

**FLINT PLANNING COMMISSION**  
**Meeting Minutes**  
**May 12, 2020**

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**Commissioners Present**

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

**Staff Present**

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

**Commissioners Absent**

April Cook Hawkins

**ROLL CALL:**

Chairperson Wesley called the meeting to order at 5:35 p.m. Roll was taken and a quorum was present. Chairman Wesley welcomed Lynn Sorenson as a newly appointed commissioner.

The meeting was via Zoom and phone conferencing as approved.

Commissioner Wesley turned the meeting over to Suzanne Wilcox for the Election of Officers. Suzanne asked for nominations for Chairman for the Commission. Commissioner Jewell nominated Robert Wesley. Commissioner Blower supported. Ms. Wilcox asked if there were any other nominations for the Chair. Commissioner Jewell made a motion to close nomination for Chairman which was supported by Commissioner Jordan. Suzanne Wilcox called for a vote of Chairman to be filled by Commissioner Wesley.

All nominees accepted their nomination for Chairman for City of Flint Planning Department

Motion to appoint Commissioner Wesley as Chairman.

Commissioner Blower, yes  
Commissioner Jordan, yes  
Commissioner Campbell, yes  
Commissioner Sorenson, yes

Commissioner Hawkins, absent  
Commissioner Ryan, yes  
Commissioner Jewell, yes  
Commissioner Wesley, yes.

Motion unanimously carried

Ms. Wilcox handed the meeting back over to Commissioner Wesley as Chair

Commissioner Wesley said the next nomination was for Vice-Chairman. Commissioner Jewell nominated Elisabeth Jordan for Vice-Chairman. Commissioner Ryan supported. Commissioner Wesley asked if there were any other nominations for Vice-Chairman. Commissioner Wesley said nominations for Vice-Chairman is closed.

All nominees accepted their nomination for Vice Chairman for City of Flint Planning Department

Motion to appoint Elizabeth Jordan as Vice Chairman.

Commissioner Ryan, yes	Commissioner Hawkins, absent,
Commissioner Campbell, yes	Commissioner Sorenson, yes
Commissioner Blower, yes	Commissioner Jordan, yes
Commissioner Jewell, yes	Commissioner Wesley, yes.

Motion unanimously carried

Commissioner Wesley asked for nominations for Secretary. Commissioner Jewell nominated Commissioner Blower. Commissioner Campbell supported. Commissioner Wesley asked if there were any other nominations for Secretary, with no nominations they were closed.

All nominees accepted their nomination for Secretary for City of Flint Planning Commission

Motion to appoint Commissioner Blower as Secretary.

Commissioner Ryan, yes	Commissioner Hawkins, absent
Commissioner Campbell, yes	Commissioner Sorenson, yes
Commissioner Blower, yes	Commissioner Jordan, yes
Commissioner Jewell, yes	Commissioner Wesley, yes.

Motion unanimously carried

Commissioner Wesley asked for nomination for representatives to the Zoning Board of Appeals. Commissioner Jewell nominated Commissioner Blower. Commissioner Sorenson supported the nomination. Commissioner Wesley asked if there were any other nominations. With no other nominations, they were closed.

All nominees accepted their nomination for Representative to Zoning Board of Appeals.

Motion to appoint Commissioner Blower as representative to the Zoning Board of Appeals.

Commissioner Ryan, yes	Commissioner Hawkins, absent
Commissioner Campbell, yes	Commissioner Sorenson, yes
Commissioner Blower, yes	Commissioner Jordan, yes
Commissioner Jewell, yes	Commissioner Wesley, yes.

Motion unanimously carried

**ADDITIONS/CHANGES TO THE AGENDA:**

Add under Reports review of Zoning Board of Appeals from 4-21-2-2020 including PC 20-358  
Add under Case Review status of SPR 20-930

**ADOPTION OF THE AGENDA:**

***M/S – Jordan/Campbell***

Motion to adopt the meeting agenda as revised.

***Unanimously carried.***

**MINUTES:**

The Commission examined the minutes of 4-15-20

***M/S – Jewell/Campbell***

Motion to approve the minutes of 4-15-20 with corrections.

