

**MINUTES
PLANNING AND ZONING COMMISSION
CITY OF TOWN AND COUNTRY
SEPTEMBER 26, 2018**

OPEN STAFF REVIEW

Commission members and City staff held an open staff review meeting at 6:30 P.M.

Present at the meeting were Chairman Cima, Alderman Meyland-Smith, Commissioners Bolazina, Mueller, Omell, Sulewski and Wirth. Mayor Dalton, Commissioners Kreikemeier and Kuchan were absent.

Ryan Spencer, Planner, was present.

In City Attorney Steve Garrett's absence, Attorney Ed Sluys was present to represent the City.

The Commission discussed the agenda items. No votes were taken.

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 26, 2018, at the Municipal Center, 1011 Municipal Center Drive.

PLEDGE OF ALLEGIANCE

Commissioner Wirth led the Pledge of Allegiance.

ROLL CALL

The following members were present for the 7:03 P.M. roll call: Chairman Cima, Alderman Meyland-Smith, Commissioners Bolazina, Mueller, Omell, Sulewski and Wirth. Mayor Dalton, Commissioners Kreikemeier and Kuchan were absent.

Ryan Spencer, Planner, was present.

Attorney Ed Sluys was present to represent the City.

MINUTES – 08/15/18

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

Chairman Cima called for corrections or amendments.

Mr. Wirth moved to amend the minutes, as follows:

(New language **bolded** and **underlined**) (Deleted language shows as ~~strikethrough~~)

Page 7 OTHER BUSINESS:

...Mr. Sluys explained that the Sign Code Subcommittee was delayed due to new legislation **case law** with regard to signage regulations.

Mr. Sulewski seconded the motion and voice vote carried unanimously.

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Hearing no further corrections the minutes of 08/15/18, as amended, were unanimously approved by voice vote.

NEW BUSINESS

1. Amended Final Site Development Plan – A request has been made by George Stock, Stock and Associates, on behalf of Maryville University, owner, for approval of an Amended Final Site Development Plan for Maryville University, located at 650 Maryville University Drive, in the Major Educational Campus (MEC) Zoning District – **PUBLIC HEARING**

Dr. Omell moved that the proposed amendment be considered “significant”, seconded by Mr. Sulewski and carried unanimously by voice vote.

A court reporter from Midwest Litigation Services was present to record the public hearing.

Chairman Cima opened the public hearing.

Ryan Spencer, Planner, entered the following exhibits into the record:

1. Municipal Code
2. Comprehensive Plan
3. Development Office file, as amended from time to time, including staff report titled “Agenda Item 1 – Maryville University-19th Amended Final Site Development Plan”
4. Amended Final Site Development Plan, titled “19th Amended Final Site Development Plan Package - Maryville University dated August 24, 2018 prepared by Stock and Associates, Inc.
5. Mailing List, Notice of Public Hearing
6. Notice of Public Hearing posted on the property and published in the St. Louis Countian.

George Stock, Stock & Associates, Tom Benning, Maryville University, and Rick Keisker, Ittner Architects, were present on behalf of the request.

Utilizing a PowerPoint presentation, Mr. Stock described the project a new Field House, next to the athletic track, and an Innovation Center Connection. He stated the proposed Innovation Center Connection would be two stories and 15,300 sf. and the Field House is four stories and 28,400 sf. An aerial view of the property and renderings of the proposed buildings were shown.

Alderman Meyland-Smith stated he was previously concerned about lighting disturbing residents along Conway Road, however the plans show the Field House will be blocked from view by the residence hall building.

Chairman Cima called for public comment. Alderman Meyland-Smith noted that there were no residents in attendance.

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Chairman Cima closed the public hearing.

Dr. Omell moved to recommend approval of the Amended Final Site Development Plan with conditions A-G, as set forth in the staff report. Ms. Mueller seconded the motion.

The roll call vote was as follows: AYE, Chairman Cima, Alderman Meyland-Smith, Commissioners Bolazina, Mueller, Omell, Sulewski and Wirth; NAY, none; ABSTAIN, none; ABSENT, Mayor Dalton, Commissioners Kreikemeier and Kuchan.

The motion to recommend approval of the Amended Final Site Development Plan carried unanimously.

2. Boundary Adjustment Plat – A request has been made by George Stock, Stock and Associates, applicant, on behalf of Mercy Health East Communities and Union Electric (Ameren UE), for approval of a boundary adjustment plat. The site to be adjusted is located at 763/767/777 S. New Ballas Road, in the Office (O) Zoning District

George Stock, Stock & Associates, was present on behalf of the request.

Mr. Stock, utilizing a PowerPoint presentation, described the proposal as an boundary adjustment for a previously approved Preliminary Site Development Plan. He added that this would correctly reflect the relocated Ameren substation and Mercy development.

