

FLINT PLANNING COMMISSION
Meeting Minutes
June 12, 2018

Commissioners Present

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

Staff Present

Corey Christensen, Zoning Coordinator
Kevin Schronce, Lead Planner/ Planner III
Andy Aamodt, Planner I
Reed Eriksson, Assistant City Attorney

ROLL CALL:

Chairman Wesley called the meeting to order at 6:11 p.m. Roll was taken and a quorum was present. The meeting was held in the Dome, basement of the City Hall.

ADDITIONS/CHANGES TO THE AGENDA:

Election of officers was added after minutes.

Public hearings for PC 18-320 and 18-319 were moved to take place before their corresponding Site Plan Reviews.

ADOPTION OF THE AGENDA:

M/S – Allen/McCree

Motion to adopt the meeting agenda.

Unanimously carried.

MINUTES:

The Commission examined the minutes of 5-22-18. There were no corrections.

M/S – Campbell/Jewell

Motion to approve the minutes of 5-22-18.

Unanimously carried.

ELECTION OF OFFICERS:

The Planning Commission elected Commissioner Wesley as Chair, Commissioner Jordan as Vice-Chair, and Commissioner Blower as Secretary.

PUBLIC FORUM:

No one spoke.

CASE REVIEWS:

There were no case reviews.

PUBLIC HEARING:

PC 18-320: Mouayad Youhana Sokana requests a Group E Special Regulated Use Permit to allow for a dispensary at 2610 Davison Rd.

Bruce Leach, attorney, presented the project with Fadi Hindi. They noted they have provided the sufficient material the Commission requested after postponement last meeting.

Commissioner Jordan asked about the documentation of ownership of property. Mr. Hindi pointed to appendix B where a copy of the deed is displayed.

Commissioner Jordan asked about security. Mr. Hindi described dome cameras, panic button, electronic doors, check-in counter, and waiting area will all work as security elements inside the facility.

Commissioner Jordan asked about the Master Plan and Future Land Use Plan in relation to the project's proximity to residential areas. Mr. Hindi described that many of the area homes are vacant and some have been demolished recently. He noted they have not heard any objection from the residents and that the commercial properties nearby have seemed supportive. Mr. Leach described that the previous use of this building was a medical office, and the medical nature will not change as the project's operations fall under a medical research type. He noted a residential buffer requirement would pertain to the MMFLA. They are here to apply under the old MMA ordinance. Mr. Hindi described that odors will be controlled by systems and there will not be any kind of nuisances or negativity. He also stated traffic should not be affected because they will not be serving a large number of patients at any given time.

Commissioner Jewell observed that changes had been made in the business plan since last meeting. Mr. Hindi described a previous person put together the previous version of the business plan. This business plan before the Commission is the current, updated plan.

Commissioner Campbell mentioned terminology should be changed from "directors" to "members" when pertaining to an LLC. She complimented the applicant on the business plan.

No one spoke in favor. No one spoke in opposition. Corey Christensen confirmed staff received no feedback.

M/S – Blower/Campbell

Motion to approve PC 18-320, Group E Special Regulated Use Permit for dispensary at 2610 Davison Rd. ***Unanimously carried.***

SITE PLAN REVIEW:

SPR 18-891: The Greenery

Applicant: Mouayad Youhana Sokana
Location: 2610 Davison Rd., parcel # 41-08-228-016
Contact: Fadi Hindi

Charles Sawdon, architect from Asselin McLane, presented the site plan for the provisioning center. The facility is an existing building. The major improvements of the site include parking changes, screening to the rear of the property, and a dumpster enclosure. Lighting will be improved. Landscaping is not proposed because the property is so small.

Commissioner Blower asked for an explanation of access to parking. Mr. Sawdon replied the drive is wide enough for two-way traffic, but barely. The traffic flow inside the lot is unconventional, but they have provided the required seven spaces.

Commissioner Jewell asked about fencing and landscaping. Mr. Sawdon replied the fencing is to provide screening from the residential lots to the rear. It will be a six-foot vinyl fence.

Commissioner Jordan asked for clarification of the entrance. Mr. Sawdon confirmed the one entrance to patients will be from the front of the building.

Commissioner Jewell asked if there is only one entrance and exit door. Mr. Sawdon confirmed there is an additional door in the rear of the building, for egress only.

M/S – Blower/McCree

Motion to approve SPR 18-891, The Greenery at 2610 Davison Rd. (parcel # 41-08-228-016).

Unanimously carried.

PUBLIC HEARING:

PC 18-319: Regina Momgaudas requests a Group E Special Regulated Use Permit to allow for a dispensary at 6200 N. Dort Hwy.

Regina Momgaudas presented the project. She described it will be a medical-based dispensary. They will follow similar research to what has been done in Israel. They will study the marihuana's strains and dosages. She confirmed they are applying under the caregiver model.

Commissioner Jewell asked where the additions from last meeting were, seeing that the application was postponed last meeting. He also asked what the operating hours will be. Ms. Momgaudas pointed out in the business plan where this is covered, and noted the hours will be 8 am to 7 pm Monday thru Saturday, and 12 pm to 6 pm Sunday.

