



PLANNING & ZONING COMMISSION

MEETING DATE: JULY 28, 2020
LOCATION: COUNCIL CHAMBERS 9119 LACKLAND ROAD OVERLAND MO 63114
CALL TO ORDER: 6:00 PM
ADJOURNMENT: 6:27 PM
NEXT P&Z MEETING: TUESDAY, AUGUST 25, 2020 @ 6:00PM COUNCIL CHAMBERS
COUNCIL MEETING: MONDAY, AUGUST 10, 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 June 30, 2020, Planning and Zoning meeting. Les Dills seconded the motion. Motion carried.

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.

9074 OVERLAND PL – CVS PHARMACY #18027 – CONDITIONAL USE PERMIT/SITE PLAN APPROVAL

Nicole Simpson addressed the Commission on behalf of CVS Pharmacy regarding the application submitted for site plan approval and a conditional use permit to operate a retail pharmacy located within Schnucks Supermarket.

There was discussion regarding the hours of operation. Ms. Simpson stated the hours submitted on the original application were COVID hours but eventually the Monday and Thursday hours will also be 9am to 9pm and it was agreed the conditional use permit would reflect normal business hours as opposed to the more restrictive hours.

There was further discussion regarding code enforcement issues at Overland Plaza.

There were no comments from the audience.

Mark Giroux made a motion to approve the conditional use permit as presented and discussed. Ken Crowder seconded the motion. Motion carried.

Mayor Schneider made a motion to approve the site plan as presented. Mark Giroux seconded the motion. Motion carried.

2505 VERONA AVE – ZONING MAP AMENDMENT – FROM “C-2” GENERAL COMMERCIAL TO “R-3” SINGLE FAMILY

Andrew Foulds addressed the Commission to request approval of a zoning map amendment to change the zoning from “C-2” General Commercial to “R-3” Single Family Residential.

Kirby Barnard, Director of Community Development gave a brief history of the property.

Newton McCoy, Special Counsel, stated the house was design built as a residential property and had been utilized in the past as a residential home. Further he doesn't

Mark Giroux asked whether or not the property will be occupied by the applicant or used as rental property and Mr. Foulds stated his family will occupy the property.

Councilwoman Lisa Ridolfi started a discussion regarding how to avoid people buying property without knowing the proper zoning and Mr. Barnard stated while this happens on occasion, people purchasing a property that is not properly zoned for the intended use, typically these issues are avoided during due diligence.

Kadi Sanders stated the applicant did send a notice of public hearing by certified mail return receipt to property owner within 300' of the subject property.

There were no comments from the audience.

Ken Crowder made a motion to recommend approval to the City Council of a zoning map amendment for 2505 Verona Avenue from “C-2” General Commercial to “R-3” Single Family Residential zoning. Les Dills seconded the motion. Motion carried.

10221 PAGE AVE – WAFFLE HOUSE – EXTENSION REQUEST (CUP/SITE PLAN APPROVAL/BUILDING PERMIT)

Kirby Barnard, Director of Community Development, gave the Commission a brief history of the ongoing project to be constructed at 10221 Page Avenue. Further he stated the site is untidy. There brush, branches, and debris on the site. There are dirt piles at the site which we are not clear if someone dumped or if Waffle House brought the dirt in for backfill. However, I have spoken with Jeffery and informed of the condition of the lot and he said he would clean it up.

Newton McCoy, Special Counsel, stated he believes it is being presented in this form due to the uncertainty of the economic environment due to COVID and they’re not certain will they’ll be able to commence construction and rather than bring them back repeatedly for reapplication this request will allow us to extend the current conditional use permit and site plan approval.

There was further discussion regarding the current condition of the project site.

There were no comments from the audience.

Ken Crowder made a motion to approve a one year extension of Conditional Use Permit CUP19-0018 and the Site Plan Approval SPR19-0016 from July 28, 2020 up to and including July 28, 2021 and requires the applicant to be a good citizen by keeping the project site clean. Mark Giroux seconded the motion. Motion carried.

9440 MIDLAND BLVD – COMMERCIAL ELE MESSAGE BOARD SIGN – CONDITIONAL USE PERMIT

A representative was not present for the meeting.

Mayor Schneider made a motion to table the agenda item for 9440 Midland Boulevard. Councilwoman Lisa Ridolfi seconded the motion. Motion carried.

NEW BUSINESS/OLD BUSINESS:

None.

ADJOURNMENT:

Mark Giroux made a motion to adjourn. Les Dills seconded the motion. Motion carried.

Respectfully submitted,

Beth Ruckman, Chairwoman
Planning and Zoning