

**FLINT PLANNING COMMISSION**  
**Meeting Minutes**  
**March 10, 2020**

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**Commissioners Present**

Bob Wesley, Chair  
Elizabeth Jordan, Vice-Chair  
Harry Ryan  
Robert Jewell  
Carol-Anne Blower, Secretary

**Staff Present**

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

**Commissioners Absent:**

Leora Campbell  
April Cook Hawkins

**ROLL CALL:**

Bob Wesley, Chair called the meeting to order at 6:19 p.m. Roll was taken, and a quorum was present. The meeting was held in Dome Auditorium, Flint City Hall, 1101 S. Saginaw St.

**ADDITIONS/CHANGES TO THE AGENDA:**

Under reports add: update status of draft zoning ordinance

**ADOPTION OF THE AGENDA:**

*M/S – Jordan/Jewell*

Motion to adopt the meeting agenda with revision

*Unanimously carried*

**MINUTES:**

*M/S – Jewell/Blower*

Motion to approve the minutes of 2-11-20 with corrections

*Unanimously carried*

Commissioner Wesley said if any one wished to speak on any items on the Agenda or regarding Holistic Vibes Flint, LLC which was postponed until the next Planning Commission meeting they could do so during the Public Forum.

**PUBLIC FORUM:**

Sandra Jones: spoke in opposition of Holistic Vibes Flint, LLC  
Michele Igram: spoke in opposition of Holistic Vibes Flint, LLC  
William Harris: spoke in opposition of Holistic Vibes Flint, LLC  
Betty Sanne: spoke in opposition of Holistic Vibes Flint, LLC  
Lurna Woods Johns: spoke in opposition of Holistic Vibes Flint, LLC  
Mike Sekelsky: spoke in opposition of Holistic Vibes Flint, LLC  
Roger Jones: spoke in opposition of Holistic Vibes Flint, LLC  
Regin Flynn: spoke in opposition of Holistic Vibes Flint, LLC  
Jackie MacDonald: spoke in opposition of Holistic Vibes Flint, LLC  
Patrick Atkinson: spoke in opposition of Holistic Vibes Flint, LLC

### **SITE PLAN REVIEW:**

None

### **CASE REVIEW:**

**PC 20-360:** Ms. Wilcox stated during the last Planning Commission meeting Commissioners requested Regina Momgaldas and Adam Long provide a memo of understanding for their business relationship. Ms. Wilcox said we have received a letter of intent and memo of understanding for the Commission's review and determination as to whether the documents are appropriate. Commissioner Jewell said the intent of the documents seem appropriate. Commission Jewell suggested staff add a cover letter to be made a part of the memo of understanding and letter of intent relating to PC 20-360 dated February 11, 2020, stating these documents fulfill the request of administrative review at the request of the Planning Commission on February 11, 2020.

### **PUBLIC HEARING:**

**PC 20-361:** Oak Flint, LLC request a Group E Special Regulated Use Permit for a medical marihuana provisioning center at **4221 James P. Cole Blvd. (PID # 47-31-280-015).**

John McCloud, owner of Oak Flint, LLC presented on his behalf. Mr. McCloud introduced Dr. Sacanocadeli, Medical Director and John Bashi, Director of Operations. Mr. McCloud said he was a retired police officer and licensed by the state for growing and processing marihuana in Michigan. Mr. McCloud said he has owned 4221 James P. Cole since 2017. He originally applied for a Medical Marihuana Provisioning Center in September 2018 and said he received approval for cultivation and processing on August 17, 2019.

Mr. McCloud said they were at the Planning Commission meeting to seek approval for medical use. The portion of the current building they would use for medical is 2500 square feet.

Mr. McCloud said they will serve patients who have a medical marihuana card and state of Michigan valid I.D. and business hours will be from 8 am - 7 pm Monday through Saturday and 12 pm – 6 pm on Sunday.

Mr. McCloud said their commitment to the City of Flint includes: \$50,000 per year for blight removal and volunteering with the M.A.D.E Institute to do volunteer hours in the City. Their employees' will have mandatory volunteer days. Mr. McCloud said initially he will be hiring 15 – 20 employees and each employee would receive 8 hours of pay per month for assisting with volunteer work.

