



City of Ellisville

PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES

Meeting Date: April 8, 2020

TABLE OF CONTENTS

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES – MARCH 11, 2020
6. PETITIONS FOR RECOMMENDATION
 - A) Petition #20-04-01. Petition of Nirvana Bliss V, LLC for issuance of a conditional use permit to allow the operation of a medical marijuana dispensary facility at the location known and numbered as 15396-15398 Manchester Road, within the C-3 Commercial Zoning District of the City of Ellisville, Missouri.
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:** Chairman Boggs led the Pledge of Allegiance.

3. **ROLL CALL**

Present

Absent

Chairman Boggs
John Ellebrecht
Rajiv Gupta
Nancy Bengtson
Jim Burtelow
Sandie McGrath
Marilyn Niebling
Al Tamulaitis
Rob Compton
Cindy Parnell, Assistant City Attorney

Also present were City Planner Hood, Mayor Roemerman, Councilmember Reel, and Councilmember McGrath

4. **APPROVAL OF AGENDA**

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

Aye

Nay

Abstain

Absent

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

5. APPROVAL OF MINUTES

A motion was made by Commissioner Compton to approve the March 11, 2020, Regular Meeting Minutes as written. It was seconded by Commissioner Bengtson.

<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Chairman Boggs Rajiv Gupta Nancy Bengtson Jim Burtelow Sandie McGrath Marilyn Niebling Al Tamulaitis Rob Compton		John Ellebrecht	

7. PETITIONS FOR RECOMMENDATION

Petition #20-04-01. Petition of Nirvana Bliss V, LLC for issuance of a conditional use permit to allow the operation of a medical marijuana dispensary facility at the location known and numbered as 15396-15398 Manchester Road, within the C-3 Commercial Zoning District of the City of Ellisville, Missouri.

Planner Hood stated that the applicant is requesting a conditional use permit to operate a medical marijuana and CBD retail store at 15396-15398 Manchester Road. The hours of operation will be from 8:00 a.m. – 10:00 p.m. Monday – Sunday. The applicant plans to occupy 2,650 square feet located in the southeast corner of the building. Hood stated that the Police Chief reviewed the plans and finds them acceptable, “assuming they are abiding by all State guidelines for such operations.” Planner Hood stated that staff is recommending the applicant provide cross access to the east and west, replace the sidewalk along Manchester Road, install luminaires and replace the asphalt shoulder along Manchester Road with grass.

Bradford Goette, CEO of Nirvana Bliss V, LLC, spoke and stated that he appreciates the City being open to a medical marijuana facility. He spoke of his history with the City and expressed his excitement over opening a business here.

George Stock spoke. He discussed the location, proposed operations, and hours of operation. Mr. Stock stated that the applicant is requesting a waiver on items 2-8 of staff recommendations. Mr. Stock doesn't feel that the burden of such expensive improvements should be placed on a tenant that will be occupying less than 10% of the property space.

Commissioner McGrath asked about packaging, preparation, and waste of the medical marijuana. Mr. Goette stated that there are instances where some preparation is needed depending on prescriptions and that waste of the product will be kept to a minimum and is securely stored in a vault. Commissioner Niebling asked about the accessible parking spots available in that location. She would like to add as part of the recommendations that the applicant works with staff to add more ADA compliant parking spaces. Commissioner Bengtson asked Mr. Goette if he plans to sell THC infused gummy candies. Mr. Goette stated that they are. Commissioner Bengtson also asked

if he plans to have any security guards in the parking lot and Mr. Goette responded that the current plans do not call for that.

Chris Graville discussed why they are requesting waivers and the financial burden that is places on the new business.

Austin Fitzgerald spoke and stated that from a security standpoint, they are committed to the safety of their patients and those in the community.

Commissioner Compton moved to waive the public hearing and forward a favorable recommendation to the City Council of the aforementioned Petition #20-04-01, subject to the following conditions:

1. The applicant agrees to comply with all City regulations pertaining to Medical Marijuana uses, including Ordinance #3448; and
2. That the owner replace the sidewalk along Manchester Road, as needed, to a minimum of 5' in width; and
3. That the owner, installs five (5) sidewalk luminaires along Manchester Road, in compliance with Section 400.493, and as depicted on the plan prepared by staff; and
4. That the owner removes the asphalt shoulder along Manchester Road and replaces it with grass; and
5. That the owner prepares and records a cross access agreement to the abutting properties (east and west); and
6. That the recorded cross access agreement is submitted to the City prior to occupancy by the tenant; and
7. That the applicant complies with all recommendations made by the City's third-party landscape architect, or secures a waiver from the City Council; and
8. That the applicant coordinates with staff to ascertain compliance with the lighting requirements as per section 400.492; and
9. That the applicant agrees to work with the City's Code Enforcement Officer to provide a trash enclosure(s) as required by code; and
10. That the applicant increases the number of ADA compliant parking spaces on-site, subject to final approval from staff.

The motion was seconded by Commissioner Ellebrecht. The votes were as follows:

Aye

Curtis Boggs
John Ellebrecht
Jim Burtelow
Sandie McGrath
Al Tamulaitis
Rob Compton

Nay

Nancy Bengtson
Rajiv Gupta
Marilyn Niebling

Abstain

Absent

9. ADJOURNMENT

Chairman Boggs adjourned the meeting at 8:11 p.m.

Respectfully Submitted,

Holly Woodland