

FLINT PLANNING COMMISSION
Meeting Minutes
June 9, 2020

Commissioners Present

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

Staff Present

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

ROLL CALL:

Chairperson Wesley called the meeting to order at 5:32 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 Status of the Planning Commission Membership Roster

ADOPTION OF THE AGENDA:

M/S – Jewell/Jordan

Motion to adopt the meeting agenda with addition

Unanimously carried by voice vote

MINUTES:

Commissioner Jewell made a motion to postpone the May 26, 2020 minutes for review and approval at the next Planning Commission meeting.

M/S – Jewell/Campbell

Motion to postpone the minutes of 5-26-2020 until the next scheduled Planning Commission meeting.

Unanimously carried.

PUBLIC FORUM:

None

SITE PLAN REVIEWS:

SPR 20-932 City of Flint – 1553 East Stewart Ave. – Chemical Feed Building (PID# 47-32-152-002).

Rob Bincsik, Director of Public Works presented the site plan. Rob said he was unsure of the address as they refer to it as 4500 N Dort Hwy, which is the Water Plant site. Mr. Bincsik said there are nine or

ten structures at the plant and this building is an addition. The building is required by both the EPA and EGLE. They must augment the water the City purchases from Great Lakes Water Authority. Mr. Bincsik said it's just a small building to handle this function.

Commissioner Wesley said the location we have is 1553 East Stewart, but it's not the correct address for this facility. Mr. Bincsik said it could be the correct one because Google doesn't understand the water plant, so he did not know if there was an issue with the address.

Commissioner Sorenson asked Mr. Bincsik if the City would be storing and applying chemicals for water treatment. Mr. Bincsik said yes. Commissioner Sorenson asked what the dimensions of the proposed building were. The Architect responded fifty by fifty-five (50 x 55).

Commissioner Jewell asked about the site plan checklist where it was noted "The City of Flint can respond". Mr. Bincsik said he provided all the required documents to the Planning staff. Commissioner Jewell asked Mr. Vandercook if he had a discussion with Mr. Bincsik or others regarding the missing information. Mr. Vandercook said yes and all of the missing documentation has been provided.

Commissioner Jewell noted the site plan received was marked Bid Set October 2019, and asked if this was the actual site plan. Jim Broz, Architect said yes, but we intend to issue an identical set called "issue for construction". Commissioner Jewell said there will be no other changes to this set of plans. Mr. Broz said there will be some minor changes made to the plan. Commissioner Jewell asked Mr. Broz to explain what minor changes would be made to the document. Mr. Broz said an underground interior pipe would be changed from a 4" to 6" pipe. Then said, there would only be a change made to the inside of the building. Commissioner Jewell asked Mr. Broz if he would agree there would be no substantial material changes. Mr. Broz said that is correct. Commissioner Jewell recommended that if there are substantial material changes it is reviewed by staff and the Planning Commission is informed. Commissioner Jewell asked is this acceptable to the applicant? Mr. Bincsik said yes.

Commissioner Jordan discussed parking and noted page eight of the site plan checklist required 5 spaces plus one for each three employees, but the applicant provide zero space. Commissioner Jordan said it was her understanding there was parking elsewhere on the site for personal that would be using this building and asked the applicant to confirm for the record. Mr. Bincsik said yes, that is correct there is significant parking at the water treatment plant.

M/S – Jewell/Campbell

Motion to approve SPR 20-932 City of Flint for Chemical Feed System Parcel 47-32-152-002, with the understanding that if there are any substantial material changes that staff will be informed accordingly. Commissioner Wesley asked that an addendum be made to the motion to note that there are other parking spaces on-site for this facility. Commissioners' Jewell and Campbell supported the amendment.

Unanimously carried.

CASE REVIEW:

Status of PC 20-930 - Northstar Development

Ms. Wilcox said she had previously told the Commission the landscape plan would be completed by June 15, 2020. Ms. Wilcox said she has been in contact with the developer and they are still planning on having the plan completed by this date. Ms. Wilcox noted once she has the plan she will bring it back before the Planning Commission at the next appointed meeting. Commissioner Jewell said he was concerned the plans have been delayed for two months. Ms. Wilcox said the developer gave the June 15 date originally and is still keeping this date.

PUBLIC HEARING:

PC 20-371: SecureCann, Inc. d/b/a Plantera, request a Group E Special Regulated Use Permit for a medical marihuana provisioning center at 2502 S. Dort (PID # 41-20-278-030).

Wilson Sarkis the owner of the property presented the application with his attorneys Nathan Shevick and Brenda Williams. Mr. Sarkis introduced Darian Jackson who will be handling employment investment for the City of Flint and Burton Brown for social equity.