***Unanimously carried.***

**PUBLIC FORUM:**

Commissioner Wesley informed the Commission and public that SecureCann (PC 20 371, PC 20 372, PC 20-368 and PC 20-373) had withdrawn their applications from the May 12, 2020, Planning Commission meeting. Commissioner Wesley asked if anyone from the public wanted to address the Planning Commission.

**SITE PLAN REVIEWS:**

SPR 20-929: Voices for Children expansion of a legal non-conforming office and parking in a B – Two Family zoned property at 515 East Street (Parcel ID # 41-07-451-046)

Claudnyse Holloman presented on behalf of Voices For Children and said “Thank you, commissioners. My name is Claudnyse Holloman and I have the pleasure of serving as Executive Director for Voices for Children. We are the child Advocacy Center for Genesee County and we also provide services in Shiawassee County as well. What that means is any child that's abused, neglected or human traffic comes before our Center for services. At this time, we are only currently able to see child sexual abuse cases. A majority of only those cases have a few neglect cases and only severe physical abuse cases. For us to be able to see the entire gambit of children who have been physically, sexually human trafficked, or neglected, we need to be able to expand our building because we are currently out of space in our current location.

We provided over 600 services to over 600 new kids last year and a total of 1200 families. We provide therapy services for those families. We coordinate with law enforcement and CPS to provide what's called a forensic interview so kids in Genesee County and Flint do not have to go to a police station, or go to the CPS office to have their case investigated. We provide advocacy where we go to court with the kids, any basic needs that the family has, we coordinate those needs with people in the community and agencies in the community. And then we provide support groups for families. We provide prevention education.

So we are the only agency providing these direct services to the children in Genesee and Flint. And so, this expansion project will allow us to serve an additional close to 300 to 400 kids and the families of those particular kids. The kids count data just came out and it showed that Genesee County is third for child abuse and neglect at this time. And so we want to be able to provide all of the kids the same services that the children who are sexually abused are able to get. And so the information that Creekwood architect will provide will explain all of the things that we are doing at the particular site. And I do want to share that we did look at other places to move. However, with the current location, we have more than enough land to continue to do the expansion. And it is cheaper for us to stay at the current location as the kids call it, the Big Blue House, which is my virtual background, so that

everybody could see I am a proud Voices For Children employee and we'll continue to keep that as my background.

Currently, even during the pandemic. We are providing emergency forensic interviews. And I can only tell you like as a person who sees kids that come in every single day, what's happening to our kids during the pandemic is even more horrific than what we're seeing at a different time. Just what they're going through the bruises that we're seeing on their body or what they're having to endure because they're not at school at this current point.”

Bruce Calhoun from Creekwood Architecture explained “What we're looking at doing is expand the existing facility. We're adding 2892 square feet. That's going to give us a total of 5150. We're expanding the parking lot to 30 cars, and this is on 1.3 acres of land. We're surrounded by commercial uses, you know, the residential district we have the church this is on two different sides. And we have some houses on the south side that are heavily screened with trees. So I think it's a good use for the rest of the land on this project.

We've already been to the Zoning Board of Appeals. We've got permission to expand the non-conforming use. It was a unanimous approval. And we've already relocated the garage from the back of the house to the position shown on the site plan right now.

The site will drain into a detention pond located on the North-East portion of the site. And a drain line will extend out to the road right away to the existing storm sewer system. We have an easement that was rolled up, or that storm line to run through there. It just hasn't been recorded yet because the clerk's office isn't quite open yet. And also we're expanding the asphalt into the church property and I think you have in your possession a letter from the church stating their approval to do that allows us to make the parking spaces in front of the building and the drive, meet the legal standards required. Other than that we would ask for your approval. And I think it's a good project for you.”

Commissioner Jewell asked Ms. Hollman if there is a letter of understanding between the Church and Voices for Children. Ms. Hollman said they have not completed a memorandum of understanding yet, but they are working on getting one completed. Commissioner Jewell asked Ms. Hollman if she could provide a copy of the memorandum to Planning staff once it was completed with a copy of the December 11, 2019 letter. Ms. Hollman said she could not commit to this because originally she asked the Church for an MOU and was provided the December 11, 2019 letter. Ms. Hollman said she would work on an agreement.

