

**CITY OF OLIVETTE
PLANNING AND COMMUNITY DESIGN COMMISSION
MEETING MINUTES
MAY 4, 2023**

The City of Olivette Planning and Community Design Commission (PCDC) met on May 4, 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/82449465590>.

1. ROLL CALL:

On roll call, the following Commission members were present:

Rob Jurgiel, Chairman	Carol Waggoner, Vice Chairman	Sam Wallach
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

A quorum being present, Chairman 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. COMPREHENSIVE PLAN UPDATE

Planning Director Trejo gave an update on the comprehensive plan process. The city has set up a website at olivettecompplan.com for information and feedback.

4. PUBLIC COMMENTS:

Stephanie Todd of 7 Heather Hill Lane spoke before the Commission. She noted the City should do more to protect trees in new development projects.

5. OLD BUSINESS

A. 9270 Olive Boulevard, Sunrise Dispensary, petition for Special Permit Use

Mr. Trejo stated that this was discussed at the April 20 meeting. He stated that the Council decided that dispensaries would be permitted in any non-residential zoning district, but subject to a special permit use.

The Petitioner, Neal Minor, Chief Administrative Officer with Agri-Genesis spoke before the Commission. Mr. Minor addressed the deliverables requested by the commission at the last meeting, stating that he forwarded them to Mr. Trejo. He noted the changes to the petition plans, including the addition of one more parking stall, a lease agreement for 3-parking stalls at 9300 Olive Boulevard, exterior elevation revisions, including an artificial green wall along the Olive Boulevard elevation, the addition of signage, and that no monument sign would be proposed at the corner of Dolores and Olive.

Discussion ensued amongst the Commission regarding signage restricting access onto Dolores, past the site grounds.

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

Ishan Desai of 9318 Kenneth Place spoke before the Commission. He expressed opposition to the special permit request, noting the lack of architectural enhancements, parking issues, and traffic.

Stephanie Todd of 7 Heather Hill Lane spoke before the Commission. She expressed opposition to the special permit request, stating that the two main issues, parking and traffic, have not been addressed.

Matthew Hirsch of 9709 Fairgreen Drive spoke before the Commission. He noted he is the real estate broker associated with transaction of this property. He engaged with Mr. Trejo regarding permitted uses on the site.

Jeff Schneider of 9324 Kenneth Place spoke before the Commission. He expressed opposition to the special permit request. He expressed that the proposed site is not the right spot for this type of use, given issues with parking and traffic.

Cindy Schneider of 9324 Kenneth Place spoke before the Commission. She expressed opposition to the special permit request, noting the high-volume traffic that would be generated on the site.

David Razafsky of 9311 Kenneth Place spoke before the Commission. He expressed opposition to the special permit request. He noted that Dolores is a narrow street and not capable to handle the excess traffic that would be generated by this use, lack of sidewalks, and kids walking on the street to the bus stop.

Ben Turec of 9270 Olive Blvd. spoke before the Commission. He noted he is the building owner, operated on the site grounds with 10 employees and clientele for 20 years without issue, and expressed support to the special permit request.

Mickey Wendling of 1034 Dolores Ave. spoke before the Commission. He expressed opposition to the special permit request. He read a written statement regarding the character of the neighborhood and incompatibility this use would have.

Jason Murray of 9328 Kenneth Place spoke before the Commission virtually. He expressed opposition to the special permit request. He inquired what the City liability would be if the Dolores entrance was not closed as recommended by the City's traffic consultant or that a vehicle or pedestrian incident were to occur due to the proposed parking and traffic circulation.

Kate Hellmann of 800 N Price Rd. spoke before the Commission virtually. She expressed opposition to the special permit request. She stated that the concerns regarding parking and traffic have not been resolved and that no changes have been made to the plans to address, and what sort of recourse would the City have if issues arise.

Mr. Trejo addressed several of the comments that were noted during Public Comments, including parking, use of the traffic consultant, sidewalks, lack of investment to the building structure, and the roll of staff during the permitting staff.

Discussion ensued over the building exterior finish and considering a conceptual approval with the petitioner coming back to the Commission for a final site plan and community design review. Suggested conditions were discussed.

Vice Chair Carol Waggoner motioned to approve a conceptual site plan, community design, and stormwater management plan and recommend to City Council the issuance of a special permit to authorize the operations of a marijuana dispensary facility as presented in the memorandum from the Department of Planning and Community Development on May 4, 2023, subject to staff conditions noted therein, with the addition of signage on Dolores prohibiting parking/neighborhood entrance sign, discussion with the neighbors regarding traffic control, view of the metal on the windows, a parking attendant during the peak hours, improved conceptual renderings for building design, more detail with regards to compliance on ordinance #428, and review of liability concerns with legal counsel. Commissioner Spiegelglass seconded. On a roll call vote, the following actions were taken:

Commissioner Spiegelglass	Yes
Commissioner Rosenberg	Yes
Commissioner Wallach	Yes
Commissioner Lewis	Yes
Commissioner Waggoner	Yes
Commissioner Jurgiel	Yes

The motion passed unanimously, 6 to 0.

Mr. Trejo reviewed the next steps in the process.

6. **NEW BUSINESS:**

A. 529 Long Acres Drive, Petition for new home

Mr. Trejo noted that he had two new home petitions for 529 Long Acres Drive and 570 Long Acres Drive. These are only subject to community design review along with the concept stormwater management review. He provided a slide presentation of the petition application information provided.

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

Chyi Hsieh of 585 Dielman Road spoke before the Commission. He expressed frustration with erosion and flooding issues experienced on his property since the development construction and asked the Commission to ensure that the grading plan redirects water away from his property grounds.

Tom Noel of 575 Dielman spoke before the Commission. He expressed similar concerns as to those of Mr. Hsieh and asked the Commission to ensure that the grading plan redirects water away from his property grounds.

There was discussion regarding flooding issues.

This item was deferred.

B. 570 Long Acres Drive, Petition for new home – Pulled from agenda

This item was deferred.

C. 9338 Olive Blvd, Petition for monument sign

Mr. Trejo noted that this item is for the placement of a new monument sign at 9338 Olive Blvd. and being introduced to the Commission and provided a slide presentation of the petition application information provided.

Vice Chair Waggoner motioned to approve the petition for a site plan and design review for a new monument sign as presented in the memorandum from the Department of Planning and Community Development dated May 4, 2023, subject to the conditions stated therein. Commissioner Lewis concurred. On a roll call vote, the following actions were taken:

Commissioner Spiegelglass Yes
Commissioner Rosenberg Yes
Commissioner Wallach Yes
Commissioner Lewis Yes
Commissioner Waggoner Yes
Commissioner Jurgiel Yes

The motion passed unanimously, 6 to 0.

7. OTHER BUSINESS:

A. Discussion Regarding Chapter 445 Urban Agriculture, specifically Section 445.080 Bamboo

Director Trejo stated that the Council is requesting the Plan Commission to remove the enforcement aspects regarding bamboo.

B. Discussion Regarding Rainscaping

Director Trejo stated that Sustainability Olivette has asked that we co—promote their speaker on rainscaping.

C. Meeting Minutes

- Meeting minutes for April 20, 2023 were received and acknowledged.

D. Reports

Director Trejo gave a report on current projects.

Councilmember Missy Waldman gave an update on the election, comprehensive plan process, and community events.

8. ADJOURNMENT:

Commissioner Jurgiel asked if there were any further questions or comments. Being none, the meeting adjourned at 9:52 PM.

Secretary Jodi Rich

Chair Rob Jurgiel

Adopted: 2023 06-01