

Webster Groves Plan Commission
Meeting Minutes
February 3, 2020

Members Present

Jeff Smith
Steve Hunkins
Annie Tierney
Scott Mueller
Christopher Michael
Maddy Heikkila

PLANNER
Danny Jendusa
DIRECTOR OF PLANNING & DEVELOPMENT
Mara Perry
CITY ATTORNEY
Neil Bruntrager
COUNCIL LIAISON
Laura Arnold

Members not Present

Charles Sindel
Anne Tolan
Toni Hunt

REGULAR SESSION

1. Smith opened the meeting at 7:00 p.m.
2. **APPROVAL OF MINUTES:**
Smith asked for a motion to approve the minutes from the January 6, 2020 meeting. Hunkins made a motion to approve. Michael seconded the motion. The motion passed 6-0.
3. **PUBLIC COMMENTS:**
There were none.
4. **PUBLIC HEARING:**
 - a) **20-PC-01 The Gathering (921 Edgar Rd.):**
An application by The Gathering United Methodist Church for a Conditional Use Permit to allow a Place of Worship use located on a 1.67 acre lot at 921 Edgar Rd. in the "A4" Seventy Five Hundred Square Foot Residence District.

Smith and Tierney both stated they have previously attended services at The Gathering. Bruntrager said there is no conflict of interest as they are not members of the church board.

Jendusa began with slides of the church site which was constructed in 1953. Staff was unable to find a CUP for any past or present congregations to operate at the site. In 1978 a CUP was approved for a day care at the site, which has since relocated. In May 2019 the United Cerebral Palsy Heartland at 450 Oak Tree obtained a CUP for operate a Residential Care Center which requires Heartland to maintain an active private parking lease agreement for parking in the church lot. The Gathering plans to continue that agreement upon their purchase. Jendusa went through the five factors for determining whether the proposed church use will NOT:

1. Substantially increase traffic hazards or congestion.
2. Substantially increase fire hazards.
3. Adversely affect the character of the neighborhood.
4. Adversely affect the general welfare of the community.
5. Overtax public utilities.

The Gathering will hold one to two weekly Sunday services. And continue to include meeting space for group meetings for church functions as well as other community groups that currently utilize the building. There are currently 94 parking spaces which exceeds the required amount needed. Jendusa said staff is recommending the dumpster be fully enclosed with a minimum 6-foot-high fence. The empty lot at 442 E. Glendale is to be sold separately for use as a single-family home.

Michael asked if there is a limit to the number of services allowed, and Perry said there is no requirement to the number.

Staff recommends approval of the requested Conditional Use Permit as submitted. Should the City Council approve of the Conditional Use Permit, Staff would recommend the following conditions:

1. All provisions of the City Code shall apply except as expressly modified in this Ordinance No. _____
2. The "A4" Seventy Five Hundred Square Foot Residence District Dimensional Regulations shall apply to all uses.
3. A minimum six (6)-ft tall, sight-proof fence or wall shall be maintained to enclose exterior dumpsters and trash receptacles.
4. The applicant shall maintain a private parking lease agreement to allow United Cerebral Palsy Heartland staff and visitors to utilize a limited number of off-street parking spaces during business hours in adherence with Ordinance #9071.
5. This conditional use permit shall be personal to the applicant and shall not run with the land

Dave Dietrich, the applicant on behalf of The Gathering said they are excited to be coming to the community. They will continue to service the community groups that utilize the building as well as parking for the UCP Heartland home across the street.

Addie Siefert, 444 Oak Tree, has no issues with the changes but would like the trash dumpster enclosure to be repaired and fully enclosed. Trash has always been an issue at the site. She hopes parking will not be an issue. The signage is very bright and distracting.

Wesley Boshart, 402 E. Glendale, said he appreciates the church but is worried about traffic if there are several services in the morning. Hopefully they will time them to allow the traffic to disperse.

Brian Denian, 438 E. Glendale, has worries about the vacant lot at 442 E. Glendale continued to be maintained. Perry said that the city does require owners to maintain vacant lots and should there be issues they will be contacted.

Dave Dietrich, the applicant said they intend to repair/replace the dumpster enclosure and possibly lock it. There would be as much as forty-five minutes between services if a second service is added to allow for traffic to disperse.

b) **19-PC-15 Zoning Code Text Amendment- Parking Development Standards:**

Proposed amendments include changes and additions to Sections 53.020, 53.047, 53.057, 53.067, 53.077, 53.117, 53.157, 53.180 through 53.189, 53.233, and 53.243 of the Zoning Ordinance in order to clarify and update regulations for parking development standards in residential, commercial, industrial, and multiple family residence districts.

Jendusa said this is a continuation from the January 6, 2020 meeting in which staff has been updating with code changes based on discussions held and feedback. He went through proposed changes in the definitions as well as proposed changes in the performance standards for parking. The proposed change for the definition of commercial vehicle shall be as follows

“Commercial or Industrial Vehicle” shall mean any vehicle or equipment used for commercial or industrial purposes with or without signage with the exception of a passenger vehicle or station wagon bearing no signage.

Heikkila asked about commercial parking in residential and Jendusa explained how that is tied into the recent changes in the home occupation regulations.

Jendusa said staff is requesting this be held open for further discussion.