Commissioner Blower asked Ms. Hollman what type of barriers is to the east of Voices of Children's property; is there a fence or tree line? Ms. Hollman said the Church has a coffee shop and temporary housing there. On the west side is Flint Cultural Center who works in tandem with them. They provide our snow removal and lawn care service. There is also a house to the west which has a large privacy fence. Then the rest of the property, she believed, to the south is vacant land and church parking.

Commissioner Blower asked if the only fence was the privacy fence to the west. Mr. Calhoun said yes its open space to the church into the parking lot with a little bit of chain link fence that we are going to repair.

Commission Sorenson asked if, once the addition is complete, the main entrance will be on the north side of the building. Mr. Calhoun said yes. Commissioner Sorenson asked what will happen with the

entrance on the east side of the building. Mr. Calhoun said the two doors to the east will be used for exiting. Commissioner Sorenson said she was concerned there is no sidewalk in front of the building where people will be parking. Consequently, little children are going to be directed to the rear of the car to walk in the rear of the cars to get to the entrance of the building.

Commissioner Ryan asked about the window being installed on the new addition and asked the applicant to explain them and their size. Mr. Calhoun stated they are all egress windows and are 3 x 4 double-hung windows.

Commissioner Jordan said she had the opportunity to walk through the facility a couple of months ago and every inch of the facility was utilized. Commissioner Jordan said she could certainly understand the importance of the work and applaud the applicant for moving forward to serve the needs of the kids of our community.

Commissioner Wesley noted letters received in support of Voices for Children provided by Sheriff Swanson - Genesee County, Ron Wiles Genesee County Association of Chiefs of Police, David Leyton, Prosecuting Attorney, Genesee County, Jerry Beiger – Riverside Tabernacle, Mark Sinila – Flint Cultural Center, Dan Kildee – Member of Congress of United States. Commissioner Wesley said these records will be made part of the record.

#### ***M/S – Jordan/Campbell***

Commissioner Jordan made a motion for approval of SPR 20-929 Voices For Children expansion of illegal non-conforming office and parking in a B two family-owned property located at 515, East street parcel number 41-07-451-046. and noted the applicants' intention to furnish us with a copy of the MRU with Riverside at the point that that becomes available.

***Unanimously carried.***

#### **CASE REVIEW:**

Status of Holistic Vibes, LLC legal review of application withdrawal

Mrs. Thompson said for clarification the applicant postponed one time and withdrawn one time. Commissioner Wesley said yes he believed that was correct. Mrs. Thompson said under the Planning Commission bylaws section 5, the applicants request to postpone upon the applicant's timely request for the postponement of a public hearing. The administrator shall grant the request provided, however, the applicant shall be assessed the cost of any additional public notification. Only one postponement of a public hearing is allowed at the request of the applicant. So based on this provision in your bylaws, Holistic Vibes, was able to postpone their application the first time, which they did. There's nothing in the bylaws that prohibits an applicant from withdrawing. There's no prejudice to the applicant for withdrawing and then reapplying at a later date. Now, that being said, the Planning Commission can still consider all the public comments that were previously heard in the meetings where the application was supposed to be heard. And that goes to preserving the public's right to be heard on each application. Under these bylaws, Holistic Vibes, LLC is free to reapply.

Commissioner Wesley asked if there was a timing requirement for the applicant in reapplying to the Planning Commission. Mrs. Thompson said not under these by-laws, but they would have to go through the application process again before they could have another hearing before the Planning Commission.

Commissioner Wesley asked if there was an action the Commission needed to take during tonight's meeting. Mrs. Thompson said currently Holistic Vibes does not have an application before the board and if they did reapply and withdraw they would not be allowed to postpone the meeting again.

Ms. Wilcox suggested the Commission review the bylaws to discuss if any changes were necessary regarding withdrawals, marihuana, and bylaws. Commissioner Jewell felt the discussion about bylaws and review to look at items that need to be reaffirmed, changed, or added was excellent. Commissioner Jewell noted this may be something the Chairman may want to consider and for a bylaws committee to look at.

