



**CITY OF VALLEY PARK
PLANNING AND ZONING COMMISSION
MEETING
VIA VIDEO CONFERENCING (ZOOM)
AT 7:00 P.M. ON AUGUST 10, 2020
VALLEY PARK CITY HALL, 320 BENTON
STREET, VALLEY PARK, MISSOURI 63088**

****** AGENDA******

- 1. PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. PUBLIC HEARING – 2093 Smizer Station Road - Conditional Use Permit - Medical Marijuana Facility**
- 4. NEW BUSINESS**
 - a. Conditional Use Permit – 2093 Smizer Station Road
 - b. Site Plan Review – 2093 Smizer Station Road
 - c. Medical Marijuana Presentation – Anna Krane PGAV
- 5. ADJOURNMENT**

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI
COUNTY OF ST. LOUIS

} S.S.

Page 1 of 1

Before the undersigned Notary Public personally appeared **Karie Clark** on behalf of **THE COUNTIAN, ST. LOUIS COUNTY** who, being duly sworn, attests that said newspaper is qualified under the provisions of Missouri law governing public notices to publish, and did so publish, the notice annexed hereto, starting with the **July 24, 2020** edition and ending with the **July 24, 2020** edition, for a total of **1** publications:

07/24/2020

NOTICE OF PUBLIC HEARING
Notice is hereby given that a public hearing will be held by the Planning and Zoning Commission of the City of Valley Park, Missouri at 7:00 p.m. **Monday, August 10, 2020.** Because of the COVID-19 Pandemic and National Emergency Declaration, this meeting will only be available to the general public via on-line broadcast. Pursuant to Sec. 610.015, elected officials may participate by being physically present at city hall or via teleconference. This public hearing will be broadcast from the Council Chambers of City Hall, 320 Benton Street, Valley Park, Missouri to consider the following applications related to the following properties: A conditional use permit for a property located at 2093 Smizer Station Road for the purpose of a Medical Marijuana Dispensary.
11903030 County July 24, 2020

Karie Clark

Karie Clark

Subscribed & sworn before me this 24th day of July, 2020
(SEAL)

Chanel Jones

Notary Public

CHANEL JONES
Notary Public - Notary Seal
State of Missouri
Commissioned for St Louis County
My Commission Expires: August 08, 2022
Commission Number: 14397721

Exhibit A



July 27, 2020

Planning and Zoning Board
City of Valley Park
320 Benton Street
Valley Park, MO 63088

RE: Conditional Use Permit for 2093 Smizer Station Road

Dear Planning & Zoning Board,

This letter is a formal request for a Conditional Use Permit (“CUP”) for the property located at 2093 Smizer Station Road, Valley Park, MO 63088 for the purpose of a medical marijuana dispensary. JG Missouri LLC was awarded a medical marijuana dispensary license for this location by the Missouri Department of Health and Senior Services (“DHSS”) on January 24, 2020. City of Valley Park Ordinance 2027 indicates that medical marijuana dispensaries are a conditional use in C-1, C-2, I-1, PD-C, and PD-1 zones. Pursuant to Article X, Section 405.610 Conditional Use Permit Procedure and Article XII, Section 405.720 Hearings Before Public Bodies, notice of JG Missouri LLC’s request for a CUP and of the August 10, 2020 public hearing related thereto, has been sent to all adjacent property owners.

In anticipation of the August 10, 2020 hearing, JG Missouri LLC has provided an out boundary plat of the property and a proposed site plan and elevation. As requested in the CUP Application, the following is a list of property owners within 200 feet of 2093 Smizer Station Road, Valley Park, MO 63088:

Property Owner	Property Address	Registered Owner Address
Triax 141/44 LLC	2075 Smizer Station Rd, Valley Park, MO 63088	2 City Pl Suite 200, St. Louis, MO 63141
Ddi Media	2095 Smizer Station Rd, Valley Park, MO 63088	8315 Drury Industrial Pkwy, St. Louis, MO 63114
Midwest Petroleum Company	2099 Smizer Station Rd, Valley Park, MO 63088	220 Old Meramec Station Rd, Ballwin, MO 63021

Dela Mcdonald Corporation dela Corp	2109 Smizer Station Rd, Valley Park, MO 63088	Po Box 182571, Columbus, OH 43218
Drury Development Corporation	942 Meramec Station Rd, Park Valley, MO 63088	333 E Broadway Ave, Maryville, TN 37804
Drury Development Corporation	922 Meramec Station Rd, Valley Park, MO 63088	13075 Manchester Rd., Suite 200, St. Louis, MO 63131

Further, please find below information related to the proposed use as well as to all Burden of Proof requirements listed in the CUP Application:

1. Proposed Use:

The proposed use for 2093 Smizer Station Road is as a licensed medical marijuana dispensary. No marijuana cultivation/growing and/or manufacturing/infusing operations will take place at the location.

The hours of operation will be Monday through Sunday from 8:00am until 8:00pm.

2. Burden of Proof Requirements:

a. Proposed Use Complies with All Applicable Provisions of the Zoning Ordinance

2093 Smizer Station Road is located in the C-2 Commercial District.

Per Article IV, Section 405.165, the C-2 Commercial District “is restricted to use in those portions of the City located south of the Meramec River,” and given “the high degree of visibility and ease of access via Interstate 44 and Missouri Highway 141,...provides a unique opportunity for expansion and development of such highway oriented businesses as hotels and motels, large scale retail developments, restaurants and other similar business which serve local, regional, and transient populations.” Furthermore, “this district has been located within the City to permit the development of these business activities but is a portion of the City away from residential neighborhoods and subdivisions, area parks and recreation parks, schools and other institutional facilities” as a means of “protecting residential and other less intense uses against encroachment by incompatible activities” and to lessen “congestion on public and neighborhood streets.”

The C-2 Commercial District is the ideal location for a medical marijuana dispensary. Not only does a medical marijuana dispensary operate much like a restaurant or large-scale retail development in terms of intensity of use, but much like a retail pharmacy, medical marijuana dispensaries also tend to serve local, regional, and transient populations. The ability to access the site from Interstate 44 and Missouri Highway 141 with ease will serve future patients of the

dispensary well. Furthermore, the goal of C-2 zoning to permit certain business activities “in a portion of the City away from residential neighborhoods and subdivisions, parks, and schools” aligns squarely with the Missouri state law requirement that all medical marijuana dispensaries be located at least 1000 feet (measured by legal walking path) from an existing elementary or secondary school, daycare, or church unless a local government allows for closer proximity. Our proposed location fully complies with the purpose of the C-2 zoning regulations and with the State setback requirement as the closest such establishment is 3,266 feet away. Please see Exhibit A for the maps submitted to the DHSS as part of the license verification process demonstrating compliance with the setback requirement.

Yard and Setback Requirements: Section 405.165(D)(4) requires a front yard of not less than thirty feet, a side yard on each side of the building of not less than five feet, and a rear yard having a depth not less than twenty-five feet. As indicated on the Site Plan, our proposed facility complies with all yard and setback requirements. Furthermore, per Section 405.210, every part of the yard will be open and unobstructed from its lowest point to the sky except for by the ordinary projection of sills, belt courses, cornices, chimneys, buttresses, ornamental features, and eaves (except that none of the above will extend into a minimum yard more than thirty inches).

Sight Triangle: Per Section 405.210(F), no landscape material will be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of two feet and eight feet above the grades at the back of the curb of the intersecting streets, within the triangular area formed by the right-of-way lines and a line connecting them at points thirty feet from their point of intersection.

b. Proposed Use Will Contribute To and Promote Welfare/Convenience to the Public

JG Missouri LLC is partnered with Justice Grown, a national medical cannabis company with licenses/operations in nine states. In other words, JG Missouri LLC is associated with a company that already has experience providing safe and effective medications to qualifying patients. This includes extensive experience operating medical marijuana dispensaries in a manner that is not only fully secure but is also dedicated to serving patients and the larger community.

It is important to highlight that this is a medical and not a recreational/adult-use dispensary. The products that will be sold at our facility are medicines for serious conditions including cancer, epilepsy, glaucoma, intractable migraines, Parkinson’s disease, multiple sclerosis, seizures, human immunodeficiency virus, and debilitating psychiatric conditions like post-traumatic stress disorder. Providing qualifying patients with doctor prescribed medications meant to help alleviate the symptoms associated with these illnesses will undoubtedly contribute to public health generally and to the welfare of our local patients.

