

**CITY OF FENTON, MISSOURI
625 NEW SMIZER MILL ROAD
FENTON, MISSOURI 63026**

**PLANNING AND ZONING COMMISSION
MINUTES OF MEETING
January 8, 2019**

COMMISSIONERS:

John Shea, Chairperson (2019)
Jerry Odehnal, Vice-Chairperson (2021)
Thomas Heard, Secretary (2021)
Linda Nelson (2022)
Frank Nilica (2020)
Bill Voorhees (2020)
Gregg Matthes (2019)
Kevin Sherrel (2022)
Mayor Josh Voyles (voting member)
Alderman Vera Glick (voting member)

CITY OFFICIALS AND OTHERS IN ATTENDANCE:

Joe Maurath, Alderman
Justin R. Harmon, City Attorney
Andrea N. Finkbiner, Community Development Director
Amy Starck, Community Development Department

CALL TO ORDER: Chairperson Shea called the meeting to order on January 8, 2019, at 7:00 p.m. The meeting was held in City Hall.

PLEDGE OF ALLEGIANCE: All attendees recited the Pledge of Allegiance.

ROLL CALL – INTRODUCTION OF CITY OFFICIALS:

Chairperson John Shea	Present
Vice-Chairperson Jerry Odehnal	Present
Secretary Thomas Heard	Present
Mayor Josh Voyles	Excused Absence
Alderman Vera Glick	Present
Commissioner Linda Nelson	Present
Commissioner Frank Nilica	Excused Absence
Commissioner Bill Voorhees	Present
Commissioner Gregg Matthes	Present
Commissioner Kevin Sherrel	Excused Absence

At the time of roll call 7 members were present; 3 were absent. A quorum was present.

NOTICE TO PUBLIC (Ground Rules): Chairperson Shea read aloud the “Public Hearing Ground Rules.”

NOTICE TO PETITIONERS: Chairperson Shea read aloud the “Notice to Petitioners.”

APPROVAL OF MINUTES (December 4, 2018 WORKSHOP): Chairperson Shea made a motion to approve the minutes as presented. Commissioner Matthes seconded the motion. The motion was unanimously approved by voice vote.

APPROVAL OF MINUTES (December 4, 2018): Chairperson Shea made a motion to approve the minutes as presented. Commissioner Matthes seconded the motion. The motion was unanimously approved by voice vote.

PUBLIC COMMENTS: None

Chairperson Shea made a motion to move CASE 2017-TXT-12 and CASE 2018-TXT-13 under Old Business to follow New Business. Commissioner Nelson seconded the motion. The motion was unanimously approved by voice vote.

OLD BUSINESS:

CASE 2018-SPR-09: A Petition by Matt Garavaglia, on behalf of Edison Real Estate Four, LLC, for Site Plan Review of a proposed Automotive Washing Facility at 1912 Bowles Avenue. The property is zoned “HP-1” Hospitality Park – Hotel, Restaurant, Entertainment Business Park District.

Director Finkbiner gave a presentation regarding the Staff report to the Commission. The Director stated that the Petitioner has received Variances from the Board of Adjustment relating to landscape buffers and driveway entrance/exits. She further stated that the Petitioner provided a traffic study, submitted by Lochmueller Group, as requested by the Board of Adjustment. The study has been provided to St. Louis County and Matt Budd, Director of Public Works, both of whom had no concerns with the study.

The Petitioner, Matt Garavaglia of Edison Real Estate Four, LLC, and Mace Nosovitch, a representative of Tidal Wave, approached. Discussion was held regarding proposed signage. Mr. Nosovitch stated that the proposed pole sign would be LED illuminated and in compliance with City Code. Director Finkbiner stated that directional signage was suggested in the traffic study. Additionally, she stated that proposed signage was included in a Sign Plan with Site Plan Review. Director Finkbiner clarified that any additional signs not included in the Sign Plan, with the exception of directional signage for safety reasons, would need to be submitted with a new Sign Plan and approved by the Planning & Zoning Commission and the Board of Aldermen.

Additional discussion was held relating to vehicle stacking and queueing. The Petitioner stated that the property will provide for 2 queuing lines and according to the traffic study, does not believe stacking will be an issue.

Further discussion was held relating to trash enclosures and water containment.

Chairperson Shea read aloud the proposed conditions of approval to the Petitioner. The Petitioner concurred.

Chairperson Shea made a motion to APPROVE CASE 2017-SPR-09, WITH CONDITIONS. Vice Chairperson Odehnal seconded the motion.

