

**FLINT PLANNING COMMISSION**  
**Meeting Minutes - Approved**  
**November 12, 2019**

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**Commissioners Present**

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

**Staff Present**

Adam Moore, Lead Planner  
Andy Aamodt, Zoning Coordinator  
Bill Vandercook, Planner I  
Reed Eriksson, Assistant City Attorney

**ROLL CALL:**

Chairperson Wesley called the meeting to order at 5:46 p.m. Roll was taken and a quorum was present. The meeting was held in the Planning and Development Conference Room, 1<sup>st</sup> Floor, South Building of the City of Flint Municipal Complex.

**ADDITIONS/CHANGES TO THE AGENDA:**

SPR 19-924 was moved to after the Public Hearing for PC 19-351.

SPR 19-925 was moved to after the Public Hearing for PC 19-352.

Commissioner Jewell requested adding status update on SPR 19-920 under Reports.

Commissioner Jewell requested adding status of PC 19-350 under Reports.

Commissioner Jewell requested adding status of PC 19-349 under Reports.

Commissioner Jewell requested adding status of emergency recreational marijuana ordinance under Reports.

Commissioner Jewell requested adding status of building access and posting of Planning Commission Meetings under Reports.

**ADOPTION OF THE AGENDA:**

*M/S – Blower/Jordan*

Motion to adopt the meeting agenda with revisions.

*Unanimously carried.*

**MINUTES:**

The Commission examined the minutes of 10-8-19.

*M/S – Jordan/Blower*

Motion to approve the minutes with revisions.

*Unanimously carried.*

**PUBLIC FORUM:**

Councilman Mays commended the work done by the Planning Commission.

**CASE REVIEW:**

There were no Case Reviews.

## **PUBLIC HEARING:**

**PC 19-351:** Scottie Denha, of Dort Hwy Flint LLC, requests a Group E Special Regulated Use Permit for a medical marijuana provisioning center at 2101 S. Dort Hwy. (PID 41-21-101-001).

Attorney Paula Givens spoke on behalf of the applicants, Scottie Denha and Hani Kassab. Ms. Givens began talking about both 2101 and 2105 Dort Hwy, at which point, she was told to focus on 2101. Commissioner Wesley asked Ms. Givens if 2105 Dort Hwy. was a project to be brought before the Commission at a later date. Ms. Givens confirmed, and said she would stick to 2101 Dort Hwy application.

Ms. Givens discussed details of the proposal. Ms. Givens said they have engaged a local staffing company and will be hiring seventy-five percent local residents. Starting pay will be \$15.75 per hour. Ms. Givens said they will initially hire fifteen employees and hopefully expand to twenty five. Their community benefits plan includes working with a soup kitchen and Habitat for Humanity. Ms. Givens said they are purchasing the building. Ms. Givens noted all employees will be trained extensively in how to operate within MMFLA.

Ms. Givens discussed the security plan. Security officers will be required to take fifty hours of training. The applicants will have 24/7, 365 days a year manned security. Their security system will comply with the City's false alarm ordinance. The timeline to develop the project is ninety days from approval. Ms. Givens addressed employee health insurance coverage, which would begin after one year.

Ms. Givens said they intend to spend one million dollars to improve the site. Currently the building is vacant and needs to be renovated. Ms. Givens said their goal was to use local contractors and building maintenance companies. Ms. Givens discussed the lighting and said the property would be very well lit. Ms. Givens discussed a report their Urban Planner provided. Ms. Givens noted the report fits into the Imagine Flint Master Plan. Ms. Givens said she felt their blight removal aspect was very substantial.

Commissioner Jordan asked Ms. Givens about Green Culture, and what the relationship was to this request. Hani Kassab said Green Culture was one of their businesses which has similar ownership. Commissioner Jordan asked if there was any legal relationship between the two businesses. Ms. Givens said no.

Commissioner Jordan asked Ms. Givens when employees were eligible for health care coverage. Commissioner Jordan said she believed maintaining a healthy work force was important to protect patients with compromised immune systems, other employees, and employer. Commissioners and applicants discussed whether or not employees would be offered medical insurance within six months or one year. Hani Kassab said they will be sticking to their original application, which provides insurance to employees after one year. Commissioner Jordan addressed the importance of the applicants providing a safe, healthy work place. As she believes, employees who do not have insurance or sick time off may come to work sick, which could jeopardize the health of patients with compromised immune systems or other employees.

