

Sponsored by: Planning & Zoning Commission

Bill No. 16-2024

Co-Sponsored by: City Staff

Ordinance No. 2024-15

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO CAFÉ ON THE BRIDGE TO OPERATE A RESTAURANT/CAFÉ AT 2538 WOODSON ROAD IN THE C-2 GENERAL COMMERCIAL ZONING DISTRICT AS PROVIDED FOR IN SECTION 400.230.C AND APPENDIX A OF THE MUNICIPAL CODE OF THE CITY OF OVERLAND.

**WHEREAS**, Dawn Rieves on behalf of Café on the Bridge has submitted an application for a Conditional Use Permit to operate a Restaurant/Café at 2538 Woodson Road (the “Property”); and,

**WHEREAS**, the Planning and Zoning Commission reviewed said application on June 18, 2024, and recommended approval of the Conditional Use Permit; and,

**WHEREAS**, on July 15, 2024, after publication of notice the City Council held a public hearing in accordance with Section 400.670.G of the Municipal Code of the City of Overland; and,

**WHEREAS**, the City Council of the City of Overland, having fully considered the recommended Conditional Use Permit and the report of the Planning and Zoning Commission, does find that the proposed use, with the stipulated conditions, complies with all applicable provisions of Chapter 400, including intensity of use regulations, yard regulations and use limitations, and is visually compatible within the surrounding neighborhood, will contribute to and promote the welfare or convenience of the public, will not cause injury to the value of other property in the neighborhood which it is located, the location and size of the conditional use, the nature and intensity of the operation involved in or conducted in connection with the conditional use, and the location of the site with respect to streets giving access to the conditional use are such that the conditional use will not dominate the immediate neighborhood so as to prevent development and use of neighboring properties in accordance with the applicable zoning district regulations and/or the City’s comprehensive plan, there is adequate off-street parking and loading areas, utility, drainage, and other such necessary facilities are or will be provided, the property is accessible to police, fire, refuse collection and other municipal services, there is adequate access roads or entrance and exit drives to prevent traffic hazards and minimize traffic congestion in public streets and alleys, and adequate provisions have been made, or are planned to be made, for internal traffic and pedestrian traffic; and,

**WHEREAS**, based on the above, the City Council does further find that the proposed use is in the best interest of the public welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OVERLAND, STATE OF MISSOURI AS FOLLOWS:**

**Section 1.** Based on the facts and findings set forth in the "Whereas" clauses above which are incorporated herein by reference, a Conditional Use Permit is hereby granted to Dawn Rieves on behalf of Café on the Bridge (collectively referred to herein as "Holder"), to operate a Restaurant/Café at 2538 Woodson Road provided for in Section 400.230.C and Appendix A of the Municipal Code of the City of Overland. Attached hereto and incorporated herein as **Exhibit A** is the Conditional Use Permit application for the Property.

**Section 2.** The complete terms and conditions of this Conditional Use Permit are attached hereto as **Exhibit B**, and all terms and conditions are hereby incorporated into this ordinance as if fully set out herein.

**Section 3.** Holder, by accepting and acting under this Conditional Use Permit, acquiesces and accepts same subject to the reservations, conditions, and restrictions which are made a part hereof, and said Holder, by said action, does agree that any time such requirements are not met, this Conditional Use Permit may be revoked and terminated, and does further agree that it, its successors, and assigns, shall be held to have acquired no special rights, privileges, or immunities by virtue of proceeding to expend money, time, or effort in the construction, improvement, or maintenance of land herein described and for which this Conditional Use Permit is granted.

**Section 4.** Any Conditional Use Permit granted hereunder shall be deemed to have been abandoned if substantial work, construction, or operation of the conditional use does not commence within six (6) months of the effective date of this ordinance, unless such time period is extended through approval by the Planning & Zoning Commission. If no extension is sought by the Holder, this Conditional Use Permit shall immediately terminate upon expiration of the six (6) month period in accordance with Section 400.695 of the Municipal Code of the City of Overland.

**Section 5.** This Conditional Use Permit shall be non-assignable without the express consent of the City Council of the City of Overland, unless such assignment or amendment is administratively approvable in accordance with Section 400.685.A. This Conditional Use Permit is contingent upon compliance with the Code of Ordinances of the City of Overland, Chapter 400 of the Municipal Code of the City of Overland, the conditions and limitations described herein in Section 2 of this Ordinance as integrated via **Exhibit B**, and all applicable building codes, fire codes, and other governmental regulations.

