

**City of Bellefontaine Neighbors
Planning & Zoning Commission Minutes
August 12, 2019**

Chairman Wiese called the meeting to order at 7:05 pm.

Present: Chairman Wiese, Members Duhadway, Gordon, Barrett, Lane, Inspector Raben
Excused: City Engineer Klein, Alderwoman Dailes

Members were asked if there were any changes to the minutes of the P&Z meeting July 8, 2019. A clarification was made:

- Referencing the previous month's example of a commercial business application at 10236 Cabot, Barrett asked that, if the use conforms to its C-1 Commercial zoning and P&Z determines its proposed use conforms with its zoning, can it directly go to appropriate ward BOA member? The correct answer is that P&Z can approve the proposed use and recommend passage by the BOA.

Boundary Adjustment at Hope Church Property, 10636 & 10694 Bellefontaine

Member Lane questioned if or how P&Z recommended passage of the boundary adjustment plans for the Hope Church property at 10636 & 10694 Bellefontaine Road from the July 8th P&Z meeting; she said it didn't seem like the BOA received that recommendation and couldn't vote on the boundary adjustment at their meeting. It was explained that Fran Stevens received the minutes of the July meeting on August 5th for distribution. During discussion of the subject, it was clarified that the perimeter of the church-owned property was not going to change. The boundary adjustment applied only to the boundary lines *within* the church-owned property.

Chairman Wiese also explained that he wasn't able to attend that BOA meeting and Engineer Klein attended in his absence.

Lane proposed the minutes should state **the boundary adjustment of the Hope Church property was not approved by BOA at its meeting**. Motion to accept was forwarded by Gordon, seconded by Barrett. Motion passed unanimously.

Agenda Item: Chevetta In Home Care Service at 10236 Cabot, Darnita Riggins representative

A letter of intent was given to all members to review. The letter stated the applicant purchased the property on 7/29/19 as an office for her in-home care service. Members of their staff will visit clients in their homes; no patient care will be provided at the Cabot address. Three staff would be working there with normal hours from 8 am to 5 pm Monday through Friday. It is expected that staff may work other hours or on weekends on an as-needed basis. Contact information for Darnita Riggins was provided. Committee members were informed that the use complies with the property's C-1 Commercial zoning. Lane asked if Ms. Riggins had any ideas for improvements needed. She discussed installation of a sump pump to handle flooding in the basement. Barrett & Lane echoed similar experiences with basement flooding in their own homes due to extreme rainfall earlier that day. Inspector Raben described possible changes to downspout piping to shunt water further away from the building and, possibly, replacing the ramp with a stairwell that may prevent future water ingress. Wiese asked for a motion to approve, Duhadway made the motion, seconded by Gordon. Motion passed unanimously. Raben discussed follow-on work with Ms. Riggins including applying for a permit for any proposed changes. **P&Z will recommend application approval to the BOA.**

Lane recalled an applicant who wanted to open a 24-hour laundromat at Bissell Hills shopping center last year. She objected to the business as a private citizen. She said the BOA approved it as a 24-hour operation, then the applicant withdrew their letter of intent. Gordon brought up another application for a 24 hour Burger King restaurant at 367 & Jennings Station road that was also intended as a 24-hour operation.

Enforcement of Occupancy Permits

Wiese stated that the city doesn't know if occupants change after initial permit approval; there is no mechanism to monitor if or when occupant change happens. Raben said that when prospective residents apply for an occupancy permit, the building is inspected for code compliance. The number and identification of people to live there is spelled out as part of the permitting process. Gordon stated the city has other requirements such as boys & girls not sharing the same room after a certain age. Raben said changes to the permit are \$15, so long as all other requirements are met including maximum number of people allowed to live there. The city doesn't know if additional people stay there unless someone reports them. Raben stated that Riverview School District will not allow a child to attend their school unless that child's name is shown on the occupancy permit, helping the city with compliance. He also stated that only the Head of Household has to remain in the residence for the occupancy permit to remain valid. All other residents can change without violating the permit.

Wiese gave an example of a renter he has in one of his properties wanting to have a niece live with them so she could attend a school in the renter's school district.

A short discussion took place about delivery of building citations by members of the police or by a community relations officer. Lane thought a police officer could/should deliver citations, acting as a code compliance officer. Gordon thought having a police officer deliver citations would encourage better compliance.

Duhadway stated P&Z's responsibility is to review applications and recommend approval or rejection by the BOA. Wiese opened floor asking if P&Z should hear more opinions for Planning. Duhadway said P&Z needed to stick to zoning compliance.

Raben had an article from the Riverfront Times concerning **medical cannabis sales & processing**. He stated that he's seeing more inquiries about setting up shop in the City by interested parties. It was stated that medical marijuana will become legal to sell in Missouri January 1st. Raben felt we need to discuss and come up with suggested guidelines or ordinances in the near term for the BOA to consider & adopt in time for the new year. He said this type of business is coming to Bellefontaine Neighbors. Missouri will give out licenses in January 2020. The article was distributed to all members via e-mail later in the week. It was stated the County will require a 300 ft. buffer between medical cannabis facilities and sensitive areas like schools.

Lane stated the city encompasses 4.4 square miles. She suggested identifying one or two areas for development. Barrett stated P&Z is very constrained in that regard as development requires external funds. The best the city can do is to encourage development by others. Wiese said he spoke with developers recently who are very reluctant to commit funds in Florissant due to security concerns. Lane suggested the mayor or a city administrator could be involved in pursuing developers.

Wiese asked if members of P&Z would be interested in a presentation by a solar company. He cited the installation of a solar array at a company for \$100,000 that paid for itself quickly. UPS was one of the companies that had solar installed. Lane offered to "sponsor" a solar presentation.

Duhadway made a motion to adjourn, seconded by Gordon. Motion passed unanimously. Meeting adjourned at 8:40.

Recommendations & Action Items:

1. P&Z recommends approval of the proposed boundary adjustment at the Hope Church property at 10636 & 10694 Bellefontaine Road by the BOA and communicate same to the applicant. The boundary perimeter will remain unchanged.
2. P&Z recommends the BOA approve the application for Chevetta In Home Care Service at 10236 Cabot and communicate same to Ms. Darnita Riggins, applicant (at cell 314-541-3530, home 314-867-3412).
3. P&Z will discuss considerations concerning upcoming applications to grow, process & sell medical marijuana/cannabis expected in 2020. P&Z may recommend new ordinances or guidelines related to same for consideration & approval by the BOA. The intent is to have any new ordinances in place by January 1, 2020.
4. P&Z minutes will be forwarded to the City Clerk for distribution to P&Z and BOA members, unless instructed otherwise by P&Z or BOA.

Respectfully Submitted,

Pat Barrett