



City of Ellisville

PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES

Meeting Date: March 10, 2021

I. **CALL TO ORDER:** Chairman Rob Compton called the meeting to order at 7:00 PM

II. **ROLL CALL**

	<u>PRESENT</u>	<u>ABSENT</u>
Nancy Bengtson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lee Foster	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sandie McGrath	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marilyn Niebling.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Al Tamulaitis.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chairman Compton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Scatizzi	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Ellebrecht	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rajiv Gupta	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A quorum was present for the meeting.

Also present were City Planner Ada Hood, Assistant City Attorney Cindy Parnell, City Manager Bill Schwer, Councilmember Linda Reel, Mayor Mike Roemerman and Councilmember Vince McGrath.

III. **APPROVAL OF AGENDA**

Commissioner Niebling made a motion to amend the agenda to remove Item VII, Training Manual. The motion was seconded by Commissioner McGrath.

<u>Vote Call</u>	<u>Aye</u>	<u>Abstain</u>	<u>Nay</u>	<u>Absent</u>
Nancy Bengtson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Foster	<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"/>
Marilyn Niebling.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Al Tamulaitis.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Compton .	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

John Scatizzi
 John Ellebrecht
 Rajiv Gupta

A motion was made by Commissioner Foster to approve the Agenda, as amended, and was seconded by Commissioner McGrath.

<u>Vote Call</u>	<u>Aye</u>	<u>Abstain</u>	<u>Nay</u>	<u>Absent</u>
Nancy Bengtson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Foster	<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"/>
Marilyn Niebling.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Al Tamulaitis.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Compton .	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Scatizzi	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Ellebrecht	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rajiv Gupta	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IV. APPROVAL OF MEETING MINUTES

Commissioner Ellebrecht moved to approve Meeting Minutes February 10, 2021, and was seconded by Commissioner Scatizzi.

<u>Vote Call</u>	<u>Aye</u>	<u>Abstain</u>	<u>Nay</u>	<u>Absent</u>
Nancy Bengtson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Foster	<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"/>
Marilyn Niebling.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Al Tamulaitis.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Compton .	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Scatizzi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Ellebrecht	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rajiv Gupta	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

V. PETITIONS

A. Petition #21-02-01. Petition of Higher Ground Education for issuance of a conditional use permit to allow the operation of a day-care facility at the

location known and numbered as 15468 Manchester Road, within the “C-3” Commercial Zoning District.

Planner Hood summarized the project and went through a PowerPoint presentation. City’s third-party traffic consultant, Julie Nolfo, summarized the traffic report concluding that traffic would not be significantly impacted by the proposed use. Ms. Nolfo added that the trip generation just barely triggered the requirement for a traffic study. Additionally, Ms. Nolfo out lined the recommendations from the report, as follows:

- Enhance “No Left Turn” signage at Reinke and Manchester Road
- o Enlarge sign across Manchester Road to 48” x 48”
- o Add “No Left Turn” sign below the stop sign
- o Remove sign on the west side of Reinke
- o All other advance notice signs along Reinke should remain
- Design the cut at Reinke
- Reduce the driveway width (on Manchester Road) to 40’ maximum and stripe it for 1 inbound lane and 2 outbound lanes.

The Commission asked about cut through traffic, delivery vehicles, separation between the parking area and the playground, the privacy fence and wrought iron fence location, and sight lines from plant growth at the IHOP to the west. Staff responded that cut through traffic is less of a concern, since the benefits to having access off Reinke Road (restricted to right in and left out, only) are so great. The applicant responded regarding deliveries, and the separation/safety measures around the playground. The applicant also indicated that the wrought iron fence would enclose the play-ground, while the privacy fence would be located along the southern property line. Commissioner Bengtson requested that staff ascertain the sight lines are clear, when the IHOP redevelops.

Chairman Compton moved to forward a positive recommendation with staff recommendations. It was seconded by Commissioner Scatizzi.

<u>Vote Call</u>	<u>Aye</u>	<u>Abstain</u>	<u>Nay</u>	<u>Absent</u>
Nancy Bengtson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Foster	<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"/>
Marilyn Niebling.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Al Tamulaitis.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Compton .	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Scatizzi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Ellebrecht	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rajiv Gupta	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VI. PUBLIC HEARINGS

A. Petition #21-03-02. City-initiated petition for text amendments to Title IV: Land Use, Chapter 400: Zoning Regulations, of the Municipal Code of the City of Ellisville, to modify regulations pertaining to the use of chain-link fencing

Chairman Compton opened the public hearing. Assistant Attorney Parnell entered the exhibits. Chairman Compton swore-in Planner Hood. Planner Hood summarized the proposed text amendment and went over a PowerPoint presentation. She indicated that the City Council had requested that make changes to the fence regulations. Planner Hood stated that the Council requested that staff amend the regulations to prohibit the use and waiver of any chain link fences in excess of 4-feet in height.