Commissioner Jordan asked if the applicants have any records of non-compliance or citations against them. Hani Kassab said no. Commissioner Campbell noted there are a lot of business names within the

application (G.C. Flint, LLC – Green Culture). Commissioner Campbell asked Ms. Givens what these names have to do with this application. Ms. Givens said it was a mistake she made.

Commissioner Jewell asked the applicant to explain why Dort Highway Flint, LLC was named as the applicant and facility named as District Club. Hani Kassab said District Club was the location name. Commissioner Jewell asked that the record show the owners acknowledged District Club was the location name.

Commissioner Jewell asked the applicant and commissioners to consider page 3 of the application, regarding additional documents required. Two items were not checked: 1. assumed name registration documents, 2. is the applicant a Limited Liability Company, if yes supply related documentation. Commissioner Jewell asked staff if these document were submitted. Zoning Coordinator Andy Aamodt replied there was an error on the application form. The form should say if the applicant is not a Limited Liability Company then provide by-laws for the Corporation or partnership agreement. This part of the application would not apply to this application. Mr. Aamodt said the application form for future applicants has been corrected.

Mr. Aamodt said the question about the Limited Liability Company would be N/A. He then stated Commissioners should ask the applicants about the assumed name. After further discussion, Commissioner and staff agreed the assumed name portion of the application should be N/A.

Commissioner Jewell asked the Commissioners and applicant to review pages 6 and 7 of the application, regarding additional required materials. Commissioners noted none of them are checked as N/A. Ms. Givens said each of these items were provided. Then said it was an error on her part they weren't checked.

Commissioner Wesley asked the applicant if they would like to correct the originals. Ms. Givens confirmed they would. Commissioners discussed the need for additional updates to the application. Mr. Aamodt provided the original application which Mr. Kassab corrected.

Commissioner Campbell asked about a locational map for the facility. Mr. Aamodt stated the proposed facility complies with all locational requirements and the owners had previously been sent a location confirmation letter.

Commissioner Jewell asked the applicants to describe how they have reached out to immediate neighbors and businesses. Mr. Kassab stated they met with one business owner.

Commissioner Jordan wanted the applicant to understand their commitment to community benefits which could affect future licensure. Mr. Kassab said he understood. Commissioner Jewell reiterated the commission would be reviewing community benefits upon re-licensure, which could affect licensing if the applicant did not keep commitments found in the plan.

Dave Dukert, spoke in favor

Patrick Kanouno, spoke in favor

No one opposed

Staff confirmed no other feedback was received

Commissioner Jordan stated she was sensitive to employees not having medical insurance for a whole year. She appreciated the applicant saying they would do the right thing, but when it comes to verifying community benefits within a year; proposed benefits should be included with the application.

Commissioner Jordan stated she was aware this may not stand in the way of Commissioners decision. She then stated when people don't have health care they potentially put others at risk. Additionally, the cost of health care can be transferred to the individual, government, and/or non-profits. Commissioner Jordan said she felt health care should be considered as a community benefit.

***M/S – Jordan/Blower***

Motion to approve PC 19-351: Scottie Denha, of Dort Hwy Flint LLC, requests a Group E Special Regulated Use Permit for a medical marijuana provisioning center at 2101 S. Dort Hwy. (PID 41-21-101-001).

***Unanimously carried.***

**SITE PLAN REVIEW:**

**SPR 19-924** Provisioning Center

Applicant: Hani Kassab Jr.

Location: 2101 S. Dort Hwy. (PID # 41-21-101-001)

Contact: Contact: Michael Beydoun, Architect

Paula Givens and Hanni Kassab Jr presented the site plan for medical marijuana provisioning center. Ms. Givens said the address of the subject property, as discussed earlier is 2101 S. Dort Hwy. Ms. Givens stated the applicants own 2101 and adjacent property 2105 S. Dort Hwy. They propose to put a 3400 sq. ft. provisioning center at 2101 S. Dort Hwy.

