



**Sheldon Neeley  
Mayor**

# **CITY OF FLINT**

## **FLINT PLANNING COMMISSION**

### **Meeting Minutes July 9th, 2024**

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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**

Shannon Morris, Assistant City Attorney  
Brian Acheff, Zoning Coordinator  
Max Lester, Zoning Coordinator  
Dalton Castle, Planner I  
Tyler Bailey, Deputy Director of Business Services  
Montel Meniffee, Marihuana Licensing Coordinator

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

Nadia Rodriguez

#### **ROLL CALL:**

Chairperson Wesley called the meeting to order at 6:23 p.m. Roll was taken, and a quorum was present.

The meeting was held both in-person in the Dome at City Hall and via Zoom conferencing as approved.

#### **Roll Call:**

Commissioner Brown: Present  
Commissioner Blower: Present  
Commissioner Jewell: Present  
Commissioner Rodriguez: Absent

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

#### **ADDITIONS/CHANGES TO THE AGENDA:**

Commissioner Jewell requested that SPR 24-08 be heard directly after PC 24-08 as both items pertain to the same project.

Commissioner Jewell recommended that SPR 24-09 to the July 23<sup>rd</sup>, 2024, Planning Commission meeting to align with the public hearing set to be held on that same date from the same applicant.

Commissioner Jewell made a motion to postpone SPR 24-09 to the July 23<sup>rd</sup>, 2024, Planning Commission meeting. Commissioner Munroe-Younis seconded the motion.



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Roll Call:

Commissioner Brown: Yes  
Commissioner Blower: Yes  
Commissioner Jewell: Yes  
Commissioner Rodriguez: Absent

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

***M/S – Jewell/Munroe-Younis***

7 yes, 0 no, 0 abstain

***The motion carried.***

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

Commissioner Wesley asked for a motion to approve the agenda. Commissioner Jewell motioned to accept the agenda with the discussed amendments. Commissioner Munroe-Younis seconded the motion.

***M/S – Jewell/Munroe-Younis***

***Unanimously carried by voice vote***

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

Commissioner Jewell asked for a line to be added on page 6 noting that the Planning Commission has been the approving body for components of RRC certification.

Commissioner Brown made a motion to approve the minutes of June 11, 2024 as amended.  
Commissioner Horton supported this motion.

***M/S – Brown/Horton***

8 yes – 0 no – 0 abstain

***Unanimously carried by voice vote***

### **PUBLIC FORUM:**

Chairperson Wesley opened the floor for public forum. Barbara Smith via Zoom requested that since the citizens are “lay-people” that action by the Planning Commission be restated to be easier understood. She asked if SPR 24-09 has been rescheduled. Chairperson Wesley clarified that SPR 24-09 was pushed to the July 23<sup>rd</sup>, 2024, Planning Commission agenda and would not be discussed.

### **PUBLIC HEARINGS:**

**PC 24-08:** Applicant Todd Stamper / 5125 N Dort Hwy, LLC, DBA Priority Waste, request approval of a Planned Sign Program regarding the proposed Solid Waste Transfer Station & Materials Recovery Facility located at 1420 E. Pierson Rd (PID #47-32-101-033), 5125 N. Dort Highway (PID #47-32-101-032), and 47-31-226-005 Thetford Rd.



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Brian read the staff report. Staff recommendation is conditional approval for PC 24-08 pending conditional approval of SPR 24-08 and receipt of manufacturing and installation notes for the proposed signage.

Giovanni Lavigne, the project architect, presented the application. Commissioner Jewell asked if Mr. Lavigne is approved to speak on behalf of the applicant. Brian pointed to the application with applicant Todd Stamper’s signature which lists Mr. Lavigne as the primary contact. Mr. Lavigne explained that the restrictions on signage are not conducive to the nature of the site, as truck drivers would be unable to see the signage if they were to meet all height and sizing requirements.

