLANNING COMMISSION
Meeting Minutes
December 22, 2020

Commissioners Present

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

Staff Present

Suzanne Wilcox, Director – Department of
Planning and Development
Bill Vandercook, Zoning Coordinator
Keizzy Anpalagan, GIS Technician
Kelly Thompson, Assistant City Attorney
Corey Christensen, Zoning Consultant (ROWE)

Absent:

Leora Campbell

ROLL CALL:

Chairperson Wesley called the meeting to order at 5:31 p.m. Roll was taken and a quorum was present.

The meeting was via Zoom and phone conferencing as approved.

Mrs. Thompson 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: absent
Commissioner Blower: appearing remotely,
City of Flint, MI
Commissioner Jewell: appearing remotely,
City of Flint, MI

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

ADDITIONS/CHANGES TO THE AGENDA:

None

Commissioner Jordan made a motion to adopt the Agenda with changes.

ADOPTION OF THE AGENDA:

M/S – Jordan/Ryan

Unanimously carried by voice vote

MINUTES OF PREVIOUS MEETINGS:

Minutes of December 8, 2020

Commissioner Jewell made a motion to postpone the minutes from December 8, 2020, to the next regularly scheduled meeting on January 12, 2021.

M/S –Jewell/Ryan

Roll Call:

Commissioner Harry Ryan: Yes
Commissioner Campbell: Absent
Commissioner Blower: Yes
Commissioner Jewell: Yes

Commissioner Cook Hawkins: Yes
Commissioner Sorenson: Yes
Commissioner Jordan: Yes
Commissioner Wesley: Yes

The motion carried.

PUBLIC FORUM:

No one from the public spoke

SITE PLAN REVIEW:

SPR 20-942: Greater Flint Mental Health Facilities Board is requesting a Site Plan Review at 1402 S SAGINAW ST, FLINT, MI, 48503 (PID# 41-18-333-038, 41-18-333-037, 41-18-333-032, 41-18-333-034, 41-18-333-045, 41-18-333-046, 41-18-334-045, 41-18-334-044, 41-18-334-043, 41-18-334-042, 41-18-334-048, 41-18-334-041, 41-18-405-009, 41-18-334-025, 41-18-334-026, 41-18-405-003, and 41-18-405-007).

Before the applicant’s presentation, Commissioner Blower reported on December 15, 2020, Zoning Board Appeals Meeting regarding SPR 20-942. Commissioner Blower noted at the December 15, meeting the Zoning Board of Appeals granted three non-use variances 1) to reduce the on-site parking space from 9’ x 20’ to 9 x 18’, 2) reduce the on-site setback from the required 7’ parking setback to 1.5’, and 3) to reduce the required on-site parking spaces from the required 1 parking spaces per 300 ft. of gross floor area to 1 parking space per 400 ft. of gross floor area. Commissioner Blower noted that all three of the variances had been approved by the ZBA. Then said the ZBA cited the following in approving these variances 1) the implementation of a large bio-swale within the middle of the parking 2) stormwater reduction measures. Commissioner Blower noted the applicant had cited the draft zoning code and the Master Plan in their presentation.

Commissioner Jewell asked why Greater Flint Mental Health Board submitted site plans noted: “Not for Construction”. Doug Scott from ROWE Professional Services asked to explain and then said the plans state not for construction, because there are finite details that are not on the plans. These include exact locations of utilities that are still being determined and routed to the City of Flint Engineer. Mr. Scott said this is a final site plan and sealed drawing, which fully represents what the site will look like. Commissioner Wesley said those items need to be approved before any construction can be completed. Mr. Scott said that is correct.

Mr. Jewell said he had a concern because there have been similar scenarios where documents have been presented to the Commission marked similarly and not in detail. Then said there was considerable discussion amongst Commissioner that if we approved even though the applicant had said, there are

still additional details, changes could then be made. Commissioner Jewell said he also had several questions regarding details that are not on these documents.

Mark Heber, Landscape Architect of HED said when we get site plan approval we have everything figured out, but we don't have it constructible figured out. Then said in other words, what's the depth of the water main. What is the exact elevation at the corner of that piece of asphalt? What specific plan are we using in this bioswale? What is that tree? How big is it? These are the kind of details that go into a full set of documents we can provide to a contractor for bid. Mr. Herber stated it's a standard professional practice to put that note on your drawing unless your issuing for construction, which is many more layers of detail than we are showing at the moment. Then said what we are representing is what we are going to construct.

