

# CITY OF FLORISSANT



## PLANNING AND ZONING MINUTES

Monday, November 6, 2023

The Florissant City Council met in regular session at Florissant City Hall, 955 Rue St. Francois on Monday, November 6, 2023 at 7:00 PM with Council President Eagan presiding.

### **I. Roll Call**

On Roll Call the following members were present: Steve Olds, Robert Nelke, John Martine, Dan Sullivan, Lou Jearls, Lee Baranowski, and Allen Minks. Also present was Debra Irvin, Building Commissioner, and Savanna Burton, Deputy City Clerk.. A quorum being present the Planning and Zoning Commission was in session for the transaction of business.

### **II. Approval of Minutes**

#### **10-2-2023. P&Z Minutes October 2, 2023**

No minutes were received. Chairman Olds made a motion to postpone the approval of the minutes from October 2, 2023, seconded by Minks. Motion carried.

#### **10-16-2023. P&Z Minutes October 16, 2023**

Chairman Olds made a motion to approve the minutes from October 16, 2023, seconded by Jearls. Motion carried.

### **III. Announcements/Comments**

Debbie Irvin, Building Commissioner, introduced herself to the Planning and Zoning Commission as the new building commissioner and noted her excitement to work for Florissant.

### **IV. LHDC Business**

### **V. Old Business**

PZ-101623-3. Special Use Permit - 760 St Francois Suite C - Serenity Renewal Massage, LLC

Melissa Bufalo  
1600 Estes Dr  
Florissant, MO 63031

Request approval of a Special Use Permit for the operation of a Massage Business at 760 St Francois Suite C (Serenity Renewal Massage, LLC) IN A 'HB' Zoning District.

Debbie Irvin, Building Commissioner, stated the location of the business will be at the rear of 760 St. Francois in suite C.

Melissa Bufalo, petitioner, noted she is renting the space and will have a private entrance. She stated she is a fully licensed massage therapist with the state and has yearly state inspections.

Ms. Irvin noted this business type is allowed in the 'HB' zoning under the special use.

Ms. Bufalo noted the business will be used for massage only, she does not plan for signage at this time, and the business will be run by appointment only.

Commissioner Baranowski noted the LHDC should be informed of the business in the building.

Chairman Olds moved to recommend approval for a Special Use Permit to allow for a Massage Business, subject to the conditions set forth below with these conditions being part of the record.

1. The uses permitted shall be limited to a Massage Business.

Seconded by Sullivan. On roll call, the commission voted as follows:

**VOTING**

Motion by: Olds, Steven

Second by: Sullivan, Dan

COUNCIL MEMBERS	YES	NO	ABSTAIN	RECUSE
Olds, Steven	X			
Minks, Allen	X			
Jearls, Lou	X			
Sullivan, Dan	X			
Martine, John	X			
Nelke, Robert, Jr.	X			
Baranowski, Lee	X			

PZ-101623-4. Special Use Permit - 8180 N Lindbergh (7 Brew)

Brandon Sebald  
3931 N Dogwood Canyon LP  
Fayetteville, AR 72704

Request recommended approval of an amendment to 'B-5' located at 8180 N Lindbergh to include the change of use from restaurant with drive through to drive thru only coffee shop.

Debbie Irvin stated the property is zoned as a 'B-5' at 8180 N Lindbergh and the petitioner would like to build a new building as a drive through only coffee shop. The building will be 510 sq ft with a 280 sq ft cooler. The business wants 3 parking spots which complies with the code and no official signage have been submitted. Ms. Irvin noted this is permitted use under a 'B-5'.

Chairman Olds noted the letter from the company is not a manufacturer guarantee and would like a guarantee from the manufacturer prior to the permits being approve.

Ms. Irvin noted the building is the current Crazy Bowls and Wraps which will be torn down and a new building rebuilt.

Chairman Olds stated the signage is shown 14 feet off the property line and shown at the existing location on the drawings.

Joe Raferty, petitioner, noted the letter with the lifetime guarantee is from the manufacturers, CMC Building.

Chairman Olds noted the city has a strict masonry code, but Planning and Zoning has often approved business which show a guaranteed maintenance free material for 25 years or more. He noted the commission can approve the request prior to the document

being received, but the city would need the guarantee before permits are approved.

Mr. Raferty stated the cooler along the building will be wrapped in the same brick facia as the building and will be made of all paneling.

Ms. Irvin reminded the commission that the building is a modular building which does not meet the masonry code.

Commissioner Jearls noted a non-brick or stone building is a step back from what the city should be approving and makes it a difficult decision to approve the building request.

Mr. Raferty stated the building does not look like a metal barn and will have a brick appearance similar to Target. He noted the company has about 200 businesses open in 26 states.

Commissioner Nelke noted the commission has approved other buildings with the nichiha paneling recently.