**Section 6.** The City Council hereby concurs with the recommendation of the Planning and Zoning Commission to approve the submitted site plan in accordance with

Section 400.600 of the City Code.

**Section 7.** The Mayor is hereby authorized to execute the Conditional Use Permit provided for in **Exhibit B** on behalf of the City of Overland.

**Section 8.** This Ordinance, having been read in full or by title two times prior to passage, shall be in full force and effect from and after its passage and approval as provided by law.

This Ordinance passed and approved this 15<sup>th</sup> day of July 2024.

**CITY OF OVERLAND, MISSOURI**



MAYOR

**July 15, 2024**

Date of Approval

**ATTEST:**

  
CITY CLERK

**Exhibit A**

**Application for a Conditional Use Permit**



### APPLICATION FOR CONDITIONAL USE PERMIT

DATE OF APPLICATION: 4/17/24 CUP APPLICATION #: PCU24-0008

PROJECT ADDRESS: 2338 Woodson Road

**DESCRIPTION OF PROPERTY:**

Parcel Locator #: 14L321530 Zoning Classification: C-2

**LAND/USE DEVELOPMENT:**

Existing or Prior Use: Storage

Proposed Use: Cafe

**BUSINESS INFORMATION:**

Name of Proposed Business: Cafe' on the Bridge LLC

Property Interest of Applicant:  owner  Renter/Lessee  Other \_\_\_\_\_

Name of Business Owner: Dawn Rieves

Mailing Address: 8154 Whitburn Drive 1 E

City: Clayton State: MO Zip Code: 63105

Phone #: (314) 243-5469 Fax #: TBA

Email Address: dawnrieves1@gmail.com

**PROPERTY OWNER INFORMATION:**

Name: Rickey Harris

Mailing Address: 2319 Woodson Road

City: Overland State: MO Zip Code: 63114

Phone #: (314) 736-5228 Fax #: NA

Email Address: rickman1964@yahoo.com

Bill 16-2024 - Exhibit A

REQUIRED ATTACHMENTS:

- \_\_\_\_\_ Site Plan (In conformance with Article 9, Zoning Code)
- \_\_\_\_\_ Out Boundary Plat
- \_\_\_\_\_ Applicant's and Property Owners Valid Driver's License
- \_\_\_\_\_ Legal Description of the subject property

NOTICE TO APPLICANT

Application is hereby made with willful consent of Owner for a Conditional Use Permit on the proposed land use/development submitted for review as shown and described on this form and that of accompanying attachments all of which we certify to be true and accurate.

APPLICANT ACKNOWLEDGMENT:

Signature:

*Dawn Rieves*

Name:

Dawn Rieves

Date:

4/17/24

BUSINESS OWNER ACKNOWLEDGMENT:

Signature:

*Dawn Rieves*

Owner Name:

Dawn Rieves

Date:

4/17/24

PROPERTY OWNER ACKNOWLEDGMENT:

Signature:

*Rick Harris*

Name:

Rick Harris

Date:

4/19/24

NOTE: ALL SIGNATURE(S) MUST BE NOTARIZED.

Bill 16-2024 - Exhibit A

Subscribed and sworn before me personally appeared Rick Harris this 19<sup>th</sup>  
day of April, 2024.

Beverly Unzu  
Notary

| FOR DEPARTMENT OF COMMUNITY DEVELOPMENT USE ONLY |                          |                    |                   |
|--|--------------------------|--------------------|-------------------|
| PROJECT ADDRESS: <u>2538 Woodson Rd.</u>         |                          |                    |                   |
| Date Received:                                   | <u>4-26-24</u>           | Date Approved:     |                   |
| CUP #:   | <u>PCU24-0008</u>        | CUP Application #: | <u>PCU24-0008</u> |
| P&Z Hearing Date:                                | <u>5-28-24</u>           | C.C. Hearing Date: | <u>6-10-24</u>    |
| Fee Amount:                                      | <u>\$150.00</u>          | Date Paid:         | <u>4-26-24</u>    |
| Land Use Category:                               | <u>Restaurant / Cafe</u> |                    |                   |
| Approved:  | _____                    | Denied:            | _____             |
| Drawings Approved:                               | <u>[Signature]</u>       | Date:              | <u>4-29-24</u>    |



