



MINUTES
PLANNING & ZONING COMMISSION
ST. PETERS JUSTICE CENTER, 1020 GRAND TETON DR, ST PETERS, MO 63376
MEETING OF JANUARY 7, 2015
6:30 P.M.

CALL TO ORDER:

Chairman Keith McNames called the meeting to order at approximately 6:30 p.m.

INVOCATION:

A moment of silent prayer was observed.

PLEDGE OF ALLEGIANCE:

All in attendance said the Pledge of Allegiance.

ATTENDANCE:

Those in attendance were: Chairman Keith McNames; Cindy Carpenter; Gary Westhoff; Janet Shetterly; Bill Yoffie; Steven Bailey; Pat Kelley; Larry Sachse; Marilyn Shaikewitz; Alderman Patrick Barclay; Julie Powers, Director of Planning, Community and Economic Development; Roger Stewart, Building Commissioner; Ken Braunfeld, Planning Coordinator; Liane Sargent, City Engineer; and Melissa Vollmer, Recording Secretary Bill Rupp was absent.

MINUTES:

A motion was made by Mr. Westhoff and seconded by Mr. Kelley to approve the minutes of the December 3, 2014 Planning and Zoning Commission meeting. The motion carried unanimously.

COMMUNICATIONS AND REPORTS OF OFFICERS:

Chairman Keith McNames explained procedures for this evening's meeting. Ms. Powers noted that the items agenda requiring Board of Alderman action would be on the January 22nd Board of Alderman meeting.

NEW BUSINESS:

1. Home Occupations:

- a. C-N-O Comfort Zone (heating & cooling): Charles O'Neall, 1124 Carrington Drive.

Mr. Charles O'Neall presented this to the Commission for approval. Mr. Winslow made a motion and Mr. Kelley seconded to approve this application with no contingencies. The motion carried unanimously.

2. Other:

- a. Magruder Paving, LLC: terminus of Mid Rivers Trade Court, south of Ecology Drive – Use Approval

Mr. Donnie Mantle, Magruder Paving, presented this to the Commission for approval. Mr. Mantle explained that he is requesting use of the site for a temporary asphalt plant until December 31, 2015. Mr. Mantle explained that he has two paving contracts with MoDOT and would use the site in conjunction with those projects. Mr. Yoffie made a motion and Mr. Winslow seconded to approve this temporary use. The motion carried unanimously.

Planning and Zoning Commission Meeting Minutes
January 7, 2015

- b. Eldorado Plaza: North side of Mexico Road, east side of Grand Teton Drive (Dollar Tree Plaza) – Amended Planned Urban Development (PUD).

Mr. Ken Azar, Ken's Tattoo Alley, presented this to the Commission for approval. Mr. Azar explained that he is requesting the addition of piercing to his tattoo facility. Mr. Azar noted that this service would be offered as an accessory use and would comply with all local, State and Federal regulations related to piercing. The Commission reviewed this matter at the November, 2014 meeting and found that a full amendment to the PUD agreement was needed to allow the applicant to offer piercing services without limit. Therefore, Mr. Azar requested an amendment to the PUD agreement via Petition 14-13. The Commission recommended approval of that petition but the Board of Aldermen did not approve this petition at their December, 2014 meeting. Issues raised included the application of this amendment to the entire shopping center. Another issue raised with the initial request for the minor amendment was the accounting of the twenty-five percent of total customers; both the Commission and staff had concerns about this ongoing accounting and reporting. Therefore, in conjunction with the current amendment, staff recommends the twenty-five percent limit be applied to the business square footage. To address the issue of the use within the shopping center as a whole, the allowance of piercing will be limited to only the subject tenant space, 6648 Mexico Road. Ms. Shetterly made a motion and Mr. Winslow seconded to approve this amendment. The motion carried.

