

**MINUTES OF MEETING
ZONING AND PLANNING COMMISSION
CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI
WEDNESDAY, AUGUST 26, 2020, 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
Commissioner Tim Crowley
Commissioner John Lochhead

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

Approval of the Minutes from the July 28, 2021 meeting

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

Items for Consideration

ZPC 21-14 Request for amendments to the approved site plan for the Schneithorst Village Renovation at 1600 South Lindbergh in the G2 zoning district.

Ms. Sukanek reported the original Site Plan for this property was recommended for approval by this Commission in January and approved by City Council in February of 2020. The Building Permit was granted based on the approved site plan.

Amendments to the site plan change accessibility and walkability of this site. On the north side of the property, near Clayton Road, a walkway was to provide pedestrian access to the development. This walkway is near a bus stop and is required to be accessible however the slope is too great to be accessible. The applicant has requested to remove this walkway from the site plan.

Along Lindbergh, the plan maintains updating the existing sidewalks to ADA standards. The applicant has requested to remove this walkway. The intersection has been updated to ADA standards, but the sidewalk along Lindbergh has not been upgraded. These substantial changes prompted the City Council to require the amended site plan to undergo the review and approval process.

Mr. Allen Roehing of Musick Construction addressed the Commission regarding the removal of the walkway on the North side. The grade drop is far too great for a wheelchair and thus creates a liability. An ADA sidewalk was created on the South side of the property.

The sidewalk along Lindbergh is not located in the City of Ladue, but in Frontenac. The property line concludes just short of the existing sidewalk. MoDOT has slated sidewalk construction through the Right-of-Way of 1600 Lindbergh for 2023.

Maryann Rober, 14 Blayton, addressed the Commission regarding site plans requiring screening, being maintained and replaced as necessary.

Commissioner Toft moved that Resolution 2020-4 be amended to provide for the removal of the north/south walkway to the northern parking lot of the subject property; to stay the requirement of a new sidewalk parallel to Lindbergh Boulevard until January 2026, pending the resolution of MoDOT's stated intention to include new sidewalk upgrades to that location as part of their Lindbergh Boulevard improvements.

ZPC 21-13 Request for approval of a text amendment to revise the Ladue Zoning Ordinance (Ordinance #1175) regarding the operation of business from vehicles and requirements for special events.

Special Event requirements were added to the code in 2016 to ensure that all City Departments were aware of events including Fire, Police, Building and Public Works Departments. The text amendment is intended to address special event requirements not addressed in the Zoning Code.

The Zoning Code only details the requirements for events requiring Special Use Permits. Other types of events, such as schools, church picnics, and fundraisers held in residential are not addressed. The goal is for the City to be notified in time for safety related needs to be addressed, without adding a burdensome permitting process.

Ms. Sukanek suggested an 'Additional Use Regulations' section regarding Special Events in Section IV. of the Zoning Code detailing the requirements for these events. This section will support current approval practices for such events.

Maryann Rober, 14 Blayton, reported loud noise disturbances from events held at the library behind her home.

The City has received requests for events with food trucks which are currently prohibited.

Changes proposed in this text amendment include:

An additional section detailing requirements for Special Events that do not require Special Use Permits ensuring current practices are supported by the Zoning code. These types of events are allowed in the G1 and G2 districts and on non-residential properties of 2 or more acres in residential districts.

Special Use Permits are required for Special Public Events that involve fireworks, sound that violates the noise ordinance, the sale of alcoholic beverages, and amusement structures. A S.U.P. can be granted in G1 and G2 Districts and in a residential district on non-residential properties 2 acres or more in size. Currently the code does not specify that this is only required for events that are open to the public, and such events are only allowed in Commercial Zoning Districts.

Remove the requirement "multiple vendor sales" in the S.U.P.

Add a subsection regarding mobile food vendors and add a vendor license requirement.

On commercial and non-residential property, there would be no limit of vendors that meet all

other requirements. Private residents can host one licensed mobile food vendor for approved private parties

Eliminate the requirement that "all events must end by sunset"

Events obstructing a right-of-way require Special Event approval.

Special Events applications submittal time:

- S.U.P. required 180 days prior to event
- No S.U.P. required at least one week prior

School, church, and library properties are exempt from Special Use Permit requirements when furthering their current objectives.

All events are subject to event approval requirements.

