

**MINUTES OF MEETING  
ZONING AND PLANNING COMMISSION  
CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI  
WEDNESDAY, JULY 28, 2021, 4:00 P.M.**

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

Also present were Andrea Sukanek, City Planner; Erin Seele, City Attorney; Anne Lamitola, Director of Public Works; Nancy Spewak, Mayor and Lori Wrobel, Administrative Assistant

**Approval of the Minutes from the June 23, 2021 meeting**

Commissioner Toft suggested amendments to the minutes and made a motion to the approve the minutes as amended; seconded by Commissioner Holtman. All those present were in favor; the minutes were approved as amended.

**Items for Consideration**

ZPC 21-11 Request for approval of a text amendment to revise the Ladue Zoning Ordinance (Ordinance #1175), regarding regulation of communication towers and antennas.

Ms. Sukanek reported the proposed text amendments were initiated by the Ladue Cellular Service Advisory Committee. At the April City Council meeting the Committee presented recommendations for changes to city's wireless regulations by creating a new section of the Ladue Code of Ordinances. This section would specifically apply to permitted cellular equipment, placement of such equipment, simplify the code and eliminate certain restrictions. The proposed changes will reduce the permit application timeline and encourage carriers to invest in the Ladue community infrastructure. The node permit application is reduced to one-page, unreasonable restrictions are purged, and regulations are clarified for standalone pole antennas in Right-of-Ways.

Based on these recommendations, the proposed changes incorporate the consolidated wireless facility regulations into one Section, as follows:

**Stealth Towers:**

- Become a permitted use in any commercial or industrial district with Architecture Review Board approval
  
- Requirements in a residential district remain unchanged
  
- Maximum permitted height is increased to 85 feet, however the Zoning and Planning Commission can grant a waiver for additional height

- Will no longer be required to be within 5 feet of trees, yet must meet aesthetic requirements

Antennas:

- Concealed Antennas become permitted use on non-residential property in residential districts. Subject to ARB approval
- Small wireless antennas become an allowed use on utility poles in all zoning districts when the new or modified pole is no more than fifteen feet in height above the tallest existing Utility Pole within a ¼ mile radius, or a height of 50 feet, whichever is greater
- Antenna height requirement of less than 15 feet above the highest power line on a utility pole will be eliminated
- Antennas on poles located in the right-of-way or in a utility easement may be approved with a Special Use Permit. The SUP may approve up to 70 feet in height. Additional height may be approved by waiver from the Zoning and Planning Commission “upon good cause shown.”

Other changes include defining administrative permit as being for a permitted use and clarifying some stealth definitions. Wireless antenna applications would begin with the Zoning and Planning Commission prior to being presented to the City Council

Mr. Hiemenz, Chairman of the Ladue Cellular Service Advisory Committee reported on the progress made with engaging AT&T, and the potential impact this will have with other carriers. This much needed opportunity for improved service may not come around again. Major contributors of cell service connectivity issues in Ladue include the rolling topography and the tall tree canopy. Additional antennas are a necessity for improved service. The Ladue Fire Department uses mutual aid from neighboring departments. These first responders rely on GPS to locate emergencies in Ladue. Dropping connections could be matter of life-or-death.

Discussion ensued regarding the permitting stealth antennas in residential properties. Mr. Hiemenz reported that these sites require continued access for maintenance and repair.

Ms. Seele shared that by law, once an antenna is attached to a structure the state gives the right to raise and add antennas to the structure, a covenant would be necessary to ensure the antenna remain concealed and any additional antennas on the site also must remain concealed.

Commissioner Toft moved that the recommendations from the report of the Cellular Service Advisory Committee be adopted in toto with the corrections of clerical mistakes as noted by the City Planner; seconded by Commissioner Holtman. All those present voted in favor.

ZPC 21-07 Request for a Special Use Permit to open a massage therapy business in the G2 Zoning District. Property is located at 8820 Ladue Road.

Cheryl Fisher is requesting a SUP to open a small massage room in the Rise Collaborative Workspace at 8820 Ladue Road.

