

**MINUTES
PLANNING AND ZONING COMMISSION
CITY OF TOWN AND COUNTRY
SEPTEMBER 16, 2020**

Given the current public health crisis, various emergency meeting declarations, and in accordance with the provisions of Sec. 610.020, RSMo., this Planning and Zoning Commission meeting was held via Zoom videoconference and streamed live to YouTube. Public comments on agenda items were solicited via email. Real-time public viewing of the meeting was made available via the City's website at www.town-and-country.org.

REGULAR MEETING

The regular meeting of the Planning & Zoning Commission of the City of Town and Country was held at 7:00 P.M. on Wednesday, September 16, 2020 via Zoom videoconference.

PLEDGE OF ALLEGIANCE

Chairman Cima led the Pledge of Allegiance.

ROLL CALL

The 7:01 P.M. roll call indicated Chairman Cima, Alderman Frautschi, Commissioners Bolazina, Kuchan, Mueller, Munsell, Omell and White to be present via videoconference. Mayor Dalton, Commissioner McKnight were absent.

Ryan Spencer, Planner, and City Attorney Steve Garrett were also present via videoconference.

Commissioner McKnight joined the meeting via videoconference at 7:04 P.M.

MINUTES – 08/19/20

Dr. Omell moved to approve the minutes, seconded by Mr. White.

Chairman Cima called for any corrections or amendments.

Hearing none, the minutes of 08/19/20 were unanimously approved by voice vote.

OLD BUSINESS

- 1. Zoning Text Amendment – Amendments to the regulation of fences, Section 405.150, specifically; prohibited fences, materials, maintenance standards, and permitted fences (Continued from the August 19, 2020 meeting)**

Ryan Spencer, Planner, was present via videoconference on behalf of the request.

Mr. Spencer gave an overview of the revisions made from comments received from the Commission. Modifications included the added definitions of insubstantial and wildlife protection fences, added language for regulations on non-conforming fences, and graphics to serve as examples for permitted fence locations.

Discussion was held regarding the proposed text amendment including discussion of masonry as a fence material and the definition of open area.

Alderman Frautschi moved to recommend approval of the Zoning Text Amendment to the Board of Aldermen, seconded by Mr. McKnight.

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Mr. Bolazina moved to add the following definition to Section 405.150.B as follows:
(New language **bolded** and underlined) (Deleted language shows as strikethrough)

FENCE OPEN AREA: Shall be determined by viewing the fence at a 90 degree angle with the percentage of the open area consistently appearing throughout the entire length of the fence

Alderman Frautschi seconded the motion and carried unanimously by voice vote.

Mr. McKnight moved to amend Section 405.150.H.3 as follows:

3. ~~Brick or stone~~ **Masonry**

Mr. Bolazina seconded the motion.

Mr. Bolazina moved to amend the amendment to Section 405.150.H.3 as follows:

3. Masonry, **excluding unfinished concrete masonry units**

Mr. Kuchan seconded the motion and carried unanimously by voice vote.

The motion to amend Section 405.150.H.3 carried unanimously by voice vote.

Mr. Bolazina moved to amend Section 405.150.E.6 as follows:

6. ...the pool area that is constructed **of metal** and maintained...

Mr. Kuchan seconded the motion.

After discussion Mr. Bolazina withdrew the motion to amend Section 405.150.E.6.

Mr. McKnight moved to amend Section 405.150.D.8 as follows:

8. Solid **fences constructed with** simulated wood or vinyl fences...

Mr. Kuchan seconded the motion and carried unanimously by voice vote.

The roll call vote on the motion to recommend approval, as amended, was: AYE, Chairman Cima, Alderman Frautschi, Commissioners Bolazina, Kuchan, McKnight, Mueller, Munsell, Omell and White; NAY, none; ABSTAIN, none; ABSENT, Mayor Dalton.

The motion to recommend approval of the Zoning Text Amendment carried unanimously.

