



PLANNING & ZONING COMMISSION

MEETING DATE: APRIL 26, 2022
LOCATION: COUNCIL CHAMBERS, 9119 LACKLAND ROAD, OVERLAND, MO 63114
CALL TO ORDER: 6:00 PM
ADJOURNMENT: 6:29 PM
NEXT P&Z MEETING: TUESDAY, MAY 31, 2022 @ 6:00PM
COUNCIL MEETING: MONDAY, MAY 9, 2022 @ 6:00PM

ROLL CALL

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

PLEDGE OF ALLEGIANCE

REMEMBRANCE OF SERVICE MEMBER

APPROVAL OF MINUTES:

CHAIR ELECTION:

Ken Crowder opened the floor for nominations for a new Chair.

Mark Giroux made a motion to nominate Mr. William Hardrick as Chairman. Councilwoman Beth Ruckman seconded the motion. Motion carried.

James Osborne of Community Development requested a brief recess at 6:02pm.

Chairman Hardrick reconvened the meeting at 6:18pm.

Mark Giroux made a motion to approve the minutes as presented from the February 22, 2022, Planning and Zoning meeting. Ken Crowder 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.

9554 PAGE AVE – QC FINANCIAL SERVICES INC. DBA LENDNATION – CONDITIONAL USE PERMIT/SITE PLAN APPROVAL

Rusty Moran, on behalf of QC Financial Services Inc., addressed the Commission to request approval of a conditional use permit and site plan.

James Osborne, Community Development explained to the Commission that Mr. Moran was before the Commission this evening to obtain a conditional use permit and site plan approval to operate their business, QC Financial Services Inc. dba LendNation. Mr. Osborne continued to explain to the Commission that this was a change of ownership only and was a continuous use of a legal non-conforming use.

Special Counsel Newton McCoy explains to the Commission the terms and the legal reasoning why the business is considered a legal non-conforming use.

There was a brief discussion regarding days and hours of operation, along with number of employees.

There were no further questions or comments from the Commission at this time.

There were no comments from the audience.

There were no comments from legal counsel.

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

Mark Giroux made a motion to recommend approval of the site plan as presented. Leslie Ferguson seconded the motion. Motion carried.

9636-9640 MIDLAND BLVD – BRIGHT START ACADEMY – LOT CONSOLIDATION

David Lueker of Vance Engineering on behalf of the property owner, addressed the Commission to request approval of a Lot Consolidation of 9636-9640 Midland Blvd.

James Osborne, Community Development explained to the Commission that Bright Start Academy had purchased the property located at 9640 Midland Blvd and was not proposing to perform a lot consolidation with 9636 Midland Blvd.

Mr. Osborne continued to explained that property owners had previously applied for four variances and was postponed until they were able to perform the Lot Consolidation on the properties. He informed the Commission that the variances were scheduled to be heard at the Board of Adjustment Meeting

scheduled for May 11th, 2022. He also informed them, that if recommended for approval this evening that the applicant will go before City Council on May 9th, 2022.

Mr. Osborne explained that although there were no official applications on file for construction of the properties, but believed the intentions of the applicants with the property was to construct and install a new parking lot for the business located at 9636 Midland Blvd.

There was a brief discussion regarding how a parking lot would assist the business and alleviate some of the parking concerns along Midland Blvd in the afternoons during weekdays.

There were no comments from the audience.

There were no comments from legal counsel.

Jim Wade made a motion to recommend approval of the lot consolidation with stipulations as discussed. Leslie Ferguson seconded the motion. Motion carried.

NEW BUSINESS/OLD BUSINESS:

None

ADJOURNMENT:

Leslie Ferguson made a motion to adjourn. Ken Crowder seconded the motion. Motion carried.

Respectfully submitted,

William Hardrick, Chairwoman
Planning and Zoning