

8425 Airport Road Berkeley Missouri 63134-2098

(314) 324-3313

MEMORANDUM

TO: Mayor Deinbo and Members of the City Planning Commission

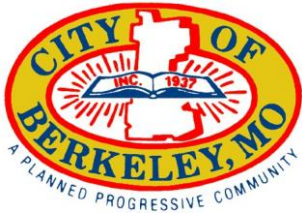
FROM: Planning and Development

SUBJECT: **Case 24-14; Cannabis Manufacturing Facility** (change of ownership)

MEETING DATE: August 14, 2024

Applicant seeks to operate an existing cannabis manufacturing facility located at 5800 N. Hanley Road

STAFF RECOMMENDATION: Approval



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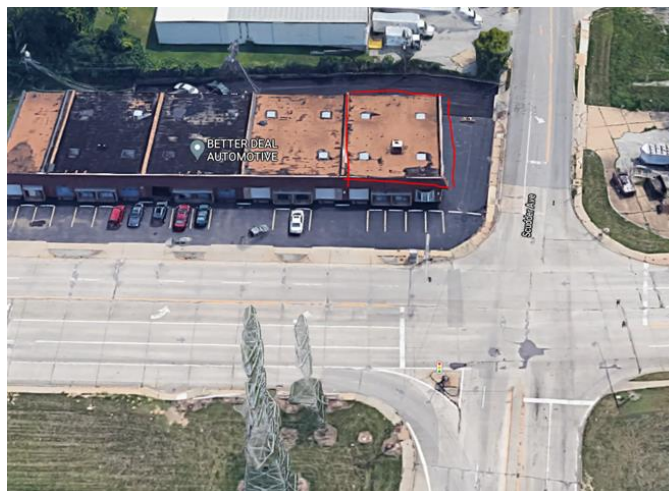
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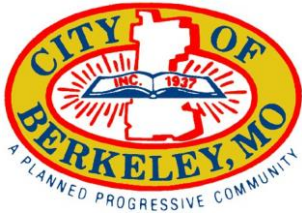
APPLICATION INFORMATION

Applicant Information:	Sarah Daney SoGanga Labs LLC 7741 Kingshighway Blvd#32 Clayton, MO 63105
Status of Applicant:	Lessee of property; owner is Ken Youngerman
City Council Ward(s):	Ward 4
Parcel ID Numbers:	12K641354
Area of Property:	3,500 square feet on a .67 Acre site
Current/Past Use of the Property:	cannabis manufacturing facility.
Surrounding Zoning:	<u>North:</u> M-1 Industrial <u>South:</u> City of Kinloch <u>East:</u> M-1 Industrial <u>West:</u> C-2 General Commercial (Ameren transmission line)
Parking Required:	one (1) space required; four (4) provided.

MAPS

Location of Manufacturing Facility:





ZONING IMPACT ANALYSIS

1. Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

Yes. This is a continuation of an existing use under a proposed new owner.

2. Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property;

No; nothing will change.

3. Whether the property to be affected by the proposal has a reasonable economic use as currently zoned;

See above.

4. Whether the proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools;

The change of ownership will have no impact on any of the above utilities and/or transportation issues.

5. Whether the proposal is in conformity with the policies and intent of the land use plan;

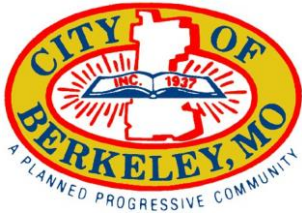
While marijuana related businesses were not specifically addressed in the 2009 Comprehensive Plan, this use does fit the recommendation: *“Restorative commercial development is recommended in the city’s existing commercial areas to create an environment that is favorable for future development”* (Ch. 5, pg. 14; ‘Future land use plan’, Berkeley comprehensive plan, 2009)

6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal; and

No. There are no other pertinent conditions or concerns with this site.

7. Whether the proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of City of Berkeley.

No. The proposed use allowable under this zoning is suitable for the area, and any site environmental concerns will have to be addressed in any development plan.



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PLANNER'S RECOMMENDATION

Approval.

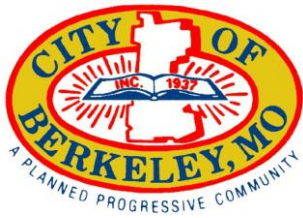
PLANNING COMMISSION RECOMMENDATION

TBD

PREPARED BY: Elliot Liebson, Director of Planning and Development

REVIEWED BY: Nathan Mai-Lombardo, City Manager

Plan Commission voted unanimously to recommend approval of this SUP transfer to Council.



