

FLINT PLANNING COMMISSION
Meeting Minutes
November 27, 2018

Commissioners Present

Elizabeth Jordan, Vice-Chair
Carol-Anne Blower, Secretary
Robert Jewell
Phyllis McCree
Harry Ryan

Staff Present

Corey Christensen, Zoning Coordinator
Andy Aamodt, Planner I
Reed Eriksson, Assistant City Attorney
Suzanne Wilcox, Planning & Development Director

Commissioners Not Present

Robert Wesley, Chair – Excused
Leora Campbell – Excused
Denise Allen – Excused

ROLL CALL:

Vice-Chair Jordan called the meeting to order at 6:08 p.m. Roll was taken and a quorum was present. The meeting was held in the Committee-of-the-Whole Room, 3rd floor of the City Hall.

ADDITIONS/CHANGES TO THE AGENDA:

The agenda was amended to move SPR 18-897 to after PC 18-325.

ADOPTION OF THE AGENDA:

M/S – Jewell/McCree

Motion to adopt the meeting agenda as amended.

Unanimously carried.

MINUTES:

The Commission examined the minutes of 11-13-18 and made a change.

M/S – Jewell/Ryan

Motion to approve the minutes of 11-13-18 as amended.

Unanimously carried.

PUBLIC FORUM:

Councilman Mays spoke. Regarding recreational marijuana, there will be work to do at the Planning Commission and City Council levels. As he has watched the City and State's medical marijuana procedures, he cares about the burden this is putting on City staff. He is thinking about the possibility for financial amendments for providing more staff, because he does not want the City to be the reason these applicants are slowed down.

CASE REVIEWS:

Coolidge Park Apartments, 3701 Van Buren Ave.

Corey Christensen introduced the issue. The City recently became aware that changes to an already approved building and site plan at Coolidge Park Apartments (3701 Van Buren Ave.) have occurred. The zoning ordinance stipulates that the "planning official" can determine if changes to the approved site plan are substantial enough to necessitate another Site Plan Review. Mr. Chris-

tensen, being the “planning official”, wants feedback from the commissioners regarding the scale of the changes in order to make his determination. The developer has provided revised drawings that detail what changes have taken place.

Commissioner Jewell stated he is concerned that if the applicant/developer presents any information tonight, then staff would be in-taking more than just the request that Planning Commission provides feedback on the scale of changes.

Commissioner Jewell and Commissioner Blower stated they are leaning towards requiring Site Plan Review, because the number of changes that have occurred makes it a large change.

Mr. Christensen stated the change of footprint does not prompt Site Plan Review as it would in normal building expansion requests, but the concern is the number of changes to the plans that had been recently brought before them for Site Plan Review.

Commissioner McCree wanted the Commission and staff to be aware of anything that might not have been approved at the original site plan review.

PUBLIC HEARING:

PC 18-325: Application to transfer ownership of The Sweet Leaf, 400 S. Dort Hwy. (PID # 41-08-434-033), from Alex Bozek to Tiffany Drudi, Bruce Leach, and Jeffrey McGee.

Bruce Leach spoke. He is applying with Tiffany Drudi and Jeffrey McGee. TBJ Sweet Leaf LLC is actually the ownership that will be taking over. The three individuals make up that LLC. Their sole purpose of creating this LLC was for the state licensure process.

Corey Christensen clarified that, procedurally, the City attributes the SRU permit to an individual(s), so they had to have an individual name on the application form they submitted.

Alex Bozek, the current owner and operator spoke about this request. Commissioner Blower asked if he will still be working there. He stated he will continue to be the manager.

Bruce Leach introduced the property owner, Jerry Drudi, who is in support of the business. Mr. Leach explained they are going through the state application process, and the City recognizing and approving of this transfer of ownership is required before they get full state approval.

Commissioner Jordan asked for clarification on a timeline. Mr. Leach explained TBJ LLC was formed in December 2017. Their lease for the building was accepted in June, 2018. They have been planning this operation for months, leading up to the final passage of the City’s MMFLA ordinance. The final element is the City of Flint approval of the transfer of ownership. There have been no issues or violations with Mr. Bozek as the operator, so they intend to continue to have him manage.