Furthermore, in terms of providing patients with access to their medications, we strongly feel that there is no better location in terms of convenience in all of Valley Park. Not only will

we be conveniently located at the intersection of heavily-traveled Interstate 44 and Missouri Highway 141, but there are no fewer than 10 St. Louis Metro Bus stops within 1.3 miles of the facility. In fact, the number 210 bus has a stop less than three minutes away, servicing Fenton and Gravois Bluffs. This bus line services SSM Health St. Clare Hospital/Health Care Center, allowing us to serve the medical needs of the expanding community in southwest St. Louis County. We will be easily accessible from this hospital as well as from several medical offices in Valley Park and nearby Fenton, including SSM Health Physical Therapy, Med-Care, and Mercy Clinic.

The facility will have ample parking with 48 parking spaces, including 4 ADA parking spaces. The facility will also be accessible to patients of all physical abilities and impairments and all staff will receive comprehensive and continuing training on assisting disabled patients in a manner that is helpful and respectful of their needs.

It should also be noted that due to the State mandated security requirements for a medical marijuana dispensary, including HD cameras that will cover the entire exterior of the facility including the parking lot, our facility will also bring an added layer of security to the neighborhood.

c. Proposed Use Will Not Cause Substantial Injury to the Value of Property in the Neighborhood

The proposed use of 2093 Smizer Station Road as a medical marijuana dispensary is likely to increase the value of property in the neighborhood. The site was previously used as a Burger King restaurant but has sat empty since a flood in 2017 forced the business to close. Repurposing the Burger King as a medical marijuana dispensary will help revitalize this bustling retail corner since the building in its current state does not match the other well-maintained commercial businesses in the area including McDonald's, Starbucks, Drury Inn & Suites, Ruby Tuesday, and Hardee's. In addition to this, as demonstrated by the site plan and elevation, our dispensaries are designed to look like a high-end retail shop or pharmacy and not like a so-called "headshop," vape shop, or CBD store. We use high-end finishes that integrate our facility with the surrounding neighborhood.

In addition to this, as indicated above, due to the State mandated security requirements for a medical marijuana dispensary, including HD cameras that will cover the entire exterior of the facility including the parking lot, our facility will also bring an added layer of security to the neighborhood. One common concern from the public related to the location of medical marijuana dispensaries is that such facilities will either attract an unwanted element to the neighborhood and/or will encourage groups of individuals to loiter outside the facility. As an experienced cannabis operator, we can say with 100% confidence that the opposite is true as the lighting, cameras, etc that make up our security system – a system that is very much akin to the security features of a bank – completely discourage loitering of any kind.

d. Location, Size, Nature and Intensity of Proposed Use Will Not Dominate Immediate Neighborhood and/or Prevent the Development and/or Use of Neighboring Property

i. Location, Nature and Height of Buildings, Structures, Walls, and Fences:

Location: 2093 Smizer Station Road is a 1.10 acre property that is abutted by Smizer Station Road to the east (running parallel to Highway 141) and Smizer Station Road/Eagle Rock Cove to the north and west of the facility. The property sits south of Interstate 44. This area includes a McDonald's, a Starbucks, a Drury Inn & Suites, a Ruby Tuesday, a Hardee's, and other such high-volume retail establishments. The property was formerly used for a Burger King restaurant. It includes an entrance/exit on Smizer Station Road and a wide drive that circles the building allowing for easy traffic flow and access to parking (available on the west, south, and east sides of the building) making it fully compliant with the Section 405.320 requirement that we provide sufficient space for access and off-street standing, parking, circulation, unloading, and loading of motor vehicles that may be expected at any time under normal conditions for any purpose. Indeed, this setup is ideal for a medical marijuana dispensary as it will provide patients with easy access to our facility and for ample traffic flow. Much like with fast food restaurants, in our experience, medical marijuana patients do not linger at our dispensaries. They come in, purchase their medication(s), and leave – a reality that fits perfectly with the previous use of this site.

Nature and Height of Building: The building is a 3,760 square foot structure with twelve-foot brick and stone veneer walls with a metal slat roof. These exteriors will be maintained but refreshed as indicated in the elevations provided as part of the Floor Plan. The size and construction of the building is fully compliant with the performance standards for structures located in the C-2 Commercial District.

Fencing: Our proposed facility will include a fenced in delivery area on the east side of the building. In compliance with 405.210(G), we will use a six feet high chain link fence with slats. This fence will include a 3.6 feet wide pedestrian gate and a 10 feet wide gate for delivery vehicle access. As indicated on the Site Plan, this proposed fence does not extend beyond the front building line.

Lighting: Per Section 405.305, our exterior lighting will be set up in a manner that allows for nighttime safety and security, as well as the maximum productivity and utility while at the same time minimizing the adverse offsite impacts of lighting to adjacent properties, curtailing light pollution, reducing Sky Glow, and conserving energy and resources to the greatest extent possible. This includes using energy-efficient light fixtures that are compatible with the building design and the adjoining landscape. We will make sure that our exterior lighting does not spill over to adjacent sites or properties, create glare which is directed toward or reflected onto adjoining properties, streets, or interior drives where such glare could negatively impact vehicular or pedestrian safety.

ii. Nature and Extent of Proposed Landscaping/Screening:

Per Section 405.165(D)(7)(a), any part of a lot area not used for buildings or other structures or for parking, loading, or access ways, shall be landscaped with grass, ground cover, trees, shrubs, and pedestrian walks. We have provided a detailed Landscaping Plan that indicates the exact type, number, and location of the trees and shrubs that we will use to landscape and/or screen our property. This plan is fully compliant with all of the requirements of Section 405.350. This includes, but is not limited to:

- The frontage along the entire parking or loading area adjacent to any public or private street shall be landscaped and protected so as to separate and screen any parking areas from the adjacent streets, including the provision of deciduous, hardwood street trees at not more than thirty-five feet on center located either within the right-of-way if approved...or parallel to the right-of-way on the subject property;
- A minimum of ten square feet of interior landscaped area shall be provided within the parking lot for each parking space with the landscaping in one or more areas so as to minimize and reduce the apparent size of parking areas;
- All interior landscaped areas shall be raised and curbed and shall have a minimum area of fifty square feet and a minimum width of five feet;
- Each separate interior landscaped area shall include at least one deciduous shade tree, and there shall be a minimum of two trees, within and up to, every 100 linear feet of parking for each parking row (such trees shall be spaced evenly where possible and the ends of parking rows abutting a circulation aisle shall be defined by interior landscaped areas whenever feasible);
- Deciduous shade trees shall have a minimum caliper of three inches in the trunk measured one foot above the ground with a clear trunk of at least five feet where provided for screening, buffering, or aesthetic effect;
- All trees shall be properly planted and staked;
- No landscaped hedge shall be less than two feet in height and three feet in spread except that no hedge, wall, or berm shall exceed three feet in height within 10 feet of any driveway opening;
- A perimeter landscaped buffer strip shall be provided and maintained at a width of not less than five feet between a parking lot or driveway and the abutting property line at a side or rear yard. This landscaped strip shall be at least ten feet in width along any front or side property line abutting a public or private street;
- All landscaped areas in parking areas or adjacent to parking or loading areas, or that can be encroached upon by a motor vehicle, will have an adequate, permanent curb to restrict the destruction of landscaped areas by vehicles.

e. Proposed Use Will Provide Compliant Off-Street Parking and Loading Areas

Based on the size of our facility, we are required to provide 18 off-street parking spaces. Our proposed facility will exceed this requirement by providing 48 spaces, including 4 ADA parking spaces. Further, our off-street parking and loading area will be set up in such a manner as to protect and preserve the appearance and character of the surrounding neighborhood. To that end, per Section 405.350, all parking and loading areas will be properly screened and landscaped. Per Section 405.340, all areas used for standing and maneuvering of vehicles, including all driveways, will have concrete, asphalt, or permeable paving material surfaces, will be maintained adequately for all-weather use, and will be so drained so as to avoid the flow of water across sidewalks and/or the drainage of water to abutting properties. In addition, the lighting fixtures used to illuminate our off-street parking areas will be arranged so as to reflect light away from adjoining lots, premises, and/or adjacent streets (all site exterior lighting will be fully compliant with Section 405.305).