Ms. Sukanek asked the Commissioners if a text amendment should be included in the code to permit massage therapy so applicants could avoid going through the process of obtaining a S. U. P. She stated the applicant must meet all ADA, business license, and permitting requirements.

Ms. Holtman moved that the Commissioners grant applicant Cheryl Fisher's request for a Special Use Permit to open a massage therapy business in the G2 zoning district at 8820 Ladue Road; seconded by Commissioner Toft. All those present voted in favor.

ZPC 21-08 Request to create a 5-lot subdivision in the A residential zoning district. Three lots would be re-subdivided into 5 lots. Lots to be re-subdivided are 3 Trinity Farm Lane, 1720 Denny Court, and 1732 Denny Court

The property line was formed by following the creek line. One house is currently being constructed with four more planned for family members. The property containing the stables is not part of this subdivision. The current lot is consistent with the area, has more than five sides and meets the size criteria for lots with more than five sides of 30,000 or more square feet.

Tim Meyer spoke on behalf of Mr. Joe Stieven. The Property lies in the "A" residential zoning district near where Old Warson Road turns into Woodlawn Ave. The proposed subdivision would divide three existing subdivision lots into five lots. There are two cul-de-sacs on the property. Driveways will come off the two existing streets.

Discussion ensued including the subdivision's cumulative storm water requirements as opposed to each lot individually. The subdivision must meet all City of Ladue and MSD storm water requirements. The overall plan will require MSD approval.

Commissioner Toft moved that lots known as 3 Trinity Farm Lane, 1720, and 1730 Denny Court be allowed to be subdivided into five lots subject to meeting all of the stipulations set forth in the report of the City Planner, and subject to compliance with city ordinances that storm water and detention be addressed on a subdivision wide basis; seconded by Commissioner Kahn. All those present voted in favor.

ZPC 21-09 Request for a Special Use Permit to construct a 10,460 square foot gymnasium addition at Conway School. Property is at 9900 Conway in the D residential zoning district.

Mr. Brandon Harp, Civil Engineering Consultant, addressed the Commissioners sharing that the proposal passed on the Bond Issue last April for a new gymnasium that will also serve as a storm shelter. After Fire Marshal review, the original placement was changed and the new location was favorable with the marshal. The proposal is set to go before the Zoning Board of Adjustment on Tuesday for a variance in the greenspace requirement. Ms. Sukanek reported the stipulations for a Special Use Permit.

Commissioner Toft moved that the SUP for a gymnasium at the Conway School be approved subject to

- review by the Fire Marshal,
- compliance with city storm water requirements and MSD requirements;
- landscape plan submittal;
- tree removal permits
- compliance with all other city ordinances

- compliance with all stipulations set forth in the City Planner's documents

The motion was seconded by Commissioner Holtman. All those present voted in favor.

ZPC 21-10 Request for a Special Use Permit to construct an 11,350 square foot gymnasium addition at Reed School. Property is at 9060 Ladue Road in the C residential zoning district.

Mr. Brandon Harp, Civil Engineering Consultant, addressed the Commissioners sharing that the proposal passed on the Bond Issue last April for a new gymnasium that will also serve as a storm shelter. The old gymnasium will be repurposed. The proposal is set to go before the Zoning Board of Adjustment on Tuesday for a variance in the greenspace requirement. Ms. Sukanek reported the stipulations for a Special Use Permit.

Pete McGowan, 3 Robyn Hill shared concerns regarding storm water due to the storm water mitigation and bank stabilization project relative to the green space reduction. He is requesting special attention be given to the project.

Commissioner Toft moved that the SUP for a gymnasium at Reed School be approved subject to compliance with city storm water requirements and MSD requirements; and all other special conditions as set forth by the City Planners memorandum on this Special Use Permit; seconded by Commissioner Kahn. All those present voted in favor.

Upon question of a Commissioner as to why case ZPC 21-12 was not being brought by the petitioner today, a brief discussion ensued. Commission members opined that gates were disfavored and do not align with the comprehensive plan. The consensus was to have staff request the City Council refer the general issue of gates to Z&P for further discussion.

At 5:40 p.m. the meeting concluded.



Chairman McPherson Moore