3. Public Hearings:

- a. Petition 15-01 – McKelvey Properties, Inc.: A request for a Special Use Permit in the C-2 Community Commercial District for a restaurant with drive through on an 8.1 +/- acre parcel. The subject site is located on the west side of Mid Rivers Mall Drive, south of Willott Road.
- b. Petition 15-02 – McKelvey Properties, Inc.: A request for a Special Use Permit in the C-2 Community Commercial District for a convenience store with gasoline or petroleum products on an 8.1 +/- acre parcel. The subject site is located on the west side of Mid Rivers Mall Drive, south of Willott Road.
- c. Petition 15-03 – McKelvey Properties, Inc.: A request for a Special Use Permit in the C-2 Community Commercial District for a fitness center on a 23.5 +/- acre parcel. The subject site is located on the west side of Mid Rivers Mall Drive, south of Willott Road.

Mr. Rich Musler, Musler Engineering, presented this to the Commission for approval. Chairman McNames allowed Mr. Musler to present all three petitions together and allowed one public hearing to be held for all three petitions, as they all pertain to the same development. Mr. Musler explained that the proposed site is located on the west side of Mid Rivers Mall Drive, south of Willott Road and directly west of the intersection of St. Peters Howell Road and Mid Rivers Mall Drive. The site contains approximately 23 acres and has been zoned C-2 Community Commercial District since its annexation in the mid 1970s. The surrounding land uses include single family development to the north, west and south and a church to the south, all zoned R-1 Single Family Residential District. To the east are a variety of commercial uses fronting Mid Rivers Mall Drive, zoned C-2 Community Commercial District. These include two restaurants and several small retail uses, including a convenience store with fuel pumps. The site is served by Mid Rivers Mall Drive. The road has been designed to accommodate the commercial traffic in the area. The entrance to the proposed development will be aligned with St. Peters Howell Road; the signal at this intersection will be modified to include the new development entrance. The concept plan indicates the proposed restaurant will be on a parcel fronting Mid Rivers Mall Drive, near the entrance to the development. The proposed fuel station will be on a parcel fronting Mid Rivers Mall Drive as well, near the entrance to the development. The proposed fitness center will be one of several commercial uses in the rear, larger part of the center. The entrance to the site from Mid Rivers Mall Drive will serve both the frontage parcels

Planning and Zoning Commission Meeting Minutes
January 7, 2015

and the rear shopping center. Mr. Musler noted that the property owners, McKelvey Properties, Inc., believe these three uses can operate at this location without detriment to the area. The restaurant with drive through and a convenience store with gasoline or petroleum products will be located within an established commercial node and will front on Mid Rivers Mall Drive rather than be located in the back area of the development. In addition, the location will allow easy access and safe circulation around the fuel pumps and will allow a restaurant building plenty of area for related off-street parking. The fitness center and future shopping center will be located near the rear of the property, which will allow for ample parking. Chairman McNames opened the public hearing for all three petitions at 6:54 p.m. and asked anyone present that wished to comment to please come forward. Chairman McNames noted that the Commission received 6 letters in opposition to these petitions from the following residents: Beth Warner, 1205 Golden Harvest Drive; Kent and Janine Haffer, 903 Dardenne Ridge Court; Janet Deeken, 1045 Windstream; Joe Inchiostro, 6 Chandler Hill Court; Andrew Riney, 50 S. Hillview Drive; and William Uptegrove, 22 South Hillview Drive. William Uptegrove, 22 South Hillview, spoke in opposition to these petitions citing issues with loss of wildlife and the addition of more gas stations in the area; Kevin Nelson, 16 South Hillview, spoke in opposition to these petitions citing issues with drainage and flooding and the loss of the wooded area and wildlife; Stacy Bohning, 29 Savannah Hill Drive, spoke in opposition to these petitions citing issues with traffic congestion and noise; Kent Haffer, 903 Dardenne Ridge, spoke in opposition to these petitions citing issues with noise and the loss of trees behind his home; Stan Gent, 1209 Golden Harvest Drive, spoke in opposition to these petitions citing issues with visibility, traffic congestion and accidents on Mid Rivers Mall Drive and the addition of commercial uses in a predominately residential area; Patty Ernst, 32 South Hillview Drive, spoke in opposition to these petitions citing issues with the proximity of the pipelines to this property; Robert Langro, 24 South Hillview Drive, spoke in opposition to these petitions citing issues with the loss of wildlife in the area and increased traffic congestion; Melissa Simon, 42 South Hillview Drive, spoke in opposition to these petitions citing issues with the loss of wildlife in the area, increased traffic and the existing vacant strip centers in the area; Dimitri Kaftantzis, 1670 Dardenne Ridge Drive, spoke in opposition to these petitions citing issues with the potential decrease in property values, entering and exiting his subdivision and inquired if a traffic study had been done; Don Molitor, 1605 Dardenne Ridge Drive, spoke in opposition to these petitions citing issues with storm water runoff, traffic on Mid Rivers Mall Drive and the loss of wildlife in the area; Andrew Riney, 50 South Hillview Drive, spoke in opposition to these petitions citing issues with the proximity of the development to the pipelines, the loss of wildlife in the area and the potential decrease in property values. Seeing no one else wishing to comment, Chairman McNames closed the public hearing at 7:19 p.m. Mr. Rich Musler addressed the concerns raised by residents during the public hearing. Mr. Musler noted that the area had been zoned commercial for some time but had been undeveloped. He noted it is understandable that the residents in the area are used to the undeveloped area, and have enjoyed the open property and views, but that it was a properly zoned site for a commercial shopping center development. He noted that the plan presented was a concept plan and that drainage, access, and landscaping/buffering would be addressed in detail on the site plan. He noted that the items being considered were only the special uses, and he pointed out that the staff report supported the proposed special uses, noting the location of the site in a commercial area along a road that was designed and improved for substantial traffic. Mr. Musler also noted that the subject site is across the road from an existing convenience store with gasoline pumps and two restaurants.

