

PLAN COMMISSION SPECIAL MEETING MINUTES OF DECEMBER 09, 2020



MEETING MINUTES

City of Berkeley City Plan Commission

Wednesday, December 9, 2020

1:00 P.M.

Virtual Zoom Meeting, 8425 Airport Road, St. Louis, MO 63134

Note: The agenda for this meeting was posted on the bulletin board at the City Hall complex, 8425 Airport Road and is in compliance with the Open Meetings Law.

Members Present: Kevin Spraggins, Mayor Deinbo, Carolyn Crimes, Will Ferguson. Staff present: Debra Irvin, City Manager and Jim Linhardt, Fire Chief. Debora White arrived at 1:44 pm and left a 2:59 pm.

CALL TO ORDER / DECLARATION OF QUORUM

The Plan Commission members met in a virtual setting on Wednesday, December 09, 2020; Chairman Kevin Spraggins called the meeting to order at 1:02 pm. A quorum was established.

MINUTES

Approval of November 12, 2020 City Plan Meeting Minutes.

Chairman Spraggins made the **MOTION** to approve the minutes, Member Ferguson **SECONDED** the motion. A voice vote was taken, and the minutes were unanimously approved with a voice vote 4:0, Spraggins, Deinbo, Ferguson, Crimes.

PUBLIC COMMENT:

None

OLD BUSINESS

None

NEW BUSINESS:

Review Bill No. 4814 a request from the City Manager to consider inserting the physical locations of medical marijuana facilities in accordance to the population per ward and by facility type within the City of Berkeley.

City Manager Irvin presented the report with staff recommendations. Members were concerned with having too many similar businesses in an area. Amendment suggested to only allow one retail store per ward and that the store had to be a freestanding building.

1. Cultivation Facility – Ward 3 (Industrial park warehouse) Ward 4 only Northark must be at least one-acre single lot; not combined with any other business use
2. Dispensary (retail sales) one (1) stores allowed in each ward, must be at least 1,000 sq. ft of retail space, cannot be combined with an existing use. For example, QuikTrip cannot have a retail space in their store.

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3. Infused Manufacturing – Ward 3 (Industrial park) and Ward 4 North Hanley, Natural Bridge, and the Industrial Park; two (2) facilities in each ward
4. Testing Facility - Ward 3 (Industrial park) and Ward 4 North Hanley, Natural Bridge, and the Industrial Park; two (2) facilities in each ward

Each use type cannot be within one mile of each other.

With no further discussion, the Chairman Spraggins made the **MOTION** to approve the request with the suggested amendments, Member Ferguson **SECONDED** the motion. A voice vote was taken, and the motion was unanimously **approved** with a voice vote 4:0, Spraggins, Deinbo, Ferguson, Crimes.

Case No. 20-26 A request for a Special Use Permit to Immuno Tek Bio Centers to operate a Blood Plasma Collection Center at 9400 Natural Bridge Road, Berkeley MO.

Chairman Spraggins brought forth Case No. 20-26 and allowed Immuno Tek Representative, Aaron Renshaw, to give a presentation of the business. Renshaw presented a slide presentation detailing the business purpose, use and services. Members of the Commission asked questions regarding hiring locally and procedures on attracting donors. Renshaw addressed the concern of loitering stating they would operate by appointment only—no walk-ins and security personnel would be on site. Also, a sprinkler and fire suppression system will be installed. Renshaw also presented how donation and daily operations would be conducted and a floor plan was presented. Renshaw informed the Commission that the building was purchased through a third party and Immuno Tek would be renting through that third party. Hours of operation would be seven days a week from 7:00 am to 7:00 pm. With no further discussion, the Chairman Spraggins made the **MOTION** to approve the request, Member Crimes **SECONDED** the motion. A voice vote was taken, and the motion was unanimously **approved** with a voice vote 5:0, Spraggins, Deinbo, White, Ferguson, Crimes.

Case No. 20-27—A request for a Special Use Permit Corey Christanell to operate a medical marijuana manufacturing at 5800 North Hanley Road, Berkeley MO.

Chairman Spraggins brought forth Case No. 20-26 and allowed the Applicant Corey Christanell to give a presentation of his business. The applicant presented a slide show of Monarch Advanced Sciences which detailed their business proceedings, background, goals, and manufacturing process. The applicant explained how they will combat odors with a HVAC system with special filters, their waste management plan, explore community outreach programs, and hiring locally upon growth of business. Members asked for clarification on how many potential employees would be hired and what skillsets were needed. The applicant stated that they were potentially expecting to hire 15-20 employees as they hoped to expand the company. Members discussed the difference between this business and the businesses referred to in the previously reviewed Bill No. 4814. The applicant made it clear that this was not a retail business, but strictly manufacturing, sales, and distribution. Hours of operation would be from Monday through Sunday from 8:00 am to 8:00 pm. Members of the commission reiterated that there will be no storing of cars on the property and that the applicant will adhere to Section 605.370 of the municipal code. Mayor Deinbo had applicant explain the circumstances behind him operating without a license. CM Irvin explained that he had been cooperating with the City of Berkeley in actively trying to get a license. Applicant may continue to operate until approval. With no further discussion, the Chairman Spraggins made the **MOTION** to

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approve the request, Member Crimes **SECONDED** the motion. A voice vote was taken, and the motion was unanimously **approved** with a voice vote 5:0, Spraggins, Deinbo, White, Ferguson, Crimes.