Commissioner Jordan asked Mr. McCloud to discuss security measures. Mr. McCloud said the state mandates certain security structures. 100% of the interior and exterior of the building are monitored by camera, which the state has access to. Mr. McCloud said the City of Flint has access to cameras through C.A.T.T. EYE 24/7. Mr. McCloud said they have security on site 24 hours a day seven days a week and also have panic buttons installed and badge access to the facility which is always being recorded.

Mr. McCloud said in order for a patient to enter the facility, first they are caught in a secure room. Patients are not allowed into the building without showing valid I.D. and a valid marihuana card. Mr. McCloud said patients are seen one on one and not allowed to wander through the building. All of the marihuana products are secure and returned to a vault at night.

Commissioner Jewell asked Mr. McCloud to walk him through the building as a patient.

Mr. McCloud said as a patient he would be allowed into the front door into a secure area vestibule, where you are required to present a valid driver's license and medical marihuana card. Mr. McCloud said without these two items you cannot proceed. Mr. McCloud said after being checked into the facility you wait in a secure room. Then a patient advocate takes you back into the floor area to review your options. Once you have placed your order staff in a back room will package and supply you with your order.

Commissioner Jewell asked Mr. McCloud to discuss the operation of the business. Mr. McCloud said he is the operator and licensed owner, with John Schabastion, Director of Operations. Mr. McCloud explained all of the different types of staff who would be involved in day to day operation. Mr. Schabastion discussed daily operations of the facility.

Commissioner Jewell said he understood there were no neighbors north of the facility to the south and west is industrial and to the east is commercial. Mr. McCloud confirmed and said a lot of the property around the facility is vacant. Commissioner Jewell asked if Mr. McCloud had any contact with his neighbors. Mr. McCloud said outside of their commitment to blight removal and working with the M.A.D.E Institute, no. Commissioner Jewell said part of your intent is community interaction. Mr. McCloud said absolutely and we pride ourselves on being good stewards of the industry and community.

Commissioner Blower asked Mr. McCloud to show the Commissioner exactly where provisioning would be located in the building. Mr. McCloud said the building totals 55,000 square feet split into three areas; retail is in the front of the facility. The center of the facility is used for cultivation and the rear of the facility for processing. Commissioner Blower asked what the barriers are between different areas and how the product moved to the vault. Mr. McCloud said all three spaces are separate and have individual vaults. Mr. McCloud explained how the rooms were separated and secured.

Commissioner Ryan asked Mr. McCloud how they would be addressing sales of medical and recreational marihuana and how they would be addressing ventilation. Mr. McCloud said the differences are 1) when you check in for recreational you are only required to show a valid I.D. that you are 21 and over 2) there may be a limit on THC that can be sold in medical as opposed to an adult use product 3) at the point of sale an adult use customer is paying a 10 % tax whereas the medical patients only pay 6 % tax. Mr. McCloud said any smells would be coming from the cultivation not medical or recreational and they have carbon filters to maintain smells which were a part of his site plan.

Commissioner Wesley asked if anyone wished to speak in favor of PC 20- 361

Dr. Michael Danic: spoke in favor

Commissioner Wesley asked if anyone wished to oppose PC 20-361

Commissioner Jewell asked staff if there had been any other communication via phone calls, emails or walk-ins regarding PC 20-361. Mr. Wilcox said no we have not.

None

***M/S – Jordan/Blower***

Motion to approve PC 20-361: Oak Flint, LLC requests a Group E Special Regulated Use Permit for a Medical Marihuana Provisioning Center at 4221 James P. Cole Blvd. (PID # 47-31-280-015).

***Unanimously carried.***

**PC 20-362:** Oak Flint requests a Group E Special Regulated Use Permit for an Adult Use - (Recreational) Marihuana Retail Facility at 4221 James P. Cole Blvd. (PID # 47-31-280-015).

John McCloud, owner of Oak Flint, LLC presented on his behalf. Mr. McCloud said he wanted to explain what METRC is. METRC is the seed to sale system that the state of Michigan uses for all cannabis medical and recreational. The METRC system enables the state to track all marijuana from seed to sale at any given time. Mr. McCloud said adult use products have a different METRC tag than medical products. They are also displayed differently due to THC levels. Mr. McCloud said in our point of sale systems all of our customers or patients are provided an identifying color, gold for recreational adult use and blue for medical patients. Mr. McCloud said there is no consumption of marijuana on site.

