



Plan Commission

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

Roll Call MEETING OF THE PLAN COMMISSION

VIA VIDEOCONFERENCE

Wednesday February 22, 2023

6:30 p.m.

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

Plan Commission will Meet Electronically on Wednesday, February 22, 2023

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 people and the ongoing efforts to limit the spread of the COVID-19 virus, the February 22, 2023 meeting will be conducted via videoconference.

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

Webinar

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84602530787?pwd=V1Qrb3VXOUNqdkdscGdHU1NpN1VIUT09>

Passcode: 611865

Or One tap mobile :

US: +13052241968,,84602530787#,,,,*611865# or
+13092053325,,84602530787#,,,,*611865#

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

US: +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 646 931 3860 or +1 929
205 6099 or +1 301 715 8592 or +1 564 217 2000 or +1 669 444 9171 or +1 669 900 6833 or +1
689 278 1000 or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799
or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847

Webinar ID: 846 0253 0787

Passcode: 611865

International numbers available: <https://us02web.zoom.us/j/84602530787?pwd=V1Qrb3VXOUNqdkdscGdHU1NpN1VIUT09>

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 Acting Director of Planning and 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: jwagner@ucitymo.org or mailed to the City

Hall – 6801 Delmar Blvd. – Attention John L. Wagner, Director of Planning and 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 – January 25, 2023 meeting.
3. Public Comments – (Limited to 3 minutes for individual’s comments, 5 minutes for representatives of groups or organizations.)
4. Old Business
 - a. None
5. New Business
 - a. **Final Development Plan – FDP 23-02.**
Applicant: D3 Commercial Realty Group, LLC
Request: Approval of a Final Development Plan for Market at Olive Phase III.
Address: 8660-8684 Olive Boulevard (Market at Olive Phase III)
(VOTE REQUIRED)
 - b. **Conditional Use Permit – CUP 23-01.**
Applicant: The Trinity Company (dba “JANE Dispensary”)
Request: Approval of a Conditional Use Permit (CUP) for a Comprehensive Marijuana Dispensary Facility
Address: 6662 Delmar Boulevard, Suite A
(VOTE REQUIRED)
 - c. **Conditional Use Permit – CUP 23-02.**
Applicant: 75Olive, LLC (dba “Starbuds”)
Request: Approval of a Conditional Use Permit (CUP) for a Comprehensive Marijuana Dispensary Facility
Address: 7555 Olive Boulevard
(VOTE REQUIRED)
6. Other Business
 - a. Comprehensive Plan update
7. Reports
 - a. Council Liaison Report
8. Adjournment



Department of Planning and Development

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

PLAN COMMISSION MEETING

Via Video Conference

6:30 pm; Wednesday, January 25, 2023

The Plan Commission held its regular session via video conference on Wednesday, January 25, 2023. The meeting commenced at 6:31 pm and concluded at approximately 9:30 p.m.

Call to Order – (6:31 pm.) Chairwoman Holly called the meeting to order.

1. Roll Call

Present

Al Fleischer Jr.
Charles Gascon
Ellen Hartz
Margaret Holly
Patricia McQueen

Absent

Victoria Gonzalez
Mark Harvey

Staff Present

John Wagner, Director of Planning and Development
Mary Kennedy, Planner
John Mulligan, City Attorney
Jeff Hales, City Council Liaison

2. Approval of Minutes – The minutes from December 14 Plan Commission Meetings were approved with no changes.

3. Public Comments – None

4. Old Business – None

5. New Business

a. Final Development Plan – FDP-23-01

Applicant: U-City, LLC

Request: Approval of a Final Development Plan for Lot C and Common Ground 1, Market at Olive North (IV).

Address: Near 8601 Olive Blvd
(VOTE REQUIRED)

Mary Kennedy, Planner, presented the staff report, providing the Plan Commission an update on revisions that have been made since Preliminary Site Plan was presented at the December 14, 2022 meeting.

Commissioner Hartz asked for clarification on the proposed slopes and drainage plan.

Mr. Stock, the Applicant's engineer, addressed Ms. Hartz's question and described the stormwater management system that has been designed for the site. He clarified that most of the stormwater detention will be underground, that detained stormwater will be

released at a slow rate into the Woodson Road storm sewer system, and that the property owner is responsible for maintaining the stormwater system.

Commissioner McQueen asked for clarification on the design of the two-level parking deck. Mr. Stock explained that there will be about an equal amount of parking spaces on each level, in addition to a curb-side pickup area on the west side of the building. Ms. Kennedy explained that the garage design has been in flux but that the City is not recommending any variance from the minimum parking requirements, so as the design of the garage is finalized, it will be required to meet the City's code.

Ms. McQueen asked whether sufficient lighting would be provided for both levels of the parking deck for safety and security. Mr. Stock assured safe lighting will be provided.

Council Member Hales emphasized the importance of providing crosswalk at the intersection of the site's entrance with Woodson Road. Mr. Stock stated that they are still working with the County to get the crosswalk approved.

Commissioner Fleischer motioned to approve the Final Development Plan FDP-23-01 with the conditions stated in the staff report. Ms. McQueen seconded the motion and followed up with an additional question about the condition in the staff report the staff to add sidewalk along the east side of Woodson Road. Ms. Kennedy clarified that the City is requesting the Applicant explore the feasibility of adding sidewalk at this location and that they will coordinate with adjacent property owners if needed.

The motion passed unanimously.

b. Map Amendment – REZ-22-10

Applicant: D3 Commercial Realty Group, LLC

Request: Map Amendment to rezone 7.39 acres of land from 8610 to 8660 Olive Boulevard from "IC" Industrial Commercial District to Planned Development Commercial District (PD-C), and to further consider approval of a Preliminary Site Development Plan for the proposed commercial development.

Address: 8610 to 8660 Olive Boulevard
(VOTE REQUIRED)

Mary Kennedy, Planner presented the staff report and pointed out some areas of concern that addressed in the report regarding site coverage, buffering requirements, landscaping, pedestrian access, and bicycle parking.

Commissioner Fleischer stated that pedestrian ways, when possible, should be concrete walks rather than simply striped. Ms. Kennedy acknowledged this concern and stated that she will work with the Applicant to address it.

Commissioner Gascon asked whether Great Rivers Greenway (GRG) is still planning a trail extension directly to the south of this site. Lenny Meers, an engineer from Grimes Consulting, who designed Phase II of Market at Olive, explained that they worked with GRG and the City to provide a connection to the Centennial Greenway trail along Olive Boulevard, and that GRG would be responsible for the connection between Olive and the Ruth Park Woods trail. Staff will follow up to confirm GRG's plans.

Commissioner McQueen requested a map showing which three parcels which will be rezoned to PA – Public Activity in relation to the Dierbergs site.

John Mulligan, City Attorney, pointed out an error in the address listed in the staff report. John Wagner, Director of Planning & Development, said they would look into the error and correct the address prior to the Map Amendment and Preliminary Site Plan being introduced to the City Council.

Mr. Fleischer requested that the Applicant stripe pedestrian ways with a different color than parking stalls.

Commissioner Holly corrected the site location in the motion to read “Phase III of Market at Olive” instead of the incorrectly stated address. Mr. Fleischer motioned to recommend the Map Amendment.

Additional discussion was had. Mr. Gason suggested that a condition be added to the motion for the Preliminary Development Plan that the Plan Commission’s recommendation is contingent upon approval of REZ-23-01.

The motion to recommend the Map Amendment REZ-22-10 passed unanimously.

Mr. Fleischer motioned to recommend the associated Preliminary Development Plan with the additional condition that the Plan Commission’s recommendation is contingent upon approval of REZ-23-01. The motion passed unanimously.

c. **Major Subdivision/Consolidation Plat – SUB-23-01**

Applicant: D3 Commercial Realty Group, LLC

Request: Approval of a Major Subdivision from eight (8) lots to one (1).

Address: 8610 to 8660 Olive Boulevard

(VOTE REQUIRED)

Mary Kennedy, Planner, presented the staff report. John Mulligan, City Attorney, pointed out the incorrectly stated address of the site in the staff report.

Commissioner McQueen moved to recommend approval of the plat. The motion passed unanimously.

d. **Map Amendment – REZ-23-01**

Applicant: City of University City

Request: Zoning Map Amendment from Single Family Residential (SR) to Public Activity (PA).

Address: 8637, 8638, and 8641 Mayflower Court

(VOTE REQUIRED)

Mary Kennedy, Planner, presented the staff report and clarified that single-family homes and public utility uses, specifically floodplain, are permitted uses in PA – Public Activity. Therefore, the rezoning would not affect the current uses of the property.

Commissioner Fleischer motioned to recommend approval of the Map Amendment. The motion passed unanimously.

e. **Text Amendment – TXT-23-01**

Applicant: City of University City

Request: Amend §400.2700(D)(1) of the City’s Zoning Ordinance, Conditional Use Permit (C.U.P.) to allow the City of University City more discretion in deciding whether a Conditional Use Permit is appropriate.

(VOTE REQUIRED)

John Wagner, Director of Planning & Development presented the staff report and provided background that the impetus for the text amendment is a case in Creve Coeur where the Creve Coeur Council’s decision to deny a conditional use permit was upheld in the Missouri Supreme Court.

Debate was had about the fairness of denying a CUP even if an applicant has satisfied all criteria for a conditional use permit. There became a general consensus that the language should be inclusive of all actions the Council could take on a conditional use permit, rather than just its authority to “deny”.

The Plan Commission agreed to amend the language to read:

“The City Council reserves full authority to deny, approve or approve with conditions, any application for a conditional use permit.”

Commissioner Gascon motioned to recommend TXT-23-01 with the amended language above. The motion passed unanimously.

f. **Text Amendment – TXT-23-02**

Applicant: City of University City

Request: Amend various sections of the City’s Zoning Ordinance to add provisions for recreational marijuana.

(VOTE REQUIRED)

John Wagner, Director of Planning & Development presented the staff report. Mr. Mulligan elaborated on the proposed text amendment, explaining that essentially the provisions which currently apply to medical marijuana will apply to recreational marijuana. These revisions create local regulations for recreational marijuana in response to the recent legalization of recreational marijuana in the State of Missouri.

Debate was had about whether definitions should be consolidated into simply “marijuana dispensary facility” rather than have separate definitions for medical, recreational, or microbusiness. Mr. Mulligan explained the rationale for having separate definitions, which is mostly to be aligned with the State of Missouri’s definitions.

Chris Chesley, an owner of Starbuds Dispensary on Olive, introduced himself, explained that he has been very involved with advocacy and drafting Amendment 3, and was open to answering questions.

Commissioner Hartz asked whether businesses can have both recreational and medical marijuana licenses. Mr. Chesley clarified that there is no license that is just for recreational marijuana—the comprehensive license authorizes them to dispense both

recreational and medical.

Commissioner Holly reiterated the time-sensitive nature of the text amendment. Mr. Chesley confirmed and explained the State's license approval timeframe and the discrepancy between the state timeframe and that of the City's local regulations.

Commissioner Fleischer motioned to recommend the text amendment.

Additional discussion was had on the possibility of consolidating definitions, the lapse between the State license approval and the City's text amendment and CUP process.

Commissioner Holly posed the idea of clarifying which residential uses are included in the residential buffer requirement, adding buffers between dispensaries and playgrounds, and adding buffers between dispensaries to prevent clustering of dispensaries. Discussion ensued, questioning the purpose and fairness of such buffer requirements.

Ms. Holly motioned to amend Mr. Fleischer's motion to add a 1,000-foot buffer between dispensary establishments in the City. Mr. Hales stated that additional buffering provisions could be incorporated into the Zoning Ordinance in the future, and that the Commission was not prepared to make such changes to TXT-23-02. Ms. Holly's motion to amend the motion did not pass.

Ms. Hartz then motioned to recommend TXT-23-02 with the provisions as presented in the staff report. The motion passed unanimously.

6. Other Business

a. Election of Plan Commission officers

Commissioner Gason motioned to re-nominate the current Plan Commission officers. The motion passed unanimously. Approved slate of 2023 Plan Commission officers:

Peggy Holly – Chair

Patricia McQueen – Vice Chair

Ellen Hartz – Alternate Chair

b. 2023 Plan Commission meeting dates – The Plan Commission accepted the proposed meeting dates for 2023 and decided to hold a combined November/December meeting on Wednesday, December 6, 2023.

7. Reports

a. Council Liaison Report – Council Member Hales shared that Council Member Cusik will be resigning at the end of the month—the Council and City Manager will hold interviews soon to replace the position, and a special election will be held in 2024 for the remaining three years. Mr. Hales also suggested including the Traffic Commission in the CUP review process.

b. Housing & Third Ward Revitalization Task Force – Commissioner McQueen updated the Plan Commission on the task force's recent efforts to hire a consultant for a housing and revitalization strategy for the third ward.

8. Adjournment – The meeting was adjourned at 9:30 pm.



Department of Planning and Development

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

STAFF REPORT

Meeting Date	February 22, 2023
File Number	FDP-23-02
Council District	3
Location	8660-8684 Olive Boulevard (Market at Olive Phase III)
Applicant	D3 Commercial Realty Group, LLC
Property Owner	U City, LLC
Request	Final Development Plan Approval

Comprehensive Plan Conformance:

Yes No No reference

Staff Recommendation:

Approval Approval with Conditions in Resolution Denial

Attachments:

1. Final Development Plan
2. Building Elevations
3. Renderings
4. Signage
5. Rendered Site Plan
6. Landscaping Plan
7. Photometric Plans

Applicant Request

The Applicant, D3 Commercial Realty Group, LLC is requesting approval of a Final Development Plan for Phase III of Market at Olive, a 7.39-acre site which includes a large grocery store (~75,000 square feet), and two multi-tenant retail buildings (4,200 square feet and 7,000 square feet) with a combination of restaurant, business, and retail uses. The two retail buildings will have one drive-thru each. The Map Amendment & Preliminary Site Plan were unanimously approved by the Plan Commission on January 25, 2023.

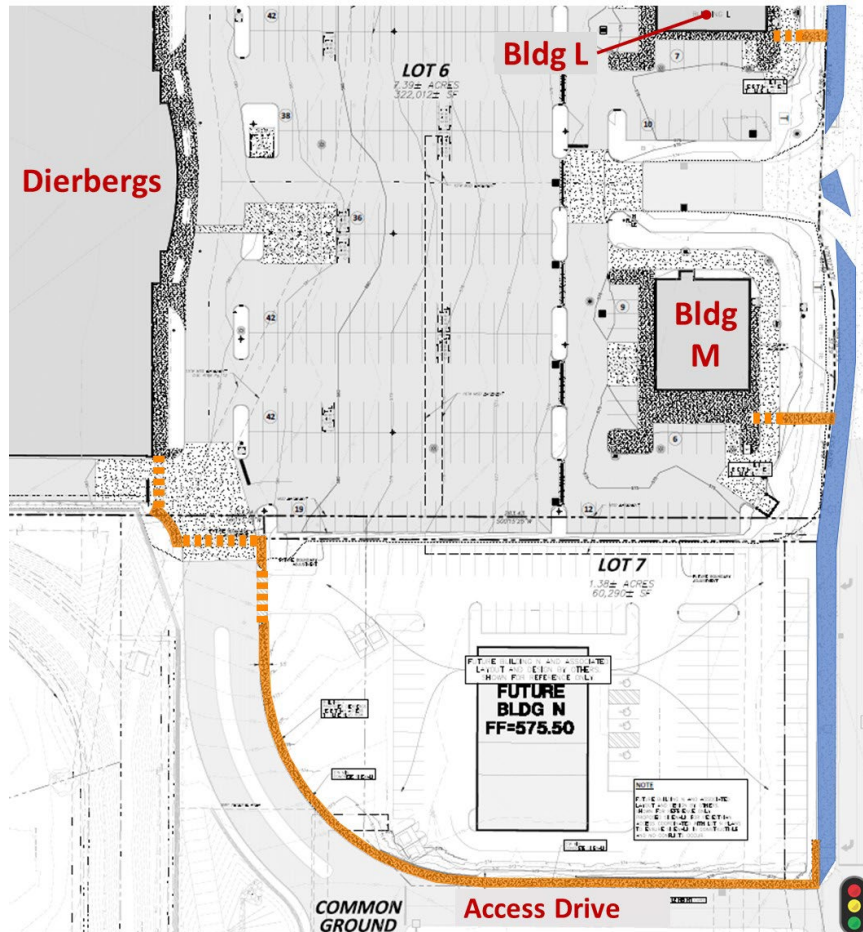
Existing Zoning & Land Use

Existing Zoning: IC – Industrial Commercial
Existing Land Use: Vacant
Proposed Zoning: PD-C – Planned Development Commercial
Proposed Land Use: Grocery store and two multi-tenant retail buildings with drive-thrus

Analysis

The Applicant has revised the Preliminary Development Plan to address the issues stated in the staff report and incorporate concerns of the Plan Commission raised during the January 25 meeting. Below is an update on those concerns and their status in the attached Final Development Plan:

1. Accessible pedestrian ways have been provided from the public sidewalks to each proposed building. Concrete sidewalk extensions from Olive have been provided to both of the smaller retail buildings. To accommodate pedestrian access to the Dierbergs store, a sidewalk has been added along the shared access drive between Phase II and Phase III (see map below—blue indicates public sidewalks on Olive, orange indicates proposed sidewalks).



2. The revised landscaping plan submitted in the Final Development Plan package addresses many of the staff's and Plan Commission's concerns:
 - a. Dense landscaping including evergreen trees at the south property line are now provided to screen from the residential uses to the south.
 - b. Grass/natural ground cover is now provided along the perimeters of parking areas, within parking lot islands, and in the beds in front of the store entrance.
 - c. The drive-thru lanes for both smaller buildings along the Olive have been decreased from two-lanes to just one lane, increasing the landscaped areas along the perimeters of the drive-thrus.

The Plan Commission recommended approval of the Map Amendment and Preliminary Site Plan, with a condition that landscaping be increased by 50% to satisfy the criterion for increased site coverage. To bring the landscaping plan into compliance with this condition, and to meet the standards in the Zoning Ordinance, a few revisions are required. The following shall be addressed in a revised landscaping plan reviewed by the Department of Planning & Development prior to issuance of a building permit:

- a. Additional canopy trees along Olive Blvd are required to meet the minimum 1 canopy tree planted for every 30 feet of frontage. The site's frontage is approximately 440 feet, requiring 15 trees, per §400.2040(C). Currently 13 trees are provided in the plan, 9 of which are canopy trees. Two additional trees along Olive are required.
 - b. Additional trees are required along both sides of the entrance drive. Currently, three ornamental trees are shown along each side of the drive. Canopy trees shall be incorporated to meet §400.2040(C) which states that no more than 50% of the trees may consist of ornamental trees.
 - c. Trees and shrubs shall be provided in the landscaping plan along the west and east sides of the parking lot, as is shown in the rendered site plan labeled C101.
 - d. Native plantings—bushes, grasses, flowers, etc.—that are specifically known to have high water absorption shall be incorporated into the landscaping scheme. Appropriate soils and maintenance, suited to these native plantings, shall also be provided to ensure their effectiveness in absorbing water and mitigating stormwater management issues.
3. The Applicant has revised the lighting plan to reduce illumination in areas that were shown brighter than the lighting standards allow.
 4. Bicycle parking has not yet been provided. The Applicant will be required to provide bicycle parking for each of the three buildings before a building permit can be issued.

Compliance with Approved Preliminary Development Plan

The proposed Final Development Plan complies with §400.870, which states that final plan shall be in substantial compliance with the approved preliminary development plan.

Staff Recommendation

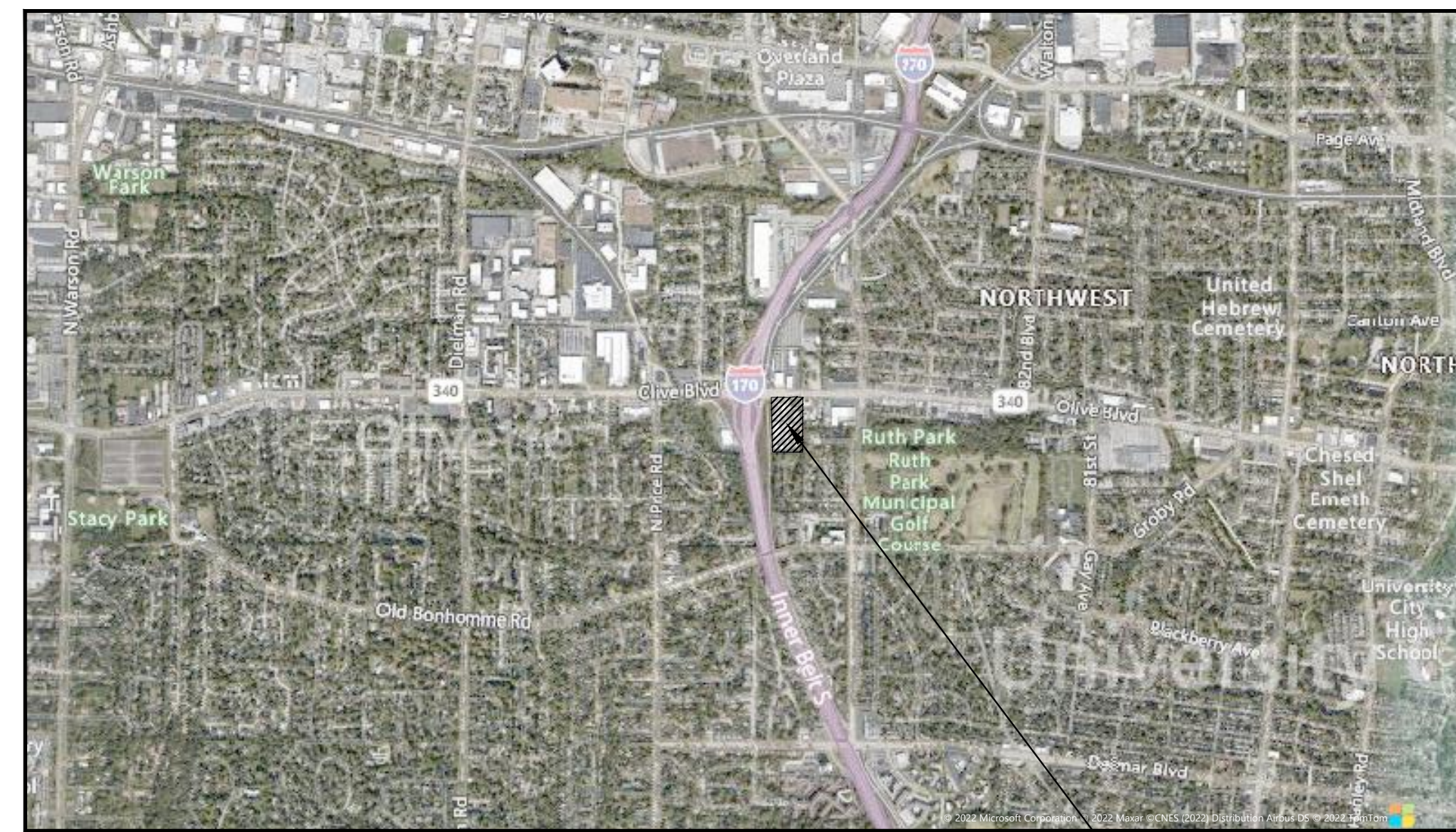
Based on the preceding considerations, staff recommends approval of the Final Development Plan with the following conditions which shall be addressed by the Applicant and reviewed and approved by the Department of Planning & Development, prior to issuance of a building permit:

1. The landscaping plan shall be revised to reflect the required revisions described in the above staff report.
2. Bicycle parking spaces must be provided for each of the three buildings.