Discussion was held regarding the difference in lot sizes from the Preliminary Plat and the Boundary Adjustment.

Chairman Cima called for public comment, he remarked that no members of the public were present.

Dr. Omell moved to recommend approval of the Boundary Adjustment, seconded by Alderman Meyland-Smith.

The roll call vote was: AYE, Chairman Cima, Alderman Meyland-Smith, Commissioners Bolazina, Mueller, Omell, Sulewski and Wirth; NAY, none; ABSTAIN, none; ABSENT, Mayor Dalton, Commissioners Kreikemeier and Kuchan.

The motion to recommend approval of the Boundary Adjustment carried unanimously.

3. Zoning Text Amendment – An amendment to regulations pertaining to a definition for service businesses

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

Mr. Spencer stated the amendment is to define service businesses as directed from last month's meeting. He explained that the proposed service business definition has been utilized from the Town Square development "personal care services" definition.

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Ms. Mueller stated, in her opinion, that the proposed definition would not allow for a bridal boutique which was the impetus for the text amendment.

The Commission deliberated at length concerning the proposed language and what businesses or uses would be included. Discussion was also held regarding the feasibility of restricting the amount of retail sales for such businesses.

Mr. Sluys explained that the amendment is to allow service businesses in the Office or Campus Office Zoning Districts through a Conditional Use Permit and applicants would still need go through the Planning and Zoning Commission and the Board of Aldermen.

Dr. Omell moved to recommend approval of the Zoning Text Amendment, seconded by Ms. Mueller.

Alderman Meyland-Smith moved to amend the language as follows:

An establishment providing personal care related services, including, barbershops, hairdressers, tailors, salons, spas, nail care, massage, ~~and~~ tanning **and other similar services**...

Mr. Wirth seconded the motion and carried 6-1 by voice vote, with Mr. Bolazina voting nay.

Mr. Bolazina moved to amend the language as follows:

...These uses may also include accessory retail sales of products related to the services provided **so long as the area devoted to those retail sales does not exceed 25% of the area of the space**...

Chairman Cima seconded the motion and failed unanimously by voice vote.

The roll call vote on the motion to recommend approval, as amended was: AYE, Chairman Cima, Alderman Meyland-Smith, Commissioners Mueller, Omell, Sulewski and Wirth; NAY, Commissioner Bolazina; ABSTAIN, none; ABSENT, Mayor Dalton, Commissioners Kreikemeier and Kuchan.

The motion to recommend approval of the Zoning Text Amendment carried 6-1.

The Commission then made findings regarding the proposed zoning amendments.

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

1. There is a public need for the proposed use.

Ms. Mueller seconded the motion and carried 6-1 by voice vote, with Mr. Bolazina voting nay.

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

2. The proposed amendment and proposed use are in compliance with the Comprehensive Plan.

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Ms. Mueller seconded the motion and carried 6-1 by voice vote, with Mr. Bolazina voting nay.

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

3. The property in question is suitable for the uses permitted under the proposed zoning.

Ms. Mueller seconded the motion and carried 6-1 by voice vote, with Mr. Bolazina voting nay.

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

4. There are adequate public facilities, such as sewer and water, and other required public services.

Ms. Mueller seconded the motion and carried unanimously by voice vote.

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

5. The public health, safety, and general welfare will not be damaged.

Ms. Mueller seconded the motion and carried 6-1 by voice vote, with Mr. Bolazina voting nay.

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

6. The land values of adjoining properties will not be damaged.

Ms. Mueller seconded the motion and carried 6-1 by voice vote, with Mr. Bolazina voting nay.

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

7. The adoption of a proposed amendment is in the public interest and is not solely for the interest of the applicant.

Ms. Mueller seconded the motion and carried 6-1 by voice vote, with Mr. Bolazina voting nay.

REPORT FROM BOARD OF ALDERMEN ON ACTION BY THE BOARD

Alderman Meyland-Smith reported that the next meeting of the Comprehensive Plan Steering Committee is September 27th at 7 P.M., and welcomed all to attend. He added that the Gate Subcommittee will bring forth a text amendment at the next meeting. He finally reported that, during the Board of Aldermen Retreat, the Planning and Zoning Commission was asked to review the length of construction projects and consider potential solutions.

In response to Chairman Cima, Mr. Sluys stated that the City Attorney's office will draft language to update the Sign Code and bring forward to the Sign Code Subcommittee for their review.

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ADJOURN

On motion of Dr. Omell, seconded by Mr. Wirth, the Commission unanimously voted to adjourn the meeting at 8:32 P.M.



Paul Wirth, Secretary