

Sponsored by: Planning & Zoning Commission

Bill No. 20-2024

Co-Sponsored by: City Staff

Ordinance No. 2024-19

AN ORDINANCE APPROVING A PRELIMINARY SITE DEVELOPMENT PLAN AND REZONING OF A PARCEL CONSISTING OF 4.37± ACRES AT 1644 LOTSIE BOULEVARD SUBMITTED BY OPERATION FOOD SEARCH, OWNER, TO PLANNED DEVELOPMENT-MANUFACTURING DISTRICT AND APPROVING A PRELIMINARY SITE DEVELOPMENT PLAN PER APPLICATION PPP24-0001

WHEREAS, the City of Overland, Missouri (the "City") has received an application submitted by Operation Food Search ("Applicant" or "Owner"), to adopt a certain amendment to the City's Official Zoning Map to amend the Zoning District to Planned Development- Manufacturing ("PD-M") for certain real property containing 4.37± acres, more or less, legally described in **Exhibit A** of this Ordinance (the "Property"); and

WHEREAS, with the rezoning application, the Applicant submitted a Written Narrative, the Preliminary Site Development Plan, and other requirements in accordance with Section 400.250 of the Zoning Code; and

WHEREAS, that after proper notice in accordance with applicable legal provisions including notice by letter to all property owners within three hundred (300) lineal feet distant from the Property pursuant to Section 400.750 of the Zoning Code, a public meeting was held regarding the Applicant's request for rezoning of the Property by the City's Planning and Zoning Commission (the "Commission") on May 28th, 2024, wherein comments from the public were taken, and thereafter the Commission recommended to the City Council of the City (the "City Council") that the City Council approve the requested Rezoning to PD-M as well recommending the City Council approve the Preliminary Site Development Plan; and

WHEREAS, the City Council, after careful and due deliberation and following a duly noticed public hearing held on June 24th, 2024, has concluded that the proposed rezoning of the Property to PD-M Planned Development-Manufacturing to be developed substantially as shown on the Preliminary Site Development Plan is compatible with the City's Comprehensive Plan, is appropriate under the Zoning Code, meets the requirements of Section 400.250 unless otherwise provided for herein, is consistent with the existing and planned future land use in the area, and would be in the interests of the health, safety, and welfare of the citizens of the City of Overland; and

WHEREAS, the City Council, after careful and due deliberation, has concluded that the Preliminary Site Development Plan described in Application PPP24-0001,

subject to the conditions set forth below, is in the interests of the health, safety, and welfare of the City.

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

Section 1. The Zoning District classification of the Property known and numbered as 1644 Lotsie Boulevard, Overland, MO 63132, and more fully described in the legal description attached hereto as **Exhibit A** (and incorporated herein), is hereby amended and designated as PD-M Planned Development-Manufacturing in accordance with Section 2 herein.

Section 2. The Preliminary Site Development Plan for the Property as prepared by Arcturis and dated 09/12/2023. (attached as **Exhibit B** and incorporated by reference herein), future approval of a Final Site Development Plan for the Property, permits for site improvements, and permits for construction of other improvements, are all expressly conditioned upon and made subject to the following terms and conditions:

1. The Property shall meet the requirements of the M-1 Manufacturing District including minimum site area, lot width, lot coverage, yard, and setback requirements as provided for in Section 400.240.D, unless otherwise specifically exempted or excepted herein.
2. Notwithstanding any Zoning Code provision to the contrary, the Property shall not be required to comply with Section 400.450.A.4-.5 regarding interior landscaped areas within the parking lot so long as the building in existence and as provided for in the Preliminary Site Development Plan remains in full on the Property.
3. The following terms and conditions shall apply and govern the potential uses of that area of the Property:
 - a. The following uses are permitted within the Property:
 - i. Offices for business or professional services;
 - ii. Warehousing –Wholesaling (Non-Hazardous);
 - iii. Limited Restaurant which may only sell prepared items on a small- scale basis for consumption on-site by employees or guests of the Owner, but shall not be open for public use;
 - iv. Gardens and small-scale agricultural cultivation for teaching purposes, to be located within an indoor greenhouse space and within outdoor planted space, demonstrating the techniques of

growing food. The permitted locations of the gardens and small-scale agricultural uses are shown on **Exhibit C**, attached hereto and incorporated herein;