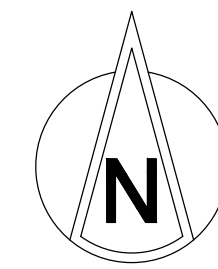
DIERBERGS MARKETS MARKET AT OLIVE

PART OF LOTS 1-7 AND 26-29 OF CHARLES H. GIERS ESTATE, PLAT 6 BOOK 6 PAGE 3
TOWNSHIPS 45 AND 46, RANGE 6
UNIVERSITY CITY, ST. LOUIS COUNTY, MISSOURI

FINAL DEVELOPMENT PLAN



PROJECT LOCATION



1" = 2000'

PERTINENT INFORMATION	
PROPERTY ADDRESS:	8610-8660 OLIVE BLVD
MUNICIPALITY:	UNIVERSITY CITY
STATE:	MISSOURI
ZIP CODE:	63132
CURRENT ZONING:	PD-C PLANNED DEVELOPMENT COMMERCIAL
TOTAL SITE AREA:	7.39± ACRES (322,072± SF)
TOTAL AREA OF DISTURBANCE:	7.47± ACRES (326,550± SF)

PROJECT CONTACTS

EXISTING OWNER: UCITY, LLC 1401 SOUTH BRENTWOOD BLVD SUITE 626 ST. LOUIS, MO 63144	NEW OWNER: D3 COMMERCIAL REALTY GROUP, LLC 16690 SWINGLEY RIDGE ROAD CHESTERFIELD, MO 63017 JONATHAN HILL (636) 532-8884 HILL@DIERBERGS.COM
CIVIL ENGINEER: CASCO CIVIL 12 SUNNEN DRIVE, SUITE 100 ST. LOUIS, MO 63143 SARAH B. FONDA, P.E. (314) 821-1100 SARAH.FONDA@THECCDCOMPANIES.COM	FIRE DEPARTMENT: UNIVERSITY CITY FIRE DEPT. 6801 DELMAR BLVD UNIVERSITY CITY, MO 63130 (314) 505-8591
ELECTRIC: AMEREN U.E. 1130 LOCUST STREET ST. LOUIS, MO 63101 (314) 224-1199 ATTENTION: ENGINEERING DEPT.	SANITARY & STORM: METROPOLITAN ST. LOUIS SEWER DISTRICT 2350 MARKET STREET ST. LOUIS, MO 63103 JOHN ALEXANDER (314) 768-2707 J.ALEX@TUMSD.COM
WATER: MISSOURI AMERICAN WATER 727 CRAIG ROAD CREVE COEUR, MO 63141 (866) 430-0820	STREET DEPARTMENT: ST. LOUIS COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS 41 SOUTH CENTRAL CLAYTON, MO 63105 (314) 815-5000
COMMUNICATION: AT&T 909 CHESTNUT STREET, #4200 ST. LOUIS, MO 63103 (314) 235-9979 ATTENTION: R.O.W. DEPT.	GAS: SPRIE ENERGY, INC. 720 OLIVE ST. ST. LOUIS, MO 63101 (314) 342-0709
CHARTER COMMUNICATIONS: 815 CHARTER COMMONS TOWN AND COUNTRY, MO 63107 (636) 387-6633	UTILITY LOCATES: MISSOURI ONE-CALL SYSTEM, INC. 1-(800) 344-7483

GEOTECHNICAL NOTE

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW AND FOLLOW ALL RECOMMENDATIONS AS OUTLINED IN THE GEOTECHNICAL REPORT TITLED "REPORT OF SUBSURFACE EXPLORATION AND GEOTECHNICAL ENGINEERING ANALYSIS OF MARKET AT OLIVE PROJECT, ST. LOUIS, MISSOURI - ABVA PROJECT NUMBER 22-60267" PREPARED BY ABVA ENGINEERING, INC., DATED MARCH 23, 2022, AND ALL ADDENDUMS AND ENVIRONMENTAL REPORTS/RECOMMENDATIONS.

NOTE

ALL SIGNAGE, INCLUDING WALL SIGNS, WAYFINDING SIGNS, WILL BE APPROVED THROUGH A SEPARATE ADMINISTRATIVE SIGN PERMITTING PROCESS.

BENCHMARKS:

BENCHMARK:
STL CO #14-812, 523.62 FUS NAV088 - Cut square in the centerline east end of concrete traffic median along in the center of Olive Boulevard roughly 0.1 miles east of the center of I-170 overpass above Olive Boulevard, and 30' west of the center of a private drive entrance between #8680 and #8684 Olive Boulevard which is the entrance to Beyers Lumber Company.

SITE BENCHMARK:

577.96 FUS NAV088 - "3" is OPEN of fire hydrant located along the North ROW line of Olive Blvd. Approximately 52 Feet East of the East ROW line of I-170.

TREE NOTE

ALL EXISTING TREES OUTSIDE OF PROJECT BOUNDARIES AND LIMITS OF DISTURBANCE SHALL REMAIN.

PHASING NOTE

THERE IS NO PROPOSED CONSTRUCTION PHASING ASSOCIATED WITH THIS PROJECT.

FLOODWAY AND FLOODPLAIN NOTE

THERE IS NO PROPOSED ALTERATION, ADJUSTMENT, OR CHANGE IN THE ELEVATION OR TOPOGRAPHY OF ANY FLOODPLAIN OR FLOODWAY AS DESIGNATED ON THE FEMA FLOODPLAIN AND FLOODWAY MAP.

TABLE OF ABBREVIATIONS

NOTE: NOT ALL ABBREVIATIONS USED			
AC	ACHE	N	NORTH
AI	AREA INLET	NE	NORTHEAST
ASPH	ASPHALT	NW	NORTHWEST
ATO	ADJUST TO GRADE	PE	PERFORATED
BB	BOTTOM OF BANK ELEVATION	PERM	PERMANENT
BC	BOTTOM OF CURB ELEVATION	PGS	PAGES
BFP	BACKFLOW PREVENTER	PL	PROPERTY LINE
BLDG	BUILDING	PR	PROPOSED
BM	BENCHMARK	PUMI	PRIVATE UNDER MSD INSPECTION
BOT	BOTTOM	PVC	POLYVINYL CHLORIDE
BS	BOTTOM OF SLOPE ELEVATION	PVMT	PAVEMENT
BW	BOTTOM OF WALL ELEVATION	R	RADIUS
CCTV	CLOSED CIRCUIT TV	RCP	REINFORCED CONCRETE PIPE
CI	CURB INLET	RD	ROAD
CL	CENTER LINE	REC	RECORD
CMF	CORRUGATED METAL PIPE	(R)	RECORD
CO	CLEAN OUT	RCW	RIGHT OF WAY
CONC	CONCRETE	R/W	RIGHT OF WAY
DB	DEED BOOK	S	SOUTH
DIP	DUCTILE IRON PIPE	(S)	AS SURVEYED
DIST	DISTANCE	SE	SOUTHEAST
DS	DOWNSPOUT	SF	SQUARE FEET
E	EAST	STD	STANDARD
ELEV	ELEVATION	SVR	SURVEY
EM	ELECTRIC METER	SW	SOUTHWEST
EOP	EDGE OF PAVEMENT	T	TRANSFORMER
ESMT	EASEMENT	TBR	TO BE REMOVED
EX	EXISTING	TB	TOP OF BANK ELEVATION
FDC	FIRE DEPARTMENT CONNECTION	TC	TOP OF CURB ELEVATION
FF	FINISHED FLOOR ELEVATION	TFP	TRANSFORMER PAD
FL	FLOW LINE ELEVATION	TW	TOP OF SLOPE ELEVATION
FO	FIBER OPTIC	TYP	TYPICAL
FT	FEET	UGFO	UNDERGROUND FIBER OPTIC LINE
GEN	GENERATOR	UIP	USE IN PLACE
GTI	GRATE TOP INLET	UTL	UTILITY
GM	GAS METER	VCP	VITRIFIED CLAY PIPE
GV	GAS VALVE	W	WEST
HC	HANDICAPPED	W/	WITH
HWY	HIGHWAY	W/O	WITHOUT
IRR	IRRIGATION	WM	WATER METER
IRV	IRRIGATION CONTROL VALVE RECLAIMED	WV	WATER VALVE
IRV	IRV		
MAX	MAXIMUM		
MH	MANHOLE		
MN	MINIMUM		
MSD	METROPOLITAN ST. LOUIS SEWER DISTRICT		

SHEET INDEX

- C0.0 - COVER
- C1.0 - OVERALL EXISTING CONDITIONS PLAN
- C2.0 - OVERALL SITE PLAN
- C2.3 - PEDESTRIAN ACCESS TO OLIVE BLVD
- C3.0 - OVERALL GRADING PLAN
- C3.4 - SITE CROSS SECTIONS
- C4.0 - OVERALL UTILITY PLAN
- C5.0 - CONSTRUCTION DETAILS
- EO.1 - PHOTOMETRIC SITE PLAN
- L1 - LANDSCAPE PLANTING PLAN

DIERBERGS MARKETS
FINAL DEVELOPMENT PLAN
MARKET AT OLIVE
UNIVERSITY CITY, MO 63132



CONSTR. DOC. & REVISIONS
No. Description
02-10-23 Final Development Plan

CASCO DIVERSIFIED CORPORATION
CERTIFICATE OF AUTHORITY - ENGINEERING
#000613 12/31/23

FINAL DEVELOPMENT PLAN
FOR UNIVERSITY CITY REVIEW

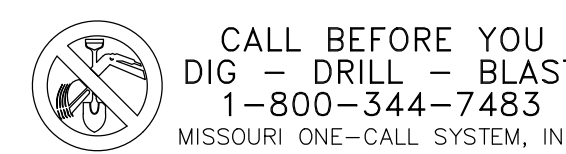
02-10-23
PROFESSIONAL OF RECORD
Sarah B. Fonda
License# MO. PE. 2021001024
Expiration Date: 12/31/23

Drawn By/Checked By: MEB/SBF
Project Number 2201836
MSD Permit Date ---
Permit Date ---
Bid Date ---

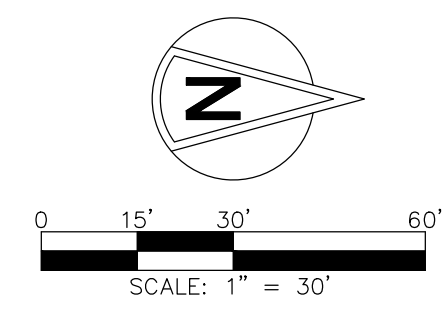
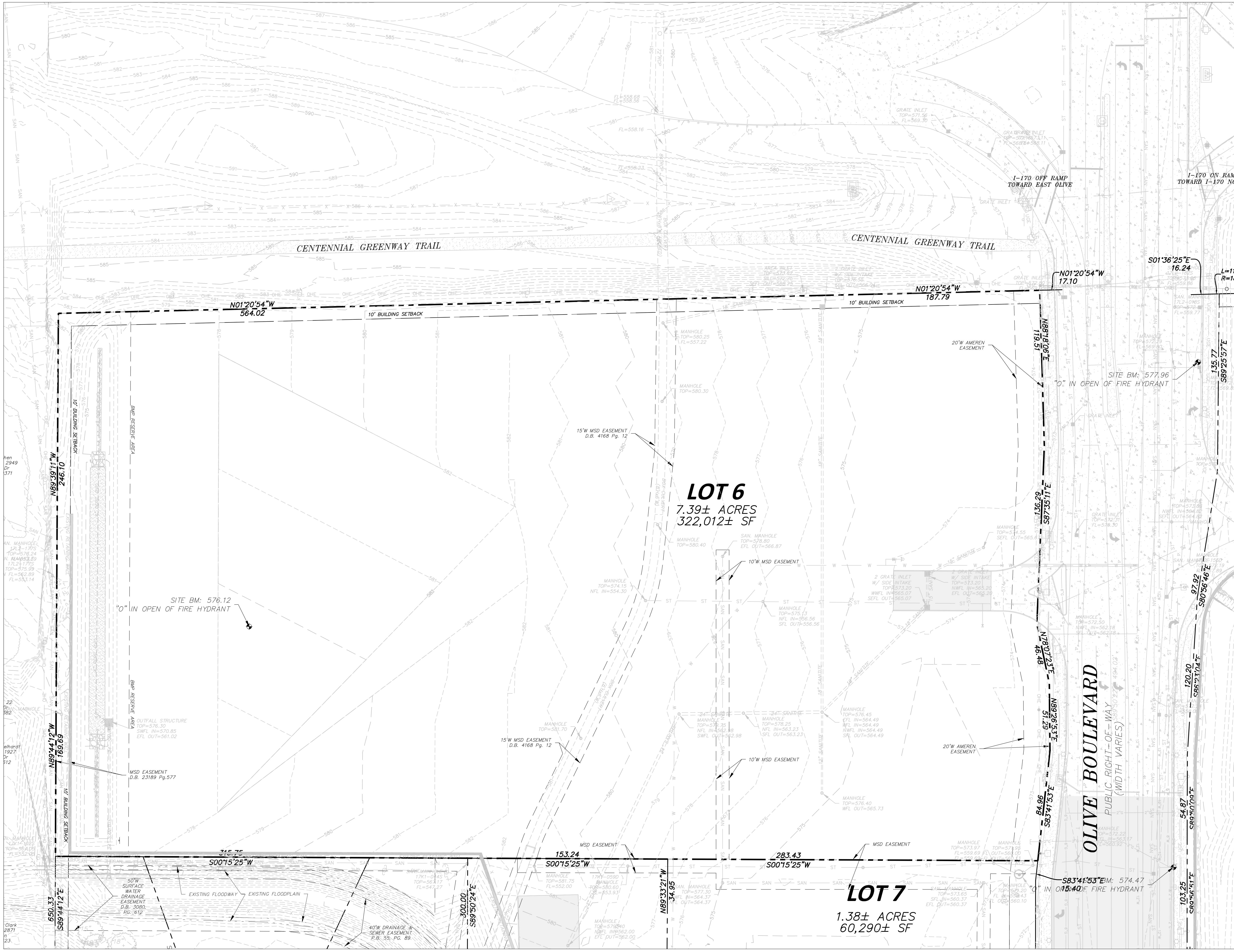
COVER

C0.0
23MSD-00xxx | MSD Basemap: 25K/25L
Existing Condition: 22MSD-00015

CASCO CIVIL
A CASCO Diversified Corporation Company
12 Simeons Drive, Suite 200, St. Louis, MO 63103 | 314.681.1100



CALL BEFORE YOU
DIG - DRILL - BLAST
1-800-344-7483
MISSOURI ONE-CALL SYSTEM, INC.



No.	Description	Date
1	Final Development Plan	02-10-23

CONSTR. DOC. & REVISIONS

**FINAL DEVELOPMENT PLAN
 FOR UNIVERSITY CITY REVIEW**

PROFESSIONAL OF RECORD
 Sarah B. Fonda
 License No. PE-2001001024
 Expiration Date: 12/31/23

Drawn By/Checked By:	MEB/SBF
Project Number	2201836
MSD Permit Date	---
Permit Date	---
Bid Date	---

**OVERALL EXISTING
 CONDITIONS PLAN**

EXISTING CONDITIONS NOTE

THE EXISTING TOPOGRAPHIC DATA, UTILITY LOCATIONS AND ELEVATIONS, AND ALL OTHER EXISTING SITE FEATURES SHOWN IN THIS PLAN SET ARE BASED ON THE AUTOCAD FILE PROVIDED BY GRIMES CONSULTING, INC. RECEIVED OCTOBER 21, 2022.

CALL BEFORE YOU DIG - DRILL - BLAST
 1-800-344-7483
 MISSOURI ONE-CALL SYSTEM, INC.

C1.0
 23MSD-0000x | MSD Basemap: 25K/25L
 Existing Condition: 22MSD-00015

RETAINING WALL NOTE

ALL EXISTING RETAINING WALLS SHOWN ARE PROPOSED IN PLANS TITLED "MARKET AT OLIVE PHASE II - PHASE II IMPROVEMENT PLANS" AND MSD PROJECT 22MSD-00015 PREPARED BY GRIMES CONSULTING, INC. NO NEW RETAINING WALLS ARE PROPOSED IN THIS PROJECT.

FLOODWAY AND FLOODPLAIN NOTE

ALL WATER QUALITY, CHANNEL PROTECTION, AND FLOOD PROTECTION TO BE PROVIDED BY EXISTING STORMWATER MANAGEMENT FACILITIES PROPOSED IN PLANS TITLED "MARKET AT OLIVE PHASE II - PHASE II IMPROVEMENT PLANS" AND MSD PROJECT 22MSD-00015 PREPARED BY GRIMES CONSULTING, INC.

FLOODWAY AND FLOODPLAIN NOTE

THERE IS NO PROPOSED ALTERATION, ADJUSTMENT, OR CHANGE IN THE ELEVATION OR TOPOGRAPHY OF ANY FLOODPLAIN OR FLOODWAY AS DESIGNATED ON THE FEMA FLOODPLAIN AND FLOODWAY MAP.



CONSTR. DOC. & REVISIONS

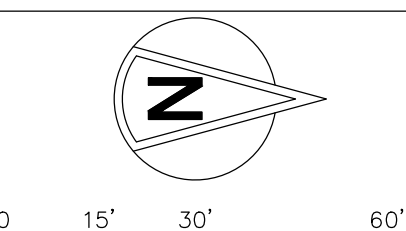
No.	Description	Date
1	Final Development Plan	02-10-23

**FINAL DEVELOPMENT PLAN
 FOR UNIVERSITY CITY REVIEW**

PROFESSIONAL OF RECORD
 Sarah R. Fonda
 License No. PE-2021001024
 Expiration Date: 12/31/23

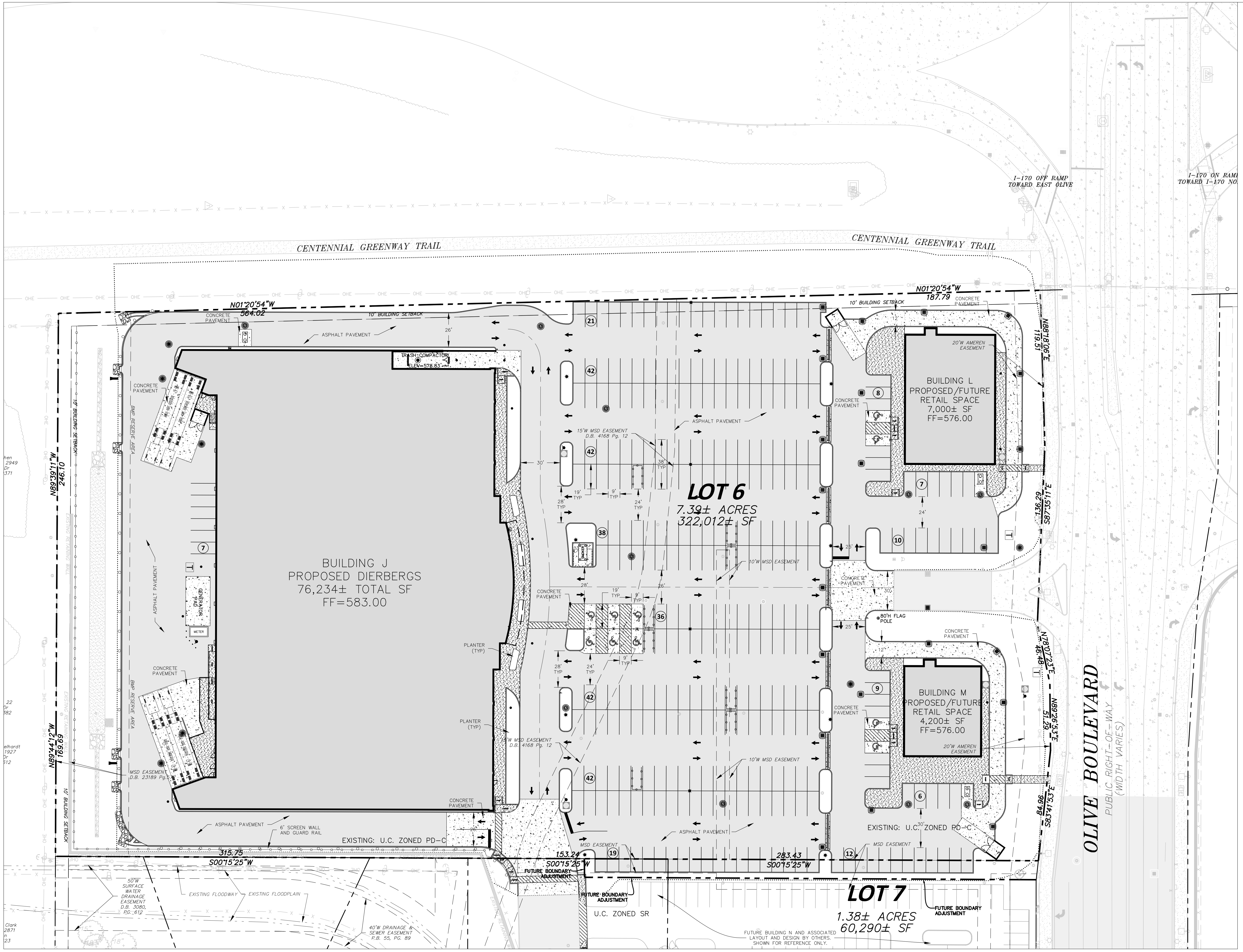
Drawn By/Checked By: MEB/SBF
 Project Number: 2201836
 MSD Permit Date: ---
 Permit Date: ---
 Bid Date: ---

OVERALL SITE PLAN



PAVEMENT LEGEND

PROPOSED ASPHALT PAVEMENT	[Pattern]
PROPOSED CONCRETE PAVEMENT	[Pattern]
PROPOSED CONCRETE SIDEWALK	[Pattern]
EXISTING ASPHALT PAVEMENT	[Pattern]
EXISTING CONCRETE PAVEMENT	[Pattern]
EXISTING CONCRETE SIDEWALK	[Pattern]



PARKING CALCULATIONS

BUILDING USAGE:

BUILDING J - 76,234± SF TOTAL
 52,713± SF - RETAIL
 1 SPACE PER 250 SF
 23,521± SF - STORAGE
 1 SPACE PER 1,000 SF

BUILDING L - 7,000± SF TOTAL
 3,000± SF - BUSINESS
 1 SPACE PER 200 SF
 1,500± SF - BUSINESS
 1 SPACE PER 200 SF
 2,500± SF - RESTAURANT
 1 SPACE PER 75 SF

BUILDING M - 4,200± SF TOTAL
 2,000± SF - BUSINESS
 1 SPACE PER 200 SF
 2,200± SF - RESTAURANT
 1 SPACE PER 75 SF

MUNICIPALITY REQUIRED PARKING:

BUILDING J - PROPOSED DIERBERGS
 (52,713± SF / 250 SF) = 210.85 = 211
 (23,521± SF / 1,000 SF) = 23.52 = 24
 = 235 TOTAL SPACES REQUIRED

BUILDING L - 7,000± SF TOTAL
 (3,000± SF / 200 SF) = 15
 (1,500± SF / 200 SF) = 7.5 = 8
 (2,500± SF / 75 SF) = 33.33 = 33
 = 56 TOTAL SPACES REQUIRED

BUILDING M - 4,200± SF TOTAL
 (2,000± SF / 200 SF) = 10
 (2,200± SF / 75 SF) = 29.33 = 29
 = 39 TOTAL SPACES REQUIRED

TOTAL PARKING SPACES REQUIRED
 235 SPACES REQUIRED
 + 56 SPACES REQUIRED
 + 39 SPACES REQUIRED
 = 330 TOTAL SPACES REQUIRED

TOTAL PARKING PROVIDED:

332 STANDARD SPACES
 + 10 ACCESSIBLE SPACES
 342 SPACES PROVIDED
 - 8 CART CORALS
 = 334 TOTAL SPACES PROVIDED

ACCESSIBLE PARKING ANALYSIS:

301-400 PROPOSED PARKING SPACES REQUIRE 8 ACCESSIBLE PARKING SPACES

8 ACCESSIBLE SPACES REQUIRED
 10 ACCESSIBLE SPACES PROVIDED

Boundary Adjustment	Total Area (sf)		Pervious Area (sf)		Impervious Area (sf)		Total Impervious Percentage
	Total	Area (ac)	Total	Area (ac)	Total	Area (ac)	
Lot J	322,012	7.39	47,052	1.08	274,960	6.31	84.95%
Boundary Adjustment	4,991	0.11	2,159	0.05	2,832	0.07	
Total Lot Area	327,003	7.51	49,211	1.13	277,792	6.38	

Site Coverage/Impervious Area Includes buildings, driveways, parking lots, and loadline areas.

