



Planning & Zoning Commission Meeting Minutes

June 20th, 2019 @ 6pm

City Hall

Chairman Neal called the meeting to order at 6:01pm.

Members Present:

- Commissioner Kurtz
- Commissioner Little
- Commissioner Rice
- Chairman Neal
- Commission Neal
- Commissioner Mann
- Alderman Sagaser

Others Present:

- Sydney M. Allen, Planning & Zoning Administrator
- Donald Brown, City Attorney
- Thane Kifer
- Michelle Morris
- Rob Harris
- Pam Horn
- Leslie Horn
- Tracy Slagle, City Administrator
- Mark Grabowski

Approval of Agenda:

After reviewing the agenda, Alderman Sagaser made a motion to approve the agenda. Commissioner Little seconded the motion. The agenda was approved as presented.

Approval of Meeting Minutes:

After reviewing the meeting minutes from May 16th, 2019, Commissioner Kurtz made a motion to approve the minutes. Commissioner Rice seconded the motion. The minutes were approved as presented.

New Business:

- **Public Hearing-** Zoning Text Amendment – Proposed Regulations for Medical Marijuana Facilities.
Chairman Neal gave some background information to the people in the audience. She stated that the State of Missouri has passed down regulations because the people of the Missouri and of Polk County voted to make medical marijuana legal. Municipalities have

the ability to determine appropriate zones for the types of facilities, as well as buffer requirements for distances between specific uses and these types of facilities. She explained the types of facilities and which zoning classifications have been discussed. Chairman Neal stated that the distances for buffer requirements that the group has discussed are 1,000, 500, and 300 feet. Thane Kifer addressed the Commission and stated that he was in favor of the 500 foot buffer for dispensaries. He stated that based on past legal situations with previous City ordinances, he would not want to exclude all properties in Bolivar for Medical Marijuana Facilities. Gail Noggle also addressed the Commission and stated that she had been involved in several conversations with people working to locate cultivation and/or manufacturing facilities in and around Bolivar. She stated that these projects have the possibility of creating jobs for the community but the sales tax dollars will come from the dispensaries.

Chief Webb addressed the Commission and stated that the Bolivar Police Department works to support all citizens and will enforce the rules that are passed down. He stated that he sees both the benefits and dangers of allowing these facilities in the community. There are safety concerns, as well as a lot of unknowns regarding how allowing these businesses in communities will have an effect on the population of the communities. Chairman Neal asked if there was a concerned risk for crime. Chief Webb said because we haven't had these businesses before, it is hard to tell, but he doesn't anticipate it to be a greater risk. Tracy Slagle stated that she had heard that these businesses would like to hire off-duty officers to provide security at the locations. Chief Webb said that Bolivar officers wouldn't be able to contract for something like that because Medical Marijuana is not legal on the federal level. Michelle Morris from the Polk County Health Center asked about distances from daycares. Chairman Neal stated that licensed daycare centers would be protected by the buffer requirement. Mark Grabowski with Southwest Baptist University Security asked about SBU and the buffer. Chairman Neal explained that because of the churches on campus, the main campus would be protected. Chairman Neal closed the public hearing at 6:32pm.

- **Public Hearing – ZC-19-05 – 911 W Broadway:** Leslie and Pamela Horn addressed the Commission and stated that they would like to rezone the property listed so that they would have the opportunity of utilizing the residential structure for a residential use, in addition to opening a daycare center. The long term goal would be to provide 24 care. They will be licensed to service children from birth to 12 years old. Chairman Neal closed the public hearing at 6:35pm.
- **Public Hearing – Small Cell Wireless Facilities Zoning Text Amendment:** Chairman Neal opened the public hearing at 6:35pm. With no comments, Chairman Neal closed the public hearing at 6:36pm.
- **Discussion & Recommendation: Medical Marijuana Facilities –** After reviewing the proposed regulations, the Commission decided to recommend editing the presented regulations to include specifics on how to buffer properties, remove hours of operations



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regulations, and to add that all ventilation systems must be in compliance with State regulations. After the discussion, Alderman Sagaser made a motion to recommend approval of the zoning regulations to the Board of Alderman, as amended. Commissioner Mann seconded. The motion passed.

- **Discussion & Recommendation: ZC-19-05-** Alderman Sagaser made a motion to recommend approval of the zoning change application. Commissioner Kurtz seconded the motion. The motion passed.
- **Discussion & Recommendation: Small Cell Facilities Zoning Text Amendment-** Commissioner Kurtz made a motion to recommend approval of the proposed zoning regulations for Small Cell Facilities. Alderman Sagaser seconded the motion. The motion passed.
- **Citizen Comments:** None

Alderman Sagaser made a motion to adjourn the meeting. Commissioner Mann seconded. Chairman Neal adjourned the meeting at 7:05pm.