

FLINT PLANNING COMMISSION
Meeting Minutes
May 26, 2020

Commissioners Present

Robert Wesley, Chair
Elizabeth Jordan, Vice-Chair
Carol-Anne Blower, Secretary
Robert Jewell
Lynn Sorenson
Leora Campbell
April Cook Hawkins

Staff Present

Bill Vandercook, Planner I
Keizy Anpalagan, GIS Technician
Kelly Thompson, Assistant City Attorney

Commissioners Absent

Harry Ryan

ROLL CALL:

Chairperson Wesley called the meeting to order at 5:30 p.m. Roll was taken and a quorum was present.

The meeting was via Zoom and phone conferencing as approved.

ADDITIONS/CHANGES TO THE AGENDA:

Add under Reports ZBA meeting from May, 19 regarding PC 20-364

Add under Case Review status of Public Hearing from SecureCann (PC 20-371, PC 20-372, PC 20-368, PC 20-773)

Add under Case Reviews PC 20-363 Holistic Vibes previously withdrawn from the Planning Commission meeting.

Add to Minutes of previous meeting dated February 11, 2020 request of name revision from Regina King to Regina Momgoudas

Add under additions or changes to minutes of May 12, 2020, Planning Commission meeting, Kelly Thompson's update of marijuana ordinance information

ADOPTION OF THE AGENDA:

M/S – Jewell/Blower

Motion to adopt the meeting agenda as corrected.

Unanimously carried by voice vote

MINUTES:

The Commission examined the minutes of 5-12-2020

M/S – Jewell/Campbell

Motion to approve the minutes of 5-12-20 as corrected.

Unanimously carried by voice vote.

The Commission examined the minutes of February 11, 2020.

Bill Vandercook noted the minutes for February 11, 2020, under PC 20-360 were incorrect for spelling of Regina King. Her actual name is Regina Momgaudas, not Regina King.

M/S – Jordan/Jewell

Motion to correct the spelling of Regina Momgaudas within the February 11, 2020 minutes.

Unanimously carried by voice vote.

Commissioner Campbell and Sorenson abstained.

PUBLIC FORUM:

None

SITE PLAN REVIEWS:

None

CASE REVIEW:

Status of PC 20-930 - Norstar Development

Mr. Vandercook said currently they have not submitted a landscape plan, but are planning to in June.

PC 20-363 Holistic Vibes Commissioners concurred Holistic Vibes had withdrawn from the May 12, 2020 Planning Commission meeting and not postponed.

Commissioner Jewell said at our last meeting, there was a discussion regarding moving forward concerning the review of our bylaws, both in regards to postponement and the possibility of withdrawal. Mrs. Thompson, our attorney provided some additional insight as well as Ms. Wilcox in suggesting one a review of our bylaws as well as Kelly had recommended and offered the opportunity to review a variety of other Planning Commission bylaws in regards to what ways our bylaws may need to be updated and reviewed.

Commissioner Jewell said from his perspective, it may make more sense for Commissioner Wesley to meet with Mrs. Thompson and Ms. Wilcox to take a look at our present by-laws and possibly establish a planning commission committee to move forward. Commissioner Wesley said he would consider putting this item on the Agenda of the next Planning Commission meeting.

Commissioner Wesley asked what was the purpose Holistic Vibes was put under Case Reviews.

Commissioner Jewell said he asked that it be put back on our agenda as an update and review in regards to any additional kind of endeavors, which it seems we've addressed. Commissioner Jewell said it's my understanding from the minutes and our discussion if Holistic Vibes wants to reapply that they may do so, but they have to start from the beginning. Commissioners' concurred.

