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# PLANNING & ZONING COMMISSION MEETING

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HELD REMOTELY VIA THE ZOOM APP

**February 1, 2021  
7:00 P.M.**

## **AGENDA**

- 1. Call to Order**
- 2. Swearing In of New Commissioner**
- 3. Approval of Minutes**
- 4. SUE 21-01 – Manufacturing of Alcohol on Site**  
Brewery at The Wolf Cafe, 15480 Clayton Road, Ballwin MO 63011  
*Petitioner: Robert Biribin, 15480 Clayton Road, Ballwin MO 63011*
- 5. Adjournment**

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**MINUTES OF THE  
PLANNING AND ZONING COMMISSION MEETING  
1 GOVERNMENT CTR ♦ BALLWIN MO 63011  
JANUARY 4, 2021**

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

**PRESENT**

Chairman Mark Weaver  
Commissioner Grant Alexander  
Commissioner Olivia Pieknik  
Commissioner Chad Silker  
Commissioner Victoria Winfrey  
Secretary Lisa Zimmerman  
Alderman Kevin Roach  
Mayor Tim Pogue

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

**ABSENT**

Commissioner Tracy Bolte  
Commissioner Gary Carr

**Approval of Minutes**

A motion was made by Mayor Pogue to accept the minutes of the November 2, 2020 meeting as submitted. Commissioner Pieknik seconded the motion, which received unanimous approval from the Commission members present.

A motion was made by Mayor Pogue to accept the minutes of the December 7, 2020 meeting as submitted. Alderman Roach seconded the motion, which received unanimous approval from the Commission members present.

**SUE 20-11 – Automotive Service/Repair including Bodywork**

Champion Car Care Automotive Repair, 15230 Manchester Road  
*Petitioner: Kristine Goehl, 300 Ries Bend Rd, Ballwin MO 63021*

Mr. William Goehl addressed the Commission, requesting approval for the Special Use Exception. He stated that the primary business is paintless dent repair, with some auto repair. This will be their second location.

Chairman Weaver asked about the hours of operation. Mr. Goehl said the facility will be open Monday through Saturday, with the hours Monday-Friday being 8:30 am - 5:30 pm, and 10:00 am - 2:00 pm on Saturday.

Mayor Pogue asked Mr. Goehl if he had an opportunity to review the Petition Review Report. Mr. Goehl said that he had received the report and will comply with all criteria and recommendations of staff. Mayor Pogue asked if the petitioner is planning any site improvements. Mr. Goehl said there will be no change.

Alderman Roach asked Planning Technician Edghill asked why this petition is before the Commission. Mr. Edghill said the previous SUE had expired, necessitating this petition.

Chairman Weaver opened the public hearing and asked if anyone wished to speak in favor of Petition SUE 20-11. No one came forward. Chairman Weaver asked if anyone wished to speak in opposition to the petition. No one came forward, and Chairman Weaver closed the public hearing.

Mayor Pogue made a motion to recommend approval of Petition SUE 20-11 to the Board of Aldermen. Secretary Zimmerman seconded the motion, which received unanimous approval from the Commission members present.

### Other Business

Mayor Pogue thanked Tracy Bolte for his service to the Planning & Zoning Commission. His replacement will be Michael Swain. Mr. Swain will be sworn in at the next Planning & Zoning Commission meeting.

### Adjournment

Commissioner Pieknik made a motion to adjourn the meeting. Secretary Zimmerman seconded the motion, which received unanimous approval from the Commission members present. The meeting was adjourned at 7:14 p.m.

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J. Mark Weaver, Chairman  
Planning & Zoning Commission

# **SPECIAL USE EXCEPTION PETITION REVIEW REPORT**

|                                     |                                                                                                                               |
|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| <b>Petition Number:</b>             | SUE 21-01                                                                                                                     |
| <b>Petitioner:</b>                  | Robert Biribin<br>15480 Clayton Rd<br>Ballwin, MO 63011                                                                       |
| <b>Project Name:</b>                | Brewery at The Wolf Cafe                                                                                                      |
| <b>Requested Action:</b>            | Manufacturing of Alcohol on Site                                                                                              |
| <b>Public Hearing Date:</b>         | February 1, 2021                                                                                                              |
| <b>Code Section:</b>                | Art. XIV, Sec. 1 (21)                                                                                                         |
| <b>Location:</b>                    | 15480 Clayton Rd                                                                                                              |
| <b>Existing Land Use/Zoning:</b>    | Commercial/ C-1                                                                                                               |
| <b>Surrounding Land Use/Zoning:</b> | North – Commercial/ C-1<br>South – Mixed Use Development/ MXD<br>West - Mixed Use Development/ MXD<br>East – Residential/ R-2 |
| <b>Plan Designation:</b>            | Commercial/Restaurant/Brewery                                                                                                 |

### PROJECT DESCRIPTION:

Mr. Biribin is requesting that Ballwin approve a special use exception for the manufacturing of alcohol at his establishment located at 15480 Clayton Rd in addition to his current SUE for restaurant use.

