

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

**PLANNING AND ZONING COMMISSION
MINUTES OF MEETING
April 9, 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
Richard Patton, Alderman
Erin P. Seele, City Attorney
Andrea N. Finkbiner, Community Development Director
Amy Starck, Community Development Department

CALL TO ORDER: Chairperson Shea called the meeting to order on April 9, 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	Present
Alderman Vera Glick	Present
Commissioner Linda Nelson	Present
Commissioner Frank Nilica	Present
Commissioner Bill Voorhees	Present
Commissioner Gregg Matthes	Present
Commissioner Kevin Sherrel	Present (arrived at 7:06 p.m.)

At the time of roll call 9 members were present; 1 was 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 (March 5, 2019): 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

OLD 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 the next Planning & Zoning Commission meeting due to the number of cases on the April agenda.

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

9 Ayes; 0 Nays, 1 Absent: Motion APPROVED by voice vote.

CASE 2019-SUP-03: A Petition by Sonsvic, LLC, for a Special Use Permit to expand an existing motel (Motel 6) into an existing, vacant building on-site at 1860 Bowles Avenue. The parcel is zoned “HP-1” Hospitality Park – Hotel, Restaurant, Entertainment Business Park.

Director Finkbiner stated that Staff has not received a request to continue the case from the Petitioner, and to date, no franchise agreement has been submitted as requested. She further noted that revised plans have been submitted that include a manager’s residence. Director Finkbiner suggested this case be continued to the May meeting.

Chairperson Shea made a motion to CONTINUE CASE 2019-SUP-03 to the next Planning and Zoning Commission meeting. Commissioner Matthes seconded the motion.

9 Ayes; 0 Nays, 1 Absent: Motion APPROVED by voice vote.

NEW BUSINESS:

CASE 2019-SPR-08: A Petition by Gravois Bluffs A, LLC, for Site Plan Review of a proposed exterior building remodel for Club Fitness at 751 Gravois Bluffs Boulevard. The property is zoned “C-1” Commercial District.

Director Finkbiner gave a presentation regarding the Staff report to the Commission. She explained that the new tenant, Club Fitness, is proposed to occupy the westernmost portion of the building, and that the Site Plan Review is for approval of alternative exterior building material related to the exterior building remodel in accordance with Chapter 447.

Commissioner Sherrel arrived at 7:06 pm.

Frank Haase of BC Construction and representing the Petitioner, approached. Mr. Haase explained that there has been an effort to repurpose the building since Gander Mountain closed in 2017, and the new tenant, Club Fitness will occupy a portion of the building. The Petitioner’s representative stated that Club Fitness will be opening four new locations in the area, all with a similar signature look. He has explained that the proposed Urastone and EIFS façade will incorporated the signature look of the Club Fitness brand while staying consistent with the look of the other buildings in Gravois Bluffs.

The Commission asked about the remaining vacant portion of the building. Mr. Haase explained that no second tenant has been found for the remaining space yet, but that a new Site Plan Review will be submitted for the remaining space should it be required.

Chairperson Shea read aloud the conditions of approval to the Petitioner’s representative. The Petitioner’s representative concurred.

Chairperson Shea made a motion to APPROVE 2019-SPR-08 WITH CONDITIONS. Vice Chairperson Odehnal seconded the motion.

Conditions of Approval:

1. This approval is strictly for the proposed exterior building remodel for Club Fitness at 751 Gravois Bluffs Boulevard, as indicated on elevation plans submitted with the application and dated February 25, 2019.
2. If a Building Permit for the proposed elevation remodel is required by St. Louis County Department of Public Works, Municipal Zoning Approval (MZA) by the City of Fenton for the proposed remodel will also be required.
3. Signage will require separate Sign Permits, if applicable.
4. A separate Building Permit will be required for the proposed interior remodel, including the demising wall and a separate re-occupancy permit will be required for the proposed tenant(s).
5. 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	Aye
Alderman Glick	Aye
Commissioner Nelson	Aye
Commissioner Nilica	Aye
Commissioner Voorhees	Aye
Commissioner Gregg Matthes	Aye
Commissioner Sherrel	Aye

