



City of Ellisville

PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES

Meeting Date: January 13, 2016

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 - B. Petition #16-01-04: Petition of US Beef Corporation, d/b/a Arby's, for issuance of a conditional use permit to allow the operation of a drive-through facility associated with a new Arby's restaurant at 15678 Manchester Road within the C-3 Commercial Zoning District.
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PLANNING AND ZONING COMMISSION MEETING SUMMARY

Chairman Hoffman called the meeting to order at 7:00 p.m. Commissioner Sanborn led the Pledge of Allegiance. Other Commissioners present were: Reel, Ellebrecht, Sticksel, Gundlach, and McGrath. Commissioner Boggs arrived at 7:26 pm. Commissioner Turner was absent. A quorum was present for the meeting.

Also present were City Planner Hood, Assistant City Attorney Parnell, Mayor Paul, and Council Members Voss, McGrath, and Pool.

1. APPROVAL OF AGENDA

A motion was made by Commissioner Reel to approve the Agenda, as written, and was seconded by Commissioner Ellebrecht. The votes were as follows:

<u>Vote Call</u>	<u>Aye</u>	<u>Abstain</u>	<u>Nay</u>	<u>Absent</u>
Linda Reel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Curtis Boggs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Carl Hoffman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Turner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
John Ellebrecht	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nanci Sticksel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Suzanne Gundlach	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Greg Sanborn	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sandie McGrath	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. APPROVAL OF MINUTES

A motion was made by Commissioner Reel to approve the December 9, 2015, Regular Meeting Minutes, as written, and was seconded by Commissioner Sticksel. Hearing no questions or discussions, the votes were as follows:

<u>Vote Call</u>	<u>Aye</u>	<u>Abstain</u>	<u>Nay</u>	<u>Absent</u>
Linda Reel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Curtis Boggs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Carl Hoffman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Turner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
John Ellebrecht	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nanci Sticksel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Suzanne Gundlach	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Greg Sanborn	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sandie McGrath	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. PUBLIC HEARINGS

Petition #16-01-01: City initiated petition to consider Text Amendments to Chapter 400 of the Land Use Regulations. (Continued from the December 10, 2015, Planning and Zoning Commission meeting.)

Assistant City Attorney Parnell read the Exhibit List, and Chairman Hoffmann swore in Planner Hood.

Planner Hood summarized this petition was continued from the December 9, 2015, Planning and Zoning meeting, required a public hearing. The staff is proposing changes to fees, non-conforming uses and structures. The proposed changes are consistent with the City's adopted Comprehensive Plan. Discussions ensued among Commissioners, Assistant City Attorney Parnell, and Planner Hood.

Commissioner Sticksel moved to forward a positive recommendation, as outlined in Attachments A and B, to the City Council, and the motion was seconded by Commissioner Sanborn. The votes were as follows:

<u>Vote Call</u>	<u>Aye</u>	<u>Abstain</u>	<u>Nay</u>	<u>Absent</u>
Linda Reel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Curtis Boggs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Carl Hoffman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Turner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
John Ellebrecht	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nanci Sticksel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Suzanne Gundlach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Greg Sanborn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sandie McGrath	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Petition #16-01-02: Petition of Starbucks Coffee Company for an amendment to Ordinance #2553, and the C-5 Planned Commercial District, for issuance of a conditional use permit and for approval of associated site development plan, to allow the operation of a drive-through facility associated with a specialty food and beverage use at 15845 Manchester Road within the C-5 Planned Commercial Zoning District.

Assistant City Attorney Parnell read the Exhibit List, and Chairman Hoffman swore in Ms. Shawn White, with CBB.

Planner Hood stated the applicant is requesting approval of an amendment to Ordinance #2553 and the C-5 Planned Commercial District, approval of the associated site development plan, and approval of a Conditional Use Permit authorizing a drive-through facility associated with a new Starbucks coffee shop. The proposed Starbucks will be located at the former Pizza Hut site. The existing building will be removed, and a new building with a drive-through facility will be constructed.

Ms. White, with CBB, stated a traffic impact study had been performed by her company. The majority of the Starbucks traffic will occur in the morning when most of the other businesses in the center are closed. As proposed, circulation will not negatively impact Manchester and Clarkson Roads. She summarized her recommendations.

Commissioner Reel moved to forward a positive recommendation to the City Council, subject to the following condition(s):

1. The applicant agrees to the installation of an art piece at this prominent site; and
2. That the art piece is approved by the ARB prior to construction/installation; and
3. That the City Council approves the shared parking agreement with the adjacent center; and
4. That the City Council approves a downward adjustment of the number of required parking spaces for the subject site and adjacent center; and
5. That the applicant requires employees to park offsite in less used parking spaces within the adjacent center or on the adjacent bank property (with bank permission); and
6. That the property owner prepares and records cross-access easements to the north of the shopping center and to the Jiffy Lube site; and
7. That the applicant secures ARB approval; and
8. That the applicant obtains approval from Missouri Department of Transportation for all work within Manchester Road right-of-way; and
9. That the applicant obtains approval from the Metropolitan St. Louis Sewer District.

