



PLANNING & ZONING COMMISSION

MEETING DATE: JULY 26, 2022
LOCATION: COUNCIL CHAMBERS, 9119 LACKLAND ROAD, OVERLAND, MO 63114
CALL TO ORDER: 6:00 PM
ADJOURNMENT: 7:16 PM
NEXT P&Z MEETING: TUESDAY, AUGUST 30, 2022 @ 6:00PM
COUNCIL MEETING: MONDAY, AUGUST 8, 2022 @ 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	
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:

Ken Crowder made a motion to approve the minutes as presented from the June 28, 2022, Planning and Zoning meeting. Jim Wade seconded the motion. Motion Carried Unanimously.

Planning & Zoning July 26, 2022

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.

9560 PAGE AVE – KIDZ R OUR FUTURE IN-HOME CHILD DEVELOPMENT CENTER – CONDITIONAL USE PERMIT/SITE PLAN APPROVAL

Tanya La’Vette Woods-Harvey, owner of Kidz R Our Future In-Home Child Development Center, addressed the Commission to request approval of a conditional use permit and site plan, to operate a new business. The new business is a Child Daycare Center.

Ms. Kadi Sanders, Director of Community Development, explained to the Commission that the applicant was here this evening for a Conditional Use Permit and Site Plan Approval for her business located at the property. Ms. Sanders further explained that the owner is intending to operate a daycare center for children from the location. Ms. Sanders continued to explain to the Commission that there were several variances on file to address the property discrepancies. She also explained that Ms. Woods-Harvey had not indicated on the site plan if there was to be an outside playground area for the business and clients.

There was a brief discussion regarding the location of the outside playground area in correlation with pick up and drop off of the children. This discussion also included fencing that must be included with the playground area and would be a stipulation to the conditional use permit.

Further discussion involved what requirements are associated with the State of Missouri and the Community Fire Protection District. The discussion also included what age range of children would be at the location and the limit of children.

There was a brief discussion regarding days and hours of operation, and outside storage and number of employees.

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 unanimously.

Steve Olsen made a motion to recommend approval of the site plan as presented. Les Dills seconded the motion. Motion carried unanimously.

1945 WALTON RD – ADVANTOR SCIENCES RELIABLE BIOPHARMACEUTICAL LLC– CONDITIONAL USE PERMIT/SITE PLAN APPROVAL

Tom Jost, owner of Jost Builders LLC, addressed the Commission to request approval of a conditional use permit and site plan, to install a new prefabricated storage facility on-site for the current business and amend the current business occupancy to now include outside storage.

Ms. Kadi Sanders, Director of Community Development, explained to the Commission that the applicant was here this evening for a Conditional Use Permit and Site Plan Approval for the business located at this location to now include outside storage. Ms. Sanders continued to explain that the business originally went in as a permitted land use and now was requesting outside storage, therefore was requiring a Conditional Use Permit and Site Plan Approval.

Ms. Sanders continued to explain to the Commission that the applicant previously had applied for a building permit to construct and install a prefabricated storage facility on-site for the purpose of storage containment. She continued to explain, that a variance was required due to a side yard setback encroachment with the installation, which was granted by the Board of Adjustment in July 2022.

There was a brief discussion regarding the contents that were to be stored inside the storage container, and the construction intention of the site and location of the storage facility.

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. Mark Giroux seconded the motion. Motion carried unanimously.

Ken Crowder made a motion to recommend approval of the site plan as presented. Les Dills seconded the motion. Motion carried unanimously.

9910 PAGE AVE, UNIT Q – HAFIA ADAI CATERING LLC – CONDITIONAL USE PERMIT/SITE PLAN APPROVAL

Jedidah Borja, owner of Hafia Adai Catering LLC , addressed the Commission to request approval of a conditional use permit and site plan, to operate a new business classified as a catering service.

Ms. Kadi Sanders, Director of Community Development, explained to the Commission that the applicant was here this evening for a Conditional Use Permit and Site Plan Approval for his business located at the property. Ms. Sanders further explained that the owner is intending to operate a catering service based business from the location. Ms. Sanders continued to explain to the Commission that the property owner recently obtained variances regarding the property and a parking discrepancy that was found on the property. Ms. Sanders continued to explain that the business is located within the Moore Business Enterprise Office Center.

