

Sponsored by: Planning & Zoning Commission

Bill No. 13-2026

Co-Sponsored by: City Staff

Ordinance No. 2026-13

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO MARIA BETANCOURT TO OPERATE A NEIGHBORHOOD GROCERY STORE AT 2509 B 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**, Maria Betancourt on behalf of Luna's Produce & Imports has submitted an application for a Conditional Use Permit to operate a Neighborhood Grocery Store at 2509 B Woodson Road (the "Property"); and,

**WHEREAS**, the Planning and Zoning Commission reviewed said application on March 31, 2026, and recommended approval of the Conditional Use Permit; and,

**WHEREAS**, on April 13, 2026, 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 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 further finds 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 Maria Betancourt on behalf of Luna's Produce & Imports (collectively referred to herein as "Holder"), to operate a Neighborhood Grocery Store at 2509 B 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 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 expressed 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, and such Conditional Use Permit is contingent upon the 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 Mayor is hereby authorized to execute the Conditional Use Permit provided for in **Exhibit B** on behalf of the City of Overland.

**Section 7.** 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 13th day of April, 2026.



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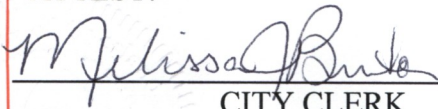
MAYOR

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**April 13, 2026**

Date of Approval

ATTEST:



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CITY CLERK

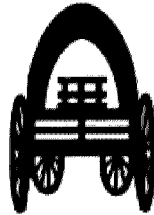
**Exhibit A**

**Application for a Conditional Use Permit**



RECEIVED  
JAN 29 2026

BY: .....



CITY OF  
**OVERLAND**

DEPARTMENT OF COMMUNITY DEVELOPMENT

9119 JACKSON RD | OVERLAND, MO 63114

**APPLICATION FOR CONDITIONAL USE PERMIT**

DATE OF APPLICATION: 01/29/26 CUP APPLICATION #: PW26 0006

PROJECT ADDRESS: 2509 B woodson rd overland mo 63114

**DESCRIPTION OF PROPERTY:**

Parcel Locator #: 156 641 037 Zoning Classification: C-2 General Commercial

**LAND/USE DEVELOPMENT:**

Existing or Prior Use: \_\_\_\_\_  
Proposed Use: Produce Store - Convenience Store

**BUSINESS INFORMATION:**

Name of Proposed Business: Louis produce & imports

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

Name of Business Owner: Maria Betancourt

Mailing Address: 2509 B woodson rd

City: overland State: mo Zip Code: 63114

Phone #: 314 468 6383 Fax #: \_\_\_\_\_

Email Address: mariab@louisimports.com

**PROPERTY OWNER INFORMATION:**

Name: PANGEA INVESTMENTS, LLC

Mailing Address: 2511 WOODSON RD

City: Overland State: MO Zip Code: 63114

Phone #: 314-874-9171 Fax #: \_\_\_\_\_

Email Address: \_\_\_\_\_



**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: Maria Bahamont  
Date: 01/29/26

**BUSINESS OWNER ACKNOWLEDGMENT:**

Signature: \_\_\_\_\_  
Owner Name: Maria Bahamont  
Date: 01/29/26

**PROPERTY OWNER ACKNOWLEDGMENT:**

Signature: \_\_\_\_\_  
Name: Istahan Bahamont  
Date: 2/25/26

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

Subscribed and sworn before me personally appeared Maria Bahamont this 29th  
day of January, 2026.

WILLA DIANNE ROBINSON  
Notary Public - Notary Seal  
STATE OF MISSOURI  
County of St. Louis  
My Commission Expires: Apr. 02, 2020  
Commission #00019418

*Willa Dianne Robinson*  
Notary

| FOR DEPARTMENT OF COMMUNITY DEVELOPMENT USE ONLY |   |                    |                   |
|--|---|--------------------|-------------------|
| PROJECT ADDRESS: <u>2509 B Woodson Rd</u>        |   |                    |                   |
| Date Received:                                   | <u>1/29/20</u>                            | Date Approved:     |                   |
| CUP #:   |   | CUP Application #: | <u>PCU26-0006</u> |
| P&Z Hearing Date:                                |   | C.C. Hearing Date: |                   |
| Fee Amount:                                      | <u>\$300.00</u>                           | Date Paid:         |                   |
| Land Use Category:                               | <u>Convenience Store - Produce Market</u> |                    |                   |
| Approved:  | Denied:                                   | Date:              |                   |
| Drawings Approved:                               |   | Date:              |                   |

## **Exhibit B**

### **Conditional Use Permit**

A Conditional Use Permit is hereby granted to Maria Betancourt and the Luna's Produce & Imports ("Holder") this 13th day of April, 2026, 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 a Neighborhood Grocery Store on a parcel of land currently addressed as 2509 B 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 Neighborhood Grocery Store.
2. If at any time Holder fails to maintain the required licensure from any local, state, or federal authority regulating the sale of household goods and produce, such lapse in required licensure shall be grounds for revocation and/or termination of this Conditional Use Permit. This licensure requirement shall include securing a valid business license from the City in accordance with Chapter 605, and if any City license(s) are necessary for the operation of the use, such license(s) shall be required to remain in effect to maintain compliance with this Ordinance.
3. The Conditional Use shall only operate from 9:00 A.M. to 9:00 P.M. daily.
4. Any minor changes to the site plan required by Community Fire Protection District may be administratively approved by the Director of Community Development.
5. Outdoor storage is prohibited.
6. Overnight parking shall be prohibited.
7. 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.
8. 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, and 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 attorneys' 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, 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) 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 Luna's Produce & Imports be issued on the day and year first written above.

**CITY OF OVERLAND, MISSOURI**

BY:



PRINT:

**HON. MARTY A. LITTLE  
MAYOR**

DATE:

April 13, 2026

ACCEPTANCE:

**MARIA BETANCOURT,  
LUNA'S PRODUCE & IMPORTS**

BY:

\_\_\_\_\_

PRINT:

\_\_\_\_\_

DATE:

\_\_\_\_\_