Commissioner Baranowski stated the pole sign does have a setback of about 25 - 30 feet outside the setback line. He asked the petitioner what the parking spaces were for and where the handicapped parking would be located.

Mr. Raferty noted where the handicapped parking was and the parking would mostly be for employees. He did state they have a walk-up window for anyone who did not want to use the drive through. Additionally, the business would not have outside seating, but would have a bike rack for anyone who rode a bike to the business.

Chairman Olds noted again that the sign did not follow the setback requirements, but if the business installed in the existing location without changing the pole, the business could install it in the same location.

Mr. Raferty asked for the pole sign to be removed from the approval and he would return later for approval.

Chairman Olds made a motion to for recommended approval of a drive thru coffee shop located at 8180 N Lindbergh, subject to the conditions set forth below with these conditions being part of the record:

#### 1. PERMITTED USES

The use permitted in this 'B-5' Planned Commercial District shall be amended to replace the restaurant with drive thru with drive thru only coffee shop.

#### 2. FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS

The building shall be limited to a building with a square footage of approximately 510 square feet with a cooler of approximately 280 square feet.

#### 3. PERFORMANCE STANDARDS

Uses within this 'B-5' Planned Commercial District identified herein shall conform to the most restrictive performance standards as set forth in Article VII of the Florissant Zoning Code.

#### 5. FINAL SITE DEVELOPMENT PLAN GENERAL CRITERIA

The above Final Site Development Plan shall include the following:

- a. Location and size, including height of building, landscaping and general use of the building.
- b. Gross square footage of building.
- c. Existing and proposed roadways, drives, and sidewalks on and adjacent to the property in question.
- d. Location and size of parking areas and internal drives.

- e. Building and parking setbacks.
- f. Curb cut locations.
- g. Existing proposed contours at intervals of not more than two (2) feet.
- h. Preliminary storm water and sanitary sewer facilities.
- i. Identification of all applicable cross-access and cross-parking agreements.
- j. Documentation of a 25-year lifespan of all materials prior to issuance of building permit.

#### 6. FINAL SITE DEVELOPMENT PLAN CRITERIA

The above Final Site Development Plan shall adhere to the following specific design criteria:

##### a. Structure Setbacks.

- (1) No building, excluding retaining walls and light standards shall be located within forty (40) feet of the right-of-way of North Highway 67.
- (2) The setbacks shall be as approved by the Planning and Zoning Commission.

##### b. Parking, Loading and Internal Drives Setbacks.

- (1) Parking, loading spaces, internal drives and roadways shall be located in accordance with the Site Development Plan attached.
- (2) All of the setbacks depicted on the Preliminary Development Plan are approved but may be modified with the approval of the Planning and Zoning Commission.

##### c. Minimum Parking/Loading Space Requirements.

- (1) Parking regulations shall be as required by 405.225 of the Florissant Zoning Code, except as otherwise varied herein. There shall be a minimum of 8 parking spaces. Parking spaces shall comply with the Florissant parking requirements.

##### d. Road Improvements, Access and Sidewalks.

- (1) The Director of Public Works, the Missouri Department of Transportation (MODOT) and St. Louis County Department of Highways shall approve any new work in the North Highway 67 right-of-way. The property owner shall comply with all requirements for roadway improvements as specified by the Director of Public Works and MODOT in approving new work.

##### e. Lighting Requirements.

Lighting of the property shall comply with the following standards and requirements:

- (1) All site lighting shall be directed downward and inward to reduce glare onto the adjacent properties and roads.

##### f. Sign Requirements.

- (1) All signage shall comply with the City of Florissant sign ordinance.

##### g. Landscaping and Fencing.

- (1) Landscaping shall be in accordance with the Site Development Plan attached, except as amended herein.
- (2) Any modifications to the landscaping plan shall be reviewed and approved by the Planning and Zoning Commission.

##### h. Storm Water.

Storm Water designs and drainage facilities shall comply with the following standards and requirements:

- (1) Written approval of any required below ground storm water detention by the Metropolitan St. Louis Sewer District shall be filed with the Department of Public Works.
- (2) The Director of Public Works shall have reviewed storm water plans to assure that storm water flow will have no adverse effect on the neighboring properties or roads.

##### i. Miscellaneous Design Criteria.

- (1) All applicable parking, circulation, sidewalks, and all other site design features shall comply with the Florissant City Code.
- (2) The minimum yard requirements shall be as shown on the Site Development Plan attached.
- (3) All dumpsters shall be contained within a trash enclosure constructed of material to match the building with gates that are solid metal, metal reinforced vinyl or metal picket type with a maximum spacing of the pickets of 2 inches.

(5) All storm water and drainage facilities shall be constructed, and all landscaping shall be installed, prior to occupancy of the building, unless remitted by the Director of Public Works due to weather related factors.

