



**MINUTES OF THE
PLANNING AND ZONING COMMISSION MEETING
1 GOVERNMENT CTR ♦ BALLWIN MO 63011
MAY 3, 2021**

Chairman Weaver called the meeting to order at 7:00 p.m. Members in attendance were:

PRESENT

Chairman Mark Weaver
Secretary Lisa Zimmerman
Commissioner Gary Carr
Commissioner Olivia Pieknik
Commissioner Chad Silker
Commissioner Michael Swain
Commissioner Victoria Winfrey
Alderman Kevin Roach
Mayor Tim Pogue

Planning Technician Shawn Edghill
City Administrator Eric Sterman
City Attorney Robert E. Jones

ABSENT

Commissioner Grant Alexander

Approval of Minutes

A motion was made by Mayor Pogue to accept the minutes of the April 5, 2021 meeting as submitted. Secretary Zimmerman seconded the motion, which received unanimous approval from the Commission members present.

SUE 21-02 – Medical Marijuana Dispensary

Justice Grown Dispensary, 14787 Manchester Road, Ballwin MO 63011
Petitioner: Vince Field, 311 N Aberdeen St., Ste. 200, Chicago, IL 60607

Mr. Steve Marion represented the petitioner, requesting approval for the petition.

Commissioner Carr asked about the method of secure storage for product. Mr. Marion said there is a wire mesh vault room; if there is glass, it is bulletproof glass. There is also a vault for money. Mr. Carr asked about the emergency contact. Mr. Marion said there is local representation as well as regional representation.

Commissioner Winfrey voiced her concerns about adequate parking. Mr. Marion said that customers typically order online. They also make reservations to enter the building. There is a verification process to identify customers and their qualifications. Secretary Zimmerman asked if edibles will be sold and if they are marketed to children. Mr. Marion said that edibles will be sold, but are definitely not marketed to children. He said that it is up to the end user to treat the product like prescription medicine or alcohol and keep it away from children.

Commissioner Swain asked about odor mitigation. Mr. Marion said they use activated charcoal filters to make sure no odors are emitted outside the building.

Commissioner Pieknik asked if their employees are armed. Mr. Marion said armed guards are not used. The security cameras are monitored at all times, both inside the facility and remotely.

Commissioner Winfrey asked whether there would ever be a line of people outside the building waiting to enter. Mr. Marion said that for the near future, there is not enough supply in Missouri to expect a large customer base. Chairman Weaver asked if the product being sold is grown in Missouri. Mr. Marion said that product must be grown in the state where it is sold, so yes. Chairman Weaver asked how many facilities Justice Grown has in Missouri. Mr. Marion said there are five, which is the maximum for a license holder, but they are helping others throughout the state. Chairman Weaver stated that he does lock work for some dispensaries. City Attorney Jones asked if Chairman Weaver is being paid by this petitioner. Chairman Weaver said he is not. City Attorney Jones said there is no conflict of interest.

Chairman Weaver asked about the plans showing a possible future drive-through. City Attorney Jones said the petitioner would have to come before the Commission with an amended SUE if they wanted to add one in the future.

Commissioner Winfrey asked about the hours of operation. Mr. Marion said the hours will be Mon/Tues/Wed from 10:00-6:00; Thurs/Fri/Sat from 10:00-8:00; and Sun 12:00-6:00.

Alderman Roach asked what the status is for the petitioner's state license. Mr. Marion said that once the build-out is complete and they are ready to open, the state will issue the license. Missouri has mandated that all facilities must be finished and ready to open by September 30, 2021. The petitioner is expected to be ready by August of 2021, and to open in September or October.

Secretary Zimmerman asked about disposal of product that is no longer sellable. Mr. Marion said there are disposal methods which render the product unusable.

Chairman Weaver opened the public hearing and asked if anyone wished to speak in favor of Petition SUE 21-02. No one came forward, and Chairman Weaver asked if anyone wished to speak in opposition to the petition. No one came forward, and Chairman Weaver closed the public hearing.

Mayor Pogue asked if the petitioner had a chance to review the petition review report prepared by staff, and if they are willing to comply with all staff recommendations. Mr. Marion said they plan to comply. City Attorney Jones said the bill that is considered by the Board of Aldermen typically incorporates the petition review report by reference and requires compliance.

Mayor Pogue made a motion to recommend approval of Petition SUB 21-02 to the Board of Aldermen, provided the petitioner comply with all staff recommendations. Alderman Roach seconded the motion. A voice vote was taken with the following results: Weaver, Zimmerman, Pieknik, Silker, Swain, Winfrey, Roach, and Pogue – Aye; Carr – Nay.

Other Business

Election of Officers took place, with Mark Weaver being reelected Chairman. Secretary Zimmerman stated that she will be resigning from the Commission due to personal obligations, and Commissioner Pieknik was elected to replace her as Secretary.

Planning Technician Edghill stated that there may be a July meeting, which would conflict with the observance of the Independence Day holiday. Alderman Roach made a motion to move the July meeting to Tuesday, July 6, if necessary. Secretary Zimmerman seconded the motion, which received unanimous approval from the Commission members present.

Adjournment

Commissioner Swain made a motion to adjourn the meeting. Commissioner Pieknik seconded the motion, which received unanimous approval from the Commission members present. The meeting was adjourned at 7:30 p.m.

J. Mark Weaver, Chairman
Planning & Zoning Commission