



PLANNING & ZONING COMMISSION

MEETING DATE: SEPTEMBER 29, 2020
LOCATION: COUNCIL CHAMBERS 9119 LACKLAND ROAD OVERLAND MO 63114
CALL TO ORDER: 6:00 PM
ADJOURNMENT: 6:48 PM
NEXT P&Z MEETING: TUESDAY, OCTOBER 27, 2020 @ 6:00PM COUNCIL CHAMBERS
COUNCIL MEETING: MONDAY, OCTOBER 26, 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	
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 August 25, 2020, Planning and Zoning meeting. Mark Giroux 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.

9509 LACKLAND RD – KAHUNA CARWASH – CONDITIONAL USE PERMIT/SITE PLAN APPROVAL

Mohammad Aleqabi addressed the Commission regarding the application submitted for site plan approval and a conditional use permit to operate a carwash.

Kirby Barnard gave a brief history of the building and explained there are a few ongoing code enforcement issues with the building that will be addressed during the inspection.

Newton McCoy began a discussion regarding the landscaping at the site and it was determined the landscaping should be re-established and general cleanup of the property is required.

There was discussion related to the facility operating seven days a week, twenty four hours a day, number of employees, and outside storage being prohibited.

There were no comments from the audience.

Steve Olsen made a motion to approve the conditional use permit with stipulations as presented and discussed including re-establishing landscaping. Ken Crowder seconded the motion. Motion carried.

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

9535 MIDLAND - ZONING MAP AMENDMENT – FROM “R-3” SINGLE FAMILY RESIDENTIAL TO “C-2” GENERAL COMMERCIAL

Lydia Killoran addressed the Commission to request approval of a zoning map amendment to change the existing zoning of “R-3” Single-Family Residential to the proposed zoning of “C-2” General Commercial.

Kirby Barnard, Director of Community Development gave a brief history of the building and explained the site has been vacant for 180 days or greater therefore losing the non-conforming status.

Newton McCoy, Special Counsel, asked if the applicant intends to operate her home health care office from this location and Ms. Killoran responded to the affirmative.

There were was a brief discussion about the site.

Craig Pierce of Fred Pierce Studio, the business located directly to the West of the subject property, spoke in support of the zoning map amendment.

Jim Wade made a motion to recommend approval of the zoning map amendment of 9535 Midland Boulevard from “R-3” Single-Family Residential to “C-2” General Commercial. Mark Giroux seconded the motion. Motion carried.

10426 PAGE AVE – CONDITIONAL USE PERMIT – COMMERCIAL ELECTRONIC MENU BOARD SIGNS

Kirby Barnard explained to the Commission an application for the conditional use permit was not received prior to the meeting date however the applicant has submitted all other required documentation.

There was discussion as to whether to proceed or postponed the agenda item. The Commission decided to proceed and required the application to be submitted prior to final approval of the City Council.

There was further discussion as to where the menu boards would be located and it was determined they will replace the existing menu boards in the exact same location. The limitations to the operation of the sign as per ordinance are to be added to the conditional use permit.

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

10055 LACKLAND RD – LUCKY’S OVERLAND MARKET – CONDITIONAL USE PERMIT/SITE PLAN APPROVAL
Nitin “Lucky” Singh addressed the Commission to request approval of a site plan and conditional use permit to operate a convenience store with liquor sales.

Chairwoman Ruckman explained this was an item that was postponed at the August 25, 2020 Planning & Zoning meeting.

Kirby Barnard gave the history of the property.

Newton McCoy asked if the applicant would also be operating the business and Mr. Singh responded to the affirmative.

There was discussion regarding concerns that were brought up at the last meeting about the condition of the property and Mr. Barnard stated himself and his staff will be addressing these items during the inspection process.

There was further discussion regarding the operation of the business, type of products for sale, days and hours of operation, number of employees, outside storage is prohibited, no company vehicles, future maintenance of the site, plan for regular cleanup of junk and trash, lighting, and deliveries.

Mark Giroux stated this is a property that has troubled for some time and he is in favor of moving forward with the application.

Ken Crowder asked the applicant what type of assurances he can give the surrounding property owners that this property is going to be maintained and not become a nuisance to the neighborhood and Mr. Singh expressed he will be on the premises daily allowing him to keep the property clean. Further Mr.

Singh stated if there are any issues he invites anyone to call him directly and let him know the problem so he may address it.

Kirby Barnard reminded everyone the applicant is restricted from selling tobacco, tobacco products, e-cigarettes, and/or e-cigarette products as per St. Louis County Code which restricts the sale of these items within 1,000 feet of a school and or daycare.

Newton McCoy reminded everyone the Planning & Zoning Commission makes recommendation to the City Council regarding land use issues; they do not make any decisions as to whether or not a liquor license can be issued to a particular premise.

Sharon Crocker, resident on Clare Court, addressed the Commission and did not support the sale of liquor at this location and had concerns about the amount of trash generated from the businesses in the past. Further, had concerns about maintenance of the building too.

Carol Foley, 10400 Driver, addressed the Commission and also does not support the sale of liquor at this location and concerns regarding excessive trash.

Lois Brady, 10327 Eaglewood, addressed the Commission with concerns regarding the restrooms would be public or limited to patrons and the sale of small liquor bottles.

Rick Spear, resident of Driver, addressed the Commission in support of the business.

Mayor Schneider thanked the applicant for appearing at the meeting as the Commission requested at the last meeting. Further, he asked the applicant to install trash receptacles at the East and West ends of the properties as well as outside of the entrance to the store.

Steve Olsen made a motion to approve of the conditional use with stipulations presented and discussed - including no public restrooms, installation of trash receptacles, prohibit the sale of airport size liquor bottles, the store will operate seven days a week from 8 am to 11pm, outside storage is prohibited, no company vehicles, prohibit the sale of tobacco/tobacco products and e-cigarette/e-cigarette products. Mark Giroux seconded the motion. Motion carried.

Steve Olsen made a motion to approve the site plan contingent upon variance approval. Mark Giroux seconded the motion. Motion carried.

NEW BUSINESS/OLD BUSINESS:

There was a brief discussion about construction of the Total Access Urgent Care and Jack in the Box as well as the relocation of Chef Ma's restaurant relocating to the former Pizza Hut location on Page Avenue.

ADJOURNMENT:

Ken Crowder made a motion to adjourn. Les Dills seconded the motion. Motion carried.

Respectfully submitted,

Beth Ruckman, Chairwoman
Planning and Zoning