10 Ayes; 0 Nays, 0 Absent: Motion APPROVED.

CASE 2019-SUB-01: A Petition by David J. Hyde, III, Trustee of David J. Hyde III R.L.T. UDT 11/20/2014, to subdivide an existing 1.64-acre lot, described as Lot-5 A of the Rudder Consolidation Plat, into two (2) lots. The parcel is addressed as 1735 Rudder Road Industrial Park Drive and is zoned “BP-3” Business Park District.

Because this subdivision will require multiple variances, Staff requested this case be continued to the May meeting as the required variance requests are on the agenda for the April 16, 2019, Board of Adjustment meeting.

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

10 Ayes; 0 Nays, 0 Absent: Motion APPROVED by voice vote.

CASE 2019-SUP-08: A Petition by Shirjivan, LLC, for a Special Use Permit to operate a hotel (Super 8) at 650 S. Highway Drive. The property is zoned “HP-1” Hospitality Park District.

Director Finkbiner gave a presentation regarding the Staff report to the Commission. She explained that due to non-conforming uses at this location, the Super 8 has not been operational since mid-February. In order to re-open the hotel as a Super 8, a Special Use Permit is required. Director Finkbiner noted that before a final Occupancy Permit will be issued by the City, all buildings at this location will need to pass inspections including fire, zoning and property maintenance. She further added that this SUP will not include any management quarters or on-site residences and will become null and void upon the issuance of a demolition permit for the planned construction of Baymont Inn & Suites.

The Petitioner, Shelly Patel, approached. She explained that the plans for the new hotel to be built at this location will need to be amended which may take several months. They would like to re-open the Super 8 in the interim. She stated that it is the intent to bring the buildings up to code.

The Commission questioned the Petitioner about the cost of making the necessary changes to a building that is proposed to be demolished. Jiten Patel approached. Mr. Patel stated that because it may take several months before the plans can be amended, they need to reopen the Super 8 as a source of income.

Further discussion ensued related to the maintenance of the property. Mr. Patel stated that they are waiting for reports from the City, St. Louis County and Fenton Fire to see what repairs need to be made before moving forward. Director Finkbiner stated that St. Louis County would be sending structural, mechanical and electrical inspectors to evaluate the property and to issue a report. The Director also indicated that all buildings on the property would need to be brought up to code and evidence would need to be provided from the franchise that the Super 8 would be allowed to once again operate from this location.

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

Chairperson Shea made a motion to APPROVE 2019-SUP-08 WITH CONDITIONS. Commissioner Voorhees seconded the motion.

Conditions of Approval:

This Special Use Permit (SUP) is solely for Shirjivan, LLC, to operate a Super 8 hotel at 650 S. Highway Drive, as indicated on the site plan submitted by the Petitioner, dated March 1, 2019 and marked Exhibit 1, with the following conditions:

1. Evidence that the subject buildings will be operated under the Super 8 franchise must be provided to the Community Development Director before an Occupancy Permit application will be approved.
2. A Separate Occupancy Permit will be required. Before Final Occupancy will be permitted for the hotel (motel), inspections by the City, St. Louis County and Fenton Fire Protection District will be required to ensure all existing Code (applicable Zoning, Building, and Fire Code) violations have been abated and that all the buildings are Code complaint for re-occupancy.
3. The subject buildings shall only be utilized for a hotel (motel) use, as defined under Section 400.030 of the Zoning Code. Any modifications to the buildings to allow for any non-transient use, including residential units or quarters for management, is not approved by this SUP.
4. The property shall be maintained and kept in compliance with existing property maintenance and building standards and will be operated and maintained, including outward appearances, as a hotel. Outdoor furniture and fire pits/grills shall not be permitted on the property. The collection of trash/rubbish outside the proper receptacles is prohibited.
5. Derelict vehicles and any vehicles which are not associated with the hotel/motel use are not permitted to be stored on the property. Additionally, no parking will be permitted on unpaved surfaces.