Mobile food vendors associated with an approved Special Event are exempt from the prohibition of vehicles being used for commercial purposes.

Add the definition of Mobile Food Vendor.

Events that require Special Event approval must submit:

Special Use Permit Application and fee \$250 for non-profit, \$500 for for-profit organizations;

A certificate of insurance;

If event will utilize public right-of-way or public property, a statement acknowledging that the applicant agrees, at all times, to defend, indemnify, and to hold harmless the City of Ladue, its elected officials, officers, agents, and employees from any and all claims, demands, suits, proceedings, and actions, liability and judgment, costs, damages, losses, and expenses of any kind, including attorneys' fees, arising directly or indirectly from the special event;

A sketch including the layout of tents, food, vendors, activities, and entertainment;

St. Louis County Health Department Permit/License and City of Ladue vendor license for any mobile food vendors;

Special Event approval shall be required for each occurrence of reoccurring events

Special Event approval shall not grant other permits or approvals, such as Building Permits for temporary structures. All tents, food vendors, amusement structures (e.g. bounce houses), and temporary structures shall comply with all City Ordinances and Building and Fire Codes adopted by the City, as well as all applicable City, State, and Federal requirements.

Exempt Events from Special Event approval requirements:

Indoor gatherings on a commercial property with no excessive traffic or parking congestion.

Private events on private property or clubs that do not create a nuisance, violate ordinances, impact public property, and do not require the provision of city public safety services.

Expressive Events, which shall be defined as an activity in which persons are exercising their freedom of speech, such as assembling, demonstrating, or marching, in an orderly manner and do not violate the noise ordinance or involve, fireworks, alcoholic beverages, or amusement structures. Nothing in this Section shall require a permit for any activity protected by the first amendment.

All evidence of the special event must be cleaned up at the close of the event.

Temporary complying signage, as defined by Section XI of Ordinance 1175 may be allowed with an approved Special Use Permit.

Substantive complaints from previous events hosted by the organizer or violations by the event organizer shall be grounds for denial of permits.

Any Special Use Permit issued shall be non-transferable.

No vehicle whether automotive or a trailer, mobile home, or similar item, whether supported by wheels or with wheels removed, shall be kept or used in this city for living purposes or for temporary or permanent storage, processing or treatment of machinery, equipment, merchandise or commodities of any type, on any lot or tract of land within the City except for the following:

A vehicle may be used temporarily for office or administrative purposes in connection with building, road, sewer, or utility construction, but must be removed immediately upon completion of the project.

Discussion topics included:

- Defining Special Event and categorizing the events.
- Defining events requiring an SUP such as events with amplified sound, and bright lights.
- Event factors that require more control; necessitating the S.U.P.
- Removing exemptions for schools, churches etc.
- Over complication with too many ordinances.
- Aspects that must be expected, such as noise, and parking, etc.
- Food vendors, trendy, high quality, enjoyment, leave no trace.
- Reducing the time frame to apply from 180 to 120 days.

Ms. Sukanek asked if the Commission would like her to reorganize the text amendment. The Commission decided restructuring would be helpful, beginning with a conflict in items 2 and 7 and merging them into one.

It was determined that lighting and noise violations are subject to police intervention. Ms. Sukanek will make the changes and bring the revisions to the Committee for further review. However, did request to amend one section to allow food trucks as requested.

Commissioner Toft moved that section IV of the zoning code be amended in the in the following respects:

Section IV A(4)e be amended to add a subsection 2 for mobile vendors as suggested by the City Planner and the definition of mobile food vendors be added to section 15 using the language as purposed by the City Planner; the motion was seconded by Commissioner Crowley.

Ms. Sukanek called for clarification of the reorganization of Section IV A(4)e regarding construction trailers.

Commissioner Toft moved to accept the amendment as proposed; seconded by Commissioner Lochhead. All those present were in favor.

Chairman Moore reported gate proposals are frequently coming before the commissioners, the latest proposal on the current agenda has been postponed. He suggested a requesting a moratorium on the submission of gate proposals to the Council.

Commissioner Toft moved the commission recommend to the City Council that any application for subdivision gates be stayed until the Planning and Zoning Commission can revisit by text amendment the current subdivision gate ordinance.

The meeting concluded at 5:35 p.m.

A handwritten signature in cursive script, reading "McPherson Moore". The signature is written in black ink and is positioned above a horizontal line.

Chairman McPherson Moore