SETBACK NOTE

BUILDING SETBACKS:
 FRONT: 35 FEET
 REAR: 25 FEET
 SIDE(W): 25 FEET
 SIDE(E): 10 FEET

LANDSCAPE BUFFER:
 FROM ROW: 35 FEET
 ELSE: 10 FEET

EXISTING CONDITIONS NOTE

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 1-800-344-7483
 MISSOURI ONE-CALL SYSTEM, INC.

BICYCLE PARKING NOTE

WAVE BIKE RACKS, 7 BIKE CAPACITY, TO BE AT THE FRONT OF EACH OF THE THREE BUILDINGS. EXACT LOCATIONS TO BE DETERMINED IN THE FIELD.

TREE NOTE

ALL EXISTING TREES OUTSIDE OF PROJECT BOUNDARIES AND LIMITS OF DISTURBANCE SHALL REMAIN.

PHASING NOTE

THERE IS NO PROPOSED CONSTRUCTION PHASING ASSOCIATED WITH THIS PROJECT.

FLOODWAY AND FLOODPLAIN NOTE

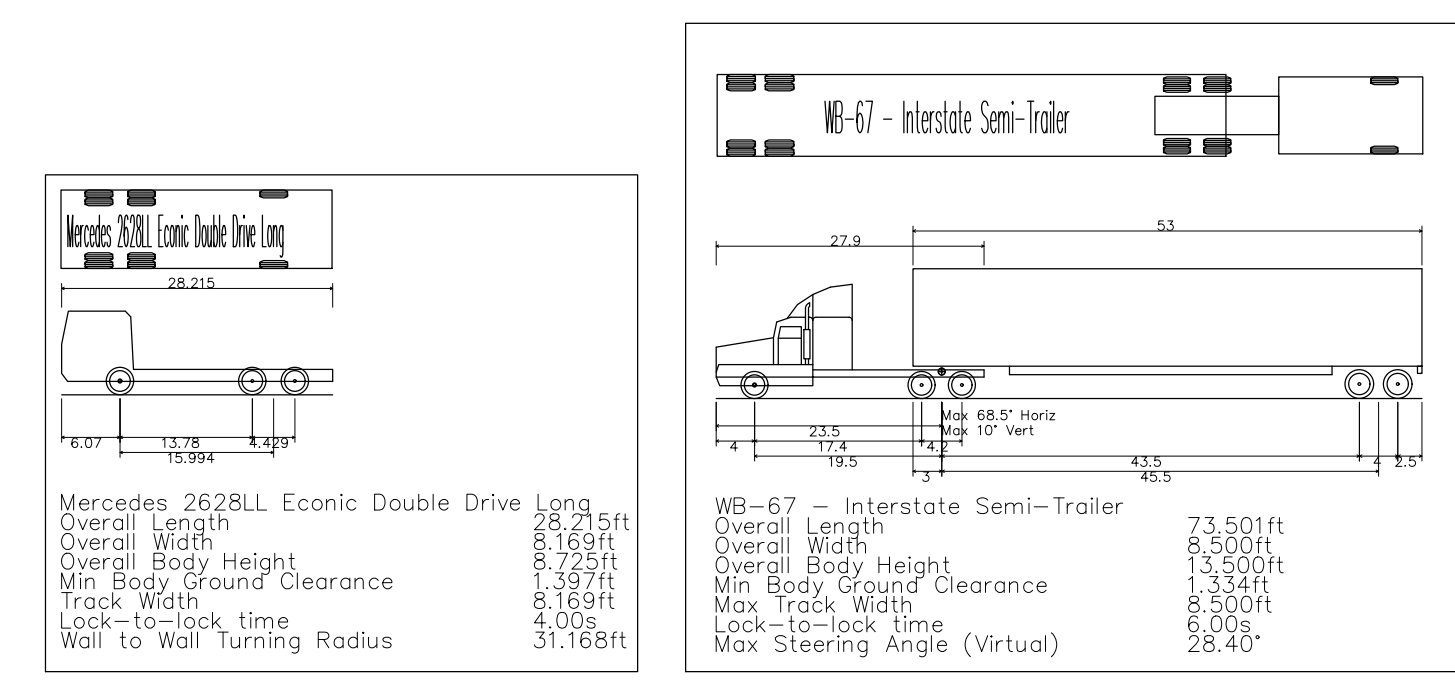
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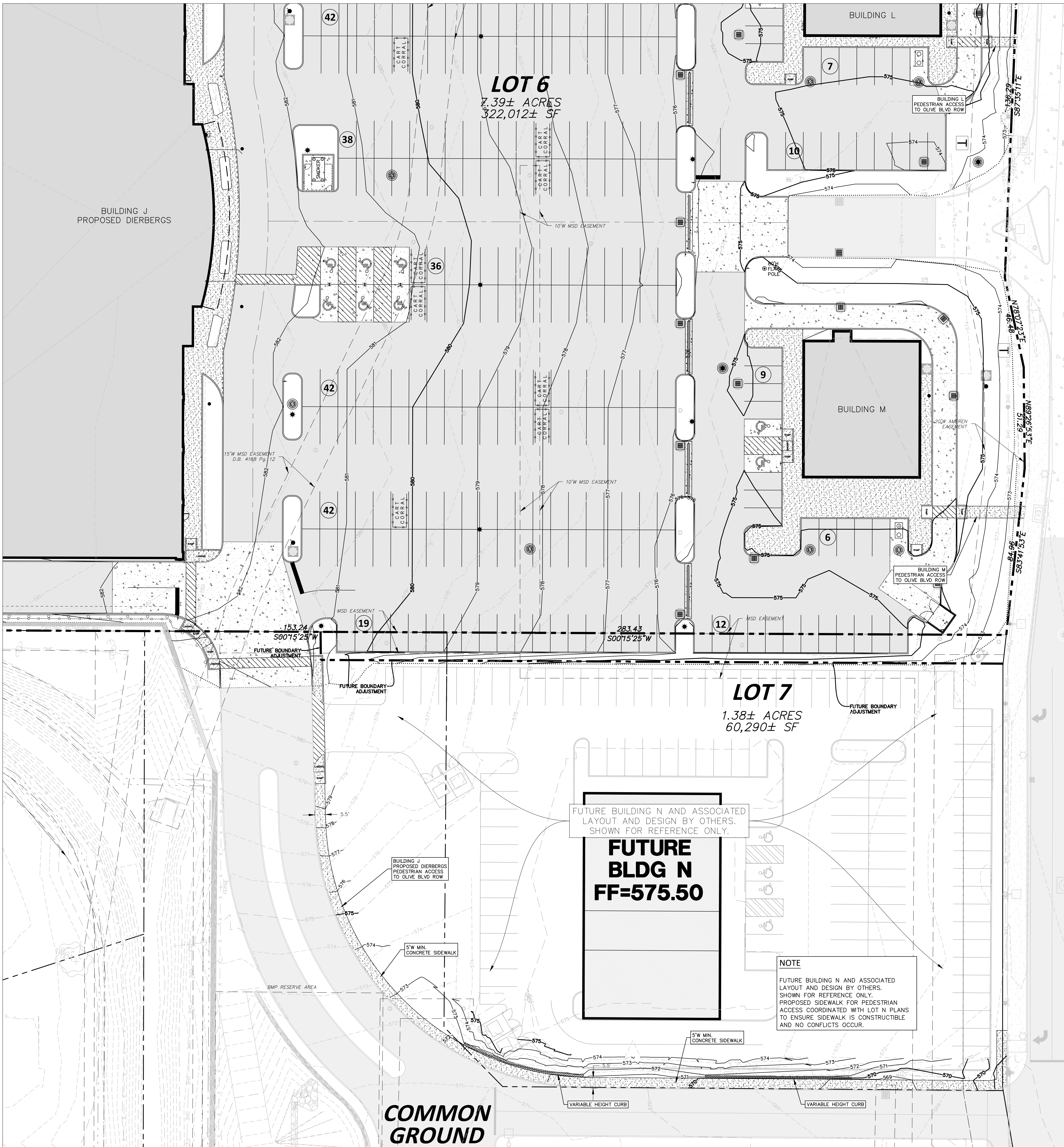
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N

0 10' 20' 40'

SCALE: 1" = 20'

PAVEMENT LEGEND

PROPOSED ASPHALT PAVEMENT	
PROPOSED CONCRETE PAVEMENT	
PROPOSED CONCRETE SIDEWALK	
EXISTING ASPHALT PAVEMENT	
EXISTING CONCRETE PAVEMENT	
EXISTING CONCRETE SIDEWALK	



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FLOODWAY AND FLOODPLAIN NOTE

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SETBACK NOTE

BUILDING SETBACKS:	
FRONT:	35 FEET
REAR:	25 FEET
SIDE(W):	25 FEET
SIDE(E):	10 FEET
LANDSCAPE BUFFER:	
FROM ROW:	35 FEET
ELSE:	10 FEET

EXISTING CONDITIONS NOTE

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 1-800-344-7483
 MISSOURI ONE-CALL SYSTEM, INC.

No.	Description	Date
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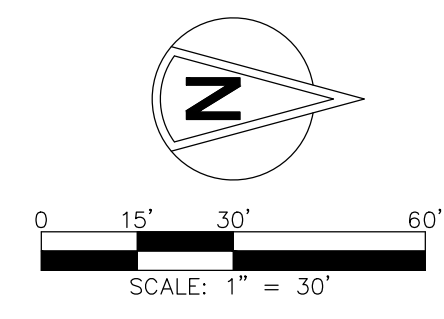
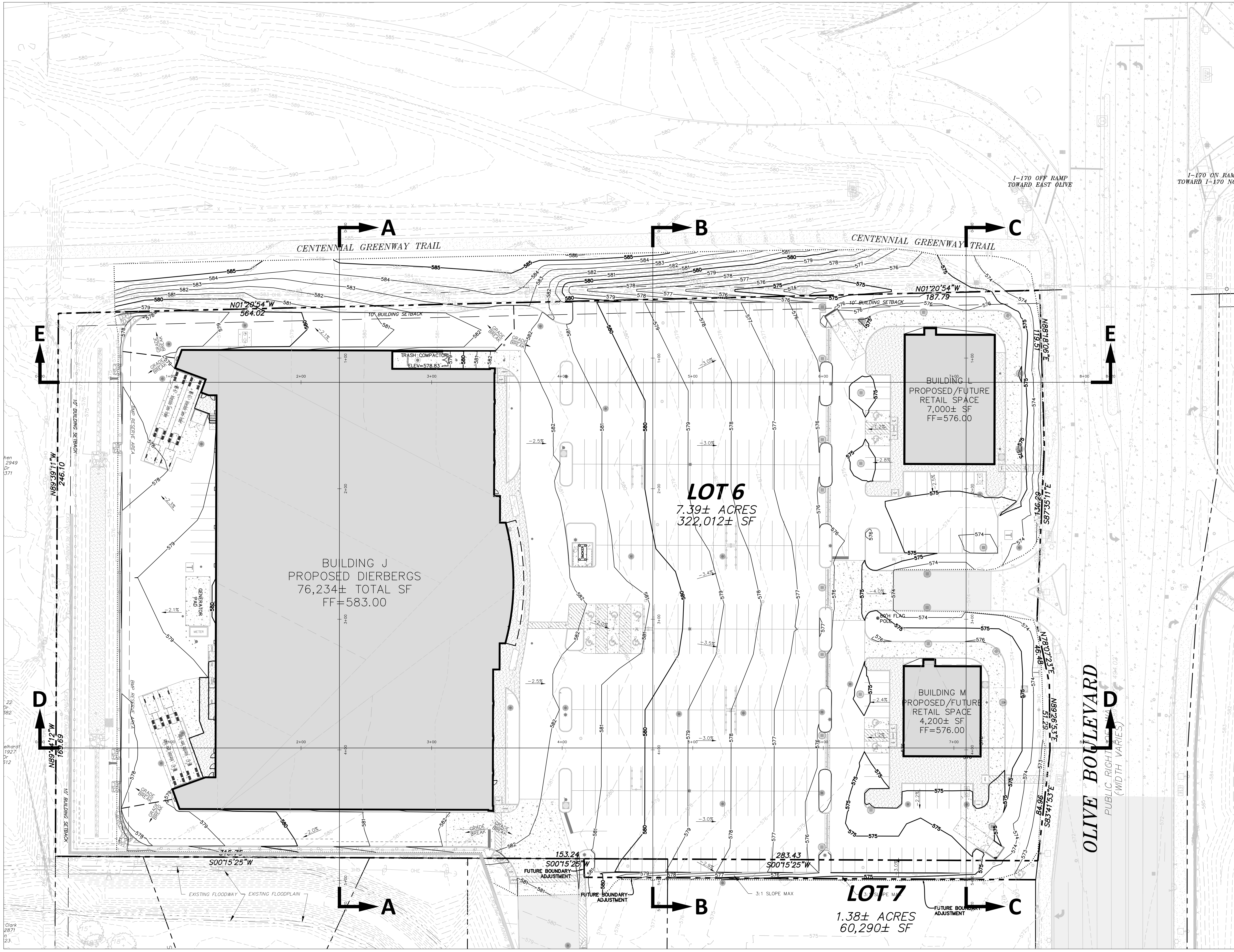
CASCO DIVERSIFIED CORPORATION
 CERTIFICATE OF AUTHORITY - ENGINEERING
 #000613 - 12/31/23

**FINAL DEVELOPMENT PLAN
 FOR UNIVERSITY CITY REVIEW**

02-10-23
 PROFESSIONAL OF RECORD
 Sarah B. Fonda
 License No. PE-2021001024
 Expiration Date: 12/31/23

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**PEDESTRIAN
 ACCESS TO OLIVE
 BLVD**



No.	Description	Date
1	Final Development Plan	02-10-23

CASCO DIVERSIFIED CORPORATION
CERTIFICATE OF AUTHORITY - ENGINEERING
#000913 12/31/23

FINAL DEVELOPMENT PLAN
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OVERALL GRADING PLAN

EXISTING CONDITIONS NOTE

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1-800-344-7483
MISSOURI ONE-CALL SYSTEM, INC.

C3.0
23MSD-00000 | MSD Basemap: 25K/25L
Existing Condition: 22MSD-00015

RETAINING WALL NOTE

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PHASING NOTE

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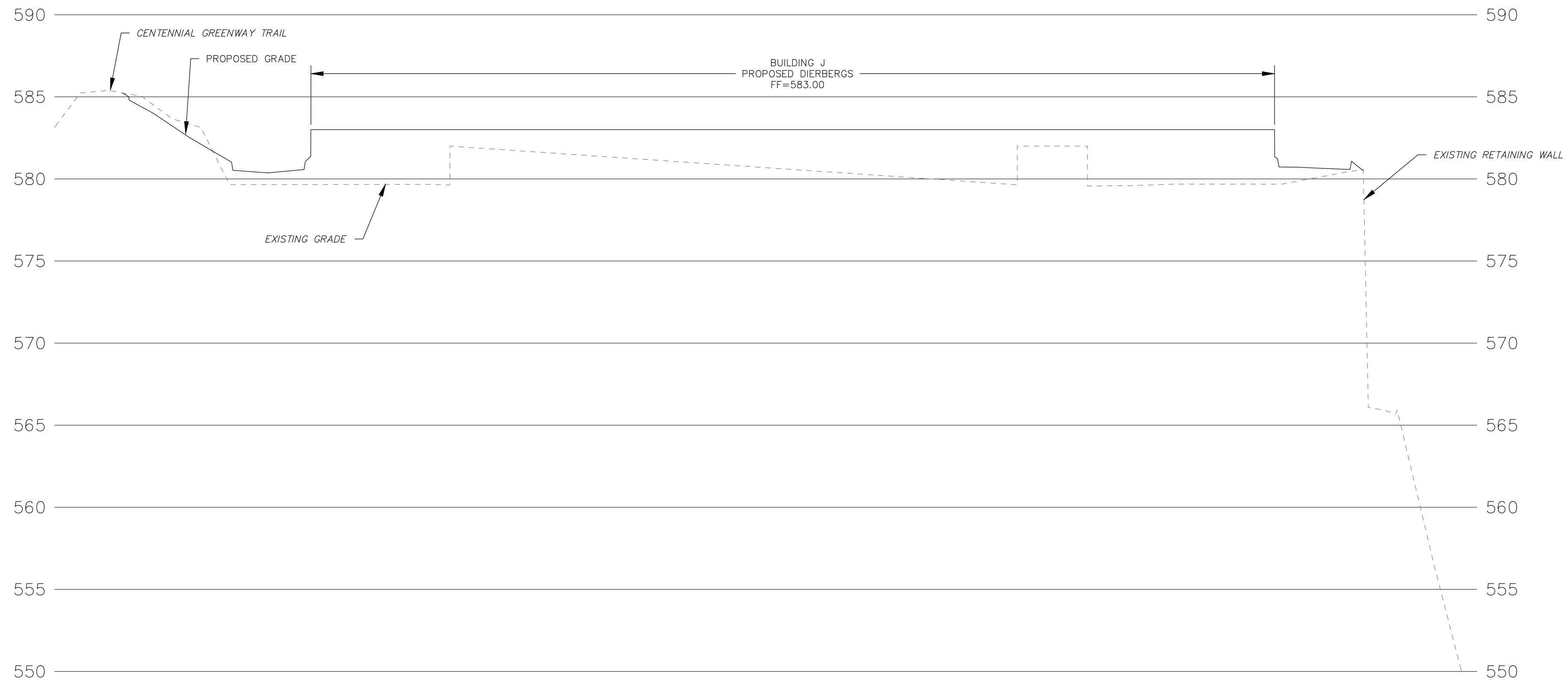
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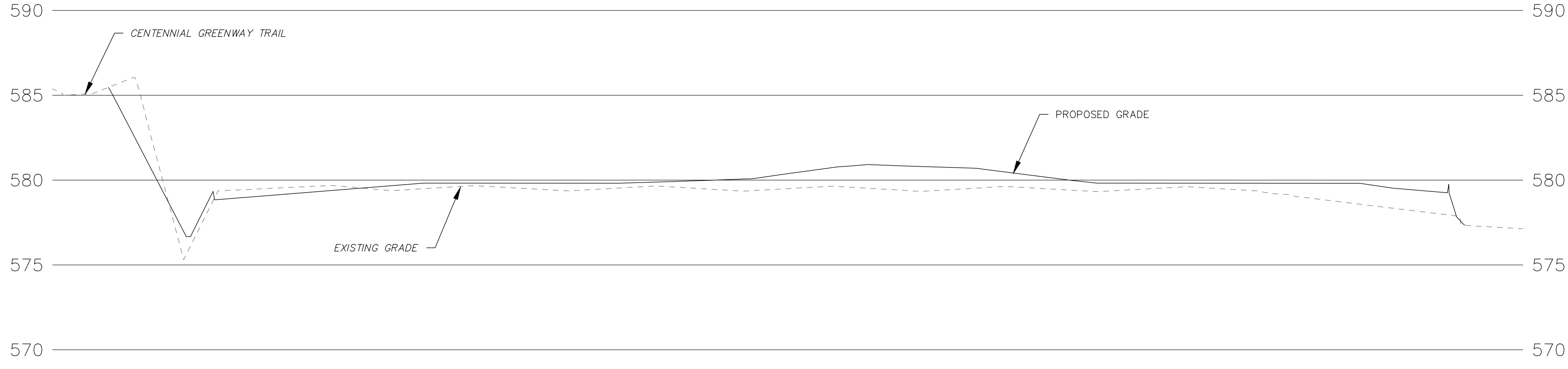
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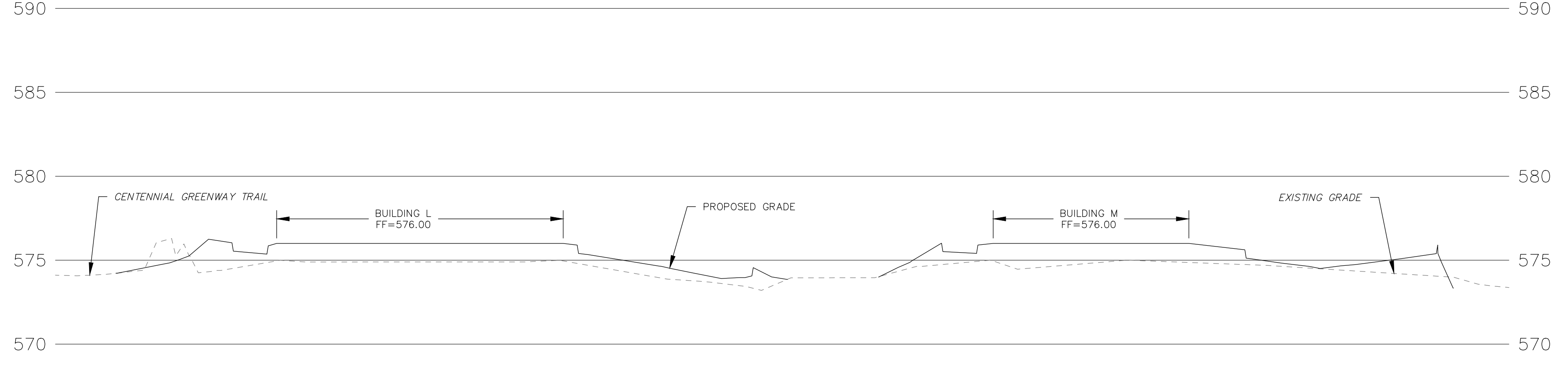
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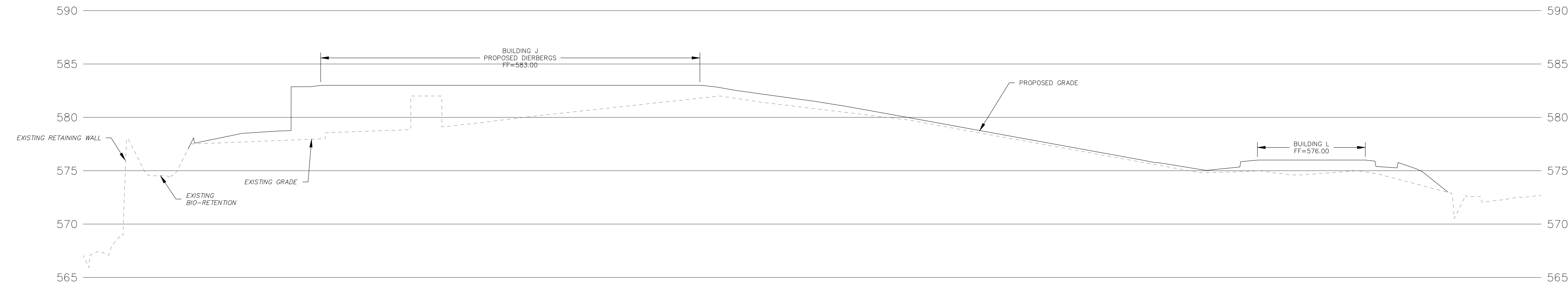
SECTION B-B