### ZONING ORDINANCE REQUIREMENTS

#### Appendix A, Article IX (Commercial/ C-1 District):

- Article IX, Section 1 is a general introductory statement and imposes no design or plan requirements so it is not germane to this review.
- Art. IX, Sec. 2 establishes uses allowed by right in the C-1 district. The use contemplated in this petition is not included in the base C-1 use regulations. **The manufacturing of alcohol in a Commercial District in the City of Ballwin is required to undergo the SUE permitting process, detailing the necessity of my assessment.**
- Art. IX, Sec. 3 establishes a height limitation of 45'. **No changes are proposed to the current structure.**
- Art. IX, Sec. 4 (1) establishes a front yard depth of not less than 40', except for: Art. XI, Sec. 4 (1) (i), which states that land lying along Manchester Rd shall have a front yard not less than 60 feet. **No changes are proposed to the current structure.**
- Art. IX, Sec. 4 (2) establishes no requirement for a side yard, so long as the location does not adjoin with a dwelling, dwelling district, or any public activity district. **No changes are proposed to the current structure.**
- Art. IX, Sec. 4 (3) establishes a rear yard depth of not less than 25'. **No changes are proposed to the current structure.**
- Art. IX, Sec. 4 (4) refers to improvement of a C-1-zoned parcel with single-family dwellings, and is not pertinent to this evaluation.
- Art. IX, Sec. 5 (1) refers to off street parking and loading spaces, neither is this petitioner is making changes to the currently existing building nor to its parking lot. The additional use permitted by the SUE is not expected to impact parking.
- Art. IX, Sec. 5 (2) refers to parking for shopping centers, plazas and office complexes with two or more tenants, and is not pertinent to this evaluation.
- Art. IX, Sec. 6 refers to review by MoDOT for any intensive redevelopment along Manchester Rd. This is irrelevant to this proposal.
- Art. IX, Sec. 7 (1) requires that the minimum spacing of curb cuts is to be 500' between centerlines. No change is proposed.

- Art. IX, Sec. 7 (2) requires the construction of a 6' wide sidewalk along Manchester Road. This is irrelevant to this proposal.
- Art. IX, Sec. 7 (3) requires that commercial parking lots be interconnected or that a cross access, driveway/parking lot vehicular interconnection easement be established to the benefit of Ballwin to allow a future parking lot interconnection with adjoining properties. No change is currently proposed.

## **ZONING ORDINANCE REQUIREMENTS/SUE REGULATIONS**

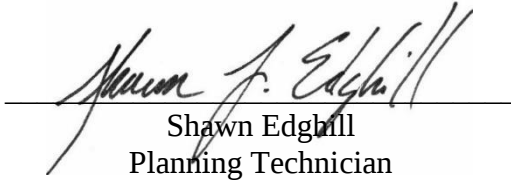
### **Appendix A, Article XIV**

- Article XIV, Section 1 (21) refers to any establishment for the distilling, brewing, preparation, and sale of beverages containing alcohol of any kind by the drink for consumption on the premises where sold in the R-4 and C-1 districts.
- Article XIV, Sec. 2 (1) refers to minimum yard requirements. All yard requirements are abided.
- Art. XIV, Sec. 2 (2) refers to site illumination. No change is proposed.
- Art. XIV, Sec. 2 (3) refers to greenery and planting. No change to the current landscape is proposed.
- Art. XIV, Sec. 2 (4) refers to fencing. No change is proposed.
- Art. XIV, Sec. 2 (5) refers to parking. See Art. IX, Sec. 5 (1) for details. The proposed use meets the base requirements for parking.
- Art. XIV, Sec. 2 (6) refers to pavement and parking compliance. No change is proposed.
- Art. XIV, Sec. 2 (7) refers to storm water runoff control. No change is proposed.
- Art. XIV, Sec. 2 (8) refers to loading docks and facilities. No dedicated loading spaces are proposed for this use.
- Art. XIV, Sec. 2 (9) refers to ingress and egress at the site. No change is proposed.
- Art. XIV, Sec. 2 (10) refers to adequate area for the use. No changes are being proposed for the building, and the area is considered adequate for the use proposed.
- Art. XIV, Sec. 2 (11) states that in off-street parking for public use or for employees, no sales, dead storage, repair work nor dismantling of automobiles shall be permitted.
- Art. XIV, Sec. 2 (12) refers to rubbish and trash disposal and screening. No change is proposed outside of the current trash disposal situation.

### **STAFF RECOMMENDATION:**

Staff has no objections. Mr. Biribin also wanted to ensure the understanding by the Commission that this matter is intended to be secondary to his restaurant business, and both will be held in tandem by The Wolf Café, with the alcohol manufacturing taking place in the basement of his establishment.

Additionally, The Wolf Café is in possession of a Full Liquor License and a Full Liquor License (Sunday) through the City of Ballwin. He will be obtaining the Alcohol Manufacturing License for the City of Ballwin in tandem with this SUE request. He is in possession of his federal alcohol manufacturing license and is awaiting his Missouri State alcohol manufacturing license. Once all received, the collection of these licenses together with an approval of this SUE by the Commission will provide The Wolf Café the allowance to brew, prepare, and package drinks containing alcohol for consumption on and off the premises.



Shawn Edghill  
Planning Technician