Commissioner Jewell asked about the number of employees. Ms. Momgaudas confirmed there will be three employees and three caregivers. She clarified there will be a dispensary manager, receptionist, and cashier. There will be a chief executive officer in addition, and Ms. Momgaudas confirmed that will be herself. She would not consider herself to be one of these listed employees and will probably not receive compensation. Ms. Momgaudas stated in the future there may be more room for additional administrators or clerical employees.

Commissioner Jordan asked about the number of patients. Ms. Momgaudas confirmed there will not be more than 15 patients, because of the three caregivers.

Commissioner Jordan asked about the donations from patients and if those will be used to recoup costs. Ms. Momgaudas stated she does not anticipate using these in their model to recoup costs.

Commissioner Campbell commented about "member" text, considering this business is an LLC.

Commissioner Jewell asked about an addendum or purchase agreement and if they are finalizing on closing on the purchase. Ms. Momgaudas stated the closing date is Friday, June 15th.

Commissioner Jewell asked about the security plan. David Curtis, the security adviser, described the route a guest would take when entering the building. He described the cameras and lighting, which will cover out into the parking lot. Someone at the door will check identification. This security officer will be contracted.

Commissioner Campbell asked if the building will only have one door. Mr. Curtis replied that only one door is required by code. Commissioner Jewell argued that someone could be trapped by fire in the back of the building. Ms. Momgaudas and Mr. Curtis emphasize that the building code only requires one door and they have provided that. Commissioner Ryan and Commissioner Wesley mentioned the Planning Commission cannot change the building code law. Commissioner Ryan asked staff if requiring more doors is within the Planning Commission's scope. Kevin Schronce explained that the adherence to the building code is responsibility of building department, and the business cannot be issued certificate of occupancy until building plans are approved of. Commissioner Jewell mentioned he is not comfortable of approving this until there are two exits. Commissioner Wesley stated if the building will be meeting code, they cannot deny this item on this basis. Corey Christensen explained these plans have been circulated through City departments, and the fire department made no comments regarding the doors. The Commission decided this issue will be more suited to Site Plan Review rather than under the public hearing.

Commissioner McCree asked about if a window could become a fire safety exit. Mr. Curtis replied that for burglary reasons there are no proposed windows in the rear.

M/S – Campbell/Allen

Motion to approve PC 18-319, Group E Special Regulated Use Permit for dispensary at 6200 N. Dort Hwy.

Unanimously carried.

SITE PLAN REVIEW:

SPR 18-892: Bacco Farms, LLC

Applicant: Regina Momgaudas

Location: 6200 N. Dort Hwy., parcel # 47-29-102-044

Contact: Dave Curtis

Charles Sawdon, architect from Asselin McLane, presented the site plans. The building was previously approved as a dispensary. The building code requires only one door under this many occupants. There will be a maximum of 20 occupants at this facility. The fire marshal will make sure the fire extinguishers on the premises are sufficient.

Mr. Sawdon described the circulation on the site and in the building.

Commissioner Wesley asked about the garage doors. Mr. Sawdon explained those will not be in their building. It will be in a space that is separately leased.

Commissioner McCree asked if there is a sprinkler system. Mr. Sawdon confirmed there is no fire suppression system.

Commissioner Jewell continued to express his concerns about the singular door issue. He expressed this is a serious fire safety issue.

Commissioner Campbell initially made motion to approve site plan, but during discussion the Commission decided it was necessary to add conditions involving the addition of a second door to the rear of the building. Commissioner Jewell, Commissioner Jordan, and Commissioner McCree expressed they will be more comfortable to approve the site plan if they require this condition. Kevin Schronce pointed out the Planning Commission can impose any conditions or limitations necessary as a protection of public interest, per the Special Regulated Use section (Section 50-167) of the zoning ordinance. Ms. Momgaudas confirmed they are willing to adhere to the condition. Commissioner Campbell's motion was amended.

M/S – Campbell/Blower

Motion to approve SPR 18-892, Bacco Farms, LLC, at 6200 N. Dort Hwy. (parcel # 47-29-102-044), with the condition that an additional exit door is added, subject to administrative review.

Unanimously carried.

REPORTS:

MMFLA Ordinance Update

Kevin Schronce updated the Commission on the MMFLA ordinance. He explained these two applications are the last to be approved under the MMA ordinance. All current provisioning centers will have six months to get into compliance with the MMFLA ordinance. These will be thoroughly checked. The amount of available provisioning centers will be twenty minus the current total.

Application forms for growing and processing should be completed and posted online by the end of this week. The rubric/scorecard for provisioning centers/secure transport/safety compliance facilities will be reviewed in Council Committee, likely Wednesday June 20th. Once these rubrics are approved, these applications will be released and there will be a 45 day window for applications to be accepted. Reed Eriksson explained the rubric will determine the order for who can seek approval from the Planning Commission.

Commissioner Jordan asked on the status of the new zoning ordinance. Mr. Schronce explained that Council wants to close the medical marijuana items first. Then, there will need to be staff meetings with Councilpersons about the zoning ordinance and how to go forward with it.

RESOLUTIONS:

There were no resolutions.

OLD BUSINESS:

Kevin Schronce updated the Commission about the Choice Neighborhoods visit from HUD.

NEW BUSINESS:

There was no new business.

ADJOURNMENT:

M/S – McCree/Allen

Unanimously carried.

Meeting adjourned at 7:43 pm.