



**MINUTES
PLANNING & ZONING COMMISSION
ST. PETERS JUSTICE CENTER, 1020 GRAND TETON DR, ST PETERS, MO 63376
MEETING OF JULY 2, 2014
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; Bill Yoffie; Larry Sachse; Bill Rupp; Gary Westhoff; Janet Shetterly; Chris Winslow; Steven Bailey; Pat Kelley; 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.

MINUTES:

A motion was made by Mr. Westhoff and seconded by Mr. Kelley to approve the minutes of the June 4, 2014 Planning and Zoning Commission meeting as presented. 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 July 24th Board of Alderman meeting.

OLD BUSINESS:

1. Home Occupations:

- a. Action Medical Billing (medical billing and coding): Jenny Ayres, 27 Shagbark Court.

Ms. Jenny Ayres presented this to the Commission for approval. Mr. Westhoff made a motion and Ms. Shetterly seconded to approve this application with no contingencies. The motion carried unanimously.

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NEW BUSINESS

1. Home Occupations:

- a. Patches, Brushes, Jags and More, LLC (supply sales): William J. Williams, 3162 McClay Road.

Mr. William Williams presented this to the Commission for approval. Mr. Kelley made a motion and Mr. Bailey seconded to approve this application with the following contingencies:

1. All materials/supplies must be stored inside the residence or garage.
2. No sale of firearms permitted.
3. All customers must park in the driveway.

The motion carried unanimously.

- b. Chelsey Diane Photography (photography): Chelsey Barrett, 527 Aventura Way.

Ms. Chelsey Barrett presented this to the Commission for approval. Mr. Westhoff made a motion and Mr. Rupp seconded to approve this application with no contingencies. The motion carried unanimously.

- c. Pak-N-Parties, LLC (online party supplies): Nina Walker, 202 Jody Drive.

Ms. Gina Braxton, representative for Ms. Nina Walker, presented this to the Commission for approval. Mr. Winslow made a motion and Mr. Kelley seconded to approve this application with the following contingency:

1. All supplies must be stored inside the residence or garage.

The motion carried unanimously.

- d. Command-Solutions, LLC (business consulting and training): Dennis Hohl, 59 McClay Trail Dr.

Mr. Dennis Hohl 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.

- e. 46 Romeo, LLC (video production): Michael Sandknop, 30 Brush Creek Court.

Mr. Michael Sandknop presented this to the Commission for approval. Mr. Westhoff made a motion and Mr. Bailey seconded to approve this application with no contingencies. The motion carried unanimously.

- f. PS2 Management, LLC (property management): Sherry Connell, 406 S. Church Street, #618

Ms. Sherry Connell presented this to the Commission for approval. Mr. Westhoff made a motion and Mr. Rupp seconded to approve this application with no contingencies. The motion carried unanimously.

2. Other:

- a. Grandma's Kettle Korn, LLC: East side of Spencer Road, north of Mexico Road – 151 Spencer Road – Use Approval – temporary kettle corn sales.

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Ms. Mildred Dietiker, owner of Grandmas Kettle Korn, presented this to the Commission for approval. Ms. Dietiker explained that she would like to sell kettle corn outside the Menards store on Spencer Road. She will have a small tent with a kettle, table and sifter set up just outside the entrance to Menards. This area has a permanent canopy and is considered part of the store display area, not in the parking lot. Alderman Barclay made a motion and Ms. Shetterly seconded to add the following contingency: This use will be reviewed in one year. The motion carried unanimously. Chairman McNames made a motion and Mr. Westhoff seconded to add the following contingency: Work with staff on the location of the kettle corn stand. The motion carried unanimously. Mr. Winslow made a motion and Mr. Rupp seconded to approve this application with the following contingencies:

1. The kettle corn preparation and sales will be located in the designated display area and not in the parking area or walkway.
2. This use will be reviewed in one year.
3. Work with staff on the location of the kettle corn stand.

The motion carried unanimously.

b. Street Vacation – Highway 94 corridor (Wal-Mart): South side of Rte 364, east of Jungermann Rd.

Ms. Julie Powers presented this to the Commission for approval. Ms. Powers explained that the subject right-of-way is adjacent to the former Boston Market restaurant site which was vacated several years ago as it was obtained by MoDOT during the construction of Route 364. With the completion of the road in the subject area MoDOT no longer needs the properties and they are selling the properties for redevelopment. Adjacent to the properties is a strip of right-of-way. This right-of-way was obtained in 1994 by the City of St. Peters when Wal-Mart was built. At that time the preliminary plans called for an outer road in this general location. Since that time, it has been determined that this area is not needed for future road improvement. Therefore, the vacation of the right-of-way would be reasonable and could allow the redevelopment of the former Boston Market site to function more efficiently and safely. Chairman McNames noted that a letter was received from MoDOT approving this vacation. Mr. Yoffie made a motion and Mr. Bailey seconded to recommend approval to the Board of Aldermen. The motion carried unanimously.

c. Street Vacation – Iffrig Road: West of Iffrig Road, north of Salt River Road.