APPLICATION FOR SITE PLAN REVIEW

DATE OF APPLICATION: 4/17/24 APPLICATION #: 7SPR24-0008

PROJECT ADDRESS: 2538 Woodson Road 63114

APPLICANT INFORMATION:

Name: Dawn Rieves  
Mailing Address: 8154 Whitburn Drive 1 E  
City: Clayton State: MO Zip Code: 63105  
Phone #: (314) 243-5469 Fax #: TBA  
Email Address: dawnrieves2@gmail.com

Property Interest of Applicant:  owner  Renter/Lessee  Other \_\_\_\_\_

PROPERTY OWNER INFORMATION (IF DIFFERENT THAN APPLICANT INFORMATION):

Name: Rickey Harris  
Mailing Address: 2319 Woodson Road Unit A  
City: Overland State: MO Zip Code: 63114  
Phone #: (314) 749-6530 Fax #: NA  
Email Address: rickman1964@yahoo.com

DESCRIPTION OF PROPERTY

Street Address or Location: 2538 Woodson Road 63114  
Parcel Locator #: 14L321530 Zoning Classification: C-2

PURPOSE OF SITE PLAN REVIEW APPLICATION (CHECK ALL THE APPLY)

- Buildings, Structures and Uses Requiring Site Plan (Section 400.585)
- New Construction of: \_\_\_\_\_
- Exterior Modifications to: \_\_\_\_\_
- Conditional Use Permit (C.U.P.) Application (per Section 400.670)
- Motor Vehicle Oriented Business (M.V.O.B.): \_\_\_\_\_
- Place of Worship: (Identify): \_\_\_\_\_



## Bill 16-2024 - Exhibit A

### SITE PLAN REQUIREMENTS: (Check EACH item upon satisfaction thereof)

- Map scale selected with range of 1" = 200' (minimum) to 1" = 20' (maximum) with drawing(s) of such accuracy and clarity that P&Z can readily interpret the site plan.
- Map identified by lot lines and location, including dimensions, etc., correlated with legal description of property included on, or attached to, Site Plan(s).
- Name, address & seal (as applicable) of qualified land planner and/or registered professional architect, engineer or land surveyor who designed and prepared the site plan; also name and address of owner(s), developer(s) and designer(s).
- Map scale, north point, boundary dimensions, natural features (e.g. streams, ponds, etc.), manmade features (e.g. buildings/structures, easements, high tension towers, pipelines, utilities including water/sewer lines etc.) and adjacent properties within 100 yards of site and their existing land uses.
- Existing topography and finished grade line elevations at two-foot (2') contour intervals; also finished floor elevation of all buildings/structures.
- Dimensions (H x W x D) of proposed principal/accessory buildings/structures and existing buildings/structures to remain and distance of each to nearest adjacent property line.
- Existing and proposed vehicular/pedestrian circulation features within and adjacent to the site; also, location, size and number of parking spaces in off-street parking areas and identification of service islands, service parking, and loading zones (See Article 7).
- Location and size of all existing and proposed public/private utilities serving or proposed to serve the property, including statement that all necessary utilities will be available, functioning and usable at time of occupancy.
- Proposed landscape plan (See Section 400.450).
- Architectural elevations of all proposed buildings and structures, including construction material schedule and floor plans for each.
- Location, height and intensity of all existing and proposed exterior lighting, including a photo metric plan, a graphic and catalog reference describing the proposed lighting standards.
- Location, type and nature of screening for all trash collection areas.
- Privacy fencing/screening (if site abuts residential zoning).
- Proposed storm water drainage plan, including retention basins.
- Other information deemed necessary by the Commission.

***NOTE: All plans, or other materials submitted to the Planning and Zoning Commission in the Application or presented at the Public Hearing become the property of the City as part of the permanent record.***

#### NOTICE TO APPLICANT

Application is hereby made for Site Plan Approval of the proposed land use/development submitted for review as shown and described on this form and all accompanying plans/maps, documents, drawings and other visual aids.

I hereby certify that I am the owner in fee or acting as the owner's authorized agent. I hereby certify that all information provided is true and correct. I as owner / as owner's Agent agree to fully abide by all City of Overland ordinances, standards, codes and conditions in constructing this project.

