

FLINT PLANNING COMMISSION
Meeting Minutes
April 15, 2020

Commissioners Present

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

Staff Present

Suzanne Wilcox, Director –
Department of Planning and Development
Bill Vandercook, Planner I
Reed Eriksson, Assistant City Attorney
Keizzy Anpalagan, GIS Technician

ROLL CALL:

Chairperson Wesley called the meeting to order at 6:10 p.m. Roll was taken and a quorum was present. Chairman Wesley welcomed Lynn Sorenson as a newly appointed commissioner.

The meeting was via Zoom and phone conferencing as approved.

ADDITIONS/CHANGES TO THE AGENDA:

Add under Case Review: Status of PC 20-930

ADOPTION OF THE AGENDA:

M/S – Jewell/Jordan

Motion to adopt the meeting agenda as revised.

Unanimously carried.

MINUTES:

The Commission examined the minutes of 3-10-20 previously postponed.

M/S – Jewell/Jordan

Motion to approve the minutes of 3-10-20 as corrected.

Unanimously carried.

The Commission examined the minutes of 3-24-20.

M/S – Jewell/Jordan

Motion to approve the minutes of 3-24-20.

Unanimously carried.

PUBLIC FORUM:

Kristen Owens of Ward 8, asked about Holistic Vibes and what it meant that they withdrew their application. ~~Chairman~~Chairman Wesley said they would discuss this when the item came up on the Agenda.

Jackie MacDonald of Ward 8 said she has the same concern.

Michelle Igram of Ward 8, asked the Planning Commission not to allow any applicants now or in the future to be permitted to operate a recreational marihuana facility within a residential area.

Councilman Galloway addressed the Commission in support of the residents within the 8th Ward. Ms. Galloway wanted to ensure the Commission had received a letter from the City Council in which they took a vote showing Council's lack of support for a license at this particular location. Ms. Galloway asked the Commission to consider that the marihuana business was closer than 300 ft. to residential. She also wanted to hear the chairman's response as to what Holistic Vibes withdrawal meant. Commissioner Wesley acknowledged receiving the letter from the Council.

Tamara Lash of Ward 8, addressed the Commission and said she would like the record to state we are also petitioning for the same thing.

Phillis Wickard addressed the commission with the same concerns. She asked the Commissions to oppose the location in the middle of a neighborhood in the City of Flint.

Bill Wickard of Ward 8 said he agreed with the speakers.

Betty Sanne of Ward 8, opposed any recreational marihuana within residential areas in the City of Flint.

Leo Salano of Ward 8, addressed the Commission requested that the emails sent in by many residents of the area be read for the record. Commissioner Wesley said they will be made part of the record, but would not be read at tonight meeting. Then he noted the Planning Commission had received over 65 emails.

Councilman Eric Mays addressed the Commission from the First Ward, and noted we have a lack of education from City Council to the residents. Council Mays said he wished Council would educate themselves on distance requirements and residents on state law as it relates to if we did nothing. Councilman Mays said it was his opinion a permanent Marihuana ordinance would give residents more voice. Then he said Council needs to understand that this is a perfect example of the peoples' voice making a difference within a community.

SITE PLAN REVIEWS:

There were no site plan reviews.

CASE REVIEW:

SPR 20-930: Suzanne Wilcox said the landscape plan had not been received. Once it arrived staff would contact you to have a representative of the Commission review the plan.

PUBLIC HEARING:

PC 20-363: Holistic Vibes Flint, LLC request a Group E Special Regulated Use Permit for an Adult-Use (Recreational) Marihuana Retail Facility at 2849 Miller Road (PID# 40-23-401-029).

Commissioner Wesley noted Holistic Vibes Flint, LLC requested to be withdrawn from the scheduled Planning Commission Agenda and meeting on 4-15-20. Commissioner Wesley explained this was the second time Holistic Vibes Flint, LLC has withdrawn from a Planning Commission meeting. The first time was on March 10, 2020.

Commissioner Wesley asked that this matter be referred to legal to determine standing and to determine what the Planning Commission can do to make sure that number 1) we follow the rules, and number 2) to make sure we are on solid grounds as to whether or not this matter can come back before the Planning Commission at any time.

Reed Eriksson said it would be a disservice to the residents who have had quite a bit of interest in having this public hearing take place and participated not to consider further. Mr. Eriksson noted the applicant had adjourned from the last meeting which is allowed one time. Mr. Eriksson advised the Commission to continue to take public comments and incorporate them into the record. Public comments should be retained, so that in the future at any point the applicant returns and request such a license.

Mr. Eriksson said he wanted to address something that came up during public comments. Mr. Eriksson explained as it stands there is no other way to get a Marihuana license except by application before the City of Flint Planning Commission. Therefore, there is no other way for Holistic Vibes to shortcut or circumvent having a public hearing before the Planning Commission. Additionally, as the Chair has noted they withdrew their application for the second time and the Law department will provide a legal opinion as to what if any effects this withdrawal may have on any future application.

