



Plan Commission

6801 Delmar Boulevard • University City, Missouri 63130 • 314-505-8500 • Fax: 314-862-3168

MEETING OF THE PLAN COMMISSION
VIA VIDEOCONFERENCE
Thursday, June 18, 2020
6:30 p.m.

**IMPOTANT NOTICE REGARDING
PUBLIC ACCESS TO THE PLAN COMMISSION MEETING & PARTICIPATION**

Plan Commission will Meet Electronically on June 18, 2020

On March 20, 2020, City Manager Gregory Rose declared a State of Emergency for the City of University City due to the COVID-19 Pandemic. Due to the current order restricting gatherings of more than 10 people and the ongoing efforts to limit the spread of the COVID-19 virus, the June 18, 2020 meeting will be conducted via videoconference.

Observe and/or Listen to the Meeting (your options to joint the meeting are below):

Webinar via the link below:

<https://us02web.zoom.us/j/84251421254?pwd=WGVwYWVR6UGM3OWpYMzB5N2ZsY0tOZz09>

Password: 183934

Audio Only Call

iPhone one-tap : US: +13126266799,,84251421254#,,1#,183934# or +19292056099,,84251421254#

Or Telephone: Dial (for higher quality, dial a number based on your current location)

US: +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833

or +1 253 215 8782 or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free)

Webinar ID: 842 5142 1254

Citizen Participation

Those who wish to provide a comment during the “Public Comment” and/or “Public Hearing” portions of the agenda: may provide written comments or request video participation invites to the Director of Planning & Development ahead of the meeting. Please specify which case and portion of the agenda you wish to comment.

ALL written comments or video participation invites must be received **no later than 12:00 p.m. the day of the meeting**. Comments may be sent via email to: ccross@ucitymo.org or mailed to the City Hall – 6801 Delmar Blvd. – Attention Clifford Cross, Director of Planning & Development. Such comments will be provided to the Plan Commission prior to the meeting. Comments will be made a part of the official record and made accessible to the public online following the meeting.

Please note, when submitting your comments or invites, a **name and address must be provided**. Please also note if your comment is on an agenda or non-agenda item, and a name and address are not provided, the provided comment will not be recorded in the official record.

The City apologizes for any inconvenience the meeting format change may pose to individuals, but it is extremely important that extra measures be taken to protect employees, residents board/commission members and elected officials during these challenging times.

AGENDA

PLAN COMMISSION

1. Roll Call
2. Approval of Minutes – February 26, 2020
3. Public Comments – (Limited to 3 minutes for individual’s comments, 5 minutes for representatives of groups or organizations.)

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4. Old Business

a. **Conditional Use Permit – PC 20-01**

PUBLIC HEARING

Applicant: The Trinity Company

Request: Approval for a Conditional Use Permit to establish and operate a Medical Marijuana Dispensary

Address: 6662 Delmar Blvd, Suite A

(VOTE REQUIRED)

5. New Business

a. **Conditional Use Permit – PC 20-03**

PUBLIC HEARING

Applicant: BFA Engineering – Total Access Urgent Care (TAUC)

Request: Approval for a Conditional Use Permit to construct and operate a proposed Total Access Urgent Care Medical Office.

Address: 8213 Delmar Boulevard

(VOTE REQUIRED)

6. Other Business

- a. Subcommittee Assignments

7. Reports

- a. Council Liaison Report - NA

8. Adjournment



Department of Planning and Development

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8500, Fax: (314) 862-3168

PLAN COMMISSION

City Hall of University City

6801 Delmar Blvd, University City, MO 63130

6:30pm; Wednesday, February 26, 2020

The Plan Commission held a special meeting at City Hall located at 6801 Delmar Boulevard, University City, Missouri on Wednesday, February 26, 2020. The meeting commenced at 6:30pm and concluded at 9:50pm.

1. Roll Call

Commission Members Present:

Margaret Holly
Mark Harvey
Ellen Hartz
Judith Gainer
Michael Miller
Cirri Morran
Council Liaison Paulette Carr

Absent:

Cynthia Head

Staff Present

Gregory Rose, City Manager
John Mulligan, City Attorney
Clifford Cross, Director of Planning and Development
Adam Brown, Planner

2. Approval of Minutes – January 23, 2020 Plan Commission meeting Ms. Hartz moved to approve the minutes of January 23, 2020 with corrections. Mr. Miller seconded the motion. Mr. Miller and Ms. Holly submitted corrections to the draft minutes. The motion was unanimously approved.

3. Hearings

4. Old Business

5. New Business

a. **Conditional Use Permit** – PC 20-01

PUBLIC HEARING

Applicant: The Trinity Company

Request: Approval for a Conditional Use Permit to establish and operate a Medical Marijuana Dispensary

Address: 6662 Delmar Blvd, Suite A

(VOTE REQUIRED)

Ms. Holly explained the process for the public hearings. Mr. Cross began with the presentation of PC 20-01 and reviewed the application packet. The applicant sought a Conditional Use Permit (CUP) for a Medical Marijuana dispensary at 6662 Delmar Blvd, Suite A. Earlier in the year, the State of Missouri approved 192 dispensaries. Mr. Cross explained that the state regulated use of operations and manufacture, while the City had control over the siting of these dispensaries. The existing zoning at 6662 Delmar Boulevard, Core Commercial (CC), allowed for application for a CUP according to section 400.570 of the code. Mr. Cross reviewed the surrounding zoning and noted that although there was High Density Residential (HR) to the south, it did not fall within the buffer zone required by the ordinance. Mr. Cross also reviewed the standards for a medical marijuana facility, highlighting the buffers required; 500ft from the entry point of the business to any church, school, or day care center. The business must also be at least 150 feet away (from front entrance of business to lot line) from any residentially zoned property. The property at 6662 Delmar met these requirements.

Mr. Cross reviewed the rest of the standards from Div. 15, 400.1495. Mr. Cross reviewed the approval process. The public hearing would be conducted at the Plan Commission meeting. A recommendation would be forwarded to City Council. Mr. Cross noted the Commission should base this recommendation on the Review Criteria and he reviewed these criteria. Mr. Cross reviewed the future land use for this site as determined by the Comprehensive Plan Update of 2005, which was Mixed-Use/Transit Oriented.

Mr. Cross noted that there were no concerns brought to staff. He stated that the retail use would be a continuance of the use as a non-conforming use. The use should not create any additional parking demand. Mr. Cross cited review criteria #7, which listed options for ways to mitigate potential negative effects as conditions of the CUP.

Mr. Cross reviewed the supplementary regulations, which allowed the Commission to add additional buffering. Staff recommended approval of the request. Mr. Cross reviewed the options to table, approve with or without conditions, or deny. He stressed that the findings of fact should be the basis of the Plan Commission's recommendation. Mr. Cross reviewed the requirements for public hearing notice which had been met by staff.

Ms. Holly asked if the suite would be on the east or west side. Mr. Cross said this was on the east. She asked if there was consumption permitted inside the dispensary. Mr. Cross said the state prohibited consumption within the site, and the state would be the authority for enforcement.

Ms. Holly began the public hearing.

Mark Whitzling, Executive Director of Craft Alliance, 6640 Delmar, said he had no overall objection to what was being proposed. He said there was a limit of 500 feet around schools/daycares, however they run a summer camp with children and estimate the distance to the door of the business to be under 100 feet, with an outdoor space the children used and shared parking where parents would drop off their children. He said Craft Alliance would be moving and this would be their final summer, and they would welcome the approval in September.

Ms. Carr asked if there was an agreement with the owner of the parking lot. Mr. Cross said staff had not been provided with an agreement. Mr. Cross stated that the use was the same; a continued non-conforming use. Ms. Carr stated that she was unclear about the shared parking. Mr. Cross stated that this fell under a continuation of use. Mr. Cross explained they would not meet parking if this was new construction.

Brian Ivy with Idea Architects, 130 West Lockland, Suite 2, Webster Groves, MO spoke with the owners' representatives and council. He stated that they could answer additional questions.

Mr. Miller asked if the 2 spots dedicated for the suite were handicap accessible. The applicants indicated that the parking spaces should be indicated from the prior use. Mr. Miller confirmed that staff at the business would be present between the hours of 8am and 10pm. Mr. Miller reviewed the applicant's experience in this industry. The applicant said the ownership group owned other facilities in California and Nevada, and that having partners who had experience in the industry could be beneficial. Mr. Miller stated that Missouri would potentially move forward with legalizing marijuana for recreation. He noted that University City would be undertaking a comprehensive plan, and that the community may not want a recreational use in the Loop. The applicant said they wished to comply with the state regulations.

Mr. Mulligan asked the applicants if consumption would be allowed in the business. Dan Welsh, the attorney for the applicants, said the state did not permit consumption in the business.

Mr. Miller asked about security inside and outside the building. He was concerned with patrons leaving the premises. Mr. Ivy stated there would be cameras mandated by the state, and that the plan would be to have a security guard in the front of the building. Although they could not escort people to their cars, they would have a good visual on the front of the building. The applicant noted the security guard is an added deterrent to unruly activity. Mr. Miller also confirmed that only someone with a card would be allowed in the building and asked what other inventory would be for sale. The applicants said marijuana-specific products would be sold. The applicants confirmed that they would not allow anyone without the doctor-prescribed card to enter the premises.

Ms. Gainer asked what kind of exterior signage they anticipated. The applicant said they would replace the sign on the front of the building. Mr. Cross noted the Commission could add conditions to the signage if that was a concern. Ms. Hartz said there were already state limitations to what was on the sign. Ms. Gainer asked what the name of the business would be. The applicant said they were not done with branding and that they intend to comply with the regulations of the state.

Ms. Carr asked what the timeline to become operational was. Mr. Welsh said there would be some construction and improvements within the bay. He estimated that the first dispensaries would come online in July/August. He said the applicant's other operations generally got up and running as soon as possible. Ms. Carr stated that there would be children present at Craft Alliance, and that the ordinance created a 500 foot buffer from children. She stated that a condition could be that operations could begin once Craft Alliance had moved. Mr. Harvey asked if it would be in order to set this condition. Mr. Cross noted the question had come up in writing the ordinance, and that this condition could be construed as a taking. Mr. Whitzling said the last day of the camp would be about August 15. Mr. Welsh said the constitution does not allow a municipality to regulate the time a business was opened. Mr. Rose stated that there was the law, and there was the discretion of the Plan Commission and Council. He asked if the applicant would be open to a later start date. Mr. Welsh said the children's camp was not currently contemplated by the ordinance. The applicant said he would not be at liberty to make a commitment for the whole ownership group. He said he was not opposed to the possibility of opening later. Ms. Holly closed the public hearing on this matter.

