



PLANNING & ZONING COMMISSION

MEETING DATE: SEPTEMBER 24, 2019
LOCATION: COUNCIL CHAMBERS 9119 LACKLAND ROAD OVERLAND MO 63114
CALL TO ORDER: 6:00 PM
ADJOURNMENT: 7:12 PM
NEXT P&Z MEETING: TUESDAY, OCTOBER 22, 2019 @ 6:00PM COUNCIL CHAMBERS
COUNCIL MEETING: MONDAY, OCTOBER 28, 2019 @ 7:00PM

Mayor Schneider introduced the new Commission member, Mike Bynum.

ROLL CALL

NAME:	PRESENT:	ABSENT:
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	
COUNCILMAN LES DILLS	X	
KEN CROWDER	X	
PATRICK WROBLEWSKI	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 August 27, 2019, Planning and Zoning meeting. Jim Wade seconded the motion. Motion carried.

PUBLIC HEARING:

10431 PAGE AVENE – McDONALD'S – COMMERCIAL ELECTRONIC MESSAGE BOARD SIGN(S)

Michelle Freeman of Keyser Industries addressed the Commission on behalf of Banducci Enterprises to request approval of a conditional use permit for commercial electronic message board signs – two pre-sell units, one in each drive thru lane and two menu boards, one in each drive thru lane.

Kirby Barnard, Director of Community Development, explained the Commission approved the same type of menu boards for the McDonald's located at Overland Plaza.

Newton McCoy, Special Counsel, asked Ms. Freeman if she is familiar with the City of Overland's ordinance relating to commercial electronic message board signs and Ms. Freeman responded to the affirmative. Ms. Freeman explained all McDonald's across the nation are required to replace the drive thru menu boards.

There was discussion as to the operation of the signs, the size, the location, brightness and sustainability.

There were no comments from the audience.

Jim Wade made a motion to approve the conditional use permit with stipulations as outlined in the staff report. William Hardrick seconded the motion. Motion carried.

9421 MIDLAND BLVD – ZONING MAP AMENDMENT – FROM "PD-C" TO "C-2"

Kadi Sanders, Zoning Coordinator explained to the Commission this agenda item was discussed at last month's meeting and was determined to be a housekeeping issue, therefore there is not an applicant for the agenda item rather the zoning commission is making a recommendation to City Council for the zoning map amendment of 9421 Midland Boulevard.

Special Counsel, Newton McCoy, reminded the Commission the two lots were consolidated however had two different zoning designations and for the sake of uniformity a map amendment is necessary.

Ken Crowder confirmed this was the Carstar site.

There were no comments from the audience.

Ken Crowder made a motion to recommend City Council approve a zoning map amendment ordinance for 9421 Midland Boulevard to change the zoning from "PD-C" to "C-2". William Hardrick seconded the motion. Motion carried.

8961 PAGE AVE – TOTAL ACCESS URGENT CARE – SITE PLAN REVIEW – NEW CONSTRUCTION

Mark Harriman of BFA, Incorporated, Mike of FSA Architects, and Joe Godfrey of Total Access Urgent Care addressed the commission to request approval of the site plan for construction of a new building to be located at 8961 Page Avenue. Mr. Harriman explained to the Commission at this time they are proposing to develop only 0.95 percent of the 1.37 acres. The remainder of the lot will hopefully be developed at a later date to a small tenant type user. Mr. Harriman went over the proposed site plan with the Commission detailing fencing, landscaping, parking, entrances/exits, and MoDot. Furthermore, he discussed hours of operation, hours of operation, maximum patient turnover of ten patients per hour, and maximum of eight employees

Kirby Barnard, Director of Community Development stated he is fairly happy with the proposed development as he had went a few rounds with the gas station/convenience stores that never materialized and don't think it was a good fit for the corner. This development takes only about half the site and the use should generate minimal traffic. Ms. Sanders and I did discuss landscaping and we would like to see the installation of sidewalks along Page Avenue the length of the project.

Special Counsel, Newton McCoy asked Mr. Barnard if MSD will need to give approval for this project and Mr. Barnard responded to the affirmative.

Special Counsel asked Mr. Harriman if they are requesting full access on the Page Avenue entrance/exit and Mr. Harriman responded to the affirmative stating he understand he has to have full approval from MoDot relating to the access point as it is their jurisdictional highway.