f. Proposed Use Will Provide Adequate Utility, Drainage, and Other Necessary Facilities

The building will be provided with adequate utilities and facilities for the successful and safe operation of a medical marijuana dispensary. In terms of drainage, as indicated above, all roads and drives shall be paved with hard surface material (i.e. concrete, asphalt, and/or a permeable paving surface). Curbs and gutters will be provided along all drives that do not abut parking spaces, and all parking areas will be edged with a curb and gutter. Surface or underground storm drainage facilities will also be provided for all roads, drives, and parking areas, and all storm drainage will be directed into established surface or underground storm drainage facilities.

g. Proposed Use Will Provide Adequate Access Roads or Entrance/Exit Drives to Prevent Traffic Hazards and Minimize Traffic Congestion

All access roads and entrance/exit drives will be fully compliant so as to prevent traffic hazards and minimize traffic congestion. As indicated above, the property has a drive that circles the building in a way that maximizes traffic flow and access to parking while at the same time minimizing the hazards to our patients or other vehicles and/or pedestrians. This drive meets the requirement of being not less than twenty-four feet wide with our entry/exit being not more than thirty-six feet wide. Furthermore, sidewalks will be provided/maintained along all street frontages between the front property line and the edge of the street paving or curb.

Respectfully,

Gorgi Naumovski

Gorgi Naumovski
National Head of Retail Operations

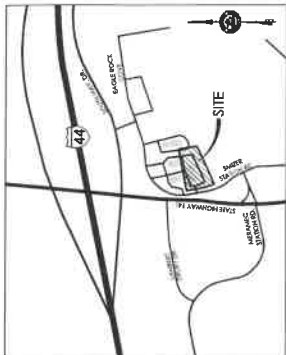
CHAD HANSON, FABER-MCGEE COMMERCIAL CONSTRUCTION
2023 SMITZER ROAD, MD 20806
347 S. WILLIAMS STREET
MIDPERRYBORO, IL 61556

CHAD HANSON, FABER-MCGEE COMMERCIAL CONSTRUCTION
JUSTICE GROWN DISPENSARY - VALLEY PARK, MD



C-1.0

Project No.: 20210008
Drawn by: D. STOLZ
Checked by: M. JOHNSON
Scale: AS SHOWN
Date: 02/04/2019



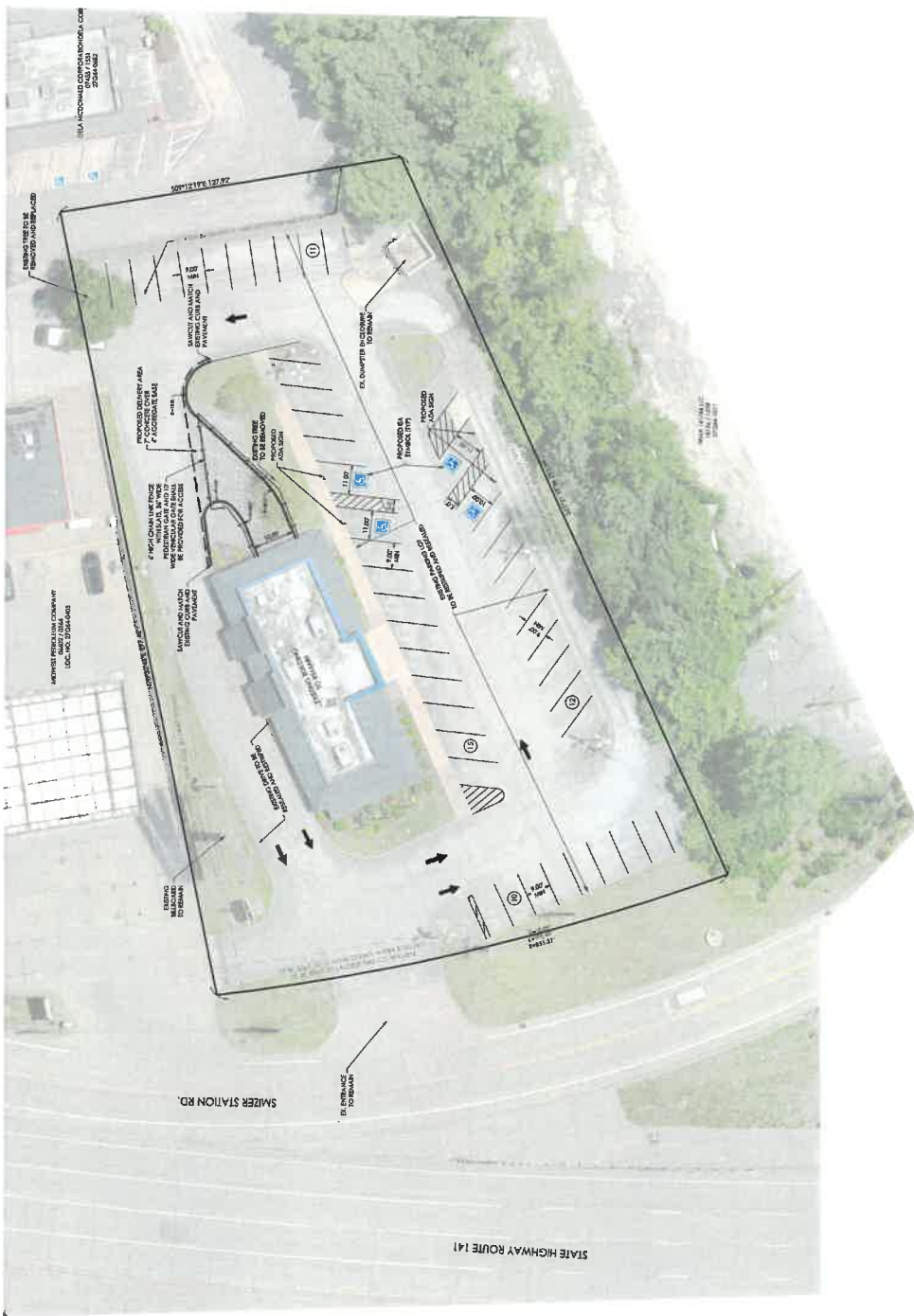
LOCATION MAP
1" = 200'

REMARKS:

1. PERMIT DRAWING C-2
2. RECORD SET: AMERICAN LANDMARKS DISPENSARY
3. RECORD SET: AMERICAN LANDMARKS DISPENSARY
4. PROPOSED PARKING: TOTAL PARKING SPACES - 11 SPACES
TOTAL RETAIL SPACES PER 100 SF = 1.4 RETAIL = 11,000 SF = 15 SPACES
5. 44 SPACES
TOTAL SPACES
TOTAL SPACES
6. THE SUBJECT PROPERTY IS LOCATED IN AN AREA DETERMINED TO BE OF HISTORIC SIGNIFICANCE AS SHOWN ON THE HISTORIC DISTRICT MAP FILED WITH THE CITY OF VALLEY PARK, MD.
7. ALL BUILDINGS SHALL BE IN ACCORDANCE WITH THE CITY OF VALLEY PARK HISTORIC DISTRICT REGULATIONS.
8. REFER TO ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS AND DETAILS.
9. ALL MATERIALS AND FINISHES SHALL BE IN ACCORDANCE WITH THE CITY OF VALLEY PARK HISTORIC DISTRICT REGULATIONS.
10. NO OUTSIDE ILLUMINATION SHALL BE INSTALLED THAT LIGHTS UP THE BUILDING OR THE SURROUNDING AREA.
11. SIGNAGE SHALL BE IN ACCORDANCE WITH THE CITY OF VALLEY PARK HISTORIC DISTRICT REGULATIONS.
12. SIGNAGE SHALL BE IN ACCORDANCE WITH THE CITY OF VALLEY PARK HISTORIC DISTRICT REGULATIONS.
13. ALL PROPOSED IMPROVEMENTS SHALL BE CONTRIBUTED TO THE CITY OF VALLEY PARK.