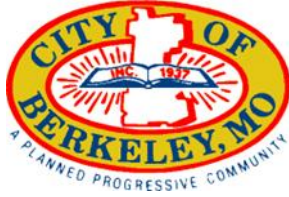
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Screen capture of company website:



Incorporation Filing with MO Secretary of State: attached as separate document



STAFF REPORT **NO TAXES DUE**

CASE NUMBER: 20-27

DATE: December 10, 2020

PETITIONER: Corey M. Christanell
12553 Cinema Lane
St Louis MO 63127
corey@monarch-mo.com

PROPERTY OWNERS: Ken Youngerman
PO Box 2314
Florissant MO 63032

REQUEST: Special Use Permit

LOCATION: 5800 North Hanley

SIZE: 3,400 Square Feet

CURRENT ZONING: M-1, Industrial District

PROPOSED ZONING: Zoning to remain the same

EXISTING USE: Vacant

PROPOSED USE: Medical Marijuana Manufacturing

RECOMMENDATION: Recommend Approval



REPORT TO CITY COUNCIL
Public Hearing NO TAXES DUE

TO: The Members of the City Council

FROM: Debra Irvin, City Manager

DATE: December 10, 2020

SUBJECT: Case # 20-27– Shall a Special Use Permit be issued to Corey M. Christanell of Monarch Advanced Sciences for operation of medical marijuana manufacturing at 5800 North Hanley.

We have investigated the Subject item, above, and present the following as our findings:

PETITIONER'S REQUEST

The applicant is requesting a Special Use Permit at 5800 North Hanley to be used for the purpose of as medical manufacturing as approved by State of Missouri.

BACKGROUND AND DESCRIPTION OF SITE

Petitioner Corey M. Christanell appeared before the city Plan Commission on December 09, 2020. After hearing the matter, the Plan Commission referred to the City Council for consideration of approval. The parcel built in 1968 contains a one-story commercial property with several businesses (office/auto repair/warehouse space) located on the west side of North Hanley Road near Scudder Road. This property is presently zoned M-1, Industrial District. The surrounding properties are zoned C-2 and M-1.

DESCRIPTION SURROUNDING AREA

The properties north of the Berkeley police station and vacate building; to the east are a parking lot and vacant land; the property to west is a warehouse; and the properties to south of this site is Kinloch.

PERFORMANCE STANDARDS. Light industrial uses are subject to the following performance standards:

Noise. Every use shall be so operated that the maximum volume of sound or noise generated does not exceed fifty-five (55) decibels at any point on the lot line of the lot on which the use is located. Outdoor loudspeakers and audible communication systems are not permitted within one thousand (1,000) feet of a residential district.

Odor. Every use shall be so operated that no offensive or objectionable odor is perceptible at any point on the lot line of the lot on which the use is located.

Toxic gases. Every use shall be so operated that there is no emission of toxic, noxious or corrosive fumes or gases.

Emission of dirt, dust, fly ash and other forms of particulate matter. Emission of dirt, dust, fly ash and

other forms of particulate matter shall not exceed eighty-five hundred (0.85) pounds per one thousand (1,000) pounds of gases of which amount not to exceed five-tenths (0.5) pounds per one thousand (1,000) pounds of gases shall be of such size as to be retained on a three hundred twenty-five (325) mesh U.S. Standard Sieve. In the case of emission of fly ash or dust from a stationary furnace or combustion device, these standards shall apply to a condition of fifty percent (50%) excess air on the stack at full load, which standards shall be varied in proportion to the deviation of the percentage of excess air from fifty percent (50%).

Air pollution. Every form of objectionable odors, smoke, toxic gases, particulate matter such as dirt, dust, fly ash, must be restricted to specific low levels of emissions as set forth in Ordinance No. 3347 of St. Louis County titled Air Pollution

SUPPORTING DOCUMENTS

- Staff Report
- Special Use Application
- Street Aerial Map
- Site Photographs
- St Louis County Ownership

OPTIONS OF THE COUNCIL

1. –Recommend approval of the applicant’s request.
2. –Recommend denial of the applicant’s request.

RECOMMENDATION

Plan Commission recommends approval to the Council, with conditions of the Special Use Permit for the operation of a medical marijuana at 5800 North Hanley Road, in the City of Berkeley, St. Louis County, Missouri.

PROCEDURE:

The Council may recommend modifications to the permit of approval as necessary to preserve the health, safety, general welfare, beauty, and tranquility of the City, and may recommend a specific expiration date of the permit. If no date is specified, the term shall be one year.

PUBLIC NOTICE AND COMMENT

Public Hearing notification is applicable. Upon recommendation by City Plan Commission to City Council, notices shall be mailed to owners and occupants of property within 185 feet of the site. This public hearing shall be published, posted and scheduled at a date specified by the City Clerk.