The Commission asked about whether regulations should allow for replacement of chain link fence. Planner Hood indicated that currently replacement is allowed and will remain allowed, with added clarity that replacement is limited to same size, type and location of the existing chain link fence. The Commission asked about defining chain link fence and about installing garden fences. Planner Hood responded that according to the regulations, the City Council determines whether a fence is chain link or not.

There was no public comment.

Commissioner Gupta moved to forward a positive recommendation. It was seconded by Commissioner Niebling.

<u>Vote Call</u>	<u>Aye</u>	<u>Abstain</u>	<u>Nay</u>	<u>Absent</u>
Nancy Bengtson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Foster	<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"/>
Marilyn Niebling.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Al Tamulaitis.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Compton .	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Scatizzi	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Ellebrecht	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rajiv Gupta	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

B. Petition #21-03-03. City-initiated petition for text amendments to Title IV: Land Use, Chapter 400: Zoning Regulations, of the Municipal Code of the City of Ellisville, to add auto repair as a permitted use in the M-1 Light Industrial Zoning District

Assistant Attorney Parnell entered the exhibits. Planner Hood summarized the proposed text amendment and went over a PowerPoint presentation. She indicated the proposed text amendment would allow automobile repair, automobile service and automobile wash uses in the M-1 Light Industrial as permitted. She added that these uses were already allowed in the C-3 and C-4 Commercial Zoning Districts.

The Commission commented on the close proximity of residential subdivisions to some of the property zoned M-1 Light Industrial. Commissioner Ellebrecht reminded the Commission that the Amber Trails subdivision was developed in the middle of the M-1 Light Industrial zoning district and that purchasers of these homes were aware that they abutted industrial uses. The Commission requested clarification on whether the auto uses were allowed 'by right' or 'conditionally' in the C-3 and C-4 commercial zoning districts. Planner Hood responded that the auto uses were allowed by CUP only in the C-3 and C-4 commercial zoning districts, but the proposal was to allow by right in the M-1 industrial zoning district. Planner hood added that the proposed auto uses are appropriate and consistent with many other uses permitted by right in the M-1 industrial zoning district. The Commission asked about restrictions on operating hours in the M-1 Light Industrial zoning district. Planner Hood responded that the Zoning Code has performance standards, including noise decibel, vibration and smoke emission which are applicable in all zoning districts.

There was no public comment.

Commissioner Ellebrecht moved to forward a positive recommendation. It was seconded by Commissioner Tamulaitis.

<u>Vote Call</u>	<u>Aye</u>	<u>Abstain</u>	<u>Nay</u>	<u>Absent</u>
Nancy Bengtson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Foster	<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"/>
Marilyn Niebling.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Al Tamulaitis.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Compton .	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Scatizzi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Ellebrecht	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rajiv Gupta	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C. Petition #21-03-04. City-initiated petition for text amendments to Title IV: Land Use, Chapter 400: Zoning Regulations, of the Municipal Code of the City of Ellisville, to adopt regulations pertaining to electric car charging stations

Assistant Attorney Parnell entered the exhibits. Planner Hood summarized the proposed text amendment and went over a PowerPoint presentation. She indicated that the language was all new and the intent was to clearly articulate that EV charging stations are permitted, without zoning approval on all lots used for commercial, industrial and multi-family uses and on all lots zoned commercial or industrial. She summarized the bullet points:

- Charging stations may be a primary or secondary use on any commercial or industrial zoned lot, and on any lot used for commercial, industrial and multi-family uses.
 - Charging stations will be permitted by right, without any zoning approval.
 - Building, electrical and mechanical permits are still required.
- Charging stations may be deemed primary buildings and therefore located at the front setback line.
- Charging stations must ascertain that vehicular and pedestrian traffic is not impeded in any way
- Charging stations must ascertain that sight distance and visibility at intersections is not obstructed
- Charging stations are not allowed in the right-of-way or on public property (i.e. city, county or state) without the public entity’s consent.
- Charging stations may be approved by the City Council on single-family and two-family lots.
- Charging stations proposed with a required landscape buffer must secure a landscape waiver and approval from the City Council.
- A charging station may be placed within a required parking space and that parking space will still be counted towards satisfying the minimum parking requirements.

The Commission requested clarification on residential personal use versus business promotional use.

Commissioner McGrath moved to continue the petition to the April meeting. It was seconded by Commissioner Ellebrecht.

<u>Vote Call</u>	<u>Aye</u>	<u>Abstain</u>	<u>Nay</u>	<u>Absent</u>
Nancy Bengtson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Foster	<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"/>
Marilyn Niebling.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Al Tamulaitis.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Compton .	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Scatizzi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Ellebrecht	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rajiv Gupta	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I. ITEM WITHDRAWN FROM AGENDA AND CONTINUED TO THE APRIL MEETING: Training Manual/Amendments to Operating Rules Discussion (to be provided under separate cover)

II. ADJOURNMENT

Chairman Rob Compton adjourned the meeting at 9:27 PM.