Ms. Williams said she would like to make the Planning Commission aware that the subject property sits next door to the Velvet Touch. Ms. Thompson discussed the cities locational standard of 2000 feet for adult-use businesses. Ms. Williams said Mr. Sarkis has an option to buy Velvet Touch and if the Commission approves the Special Regulated Use application he would tear down Velvet Touch to redesign, so it would no longer be an adult business.

Ms. Williams said part of the application process was to describe what Mr. Sarkis will be doing to invest in the City of Flint. Dorian Jackson will be assisting with employment. Ms. Williams said by purchasing Velvet Touch and reconstructing Mr. Sarkis will be contributing to the elimination of blight.

Commissioner Sorenson asked if there was a stream that runs along the south side of Velvet Touch. Ms. Williams said it's on the other side of Auto Zone. Commissioner Sorenson said so that not going to be adjacent to the parcel. Ms. Williams said that is correct.

Commissioner Cook Hawkins asked if there was another site outside of this site. Ms. Williams said no there is not another site. They were talking about Velvet Touch.

Commissioner Jordan asked if the Planning Commission had a copy of the agreement that if this is going to be approved you would be purchasing the Velvet Touch and discontinuing the use there. Ms. Williams said yes Ms. Wilcox and Mr. Vandercook were sent copies of the purchase agreement.

Commissioner Jordan asked Ms. Williams so what you're saying is if the owner purchases the Velvet Touch he would discontinue the adult-use there and let go of that special regulated license. Ms. Williams said yes. Commissioner Jordan asked if this was in writing. Ms. Williams said we can put this into a letter and have it notarized.

Commissioner Jordan asked if the applicant could walk us through how some of your business will operate and in particular the aspects of your security plan. Mr. Sarkis referred to Nathan Shevick.

Commissioner Jewell inquired of Commissioner Jordan if it was acceptable to her could Mr. Sarkis make the presentation as the applicant. Commissioner Jordan said customarily we ask the owner to give us an overview but if there is more particular detail you can delegate to your team.

Mr. Sarkis said the facility will be 10,000 square feet of cultivation, processing, and provisioning. We will have 24-hour security on this site. As the owner, I will be hands-on every day. My number one priority was to redevelop this corridor, hire people from the city and establish this business. I do have experience in this field. I am opening up retail locations across the state from Detroit to Traverse City and Flint is a perfect hub for us.

Commissioner Jordan asked Mr. Sarkis to walk the Commission through the security plan. Mr. Sarkis said there will be 24-hour security on-site, inside and outside the facility. There will also be live monitoring, so there will be dual security. We will have live monitoring as well as security on site inside and out.

Nathan Shevick explained there will be cameras within 20 feet on each side of every doorway required by LARA. There will be a 24-hour security guard on-site licensed in the state of Michigan. There will be a restricted access area where they contain the marijuana and the currency that's only going to be accessible by authorized agents. We are installing panic buttons, and there will be an alarm that when the cameras go out or the power goes out, it will send a text to local law enforcement. There's another alert that goes out just if the cameras go out or if there's a problem with the DVR system. There's going to be a state of the art safe bolted to the floor.

Commissioner Jordan wanted to make sure the applicant was aware of the commitments and community benefits noted within their application and that their re-licensure was dependent upon keeping their commitments. Commissioner Jordan said applicants are required to keep their commitments as part of the re-licensing process and asked Mr. Sarkis to confirm he was aware that he was agreeing to this process. Mr. Sarkis said yes.

Commissioner Jewell asked Mr. Sarkis we are discussing a particular parcel which you currently own or are leasing, correct. Mr. Sarkis said yes 2502 South Dort Hwy, but I also have a purchase option on Velvet Touch. Commissioner Jewell noted a reference was made by Ms. Williams that this agreement was passed on to Suzanne. Mr. Sarkis said that correct.

Commissioner Wesley said you have a purchase agreement contingent upon what happens at tonight meeting and understands Ms. Wilcox has a copy of the agreement in her possession. Ms. Wilcox said while the agreement was not included within the Commissioners packets we did have this on file.

Commissioner Jewell asked Mr. Sarkis what was the document his attorney referred to that she could put together to be notarized. Ms. Williams responded she believed the document she referred to was about relicensing and goal set within the application and this being that it was stated 80% of employment will be by the City of Flint.