Mr. Harvey moved for approval of proposed medical marijuana dispensary, PC 20-01 at 6662 Delmar by the Trinity Group. Ms. Moran seconded the motion. Ms. Holly noted that she was a board member at Craft Alliance and said she could recuse herself from the vote. Mr. Mulligan asked if she was being compensated or if her vote on this matter would affect her place on the board. Ms. Holly said no. Mr. Mulligan said this would not be a problem. Mr. Rose recommended tabling the item due to parking concerns. Ms. Moran moved to table the motion on PC-20-01 pursuant to more investigation by staff on the parking issue. Ms. Hartz seconded. Mr. Miller and Ms. Gainer were opposed to the motion to table. The motion passed 4-2.

b. **Conditional Use Permit** – PC 20-02

PUBLIC HEARING

Applicant: GBG Transportation, LLC

Request: Approval for a Conditional Use Permit to establish and operate a Vehicle Service Facility with an Accessory Auto Sales Use

Address: 7804 Olive Blvd

(VOTE REQUIRED)

Mr. Cross explained that the applicant had made the request before at a different site. In that case, the Plan Commission recommended approval of an auto service facility, but denied the accessory auto sales use. The applicant withdrew the original request and has considered another site. The same process must be followed in the General Commercial (GC) district, which was the zoning for 7804 Oliver Boulevard.

Mr. Cross reviewed the application specifics, including the requirement of a CUP for Auto service and sales. He described the surrounding zoning and noted the layout of the surrounding roads at the site. He also gave details about the size of the building, with 14 commercial suites in the building. He noted that 206 parking spaces were dedicated to the site.

He noted that per section 400.510 a CUP was required for Vehicle service facilities. He also noted section 400.530 that auto sales and lease was also a conditional use. He noted that per 400.530 used autos may only be sold along with the sale of new vehicles. Mr. Cross noted staff concerns; the use for outdoor sales or operations, and sufficient landscaping to abutting residential. He noted that auto service is less intense than other uses.

Staff would recommend additional landscaping to mitigate impacts to surrounding residential properties. He reviewed the options for conditions to mitigate these impacts and noted the normal supplementary regulations requiring buffering. He stated that staff recommended approval the auto service use and recommends denial of the sales accessory use.

He noted the commission could vote to table, recommend, recommend with conditions (including recommending only one of the uses), or deny the application. He reviewed the standards by which the commission should make their decision and reviewed the notification process for surrounding properties.

Mr. Harvey asked what the definition of a new car was. Mr. Cross said we do not have a definition in our ordinance. Mr. Harvey clarified that if one vehicle was new, then other cars could be sold. Mr. Harvey asked if there was a separate license for the sale of new cars versus used cars. Mr. Cross stated that the intent of the ordinance was that used auto sales could not be the primary use. Mr. Cross stated that this case could set precedent for allowing auto sales as an accessory use if the application was fully approved.

George Hopper, 1215 Bluegrass Drive, St. Louis, the applicant, stated that he was happy to answer questions. He said there would be no cars left out overnight. The service facility would offer minor repairs such as brakes, tire sales, emissions testing, and a a detail shop for cleaning cars. He stated that the main objection to the used cars was the appearance of a used car sales facility. He stated that with this location the applicant could overcome the appearance of a used auto sales facility. He said the cars would be positioned in the very back row along Olive and on Mount Olive in the parking lot. Mr. Hopper demonstrated on the aerial map of the site where the cars would be parked (in the northeast corner of the parking lot); he said these would not be visible from Olive. He said they do not need frontage or for the cars to be visible because they would be doing mostly online sales. Mr. Cross noted that both auto service and auto sales would require a CUP in this district. With the auto sales the requirement of new cars would be the problem. Mr. Cross said staff would have to look into whether two CUPs could be used for the same business. Mr. Cross said there would be an option to act on the auto service and not the auto sales.

Ms. Holly asked if this would require postponing any action. Mr. Cross said the commission could amend their recommendation to approve only the auto service use. Mr. Hopper noted that the sales portion was important to his business, and that there were other businesses on Olive that are currently selling cars. Mr. Cross said these were either legal non-conformities, or they were illegal occupancies that are going to be addressed.

Mr. Cross noted that Plan Commission could limit the signage. Mr. Hopper reiterated that they would not be basing sales on this kind of marketing.

Mr. Harvey asked what had brought the applicant back to the commission. Mr. Hopper said that the Novus group did not want this business at the initial location. He said he was recommended to find a different location. Mr. Harvey said that this was still in violation of the ordinance. Mr. Hopper said he had re-applied because this use already existed on Olive, and because his business would not have the normal trappings of a used auto dealership. Mr. Hopper said they would not be able to become a new car dealership as this would require being a franchise. Mr. Hopper said the state license for a new car dealer was different from a used car license. Mr. Harvey asked if there were non-traditional new car options. Mr. Hopper said there was a possibility of partnering with a national chain. Mr. Hopper stated this was obviously a better location.

Mr. Cross stated that with the CUP process, the question was if the Plan Commission wanted to set a precedent of not allowing an accessory use of used auto sales.

Ms. Holly asked if the applicant expected 15 spaces for car sales. Mr. Hopper said that the hours were different between Elmo's and his business. Ms. Holly asked why the cars had to be parked on this lot if all the sales would be online. Mr. Hopper said this was a requirement of the state.

Mr. Miller moved to approve a Conditional Use Permit for vehicle service only, not for sales. Mr. Harvey seconded. The motion was approved unanimously.

c. Request for Tax Abatement

Applicant: The McKenzie-Annapura One LLC

Request: Study and Recommendation of 100% Tax Abatement for 10 Years and 50% Tax Abatement for an Additional 15 Years

Address: 8400 Delmar Blvd

(VOTE REQUIRED)

Mr. Cross stated that the applicant was seeking a Chapter 353 tax abatement which fell under chapter 510 of the Urban Redevelopment Code which required the applicant to submit a blight study to the City Clerk, which was forwarded to the Plan Commission to comment on the blight study and the redevelopment plan. The applicants would make a presentation in regards to the blight study and the plan.

Mr. Cross explained that there were two actions; The Redevelopment Plan that was already viewed was submitted with additional information. Mr. Cross reviewed the requirements of section 510, and staff had verified that all the requirements were present in the plan. Mr. Cross stated that according to Section 510.70, the findings of fact and the determinations the Plan Commission needed to make to determine if the Blight Study was in order. Redevelopment.

Larry Marx, a Principle with Development Strategies, 10 South Broadway, Suite 1500, St. Louis presented on behalf of Delcrest Plaza Development. Mr. Marx presented what would be required for 353 abatement; a blight study, redevelopment plan, and a tax impact statement were required. Mr. Marx stated that the Chapter 353 legislation as well as City code Section 510.40, gave a definition of a blighted area: "by reason of age, obsolescence out modeled, economic/social liabilities, inability to pay reasonable taxes."

He described the overall condition of facility in these terms.

-Age: The property improvements were over 35 years old and has not been maintained well. The HVAC in the building did not work properly, there was significant vacancy, the buildings did not meet ADA requirements, and there were other signs of deterioration. The interior conditions displayed water damage, mildew, and mold.

-Obsolescence – the property was 75% vacant, with 85% ground floor vacancy, and there was a continuing trend of tenants leaving the facility.

-Outmoded design: Mr. Marx noted inadequate heating and cooling, a lack of sprinklers, lack of ADA accessibility, a lack of connections to public sidewalks, and confusing and dangerous access points.

-Physical deterioration: Mr. Marx noted the presence of asbestos, water, mildew, deteriorated window units, a lack of maintenance for mechanical systems and elevator, communications systems, damaged floor and ceiling tiles, and general site conditions.

-Social Liability: Mr. Marx noted the lack of accessibility for ADA.

-Conditions conducive to ill health, transmission, disease, crime: Mr. Marx noted the mold, grease, and lack of sprinkler systems as creating a fire hazard.

Mr. Marx presented assessed value which has declined 26% over the last decade – over that period, commercial property in U City has increased overall by 50%. He said the City had not been able to capitalize on this commercial entry point to the City.

Mr. Marx reviewed the basics of what the redevelopment plan proposed; a one stage project with completion projected in the 3rd Quarter of 2020. The project would require no housing relocation, no street changes, no use of public property, and because the developer owned the property, no eminent domain. The estimated cost of development was about 86.5 million dollars.

Mr. Marx presented the Tax Impact Statement; assuming 100% of real estate taxes were abated for ten years, then over 15 years 50% taxes would be abated. According to their calculations, built out with tax abatement the project would result in about \$9.5 million over that period. The no-build projections would be about \$2.5 million. He noted the amounts going to the school district, the City, and other taxing districts.

Mr. Marx explained that the project was in public Interest as it provided quality hotel, dining, overall tax revenue, and created jobs. He said there were adequate public facilities to handle the project. The applicants had talked with police, fire, and the school district. There was minimal impact expected on the school system, the police were anticipating the need for an additional officer and the Fire Department would not require any additional staff if the project were built. He noted that the zoning was already approved and that the size of redevelopment area could accommodate the redevelopment.

Mr. Cross said the commission's role was to vote on accepting the plan and supporting the blight study. Ms. Hartz asked if this approval would also approve the tax abatement. Mr. Cross said there would be a public hearing at City Council level in regards to the actual numbers and the tax abatement. Per chapter 510, the PC would forward this case on to Council.

Ms. Carr asked what powers the City would be granting the development group. She questioned granting a tax abatement for 25 years, when in 35 years they could call the building obsolete. She noted that in the past, a tax abatement had been granted for this site at a lower level when it was a much bigger risk to develop. She felt that the area was significantly improved since then, and was concerned about the powers conveyed to a 353 corporation. Mr. Cross noted that there is no formula here in U City for tax abatement, and that this was a case-by-case basis for each development and that this was a problem. Mr. Cross said that there would be a redevelopment agreement which would detail the powers given to the corporation. Ms. Moran had a procedural questions – she said the PC did not have a say in the tax abatement process. In the last process (the Hawthorne Apartments), the LCRA had the final say on the abatement. She said the Plan Commission would be simply passing this on.

Ms. Gainer asked what the relevance of the blight study was for the Plan Commission. Ms. Holly said this was the law. She asked if, by sending this on, the commission agreed that the property is blighted. Mr. Harvey said confirmed that this was correct. Ms. Gainer said that this would be supporting the tax abatement. She said it sits very uncomfortably that this commission contributes in the process to a tax abatement.

Mr. Rose stated that the questions of Ms. Carr reflected questions of the Council. He asked what the applicant saw as the key risks they were making for the tax abatement and why they needed it at this site. Mr. Rose said they would use John Ferry to determine whether this would be reasonable. Mr. Rose said he would like to hear from the applicant as why this project needed the tax abatement.

Vic Alston of West Lake, CA spoke on behalf of the applicants. He stated that the site was very costly. He said the timing of the site purchase did not have to do with the development of the site, and it was competitive process to purchase the site. They purchased the site before zoning was approved. He said they were making sure the right entitlements were in place. He said the site was challenging because of the size of the site, and the cost of the site, and the strategy of a mixed-use site requiring multiple levels of garages as well as the other buildings – all in an 85 million investment in a very small location – this density was unheard of in this part of the city.

He said the applicants had spoken with City staff and been directed to the Chapter 353 instead of a TIF. He thought of it as a fair approach in order to partner with the City to get the development done. He noted other tax abatements for similar project in the region, and that a hotel was going to be built to help meet the requirements of the city.

