



MINUTES OF THE CITY OF FRONTENAC
PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, FEBRUARY 2, 2010, 7:00 P.M.

A. **CALL TO ORDER:** The regular meeting of the Planning and Zoning Commission was called to order at 7:00 p.m. by Chairman Kaplan.

B. **ROLL CALL:** The members present were:

Chairman Philip Kaplan
Alderwoman Margot Martin
George Purviance
Nancy Schnoebelen

Elizabeth Barbieri
Dr. Tom Moran
Mark Richert

Also in attendance were Building Commissioner & Zoning Administrator, John Morgan; City Administrator, Bob Shelton; City Clerk, Leesa Ross; and City Attorney, Lee Curtis.

C. **APPROVAL OF AGENDA:** Mr. Kaplan asked for a motion to approve the agenda.

MOTION: Alderperson Martin motioned and Mr. Richert seconded to approve the agenda. All Commissioners present voted "Aye". There were no "Nay" votes. **MOTION PASSED.**

D. **APPROVAL OF MINUTES:** Mr. Kaplan asked for a motion to approve the minutes of November 24, 2009.

MOTION: Dr. Moran motioned and Mr. Richert seconded the approval of the November 24, 2009, regular meeting minutes. All Commissioners present voted "Aye". There were no "Nay" votes. **MOTION PASSED.**

E. **PUBLIC FORUM (PRESENTATION OF REMARKS AND/OR PETITIONS).**

No comments were made at this time.

F. **CHAIRMAN'S COMMENTS:**

Mr. Kaplan had no comments at this time.

G. COMMENTS BY COMMISSION MEMBERS:

No Commission members made comments at this time.

H. BUILDING COMMISSIONERS'S REPORT:

Mr. Morgan made no comments at this time.

I. UNFINISHED BUSINESS:

None

K. NEW BUSINESS:

1. ITEMPZ020210-1

Applicant: Dr. Mike Nayak
Nayak Plastic Surgery and Skin Enhancement Center

Property Address: 607 S. Lindbergh Blvd.
Frontenac, MO 63131

Request: Conditional Use Permit to operate a plastic surgery and skin enhancement center in the C-1 Commercial District and a request for a parking variance.

Mr. Steve Bahn of Stephen F. Bahn Commercial Real Estate was the real estate broker representing Dr. Mike Nayak, who was present, along with his attorney, Chris Blanton. Mr. Bahn stated Dr. Nayak has a binding letter of intent for the building, which was formerly occupied by MLP. The building is an 8000 square foot space and stated there is a need for a conditional use permit to allow medical in the C1 District, and also for a parking variance.

Ms. Rinder arrived at 7:05 pm.

Mr. Bahn advised that Dr. Nayak's has been practicing in his current location, near Highway 40 & Ballas Road for the past four years and currently does his reconstruction surgery at the Frontenac Surgery Center. Dr. Nayak would like to use the building for medical offices, as well as a Day Spa, which will offer facials and body massages, in 2500 square foot of space in this building. Dr. Nayak hopes to double his sales of facial products, in which he currently sells about \$90,000 per year. Mr. Bahn stated there are no plans to alter the building except for signage and possibly a windbreak near the front of the building. Dr. Nayak would like the ability

in the future to add a doctor to compliment his practice in a 1,000 to 1,500 square foot space. Mr. Bahn also stated Dr. Nayak has a ten-year lease, with an option to purchase the building at the end of the lease period.

Dr. Moran asked what type of business was MLP. Mr. Bahn stated a real estate development company, which also housed Pioneer Construction. Mr. Bahn stated the medical practice will need 22 to 25 parking spaces and stated the building currently has 40 spaces on the parking lot. Dr. Moran inquired into the additional physicians who are requested. Mr. Bahn stated the physicians if added, would be the same type of use, and would allow him the ability to grow his practice, to compliment his business.

Dr. Mike Nayak, 2500 Bopp Road states he hopes to compliment the building and the community and states he does cosmetic and some reconstructive surgery, and works exclusively on the face. He stated if added he would consider the following types of practices, complimentary to his: breast or cosmetic body; cosmetic dermatology, anti-aging or hormonal. He also stated he has a boutique type of practice, which is a more service oriented business.

