



City of Ellisville

PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES

Meeting Date: February 12, 2020

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 - A) Petition #20-02-01. A City initiated petition for Text Amendments to Title IV, Land Use, Chapter 400: Zoning Regulations, of the Municipal Code of the City of Ellisville, Missouri, pertaining to point of sale signage and safe packaging and labeling requirements for medical marijuana dispensary facilities.
7. ADJOURNMENT

PLANNING AND ZONING COMMISSION MEETING SUMMARY

1. **CALL TO ORDER:** Chairman Boggs called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** Commissioner Ellebrecht led the Pledge of Allegiance.

3. **ROLL CALL**

Present

Al Tamulaitis
Rob Compton
Chairman Boggs
John Ellebrecht
Rajiv Gupta
Nancy Bengtson
Jim Burtelow
Sandie McGrath
George Restovich, City Attorney

Absent

Marilyn Niebling

A quorum was present for the meeting.

Also present were City Planner Hood and Councilmember McGrath

4. **APPROVAL OF AGENDA**

A motion was made by Commissioner Compton to approve the Agenda as written and was seconded by Commissioner Bengtson. The votes were as follows:

Aye

Al Tamulaitis
Rob Compton
Chairman Boggs
John Ellebrecht
Rajiv Gupta
Nancy Bengtson
Jim Burtelow
Sandie McGrath

Nay

Abstain

Absent

Marilyn Niebling

5. **APPROVAL OF MINUTES**

A motion was made by Commissioner Compton to approve the January 8, 2020, Regular Meeting Minutes as written. It was seconded by Commissioner Ellebrecht.

Aye

Al Tamulaitis
Rob Compton
Chairman Boggs
John Ellebrecht
Rajiv Gupta
Nancy Bengtson
Jim Burtelow
Sandie McGrath

Nay

Abstain

Absent

Marilyn Niebling

7. PUBLIC HEARING

Petition #20-02-01. A City initiated petition for Text Amendments to Title IV, and Use, Chapter 400: Zoning Regulations, of the Municipal Code of the City of Ellisville, Missouri, pertaining to point of sale signage and safe packaging and labeling requirements for medical marijuana dispensary facilities.

City Attorney Restovich read the exhibit list.

- Exhibit 1 Certified copy of Municipal Code
- Exhibit 2 Zoning District Map
- Exhibit 3 Comprehensive Plan
- Exhibit 4 Notice published in *The Legal Ledger* on December 23, 2019
- Exhibit 5 Notice published in *The Countian* on December 24, 2019
- Exhibit 6 Public Posting of Notice on December 27, 2019
- Exhibit 7 Letter mailed to abutting property owners within 185 feet on December 26, 2020
- Exhibit 8 Application Cover Sheet
- Exhibit 9 Application for Rezoning, with attached plans
- Exhibit 10 Application for Planned Development, with attached plans
- Exhibit 11 Application for Site Plan Review, with attached plans
- Exhibit 12 Letter from Bernard Raemy to City Planner
- Exhibit 13 Grimes Consulting Cost Estimate dated December 3, 2019
- Exhibit 14 Traffic & Parking Technical Memorandum dated November 21, 2019
- Exhibit 15 Terraspec Landscape Plan Review dated November 15, 2019
- Exhibit 16 E-mail from Ken Keitel to City Planner dated December 15, 2019
- Exhibit 17 City Planner's Memo dated January 2, 2020
- Exhibit 18 City Planner's Memo dated January 6, 2020

Chairman Boggs opened the Public Hearing and Planner Hood was sworn in.

Planned Hood stated that the petition was formed based on a recommendation by the Rockwood School District.

Commissioner Compton asked if 3' from the register means anywhere within 3'. Commissioner Bengtson expressed concerns that the language was not specific enough. Planner Hood stated that the language can be amended. Commissioner Burtelow suggested the language state that interior signage be clearly visible to the customer at all points of sale. Commissioner Bengtson asked who would be inspecting to see that the sign regulations are being followed. Attorney Restovich said it would be handled by the police and complaint driven with probable cause. Commissioner McGrath asked if we need to be thinking about signage for possible recreational marijuana. Attorney Restovich stated no.

A poll of the audience was taken. No one was opposed and no one supported.

Chairman Boggs closed the Public Hearing.

After the Public Hearing, Commissioner Compton moved to forward a positive recommendation to the City Council, as written with the following addition.

1) Section 1 c should read as follows.

Is displayed within three (3) feet of any point of sale of marijuana or marijuana-infused products and be clearly visible to the customer at all points of sale. The motion was seconded by Commissioner Ellebrecht. The votes were as follows:

Aye

Al Tamulaitis
Rob Compton
Curtis Boggs
John Ellebrecht
Rajiv Gupta
Nancy Bengtson
Jim Burtelow
Sandie McGrath

Nay

Abstain

Absent

Marilyn Niebling

10. ADJOURNMENT

Chairman Boggs adjourned the meeting at 7:18 p.m.

Respectfully Submitted,

Holly Woodland