Ms. Holly asked if the craft building would be part of the blighted designation. Mr. Allston confirmed and said there were about 21 tenants in the building currently on month to month leases.

Ms. Gainer asked why the developer was trying to do so much on a small site, and why the density, and she asked if the hotel was to accommodate the City's interest. Mr. Allston said they had originally envisioned an apartment on this site. The site was a 5 million dollar site, and the economics were difficult. He said to make the land value work, you have to build with density. Ms. Gainer asked if the density could actually be more apartments, however the parking would increase with more apartments. Mr. Cross noted the site was zoned for TDD as its future use, so it was not intended for all residential.

Mr. Allston said they had considered alternatives such as a two-hotel option, but that given the hotel partner had been interested in this plan.

Ms. Carr said unequivocally that when she spoke with the developer, subsidies were not discussed. Mr. Rose said that the applicant had multiple discussions with many representatives from the City and they did not encourage the TIF option because it was unlikely that the County would approve another TIF. He said they would consider a 353, but no commitments were made. Mr. Allston said he agreed with that.

Ms. Carr stated that we could not be compared to the City of St. Louis. She said the City did not base their revenue on property tax, and that they have a great land mass off the tax roll, with many truly blighted areas. Ms. Carr said they need to consider what is reasonable in that area – the City was not responsible for what a developer purchases. She said she was disappointed that the developer had not mentioned the possibility of the abatement to her. She said the area is no longer depressed. She was very mindful of the burden on taxpayers in University City.

Mr. Allston described what he thought the economic impact would be on the City. He said there is very little effect on the schools. There would be a net increase of revenue for the City. He said the alternative was an underperforming property. He noted that tax abatements were part of what could make the development possible.

Ms. Holly clarified that property taxes would still be paid, and that the City would not receive any increase. Mr. Allston said when the project was substantially completed the abatement would begin.

Ms. Holly clarified that in the table of tax impact, they are only talking about U City property taxes, the school district, the library district. Mr. Cross stated that when the public hearing is held, the City is required to notify all taxing districts affected by the tax abatement. There would be no public hearing at this Plan Commission meeting. Mr. Harvey moved to send the matter to City Council.

Ms. Holly stated that \$87,800 would be a single officer increase. Mr. Rose stated that this reflected the total amount resources dedicated to the project, which would be one equivalent full-time position with salary and benefits. Ms. Holly also noted that the calculations assumed 100% occupancy in the apartments and hotel. She referred to the preliminary revenue estimate by tax.

Mr. Mulligan noted that they received updated page 5 and 6. The increment was consistent with what Mr. Marx's report. The hotel was calculated at 70% occupancy. Ms. Holly said according to the Business Journal from August of 2019, the St. Louis metro area hotel market is typically 58% occupied. The applicants used a hotel study based on what the City had provided.

Ms. Holly said that she had read the apartment occupancy rate in the metro area was 10% vacant, and the applicant said they would do better at 5%. Ms. Carr asked if the developer anticipates any tenants that they would have trouble relocating. Mr. Allston said they would reach out the tenants and work with them and U City to try and relocate them within U City. He said the tenants had been leaving in general over the last five years. There was a non-working elevator in the building. Ms. Carr noted that there was a tenant in the Walgreens development, and clarified that it would be Mr. Allston's responsibility to remove the tenants.

Mr. Cross recommended that the Commission go through the memorandum provided and based on this they could recommend that the applicant had met the seven criteria provided in the memo.

Mr. Harvey moved, "whereas we determine the area proposed is a blighted area as defined in Section 510.040, whereas we determine that the plan is in the public interest, whereas we do not see severe adverse effect on public facilities, whereas the proposed changes are desirable for redevelopment of the area, whereas there are no requests for use of eminent domain, whereas there are no proposed changes to streets, street levels or requests for street closings, and whereas the size of the area allows for practical and satisfactory development, therefore we recommend to the City Council and Mayor that pursuant to 510.070, the application be recommended for approval of the Plan. Mr. Miller seconded the motion. The motion carried unanimously

6. Other Business

- a. 2020 Comprehensive Plan Update – Commission Consultant Discussion & Recommendation.

Mr. Cross outlined the staff's updates about the selection of Future IQ versus Planning NEXT. Some concerns that had come up were the differences between the consultants. Mr. Cross said staff had followed up with the consultants for additional information. Future IQ was strong with engagement and pre-visioning before the plan. Planning NEXT followed a more standard community engagement process.

Mr. Harvey asked if it was possible to hire both organizations. Mr. Cross said this would be an option – to use Future IQ for a visioning process prior to an RFP for a Comprehensive Plan. Mr. Rose would recommend in this case to do a new RFP for just a visioning process as the disciplines are two different professions.

Ms. Carr asked where the last plan broke down. Ms. Moran said it was both in the engagement and the plan development. She said the City hired two companies for the last plan, and the visioning company broke down – they were doing the visioning at the end of the process when editing the plan.

Ms. Carr asked Mr. Rose what is it that he sees the City looking for. Mr. Rose argued the visioning process was the most critical part of the process. He had hoped the City could find a company that could do both. He felt that the consensus between Council and Community was critical.

Ms. Moran also stated that when they were doing this visioning process, it was led by the kind of the steering committee that led the Planning NEXT process. The Committee became a group of people who were already the squeaky wheels in the city and did not gather in the rest of the information from the City. There was discussion about the two firms, their strengths and weaknesses.

Mr. Rose said he would be strongly recommending to Mayor and Council to separate these processes. He said the visioning process was critical, and U City will not be an easy vision to obtain. Ms. Moran said they need to reach more people who aren't normally reached.

Mr. Rose said do it right, not right now.

There was discussion about the Tru Hotel project, and Mr. Cross said he would poll the Commissioners about a work session on or around March 11th.

Ms. Holly asked about forming committees such as the Comprehensive Plan Committee. Mr. Cross stated that he would confirm, but recommended putting this on the next agenda for an official re-vote or tally. Pat McQueen was appointed and approved as a new member of the Plan Commission.

7. Reports

a. Council Liaison Report

Ms. Carr gave the Council Liaison's report: she recommended the Complete Idiot's Guide to Robert's Rules. She said City Council had uncoupled the Parkview Gardens Plan from the Comprehensive Plan to allow for a financial impact study, and to allow for people to work through what was in the plan and see if it was in our community vision. The City was also looking at restructuring the Loop Special Business District (LSBD). The City was now accepting applications for a Loop Special Business District Coordinator. She noted that the City had a plan for the Loop for a long time. Council had changed the ordinance around the LSBD allowing for a City Liaison, and by-law changes.

Ms. Carr noted that the Stormwater Task Force would have an ordinance to turn them into a committee or commission. They were still in the process of putting together the rain gauges for their early warning system.

Ms. Hartz asked about the Olive Development. Ms. Carr said the developer was still working to acquire property and looking at his financing. The project continued to move forward.

Ms. Moran asked about the Loop Trolley. Mr. Rose said the last action was at Bi-State which died and it was now undetermined. Mr. Rose intends to use Tischler Bise who were determining the impact of Washington University on the City to analyze the fiscal impact of the trolley on the businesses on the Loop.

8. Adjournment

Mr. Miller moved to adjourn, Ms. Moran seconded the motion, and the motion carried unanimous. 9:50pm

DRAFT



Plan Commission Item Cover

MEETING DATE: June 18, 2020

AGENDA ITEM TITLE: Conditional Use Permit – PC 20-01 – Establishment and operation of a proposed Medical Marijuana Dispensary

AGENDA SECTION: Old Business

BACKGROUND REVIEW: The Plan Commission originally considered this item on February 26, 2020. During that meeting the Plan Commission tabled the agenda item to allow staff to review parking concerns associated with this request. However, due to Covid-19, a significant amount of time has passed. Therefore, staff has reinserted this item on the agenda for future consideration. Staff has attached the original application packet with this memo.

Attachments:

1: Original Application Packet Material

6662 Delmar SL, LLC
Attachment for Conditional Use Permit Application

Please state, as fully as possible, how each of the following standards are met or will be met by the proposed development or use for which this application is being made. Attach any additional information to this application form.

Q - 6(a) Complies with all applicable provisions of the University City Zoning Code (e.g. required yards and setbacks, screening and buffering, signs, etc.).

The applicant will comply with all applicable provisions of the University City Zoning Code, including required setbacks, screening and buffering, and signs.

The proposed medical marijuana dispensary is located at 6662A Delmar Boulevard, University City, on a 0.35 acre parcel in the Core Commercial (CC) District.

Buffering Requirement

The proposed medical marijuana dispensary meets local buffer requirements that "no Medical Marijuana Dispensary shall be located within five hundred (500) feet of an existing elementary or secondary school, licensed child day care center or church." The nearest day care center is Kings Day Care Center located 3,543 feet to the north. The nearest church is the Trinity Presbyterian Church located 645 feet to the south-west. The nearest school is Flynn Park Elementary located more than 4,000 feet to the west of the proposed dispensary site.

Residential Zoning Buffer Requirement

The proposed medical marijuana dispensary meets local requirements that no medical marijuana shall be located within one hundred fifty (150) feet of a residentially zoned district. The nearest residentially zoned district is High Density Residential located along Washington Ave more than 150 feet from the proposed dispensary site.

Residential Dwelling Units Prohibited

The proposed medical marijuana dispensary will comply with University City requirements that "no medical marijuana dispensary shall be located in a building that contains a residence." The property is a multi-tenant retail center located in the heart of the Delmar Loop. No residential units are located within the proposed medical marijuana dispensary building.

Outdoor Operations or Storage Prohibited

The proposed medical marijuana dispensary will meet local requirements that "all operations and storage of materials, products or equipment shall be within a fully enclosed building. No outdoor operations or storage shall be permitted." All proposed dispensary operations will be within the existing, enclosed building at 6662A Delmar Boulevard.

Hours of Operation

The proposed medical marijuana dispensary facility will comply with local requirements requiring that all medical marijuana shall be closed to the public, no persons not employed by the business shall be on the premises, and no sales or distribution of marijuana shall occur upon the premises or by delivery from the premises between the hours of 10:00 pm and 8:00 am.

Display of License Required

The medical marijuana license issued by the State of Missouri will be displayed in an open and conspicuous place on the premises at all times.

Minimum lot size

The proposed medical marijuana dispensary is located on a property that meets the minimum required lot size, which shall not be less than twelve thousand five hundred (12,500) square feet in area. The proposed dispensary will be located in 2,100 square feet of an existing building on a 0.35 acre parcel (15,246 sq. ft.).

Ventilation Required

A mechanical engineer will prepare and install a ventilation system that will prevent any odor of marijuana from leaving the premises of the business and ensure that no odor will be detectable by a person with a normal sense of smell outside the boundary of the parcel on which the proposed dispensary is located.

The applicant will utilize a combination of industry tested engineering and administrative controls to effectively mitigate marijuana odors. Engineering controls include carbon filtration via dedicated environmental exhaust fans and recirculation fans, as well as negatively pressurizing rooms where marijuana odors are expected. Carbon filtration is commonly accepted throughout the industry across the nation as the current best engineering control technology for mitigating odors. Odors are captured by locating exhaust air/filter intake points in areas of the facility where odor-generating activities or product handling is expected. Recirculation fans with carbon filters will be utilized in areas where installing exhaust fans is impractical.