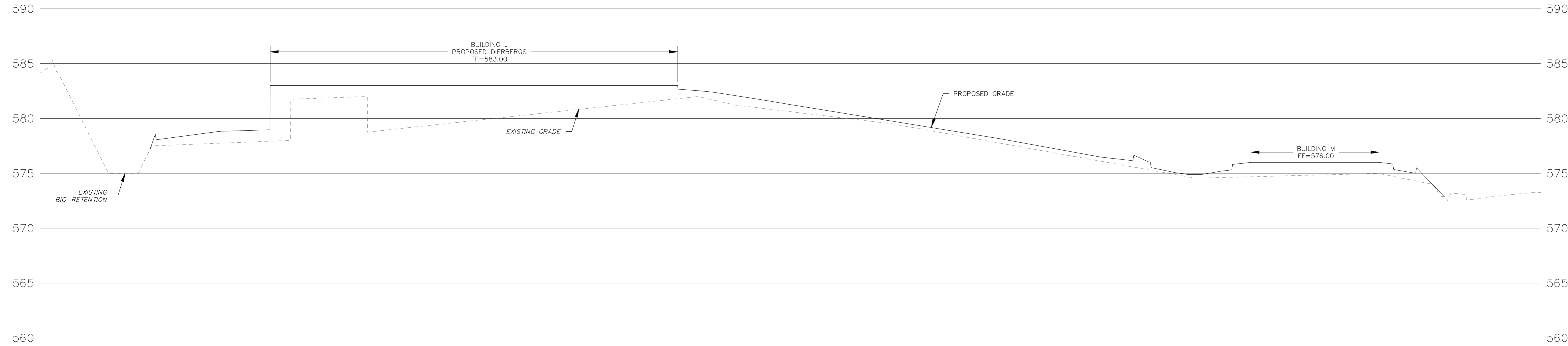
SECTION C-C



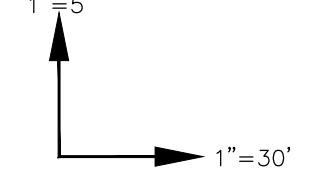
SECTION D-D



SECTION E-E



PROFILE SCALE:



LEGEND	
PROPOSED GRADE	—————
EXISTING GRADE	- - - - -

EXISTING CONDITIONS NOTE

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DIERBERGS MARKETS
FINAL DEVELOPMENT PLAN
MARKET AT OLIVE
UNIVERSITY CITY, MO 63132



CONSTR. DOC. & REVISIONS	
No.	Description
1	Final Development Plan

CASCO DIVERSIFIED CORPORATION
CERTIFICATE OF AUTHORITY - ENGINEERING
#000613 12/31/23

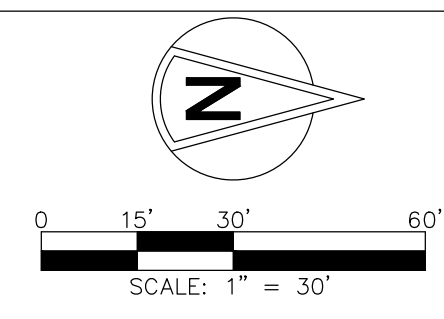
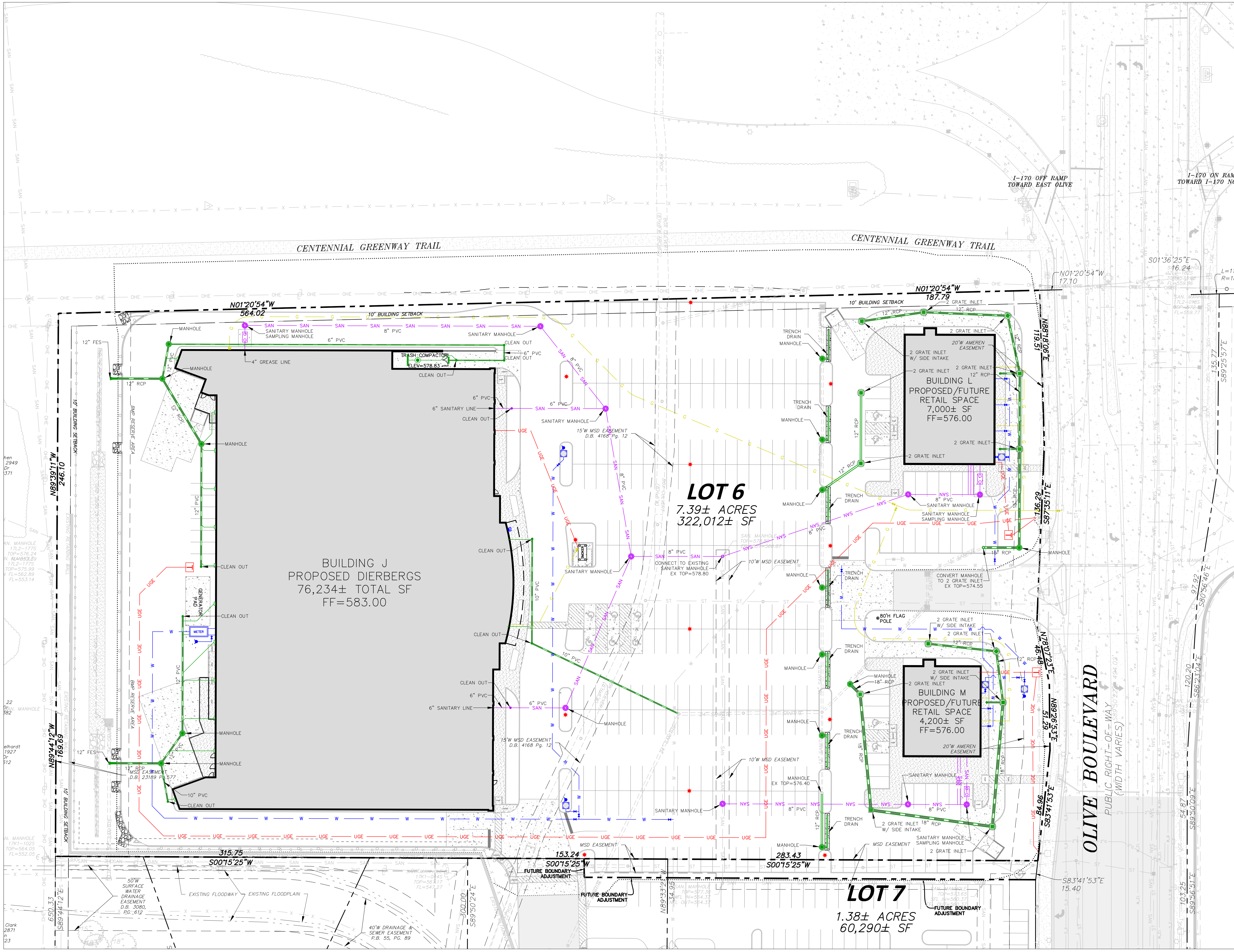
FINAL DEVELOPMENT PLAN
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02-10-23
PROFESSIONAL OF RECORD
Sarah R. Fonda
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Project Number: 2201836
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Permit Date: ---
Bid Date: ---

SITE CROSS SECTIONS

C3.4
23MSD-00xxx | MSD Basemap: 25K/25L
Existing Condition: 22MSD-00015



LEGEND OF SYMBOLS

- | EXISTING | PROPOSED |
|------------------------------|------------------------------|
| UTILITY POLE | UTILITY POLE |
| GUY WIRE | GUY WIRE |
| TELEPHONE LINE | TELEPHONE LINE |
| ELECTRIC LINE (OVERHEAD) | ELECTRIC LINE (OVERHEAD) |
| ELECTRIC LINE (UNDERGROUND) | ELECTRIC LINE (UNDERGROUND) |
| FIBER OPTIC CABLE | FIBER OPTIC CABLE |
| WATER LINE | WATER LINE |
| GAS LINE | GAS LINE |
| SANITARY LINE | SANITARY LINE |
| STORM LINE | STORM LINE |
| STORM LINE (SIZE UNKNOWN) | STORM LINE (SIZE UNKNOWN) |
| MANHOLE WITH STORM SEWER | MANHOLE WITH STORM SEWER |
| GRATE INLET WITH STORM SEWER | GRATE INLET WITH STORM SEWER |
| AREA INLET WITH STORM SEWER | AREA INLET WITH STORM SEWER |
| MANHOLE WITH SANITARY SEWER | MANHOLE WITH SANITARY SEWER |
| STORM STRUCTURE NUMBER | STORM STRUCTURE NUMBER |
| SANITARY STRUCTURE NUMBER | SANITARY STRUCTURE NUMBER |
| LIGHT | LIGHT |
| FIRE DEPARTMENT CONNECTION | FIRE DEPARTMENT CONNECTION |
| FIRE HYDRANT | FIRE HYDRANT |
| GAS VALVE | GAS VALVE |
| GAS METER | GAS METER |
| CLEAN OUT | CLEAN OUT |
| WATER VALVE | WATER VALVE |
| WATER METER | WATER METER |
| ELECTRIC METER | ELECTRIC METER |
| TRANSFORMER | TRANSFORMER |
| SWITCH GEAR BOX | SWITCH GEAR BOX |
| SPLICE BOX | SPLICE BOX |



**DIERBERGS MARKETS
FINAL DEVELOPMENT PLAN
MARKET AT OLIVE
UNIVERSITY CITY, MO 63132**



No.	Description	Date
1	Final Development Plan	02-10-23

CASCO DIVERSIFIED CORPORATION
CERTIFICATE OF AUTHORITY - ENGINEERING
#000613 12/31/23

**FINAL DEVELOPMENT PLAN
FOR UNIVERSITY CITY REVIEW**

PROFESSIONAL OF RECORD
Sarah B. Florida
License No. PE-2001001024
Expiration Date: 12/31/23

Drawn By/Checked By:	MEB/SBF
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OVERALL UTILITY PLAN

RETAINING WALL NOTE

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FLOODWAY AND FLOODPLAIN NOTE

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PHASING NOTE

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FLOODWAY AND FLOODPLAIN NOTE