Case No. 20-28: A request for a Special Use Permit to Satguru Sanb LLC for a change of ownership and business name for the existing Mobil Mart/Gas Station and Convenience Store at 6800 North Hanley Road, Berkeley MO.

Chairman Spraggins brought forth Case No. 20-28 and allowed Representative Paramjit Bawa to give a presentation of the business. Representative stated he was requesting to change the ownership of the business and obtain a liquor license. Representative stated that the property was purchased from the previous owner about a month ago. Members questioned as to why the property was not advertised for sale, upon which the representative stated it was purchased between friends. Members of the Commission were greatly concerned about what changes would be implemented to improve the building. Representative stated that the car wash had been repaired and could be used in two days. Members discussed that the car wash would need to be demolished per condition #21. The car wash and the previous owner had been involved in several illegal activities. Furthermore, the car wash building has no functioning parts and has no permit on record with the city and is therefore a non-compliant building. Members expressed more concerns about the property in general as it has been a concern to the public regarding safety, criminal activity, and cleanliness. City Manager Irvin stated that the city of Berkeley had cleaned up the property and sent an invoice to the owner. Representative asked for leniency on the car wash. City Manager Irvin asked for clarification on the current owner of the property. Upon realizing that the representative was not the owner, the representative was informed that they could only make a decision with the actual owner of the property. Furthermore, since there was a change of ownership, the occupancy permit and liquor license were no longer valid as they must be in the current owner's name, therefore the business would have to be shut down until it can meet the conditions. With no further discussion, the Chairman Spraggins made the **MOTION** to table the request until January 13, 2021 and that the owner of the property be present for that meeting, Member Ferguson **SECONDED** the motion. A voice vote was taken, and the motion was unanimously **approved** with a voice vote 5:0, Spraggins, Deinbo, White, Ferguson, Crimes.

Case No. 20-29: A request for a Special Use Permit to Stock and Associates on behalf of NorthPark Partners for lot consolidation and site plan of Lot 3, Plat 3, and Lot 4B, Plat 4 of NorthPark, known as 4600 N Hanley and 8641 Evans Lane.

Chairman Spraggins brought forth Case No. 20-29 and allowed the Representative of Arc Esbkym001, LLC, George Stock of Stock & Associates, to give a presentation for this consolidation and creating a new plat 14. The representative presented a slideshow reviewing the location and site plans which detailed an addition to the existing building. Members asked for additional information on reason for consolidation. With no further discussion, the Chairman Spraggins made the **MOTION** to approve the request, Member Ferguson **SECONDED** the motion. A voice vote was taken, and the motion was unanimously **approved** with a voice vote 4:0, Spraggins, Deinbo, Ferguson, Crimes.

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Case No. 20-30: A request for a Special Use Permit to Kenndis Joy to operate a food storage and packaging facility at 8529 Airport Road, Berkeley, MO.

Chairman Spraggins brought forth Case No. 20-30 and allowed Applicant Kenndis Joy to give a presentation of her business, Kidz of Joy Learning Foundation. The applicant explained that this was a non-profit business which packaged and distributed free meals to children. The applicant clarified that they distribute off-site. Hours of operation would be Monday through Saturday from 6:00 am to 6:00 pm. Applicant stated that condition #21 would be difficult for her due to the fact that those were the usual times for her deliveries. City Manager Irvin recommended amending the condition to state that delivery would be available between the hours of 6am to 9am as long as the delivery does not impede traffic along Garfield and Airport Road. City Manager Irvin and Fire Chief Lindhardt expressed concern about trash and debris on the property as a result of multiple deliveries. Applicant stated that trash and debris is picked up daily and removed from the property. With no further discussion, the Chairman Spraggins made the **MOTION** to approve the request with the amendment to condition #21, Member Ferguson **SECONDED** the motion. A voice vote was taken, and the motion was unanimously *approved* with a voice vote 4:0, Spraggins, Deinbo, Ferguson, Crimes.

PUBLIC COMMENTS

None

OTHER BUSINESS

None

CONCLUDED

That the next regularly scheduled meeting of the City Plan Commission is held on **Wednesday, January 13, 2021 at 1:00 p.m.**

ADJOURNMENT

There being no further business to come before the Commission, the Chairman **MOTIONED** for adjournment, Member Ferguson **SECONDED**. A voice vote was taken, and the motion was unanimously *approved* 4:0, Spraggins, Deinbo, Ferguson, and Crimes. Chairman Spraggins adjourned the meeting at 3:29 pm.

Respectfully submitted by:
Joanna Campbell, Public Works Secretary
Recording Secretary

Approved for submittal by:
Kevin Spraggins