The floor plan is a very common design with provisioners. There will be a secured check-in area. There is a separate room for public outreach, which is not a limited access area. Ms. Givens presented the flow of the of building and security features. Ms. Givens addressed the C.A.T.T. Eye and on-site consumption signs, which their architect did not note on the plan. Mr. Aamodt said the C.A.T.T. Eye sign was labeled on the plans.

Commissioner Jewell asked the applicants to look at the site plan cover page. He then noted the drawing index and SP2 landscape plan is LA1 and secondly SP3 electrical site plan is SP2. Commissioner Jewell noted due to the mix up, it was an incomplete incorrect document. Ms. Givens confirmed.

Commissioner Campbell noted the sign example included within the application did not say District Club. Mr. Hanni said they would be putting District Club on the sign. Mr. Aamodt said they could apply for a sign permit separately at a later date.

***M/S – Jordan/Blower***

Motion to approve SPR 19-924 – for Provisioning Center, located at 2101 S. Dort Hwy. (PID # 41-21-101-001) with condition of administrative review to: incorporate the consumption on site

sign, noting the signage is to be applied for and permitted separately, and correcting the mislabeling of site plan sheets.

*Unanimously carried, with approved conditions.*

### **PUBLIC HEARING:**

**PC 19-352:** Riadh Dado, of Trippy Forest LLC, requests a Group E Special Regulated Use Permit for a medical marijuana provisioning center at 1901 S. Dort (PID 41-16-351-020).

Nichole Milton and Daron Dado presented the requests on behalf of Riadh Dado. Ms. Milton said Mr. Dado has lived and owned businesses in the area for 35 years. They have contacted numerous residents and businesses near the proposed provisioning center. Ms. Milton said Mr. Dado was State approved in July 2019. Mr. Dado's short-term plan is to get a provisioning license and purchase the property. The project will take 4 - 6 months to complete once approved.

Ms. Milton said they will be doing neighborhood revitalization as a part of their community benefits. They intend to have real property improvements and beautification. They plan to support the Flint Soup Kitchen and Wellness HIV Center.

Ms. Milton said their C.A.T. T. Eye system will be tied into Flint City Police. They will have a secure storage area in the building as required by LARA. Theft loss will meet LARA rules. Ms. Milton addressed their staffing plan, which includes a community outreach coordinator.

Commissioner Jewell wanted to know if the applicant personally owns the property. Ms. Milton said they were in the process of acquiring the building, and had a purchase agreement on the property. Commissioner Jewell noted proof of insurance was not checked on the application. Commissioner Jewell then asked if the applicant could show proof of insurance upon taking ownership of the property. Mr. Dado said they would have the property insured when they close on the property. Commissioner Jewell said he wanted to be clear about process. Commissioner Jewell stated you have made it clear you're in the middle of acquiring the property, but what we don't have is a letter of intent or statement from an insurance company which says we have been in contact with the owners and pending confirmation of closing insurance will be provided.

Commissioner Jewell asked Ms. Milton to address community outreach with adjoining neighbors. Ms. Milton said she spoke to some of the neighbors. They did door to door knocking, and asked residents about concerns with the proposed project. Ms. Milton said they talked to about 30 people. Some opposed the project.

Commissioner Jordan asked if the company will offer health insurance after six months or one year. Mr. Dado said its one year. Commissioner Jordan asked the applicant, given the nature of the patients you serve of whom many may have compromised immune systems, how you plan on addressing when someone gets sick. Ms. Milton said we will pay for it. Commissioner Jordan said you pay for it, meaning. Mr. Dado said we could pay for doctor visits, but if employees needed surgeries we couldn't pay for that. Commissioner Jordan said it sounds like you are making a verbal amendment, which we would need with the application.

Commissioner Jordan and Campbell confirmed applicants are required to perform community benefits and report to the commissioners within a year as to keeping commitments of their community benefits plan. Ms. Milton and Mr. Dado said they understood.

Romeo Lagonoy, spoke in favor  
Councilman Mays, spoke in favor

David Rosner, Marathon Flint Oil, spoke in opposition. Mr. Rosner stated an adjacent property they had acquired from the Land Bank was deed restricted to not allow marijuana sales.