6. This Special Use Permit shall be automatically deemed null and void when the Demolition Permit for the existing northernmost (front) building and office is approved.
7. 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	Aye
Alderman Glick	Aye
Commissioner Nelson	Aye
Commissioner Nilica	Aye
Commissioner Voorhees	Aye
Commissioner Gregg Matthes	Aye
Commissioner Sherrel	Aye

10 Ayes; 0 Nays, 0 Absent: Motion APPROVED.

CASE 2019-SP-02: A Petition by Harrison French & Associates on behalf of Walmart for review of a Sign Plan for proposed signage at 653 Gravois Bluffs Boulevard. The property is zoned “C-1” Commercial District and “OT-3” Olde Towne District.

Director Finkbiner gave a presentation regarding the Staff report to the Commission. Director Finkbiner explained that the purpose of this sign plan is for Walmart to provide parking spaces and signage for their corporate-wide online grocery pick-up service. The proposed signage includes small pole signs, a wall sign and signs painted on the pavement. Director Finkbiner noted the only item of deficiency is property owner consent that can be provided with the sign permit applications.

The Petitioner, Sara Karstetter of Harrison French & Associates approached. The Commission had no questions for the Petitioner.

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

Chairperson Shea made a motion to APPROVE 2019-SP-02 WITH CONDITION. Commissioner Matthes seconded the motion.

Conditions of Approval:

This approval is strictly to allow a deviation from Section 485.080 of the Sign Code to allow for the overall Sign Plan for Walmart at 653 Gravois Bluffs Boulevard, as indicated in plans submitted with the application and dated March 6, 2019, with the following conditions:

1. Municipal Zoning Approval by the City of Fenton and Sign Permits issued by St. Louis County will be required for the proposed wall signs and small pole signs. Municipal Zoning Approval for the Sign Permit will not be approved by the City of Fenton until the necessary property owner consent for the proposed signage is provided to the Community Development Department.\
2. Compliance with all other applicable City Codes and Ordinances

Roll Call:

Chairperson Shea	Aye
Vice-Chairperson Odehnal	Aye
Secretary Heard	Aye

Mayor Voyles	Aye
Alderman Glick	Aye
Commissioner Nelson	Aye
Commissioner Nilica	Aye
Commissioner Voorhees	Aye
Commissioner Gregg Matthes	Aye
Commissioner Sherrel	Absent

10 Ayes; 0 Nays, 0 Absent: Motion APPROVED.

CASE 2019-SPR-09: The Planning and Zoning Commission recommended APPROVAL, WITH CONDITIONS, of a Petition by US Capital Development for Site Plan Review of a proposed 182,400 square-foot warehouse building located at 2055 Fenton Logistics Park Boulevard. The property is zoned "PID" Planned Industrial Development.

Director Finkbiner gave a presentation regarding the Staff report to the Commission. The Director noted that the Commission previously approved a building, known as Building V, at this location in May of 2018. This request is for a revision to Building V. Due to the size and encroachment of Building VI that was approved in February 2019, modification to the plans for Building V were required. She noted that Building V is reduced in size, within the proposed footprint and the proposed building materials are in compliance with all other buildings in the area.

Scott Haley and Max Breitmayer of US Capital Development approached. Mr. Haley stated that after reviewing the existing buildings at Fenton Logistics Park, it was determined that the proposed future road, known as Assembly Parkway would need to be shifted to coordinate development on the other side of Fenton Logistics Park. These changes resulted in changes to the sizes of Buildings V and VI. Mr. Haley further stated that this building would be a tilt-up concrete building like the other existing building in Fenton Logistics Park and will bring in a variety of tenants and new jobs.