- v. A teaching kitchen with the limited purpose and function devoted to education in the art and science of cooking and food preparation. Food prepared in this teaching kitchen shall not be made available for commercial sale.
- b. To prevent overparking or congestion of the Property, the uses permitted on the Property shall only be permitted to operate during the following hours:
 - i. Monday through Sunday, 6:00 A.M. to 9:00 P.M.

No other uses are permitted or conditional on the Property that are not listed herein.

- 4. Any produce grown from the limited agricultural cultivation permitted herein shall not be made available for purchase or other commercial uses.
- 5. Notwithstanding any limitations on accessory structures being placed within the required front yard or side yard setbacks, the approved twenty foot (20') pavilion and eight by ten foot (8x10') greenhouse, as shown in **Exhibit C**, is permitted to be located in the required front yard or side yard on the Property.
- 6. Outdoor storage is permitted to the extent that any approved gardens, planters, or agricultural materials are stored outside, however, outdoor storage of tillers, excavators, or any other mechanical agricultural equipment, or any other outdoor storage, is not permitted on the Property.
- 7. All improvements onsite, or required as offsite improvements, to this development shall be constructed to the City of Overland's standards and specifications.
- 8. All permits must be secured from the City of Overland and any other agencies (as applicable) before beginning any work on this project. Applicant and/or Owner shall be required to submit applications for, and receive, building permits for any structural alterations that occur within the Property. Additionally, the Owner shall secure all prior approvals from all applicable governmental bodies to operate the uses on the Property, including occupancy permits or fire inspectional approvals.

9. Approval of the Preliminary Site Development Plan shall be valid for a period of nine (9) months from the date of passage of this ordinance by the City Council. The Planning & Zoning Commission may grant extensions to this period of validity if requested by the Applicant, but not to exceed six (6) months for each requested extension. Should a request for extension of an approved Preliminary Site Development Plan contain substantial changes, as determined by the Planning & Zoning Commission, the Planning & Zoning Commission shall require Applicant to refile the application subject to the requirements of Section 400.250, as if it were an entirely new application.
10. The Written Narrative Project Report (attached as **Exhibit D** and incorporated herein) is also approved as an integral part of the Preliminary Site Development Plan approved hereby.
11. Preliminary Site Development Plan approval does not constitute approval of a Final Site Development Plan in accordance with Section 400.250(C)(4) or approval of any building or construction plans, landscaping plans, signage, or site utility design.
12. Development and use of the Property shall be maintained in compliance with the Preliminary Site Development Plan, including all Notes thereon, all of which are incorporated herein as if set forth in full.
13. All Landscaping shall be installed and maintained as set forth on the Preliminary Site Development Plan with all unpaved areas planted with ground cover and vegetation. Failure to install and maintain the landscaping as set forth on the Preliminary Site Development Plan is a violation of the City Zoning Code, the Preliminary Development Plan, Section 400.250, and this Ordinance.
14. Any conditional use permits, or other zoning approvals, in existence on the Property shall hereby be superseded, and any and all conditions relating to those prior conditional uses that conflict with this Ordinance shall hereby be null, void, and of no effect.

Section 3. A reduced copy of the approved Preliminary Site Development Plan is attached hereto as **Exhibit B** for ease of reference only. The official copy on file with the City of Overland Department of Community Development shall govern.

Section 4. Applicant shall submit a Final Site Development Plan in accordance with the approved Preliminary Development Plan to the Director of Community Development no later than six (6) months from the date of passage of this Ordinance. If the Final Site Development Plan is approved by the Director of Community Development and signed by the Chairman of the Planning & Zoning Commission, a copy of the signed Final Site Development Plan shall be recorded by the applicant with the Recorder of Deeds of St. Louis County within sixty (60) days. All

recording fees shall be paid by the applicant. The authorization for the use approved by the Final Site Development Plan shall not become effective until a copy of the recorded plan bearing its recordation notations shall be returned and placed on file with the City Clerk.