Mr. Aamodt said he had received a letter from Mr. Langer in support, and from Mr. Rosner of Marathon in opposition. Commissioner Jewell asked staff to have Mr. Rosner sign his letter for the record.

Commissioner Campbell said she was concerned with the Land Bank telling people what they can and cannot put into areas. Mr. Rosner stated the land restriction was for up to seven years. Mr. Aamodt said the Land Bank does not have anything to do with this application. Mr. Aamodt noted the subject property was not currently owned or acquired from the Land Bank.

Commissioner Jewell said it was his understanding Land Bank restrictions were between property owners and property. He then noted Land bank has no jurisdiction over surrounding properties.

Commissioner Jordan asked staff, given the commission's approval of a similar request in the area, will the applicant still be in compliance. Mr. Aamodt said from our analysis it is in compliance even with previous approvals. Lead Planner, Adam Moore stated analysis will be updated regularly to include Provisioning Centers as they are approved, to insure all future applicants meet ordinance requirements.

Commissioner Jewell voiced his concern about not having a letter of intent from an insurance company within the application.

***M/S – Jordan/Campbell***

Motion to approve PC 19-352: Riadh Dado, of Trippy Forest LLC, requests a Group E Special Regulated Use Permit for a medical marijuana provisioning center at 1901 S. Dort (PID 41-16-351-020). Condition upon letter of intent for insurance on property and amended health care coverage with administrative review and approval.

***Unanimously carried.***

**SITE PLAN REVIEW:**

**SPR 19-925** Provisioning Center  
Applicant: Riadh Dado  
Location: Location: 1901 S. Dort Hwy. (PID # 41-16-351-020)  
Contact: Contact: David McLane, AIA, NCARB, Architect

David McLane, AIA and Daron Dado presented the request for the provisioning center. Mr. McLane noted the existing and proposed photometric lighting. Mr. McLane discussed the parking lot with ingress off Kemp St. and Dort Hwy. Mr. McLane said phase one is for a 2500 sq. ft. provisioning center.

Mr. McLane discussed the floor plan. Mr. McLane and Mr. Dado explained security features of the building. Customers will be buzzed in where a security guard awaits. Office spaces in the back will have secure access.

Commissioner Jewell asked if cameras will provide 360-degree views. Mr. Dado confirmed they will be 360-degree view. Commissioner Blower asked the applicant to define the store/security room. Mr. Dado said it was for security equipment. Commissioners Jordan asked about a camera and wall that is obstructing camera view. Mr. Dado said they can either put another camera up or remove the wall obstructing the view.

***M/S – Jordan/Ryan***

Motion to approve SPR 19-925 – Provisioning Center at 1901 S. Dort Hwy. (PID # 41-16-351-020) on condition upon: 1. labeling security/camera room to indicate it's not a supply storage, 2. revise site plan by adding another camera or removing the wall blocking camera view near emergency exit, 3. contingent upon satisfying the conditional approval of the public hearing PC 19-352 with administrative review and approval.

***Unanimously carried.***

**REPORTS:**

19-920 Robert T. Longway. Mr. Aamodt said the information was submitted but it has not been formally reviewed.

19-350 Operation of the Co-op. Mr. Aamodt said applicants have not submitted documentation.

19-349 Correction LLC. Vs INC. Mr. Aamodt said applicants have submitted documentation which would be reviewed soon.

Status of Emergency Marijuana ordinance, Reed Eriksson Assistant City Attorney gave commissioners an update.

Status of building access under Open Meeting Act, Reed Eriksson Assistant City Attorney gave the commission an update.

**RESOLUTIONS:**

There were no Resolutions.

**OLD BUSINESS:**

Draft zoning code, Adam Moore, Lead Planner gave the Commissioners a status report.

**NEW BUSINESS:**

Commissioner Jewell asked the Commission to commend the work Mr. Aamodt has done for the City of Flint.

**ADJOURNMENT:**

***M/S – Ryan/Campbell***

***Unanimously carried.***

Meeting adjourned at 9:10 pm.