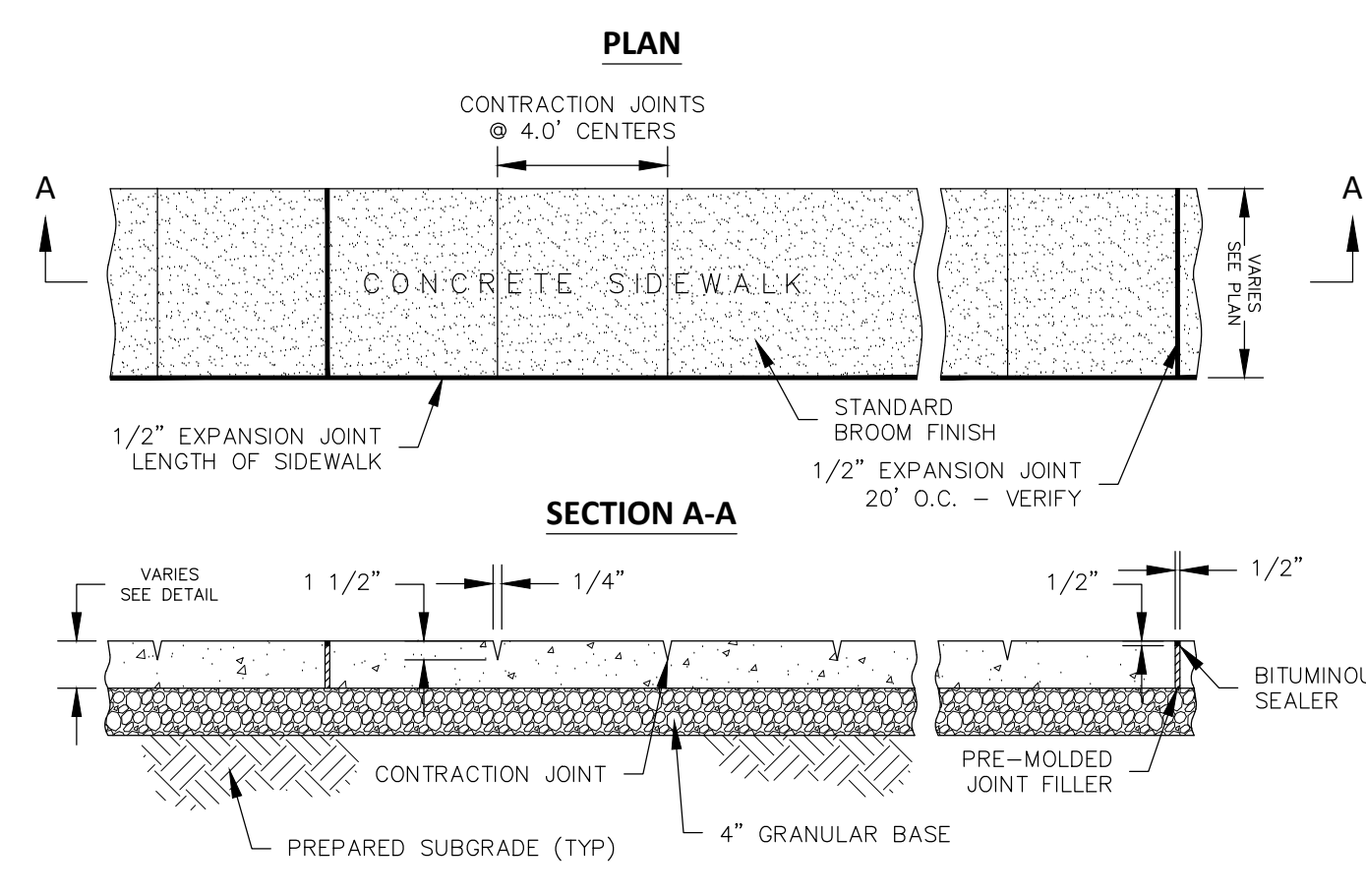
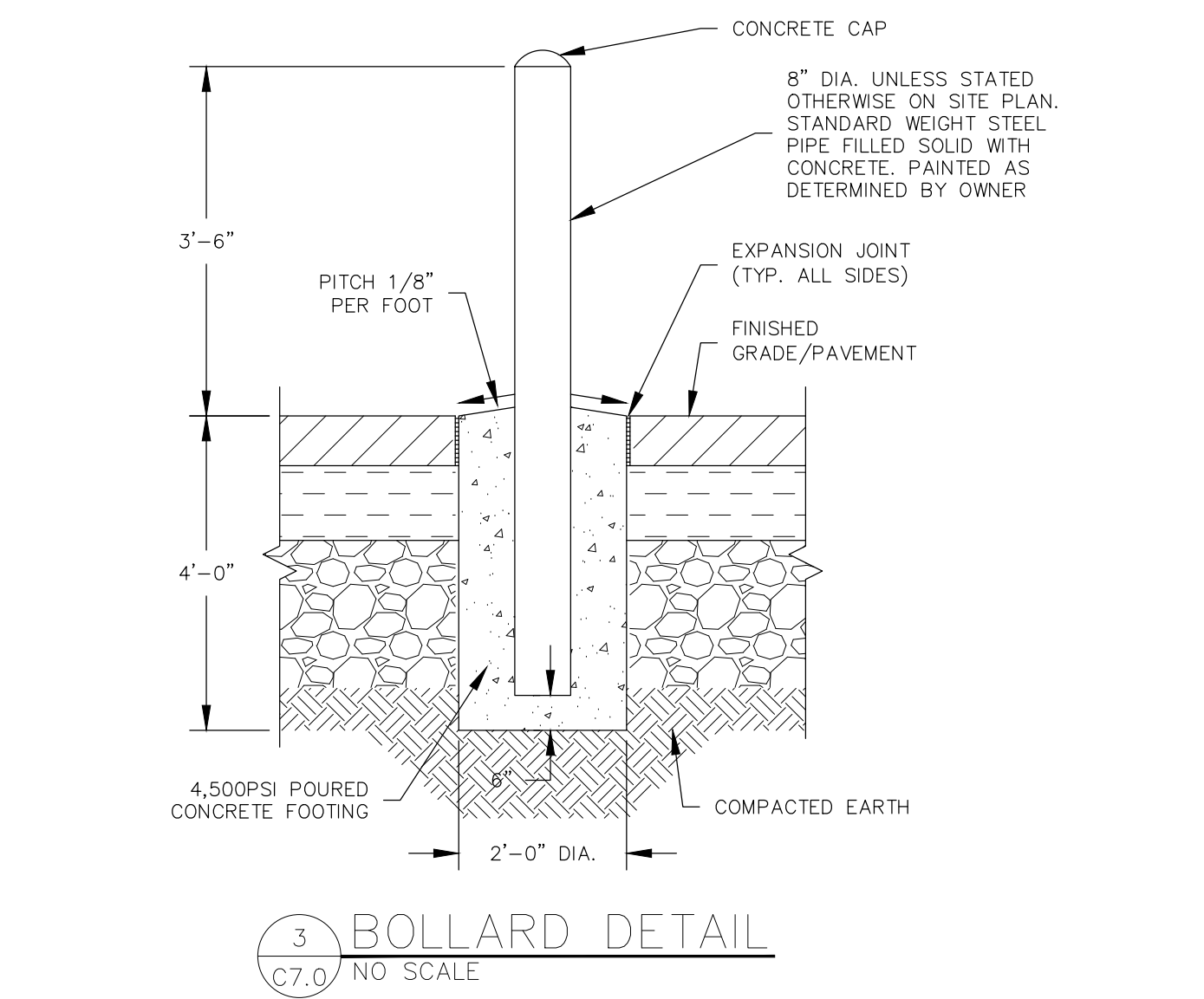
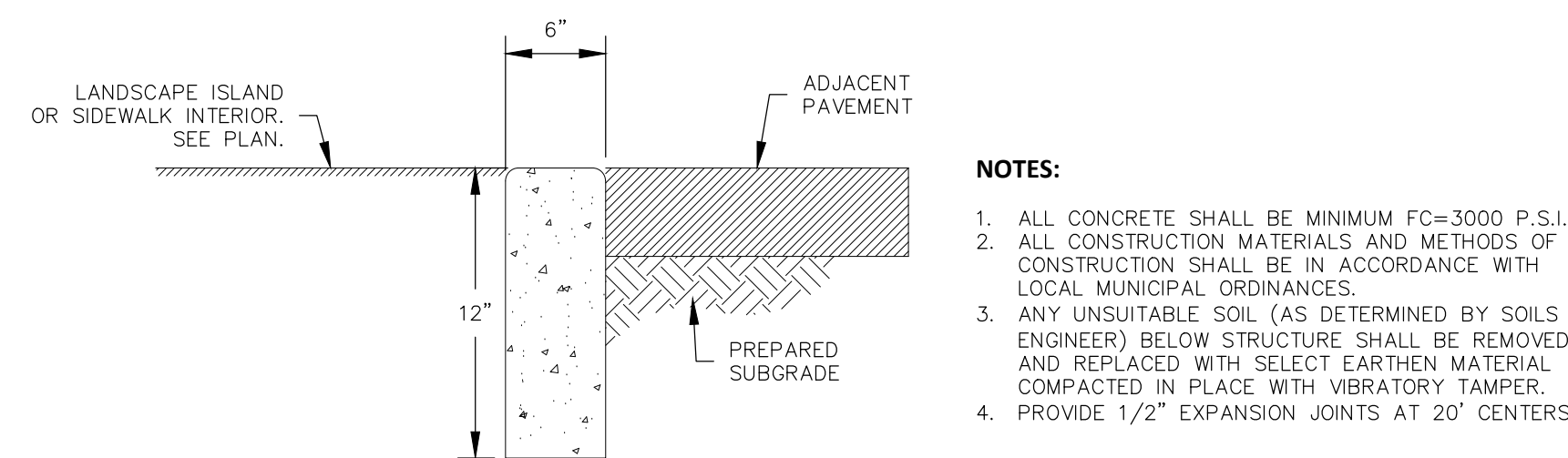
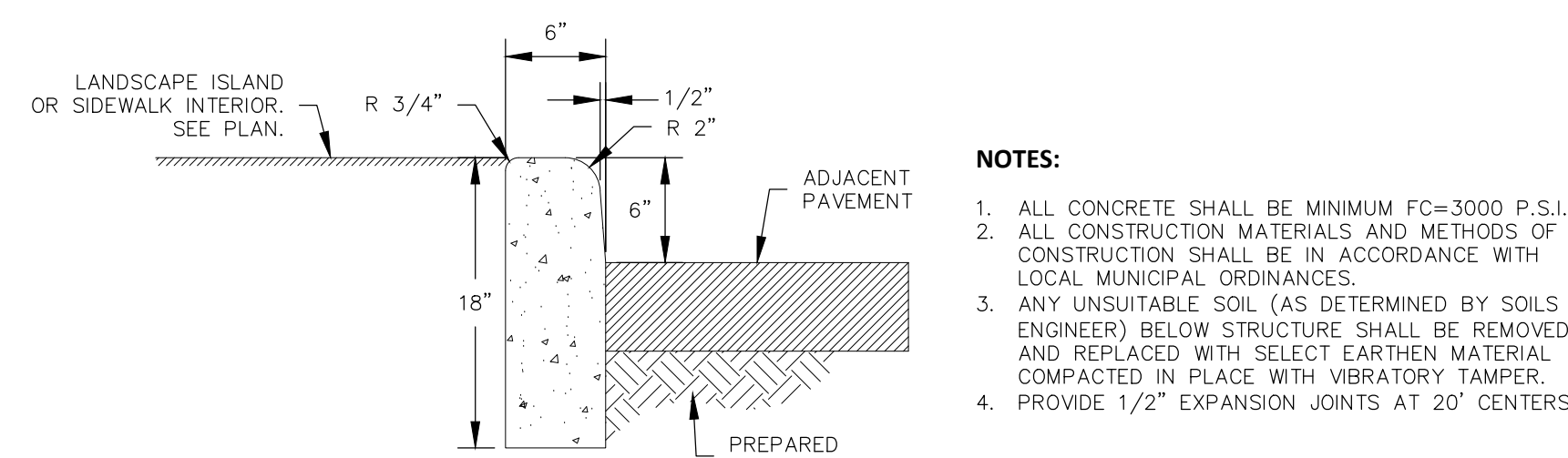
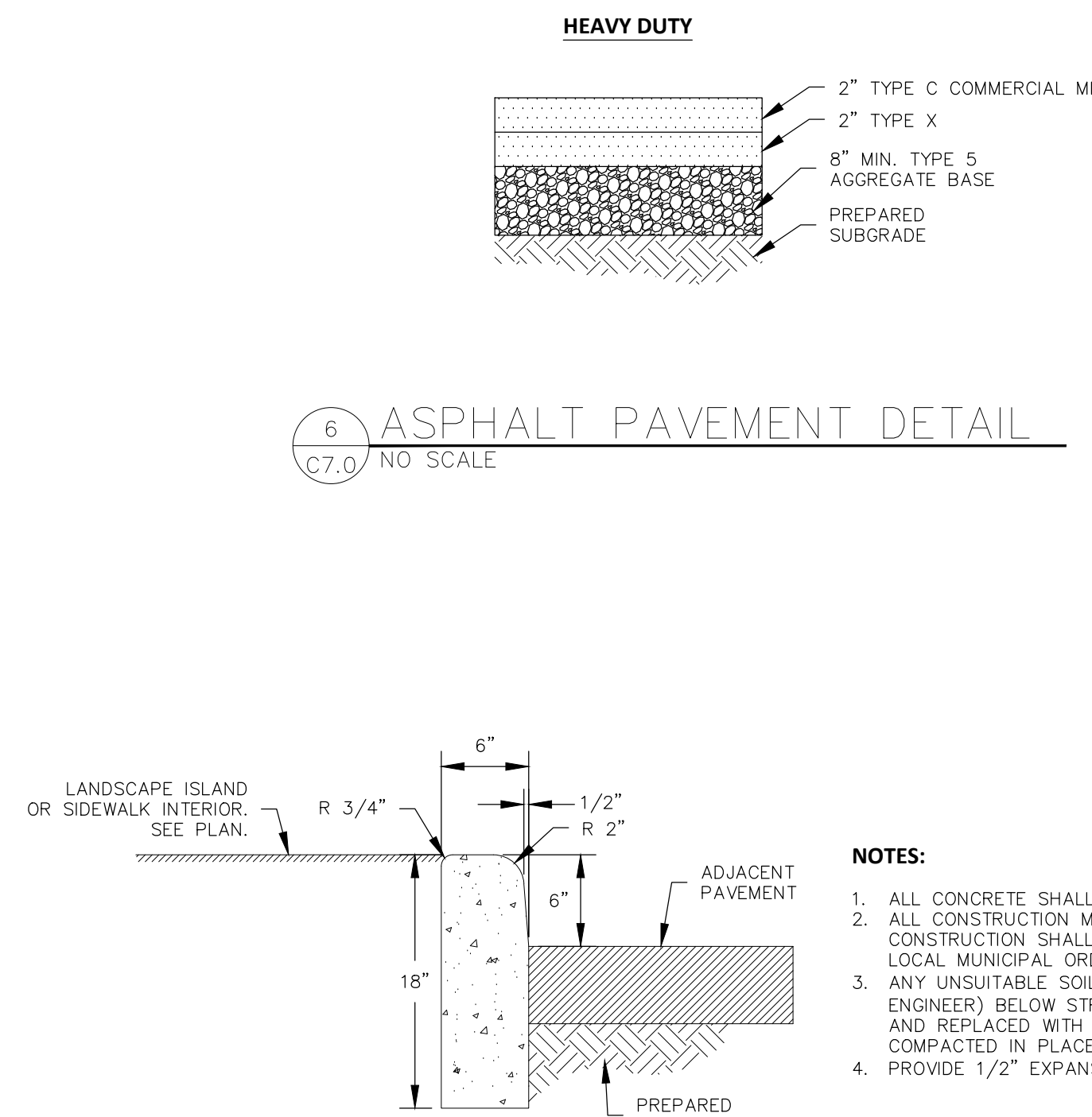
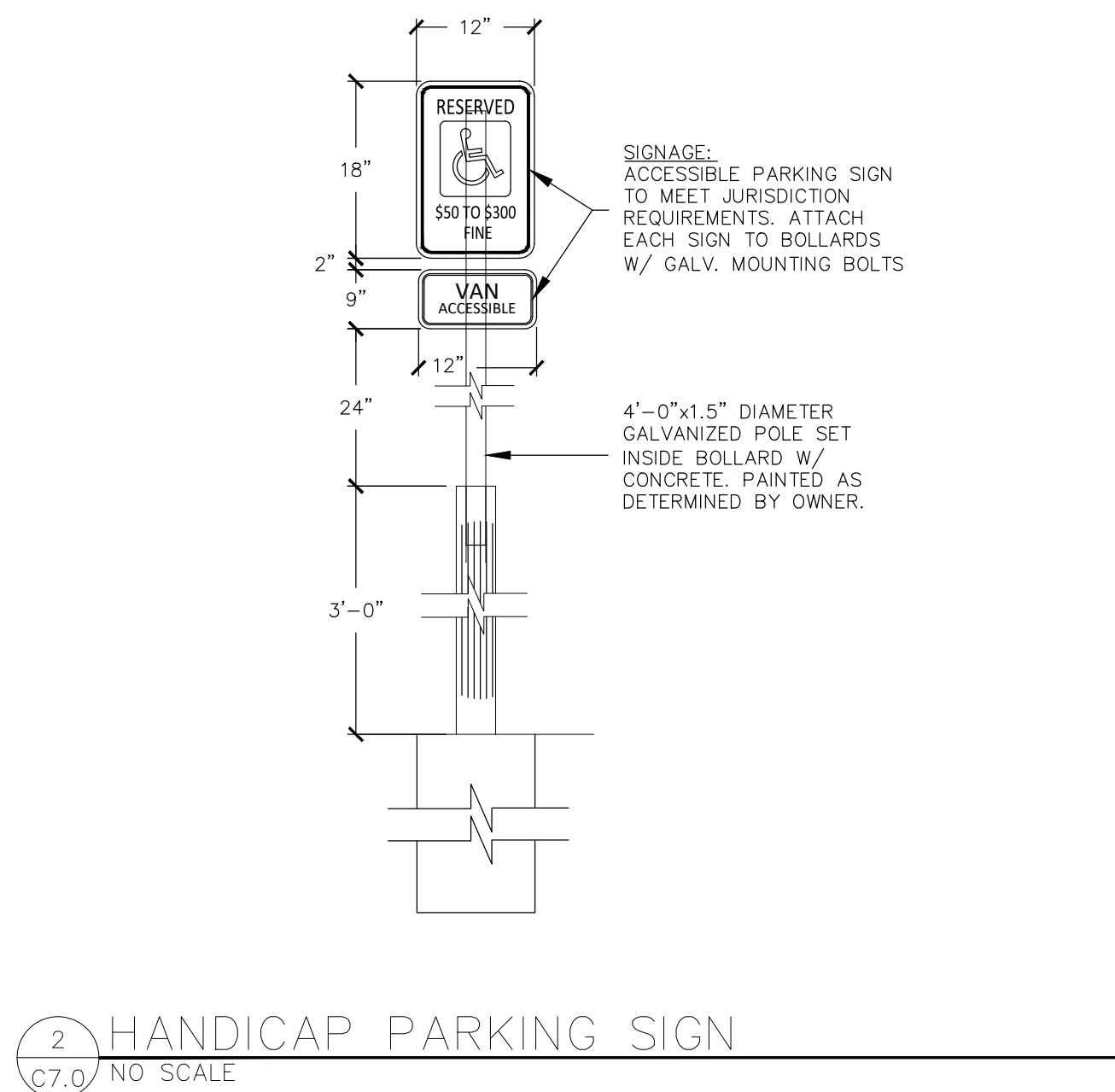
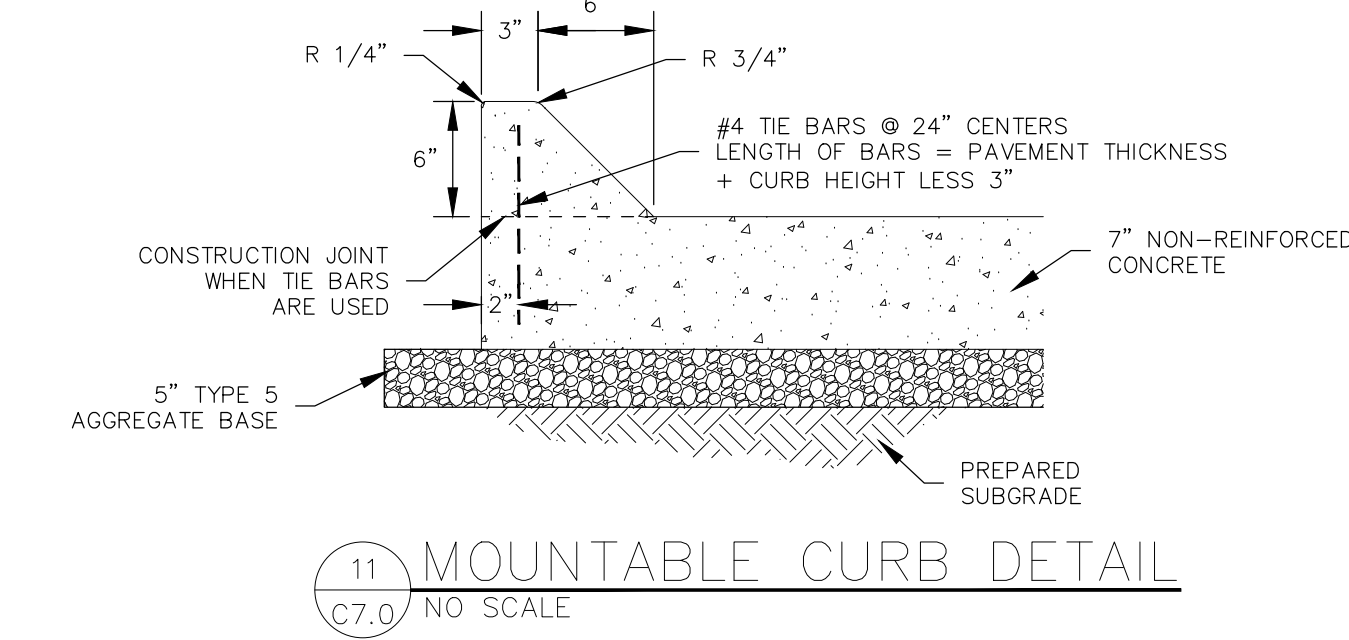
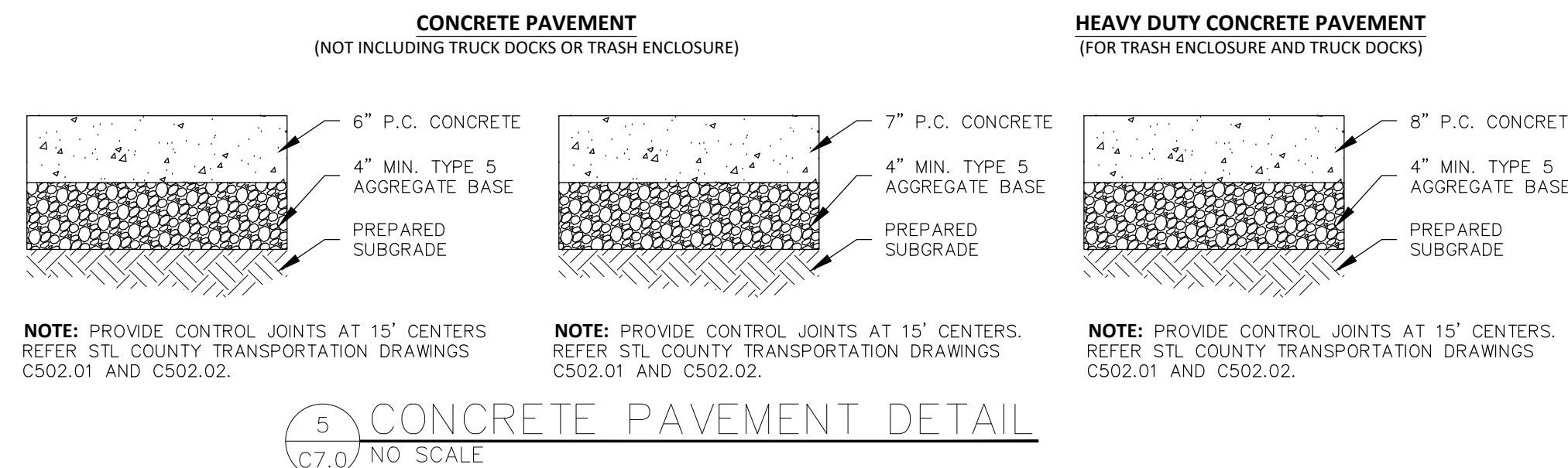
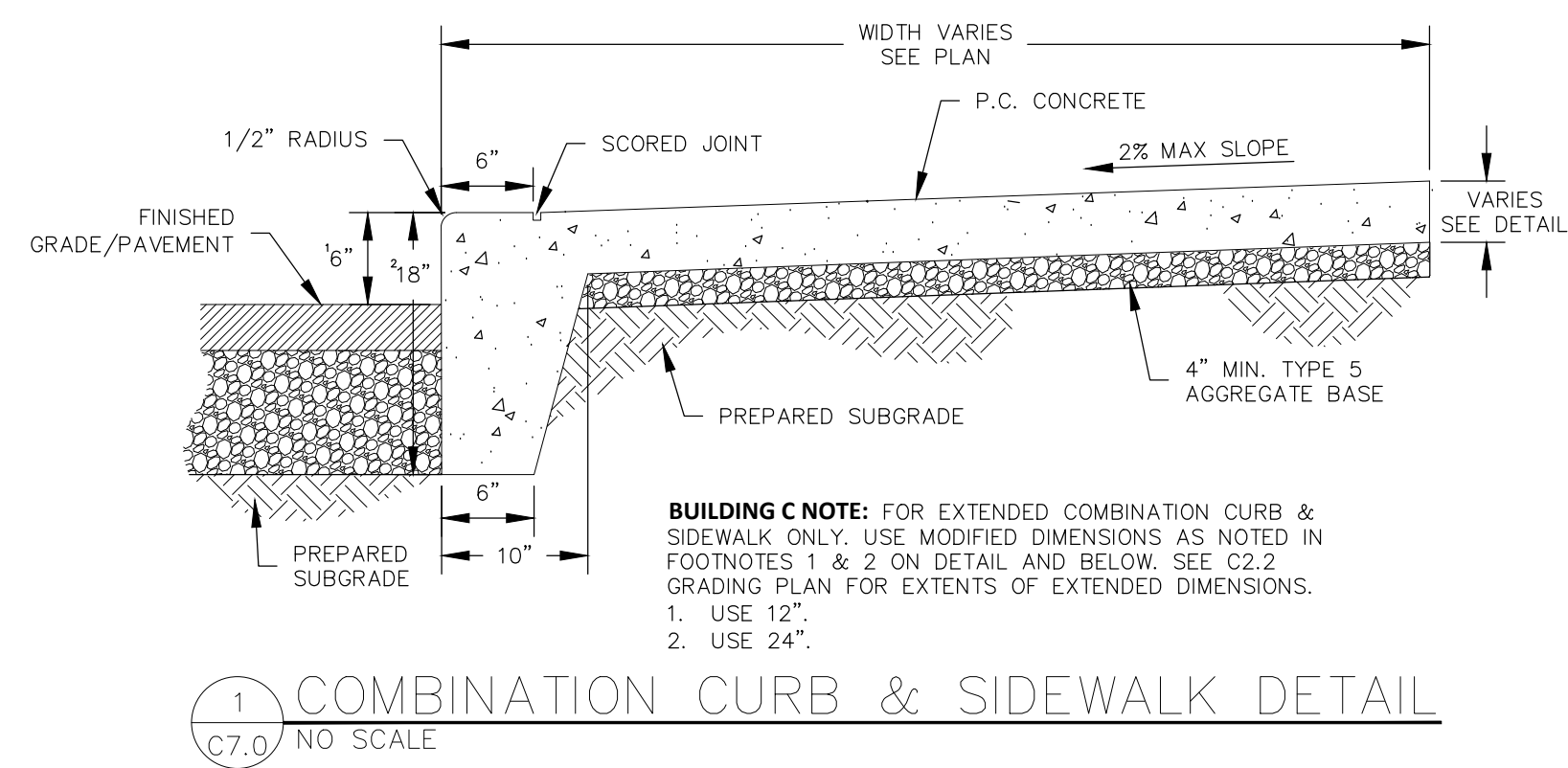
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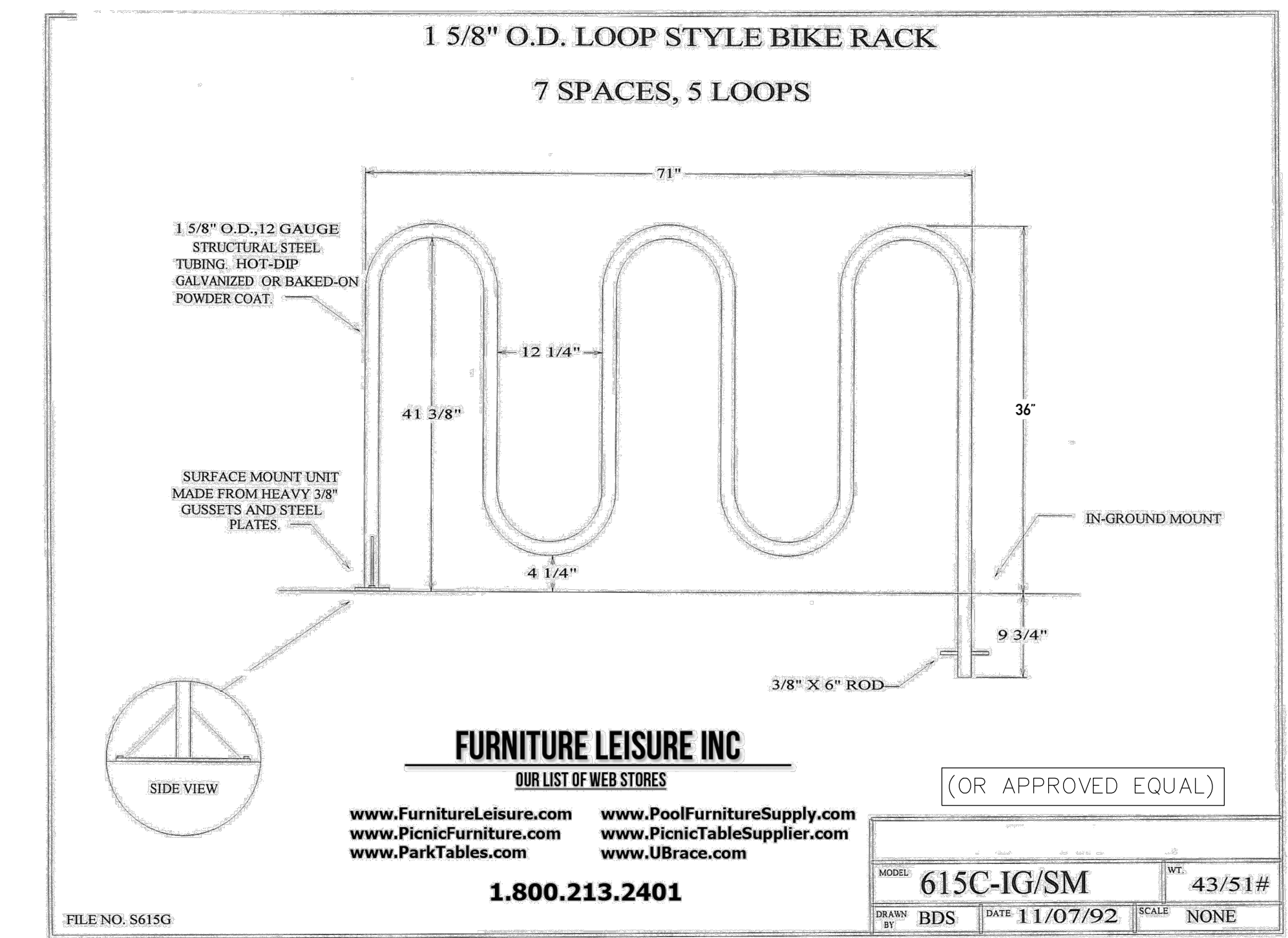
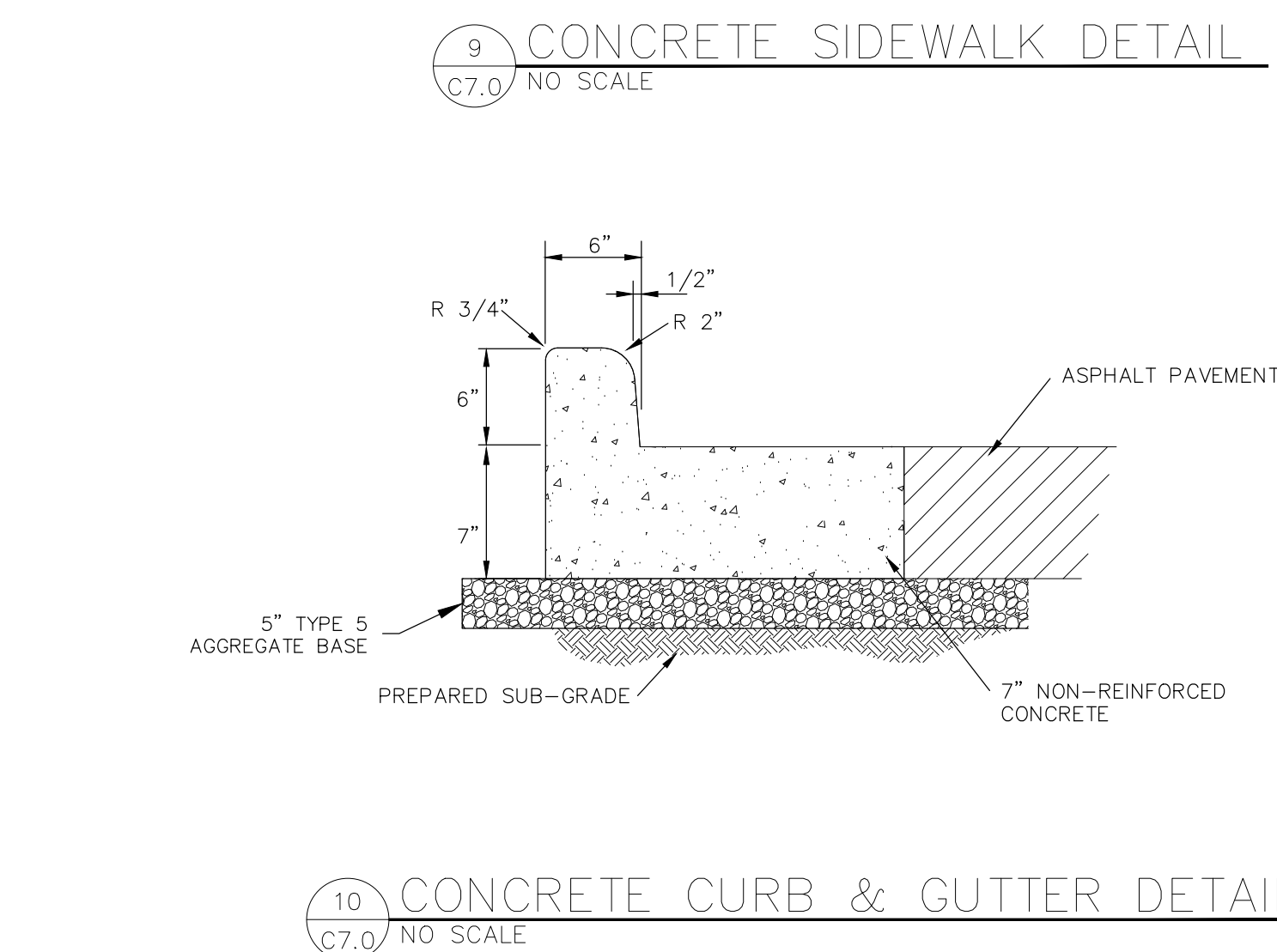
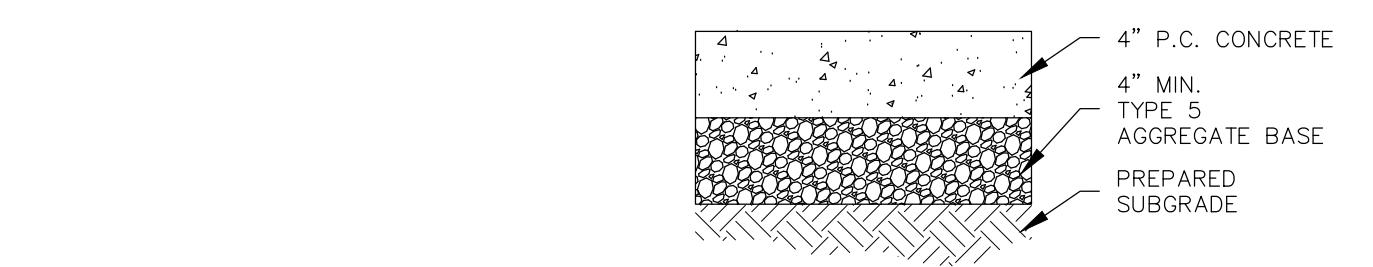
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C4.0
23MSD-00000 | MSD Basemap: 25K/25L
Existing Condition: 22MSD-00015