Commissioner Wesley asked Mrs. Thompson if Holistic Vibes, LLC withdrew their application and is a new application, would they lose their grandfathered status at that point. Mrs. Thompson said withdrawing in itself would not impact the grandfathered status. Commissioner Wesley asked Mrs. Thompson what other things would affect their grandfathered status because they got their Medical Marihuana status and what they are asking for now is only allowed in no less than D-6 Zoning. Mrs. Thompson explained if they were previously granted a marihuana provisioning center license or SRU, then the recreational as a light use would qualify at that particular location under the grandfathered status.

Mrs. Thompson said regarding the bylaws she could reach out to other communities to find bylaws that have been updated more recently. This would give Commissioners something to compare them to and to get some ideas for provisions you may want to add. Commissioners Wesley said he would appreciate this.

Commissioner Wesley said he didn't believe the Planning Commission had to take any action as to Holistic Vibes withdrawal at this time. Commissioner Jewell asked that Holistic Vibes, LLC be put under Case Review for the next scheduled meeting.

## **CASE REVIEW**

Status of PC 20-930 - Landscaping plan

Ms. Wilcox said Norstar Development was working on multiple documents related to their submission of an application to MSHDA. It is our understanding they will have the updated landscape plan prepared by June 15. Once we receive the plan we will ask the Chairman or his designee's participation to review with staff.

## **PUBLIC HEARING:**

Commissioner Wesley stated the four applications for SecureCann incorporated have been withdrawn at the request of the applicant. Commissioner Wesley said the Planning Commission received a letter from Rono Desensio on behalf of Springfield Holdings. The letter says on behalf of Springfield Holdings LLC they object to the approval of the following special regulated use permit for Holistic Vibes, LLC.

Commissioner Jewell noted based on our conversation since SecureCann has withdrawn those four requests; my understanding of withdrawal then means that if they want to come back again they have

to reapply and go through the same process. Is that correct? Commissioner Wesley and Mrs. Thompson concurred this was correct.

Mr. Vandercook asked Commissioner Wesley if Mrs. Thompson could clarify two legal terms under the Cities bylaws regarding postponement and withdrawal. Mrs. Thompson said according to city bylaws if you postpone they could come back at a later date, but withdraw means completely withdraw.

Commissioner Wesley asked if he was correct SecureCann was withdrawing their applications. Ms. Wilcox said we asked that question and that was the word they used, but I believe it was in a different context because they were talking about withdrawing for tonight and bringing back before the Planning Commission at the next possible meeting. The reason they withdrew from tonight's meeting was that documents were missing from the application.

Commissioner Jewell asked Commissioner Wesley if the letter read previously said withdraw. Commissioner Wesley said no, it does not say withdraw.

Mrs. Thompson said the most prudent course going forward would be to ask the applicant specifically if they want this treated as a postponement and warn them they only get one postponement or we can treat as a withdrawn application and start new. Mrs. Thompson said in the future we should be transparent about postponements and withdrawals with applicants.

Ms. Wilcox said we can get clarification from SecureCann and felt they would prefer postponement. Mrs. Wilcox said she just wanted to be clear that this was at their request whether it was a postponement or withdrawal. Ms. Wilcox said she would go back to the applicant and ask them if they intended to withdraw or postpone for the record. Mrs. Thompson wanted the Commission to be aware they still had the authority to postpone a case due to items being missing or specific issues with an application.

~~Commissioner Campbell asked for clarification Mrs. Thompson said PC 20-371 and PC 20-372 can be in the same location but PC 20-368 and PC 20-373 cannot go with the other two. Mrs. Thompson said if the facility met other requirements those license types could be grouped.~~<sup>1</sup>

Commissioner Blower asked if an applicant postponed would they have to give a specific date as to when they will be presenting their case. Ms. Wilcox said these are ordered applications which is part of the reason they only get one postponement. Applicants have a specific order in which they are reviewed any postponements can delay other applicant's timeframe in coming before the Planning Commission.

Mrs. Thompson said she felt this would be a good item to add to the bylaws that if an applicant desired to postpone they could only postpone until the next Planning Commission meeting. Ms. Wilcox made the Commissioners aware that the reason we could not get SecureCann on the May 26, Planning Commission meeting was that there was not enough time to publish a legal ad.

