

**Webster Groves Plan Commission**  
**Meeting Minutes**  
August 9, 2021

<b>Members Present</b>	Charles Sindel	PLANNER
	Jeff Smith	Danny Jendusa
	Toni Hunt	DIRECTOR OF PLANNING & DEVELOPMENT
	Michael Buechter	Mara Perry
	Zoom members:	CITY ATTORNEY
	Annie Tierney	Neil Bruntrager
	Scott Mueller	COUNCIL LIAISON
	Christopher Michael	Pam Bliss
	Maddy Heikkila	

Not present:  
Steve Hunkins

**REGULAR SESSION**

1. Sindel opened the meeting at 6:00 p.m.
2. **APPROVAL OF MINUTES:**  
Sindel asked for a motion to approve the minutes from the July 12, 2021 meeting. Buechter noted a miss spelling on page 5, which will be corrected. Hunt made a motion to approve with the correction. Buechter seconded the motion. The motion passed 8-0.
3. **PUBLIC COMMENTS:**  
There were none.
4. **PUBLIC HEARING:**
  - a) [21-PC-06 Play Daze \(739 Marshall Ave\)](#): An application by Play Daze LLC for a Conditional Use Permit to allow a Child Day Care Center use in the existing structure located on a 0.17 acre lot at 739 Marshall Avenue in the “C” Commercial District. ***HELD AT THE APPLICANTS REQUEST***
  - b) [21-PC-07 SMR Auto Service \(8523 Watson Rd\)](#): An application by Salah Gayar, SMR Auto LLC, for a Conditional Use Permit to allow an Automotive Repair and Services Facility on a 0.68 acre lot at 8523 Watson Rd in the “C” Commercial District.

Jendusa began with photos of the existing property located in the “C” Commercial District which has been used as a public garage for auto sales and services since 1962. In 2015, a CUP was approved for a used car lot for 35 vehicles, a sales office, one bay for auto detailing and car washing of inventory vehicles. Auto repair and service was prohibited at that time. In 2018, that CUP transferred to SMR Auto LLC, the current owner and applicant. SMR Auto LLC would like to

expand their business operations to include basic auto repair and maintenance services, which requires a new Conditional Use Permit.

Per Sec. 53.173(a), the Council shall determine whether the requested 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.

Jendusa went through staff's recommendations should the CUP be approved.

1. All provisions of the City Code shall apply except as expressly modified in this Ordinance No. \_\_\_\_\_
2. Approved uses shall include an Automobile Dealership use with a sales office and showroom and an Automotive Repair and Services Facility use.
3. Pursuant to the Automobile Dealership use, the total inventory of for-sale or for lease vehicles which may be stored on the subject property shall not exceed twenty-one (21) vehicles.
4. Accessory to the primary use of an Automobile Dealership, car washes and detailing may occur on the premises and shall be limited to inventory vehicles only.
5. Pursuant to the Automotive Repair and Services Facility Use, automotive repair activities shall be limited to those similar in nature and impact to tire repair and replacement, brake service, oil changes, alternator replacement, etc. Painting and autobody work shall not be allowed. All automotive repair and service activities should be completed within the two (2) proposed vehicle service bays and not on the subject property parking lot.
6. A minimum of thirty-eight (38) off street parking spaces shall be maintained. All vehicles shall be parked and stored in legal, striped parking spaces in accordance with the applicant's site plan and shall not be double parked.
7. No more than one (1) vehicle may be temporarily stacked in front of each of the two active service bays. Vehicles may not be stored overnight in front of the two active vehicle service bays.
8. No vehicle transport trucks shall be allowed on the premises.
9. No derelict or inoperable vehicle or vehicle with extensive collision damage shall be stored on the premises for more than twenty-four (24) hours.
10. Hours of operation shall not exceed 9am-7pm daily.
11. A minimum six (6)-foot tall privacy or shadowbox fence shall be maintained along the entire north property line of approximately one hundred ninety-four (194) linear feet.
12. A minimum six (6)-foot tall sight-proof enclosure shall be maintained around the dumpster and parts & oil recycling containers in the northeast corner of the lot.
13. No outdoor storage of vehicle parts, equipment, or tires shall be allowed except within designated parts and oil recycling containers at the northeast corner of the lot.
14. There shall be weekly waste removal of the parts and oil recycling containers.
15. A row of twenty-two (22) evergreen trees shall be maintained as a buffer to the residential properties to the north. The row of evergreen trees shall be extended

along the entire north property line. All new or replacement trees shall be a minimum height of six (6) feet, and shall be properly maintained.

