

**CITY OF OLIVETTE
PLANNING AND COMMUNITY DESIGN COMMISSION
MEETING MINUTES
FEBRUARY 2, 2023**

The City of Olivette Planning and Community Design Commission (PCDC) met on February 2, 2023, at 7:00 pm via videoconferencing on Zoom. Rob Jurgiel presiding as Chairman called the meeting to order. Commission Secretary Judy Rich was absent. Commission Vice Chairman Carol Waggoner served as secretary. The meeting was live streamed via Zoom at <https://us02web.zoom.us/j/85891857392>.

1. ROLL CALL:

On roll call, the following Commission members were present:

Rob Jurgiel, Chairman	Carol Waggoner, Vice Chairman	
Bryan Lewis	Tim Spiegelglass	Daniel Rosenberg

Also, in attendance: City Council Liaison, Councilmember Missy Waldman; Planning and Community Development Director, Carlos Trejo; and Senior Planner, Dawn Doty

In the audience, City Manager Barbara Sondag.

A quorum being present, Commissioner Jurgiel declared the meeting in session for the transaction of business.

2. REVIEW OF COMMISSION PROCEDURES:

Chairman Jurgiel provided an overview of how business would be conducted during the videoconference, including how to participate, and the procedure in which presentations and public comments would be conducted for each item.

3. PUBLIC COMMENTS:

There were no public comments.

4. OLD BUSINESS

A. 9270 Olive Boulevard, Sunrise Dispensary

Planning Director Trejo reviewed the discussion the Special Permit process, the role of PCDC as an Advisory Committee who forward recommendations to the City Council, which serves as the City's legislative body. Mr. Trejo reviewed the uses permitted within a COR-zoned District, as well as the impact of new legislation related to medical and recreational marijuana in the State of Missouri, under Amendment 3, and within the City of Olivette, under Chapters 400 and 450. He noted the Commission has up to 120-days to review and forward a recommendation to the City Council. He stated the City will review the petition and special permit request as it furthers the City's vision under the 2006 Comprehensive Plan, Catalyst Strategy, and the Olive Boulevard Concept Master Plan. Mr. Trejo provided a bullet-pointed list of comments that have been noted to-date, including but not limited to crime, safety, traffic, and image/identity. Mr. Trejo provided a slide presentation to accompany the updated site plans, proposed operations, and a list of city-wide planning concerns and considerations. Mr. Trejo noted that the risk would be on the developer for evolving changes in [federal, state, and local] law.

Discussion ensued over traffic. Mr. Trejo noted discussions have taken place with the Police Department. The City is also aware of recent issues regarding residential construction along the street that has led to impediment's to road access due to the roads width and pass ability. Discussion ensued over the placement of no parking signs.

Mr. Trejo noted historical peak usership, in terms of employees on-site, based on Business License data, in the Turec building and assessed the comparability of the retail element of the proposed use.

Discussion ensued over smoking on the site, and private or public property, such as sidewalks and City Parks. Mr. Trejo and City Manager Sondag confirmed that public marijuana smoking is not allowed within the City of Olivette.

The Petitioner, Neal Minor, Chief Administrative Officer with Agri-Genesis spoke before the Commission. Mr. Minor addressed changes that had been made to the building design, which switched the entrance of the building from the west side of the building to the east side, with the hope of mitigating public concerns regarding visibility and accessibility. Mr. Minor provided an overview of the design plans for on-site security and exterior renovations.

Commissioners ensued discussion with Mr. Minor regarding typical peak hours of operations. Mr. Minor replied that it is busiest in the evening, after work hours. In regards to the exterior remodeling, Mr. Minor replied that some of the wood siding would be replaced and painted with new trim, as well as new signage. Windows and sky lights are security issues that will be covered with etched design sheet metal. He noted that under the recently adopted amendment to the State Constitution, one is not permitted to see inside, signs, or products. Mr. Minor expressed desire for marquis sign on corner.

Discussion ensued over pedestrian access. Mr. Minor re-stated he is in discussions with adjacent commercial property owners regarding employee parking but has not to date obtain any signed lease agreements or contracts. Mr. Minor suggested that overflow parking would go to the Shoppes at Price Crossing and pedestrians would walk on the sidewalk on Olive Blvd to get to the dispensary.

Discussion ensued over customer site monitoring and security to make sure people are following the law. Mr. Minor noted security and staff monitoring the exterior of the property during all business hours. Mr. Minor noted that he would not want dispensary customers or deliveries parking on Dolores. In regards to on-site security staff, Mr. Minor replied that there would be an unarmed, trained security guard on staff at the door.