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

Chairperson Shea made a motion to APPROVE CASE 2019-SPR-09 WITH CONDITIONS. Vice Chairperson Odehnal seconded the motion.

Conditions of Approval:

This approval is strictly for the proposed development of a warehouse buildings at 2055 Fenton Logistics Park Blvd. (Building V) as indicated on plans submitted with the application and dated March 7, 2019, with the following conditions of approval:

1. The site plan shall be amended to indicate the required setbacks and landscape buffers and to provide details regarding the proposed trash enclosure locations and materials
2. Proposed signage will require a separate permit to be reviewed for compliance with Chapter 485 of the Zoning Code.
3. Landscaping shall be minimally provided within landscape buffer areas as indicated on the landscape plan submitted with the application. Proposed landscaping within bio-retention areas will require review and approval by MSD and may be subject to MSD maintenance agreements.
4. Before a building permit will be issued, improvement plans for the site will require review and approval by City Staff as well as other applicable parties.
5. All proposed storm water control for the site will require review and approval by Metropolitan Sewer District (MSD).
6. Review and approval of the development will be required by the Fenton Fire Protection District

(FFPD).

7. A Major Land Disturbance Permit will be required before any construction will be permitted.
8. Any needed changes based on MSD or FFPD review may be administratively reviewed and approved by the Community Development Director.
9. 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	Aye
Alderman Glick	Aye
Commissioner Nelson	Aye
Commissioner Nilica	Aye
Commissioner Voorhees	Aye
Commissioner Gregg Matthes	Aye
Commissioner Sherrel	Aye

10 Ayes; 0 Nays, 0 Absent: Motion APPROVED.

CASE 2019-SUB-02: A Petition by US Capital Development to subdivide an existing 124.33-acre lot, described as part of the Boundary Adjustment Plat of Part of Lots 4, 5, 6 and 7 of the Andrew Murphy Estate, into three (3) lots. The parcel is addressed as 2055 Fenton Logistics Park Boulevard and is zoned “PID” Planned Industrial Development

Director Finkbiner gave a presentation regarding the Staff report to the Commission. It was explained that the two new buildings, known as Spec Building V and Spec Building VI, will require separate lots. Director Finkbiner explained that this request will create two lots from the remaining parcel under the Phase I Development Plan.

The Petitioner, Max Breitmayer of US Capital Development approached. He stated that the new lots, known as C and D, will be served by existing improvements under the Phase I Development. When asked by the Commission when the road would be constructed, the Petitioner responded that they anticipate submitting plans within six months.

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

Chairperson Shea made a motion to APPROVE CASE 2019-SUB-02 WITH CONDITIONS. Commissioner Matthes seconded the motion.

Conditions of Approval:

This approval is for a Final Plat for Fenton Logistics Park Plat Four (Plat 4), as submitted, with the following conditions:

1. Revise the “Setbacks” under General Notes to reflect Ordinance 3445 as amended by Ordinance 3874 and revise the City Clerk signature block to reflect the name of the City Clerk.
2. Per Section 480.060 of the Zoning Code, the Developer shall provide a minimum of three copies (two paper copies and one Mylar) of attached Exhibit A to the Community Development Department for signature by the Planning and Zoning Chairman and City Clerk. The Developer shall be responsible for recording the Final Plat with the St. Louis County Recorder of Deeds within sixty (60) days after the signing of the plat and return the required number of copies of the recorded plat to the City. If any recorded plat is not filed within this period, the approval shall expire.
3. Compliance with all other applicable Ordinances of the City of Fenton.

Roll Call:

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

10 Ayes; 0 Nays, 0 Absent: Motion APPROVED.

CASE 2019-SPR-10: A Petition by Cliff Heitmann of Bax Engineering for Site Plan Review of a proposed 4,500 square-foot building for Jacob Sunroom and Exteriors at 1707 Gilsinn Lane. The property is zoned “HP-1” Hospitality Park.