Section 5. All findings and determinations set forth in the “whereas” clauses are specifically and expressly made a part of this ordinance.

Section 6. It is legislatively determined by the City Council that all sections and portions of this Ordinance are so completely essential and inseparably connected that, should any portion of this Ordinance be found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance shall also be deemed invalid and the entire Ordinance deemed void and of no effect.

Section 7. This Ordinance shall be in full force and effect from and after its date of passage and being signed as provided by law.

This Ordinance passed and approved this 15th day of July 2024.

CITY OF OVERLAND, MISSOURI



MAYOR
July 15, 2024

Date of Approval

ATTEST:



CITY CLERK

Exhibit A

Legal Description of the Property

EXHIBIT "A"

PARCEL 1:

A tract of land being part of Lot 1 of CHARLES H. PECK ESTATE, a subdivision, according to the plat thereof recorded in Plat Book 5, page 85 of the St. Louis County records in U.S. Survey 2966, Township 46 North Range 6 East, St. Louis County, Missouri, and being more particularly described as:

Beginning at a point on the East line of said Lot 1 of Charles H. Peck Estate being distant North 7 degrees 04 minutes 48 seconds East 375.81 feet from its intersection with the North line of Meeks Boulevard, (formerly Rebie Avenue) 50 feet wide; thence North 82 degrees 37 minutes 00 seconds West 285.95 feet to the East Line of "Houghton Industrial Park", a Subdivision according to the plat thereof recorded in Plat Book 132 page 21, being also the East line of Lotsie Boulevard (varying widths); thence North 7 degrees 05 minutes 00 seconds East 670.00 feet along said East Line of Lotsie Boulevard to a point being distant South 7 degrees 05 minutes 00 seconds West 204.28 feet from the South line of Page Avenue, 100 feet wide; thence South 80 degrees 54 minutes 00 seconds East 286.08 feet and parallel to Page Avenue to the said East line of Lot 1 of Charles H. Peck Estate; thence South 7 degrees 04 minutes 48 seconds West 661.43 feet along said East line of Charles H. Peck Estate to the point of beginning.

PARCEL 2:

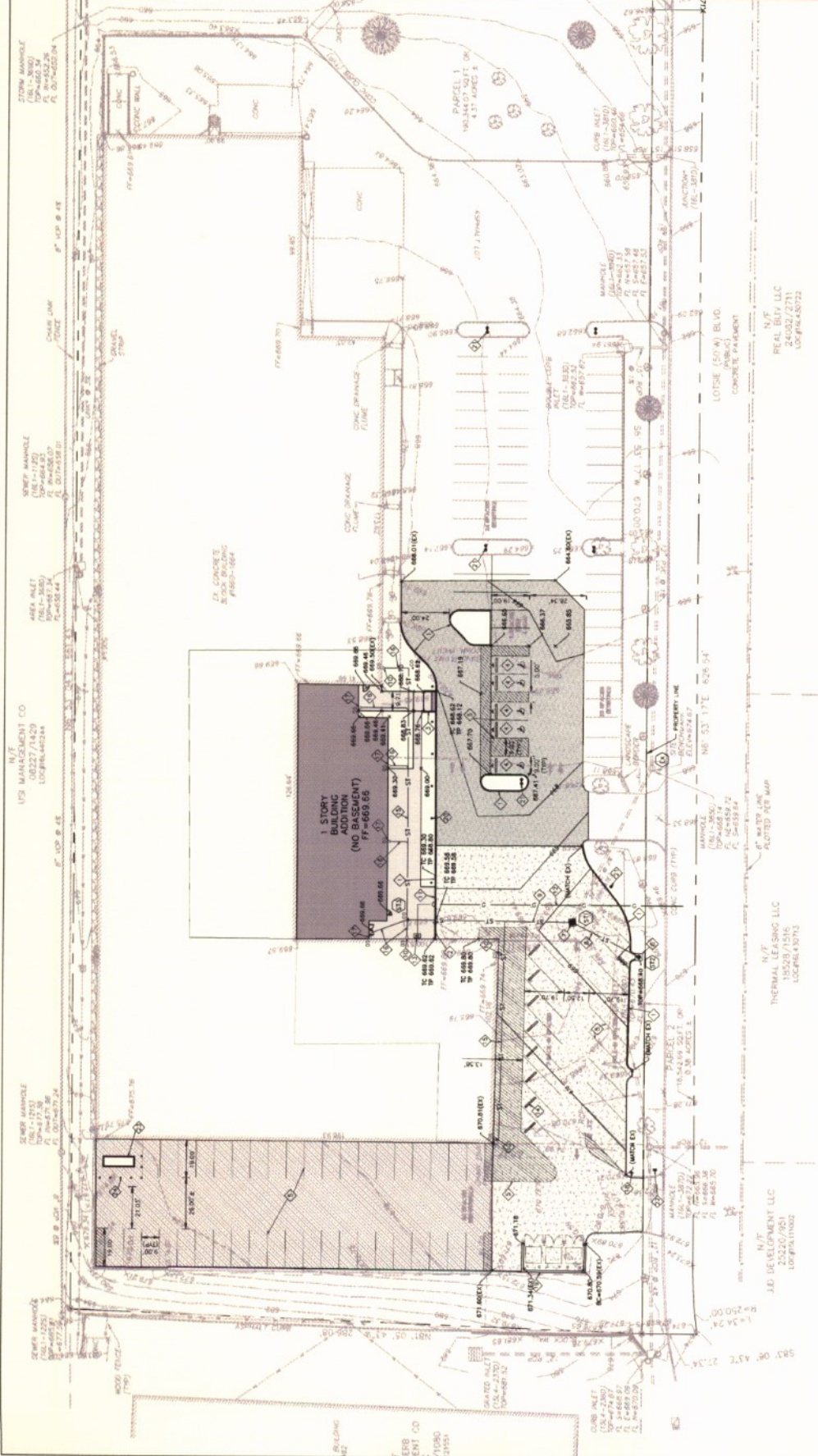
A tract of land being part of Lotsie Boulevard (varying widths) as shown upon the plat of "Houghton Industrial Park," a Subdivision according to the plat thereof recorded in Plat Book 132, page 21 of the St. Louis County records, situated in Lot 1 of Charles H. Peck Estate in U.S. Survey 2966, Township 46 North, Range 6 East, St. Louis County, Missouri, and being more particularly described as:

Beginning at a point being distant North 7 degrees 05 minutes 00 seconds East 385.14 feet from the Southeast corner of said "Houghton Industrial Park", said point being also a point on the East line of Lotsie Boulevard; thence North 82 degrees 55 minutes 00 seconds West 25 feet to the centerline of said Lotsie Boulevard; thence along said centerline North 7 degrees 05 minutes 00 seconds East 626.54 feet and along a curve to the left whose radius point bears North 82 degrees 55 minutes 00 seconds West 250 feet from the last mentioned point, a distance of 34.24 feet to a point; thence South 82 degrees 55 minutes 00 seconds East 27.34 feet to said East line of Lotsie Boulevard; thence South 7 degrees 05 minutes 00 seconds West 660.67 feet along said East line of Lotsie Boulevard to the point of beginning.

