

CITY OF FLORISSANT



PLANNING AND ZONING MINUTES

Monday, December 4, 2023

The Florissant City Council met in regular session at Florissant City Hall, 955 Rue St. Francois on Monday, December 4, 2023 at 7:00 PM with Council President Eagan presiding.

I. Roll Call

On Roll Call the following members were present: Robert Nelke, John Martine, Dan Sullivan, Lou Jearls, Lee Baranowski, Allen Minks, and Steve Olds. 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**

Chairman Olds made a motion to approve the October 2, 2023 minutes, seconded by Jearls. Motion carried.

11-6-2023. **PZ Minutes 11-6-2023**

Chairman Olds made a motion to approve the November 6, 2023 minutes, seconded by Minks. Motion carried.

III. Announcements/Comments

Chairman Olds made a motion to move the Announcements/Comments after all New Business, seconded by Minks. Motion carried.

IV. LHDC Business

There were none.

V. Old Business

There were none.

VI. New Business

PZ-120423-1. Signage Approval - 8215 N Lindbergh

Shadi Jaraba
8215 N Lindbergh Blvd
Florissant, MO 63031

Request approval of signs over 40 s.f. but less than or equal to 100 s.f. in a 'B-3' Extensive Business District.

Chairman Olds made a motion to continue the request to the meeting on January 2, 2024 due to the petitioner not being present. Seconded by Nelke, motion carried.

PZ-120423-2. Site Plan Approval - 2855 N Highway 67 (Premier Institute of Oral and Facial Surgery)

A Professional Investment Group
16721 Clayton Rd
Wildwood, MO 63011

Request recommending approval of the site plan, landscaping plan, and sign plan in a 'B-3' Extensive Commercial District to allow for a new dental office/clinic.

Debbie Irvin, Building Commissioner, noted the request is for a 'B-3' site plan and the current building is being demolished. Ms. Irvin stated the building will be about 200 feet off of Lindbergh and meets the 'B-3' and masonry code. The Public Works Director did approve of the building remaining a 'B-3' rather than having to rezone as a 'B-5'.

Chad Hill, petitioner, stated the entire exterior of the building will be masonry.

Chairman Olds stated the masonry code is followed so there is no need to rezone the property.

Mr. Hill stated the business is an oral surgery business with 2 colors of full modular brick and exposed steel columns. The business will have about 40 parking spaces.

Commissioner Jearls noted his concerns with lighting in the parking area.

Mr. Hill stated they do not have a lighting plan, but the business would not be open after dark. The business would have signs which will be less than 40 sq. ft and not have a monument sign on the property. Mr. Hill noted an environmental site assessment was completed since the property was previously a laundromat, but with a completely different footprint.

Ms. Irvin noted the landscape requirements were met.

Mr. Hill stated the business will have one way and do not enter signage.

Ms. Irvin noted an adjustment needed to be made to line 197 of the motion to state "All signs will be under 40 sq. ft."

Chairman Olds made a motion to recommend approval of the site development plan, including landscaping and signage for 2855 N. Hwy 67 Center for the purpose of construction an oral surgery center as depicted by the attached drawings, plans C100, C300, C400, C500, C501, C600, C800, dated 7/19/23, Landscaping Plan L101-1 dated 7/19/2023, subject to the regulations of the B-3 "Extensive Business District" with permitted uses allowed being professional office, those within the 'B-3' Extensive Business District without a Special Permit, and the following additional requirements:

1. PERMITTED USES

The uses permitted for this property shall be limited to dental office/clinic, within the B-3 "Extensive Business District" without a Special Use Permit.

2. FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS

The building space shall be limited to a single story 4,3336 s.f. dental office/clinic, with those Uses permitted within the 'B-3' Extensive Business District without a Special Use Permit.