Commissioner Jordan explained those are two different issues one was a question that is routinely asked of applicants to make sure they are aware they will have to report back on community benefits. The issue of the notarized letter is unique to this case because it was a part of the applicant presentation as a means of overcoming what would have otherwise been a locational obstacle. Commissioner Jordan asked the applicant if he intended to put into writing and have it notarized that if you purchase

Velvet Touch you would discontinue the adult-use that would otherwise make the property at 2502 S Dort Hwy ineligible for medical or adult-use marijuana provisioning center. Ms. Williams said yes. We knew we had to eliminate the Velvet Touch because of the ordinance. So yes, he will put that in writing. Commissioner Jewell asked Mr. Sarkis to confirm. Commissioner Wesley stated he understood Mr. Sarkis was going to strip the adult use of Velvet Touch so it will not conflict or make 2502 S Dort ineligible for Group E medical marijuana use. Mr. Sarkis confirmed he was willing to have a document notarized addressing Commissioner Jordan's concerns.

Commissioner Jewell asked how the applicant would be addressing blight. Mr. Sarkis said were going to completely renovate the whole site, new landscaping, new roof, painting the building, and fixing the façade. It's going to be completely rehabbed. It's a distressed property right now. I'm going to take that whole building down to bare bones and redevelop it. Mr. Sarkis said they would also be addressing blight around the site.

Commissioner Sorenson asked the applicant if the facility he was proposing would encroach upon the Velvet Touch property. Mr. Sarkis said that's correct. Commissioner Sorenson asked why Mr. Sarkis was taking down the Velvet Touch building. Mr. Sarkis said there is a 2000 foot rule and there can only be four. Mr. Sarkis said he is buying the property and shutting that business down and moving the use over to his property to open a provisioning center while having cultivation and processing at the same building. Commissioner Sorenson said so you're only planning on building this one structure I am looking at correct. Mr. Sarkis said that is correct. Commissioner Sorenson asked the applicant how deep the parcel was. Mr. Sarkis noted it was just over 200 feet. Commissioner Sorenson said she was concerned about the location of Fred Creek. Mr. Sarkis explained the creek does not adjoin his property. Commissioner Sorenson asked Mr. Sarkis if all of his activities would remain in 2502 S Dort. Mr. Sarkis said yes.

Commissioner Campbell asked the applicant how many employees will have working in this building. Mr. Sarkis said 15 – 20, but it could be as high as 30.

Commissioner Wesley asked the applicant what are the hours of operation. Mr. Sarkis said whatever the ordinance says, we want to be in compliance with the ordinance.

PUBLIC HEARING:

Commissioner Wesley asked if anyone from the public wished to oppose PC 20-371 SecureCann, Inc. request a Group E Special Regulated Use Permit for a medical marijuana provisioning center at 2502 S. Dort (None).

Commissioner Wesley asked if anyone from the public wished to speak in favor of PC 20-371 SecureCann, Inc. request a Group E Special Regulated Use Permit for a medical marijuana provisioning center at 2502 S. Dort (None).

Commissioner Jewell asked staff if there were any other communications, emails, phone calls regarding this public hearing. Mr. Vandercook said we have not received any communication regarding PC 20-371 SecureCann, Inc.

M/S – Jordan/Ryan

Motion to approve PC 20-371 SecureCann d/b/a Plantera, request a Group E Special Regulated Use Permit for a medical marihuana provisioning center at 2502 S. Dort (PID# 41-20-278-030) contingent upon receiving a notarized letter confirming the applicant's willingness to give up the Group A Special Regulated Use Permit for the Velvet Touch.

Unanimously carried

Commissioner Jewell noted for each of these cases we are either approving or disapproving the Special Regulated Use and site plans still need to be presented to us. Commissioner Wesley concurred.

PC 20-371: SecureCann, Inc. d/b/a Plantera, request a Group E Special Regulated Use Permit for an adult-use (recreational) marihuana retail facility at 2502 S. Dort (PID # 41-20-278-030).

Commissioner Wesley asked Mr. Sarkis if this application was for recreational. Mr. Sarkis said that is correct. Commissioner Wesley asked Mr. Sarkis if this would be in the same facility. Mr. Sarkis said yes. Commissioner Wesley asked Mr. Sarkis if there was anything else he would like to tell the Planner Commissioners about this application. Mr. Sarkis said no he had covered his basis.

Commissioner Ryan asked the applicant will medical and adult-use marihuana be sold from the same space or will there be two separate entrances. Mr. Sarkis said they will have a medical line and recreational line with two separate cash registers to make those transactions.

Commissioner Sorenson asked the applicant to confirm there would be no marihuana consumption on the premises. Mr. Sarkis said that is correct.

