



PLANNING & ZONING COMMISSION

MEETING DATE: JUNE 25, 2019
LOCATION: COUNCIL CHAMBERS 9119 LACKLAND ROAD OVERLAND MO 63114
CALL TO ORDER: 6:00 PM
ADJOURNMENT: 7:16 PM
NEXT P&Z MEETING: TUESDAY, JULY 30, 2019 @ 6:00PM COUNCIL CHAMBERS
COUNCIL MEETING: MONDAY, JULY 15, 2019 @ 7:00PM

ROLL CALL

NAME:	PRESENT:	ABSENT:
WILLIAM HARDRICK	X	
STEVE OLSEN	X	
MARK GIROUX	X	
JIM WADE	X	
MAYOR MIKE SCHNEIDER	X	
BETH RUCKMAN, CHAIRWOMAN	X	
SPECIAL COUNCIL, NEWTON MCCOY	X	
COUNCILMAN LES DILLS	X	
AUSTIN DESAIN	X	
KEN CROWDER	X	
PATRICK WROBLEWSKI	X	
KIRBY BARNARD, COMMUNITY DEVELOPMENT	X	
KADI SANDERS, ZONING COORDINATOR	X	
JASON McCONACHIE, CITY ADMINISTRATOR	X	

PLEDGE OF ALLEGIANCE

REMEMBRANCE OF SERVICE MEMBERS

APPROVAL OF MINUTES:

Ken Crowder made a motion to approve the minutes as presented from the May 28, 2019, Planning and Zoning meeting. William Hardrick seconded the motion. Motion carried unanimously.

PUBLIC HEARING:

Mayor Schneider made a motion to change the order of the public hearing agenda items and to hear 1605 Fairview Avenue first. Jim Wade seconded the motion. Motion carried unanimously.

1605 FAIRVIEW AVE – ZONING MAP AMENDMENT

Daniel Wienstroer, Executive Director, Painting and Decorating Foundation, addressed the Commission to request approval of zoning map amendment to change the zoning of 1605 Fairview Avenue from “PD-C” Planned Development – Commercial to “M-1” Manufacturing.

Kirby Barnard, Director of Community Development did not have comment.

Newton McCoy, Special Counsel commented regarding intended use.

There were no comments from the Commission.

There were no comments from the audience.

Ken Crowder made a motion to approve zoning map amendment of 1605 Fairview Avenue from “PD-C” Planned Development – Commercial to “M-1” Manufacturing. Mark Giroux seconded the motion. Motion carried unanimously.

ZONING OF QUALIFYING MEDICAL MARIJUANA FACILITIES

Jason McConachie, City Administrator presented a PowerPoint presentation relating to qualifying medical marijuana facilities and the zoning of these type of facilities as outlined in Amendment 2 of the Missouri Constitution, Article XIV, Section 1 Right to Access Medical Marijuana.

There was discussion regarding whether there have been individuals that have contacted the city thus far, odor control and security plans, the proposed zoning districts, taxation and sales tax revenue, 1,000 foot spacing requirement between church, child daycares, and schools.

There were no further comments from the Commission.

There were no further comments from the Director of Community Development.

There were no comments from the Zoning Coordinator.

James Cummins, resident of Overland and is interested in opening a dispensary. He encouraged the Planning and Zoning Commission to reduce the 1,000 foot spacing requirement from churches, daycares, and schools to 300 feet. Mr. Cummins expressed many other cities have reduced this requirement.

There was discussion as to the distance being measured by feet as opposed to “as the crow flies”.

John Curtis, Chairman Missouri Cannabis Trade Association and owner of the Belief Company, addressed the Commission regarding the means of travel has to be legal in relation to the spacing requirement. It has to be 1,000 feet lawfully. Mr. Curtis expressed the location he is proposing within Overland meets the 1,000 foot requirement he is more concerned about the zoning of the parcel. He encouraged the Commission to think to the future and recognize eventually the sale of cannabis will be retail (recreational) and it would behoove the city to be welcoming to these types of businesses.

There was discussion regarding the proximity between similar type businesses, congressional districts, location of the facilities within the congressional districts, the city’s ability to amend the distance between facilities and churches, child daycares, and schools, and whether or not there is the possibility of chains, for example Walgreens, dispensing medical marijuana.

There was further discussion regarding the hours of operation of the facilities. The Commission agreed they would like to apply the hours of operation on a case by case basis through the conditional use permit process.

Patrick Wroblewski recommended reducing the 1,000 foot spacing requirement to 300 feet which is the same as alcohol and liquor sales. There was further discussion regarding the spacing requirement. The Commission agreed with the 300 foot spacing requirement.

Tom Vitale, Overland resident, addressed the Commission to speak in favor of qualifying medical marijuana.

Tom Foley, Overland resident, addressed the Commission to tell them good job and reminded the Commission that seventy-five percent of the voters of Overland voted in favor of medicinal marijuana accessibility.

Harry Partel, Overland resident, supports the 300 foot spacing requirement and feels 1,000 feet is extensive.

There were no further comments from the audience.

Mark Giroux made a motion to approve the ordinance of qualifying medical marijuana facilities with the modifications relating to the hours of operation being determined through the conditional use permit process as well as the 1,000 foot spacing requirement being reduced to 300 feet. Jim Wade seconded the motion. Motion carried unanimously.

NEW BUSINESS/OLD BUSINESS:

None.

ADJOURNMENT:

Steve Olsen made a motion to adjourn. Jim Wade seconded the motion. Motion carried unanimously.

Respectfully submitted,

Beth Ruckman, Chairwoman
Planning and Zoning