The odor control system will be designed so that optimal odor removal occurs by controlling the exhaust air contact time, ensuring the filter is routinely cleaned, and creating negatively pressurized air. Exhaust fans and space conditioning equipment will operate continuously during business hours. All odor control measures will be implemented by a certified engineer.

Administrative controls will include implementing standard operating procedures to require routine monitoring of carbon filter differential static pressure and filter replacement when unacceptable pressure monitoring results occur. Monitoring results and filter replacement dates will be documented in an odor control log available for inspection.

Lighting

Lighting of all exterior areas, including all parking areas, will comply with the Illumination Standards for Commercial use pursuant to Section 400.2110 of the ZoningCode. Exterior lighting will be designed to be compatible with surrounding areas and will be shaded to direct light downward and away from abutting uses, adjoining properties and streets.

The applicant will comply with lighting requirements for non-residential uses in parking areas containing five (5) or more parking spaces. Patients will have access to a shared lit parking lot directly adjacent to the building. Street parking directly in front of the entrance to the proposed dispensary is additionally lit by street lamps.

Off Street Parking

The proposed dispensary is not subject to the minimum required off-street parking under Division 4 of Article VII, as the proposed dispensary is a reoccupancy of an existing building within the "CC" District.

Patients will have access to a shared lit parking lot with more than 40 spaces directly adjacent to the building and exclusive use of two parking spaces at the rear of the site. Street parking is available directly in front of the entrance to the proposed dispensary.

Other Development Standards

The proposed medical marijuana dispensary will comply with the requirement that all ground floor building space with frontage on Delmar Boulevard shall be limited to the retail sales of goods or merchandise for personal consumption only. The proposed dispensary is located on the ground floor of a 7,500 sq. ft. building

with frontage on Delmar Boulevard and will conduct retail sales of medical marijuana and medical marijuana infused products for personal consumption to eligible registered Missouri patients with a valid Medical Marijuana Identification Card.

Signage

The applicant is not proposing signage as a part of this application.

For any future identification signage, the applicant will obtain a sign permit from the Building Department and approved by the Zoning Administrator prior to installation. Per State requirements, signage and advertising on the premise that is visible to the general public from a public right-of-way will not display marijuana, marijuana paraphernalia, or representations of or advertisements for these items.

Q - 6(b) At the specific location will contribute to and promote the community welfare or convenience.

The property is located in the popular Delmar Loop business district, featuring specialty stores, dining options and cultural experiences, as well as local services including banks, gyms, libraries and postal services. The surrounding neighborhoods are home to more than 339,000 people living within a five mile radius of the site, and more than 645 businesses within one mile of the location. The site location allows patients ease of access to the facility in the course of everyday activities. Being located in proximity to retail stores, dining, and services which people frequent on a regular basis increases patient access and reduces the stigma of seeking medical marijuana treatment by incorporating it into the fabric of the local business community. It will also encourage patients and caregivers to patronize local businesses, making a positive economic impact.

The location is accessible from I-170, which connect University City to the rest of the Metro region. Its proximity to the interstate and state highways provides easy access for local and other patients, whether by private or public transportation. The City's public transportation infrastructure includes bus services and the Metrolink light rail service, connecting thousands of people with the site location each day. The location is serviced by a Loop Trolley equipped with ADA lifts, and intersection ramps along the route have been constructed to meet ADA requirements. The MetroLink Red Line services the location, with the Delmar Loop Station within 0.9 miles of the proposed facility. The Route 97 bus service has a transit stop within 300 feet of the building.

The site is less than a ten minute drive from a concentration of medical and health care services. The proposed medical marijuana dispensary will complement the range of health and wellness businesses in the area while ensuring that patients, particularly those undergoing medical treatment for a chronic health condition, can access adjunctive medical marijuana relief without having to travel great distances.

The proposed medical marijuana dispensary will contribute to community welfare by providing socio-economic benefit, community outreach and investment, as well as employment opportunities for the local community. Community education and outreach will be central to the dispensary operation and the applicant intends to offer a range of free educational events to patients, practitioners and the public on the potential therapeutic effects of medical marijuana as a treatment option. The applicant will also seek opportunities to connect with University City's 1400+ veteran community as part of its community information and outreach.

Community outreach will be performed by a dedicated liaison who will work with local organizations to identify areas of unmet or underserved need and mobilize resources and support in an effective and collaborative effort with community partners. The applicant's leadership team has a proven record of community engagement through previously owned medical marijuana dispensary operations in other states. In 2015, the City of San Francisco named October 15 in honor of the dispensary's support and contribution to local community programs.

The applicant intends to create approximately 18 full-time equivalent jobs within the first year of operation. Recruitment efforts will be focused on local communities and the applicant will work with organizations including United Way of Greater St. Louis and Missouri Job Center Veterans programs to create pathways to employment for a diverse pool of local residents.

Q - 6(c) Will not cause substantial injury to the value of neighboring property.

The proposed medical marijuana dispensary is a retail storefront within a multi-tenant retail center in the heart of the Delmar Loop, a popular retail, entertainment and dining precinct. Properties in the vicinity fronting Delmar Boulevard contain a mix of uses including restaurants, personal services, and retail stores. The adjacent neighboring property is a Regions Bank on the corner of Kingsland Avenue and Delmar Boulevard, which has its own parking lot. Across the parking lot on the other side of the proposed dispensary location is an art gallery and a number of eateries are located directly across the street.

The subject property and neighboring buildings are zoned "Core Commercial," a zoning district which encompasses the Loop area and is intended to accommodate a wide variety of retail commercial uses, with an emphasis on retail goods, dining and entertainment. The proposed medical marijuana dispensary aligns with the current use designation and complements existing businesses by adding retail medicinal therapeutics to the range of specialty stores, dining, banks, fitness centers and other local services in the neighborhood. The location will increase access for patients seeking medicinal marijuana treatments by integrating seamlessly within the popular neighborhood retail strip.

There are no physical modifications proposed to the exterior of the premises. The physical environment and design of the dispensary will maintain the value of surrounding properties by providing an attractive interior layout while maintaining the current facade of the existing building. No medical marijuana or marijuana paraphernalia, or advertisements for these items, will be visible to the general public from a public right-of-way. Any future signage will be limited to the name of the dispensary and will not contain any images or representations of marijuana or marijuana products.

Patients will have access to a shared parking lot with more than 40 spaces directly adjacent to the building and the exclusive use of two (2) parking spaces at the rear of the property. The site has two (2) handicapped parking spaces at the rear of the building with a ramp from the parking lot facilitating wheelchair access to the entrance of the facility. Additional handicapped parking spaces are provided in the adjacent parking lot.

The Loop District is well served by public transit, including light buses and rail. The location is serviced by a Loop Trolley equipped with ADA lifts, and intersection ramps along the route have been constructed to meet ADA requirements. The MetroLink Red Line services the location, with the Delmar Loop Station within 0.9 miles of the proposed facility. The Route 97 bus service has a transit stop within 300 feet of the building.

The dispensary will have video surveillance cameras covering the exterior of the building as well as a professionally installed and monitored alarm system to deter criminal activity and notify local law enforcement of any unauthorized entry. Trained security personnel will be on site during operational hours to promote patient and community safety and to ensure that no consumption occurs in or around the premises.

In order to prevent any odor of marijuana from leaving the premises, a mechanical engineer will install a ventilation system to ensure that neighboring properties will not be subject to detectable odors from the dispensary. Engineering controls include carbon filtration via exhaust and recirculation fans, as well as negatively pressurizing rooms where marijuana odors are expected. Carbon filtration is commonly accepted throughout the industry across the nation as the current best engineering control technology for mitigating odors.

Q - 6(d) Is consistent with the Comprehensive Plan, neighborhood development plan (if applicable), and any other official planning and development policies of the City.

The proposed medical marijuana dispensary will be consistent with the Comprehensive Plan and neighborhood development plan. The dispensary is located within the Delmar Loop and will be compatible with the existing businesses and contribute to the unique experience that The Loop creates. The dispensary will cater to local patients, but will also attract individuals from outside the immediate area bringing in additional business.

The City has identified sufficient demand to support approximately 30,000 square feet of general and personal care merchandise. The proposed medical marijuana dispensary will support this demand. The dispensary is located in District 1 within the West Loop, which serves as the anchor of The Loop. The dispensary suits the City's retail strategy for the West Loop by contributing to the unique character of the existing retail and the individuals that use them. The dispensary is located in the section from Kingsland and Leland that is identified as the Neighborhood Hub. The Neighborhood Hub is oriented towards local residents to include pharmacies, prepared foods, and gifts. The dispensary fits within the pharmacy category and is consistent with the City's retail strategy by serving local neighborhoods and residents.

The dispensary will contribute to a positive community image and sustain the reputation of The Loop as a premier destination in the St Louis region by providing high-quality medical marijuana products, superior patient care, and an overall elevated experience. The convenient location will help patients access previously unavailable medicinal treatments and the dispensary will comply with the ground floor requirement for businesses with frontage on Delmar Boulevard to be retail stores. The applicant will capitalize on the diverse talent of local residents by giving preference to local hiring, providing a robust training program and competitive compensation and benefits - adding to the economic development and growth of not only the business district but surrounding neighborhoods. The dispensary will contribute to community growth through the diversification of products and services offered in The Loop.

The proposed medical marijuana dispensary will conform with the City's Comprehensive Plan and will aid the City's strategy to preserve and enhance the City's character. The City primarily relies on consumption generated revenue; the proposed medical marijuana dispensary will meet consumer demand by introducing medical marijuana products to the market for qualified patients. This in turn will generate increased tax revenue for the City. In addition to providing medical marijuana and medical marijuana products, the applicant will create a safe and unique retail experience for all patients, including education and wellness programs that add to the character and vitality of the Delmar Loop.

The applicant will maintain the unique character of the City by preserving the exterior of the facility and committing to the City's improvement. In order to fulfill this commitment, the applicant will ensure the building fits the overall appearance of the district and ensure that the surrounding area is clean, free of debris, and well-maintained.

Q - 6(e) Will provide off-street parking and loading areas in accordance with the standards contained in Article 7 of the University City Zoning Code.

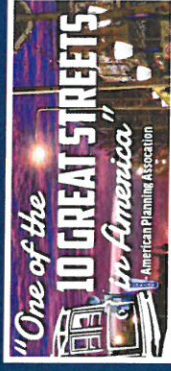
The proposed medical marijuana dispensary is located in the "Core Commercial" zoning district in the Delmar Loop. The proposed dispensary is a reoccupancy of an existing building within the "CC" District. As such, the dispensary is not subject to the otherwise applicable minimum required off-street parking and loading under Division 4 of Article VII of the University City Zoning Code.

The Zoning Code acknowledges the substantial parking supply available in the "CC" District. Patients and caregivers will have access to a shared parking lot with more than 40 spaces directly adjacent to the building and the exclusive use of two (2) parking spaces at the rear of the property. Street parking is available directly in front of the building on Delmar Boulevard.