**Bill 16-2024 - Exhibit A**

|   |  |  |
|---|--|--|
| <i>Dawn Rieves</i><br><small>Signature of Applicant</small> | <i>[Signature]</i><br><small>Signature of Owner</small>          | <i>[Signature]</i><br><small>Signature of Property Owner</small> |
| Dawn Rieves<br><small>Print Name of Applicant</small>       | RJK Management<br><small>Print Name of Owner of Business</small> | Dawn Rieves<br><small>Print Name of Owner</small>                |
| 4/17/24<br><small>Date</small>                              | 4/19/24<br><small>Date</small>                                   | Dawn Rieves 4/19/24<br><small>Date</small>                       |

*(NOTE: Out of State Signatures must be notarized)*

**NOTE: ALL SIGNATURE(S) MUST BE NOTARIZED.**

Subscribed and sworn before me personally appeared Dawn Rieves & Rick Harris this 19th day of April, 2024.

**BEVERLY VARGAS**  
Notary Public - Notary Seal  
State of Missouri  
Commissioned for St. Louis County  
My Commission Expires: January 14, 2027  
Commission Number: 15632314

*Beverly Vargas*  
Notary

| FOR DEPARTMENT OF COMMUNITY DEVELOPMENT USE ONLY |                         |
|--|-------------------------|
| PROJECT ADDRESS:                                 | <u>2538 Woodson Rd.</u> |
| Date Received:                                   | <u>4-26-24</u>          |
| Application #:                                   | <u>7SPR24-0008</u>      |
| Fee Amount:                                      | <u>\$250.00</u>         |
| Date Paid:                                       | <u>4-26-24</u>          |
| Approved: _____                                  | Denied: _____           |
| P&Z Hearing Date:                                | <u>5-28-24</u>          |
| City Council Hearing Date:                       | <u>6-10-24</u>          |

## Bill 16-2024 - Exhibit A

### Letter of Intent

Café on the Bridge 2538 Woodson Road, Overland Missouri 63114 Café on the Bridge has selected Limited Liability Company as its formal legal entity. Café on the Bridge will be an independent set-up venture. The proposed starting date for the venture is July 6, 2024. Café on the Bridge will present an image of wholesomeness, healthy food in an attractive, clean, and peaceful atmosphere for patrons. Convenient and fast service will be provided so that patrons can purchase, stay, eat or be on their way. Café on the Bridge is a Retail, Wholesale, or Manufacturer. Café on the Bridge will be located at 2538 Woodson Road, Overland Missouri 63114. Hours of operation will be: 8AM – 6 PM Monday – Friday, 10 AM – 4 PM Saturdays and 1 PM to 4 PM Sundays. Dawn Rieves is the owner. Brittany Jackson is the General Manager. Staff will consist of three part-time Associates, three part-time Associate Shift Leads, and two part-time maintenance personnel. Staff members have already been identified. Café on the Bridge will serve pre-cooked, pre-prepped and pre-packaged foods with an emphasis on healthy and tasty. Catering services will be utilized to prepare hot foods that will be packaged. Sandwiches, salads and soups will be made with low-fat recipes whenever possible in such a way that it does not sacrifice the taste or appeal. Breakfast items will be included: pastries, bagels and an open hot cereal bar. There will be an open coffee and tea bar. And to satisfy the sweet tooth, ice cream, snow cones and cotton candy will be scooped and made on the spot. Eating on the go is a necessity in this fast paced and social world. People are pressed for time and being able to set your day or night with healthy food and impeccable and uplifting customer service is the “flex.” Café on the Bridge will add an inviting and fresh point of view on Woodson Road. There will be specialties added to the menu frequently. Customer service will be professional, warm, and inviting, and the food will be savory. There are three influential key success factors and action steps that will contribute to the accomplishment of Café on the Bridge’s goals. These factors include our ability to enhance the current location, keeping variable and overhead expenses as low as possible, and building high market visibility through brand our community focused brand.