Mr. Winslow made a motion and Mr. Westhoff seconded to adopt staff's Findings of Fact as the Commission's Findings of Fact for Petition 15-01; the motion carried. Mr. Winslow made a motion and Mr. Yoffie seconded to recommend approval of Petition 15-01 (for a restaurant with drive through) to the Board of Aldermen. Chairman McNames called for a roll call vote which resulted in the following: Chris Winslow, yes; Steven Bailey, no; Pat Kelley, yes; Cindy Carpenter, yes; Bill Yoffie, yes; Gary Westhoff, yes; Janet Shetterly, no; Alderman Barclay, no; Marilyn Shaikewitz, yes; Larry Sachse, yes; Chairman McNames, yes. Seeing a vote of 8 yes and 3 no, the motion to recommend approval of Petition 15-01 to the Board of Aldermen carried.

Planning and Zoning Commission Meeting Minutes
January 7, 2015

Mr. Winslow made a motion and Mr. Yoffie seconded to adopt staff's Findings of Fact as the Commission's Findings of Fact for Petition 15-02; the motion carried. Mr. Yoffie made a motion and Mr. Winslow seconded to recommend approval of Petition 15-02 (a convenience store with gasoline or petroleum products) to the Board of Aldermen. Chairman McNames called for a roll call vote which resulted in the following: Chris Winslow, yes;

Steven Bailey, no; Pat Kelley, no; Cindy Carpenter, no; Bill Yoffie, yes; Gary Westhoff, no; Janet Shetterly, no; Alderman Barclay, no; Marilyn Shaikewitz, no; Larry Sachse, no; Chairman McNames, yes. Seeing a vote of 3 yes and 8 no, the motion to recommend approval of Petition 15-02 to the Board of Aldermen failed. Mr. Winslow made a motion and Mr. Yoffie seconded to restate the vote to recommend approval of Petition 15-02 to the Board of Aldermen as some members of the Commission thought they were voting on Petition 15-03 (Fitness Center). Chairman McNames called for a roll call vote which resulted in the following: Chris Winslow, yes; Steven Bailey, no; Pat Kelley, no; Cindy Carpenter, no; Bill Yoffie, yes; Gary Westhoff, yes; Janet Shetterly, no; Alderman Barclay, no; Marilyn Shaikewitz, no; Larry Sachse, yes; Chairman McNames, yes. Seeing a vote of 5 yes and 6 no, the motion to recommend approval of Petition 15-02 to the Board of Aldermen failed. Alderman Barclay made a motion and Ms. Shetterly seconded to recommend denial of Petition 15-02 to the Board of Aldermen. Chairman McNames called for a roll call vote: Chris Winslow, no; Steven Bailey, no; Pat Kelley, no; Cindy Carpenter, yes; Bill Yoffie, no; Gary Westhoff, no; Janet Shetterly, yes; Alderman Barclay, yes; Marilyn Shaikewitz, no; Larry Sachse, no; Chairman McNames, no. Seeing a vote of 3 yes and 8 no, the motion to recommend denial of Petition 15-02 to the Board of Aldermen failed. Chairman McNames made a motion and Mr. Winslow seconded to reconsider the vote to recommend denial of Petition 15-02 to the Board of Aldermen. Chairman McNames called for a roll call vote which resulted in the following: Chris Winslow, no; Steven Bailey, yes; Pat Kelley, yes; Cindy Carpenter, yes; Bill Yoffie, no; Gary Westhoff, no; Janet Shetterly, yes; Alderman Barclay, yes; Marilyn Shaikewitz, yes; Larry Sachse, yes; Chairman McNames, no. Seeing a vote of 7 yes and 4 no, the motion to recommend denial of Petition 15-02 to the Board of Aldermen carried.

