



**Planning & Zoning Commission
Meeting Minutes**

May 6, 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
- Chairman Grant Alexander
- Commissioner Janet Carr
- Commissioner Derek Beiter
- Commissioner Bill Hinds
- Commissioner Victoria Winfrey
- Commissioner Michael Swain
- Commissioner Scott Brinker
- City Planner Lynn Sprick
- City Attorney Robert Jones
- City Administrator Eric Sterman

Absent

- Alderman Mark Stallmann
- Commissioner Zach Carter

MINUTES

The minutes from the February 5, 2024 Planning & Zoning Commission Meeting were submitted for approval. A motion to approve as submitted was made by Mayor Pogue and seconded by Commissioner Swain. The motion was approved unanimously.

AGENDA ITEMS

Swearing in of new Commissioner

Commissioner Scott Brinker was sworn in prior to the meeting. He introduced himself to the Commission.

Z-24-01 Petition for an Amendment to the Code, adding new language to allow “Pet Day-Care and Boarding Facility as a Special Use Exception

City Planner, Lynn Sprick, summarized the Petition and explained the Petitioner has formally approached the City with a request to modify the City Code to permit pet day-care and boarding facilities. Staff explained that the Commission should consider whether the use is desired, determine the appropriate classification for the use, and establish regulatory requirements. Ms. Sprick proceeded to present the Staff’s recommended definition and classification for this proposed use.

Commissioner Swain asked if there is a proposed location.

Ms. Sprick explained the Petition resulted from the Petitioner approaching the City about a location within the City Limits.

Mayor Pogue expressed apprehension regarding the proximity of these facilities to residential areas, questioning the rationale behind the established 300-foot distance requirement.

Ms. Sprick explained that this provision was adapted from the City of St. Charles' Code.

Dessa Williams (Petitioner) provided insight into the operations of the proposed facilities she has interest in, explaining that dogs would only be outdoors for bathroom breaks and would be supervised by staff.

Mike Doster (attorney for the Petitioner) spoke. He stated 300 feet serves as a minimum, indicating that the Commission or Board could impose further restrictions if deemed necessary.

Mayor Pogue pointed out that enforcing certain restrictions might pose challenges.

Chairman Alexander noted that the Commission retains significant discretion in determining additional conditions for approval.

City Attorney Bob Jones addressed inquiries about the Commission's and Board's ability to impose greater restrictions.

Ms. Williams mentioned that the franchise she is considering requires an eight-foot fence for the facility.

Chairman Alexander opened the public hearing. Noone came forward to speak in favor or opposition of the Petition. Chairman Alexander closed the public hearing.

Commissioner Hinds discussed requirements that would be appropriate for the proposed use.

Chairman Alexander expressed his preference for a white vinyl fence of adequate height to ensure both privacy and safety.

Mayor Pogue sought clarification on the maximum allowable fence height according to the City's Code, which Attorney Jones addressed.

Chairman Alexander proposed a motion to recommend approval of the Petition with the inclusion of a requirement for a solid eight-foot fence surrounding all dog runs.

Commissioner Swain seconded the motion and the motion was carried with 6 affirmative votes and 2 negative votes.

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.

Ms. Sprick provided a summary of the Petition and proposed a redesign of the development, suggesting retaining the eastern curb cut and removing the western curb cut on Manchester

Road. Alternatively, if the Commission recommends approval of the Petition as presented, it is advised that the curb cut on Manchester Road should only allow right turns in and out.

Mako Kellman (Petitioner) spoke. He is agreeable to either recommendation.

Eric Allmon (Project Engineer) responded, saying the site would need to be redesigned to meet the recommendation.

Commissioner Swain asked about the cross access onto the adjacent property to the west (McDonalds) and if drivers could use that curb cut to make a left turn.

Chris Hutchinson (Project Traffic Engineer) provided some insight to the alternatives being considered.

Chairman Alexander brought up the possibility of installing a new curb cut, between the two existing, which would be removed. This would serve both proposed lots.

Mayor Pogue compared the development to the one on the northeast corner of Manchester Road and Seven Trails Drive (Wendy's and Mobil on the Run). He went on to explain that drivers approaching the proposed development could turn left (south) onto Old Ballwin Road to access the site.

Attorney Jones said this is a major change and the Petitions should be reconsidered at the June Planning & Zoning Commission Meeting.

Chairman Alexander opened the public hearing. Noone came forward to speak in favor or opposition of the Petition. The public hearing remained open for future meetings.

Commissioner Swain summarized the recommended revisions.

Commissioner Brinker reiterated the proposed curb cut on Manchester Road would be located between the two existing, which would be removed.

Mayor Pogue asked if the Missouri Department of Transportation (MoDOT) would be notified about the revisions.

Ms. Sprick said MoDOT would be notified.

Chairman Alexander motioned to table SUB-24-01 until the June 3, 2024 meeting, which was seconded by Mayor Pogue, resulting in the Petition being tabled.

Chairman Alexander motioned to table SUE-24-04 until the June 3, 2024 meeting, which was seconded by Mayor Pogue, resulting in the Petition being tabled.

Chairman Alexander motioned to adjourn the meeting.

Commissioner Carr seconded and the meeting adjourned at 7:50 pm.