Ms. Julie Powers presented this to the Commission for approval. Ms. Powers explained that Iffrig Road was originally located in the area east of the Old Town Levee, north of the railroad tracks. With the construction of the Old Town Levee and Salt River Road, Iffrig Road as traveled south of Didion Drive no longer exists. The levee was constructed on most of the old right-of-way in this area. Iffrig Road to the north of Didion Drive was relocated to the east and now serves the properties to the north of Didion Drive. Between Salt River Road and Iffrig Road a small piece of old right-of-way remains which is not usable. Mr. Kelley made a motion and Mr. Westhoff seconded to recommend approval to the Board of Aldermen. The motion carried unanimously.

3. Public Hearings:

a. Petition 14-07 – Verizon Wireless: A request for an amended Special Use Permit (SUP) in the I-1 Light Industrial District for a monopole communications tower and compound on a 0.06 acre tract. The subject site is located on the north side of North St. Peters Parkway, east of Kisker Road

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and west of Central School Road.

Chairman McNames made a motion and Ms. Shetterly seconded to postpone this item until the August Planning and Zoning Commission meeting, at the applicant's request. The motion carried unanimously.

- b. Petition 14-08 – DP Mid Rivers Realty, LLC: A request for an amendment to a Planned Urban Development District (PUD) to allow therapeutic massage on a 5.72 +/- acre tract. The subject site is located on the south side of Suemandy, east side of Mid Rivers Mall Drive.

Mr. Brent Beumer, Director of Real Estate for Dierbergs, presented this to the Commission for approval. Mr. Beumer explained that the development was originally approved in May of 1984 for a commercial shopping center. In 2000, an amended PUD was approved and in 2004 the setback, height and building requirements were revised to permit the redevelopment of the property. The proposed amendment would allow for therapeutic massage. The location of the massage facility would be within a vacant tenant space between DSW Shoes and Barnes and Noble Bookstore. Chairman McNames opened the public hearing at 7:07 p.m. and asked anyone who would like to speak on this petition to please come forward. Seeing no one present to comment, Chairman McNames closed the public hearing at 7:07 p.m. Mr. Westhoff made a motion and Ms. Shetterly seconded to recommend approval of the requested amendment to the Board of Aldermen. The motion carried unanimously.

- c. Petition 14-09 – Spruce, LLC: A request for an amended Planned Urban Development for a 13.7 +/- acre parcel. The subject site is on the south side of Veterans Memorial Parkway, east of Belleau Creek Road. The proposed development will include single family residences.

Mr. Mike Faulkner, Sterling Engineering, presented this to the Commission for approval. Mr. Faulkner explained that the proposed project was originally proposed by Green Acres Land Development Company. The project is now being proposed by Spruce, LLC and will replace the existing R-3 PUD with a new R-1 PUD. The proposed development will contain fifty-four single-family residential lots on a 13.36 acre tract. Lots will range from approximately 5,500 square feet to 21,003 square feet. The majority of the lots will be in the 6,000 to 7,000 square foot range. Access to the site will be from a public street that connects to Veterans Memorial Parkway. The two existing commercial properties to the north end of the site will remain and are not part of this development. The new development will include a detention basin and water quality features that meet the new City storm water management requirements. The proposed amendment to the PUD will decrease the overall density of what was previously approved with a single-family style residential development which will be comparable to the existing subdivisions in the area. Between 2006 and the present, the PUD was amended and restated in 2010 to allow for the placement of a St. Peters sanitary lift station. The new lift station captures the sanitary waste from nearby St. Peters commercial and residential developments in the area that had previously flowed into the O'Fallon sewer system. The proposed development will also utilize this sanitary lift station. Mr. Faulkner also noted that there was a buffering and reforestation agreement made between the City and the owner of the subject property in 2001 which included extra buffering to the existing residential development. The agreement was based on the premise that the ground was commercial and that the removal of the tree mass would substantially impact the adjacent residences and required additional buffering. In 2006 the buffering agreement was amended for the multi-family residential development. Because this new development will be single-family residential with no attached townhomes or apartment-style buildings, no buffering is required. However, Mr. Faulkner noted that it is their intention

