

CITY OF MANCHESTER

PLANNING AND ZONING COMMISSION MEETING MINUTES APRIL 13, 2015

COMMISSIONERS

Jason Truesdell, Chairman (2018)
James Labit, Secretary (2016)
Joni Korte (2016)
Tom Brown (2017)
Jack Fluchel (2019)
Mark Smith (2018)
Dave Willson, Mayor

CITY OFFICIALS AND STAFF

Mike Clement, Alderman, Ex-Officio member
Kathy Arnett, Planning and Zoning Director
Melissa Barklage, Recording Secretary

CASES

REPRESENTATIVES OF CASES

1. **15-SUP-004** – A request for a Special Use Permit has been made by Lindsey Darabcsek of Darby Designs for the sale of apparel and accessories at 14396 Manchester Road. The property is zoned PBD Planned Business Development District.

Lindsey Darabcsek
Darby Designs
14396 Manchester Road
Manchester, MO 63011
(314) 809-0285

2. **15-SUP-005** – A request for a Special Use Permit has been made by Duane Marquart of Primary Care Chiropractic dba Serenity Massage to operate a massage therapy business as part of his chiropractic practice at 201 Enchanted Parkway. The property is zoned C-1 Commercial District.

Duane Marquart
Primary Care Chiropractic
201 Enchanted Parkway
Manchester, MO 63021
(636) 227-4151

3. **15-SUP-006** – A request for a Special Use Permit has been made by Jason Wohlfahrt of Wohlfahrt Holding, LLC dba The Gathering Ground, Inc. to operate a business that will warehouse their inventory at 14290 Manchester Road. The property is zoned C-1 Commercial District.

Jason Wohlfahrt
Gathering Ground, Inc.
14290 Manchester Road
Manchester, MO 63011
(314) 503-4303

4. **15-SP-004** – A request for Site Plan approval has been made by Jason Wohlfahrt of Wohlfahrt Holding, LLC dba The Gathering Ground, Inc. to construct a 1,200 square foot covered parking area to the rear of the building at 14290 Manchester Road. The property is zoned C-1 Commercial District.
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1. **CALL TO ORDER**

Commissioner Fluchel called the Planning and Zoning Commission meeting of April 13, 2015 to order at 7:02 p.m.

2. ROLL CALL

Commissioner Fluchel asked the Recording Secretary to take roll.

Commissioner/Secretary James Labit	Excused	Chairman Jason Truesdell	Excused
Commissioner Jack Fluchel	Present	Commissioner Mark Smith	Present
Commissioner Joni Korte	Present	Alderman Mike Clement	Present
Commissioner Tom Brown	Present	Director Kathy Arnett	Present
Mayor David Willson	Present	Melissa Barklage, Recording Secy	Present

3. APPROVAL OF MINUTES

Commissioner Brown made the motion to approve the minutes of March 23, 2015. Motion seconded by Commissioner Korte; motion approved by voice vote. The vote taken was recorded as follows:

Ayes	Nays	Abstentions	Excused
5	0	0	2

4. APPROVAL OF AGENDA

Commissioner Fluchel asked if there were any changes to the agenda. Commissioner Brown made the motion to approve the agenda as presented. Commissioner Korte seconded; motion approved by voice vote. The vote taken was recorded as follows:

<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Excused</u>
5	0	0	2

5. OLD BUSINESS

A. CASE #15-SUP-004 - A request for a Special Use Permit has been made by Lindsey Darabcsek of Darby Designs for the sale of apparel and accessories at 14396 Manchester Road. The property is zoned PBD Planned Business Development District.

Speaking for the case is Mrs. Darabcsek, the owner of the Darby Designs business. She stated that she originally came in some time back to apply for occupancy. Originally City Staff granted approval and then later Staff found that she had been granted approval under an incorrect use for her business so then her business was denied. So she now needs a Special Use Permit. The nature of her business is custom embroidery of new items including clothing, household items, etc. Customers can bring in a variety of items and she will do the embroidery work for them. The business has done custom work for other businesses and organizations such as Holy Infant.

Director Arnett then offered details into what brought Darby Designs before the Commission. Darby Designs does the embroidery of apparel and home items. The sale of apparel and accessories requires a Special Use Permit in the Planned Business Development District. Director Arnett explained that originally her business was granted approval by the previous Director under the use of arts and crafts. Because of this there has been some confusion by the owner as to what the City would require for her to continue her business and apply for a business license. She is being brought before the Commission now to obtain her required Special Use Permit and come into compliance with City zoning code. The building that Darby Designs occupies has 3 parking spaces near the building. The building that will house Darby Designs is on the same property as a building that houses Kowal Photography and an insurance business that has additional parking spaces that can be utilized if needed. The requirement for Darby Designs is 3 spaces but with the additional opportunity for shared parking, the Department does not have an issue with provided parking availability for the business. The awnings on the building, while nice looking, will need to be brought into compliance. A building permit was not obtained for them and they do not meet the sign requirements for awnings.

Commissioner Brown asked if Darby Designs will only occupy the first floor of the building. Mrs. Darabcsek stated that she will mainly occupy the first floor but does use the upper floor for some storage. Commissioner Brown asked Mrs. Darabcsek if she felt the parking situation would be a problem for her business. She said right now she probably only needed a couple of spaces but she didn't know if the volume would increase in the future. She said she still hopes that it will not be a problem.

Mayor Willson added that he felt that because of the nature of the business most customers will only be at the store for a short time. Mrs. Darabcsek said that she agreed. Most of her customers are coming in to drop off or pick up merchandise and they know what they are coming in for.

Alderman Clement asked Mrs. Darabcsek how she plans to market her business and introduce her business to the community. Mrs. Darabcsek stated that she has talked to Scrubs and Beyond about doing embroidery for them on the scrubs they sell. She has talked to different sports teams in the area about doing personalization for their teams. They currently do work for Holy Infant where her kids go. She has also started to do bridal wear and she plans to try working with bridal shops in the area including the new bridal shop going into Manchester.

Commissioner Fluchel asked about the awnings and whether they would be a problem to bring into compliance. Director Arnett answered that a building permit is going to need to be obtained and also the signage for the awning is not allowed to be on the top of the awning it must be on the awning drop according to City Code. She feels this can be done as long as the business works with City staff to correct the issues.

Commissioner Brown made the motion to make a favorable recommendation to the Board of Alderman on CASE #15-SUP-004. Commissioner Smith seconded the motion; it was passed by voice vote. The vote taken was recorded as follows:

<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Excused</u>
5	0	0	2

6. NEW BUSINESS

- A. **15-SUP-005** – A request for a Special Use Permit has been made by Duane Marquart of Primary Care Chiropractic dba Serenity Massage to operate a massage therapy business as part of his chiropractic practice at 201 Enchanted Parkway. The property is zoned C-1 Commercial District.

Dr. Duane Marquart is presenting the case for the Special Use Permit. Primary Care Chiropractic offers massage therapy to clients through a division that is doing business as Serenity Massage. All scheduling and transactions are done through Primary Care Chiropractic. The services of Serenity Massage are offered in a medical perspective to help improve all over health. The focus of the massage is to relieve stress, aid in relaxation, relieve muscle tension and stiffness and promote faster health from injuries in addition to other benefits. There are two rooms set aside for the massage services, each about 80 sq. ft. in size. They are inspected and licensed by the State of Missouri and employ only Missouri licensed and insured massage therapists.

Director Arnett stated that Dr. Marquart has an existing chiropractic office that has recently added massage services. The Department became aware of the offerings after seeing a coupon and other advertising for massage at his office. The Department sent him a letter and Dr. Marquart quickly came in and made application in the short time he was given to start the process for the Special Use Permit. As Dr. Marquart mentioned the massage services are offered in connection with his existing practice but nevertheless, massage therapy does require a Special Use Permit in the C-1 Commercial District. Department does believe in the requirement of maintaining all proper licenses for the massage therapists that are employed by Serenity Massage. Staff encourages the Commission to include this as a stipulation in issuance of the Special Use Permit. There will be no external changes to the business and parking is ample for the type of use.

Commissioner Korte asked if the massage business would hold any different hours. Dr. Marquart stated that there would be no change in hours of operation. They will remain the same as the chiropractic office.