PROPERTY DATA

ADDRESS: 2023 SMITZER ROAD, VALLEY PARK, MD 20806
PARCEL ID: 22044003
COUNTY: FENWICK FIRE DEPARTMENT
FIRE DISTRICT: AMERICAN LANDMARKS DISPENSARY
GAS COMPANY: AMERICAN NATURAL GAS COMPANY
WATER: AND
SEWER: AMERICAN WATER
SOUNDING DISTRICT: AT&T
TELEPHONE COMPANY: AT&T
ELECTRIC COMPANY: POWERLINE COMPANY
TOWN MAP: 27180201.01C, FEBRUARY 4, 2019



CALL THE PRO
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1-800-4-A-HOLE

MICHIGANS CALL TIES AND DATA SAFETY ACT
Michigan's Call Ties and Data Safety Act requires utility companies to provide accurate information to the public regarding underground utility lines. This information is essential for the safe and efficient installation of underground utility lines. Call Ties and Data Safety Act is a public safety measure that ensures the accuracy of underground utility line data. Call Ties and Data Safety Act is a public safety measure that ensures the accuracy of underground utility line data.

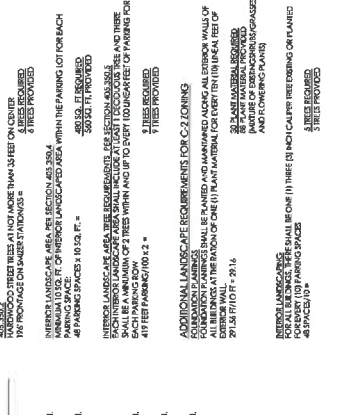
Project: CHAD HANSON, FABER-MAGGE COMMERCIAL CONSTRUCTION
2915 SMOKE STATION RD
WALLEY PARK, MO 63088
Client: CHAD L. HANSON
1312 W. MILLS STREET
MURPHYSBORO, IL 61968

- LANDSCAPE GENERAL NOTES:**
- All trees to be planted shall be well established at time of installation, with a minimum diameter at breast height (DBH) of 2.0 inches. All trees shall be well established at time of installation, with a minimum diameter at breast height (DBH) of 2.0 inches. All trees shall be well established at time of installation, with a minimum diameter at breast height (DBH) of 2.0 inches.
 - ... (repeated list items for general notes) ...

- GENERAL NOTES:**
- The contractor shall provide all necessary permits and fees for the construction of the landscape plan, including but not limited to: ...
 - The contractor shall be responsible for obtaining all necessary permits and fees for the construction of the landscape plan, including but not limited to: ...
 - ... (repeated list items for general notes) ...

- NOTE:**
- All plants to be installed shall be installed within 10' of the existing grade. All plants shall be installed within 10' of the existing grade.
 - ... (repeated list items for note) ...

- PLANT SCHEDULE:**
- | TREE | CITY | BOTANICAL NAME | COMMON NAME | SPECIES | SIZE | QUANTITY |
|------|----------|--------------------------|----------------------------|----------|-------------|----------|
| 4 | AGER | AGER RUBRUM 'RED ROCKET' | RED ROCKET RED MAPLE | B & B | 6" TALL MIN | 80 |
| 4 | CARPANUS | BETULUS 'COLLUMMIS' | COLLUMAR EUROPEAN HORSEBAM | B & B | 6" TALL MIN | 80 |
| 1 | CELTE | OCCIDENTALIS | COMMON HACKBERRY | EXISTING | PCAL | 2 |
| 3 | MALUS | X 'DWARF LIBERT' | DWARF LIBERT CHERRY | B & B | 6" TALL MIN | 4 |
| 5 | SYRINGA | VEICOUYANA | JAPANESE TREE LILAC | B & B | 6" TALL MIN | 4 |
| 5 | TRILIA | OCCIDENTALIS | AMERICAN ASH | B & B | 6" TALL MIN | 4 |
| 6 | BUXUS | X 'GREEN HAWK' | GREEN HAWK BOXWOOD | EXISTING | SIZE | 1 |
| 6 | BUXUS | X 'GREEN MOUND' | GREEN MOUND BOXWOOD | EXISTING | EXISTING | 1 |
| 4 | EUCOMMIS | ALATRIUM 'COMPACTUS' | COMPACT BURNING BUSH | EXISTING | EXISTING | 1 |
| 13 | ILICA | GLAUBIA 'SHAWNOOK' | SHAWNOOK RHENBERY | EXISTING | EXISTING | 1 |
| 87 | LIRIODIE | MASCAR | LILY TURF | EXISTING | EXISTING | 1 |



GENERAL NOTES:

- The contractor shall provide all necessary permits and fees for the construction of the landscape plan, including but not limited to: ...
- ... (repeated list items for general notes) ...

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- All plants to be installed shall be installed within 10' of the existing grade. All plants shall be installed within 10' of the existing grade.
- ... (repeated list items for note) ...

PLANT SCHEDULE:

TREE	CITY	BOTANICAL NAME	COMMON NAME	SPECIES	SIZE	QUANTITY
4	AGER	RUBRUM 'RED ROCKET'	RED ROCKET RED MAPLE	B & B	6" TALL MIN	80
4	CARPANUS	BETULUS 'COLLUMMIS'	COLLUMAR EUROPEAN HORSEBAM	B & B	6" TALL MIN	80
1	CELTE	OCCIDENTALIS	COMMON HACKBERRY	EXISTING	PCAL	2
3	MALUS	X 'DWARF LIBERT'	DWARF LIBERT CHERRY	B & B	6" TALL MIN	4
5	SYRINGA	VEICOUYANA	JAPANESE TREE LILAC	B & B	6" TALL MIN	4
5	TRILIA	OCCIDENTALIS	AMERICAN ASH	B & B	6" TALL MIN	4
6	BUXUS	X 'GREEN HAWK'	GREEN HAWK BOXWOOD	EXISTING	SIZE	1
6	BUXUS	X 'GREEN MOUND'	GREEN MOUND BOXWOOD	EXISTING	EXISTING	1
4	EUCOMMIS	ALATRIUM 'COMPACTUS'	COMPACT BURNING BUSH	EXISTING	EXISTING	1
13	ILICA	GLAUBIA 'SHAWNOOK'	SHAWNOOK RHENBERY	EXISTING	EXISTING	1
87	LIRIODIE	MASCAR	LILY TURF	EXISTING	EXISTING	1



GENERAL NOTES:

- The contractor shall provide all necessary permits and fees for the construction of the landscape plan, including but not limited to: ...
- ... (repeated list items for general notes) ...

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- All plants to be installed shall be installed within 10' of the existing grade. All plants shall be installed within 10' of the existing grade.
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13	ILICA	GLAUBIA 'SHAWNOOK'	SHAWNOOK RHENBERY	EXISTING	EXISTING	1
87	LIRIODIE	MASCAR	LILY TURF	EXISTING	EXISTING	1



GENERAL NOTES:

- The contractor shall provide all necessary permits and fees for the construction of the landscape plan, including but not limited to: ...
- ... (repeated list items for general notes) ...

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6	BUXUS	X 'GREEN MOUND'	GREEN MOUND BOXWOOD	EXISTING	EXISTING	1
4	EUCOMMIS	ALATRIUM 'COMPACTUS'	COMPACT BURNING BUSH	EXISTING	EXISTING	1
13	ILICA	GLAUBIA 'SHAWNOOK'	SHAWNOOK RHENBERY	EXISTING	EXISTING	1
87	LIRIODIE	MASCAR	LILY TURF	EXISTING	EXISTING	1



GENERAL NOTES:

- The contractor shall provide all necessary permits and fees for the construction of the landscape plan, including but not limited to: ...
- ... (repeated list items for general notes) ...

GENERAL NOTES:

- The contractor shall provide all necessary permits and fees for the construction of the landscape plan, including but not limited to: ...
- ... (repeated list items for general notes) ...

NOTE:

- All plants to be installed shall be installed within 10' of the existing grade. All plants shall be installed within 10' of the existing grade.
- ... (repeated list items for note) ...