Regarding the exception from the minimum off-street parking requirements, the Zoning Code states that "it is not the intent to permit such exceptions that would result in undue impacts of overflow parking from one (1) use onto other properties or public rights-of-way" (Section 400.1970 (B)). The proposed medical marijuana dispensary is a retail use that is both common and encouraged within the "CC" district. It is not anticipated that the use would result in an overflow of parking onto other properties, given the availability of surrounding parking spaces, as well as the public transit infrastructure in the neighborhood.

The Delmar Loop

6662 Delmar, University City, MO 63130



AREA RETAILERS

- The Melting Pot
- Commerce Bank
- Blueberry Hill
- Club Fitness
- Craft Alliance Center
- Vintage Vinyl
- Starbuck's

PROPERTY HIGHLIGHTS

- Located in the heart of The Delmar Loop which hosts a unique collection of specialty stores, boutiques, and galleries.
- Close proximity to The Tivoli and Pageant entertainment venues.
- Within walking distance of Washington Univ. Campus.
- **Space Available—1,838 SF & 2,242 SF - contiguous**

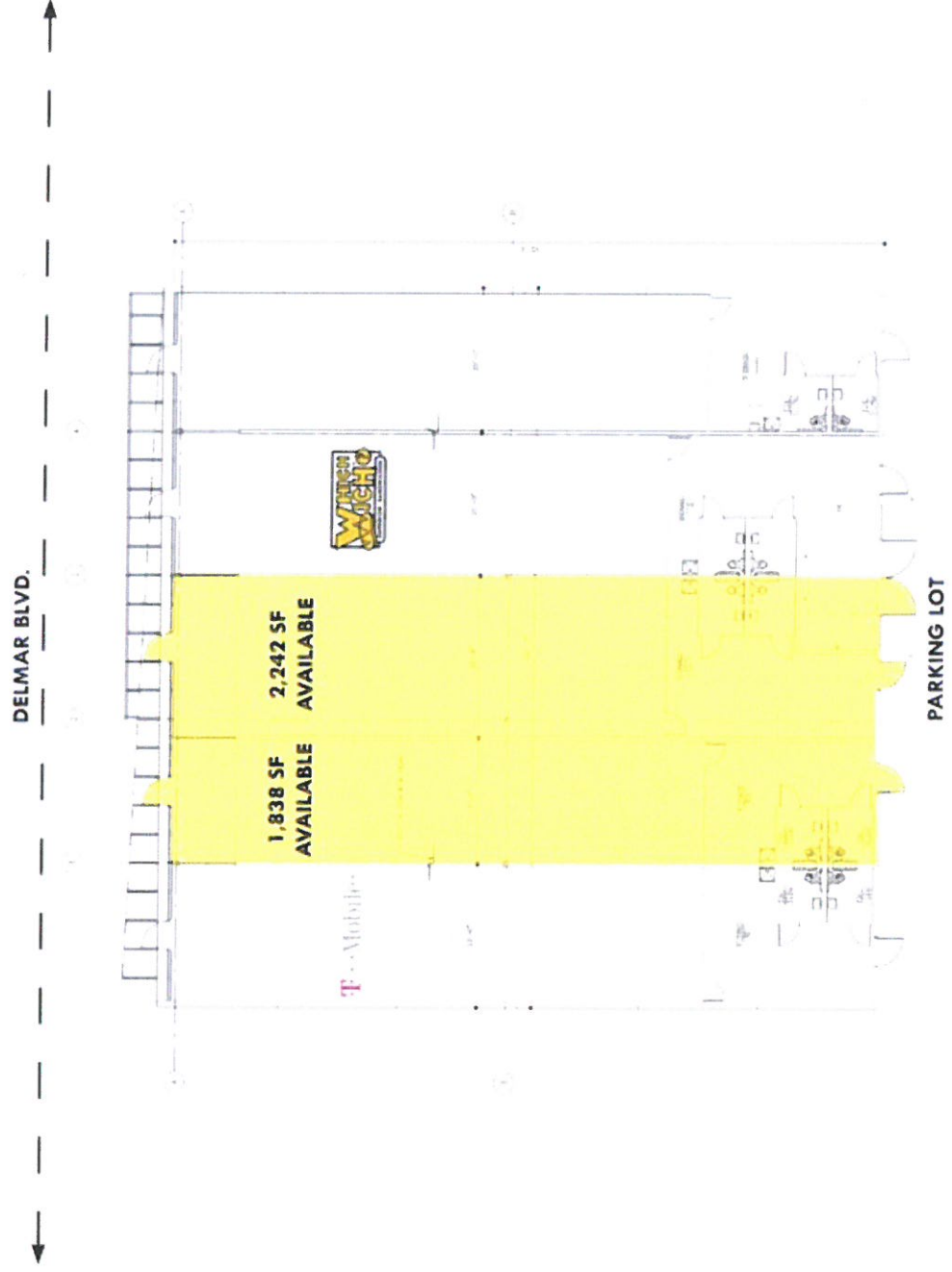
DEMOGRAPHICS

	1 Mi.	3 Mi.	5 Mi.
Population	21,777	134,021	337,851
Med. HH Income	\$83,794	\$66,554	\$59,938
Med. Age	30.3	36.1	36.4
Daytime Pop	18,054	189,539	386,918

For information contact: **Thomas A. Egan (314) 725-1997**

Wm. Boudoures Co.—8029 Clayton Road—St. Louis, MO 63117—(314) 725-1997—www.boudoures.com

The Delmar Loop 6662 Delmar, University City, MO





Department of Planning and Development

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8500, Fax: (314) 862-3168

STAFF REPORT

MEETING DATE: June 18, 2020

FILE NUMBER: PC 20-03

COUNCIL DISTRICT: 1

Location: 8213 Delmar Boulevard

Applicant: BFA Engineering – Total Access Urgent Care (TAUC)

Property Owner: Moore Alice Anheuser Beims # 2 Trust

Request: Conditional Use Permit (C.U.P.) for a proposed Total Access Urgent Care Medical Office.

COMPREHENSIVE PLAN CONFORMANCE

Yes No No reference

STAFF RECOMMENDATION

Approval Approval with Conditions in Attachment A Denial

ATTACHMENTS:

A. Application Packet

Existing Zoning: LC – Limited Commercial

Existing Land Use: Commercial – Pasta House

Proposed Zoning: No change – “LC” District

Proposed Land Use: No change – Commercial

Surrounding Zoning and Current Land Use:

North: LC / SR: Limited Commercial / Single - Family Residential (Commercial & Single Family FLU)

East: LC / SR: Limited Commercial / Single - Family Residential (Commercial & Single - Family FLU)

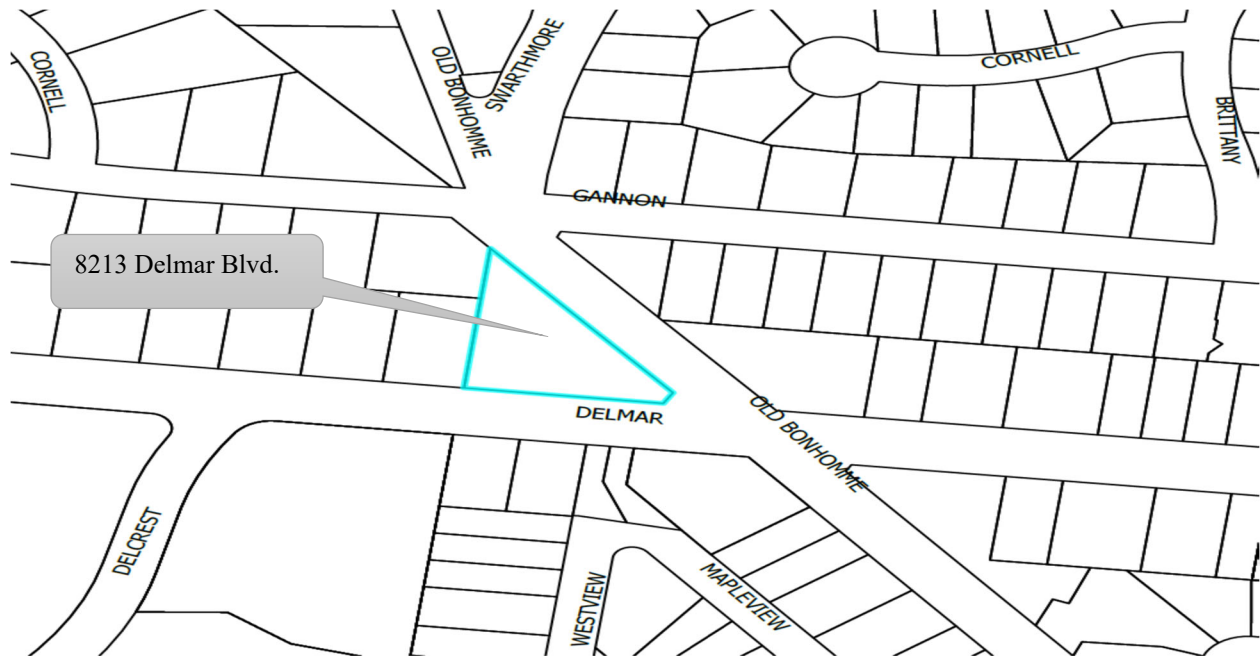
South: LC: Limited Commercial (Commercial FLU)

West: LC / MR: Limited Commercial / Medium Density Residential (Multi- Family & Single - Family FLU)

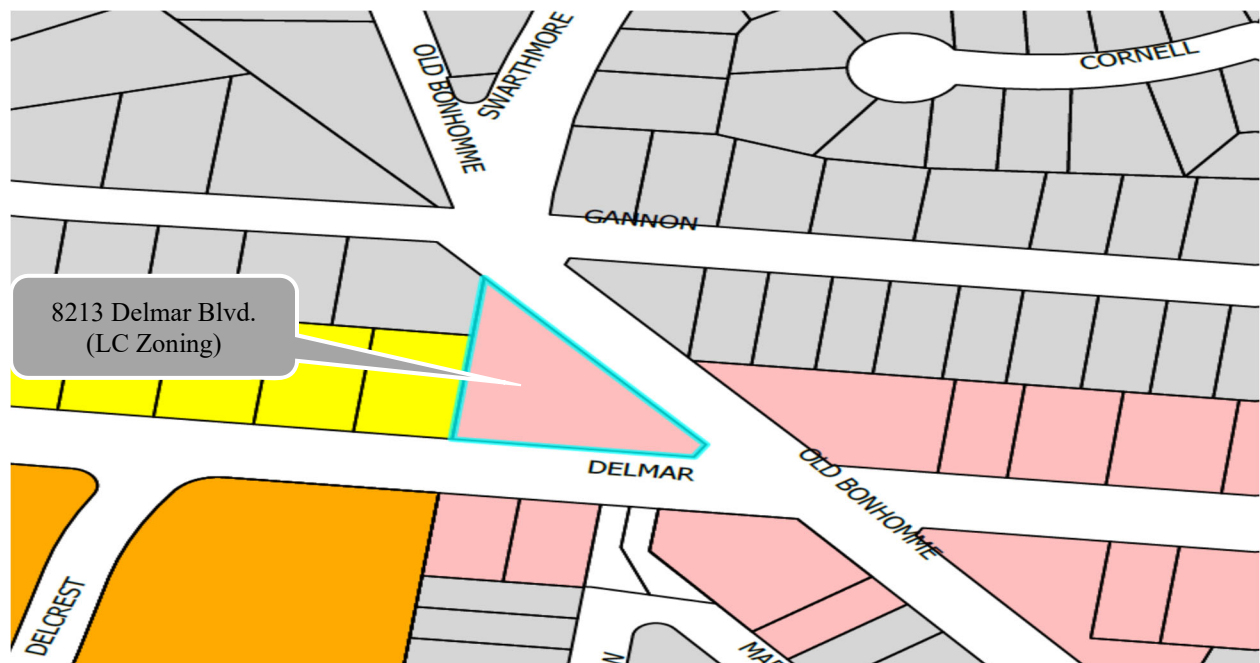
Existing Property

The existing property at 8213 Delmar Boulevard has an approximate 6,000 square foot commercial building that currently houses the Pasta House restaurant. The site is approximately 33,105 square feet (.76 acres) and has a current impervious surface ratio of approximately 90 percent which accounts for the current building, dumpster location and approximately 37 parking spaces. The property is zoned Limited Commercial and abuts commercial and residential uses.