Director Finkbiner gave a presentation regarding the Staff report to the Commission. She noted that the petitioner has recently obtained the required variances in order to fit the proposed building on site and that the site plan is in compliance with the variance approvals. She also noted that this request includes a sign plan as the Petitioner is seeking a larger sign for visibility from nearby Interstate 44. The Director added that the Petitioner is also seeking approval to utilize alternative exterior building materials to showcase the types of materials sold by the company.

Tonny Jun, of MW Weber Architects and representing the Petitioner approached. When questioned about the durability and color of the proposed material, he provided samples of color and material for the Commission to review.

Discussion ensued about the look and style of the proposed material. Concerns were raised that the proposed building material is not consistent with the existing buildings in this district. Nick Weber, MW Weber Architects approached. He explained that aesthetic considerations were given related to the character of the proposed building and feels this product meets the high durability and quality requirements. Mr. Weber further added that this district contains a variety of building material including glass, brick and masonry.

The Commission queried the Petitioner’s representative about the size of the proposed pole sign. Mr. Jun stated that the Petitioner is requesting a larger sign than allowed to provide visibility from Interstate 44. Director Finkbiner explained that the City allows for larger signs for properties along I-44 and many of these properties have received sign variances, but that the subject property is not adjacent to the highway. The Commission concurred that while the desire for visibility is understood, the size of the sign is disproportionately large. The Petitioner’s representative agreed to move forward with the petition without the sign plan. A new sign plan will be submitted for the June meeting.

Chairperson Shea read aloud the revised conditions of approval that include the removal of the sign plan to the Petitioner’s representative. The Petitioner’s representative concurred.

Chairperson Shea made a motion to APPROVE CASE 2019-SPR-10 WITH REVISED CONDITIONS. Commissioner Nelson seconded the motion.

Conditions of Approval:

This approval is strictly for a proposed new 4,500(+/-) square-foot building for Jacob Sunroom and Exteriors at 1707 Gilsinn Lane, as indicated on plans submitted with the application, dated March 7, 2019, with the following conditions:

1. Alternative exterior building materials as indicated on the elevation plans submitted with the application are approved in conjunction with this Site Plan approval.
2. 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.
3. In addition to the required Building Permit, separate permits will be required for Land Disturbance, Excavation, and Signage.
4. Compliance with all other applicable City of Fenton Codes and Ordinances.

Roll Call:

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

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

CASE 2019-SUP-09: A Petition by Shirjivan, LLC, for a Special Use Permit to operate an independent hotel (motel) at 650 S. Highway Drive. The property is zoned “HP-1” Hospitality Park District.

Director Finkbiner gave a presentation regarding the Staff report to the Commission. She noted that the Board of Aldermen approved last month’s Site Plan Review for the motel portion of the Baymont Inn & Suites at this location but denied the accessory residence. Director Finkbiner stated that this request is to operate the rear building as an independent motel during the construction of the Baymont Inn & Suites. She explained that the franchise agreement does not allow sharing of amenities, so rooms will have to be converted for laundry facilities and an office, and that any interior renovations will require building permits. It was further discussed that the franchise agreement requires the motels be on separate properties, but by definition, may not require them to be on separate lots. Verification of verbiage from Baymont Inn & Suites will be required.

Jiten Patel, the Petitioner, approached. The Commission questioned Mr. Patel about the maintenance of the property. The Petitioner stated that he is investing considerable money into the property and is committed to maintenance and upgrades. Questions were raised related to whom the Special Use Permit would be issued. It was suggested that the SUP be issued to Jiten Patel as long as he would be controlling member of the LLC under which the independent hotel would operate. Mr. Patel agreed to this change.

Chairperson Shea read aloud the conditions of approval, including the change to the name of the Petitioner. The Petitioner concurred.