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to keep as many existing trees as possible during this development. Chairman McNames opened the public hearing at 7:17 p.m. and asked anyone present wishing to comment on this petition to please come forward: Mr. Bob Rutkowski, 19 Bay Hill Drive, shared his concerns with the removal of the trees between his property and the new development. Chairman McNames noted that the Commission received an e-mail from Colleen Paluczak in opposition to this petition. Seeing no one else present to comment, Chairman McNames closed the public hearing at 7:22 p.m. Mr. Faulkner addressed the issue raised by Mr. Rutkowski and assured him that the developer will do their best to retain all existing trees during development. Alderman Barclay noted that he spoke to the two Ward I Aldermen and neither of them has a problem with the proposed PUD Amendment. Mr. Westhoff made a motion and Mr. Winslow seconded to recommend approval to the Board of Aldermen. The motion carried unanimously.

d. Update to Title IV Land Use (Chapter 405) of the St. Peters Municipal Code.

Ms. Julie Powers presented this to the Commission for approval. Ms. Powers explained that the proposed code changes include: changes made to the sign regulations, including the following: adding the definition of a monument sign; taking out electronic references in the "signs prohibited" portion of the code; changes to the Permanent Sign Regulations, changes to the temporary sign regulations; and modifying the regulations of billboards to match MoDOT regulations. Chairman McNames opened the public hearing at 7:40 p.m. and asked anyone present to comment to please come forward. Seeing no one present to comment, Chairman McNames closed the public hearing at 7:40 p.m. Ms. Powers noted that the changes made to the cell tower regulations include the following: modification of definitions to correspond to state legislation; changing of the minimum setbacks in the residential, commercial, industrial and special districts; adding wireless support structures and wireless facilities as special uses in the special districts; and various changes related to the "Communication Towers" section of the code. Chairman McNames opened the public hearing at 7:50 p.m. and asked anyone present to comment to please come forward. Seeing no one present to comment, Chairman McNames closed the public hearing at 7:50 p.m. Mr. Winslow made a motion and Ms. Shetterly seconded to recommend approval to the Board of Aldermen. The motion carried unanimously.

4. Record Plats:

a. Villas at Arden Forest Plat Two: West side of Dingleline Road, south of Highway 94.

Mr. Dale Bax, Bax Engineering, presented this to the Commission for approval. Mr. Bax explained that Arden Forest is a Planned Urban Development (PUD) originally approved in 2006. The development started with the construction of detached and attached units, but the original developer did not finish the first phase. A second developer finished the first phase, which is Montague Circle at the south end of the development area. In the middle of the development is a large area of common ground which is in the floodway. The proposed plat will create the lots in phase two of Arden Forest. The plat will establish nine lots along a single cul-de-sac. Ms. Shetterly made a motion and Alderman Barclay seconded to recommend approval to the Board of Aldermen with the following contingency:

1. Prior to recording:

- a. Provide covenant for review by the Planning Department.
- b. Provide verification that the taxes have been paid on the property.
- c. Provide a digital media copy of the plat.

The motion carried unanimously.

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5. Site Plans:

- a. Emerald Cove: South side of Veterans Memorial Parkway, east of Belleau Creek Road.

Mr. Mike Faulkner, Sterling Engineering, presented this to the Commission for approval. Mr. Faulkner explained that the proposed project will be located on the south side of Veterans Memorial Parkway, east of Belleau Creek Road. The projects name will remain Emerald Cove although a new developer has proposed the current project of single-family residences. The proposed development will contain fifty-four single-family residences on a 13.36 acre tract. In general, the site plan/preliminary plat indicates the lots arranged along cul-de-sac street and an entrance road. The development contains a rather unusual circumstance in that the majority of the property is contained within the O'Fallon Fire Protection District with a portion of the property within the Central County Fire and Rescue District. Mr. Faulkner noted the developer will be working with the fire districts to determine the protocol for whom will provide services in this situation. Mr. Westhoff made a motion and Mr. Rupp seconded to approve this site plan with the following contingencies:

1. Note the book and page of the force main and gravity sewer easement.
2. Coordinate the final water line, sanitary sewer line, and storm water layout with the Utility Department and the Engineering Department.
3. Coordinate a paved access drive to the lift station with the Engineering Department.
4. Add Central County Fire and Rescue District to the list of fire districts serving the site.

The motion carried unanimously

A motion was made by Mr. Bailey and seconded by Ms. Shetterly to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 7:55 p.m.

Respectfully submitted:

Melissa M. Vollmer, Recording Secretary

Chairman Keith McNames
Planning and Zoning Commission