

**MINUTES OF MEETING
ZONING AND PLANNING COMMISSION
CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI
WEDNESDAY, AUGUST 24, 2022 4:00 P.M.**

Chairman Moore introduced himself, covered the basic procedures and called the meeting of the Zoning and Planning Commission to order at 4:05 P.M. The following members were present:

Chairman McPherson Moore
Commissioner Susan Gausnell
Commissioner Robbye Toft
Commissioner Margaret Holtman
Commissioner John Lochhead

Also present were Andrea Sukanek, City Planner; Erin Seele, City Attorney; Anne Lamitola, Director of Public Works; Ashley Quinn, Public Works/Building Specialist and Mayor Nancy Spewak.

Approval of the Minutes from the July 27, 2022 meeting

A revision was made for an incorrect Park Ln. address that was stated. Commissioner Gausnell made a motion to approve, seconded by Commissioner Holtman. The meeting minutes are approved with the address clarification.

Items for Consideration

22-11 (continued) Request to extend the existing Special Use Permit for Rock Hill Quarries to continue to operate a demolition landfill at 1200 N. Rock Hill Road for an additional 5 years. Property is located in the H Industrial Zoning District.

Mr. George Stock, Stock and Associates addressed the Commission regarding the request to continue the Special Use Permit (S.U.P.). The typical renewal request has been for 5 years. The applicant has revised their request to extend the S.U.P. for 8 years. It is currently estimated that there is 7 years of remaining airspace volume, and year 7-8 would be for the closing of the landfill and capping it over.

The work done on the landfill property by both MSD and Ameren has cleared large amounts of the vegetation buffer between the landfill and the residential homes on Park Lane. As part of their S.U.P. they are required to adequately and appropriately screen the property from the adjacent residents. Because of the need for Ameren to be able to access their easement for the high wire transmission lines that run through the property, they are not able to plant trees under the lines as before. Rock Hill Quarry is proposing a masonry look screen wall and landscaping along the property edges for site buffering.

An 8' double sided, Bufftech molded fence, with clusters of evergreen trees is proposed to screen the area. The quarry is receiving some compensation from MSD related to disturbance of the property; Ameren is willing to negotiate and work towards a solution. They are still in negotiations for what Ameren will contribute to the sections of fence that are 484ft and 232ft along the Park Lane property lines. However, if Ameren is not willing to contribute, the quarry is committed to absorbing the full cost of the fence as well as the planting of approximately 6' tall trees.

Public Comment:

Mark Rossow, 9568 Park Lane, provided photographs for the Commission. Those provided from the quarry are taken from ground level which does not adequately depict the impact from adjacent residents. The view from decks and 2nd stories is not adequately screened. He proposed a 12-foot fence and 10 foot trees. He feels the recent changes along the property lines have a huge impact on the decrease of property values and feels the quarry should bear the cost of those improvements.

Jackson Otto, 9544 Park Lane, spoke in opposition of the screening plan and feels it is inadequate. He echoed the comments of Mr. Rossow that the photos provided by the quarry do not consider the elevation of the homes decks and living spaces. There is machinery always coming and going on the property. He feels it is the quarry's responsibility to shield the neighborhood from the view of their property and their proposal does not effectively do that. He felt their proposal does not screen the residents but merely provides some ornamentation along the proposed wall. He also questions why there were only 2/3 of the property line shielded by the fence at the property line and asked whether 3-4 more lengths of fence could be added to complete the whole length of the property line. He has concerns about safety with there being gaps left in the fence line adjacent to an industrial area.

Marjorie Berkley, 9578 Park Lane, shared her concerns, she would like to see a fence at least 8 feet tall with taller trees.

Katie Jones, 9528 Park Lane, shared concerns about the fence creating a barrier to hold in water during heavy rains. She lives on the east side where much of the water drains too and does not want there to be water than gets dammed up because of the solid fence. She suggests that people build up the plantings on their side of the tall fence.

Ellen Taussig, 9564 Park Ln, shared before and after photos of her property with the Commission.

James Bond, 9560 Park Lane, was a subdivision trustee in the 1990s when the berm and pine trees were added. He would like to see much taller trees and he is also concerned with the impact on storm water.

Molly Rossow, 9556 Park Lane, would like there to be more trees and denser trees, not just taller trees.

Bonnie Bannister, 9572 Park Lane, would like McCarthy and the quarry to clean up the property and building that are on the site as they are unsightly.

