



**MINUTES
PLANNING & ZONING COMMISSION
ST. PETERS JUSTICE CENTER, 1020 GRAND TETON DR, ST PETERS, MO 63376
MEETING OF SEPTEMBER 4, 2013
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; Marilyn Shaikewitz; Bill Rupp; Janet Shetterly; Pat Kelley; Larry Sachse; Chris Winslow; Steven Bailey; Bill Yoffie; Alderman Judy Bateman; Julie Powers, Director of Planning, Community and Economic Development; Liane Sargent, City Engineer; Roger Stewart, Building commissioner and Melissa Vollmer, Recording Secretary. Mr. Gary Westhoff and Ken Braunfeld, Planning Coordinator were absent.

MINUTES:

A motion was made by Mr. Kelley and seconded by Mr. Winslow to approve the minutes of the August 7, 2013 Planning and Zoning Commission meeting as presented. The motion carried unanimously.

COMMUNICATIONS AND REPORTS OF OFFICERS:

Alderman Bateman announced that Mr. Bill Rupp would be throwing out the first pitch at the Cardinals game on Friday, September 6th as a thanks and recognition for all he has done for the Veterans.

Chairman Keith McNames explained procedures for this evening's meeting. Ms. Powers noted that items 2c and 3a requiring Board of Alderman action would be on the September 12th Board of Alderman Meeting and that items 2b, 2d, and 4a requiring Board of Alderman action would be on the September 26th Board of Alderman Meeting.

OLD BUSINESS

1. Home Occupations:

- a. International Protective Services, Inc. (contract provider of security personnel): Ronald Gimbel, 14 Sylvia Lane.

Planning and Zoning Commission Meeting Minutes
September 4, 2013

Chairman McNames made a motion and Alderman Bateman seconded the motion to withdraw this item from the agenda. The motion carried unanimously.

NEW BUSINESS

1. Home Occupations:

- a. Guardian Security Supplies, LLC (contract provider of security personnel): Ronald Gimbel, 14 Sylvia Lane.

Mr. Ronald Gimbel presented this application to the Commission for approval. He noted that the neighbors are aware of this type of business and that they know guns are being stored at the house. Mr. Gimbel noted that his customers/employees do not come to the home. A motion was made by Mr. Yoffie and seconded by Mr. Rupp to approve this item with the following contingencies:

1. All firearms shall be stored in a locked safe or gun cabinet inside the residence or garage as indicated on the application.
2. Firearm and ammunition sales and service shall not be permitted.

The motion carried unanimously.

- b. Unique Gifts and Handicrafts (retail): Elizabeth Oranja, 12 Pilot Hill Drive.

Ms. Elizabeth Oranja presented this application to the Commission for approval. A motion was made by Mr. Winslow and seconded by Mr. Rupp to approve this item with the following contingencies:

1. All supplies and merchandise shall be stored inside the garage or residence as indicated on the application.

The motion carried unanimously.

- c. Alex's Lawn, Landscape and Tree Services, LLC (lawn care): Guido Cartaya, 1805 Oak Tree Street.

Mr. Cartaya presented this to the Commission for approval. A motion was made by Chairman McNames and seconded by Ms. Shetterly to delete contingency #4 as listed in the staff recommendations. The motion carried unanimously. A motion was made by Mr. Winslow and seconded by Mr. Rupp to add a contingency as follows: There will be a 60 day review if any valid complaints or violations of the contingencies are received. The motion carried unanimously. A motion was made by Mr. Winslow and seconded by Ms. Shetterly to approve this item with the following contingencies:

1. No outside storage of material or equipment shall be permitted.
2. No employees shall meet at the residence.
3. No cleaning of equipment shall be done at the residence.
4. The trailer shall be stored behind the front building line on a paved surface; the trailer shall not be stored on the driveway.
5. There will be a 60 day review if any valid complaints or violations of the contingencies are received.

The motion carried unanimously.

2. Other:

- a. Halloween Express: East of Cave Springs Road, north side of Mexico Road – Blackstone Shopping Center – 3899 Veterans Memorial Parkway (use approval – temporary Halloween store).

