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**MINUTES OF THE  
PLANNING AND ZONING COMMISSION MEETING  
1 GOVERNMENT CTR ♦ BALLWIN MO 63011  
FEBRUARY 6, 2023**

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Chairman Weaver called the meeting to order at 7:00 p.m. Members in attendance were:

PRESENT

Chairman Mark Weaver  
Secretary Olivia Pieknik  
Commissioner Derek Beiter  
Commissioner Gary Carr  
Commissioner Chad Silker  
Commissioner Mike Swain  
Commissioner Victoria Winfrey  
Alderman Mark Stallmann  
Mayor Tim Pogue

Planning Technician Shawn Edghill  
City Administrator Eric Serman  
City Attorney Representative Kate Henry

ABSENT

Commissioner Grant Alexander

**Approval of Minutes**

A motion was made by Alderman Stallmann to accept the minutes of the December 5, 2022 meeting as submitted. Secretary Pieknik seconded the motion, which received unanimous approval from the Commission members present.

**SUE 23-01 – Restaurant without the Sale of Alcohol, with Drive-Thru**

Dunkin', 14924 Manchester Rd, Ballwin MO 63011

*Petitioner: Mr. Steve Kolber, 828 Davis Street Suite 300, Evanston IL 60201*

Mr. Steven Kolber addressed the Commission, requesting approval for a new Dunkin' restaurant. He stated that this will be primarily a drive-thru and carry-out restaurant. He introduced Mr. Mike Crouch, the franchisee.

Commissioner Swain asked how many cars will be accommodated in the queue. Mr. Kolber said that traffic studies usually recommend space for 10 cars, and this plan has space for at least 12. However, a Dunkin' doesn't typically have that many cars in the queue; the amount of time between ordering and picking up is approximately 90 seconds.

Commissioner Winfrey asked how many employees the restaurant will have. Mr. Kolber said that at peak times, there will be 5-6 employees on site. Commissioner Silker asked about the hours of operation. Mr. Crouch stated that the hours will be 5:00 am – 8:00 pm.

Planning Technician Edghill noted that in addition to the restaurant itself, and the drive-thru, this petition should include front yard parking as well.

Mayor Pogue asked if this will be a Dunkin’/Baskin Robbins combo. Mr. Kolber stated that this will be a Dunkin’ only. Chairman Weaver asked if the restaurant will have a full menu. Mr. Kolber said yes.

Chairman Weaver asked if there is adequate space for loading and unloading. Mr. Crouch said they will only accept deliveries before 7:00 a.m., when Tommy’s Car Wash is closed.

Chairman Weaver opened the public hearing and asked if anyone wished to speak in favor of Petition SUE 22-08. No one came forward, and Chairman Weaver asked if anyone wished to speak in opposition to the petition. No one came forward, and Chairman Weaver closed the public hearing.

Chairman Weaver asked if there were any further comments or questions. Secretary Pieknik asked if there was any concern with the drive-thru queue backing up onto Manchester Road. The petitioner said that is not a concern, as there is another entrance/exit on Ballpark Drive. Mr. Crouch said that they will take advantage of the existing traffic and are not attempting to draw more traffic to the area.

Mayor Pogue made a motion to recommend approval of Petition SUE 23-01 to the Board of Aldermen, with the inclusion of front yard parking. Commissioner Silker seconded the motion, which received unanimous approval from the Commissioner members present.

### Other Business

Chairman Weaver asked if there are any items for the March 6, 2023 agenda. Planning Technician Edghill said that there are two items; one regarding changes to the language in the zoning code regarding marijuana, and the other is a simple lot split in Olde Towne Plaza.

Commissioner Swain asked how the changes to recreational marijuana laws will affect the existing dispensary located in Ballwin. City Administrator Sterman that existing dispensaries will also be allowed to sell recreational marijuana.

Chairman Weaver asked if the new police station is still on schedule. City Administrator Sterman confirmed that it is.

Mayor Pogue also noted that the Taco Bell at 15225 Manchester Rd has begun reconstruction.

### Adjournment

Mayor Pogue made a motion to adjourn the meeting. Commissioner Swain seconded the motion, which received unanimous approval from the Commission members present. The meeting was adjourned at 7:16 p.m.

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J. Mark Weaver, Chairman  
Planning & Zoning Commission