Parcel Location



Surrounding Zoning



Aerial View, Angle



Overhead Aerial View



Applicant's Request

The applicant is requesting a Conditional Use Permit to construct and operate an approximate 6,462 square foot "Total Access Urgent Care" medical office. The proposed use is listed as a permitted use in the Limited Commercial (LC) District per section 400.440, Subsection A(12): "Offices, medical and dental". However, section 400.440 A requires any development exceeding 3,500 square feet, in gross floor area, to obtain a Conditional Use Permit in accordance Article XI of Chapter 400 of the University City Zoning Code.

Process – Required City Approvals

Plan Commission. Section 400.2700.C of the Zoning Code requires that C.U.P. applications be reviewed by Plan Commission. The Plan Commission shall make a recommendation to the City Council for their consideration. A public hearing is required at the Plan Commission meeting.

City Council. Section 400.2700.D of the Zoning Code requires that C.U.P. applications be reviewed by City Council for the final decision, subsequent to the public hearing and recommendation from Plan Commission. In conducting its review, City Council shall consider the staff report, Plan Commission's recommendation, and application to determine if the C.U.P. application meets the requirements of the Zoning Code.

Other Processes

Traffic Commission - The review criteria for a C.U.P. includes the impact of projected vehicular traffic volumes and site access with regard to the surrounding traffic flow, pedestrian safety, and accessibility of emergency vehicles and equipment. In its capacity as an advisory commission on traffic related matters as per Section 120.420 of the Municipal Code, the Traffic Commission may be concerned with the parking and traffic impact of the project.

Analysis

The proposed medical office/clinic would appear to have minimal impact on the surrounding neighborhood and uses based upon its location and the most recent use of this property. The proposal is requesting a continued commercial development on a major arterial roadway that would be abutted, except to the north, by other commercial and multi-family residential uses.

In evaluating, the proposed development, it appears to be less intense than the current use. Specifically, the proposal concept identifies the construction of a proposed building, that has a similar square footage to the existing building, while reducing the demand for impervious surface ratios to meet parking requirements. The proposed concept would reduce the total impervious ratio by approximately 7,480 square feet (an approximate 16% reduction).

The proposal identifies approximately 27 new parking spaces to accommodate the proposed development. In reviewing this request, the applicant was utilizing the prior standards of 1 space per 250 square feet. However, the current requirements require 1 space per every 200 square feet as identified in Section 400.2140 "Schedule of Off-Street Parking Space Requirements" of the code. In evaluating the numbers, staff has identified

the floor area utilized in the parking calculations would be approximately 5900 square feet which would require approximately 29.5 spaces. Furthermore, a parking exception for the development's proximity to a transit station allows for an additional 10% reduction in the parking requirements which would result in a total requirement of 27 spaces. Based upon that assumption the proposal meets the parking requirements of the code.

Public Works & Parks: NA

Fire Department: NA

Police Department: NA

Public Involvement

A public hearing at a regular Planning Commission meeting is required by the Zoning Code. The public hearing notice for the current proposal was published in the newspaper 15 days prior to the meeting date and was mailed to property owners within 300 feet of the subject property, exceeding the required distance of 185 feet. Signage was also posted on the subject property with information about the public hearing. Any member of the public will have an opportunity to express any concerns by writing in or attending the Planning Commission meeting.

Review Criteria

When evaluating a Conditional Use Permit the applicant is required to ensure that the following criteria is being met in accordance to the provisions set forth in Section 400.2710 of the Zoning Code. The Criteria is as follows;

1. The proposed use complies with the standards of this Chapter, including performance standards, and the standards for motor vehicle-oriented businesses, if applicable, as contained in Section **400.2730** of this Article;
2. The impact of projected vehicular traffic volumes and site access is not detrimental with regards to the surrounding traffic flow, pedestrian safety, and accessibility of emergency vehicles and equipment;
3. The proposed use will not cause undue impacts on the provision of public services such as police and fire protection, schools, and parks;
4. Adequate utility, drainage and other such necessary facilities have been or will be provided;
5. The proposed use is compatible with the surrounding area;
6. The proposed use will not adversely impact designated historic landmarks or districts; and
7. Where a proposed use has the potential for adverse impacts, sufficient measures have been or will be taken by the applicant that would negate, or reduce to an acceptable level, such potentially adverse impacts. Such measures may include, but no necessarily be limited to:

- a. Improvements to public streets, such as provision of turning lanes, traffic control islands, traffic control devices, etc.;
- b. Limiting vehicular access so as to avoid conflicting turning movements to/from the site and access points of adjacent properties, and to avoid an increase in vehicular traffic in nearby residential areas;
- c. Provision of cross-access agreement(s) and paved connections between the applicant's property and adjacent property(ies) which would help mitigate traffic on adjacent streets;
- d. Provision of additional screening and landscape buffers, above and beyond the minimum requirements of this Chapter;
- e. Strategically locating accessory facilities, such as trash storage, loading areas, and drive-through facilities, so as to limit potentially adverse impacts on adjacent properties while maintaining appropriate access to such facilities and without impeding internal traffic circulation;
- f. Limiting hours of operation of the use or certain operational activities of the use (e.g., deliveries); and
- g. Any other site or building design techniques which would further enhance neighborhood compatibility.

Findings of Fact (Section 400.2720)

The Plan Commission shall not recommend approval of a conditional use permit unless it shall, in each specific case, make specific written findings of fact based directly on the evidence presented to it supporting the conclusion that the proposed conditional use:

1. Complies with all applicable provisions of this Chapter;
2. At the specific location will contribute to and promote the community welfare or convenience;
3. Will not cause substantial injury to the value of neighboring property;
4. Is consistent with the Comprehensive Plan, neighborhood development plan (if applicable), the Olive Boulevard Design Guidelines (if applicable), and any other official planning and development policies of the City; and
5. Will provide off-street parking and loading areas in accordance with the standards contained in Article **VII** of this Chapter

Staff Recommendation

Based on the preceding considerations, staff is of the opinion that the proposed use of this property to accommodate the "Medical Office/Clinic" "Total Access Health Care" would not be detrimental to the surrounding parcels.

Staff is recommending approval of the request.



Department of Community Development

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8500

APPLICATION FOR CONDITIONAL USE PERMIT Under Article 11 of the Zoning Code of University City, Missouri

1. Address/Location of Site/Building: 8213 Delmar Blvd.
2. Zoning District (check one):
 SR LR MR HR HRO GC LC CC IC PA PD
3. Applicant's Name, Corporate or DBA Name, Address and Daytime Telephone: _____
Mark Harriman, PE (BFA, Inc.)
103 Elm St., Washington, MO 63090 - (636) 231-4313
4. Applicant's Interest in the Property: Owner Owner Under Contract Tenant*
 Tenant Under Contract* Other* (explain): _____

* Please Note: Zoning Code Section 34-131.1 requires that the application may only come from one (1) or more of the owners of record or owners under contract of a lot of record (or zoning lot), or their authorized representative. If you are applying as a tenant, tenant under contract or other, you must attach a letter from the owner stating you are an authorized representative of them and they give you permission to file this application for Conditional Use on their behalf.

5. Owner's Name, Corporate or DBA Name, Address and Daytime Telephone, if other than Applicant:
TAUC Properties LLC (Total Access Urgent Care)
13861 Manchester Rd, Ballwin, MO 63011 - (314) 961-2255

6. Please state, as fully as possible, how each of the following standards are met or will be met by the proposed development or use for which this application is being made. Attach any additional information to this application form.

a) Complies with all applicable provisions of the University City Zoning Code (e.g. required yards and setbacks, screening and buffering, signs, etc.).

The site is designed per City Code including: 10' buffer and sight proof fence adjoining residential to the west, parking lot landscaping, 15' building setback, parking lot layout, and two 8' tall monument signs (one for each street frontage). We are requesting the CUP be permitted for 2 years to allow the existing use time to finish their lease.

b) At the specific location will contribute to and promote the community welfare or convenience.

The proposed Total Access Urgent Care facility is the ideal use for promoting the welfare of the community. Total Access strives on providing fast, friendly and affordable health care service. The urgent care will provide exemplary service to the neighborhood.

c) Will not cause substantial injury to the value of neighboring property.

The proposed site plan will remove the existing building and asphalt from adjacent to the residential property and replace is with landscaping and a solid screen fence. The use will also decrease traffic as compared to the existing residence and will be closed after 8pm every evening.

d) Is consistent with the Comprehensive Plan, neighborhood development plan (if applicable), and any other official planning and development policies of the City.

The use as an urgent care facility achieves the comprehensive plan by creating and maintaining a healthy workforce. Total Access works with Businesses for workman's claims, employee screens and physicals. The proposed business is synonymous with the existing land use of the property.

e) Will provide off-street parking and loading areas in accordance with the standards contained in Article 7 of the University City Zoning Code

Medical facilities require 1 space for each 250 s.f. of floor area, equaling 26 parking spaces.

The proposed site design incorporates 27 parking spaces for the urgent care use.

** Please Note: You should also submit twelve (12) copies of a memo detailing the following information:

1) Description of the proposed Conditional Use, in narrative form. Please include historical information about the applicant, the company and/or the organization. Explain why this particular site was chosen for the proposal, state the number of employees that will be working at the site, state the hours of operation, explain other features unique to the proposed use and submit any other information that will help the Plan Commission and City Council in their decisions. 2) Estimated impact of the conditional use on the surrounding properties and adjacent streets, including, but not limited to, average daily and peak hour traffic generation, existing traffic volumes of adjacent streets, if available, use of outdoor intercoms, and any other operational characteristics of the proposed use that may have impacts on other adjacent or nearby properties. 3) Legal description of the property(s) proposed for the Conditional Use Permit, when the proposed use involves a substantial addition or new construction.