Commissioner Jewell noted from his experience the items you referenced have been on site plans. Mr. Herber said if the issue of the terminology is a problem, then I want to request the Commission review and approve what we have presented with the understanding we will strike that language from the drawing.

Commissioner Wesley said he understood Commissioner Jewell's concerns. Then said if there were specific and questions about the site plan these can be pointed out and addressed as we review the site plan. Commissioner Wesley said any major concerns could be made a part of the Planning Commission decision. Commissioner Ryan said he would recommend at the end of the Commissioners review we put under administrative review because we don't know what the changes are going to be.

Carrie Steel of Genesee Health Systems gave a brief introduction to the project. The building will be approximately 60,000 square feet and co-locate several facilities they currently operate within Flint. Ms. Steel introduced Doug Scott, Rowe Professional Services, Jeff Mason, Project Manager HED, and Mark Huber, Landscape Architect with HED. Ms. Steel said they had previously gone before the Planning Commission for Vacations of Beach Street and Simpson Court and City Council had approved the Vacations. They have also gone before the Zoning Board of Appeals for parking setback and quantity requirements and were approved. Ms. Steele said they planned to begin building within the first quarter of 2021.

Doug Scott presented the site plan. Mr. Scott wanted the Commissioner to know they applied for the parking reductions to allow for the bioswale shown on the plan to retain stormwater. Mr. Scott said the building is a two-story building.

Commissioner Jewell asked the applicant to clarify the landscape plan. Mr. Huber said the plan shows City code required trees along 10th and at the intersection of 9th and Saginaw St. Mr. Huber described the bioswale and landscaping to be used (wet feet perennials) to saturate the water. Mr. Huber noted a space intended to be permeable and have tables and chairs for outdoor seating. Mr. Huber said they planned some elliptical shapes which pop up like mounds to create an interesting circulation from parking to building. Mr. Huber discussed proposed future fencing to keep children safe.

Commissioner Jewell said while looking at the landscape legend it says lawn perineal, pavers, decomposed granite soft surfacing, but when looking at the diagram itself these items are missing. Mr. Huber said that because they are not required as part of this initial submittal. Commissioner Jewell recommended the applicant add missing items as a narrative, particularly the bioswale area to the plans.

Commissioner Jewell asked the applicant to describe what goes in the playground area. Mr. Huber said it is not something that is required as part of the site plan submittal process. Commissioner Jewell said it relies upon the Commissioners to be clear of what is or isn't going to be placed within the area. Commissioner Jewell asked Mr. Huber to give him a verbal overview of what you envisioning for the playground area. Mr. Huber explained this space would be a cordoned off play space primarily for children with autism. Then said there will be a fence around the area about 4 feet tall. Within the space, there will be a series of different experiences (swings, climbers, etc.) for children focused on treatment. Commissioner Jewell noted Mr. Huber gave reference to a variety of physical components that are not found on a legend or document. Commissioner Wesley said he understood the applicant would be working with a therapist to determine the kind of equipment required which needed to be worked out with the contractor.

Commissioners discussed a previous playground plan they had reviewed called the EduCare project, which was similar to the type of playground Genesee Health System was proposing and concurred the site plan they provided was complete.

Commissioner Jewell said the Planning Commission needs to be informed and aware and noted if the applicant has not concluded part of the plan, it's incomplete. Commissioner Jewell said as we move forward his commentary may be based on administrative review with additional details to be provided.

Commissioner Jordan said items found on the site plan should be a part of the construction. Commissioner Jordan asked Mr. Huber if they intended to plant specified landscaping of a certain size and diameter, as shown on their landscape plan. Mr. Huber said, yes that our intent.

Commissioner Jordan asked if within the playground area where there are different size circles with different size surfaces will they be constructed. Mr. Huber said that is to be determined.

Commissioner Blower asked Mr. Scott to review the parking lot breakdown including ADA spaces as well as off-site parking as discussed at the Zoning Board of Appeals meeting. Doug explained one of the variances requested was for a reduction from one space per 300 feet to one space per 400 sq. foot. Mr. Scott noted based on the one space per 400 foot we are required to provide 143 spaces. Mr. Scott said on this site there is a total of 130 spaces with six ADA spaces. Mr. Scott said we are a couple of spaces short but recently obtained a lot across the street for an overflow parking of 15 to 20 spaces. Mr. Scott said they realize they need approval for the overflow parking lot.