Commissioner Jordan noted that the same locational stipulations as the prior case would apply here. Mr. Sarkis noted he understood a notarized letter would have to be received for this application too.

Commissioner Wesley explained that the applicant would need the different PC numbers on the letter.

Commissioner Campbell asked if there would be separate entrances for medical and recreational. Mr. Sarkis explained when a customer comes into the facility they are greeted by a receptionist and directed to either the medical or adult-use section based on what they are there for. Medical products are located on one side of the floor and recreational are located on the other side. We have two different checkouts for both medical and recreational.

Commissioner Sorenson asked what is the difference between medical products and recreational products and why do they need to be separated. Mr. Saris said recreational products come from a recreational grower and medical comes from a medical grower. Recreational plants are tagged with a blue metric tag and medical plants are tagged with a yellow tag. These tags stay with the product until they are sold. Commissioner Sorenson asked if some products have higher THC content. Mr. Saris said yes, in some medical products such as creams and concentrates they do allow for a higher THC for medical. Commissioner Wesley said it was his understanding that the money and product both have to be separate, Mr. Saris concurred.

PUBLIC HEARING:

Commissioner Wesley asked if anyone from the public wished to speak in favor of PC 20-371 SecureCann, Inc. request a Group E Special Regulated Use Permit for an adult-use (recreational) marihuana retail facility at 2502 S. Dort (None).

Commissioner Wesley asked if anyone from the public wished to oppose PC 20-371 SecureCann, Inc. request a Group E Special Regulated Use Permit for an adult-use (recreational) marihuana retail facility at 2502 S. Dort (None).

Commissioner Jewell asked staff if there were any other communications, emails, phone calls regarding this public hearing. Mr. Vandercook said we have not received any communication regarding PC 20-372 SecureCann, Inc.

M/S – Jordan/Sorenson

Motion to approve PC 20-372 SecureCann, Inc. d/b/a Plantera, request a Group E Special Regulated Use Permit for an adult-use (recreational) marihuana retail facility at 2502 S. Dort (PID# 41-20-278-030) contingent upon receiving a notarized letter that would give up the adult-use special regulated use permit for Velvet Touch.

Unanimously carried

PC 20-368: SecureCann, Inc. d/b/a Plantera, request a Group F Special Regulated Use Permit for a (Growing) marihuana facility at 2502 S. Dort (PID # 41-20-278-030).

Commissioner Wesley asked the applicant if there was anything he wanted on the record for growing. Mr. Sarkis said no.

Commissioner Campbell asked if Growing marihuana can be done in the same building as the provisional recreational. Mr. Saris said they can both be in the same building as long as they have separate entrances and separate licenses.

Commissioner Jewell noted in the review of other facilities we have reviewed those were they are separated within the facility and those applicants described how those separations would occur.

PUBLIC HEARING:

Commissioner Wesley asked if anyone from the public wished to oppose PC 20-368 SecureCann, Inc. request a Group F Special Regulated Use Permit for a (Growing) marihuana facility at 2502 S. Dort (None).

Commissioner Wesley asked if anyone from the public wished to speak in favor of PC 20-368 SecureCann, Inc. request a Group F Special Regulated Use Permit for a (Growing) marihuana facility at 2502 S. Dort (None).

Commissioner Jewell asked staff if there were any other communications, emails, phone calls regarding this public hearing. Mr. Vandercook said we have not received any communication regarding PC 20-368 SecureCann, Inc.

Commissioner Jordan noted the locational standard for growing is different than retail functions and it does not have the same maximum for within 2000 feet.

M/S – Jordan/Sorenson

Motion to approve PC 20-368 SecureCann, Inc. d/b/a Plantera, request a Group F Special Regulated Use Permit for a (Growing) marihuana facility at 2502 S. Dort (PID# 41-20-278-030).

Unanimously carried.

PC 20-373 SecureCann, Inc. d/b/a Plantera, request a Group F Special Regulated Use Permit for a (Processing) marihuana facility at 2502 S. Dort (PID# 41-20-278-030).

Commissioner Wesley asked the applicant if they would like to add anything for their Processing facility. Mr. Sarkis said no.

Commissioners' had no other questions for the applicant.

PUBLIC HEARING:

Commissioner Wesley asked if anyone from the public wished to oppose PC 20-373 SecureCann, Inc. request a Group F Special Regulated Use Permit for a (Processing) marihuana facility at 2502 S. Dort (None).

Commissioner Wesley asked if anyone from the public wished to speak in favor of PC 20-373 SecureCann, Inc. request a Group F Special Regulated Use Permit for a (Processing) marihuana facility at 2502 S. Dort (None).