Joe Godfrey of Total Access Urgent Care addressed the Commission to stress the necessity of the full access entrance/exit on Page Avenue and emphasized their business type is a low traffic contributor.

Special Counsel reiterated from a traffic point of view the singular issue with this intersection is Innerbelt Business Center Drive and an electric signal immediately adjacent to the interstate during rush hour is where the congestion occurs. This is a slightly harder site than the store you just built in Richmond Heights which only has one drive way in and out with the exception of the alley at the back. Moreover, these are issues that needed to be raised for discussion with respect to the site.

Jim Wade asked Mr. Harriman if they had contemplated a right in/right out on Page Avenue and Mr. Harriman stated they feel they need full access.

Mayor Schneider gave a brief history of the site explaining the site has not been developed thus far. It is time to put something on this site and I would like to see this project proceed.

Mike Bynum asked if there are any flood considerations or risk and Mr. Harriman stated no the site is not in a flood zone.

Mark Fiala, 1904 Hurstgreen, spoke in favor of the development.

Special Counsel asked Mr. Harriman to address lighting of the site for the record and Mr. Harriman described the photometric plan and explained there will be no light spillage over the property line.

Mr. Barnard asked the representatives if the Innerbelt Business Center entrance was imperative and they all responded to the affirmative.

Ken Crowder made a motion to approve the Site Plan as presented but to include sidewalks and contingent upon MoDot and MSD approval. Jim Wade seconded the motion. Motion carried.

1824 BROWN RD – ROSE SPORTS BAR & GRILL – CONDITIONAL USE PERMIT/SITE PLAN REVIEW

Sherri Cole addressed the Commission to request approval of a conditional use permit and site plan to operate a bar and grill at 1824 Brown Road.

Kirby Barnard, Director of Community Development, gave a brief history of the site and expressed the building was design built for a restaurant. The site does not conform to current zoning codes and will require variances. He expressed his concerns about the church at the end of the road and liquor being served, however there will be food served at the location.

Special Counsel asked Ms. Sanders about publication and Ms. Sanders responded the public hearing was published in a paper of general circulation, post on the website, post on the bulletin board located at the front of city hall, and a public hearing sign was posted on the site.

Special Counsel asked Ms. Cole to explain more fully the nature of the food operation and what the percentage will be of the overall business and Ms. Cole said she really didn't know. She planned on serving breakfast on Saturdays and Sundays and mainly a sports bar.

Chairman Ruckman asked if there would be a full menu and Ms. Cole responded to the affirmative.

Mayor Schneider asked Ms. Cole what the project demographic of the clientele, age group, is for the location and Ms. Cole responded 35 and above. Mayor Schneider explained he asked about the clientele because at another facility with a younger crowd there had been nothing but problems and typically more mature crowds don't bring these types of issues.

There was discussion as to the amount of parking and surrounding businesses as well as the residential neighboring properties.

Chairman Ruckman asked how many parking stalls are at the site and Ms. Sanders responded there are 19 stalls at the site. All 19 parking stall do not meet the design requirements as outlined in the zoning code.

Mayor Schneider asked Mr. Barnard what the occupancy load is for the building and Mr. Barnard responded Community Fire Protection District determines the occupancy load.

There was discussion relating to security, the business being owner operated, the hours of operation, number of employees, traffic flow from Captain D's and New Beginnings Church on Minerva and Leondale, parking concerns, and a potential business plan to present to the Commission.

Mayor Schneider stated at this point there are more questions than answers. He asked Mr. Barnard to obtain the occupancy load of the building and perform a cursory inspection.

Ken Crowder made a motion to postpone the applications for conditional use permit and site plan review until further studies are completed. Councilman Les Dills seconded the motion. Motion carried.

NEW BUSINESS/OLD BUSINESS:

Mayor Schneider distributed the City of Overland's 80th anniversary patches to the Commission.

Chairman Ruckman invited everyone to Autumn in the Park this coming weekend.

ADJOURNMENT:

Ken Crowder made a motion to adjourn. Jim Wade seconded the motion. Motion carried.

Respectfully submitted,

Beth Ruckman, Chairwoman
Planning and Zoning