16. A gate preventing ingress or egress at the southwest entrance to the site shall be maintained and shall be subject to review and approval by the Department of Planning and Development.
17. Any pole mounted and wall mounted lighting shall be shielded from residential properties to the north.
18. No outside amplified speakers shall be allowed on the premises.
19. The applicant shall be responsible for pick-up of all litter on their property and litter generated from their facility onto adjacent properties and rights-of-way.
20. Prior to an issuance of a Certificate of Occupancy, the applicant must have obtained a Missouri Motor Vehicle Dealer's license.
21. This Conditional Use Permit is personal to the Applicant and shall not run with the land.

Sindel asked why no vehicle transport trucks would be allowed. Jendusa said the restriction was put in place in previous CUP ordinances, likely due to the disruption large vehicle transport trucks can cause to the nearby residential neighbors from noise and due to potential traffic backups onto Watson Rd. Buechter thought maybe they could amend the recommendation to allow a tow truck for a single vehicle but not multiple vehicle. C. Michael asked if this ban on transport vehicles was put in place in previous CUP ordinances due to the limited turning radius in the parking lot.

Smith asked why auto repair services were specifically not allowed in the previous CUP ordinance at this site and what changed. Perry stated that there had been a number of issues with a previous tenant that had operated auto service facility in this location in the past that had caused neighbors' concerns. In 2015, when the CUP was approved for a different applicant to allow auto sales at this location, the applicant at that time did not request to continue auto repair services at this location and did not intend to make necessary building upgrades to the facilities that would allow for auto repairs. So auto repair was not allowed at the site beginning in 2015.

Heikkila asked if the required evergreen trees could be more general as to a landscape barrier. Jenduse said it could be amended, that is what met the requirement back in 2015. Perry said they need to be a year around barrier which is why it stated evergreen. It can be amended to say landscape buffer.

Brian Flieg, attorney for the applicant said the business would not use a large transport vehicle but they would need to occasionally use a tow truck. Sindel asked if they have any objections to the recommendations. Flieg said no they do not. The applicant has had to replace some of the trees already. Tierney asked if the layout of the parking lot seemed reasonable, the applicant said yes.

Sindel asked for a motion to close the regular session. Smith made motion. Hunt seconded the motion. All in favor the motion passed 8-0.

## 5. ADJOURNMENT OF REGULAR SESSION

Sindel asked for a motion to close the regular session. Hunkins made a motion. Buechter seconded the motion. All in favor the motion passed 8-0.

### EXECUTIVE SESSION:

#### VOTES:

Sindel went through the five factors to determine whether the requested use will NOT:

1. Substantially increase traffic hazards or congestion; no
2. Substantially increase fire hazards; no
3. Adversely affect the character of the neighborhood; no
4. Adversely affect the general welfare of the community; no
5. Overtax public utilities: no

Sindel asked for a motion to approve 21-PC-07 with staff's recommendations with a change to:

#8. No multi-vehicle transport trucks shall be allowed on the premises.

#15. A landscaped buffer, as approved on a landscape plan, shall be maintained as a buffer to the residential properties to the north. The buffer shall be extended along the entire north property line. All new or replacement trees shall be a minimum height of six (6) feet, and shall be properly maintained

Smith made a motion to approve. Hunt seconded the motion. All in favor the motion passed 8-0.

## 6. REOPEN THE REGULAR SESSION

Sindel asked for a motion to reopen the regular session. Hunt made a motion. Buechter seconded the motion. All in favor the motion passed 8-0.

## 7. PUBLIC HEARING

[21-PC-04 Douglass Hill](#) An application by SG Collaborative, LLC for a Change of Zoning from "A4" Seventy-Five Hundred Square Foot Residence District; "B1" Multiple Family District; "E" Industrial District and "PC" Planned Commercial District to "PC" Planned Commercial District on an approximately 15.1 acre tract of land located at the following addresses: 55 Lincoln Ave, 62 Lincoln Ave, 49 N. Gore Ave, 51 N. Gore Ave, 61 N. Gore Ave, 65 N. Gore Ave, 69 N. Gore Ave, 79 N. Gore Ave, 40 N. Rock Hill Rd, 200 Sherman Place, 201 Sherman Place, 203 Sherman Place, 205, Sherman Place, 207 Sherman Place, 200 W. Kirkham Ave, 204 W. Kirkham Ave, 234 W. Kirkham Ave, 240 W. Kirkham Ave, 242 W. Kirkham Ave, 320 W. Kirkham Ave, 340 W. Kirkham Ave, 107 W. Pacific Ave, 109 W. Pacific Ave, 111 W. Pacific Ave, 115 W. Pacific Ave, 125 W. Pacific Ave, 147 W. Pacific Ave, 207 W. Pacific Ave, 209 W. Pacific Ave, 211 W. Pacific Ave, 227 W. Pacific Ave, 315 W. Pacific Ave, 325 W. Pacific Ave, 341 W. Pacific Ave.

