

**CITY OF HAZELWOOD
PLAN COMMISSION MEETING
JUNE 10, 2021**

CALL TO ORDER A meeting of the City Plan Commission was called to order by Chairman Matt Struttmann at 7:00 P.M. on Thursday, June 10th, 2021, via Zoom video and phone conferencing.

ROLL CALL On roll call the following members of the commission were in attendance:

Mark Rodell	Dennis Lammert
John Gatzert	Heidi Ham
Lisa Kozieja	Barb Stogsdill
Matt Struttmann	

Mr. Struttmann declared a quorum was present. Also in attendance were City Manager Matt Zimmerman, City Planner Kate Crimmins, and Project Development Coordinator Nikki Miller.

AGENDA Mr. Gatzert made a motion, seconded by Mr. Rodell, to adopt the agenda as written.

APPROVAL OF MINUTES Mr. Rodell made a motion, seconded by Mr. Lammert, to approve the minutes of the May 13th meeting.

NEW BUSINESS – PETITIONS

A. Case #437-21 – Cross Development CC Hazelwood, LLC, d/b/a Caliber Collision, 4782 Park 370 Boulevard, Ward 7.

1. Petition for a Special Land Use Permit for a Vehicle Service and Repair Facility and Vehicle Painting in an I-1 Light Industrial Zoning District.

Caliber Collision is a large multi-state automobile collision repair company that has proposed to locate in an existing building in Park 370. The company is based in Texas and has over 1,000 locations in 34 states, including shops in Florissant, Maryland Heights, and Clayton. The Florissant location is located at 8300 N. Lindbergh Boulevard and was formerly ABRA Auto Repair.

The company is purchasing the former AAA fleet building in Park 370. The site is zoned I-1 Light Industrial, with all surrounding uses and zoning being industrial. The 27,000 square foot building was constructed in 2008 as a vehicle service and storage facility. The building is set up for vehicle repair to be done inside, with six large garage doors on the front of the building, leading to 20 production stalls, one alignment rack and two frame racks inside. The company will add two paint booths within the building and make upgrades to the office area, but otherwise keep the interior the same.

The exterior of the building will remain the same as well. There is a fenced area on the northwest side of the building containing 28 parking spaces where damaged vehicles will be stored. The company will be upgrading the existing chain link fence with privacy slats to screen the damaged vehicles from public view. The 13 parking spaces in the rear of the building will be used for vehicles after repairs have been completed. There are five parking spaces at the front of the property designated for customers. The remainder of the parking spaces will be reserved for employees. There are 40 parking spaces on the southeast side of the building for the 18 employees and for additional storage of completed vehicles.

Damaged vehicles will be delivered to the building via flatbed truck or by the customer if drivable. The major difference between Caliber Collision and the previous use is that Caliber will have customers coming to the site. As Park 370 Boulevard and St. Louis Mills Boulevard are designed to handle a high volume of traffic, the additional traffic generated by this use is not anticipated to cause a problem.

The Land Use Map of the Comprehensive Plan indicates the subject site to be Industrial. The proposed use is consistent with the Comprehensive Plan.

Staff recommends that the Plan Commission approve the Special Land Use Permit for a Vehicle Service and Repair Facility and Vehicle Painting with the following conditions:

1. Screening slats shall be added to the fence that surrounds the area where damaged vehicles are stored.
2. All damaged vehicles are stored in the fenced section or indoors at all times.
3. All repair work on vehicles shall take place inside the building or fenced area.
4. No auto parts or tires may be stored outdoors.
5. An additional two ADA parking spaces must be added to be compliant with code.

Bret Flory of Cross Architects spoke about the proposed business and its operations.

Mr. Rodell asked why the standard staff recommended conditions for vehicle service facilities were not conditions for the proposed business.

Mrs. Crimmins responded that the fenced area with privacy slats eliminates the need for some of those standard conditions, but the other conditions are included.