Mr. Matt Goebel, Halloween Express, presented this to the Commission for approval. Mr. Goebel

Planning and Zoning Commission Meeting Minutes
September 4, 2013

explained that the Halloween store would be open from September through November 10th in the Blackstone Shopping Center. The hours of operation would be from 10:00 a.m. to 9:00 p.m., Monday through Sunday. A motion was made by Chairman McNames and seconded by Ms. Shetterly to amend the second contingency to read as follows: All exterior signage shall be removed by November 10, 2013. The motion carried unanimously. A motion was made by Mr. Kelley and seconded by Mr. Rupp to approve this temporary Halloween store with the following contingencies:

1. No outside storage or display of any merchandise shall be permitted.
2. All exterior signage shall be removed by November 10, 2013.

The motion carried unanimously.

- b. Suemandy Drive: South side of Interstate 70, west of Mid Rivers Mall Drive (portion of former Veterans Memorial Parkway) – street name change.

Ms. Julie Powers presented this to the Commission for approval. Ms. Powers explained that a portion of Suemandy Drive extends west from Mid Rivers Mall Drive, currently ending near the western entrance of Mid Rivers Plaza. The City was previously approached regarding the name of the road in the vicinity. Specifically, businesses beyond the terminus of Suemandy Drive, addressed on Veterans Memorial Parkway, would prefer to be addressed on Suemandy Drive. Ms. Powers noted that staff is recommending that the name Suemandy Drive be applied to this street extending to South Gatty Road. This would allow the commercial uses in St. Peters to be addressed off of Suemandy Drive making it easier for their customers to find their locations from Mid Rivers Mall Drive. Mr. Winslow made a motion and Ms. Shetterly seconded to recommend approval of this street name change to the Board of Aldermen. The motion carried unanimously.

- c. Petition 10-03 – Daniel and Judith Fetsch: North side of Interstate 70 North Service road, east of Mid Rivers Mall Drive (CPD Amendment).

Chairman McNames made a motion and Mr. Bailey seconded to postpone this item until the end of the agenda. The motion carried unanimously.

- d. Ultimate Defense Firing Range and Training Facility: North side of Brown Road, east of the North Service Road (Special Use Amendment).

Mr. Paul Bastean, Owner, presented this Special Use Permit Amendment to the Commission for approval. Mr. Bastean explained that the proposed amendment would adjust the minimum age to use the firing range from sixteen to thirteen with a parent, guardian or other responsible adult. Currently, anyone over the age of twenty-one may shoot, or if under twenty-one with a valid active military ID, or if sixteen with an adult over twenty-one years of age. Mr. Bastean indicated that he would like to be able to accommodate parents with their children and groups such as boy scouts. This is also in response to other market conditions where other competing firing ranges are not limited to the sixteen year age restriction. Mr. Rupp made a motion and Mr. Kelley seconded to approve this special use permit amendment as follows:

C. Operations:

5. Patrons of the shooting range shall be a minimum of twenty-one (21) years old with the following exception:
 - a. Patrons under the age of twenty-one (21) years of age, but at least ~~sixteen (16)~~ thirteen (13) years of age, may shoot if accompanied by a person at least twenty-one (21) years of age or older (parent, guardian, or other responsible adult).

Planning and Zoning Commission Meeting Minutes
September 4, 2013

- b. Patrons under the age of twenty-one (21) years of age, but at least thirteen (13) years of age, shall attend a firearms safety class based on the National Shooting Sports Foundation's "10 Rules of Safe Gun Handling" and Ultimate Defense's Shooting Range Rules (listed in Exhibit C). Firearms safety topics shall include, but are not limited to:
 - c. Always keeping the muzzle pointed in a safe direction,
 - d. Always wearing eye and ear protection when shooting, and
 - e. Making sure firearms are unloaded when not actually in use.
- c. Patrons under the age of twenty-one (21) years of age, but at least thirteen (13) years of age, shall be required to review and sign all Ultimate Defense membership and liability forms prior to using the range. The accompanying person at least twenty-one (21) years of age or older (parent, guardian, or other responsible adult) shall also review and sign the forms.