3. PERFORMANCE STANDARDS

In addition to all other requirements, uses within the "B-3" Extensive Commercial District shall conform to the most restrictive performance standards as follows:

1. Vibration. Every use shall be so operated that the maximum ground vibration generated is not perceptible without instruments at any point on the lot line of the lot on which the use is located.
2. Odor. Every use shall be so operated that no offensive or objectionable odor is perceptible at any point on the lot line on which the use is located.
3. Smoke. Every use shall be so operated that no smoke from any source shall be emitted of a greater density than the density described as No. 1 on the Ringelmann Chart as published by the United States Bureau of Mines.
4. Toxic gases. Every use shall be so operated that there is no emission of toxic, noxious or corrosive fumes or gases.
5. Emission of dirt, dust, fly ash and other forms of particulate matter. Emission of dirt, dust, fly ash and other forms of particulate matter shall not exceed eighty-five one-hundredths (0.85) pounds per one thousand (1,000) pounds of gases of which amount not to exceed five-tenths (0.5) pound per one thousand (1,000) pounds of gases shall be of such size as to be retained on a 325-mesh U.S. standard sieve. In the case of emission of fly ash or dust from a stationary furnace or a combustion device, these standards shall apply to a condition of fifty percent (50%) excess air in the stack at full load, which standards shall be varied in proportion to the deviation of the percentage of excess air from fifty percent (50%).
6. Radiation. Every use shall be so operated that there is no dangerous amount of radioactive emissions.
7. Glare and heat. Any operation producing intense glare or heat shall be performed in an enclosure in such a manner as to be imperceptible along any lot line.
8. Screening.
 - a. All mechanical equipment, air-handling units, cooling towers, condensers, etc., on roof or grade shall be screened architecturally in such a manner as to be a part of the design of the building.
 - b. Incinerators and stacks shall be enclosed in the same material as the main exterior building material.
9. Sound transmission loss. Sound transmission loss horizontally and vertically between single units in multi-family housing shall be not less than fifty (50) STC and installed according to directions in the Residential Sound Conditioning Publication by the National Association of Home Builders of the United States, Washington, D.C., Copyright 1964.

4. TRASH ENCLOSURES

Trash container shall be kept within a gated sight-proof area as shown on attached plans. Materials to be compatible with the building.

5. PLAN SUBMITTAL REQUIREMENTS

Final Development Plan shall include improvements as shown on drawings attached, including entire property, trash enclosures, landscape, lighting and legal description.

6. SITE DEVELOPMENT PLAN CRITERIA:

a. Height, Area and Bulk Restrictions:

1. Height, Area and Bulk Regulations. The height, area and bulk regulations for uses in the "B-3" Extensive Commercial District

b. Internal Drives:

(1) There shall be parking as shown on drawings attached.

c. Minimum Parking/Loading Space Requirements.

(1) There shall be a minimum of 40 required parking spaces provided on the property.

d. Road Improvements, Access and Sidewalks

(1) Shall comply with Paving Legend on C400.

e. Lighting Requirements.

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

(1) The light level for parking lot lighting shall be 0.5 fc minimum.

(2) All site lighting and exterior building lighting shall be directed down and inward

f. Sign Requirements.

(1) All signage will be under 40 sq. ft.

(2) All other signage shall comply with the City of Florissant sign ordinance for commercial districts.

g. Landscaping and Fencing.

(1) Any modifications to the landscaping plan shall be reviewed and approved by the Planning and Zoning Commission.

h. Storm Water.

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

(1) The Director of Public Works shall review the storm water plans to assure that storm water flow will have no adverse effect on the neighboring properties.

(2) No building permits shall be issued until the storm water plan has been approved by the St. Louis Metropolitan Sewer District other than footing and foundation permits.

i. Miscellaneous Design Criteria.

- (1) All applicable parking, circulation, sidewalks, and all other site design features shall comply with the Florissant City Code.
- (2) All dumpsters and bio-hazardous containers shall be contained within a trash enclosure with gates compatible with existing building.
- (3) 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.
- (4) All mechanical equipment, electrical equipment, and communication equipment shall be screened in accordance with the Florissant Zoning Code.
- (5) The exterior design of the buildings shall be constructed in accordance with the renderings as approved by the Florissant Planning and Zoning Commission and attached hereto.
- (6) All other requirements of the Florissant Municipal Code and other ordinances of the city shall be complied with unless otherwise allowed by this ordinance.
- (7) There shall be one ground sign located as shown on plans, otherwise consistent with the sign code of the City of Florissant.
- (8) The proposed building shall be 100% masonry brick veneer, having a minimum thickness of three and five-eighths (3 5/8) inches and meeting all the requirements of ASTM Designation C-216- Ord. 8748. And the steel beam columns and channel will be painted with high performance Tnemec Coating, having a life span of 15-25 years

7. FINAL SITE DEVELOPMENT PLAN

A final site development plan shall be submitted to the Building Commissioner to review for compliance with the applicable B-3 “Extensive Business District” ordinance prior to recording. Any variations from the ordinance approved by the City Council and/or the conceptual plans attached to such ordinance shall be processed in accordance with the procedure established in the Florissant Zoning Code.

