

CITY OF FRONTENAC



MINUTES OF THE CITY OF FRONTENAC
PLANNING AND ZONING COMMISSION
REGULAR MEETING
IN-PERSON MEETING
TUESDAY, APRIL 26, 2022, 6:00 PM

A. **CALL TO ORDER:** The regular meeting of the Planning and Zoning Commission was called to order at 6:00 p.m. by Ms. Tompras, Acting Chairperson.

B. **ROLL CALL:** The other members present were:

Bob Bauer
Chris Hyams
Kim Tompras
Chris Kehr

Elizabeth Hartwig
Steve Taffee
Aldersperson Tom O'Brien

Building Consultant, Ellen Rottjakob; Building Commissioner, Jared Reid; City Administrator, Jaysen Christensen; City Attorney, Edward Sluys and City Clerk, Leesa Ross were also in attendance.

Also, in attendance

C. **APPROVAL OF AGENDA:**

Acting Chairperson Tompras asked for a motion to approve tonight's meeting agenda.

Motion to approve the agenda was made by Mr. Bauer and was seconded by Aldersperson O'Brien. All commission members voted "Aye"; the motion passed unanimously.

D. **APPROVAL OF MINUTES:**

Acting Chairperson Tompras asked for a motion to approve March 29, 2022 and April 11, 2022, meeting minutes.

Motion to approve the meeting minutes of March 29 and April 11, 2022 was made by Aldersperson O'Brien and was seconded by Mr. Bauer. All commission members voted "Aye"; the motion passed unanimously.

E. **CHAIRMAN'S COMMENTS:**

Ms. Tompras said it was great meeting in person again.

F. **COMMENTS BY COMMISSION MEMBERS:**

No comments were made by Commission members at this time.

G. PUBLIC FORUM (PRESENTATION OF REMARKS AND/OR PETITIONS)

There were no public comments at this time.

H. ZONING ADMINISTRATOR'S REPORT:

Mr. Reid nor Ms. Rottjakob made comments.

H. UNFINISHED BUSINESS:

None

I. NEW BUSINESS:

1. **PZ032922-01**: Request approval of a Conditional Use Permit for a medical marijuana dispensary business at 10310 German Boulevard.

Applicants John Bigler, attorney; Chris Hanson, architect; and Mr. George Naumovski, operations were present. Mr. Bigler stated they were seeking a conditional use permit to operate a medical marijuana facility at 10310 German Boulevard. Mr. Bigler discussed the process they must go through with the state. He discussed the buildings planned filtration system, and security system. He stated the packaging of the medicine is locked, and it is run like a pharmacy. They have four other locations in Branson West, Salem, Rolla and St. James. They have had no problems with the States of Missouri or Illinois. The two partners are Tim O'Reilly of Springfield and Tim O'Hearn.

There were no questions of Mr. Hanson about the building. Mr. Naumovski stated their largest concern is security. The facility will be regulated with 70 cameras and will be covered 24 hours a day. They keep camera footage for 180 days. The employees are badged and their movements are regulated. They have smoke alarms, glass breakage alarms, medical systems and will have a generator and battery backup. The facility will be for medical use only. The customers will have a card, which must match the state's system. They must have a one client to one employee ratio. All products are stored in a safe in the vault. Not all smoking items, some are pills, oils and creams. The customers have limits of items they can purchase in a 30-day period, up to four ounces. The patients can make reservations. Cash based only, no credit cards. They anticipate the traffic to be 5-10 customers per day. The medicine is bought by third party suppliers. They have drinks, flowers, and edibles. Deliveries depending on suppliers, are 1-2 a week, at random times. Mr. Naumovski answered questions about security and security breaches, as well as staff and customer service.

