

AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
June 23, 2016

SUMMARY

A request by Millard Family Investments, LLC (owner) to rezone land from a mixture of C-P (Planned Business District) and C-2 (Central Business District) to C-P, and to approve a C-P development plan to be known as "Millard Family Funeral Chapels 10-12 E Ash Street." The 1.38-acre subject site is located on the south side of Ash Street, approximately 260 feet east of Garth Avenue. **(Case #16-127)**

DISCUSSION

The applicant is requesting approval of a rezoning and C-P development plan amendment to allow for a 1,154 square foot building addition and four-space parking garage. The original C-P zoning and development plan were approved in 1996 and included a 4,945 square foot funeral chapel (Warren Family Funeral Chapel). A 2009 plan amendment allowed for a 2,508 square foot building expansion. The existing 7,453 square foot funeral chapel includes a chapel, office, and service space.

The current request includes rezoning an undeveloped C-2 (Central Business District) lot to the west of the existing funeral chapel to accommodate the building expansion and associated parking and open space improvements, and an expanded list of permitted uses available to the entire C-P site. The proposed development expansion includes a crematory, additional office space, and a garage for storing funeral vehicles. The C-P zoning statement of intent use list has been broadened from the current ordinance which allows only a "funeral home and associated uses with no crematory". The new proposal would allow a crematory, which is desired to be included in the proposed development, and a number of office and medical uses.

In recognition of the site's close proximity to residential uses and zoning, and in keeping with the redevelopment trend in this area, Staff is supportive of the addition of limited office uses at this location. Staff believes that more intensive land uses such as hospitals, residential care facilities and laboratories, as proposed in the attached SOI, should be accompanied by a development plan.

Staff is not opposed to the requested development plan amendment, which meets all C-P zoning district requirements. The plan meets all C-P district use and development standards, and is in approvable form.

RECOMMENDATION

Approval of the amended C-P development plan.

Approval of the C-P rezoning request, subject to the statement of intent being revised to include only the following uses:

- Counseling centers operated by charitable or not-for-profit organizations; excluding halfway houses or any use connected with penal or correctional institutions.
- Office buildings used for the administrative functions of businesses, professions, companies, corporations; and social, philanthropic, eleemosynary, or governmental organizations or societies.
- Offices for professional and business use involving the sale or provision of services, but not the sale or rental of goods, including but not limited to:
 - (1) Artists, sculptors, photographers.
 - (2) Authors, writers, composers.
 - (3) Lawyers, engineers, planners, architects, realtors, accountants, insurance agents, brokers, and other consultants in similar professions.
 - (4) Ministers, rabbis, priests, or other clergy members.
 - (5) Physicians, dentists, chiropractors, or other licensed medical practitioners.
 - (6) Seamstresses, tailors.
 - (7) Teachers of private lessons in art, music, or dance.
- Mortuaries, which may include a crematory, provided that:
 - (a) Such use shall be conducted within a fully enclosed legally permitted structure.
 - (b) Such use shall have fee-simple ownership of the required parking spaces to meet the requirements of section 29-30 (off-street parking and loading) for the intended use. The use of shared parking shall be prohibited, unless approved by the board of adjustment after consideration of the required documentation stated in section 29-30(e).
 - (c) No outside storage or display of equipment or merchandise used or customarily sold in conjunction with such use shall be permitted.
 - (d) The operator of such use shall be licensed by the State of Missouri, as required.

ATTACHMENTS

- Locator maps
- Proposed Statement of intent
- Proposed C-P development plan
- Proposed design parameters
- 2009 plan amendment approval ordinance
- 2009 C-P development plan amendment
- 1996 C-P rezoning & approval ordinance
- 1996 approved development plan

SITE HISTORY

Annexation Date	1826 (Original Town Plat)
Existing Zoning District(s)	C-P (Planned Business District)
Land Use Plan Designation	City Center District

SITE CHARACTERISTICS

Area (acres)	1.38 acres
Topography	Downward slope from west to east
Vegetation/Landscaping	Landscaping
Watershed/Drainage	Flat Branch
Existing structures	7,453 square foot funeral chapel

SURROUNDING LAND USES

Orientation from site	Zoning	Land Use
North	R-3/O-P	Single-family home, office building, & undeveloped residential lots
South	C-2	Water tower
East	R-3	Single-family homes
West	C-2	Office buildings

UTILITIES & SERVICES

All City services are available to the site.

ACCESS

Ash Street	North side of site
Major Roadway Plan	Major Collector
CIP Projects	None
Sidewalk	In place

PARKS & RECREATION

Neighborhood Parks	Douglass Park, approx. ¼ mile northeast
Trails Plan	No proposed trails adjacent to site
Bicycle/Pedestrian Plan	No proposed bike/ped facilities adjacent to site

PUBLIC NOTIFICATION

All property owners within 200 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified of a public information meeting, which was held on May 31, 2016.

Public Information Meeting Recap	Number of attendees: 6 Comments/concerns: Proposed uses; storm water runoff
Neighborhood Association(s)	Douglass Park
Correspondence Received	None as of this writing

Report prepared by Steve MacIntyre; approved by Patrick Zenner