M/S – Jewell/Jordan

Motion by Commissioner Jewell concerning the commentary provided by legal counsel this evening that the status of PC 20-363 Holistic Vibes be presented to the City of Flint Planning Commission at the next meeting under case reviews.

Unanimously carried.

Commissioner Wesley wanted to make it known to the residents who had made their voices heard that all of your emails and comments taken at the March 10, and March 24 meetings will be made part of the public record. Commissioner Wesley said none of your thought or concerns will go unheard.

PC 20-366 Ruth Mott Foundation request to vacate Kearsley Street between Walnut and Robert T. Longway (1400 Kearsley Street).

Commissioner Jordan noted, as she had previously discussed with staff and Chairman Wesley that she would not be participating in the discussion about this matter due to the fact she is currently employed by the Ruth Mott Foundation.

Raquel Thueme, President of Ruth Mott Foundation presented the application. Ms. Thueme stated the Ruth Mott Foundation was requesting the City of Flint Planning Commission support the street vacation of Kearsley between Walnut Street and Robert T. Longway. Ms. Thueme noted her introductory comments relate to both street vacation request and asked if it was ok to speak about both. Commissioner Wesley said yes.

Ms. Thueme explained how the Ruth Mott Foundation revisited and revised their Applewood Master Plan in 2019. Ms. Thueme stated ‘The plan outlines several projects for the Applewood property. The

property contains 18 acres within our gated estate and another 16 acres of property outside of our gates that also includes the triangle property between Decker and Robert T. The master plan also addresses two acres of adjoining property at 305 Walnut Street that we've acquired from the Flint Cultural Center Corporation. The master plan calls for the construction of a welcome center where we would co-locate foundation staff from our downtown offices, and our staff that's currently located at Applewood. Within the historic grounds, we would offer year-round education, conference and exhibit spaces open to the community and broader access to the archives and collection materials that are part of the foundation. The assets this project provides are shared parking resources, resources for all Cultural Center campus partners and allows ongoing access to the adjoining view with gallery. The schematics included in the application are conceptual, and they would need to come back at a later time for site plan review before the commission'.

Ms. Thueme pointed out that the schematic that notes emergency vehicle and fire and utility access that was included in their application does note that ongoing access. The plan specifies that materials and design will be both emergency and utility access on the vacated section of Kersley. Ms. Thueme stated 'Our Master Plan architect noted their experience doing this with other projects using appropriate paving materials on vacated streets and collapsible or removable bollards. During our master planning process, we did a walkthrough with this in mind that included the lead master plan architect, fire Chief Barton, the fire inspector for the city, and city engineer Mark Adas'.

'The project is in line with our mission to advocate, emulate, and support community vitality in Flint. We believe it contributes to the vitality of the cultural center campus by developing the property at 305 Walnut Street and the adjoining triangle property between Decker and Robert T Longway that we already own, along with the new property at 305 Walnut Street that we are acquiring from the Cultural Center. This will create pedestrian access from the neighborhoods north of Robert T. Longway and the Mott Community campus. It physically connects and expands the cultural center campus creating an Eastern anchor and allows for programming by us and other community partners in various green spaces of the property'.

Ms. Thueme stated 'The Foundation has strong relationships with community, residents and organizations. We believe that co-locating the foundation offices at the Welcome Center connects residents and will expand access to the Cultural Center campus and exposure to the campus. It'll be around access to the foundation resources and Applewood programming beyond pre-COVID-19 when we opened Applewood to the public free of charge, from May through October. The plan calls for classroom space exhibits collected in archives, and safe walking for Flint Cultural Center Academy students to Applewood. These green spaces, which we have currently offered and the Academy has been using as an extension of the school's campus. It improves wayfinding by directing all visitors to the cultural center gateway entrance. We believe it also improves safety through placemaking of the property and pedestrian walkway and planned use of CPTED in the proposed projects'.

Ms. Thueme followed with 'If done the foundation has conducted ongoing engagement with the community regarding Applewood and the foundation's making priorities. The Applewood master plan and our foundation strategic plan are informed by this engagement. We have met with our cultural center partners who are excited about and supportive of the Welcome Center projects in the street vacations. We have met with Mott Community College regarding the project and they are also supportive and excited about it. We met with city staff and MTA officials during the planning process to make sure we were aware of and responsive to any concerns. There was no issue with bus routes, for example'.

Commissioner Jewell asked Ms. Thueme if the pavement within the area would be able to support first responder emergency vehicles. Ms. Thueme said yes. Commissioner Jewell asked if the property adjoining Kearsley and Robert T Longway is owned by Ruth Mott Foundation or the Cultural Center. Ms. Thueme said they have a signed purchase agreement with the Cultural Center for 305 Walnut. Commissioner Jewell asked if Ruth Mott Foundation could provide staff with a copy of the purchase agreement. Ms. Thueme said yes, we can provide the agreement to staff.