PLANT SCHEDULE:

TREE	CITY	BOTANICAL NAME	COMMON NAME	SPECIES	SIZE	QUANTITY
4	AGER	RUBRUM 'RED ROCKET'	RED ROCKET RED MAPLE	B & B	6" TALL MIN	80
4	CARPANUS	BETULUS 'COLLUMMIS'	COLLUMAR EUROPEAN HORSEBAM	B & B	6" TALL MIN	80
1	CELTE	OCCIDENTALIS	COMMON HACKBERRY	EXISTING	PCAL	2
3	MALUS	X 'DWARF LIBERT'	DWARF LIBERT CHERRY	B & B	6" TALL MIN	4
5	SYRINGA	VEICOUYANA	JAPANESE TREE LILAC	B & B	6" TALL MIN	4
5	TRILIA	OCCIDENTALIS	AMERICAN ASH	B & B	6" TALL MIN	4
6	BUXUS	X 'GREEN HAWK'	GREEN HAWK BOXWOOD	EXISTING	SIZE	1
6	BUXUS	X 'GREEN MOUND'	GREEN MOUND BOXWOOD	EXISTING	EXISTING	1
4	EUCOMMIS	ALATRIUM 'COMPACTUS'	COMPACT BURNING BUSH	EXISTING	EXISTING	1
13	ILICA	GLAUBIA 'SHAWNOOK'	SHAWNOOK RHENBERY	EXISTING	EXISTING	1
87	LIRIODIE	MASCAR	LILY TURF	EXISTING	EXISTING	1



GENERAL NOTES:

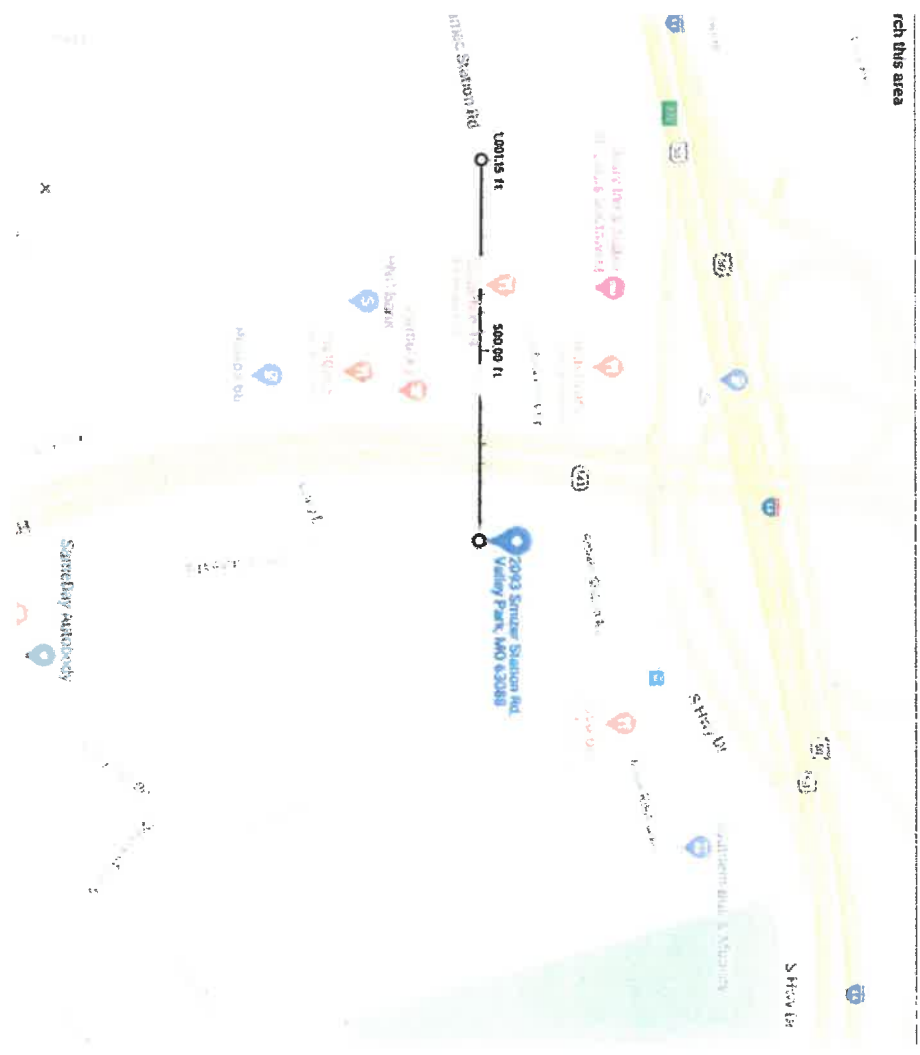
- The contractor shall provide all necessary permits and fees for the construction of the landscape plan, including but not limited to: ...
- ... (repeated list items for general notes) ...

Facility Location (2093 Smizer Station Road, Valley Park, 63088):



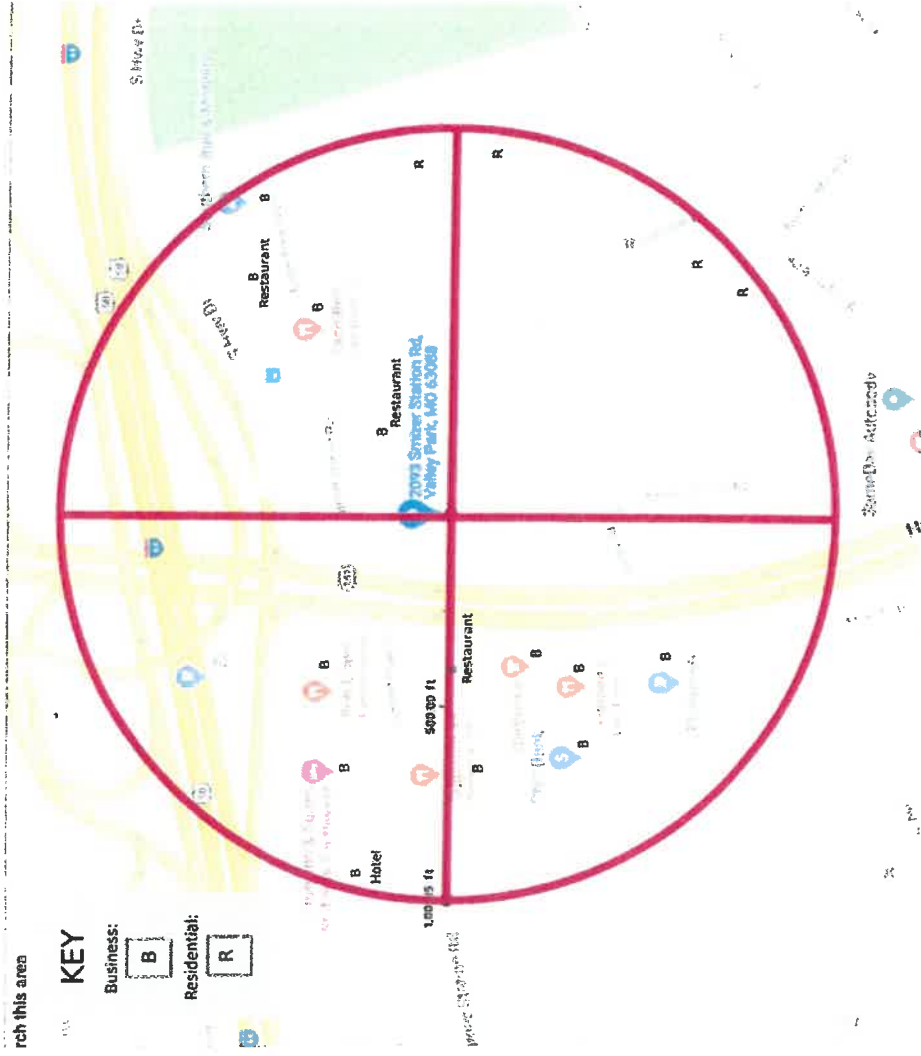
Buffer:

The setback requirement in Valley Park, MO is 1,000 ft.



Building Identification:

The setback requirement for this location is 1,000 ft. This map identifies the building types for all buildings within the 1,000 ft setback buffer zone.



The setback requirement for this location is 1,000 ft. The location must be at least 1,000 ft (legal walking path) away from any schools, churches, or daycares. The closest building that falls into any of those categories is a church that is 3,266 ft away from this location.