Commissioner Brown made the motion to make a favorable recommendation to the Board of Alderman with the condition that all therapists hold and maintain current state licensing on CASE #15-SUP-005. Commissioner Fluchel seconded the motion; it was passed by voice vote. The vote taken was recorded as follows:

<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Excused</u>
5	0	0	2

- B. 15-SUP-006** – A request for a Special Use Permit has been made by Jason Wohlfahrt of Wohlfahrt Holding, LLC dba The Gathering Ground, Inc. to operate a business that will warehouse their inventory at 14290 Manchester Road. The property is zoned C-1 Commercial District.
- C. 15-SP-004** – A request for Site Plan approval has been made by Jason Wohlfahrt of Wohlfahrt Holding, LLC dba The Gathering Ground, Inc. to construct a 1,200 square foot covered parking area to the rear of the building at 14290 Manchester Road. The property is zoned C-1 Commercial District.

Speaking for the case is Mr. Jason Wohlfahrt owner of Gathering Ground, Inc. His business occupies the former Becky’s Carpet building on Manchester Road. His business sells toys and trading cards in the store, as well as online.

Director Arnett provided the staff report for the two cases for Gathering Ground, Inc. which is the Special Use Permit case and case for Site Plan approval. The former Becky’s Carpet store also carried a Special Use Permit for warehousing and was issued in 1999. The Gathering Ground came in to the City in 2012 and was approved at the time as a retail toy store. A toy store where all items stored on-site are sold on-site is a permitted use. It was determined that the vast majority of the space however was used as warehousing, so that the items could be shipped out after they were sold via the internet. The building is about 50,000 sq ft. The front 10,000 sq. ft. is retail and the remaining 40,000 sq. ft. is used for warehousing. The Site Plan is being reviewed because the petitioner wishes to build an 80 foot wide by 15 feet deep car portstyle cover off the back of the building to shield his box truck and trailer from the elements. No parking will be impacted by this addition. The space exceeds the off-street parking and loading requirements. The carport will have little visibility due to its location behind the building and the height of Highway 141.

Commissioner Smith asked who would review the construction details of the carport. Director Arnett confirmed that once the petitioner is ready to submit for a building permit he will have to come to the City first to confirm its location and then he’ll submit to St. Louis County for building permits.

Alderman Clement asked if the bulk of his business was sales through the internet. Mr. Wohlfahrt confirmed that it is. Alderman Clement asked where people would go to purchase his items. Mr. Wohlfahrt stated that he sells mostly on Amazon.com. The warehouse is storage of the items that are sold and then sent out to fulfillment centers where Amazon ships to the customers. He confirmed he has four full-time employees that work at that location.

Commissioner Brown asked if he used to own a property in Valley Park. Mr. Wohlfahrt explained that he was formerly in Valley Park. At that time it was a mainly retail shop but now because of the changing times they have more online sales as opposed to selling out of their store.

Commissioner Fluchel made the motion to make a favorable recommendation to the Board of Alderman on CASE #15-SUP-006. Commissioner Brown seconded the motion; it was passed by voice vote. The vote taken was recorded as follows:

<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Excused</u>
5	0	0	2

Commissioner Fluchel made the motion to approve the review of site plan on CASE #15-SP-004. Commissioner Brown seconded the motion; it was passed by voice vote. The vote taken was recorded as follows:

<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Excused</u>
5	0	0	2

7. PLANNING AND ZONING DIRECTOR’S REPORT

Director Arnett stated that Jimmy John’s is open. Sincerely Yours Bridal is hoping to be open very soon. The Fruit Stand was getting ready to open before Easter and the current tenant Gabi’s was supposed to be out the last week in March. Gabi’s did not move out and was issued an eviction notice so he now refuses to leave. The Fruit Stand is operating outside while the issue of the building is being sorted out by the private parties involved.

Commissioner Fluchel asked about what was going to happen with the former Chili’s building. Director Arnett told the Commission that Joey B’s restaurant has signed a lease on the building and they are looking to come before the Commission for a special use permit soon.

8. EX-OFFICIO’S REPORT

Alderman Clement announced that Jack Fluchel was re-appointed to the Planning & Zoning Commission at the last Aldermen meeting.

9. COMMENTS FROM THE PLANNING AND ZONING COMMISSION

None

10. ADJOURNMENT

Commissioner Kortem made the motion to adjourn the Planning and Zoning Commission meeting of April 13, 2015, at 7:45 p.m. Motion seconded by Commissioner Brown; motion approved by voice vote. The vote taken was recorded as follows:

<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Excused</u>
5	0	0	2

Respectfully submitted by:
Melissa Barklage, Recording Secretary

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