Perry said that Scott Mueller would be leaving the meeting at this time.

Perry went through the Public Hearing Process for 21-PC-04 and gave a recap of the progress up to tonight's meeting. They will go into more detail of the zoning analysis, see what additional

information is needed and try to get in some public comments. All comments are becoming part of the public record. Perry explained the difference of approving a CUP vs. approval of a rezoning or a text amendment. She gave definitions and examples of Legislative Decisions and Administrative Decisions.

The Comprehensive Plan is reviewed against the proposed preliminary development plan of a "PC" Planned Commercial District to see if it incorporates a mix of office, retail and multi-family use. This preliminary plan is consistent with the Comprehensive Plan Map for rezoning of the property.

#### **STAFF ANALYSIS**

When requesting a Change of Zoning to a "PC" Planned Commercial District, the applicant may request uses from the lists of Permitted, Conditional, and Accessory Uses in the "C" and "D" Commercial Districts as allowed uses in the proposed "PC" District. A chart was configured to identify the requested uses against the allowed uses. Perry clarified why some of the uses requested were removed.

Sindel asked why drive-through was taken out and Perry said this development is proposed as a walkable community and this would generate additional traffic, a walk-up pick up window would be a permitted use.

#### **PARKING**

Staff reviews the list of uses, intensity of those uses, and identifies the amount of parking needed per the code. In December 2020, the city updated the Parking Requirements in the Zoning Code. Staff has created a table which shows at least 1,657 spaces will be needed based on an evaluation of the required parking needs of this proposed plan utilizing the city's parking standards. Because of the mixed use a reduction could be requested but at this time there has been no such request. Staff has given these initial draft recommendations for parking and loading:

- a. Parking for each permitted and conditional use shall be met on with a combination of off-street and on-street parking within the district in accordance with Section 53.180 et. seq. No Site Development Plan shall be approved which will result in parking provided at less than the required amount set forth in the code.
- b. Off-street stabilized construction parking for construction employees and a washdown station for construction vehicles entering and leaving the site shall be provided. All street surrounding the development and any street used for construction access shall be cleaned throughout the day. The developer shall keep the roads clear of mud and debris at all times.
- c. Bicycle Parking in the code will be capped at \_\_\_\_\_ percent of the required numbers.

Perry said staff has received information about access, circulation and traffic on the proposed plan but staff has not had time to complete their review. They do have some initial recommendations based on what they have seen.

## **ACCESS, CIRCULATION AND TRAFFIC**

- a. The location of streets, alleys and service roads shall be determined on the Final Development Plan to meet all City of Webster Groves access management standards.
- b. All curb cuts and driveway approaches on N. Rock Hill Road, North Gore Avenue and Kirkham Avenue shall be to City standards and meet ADA requirements.
- c. Any improvements within the City Right of Way shall be required to meet entrance geometrics and drainage design per the Department of Public Works.
- d. Loading docks, overhead doors and service entries will be permitted only on the side or rear of a tenant spaces with the exception of designated on street delivery or loading areas as approved on a Site Development Plan

## **STREAM BUFFER**

The proposed plan identifies changes to the creek area which would involve discussions with FEMA, The Army Corps of Engineers, the Missouri Department of Natural Resources (DNR), the Metropolitan Sewer District (MSD) and the City of Webster Groves. Those overlapping agencies have the ability to override some of the City ordinances that were put in place to meet those same agencies development requirements. Staff will require the applicant to obtain development approval and permits from the above agencies prior to the approval of any building or land disturbance permits. These are staff's initial recommendations:

## **STORMWATER**

- a. Detention/retention and other stormwater quantity and quality management measures are provided as required by the City of Webster Groves codes.
- b. Permits for stormwater plans shall also be obtained from the Metropolitan Sewer District with additional permits from FEMA; the Army Corps of Engineers; and the Department of Natural Resources as applicable based on the location of stormwater improvements.
- c. The site shall provide for the positive drainage of stormwater and it shall be discharged at an adequate natural discharge point or connected to an adequate piped system.
- d. All drainage detention storage facilities shall be placed a minimum of ten (10) feet from any City of Webster Groves right of way.
- e. Replace or line the culvert under N. Gore at W. Kirkham Avenue