Chairperson Shea made a motion to APPROVE CASE 2019-SUP-09 WITH CONDITIONS. Vice Chairperson Odehnal seconded the motion.

Conditions of Approval:

This Special Use Permit (SUP) is solely for Jiten Patel to operate an independent hotel at 650 S. Highway Drive, as indicated on the site plan submitted by the Petitioner, dated March 8, 2019, and marked Exhibit B, with the following conditions:

1. A Separate Occupancy Permit will be required. Before Final Occupancy will be permitted for the hotel (motel), inspections by the City, St. Louis County and Fenton Fire Protection District will be required to ensure all existing Code (applicable Zoning, Building, and Fire Code) violations have been abated and that all the buildings are Code complaint for re-occupancy.
2. This Special Use Permit will go into effect when the demolition permit is issued for the front buildings and the required Occupancy Permit has been obtained.
3. The subject building shall only be utilized for a hotel (motel) use, as defined under Section 400.030 of the Zoning Code. Any modifications to the buildings to allow for any non-transient use, including residential units or quarters for management, is not approved by this SUP.
4. A separate Building Permit will be required for the proposed interior remodel, as indicated on the building plans submitted with the application.
5. The owners will operate the independent hotel in compliance with the requirements of the Baymont Inn Franchise agreement terms permitting the second independent hotel to be operated next to the Baymont Inn and Suites.
6. The property shall be maintained and kept in compliance with existing property maintenance and building standards and will be operated and maintained, including outward appearances, as a hotel. Outdoor furniture and fire pits/grills shall not be permitted on the property. The collection of trash/rubbish outside the proper receptacles is prohibited.
7. Derelict vehicles and any vehicles which are not associated with the hotel/motel use are not permitted to be stored on the property. Additionally, no parking will be permitted on unpaved surfaces.
8. Compliance with all other applicable City of Fenton Codes and Ordinances.

Roll Call:

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

8 Ayes; 2 Nays, 0 Absent: Motion APPROVED.

Chairperson Shea called for a recess at 8:34 pm. The meeting was called back to order at 8:40 pm.

CASE 2019-SUP-10: A Petition by Infinity Hospitality, LLC, for a Special Use Permit to operate a hotel (Quality Inn & Suites by Choice Hotel) at 800 S. Highway Drive. The property is zoned “HP-1” Hospitality Park District.

CASE 2019-SPR-11: A Petition by Infinity Hospitality, LLC, for Site Plan Review of a proposed addition to an existing hotel building and a proposed 29,000 square-foot building at 800 S. Highway Drive. The property is zoned “HP-1” Hospitality Park District.

Director Finkbiner gave a presentation regarding the Staff report to the Commission. She noted that there were many deficiencies, including building plans and elevations for the proposed second building, parking calculations, lighting plans and proposed building materials, that still need to be addressed before Staff can perform a complete review of the requests.

Gary Ploesser, representing the Petitioner, approached. Mr. Ploesser stated that he was not sure of the level of detail needed on the plans for submittal. Chairperson Shea stated that the Commission does not have enough information to render a decision.

Chairperson Shea made a motion to CONTINUE to the next Planning & Zoning Commission meeting CASE 2019-SUP-10 and CASE 2019-SPR-11 in order for the Petitioner to provide complete detailed plans for the development. Commissioner Nelson seconded the motion.

Roll Call:

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

10 Ayes; 0 Nays, 0 Absent: Motion APPROVED.

CASE 2019-TXT-03: Consideration of amendments to the Zoning Code regarding medical marijuana regulations.