Commissioner Jewell asked Mr. McCloud to walk him through the facility as a customer. Mr. McCloud said you come into the facility and enter a secure room. Instead of providing a patient card you need to provide a valid I.D. Then you wait for a retail advocate to take you back into the sales floor. Once you're inside you'll make choices from an iPad, at which time your order will be filled. Then you'll be escorted back to a checkout counter to finalize your purchase. Mr. McCloud said all products and cash comes to and leaves the facility through secure transporters.

Commissioner Blower asked if Mr. McCloud was the owner and operator of all of the businesses. Mr. McCloud said yes, he is the sole owner and member of Oak Flint, LLC.

Commissioner Jewell asked Mr. McCloud about adjoining property. Mr. McCloud said they are all industrial and commercial and vacant. Commissioner Jewell asked Mr. McCloud if there were any residential properties within 300 feet, parks or places of worship within 500 feet or schools within 1000 feet. Mr. McCloud said no.

Commissioner Wesley asked if anyone wished to speak in favor of PC 20-362 Oak Flint, LLC  
None

Commissioner Wesley asked if anyone wished to oppose PC 20-362 Oak Flint, LLC

Jackie MacDonald: spoke in opposition

Dr. Michael Danic asked the Commissioner to postpone their decision until a later date.

Sandra Jones said she agreed with Dr. Danic and asked the Commissioner to postpone their decision and that she was not in favor of recreational marijuana within residential areas in the City of Flint.

Betty Senne: spoke in opposition of any recreational marijuana in Flint

Commissioner Jewell asked staff if there had been any other email phone calls, walk-ins or communications. Ms. Wilcox said no.

### ***M/S – Jordan/Blower***

Motion to approve PC 20-362: Oak Flint requests a Group E Special Regulated Use Permit for an adult use -(recreational) marijuana retail facility at 4221 James P. Cole Blvd. (PID # 47-31-280-015).

**Unanimously approved.**

**PC 20-364:** Green Skies – Healing Tree, LLC requests a Group E Special Regulated Use Permit for an Adult Use (Recreational) Retail Facility at 3401 Corunna Road. (PID # 40-23-101-010).

Tommy Nafso, General Council and Berton Brown spoke on behalf of Green Skies – Healing Tree, LLC. Mr. Nafso said they are very committed to compliance. Mr. Nafso informed the Commission of eight other existing marihuana businesses the company operates in Michigan.

Mr. Nafso said there is a commitment to the City and neighbors around us. Mr. Nafso said they have been operating at the facility since October, 2019 and there have been no issues.

Commissioner Jordan asked in seeking to add the recreational designation to your existing medical marihuana what impact on increased traffic do you expect to see. Mr. Nafso said in general we have seen about a 25% increase in traffic and customer flow. Mr. Nafso said we have significant parking without barriers to get into the parking lot.

Commissioner Wesley said what do you consider sufficient parking. Mr. Nafso said they would probably have 5-6 patients per hour which would be coming and going so you would not be using all of the parking spaces.

Commissioner Jordan asked how many staff do you currently have under medical and what if any change in staff do you foresee, if you are to receive a recreational. Mr. Nafso said from about 7 to 12 employees. Commissioner Jordan asked where do your employees park. Mr. Nafso said in the back of the building near the dumpster. Commissioner Wesley said there are no parking spaces by the dumpster.

Commissioner Blower said one of the ordinance standards she was concerned with was compatibility with adjacent land uses. Commissioner Blower asked Mr. Nafso to explain who their neighbors are and if you have spoken with them or had any contact with them. Berton Brown responded and said they had been working with the adjoining print shop and barber shop. Commissioner Blower said to the south is residential property. Mr. Brown confirmed and stated that they had not talked to current residents to the south.

Commissioner Blower asked if there are any barriers between the business and residential property to the south. Mr. Brown said yes. Commissioner Jewell said the barrier is a brush row.

Commissioner Blower asked if the curb cut came off of Corunna or Barney Street. Mr. Brown said the drive comes off of Corunna not Barney.