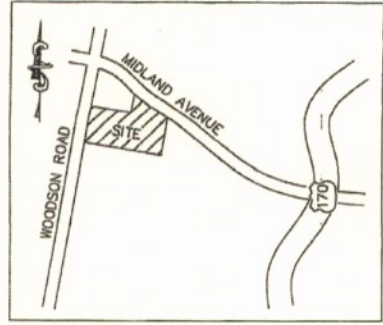
APR 19 2024

### Property Lookup

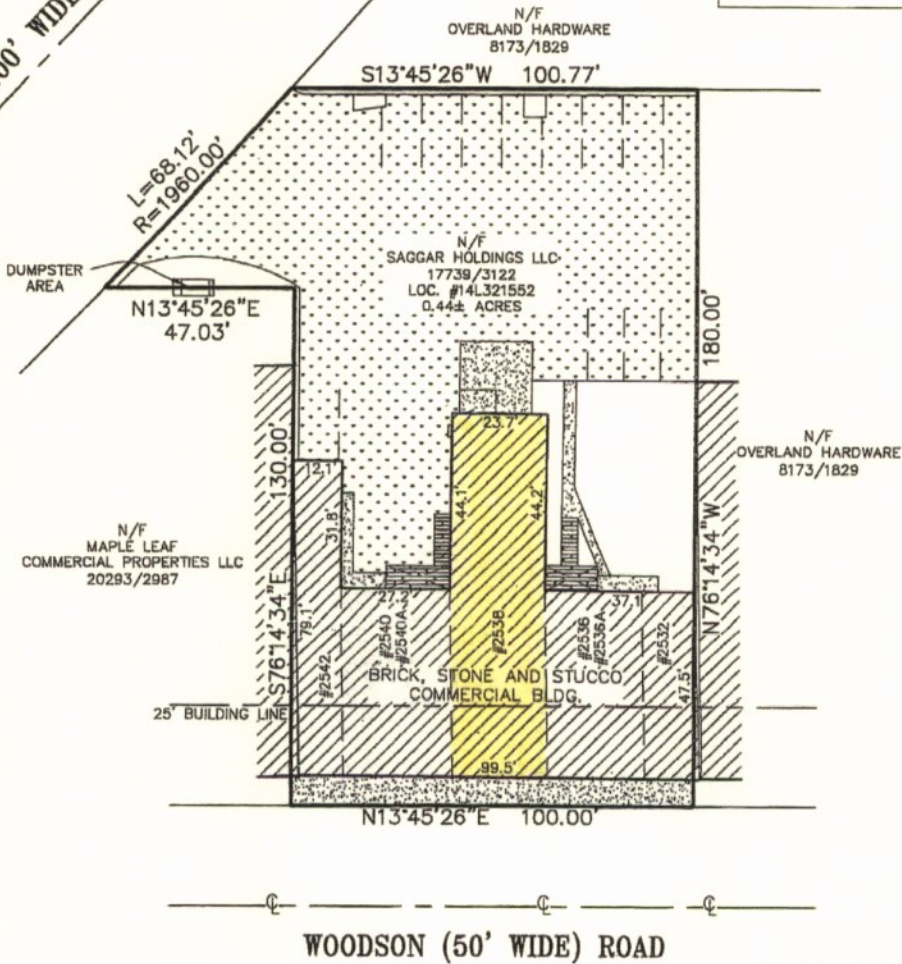
Example: 41 S Central Ave



LOCATOR MAP



MIDLAND (100' WIDE) AVENUE



WOODSON (50' WIDE) ROAD

4/11/2016



*Phillip J. Wurm*

PHILLIP J. WURM  
 MO. REGISTRATION NO. PLS - 2278



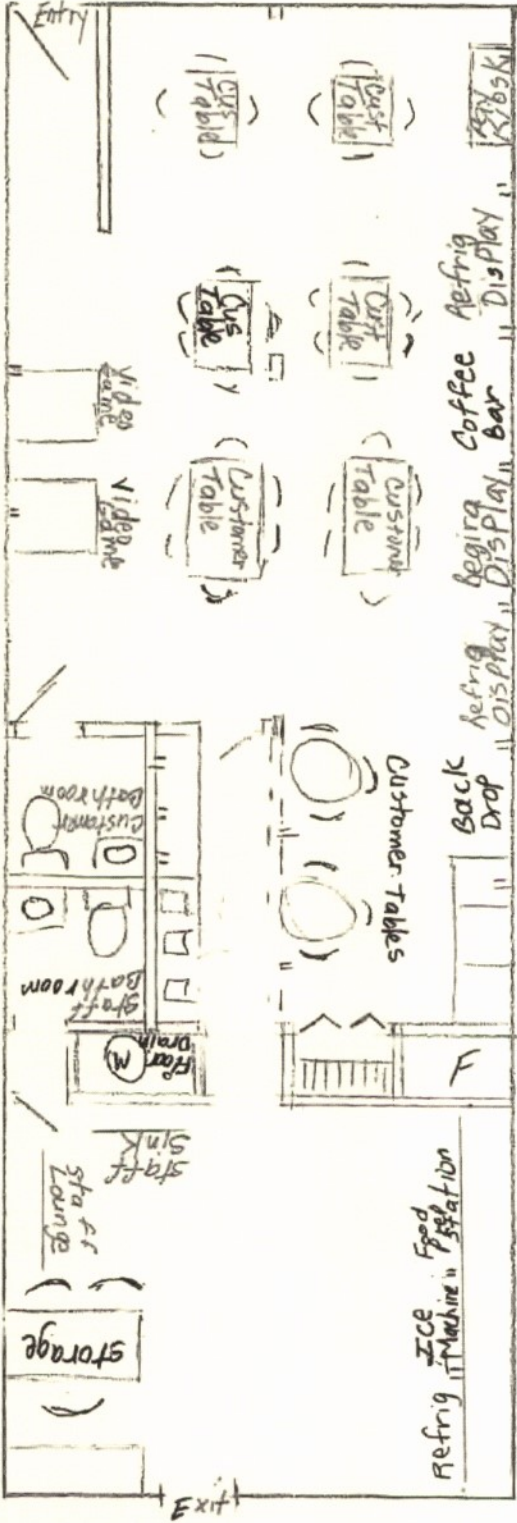
- 1) Property Description per D.B. 17739, Page 3125 of the St. Louis County, Missouri Records; The Southern 100 feet of Lot 21 in Block 7 of East Overland Park, according to the plat thereof recorded in Plat Book 5 page 68 of the St. Louis County Records, and part of Lot 21 in Block 7 of East Overland Park, aforesaid, described as follows: Beginning at a point in the East line of said Lot 21 distant 100 feet North of the Southeast corner, the Northeast corner of a tract conveyed to Grossenbacher by deed recorded in Book 284 page 27; thence West along said Grossenbacher tract 50 feet to a point; thence North parallel with Woodson Road, to a point in the Southwest line of Midland Boulevard; thence Southeast along Midland Boulevard to the East line of Lot 21; and thence South along said East line 9-1/4 inches to the point of beginning.
- 2) Property owner: Saggar Holdings LLC, contact person; Tiara Jones 7756 Utlica Drive Overland, MO 63133, tiara.stokes22@gmail.com

This is to certify that we, Topos Surveying Corporation, at the request of Tiara Jones have on the 9th day of April, 2016, prepared a Site Plan on a property shown on Plat Book 359, Pages 226-227 of the St. Louis County, Missouri Records.

|   |   |   |
|---|---|---|
| PROJECT NAME:<br>SITE PLAN  | PROJECT ADDRESS:<br>#2532-42 Woodson Road<br>Overland, MO 63133 | TOPOS SURVEYING CORP. ORIGINAL<br>CERTIFICATE NUMBER 000105 |
| 790 ST. FRANCOIS STREET<br>FLORISSANT, MISSOURI 63031<br>Phone (314) 838-5806<br>Fax (314) 838-8141 |   | Revision:<br>DATE:<br>04/09/2016                            |