Discussion ensued over fencing along the perimeter. Mr. Minor replied that no additional fencing is proposed and that they would prefer to strictly clean up current conditions. Planning Director Trejo assisted in the review of current conditions at each side regarding existing landscaping, fencing, grade-variations affecting the proposed cross-access pedestrian connection to the Shoppes at Price Crossing.

Discussion ensued over the cross access easement with the Shoppes at Price Crossing. Mr. Trejo stated that previous development plans had accounted for the eventual creation of a walking path connection between the two parking lots. Mr. Trejo stressed that the Petitioner would need to discuss with adjacent property owners.

Discussion ensued over the lighting plan. Mr. Minor replied that he is waiting on recommendations from City regarding lumens. Chairman Jurgiel requested data regarding the hues and stated that he is concerned about walking paths, fences, and signage.

The project site engineer, Dan Kozatec with CEC, spoke before the Commission. He noted the along the cross access easement on the east is approximately 1.5 feet, which he does not consider too steep for in-going and out-going traffic turns. One street light pole facing the street retail side, which the Petitioner stated will need to be relocated. Petitioner provided landscape plan and discussed proposed vegetation within green space.

Discussion ensued over the parcels entrances, given that there would be 3: Olive, Dolores, and Shoppes at Price Crossing. Mr. Kozatec replied that three entrances would mitigate anticipated traffic issues. Entrance only egress on Dolores, forcing all traffic to the site off Dolores. Discussion included if this plan would accomplish the objectives of the Comprehensive Plan goals. Mr. Trejo replied that traffic flows affecting Olive Blvd would need to be examined given current residential traffic. Entrance off Olive Blvd cannot be moved East due to grade. Mr. Trejo's understanding is to prioritize turns on/off Olive Blvd.

Discussion ensued over stormwater drainage. Mr. Kozatec replied that there is no change to the impervious coverage and only plans to maintain/improve green space. Mr. Trejo remarked that no changes to the stormwater drainage system is expected to be required.

Discussion ensued over the proximity of the Creve Coeur Academy, and whether its designation is a school. Mr. Trejo noted that the Coeur Academy, addressed as 9348 Olive Boulevard, is a good, long-time corporate citizen, licensed with the City of Olivette as an educational services provider. In terms of the City's building codes and zoning ordinances, the Coeur Academy is not considered a school, however, under the amendment to the State Constitution, there is no clear guidance as to whether it should be considered a primary or secondary school. He noted that data has been provided to the City that the Coeur Academy identifies as a school in their tax applications and records. Under the recent amendments to the State Constitution, the Coeur Academy is in excess of 1,000 feet from the subject location and is not an issue or concern.

Commissioner Jurgiel provided an opportunity for public comment. The following spoke before the Commission:

Raphael Thomadsen of 809 Newcastle Drive spoke before the Commission. Mr. Thomadsen provided a power point presentation on the "background" problems with dispensaries, including but not limited to lower property values, increase in crime and traffic, smell of pot, and aesthetics. Suggested additional cross-action driveways to the Shoppes at Price Crossing in order to mitigate traffic on Dolores.

Ishan Desai of 9318 Kenneth Place spoke before the Commission. Mr. Desai referenced a petition, which he had sent to Planning Director Trejo and City Manager Sondag, with 22 [out of possible 27] signatures opposing the location. Requests residential area buffers. Believes the site is inadequate for proposed operations. And that additional fencing will be needed in order to impede traffic to the site.

Nina Miller of 36 Pricewoods Lane spoke before the Commission. Ms. Miller is opposed to any marijuana facilities in Olivette. Ms. Miller believes that proximity to school bus stop and Villa Park are too close for residents. Ms. Miller believes the traffic is already too heavy at Dolores and believes that Commission should prioritize the needs of citizens. Ms. Miller requests delay any actions until a City wide vote in 2024.

Doug Travis of 1031 Dolores Avenue spoke before the Commission. Mr. Travis is worried about increases in traffic, as well as elevated sign and lighting.

Jeff Schneider of 9324 Kenneth Place spoke before the Commission. He expressed concerns over crime, the property location being at the entry of the neighborhood, increased vehicular traffic issues, increased pedestrian traffic issues. Mr. Schneider expressed concerns over diversion of all traffic onto Dolores, and aesthetics, image of crime impacts, lack of fencing.

