
AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO COMO HEALTH, LLC. TO ALLOW A MEDICAL MARIJUANA DISPENSARY ON A CERTAIN TRACT OF LAND AT 839 MERAMEC STATION ROAD WITHIN THE CITY OF VALLEY PARK, MISSOURI.

WHEREAS, Como Health LLC. filed for a Conditional Use Permit on February 26, 2020, to operate a medical marijuana dispensary in a 1,200 square foot building located at 839 Meramec Station Road (Locator ID 25Q640184) within the City of Valley Park, Missouri; and

WHEREAS, such parcel of land is legally known and recognized as described in Exhibit A (attached); and

WHEREAS, in accordance with Appendix A: List of Permitted and Conditional Zoning District Uses, “medical marijuana dispensaries (not including growing operations)” is a conditional use allowed within the PD-C Planned Commercial District, pursuant to the conditions of the approved Conditional Use Permit; and

WHEREAS, in accordance with Article X, Section 405.610 Conditional Use Permit Procedure and Article XII, Section 405.720 Hearings Before Public Bodies, public notice has been given for the request for the Conditional Use Permit through: 1) the publication of a Public Hearing advertisement in a paper of general circulation, 2) the notification of adjacent property owners, and 3) the posting of a sign on the subject property; and

WHEREAS, a Public Hearing was held on April 20, 2020, by the Planning and Zoning Commission regarding the request by Como Health, LLC. for the Conditional Use Permit; and

WHEREAS, following the Public Hearing by the Planning and Zoning Commission and after consideration of the request and testimony presented therein, the Planning and Zoning Commission finds it is in the public interest to approve the Conditional Use Permit requested by Como Health, LLC. to allow a “medical marijuana dispensary (not including growing operations)” in a 1,200 square foot building located at 839 Meramec Station Road, subject to the conditions set forth herein; and

WHEREAS, the Planning and Zoning Commission submitted a report of their decision to approve the Conditional Use Permit to the Board of Aldermen; and

WHEREAS, upon review of the Planning and Zoning Commission decision report, the Board of Aldermen finds the decision acceptable.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF VALLEY PARK, MISSOURI AS FOLLOWS:

Section One

Pursuant to the provisions of Article X, Section 405.610 Conditional Use Permit Procedure, of Title IV Land Use, of the Valley Park City Code, the Board of Aldermen hereby approves a Conditional Use Permit to allow a “medical marijuana dispensary (not including growing operations)” in a 1,200 square foot building located at 839 Meramec Station Road.

Section Two

Pursuant to the provisions of Article X, Section 405.610 Conditional Use Permit Procedure, of Title IV Land Use, of the Valley Park City Code, the Board of Aldermen hereby approves a Conditional Use Permit to allow a “medical marijuana dispensary (not including growing operations),” subject to the provisions of the City Code and, additionally, the following Conditions of Approval:

1. Business owner shall maintain a valid license from the Missouri Department of Health and Senior Services to operate a medical marijuana dispensary at this permit location and provide proof of the license on a yearly basis to the City Clerk.
2. The business shall be operated substantially in accordance with the Conditional Use Permit Application submitted to the City on February 28, 2020.
3. No marijuana cultivation, product testing, manufacturing, or use of marijuana infused products is permitted on the property.
4. The site plan shall be revised to show the location of the new Japanese Maple tree and the correct parking requirements of five parking spaces per 1,000 square feet and then submitted to the City for approval prior to issuing of construction permits
5. The site shall be brought into compliance with the site plan approved by the site and maintained in compliance with such site plans.
6. The hours of operation shall be Monday through Sunday from 8:00am until 8:00pm.
7. Patrons must be twenty-one (21) or older to enter the building.
8. All security camera footage shall be monitored and maintained for at least ninety (90) days and be made available to law enforcement upon request.
9. A secure vault area with a locking safe shall be permanently affixed or built into the interior of the building for storage of currency and products.
10. All marijuana inventory shall be kept and stored in a secured and locked manner.
11. Parking area lighting shall be installed upon approval by the Building Commissioner.
12. Site landscaping shall be installed and maintained in compliance with Article VII, Section 405.350.
13. All signage shall be installed with a proper permit and compliant with the City’s Sign Regulation, Chapter 515.
14. Construction does not begin until P&Z has a review to go over all details.
15. This permit is only allowing the use of medical marijuana sales by prescription only and does not include recreational marijuana sales.

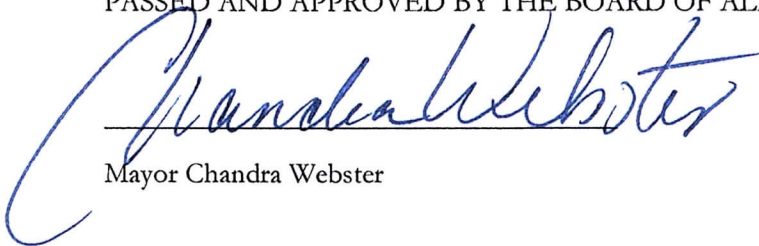
Section Three

In acting upon this application, the Board of Aldermen has accepted into the record the Ordinances of the City of Valley Park, Missouri, the Comprehensive Plan for the City of Valley Park, Missouri, and the Conditional Use Permit Application and other records submitted by the applicant or gathered by the City relative to said application.

Section Four

This Ordinance shall become effective from and after its passage and approval by the Mayor.

PASSED AND APPROVED BY THE BOARD OF ALDERMEN THIS 27 DAY OF APRIL, 2020.



Mayor Chandra Webster

To approve Bill #2235

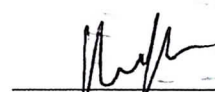
Motioned: Ald. Walker

Seconded: Ald. White

	<u>Aye</u>	<u>Nay</u>		<u>Aye</u>	<u>Nay</u>
Reynolds	<u>X</u>	___	Rauls	<u>X</u>	___
Halker	___	<u>X</u>	Rose	<u>X</u>	___
Walker	<u>X</u>	___	Young	<u>X</u>	___
White	<u>X</u>	___	Bowen	<u>X</u>	___

Absent: _____

ATTEST:



Dusty Hosna

City Clerk



EXHIBIT A

839 MERAMEC STATION ROAD – LEGAL DESCRIPTION

A parcel of land being part of Lot B of Hartje's Subdivision of Lots 1, 2, 60 and 61 of Quinett's Subdivision in Township 44 North, Range 5 East in St. Louis County, Missouri, according to the plat recorded in Plat Book 5, page 94 of the St. Louis County Records and being particularly described as follows:

Beginning at a point in the East right of way of Meramec Station Road variable width, also known as Missouri State Highway 141, and being the Southwest corner of Stonegate Shopping Center, as shown in the Easement and Right-of-Way Plat recorded in Plat Book 157, Page 14 of the St. Louis County Records; thence leaving said right-of-way and along the South property line of said Stonegate Shopping Center, South 88°50'00" East, a distance of 132.57 feet to a point; thence leaving said South line South 01°10'00" West a distance of 105.0 feet to a point; thence North 88°50'00" West a distance of 155.00 feet to a point in the East right of way of said Meramec Station Road; thence along said right of way North 18°02'00" East a distance of 37.47 feet to a point; thence North 71°58'00" West a distance of 9.0 feet to a point; thence North 18°02'00" East a distance of 69.52 feet to the point of beginning.