8. 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 decide 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 apply for review and approval by the Planning and Zoning commission.

9. VERIFICATION PRIOR TO OCCUPANCY PERMIT

a. Any new roadway improvements shall be completed prior to the issuance of any final occupancy permit.

b. Any new stormwater detention shall be completed prior to the issuance of any occupancy permit.

c. All fencing and/or landscaping intended as screening properties shall be completed prior to the issuance of any occupancy permit, unless remitted by the Director of Public Works due to weather related factors.

10. GENERAL DEVELOPMENT CONDITIONS.

a. Unless, and except to the extent, otherwise specifically provided herein, development shall be affected 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.

9. PROJECT COMPLETION.

Construction shall start within 90 days of the issuance of building permits for the project and shall be developed in accordance of the approved final development plan within 12 months of start of construction.

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

VOTING

Motion by: Olds, Steven

Second by: Baranowski, Lee

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-120423-3.

Amend "B-5" - 660 Charbonier Rd - Travers Automotive and RV Group

Glenn Travers
 660 Charbonier Rd
 Florissant, MO 63031

Request to amend 'B-5' , adding new wall sign over 40 s.f. but less than or equal to 100 s.f. in a 'B-5' Planned Commercial District

Debbie Irvin noted the request is to amend the 'B-5' ordinance to allow for a new wall sign measuring 97.4 sq ft.

Erin Place, petitioner, noted the sign is a white LED sign with interior lights and a yellow face and flush mounted. She noted the sign is facing an empty lot and Lindbergh.

Commissioner Baranowski wants a smaller sign as the business already has signage near the sidewalk on Charbonier which was previously approved.

Chairman Olds made a motion to recommend approval of a single illuminated 97.40 s.f. wall sign as shown on attached sign design plan. Furthermore, no additional signs are allowed without approval from the Building Commissioner.

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		

PZ-120423-4. Amend B-5 - 3390 N Highway 67 - Wal-Mart

BRR Architecture Inc
8131 Metcalf Ave Suite 300
Overland Park, KS 66204

Request an amendment of the B-5, minor ratification of the Building Commissioner to allow painting exterior rear of the building Concrete Masonry Unit (CMU), and parapet ca[s: apply film on front trespa panels and install new signs at 3390 N Highway 67 (Wal-Mart) in a 'B-5' Zoning District.

Debbie Irvin noted the request is to amend a 'B-5' Ordinance with the painting of the CMU, parapet caps, and new film to the trespa.

Scott Piffer, petitioner, noted the request is to update and fix the facade with the standard colors of tan and blue. He stated the business would not be touching the brick and filling in a doorway.

Commissioner Jearls noted the plans and suggested motion mention new signage and the wording is changing from "Market" to "Grocery" and the pick up area sign has been moved.

Commissioner Baranowski noted the signage would have to clearly be shown in plans if they are changing the wording.

Chairman Olds noted the commission could approve the other changes and allow for the petitioner to return in January for the signage.

Chairman Olds made a motion to recommend approval to amend the B-5 for minor changes to the site development plan of the 'B-5' Ordinance No. 7965 to allow for exterior painting of the rear exterior Concrete Masonry Unit (CMU), and, parapet caps; also apply film on front trespa panels, and install new signs at 3390 N Highway 67 (Wal-Mart)

Related drawings are attached. The exterior modifications depict minor changes in the development plan, which is not in conflict with the nature of the development and meets all of the conditions of Ordinance No. 7965. Approval is subject to the regulations of this 'B-5' Planned Commercial District, and the following additional requirements:

1. No changes to signage without Planning and Zoning and City Council approval.

2. PROJECT COMPLETION.

Construction shall start within 60 days issuance of building permits and the project and shall be developed in accordance of the approved amendments to the final development plan within 180 days of start of construction.