Commissioner Sorenson asked 'what are we going to do with Walnut Street?' Ms. Thueme said Walnut Street is part of the bus route and access people use and will continue to be used. Commissioner Sorenson asked Ms. Thueme about traffic flow. Ms. Thueme said that all of the Cultural Center entities are trying to direct traffic through the main gate off of Robert T. Longway.

Commissioner Wesley asked if anyone wished to oppose the street vacation. None

Commissioner Wesley asked if anyone wished to speak in favor of the street vacation. None

Commissioner Jewell asked staff if there have been any other communication emails, phone calls, or other forms of communication regarding this public hearing. Ms. Wilcox said we have received no comments.

Commissioner Jordan said she would be abstaining from voting on PC 20-366 and PC 20-367 because of a conflict of interest.

M/S – Sorenson/Jewell

Motion made by Commissioner Sorenson to approve PC-20-366

Unanimously carried.

PC 20-367 Ruth Mott Foundation request to vacate Kearsley Street between Walnut and Robert T. Longway (1400 Kearsley Street).

PC 20-367: Ruth Mott Foundation requests to vacate Decker Street between Robert T Longway and Kearsley St.

Raquel Thueme, President of Ruth Mott Foundation presented the application. Ms. Thueme explained the presentation and diagrams are the same as the past case, as they are all part of the same project. Ms. Thueme said Mark Sinila who was now on the call could answer a previous question regarding the gateway and access. Mark Sinila, Flint Cultural Center said the one-way street would be continuing for the Whiting Auditorium and Sloan Museum.

Commissioners concurred the information that the applicant provided from the previous case (PC 20-366) was sufficient.

Commissioner Wesley asked if anyone wished to oppose the street vacation. None

Commissioner Wesley asked if anyone wished to speak in favor of the street vacation. Mark Sinila said Flint Cultural Center supports the vacation.

Formatted: Indent: Left: 0"

Formatted: Indent: Left: 0"

Commissioner Jewell asked staff if there have been any other communication emails, phone calls, or other forms of communication regarding this public hearing. Ms. Wilcox said we have received no comments. Ms. Wilcox said we have not received any communication either for or against this application.

M/S – Sorenson/Jewell

Motion made by Commissioner Sorenson to approve PC-20-3676

Unanimously carried.

REPORTS:

Status of permanent marihuana ordinance:

Reed Eriksson said on Monday, the City Council first voted to postpone the permanent ordinance. Councilman Griggs discussed the possibility of an amendment to add a distance requirement to Group B special regulated uses or other liquor establishments. Also discussed was perhaps the inclusion of Group B SRU use and the nuisance uses a category that is no more than four within a 2000-foot radius.

Those are ideas that will need to be fleshed out with planning and zoning staff so that we could see kind of what the effect of those potential amendments would have on the city and the maps of available parcels. In the meantime, the emergency ordinance expires on April the 28th. Given the COVID-19 emergency and the uncertainty as to whether the City Council will have another meeting between now and that time, they did vote to extend the emergency ordinance another 60 days, so that the city will not find itself without an ordinance on the books. Mr. Eriksson said he would be discussing it with the legal department.

Draft Zoning Ordinance and Capital Improvement plan

Ms. Wilcox said the draft ordinance is following the same timeline as the permanent marihuana recreational ordinance. Once the permanent marihuana ordinance is in place we will bring the draft zoning ordinance to the city council. Ms. Wilcox explained how the COVID-19 crisis has delayed some meetings which in turn has delayed Council meetings and slowed down the process.

Ms. Wilcox explained she did not have an update on the Capital Improvement plan. Then said she knows there have been some changes to the plan due to the COVID -19 crisis, but did not have a draft plan to bring before the Planning Commission at this time.

Commissioner Ryan said Councilman Mays was texting him saying the Planning Commission did not let other people into the meeting who were trying to talk. Commissioner Ryan said he did not want it to be said that the public could not get into this public meeting.

Commissioner Campbell addressed the Planning Commission and said she would like her vote on PC 20-363 changed to NO versus yes.

RESOLUTIONS:

There were no resolutions.

OLD BUSINESS:

None

NEW BUSINESS:

Reed Eriksson informed the Commission that tonight will be his last meeting with this body. He shared, "My last business date of employment with the city will be Friday the 17th. It has been a pleasure to work with all of you. On a happier note, I would like to introduce my colleague, Kelly Thompson who is a longtime member of the Law department as well. She already works near planning and zoning staff by way of her representation of the city before the Historic District Commission, and per my discussions with Angela, she will be serving as the representative of the Law department with this body and working on marijuana issues going forward.

Commissioner extended their appreciation and thanks for Mr. Eriksson.

ADJOURNMENT:

M/S – Jewell/Campbell

Unanimously carried.

Meeting adjourned at 7:25 pm.