Mr. Winslow made a motion and Mr. Kelley seconded to adopt staff's Findings of Fact as the Commission's Findings of Fact for Petition 15-03; the motion carried. Mr. Winslow made a motion and Mr. Yoffie seconded to recommend approval of Petition 15-03 (Fitness Center) to the Board of Aldermen. Chairman McNames called for a roll call vote which resulted in the following: Chris Winslow, yes; Steven Bailey, yes; Pat Kelley, yes; Cindy Carpenter, yes; Bill Yoffie, yes; Gary Westhoff, no; Janet Shetterly, no; Alderman Barclay, no; Marilyn Shaikewitz, yes; Larry Sachse, yes; Chairman McNames, yes. Seeing a vote of 8 yes and 3 no, the motion to recommend approval of Petition 15-03 to the Board of Aldermen carried.

4. Record Plats:

- a. Lot B of Gettysburg Landing: west side of Heritage Landing, south of Gettysburg Landing.

Mr. Jim Piper, St. Charles Engineering, presented this to the Commission for approval. Mr. Piper explained that the proposed plat is needed as part of the redevelopment of the Goddard School site. It will update the original Gettysburg Landing plat recorded in 1996. Specifically, a new detention basin easement will be created to reflect the adjusted basin location due to the proposed school addition. Also, the existing detention basin easement will be vacated. In addition, incorrect side and rear setback information has been removed from the plat. Mr. Westhoff made a motion and Mr. Winslow seconded to recommend approval of this plat to the Board of Aldermen with the following contingencies:

1. Show the location of the revised detention basin easement and provide for in the script.
2. Coordinate the vacation of the existing basin with the Planning Department.
3. Revise the signature dates to 2015.
4. Items to be provided prior to recording:

Planning and Zoning Commission Meeting Minutes
January 7, 2015

- a. Provide seal and signature.
- b. Provide verification that the taxes have been paid on the property.
- c. Provide digital media copy of the plat.

The motion carried unanimously.

5. Site Plans:

- a. Goddard School Addition: west side of Heritage Landing, south of Gettysburg Landing.

Mr. Jim Piper, St. Charles Engineering, presented this to the Commission for approval. Mr. Piper explained that the proposed project will include a 5,100 square foot multi-purpose room/gym addition to the existing Goddard School. Eleven new parking spaces will be added as part of the new addition. In addition the detention basin will be redesigned to accommodate the proposed expansion. The redesigned detention basin will include decorative modular block walls, wrought iron style fencing, and a protective guard rail painted black to blend in with the fence. The overall design of the project will be attractive and will match the existing facility. Mr. Kelley made a motion and Mr. Westhoff seconded to approve this item with the following contingencies:

1. Finalize the landscape plan with the Planning Department and obtain compliance with Tree and Landscape code requirements.
2. Coordinate the final architectural design with the Planning Department.

The motion carried unanimously.

A motion was made by Mr. Bailey and seconded by Marilyn Shaikewitz to adjourn the meeting at 8:02 p.m. The motion carried unanimously.

Respectfully submitted:



Melissa M. Vollmer, Recording Secretary

Chairman Keith McNames
Planning and Zoning Commission