A Public Hearing before the Plan Commission is required by Ordinance. Notice of such Public Hearing must be published in a newspaper of general circulation at least fifteen (15) days in advance. Upon receipt of a Plan Commission Recommendation, the City Council must consider this application and supporting information before a Use Permit may be granted. A fee of \$114 must accompany this application.

2/27/2020
Date

Mark Amin, Project Manager for BFA, Inc.
Applicant's Signature and Title
TAUC Properties LLC (Total Access Urgent Care)
Representing (if applicable)

FOR OFFICE USE ONLY

_____ Application First Received.

_____ Application Fee in the Amount of \$ _____ Receipt # _____

_____ Application returned for corrections, additional data.

_____ Final complete application received.

_____ File # _____ created. K:\wpoffice\wpdata\F-cupfrm.doc



OPTION - 1

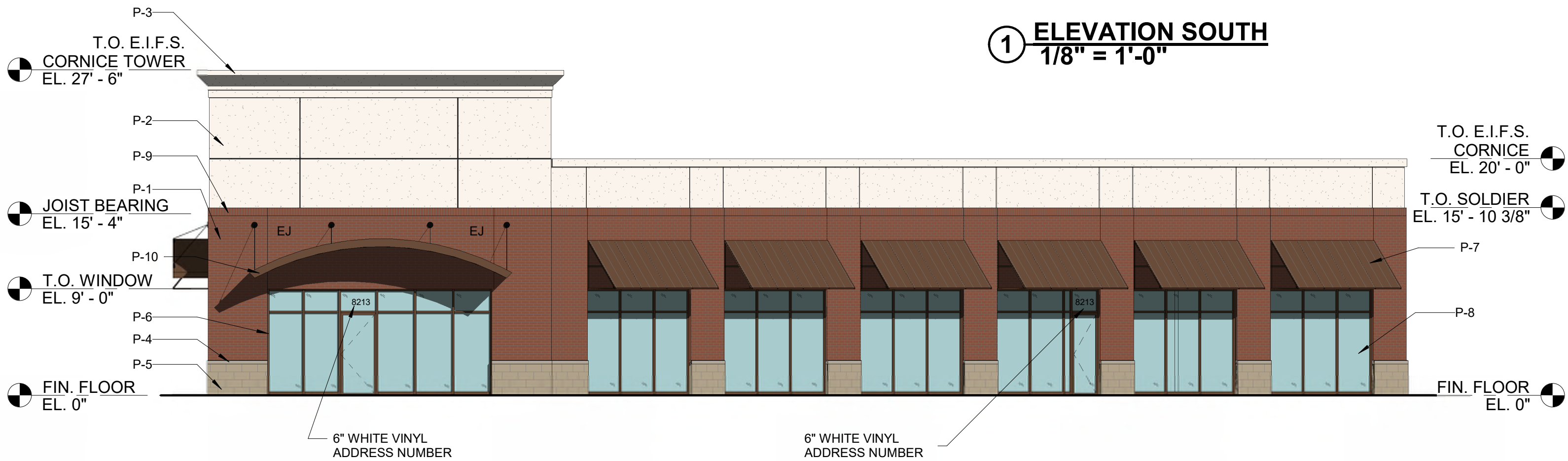
TAUC - DELMAR (UCITY)

F S A
FEELER, S. ARCHITECTS
612 TRADE CENTER BLVD.
ST. LOUIS, MO 63005
636-530-7362

TAUC



① ELEVATION SOUTH
1/8" = 1'-0"



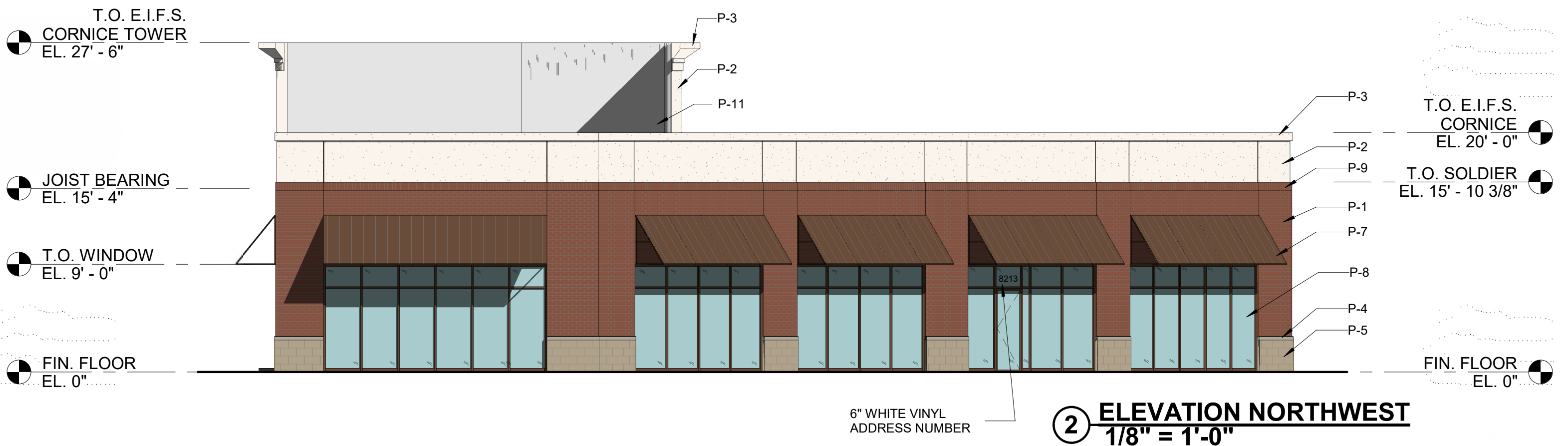
② ELEVATION EAST
1/8" = 1'-0"

OPTION - 1

TAUC - DELMAR (UCITY)



① ELEVATION WEST
 $1/8'' = 1'-0''$



② ELEVATION NORTHWEST
 $1/8'' = 1'-0''$

OPTION - 1

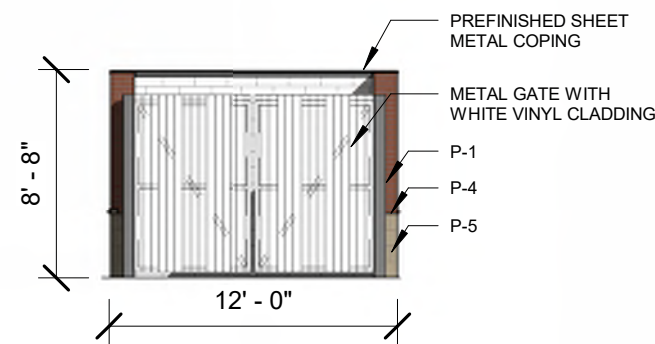
TAUC - DELMAR (UCITY)



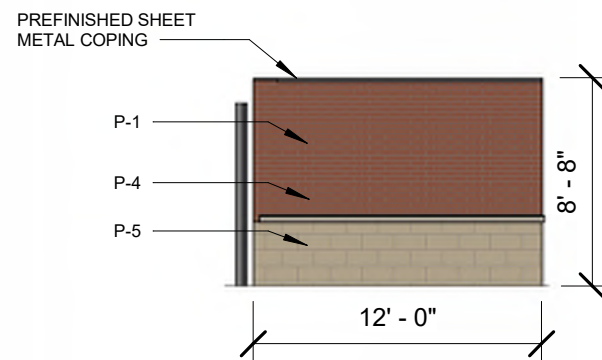
① **ELEVATION NORTHEAST**
 1/8" = 1'-0"

OPTION - 1

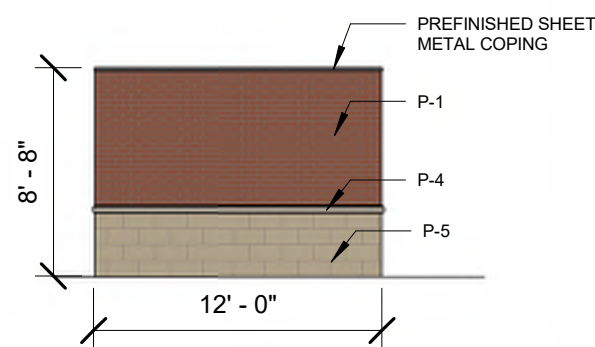
TAUC - DELMAR (UCITY)



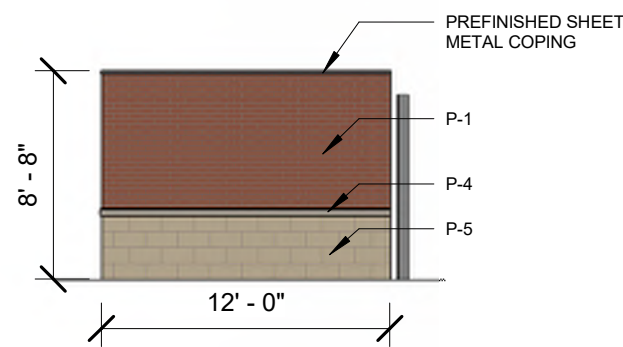
1 DUMPSTER ENCLOSURE FRONT
1/8" = 1'-0"



2 DUMPSTER ENCLOSURE SIDE
1/8" = 1'-0"

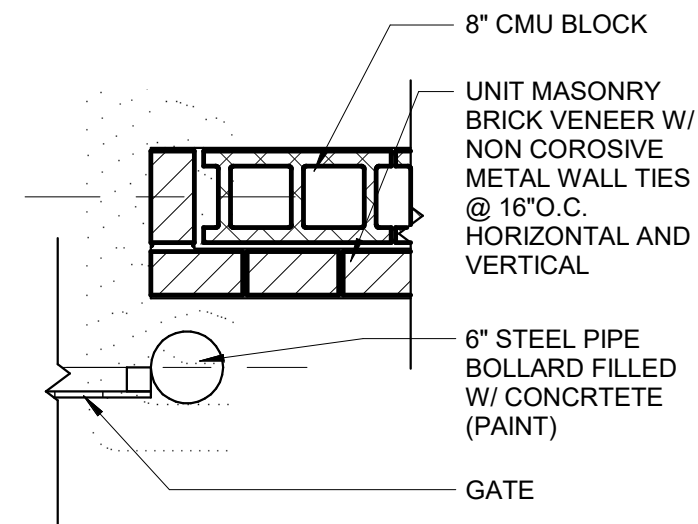


3 DUMPSTER ENCLOSURE BACK
1/8" = 1'-0"

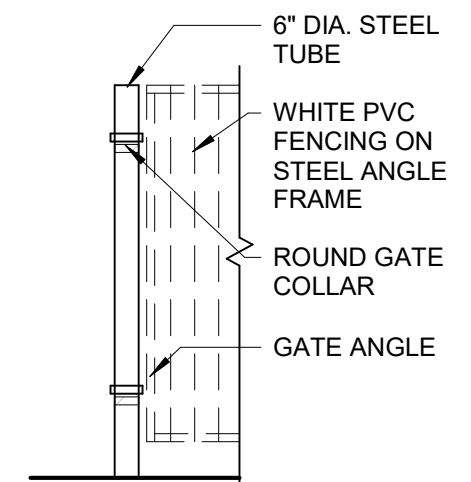


4 DUMPSTER ENCLOSURE SIDE
1/8" = 1'-0"

EXTERIOR FINISHES	
P-1	BRICK VENEER - SEE SAMPLE
P-2	EIFS / STUCCO PAINTED
P-3	EIFS / STUCCO FORMED CORNICE PAINTED
P-4	CAST STONE SILL
P-5	STONE VENEER - SEE SAMPLE
P-6	PREFINISHED ALUMINUM STOREFRONT SYSTEM - DARK BRONZE
P-7	STEEL FRAME PREFINISHED METAL CLAD AWNING - DARK BRONZE
P-8	STOREFRONT ALUMINUM / GLASS DOOR - DARK BRONZE
P-9	BRICK VENEER SOLDIER COURSE
P-10	CURVED STEEL FRAME PREFINISHED METAL CLAD AWNING - DARK BRONZE
P-11	WHITE ROOF BEYOND
P-12	6" DIA. OVERFLOW OUTLET W/ BUG SCREEN BEHIND CANOPY