Conditions of Approval:

This approval is strictly for a proposed new 5,250(+/-) square-foot drive-through automotive washing facility at 1912 Bowles Avenue, as indicated on plans submitted with the application, with the following conditions:

1. Amend the site plan to:
 - a. Indicate the square-foot of the principal building;
 - b. Indicate the required setbacks and buffer areas within the “HP-1” District, as well as the setbacks as approved under Case 2018-V-09 by the Board of Adjustment;
 - c. Indicate the details for the proposed trash enclosure details as well as details for the trash pad, in compliance with the Chapter 496 of the Code;

- d. Indicate required handicap parking space dimensions and signage, in compliance with Chapter 496; and
- e. Indicate parking lot pavement details (including depth), in compliance with the Chapter 496 of the Code.
2. Amend the elevations plans to:
 - a. Indicate the proposed building material; and
 - b. Comply with the allowable building materials within the “HP-1” District per Section 475.050(H)(7) of the Code.
3. The proposed queuing spaces are approved based on the traffic study submitted by Lochmueller Group, dated December 7, 2018.
4. Directional signage must be posted on the site as suggested on page 4 of the traffic study submitted by Lochmueller Group, dated December 7, 2018.
5. The Sign Plan, submitted in conjunction with the Site Plan, is approved with the following conditions:
 - a. All Sign Permit applications must include all required information, including detailed sign areas and illumination. Any sign illumination must be in compliance with the Sign Code.
 - b. Any additional signage other than that approved in conjunction with this Site Plan Review will require the resubmittal of a new Sign Plan for review by the Planning and Zoning Commission and the Board of Aldermen.
6. The Community Development Director may administratively approve any minor changes to the site plan as required by another reviewing entity, such as the Fenton Fire Protection District and MSD.
7. Separate permits will be required for Land Disturbance.
8. Compliance with all other applicable City of Fenton Codes and Ordinances.

Roll Call:

Chairperson Shea	Aye
Vice-Chairperson Odehnal	Aye
Secretary Heard	Aye
Mayor Voyles	Absent
Alderman Glick	Aye
Commissioner Nelson	Aye
Commissioner Nilica	Absent
Commissioner Voorhees	Aye
Commissioner Gregg Matthes	Aye
Commissioner Sherrel	Absent

7 Ayes; 0 Nays, 3 Absent: Motion APPROVED.

NEW BUSINESS:

CASE 2019-TXT-01: Consideration of amendments to Chapter 470 – Additional Non-Residential District Regulations of the Zoning Code.

Staff requested this matter be continued to allow time for review for other needed revisions and additions.

Chairperson Shea made a motion to CONTINUE CASE 2018-TXT-01 to the next Planning and Zoning Commission meeting. Commissioner Matthes seconded the motion.

7 Ayes; 0 Nays: Motion APPROVED by voice vote.

CASE 2019-SPR-01: A Petition by Gravois Bluffs South 6-G4, LLC, for Site Plan Review of a proposed drive-through addition for a restaurant at 170 Gravois Bluffs Circle. The property is zoned “C-1” Commercial Zone District.

The Director stated that the Petitioner has requested a continuance to next month’s meeting to address parking concerns.

Chairperson Shea made a motion to CONTINUE CASE 2019-SPR-01, WITH CONDITIONS. Vice Chairperson Odehnal seconded the motion.

7 Ayes; 0 Nays: Motion APPROVED by voice vote.

CASE 2018-SUP-01: A Petition by St. Louis Spine and Joint Pain Specialists, LLC, for a Special Use Permit to operate a medical office at 520 Center Street. The property is zoned “OT-2” Olde Towne Family Entertainment/Commercial Zone District.

Director Finkbiner gave a presentation regarding the Staff report to the Commission. She noted that the building has been used for medical offices in the past, but has been vacant since the 2015 and 2017 flood events. While the building was not substantially damaged, flood repair would be required. There were no questions for the Director by the Commission.

The Petitioner, Adam Shomstein of St. Louis Spine & Joint Pain Specialties, LLC, approached. He stated that believes the practice would provide exceptional medical care and is excited to practice in Fenton.

Chairperson Shea read aloud the proposed conditions of approval to the Petitioner. The Petitioner concurred.

Chairperson Shea made a motion to APPROVE CASE 2019-SUP-01, WITH CONDITIONS. Commissioner Voorhees seconded the motion.

Conditions of Approval:

1. Approval of the Special Use Permit is solely for St. Louis Spine and Joint Pain Specialists, LLC, to operate a medical office at 520 Center Street.
2. Compliance with all other applicable City Codes and Ordinances.

Roll Call:

Chairperson Shea	Aye
Vice-Chairperson Odehnal	Aye
Secretary Heard	Aye
Mayor Voyles	Absent
Alderman Glick	Aye
Commissioner Nelson	Aye
Commissioner Nilica	Absent
Commissioner Voorhees	Aye
Commissioner Gregg Matthes	Aye
Commissioner Sherrel	Absent

7 Ayes; 0 Nays, 3 Absent: Motion APPROVED.

CASE 2018-SUP-02: A Petition by Dr. William Carpenter/Revival Chiropractic, LLC, for a Special

Use Permit to operate a medical office at 464 Old Smizer Mill Road. The parcel is addressed as 400 Old Smizer Mill Road and is zoned “C-1” Commercial Zone District.