Mr. Kaplan asked how many people will be needed for the day spa. Dr. Nayak stated he hopes to have six rooms and if fully occupied he could have six clients, and six providers. He stated at most he would suspect 22 to 28 cars. Dr. Nayak stated he would only add another doctor if the day spa started failing, and he stated that would be in a separate wing of the building. He also said he is a partner in the Frontenac Surgery Center, which would be limited from turning this location into a surgery center.

Ms. Schnoebelen asked why he is moving. Dr. Nayak stated, he has outgrown his current location and has only two examining rooms. Ms. Schnoebelen asked what type of skin enhancements he will conduct. Dr. Nayak stated Botox, fillers, facials and peels.

Mr. Bahn provided a copy of their proposed sign. Mr. Morgan stated the sign needs to meet the City's sign code and if it does not, it would have to go to the Board of Adjustment. Dr. Nayak stated the proposed sign is a monument sign with back lit letters.

Ms. Barbieri asked are you applying as an individual. Dr. Nayak stated yes, it will be one owner. He stated only cosmetic surgery would be performed in this building, all reconstructive surgery would be performed at the Frontenac Surgery Center.

Mr. Kaplan stated if this commission limited the number of doctors to four, would Dr. Nayak approve. Dr. Nayak stated yes. Mr. Kaplan also stated would he agree to a stipulation of doctors who are associated or complimentary to his practice. Dr. Nayak requested the City loosen the definition and stated either a physician practicing cosmetic dermatology, reconstruction or age management.

Mr. Morgan asked Dr. Nayak to explain the difference between cosmetic and reconstructive surgical procedures. Dr. Nayak stated cosmetic consists of laser, injections and topic creams, which is normally not covered under insurance and reconstructive consists of skin cancers, burns and cirrhosis, which normally are covered under insurance.

Mr. Kaplan asked Dr. Nayak could he live with the City's staff recommendations:

1. The parking lot shall be used for the sole purpose of patient and employee parking with no storage of vehicles or out structures on the lot.
2. Any large dumpsters or refuse containers shall be properly screened from view and said screening shall be reviewed and approved by the Frontenac Design Review Commissioner.
3. The surgical rooms shall be used only by the Doctor's that have been approved to occupy the space for their offices and shall not exceed four doctors. The doctors that occupy the space shall be associated with the plastic and reconstructive surgery business.
4. Doctors other than those associated with the Nayak Plastic Surgery and Skin Enhancement Center must receive approval of the Board of Aldermen prior to occupancy.

Dr. Nayak stated he would prefer to broaden recommendation #3 to cosmetic dermatology, reconstruction and age management. Mr. Curtis stated if not associated with one of the three listed, it would need separate approval by the Board of Aldermen.

A question was asked, if the spa closed and another doctor was brought in, approximately how many parking spaces would be used. Dr. Nayak stated at the most 30 spaces.

Aldersperson Martin asked about hazardous waste. Dr. Nayak stated he will contract with a company to pick it up, and stated it must be kept in a locked room, which would be picked up during normal office hours.

MOTION: Aldersperson Martin motioned and Ms. Schnoebelen seconded approval of the request for a Conditional Use Permit and parking approval for Nayak Plastic Surgery and Skin Enhancement Center, 607 S. Lindbergh Blvd. with the staff recommendations above, which were approved by the Planning & Zoning Commission and Dr. Nayak and to forward this recommendation to the Board of Aldermen for their approval. All Commissioner present voted "Aye". Vote was unanimous. **MOTION PASSED.**

2. ITEMPZ020210-1

Applicant: Mr. Perry Favazza
Favazza Specialty Foods

Property Address: 10440 German Blvd.

Frontenac, MO 63131

Request: Conditional Use Permit to operate a food manufacturing business in the C-Commercial District.

Mr. Morgan stated prior to the meeting the petitioner contacted him and withdrew his application. Mr. Morgan stated the applicant had issues with the building being in a flood zone and knew the scissor dock would not work and their need is for a full loading docket, which were the specific reasons for the withdrawal.

J. **ANNOUNCEMENT OF NEXT MEETING:** Tuesday, February 23, 2010, 7:00 p.m.

K. **ADJOURNMENT:**

Mr. Kaplan asked for a motion and second to adjourn the meeting.

MOTION: Dr. Moran motioned and Ms. Barbieri seconded the meeting be adjourned. All Commissioners present voted "Aye". The vote was unanimous. **MOTION PASSED.**

The meeting adjourned at 7:30 pm