The motion carried unanimously.

3. Public Hearings:

- a. Petition 13-12 – St. Charles Tower, Inc: A request for a Special Use Permit in the C-1 Neighborhood Commercial District to permit a communication tower on a 1.03 +/- acre parcel. The property is on the east side of Jungermann Road, north of Willott Road (Anthony's Produce – 655, 675 and 701 Jungermann Road).

Mr. Greg Yocom, St. Charles Tower, and Mr. Eric Martin, Attorney for St. Charles Tower, presented this to the Commission for approval. Mr. Martin explained that St. Charles Tower is proposing a stealth communications tower on Anthony's Produce site. The proposed project will include the installation of a new ninety foot tall stealth tower on the north side of the site. The tower location is near the north end of the site. In a previous petition the tower was originally located near the south end of the site but was shifted in response to concerns voiced at the May, 2013 Public Hearing regarding the tower proximity to an existing day care. The tower will be designed for a minimum of three telecommunication towers. The design of the tower would be a tree designed to camouflage the antennas within its branches. The pole will be painted brown to mimic a tree trunk. The associated equipment shelter will be screened with vinyl fencing to blend with the design of Anthony's Produce. As indicated in the staff report, the site plan shows the required evergreen trees around the fence enclosure and the required setbacks are indicated on the plan. Chairman McNames questioned whether or not St. Charles Tower has researched other locations in the area, specifically the vacant parcel across the street from Anthony's Produce, adjacent to 7-11. Mr. Yocom indicated they had not researched that location. Staff suggested that the Commission act on the subject petition as any alternate site would have to be submitted separately for consideration. Chairman McNames opened the public hearing at 7:20 p.m. and asked anyone present to comment on this item to please come forward Ms. Shirley Michael, 1813 Oak Tree Street, spoke in opposition to this petition. Ms. Barb Hack, 1816 Oak Tree Street spoke in opposition to this petition. Mr. Howard Palmer, business owner to the north of Anthony's Produce, spoke in opposition to this petition. Mr. Dennis Huebner, 6 Circle Way, spoke in opposition to this petition. Ms. Holly Graham, 8 Circle Way, spoke in opposition to this petition. Chairman McNames noted that the Commission received two e-mails, one from Ms. Huebner and one from Mr. and Mrs. Graham, opposing this petition. Chairman McNames also noted that the handouts provided from Ms. Hack and Mr. Palmer would be made part of the record. It was noted by a resident that there is a petition with forty signatures in opposition to

Planning and Zoning Commission Meeting Minutes
September 4, 2013

the tower. Seeing no one else present to comment, Chairman McNames closed the public hearing at 7:38 p.m. Mr. Martin and Mr. Yocom addressed the comments made during the public hearing. There was additional discussion regarding shifting the tower further towards Jungermann Road. Mr. Yocom indicated that the tower would be placed at the west side of the enclosure which would put it near the middle of the site. Staff noted that shifting it too much towards the road could result in the tower sitting alone in the middle of a grass area rather than in a cluster of trees. Mr. Winslow made a motion and Mr. Bailey seconded to adopt staff's Findings of Fact as the Commission's Findings of Fact. Chairman McNames requested a roll call vote which resulted in the following: Mr. Winslow: yes; Mr. Bailey: no, Mr. Kelley: no; Mr. Rupp: yes; Mr. Yoffie: yes; Mr. Westhoff: absent; Ms. Shetterly: yes, Alderman Bateman: no; Ms. Shaikewitz: no; Mr. Sachse: yes; Chairman McNames: no. With 5 ayes, 5 nays and 1 absent, the motion failed. Chairman McNames made a motion and Alderman Bateman seconded to amend item b. of staff's Findings of Fact to read as follows: b. General Welfare: The surrounding area includes some commercial uses, multiple family uses, and single-family residential area. The proposed use *cannot* function near the existing uses without a negative impact on the area. The motion carried unanimously. Chairman McNames made motion and Mr. Winslow seconded to adopt staff's Findings of Fact as the Commission's Findings of Fact, with the amendment made to item b. General Welfare. The motion carried unanimously. Chairman McNames made a motion and Ms. Shetterly seconded to recommend denial of this petition to the Board of Aldermen. The motion carried unanimously.

