



PLANNING & ZONING COMMISSION

MEETING DATE: JUNE 30, 2020
LOCATION: COUNCIL CHAMBERS 9119 LACKLAND ROAD OVERLAND MO 63114
CALL TO ORDER: 6:00 PM
ADJOURNMENT: 6:30 PM
NEXT P&Z MEETING: TUESDAY, JULY 28, 2020 @ 6:00PM COUNCIL CHAMBERS
COUNCIL MEETING: MONDAY, JULY 20, 2020 @ 6:00PM

ROLL CALL

| NAME: | PRESENT: | EXCUSED: |
|---|----------|----------|
| WILLIAM HARDRICK | X | |
| STEVE OLSEN | X | |
| MARK GIROUX | X | |
| JIM WADE | X | |
| MAYOR MIKE SCHNEIDER | X | |
| BETH RUCKMAN, CHAIRWOMAN | X | |
| SPECIAL COUNCIL, NEWTON MCCOY | X | |
| COUNCILWOMAN LISA RIDOLFI | X | |
| KEN CROWDER | X | |
| LES DILLS | X | |
| MIKE BYNUM | X | |
| KIRBY BARNARD, COMMUNITY DEVELOPMENT | X | |
| KADI SANDERS, ZONING COORDINATOR | X | |

PLEDGE OF ALLEGIANCE

REMEMBRANCE OF SERVICE MEMBERS

APPROVAL OF MINUTES:

Ken Crowder made a motion to approve the minutes as presented from the May 26, 2020, Planning and Zoning meeting. Mayor Mike Schneider seconded the motion. Motion carried unanimously.

PUBLIC HEARING:

Chairwoman Ruckman read the following zoning code sections regarding expiration of Conditional Use Permit(s) and Site Plan approval(s):

Section 400.635 Expiration of Site Plan Approval.

The site plan approval shall expire, and be of no effect, one hundred eighty (180) days after the date of final approval thereof, unless within such time a building permit for any proposed work authorized under the said site plan approval has been issued. The site plan approval shall expire and be of no effect three hundred sixty (360) days after the date of its issuance, if construction has not begun and been pursued diligently on the property.

Section 400.695 Failure to Commence Construction or Operation.

Unless otherwise stated in the conditions of a particular conditional use permit, substantial work, construction, or operation of the conditional use, where construction is not required, shall commence within six (6) months of the effective date of the permit unless such time period is extended through appeal to and approval by the Planning and Zoning Commission. If no appeal is made, or no extension of time is received or granted, the permit shall immediately terminate upon expiration of the six (6) month period. When the conditional use permit commences, evidence of commencement will be the issuance of a building permit, if construction is required, or an occupancy permit, if construction is not required.

9701 LACKLAND RD – AUDIO ACE – CONDITIONAL USE PERMIT/SITE PLAN APPROVAL

Jon Hart addressed the Commission regarding the application submitted for site plan approval and a conditional use permit to operate an automotive service center that specializes in the installation of retail sale mobile electronics (e.g. car alarms, navigation, DVD, and audio systems).

Kirby Barnard, Director of Community Development, explained the applicant has already appeared before the Board of Adjustment on June 10, 2020 and was granted approval of required variances.

There was discussion regarding the days and hours of operation, storage of a 1972 VW Beetle and 33' RV both of which will be stored inside the building at night, the sale of vehicles from this location is prohibited, and that unlicensed, derelict, and/or abandoned vehicles are not to be kept on site.

Special Counsel, Newton McCoy, had concerns regarding the amount of parking stalls.

There was discussion regarding the location of the parking, where the employees will park, and where the customers are to park.

Councilwoman Lisa Ridolfi asked for clarification on the site items that do not meet the zoning code requirements and confirmed the applicant had received approval prior to the Planning & Zoning meeting. Mr. Barnard explained due to COVID-19 effecting meeting dates and purchase deadlines the applicant was sent to Board of Adjustment prior to Planning and Zoning.

There were no comments from the audience.

Steve Olsen made a motion to approve the conditional use permit as presented. Mark Giroux seconded the motion. Motion carried unanimously.

Ken Crowder made a motion to approve the site plan as presented with variance approval. Councilwoman Lisa Ridolfi seconded the motion. Motion carried unanimously.

2543 HOOD AVE – HAND TO HAND ADULT DAYCARE– CONDITIONAL USE PERMIT/SITE PLAN APPROVAL

Kendra Fitzgerald addressed the Commission to request approval of the site plan and a conditional use permit to operate an adult daycare center.

Kirby Barnard, Director of Community Development explained there was previously an adult daycare, St. Elizabeth's, in the same location.

Newton McCoy, Special Counsel, asked how long it has been since the previous daycare closed and it was confirmed the previous daycare closed approximately one year ago.

There was discussion that the building is a multi-tenant building and while the previous daycare has vacated the building, it is still occupied by a Christian academy.

Councilwoman Lisa Ridolfi asked if there was an occupancy limit regarding the number of clients that can attend the daycare. Ms. Fitzgerald explained she is subject to the occupancy limits set by the community and state fire marshal.

There was discussion as to the days and hours of operation, traffic flow for pickup and drop off of clients, location and type of outside activities for clients, a passenger van will be kept on site, outside storage is prohibited.

There were no comments from the audience.

Mayor Mike Schneider made a motion to approve the conditional use permit with stipulations as presented. Mark Giroux seconded the motion. Motion carried unanimously.

Steve Olsen made a motion to approve the site plan as presented. Les Dills seconded the motion. Motion carried unanimously.

9525 MIDLAND BLVD – ZONING MAP AMENDMENT – EXISTING ZONING “R-3” PROPOSED ZONING “R-4”

Lorena Villasenor addressed the Commission to request a zoning map amendment to change the existing zoning of the property from “R-3” Single Family Residential to the proposed zoning of “R-4” Two-Family Residential.

Kirby Barnard, Director of Community Development, gave the Commission a brief history of the building and an overview of the applicant’s intent to convert the existing building into a two-family residential building. Further, he explained the applicant has provided the Commission with a full set of construction plans.

Councilwoman Lisa Ridolfi asked if a variance was required regarding the front yard setback and Kirby explained at this time he believes it was pointed out in the staff report so the Commission could decide how they would like to proceed. Mayor Schneider said it is duly noted.

Mark Giroux asked if there have been any further issues with construction being performed at the building since the stop work order was placed and Mr. Barnard responded no.

Special Counsel, Newton McCoy inquired if the construction permit has been issued and Mr. Barnard stated no, it will not be issued until they have received full approval of the zoning amendment.

There was a brief discussion as to how the building was labeled on the plan as existing mixed use and that the building is not zoned as mixed use.

There were no comments from the audience.

Kadi Sanders, Zoning Coordinator, stated the applicant did send a notice of public hearing by certified mail to the surrounding property owners within 300 feet of the subject property as required by code. The postmarked receipts are on file with the Department of Community Development.

Ken Crowder made a motion to approve the zoning map amendment to change the existing zoning of "R-3" Single Family Residential to "R-4" Two-Family Residential. Mark Giroux seconded the motion. Motion carried unanimously.

NEW BUSINESS/OLD BUSINESS:

There was a brief discussion regarding the former DiCarlos' building, the Waffle House, and the sound quality for the members attending via WebEx.

ADJOURNMENT:

Ken Crowder made a motion to adjourn. Mark Giroux seconded the motion. Motion carried.

Respectfully submitted,

Beth Ruckman, Chairwoman
Planning and Zoning