



PLANNING & ZONING COMMISSION

MEETING DATE: FEBRUARY 23, 2016
LOCATION: COUNCIL CHAMBERS 9119 LACKLAND ROAD OVERLAND MO 63114
CALL TO ORDER: 7:00 PM
ADJOURNMENT: 7:21 PM
NEXT P&Z MEETING: TUESDAY, MARCH 29, 2016 @ 7:00PM COUNCIL CHAMBERS
COUNCIL MEETING: MONDAY, MARCH 14, 2016 @ 7:00PM

ROLL CALL

| NAME: | PRESENT: | EXCUSED: |
|----------------------------------|----------|----------|
| JERRY BROWN, CO-CHAIRMAN | | X |
| STEVE OLSEN | P | |
| MARK GIROUX | P | |
| JIM WADE | P | |
| MAYOR MIKE SCHNEIDER | P | |
| AUSTIN DESAIN, CHAIRMAN | P | |
| NEWTON MCCOY, SPECIAL COUNCIL | P | |
| JOHN THOMAS | P | |
| COUNCILMAN JAY FETSCH | P | |
| BETH RUCKMAN | P | |
| KEN CROWDER | P | |
| KIRBY BARNARD, DIRECTOR | P | |
| KADI SANDERS, ZONING COORDINATOR | P | |

PLEDGE OF ALLEGIANCE

REMEMBRANCE OF SERVICE MEMBERS

APPROVAL OF MINUTES: DECEMBER 29, 2015

Ken Crowder made a motion to approve the minutes of the Planning and Zoning meeting held on December 29, 2015. Councilman Jay Fetsch seconded the motion. Motion carried.

PUBLIC HEARING:

Chairman Austin DeSain requested a motion to change the order of the agenda items to hear 10414 Page Avenue prior to 2533 Verona. He explained there were members that must recuse themselves from the 2533 Verona Avenue item.

Councilman Jay Fetsch made a motion to change the order of the agenda items In order to hear 10414 Page Avenue prior to 2533 Verona Avenue. Jim Wade seconded the motion. Motion carried.

10414 PAGE AVE – SONIC AMERICA'S DRIVE THRU – CONDITIONAL USE PERMIT

A representative from Ziglin Signs addressed the commission on behalf of their client, Sonic America's Drive Thru to request approval of a conditional use permit for a commercial electronic message board sign. The representative expressed that the proposed sign will be

erected in the same footprint of the existing sign but have the added feature of the electronic message board.

Mr. Barnard explained to the commission the applicant has submitted a sign permit to the Department of Community Development and it was denied due to the conditional use permit requirement as well as the size of the sign. However, after researching the property file it was found that the original monument sign previously approved was bigger than the proposed sign. Therefore the size is not an issue, but conditional use permit approval is required.

There was discussion regarding conveying the stipulations to the business owner of how the commercial electronic message board sign is allowed to function and the representative assured the commission the business owner is familiar with the conditions as they have similar signs at other locations. Special Counsel, Newton McCoy reiterated to the representative only static slides which revolve every ten seconds are allowed. They are not allowed to sparkle, melt or be animated. Again, the representative assured the commission the business owner is familiar with the conditions.

There were no comments from the Commission.

There were no comments from the audience.

Steve Olsen made a motion to approve the conditional use permit with stipulations as outlined in the Section 400.850.D.2 of the zoning code relating to commercial electronic message board signs. Jim Wade seconded the motion. Motion carried.

2533 VERONA AVE – ZONING MAP AMENDMENT

Brian Grubbs, the property owner and applicant, addressed the commission to request approval of a zoning map amendment for the property located at 2533 Verona Avenue. He respectfully requested the zoning be changed from General Commercial C-2 to Single Family Residential R-3. Mr. Grubbs explained to the commission he was misinformed of the zoning of this property when he purchased it and furthermore he is not in the practice of renting commercial properties. He owns a real estate company which owns over 40 properties in the area and specializes in rental of residential properties. He assured the commission if they approve the request he will bring the property back to its original glory and will have the property occupied continuously.

Mayor Schneider expressed his understanding of Mr. Grubbs situation relating to the misinformation from the realtor and his desire to keep the property residential.

Kirby Barnard explained to the commission the house was built in 1904 as a residential house. It went into foreclosure a couple years and has been vacant ever since. Once it has been vacant for 180 days or greater it loses its non-conformity and reverts to the zoning designated on the zoning map, which in this case is General Commercial (C-2). My department has a good working relationship with Mr. Grubbs. If there are issues we are able to call him directly and he takes care of the issue. He brings his houses to minimum standard and above.

Special Counsel, Newton McCoy asked Mr. Barnard to the best of his knowledge has this property been historically utilized as a residence and Mr. Barnard responded to the affirmative stating in his thirty years of employment it has been residential.

Beth Ruckman asked about the comprehensive plan and the planning study of the downtown area in progress, this property abuts Woodson Road businesses; does this zoning map amendment affect any projects in progress? Furthermore she can appreciate the situation as her own business is located in a residential house and it is zoned commercial, but feels it would be remiss if it wasn't discussed.

Mayor Schneider stated the only time this might have been in question effecting a project would have been the round about which is no longer an issue.

Jim Wade stated he doesn't like to see property vacant.

Special Counsel, Newton McCoy, asked for the record if the notice of public hearing was sent to surrounding property owners within 300 hundred lineal feet of subject property and Kadi Sanders responded to the affirmative stating Mr. Grubbs provided receipts for the certified mailing.

Mayor Schneider stated there were letters received from two neighbors in support of the zoning map amendment.

Tom Vitale asked as to the location of the house and Mayor Schneider responded it is the house immediately North of the Farmer's Market Pavilion.

Newton McCoy addressed Beth Ruckman's concerns stating that he believed the thought process relating to the property on the West side of Verona being commercial was for the businesses on Woodson Road to expand.

Jim Wade made a motion to recommend approval to the City Council to adopt the zoning map amendment from General Commercial (C-2) to Single Family Residential (R-3) for 2533 Verona Avenue. Mark Giroux seconded the motion. Motion carried.

NEW BUSINESS:

Mayor Schneider explained to the commission the Great Street Initiative project is underway and encouraged the commission to come to some of the meetings if possible.

OLD BUSINESS:

None.

ADJOURNMENT:

John Thomas made a motion to adjourn. Ken Crowder seconded the motion. Motion carried.

Respectfully submitted,

Austin DeSasin
Chairman
Planning & Zoning