Dr. Omell moved to recommend to the Board of Aldermen that:

1. There is a public need for the proposed use.
2. The proposed amendment and proposed use are in compliance with the Comprehensive Plan.
3. The property in question is suitable for the uses permitted under the proposed zoning.
4. There are adequate public facilities, such as a sewer and water, and other required public services.
5. The public health, safety, and general welfare will not be damaged.
6. The land values of adjoining properties will not be damaged.
7. The adoption of a proposed amendment is in the public interest and is not solely for the interest of the applicant.

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Alderman Frautschi seconded the motion and carried unanimously by voice vote.

2. Zoning Text Amendment – An amendment to the regulation of exterior lighting, Section 405.157, specifically; exemptions **(Continued from the August 19, 2020 meeting)**

Ryan Spencer, Planner, was present via videoconference on behalf of the request.

Mr. Spencer explained that since the last meeting several modifications have been made to the proposed language including regulations on security lighting, increasing the foot-candles from .1 to .5, and adding language in regards to legal non-conforming uses.

Discussion ensued at length in regards to the difference between decorative and security lighting.

The Planning & Public Works Admin Assistant noted the City had not received any public comments regarding the matter.

Mr. McKnight moved to continue the Zoning Text Amendment to the meeting of Wednesday, October 21, 2020 for further review. Alderman Frautschi seconded the motion and carried unanimously by voice vote.

NEW BUSINESS

3. Sign Code Text Amendment – A comprehensive set of amendments to the regulations of signs, Chapter 420

Ryan Spencer, Planner, was present via videoconference on behalf of the request.

Utilizing a PowerPoint, Mr. Spencer described the proposal as a text amendment to the sign code. He explained the major changes are in the definitions, graphics, process, general requirements, and zoning districts. He stated the subcommittee wanted to have an open discussion with the Commission as a whole on the process for digital signs and an appropriate limit on letter heights.

Lengthy discussion was held regarding whether digital signs should go through a conditional use process that would involve action from the Planning and Zoning Commission and the Board of Aldermen or through the Board of Adjustment. Discussion continued regarding letter heights for office buildings especially visibility for those located along freeways.

Alderman Frautschi moved to continue the Sign Code Text Amendment to the meeting of Wednesday, October 21, 2020 for further review. Mr. Kuchan seconded the motion and carried unanimously via voice vote.

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OTHER

Mr. Spencer stated that the City Administrator included a memo asking for feedback from the Commission on the removal of a City Engineer from the Municipal Code, which would remove that position and change the membership of Planning and Zoning.

Mr. Bolazina recommended that if the position was removed that some requirements on the composition be added to include that an engineer serve on the Commission.

Discussion ensued at length.

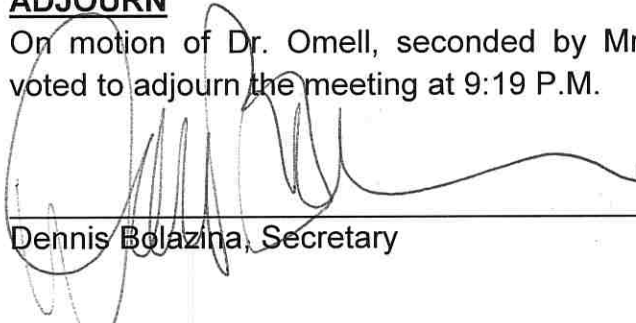
REPORT FROM BOARD OF ALDERMEN ON ACTION BY THE BOARD

Alderman Frautschi reported on the following items:

- The Conditional Use Permit for 14 Country Aire was first read at the Board of Aldermen meeting
- Two sign code variances for US Cloud and Accenture were first read at the Board of Aldermen meeting
- The Conditional Use Permit for 929 Claymark Drive was denied by the Board of Aldermen. She stated there was one amendment made to the CUP to move the structure in a legal location for use as a pool house and another for the structure not to be used for the storage of vehicles. The applicant was opposed to latter amendment to which the Board of Aldermen ultimately denied the CUP.

ADJOURN

On motion of Dr. Omell, seconded by Mr. McKnight, the Commission unanimously voted to adjourn the meeting at 9:19 P.M.



Dennis Bolazina, Secretary