Commissioner Jewell asked staff if there were any other communications, emails, phone calls regarding this public hearing. Mr. Vandercook said we have not received any communication regarding PC 20-368 SecureCann, Inc.

M/S – Jordan/Campbell

Motion to approve PC 20-373 SecureCann, Inc. d/b/a Plantera, request a Group F Special Regulated Use Permit for a (Processing) marihuana facility at 2502 S. Dort (PID# 41-20-278-030).

Unanimously carried.

REPORTS:

Status of Permanent Marihuana Ordinance

Mrs. Thompson said City Council approved an extension of the emergency marihuana ordinance. This was in part due to address some comments from members of the public and present those to Planning Commission before it goes to City Council for final approval.

Commissioner Ryan asked if a letter should be sent to City Council from the Planning Commission drawing attention to how long this process has taken. Commissioner Wesley said he would suggest bringing this up at the next scheduled meeting when Mrs. Thompson can update us on City Council progress.

Status of Draft Zoning and Capital Improvement Plan

Ms. Wilcox explained our zoning code is on hold because we are still waiting for the Marihuana ordinance to be passed. Part of the holdup is due to the COVID crisis. We have also been discussing the ordinance with City Council and some residents who have indicated some interest in making changes to the permanent ordinance. Ms. Wilcox said the contract to hire a planning firm is in the purchasing director's que and we are still working to get the zoning coordinators position filled. Ms. Wilcox said once the planning firm is on board we may be able to move the zoning code forward at the same time as the marihuana ordinance. Ms. Wilcox noted we cannot do this with our current staff constraints now, but this is very important to us and the community.

Ms. Wilcox said we have a budget that was adopted by City Council. Ms. Wilcox said she is currently reviewing the improvements that are proposed in the budget to put together an update on the Capitol Improvement Plan for your review. Mr. Wilcox said she still needs to include some items in the Capital Improvement Plan which are grant-funded. The projects are moving forward in Planning and Development and need to be reflected within the plan.

Commissioner Wesley asked if we have an agreement with a planning firm so we can move this forward. Commissioner Wesley said we have been working on a zoning code and marihuana ordinance for four years and its time this gets done. Commissioner Wesley said this needs to be a priority with the current administration. Ms. Wilcox said she agreed with Commissioner Wesley.

Status of the Planning Commissioner Roster:

Commissioner Jewell asked staff if they were correcting and updating the Planning Commissioner Roster. Mr. Vandercook explained he would contact the City Clerk to determine expiration dates and had updated some of the inaccurate information on the roster. Mr. Vandercook said he would continue to work to correct inaccurate information on the roster. Commissioner Jewell asked that when the roster is updated there is a date placed on the bottom showing when it was updated.

RESOLUTIONS:

None

OLD BUSINESS:

Marihuana Re-Licensure Policy (Routing Sheet):

Commissioner Jewell asked planning staff if the routing sheet was being recommended to the Planning Commission as an appropriate form and are they looking to them for approval. Commissioner Jewell said if this is a form to be determined by the Planning Commission as an appropriate there should be a date on the bottom as to when it was approved for use. Commissioner Jewell asked staff what do you need from the Commission regarding the routing sheet? Mrs. Thompson explained the primary purpose of the routing sheet is to communicate with the City Clerk's office that the attestation form is approved and ok to sign. The routing sheet allows the applicant to take the form to each department to check of all relevant sections. Once the applicant has all relevant sections checked off planning staff can sign off confirming the City Clerk can sign the attestation form.

Commissioner Jewell suggested using the City of Flint Marihuana Re-Licensure Facility Review on the heading of the routing sheet. Ms. Thompson said that would be appropriate. Commissioner Jewell

recommended adding on the bottom of page two “adopted whatever date it is”. Mrs. Thompson said she agreed with the addition.

Mrs. Thompson made the Commission aware that she has meetings planned with the fire department and police department. We have not had their collaboration on this facility review routing sheet, so this isn’t being implemented immediately. We wanted to share with the Commissioner so they are aware we are working on this.

NEW BUSINESS:

Bylaws Committee:

Commissioner Wesley said he had not met with Ms. Wilcox or Mrs. Thompson, but should be able to before the next meeting. Mrs. Thompson noted she had some samples of bylaws from the City of Grand Rapids, Ann Arbor, and from MSU – Extension that she can share with Commissioner Wesley. Commissioner Wesley said if Mrs. Thompson would provide the documents he would look them over.

ADJOURNMENT:

M/S – Jordan/Jewell

Unanimously carried.

Meeting adjourned at 7:32 pm.