The motion was seconded by Commissioner Sticksel. The votes were as follows:

<u>Vote Call</u>	<u>Aye</u>	<u>Abstain</u>	<u>Nay</u>	<u>Absent</u>
Linda Reel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Curtis Boggs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carl Hoffman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Turner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
John Ellebrecht	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nanci Sticksel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Suzanne Gundlach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Greg Sanborn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sandie McGrath	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. PETITIONS

Petition #16-01-03: Request of James Drake, General Manager for Porsche St. Louis, for a Conditional Use Permit to allow the operation of a storage facility located 16360 Truman Road within the former Tri-Star Mercedes building and zoned C-4 Ellisville Business Park Zoning District.

Planner Hood stated the applicant is proposing to operate within the service section of the building only, and will occupy approximately 28,000 square feet. This operation will include the storage of new, unsold Porsche vehicles. The applicant has also indicated they will perform pre-delivery inspections at this location, which will consist of an overview of a new vehicle before it is delivered to the customer. There is no negative impact associated with the Condition Use Permit for the operation of the indoor storage facility.

Commissioner Reel was concerned about theft or damage of vehicles, and the potential of not being able to sell the property due to the two-year rental agreement.

Mr. James Drake, the General Manager for Porsche St. Louis, indicated there is an agreement with the owner regarding sale of the property. Should they have a buyer for this location, the applicant has 90 days to evacuate the property.

Mr. Drake also indicated there will only be two to three employees at a time as this location, so there is no need for a bike rack. Their operating hours will be Monday thru Friday, 9:00 am to 6:00 pm, and no weekends.

Commissioner Ellebrecht moved to forward a positive recommendation to the City Council, subject to the following condition(s):

1. The applicant installs a bike rack; and
2. The applicant secures the required occupancy inspections and permit; and
3. The building has an alarm; and
4. That all signage complies with the current Sign Code, including adding the address and landscape plantings to the monument sign.

The motion was seconded by Commissioner Sanborn. The votes were as follows:

<u>Vote Call</u>	<u>Aye</u>	<u>Abstain</u>	<u>Nay</u>	<u>Absent</u>
Linda Reel	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Curtis Boggs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carl Hoffman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Turner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
John Ellebrecht	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nanci Sticksel	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Suzanne Gundlach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Greg Sanborn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sandie McGrath	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Petition #16-01-04: Petition of US Beef Corporation, d/b/a Arby's, for issuance of a conditional use permit to allow the operation of a drive-through facility associated with a new Arby's restaurant at 15678 Manchester Road within the C-3 Commercial Zoning District.

Planner Hood summarized the applicant is requesting consideration and approval of a boundary adjustment plat and issuance of a Conditional Use Permit to allow the operation of a drive-thru facility associated with the new Arby's restaurant. The subject site does not adjoin residential uses. Therefore, noise from the drive-thru should not be an issue. Staff feels this use is a good fit at this location.

Ms. Shawn White, of CBB, indicated a traffic assessment had been performed for this location. She stated the prior study for Raising Canes was incorporated into the current study for Arby's. The recommendation for some type of pavement marking at the entrance would be needed, at minimum. A discussion between the Commissioners ensued regarding future traffic control at the entrance.

Commissioner Reel moved to forward a positive recommendation to the City Council, subject to the following condition(s):

1. That the applicant secures ARB approval; and
2. That the applicant obtains approval from the Metropolitan St. Louis Sewer District; and
3. That the applicant matches existing type and height of existing parking lot lighting fixtures; and
4. That the applicant considers installing an accessible ramp in front of building that connects with pedestrian walkway and pedestrian sidewalk connecting with Manchester Road sidewalk; and
5. That the applicant coordinates with MoDOT to modify the signal timings at the Manchester Road and Ellisville Marketplace intersection in order to better accommodate the full build-out of the Ellisville Marketplace shopping center; and
6. That the applicant installs pavement markings and signage at the first internal intersection to maintain gaps for the internal access drives and the City reserve the right to require a median in the main driveway to eliminate left-turn movements at the first internal intersection in the future, if one is not required initially; and
7. That the applicant provides the number of parking spaces remaining for the retail buildings to verify of the City's parking code is met or that a downward adjustment is approved by the City Council (the main retail center, which consists of approximately 65,000 square feet, would require a minimum of 228 parking spaces, with a maximum of 273 parking spaces).

The motion was seconded by Commissioner Boggs. The votes were as follows:

<u>Vote Call</u>	<u>Aye</u>	<u>Abstain</u>	<u>Nay</u>	<u>Absent</u>
Linda Reel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Curtis Boggs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carl Hoffman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Turner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
John Ellebrecht	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nanci Sticksel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Suzanne Gundlach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Greg Sanborn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sandie McGrath	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. RESOLUTION

Presentation of Resolution to Commissioner Lance Gardner.

6. ADJOURNMENT

Chairman Hoffman adjourned the meeting at 8:05 p.m.

Respectfully Submitted,

Angie Shoemate