Exhibit B

Preliminary Site Plan Mapping

NO.	REVISION	DATE
001	ISSUE FOR PERMIT	08/27/2018
002	ISSUE FOR PERMIT	08/27/2018



- KEYNOTES**
- ◆ CONCRETE UTILITY CURB (C-300/3)
 - ◆ FLUSH CONCRETE CURB (C-300/3)
 - ◆ ACCESSIBLE CURB RAMP (C-300/3)
 - ◆ ACCESSIBLE CURB RAMP (C-300/3)
 - ◆ PARALLEL MARKING (4" W/40) (TYP)
 - ◆ CURB INLET (PRIVATE)
 - ◆ PRIVATE STORM PIPE (12" PVC, SEE PROFILES)
 - ◆ PRIVATE STORM PIPE (12" PVC, SEE PROFILES)
 - ◆ PIPE EXISTING CONDUIT BELOW GRADE (C-300/4)
 - ◆ REINFORCING SCHEDULE AND CURB (C-300/7)
 - ◆ NEW GAS SERVICE (COORDINATE WITH SPIES)
- LEGEND**
- ◆ ASPHALT PAVEMENT (C-300/5)
 - ◆ VERTICAL CONCRETE PAVEMENT (C-301/4)
 - ◆ CONCRETE ONLY (C-300/4)
 - ◆ NORMAL & IRREGULAR AND SLOTTED EXISTING ASPHALT PAVEMENT (C-301/5)
 - STORM STRUCTURE DESIGNATOR (SEE PROFILES)
 - CLEARCUT (C-300/3)
 - DOWNCUT
 - STORM PIPE
 - NATURAL GAS PIPE
 - PROPOSED CONTOUR

- KEYNOTES**
- ◆ GAS METER (COORDINATE WITH SPIES)
 - ◆ CONCRETE WELLSTOCK (TYP) (C-300/7)
 - ◆ PRIVATE STORM PIPE (12" PVC @ 2% MIN. SLOPE)
 - ◆ PRIVATE STORM PIPE (12" PVC @ 2% MIN. SLOPE)
 - ◆ NEW DOWNCUT PIPE BELOW GRADE (SEE PLUMBING DETAIL IN SHEET P-301)
 - ◆ 12" CHANNEL "A" DUCT UNDER "B" ON
 - ◆ JUMPSTART ENCLOSURE (SEE ADD)
 - ◆ NEGATIVE WELLDAM (SEE LANDSCAPE AND ELECTRICAL)
 - ◆ LIGHT STANDARD (SEE LANDSCAPE AND ELECTRICAL)
 - ◆ RESTRICTED ACCESS, WORKERS USE OTHER ENTRANCE WITH (C-300/2); COORDINATE WEIRING AND BRANDING
 - ◆ GENERATOR PAD (SEE ELECTRICAL)
 - ◆ PIPE BOLLARD (TYP)

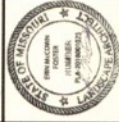
CDI
 1220 OLIVE AVE
 ST. LOUIS, MO 63103
 (314) 435-1000
 WWW.CDI-CORP.COM

GRAPHIC SCALE
 1" = 10'-0"