Commissioner Jewell asked Mr. Lavigne to walk him through the site. Mr. Lavigne explained there are eight entry points to the site with very specific routes a given truck would have to take to be weighed, dump, and then park or exit. He further explained that there would be one entrance dedicated to civilians and stressed the importance of controlling traffic flow on the site.

Commissioner Sorenson asked how many entrances to the site there are and their locations. Mr. Lavigne explained there are three gates on Pierson as well as an entrance and exit along Dort Hwy.

Matt Allen, Public Relations Director for Priority Waste, spoke about the benefits of the facility creating jobs in the City of Flint and assisting in waste management for Genesee County.

Commissioner Jewell asked staff if there had been any additional communications regarding PC 24-08. Brian said there had not been any additional communications.

Commissioner Blower made a motion to conditionally approve PC 24-08 pending conditional approval of SPR 24-08 and receipt of manufacturing and installation notes for the proposed signage. Commissioner Brown seconded the motion.

**Roll Call:**

Commissioner Brown: Yes  
Commissioner Blower: Yes  
Commissioner Jewell: Yes  
Commissioner Rodriguez: Absent

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

***M/S – Blower/Brown***

8 yes – 0 no – 0 abstain

***Unanimously carried by voice vote***



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**PC 24-12:** Applicant Christopher Ascencio / Souls of Aztecas, Inc requests approval of a Special Land Use application to operate a Charitable Organization / Social Service Club regarding the property located at 2902 Richfield Rd (PID #47-33-352-001).

Max read the staff report. Staff recommendation is approval of PC 24-12 as presented or with optional conditions. The applicant noted on their application that hours of operation would be 12 PM to 12 AM, this may be considered as a condition of approval, though a slightly earlier time than 12 PM may be appropriate.

Christopher Ascencio presented his application. He spoke about how Souls of Aztecas had cleaned the building and maintained the property. Commissioner Horton asked what their impact is expected to be on the community. Mr. Ascencio explained they have already had a positive impact by giving away toys and bikes to children as well as hosting other community events.

Commissioner Jewell commented that he appreciates receiving the before and after photos of the building. He asked if there was interest in operating earlier than 12 PM and if so, how much earlier. Mr. Ascencio said there is interest, a time of 7 AM would allow additional time to prepare for events as well as allow for community breakfasts. Max clarified that the only limitation to what hours of operation the Planning Commission can allow is that operation between 12 AM and 6 AM in the TN-2 zoning district is not permitted.

Commissioner Blower raised the concern of noise and impact on neighbors. Mr. Ascencio explained their operation has been limited thus far, but they do not foresee themselves disturbing their neighbors. He added that all interactions they have had thus far with their neighbors have been positive.

Commissioner Sorenson asked if alcohol would be served. Mr. Ascencio said there would not.

Kevin Duran, a member of Souls of Aztecas, expressed his support for PC 24-12. Max read an email from Jessica McCullen who asked several questions, whether or not alcohol would be served, the hours of operation, and if those operating out of the building are a gang.

Commissioner Blower asked the applicant if the hours of operation of 7 AM to midnight would be appropriate for their purposes. Mr. Ascencio said that those hours would be sufficient.

Commissioner Blower made a motion to approve PC 24-12 with the hours of operation of 7 AM to 12 AM. Commissioner Sorenson seconded the motion.



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Roll Call:

Commissioner Brown: Yes  
Commissioner Blower: Yes  
Commissioner Jewell: Yes  
Commissioner Rodriguez: Absent

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

***M/S – Blower/Sorenson***

8 yes – 0 no – 0 abstain

***Unanimously carried by voice vote***

**PC 24-13:** Applicant Samir Shango / Star Budz Flint, LLC requests approval of a Complete Transfer of Ownership & Marihuana Facilities License regarding the “Group E”, Marihuana Retail Facility, “The Sweet Leaf”, located at 400 S. Dort Highway, Flint, MI 48503 (PID #41-08-434-033).