Status of SecureCann (PC 20-371, PC 20-372, PC 20-368, PC 20-773) Commissioner Jewell said he wanted to clarify if SecureCann had either postponed or withdrawn from the May 12, Planning Commission meeting. The minutes from the Planning Commission reflect Ms. Wilcox and staff was going to follow-up with the applicant regarding their intent and usage of those words. Mr. Vandercook confirmed that Ms. Wilcox had a discussion with the applicant SecureCann and they asked for a postponement. Mr. Vandercook said SecureCann asked to be rescheduled for the June 9, Planning Commission meeting and acknowledged a Public Notice was put in the Flint Journal for SecureCann to attend the June 9, Planning Commission meeting.

Commissioner Jewell said just for clarification, since there was confusion in the terms of withdrawal and postponement. Their last presentation was postponed until the June 9th, which then means under our present bylaws, that's the postponement, because there is only one postponement. So if they, as an applicant decide not to present on June 9, it'd be my understanding that they have withdrawn. Because there's no other postponements, would that be correct?

Commissioner Wesley said that was his understanding and asked for Mrs. Thompson to respond. Ms. Thompson said, yes, that would be correct. And just so that everybody is clear, including the applicant. at the last meeting, I believe it would be prudent for planning staff or whomever is facilitating their application to make that clear to the applicant that if they are not able to move forward for the June 9th, meeting, then they'll be notified that that will be deemed a withdrawal and they'll have to start from the beginning.

Commissioner Jewell asked Commissioner Wesley if he could make sure that staff is aware of clarification from our legal counsel, and that the applicant SecureCann is informed accordingly and the minutes reflect this. Commissioner Wesley said yes.

PUBLIC HEARING:

PC 20-374: GC Flint, LLC request a Group E Special Regulated Use Permit for an adult-use (recreational) marijuana retail facility at 808 South Center Road (PID # 41-09-483-034).

Commissioner Jewell asked staff to clarify what he felt were incorrect dates on page two of the staff report provided for PC 20-374 GC Flint, LLC. Mr. Vandercook said there were three dates given regarding the background on page two. The first date provide was correct being December 29, 2014. The second date is August 8, 2017, and the third date is April 23, 2019. Commissioner Jewell said he wanted to make this was clear in support of the applicant's presentation to avoid any confusion.

Hani Kassab owner of GC Flint, LLC presented his application. Mr. Kassab said they have already been approved by the state for a recreational license, once they get City approval. Currently, we are working with Dorian Jackson from Elite Staffing and our goal is to hire Flint citizens. Twenty people for this location and another site at 2101 Dort Hwy. Mr. Kassab said COVID has changed the way they do business and with curbside delivery, but they don't anticipate any parking situation arising even with the increase from medical to adult use.

Mr. Kassab said regarding neighborhood benefits they have been doing a lot of community outreach programs including local food and clothing drives, and working with other charitable organizations and churches in the city.

Mr. Kassab said he believed one of the issues is they are currently zoned D-3 and believed the correct zoning is supposed to be D-6. Mr. Kassab noted since they are grandfathered in he didn't believe that is an issue and said it does fit the City ordinance.

Commissioner Jordan said there are a few different sections on the application where additional documentation is required and none of the items were checked off. Normally these are marked off showing they were provided by the applicant. Mr. Kassab asked for clarification. Commissioner Jorden noted

on page three of the application where it says additional documents required such as Articles of Incorporation, Assumed name registration, Internal Revenue Service, EIN, Copy of the Operation Agreement, Lease agreement, Proof of insurance, etc.

Mr. Kassab explained they had submitted all required documents. Commissioner Jewell stated he was in support of Commissioner Jordan and that It's not the issue of the documents being submitted those items are not checked off on the application, they're blank.

Commissioner Jordan asked if it would be appropriate due to the remote meeting if the applicant could verbally verify the items were provided and be noted within the minutes as the applicant having attested the items were provided.