(6) All mechanical equipment shall be roof mounted and screened from view by the building parapet walls. All electrical equipment shall be properly screened with landscaping as required by section 405.245 of the Florissant Municipal Code.

(7) Unless and except to the extent otherwise specifically provided herein, the Final Site Development Plan shall comply and be in accordance with all other ordinances of the City of Florissant.

#### 7. AMENDMENTS TO THE SITE AND EXTERIOR BUILDING PLANS:

Any changes to the approved plans attached hereto must be reviewed by the Building Commissioner. The Building Commissioner must make a determination as to the extent of the changes per the following procedure:

1. The property owner or designate representative shall submit in writing a request for an amendment to the approved plans. The building commissioner shall review the plans for consistency with the purpose and content of the proposal as originally or previously advertised for public hearing and shall make an advisory determination.
2. If the building commissioner determines that the requested amendment is not consistent in purpose and content with the nature of the purpose as originally proposed or previously advertised for the public hearing, then an amendment to the special use permit shall be required and a review and recommendation by the planning and zoning commission shall be required and a new public hearing shall be required before the City Council.
3. If the building commissioner determines that the proposed revisions are consistent with the purpose and content with the nature of the public hearing then a determination of non-necessity of a public hearing shall be made.
4. Determination of minor changes: If the building commissioner determines that an amendment to the special use permit is not required and that the changes to the plans are minor in nature the Building Commissioner may approve said changes.
5. Determination of major changes: If the Building Commissioner determines that an amendment to the 'B-5' is not required but the changes are major in nature, then the owner shall submit an application for review and approval by the Planning and Zoning commission.

#### 12. VERIFICATION PRIOR TO OCCUPANCY PERMIT

Submit Final Development Plan for approval prior to recording per City Code Section 405.135.

#### 13. GENERAL DEVELOPMENT CONDITIONS.

a. Unless, and except to the extent, otherwise specifically provided herein, development shall be effected only in accordance with all ordinances of the City of Florissant.

- b. The Department of Public Works shall enforce the conditions of this ordinance in accordance with the Final Site Development Plan approved by the Planning & Zoning Commission and all other ordinances of the City of Florissant.
- c. Drawings C2.1, C5.1, C 6.1, and A 6.1 to be part of the record.

7. PROJECT COMPLETION.

Any new Construction shall start within 120 days of the issuance of building permits, and the development shall be completed in accordance of the final development plan within 180 days from start of construction.

Seconded by Martine. On roll call, the commission voted as follows:

**VOTING**

Motion by: Olds, Steven

Second by: Martine, John

COUNCIL MEMBERS	YES	NO	ABSTAIN	RECUSE
Olds, Steven	X			
Minks, Allen	X			
Jearls, Lou		X		
Sullivan, Dan		X		
Martine, John	X			
Nelke, Robert, Jr.	X			
Baranowski, Lee	X			

**VI. New Business**

PZ-110623-1. Ratification of a minor change - 1232 Graham Rd (Long John Silver's/A&W)

Hector Gomez  
 2304 Russell Blvd  
 St Louis, MO 63104

Request ratification of a minor change in the development plan to alter the existing landscaping, located at 1232 Graham Road (Long John Silver's/A&W), in existing 'B-5' Planned Commercial District.

Debra Irvin noted the request was to alter the existing landscape in an existing 'B-5' Ordinance No. 7582.

Commissioner Minks verified the proposed changes still meet the landscape code.

RaeAnn Walters, petitioner, noted the request was to remove and replace dead shrubs and move a new bush to create a clear line of sight for drivers exiting the property. Commissioner Martine verified the trees would be replaced.

Ms. Walters stated the business would be replacing the trees with trees that bloom year-round.

Chairman Olds made a motion to ratify approval of the Building Commissioner, of a minor change to amend the landscaping, located at 1232 Graham Road (Long John Silver's/A & W Restaurant), in an existing 'B-5' Planned Commercial District, in accordance with the drawings shown on plans by Nafe & Associates Landscape Architects, LLC, dated, 9/19/2023.

Seconded by Martine. On roll call, the commission voted as follows:

**VOTING**

Motion by: Olds, Steven

Second by: Martine, John

COUNCIL MEMBERS	YES	NO	ABSTAIN	RECUSE
Olds, Steven	X			
Minks, Allen	X			
Jearls, Lou	X			
Sullivan, Dan	X			
Martine, John	X			
Nelke, Robert, Jr.	X			
Baranowski, Lee	X			

**VII. Adjournment**

Chairman Olds stated the next meeting will be held on Monday, December 4, 2023, at 7:00pm.

Mr. Minks moved to adjourn the meeting, seconded by Nelke. Motion carried, meeting adjourned at 8:09 p.m.

Adjourned at 8:09p.m.

Respectfully submitted,

Savanna B Burton

Savanna B Burton, CMC/MRCC  
Deputy City Clerk