Brian read the staff report.

Commissioner Jewell asked if the application is just for approval of a transfer of ownership. Brian and Montel confirmed that yes, the application is only for a transfer of ownership and a background check on the new owner has been completed.

Attorney Bruce Leach presented the application. He explained there are no proposed changes to the site or business aside from a name change. Mr. Shango explained that in Mt. Morris he has donated turkeys at Christmas time and held coat drives, saying he would support the Flint community in similar ways.

Commissioner Jewell asked the applicant if anything in his background would cause alarm. Mr. Shango said there is nothing in his background to cause alarm.

Commissioner Munroe-Younis asked the applicant if they had spoken with the neighbors by the facility. Mr. Shango said he had not, as he had been waiting for approval first.

Commissioner Horton noted that an individual had communicated their opposition to opening a marihuana facility at 400 S Dort Hwy, however the facility is already operational.

Commissioner Jewell asked staff if there had been any additional communications regarding PC 24-13. Brian directed the commission to see the letter previously referenced by Commissioner Horton.

Commissioner Blower made a motion to approve PC 24-13 as presented. Commissioner Jewell seconded the motion.



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Roll Call:

Commissioner Brown: Yes  
Commissioner Blower: Yes  
Commissioner Jewell: Yes  
Commissioner Rodriguez: Absent

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

***M/S – Blower/Jewell***

8 yes – 0 no – 0 abstain

***Unanimously carried by voice vote***

**PC 24-14:** Applicant Mark Savaya / MS Industries, LLC requests approval of a Complete Transfer of Ownership & Marihuana Facilities License regarding the “Group E”, Marihuana Retail Facility, “Leaf & Bud”, located at 1227 James P. Cole Blvd, Flint, MI 48503 (PID #41-07-134-030).

Brian read the staff report.

Commissioner Jewell asked if the application is just for approval of a transfer of ownership. Brian and Montel confirmed that yes, the application is only for a transfer of ownership.

Attorney Scott Roberts, representing Mr. Savaya, presented the application, speaking on donations MS Industries has made to benefit the community.

Commissioner Horton referred to an email from the University Park Estates Homeowner’s Association speaking against allowing the marihuana facility to continue operation citing an incident of breaking and entering at the facility. Attorney Roberts stated he was not aware of this issue and deferred to the current owner’s attorney Elliot Choi. Attorney Choi said he does not currently have any information regarding the break in and that Leaf & Bud has already vacated the premises.

Commissioner Horton asked what the new security plan would be. Attorney Roberts explained that there would be security both in and outside the building.

Commissioner Jewell asked if there has been authorization from Mr. Savaya to allow Attorney Roberts to speak on his behalf. Montel explained that the authorization is on the application.

Commissioner Blower asked for clarification on the timeline of the building being operational. Attorney Roberts said that to his knowledge the business was operational then ceased operation approximately 2 months prior. He then deferred to Attorney Choi for additional clarification. Attorney Choi explained that yes, the business had ceased operation approximately one to two months ago. Commissioner Blower asked staff if the license had lapsed due to inactivity. Montel explained that to his knowledge the business is not open and have not paid fees to his to his department.



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Commissioner Blower clarified that the applicants have said they ceased all function at the property including security and asked if that would make the license invalid. Montel said that it would.

Attorney Roberts said that these issues may be result of PC 24-14 being pushed from the prior Planning Commission agenda due to a lack of quorum.

Chairperson Wesley asked if this item was prepared for presentation for the Planning Commission. Brian said that now that staff are aware the business has ceased operation for an excess of thirty days, they will need reapproval for the license permit. Attorney Choi said that to his knowledge the security system has been turned off but not removed.

Commissioner Blower made a motion to postpone PC 24-14 to a later date to receive additional information. Commissioner Munroe-Younis seconded the motion.