| Scale: 1" = 30'   |   | Drawn by: PAD   |
| Order No. 0416-0017   |   |   |

2538 Woodson Road 63114

8/1/29  
Kurt Tiv8



## **Exhibit B**

### **Conditional Use Permit**

A Conditional Use Permit is hereby granted to Café on the Bridge (“Holder”) this 10th day of June 2024, by the City of Overland (“City”), a Municipal Corporation situated in St. Louis County, Missouri.

#### **WITNESSETH:**

**WHEREAS**, the Zoning Code of the City of Overland, Missouri authorizes the establishment of a Conditional Use Permit; and

**WHEREAS**, the aforementioned Holder requests a Conditional Use Permit for Restaurant/Café on a parcel of land currently addressed as 2583 Woodson Road, and asserts that Holder will comply with the terms and conditions of Chapter 400 of the Municipal Code of the City of Overland and the following terms and conditions of this Permit:

1. The Conditional Use Permit is solely for a Restaurant/Café.
2. The Conditional Use shall only operate from 8:00 A.M. to 6:00 P.M. Monday through Friday, 10:00 A.M. to 4:00 P.M. on Saturdays.
3. The Property and Conditional Use must be in accordance with the Site Plan required under Chapter 400, Article IX as submitted with the Conditional Use Permit application or as exists on file with the City and is attached hereto. Any minor changes to the site plan required by Community Fire Protection District may be administratively approved by the Director of Community Development.
4. Outdoor storage is expressly prohibited on the Property.
5. All Off-Street Parking and Loading Spaces shall be properly striped and the minimum Parking Space dimensions provided in accordance with the Off-Street Parking Regulations of Chapter 400.
6. Compliance with all other applicable provisions of the Municipal Code of the City of Overland.

