



Department of Planning and Development

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MEETING MINUTES (APPROVED)

PLAN COMMISSION

via Video Conference

6:30 pm; Wednesday, February 22, 2023

The Plan Commission held its regular session via video conference on Wednesday, February 22, 2023. The meeting commenced at 6:32 pm and concluded at 8:01 p.m.

Call to Order – (6:32 pm.) Chairwoman Holly called the meeting to order.

1. Roll Call

Present

Al Fleischer Jr.
Charles Gascon
Tori Gonzalez
Ellen Hartz
Mark Harvey
Margaret Holly
Patricia McQueen

Absent

Jeff Hales (Council Liaison)

Staff Present

John Wanger, Director of Planning &
Development
Mary Kennedy, Planner,
John Mulligan, City Attorney

2. Approval of Minutes – The January 25, 2023 Plan Commission meeting minutes were approved with no changes.

3. Public Comments – None

4. Old Business – 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)

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 January 25, 2023 meeting.

Commissioner Fleischer asked for the zip code to be corrected on the site plans.

Commissioner Gascon asked whether the applicant had considered pedestrian and bicycle access from the Centennial Greenway on the west side of the building. He added that the city's code requires more bicycle parking than is needed and suggested that the Department of Planning & Development work with the applicant to determine the necessary bicycle parking.

Commissioner Hartz commented that turf grass is poor at absorbing stormwater and would

prefer these landscaped areas in and surrounding the parking lot replaced with native planting. Drew Bextermeuller (Dierbergs) replied that rock was originally submitted, which is better for drainage, and that they will work with staff to find a better solution. Mr. Bextermeuller also responded to the other previous comments and explained that the pedestrian path they selected was for safety and that the connection to the greenway would require conversation with Great Rivers Greenway, and studying the feasibility due to grade changes.

Commissioner McQueen asked whether electric vehicle charging stations were being considered. Mr. Bextermeuller responded that they have considered making their parking lots "EV charging ready" so that it is easier and less expensive to add chargers if there's demand in the future.

Several Commissioners emphasized the need to consider that although this area of University City favors cars, it's important to plan for bicyclists and pedestrians.

Commissioner McQueen motioned to recommend FDP-23-02. The motion passed 7-0.

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)

Ms. Kennedy presented the staff report and explained that should the Plan Commission recommend the CUP, the City Council would then consider the CUP, the proposed amendment to Bill No. 9502, and the related Text Amendment (TXT 23-02) during the same City Council meeting.

Commissioner Gascon asked for clarification on how the state measures the buffer distance between a marijuana dispensary facility and nearby residential, schools, daycares, and churches. Ms. Kennedy confirmed that the state's method is consistent with the language proposed in TXT 23-02.

Commissioner Gonzalez asked whether the nearby church is owned by Washington University. Ms. Kennedy confirmed that it is not.

Commissioner Hartz asked whether the dispensaries have been able to sell recreational marijuana since the state law went into effect in early February. Mr. Wagner responded that they have not.

The public hearing was opened at 7:25 pm. Nobody spoke. The public hearing was closed at 7:26 pm. The applicants, Jaimie Mansfield and Rhys Williams, thanked the Plan Commission for their time and consideration of the CUP on behalf of their client.

Commissioner Fleischer motioned to recommend the CUP. Commissioner Gascon asked Chair Holly to re-read the motion and asked for procedural clarifications with the amended Bill 9502. Commissioner Gonzalez asked if the dispensary were to relocate to another location, if they would be required to obtain a new CUP. Mr. Mulligan confirmed that yes, the subject CUP only

applies to the address at 6662 Delmar. The motion passed 7-0.

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)

Ms. Kennedy presented the staff report. Chair Holly asked whether the applicant’s representatives wished to speak to the application. Rhys Williams thanked the Plan Commission for their consideration.

The public hearing was opened at 7:37 pm. Nobody spoke. The public hearing was closed at 7:38 pm.

Commissioner McQueen asked for clarification on whether the nearby church was vacant. Ms. Kennedy confirmed the church is vacant. Mr. Wagner added that the church building is in very poor condition. Chair Holly added that the commission can only evaluate the CUP based on the current conditions. Mr. Mulligan confirmed that the buffer requirement between dispensaries and churches, schools, daycares, and residential only applies if those uses were existing prior to a proposed dispensary.

Commissioner Hartz asked if Starbuds has been selling recreational marijuana since early February. Mr. Wagner stated they have not inspected the business to verify. Jaimie Mansfield, representing the applicant, stated that to their knowledge, their client, the applicant has not been selling recreational marijuana, and that they have advised their client to comply with all local regulations. Chair Holly urged that Ms. Mansfield remind their client that they cannot legally sell recreational marijuana in University City without an approved CUP.

6. Other Business

- a. **Comprehensive Plan Workshops:** Chair Holly reminded the commission of the upcoming public workshops for the Comprehensive Plan and asked for the commissioners’ participation.
- b. **February 24, 2023 Special Plan Commission Meeting:** Chair Holly reminded the commission of the upcoming special meeting to focus on existing land use to inform the Comprehensive Plan.

7. Reports

- a. **Council Liaison Report:** None
- b. **Other:** Ms. Kennedy asked whether any commissioners would be able to staff a table at the next One U City event on March 11. Commissioner McQueen also asked for support canvassing Olive businesses and setting up a table at Pete’s Market for the comp plan.

8. Adjournment – The meeting was adjourned at 8:01 pm.