Commissioner Jewell asked Mr. Nafso to give examples of their efforts to reach out to the neighbors of 3401 Corunna Road. Mr. Nafso said they walked the block today and went into an adjoining business and dropped off t-shirts.

Commissioner Jewell asked Mr. Nafso if the community benefits he discussed (community investment – community neighborhood scholarship) are currently operational or in the planning stages. Mr. Nafso said they are not operational; they are being rolled out.

Commissioner Jewell asked if staff had received an assumed name that was missing in the executive summary. Bill Vandercook confirmed the document was provided.

Commissioner Jewell asked Mr. Nasfo if he could address future land use. Mr. Brown addressed and said it was planned for commercial. Commissioner Jewell stated that it was Planned for future land use as a city corridor which would not allow for this kind of use.

Commissioner Jordan asked for a diagram of parking. Mr. Nasfo said we did not provide one.

Commissioner Wesley asked if there was anyone wishing to speak in favor of PC 20-364  
None

Commissioner Wesley asked if anyone wished to oppose PC 20-364

Dr. Michael Danic: spoke in opposition

William Harris: spoke in opposition

Sandra Jones: spoke in opposition

Jackie MacDonald: spoke in opposition

Michelle Ingram: spoke in opposition

Commissioner Jewell asked if there had been any other correspondence emails, phone calls, walk-ins or communications regarding PC 20-364. Mr. Wilcox said she had received one email from Betty Smith who wrote in opposition to permitting marihuana (recreational) adult use of 3401 Corunna Road.

Commissioner Jordan said because this is a grandfathered location there are certain aspects of location restrictions in the current code around proximity to residential and current zoning districts that are not what we would typically consider in non-grandfathered cases.

Commissioner Jordan made a motion to deny PC 20 -364 for Adult Use Recreational Retail Facility at 3401 Corunna Road based on the following basis 1) Master Plan of future land use being city corridor does not allow recreational adult use 2) adequacy of site to handle to be able to handle the increase in traffic and staffing related to additional recreational licensee 3) curb cut on Barney is a residential street 4) we don't have before us the required parking diagram to closely assess the parking and foot traffic.

Commissioner Wesley said there are multiple residential properties within 300 feet of 3401 Corunna Road and although they are grandfather in this does not mean they can receive a Marihuana Adult Use (Recreational) Facility License. We must take into consideration compatibility to the public service which this facility would provide.

*M/S – Jordan/Blower*

*Yes to deny Ryan, Yes to deny Jewell, Yes to deny Jordan, Yes to deny Wesley, Yes to deny Blower*

*Motion to deny unanimously carried.*

## **REPORTS:**

Status of Recreational Marihuana:

Mr. Eriksson **said at the March 9, 2020 meeting, City Council** moved to postpone the marihuana ordinance on a permanent basis. Mr. Eriksson said there is still time to make changes Council deem necessary. Mr. Eriksson said currently the emergency ordinance is extended until April 28, 2020.

Capital Improvement Plan:

Ms. Wilcox, said they have been working with the finance department to provide a budget by March 1, 2020. Ms. Wilcox said they are still working to finalize the plan to bring before this body, hopefully by March 24, 2020.

Zoning Ordinance update:

Ms. Wilcox said the Zoning Ordinance is dependent upon the adoption of the Marihuana Ordinance. Once the ordinance is adopted it is still our plan to bring the ordinance to the City Council. There has been some talk about doing additional educational sessions. Our intent would be to bring the ordinance before the Planning Commission in April, if the permanent marihuana ordinance is adopted.

Commissioner Jewell asked that this item be put on upcoming Planning Commission meeting Agendas on an ongoing basis.

**NEW BUSINESS:**

Ms. Wilcox reported Adam Moore's last day of work was last Friday and he was moving to Portland, Oregon. Ms. Wilcox said they have posted jobs for Lead Planner and a Zoning Coordinator. In addition, Ms. Wilcox said they have prepared and sent out RFPS to fill in the gap to help with Zoning and Marihuana. Ms. Wilcox said they are also working to hire a Planner I to assist with marihuana.

**ADJOURNMENT:**

*M/S – Jordan/Blower*

*Unanimously carried.*

Meeting adjourned at 7:48 PM.