### Roll Call:

Commissioner Brown: Yes  
Commissioner Blower: Yes  
Commissioner Jewell: Yes  
Commissioner Rodriguez: Absent

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

### *M/S – Blower/Munroe-Younis*

8 yes – 0 no – 0 abstain

*Unanimously carried by voice vote*

The meeting was temporarily suspended at 9:19 PM and began again at 9:24 PM.

Commissioner Horton was excused at 9:24 PM.

**PC 24-16:** The City of Flint is seeking a positive recommendation from the City of Flint Planning Commission to the City of Flint City Council for approval to partially vacate Roberts St, between E Stewart Ave and the North lot lines of Lot 234 (4401 Roberts St) and Lot 285 (4402 Robert St) of the Maplewood Plat.

Brian read the staff report.

Commissioner Sorenson expressed concern that the city would need to acquire four separate land bank parcels all in a row. Brian said he would have to defer Tyler for that concern and explained the right of first refusal.

Commissioner Blower asked if their approval would go into effect prior to or after attaining the privately owned homes. Brian clarified that the Planning Commission is sending a recommendation to the City Council, not approving the application.





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Commissioner Blower made a motion to submit a recommendation of approval to the City Council for PC 24-16. Commissioner Brown seconded the motion.

Commissioner Munroe-Younis asked that the motion be amended to include a recommended condition of the City of Flint acquiring all privately owned properties affected by the vacation.

Commissioner Blower amended her motion to submit a recommendation of approval to the City Council for PC 24-16 to recommend the condition of approval that the City of Flint acquire an affidavit of consent from the private property owners affected by the proposed street vacations. Commissioner Brown accepted the amendment.

### Roll Call:

Commissioner Brown: Yes  
Commissioner Blower: Yes  
Commissioner Jewell: Yes  
Commissioner Rodriguez: Absent

Commissioner Sorenson: Yes  
Commissioner Munroe-Younis: Yes  
Commissioner Horton: Excused  
Chairperson Wesley: Yes

### *M/S – Blower/Brown*

7 yes – 0 no – 0 abstain

*Unanimously carried by voice vote*

### **SITE PLAN REVIEW:**

**SPR 24-08:** Applicant Todd Stamper / 5125 N Dort Hwy, LLC, DBA Priority Waste, requests approval of a Site Plan Review application regarding the proposed Solid Waste Transfer Station & Materials Recovery Facility located at 1420 E. Pierson Rd (PID #47-32-101-033), 5125 N. Dort Highway (PID #47-32-101-032), and 47-31-226-005 Thetford Rd.

Brian read the staff report. Brian explained that approval of SPR 24-08 would be conditional on approval of a variance allowing relief from the 500 ft distance requirement for a facility utilizing heavy machinery from a residentially zoned district or use. Another condition of approval would be City Council approval of a street vacation of Thetford Rd which was partially vacated in the 80's.

Commissioner Jewell asked for additional clarification regarding the requested waiver from parking lot interior zone landscaping. Brian explained that the ordinance requires that for every 15 spaces a landscape island would be required, which the applicant found to be too burdensome given the nature of large trucks needing to maneuver the property on a daily basis.

Mr. Lavigne commented that parking lot island landscaping requirements in general exist to improve the user experience of a property. He went on to say that in the case of the Priority Waste parking lot, the primary users will be truck drivers who would likely be inconvenienced by the existence of island landscaping.





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Commissioner Blower asked what portion of work is done inside versus outside. Mr. Lavigne explained that all work is performed inside the building. Commissioner Blower asked what the intent was as far as combining the parcels. Mr. Lavigne explained there was no intent to combine the parcels as that would require them to reapply to EGLE for their waste management license.

Commissioner Sorenson asked if the “DIY” trash drop off extended to recyclables as well. Mr. Lavigne said that the “DIY” drop off would not include recyclables, which would be limited to pick up only. Commissioner Sorenson asked if they would be handling hazardous waste at the property. Mr. Lavigne said they would not.