SUBGRADE PREPARATION NOTE:
ALL EXPOSED AND/OR DISTURBED GRANULAR BASE AREAS SHALL BE COMPACTED TO A MINIMUM OF 95% OF OPTIMUM DENSITY IN ACCORDANCE WITH ASTM D 1557 AT OPTIMUM MOISTURE CONTENT AND TO A MINIMUM DEPTH OF 4" - ALL SUBGRADE SOIL AREAS EXPOSED BY EXCAVATIONS AND GRADING SHALL BE COMPACTED TO A MINIMUM OF 95% OF OPTIMUM DENSITY IN ACCORDANCE WITH ASTM D 1557 AT OPTIMUM MOISTURE CONTENT AND TO A MINIMUM DEPTH OF 12" - FILL WHERE REQUIRED SHALL BE PLACED IN LIFTS NOT TO EXCEED 6" LOOSE MEASURE AND SHALL BE COMPACTED AS OUTLINED ABOVE - THE ON SITE TESTING COMPANY SHALL PROVIDE TESTING AND INSPECTION OF THE SOIL WORK PRIOR TO PLACING CONCRETE.



DIERBERGS MARKETS
FINAL DEVELOPMENT PLAN
MARKET AT OLIVE
UNIVERSITY CITY, MO 63132

CONSTR. DOC. & REVISIONS
Description
Final Development Plan
Date
02-10-23
No.

FINAL DEVELOPMENT PLAN
FOR UNIVERSITY CITY REVIEW
02-10-23
PROFESSIONAL OF RECORD
Sarah B. Fonda
License No. PE-2021001034
Expiration Date: 12/31/23
Drawn By/Checked By: MEB/SBF
Project Number: 2201836
MSD Permit Date: ---
Permit Date: ---
Bid Date: ---

CONSTRUCTION DETAILS

C5.0
23MSD-00xxx | MSD Basemap: 25K/25L
Existing Condition: 22MSD-00015





1 NORTH ELEVATION
DATE: 07/17/17



2 EAST ELEVATION
DATE: 07/17/17



3 WEST ELEVATION
DATE: 07/17/17



4 SOUTH ELEVATION
DATE: 07/17/17





SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



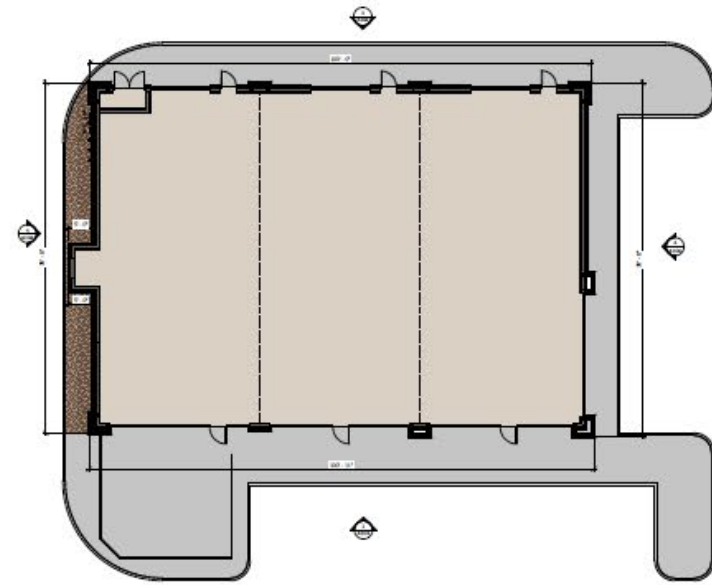
NORTH ELEVATION
SCALE: 1/8" = 1'-0"



EAST ELEVATION
SCALE: 1/8" = 1'-0"



WEST ELEVATION
SCALE: 1/8" = 1'-0"



OUTLOT BUILDING L
SCALE: 1/8" = 1'-0"





1 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



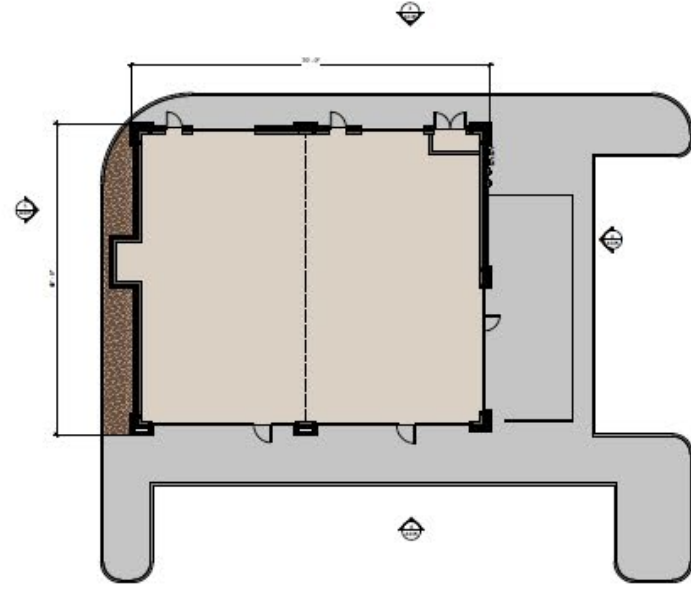
2 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



3 EAST ELEVATION
SCALE: 1/8" = 1'-0"



4 WEST ELEVATION
SCALE: 1/8" = 1'-0"



5 OUTLOT BUILDING M
SCALE: 1/8" = 1'-0"

DIERBERGS MARKETS - OUTLOT M
FINAL DEVELOPMENT PLAN
MARKET AT OLIVE
UNIVERSITY CITY, MO



DATE: 03/23/22
DRAWN BY: [Name]

CHECKED BY: [Name]

PROJECT NUMBER: 2275-000-M
DATE: 03/23/22

OUTLOT BUILDING M
PLAN & ELEVATIONS



1 EXTERIOR RENDERING FRONT
DATE: 1/20/2017



2 EXTERIOR RENDERING
DATE: 1/20/2017



3 EXTERIOR RENDERING - VIEW FROM I-170 EXIT RAMP
DATE: 1/20/2017



DATE:

DATE OF REVISION:
DESCRIPTION:

BY:

NOT FOR CONSTRUCTION

DATE:

Drawn/Checked: ESM/10/08
Project Number: 237858
RVP: 02/18/2010

EXTERIOR
RENDERINGS



OUTLOT L
NOT TO SCALE



OUTLOT L
NOT TO SCALE



OUTLOT M
NOT TO SCALE



OUTLOT M
NOT TO SCALE



204

8/18/2024 10:00 AM
 Drawing No. 2024-001

2

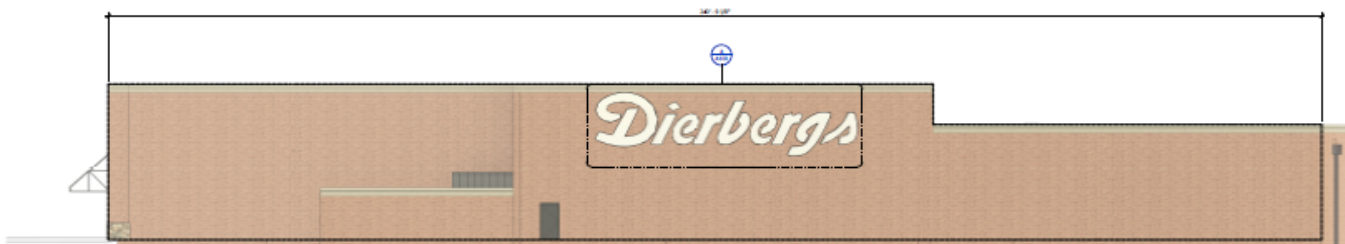
FOR
 REFERENCE ONLY

Informational Sheet

Drawn/Checked: BPA/UCS
 Scale/Revision: 1/2"=1'-0" / 11/2024
 Date/Sheet: 8/18/2024 / 2024-001



1 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



2 WEST ELEVATION
SCALE: 1/4" = 1'-0"

FRONT FACADE:	11,509.1 FT ²
FRONT SIGNAGE:	50.4 FT ²
	70.3 FT ²
	59.4 FT ²
	64.1 FT ²
	358.5 FT ²
	98.3 FT ²
FRONT SIGNAGE RATIO:	6.1%
WEST BUILDING SIDE:	6,843.6 FT ²
WEST SIGNAGE:	358.5 FT ²
WEST SIGNAGE RATIO:	5.2%



3 MERCY PHARMACY
SCALE: 1/4" = 1'-0"



4 FLOWERS & GIFTS
SCALE: 1/4" = 1'-0"



5 DIERBERGS - NORTH
SCALE: 1/4" = 1'-0"



6 BOB'S BBQ
SCALE: 1/4" = 1'-0"



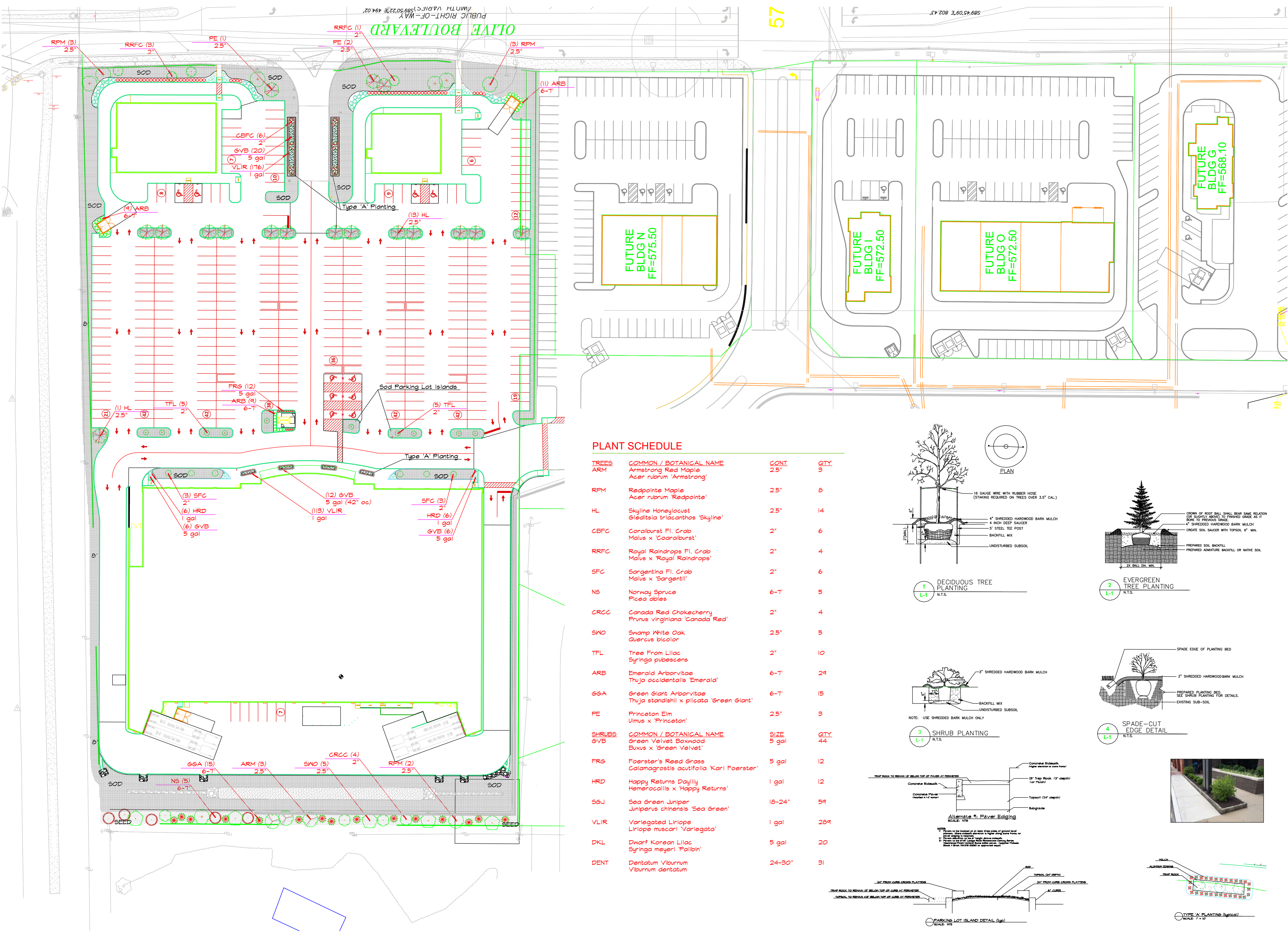
7 D KITCHEN
SCALE: 1/4" = 1'-0"



8 DIERBERGS - WEST SIDE
SCALE: 1/4" = 1'-0"

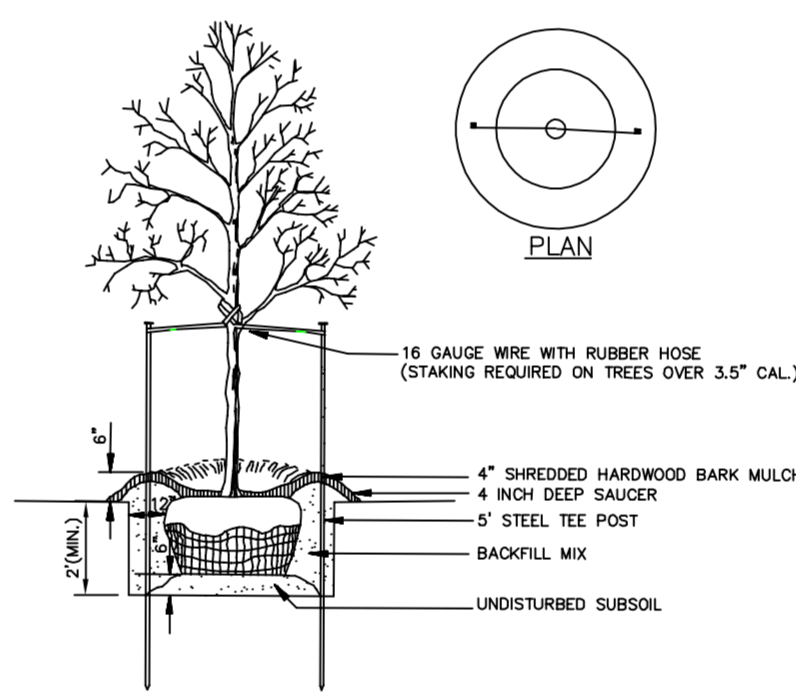




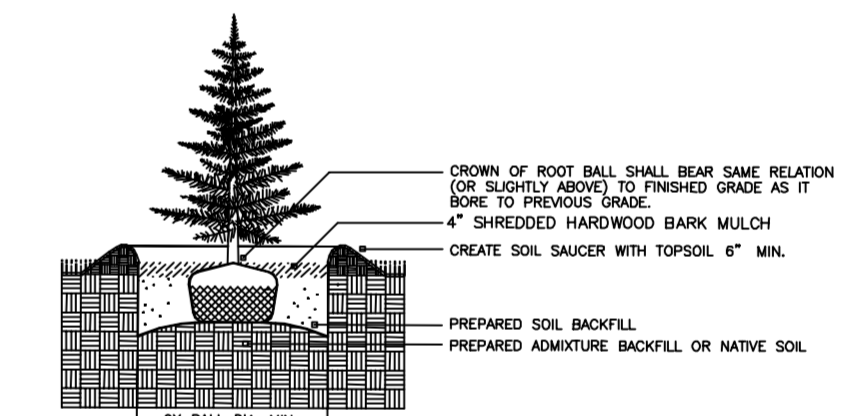


PLANT SCHEDULE

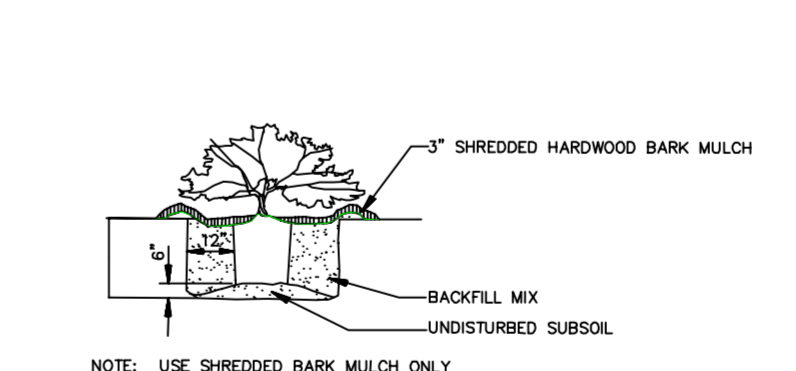
TREES	COMMON / BOTANICAL NAME	CONT.	QTY.
ARM	Armstrong Red Maple <i>Acer rubrum</i> 'Armstrong'	2.5"	8
RPM	Redpointe Maple <i>Acer rubrum</i> 'Redpointe'	2.5"	14
HL	Skyline Honeylocust <i>Gleditsia triacanthos</i> 'Skyline'	2.5"	6
CBFC	Coralburst Fl. Crab <i>Malus</i> x 'Coralburst'	2"	4
RRFC	Royal Raindrops Fl. Crab <i>Malus</i> x 'Royal Raindrops'	2"	6
SFC	Sargentia Fl. Crab <i>Malus</i> x 'Sargentii'	2"	5
NS	Norway Spruce <i>Picea abies</i>	6-7'	4
CRCC	Canada Red Chokecherry <i>Prunus virginiana</i> 'Canada Red'	2.5"	10
SWO	Swamp White Oak <i>Quercus bicolor</i>	6-7'	29
TFL	Tree From Lilac <i>Syringa pubescens</i>	6-7'	15
ARB	Emerald Arborvitae <i>Thuja occidentalis</i> 'Emerald'	2.5"	3
GSA	Green Giant Arborvitae <i>Thuja standishii</i> x <i>plicata</i> 'Green Giant'	5 gal	44
PE	Princeton Elm <i>Ulmus</i> x 'Princeton'	5 gal	12
SHRUBS	COMMON / BOTANICAL NAME	SIZE	QTY.
GVB	Green Velvet Boxwood <i>Buxus</i> x 'Green Velvet'	1 gal	12
FRG	Foerster's Reed Grass <i>Calamagrostis acutifolia</i> 'Karl Foerster'	18-24"	59
HRD	Happy Returns Daylily <i>Hemerocallis</i> x 'Happy Returns'	1 gal	209
S6J	Sea Green Juniper <i>Juniperus chinensis</i> 'Sea Green'	5 gal	20
VLIR	Variegated Liriope <i>Liriope muscari</i> 'Variegata'	24-30"	31
DKL	Dwarf Korean Lilac <i>Syringa meyeri</i> 'Palibin'		
DENT	Dentatum Viburnum <i>Viburnum dentatum</i>		



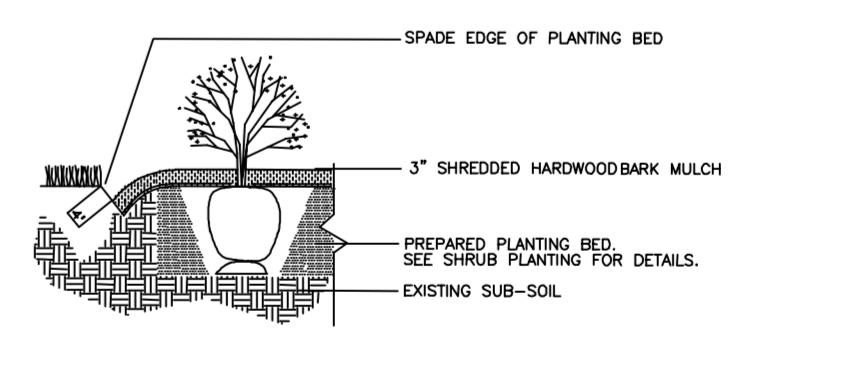
1 DECIDUOUS TREE PLANTING
N.T.S.