Lisa Schmitt of 1025 Dolores Avenue spoke before the Commission. Ms. Schmitt expressed concern over the site location proximity to a school bus stop

Christina Hundley of 9311 Kenneth Place spoke before the Commission. Ms. Hundley wants Petitioner to partner with the neighborhood and hear the complains and requests.

Craig Todd of 7 Heather Hill Lane spoke before the Commission. Mr. Todd expressed concern over the projected volume of customers that would frequent the site based on the Petitioner's revenue estimates and what would result if in 2024 the citizens approve a prohibition on recreational use dispensaries.

Stephaine Todd of 7 Heather Hill Lane spoke before the Commission. Mrs. Todd referenced documentation on medical marijuana which she has generated on nuisance crime. Ms. Todd provided an estimated breakdown of sales, translated to increased traffic on Dolores.

Jennifer McKnight of 9322 Kenneth Place spoke before the Commission. Ms. McKnight estimates a steep increase in pedestrian and vehicular accidents. Ms. McKnight requested police/crime reports from existing locations.

Rekha Ramanuha of 9700 Fairgreen Drive with practice at 1220 North Lindbergh Boulevard spoke before the Commission. She noted that as a child and adolescent psychiatrist, she is overwhelmed at work given that current state of a mental health crisis. She noted it is difficult to address current mental health issues among youth especially when billboards and dispensaries are readily available. She noted that there are studies linking increased use amongst kids where there are billboards and dispensaries in place.

Sundos Schneider of 9324 Kenneth Place spoke before the Commission. She expressed opposition to the location given the proximity of children in the neighborhood. Remarked that no one had voted for dispensary.

Hillary Davidson of 1029 Dolores Avenue spoke before the Commission. Ms. Davidson finds the proposed business to be incongruous with the 2006 Comprehensive Plan because it does not create an attractive place to live. Ms. Davidson doesn't think this is a desirable business for the community. Doesn't believe that this is a decision that involved the community.

Via Zoom video, Jason Murray of 9328 Kenneth Place spoke before the Commission. Mr. Murray requests additional analysis on the impact of a business. Mr. Murray stated that he moved here because he wanted to live on a quiet residential street. Concerned about proposed drive-through window. Concerned about traffic, parking, and emergency vehicle access. Requested independent traffic study. Requested closing of proposed entrances and limited access to Dolores, and fencing.

Mr. Trejo stated that a drive-through would be precluded by zoning code. A traffic study will be discussed. Mr. Trejo requested some clarity for consideration of the traffic study and what information to discern. Mr. Trejo reminded the Commission that Dolores Avenue is a substandard street on a State Highway. Discussion ensued over traffic on Dolores. times of bus stops, and traffic controls on opposite side of the site to divert traffic off Dolores Avenue.

Commissioner Jurgiel asked about when renderings of proposed facility would be complete and available. Mr. Minor replied that he would try to have renderings by the February 16th meeting.

5. NEW BUSINESS:
A. 3 Downey Lane

Mr. Trejo noted that this item is being introduced to the Commission and provided a slide presentation of the petition application information provided. Mr. Trejo stipulated that the current square footage requirements. Mr. Trejo highlighted the proposed stormwater management/mitigation methods employed throughout the proposed pool area.

Vice Chairman Waggoner recused herself from discussion on this item.

Discussion ensued over the proposed stormwater management plan, specifically the capture of the existing roof in lieu of the new flatwork.

Commissioner Lewis motioned to approve the petition as submitted subject to the conditions on staff's report dated February 2, 2023. Commissioner Spiegelglass seconded. On a roll call vote, the following actions were taken:

Commissioner Spiegelglass	Yea
Commissioner Rosenberg	Yea
Commissioner Lewis	Yea
Commissioner Waggoner	Recused
Commissioner Jurgiel	Yea

The motion passed unanimously, 4 to 0.

6. OTHER BUSINESS:

A. Meeting Minutes

- Meeting Minutes for January 19th were received by Vice Chair Waggoner and acknowledged by Chairman Jurgiel.

B. Reports

- Director Trejo provided a reminder about the Comprehensive Plan Update at the Coffee with the Mayor on February 8th. Three members of the Commission, Chair Jurgiel, Vice Chair Waggoner, and Brian Lewis, are serving on the Comprehensive Plan Advisory Committee.
- Councilperson Waldman provided an overview of recent City Council activities. City Council will begin process for replacing City Manager Barb Sondag.

7. ADJOURNMENT:

- Commissioner Jurgiel asked if there were any further questions or comments. Being none, the meeting adjourned at 9:12pm.

Secretary Jodi Rich

Chair Rob Jurgiel

Adopted: 2023 03-02