Commissioner Blower noted the applicant was providing 130 parking spaces including ADA and have not provided documentation of ownership or any detail of the off-site parking or additional 13 spaces needed. Mr. Scott said that is correct. Mr. Scott said the official transfer of property just occurred last week and we will be surveying and designing soon.

Commissioner Jordan noted the applicant documented within their parking and loading space calculations there are 143 spaces required and 150 spaces provided. Commissioner Jordan asked the applicant to explain if the figure included the offsite parking which is not a part of the site plan. Mr. Scott said that is correct. Mr. Scott said they understand this will have to come back before the Planning Commission to show you we can provide the additional required spaces.

Commissioner Jordan asked the applicant, are there any other components of the site plan besides the playground area that you do not intend to construct as depicted on the site plan. Mr. Mason said the answer is no.

Commissioner Jewell asked if since the proposed playground area is part of the larger site plan would it be appropriate for the applicant to bring it back for administrative review. Commissioners Wesley and Jordan concurred with Commissioner Jewell. Commissioner Jordan noted the current site plan does not address the side lot parking area or meet parking requirements even with the ZBA variance for reduction of spaces. Commissioner Jordan suggested as a part of any motion there needs to be administrative review for additional parking.

Commissioner Jordan made a motion to move conditional approval of site plan 20-942 Greater Flint Mental Health Facilities Board. Requesting a site plan review at 1402 South Saginaw Street and with all parcel numbers identified within the Planning Commission Agenda that condition upon Administrative review of both playground area as discussed and ensuring all materials are complete to incorporate that side parking area as part of the site plan so that all parking requirements are satisfied.

Commissioner Jewell asked Commissioner Jordan and Blower if they would be comfortable with adding the landscape description. Commissioner Jordan asked Commissioner Jewell to describe the narrative we would be looking for. Commissioner Jewell said the applicant can put together his presentation as the narrative. Commissioner Jordan and Blower approved the recommendation.

Roll Call:

Commissioner Ryan, Yes
Commissioner Campbell, Absent
Commissioner Blower, Yes
Commissioner Jewell. Yes, for administrative review as noted.

Commissioner Sorensen, Yes
Commissioner Jordan, Yes
Commissioner Wesley, Yes

M/S –Jordan/Blower
The motion carried.
6 Yes - 1 Absent

CASE REVIEW:
None

PUBLIC HEARINGS:

PC 20-391: CFMJ LLC, request a Group E Special Regulated Use Permit for a medical marihuana facility at 2926 Robert T. Longway Blvd. (PID# 41-09-303-002).

Bruce Leach applicant and owner of the proposed facility presented the application. Mr. Leach said they plan on using City of Flint employees and minorities from this area. Mr. Leach said Mr. Burton will be managing the facility. Then noted Mr. Burton has been operating the sales and operations of our existing licensed facility called Sweet Leaf in Flint. Mr. Leach said 2926 Robert T Longway would be a second location and Nancy Metcalf is a partner in the business. Mr. Leach said all of the zoning requirements fit this property. Mr. Leach discussed the design and layout meeting state requirements. Mr. Leach explained how employees could create ownership in the business.

Commissioner Jordan asked Mr. Leach if he understood that if he was granted the Special Regulated Use he would have to report back to the Planning Commission regarding the social equity portion of the application. Mr. Leach said he understood. Commissioner Jewell asked Mr. Leach if he would be using the same methodology used at your other location. Mr. Leach said yes. Then he discussed the layout and security of the facility.

Commissioner Wesley asked if anyone from the public wanted to speak in favor of PC 20-391 – None

Commissioner Wesley asked if anyone from the public wished to oppose PC 20-391 – None

Commissioner Jewell asked the staff if there had been any other kind of communication regarding this public hearing. Mr. Vandercook said we received no other communication.

Commissioner Jordan moved approval of PC 20-391: CFMJ LLC, request a Group E Special Regulated Use Permit for a medical marihuana facility at 2926 Robert T. Longway Blvd. (PID# 41-09-303-002) noting the site plan will be considered at a later time and that all of the requirements regarding locational standards and zoning appear to have been satisfied.