City of Valley Park
320 Benton Street
Valley Park, MO 63088
636-225-5171

Conditional Use Permit Application

Property Address: 2093 Smizer Station Road, Valley Park, MO 63088

Brief Project Description: Convert former Burger King to medical marijuana dispensary

(Additional pertinent material describing the project may be attached)

Submission Requirements Checklist

- Filing fee.
- Out boundary plat of the property.
- A proposed site plan if changes are proposed as part of the use operation.
- List of property owners and addresses within 200 feet of subject property.
- A letter addressed to the Planning and Zoning Commission formally requesting the CUP. The letter should describe the pro-posed use, location and hours of operation. The letter should also address the following Burden of Proof requirements.
 - In presenting any application for a conditional use permit to the Planning Commission for review and approval, the burden of proof shall rest with the applicant to provide any necessary evidence required by the Commission to clearly indicate that the proposed conditional use shall meet the following criteria:
 - a. The proposed conditional use complies with all applicable provisions of these regulations, including intensity of use regula-tions, yard regulations and use limitations.
 - b. The proposed conditional use at the specified location will contribute to and promote the welfare or convenience of the public.
 - c. The proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.
 - d. The location and size of the conditional use, the nature and intensity of the operation involved in or conducted in connec-tion with it, and the location of the site with respect to streets giving access to it are such that the conditional use will not domi-nate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applica-ble zoning district regulations. In determining whether the conditional use will so dominate the immediate neighborhood, consid-eration shall be given to:
 - i. The location, nature and height of buildings, structures, walls, and fences on the site, and
 - ii. The nature and extent of proposed landscaping and screening on the site.
 - e. Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations.
 - f. Adequate utility, drainage, and other such necessary facilities have been or will be provided.
 - g. Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.

Notice Process Summary

Requests are reviewed during a public hearing held before the Planning and Zoning Commission. Public hearings are advertised in a newspaper of general circulation and with a sign posted on the property 15 days prior to the public hearing date. The applicant is responsible for mailing public hearing notices to property owners within 200 feet of the subject property. Mailed notices shall be postmarked at least 15 days prior to the public hearing date. The Planning and Zoning Commission decision shall be submitted to the Board of Aldermen. The Board of Aldermen may accept the decision or choose to review the request. Protest petitions or appeals of decisions must be filed with the City Clerk and will be heard by the Board of Aldermen. See the City Code section below for detailed requirements and process.

Article X Special Procedures and Regulations, Section 405.610 Conditional Use Permit Procedure

Parties of Interest

Legal Name to which this Permit is to be issued: JG Missouri LLC

Contact Person for the Business/Use

Name: Gorgi Naumovski

Address: 311 N. Aberdeen, Suite 200, Chicago, IL 60607

Phone Number: 618-571-1005 Email: gnaumovski@jgown.com

Interested Party

Name: _____

Address: _____

Phone Number: _____ Email: _____

Interest in Property (owner/tenant/agent/etc.): _____

Property Owner (if different from above)

Name: MIDAMERICA HOTEL CORPORATION

Address: 105 S. Mt. Auburn Street, Cape Girardeau, MO 63703

Phone Number: _____ Email: _____

Site Description

Property Legal Description: Mercantile

Current Zoning: C-2 Proposed Zoning: C-2 with CUP

Current Use: Former Burger King Proposed Use: Medical marijuana dispensary

Total Site Area: 1.10 acres

Total Building Area: 3760 sq. ft. Number of Building Floors: 1

Total Number of On-site Parking Spaces: 48 Parking Location: Off-street

Proposed Days and Hours of Operation: Monday to Sunday 8am to 8pm

Signatures

Applicant Name: Gorgi Naumovski Relation to Request: National Head of Retail Operations

Signature: Gorgi Naumovski Date: 07/27/2020

Property Owner Signature: _____ Date: _____

MEMORANDUM

Re: Review of a Conditional Use Permit
Request for a Medical Marijuana
Dispensary at 2093 Smizer Station Rd

To: Dusty Hosna

Date: 08/06/2020

From: Anna Krane, AICP

CC: John Brancaglione

.....

Pursuant to your request for review of the medical marijuana dispensary proposed at 2093 Smizer Station Road, we have provided the following analysis. We reviewed the proposed business operations against the Conditional Use Permit regulations and have recommend conditions to be included in the ordinance governing the use at the subject property.

Background

In February of 2019, the City adopted an ordinance adding medical marijuana dispensaries as an allowed use with a Conditional Use Permit in the C-1, C-2, I-1, PD-C and PD-I Zoning Districts. Conditional uses are types of uses that are often desirable, necessary or convenient to residents, but can by nature have impacts to the immediate area that require mitigation on a case-by-case basis such as generating excess traffic, noise and pollution generation, or potential public health or safety impacts. In January of 2020, Missouri announced the list of businesses awarded licenses for dispensaries. The applicant was awarded a license by the state, but had not yet completed the Conditional Use Permit process for the City.

The subject property is zoned C-2 Commercial District and therefore, a medical marijuana dispensary is a permitted use on this property with the approval of a Conditional Use Permit. Surrounding properties are zoned I-1 and PDC. The property is located at the City limits, with Fenton and unincorporated St. Louis County to the south. The intersection of I-44 and MO-141 is just north of the site. The subject property contains a surface parking lot and a single-story commercial building, formerly a Burger King drive-through restaurant. The applicant is proposing to renovate the existing building for the proposed dispensary. Preliminary plans for interior and exterior modifications to the building have been submitted. The proposed hours of operation are 8am to 8pm, Monday through Sunday.

Review

Article X, Section 405.610 of the City Land Use Code outlines regulations for submission, review, and adoption of a Conditional Use Permit. Specific criteria for review are listed to guide the analysis of a proposed conditional use in order to facilitate the mitigation of potential impacts. Section 405.610.B.3 states that “the burden of proof shall rest with the applicant to provide any necessary evidence required by the Commission to clearly indicate that the proposed conditional use shall

MEMORANDUM

meet the following criteria.” The CUP criteria is listed below (A-H) with our analysis of each criterion. Additional review criteria based on the proposed use is also included (I).

- A. *The proposed conditional use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations and use limitations.*
 - » The proposed use is allowed with a Conditional Use Permit (CUP) in the subject zoning district. The applicant is proposing to use the existing building. Detailed review of the site plan is contained in the Site Plan Review Memo.

- B. *The proposed conditional use at the specified location will contribute to and promote the welfare or convenience of the public.*
 - » The subject property is located adjacent to major vehicle transportation routes and will be easily accessible. The subject property is also surrounded by commercial uses. The proposed use will supply a local demand of City residents and residents of surrounding communities. The proposed use will operate similarly to a pharmacy in that only patrons with legal identification cards acting as prescriptions will be allowed to purchase the medical marijuana and associated items.

- C. *The proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.*
 - » The proposed dispensary was licensed in the first round of licenses issued in Missouri, so there are not studies of market or property impacts of existing dispensaries in Missouri. Based on results of similar legislation passed in other states, the proposed dispensary should not negatively impact surrounding commercial property.
 - » The applicant will be making modifications to update the appearance of the property. The existing property is vacant and appears so due to conditions of the parking lot paving, landscape, and signage. The proposed site modifications will improve the exterior appearance.

- D. *The location and size of the conditional use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the conditional use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the conditional use will so dominate the immediate neighborhood, consideration shall be given to:*
 - i. *The location, nature and height of buildings, structures, walls, and fences on the site, and*

MEMORANDUM

- » The subject property was previously used for fast-food restaurant. The applicant plans to use the existing building and site layout. The building is located on the north side of the site with surface parking surrounding. The one-story building is similar in size and massing to nearby commercial and restaurant buildings.
- ii. *The nature and extent of proposed landscaping and screening on the site.*
 - » Currently, the site has minimal landscaped areas along the north, east, and south property lines. The landscape areas are similar in size to the landscape areas of adjacent properties. The applicant has stated an intent to bring all landscape areas into compliance with City regulations. Additional landscape analysis is contained below and in the Site Plan Review Memo.
- E. *Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations.*
 - » Article VII, Section 405.370.B.2 states that personal care service uses shall provide five (5) on-site parking spaces per one thousand (1,000) square feet of floor area. The existing building measures 3,420 square feet, which makes the required on-site parking spaces 18. The proposed site plan shows 48 parking spaces including four ADA van accessible space. The applicant plans to construct a new delivery area at the rear (east) end of the building.
 - » The City's Off-street Parking and Loading Requirements also include parking lot screening and landscaping requirements. The applicant plans to use the existing site layout. The proposed landscape plan shows the existing landscape areas replanted to conform to City requirements.
- F. *Adequate utility, drainage, and other such necessary facilities have been or will be provided.*
 - » The applicant is not proposing to alter the existing utility or drainage facilities on the site. The applicant plans to use the existing parking lot lighting on site.
- G. *Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.*
 - » One, two-way access point is provided directly to the site from Smizer Station Road. Two secondary access points are provided from the adjacent gas station property to the north. Based on operations in other states and analysis of similar existing uses, patrons will likely visit the property throughout the business hours and not create significant peak-hour traffic. Even distribution of visits throughout the day lowers

MEMORANDUM

the possibility that the proposed use would cause large traffic congestion issues. The wide access will allow for easy passing of vehicles.