5 GATE PLAN DETAIL
3/4" = 1'-0"



6 GATE POST DETAIL
1/4" = 1'-0"

OPTION - 1

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OPTION - 1

① OVERALL 1ST FLOOR PLAN - PHASE 1
3/32" = 1'-0"

TAUC - DELMAR (UCITY)



OPTION - 1

① OVERALL 1ST FLOOR PLAN - PHASE 2
3/32" = 1'-0"



OPTION - 2

TAUC - DELMAR (UCITY)

F S A
FEELER, S. ARCHITECTS
612 TRADE CENTER BLVD.
ST. LOUIS, MO 63005
636-530-7362

TAUC



① **ELEVATION SOUTH**
1/8" = 1'-0"



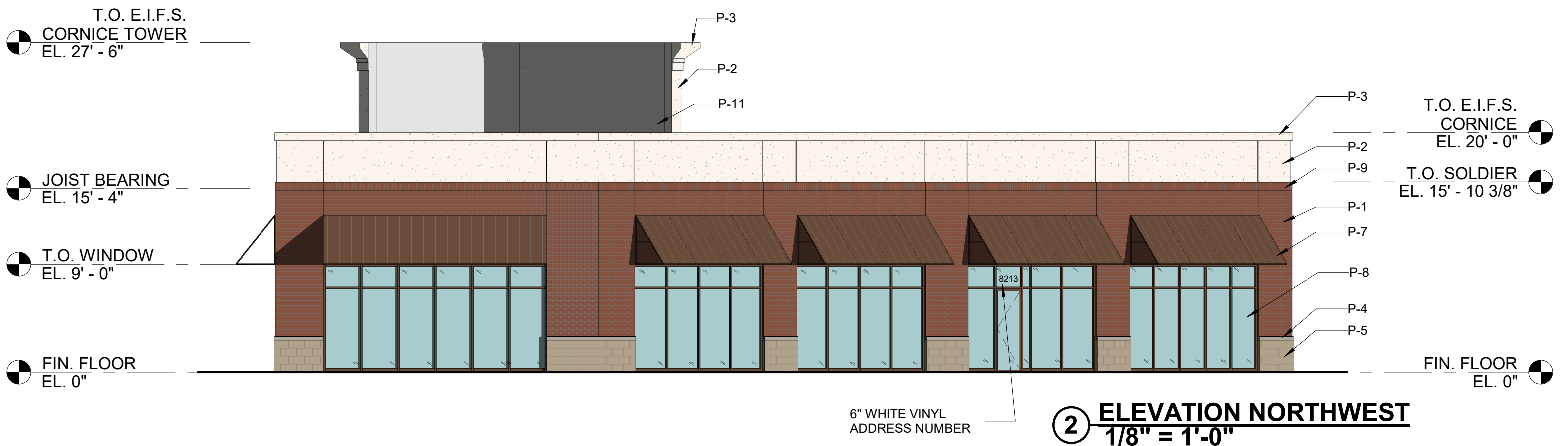
② **ELEVATION EAST**
1/8" = 1'-0"

OPTION - 2

TAUC - DELMAR (UCITY)



① ELEVATION WEST
 $1/8" = 1'-0"$



② ELEVATION NORTHWEST
 $1/8" = 1'-0"$

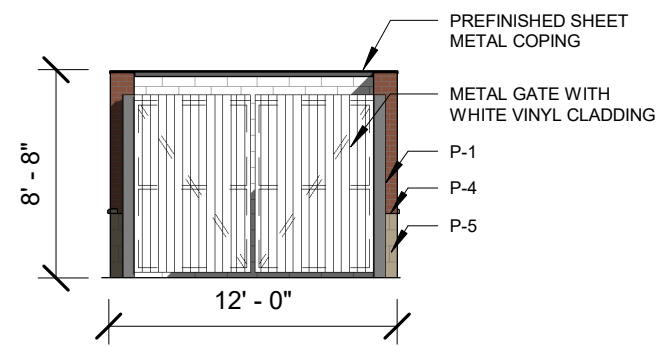
OPTION - 2

TAUC - DELMAR (UCITY)

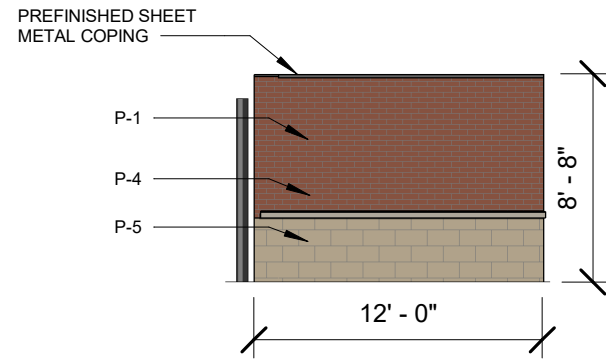


① **ELEVATION NORTHEAST**
1/8" = 1'-0"

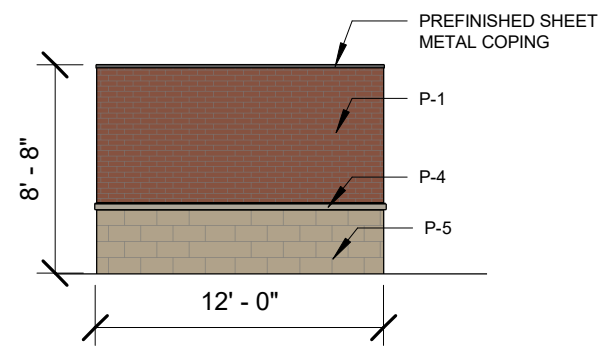
OPTION - 2



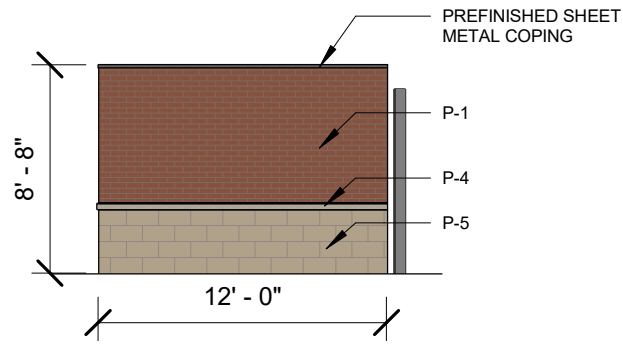
① DUMPSTER ENCLOSURE FRONT
 $1/8'' = 1'-0''$



② DUMPSTER ENCLOSURE SIDE
 $1/8'' = 1'-0''$



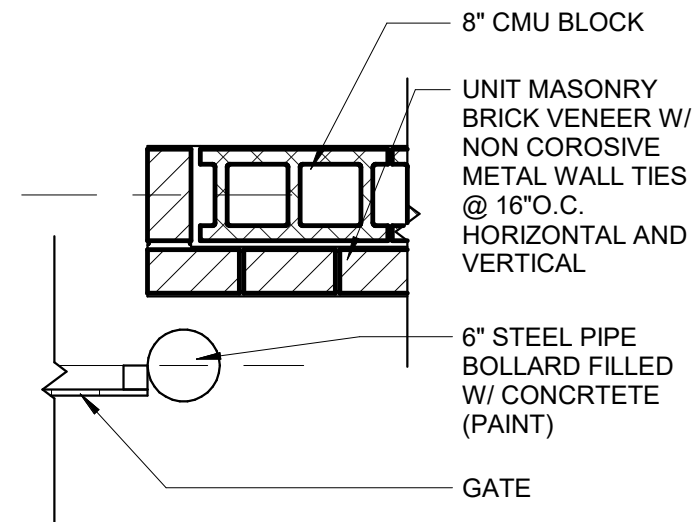
③ DUMPSTER ENCLOSURE BACK
 $1/8'' = 1'-0''$



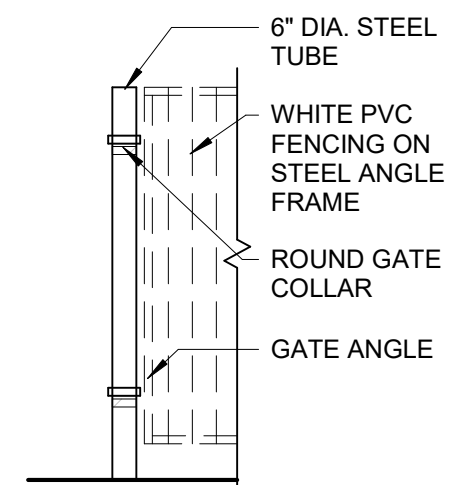
④ DUMPSTER ENCLOSURE SIDE
 $1/8'' = 1'-0''$

EXTERIOR FINISHES

- P-1 BRICK VENEER - SEE SAMPLE
- P-2 EIFS / STUCCO PAINTED
- P-3 EIFS / STUCCO FORMED CORNICE PAINTED
- P-4 CAST STONE SILL
- P-5 STONE VENEER - SEE SAMPLE
- P-6 PREFINISHED ALUMINUM STOREFRONT SYSTEM - DARK BRONZE
- P-7 STEEL FRAME PREFINISHED METAL CLAD AWNING - DARK BRONZE
- P-8 STOREFRONT ALUMINUM / GLASS DOOR - DARK BRONZE
- P-9 BRICK VENEER SOLDIER COURSE
- P-10 CURVED STEEL FRAME PREFINISHED METAL CLAD AWNING - DARK BRONZE
- P-11 WHITE ROOF BEYOND
- P-12 6" DIA. OVERFLOW OUTLET W/ BUG SCREEN BEHIND CANOPY



⑤ GATE PLAN DETAIL
 $3/4'' = 1'-0''$



⑥ GATE POST DETAIL
 $1/4'' = 1'-0''$

OPTION - 2

TAUC - DELMAR (UCITY)



OPTION - 2

① OVERALL 1ST FLOOR PLAN - PHASE 1
3/32" = 1'-0"



① OVERALL 1ST FLOOR PLAN - PHASE 2
 3/32" = 1'-0"

OPTION - 2

TAUC - DELMAR (UCITY)