## **FLOODPLAIN**

- a. A flood plain study will be required with approvals from FEMA for any improvements within the floodplain.
- b. The development shall obtain a "404 permit", issued by the Army Corps of Engineers and a "401 water quality certification" issued by the Missouri Department of Natural Resources in order to not meet the Stream Buffer requirements within the flood plain.
- c. The development of any new structures or the improvement of any existing structures within the flood plain shall obtain any applicable Flood Plain Development Permits or No-Rise Certificates per Chapter 80 of the City of Webster Groves code or FEMA requirements
- d. CLOMR or LOMRs

## **TREE PRESERVATION AND LANDSCAPING**

The applicant will also be required to provide an approved Landscape Plan as part of the proposed development. Per the Tree and Landscape Ordinance, a set formula of landscaping is required based on several factors integral to the proposed plan. Typically, these standards include items such as:

- A set amount of landscaping based on the amount of building footprint facing streets, sidewalks and parking areas.
- Minimum landscape buffer around the perimeter of surface parking lots
- Minimum number of landscaped islands within every set linear feet of parking rows
- Screening around proposed trash enclosures and exterior mechanical equipment areas
- Only approved plant types and species will qualify as fulfilling the landscaping requirements where necessary.

The preliminary Tree Preservation Plan (TPP) has been reviewed by the City Arborist and identifies a majority of the trees to be in very poor condition. The ordinance section regarding preservation of trees takes into consideration the condition of the existing trees. If the majority of the trees are in such poor health, the removal beyond the allowable seventy (70) percent can approved under a special condition. There are some additional recommendations:

All tree preservation and landscape requirements shall apply with the following exceptions.

- a. Any special conditions to not maintain the minimum thirty (30) percent tree canopy shall be reviewed with a full TTP during final development plan approval process.
- b. Tree replacement as required per the code will be able to be applied and counted with new trees throughout the development area. Replacement inches that can't be met on site will be determined with special conditions during the TPP approval process.
- c. It is encouraged that the street trees within the development be installed with Silva Cells to increase the lifespan of the trees.

## **PARKS**

- a. The existing Sculpture Park should not be redeveloped but can be expanded and connected into the new development.
- b. A maintenance easement should be provided for the Sculpture Park if a connection is made with the development area and the southern roadway is removed.
- c. Should dogs be allowed in multi-family residential units in the development, additional greenspace for pets and pet waste removal systems shall be provided.
- d. Coordinate the design of the boardwalk to meet basic Great Rivers Greenway specifications to connect to future trail systems in the City of Webster Groves.

## **DIMENSIONAL REGULATIONS**

Perry said the "PC" Planned Commercial District does not impose set dimensional regulations upon development. When there is a request to rezone a specific property to "PC" the City is provided flexibility and authority to establish dimensional regulations specific to that property. Staff will review the following to determine regulations to be established in the zoning ordinance for the proposal. A chart was created to identify the requested setbacks within the proposed development and those recommended by staff. There are a few initial draft recommendations.

All structures shall meet the following minimum setbacks.

<u>Location</u>	<u>Setback</u>
N. Gore Avenue ROW	---Ten (10) feet
Rock Hill ROW	---- Ten (10) feet
Kirkham Avenue ROW	--- Ten (10) feet
Union Pacific ROW (Service Road)	--- Fifty (50) feet
Internal Setbacks	---Zero (0) feet
New central street ROW	--- Twenty (20) feet
Alley for Townhouses	--- Twenty-two (22) feet from far side of alley
Existing structure at 49 N. Gore Avenue	--- Zero (0) feet from Gore Avenue ROW Forty (40) feet from Union Pacific ROW
Existing Old Community Baptist Church	--- Five (5) feet from Kirkham Avenue

- a. Awnings, canopies, balconies, colonnades and arcades are permitted up to five (5) feet in front of the front yard setback where clearances are provided for ADA Accessibility and height.
- b. Any retaining wall that is greater than three (3) feet and less than six (6) feet and used to elevate a site above the finished grade of a neighboring property shall be located a minimum of five (5) feet from a side or rear property line. Any retaining wall that is six (6) feet in height or greater and used to elevate a site above the finished grade of a neighboring property shall be located within the buildable area of the lot.

## **HEIGHT**

Perry explained how height can be established from key points on the property including from street frontage; from the average of the elevation of the land around the structure or using mean sea level calculations. Multiple height requirements can be included for larger developments or those with large grade changes across the site. Under the regulations of multiple existing districts in the city code, the proposed height would be allowed based on meeting the intensity of use regulations. There are some added initial recommendations:

The height of all structures shall not exceed the following above the noted adjacent roadways.