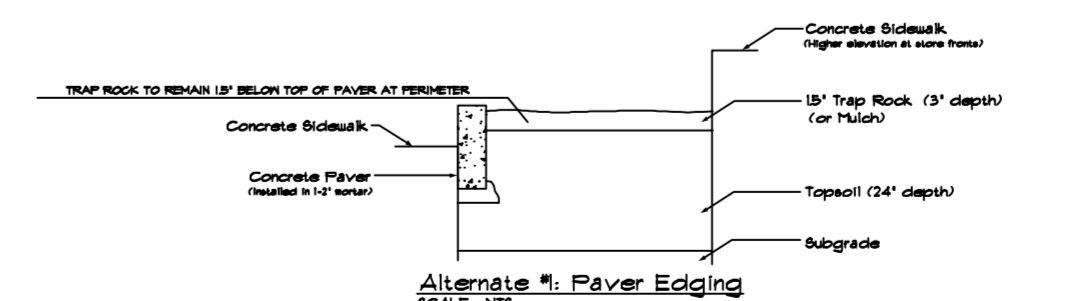
2 EVERGREEN TREE PLANTING
N.T.S.



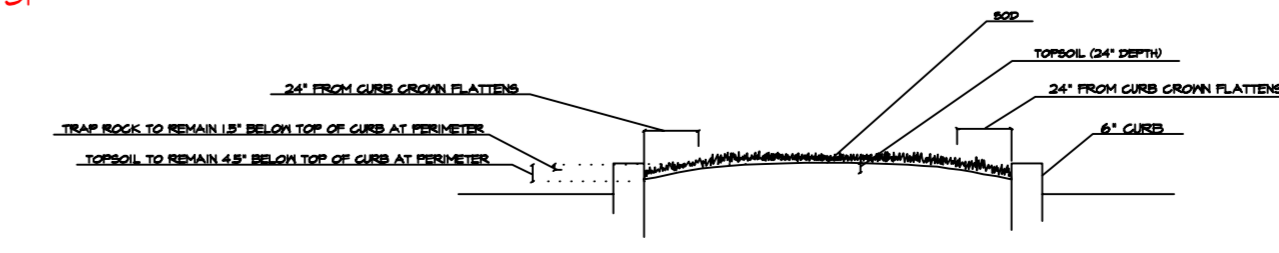
3 SHRUB PLANTING
N.T.S.



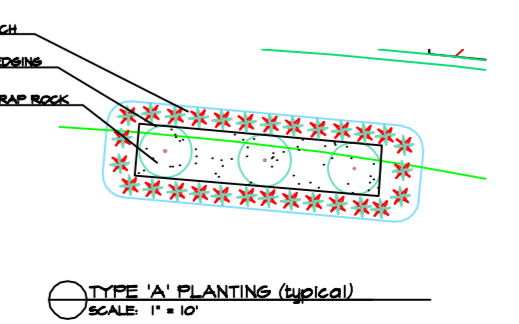
4 SPADE-CUT EDGE DETAIL
N.T.S.



Alternate #1 Paver Edging
SCALE: 1/4\"/>



PARKING LOT ISLAND DETAIL (Typ.)
SCALE: N.S.



TYPE 'A' PLANTING (Typical)
SCALE: 1/4\"/>

Drawn by: CIA
Scale: 1" = 40'
Date: 9-28-22
Revised: 2-7-23

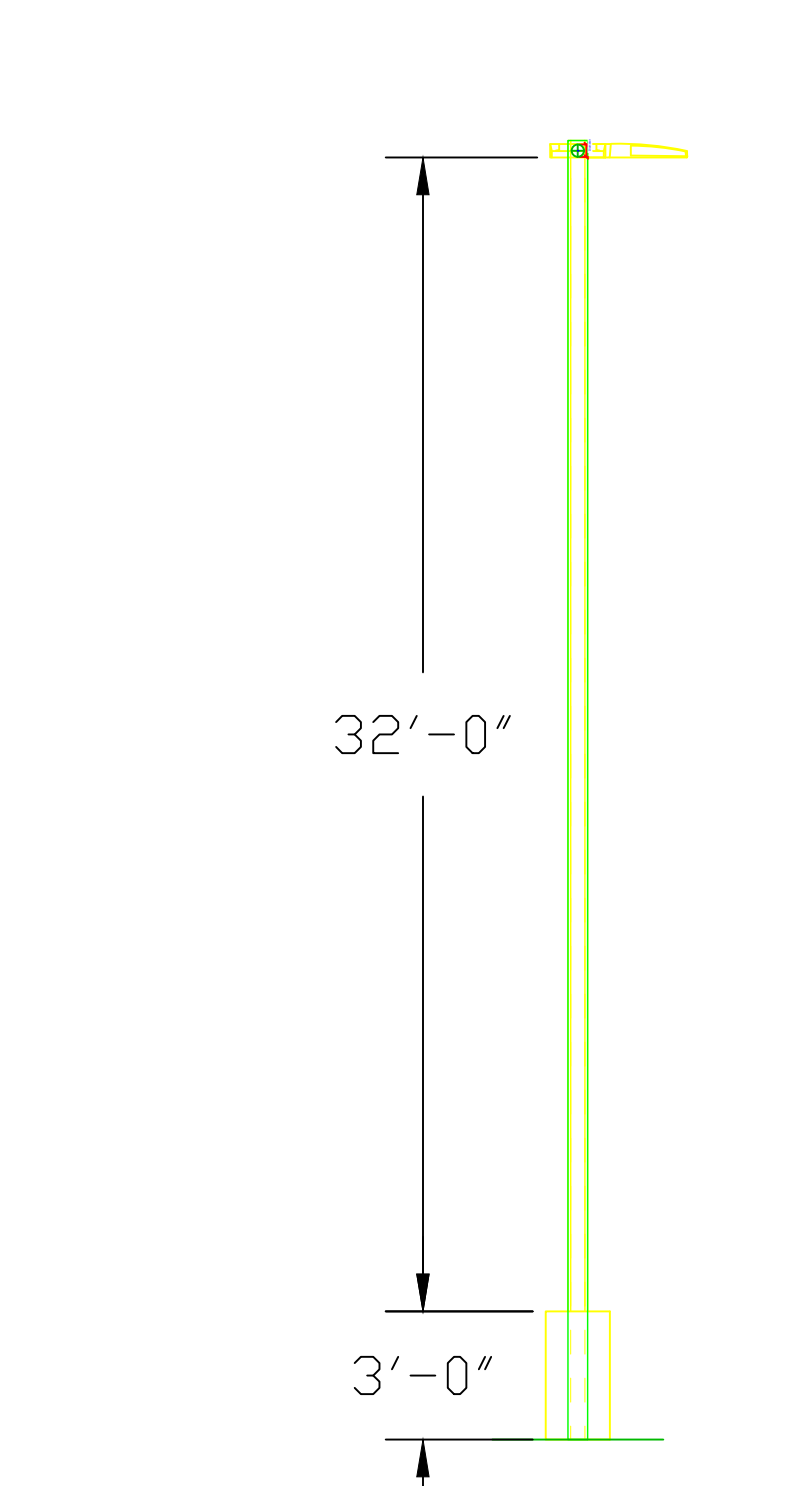
BAXTER FARMS and NURSERIES
3411 CREVE COEUR MILL ROAD
ST. LOUIS, MISSOURI 63146
314/542-9400

Landscape Planting Plan For:
Market at Olive
University City, MO
Prepared for: Dierbergs

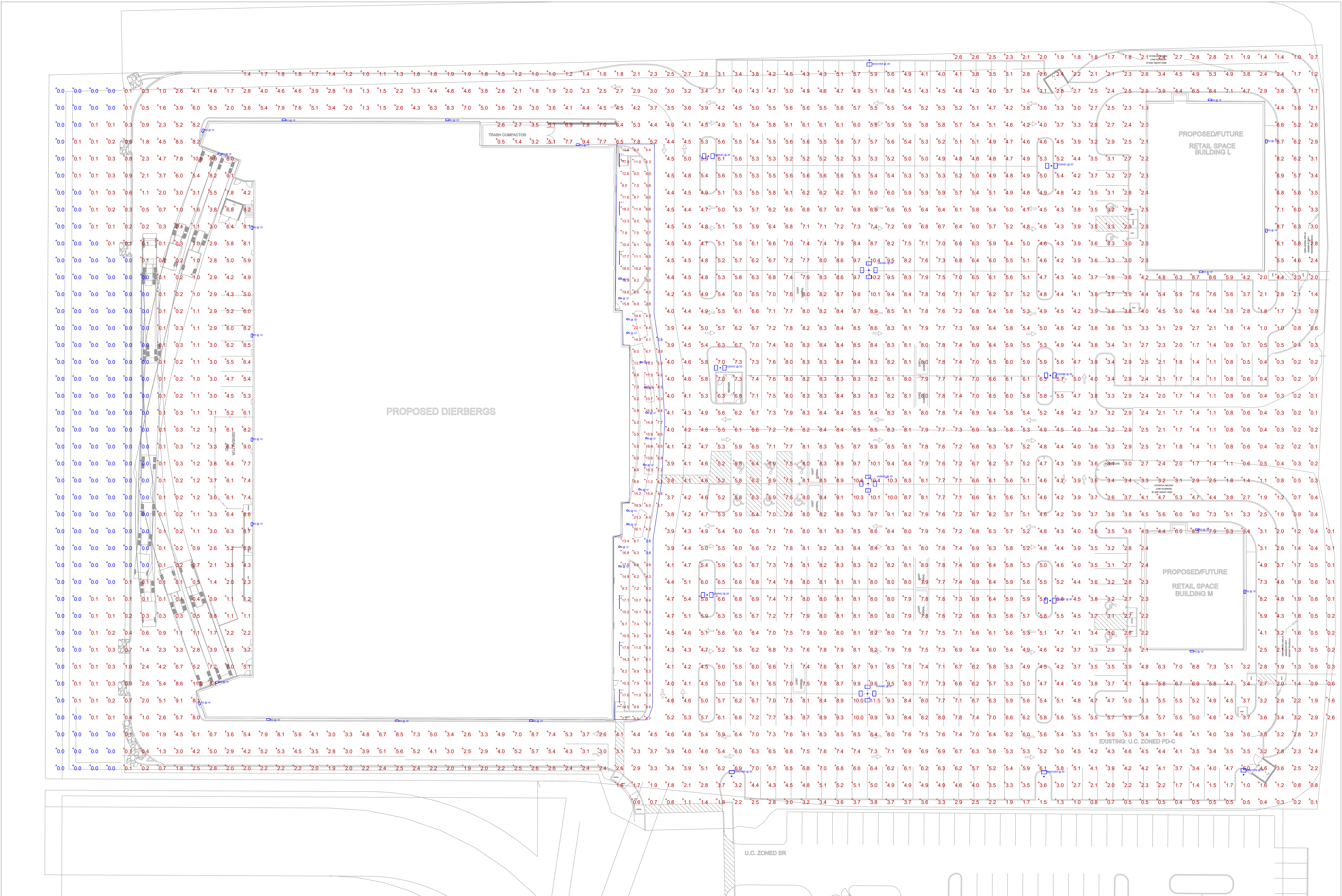
Drawing Number:
L-1
of one

Symbol	Label	QTY	Manufacturer	Color	Description	Number	LRFD	LLF	Inch/Lum
[Symbol]	G2SASC	6	COOPER LIGHTING SOLUTIONS-MCGRAW-EDISON (FORMERLY EATON)	GALN-SASC-FH-U-90-90	GALLEON AREA AND ROADWAY LUMINAIRE (H 75' DR. CONV. 1000MA LUMINAIRE WITH 18 LED'S EACH AND TYPE V WIDE OPTIC)	80	461	0.9	260
[Symbol]	S40CH5S	4	COOPER LIGHTING SOLUTIONS-MCGRAW-EDISON (FORMERLY EATON)	GALN-SASC-FH-U-90-90-90S	GALLEON AREA AND ROADWAY LUMINAIRE (H 75' DR. CONV. 1000MA LUMINAIRE WITH 18 LED'S EACH AND TYPE V WIDE OPTIC)	80	461	0.9	260
[Symbol]	R3	21	COOPER LIGHTING SOLUTIONS-MCGRAW-EDISON (FORMERLY EATON)	GWC-SASC-FH-U-90-90	GALLEON WALL LUMINAIRE (H 75' DR. CONV. 1000MA LUMINAIRE WITH 18 LED'S EACH AND TYPE H OPTIC)	32	461	0.9	110
[Symbol]	G4SASC	3	COOPER LIGHTING SOLUTIONS-MCGRAW-EDISON (FORMERLY EATON)	GALN-SASC-FH-U-90-90	GALLEON AREA AND ROADWAY LUMINAIRE (H 75' DR. CONV. 1000MA LUMINAIRE WITH 18 LED'S EACH AND TYPE V WIDE OPTIC)	80	461	0.9	1000
[Symbol]	B	14	COOPER LIGHTING SOLUTIONS-MCGRAW-EDISON (FORMERLY EATON)	HCERK000FH180-90-90-90-90	HALO-COMMERCIAL (H 90" DR. CONV. NEW CONSTRUCTION FINALS, DISTRIBUTION, SPECULAR FINISH)	1	2056	1	20
[Symbol]	C	6	COOPER LIGHTING SOLUTIONS-MCGRAW-EDISON (FORMERLY EATON)	STL240WR	H LED STRIP	1	8666	1	76.11

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
DIERBERGES PARKING	+	4.3 fc	11.5 fc	0.0 fc	N/A	N/A
FRONT WALKWAY	+	9.3 fc	22.1 fc	3.6 fc	6.1:1	2.6:1



BASED ON THE INFORMATION PROVIDED, ALL DIMENSIONS AND LUMINAIRE LOCATIONS SHOWN REPRESENT RECOMMENDED POSITIONS. THE ELECTRICAL CONTRACTOR SHALL DETERMINE APPLICABILITY OF THE LAYOUT TO EXISTING OR FUTURE FIELD CONDITIONS.



POLE BASE DETAIL
E01 SCALE: NTS

McGraw-Edison GALN Galleon II	
Ordering Information	Key Features
<ul style="list-style-type: none"> Ordering Information: GALN-SASC-FH-U-90-90 Ordering Information: GALN-SASC-FH-U-90-90-90S Ordering Information: GALN-SASC-FH-U-90-90-90-90S Ordering Information: GALN-SASC-FH-U-90-90-90-90S-90 Ordering Information: GALN-SASC-FH-U-90-90-90-90S-90S 	
Key Features	<ul style="list-style-type: none"> 18 LED's per luminaire 1000MA LUMINAIRE TYPE V WIDE OPTIC CONV. FINISH
Dimensions	<ul style="list-style-type: none"> Height: 75' Conv. Finish Width: 36" Conv. Finish Depth: 18" Conv. Finish
Performance	<ul style="list-style-type: none"> Light Level: 4.3 fc Avg, 11.5 fc Max Beam Spread: 4.3:1 Avg, 11.5:1 Max Efficiency: 0.90
Energy	<ul style="list-style-type: none"> Power Consumption: 1000 MA Wattage: 200 Watts Current: 2.0 Amps
Control	<ul style="list-style-type: none"> Control Options: None Control System: None
Warranty	<ul style="list-style-type: none"> Warranty: 5 Year Warranty: 3 Year
Notes	<ul style="list-style-type: none"> Ordering Information: GALN-SASC-FH-U-90-90 Ordering Information: GALN-SASC-FH-U-90-90-90S Ordering Information: GALN-SASC-FH-U-90-90-90-90S Ordering Information: GALN-SASC-FH-U-90-90-90-90S-90 Ordering Information: GALN-SASC-FH-U-90-90-90-90S-90S

McGraw-Edison GWC Galleon Wall	
Ordering Information	Key Features
<ul style="list-style-type: none"> Ordering Information: GWC-SASC-FH-U-90-90 Ordering Information: GWC-SASC-FH-U-90-90-90 Ordering Information: GWC-SASC-FH-U-90-90-90-90 Ordering Information: GWC-SASC-FH-U-90-90-90-90S Ordering Information: GWC-SASC-FH-U-90-90-90-90S-90 	
Key Features	<ul style="list-style-type: none"> 18 LED's per luminaire 1000MA LUMINAIRE TYPE H OPTIC CONV. FINISH
Dimensions	<ul style="list-style-type: none"> Height: 75' Conv. Finish Width: 36" Conv. Finish Depth: 18" Conv. Finish
Performance	<ul style="list-style-type: none"> Light Level: 9.3 fc Avg, 22.1 fc Max Beam Spread: 9.3:1 Avg, 22.1:1 Max Efficiency: 0.90
Energy	<ul style="list-style-type: none"> Power Consumption: 1000 MA Wattage: 200 Watts Current: 2.0 Amps
Control	<ul style="list-style-type: none"> Control Options: None Control System: None
Warranty	<ul style="list-style-type: none"> Warranty: 5 Year Warranty: 3 Year
Notes	<ul style="list-style-type: none"> Ordering Information: GWC-SASC-FH-U-90-90 Ordering Information: GWC-SASC-FH-U-90-90-90 Ordering Information: GWC-SASC-FH-U-90-90-90-90 Ordering Information: GWC-SASC-FH-U-90-90-90-90S Ordering Information: GWC-SASC-FH-U-90-90-90-90S-90

PHOTOMETRIC SITE PLAN
E01 SCALE: 1" = 20' 0"

DATE	DESCRIPTION



Department of Planning and Development

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

STAFF REPORT

Meeting Date	February 22, 2023
File Number	CUP-23-01
Council District	1
Location	6662 Delmar Boulevard, Suite A
Applicant	The Trinity Company (doing business as “JANE Dispensary”)
Property Owner	Bst Delmar, LLC
Request	Conditional Use Permit (CUP) for a Comprehensive Marijuana Dispensary Facility

Comprehensive Plan Conformance:

Yes No No reference

Staff Recommendation:

Approval Approval with Conditions Denial

Attachments:

1. Letter from Applicant

Applicant Request

The applicant is requesting a Conditional Use Permit to operate as a “Comprehensive Marijuana Dispensary Facility”.

Background

The Applicant, The Trinity Company (doing business as “JANE Dispensary”), has operated a Medical Marijuana Dispensary Facility at 6662 Delmar Boulevard, Suite A since 2020 when it received Conditional Use Permit approval for medical marijuana dispensing. As of December 8, 2022, with the adoption of Amendment 3, recreational marijuana became legal in the State of Missouri. Existing medical marijuana dispensaries then became eligible to apply to convert their license into a comprehensive license, which allows them to dispense both medical and recreational marijuana, as long as they meet local regulations. As of February 6, 2023, the Applicant’s license has been converted to a comprehensive marijuana dispensary license.

Bill 9502, introduced to the City Council on February 13, 2023, will amend the City’s Zoning Ordinance to allow comprehensive marijuana dispensary facilities by Conditional Use Permit. This proposed Text Amendment (TXT-23-02) was unanimously recommended by the Plan Commission on January 25, 2023. The Applicant is now applying for a new Conditional Use Permit to authorize the new use as a “Comprehensive Marijuana Dispensary Facility”.

Existing Property

The existing building at 6662 Delmar Boulevard is a 10,260 square foot commercial building that consists of 5 individual suites. The parcel is approximately 0.35 acres and is zoned Core Commercial (CC). The applicant is seeking Conditional Use Permit approval for 2100 feet of commercial space (Suite A) within the building.