Mrs. Thompson said the version that we're discussing article three, section five of the bylaws, says, upon a timely request to postpone. So in my notes, I underlined timely, because I think that's the question that the Commission on a case by case basis or application by application basis, what is

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<sup>1</sup> For clarification, please see Planning Commission minutes for the May 26, 2020 meeting.

timely, and I think the public notices have already gone out and that's one factor to indicate that the request to postpone was not submitted promptly.

Commissioner Wesley asked Ms. Wilcox if she would get clarification from SecureCann if they wanted a postponement or withdrawal. Ms. Wilcox said she would get clarification from SecureCann for the record.

### **REPORTS:**

Status of permanent marihuana ordinance:

Mrs. Kelly Thompson referred to Ms. Wilcox

Ms. Wilcox explained we are in a 60-day emergency marihuana ordinance extension period and expect the issue to come up before City Council soon due to the deadline. Ms. Wilcox explained there has been some discussion about modifying the permanent ordinance which she needed to discuss with Mrs. Thompson. Ms. Wilcox said the proposal is to strengthen the ability if someone gets denied for recreational adult use as part of their medical license. The question is how long is that denied for and can they come back to the Planning Commission even if they are grandfathered in. Ms. Wilcox said the language has been submitted and she would be getting with Ms. Thompson to discuss and then there would probably be conversations with City Council so they can decide as to whether or not to incorporate into the ordinance.

Commissioner Jewell asked what the expiration date was for the emergency medical marihuana ordinance. Commissioner Jewell requested the date be put into the minutes (expiration date 6-12-2020).

Ms. Wilcox said once the permanent Marihuana ordinance is adopted we will begin working on the zoning ordinance.

Capital Improvement Plan:

Ms. Wilcox explained **Eric Scorsoni** has been working on the community budget hearings. Ms. Wilcox is trying to get the section where there have been revisions. Ms. Wilcox said once she receives the documents she would email to the Planning Commission, so we can discuss it at the next meeting.

Review of Zoning Board of Appeals of 4-21-2020

Commissioner Blower on 4-21 we had the Voices For Children which was unanimously approved. Commissioner Blower said 4DMar, LLC / PC 20-358 had come before the Zoning Board of Appeals at their April 21 meeting. They were trying to be the 5<sup>th</sup>, Adult-Use facility. The Zoning Board of Appeals voted 6 to 1 to deny and reiterated and supported the Planning Commissions decisions and choices the Commission made for denial.

### **RESOLUTIONS:**

None

### **OLD BUSINESS:**

None



**NEW BUSINESS:**

**Marihuana Re-Licensing Policy:**

Ms. Wilcox explained there is a need for the Planning Division to have some internal discussions about the process and the routing and the system to get licenses approved, but there was also a discussion that you as the Planning Commissioners wanted to have too.

Commissioner Jordan responded and explained we're approaching the time when some of the first marijuana applicants are going to be coming up on a one year, relicensing period. Staff had raised the question to her about what the expectations were in terms of following up on those that went through the rubric process. So for example, some people got scored higher because they were planning on paying a living wage or they had committed to hiring a certain number of residents or making some sort of charitable gift towards local nonprofits or things like that.

We had made it clear in our deliberations that because folks had gotten earlier in the queue based on the promise of these benefits that at the time of relicensing, they were going to be required to demonstrate what had they performed relative to what they said they were going to do for those various factors. And so it's more so trying to be a little proactive in terms of for staff, what is that process and not that we as Planning Commission is going to be designating. I think my recollection of our conversations at the time, was that each applicant would have to report back as part of the relicensing process to staff on what they had achieved.

Commissioner Jordan wanted to bring this before the commission to make sure that we're all on one accord that we're not rehearing these cases. We're not being asked to weigh in and every relicensing that this is largely a staff function. But you know, there are cases where maybe they've met some of the requirements, but not all, and they would like our input on it, that they could always feel free to bring something forward as a case review, but that you know, for those who met their obligations, we probably wouldn't get more than just an update.

Ms. Wilcox said she was currently working with staff and Ms. Thompson on preparing a routing sheet as part of the process.

**ADJOURNMENT:**

*M/S – Blower/Sorenson*

*Unanimously carried.*

Meeting adjourned at 7:14 pm.