Smith asked for a motion to hold open until the March 2, 2020 meeting. Mueller made a motion. Tierney seconded the motion. All in favor 19-PC-15 was held open.

c) **19-PC-16 Zoning Code Text Amendment- Commercial Kennels:**

Proposed amendments include changes and additions to Sections 53.020, 53.117, 53.157 and 53.159 of the Zoning Ordinance and adding a new section 53.120 in order to add Kennels as a Use and create development standards for Kennels in commercial and industrial districts.

Jendusa said this is a continuation from the January 6, 2020 meeting in which staff drafted proposed changes based on discussions held about Commercial Kennels in the “C” Commercial District and “E” Industrial District. This would add them in these districts as an “allowed” use. There are updates to the definitions as well as development standards.

Michael asked about right of entry and Perry said that would be under commercial. He also asked about the number of dogs allowed and Perry said that is what is in place now and not an issue for this board.

Tierney said that she doesn’t agree with the limit of three for the Animal Care Home. Jendusa said this is not for the occasional dog walker but more for someone whom actually has a home business for the care of pets.

Jendusa said staff is requesting this be held open for further discussion

Smith asked for a motion to hold open until the March 2, 2020 meeting. Michael made a motion. Mueller seconded the motion. All in favor 19-PC-16 was held open.

d) 19-PC-17 Zoning Code Text Amendment- Development Standards for Other Conditional and Accessory Residential Uses:

Proposed amendments include changes and additions to Sections 53.020, 53.047, 53.057, 53.067, 53.077, and 53.100 of the Zoning Ordinance in order to clarify and update Development Standards for other conditional and accessory uses in residential districts.

Jendusa said this is a continuation from the January 6, 2020 meeting in which staff drafted proposed changes includes regulations for Home Occupations and Accessory Parking Lots as well as Animal Care Home. The standards for the Animal Care Home will be tied to existing standards for keeping Domestic Animals and Fowl in chapter 33 of the city code. The proposed change to the definition for “Animal Care Home” is as follows

“**Animal Care Home**” shall mean any person, family, or household which possesses, controls, boards, manages or provides non-veterinary care for one (1) or more dogs, cats, or other common household animals for any period of time for compensation or with the intention of offering such animals for sale or adoption. This definition shall not apply to the ownership of one (1) or more dogs, cats, or other common household animals as the personal pet of said person, family, or household.

Jendusa said staff is requesting this be held open for further discussion.

Smith asked for a motion to hold open until the March 2, 2020 meeting. Hunkins made a motion. Michael seconded the motion. All in favor 19-PC-17 was held open.

1. PLATS AND SITE PLANS

a) 20-PC-02 Webster Groves Part of Lot 47, Tracts 1 and 2 Subdivision Plat:

An application by Charles Farrell of Advantage Properties LLC and Lance and Jennifer Finney to subdivide 325 W Kirkham Ave., a 0.2 acre tract of land and 116 N Rock Hill Rd., a 0.52 acre tract of land, located in the “A4” Twenty Thousand Square Foot Residence District.

Perry said the house at 325 W Kirkham Ave. was built in 2000 on lots 319 W. Kirkham and 325 W. Kirkham. There are no records to show that the lots were ever consolidated to form one single lot. A boundary adjustment needed to be done to transfer land from 116 N. Rock Hill to 325 W. Kirkham, staff determined this could be greater achieved by doing a subdivision plat.

5. ADJOURNMENT OF REGULAR SESSION

Smith asked for a motion to close the regular session. Michael made a motion. Hunkins seconded the motion. All in favor the motion passed 6-0.

EXECUTIVE SESSION:

6. VOTES:

a) 20-PC-01 The Gathering (921 Edgar Rd.):

An application by The Gathering United Methodist Church for a Conditional Use Permit to allow a Place of Worship use located on a 1.67 acre lot at 921 Edgar Rd. in the "A4" Seventy Five Hundred Square Foot Residence District.

Smith asked if anyone had any comments about staff's recommendations. Mueller said those should take care of the dumpster enclosure. Perry said per the zoning code they are not required to have a lock. Smith went through the five factors for determining whether the proposed church use will NOT:

1. Substantially increase traffic hazards or congestion.
2. Substantially increase fire hazards.
3. Adversely affect the character of the neighborhood.
4. Adversely affect the general welfare of the community.
5. Overtax public utilities.

Smith asked for a motion to approve 20-PC-01. Mueller made a motion. Michael seconded the motion. All in favor the motion passed 6-0.

b) 20-PC-02 Webster Groves Part of Lot 47, Tracts 1 and 2 Subdivision Plat:

An application by Charles Farrell of Advantage Properties LLC and Lance and Jennifer Finney to subdivide 325 W Kirkham Ave., a 0.2 acre tract of land and 116 N Rock Hill Rd., a 0.52 acre tract of land, located in the "A4" Twenty Thousand Square Foot Residence District.

Smith asked if anyone had any comments, there were none.

Smith asked for a motion to approve 20-PC-02. Mueller made a motion. Hunkins seconded the motion. All in favor the motion passed 6-0.

7. OTHER BUSINESS: Perry said they are going to set up training for the members possibly for the next meeting. She will send out an email to narrow down a time.

8. NEXT REGULAR MEETING: March 2, 2020.

9. ADJOURNMENT OF THE EXECUTIVE

Smith asked for a motion to adjourn. Michael made a motion. Hunkins seconded the motion. All in favor motion passed 6-0. The meeting adjourned at 9:00 PM.