Discussion ensued about the possibility of an earth berm with vegetation rather than the solid fence wall. George Stock stated that would be a flood plain issue and that is in Ameren's right of way so is likely not an option. He did state that the quarry would be agreeable to making the fence span the full length of the property at 9544 Park Lane. He did note that while residents may have safety concerns because the fence proposed does not completely enclose the quarry property, neither did the vegetation that was there previously. If residents have safety concerns, they are free to secure their own yards with fences. The issues brought forth with safety concerns are not what they are looking to solve.

Andrea Sukanek clarified that in the residential district the maximum allowable height for a fence is 8 feet, but Zoning and Planning can approve a higher fence. Anne Lamitola also stated that the fence would require a flood plain development permit.

Board discussion ensued regarding screening options, heights, and flood plain requirements and what requests could be listed in the Special Use Permit.

Commissioner Toft made a motion to approve the S.U.P for the requested 8-year term subject to the fence being installed at a height of 10 feet, if the product is available, and to include the additional panels being added to fully extend along the length of the property at 9544 Park Lane (with the fence to be shortened by an equal length on the opposite side). If only 8-foot-high fencing is available, the trees need to be increased in height to 8-10 feet at the time of planting with high-quality evergreens to be planted. The plan shall be reviewed by the City's landscape architect. Motion is subject to floodplain regulations to ensure that there is no impact to the velocity or level of floodwaters. Motion was seconded by Commissioner Gausnell. All voted aye, motion passed.

ZPC 22-12 Request by Somerset Downs Subdivision that the Zoning and Planning Commission amend the conditions of their subdivision gate approval. Property is located near the intersection of Somerset Downs Drive and S. Warson Road.

Clifford Adkins, 33 Somerset Down, addressed the Commission regarding the previous approval that was given for the subdivision gate. The previous approval included the stipulation that the fence height meet zoning requirements. In order for the Somerset Downs representatives to request a variance from the Zoning Board of Adjustment for their fence, that stipulation would need to be removed from the Zoning and Planning approval. Because zoning code considers that area a front yard it would require the fence to be no taller than 42 inches, which is not sufficient for the security purposes of the fence. They don't feel that the fence will appear to be part of the yards of the homes and will appear as part of the subdivision entrance rather than a front yard fence. The fence will also provide protection for the ponds located in those yards.

Commissioner Toft made a motion to remove the condition that the fence comply with the Zoning Code and that the height of the proposed fence be subject to the approval of the Zoning Board of Adjustment. Motion was seconded by Commissioner Holtman. All voted aye, motion passed.

ZPC 22-13 Request for a Special Use Permit amendment for Community School for new construction and lot consolidation. Property is located at 900 Lay Road in the B Residential Zoning District.

Mr. Bob Cook addressed the Commission regarding the proposed amendments to the Special Use Permit. Community School currently has 350 students and that is not going to change. They plan to tear down the building currently housing the wood shop and build an attached addition to the school. This will be a safer more secure option for students and teachers and will have a more cohesive look for the school. It will create a 2-car garage for maintenance vehicles. There was a letter received from adjacent residents and Community School was in full agreement with addressing the comments outlined.

Jeremy Hinton, Christner Architects, went through the plans with the Commission for the STEAM addition. The school will utilize a temporary structure during construction.

Jackson Otto, parent of Community School student, spoke in favor of the project and applauds the school for increasing their STEAM education.

Andrea Sukanek stated that it was staff's recommendation that the lots for Community School be consolidated so that the property with the new garage will be part of the school property. The school property is zoned residential, but schools typically do not meet the residential green space requirement. Since it is nonconforming, the school will need to retain approximately 66% green space.

Commissioner Toft made a motion to amend the S.U.P. to allow for the proposed STEAM addition improvements on condition that a new subdivision plat be submitted and approved, that they do not increase their impervious area, and that all other conditions of existing S.U.P.s and other City requirements be met. Recommendations received in the letter from Mr. Giessow shall be incorporated into the plans. Construction and material delivery shall be limited between 7:30 am and 4 pm. Commissioner Holtman seconded the motion. All voted aye, motion passed.

The next meeting of the Zoning and Planning Commission is scheduled for September 28th.

Adjournment

The meeting was adjourned upon motion by Commissioner Lochhead and second by Commissioner Gausnell at 6:10 p.m.

A handwritten signature in blue ink, appearing to read "McPherson Moore", is written over a horizontal line. The signature is stylized and cursive.

Chairman McPherson Moore