

Sponsored by: Planning & Zoning Commission

Bill No. 17-2024

Co-Sponsored by: City Staff

Ordinance No. 2024-16

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO COLTRANE SYSTEMS LLC TO OPERATE A CONSTRUCTION CONTRACTOR OFFICE AT 1661 JODY INDUSTRIAL COURT IN THE M-1 MANUFACTURING ZONING DISTRICT AS PROVIDED FOR IN SECTION 400.240.C AND APPENDIX A OF THE MUNICIPAL CODE OF THE CITY OF OVERLAND.

WHEREAS, Rick Coltrane on behalf of Coltrane Systems LLC has submitted an application for a Conditional Use Permit to operate a Construction Contractor Office at 1661 Jody Industrial Court (the “Property”); and,

WHEREAS, the Planning and Zoning Commission reviewed said application on May 28, 2024, and recommended approval of the Conditional Use Permit; and,

WHEREAS, on June 10, 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 Rick Coltrane on behalf of Coltrane Systems LLC (collectively referred to herein as "Holder"), to operate a Construction Contractor Office at 1661 Jody Industrial Court provided for in Section 400.240.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 15th 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



CITY OF OVERLAND

DEPARTMENT OF COMMUNITY DEVELOPMENT

9119 LACKLAND RD | OVERLAND, MO 63114

APPLICATION FOR CONDITIONAL USE PERMIT

DATE OF APPLICATION: 04/26/2024 CUP APPLICATION #: PCU24-0009

PROJECT ADDRESS: 1661 JODY INDUSTRIAL DR ST. LOUIS, MO 63132

DESCRIPTION OF PROPERTY:

Parcel Locator #: 16L430575 Zoning Classification: COMMERCIAL

LAND/USE DEVELOPMENT:

Existing or Prior Use: OFFICE AND WAREHOUSE FOR COMMERCIAL ELECTRICAL CONTRACTOR

Proposed Use: SAME

BUSINESS INFORMATION:

Name of Proposed Business: COLTRANE SYSTEMS, LLC

Property Interest of Applicant: [] owner [X] Renter/Lessee [] Other

Name of Business Owner: RICK COLTRANE

Mailing Address: 680 CLARK AVE

City: ST. LOUIS State: MO Zip Code: 63119

Phone #: 314-914-6556 Fax #:

Email Address: rickcoltrane@coltranesystems.com

PROPERTY OWNER INFORMATION:

Name: DIANA UNTERREINER

Mailing Address: 134 PCR 516

City: PERRYVILLE State: MO Zip Code: 63775

Phone #: 314-677-9969 Fax #:

Email Address: bunterreinen@live.com

Bill 17-2024 - 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: Vince Thomas
 Name: VINCE THOMAS
 Date: 04/24/2024

BUSINESS OWNER ACKNOWLEDGMENT:

Signature: Rick Coltrane
 Owner Name: Rick Coltrane
 Date: 4/24/2024

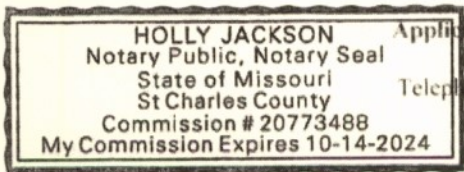
PROPERTY OWNER ACKNOWLEDGMENT:

Signature: _____
 Name: _____
 Date: _____

NOTE: ALL SIGNATURE(S) MUST BE NOTARIZED.

Subscribed and sworn before me personally appeared RICK COLTRANE this 24th
 day of April, 2024.

Holly Jackson
 Notary



Bill 17-2024 - 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: _____
 Name: _____
 Date: _____

BUSINESS OWNER ACKNOWLEDGMENT:

Signature: _____
 Owner Name: _____
 Date: _____

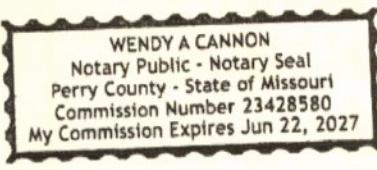
PROPERTY OWNER ACKNOWLEDGMENT:

Signature: Diana M. Unterreiner
 Name: DIANA M. UNTERREINER
 Date: 3/28/2024

NOTE: ALL SIGNATURE(S) MUST BE NOTARIZED.

Subscribed and sworn before me personally appeared Diana M Unterreiner this 28th
 day of March, 2024.

Wendy A Cannon
 Notary



Bill 17-2024 - Exhibit A

FOR DEPARTMENT OF COMMUNITY DEVELOPMENT USE ONLY

PROJECT ADDRESS: 1661 Tedy Industrial Blvd

Date Received: 4-26-24

Date Approved: _____

CUP #: PL024-0009

CUP Application #: PL024-0009

P&Z Hearing Date: 5-28-24

C.C. Hearing Date: 6-10-24

Fee Amount: \$150.00

Date Paid: 4-26-24

Land Use Category: Construct Contractor Office

Approved: _____

Denied: _____

Date: _____

Drawings Approved: [Signature]

Date: 4-29-24



APPLICATION FOR SITE PLAN REVIEW

DATE OF APPLICATION: 04/26/2024 APPLICATION #: PSPR24-0009

PROJECT ADDRESS: 1661 JODY INDUSTRIAL DR, ST. LOUIS, MO 63132

APPLICANT INFORMATION:

Name: VINCE THOMAS / COLTRANE SYSTEMS LLC
Mailing Address: 808 CRESCENT OAKS CT
City: VALLEY PARK State: MO Zip Code: 63088
Phone #: 314-740-0974 Fax #: _____
Email Address: vince.thomas@coltranesystems.com

