



**MINUTES OF THE
PLANNING & ZONING COMMISSION MEETING
1 GOVERNMENT CTR, BALLWIN MISSOURI 63011
DECEMBER 4, 2023**

THE MINUTES ARE PREPARED IN SUMMARY TO REFLECT THE OVERALL DISCUSSIONS, NOT VERBATIM QUOTES.

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

Present:

Mayor Tim Pogue
Alderman Mark Stallmann
Commissioner Derek Beiter
Commissioner Bill Hinds
Commissioner Zach Carter
Commissioner Michael Swain

Absent:

Commissioner Grant Alexander
Commissioner Victoria Winfrey

Election of a temporary Chairman

A motion was made by Commissioner Swain and seconded by Alderman Stallmann to nominate Mayor Pogue as temporary Chairman in the absence of both the Chair and Vice-Chair. The motion was approved unanimously.

Approval of Minutes

A motion was made by Mayor Pogue and seconded by Alderman Stallmann to make one (1) amendment to the minutes of the October 2, 2023 meeting regarding the UMSL Chancellor's Certificate in Fundamentals of Planning & Zoning. The motion was approved unanimously.

A motion was made by Alderman Stallmann and seconded by Commissioner Beiter motioned to approve the minutes of the October 2, 2023 meeting as amended. The motion was approved unanimously.

It was decided to hear SUE 23-03 first.

SUE-23-03 – Automobile and motor vehicle service and/or repair facility (Midas Auto Service) with front yard parking at 15230 Manchester Road

The Petitioner, Steve Towers, addressed the Commission. He is currently leasing the property with the intent of purchasing it. Concerns were expressed about the amount of on-site parking and the previously established cross access easement with the property to the east.

Staff recommends approval of this Petition with the standard SUE conditions, along with the conditions outlined in Appendix A, Article XIV, Section 1(3), Section 2(11) and the stipulation that the previously approved cross access easement is recorded.

Mr Towers acknowledged his understanding of the conditions and recording of the cross access easement.

A motion was made by Mayor Pogue and seconded by Commissioner Beiter to recommend approval of the Petition to the Board of Aldermen with the conditions outlined above and an additional condition ensuring the resolution of the parking shortage.

The motion was approved unanimously.



**MINUTES OF THE
PLANNING & ZONING COMMISSION MEETING
1 GOVERNMENT CTR, BALLWIN MISSOURI 63011
DECEMBER 4, 2023**

Capital Budget for 2024

Finance Director, Denise Keller, presented information regarding the Capital Budget for 2024.

A motion was made by Alderman Stallmann and seconded by Commissioner Swain to approve the Capital Budget for 2024. The motion was approved unanimously.

Z-23-03 Zoning Change from St Louis County's R-4 Residence District to Ballwin's R-4 Planned Multiple Dwelling District for the lots in the Cascades Subdivision

City Administrator, Eric Sterman, provided a detailed explanation of the annexation and zoning process for newly annexed properties. The Cascades is a mixed use, planned development that contains a mix of detached single-family dwellings, along with attached townhomes. Development requirements (lot sizes, building setbacks, etc) are included in the St Louis County approval Ordinance 10.361.

Staff recommends approval of this Petition with the condition that the St Louis County's approval Ordinance 10.361 applies to the development for the life of the structures.

A motion was made by Commissioner Beiter and seconded by Commissioner Carter to recommend approval of this Petition to the Board of Aldermen with the condition that the original St Louis County Ordinance and accompanying Development Plan is included in the City's Bill. The motion was approved unanimously.

Z-23-04 Zoning Change from St Louis County's R-3 Residence District to Ballwin's R-3 Single Family Residential District for the lots in Charleston Oaks Subdivision

City Administrator, Eric Sterman, provided a detailed explanation of the annexation and zoning process for newly annexed properties. Charleston Oaks is a single-family development and the City's R-3 Zoning District is nearly identical to St Louis County's R-3 Zoning District.

Staff recommends approval of this Petition.

A motion was made by Commissioner Beiter and seconded by Commissioner Swain to recommend approval of this Petition to the Board of Aldermen. The motion was approved unanimously.

Z-23-05 Text Amendment, adding retail tobacco stores, cigar bars, hookah and vapor lounges as Special Use Exceptions in the C-1 Commercial Zoning District

City Planner, Lynn Sprick, provided a detailed explanation of the proposed language. Currently, the uses are classified as retail sales and are permitted as a right in the C-1 District. The Board of Aldermen directed staff, along with the City Attorney, to draft language that would require the uses to apply for a Special Use Exception, which would require review by the Planning & Zoning Commission and approval from the Board of Aldermen.

The Board also expressed concern about the sale of nitrous oxide and discussed the possibility of regulating the sale of it at these types of establishments.



**MINUTES OF THE
PLANNING & ZONING COMMISSION MEETING
1 GOVERNMENT CTR, BALLWIN MISSOURI 63011
DECEMBER 4, 2023**

City Attorney, Bob Jones, reported that he conducted a comprehensive search and identified three (3) communities in the State of Missouri that regulate the sale of nitrous oxide. He expressed the opinion that regulating its sale would be challenging and recommended against attempting to do so.

Staff recommends approval of this Petition as written.

A motion was made by Commissioner Hinds and seconded by Alderman Stallmann to recommend approval of this Petition to the Board of Aldermen as written. The motion was approved unanimously.

Other Business

The Planning & Zoning Commission Meeting scheduled for January 1, 2024 was rescheduled for Thursday, January 4, 2024 at 7:00 p.m.

Adjournment

A motion was made by Commissioner Hinds and seconded by Commissioner Swain to adjourn the meeting. The motion was approved unanimously and the meeting adjourned at 8:14 p.m.