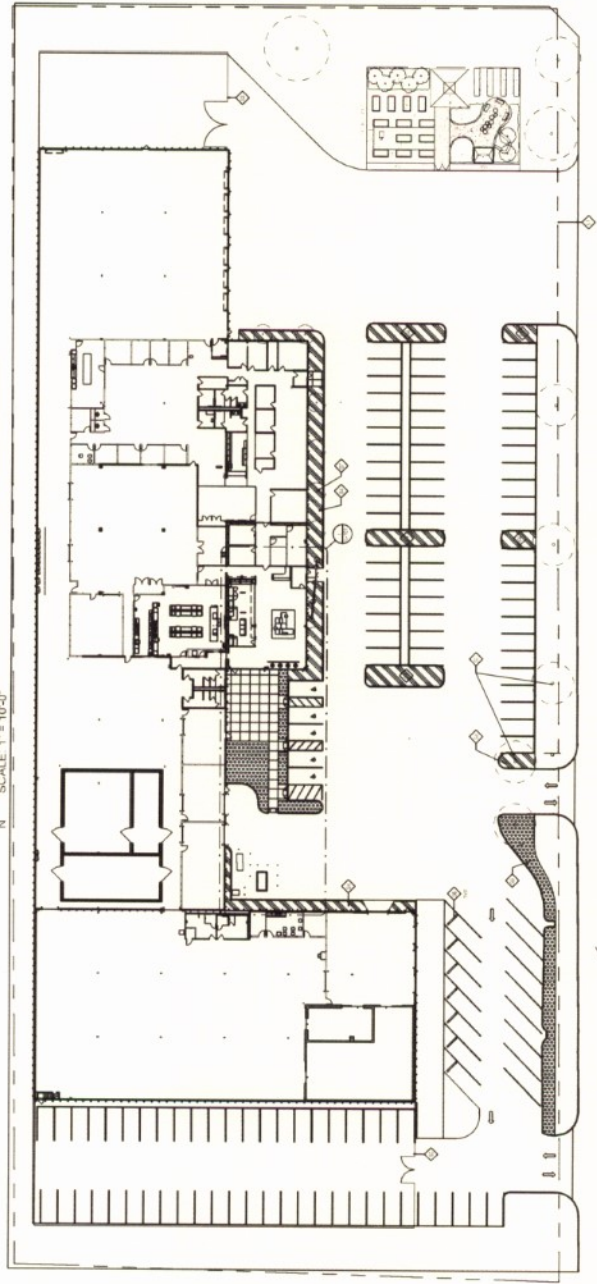
Project Number: 2018077-00

WATER SERVICE NOTE:
 THIS SERVICE SHALL BE USED IN PLACE OF EXISTING WATER SERVICE.
SANITARY LATERAL NOTE:
 EXISTING GRADE RECEPTOR UNDER THE BUILDING TO BE USED IN PLACE OF EXISTING WATER SERVICE.

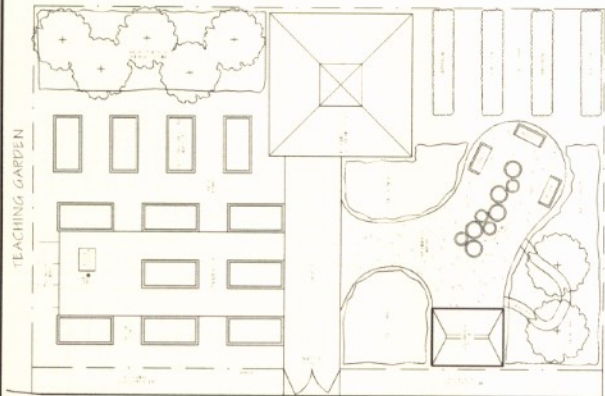
Exhibit C
**Plan for Greenhouse and
Agricultural Uses**



SITE PLAN
N SCALE 1" = 30'-0"



TEACHING GARDEN
N SCALE 1" = 10'-0"



This plan is the property of Meyer Landscaping, Inc. and is not to be reproduced or used in any way without written permission of Meyer Landscaping, Inc.

Exhibit D

Written Narrative of Project

Bill 20-2024 - Exhibit D

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May 3, 2024

City of Overland
Attn: Planning & Zoning
9119 Lackland Road
Overland, MO 63114

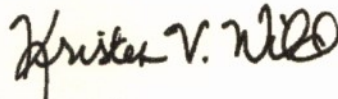
Dear Council Members,
Re: Operation Food Search Teaching Garden

Operation Food Search is currently in the process of completing our \$10 Million Healthy Food, Healthy Community Renovation Project. This project will allow us to achieve our vision of everyone having equitable access to healthy food. We are implementing a growth strategy that enhances our core mission while also expanding opportunities for innovation and collaboration.

As a part of this project, we are building a teaching kitchen to work in collaboration with our new on-site teaching garden space. A state-of-the-art teaching kitchen will provide space for interactive, hands-on classes for participants in our Food is Medicine, Community Nutrition, and Workplace Wellness programs. The teaching garden will work in collaboration with the kitchen and will serve as another space to help demonstrate skills that can be used to empower participants to grow food and increase their knowledge of nutritious food and sustainability. Produce grown in the garden will be used to demonstrate cooking and food preservation methods. The greenhouse will be used for various programmatic purposes, including season extension, propagation, seedling production, and education.

We hope you will consider helping us complete this exciting and impactful project, which will enable Operation Food Search to succeed in the mission of healing hunger for as long as it exists.

Warm regards,



Kristen V. Wild
President and CEO