Property Interest of Applicant: owner Renter/Lessee Other _____

PROPERTY OWNER INFORMATION (IF DIFFERENT THAN APPLICANT INFORMATION):

Name: DIANA UNTERREINER
Mailing Address: 134 PCR 516
City: PEBBYVILLE State: MO Zip Code: 63775
Phone #: 314-677-9969 Fax #: _____
Email Address: hunterreiner@live.com

DESCRIPTION OF PROPERTY

Street Address or Location: 1661 JODY INDUSTRIAL DR, ST. LOUIS, MO 63132
Parcel Locator #: 16L430575 Zoning Classification: COMMERCIAL

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

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

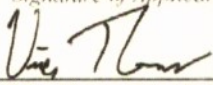

NOTE: All plans, or other materials submitted to the Planning and Zoning Commission in the Application or presented at the Public Hearing become the property of the City as part of the permanent record.

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.

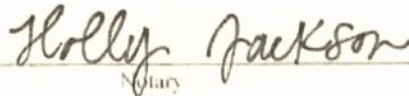
Bill 17-2024 - Exhibit A

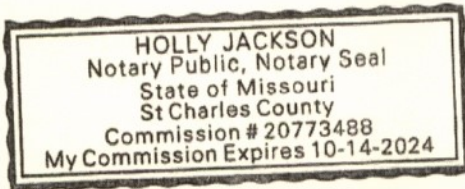
<i>Signature of Applicant</i> 	<i>Signature of Owner</i> 	<i>Signature of Property Owner</i>
<i>Print Name of Applicant</i> VINCE THOMAS	<i>Print Name of Owner of Business</i> Rick Coltrane	<i>Print Name of Owner</i>
4/24/2024 <i>Date</i>	4/24/24 <i>Date</i>	<i>Date</i>

(NOTE: Out of State Signatures must be notarized)

NOTE: ALL SIGNATURE(S) MUST BE NOTARIZED.

Subscribed and sworn before me personally appeared RICK Coltrane this 24th day of April, 2024


Notary



FOR DEPARTMENT OF COMMUNITY DEVELOPMENT USE ONLY			
PROJECT ADDRESS: <u>1661 Jody Industrial</u>			
Date Received: <u>4-26-24</u>	Application #: <u>75PR24-0009</u>		
Fee Amount: <u>\$250.00</u>	Date Paid: <u>4-26-24</u>		
Approved: _____	Denied: _____	Date: _____	
P&Z Hearing Date: <u>5-28-24</u>			
City Council Hearing Date: <u>6-10-24</u>			

Bill 17-2024 - Exhibit A

		<i>Diana M. Monterreio</i>
<i>Signature of Applicant</i>	<i>Signature of Owner</i>	<i>Signature of Property Owner</i>
		<i>DIANA M MONTERREIO</i>
<i>Print Name of Applicant</i>	<i>Print Name of Owner of Business</i>	<i>Print Name of Owner</i>
		<i>3/28/2004</i>
<i>Date</i>	<i>Date</i>	<i>Date</i>

(NOTE: Out of State Signatures must be notarized)

NOTE: ALL SIGNATURE(S) MUST BE NOTARIZED.

Subscribed and sworn before me personally appeared *Diana Monterreio* this *28th*
day of *March*, 20*24*

Wendy Cannon

Notary

WENDY A CANNON
 Notary Public - Notary Seal
 Perry County - State of Missouri
 Commission Number 23428580
 My Commission Expires Jun 22, 2027

FOR DEPARTMENT OF COMMUNITY DEVELOPMENT USE ONLY	
PROJECT ADDRESS:	_____
Date Received:	_____ Application #: _____
Fee Amount: \$250.00	Date Paid: _____
Approved: _____	Denied: _____ Date: _____
P&Z Hearing Date:	_____
City Council Hearing Date:	_____



Coltrane Systems, LLC
1661 Jody Industrial Drive
St. Louis, MO 63132

Letter of Intent

- A) Hours of Operation M-F, 7 AM – 5 PM
- B) Number of employees at location – 16. Total number of employees for company – 163.
- C) Coltrane Systems is a commercial electrical contractor with administrative functions and storage of supplies and material located at 1661 Jody Industrial Drive in Overland. The types of materials that are stored at the location include wiring, conduit, various electrical supplies, and small tools used in the execution of jobs. This address comprises 16,367 square feet.
- D) The company can house vehicles overnight at the location. There is a lot enclosed by a fence and locking gate at the back of the building. Any vehicles housed at the location are parked in this area. The number of vehicles housed overnight varies, but typically does not exceed 5. These types of vehicles are mostly pickup trucks and sometimes small sedan cars. Any vehicle housed at the building will have the company name and logo on the door.
- E) All material is stored inside the building.
- F) Sign permit – the building signage is a wood sign attached to the front of the building above the main entrance.
- G) Type of business – warehouse. Administrative functions for the company are also performed at the location.

MAR 05 2024

Example: 41 S Central Ave



Exhibit B

Conditional Use Permit

A Conditional Use Permit is hereby granted to Coltrane Systems LLC (“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 Construction Contractor Office on a parcel of land currently addressed as 1661 Jody Industrial Court, 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 Construction Contractor Office.
2. The Conditional Use shall only operate daily from 7:00 A.M. to 5:00 P.M.
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. Overnight parking of a maximum of five (5) company-owned vehicles (with the VIN number related to such vehicle as provided by Holder) shall be permitted on the Property; however, no additional vehicles that are not approved herein shall be permitted to park overnight.
6. 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.
7. 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 Coltrane Systems LLC 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:

COLTRANE SYSTEMS LLC

BY:

PRINT:

DATE:
