



**Planning & Zoning Commission
Meeting Minutes**

June 3, 2024 7:00 PM

1 GOVERNMENT CTR. BALLWIN, MO 63011

THE MINUTES ARE PREPARED IN SUMMARY TO REFLECT THE OVERALL DISCUSSIONS, NOT VERBATIM QUOTES.

The meeting was called to order by Chairman Grant Alexander at 7:00 p.m.

ROLL CALL

Present

- Mayor Tim Pogue
- Alderman David Siegel
- Chairman Grant Alexander
- Commissioner Janet Carr
- Commissioner Derek Beiter
- Commissioner Victoria Winfrey
- Commissioner Zach Carter
- Commissioner Scott Brinker
- City Attorney Robert Jones
- City Administrator Eric Serman

Absent

- Commissioner Bill Hinds
- Commissioner Michael Swain
- City Planner Lynn Sprick

MINUTES

The minutes from the May 6, 2024 Planning & Zoning Commission Meeting were submitted for approval. A motion to approve as submitted was made by Mayor Pogue and seconded by Commissioner Winfrey. The motion was approved unanimously.

AGENDA ITEMS

SUB-24-01 Petition for a Lot Split at 15200 Manchester Road

SUE-24-04 Petition for a Special Use Exception for a restaurant with a drive thru at 15200 Manchester Road

These two Petitions are for the same proposed development and were considered together but voted on separately.

Mako Kellman (Petitioner) and Edin Coralic spoke.

Mr Kellman discussed the access to Manchester Road.

Mr. Serman elaborated that during the May Meeting, there were extensive deliberations concerning access. It was decided then that the current curb cuts would be removed, and instead, a new right-in, right-out access point would be established. Additionally, as per the conditions set by the Missouri Department of Transportation (MoDOT), the median in the middle of Manchester Road would be extended westward.

Mr. Kellman inquired about the cross-access agreement with the property to the west of the subject property. Mr. Serman clarified that such an agreement is required by City Code.

Chairman Alexander then announced the opening of public hearings for both petitions and invited anyone present to speak on the matter. Noone from the public came forward.

Commissioner Brinker asked about the proposed improvements to the median on Manchester Road. Mr. Coralic responded, stating that permits for these improvements would be issued by MoDOT.

Mr. Brinker asked about proposed parking, specifically questioning whether the proposed five spaces would be sufficient. Mr. Kellman explained that no indoor seating would be provided in the business. He stated that if extra parking were required, it could potentially be developed on the neighboring property pending approval of the lot split.

Attorney Jones asked about the construction timeline of the parking lot. Mr. Kellman responded, explaining that initially, the adjacent lot would remain as green space, but at the time of development, the area designated for parking would be paved.

Chairman Alexander asked about the number of employees expected. Mr. Coralic indicated that there could be up to four employees working per shift.

Chairman Alexander asked where potential customers would park. Mr. Kellman suggested that employees could use the grassy area for parking.

Mayor Pogue emphasized that all parking areas must be paved. Mr. Kellman stated that parking adjustments could be incorporated into the plan.

Mr. Coralic then mentioned that staff had requested the removal of proposed parking spaces along the southern property line. Mr. Sterman explained that this adjustment was made to provide the required buffer between commercial and to residentially zoned property.

Mr. Coralic asked for the parking requirement for the proposed use. Attorney Jones clarified, indicating a requirement of one parking space per two hundred square feet of building for properties with a C-1 Commercial designation.

Mr. Coralic added that walk-up customers accounted for approximately thirteen percent of the company's overall sales.

Mr Sterman stated that the subject property is zoned C-1 Commercial with a MRD Manchester Road District overlay, which does not have a parking requirement but leaves it at the discretion of the Commission and the Board of Aldermen.

Mr Coralic asked if additional parking could be provided to the property to the west (pending lot split approval) if needed? Mr. Sterman stated that off-site parking is permitted, with submission of a written agreement to and approved by the City Attorney.

Alderman Siegel expressed concerns about whether the proposed parking is adequate and mentioned observing customers using outdoor patios at other establishments in the city.

Chairman Alexander inquired about the possibility of outdoor seating. Mr. Kellman stated there would be no outdoor seating.

Commissioner Carr asked about the type of business the adjacent property would be marketed for and asked about relocating the dumpster enclosure. Mayor Pogue emphasized that the dumpster enclosure must comply with setback requirements.

Mr. Sterman highlighted that the proposed lot split poses development constraints for the project.

Mr. Kellman asked whether the proposed plan meets the City's requirements. Mayor Pogue expressed doubts, particularly regarding lot split consideration number three, which states: "That the use of the lot split procedure does not adversely affect the subject parcel or any adjoining properties." He stated that the future potential of the undeveloped lot could be impacted. Alderman Siegel agreed the lot split could be problematic. Mr Sterman stated the lot split could be withdrawn or denied separately from the Petition for Special Use Exception.

Future development of the remainder of the property was discussed.

Mr Sterman read the parking requirement for the MRD overlay district. The Commission and the Board of Aldermen have discretion as to the number of parking spaces required for each development.

Chairman Alexander reiterated that each development must meet the requirements on its property.

Attorney Jones explained the City's lot split procedure as compared to the subdivision procedure.

Mr Kellman asked about procedure if the lot split is withdrawn.

Attorney Jones stated the Commission's vote is a recommendation to the Board of Aldermen.

Chairman Alexander stated all requirements for a development must be met on it's own.

Chairman Alexander summarized the potential issue as lack of adequate parking resulting from the lot split petition.

Mr Kellman requested to withdraw the lot split petition.

Chairman Alexander stated the Commission should determine an appropriate parking requirement.

Mayor Pogue stated that he would recommend a minimum of six (6) regular parking spaces and one (1) ADA parking space.

Mr Kellman agreed, pending engineering.

Mr Kellman asked what would be required on the undeveloped portion of the property.

Chairman Alexander stated it should be maintained green space.

Conversation about redesign of the site continued.

Chairman Alexander closed the public hearing and stated that SUB-24-01 has been withdrawn. He went on to summarize recommendations, including six (6) parking spaces and one (1) ADA parking space and the undeveloped portion of the property to be well maintained green space.

Mr Sterman asked if the Commission is recommending a location for the additional parking spaces.

Chairman Alexander prefers mirroring the proposed parking spaces.

Commissioner Brinker prefers the southern end of the lot, where it is currently shown as future parking.

Mr Sterman explained that a twenty-five (25) foot buffer is required on the southern end of the property.

Commissioner Winfrey stated it should be at the discretion of the business owner.

Commissioner Beiter agreed the onus should be on the Petitioner.



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Alderman Seigel is not comfortable with the development.

Commissioner Beiter motioned to recommend approval with the condition that two (2) parking spaces are added. Chairman Alexander added the condition that the undeveloped portion of the property be maintained as green space.

Commissioner Winfrey seconded the motion.

Chairman Alexander requested a voice vote, which resulted in a vote of four (4) yay and four (4) nay voted.

Attorney Jones stated the motion failed.

Chairman Alexander stated the motion for a positive motion did not pass. The recommendation (or lack thereof) will be sent to the Board of Aldermen, who will vote on the Petition.

Mayor Pogue made a motion to adjourn the meeting.

Commissioner Siegel seconded and the meeting adjourned at 8:20 pm.

DRAFT