- H. *The proposed uses are deemed consistent with good planning practice and are not inconsistent with the goals, objectives, and policies of the Comprehensive Plan; can be operated in a manner that is not detrimental to the permitted developments and uses in the district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; are deemed essential or desirable to preserve and promote the public health, safety, and general welfare of the City.*
- » The Comprehensive Plan calls for commercial uses on the subject property. The proposed use is a commercial use. The City ordinance that was adopted to allow medical marijuana uses coded medical marijuana dispensaries as 446110. The code is based on the North American Industry Classification System (NAICS), which is used in the City's Land Use Code to organize and define different land uses. According to NAICS, uses coded 446110 are Pharmacies and Drug Stores listed under the larger category of Health and Personal Care Stores. Uses with this code operate similarly to retail establishments; however, they are primarily engaged in selling of prescription and non-prescription drugs or medicines. The proposed use would provide access to a good not otherwise available to residents and the surrounding community. The proposed business will also be licensed and monitored by the State.
 - » By using an existing building and site layout that is similar to adjacent properties, the proposed business will likely blend more within the surroundings. The subject property is located in an ideal area adjacent to major transportation routes and also buffered from residential areas. The proposed re-use of the vacant building is also beneficial to the activity of the existing commercial area.
- I. Additional Considerations
- » Medical marijuana dispensaries will operate through a mostly cash business. This type of operation can be more susceptible to robberies. The applicant did not provide details of the security plan, which are to remain confidential. The secure delivery area constructed on site will provide an additional layer of security for transfers of products and money.
 - » Medical marijuana can only be purchased legally by qualifying patients or primary caregivers of qualifying patients. As required by the State for all licensed dispensaries, the proposed business will have a system for verifying all Qualifying Medical Marijuana Patient or Primary Caregiver Identification Cards.

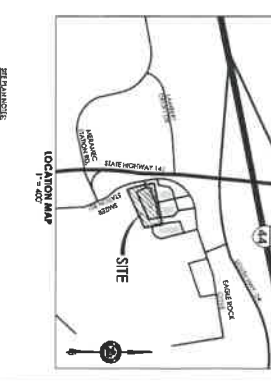
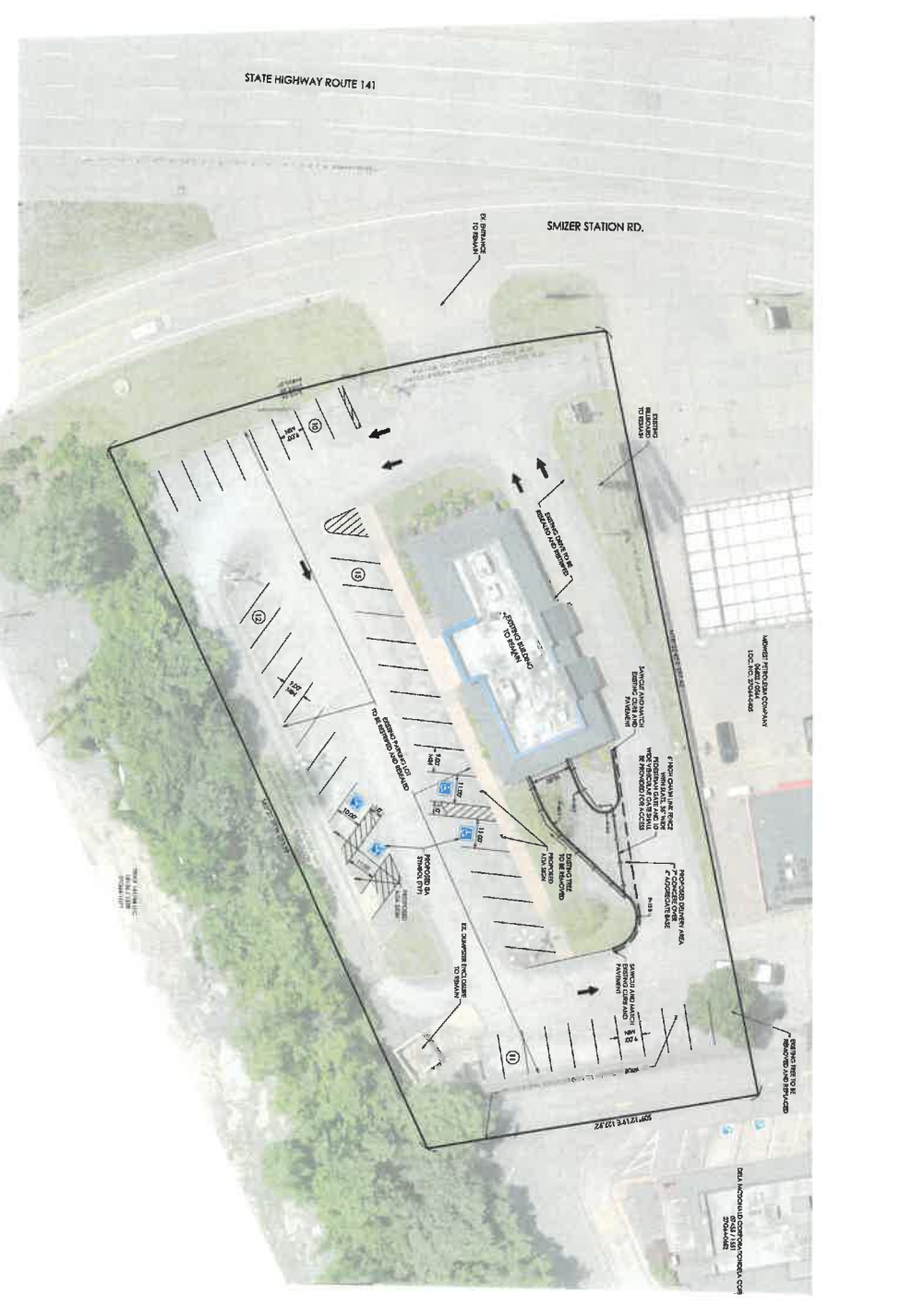
MEMORANDUM

- » Marijuana has a distinct odor or smell, which can carry through the air. Proper air ventilation systems for the building can reduce the odor along the exterior of the site. No marijuana cultivation, product testing or manufacturing of marijuana infused products will take place on the subject property. Those operations would generate the strongest odors. The dispensary facilities are not likely to produce odors.

Conclusion

The proposed medical marijuana dispensary is an appropriate use for the subject property based on the local and regional transit access, surrounding uses, and goals of the City's Comprehensive Plan. The proposed use is a unique business and therefore, conditions should be placed on the operation of the use and site to help mitigate potential impacts to the surrounding community and businesses. Based on the analysis provided above, we recommend approval of Conditional Use Permit with the following conditions:

1. The 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 and on file with the City Clerk.
3. No marijuana cultivation, product testing, manufacturing, or use of marijuana infused products is permitted on the property.
4. The hours of operation shall be Monday through Sunday from 8:00 a.m. till 8:00 p.m.
5. Patrons must be twenty-one (21) or older to enter the building.
6. All security camera footage shall be monitored and maintained for at least ninety (90) days and be made available to law enforcement upon request.
7. 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.
8. All marijuana inventory shall be kept and stored in a secured and locked manner.
9. Parking area lighting shall be installed upon approval by the Building Commissioner.
10. The site and landscape shall be maintained in accordance with the site and landscape plans approved by the Planning and Zoning Commission on ____.
11. All signage shall be installed with a proper permit and compliant with the City's Sign Regulations, Chapter 515.



