



**MINUTES OF THE
PLANNING AND ZONING COMMISSION MEETING
1 GOVERNMENT CTR ♦ BALLWIN MO 63011
OCTOBER 3, 2022**

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 Chad Silker
Commissioner Mike Swain
Commissioner Victoria Winfrey
Alderman Mark Stallmann
Mayor Tim Pogue

Planning Technician Shawn Edghill
City Administrator Eric Sterman
City Attorney Robert E. Jones

ABSENT

Commissioner Grant Alexander
Commissioner Gary Carr

Approval of Minutes

A motion was made by Mayor Pogue to accept the minutes of the September 6, 2022 meeting as submitted. Commissioner Silker seconded the motion, which received unanimous approval from the Commission members present.

SUE 22-06 – Restaurant with Front Yard Parking

Marco's Pizza, 15003 Manchester Rd, Ballwin MO 63011

Petitioner: Mr. Shawn Krisher, 2500 Lehigh Ave, Glenview IL 60026

Mr. Krisher addressed the Commission, requesting approval for a special use exception to operate a restaurant. Mr. Krisher stated that the restaurant would be primarily carryout and delivery; there is virtually no indoor seating. The hours of operation will be 11:00 am – 10:00 pm.

Mayor Pogue noted that Marco's is fairly new to the St. Louis market, and asked if the local stores are franchised and if so, are they all owned by the same franchisee. Mr. Krisher said he was unsure about the other stores in the St. Louis area, but the company he works for will be the franchisee for this store.

Alderman Stallmann confirmed that there will not be indoor seating. Mr. Krisher said he has not seen the plans for this store, but generally there is only a place for customers to sit while waiting for their order. Alderman Stallmann asked if the petitioner is planning to request a liquor license. Mr. Krisher said they are not.

Chairman Weaver opened the public hearing and asked if anyone wished to speak in favor of Petition SUE 22-06. 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.

Alderman Stallmann made a motion to recommend approval of Petition SUE 22-06 to the Board of Aldermen. Commissioner Pieknik seconded the motion, which received unanimous approval from the Commission members present.

SUE 22-04 – Entertainment Use

De-Crypt-It Escape Room, 116 Holloway Rd, Ballwin MO 63011

Petitioner: Mr. James Tyler, 135 Lois Ln, Paducah KY 42001

Neither Mr. Tyler nor a representative was in attendance to answer the Commission's questions.

City Attorney Jones said the Planning Commission must act on a petition within 60 days of certification by the Planning Technician, or it is automatically recommended for approval, so he advised the Commission to act on the petition and send it on to the Board of Aldermen. Mayor Pogue asked if the Board of Aldermen has a similar time constraint. City Attorney Jones said there is not a time limit for the Board, but if the petition is rejected by the Board of Aldermen, it cannot be reconsidered in the same format for a period of one year, unless three quarters of the Board gives special permission to reapply.

Planning Technician Edghill noted that he had contacted the landlord for the site of the proposed escape room, and that the landlord has also been unable to contact the petitioner for several weeks.

Chairman Weaver opened the public hearing and asked if anyone wished to speak in favor of Petition SUE 22-04. 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 made a motion to recommend denial of Petition SUE 22-04 to the Board of Aldermen due to lack of response from the petitioner. Commissioner Winfrey seconded the motion, which received unanimous approval from the Commission members present.

Other Business

Chairman Weaver asked if there are any agenda items for the November agenda. Planning Technician Edghill said that Finance Director Keller will have the Capital Budget presentation, and there will be a petition to rezone the Waterford subdivision from St. Louis County R-4 to Ballwin R-3.

Planning Technician Edghill announced that staff met with the St. Louis County Boundary Commission at the end of September, and the Charleston Oaks subdivision was successfully annexed. This will take effect on January 1, 2023. The Cascades subdivision annexation was held over until the end of October.

Chairman Weaver asked about the proposed Parc Place apartments. City Administrator Sterman said that as soon as the new temporary cell tower is completed and all the equipment moved over, demolition is anticipated in the next few weeks. At that point, it is in the developer's hands.

Adjournment

Alderman Stallmann made a motion to adjourn the meeting. Mayor Pogue seconded the motion, which received unanimous approval from the Commission members present. The meeting was adjourned at 7:12 p.m.

J. Mark Weaver, Chairman
Planning & Zoning Commission