Commissioner Munroe-Younis asked the reasoning behind providing twice as much parking on the proposed site plan than the required minimum. Mr. Lavigne explained there is one space for every truck driver such that they may leave their personal vehicle on site when taking a truck as well as one space for each of their 90 employees.

Commissioner Munroe-Younis asked what the hours of operation would be. Mr. Allen explained that the facility operates from 6 AM to 6 PM. Commissioner Munroe-Younis expressed concern that the facility may cause excess noise and asked if any measures had been taken to avoid that. Mr. Lavigne explained that all work will be performed inside and that no stamping would be performed on site. He went on to note that any noise dampening material would also be soil absorbing which would cause issues in maintaining the cleanliness of the site. Mr. Allen explained that the dozers running on top of the waste pile actually has a self-sound dampening effect.

Commissioner Blower made a motion to approve the application, as well as the requested waiver from Article 13 Section 50-156(C) Parking Lot Interior Zone Landscaping with the following conditions:

1. The applicant shall receive approval of a non-use variance from the Zoning Board of Appeals providing relief from **Article 9, §50-103(E)** of the Zoning Ordinance before issuance of final site plan approval.
2. The vacation of the two sections of City of Flint owned right-of-way, needed for site control, if necessary, shall occur before disposition of said sections of City of Flint owned right-of-way (see **Exhibit C**).
3. The disposition of the two sections of City of Flint owned right-of-way, needed for site control shall occur before the issuance of the final Certificate of Occupancy (see **Exhibit C**).
4. The combination of the two sections of City of Flint owner right-of-way with the respective



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adjacent parcels shall occur before the issuance of the final Certificate of Occupancy (see **Exhibit C**).

5. Before issuance of the final Certificate of Occupancy, the final parcel boundaries of the subject development shall be conveyed on the final submittal of revised plans that will be approved and signed by the Planning Commission President
6. If necessary, a survey and legal instrument regarding the perpetual Utility Easement regarding any City of Flint owned utilities under the vacated Thetford Rd shall be provided to the City of Flint Zoning Division before issuance of the final certificate of occupancy.
7. The applicant shall submit revised plans that convey the reconfigured access limitations for Gate #2 along E. Pierson Rd, satisfying the requested change from Traffic Engineering.
8. The applicant shall receive City Engineering approval before final site plan approval.
9. The applicant shall provide copies of all Environmental and Michigan Department of Transportation (MDOT) permits before issuance of the final Certificate of Occupancy
10. A Haul Route Map delineating the haul route for the proposed operation shall be submitted to the Zoning Coordinator before final Site Plan approval is granted.

Commissioner Sorenson seconded the motion.

Roll Call:

Commissioner Brown: Yes  
 Commissioner Blower: Yes  
 Commissioner Jewell: Yes  
 Commissioner Rodriguez: Absent

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

***M/S – Brown/Horton***

8 yes – 0 no – 0 abstain

***Motion Carried***

Commissioner Jewell made a motion to postpone the remainder of the agenda to the July 23rd, 2024, Planning Commission meeting. Commissioner Brown supported the motion.

***M/S – Brown/Horton***

8 yes – 0 no – 0 abstain

***Unanimously carried by voice vote***



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### **CASE REVIEW:**

Postponed to the July 23<sup>rd</sup>, 2024, Planning Commission meeting.

### **REPORTS:**

Postponed to the July 23<sup>rd</sup>, 2024, Planning Commission meeting.

### **RESOLUTIONS:**

Postponed to the July 23<sup>rd</sup>, 2024, Planning Commission meeting.

### **OLD BUSINESS:**

Postponed to the July 23<sup>rd</sup>, 2024, Planning Commission meeting.

### **NEW BUSINESS:**

Postponed to the July 23<sup>rd</sup>, 2024, Planning Commission meeting.

### **ADJOURNMENT:**

*M/S – Jewell/Munroe-Younis*

*Unanimously carried by voice vote.*

Meeting adjourned at 9:49 PM.