M/S –Jordan/Blower

Roll Call:

Commissioner Ryan, Lost his phone connection	Commissioner Sorensen, Yes
Commissioner Campbell, Absent	Commissioner Jordan, Yes
Commissioner Blower, Yes	Commissioner Wesley, Yes
Commissioner Jewell Yes	

The motion carried.

5 Yes - 2 Absent

PC 20-392: CFMJ LLC, request a Group E Special Regulated Use Permit for an adult-use (recreational) marihuana retail facility at 2926 Robert T Longway Blvd. (PID# 41-09-303-002).

Bruce Leach applicant and owner of the proposed facility presented the application. Mr. Leach said the license request was at the same facility, but for adult use. Then said the medical and adult-use are handled at two separate terminals within the same operation. One is medical and one is adult use.

Commissioner Jewell asked Mr. Leach to discuss the two separate terminals. Mr. Leach explained when we acquire products from a licensed grower or processor they come to us already designated as adult-use or medical sales. We have to keep the products in separate showcases and maintain separate points of sales for medical and adult use.

Commissioner Wesley asked if anyone from the public wished to speak in favor of PC 20-392 – None

Commissioner Wesley asked if anyone from the public wishing to oppose PC 20-392 – None

Commissioner Wesley asked the staff if there had been any other communication regarding PC 20 – 392. Mr. Vandercook said there had been no other communication regarding PC 20-392.

Commissioner Jordan moved approval of PC 20-392: CFMJ LLC, request a Group E Special Regulated Use Permit for an adult-use (recreational) marihuana retail facility at 2926 Robert T Longway Blvd. (PID# 41-09-303-002).

M/S –Jordan/Blower

Roll Call:

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

Commissioner Sorensen, Yes
Commissioner Jordan, Yes
Commissioner Wesley, Yes

***The motion carried.
6 Yes - 1 Absent***

REPORTS:

Status of Permanent Marihuana Ordinance:

Mrs. Thompson said the Permanent Marihuana ordinance was on the City Council agenda last night, but it was postponed to January. Mrs. Thompson explained that the Emergency Marihuana ordinance was extended by Council until February 19, 2021.

Status of Draft Ordinance and Capital Improvement Plan:

Ms. Wilcox said we are moving forward with the zoning code update. She explained that staff has begun to meet weekly to familiarize themselves with the ordinance with the assistance of Commissioner Jordan. Ms. Thompson noted we are planning to bring the ordinance before Council in January. Ms. Wilcox said Kelly Thompson has been formatting the ordinance and developed a timeline to keep everyone on track.

Mr. Shiffman discussed the Capital Improvement Plan and said he didn't expect new items to be turned in from departments until the middle of January.

RESOLUTIONS:

None

OLD BUSINESS:

Status of Planning Commission Membership Roster:

Ms. Wilcox said she sent out the requested membership roster with summaries, bios, and staff contact information.

Status of Commission Member Orientation Packets:

Commissioner Wesley asked if the Planning Commission membership orientation packet was still on track for the January 26, Planning Commission meeting. Mr. Christensen said yes.

Status of Staffing:

Ms. Wilcox said the only position vacant now is the Planner I position and we are hoping to have someone on board by the end of January.

Master Plan Update:

Ms. Wilcox said we are currently (Master Plan) compliant with the requirements of Michigan's Planning and Zoning Enabling Act, as Mr. Christensen noted during our last meeting. Ms. Wilcox explained the only thing we needed to do now is to get the draft zoning code adopted. Mrs. Thompson said she was working on the letters to the City Council and the Mayor. The letter to the Mayor was to invite him to make any recommended changes to the Master Plan. The letter to the City Council was to encourage them to consider the draft zoning code.

I-475 Update:

Commissioner Wesley discussed a meeting that was held between Brian Larkin, Ms. Wilcox, Commissioner Jordan, and himself regarding I-475. Commissioner Wesley said Mr. Larkin is open to discussions concerning the I-475 project and very willing to have the Planning Commission involved. Commissioner Jordan noted Mr. Larkin has asked Commissioner Wesley to have a seat on the I-475 Committee. Commissioner Jordan also noted Mr. Larkin's commitment to ongoing community engagement around the project.

NEW BUSINESS:

None

ADJOURNMENT:

M/S – Sorenson/Cook Hawkins

Unanimously carried.

Meeting adjourned at 7:22 P.M.