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

VOTING

Motion by: Olds, Steven

Second by: Baranowski, Lee

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

PZ-120423-5. Amending a Zoning Category

Patrick Mulcahy
Economic Development Director
City of Florissant

Amending the zoning categories to add limitations for stores that primarily sell tobacco products, alternative nicotine products, or vapor products.

Patrick Mulcahy, Economic Development Director, noted the recommendation from staff was completed with the assistance of the City Attorney, City Clerk's Office, and Public Works to allow for more diverse businesses in the city as written in the Comprehensive Plan. He stated the city is limiting liquor stores and requesting a limit on tobacco stores. Mr. Mulcahy noted the liquor store is a Special Use and tobacco stores would be categorized the same with a limit of 13 smoke/vape shops. This would total 1 store per 4,000 residents. Mr. Mulcahy noted the tobacco stores, like liquor stores would be required to be 100 ft away from a school, playground, or church, but would not apply to any stores currently in operation.

Chairman Olds, Commissioner Minks, Commissioner Baranowski requested a larger distance between a school, church, or playground and a tobacco/vape shop.

Mr. Mulcahy noted marijuana locations are required to be 1,000 feet away from schools, churches, and playgrounds and he would look into expand the distance requirement for tobacco and vape shops.

Chairman Olds made a motion to recommend approval to amend Chapter 405 "Land Use" Article IV "District Regulations"

- Section 405.115 "B-1" Local Shopping District
- Section 405.120 "B-2" Central Business District
- Section 405.125 "B-3" Extensive Business District
- Section 405.130 "B-4" Highway Commercial District
- Section 405.160 "H" Historic District, Subsection "D" Historic Business District.

All sections would be amended by deleting the permitted use "Tobacco Store" and adding a Special use to read as follows:

Tobacco products, Alternative Nicotine products or Vapor products, provided, however that a store that sells primarily tobacco, alternative nicotine products or vapor products may not be permitted if the number of locations exceeds one (1) per 4 thousand (4,000) population in the city, or if the location of said store is within one-half (1/2) mile of another such store. In no event shall the City Council approve the issuance of a license for the

sale of tobacco products, alternative nicotine products, or vapor products within one hundred (100) feet of any school, church or other building regularly used as a place of worship; except that when a school, church or place of worship shall thereafter be established within one hundred (100) feet of any place of business licensed to sell tobacco products, alternative nicotine products, or vapor products, renewal of the license shall not be denied for this reason.

With Definitions to be included in Section 405.035 Definitions

ALTERNATIVE NICOTINE PRODUCT

Any non-combustible product containing nicotine that is intended for human consumption, whether chewed, absorbed, dissolved or ingested by any other means. "Alternative nicotine product" does not include any vapor product, tobacco product or any product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Food, Drug and Cosmetic Act.

TOBACCO PRODUCTS

Any substance containing tobacco leaf including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco or dipping tobacco, but does not include alternative nicotine products or vapor products.

VAPOR PRODUCT

Any non-combustible product containing nicotine that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. "Vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or similar product or device and any vapor cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or similar product or device. "Vapor product" does not include an alternative nicotine product or tobacco product.

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			

VII. Announcements/Comments

Chairman Olds noted Mr. Baranowski would be resigning from the Planning and Zoning Commission after over 15 years of service and Mr. Minks would no longer be serving on the Commission. He noted the commission would need to appoint a new Vice Chair and Secretary and recommends those with the most tenure on the commission.

Commissioner Minks made a motion to appoint Robert Nelke as Vice Chair, seconded by Sullivan. Motion carried.

Chairman Olds made a motion to appoint John Martine as Secretary, seconded by Minks. Motion carried.

VIII. Adjournment

Chairman Olds stated the next meeting will be held on Monday, January 2, 2024, at 7:00pm.

Commissioner Baranowski moved to adjourn the meeting, seconded by Minks. Motion carried, meeting adjourned at 8:17 p.m.

Adjourned at 8:17 p.m.
Respectfully submitted,

Savanna B Burton
Savanna Burton, CMC/MRCC
Deputy City Clerk