CASE NO. 20-27- CONDITONS OF SPECIAL USE PERMIT (SUP) – 5800 N. HANLEY

1. Petitioner operation hours of 8:00 am to 8:00 pm
2. Operating days of the week Sunday thru Saturday.
3. Processing and manufacturing only of medical Marijuana or medical Marijuana-Infused Products
4. No retail sales of medical Marijuana or medical Marijuana-Infused Products at this location.
5. No person or facility shall dispose of Marijuana or Marijuana-Infused Products in an unsecured waste receptacle not in possession and control of the licensee and designed to prohibit unauthorized access.
6. Owner/Operator shall adhere to all state, county and Berkeley's regulations regarding Medical Marijuana
7. Owner shall adhere to City's annual fire inspection
8. Applicant shall adhere to the City's Architectural Code Section 400.370 Architectural Aesthetics. No building shall be greatly dissimilar in architectural style, size, mass or color so as to appear grossly unattractive, and to have a negative impact on adjacent properties and the surrounding neighborhood
9. Store finished goods in security containers
10. The facility shall have a fireproof vault or safe that is incorporated into and securely attached to the building structure for the purpose of securely storing cash and any processed marijuana.
11. Shall adhere to state requirements for discarding waste
12. Must have odor mitigation in accordance to state requirements.
13. Install filtration venting fans in all exhaust fans throughout the building, shall not impact neighboring businesses or residential homes
14. HVAC system shall have filtration system, file specification with Building and Fire Department
15. The interior will be thoroughly inspected by the City staff.
16. Adhere to EPA for oil discharge and removal from previous tenant uses
17. Shall adhere to the Performance Standards of noise, odor, toxic gases, emission and air pollution.
18. No dumping of waste product in Storm Sewer. Shall comply with MSD Stormwater management
19. Build new trash enclosures in accordance with city ordinance; permit required
20. No outdoor storage of products or containers
21. No active compound of THC shall be left outdoors or stored in outdoor containers
22. Signs are prohibited in the city's right of way
23. Sign permit is required for new signs; banners, pennants, festoons, human sign, searchlights are prohibited.
24. No banners, balloons, flags or festoons in the city's public right of way
25. No snipe signs or directional signs in the city's public right of way
26. No human signs permitted directing patrons to the restaurant
27. Prior to issuance of any Occupancy Permit, the above noted conditions shall be met.
28. Occupancy permit and Business License shall be posted at all times
29. No live entertainment in or outside of the building
30. Pick up litter around the premises at least two times a day
31. Deliveries, loading and unloading shall not occur between 6am-9am and 3pm -6pm (*school bus and rush hour*)
32. Security cameras shall always be installed at perimeter and interior of space and monitored by the business operator at all times; registration is required to be filed with Police Department.

33. An alarm system and panic button are required to be installed.
34. An after-hour contact must be included with the Camera Registration.
35. No metal bars, mesh, or other durable material shall be installed over any portion of the frontage window or frontage opening in commercial buildings.
36. Install "*No Loitering*" and "*No Loud Music*" signs at entrance wall.
37. The exterior area shall be maintained and kept free and clear of any debris or trash or weeks.
38. Buildings and site conditions in need of repair shall be repaired or replaced per the approval of the Building Commissioner.
39. The building, lot, landscaping, and yard areas shall be maintained and kept free and clear of any debris, trash, or weeds including maintenance of all landscaped areas.
40. Only 10% of windows space shall be used for window signage. The petitioner will be permitted one exterior wall mounted sign at the front wall of the business.
41. Advertising with human signage is prohibited
42. Seal and stripe asphalt parking lot
43. The premise shall be subject to adherence to City of Berkeley annual fire inspections and life safety plans.
44. All required inspections by the city are required before issuance of occupancy permit or business license.
45. The interior shall be thoroughly inspected by City's Building Commissioner and Fire Department, and any and all other jurisdictions, if applicable. All permits that are required by any of said mention must be received. Once, all required inspections are completed; apply for all necessary building/occupancy & fire safety permits from the City of Berkeley, and other jurisdictions, after obtaining City Council's approval on this Special Use Permit. Commercial Occupancy permit and Business License is required and shall be posted at all times.
46. In granting such special use permits, the City Council may provide that the permit be valid for a limited period of time not to exceed ten (10) years. Upon expiration of the time limit specified in the permit, the holder of the permit may request the permit be reviewed by the City Council, and the City Council may extend it for another limited period of time not to exceed ten (10) years. The City Council shall provide that the permit be exclusive only for the holder and non-transferable.
47. The Special Use Permit will be revoked if for any reason the applicant ceases operations and closes its doors to the public for a period of six (6) months or more, and not complying with the City's Special Use Permit. The Special Use Permit shall not be assigned, or sold, or conveyed, or operated by another without prior approval by the City Council and occupancy permit, building permit or business license shall be issued to such assignee until such approves is secured.
48. Any violations can be a reason for the City to revoke this permit, according to the City's current regulations. To occupy the building and facilities the applicant must comply with all the applicable rules and regulations pertaining to health and safety for vehicular and pedestrian traffic, zoning, building, sign codes, fire and safety protection standards as required by the City Fire Department, City of Berkeley, St. Louis County, State of Missouri, and Federal rules and regulations.
49. Prior to issuance of an Occupancy Inspection and Permits, the above noted conditions, the conditions as described in the attached Report, and the inspections as part of the normal occupancy permit process shall be met, and as approved by the City Council. This Special Use Permit takes effect upon the approval by City Council.

50. The City Council may, in accordance with Section 400.580, institute a rezoning. The City Council, after a public hearing, may revoke a special use permit for failure of compliance with regulations and restrictions of this Chapter or the requirements of the special use permit.
51. If the City Council determines that the public health, welfare, and safety are adequately protected in view of the foregoing criteria, then the special use permit shall be granted; but if it is negative as to any of such paragraphs, then the special use permit shall be denied.

Respectfully submitted,