Director Finkbiner gave a presentation regarding the Staff report to the Commission. There were no questions for the Director by the Commission.

The Petitioner, Dr. Will Carpenter of Revival Chiropractic, LLC, approached. There were no question for the Petitioner by the Commission.

Chairperson Shea read aloud the proposed conditions of approval to the Petitioner. The Petitioner concurred.

Chairperson Shea made a motion to APPROVE CASE 2019-SUP-02, WITH CONDITIONS. Commissioner Nelson seconded the motion.

Conditions of Approval:

1. This Special Use Permit is solely for Revival Chiropractic, LLC, to operate a medical (chiropractic) office at 464 Old Smizer Mill Road. Overnight treatment of patients will not be permitted.
2. Compliance with all other applicable Code and Ordinance requirements.

Roll Call:

Chairperson Shea	Aye
Vice-Chairperson Odehnal	Aye
Secretary Heard	Aye
Mayor Voyles	Absent
Alderman Glick	Aye
Commissioner Nelson	Aye
Commissioner Nilica	Absent
Commissioner Voorhees	Aye
Commissioner Gregg Matthes	Aye
Commissioner Sherrel	Absent

7 Ayes; 0 Nays, 3 Absent: Motion APPROVED.

OLD BUSINESS Continued:

CASE 2017-TXT-12: Consideration of amendments to the Zoning Code regarding Permitted Uses and Uses Allowed by Special Use Permit in the Olde Towne, Commercial, and Business Zone Districts and related definitions.

The Director stated that the amendments were based on discussion from the December 4, 2018 Workshop.

Chairperson Shea made a motion to APPROVE CASE 2017-TXT-12 as presented by Staff (see attached Exhibit A). Commissioner Matthes seconded the motion.

Roll Call:

Chairperson Shea	Aye
Vice-Chairperson Odehnal	Aye
Secretary Heard	Aye
Mayor Voyles	Absent
Alderman Glick	Aye

Commissioner Nelson	Aye
Commissioner Nilica	Absent
Commissioner Voorhees	Aye
Commissioner Gregg Matthes	Aye
Commissioner Sherrel	Absent

7 Ayes; 0 Nays, 3 Absent: Motion APPROVED.

CASE 2018-TXT-13: Consideration of amendments to the Zoning Code pertaining to Residential Zone Districts, Olde Towne Commercial Zone Districts, Commercial Zone Districts, and Business Zoning Districts.

The Director stated that the amendments were based on discussion from the December 4, 2018 Workshop. Discussion ensued relating to approval of alternative building materials during Site Plan Review, and exceptions related to historic buildings.

Chairperson Shea made a motion to APPROVE CASE 2018-TXT-13, as presented by Staff (see attached Exhibit B), with the addition of permitting alternative materials under Site Plan Review and for structures that were registered as historical. Commissioner Nelson seconded the motion.

Roll Call:

Chairperson Shea	Aye
Vice-Chairperson Odehnal	Aye
Secretary Heard	Aye
Mayor Voyles	Absent
Alderman Glick	Aye
Commissioner Nelson	Aye
Commissioner Nilica	Absent
Commissioner Voorhees	Aye
Commissioner Gregg Matthes	Aye
Commissioner Sherrel	Absent

7 Ayes; 0 Nays, 3 Absent: Motion APPROVED.

ANNOUNCEMENTS:

REPORT FROM THE COMMUNITY DEVELOPMENT DIRECTOR: Director Finkbiner stated she would like to bring the Chapters relating to the Subdivision Code, Parking Regulations and Special Events to the Commission in March. She stated that ten (10) items have been received for the February meeting and reminded the Commission that the workshop is scheduled in advance of the February meeting.

REPORT FROM THE CHAIRPERSON: Chairperson Shea wished everyone a Happy New Year and hopes for a great year ahead.

REPORT FROM THE MAYOR: None

REPORT FROM THE ALDERMANIC LIAISON: Alderman Glick announced that all items forwarded to the Board of Aldermen were approved.

REPORT FROM OTHER COMMISSIONERS: None

ADJOURNMENT: 8:05 p.m.

A motion to adjourn was made by Vice Chairperson Odehnal and seconded by Chairperson Shea.

7 Ayes; 0 Nays: Motion APPROVED by voice vote.

Respectfully submitted,

Amy Starck, Permit Coordinator
Community Development Department

John Shea
Planning and Zoning Commission