

CITY OF FLORISSANT



PLANNING AND ZONING MINUTES

Monday, October 2, 2023

The Florissant Planning and Zoning Commission met in regular session at Florissant City Hall, 955 Rue St. Francois on Monday, October 2, 2023 at 7:00 PM with Chairman Olds presiding.

I. Roll Call

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

II. Approval of Minutes

9-18-2023 P&Z Minutes 9-18-2023

Chairman Olds made a motion to the minutes from September 18, 2023, seconded by Jearls. Motion carried.

III. Announcements/Comments

There were none.

IV. LHDC Business

There were none.

V. Old Business

PZ-0821- Special Use Permit - 1169 N Highway 67 (Taste, LLC)
23-4.

Tequila D Clark
2460 Center Ave
Jennings, MO 63136

Request recommended approval of a Special Use Permit to allow for a Sit-Down and Carry-out Restaurant in an existing 'B-3' Extensive Business District.

Todd Hughes noted the attorneys have received the cross-access agreement and are awaiting approval.

Chairman Olds made a motion to postpone the request to October 16, 2023, seconded by Sullivan. Motion carried.

VI. New Business

PZ- SUP - Amendment - 1752 - 1756 N New Florissant (Shade Restaurant/Bar)
100223-1.

Leslie West
1752 N New Florissant Rd
Florissant, MO 63031

Request recommend approval to amend a Special Use (Ord. No. 8376) to allow for adding a Nightclub Use, with Live Performances and cover charge, in a 'B-3' Extensive Business District.

Todd Hughes noted the business would be amending the Special Use Permit to close at midnight. Mr. Hughes stated the business first proposed a brunch/lunch and early dinner establishment.

Lisa West, petitioner, noted she purchased the business with the intention of open at 10am, but the business would need a full kitchen and the finances will not allow for the business to open that early. She stated the prior owner worked as a nightclub, but she does not want to run as a nightclub. Ms. West stated they have been functioning as a business, but have not been profitable since they have had to close at 10pm. She noted they had to turn away customers who entered at 8:45pm to eat. The business needs to be a more competitive family-oriented location during the day and an evening location for adults of the age 45 and older. She noted they will have jazz music in the evening, but she is not receiving repeat customers at this time due to their restrictive hours. Ms. West noted they opened their business in 2022, however had to close their business because they were serving customers after 10pm in March of 2023. Due to this incident, the liquor license was suspended for 60 days. Ms. West noted she would like to change the business name to Twelve 19 Restaurant and Lounge with hours of operation from 11am to midnight. She noted they are able to take customers from 4pm to 8:30pm with the restrictions. Ms. West stated the tinting on the windows was removed to the best of their ability and was approved by the Public Works Department and City Attorney. She commented that the hole in the window at her establishment was due to a shooting incident in March 2023. Additionally, 70% of the business sales are from food and 30% are from alcohol.

Captain Godfrey, Florissant Police Department, requested the Planning and Zoning Commission do not recommend approval of the change in hours. He noted the shooting in March 2023 involved patrons and employees who were inside the establishment at 1:45am. He noted the people present at the business returned fire to a vehicle who shot a gun at them. Captain Godfrey stated the business had several violations after 10 months of operation. He stated alcohol has been served after hours on at least two different occasions, they did not have access to the security cameras, and window tinting was still present on the business. Captain Godfrey noted the business is advertising a minimum spending amount for the customers. He reminded the commission that the business had a 60-day liquor license suspension after a second incident of the business being open late and serving alcohol after hours.

Lisa West noted there was no alcohol served at the business after hours during the incidents in March. She noted the customers who were inside the business were waiting for food to be made. She stated the cameras were not working due to the Wi-Fi being down, but she now has 15 cameras in and around the restaurant. Ms. West stated the cameras have been operational since the two incidents in March 2023. She also noted the food and beverage minimum are for larger parties.

Chairman Olds moved for recommended approval to amend a Special Use Ordinance No. 8603, to allow for the alteration of the closing time to no later than 12 midnight, located at 1752-1756 N. New Florissant Road (Shade Restaurant/Bar) in a 'B-3' Extensive Business District and subject to all other restrictions set forth by prior Special use ordinances.

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

VOTING

Motion by: Olds, Steven

Second by: Nelke, Robert, Jr.

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	

Motion failed.

PZ- 490 Howdershell - Royals Liquor
100223-2.

Krunal Patel
64 Towerbridge Pl
St Charles, MO 63303

Request Recommended Approval of a Special Use Permit, to allow for a Package Liquor Store at 490 Howdershell - Royals Liquor

Todd Hughes noted this is the last available package liquor store in Florissant, both parking and the distance from a school or church complies.

Krunal Patel, petitioner, noted he is the owner of 13 stores and the closest is a store on Lindbergh. He stated it is like Dirt Cheap, they allow for door dash deliveries, and occasionally have tastings.

Chairman Olds moved to recommend approval to allow for a special use permit for a Package Liquor Store establishment in a 'B-3' Extensive Business District as shown on plans attached.

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

VOTING

Motion by: Olds, Steven

Second by: Minks, Allen

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			

Motion passed.

VII. Adjournment

Chairman Olds stated the next meeting will be held on Monday, October 16, 2023, at 7:00pm.

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

Adjourned at 8:09 p.m.

Respectfully submitted,

Savanna B Burton

Savanna B Burton, CMC/MRCC
Deputy City Clerk