Councilman Mays spoke in favor of the application. He has watched the City come up with the transfer of ownership process. He thinks the grandfathered clause should mean the property is grandfathered-in. He stated that was the legislative intent, even if the owners change. So that being said, he is in favor of the application, as there have been no issues at this location either.

No one spoke in opposition.

Mr. Christensen confirmed there have been no other communications in favor or in opposition.

M/S – Blower/Ryan

Motion to approve PC 18-325: application to transfer ownership of The Sweet Leaf, 400 S. Dort Hwy. (PID # 41-08-434-033), from Alex Bozek to Tiffany Drudi, Bruce Leach, and Jeffrey McGee, as presented.

Unanimously carried.

SITE PLAN REVIEW:

SPR 18-897 The Sweet Leaf
Applicant: Bruce Leach
Location: 400 S. Dort Hwy. (PID # 41-08-434-033)
Contact: Gazall, Lewis and Associates, Architects Inc.

Bruce Leach presented the request. A toilet pipe broke last Thanksgiving and affected the walls and floors. It was all superficial damage – there was no structural or mechanical damage. Mr. Bozek took the liberty to make those superficial repairs himself, and now they are submitting these floor plans to address these minor changes. The main thing is that the sales area’s layout was slightly altered, as the removal of some small partitions have opened up the sales area. There are no changes to the footprint or square footage. They are currently trying to correct this oversight and are trying to make sure their plans the City has on file are 100% accurate. None of these issues would require site plan review if this was not a Special Regulated Use. Mr. Leach stated the two gentlemen from the remediation company are there if the Commission has any questions about the water damage.

Commissioner Jewell clarified that the result is an “enhanced sales area.” Mr. Leach confirmed that the previous plans contained a lot of small walls and rooms with partitions. Now things are opened up in the sales area. The outside boundaries of the sales area have not changed.

Commissioner Ryan asked if there were any electrical changes, or any additions or removals of electrical outlets or lights. Mr. Leach confirmed there were no such changes.

Commissioner Jordan stressed that moving forward it is important to follow compliance. This was essentially a violation, even though it was minimal and not intentional.

M/S – Jewell/Ryan

Motion to approve SPR 18-897, at 400 S. Dort Hwy. (PID # 41-08-434-033).

Unanimously carried.

PUBLIC HEARING:

PC 18-326: Application to transfer ownership of We Grow, 2849 Miller Rd. (PID # 40-23-401-029), from Grace Smart to Holistic Health Flint, LLC.

Mohammed El-Khatib spoke. He is the individual the SRU permit will be transferred to, on behalf of Holistic Health Flint, LLC. He has experience in the medical marijuana business, as a member of Holistic Health Wayne, LLC, which operates a provisioning center in Wayne, MI.

Commissioner Blower asked if the transfer of ownership is a full transfer, and if Grace Smart will have any other roles. Grace Smart confirmed it is a full transfer.

Commissioner Jordan asked if Mr. El-Khatib or the LLC have been pre-approved by LARA. Mr. El-Khatib stated they will be going before the Board soon for pre-approval. The location in Wayne has been fully approved.

Commissioner Ryan asked for clarification regarding the SRU permit re-licensure. Corey Christensen provided clarity.

Commissioner Jordan asked if the entire building is vacant, as the application states. Mr. El-Khatib confirmed that is a typo- the building is not totally vacant. Only We Grow is on the lower, garden level.

Commissioner Ryan asked for clarification regarding the operation days and hours. Mr. El-Khatib stated they will be open seven days a week, with Sunday having more limited hours than the other six days.

No one spoke in favor of the application. No one spoke in opposition. Mr. Christensen confirmed there have been no other communications in favor or in opposition.

M/S – McCree/Blower

Motion to approve PC 18-326: application to transfer ownership of We Grow, 2849 Miller Rd. (PID # 40-23-401-029), from Grace Smart to Mohammed El-Khatib of Holistic Health Flint, LLC, as presented.

Unanimously carried.

REPORTS:

There were no reports.

RESOLUTIONS:

There were no resolutions.

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

Commissioner McCree announced this is her final meeting serving as planning commissioner. She has tried reaching her councilperson, but will send a letter via email. She wrote the Commission a letter.

The Commission thanked Commissioner McCree for her efforts, endurance, and perseverance.

ADJOURNMENT:

M/S – Ryan/Blower

Unanimously carried.

Meeting adjourned at 7:13 pm.