



## PLANNING & ZONING COMMISSION

**MEETING DATE:** MAY 30, 2023  
**LOCATION:** COUNCIL CHAMBERS, 9119 LACKLAND ROAD, OVERLAND, MO 63114  
**CALL TO ORDER:** 6:00 PM  
**ADJOURNMENT:** 6:23 PM  
**NEXT P&Z MEETING:** TUESDAY, JUNE 27, 2023 @ 6:00PM  
**COUNCIL MEETING:** MONDAY, JUNE 12, 2023 @ 6:00PM

### ROLL CALL

NAME:	PRESENT:	ABSENT:
WILLIAM HARDRICK, CHAIRMAN		X
STEVE OLSEN	X	
MARK GIROUX	X	
JIM WADE	X	
MAYOR MARTY LITTLE	X	
COUNCILWOMAN BETH RUCKMAN	X	
JOSEPH BOND, SPECIAL COUNSEL	X	
KEN CROWDER		X
LESLIE FERGUSON		X
KADI SANDERS, DIRECTOR of COMMUNITY DEVELOPMENT	X	
JAMES OSBORNE, ZONING COORDINATOR	X	

### PLEDGE OF ALLEGIANCE

### REMEMBRANCE OF SERVICE MEMBER

### APPROVAL OF MINUTES:

Mark Giroux made a motion to approve the minutes as presented from the April 25, 2023, Planning and Zoning meeting. Councilwoman Beth Ruckman seconded the motion. Motion Carried.

## **PUBLIC HEARING:**

Mayor Little explained the Planning & Zoning Commission is an advisory board. All approvals are granted by the City Council. He also read the following 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.

### 1525 WOODSON ROAD – DALLAS TRAILER REPAIR CO. INC. – CONDITIONAL USE PERMIT/SITE PLAN APPROVAL

Christopher Sprigs, owner of Page Retail LLC, addressed the Commission to request approval of a conditional use permit and site plan, to operate a new business. The new business is automotive repair facility.

Ms. Kadi Sanders, Director of Community Development, explained to the Commission the applicant was here this evening for a Conditional Use Permit and Site Plan Approval for an automotive repair facility located within the FedEx property. She further expressed the business was closed to the public and strictly a service center contracted privately with FedEx for servicing all trailers utilized by FedEx. Ms. Sanders expressed to the Commission FedEx is currently performing some additional construction on-site and an administrative review of the site was performed. The property is in compliance with the zoning code.

Ms. Sanders expressed the addition of this land use at the FedEx facility will not have a negative impact on the surrounding businesses and or area.

There was a brief discussion regarding days and hours of operation, number of employees, and normal day to day operations.

There were no comments from the audience

There were no comments from legal counsel.

Councilwoman Beth Ruckman made a motion to recommend approval of the conditional use permit with stipulations as discussed. Jim Wade seconded the motion. Motion Carried.

Steve Olsen made a motion to recommend approval of the site plan as presented. Councilwoman Beth Ruckman seconded the motion. Motion Carried.

10082 PAGE AVENUE – HUT MISSOURI LLC DBA PIZZA HUT – CONDITIONAL USE PERMIT/SITE PLAN APPROVAL

Due to no one present to represent the property or business as the second agenda item, Jim Wade made a motion to postpone the item to the end of the meeting in case someone appeared. Mark Giroux seconded the motion. Motion Carried

Mark Giroux made a motion to postpone the agenda item until someone was able to be present on behalf of the property or business. Jim Wade seconded the motion. Motion Carried.

2562 WOODSON ROAD – THE SWEET SHACK – CONDITIONAL USE PERMIT/SITE PLAN APPROVAL

Kendra Robinson, owner of The Sweet Shack, addressed the Commission to request approval of a conditional use permit and site plan, to operate a new business. The new business is a convenience store with prepackaged food items. The business would be located at the former Piazza Pawn location along Woodson Road in the downtown area of the city.

Ms. Kadi Sanders, Director of Community Development, explained to the Commission the applicant was here this evening seeking approval of a conditional use permit and site plan to operate a convenience store selling prepackaged food items and snacks at the property. She further explained the business was the former location of Piazza Pawn Shop, now freshly purchased and renovated by a new owner. She expressed the building has been vacant for years and the new owner has been working diligently to bring the building and property in compliance with the zoning code. Ms. Sanders explained the building and property is unique and in a great location in the heart of the downtown area of the city. She expressed a convenience store such as proposed should perpetuate short and quick visits and not have a detrimental effect on surrounding businesses in the area. She also expressed the property owner recently had attended and received approval from the Board of Adjustment for variances to ensure the property conformed to the zoning code.

There was a brief discussion in regards hours and days open, and the day to day operations of the business.

There were no comments from the audience.

There were no comments from legal counsel.

Councilwoman Beth Ruckman made a motion to recommend approval of the conditional use permit with stipulations as discussed. Jim Wade seconded the motion. Motion Carried.

Steve Olsen made a motion to recommend approval of the site plan as presented. Councilwoman Beth Ruckman seconded the motion. Motion Carried.

2554 WOODSON ROAD – ELEMENTS OF WELLNESS LLC DBA ELEMENTS OF WELLNESS CROSSFIT –  
CONDITIONAL USE PERMIT/SITE PLAN APPROVAL

Kassie Boehm, owner of Elements of Wellness LLC, addressed the Commission to request approval of a conditional use permit and site plan, to operate a new business. The new business is a health and fitness center specializing in crossfit activities.

Ms. Kadi Sanders, Director of Community Development, explained to the Commission the applicant was here this evening seeking approval of a conditional use permit and site plan to operate a health and fitness center located in the same building as the previous applicant. She expressed as previously stated the property owner has taken a vacant building and revitalized it, in the heart of the downtown area of the city. She expressed there are similar type businesses in the downtown area that have been operating successfully for many years, without having had a detrimental effect on the area or the surrounding businesses.

There was a brief discussion in regards to day to day operations of the business, days and hours, and number of employees.

There were no comments from the audience

There were no comments from legal counsel.

Mark Giroux made a motion to recommend approval of the conditional use permit with stipulations as discussed. Jim Wade seconded the motion. Motion Carried.

Councilwoman Beth Ruckman made a motion to recommend approval of the site plan as presented. Jim Wade seconded the motion. Motion Carried.

**NEW BUSINESS/OLD BUSINESS:**

There was none.

**ADJOURNMENT:**

Councilwoman Beth Ruckman made a motion to adjourn. Jim Wade seconded the motion. Motion carried.

Respectfully submitted,

Mayor Marty Little, Acting Chairman  
Planning and Zoning