The waiting room at this facility can accommodate four people. The typical transaction is expected to be \$90-\$100 dollars, and the patients return every 12-15 days. There was discussion about transitioning from medical to recreation. At this time only medical is allowed in the State. Mr. Sluys stated if the State passed recreational usage, the city could add a condition that the conditional use permit must be reviewed before recreational sales are allowed. The State of Missouri currently has 170,000 – 180,000 registered patients. Each individual has a certain amount

per month, the state decides, and there is a tracking system. Every store in the state is followed by metric. They stated they chose this location as it is off I-64. There was discussion as to where the customer base is.

Ms. Tompras stated she looked at the recommendations and stated more screening is needed for a residential property located to the north east. Mr. Bigler stated they would look into that and try to comply. There was discussion about the use of a drive-thru also. Mr. Sluys said it should be a condition to sit with city staff to discuss the screening issue and he also stated there should be a condition for medical marijuana use only. Ms. Tompras asked about operating hours, Mr. Bigler stated Tuesday through Thursday 10:00 a.m. to 6:00 p.m., Friday and Saturday, 10:00 a.m. to 8:00 p.m. and Sunday, 12:00 p.m. to 6:00 p.m. They are awaiting a traffic control study before thinking of utilizing the drive-thru.

Additional questions regarding signage and landscaping were asked and discussed. They stated they would have to be approved through the state, which could take 60 days. They need to change their approved location to Frontenac, which needs a variance. The contractor will be Faber McGee Commercial Construction, (General Contractor) out of Illinois, who will be the general contractor. They hope to be operational by November 1, 2022.

The review will go through a public safety review for the building codes. They will bring the police department in as a courtesy. They also must be fire code compliant. They will provide a life safety plan. There was additional discussion about the generator.

Ms. Rice of Woods Lane, Ladue asked will this be a two-story building. Mr. Bigler stated no.

An unknown caller asked about people abusing the system. She stated there are a lot of family members and kids around. Mr. Naumovski said kids are not allowed on property. He said some kids are allowed to use the medicine, but they do not sell to kids. The caller stated people who don't have a need, they just use it. Mr. Naumovski said this is a medical program, where a doctor signs off to use this product, based on state rules. This is a relationship between a doctor and a patient. Mr. Naumovski stated they are here to administer a proper program.

MOTION: Mr. Hyams made a motion and Mr. Bauer seconded for approval of a conditional use permit for a medical marijuana dispensary business at 10310 German Boulevard.

POLL VOTE: Mr. Hyams, "Aye"; Mr. Bauer," Aye"; Mr. Kehr, "Nay"; Ms. Tompras, "Nay"; Ms. Hartwig, "Nay"; Mr. Taffee, "Nay"; and Alderperson O'Brien, "Aye". Vote failed by a vote of three "Ayes"; and four "Nays". Motioned failed.

Mr. Sluys suggested someone make a motion to deny the conditional use permit for medical marijuana at 10310 German Boulevard.

MOTION: Ms. Hartwig made a motion and Ms. Tompras seconded the motion to deny the conditional use permit for a medical marijuana dispensary at 10301 German Boulevard.

POLL VOTE: Mr. Hyams, “Nay”; Mr. Bauer, “Nay”; Mr. Kehr, “Aye”; Ms. Tompras, “Aye”; Ms. Hartwig, “Aye”; Mr. Taffee, “Aye”; and Alderperson O’Brien, “Nay”. Vote passed by a vote of four “Ayes”; and three “Nays”. **MOTION PASSED.**

Mr. Sluys stated there will be a super majority needed of the Board of Alderpersons for the passage of the request for a conditional use permit at the next Board of Alderpersons meeting on Tuesday, May 31, 2022.

J. ANNOUNCEMENT OF NEXT MEETING:

The next scheduled meeting will be Tuesday, May 24, 2022 at 6:00 p.m.

K. ADJOURNMENT:

MOTION: A motion was made by Mr. Bauer and a second was made by Mr. Hyams to adjourn the meeting. All Commission members voted “Aye”. The motion passed unanimously

The meeting adjourned at 7:18 p.m.