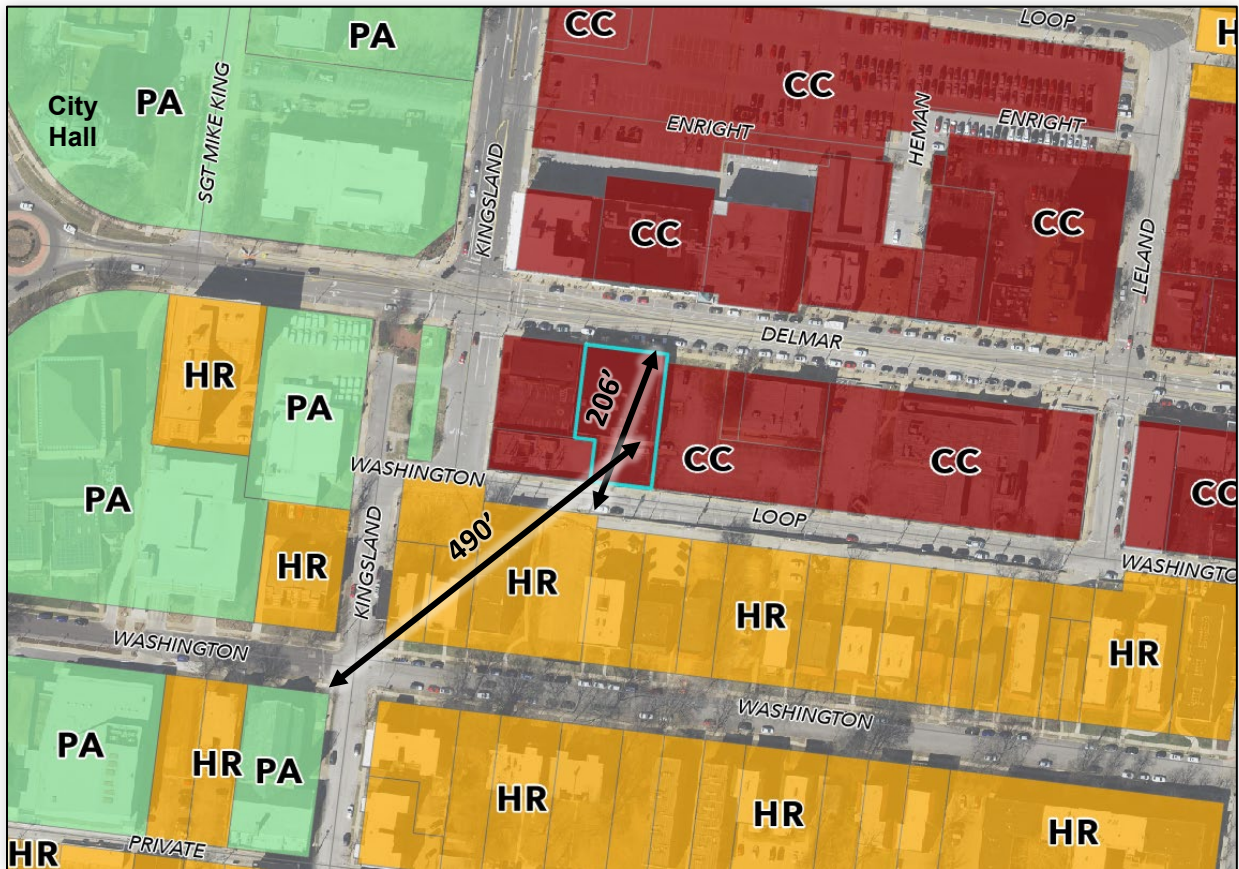
Existing Zoning & Land Use

Existing Zoning: CC – Core Commercial
 Existing Land Use: Multi-Tenant Commercial
 Proposed Zoning: No change – “CC” District
 Proposed Land Use: No change – Commercial

Surrounding Zoning and Current Land Use

North CC – Core Commercial
 East CC – Core Commercial
 South HR – High Density Residential
 West CC – Core Commercial

Surrounding Zoning & Buffer Distances



Applicable Regulations for Marijuana Dispensary Facilities

The proposed “Comprehensive Marijuana Dispensary Facility” is subject to the regulations set forth in the concurrent Text Amendment (TXT-23-02), Bill 9502, which amends §400.1495 as described below:

- A. **Standards for Marijuana Dispensary Facility.** No building shall be constructed, altered, or used for a marijuana dispensary facility without complying with the following regulations:
 1. **Buffer Requirement.** No marijuana dispensary facility shall be located within five hundred

- (500) feet of an existing elementary or secondary school, licensed child day-care center, or church. In the case of a freestanding facility, the distance between the facility and the school, daycare, or church shall be measured from the external wall of the facility structure closest in proximity to the school, daycare, or church to the closest point of the property line of the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility. In the case of a facility that is part of a larger structure, such as an office building or strip mall, the distance between the facility and the school, daycare, or church shall be measured from the property line of the school, daycare, or church to the facility's entrance or exit closest in proximity to the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility. Measurements shall be made along the shortest path between the demarcation points that can be lawfully traveled by foot.
2. **Residential Zoning Buffer Requirement.** No marijuana dispensary facility shall be located within one hundred fifty (150) feet of a residential zoning district. Measurements shall be made in a straight line, without regard to intervening structures, from the main public entrance of the marijuana dispensary facility to the nearest property line of the residential zoning district.
 3. **Outdoor Operations or Storage Prohibited.** All operations and all storage of materials, products, or equipment shall be within a fully enclosed building. No outdoor operations or storage shall be permitted.
 4. **Hours of Operation.** All marijuana dispensary facilities 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 p.m. and 8:00 a.m.
 5. **Display of License Required.** The marijuana dispensary facility license issued by the State of Missouri shall be displayed in an open and conspicuous place on the premises.
 6. **Residential Dwelling Units Prohibited.** No marijuana dispensary facility shall be located in a building that contains a residence.
 7. **Ventilation Required.** All marijuana dispensary facilities shall install and operate a ventilation system that will prevent any odor of marijuana from leaving the premises of the facility. No odors shall be detectable by a person with a normal sense of smell outside the boundary of the parcel on which the marijuana dispensary facility is located.

Analysis

Residential Buffer Requirement

JANE Dispensary meets the 150' residential buffer requirement as demonstrated in the map above. The Applicant's facility is approximately 206' from the closest residentially zoned property, exceeding the 150' minimum buffer requirement. This distance is measured from the main public entrance of the facility to the nearest property line of the residential district.

Buffer Requirement for Schools, Daycares, and Churches

Under the current Zoning Ordinance, which only addresses Medical Marijuana Dispensary Facilities, there is a required 500' buffer between such facilities and schools, daycares, and churches. This buffer is measured "from the nearest point on the exterior building wall of the school, child-care center, or church, to the main public entrance of the medical marijuana business". JANE Dispensary's current use as a Medical Marijuana Dispensary Facility complies with this buffer measurement method, as its main public entrance is approximately 569' from the property line of 6800 Washington Ave.

Under the proposed Bill 9502/TXT-23-02, however, the required 500' buffer between marijuana dispensary facilities (either medical or comprehensive) is measured differently: "from the property line of the school, daycare, or church to the facility's **entrance or exit** closest in proximity to the school, daycare, or church". JANE Dispensary's back door, which is not a public entrance, is located on the south wall of the building, is approximately 490' from the property line of a church located at 6800 Washington Ave—just 10' short of the minimum buffer distance.

The new buffer measurement method would unfairly preclude JANE Dispensary from operating either a medical or comprehensive facility. To address this conflict, staff recommends adding language to Bill 9502/TXT-23-02, so that the buffer requirement in §400.1495(A)(1) would not apply to any medical marijuana dispensary facility lawfully operating under a conditional use permit as of the effective date of the marijuana bill (Bill 9502) and that any such facility may operate as a comprehensive marijuana dispensary facility at the same location provided that the facility meets all other requirements in this ordinance (Bill 9502).

Review Criteria

The Applicant is in accordance with the Conditional Use Permit review criteria, as set forth in §400.2710 of the Zoning Code, and listed below:

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 regard 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.
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 not 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

According to §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 upon the particular 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.

Process – Required City Approvals

Plan Commission. Section 400.2700(C) of the Zoning Code requires that CUP 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 CUP applications be reviewed by City Council for final decision, subsequent to a 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 proposed CUP application meets the requirements of the Zoning Code.

Staff Recommendation

Based on the preceding considerations, staff recommends approval of the Conditional Use Permit for the Applicant listed above at Suite A of 6662 Delmar Boulevard, with the following condition:

1. The Conditional Use Permit approval is contingent upon City Council amending Bill 9502 (TXT-23-02), to add a provision that the buffer requirement in Section 400.1495(A)(1) does not apply to any medical marijuana dispensary facility lawfully operating under a conditional use permit as of the effective date of the marijuana (Bill 9502) and that any such facility may operate as a comprehensive marijuana dispensary facility at the same location provided that the facility meets all other requirements in this ordinance (Bill 9502).



Jaimie L. Mansfield

Direct T 314.342.4136 F 314.621.5065

jmansfield@atllp.com

February 1, 2023

John Wagner
Director of Planning & Development
6801 Delmar Blvd.
University City, MO 36130

**Re: Amendment to Conditional Use Permit # 071230-1
6662 Delmar Blvd. Suite A University City, MO 36130**

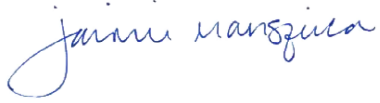
Dear John:

As you know, our firm represents Vertical Management Consulting, LLC (“VMC”). Also, please note that Dan Welsh represents The Trinity Company, doing business as JANE Dispensary (the “Licensee”) located at 6662 Delmar Boulevard, Suite A, University City, Missouri 63130 (the “Site”). VMC is the third-party, contract site manager for Licensee. Pursuant to, and in conformity with, Amendment 2 of the Missouri Constitution, the rules and regulations promulgated by the Missouri Department of Health and Senior Services (“DHSS”), and the zoning rules and regulations established by the City of University City, Licensee currently operates a medical marijuana dispensary facility at the Site pursuant to Conditional Use Permit #07132901 (the “JANE CUP”).

With the passing of Amendment 3 in November 2022, the consumption and dispensing of adult use/recreational marijuana was legalized in the State of Missouri, and as such, such use is authorized in the State of Missouri upon conversion of Licensee’s medical marijuana dispensary license to a comprehensive dispensary license with DHSS. Pursuant to, and in conformity with Amendment 3 of the Missouri Constitution and the rules and regulations promulgated by DHSS with respect to adult use/recreational use, as well as the City of University City’s anticipated amendment to its rules and regulations with respect to the establishment of “Comprehensive Marijuana Dispensary Facility(ies)”, on behalf of Licensee and VMC, please allow this letter to serve as Licensee’s request the JANE CUP be amended to include the operation of a Comprehensive Marijuana Dispensary Facility as defined in TXT 23-02 Recreational Marijuana Zoning Text Amendment.

Please do not hesitate to reach out with any questions.

Regards,

A handwritten signature in blue ink that reads "Jaimie Mansfield". The signature is written in a cursive, flowing style.

Jaimie L. Mansfield
Armstrong Teasdale LLP
Attorney for VMC

JLM:js

A handwritten signature in blue ink that reads "Daniel J. Welsh". The signature is written in a cursive, flowing style.

Dan Welsh
Hein Schneider & Bond P.C.
Attorney for Licensee



Department of Planning and Development

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

STAFF REPORT

Meeting Date	February 22, 2023
File Number	CUP-23-02
Council District	3
Location	7555 Olive Boulevard
Applicant	75Olive, LLC (doing business as "Starbuds")
Property Owner	75Olive, LLC
Request	Conditional Use Permit (CUP) for a Comprehensive Marijuana Dispensary Facility

Comprehensive Plan Conformance:

Yes No No reference

Staff Recommendation:

Approval Approval with Conditions Denial

Attachments:

1. Letter from Applicant

Applicant Request

The applicant is requesting a Conditional Use Permit to operate as a "Comprehensive Marijuana Dispensary Facility".

Background

The Applicant, 75Olive, LLC (doing business as "Starbuds"), has operated a Medical Marijuana Dispensary Facility at 7555 Olive Boulevard, Suite A since 2020 when it received Conditional Use Permit approval for medical marijuana dispensing. As of December 8, 2022, with the adoption of Amendment 3, recreational marijuana became legal in the State of Missouri. Existing medical marijuana dispensaries then became eligible to apply to convert their license into a comprehensive license, which allows them to dispense both medical and recreational marijuana, as long as they meet local regulations. As of February 6, 2023, the Applicant's license has been converted to a comprehensive marijuana dispensary license.

Bill 9502, introduced to the City Council on February 13, 2023, will amend the City's Zoning Ordinance to allow comprehensive marijuana dispensary facilities by Conditional Use Permit. This proposed Text Amendment (TXT-23-02) was unanimously recommended by the Plan Commission on January 25, 2023. The Applicant is now applying for a new Conditional Use Permit to authorize the new use as a "Comprehensive Marijuana Dispensary Facility".

Existing Property

The existing building at 7555 Olive Boulevard is a 7,719 square foot commercial building. The parcel is approximately 0.45 acres and is zoned General Commercial (GC). The applicant is seeking Conditional Use Permit approval for the entire commercial building.

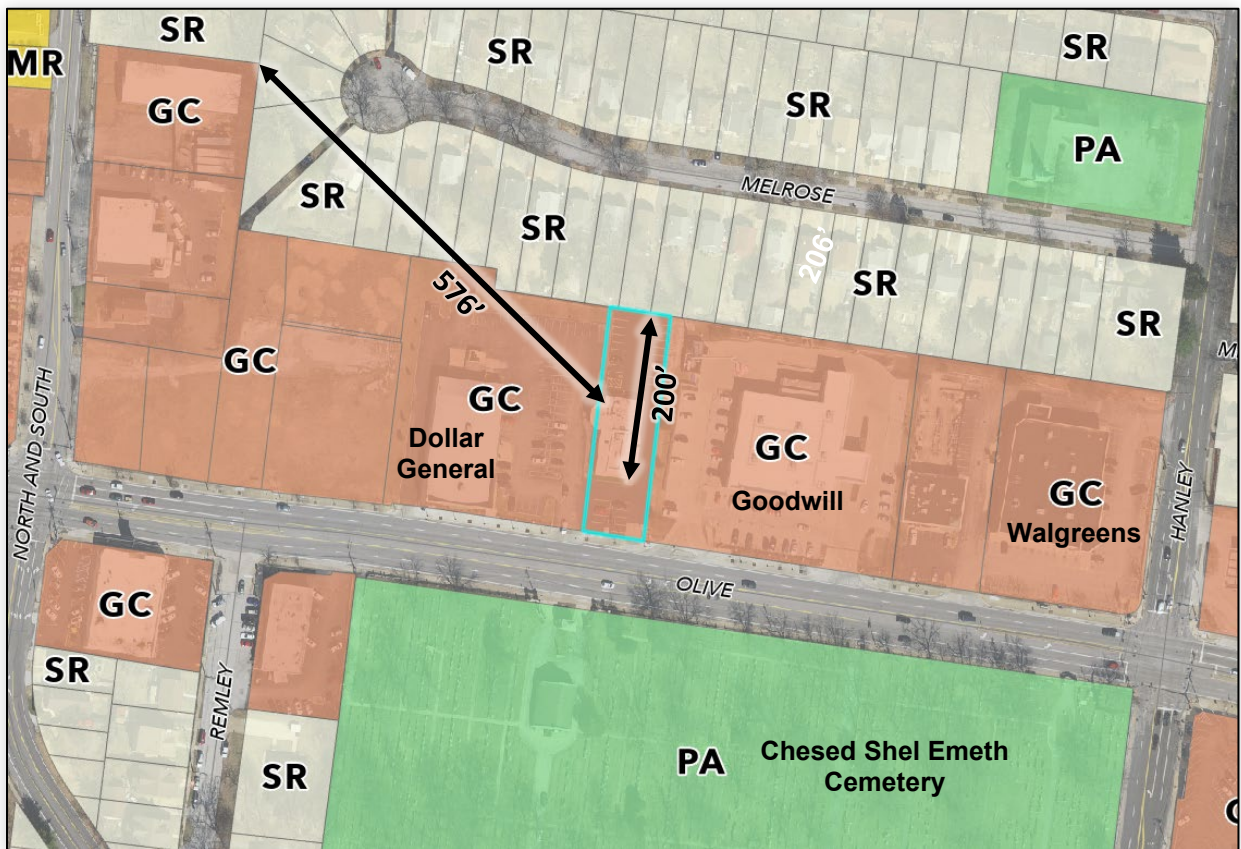
Existing Zoning & Land Use

Existing Zoning : GC – General Commercial
 Existing Land Use: Medical Marijuana Dispensary Facility
 Proposed Zoning: No change – “GC” District
 Proposed Land Use: Comprehensive Marijuana Dispensary Facility

Surrounding Zoning and Land Use

North: SR – Single-Family Residential
 East: GC – General Commercial (Goodwill)
 South: PA – Public Activity (Cemetery)
 West: GC – General Commercial (Dollar General)

Surrounding Zoning & Buffer Distances



Applicable Regulations for Marijuana Dispensary Facilities

The proposed “Comprehensive Marijuana Dispensary Facility” is subject to the regulations set forth in the concurrent Text Amendment (TXT-23-02), Bill 9502, which amends §400.1495 as described below:

- A. **Standards for Marijuana Dispensary Facility.** No building shall be constructed, altered, or used for a marijuana dispensary facility without complying with the following regulations:

1. **Buffer Requirement.** No marijuana dispensary facility shall be located within five hundred (500) feet of an existing elementary or secondary school, licensed child day-care center, or church. In the case of a freestanding facility, the distance between the facility and the school, daycare, or church shall be measured from the external wall of the facility structure closest in proximity to the school, daycare, or church to the closest point of the property line of the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility. In the case of a facility that is part of a larger structure, such as an office building or strip mall, the distance between the facility and the school, daycare, or church shall be measured from the property line of the school, daycare, or church to the facility's entrance or exit closest in proximity to the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility. Measurements shall be made along the shortest path between the demarcation points that can be lawfully traveled by foot.
2. **Residential Zoning Buffer Requirement.** No marijuana dispensary facility shall be located within one hundred fifty (150) feet of a residential zoning district. Measurements shall be made in a straight line, without regard to intervening structures, from the main public entrance of the marijuana dispensary facility to the nearest property line of the residential zoning district.
3. **Outdoor Operations or Storage Prohibited.** All operations and all storage of materials, products, or equipment shall be within a fully enclosed building. No outdoor operations or storage shall be permitted.
4. **Hours of Operation.** All marijuana dispensary facilities 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 p.m. and 8:00 a.m.
5. **Display of License Required.** The marijuana dispensary facility license issued by the State of Missouri shall be displayed in an open and conspicuous place on the premises.
6. **Residential Dwelling Units Prohibited.** No marijuana dispensary facility shall be located in a building that contains a residence.
7. **Ventilation Required.** All marijuana dispensary facilities shall install and operate a ventilation system that will prevent any odor of marijuana from leaving the premises of the facility. No odors shall be detectable by a person with a normal sense of smell outside the boundary of the parcel on which the marijuana dispensary facility is located.

Analysis

Residential Buffer Requirement

Starbuds meets the 150' residential buffer requirement as demonstrated in the map above. The Applicant's facility is approximately 200' from the closest residentially zoned property, exceeding the 150'

minimum buffer requirement. This distance is measured from the main public entrance of the facility to the nearest property line of the residential district.

Buffer Requirement for Schools, Daycares, and Churches

Starbuds meets the 500' buffer requirement between the facility and any school, daycare, or church. The Applicant's facility is approximately 576' from the nearest school, daycare, or church—the closest is University City Bible Chapel located at 1252 North and South Road.

Review Criteria

The Applicant is in accordance with the Conditional Use Permit review criteria, as set forth in §400.2710 of the Zoning Code, and listed below:

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 regard 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.
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 not 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

According to §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 upon the particular 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.

Process – Required City Approvals

Plan Commission. Section 400.2700(C) of the Zoning Code requires that CUP 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 CUP applications be reviewed by City Council for final decision, subsequent to a 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 proposed CUP application meets the requirements of the Zoning Code.

Staff Recommendation

Based on the preceding considerations, staff recommends approval of the Conditional Use Permit for the Applicant listed above at 7555 Olive Boulevard.



Jaimie L. Mansfield

Direct T 314.342.4136 F 314.621.5065

jmansfield@atllp.com

February 1, 2023

John Wagner
Director of Planning & Development
6801 Delmar Blvd.
University City, MO 36130

**Re: Amendment to Conditional Use Permit # 091420-1
7555 Olive Blvd. University City, MO 36130**

Dear John:

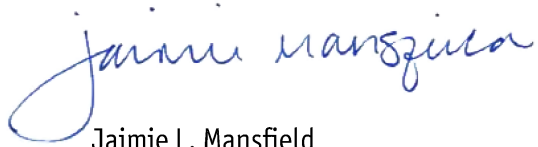
As you know, our firm represents Occidental Group, Inc. a/k/a 750live, LLC d/b/a Starbuds (the "Licensee") located at 7555 Olive Boulevard, University City, Missouri 63130 (the "Site"). Pursuant to, and in conformity with, Amendment 2 of the Missouri Constitution, the rules and regulations promulgated by the Missouri Department of Health and Senior Services ("DHSS"), and the zoning rules and regulations established by the City of University City, Licensee currently operates a medical marijuana dispensary facility at the Site pursuant to Conditional Use Permit #091420-1 (the "Occidental CUP").

With the passing of Amendment 3 in November 2022, the consumption and dispensing of adult use/recreational marijuana was legalized in the State of Missouri, and as such, such use is authorized in the State of Missouri upon conversion of Licensee's medical marijuana dispensary license to a comprehensive dispensary license with DHSS. Pursuant to, and in conformity with Amendment 3 of the Missouri Constitution and the rules and regulations promulgated by DHSS with respect to adult use/recreational use, as well as the City of University City's anticipated amendment to its rules and regulations with respect to the establishment of "Comprehensive Marijuana Dispensary Facility(ies)", on behalf of Licensee, please allow this letter to serve as Licensee's request the Occidental CUP be amended to include the operation of a Comprehensive Marijuana Dispensary Facility as defined in TXT 23-02 Recreational Marijuana Zoning Text Amendment.

Please do not hesitate to reach out with any questions.

John Wagner
February 1, 2023
Page 2

Regards,

A handwritten signature in blue ink that reads "Jaimie Mansfield". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

Jaimie L. Mansfield
Armstrong Teasdale LLP
Attorney for Licensee

JLM:js