Mrs. Ham made a motion, seconded by Mr. Lammert, to approve the petition for a Special Land Use Permit for a Vehicle Service and Repair Facility and Vehicle Painting in an I-1 Light Industrial Zoning District with the staff recommended conditions.

A roll call vote as held.

AYE - 7
Mark Rodell NAY- 0

John Gatzert
Lisa Kozieja
Matt Struttmann
Dennis Lammert
Heidi Ham
Barb Stogsdill

The motion passed, 7-0.

B. Case #438-21 – JG Missouri LLC, d/b/a Justice Grown Cannabis, 6850 Hazelwood Avenue, Ward 5.

1. Petition for a Special Land Use Permit for a Medical Marijuana Cultivation and Medical Marijuana Infused Products Manufacturing Facility in an I-1 Light Industrial Zoning District.

In November of 2020, the Plan Commission approved two Special Land Use Permits (SLUPs) for Medical Marijuana Cultivation at 6850 Hazelwood Avenue for two companies who planned to co-locate at the site. In March of 2021, staff was informed that the owners of those two companies had decided to sell their licenses, and had chosen to locate elsewhere. There has been no application to extend those SLUPs and they will lapse on June 16.

The plan for the medical marijuana facility at 6850 Hazelwood Avenue had been put together by Justice Grown, a medical marijuana company based in Chicago. Justice Grown acted as a consultant for the two companies who originally planned to locate at the site and was the City's primary contact throughout the process. However, Justice Grown also received its own licenses for operating medical marijuana cultivation, dispensary, and infused product manufacturing facilities in the State of Missouri. Their licenses were originally granted for a location in Cuba, Missouri. Justice Grown would now like to utilize 6850 Hazelwood Avenue for their own operation, and has proposed to build a medical marijuana cultivation and infused product manufacturing facility on the site.

After the SLUP application was received, City staff learned on June 1 that as of Friday, May 28, 2021, JG Missouri, LLC's Cultivation licenses (CUL000012, CUL000014 and CUL000035) were deactivated by the Missouri Department of Health and Senior Services (MO DHSS). Their Infused Product Manufacturing license (MAN000026) is still active. MO DHSS advised staff that JG Missouri, LLC may appeal the action to deactivate the licenses to their Administrative Hearing Commission, but that process and decision "would not happen in the short term". Hazelwood's Medical Marijuana ordinance states that "before operation, a Missouri State license for medical marijuana must be obtained". Justice Grown has chosen to move forward with the SLUP application.

Similar to the two applications previously approved for this site, this application includes a two-phase plan. Phase I consists of operations taking place within temporary metal units. There would be nine modular grow units, one modular extraction/processing unit, and one modular building surrounded with a 10-foot high chain link fence with privacy slats and double gated entry. All state-mandated surveillance cameras would be in place, along with a 24-hour security guard, alarmed gates, intrusion sensors and panic alarms. The purpose of the

modular units is to enable the operation to begin on a faster timeline and meet the State's September deadline for commencing operations. The modular units would be located at the south end of the property, while construction commenced on the building. Per Code Section 405.365 "Temporary Buildings, Structures, and Uses", temporary buildings for commercial purposes are permitted while a permanent facility is being built, but "the temporary building will be allowed for a maximum of 30 days from the date of installation on the site, unless additional time is approved in writing from the Code Enforcement Officer". The Code Administrator has no issue with temporary buildings remaining longer for this use.

The permanent facility includes a 137,000 square foot greenhouse for medical marijuana cultivation, adjoining a 45,000 square foot building that will contain offices, extraction rooms, drying rooms, kitchen facilities for the manufacture of infused products, packaging rooms, a vault, and shipping docks. The facility will eventually employ 80 full time employees in two shifts. Employees will be on shift seven days per week, 6:00 AM to 6:00 PM. At least one security guard will be present at the facility at all times. Access to the site would be via a new curb cut onto Hazelwood Avenue, which has received approval from Public Works.