**WHEREAS**, the City Council finds that the proposed building or use and the issuance of the Conditional Use Permit as requested by the Holder upon the conditions, restrictions, and requirements set forth herein complies with all applicable provisions of Chapter 400, including intensity of use regulations, yard regulations and use limitations, and is visually compatible within the surrounding neighborhood, will contribute to and promote the welfare or convenience of the public, will not cause injury to the value of other property in the neighborhood which it is located, the location and size of the conditional use, the nature and intensity of the operation involved in or conducted in connection with the conditional use, and the location of the site with respect to streets

giving access to the conditional use are such that the conditional use will not dominate the immediate neighborhood so as to prevent development and use of neighboring properties in accordance with the applicable zoning district regulations and/or the City's comprehensive plan, there is adequate off-street parking and loading areas, utility, drainage, and other such necessary facilities are or will be provided, the property is accessible to police, fire, refuse collection and other municipal services, there is adequate access roads or entrance and exit drives to prevent traffic hazards and minimize traffic congestion in public streets and alleys, and adequate provisions have been made, or are planned to be made, for internal traffic and pedestrian traffic.

**NOW**, therefore, the City Council of the City of Overland, Missouri does hereby approve and issue the Conditional Use Permit described herein.

- 1) The conditions, restrictions, and requirements as set forth in this Conditional Use Permit are an integral part of the Conditional Use Permit and the Holder understands that violation of or failure to perform or maintain any of the conditions, restrictions, and requirements shall constitute cause to revoke and terminate this Conditional Use Permit.
- 2) If an inspection is made, and the Property is found to be not in compliance with this Permit or City ordinances, the Holder will be given notice to make all necessary corrections. If the Holder is found not to be in compliance with the terms, conditions, or laws of the City by the compliance date or the Holder otherwise fails to comply with the conditions of this Permit, this Conditional Use Permit shall be subject to revocation and termination. Any and all expenses, including attorney's fees, incurred by the City in the abatement of any violation shall be paid by Holder.
- 3) The Holder certifies and represents that they have made known to the appropriate City officials all material facts. Any misrepresentation or omission of material facts shall be grounds for revocation of this Permit, and this Permit shall be null and void.
- 4) This Conditional Use Permit is non-assignable without the express consent of the City Council, unless such Conditional Use Permit may be administratively amended in accordance with Section 400.685.A of the Municipal Code of the City of Overland and will be reviewed annually by the Director of Community Development to assure that its use is in compliance with the terms of the Permit.
- 5) The Holder understands that this Conditional Use Permit shall terminate if substantial work, construction, or operation of the conditional use does not commence within six (6) months of the effective date of this permit as signed by the City, unless such time period is extended through approval by the



Planning & Zoning Commission. If no extension is sought by the Holder, this Conditional Use Permit shall immediately terminate upon expiration of the six (6) month period in accordance with Section 400.695 of the Municipal Code of the City of Overland.

- 6) Holder, by accepting and acting under this Conditional Use Permit, acquiesces and accepts same subject to the reservations, conditions, and restrictions which are made a part hereof, and said Holder, by said action, does agree that any time such requirements are not met, this Conditional Use Permit may be revoked and terminated, and does further agree that it, its successors, and assigns, shall be held to have acquired no special rights, privileges, or immunities by virtue of proceeding to expend money, time, or effort in the construction, improvement, or maintenance of land herein described and for which this Conditional Use Permit is granted.
- 7) The Holder understands each of the conditions set out herein and accepts and agrees to them.

**IN WITNESS WHEREOF**, the City of Overland upon application of the Holder has caused this Conditional Use Permit to Café on the Bridge to be issued on the day and year first written above.

**CITY OF OVERLAND, MISSOURI**

BY:



PRINT:

**HON. MARTY A. LITTLE  
MAYOR**

DATE:

7/15/2024

ACCEPTANCE:

**CAFÉ ON THE BRIDGE**

BY:

\_\_\_\_\_

PRINT:

\_\_\_\_\_

DATE:

\_\_\_\_\_