

**MINUTES OF MEETING  
ZONING AND PLANNING COMMISSION  
CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI  
WEDNESDAY, SEPTEMBER 23, 2020, 4:00 P.M.**

**DUE TO THE CURRENT RESTRICTIONS ORDERED BY ST. LOUIS COUNTY ON PUBLIC GATHERINGS DUE TO COVID-19, THE MEETING WAS CONDUCTED BY VIDEO CONFERENCE VIA ZOOM**

Chairman Moore introduced himself, covered the basic procedures, including the recording of the meeting and called the meeting of the Zoning and Planning Commission to order at 4:01 P.M. The following members were present:

Chairman McPherson Moore  
Vice Chairman Thomas Kahn  
Commissioner Robbye Toft  
Commissioner Maggie Holtman  
Commissioner John Lochhead  
Commissioner Jim Howe  
Commissioner Tim Crowley

Also present were Andrea Sukanek, City Planner; Erin Seele, City Attorney; Anne Lamitola, Director of Public Works; John Fox, Councilman and Nancy Spewak, Mayor.

**Approval of the Minutes from the August 26, 2020 meeting**

Commissioner Kahn made a motion to approve the minutes as submitted. Commissioner Holtman seconded the motion. All those present were in favor; the minutes were approved.

**Items for Consideration**

**ZPC 20-12 Request for a Special Use Permit to erect a stealth communication tower on a MoDOT owned property near 13 Ladue Crest Lane. Property is located in the C Residential Zoning District.**

Doug Dolan, DRA Properties, gave a presentation to the Commission regarding his request for replacing an existing utility pole. The proposed replacement is a stealth pine tree, six feet from the existing Ameren pole at 12 Ladue Crest. Equipment at the base is to be screened with landscaping. Subdivision Trustee approval had been obtained but was later rescinded. The plan includes purchasing the land from MoDOT and donating to the adjacent property owner or the trustees.

The presentation included:

- Safety measures- 911 calls
- Eradicating dropped calls
- FCC Guidelines
- Enhancement of subdivision entrance
- \$20,000 digressionary landscape fund

City Planner Andrea Sukanek presented information regarding the necessity for variance(s). The proposed site is less than the required 2-acre lot size, is less than the required 55 feet from all property lines, is less than the required 150 feet from residential structures and is not less than five feet above surrounding trees.

Maya Kefalov, Ladue resident voiced her opposition to the tower installation citing property values, utility vehicle traffic, upkeep of the area, housing of equipment on the ground near the tower and the lack of dropped calls in the area.

Attorney Alexander Kuehling, representing the subdivision, informed the Commissioners that after alerting MoDOT to the lack of subdivision consent, MoDOT was no longer selling the property.

The history of the existing pole was discussed. In 2002 and 2010 Special Use Permits were issued for 2 antennas. Subdivision/ homeowner's involvement was discussed. City Attorney Erin Seele stated that Missouri Law requires consent of owners, but that law did not exist prior to 2014.

Anita Chimento, 4 Ladue Crest, was alarmed at the number of violations. She stated that homeowners of Number 11 and 13 Ladue Crest were opposed to the erection of the tree. One of the conditions of the S.U.P. is property upkeep, and this unsightly area is lacking in upkeep.

Marjorie Ivey, 28/30 Godwin Lane, shared that easements were used for utilities. This is not a utility. She questioned if it is good for Ladue to grant a variance for a privately owned pole.

Chairman Moore stated that this measure should be tabled. Mr. Dolan and the property owners need to explore options and work towards an agreement. This proposal cannot be approved without owner consent. He requested residents with concerns to contact the City Planner via email.

Donna Pietrucha, 13 Ladue Crest, shared her experience with surveyors stating this was unsuccessfully attempted three years ago. She wants everything in writing, as different information was shared regarding MoDOT. She inquired about City compensation for the tower and was informed there is no compensation.

Commissioner Toft moved this be continued until landowner consent is obtained by the applicant and the City can give neighbors adequate notice of a public hearing. Commissioner Holman seconded. All those present were in favor; the motion carries.

City Planner Sukanek shared residents zoom chat messages concerning upkeep of the property at the entrance to the subdivision, traffic, trucks, safety and the long-term maintenance obligation.

### **ZPC 20-13 Proposed Text Amendment regarding changes to the Zoning Ordinance affecting construction in the E-1 Zoning District.**

The Zoning Ordinance regarding construction in the E-1 zoning district requires that front facing garages be set back 5 feet behind the front door. Staff has determined that the intent was to make sure that the garage was not the dominant feature of the house and approves placement of the front door even with the garage, with the main façade of the house approximately 5 feet in front of the garage/front door. Architectural Review Board has approved this layout. The following change is proposed to Section V.C.(2)(g) of the Zoning Ordinance.

City Planner Andrea Sukanek shared the need to clarify the requirements to Section V.C.(2)(g) of the zoning code. The following additional front setback requirements shall apply in the E-1

District, "Only front facing garages must be set back at least 5 feet behind the front door facade of the house."

Commissioner Toft moved that V.C.(2) (g) of the zoning ordinance be amended to state that front facing garages must be set back at least five feet from the front exterior side of the habitable portion of the building. Commissioner Crowley seconded the motion. All those present were in favor.

The next meeting date will be October 24, 2020.

At 5:48p.m. Commissioner Crowley made a motion to adjourn. Commissioner Holtman seconded the motion. All those present were in favor and the meeting was adjourned.

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Chairman McPherson Moore