



PLANNING & ZONING COMMISSION

MEETING DATE: JUNE 27, 2023
LOCATION: COUNCIL CHAMBERS, 9119 LACKLAND ROAD, OVERLAND, MO 63114
CALL TO ORDER: 6:00 PM
ADJOURNMENT: 6:44 PM
NEXT P&Z MEETING: TUESDAY, JULY 25, 2023 @ 6:00PM
COUNCIL MEETING: MONDAY, JULY 17, 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:

Ken Crowder made a motion to approve the minutes as presented from the May 30, 2023, Planning and Zoning meeting. Mark Giroux seconded the motion. Motion Carried.

PUBLIC HEARING:

Chairman Hardrick 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.

10144 PAGE AVENUE – DENTWIZARD INTERNATIONAL CORP LLC DBA DENT WIZARD INTERNATIONAL. – CONDITIONAL USE PERMIT/SITE PLAN APPROVAL

Luiz Ramirez, on behalf of Dent Wizard International, 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, located within the Enterprise Leasing Co. 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 Enterprise Leasing property. She further expressed the business was closed to the public and strictly a service center contracted privately with Enterprise for servicing vehicles associated directly to Enterprise Leasing. Ms. Sanders expressed to the Commission Enterprise is currently performing some additional construction on-site and the property is in compliance with the zoning code.

Ms. Sanders expressed the addition of this land use at the Enterprise Leasing Company facility will not have a negative impact on the surrounding businesses and or future developments.

There was a brief discussion regarding days and hours of operation, number of employees, and normal day to day operations. The discussion included the parking of company owned vehicles behind the front building line, and the number of company owned vehicles associated with the business.

There were no comments from the audience

There were no comments from legal counsel.

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

Jim Wade made a motion to recommend approval of the site plan as presented. Mayor Little seconded the motion. Motion Carried Unanimously.

2301 WALLIS AVENUE – UNIVERSAL CHURCH OF JESUS CHRIST – CONDITIONAL USE PERMIT

Robert Battle, on behalf of the Universal Church of Jesus Christ, addressed the Commission to request approval of a conditional use permit to install and operate a commercial electronic message board.

Ms. Kadi Sanders, Director of Community Development, explained to the Commission the applicant was here this evening for a Conditional Use Permit to install and operate a commercial electronic message board sign on the existing sign cabinet located at the church property. She further explained the applicant had submitted the manufacturing specifications for the proposed sign. Ms. Sanders expressed the operation of the commercial electronic sign regulations outlined in code section 400.850.D, will be enacted and made part of the Conditional Use Permit, if recommended for approval.

There was a brief discussion regarding the brightness of the sign and regulations on dimming at night time, and the effects the illuminated sign may have in a predominately residential surrounded area.

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. Leslie Ferguson seconded the motion. Motion Carried Unanimously

5 DOCUMENT DRIVE – SSM SELECT REHAB ST. LOUIS LLC DBA SSM HEALTH PHYSICAL THERAPY – CONDITIONAL USE PERMIT/SITE PLAN APPROVAL

Tara Sanders, on behalf of SSM Health Physical Therapy, addressed the Commission to request approval of a conditional use permit and site plan, to operate a new business. The new business is a medical office, operating an outpatient physical therapy office.

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 review to operate an outpatient physical therapy medical office. Ms. Sanders expressed to the commission the land use is appropriate for the location and is needed in our community. Ms. Sanders further explained the use would not have a negative effect on the area or surrounding businesses. She also explained a site plan was performed and the property conforms to the zoning code and meets the requirements outlined in the comprehensive plan.

There was a brief discussion in regards company vehicles being housed overnight, day to day operations, average number of clients on a daily basis, the transportation of clientele, and days and hours of normal operating procedures.

There were no comments from the audience.

There were no comments from legal counsel.

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

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

9425 MIDLAND BOULEVARD – CALIBER HOLDINGS LLC DBA CALIBER COLLISION CENTER – CONDITIONAL USE PERMIT/SITE PLAN APPROVAL

Karen Walker, on behalf of Caliber Collision Center, 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 located at the former CarStar location.

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 an automotive repair facility business located at the former CarStar location along Midland Boulevard. Ms. Sanders explained the land use was a change of ownership and a continuous use. Ms. Sanders stated the only real difference between CarStar's previously approved Conditional Use Permit and Caliber's is the proposed business hours. She further expressed staff supports the application and does not foresee any negative impact on the area or surrounding businesses.

There was a brief discussion in regards to day to day operations of the business, days and hours, and number of employees, and the permitting of overnight parking of customer vehicles on-site.

John Moyle, 2508 Spencer Ave, spoke in favor of the business and supported the application.

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 Unanimously.

Ken Crowder made a motion to recommend approval of the site plan as presented. Jim Wade seconded the motion. Motion Carried Unanimously.

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

Sam Perkins, owner of Hut Missouri LLC dba Pizza Hut, addressed the Commission to request approval of a conditional use permit and site plan, to operate a new business. The new business is carry-out only restaurant, known as Pizza Hut, located on Page Avenue.

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 carry-out and delivery only style restaurant. She expressed to the Commission this is a change of ownership and a continuous use. Ms. Sanders explained the location of the Pizza Hut is located within Lotsie Plaza and there is a variance on file related to insufficient parking. Ms. Sanders expressed to the Commission, the staff supports the application and does not foresee any negative impact on the area or 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. Councilwoman Beth Ruckman seconded the motion. Motion Carried Unanimously.

Steve Olsen made a motion to recommend approval of the site plan as presented. Leslie Ferguson seconded the motion. Motion Carried Unanimously.

REGARDING MEDICAL, RECREATIONAL, & COMPREHENSIVE MARIJUANA – RESOLUTION OF INTENTION

Special Counsel Joseph Bond expressed to the Commission the Resolution of Intention, specifically to medical, recreational, and comprehensive marijuana.

There was discussion in regards to the new requirements and the new additions of the state guidelines of such items and new code section in the municipal code, and how it affected the city in its entirety.

There were no comments from the audience.

Mark Giroux made a motion to recommend approval of the resolution of intention with stipulations as discussed. Leslie Ferguson seconded the motion. Motion Carried Unanimously.

UNFINISHED BUSINESS:

There was none.

NEW BUSINESS:

There was none.

ADJOURNMENT:

Leslie Ferguson made a motion to adjourn. Jim Wade seconded the motion. Motion carried.

Respectfully submitted,

Mayor Marty Little, Acting Chairman
Planning and Zoning