Hazelwood Ordinance 4704-19 sets forth regulations for Medical Marijuana Cultivation and Infused Products Manufacturing Facilities. Medical Marijuana Cultivation and Infused Product Manufacturing are only permitted within I-1 and I-2 Industrial zones, with the proposed location currently zoned I-1 Light Industrial. Facilities are restricted from being sited on a property within 1,000 feet of an existing elementary or secondary school, child daycare center or church. Facilities are also restricted from being sited on a property within 1,000 feet of another Medical Marijuana Facility unless facilities are within the same building. Staff finds that no such uses exist within 1,000 feet driving distance of the site.

The City is limited by the State to only have regulations that concern time, place and manner of a Medical Marijuana Facility. Staff believes this use is consistent with the surrounding area of the property comprised of industrial uses.

The Land Use Map of the Comprehensive Plan indicates the subject site to be Industrial. From a Planning and Zoning perspective, this use is appropriate for the current zoning, size of the lot, capacity of the roadway, and fits in with surrounding uses and the character of the area.

If the Plan Commission moves to recommend the project, staff recommends the following conditions:

1. The SLUP recipient shall not be granted a commercial occupancy permit or business license without City staff verifying that the named SLUP recipient, JG Missouri, LLC, holds State licenses for medical marijuana cultivation and medical marijuana infused products manufacturing that are active and in good standing.
2. That representatives from JG Missouri, LLC shall inform City staff upon any changes in the state of their State licenses.
3. That the modular units shall not remain on site for more than nine months without written approval from City staff.

4. That the SLUP for the medical marijuana cultivation facility shall automatically expire upon revocation or non-reactivation of their State license.
5. That the SLUP for a medical marijuana cultivation facility shall automatically expire within nine months from the date of approval in the event cultivation operations have not begun. The SLUP shall not be renewed or extended and a new SLUP shall be required if operations have not commenced prior to the expiration of this SLUP.
6. That the SLUP for a manufacturing infusion facility shall automatically expire within nine months from the date of approval in the event infusion operations have not begun. The SLUP shall not be renewed or extended and a new SLUP shall be required if operations have not commenced prior to the expiration of this SLUP.
7. That all necessary cross access easements shall be obtained for utilities prior to receiving a business license.

Vince Field spoke about the proposed medical marijuana facility.

Mr. Rodell asked if the petitioner would be able to secure their licenses within the nine-month timeframe specified in the staff recommended conditions.

Mr. Field responded affirmatively and stated that the facility would not be able to operate without a license.

David Weiss, representing Pallet Logistics Management, expressed concerns with the proposed facility accessing the adjacent property for utility connections.

George Stock of Stock & Associates summarized communications between the two properties and the proposed adjustments to the improvement plans.

Mr. Zimmermann stated that one of the staff recommended conditions will require appropriate utility agreements in place before a commercial occupancy permit would be issued.

Mrs. Crimmins asked if there were alternate plans in the event that licenses could not be secured.

Mr. Field responded that he is confident the licenses will be reactivated, but if they are not, another licensed entity could utilize the facility.

Mr. Struttmann made a motion, seconded by Mr. Gatzert, to approve the petition for a Special Land Use Permit for a Medical Marijuana Cultivation and Medical Marijuana Infused Products Manufacturing Facility in an I-1 Light Industrial Zoning District with the staff recommended conditions.

A roll call vote as held.

AYE - 5
John Gatzert

NAY- 2
Mark Rodell

Lisa Kozieja
Matt Struttmann
Dennis Lammert
Heidi Ham

Barb Stogsdill

The motion passed, 5-2.

UNFINISHED BUSINESS – None.

DISCUSSION ITEMS – In-person meetings.

Mr. Struttmann made a motion, seconded by Mr. Gatzert to resume in-person meetings. The motion passed unanimously.

CORRESPONDENCE – None.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS – None.

COMMISSION MEETING The next meeting is scheduled for July 8th, 2021.

ADJOURNMENT There being no further business to come before the City Plan Commission, the meeting was adjourned at 7:40 P.M.

Matt Struttmann, Chairman

Nikki Miller, Project Development Coordinator