4. Record Plats:

- a. Townes at Belleau Creek Plat Two: North side of Mexico Road, west of Belleau Creek Road.

Mr. Jerry Duepner, Payne Family Homes, presented this to the Commission for approval. Mr. Duepner explained that the development was originally approved in May, 2006. It has gone through several modifications since it was approved. Mr. Duepner noted that the current developer, Payne Family Homes, is planning on completing the subdivision by developing the final area of the project. The current plan will establish the lots in Village B. Mr. Winslow made a motion and Mr. Rupp seconded to recommend approval of this record plat to the Board of Aldermen with the following contingencies:

1. Items to be provided prior to recording:
 - a. Provide seal and signature on the final mylar.
 - 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. Harvester Christian Church New Worship Center: East of Jungs Station Road, south of South St. Peters Parkway.

Mr. Cliff Heitmann, Bax Engineering, and Mr. Ellis Vestal, Visioneering Studios, presented this to the Commission for approval. Mr. Heitmann explained that Harvester Christian Church is embarking on a multi-phase plan which will take several years to implement. The first phase includes the construction of the new worship center. This 40,000 square foot space will include two levels with a large auditorium for services. Construction of this building will require the removal of an existing building and some parking. The second phase will be completed in two parts. Part one will include the demolition of the existing chapel and children's building. During that time the "sprung" structure will be used for the children's

Planning and Zoning Commission Meeting Minutes
September 4, 2013

activities. When the new children's building is completed, the "sprung" structure will be removed. The final phase, a youth building, will be constructed where the "sprung" structure was located. To accommodate this plan, almost 600 parking spaces will be provided throughout the site. Mr. Vestal noted that final building elevations will be submitted as each phase of the development occurs. Chairman McNames made a motion and Mr. Winslow seconded to amend contingency three to read as follows: Return with the final building elevations for review by the Planning and Zoning Commission. The motion carried unanimously. Mr. Winslow made a motion and Mr. Rupp seconded to approve this item with the following contingencies:

1. Coordinate with the Engineering Department on the final storm water management plan; provide needed details and information on the Site Plan and/or the engineering improvement plans.
2. Provide a landscape plan, including a legend, for each phase of the development prior to final stamping of the plan.
3. Return with the final building elevations for review by the Planning and Zoning Commission.

The motion carried unanimously.

2. Other (continued):

- c. Petition 10-03 – Daniel and Judith Fetsch: North side of Interstate 70 North Service road, east of Mid Rivers Mall Drive (CPD Amendment).

Mr. Daniel Fetsch presented this to the Commission for approval. Mr. Fetsch explained that in December 2011 an amendment to the CPD was approved to allow temporary tents to supplement the building area in the initial phase of the development. The tents would be in good condition and arranged in an orderly fashion in the central part of the site and on the future building area adjacent to the first phase of the building. Mr. Fetsch explained that the business is now open and they have had success filling their building. As they activate their option to have outside tents, they are requesting some variation in color. A mix of tent colors of similar style is proposed. Some vendors already own colored tents and others have had difficulty obtaining white tents or are hesitant to incur additional costs for a white tent. By allowing a mix of colors, the issue of tent availability would be addressed and the color added to the exterior of the building, would create a welcoming appearance. Mr. Winslow made a motion and Ms. Shetterly seconded to recommend approval of this CPD amendment to the Board of Aldermen. The motion carried unanimously.

A motion was made by Mr. Winslow and seconded by Mr. Bailey to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 8:23 p.m.

Respectfully submitted:



Melissa M. Vollmer, Recording Secretary

Chairman Keith McNames
Planning and Zoning Commission