

**MINUTES OF MEETING  
ZONING AND PLANNING COMMISSION  
CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI  
WEDNESDAY, MARCH 24, 2021, 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 TELECONFERENCE 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 4:08 P.M. The following members were present:

Chairman McPherson Moore  
Commissioner Tom Kahn  
Commissioner Maggie Holtman  
Commissioner Susan Gausnell  
Commissioner John Lochhead  
Commissioner Tim Crowley

Absent:

Commissioner Robbye Toft

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 February 24, 2021 meeting**

Commissioner Kahn made a motion to approve the minutes, seconded by Commissioner Gausnell. All those present were in favor; the minutes were approved.

**Items for Consideration**

ZPC 21-01                      Proposed text amendment to Section IV.D of the Ladue Zoning Ordinance regarding Nonconforming Uses.

Ms. Sukanek shared information on the issue for consideration: Amending Section IV.D.(2) allowing properties with legally nonconforming use, requiring a Special Use Permit ("SUP"), to change to a different allowed use with a Special Use Permit.

The Ladue Zoning Ordinance allows properties with nonconforming uses to continue to allow the same or a similar nonconforming use as long as such use is not discontinued for a year or less. Section IV.D.(2) states the following: "If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use within the same or more restrictive zoning classification as the existing use, but such change cannot be made to a use for which a Special Use Permit would otherwise be required."

A nonconforming property that is occupied by a use that would be allowed in G-1 zoning could be reused as a retail shop, restaurant, office, hair salon, or medical office among other options, but the building may not be enlarged for such use. This section could also potentially apply to nonconforming uses that would be allowed in other zoning districts, such as G-2 Commercial and Industrial.

The City received an inquiry from an interested party who would potentially like to reuse Ladue Automotive at 301 S. Warson as a restaurant. This property is in the C zoning district. A service station is not allowed in any residential zoning district but could be allowed with a Special Use Permit in G-1 zoning. This property has been in use as a service station prior to being zoned residential so this use is considered nonconforming.

Under the City's current regulations, quoted above, the use of the property at 301 S. Warson could therefore be converted to any other permitted use in the G-1 zoning district provided no structural alterations are made.

Doug Hippler, 305 S. Warson Road has lived next door to the property for years. He provided a power point presentation and spoke in opposition to changes other than reverting 301 S. Warson to a residential property.

Philip Lewis, 307 S. Warson; Dr. Kennedy, 5 Appletree Lane; Ken Wagner, 13 Dogwood Lane and David Mason, 9 Warson Hills Lane shared their opposition to changing the ordinance and to the proposed development of the property at 301 S. Warson.

Chris Eskridge addressed the Commission stating he initially wanted to open a small daytime café or bakery and never anticipated neighborhood opposition. Having learned of the neighbor's opinions, he requested to withdraw his request.

Ms. Sukanek withdrew the proposed text amendment.

ZPC 21-02                      Request for subdivision of a property that does not meet Sec. 94-34 (4) e., which limits subdivision lots to no more than 5 sides. Zoning and Planning Commission may grant an exception per Sec. 94-3 of the Ladue Code of Ordinances. Proposed subdivision is located at 9625 Ladue Road in the B residential zoning district.

Allen Roehrig addressed the commission regarding the application. The primary residence sits on the flat portion toward the North. Mature trees, road noise and topographical issues are some of the difficulties developing this property. An existing pool and pool house on the east side will then belong to the new lot. This plan benefits the homeowners and is the most equitable split of the parcel. Efforts were made to explore the ordinances and make this work. Landscape plans are in the works.

Ms. Sukanek detailed, 9625 Ladue Road is in an 8-acre property located in the B Residential Zoning District, which permits subdivision lots with a minimum size of 1.8 acres. There is currently a 7,257 square foot residence, a carriage house, a greenhouse, a pool and pool house on the property. It exceeds the 3 to 1 depth to width ratio. The applicant requests to subdivide this property into two lots and build a new house on the easternmost lot. The proposed lots each would have 8 sides, which is prohibited by the subdivision code.

Lot A would be 3.55 acres in size and Lot B would be 4.45 acres in size.

Discussion ensued. Topics included the precedents, proposed ratio (measured at the setback line) topography, flag lots, and placement of the division.

Commissioner Kahn made a motion to approve the proposed subdivision with the conditions as outlined in the staff memo. Commissioner Gausnell seconded the motion. All those present voted against the motion. The motion failed.

ZPC 21-03                      Request for a Special Use Permit Amendment for the Litzsinger Ecology Center to increase the size of the area subject to their existing Special Use Permit and to modify the location of the structure previously requested by ZPC 20-16. Property is located at 9711 and 9735 Litzsinger Road in the A and B residential districts.

Jack Milner returned with a request to modify an approved conforming building as it is located in an area with a Special Use Permit. There was neighborhood opposition to the proposed site. Neighbors asked the shed to be moved across the Lane to the 9735 property. The request is to move the shed and include the 9735 and 9701 properties into the Special Use Permit, replating and consolidating the properties. The neighbors are in favor of this change.

Commissioner Gausnell moved to approve the Special Use Permit amendment for the Litzsinger Ecology Center and to increase the area of the Special Use Permit to include 9735 and 9701 Litzsinger Road. Commissioner Lochhead seconded. All those present were in favor. The motion passed.

The next meeting will be held on April 28<sup>th</sup>.

At 6:10 p.m. Chairman Moore adjourned the meeting.

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Chairman McPherson Moore