Commissioner Wesley asked the applicant to attest that the documents required on the application were submitted. Mr. Kassab attested they submitted all of the following: Article of incorporation, Assumed named registration documents, Internal revenue service SS-4 EIN confirmation letter, Copy of the LLC, Lease agreement, Proof of insurance, Property owners authorization form, Signed and notarized acknowledgement of federal law and release of liability form, Proof of ownership of the entire premises, Proof of adequate premise liability and causality insurance policy, A security plan, Floor plans, Affidavit that neither the applicant nor any stakeholder of the applicant is in default to the city, An affidavit that the transfer of marihuana to and from the facility will be in compliance with the MMMA and the Medical Marihuana Facility Licensing Act or other state laws, A staffing plan, Proposed text and graphic materials, A business plan, A location area map, A facility sanitation plan, A description of procedure for testing, A hazardous material plan, A proposed record keeping plan and Affidavit that all operations will be conducted in conformance with the MMMA, the Medical Marihuana Facilities Licensing Act or other applicable state laws.

Commissioner Campbell asked if photo ID's where required in the executive summary. Mr. Vandercook stated Photo ID's were submitted with the applicant's full application. Commissioner Wesley said they were required in the full application.

Commissioner Blower asked the applicant to discuss adjoining neighbors and any contact they have had with their neighbors. Mr. Kassab said we are located in a shopping center and there are no residential properties around their business.

PUBLIC HEARING:

Commissioner Wesley asked if anyone wished to speak in favor of PC 20-374 GC Flint, LLC at 808 South Center Road.

Dion Boose spoke in favor of GC Flint, LLC

Victor Dixon spoke in Favor of GC Flint, LLC

Duane Harrington spoke in favor of GC Flint, LLC

Sandra Wilbond spoke in favor of GC Flint, LLC

Dorian Jackson spoke in favor of GC Flint, LLC

Commissioner Wesley asked if anyone wished to oppose PC 20-20374 GC Flint, LLC at 808 South Center Road. None

Commissioner Jewell asked staff if there were any other communications email, phone calls or correspondence regarding GC Flint, LLC. Mr. Vandercook said there was none.

Commissioner Blower made a motion to approve PC 20-374: GC Flint, LLC request a Group E Special Regulated Use Permit for an adult-use (recreational) marijuana retail facility at 808 South Center Road (PID # 41-09-483-034).

M/S – Blower/Campbell

Motion to approve PC 20-374/GC Flint, LLC

Unanimously carried

REPORTS:

Status of permanent marijuana ordinance:

Mrs. Kelly Thompson Assistant City Attorney said she was planning a meeting with Suzanne Wilcox regarding the permanent marijuana ordinance. Mrs. Thompson noted that Kristin Owens submitted a proposal to City Council, which Councilman Griggs asked Mrs. Thompson and Ms. Wilcox to review. Commissioner Jewell asked so the City Council is making recommendations for a proposed change to the draft marijuana ordinance. Mrs. Thompson said yes. Mrs. Thompson said she would share the information about the outcome of the meeting at the next Planning Commission meeting.

Commissioner Wesley stated the Planning Commission should have an opportunity to consider any changes and make recommendations to City Council before they make a final vote on the ordinance.

Mrs. Thompson noted if there is any change that is submitted to City Council that they will be voting on to approve or not those changes will be brought before the Planning Commission.

Status of the draft Zoning Ordinance and Capital Improvement Plan:

Mr. Vandercook informed the Planning Commission that according to Suzanne Wilcox there have been no changes from the previous Planning Commission meeting.

Zoning Board of Appeals Report:

Commissioner Blower explained on May 19, 2020, the Zoning Board of Appeals unanimously denied PC 20-364/ Green Skies Healing Tree, LLC.

RESOLUTIONS:

None

OLD BUSINESS:

Marijuana Business Re-Licensure Policy

Mr. Vandercook said staff was in the process of preparing a draft routing sheet to present to the Planning Commission. Mrs. Thompson said the routing sheet could be presented at the next Planning Commission meeting.

NEW BUSINESS:

None

ADJOURNMENT:

M/S – Jewell/Campbell

Unanimously carried.

Meeting adjourned at 7:37 pm.