



**Board of Appeals on Zoning
Minutes**

Wednesday February 1, 2023 – 6:00 p.m.
1315 S. Washington Ave.
Council Chamber – Room 205
989-754-8222

- I. **Call to Order** - Meeting was called to order by Chair Browning at 6:15 p.m.
- II. **Roll Call** – Cassi Zimmerman took roll.
Members Present: Dennis Browning, George Copeland, Jamie Forbes, Bruce Gale, Jack Nash
Members Absent: None
Staff: Bob Gollin, Cassi Zimmerman, Amy Lusk, City Attorney

- III. **Approval of Minutes** – Wednesday, August 3, 2022.

Motion by Board Member Nash, seconded by Board Member Gale to approve the meeting minutes for the August 3, 2022 meeting. 5 ayes, 0 nays, 0 absent. Motion approved.

- IV. **Approval of Agenda** – Wednesday February 1, 2023

Chair Browning moved the election of officers after the public hearing. **Motion by Board Member Nash, seconded by Board Member Forbes to approve the amended meeting agenda for February 1, 2023 meeting. 5 ayes, 0 nays, 0 absent. Motion approved.**

- V. **Public Comment** – None

- VI. **New Business**

a. Case #J23-0174 Public Hearing for a waiver on separation distance of a proposed Marihuana grow operation at 1030 Gratiot Avenue

Chair Browning opened the public hearing and asked if there was anyone here to speak on the variance request. Ray Murad, 4500 Brookstone Drive, spoke on behalf of the project. The plan will include beautification of the entire corner and the elimination of the building at 1014 Gratiot, which currently creates a hazard for traffic traveling through the Brockway and Gratiot intersection.

Chair Browning called for additional comments.

Leroy Sheppard, 2136 Bro-Mor, is a security worker at Premier's Genesee location. He spoke in support of the project.

Cynthia Olend, 910 E. Genesee, spoke in support of the project. She spoke to the company's benefit to the City of Saginaw.

Chair Browning called for additional comments.

Thomas Inman, 1203 Brockway, spoke in support of the project. He would be happy to see the building occupied at 1030 Gratiot.

Brian Ligelo, 1029 Gratiot, has been the owner of Tony's, across the street, for over 30 years. He spoke in support of the project.

Amanda Jones, 1629 Boy Scout Rd, Caro, is the district manager for Premier. She spoke in support of the project and gave additional details of the business.

Joyce Seals, 2559 N. Woodbridge, is a member of the Prevention Coalition. She works with children and has seen the negative effects of the marihuana establishments opening in the city. She is opposed to the variance.

Sandra Robinson, 1921 Bro-Mor, is a member of the Prevention Coalition. She spoke in opposition to the variance.

Staff Gollin read a letter from City Engineer, Travis Hare, stating the traffic and safety issues of the existing building at 1014 Gratiot.

Chair Browning called for additional comments, no further comments were given.

Motion by Board Member Nash, seconded by Board Member Copeland to close the public hearing. 5 ayes, 0 nays, 0 absent. Motion approved.

Board Member Forbes asked for more information on the traffic issues. Staff Gollin stated that MDOT is currently completing a study for a portion of M-46 which includes this area and highlights the intersection of Brockway and Gratiot as a high accident section.

Board Member Copeland asked the position of the owner of the park which falls into the sensitive use setback. Staff Gollin stated that city council denied approval of a letter of support by a vote of 4 to 4.

Board Member Nash asked the state's regulations for setback from churches and schools. Attorney Lusk stated that the State only requires a 1,000 foot sensitive use setback from schools.

Motion by Board Member Forbes, seconded by Board Member Copeland to move out of the regular order of business. 5 ayes, 0 nays, 0 absent. Motion approved.

Board Member Forbes asked Mr. Murad about the changes to the exterior of the building. Murad stated that the exterior was designed to incorporate modern architecture. The parapet wall raises the exterior to match the neighboring building.

Chair Browning asked Mr. Murad if the building at 1014 Gratiot is owned by Premier, which has already been approved by the planning commission. He added that it did not require a variance since it is outside of the sensitive use setback. Murad stated that he was correct. The change is being required to allow for a better site plan with additional beautification for the corridor.

Motion by Board Member Nash, seconded by Board Member Gale to return to the regular order of business. 5 ayes, 0 nays, 0 absent. Motion approved.

Motion by Board Member Forbes, seconded by Board Member Gale to approve a waiver on separation distance of a proposed Marihuana grow operation at 1030

Gratiot Avenue for Case #J23-0174.

Chair Browning asked Staff Zimmerman to conduct a roll call vote.

Ayes: Browning, Copeland, Forbes, Gale, Nash

Nays: None

Absent: None

Motion approved.

Board Members in favor stated the project will increase visibility of the intersection. It will also beautify and bring activity to the neighborhood.

b. Election of Officers

Motion by Board Member Copeland, seconded by Board Member Forbes to elect the current slate of officers. 5 ayes, 0 nays, 0 absent. Motion Approved.

VII. Old Business - None

VIII. Adjournment

Motion by Board Member Nash, seconded by Board Member Gale to adjourn the meeting at 6:44 pm. 5 ayes, 0 nays, 0 absent. Motion approved.

Prepared and submitted by

Cassi Zimmerman
Director of Planning and Economic Development
City of Saginaw