- a. Southern building elevations facing the access drive and the Union Pacific railroad – sixty (60) feet and five (5) stories
- b. Southern building elevations facing the new central street – eighty (80) feet and seven (7) stories
- c. Central building elevations facing the new central street – sixty (60) feet and five (stories)
- d. Central building elevations facing the boardwalk - eighty (80) feet and seven (7) stories
- e. Townhouses facing Kirkham Avenue – thirty-five (35) feet and two and a half (2 ½) stories from the required one (1) foot above flood elevation
- f. Chimneys, cooling towers, elevator bulkheads, fire towers or necessary mechanical appurtenances may be erected to a height of fifteen (15) feet above the applicable allowed maximum height. The

Architectural Review Board shall determine whether appropriate screening is required for any of the items listed in this subsection.

## **INTENSITY OF USE**

Perry said lot coverage, floor-area ratio, and minimum land area per dwelling unit are a few calculations that the city code applies to evaluate and control the size of new construction on a lot.

- Lot coverage is the percentage of the footprint of the building in relation to total area of the lot.
- Floor-area ratio is the percentage of the entire interior floor area square footage of the building in relation to the total area of the lot.

Staff provided a chart showing how the intensity of use was calculated by using the rough calculations for the proposed development. Buechter noted the calculations were incorrect; staff will make those corrections and continue their review.

## **SUBDIVISION PLATTING**

In order to establish the proposed redevelopment area as a single "PC" Planned Commercial District, staff would require the applicant to submit a lot consolidation plat for review to extinguish the existing lot lines and consolidate the subject properties into one (1) legal lot.

These are some added initial recommendations:

- a. A Plat consolidating all lots within the development should be approved prior to the start of construction for the development.
- b. Any streets or roadways that will be dedicated a public street must meet the Minimum Design Standards in Section 50.030 of the City of Webster Groves Codes
- c. Any streets or portions of streets to be vacated including Pacific Avenue; Kirkham Avenue (south of the Sculpture Park); Lincoln Avenue and Sherman Place will be required to be vacated by the developer either with the plat or through a separate vacation process.
- d. All applicable easements for stormwater, utilities or maintenance should be established with the Plat.

Perry went through recommendations for Lighting and Architectural Review Board as follows:

### **LIGHTING**

- a. Provide a lighting plan during each Site Development Plan approval for review of lighting requirements in the Building Code.
- b. Light fixtures, whether stand alone or attached to the building shall not exceed twenty-five (25) feet in height.
- c. Decorative street lighting shall match the fixtures used in the Old Webster Business District.

### **ARCHITECTURAL REVIEW BOARD**

- a. Building facades will be reviewed by the Architectural Review Board. Elevations should be articulated with changes in materials and color with the planes varied in height, depth and direction. Long facades shall be designed with sufficient articulation to avoid a monotonous or overpowering appearance.
- b. Awnings, canopies and balconies are encouraged on the façade.
- c. All mechanical equipment, trash receptacles, storage of materials and equipment shall be located and screened by berms, dense vegetative plantings, wooden fences, or

brick walls, or combinations of these materials at least six (6) feet in height so that such materials are not visible from adjacent right of way or properties.

- d. Outside rubbish, garbage, and dumpster enclosures shall be permanently screened from view, from all four (4) sides, one side to include a workable gate or door, with wood or masonry walls. The walls shall have a minimum height of six (6) feet. All screening required by this section shall be comprised of a color and composition similar to that of the main structure of the premises.

Perry noted some additional recommendations as follows:

- Signage: All signage shall follow Chapter 54 Sign Code. Any requested sign package shall follow Section 54.103.
- All utilities shall be installed underground
- Opportunities for recycling shall be provided in the development.
- Railroad: Any improvements through or over the railroad right of way require permits and approvals from the Union Pacific Railroad
- The developer shall submit a Final Development Plan within twelve (12) months of approval of the change of zoning to the Plan Commission for its approval without public hearing or recommendation of the City Council.
- Failure to comply with the submittal requirements allows the City Council the ability to consider repeal of the change of zoning per section 53.805

Perry said staff will continue to take in public comments. All agreed to hold a special meeting on August 31, 2021 to hear those comments.

Sindel asked if there were any comments tonight from anyone that had not already made a comment, there were none.

Sindel asked for a motion to hold the public meeting open to August 31, 2021. Buechter made a motion. Hunt seconded the motion. All in favor motion passed 7-0.

**8. OTHER BUSINESS:** Perry said there was none at this time.

**9. NEXT REGULAR MEETING:** September 13, 2021

## **10. ADJOURNMENT**

Sindel asked for a motion to adjourn. Smith made a motion. Hunt seconded the motion. All in favor motion passed 7-0. The meeting adjourned at 8:55 PM.