There was a brief discussion about days and hours of operation and standard operating procedures within the business. The discussion include the use of one company vehicle for the business and that it would not be stored overnight at the location.

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. Mark Giroux seconded the motion. Motion carried unanimously.

9579 PAGE AVE – AFAL LLC – ZONING MAP AMENDMENT “PD-C” TO “R-3”

Due to no representative present from the property, Community Development and the Commission decided to postpone the agenda item, until the applicant is able to attend in person.

1540 FAIRVIEW AVE – TRITON STONE OF ST. LOUIS – CONDITIONAL USE PERMIT/SITE PLAN APPROVAL

Micah Staley, on behalf of Triton Stone of St. Louis, addressed the Commission to request approval of a conditional use permit and site plan, to operate the new business, Warehousing and Wholesaling that includes outside storage.

Ms. Kadi Sanders, Director of Community Development, explained to the Commission that the applicant was here this evening for a Conditional Use Permit and Site Plan Approval for the business located at this location which includes outside storage. Ms. Sanders continued to explain that the business was a change of ownership only and nothing was changing with the day-to-day operations with the business, just a name change.

Ms. Sanders proceeded to explain to the Commission that this business was previously granted approval for outside storage. She explained that the outside storage is contained in a completely fenced area located on the property and will continue to be stored in the same location on-site.

There was a brief discussion regarding the contents that were to be stored outside, the days and hours of operation, total number of employees.

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. Les Dills seconded the motion. Motion carried unanimously.

Steve Olsen made a motion to recommend approval of the site plan as presented. Mark Giroux seconded the motion. Motion carried unanimously.

9910 PAGE AVE – MOORE BUSINESS ENTERPRISES LLC – ZONING TEXT AMENDMENT TO INCLUDE LIMOUSINE SERVICES IN “M1” MANUFACTURING

Tom Townsend, on behalf of Moore Business Enterprises LLC, addressed the Commission to request approval of a zoning text amendment to include “Limousine Services” as a definition and a land use permitted conditionally in the “M1” Manufacturing zoning district.

Ms. Kadi Sanders, Director of Community Development explained to the Commission that the applicants definition in regards to Limousine Services was very vague as presented. She also explained how other local municipalities have defined limousine services in their zoning code. Ms. Sanders also explained to the Commission that if this use was recommended for approval that the business licensing and associated yearly fees only generates twenty-five dollars annually for the City, under the “all other business trades” title.

There was a discussion regarding the idea of motor vehicle oriented businesses within the “M1” Manufacturing Zoning District, and with such use associated to this business location directly. This discussion involved consideration to this particular location.

There was a brief discussion regarding incorporating such a land use and what requirements would need to be addressed within the zoning code and to be further defined in detail. The discussion included possibly developing certain parameters that would be required for such properties to meet for such businesses.

The Commission expressed their concern with recommending such a vague zoning text amendment without further developing a detailed set of performance standards for such a land use.

There were no comments from the audience.

There were no comments from legal counsel.

Mark Giroux made a motion to postpone the agenda item, until staff had the opportunity to define and develop a detailed set of performance standards for the zoning text amendment. Leslie Ferguson seconded the motion. Motion carried unanimously.

NEW BUSINESS/OLD BUSINESS:

Councilwoman Beth Ruckman addressed the Commission about a Resolution of Intention being added to the next scheduled agenda. The Resolution of Intention would be designed by staff in regards to Appendix A of the city zoning code and specifically Taverns and Lounges as Conditional Uses in “C2” General Commercial Zoning District. The Planning and Zoning Commission was all in favor of this Resolution of Intention.

Special Counsel Joseph Bond addressed the Commission to explain next month he intends to conduct a work session to discuss the powers and duties of the Commission prior to the next meeting. It was stated to plan for approximately forty-five minutes beginning at 5:15pm. The Commission was in favor of such work session.

ADJOURNMENT:

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

Respectfully submitted,

William Hardrick, Chairman

Planning and Zoning