PREMIER DESIGN GROUP
100 MIDLAND PARK DRIVE
WENTZVILLE MO 63090
TEL: 636-339-0333
WWW.PREMIERDESIGNGROUP.COM

CHAD HANSON, FAGER-McGEE COMMERCIAL CONSTRUCTION
JUSTICE GROWN DISPENSARY - VALLEY PARK, MO
2023 SMIZER STATION RD.
VALLEY PARK, MO 63090
CHAD HANSON
347 S. WILLIAMS STREET
MURPHYSBORO, IL 61556

- NOTES:**
1. REFER TO SHEET C-2
 2. REFER TO SHEET C-3
 3. REFER TO SHEET C-4
 4. REFER TO SHEET C-5
 5. REFER TO SHEET C-6
 6. REFER TO SHEET C-7
 7. REFER TO SHEET C-8
 8. REFER TO SHEET C-9
 9. REFER TO SHEET C-10
 10. REFER TO SHEET C-11
 11. REFER TO SHEET C-12
 12. REFER TO SHEET C-13
 13. REFER TO SHEET C-14

PROPERTY DATA

VALLEY PARK, MO
347 S. WILLIAMS STREET, VALLEY PARK, MO 63090

OWNER:
CHAD HANSON, FAGER-McGEE COMMERCIAL CONSTRUCTION
347 S. WILLIAMS STREET, VALLEY PARK, MO 63090

DATE:
7-27-2023

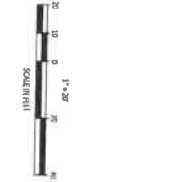
SITE PLAN



VALLEY PARK BEHIND YOU DRIVE
KID-DRIVE

SMIZER STATION RD.

2055 SMIZER STATION RD.
VALLEY PARK, MO 63088
CHAD L. HANSON
636.222.8900



PLANT SCHEDULE

THREE	ONE	TWO	FOUR	SEVEN	SIX	FIVE
4	1	2	3	5	6	7
ACER RUBRA	CEDAR	DOGWOOD	FRAXINO	HYDRANGEA	NYCTAGINIA	QUERCUS
...

THREE	ONE	TWO	FOUR	SEVEN	SIX	FIVE
4	1	2	3	5	6	7
ACER RUBRA	CEDAR	DOGWOOD	FRAXINO	HYDRANGEA	NYCTAGINIA	QUERCUS
...

GENERAL:

- All construction shall be in accordance with the approved specifications.
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LANDSCAPE REQUIREMENTS

1. All landscape materials shall be specified by botanical name, cultivar name, and size at time of planting.

2. All plants shall be installed in accordance with the approved specifications.

3. All plants shall be installed in accordance with the approved specifications.

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11. All plants shall be installed in accordance with the approved specifications.

CHAD HANSON, FAGER-MCGEE COMMERCIAL CONSTRUCTION
JUSTICE GROWN DISPENSARY - VALLEY PARK, MO

2055 SMIZER STATION RD.
VALLEY PARK, MO 63088
CHAD L. HANSON
636.222.8900

PREMIER DESIGN GROUP
100 MILL LANE PARKWAY
WINFALL, MO 65755
856.839.5855



PLANT SCHEDULE

THREE	ONE	TWO	FOUR	SEVEN	SIX	FIVE
4	1	2	3	5	6	7
ACER RUBRA	CEDAR	DOGWOOD	FRAXINO	HYDRANGEA	NYCTAGINIA	QUERCUS
...

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CHAD HANSON, FAGER-MCGEE COMMERCIAL CONSTRUCTION
JUSTICE GROWN DISPENSARY - VALLEY PARK, MO

2055 SMIZER STATION RD.
VALLEY PARK, MO 63088
CHAD L. HANSON
636.222.8900

PREMIER DESIGN GROUP
100 MILL LANE PARKWAY
WINFALL, MO 65755
856.839.5855

MEMORANDUM

Re: Site Plan Review for a Medical
Marijuana Dispensary at 2093 Smizer
Station Rd

To: Dusty Hosna

Date: 08/06/2020

From: Anna Krane, AICP

Pursuant to your request for review of the medical marijuana dispensary proposed at 2093 Smizer Station Road, we have provided the following analysis. The site plan and landscape plan each dated 7-22-2020 were reviewed for this memo. They shall replace the original site plan and landscape plan dated 5-29-2020.

Background

Medical marijuana dispensaries are permitted in the C-2 Commercial District with a Conditional Use Permit (CUP). The applicant has submitted for a CUP along with an application for Site Plan Review. This analysis covers the site plan submitted.

The subject property is located south of I-44, adjacent to Highway 141. The site was previously a Burger King. Surrounding uses include a gas station and fast food restaurants. The applicant is proposing to upgrade the building façade and interior as well as the landscape. The applicant is not proposing to change the existing layout or traffic circulation. The applicant is proposing to add a secured delivery access point to the rear (east) side of the building. Trucks and delivery vehicles will be able to pull into the new drive area enclosed by a security fence.

Criteria for Review

Chapter 405, Article IX of the City Land Use Code outlines regulations for Site Plan Approval. Other areas of the City's Code are also applicable to site plan review such as parking regulations, landscape requirements, conditional use regulations, and zoning district specific requirements.

Section 405.590 Scope of Review: The Planning Commission shall consider, but not be limited to, the following factors in review of the site development plan:

1. *The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, watercourses, floodplains, soils, air quality, scenic views and historic sites.*
 - » The site plan includes some upgrades and modifications to the existing layout. Major changes to existing site plan elements are not proposed.
2. *The provision of safe and efficient vehicular and pedestrian transportation both within the development and the community.*

MEMORANDUM

- » The main site access point is the curb-cut along Smizer Station Road. Secondary vehicle access is provided through two connections with the gas station property to the north. Pedestrians will enter and exit the building from the door on the south side of the building. The applicant is proposing to repave and stripe the parking lot to provide clear direction for circulation.
- 3. *The provision of sufficient open space to meet the needs of the proposed development.*
 - » The proposed landscape plan includes replanting existing beds and planting new trees. One existing tree and 19 new trees are proposed. The existing planting beds surrounding the building will be replanted in accordance with City regulations.
- 4. *The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community.*
- 5. *The compatibility of the overall site design (location of buildings, parking lots, screening, general landscaping) and the land use within the existing area and projected future development of the area.*
 - » The site is developed in a similar manner to the adjacent properties. The proposed landscape plan will bring the site into compliance with the existing regulations, when some adjacent properties are deficient. The site and building are compatible with surrounding land uses and development. The proposed landscape plan will re-establish the screening of commercial property that is required by the code.
- 6. *The existence and/or provision of adequate community facilities to serve the proposed development (i.e., water, sewerage, schools, streets, etc.).*
- 7. *Conformance of the site development plan with the Comprehensive Plan and any other applicable requirements of the Zoning Code.*
 - » The proposed site plan provides the parking spaces required by code.
 - » The “C-2” Commercial District requirements include performance standards such as building material requirements. Section 405.165.D.9.c states that buildings should be constructed of brick or stone masonry and provides a list of supplementary materials that are permitted for exterior walls. The existing building is block construction. The majority of the existing building will remain as is. Due to safety concerns, the majority of the existing windows will be covered or infilled, except for windows on the southern façade adjacent to the waiting area. The existing brick façade will be painted a tan color and EIFS will be added as accent in some areas. To break up the neutral façade, the applicant is proposing to have artist paint murals on four panels, one on the north façade, one on the south façade, and two on the west façade. The exact design to be painted on

MEMORANDUM

each panel will be determined by the artist. In addition to the murals, planting areas will provide screening of the walls from the street.

- » Chapter 515 contains the City's Sign Regulations. Based on the rendering submitted, the applicant is proposing three attached signs, one on each the north, south, and west façade. All new signage must conform with current regulations. According to Section 515.120 Commercial Signage, the property may have one attached sign on the west façade, which is the only street frontage. A ground sign or a pole sign would also be permitted on the property.

Conclusion

The proposed site plan is in conformance with City regulations.