City Attorney, Erin Seele, gave a presentation to the Commission regarding the draft ordinance related to the recent amendment to the Missouri Constitution regarding medical marijuana. She noted that an updated draft ordinance, redlined and dated April 9, 2019, has been provided to the Commission. Ms. Seele's presentation detailed the choices the City has regarding reasonable restrictions on medical marijuana business. This includes spacing and location restrictions related to churches, schools and day cares. She stated that feedback has been received from the industry and a careful review of zone districts has been done to identify appropriate districts for each type of medical marijuana business including cultivation, transportation and dispensaries. Ms. Seele's presentation also indicated that the City cannot ban these types of businesses from locating within the City or impose rules that are more restrictive than those allowed by the state.

Director Finkbiner also added that Staff and the City's attorneys have spent a considerable time researching and drafting the proposed regulations. Staff recommends businesses related to cultivation, transportation facilities, and manufacturing be located in the "IP-1" District as this district is not adjacent to residential areas and provides for better security. Staff also recommends allowing dispensaries in the "C-1", "OT-2", and "HP-1" Districts to accommodate high traffic and to provide for adequate parking.

Chairperson Shea opened the meeting to Public Comment.

Tim McCorkle, 404 Gravois Road, approached. Mr. McCorkle stated that he is favorable to medical marijuana as it provides more options for healthcare. He states that he is opening a business in the former

Fenton Floral location and would be implementing a clinical model that includes an on-staff nurse and chemist. He stated that knows there is a parking issue at the desired location but that he would like to work with the City to solve the parking issue by buying nearby property from the City and would also like to work hand in hand with Fenton Fire and the police.

Public Comments were closed.

Discussion ensued related to spacing requirements for schools, churches, and day cares as well as the Zone District locations. Erin Seele reminded the Commission that on-going draft rules issued by state may require additional review by the Commission.

Chairperson Shea made a motion to APPROVE CASE 2019-TXT-03. Commissioner Matthes seconded the motion.

Roll Call:

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

10 Ayes; 0 Nays, 0 Absent: Motion APPROVED.

CASE 2019-TXT-04: Consideration of amendments to Chapters 450 and 495 of the Zoning Code pertaining to drive-through services and off-street parking and loading requirements.

Staff requested this matter be continued to the next Planning & Zoning Commission meeting due to the number of cases on the April agenda.

Chairperson Shea made a motion to CONTINUE CASE 2019-TXT-04 to the next Planning and Zoning Commission meeting. Secretary Heard seconded the motion.

10 Ayes; 0 Nays, 0 Absent: Motion APPROVED by voice vote.

CASE 2019-TXT-05: Consideration of amendments to Chapter 463 of the Zoning Code pertaining to special event procedures and regulations.

Director Finkbiner gave a presentation regarding the Staff report to the Commission. She explained the nature of the request is to amend the approval process for special events that impact City or public properties if those events are not already covered under a permit issued by other City departments. The Director stated that past events have put the Community Development Department in difficult positions that required the event to be taken to the Board of Aldermen for approval.

Alderman Joe Maurath spoke. He stated that the Mayor and other Board of Aldermen pressured the Director to approve a past event rather than allow her to do her job as allowed by law.

Chairperson Shea made a motion to APPROVE CASE 2019-TXT-05. Vice Chairperson Odehnal seconded the motion.

Roll Call:

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

10 Ayes; 0 Nays, 0 Absent: Motion APPROVED.

CASE 2019-TXT-06: Consideration of amendments to Section 400.030 Definitions and Section 476.010 Land Use Matrix pertaining to automotive and commercial motor vehicle definitions and related permitted uses and uses allowed by Special Use Permit.

Director Finkbiner gave a presentation regarding the Staff report to the Commission. She explained that these amendments are in relation to a recent inquiry from a business looking to locate in the City of Fenton to repair large vehicles. It was at that time that Staff noticed that this type of vehicle does not fall under the definition of Vehicle or Commercial Vehicle in the Zoning Code.

Discussion ensued related to vehicle size, gross vehicle weight and carrying capacity. It was suggested this matter be continued to allow for additional research to be done relating to these matters.

Chairperson Shea made a motion to CONTINUE CASE 2019-TXT-06 to the next Planning and Zoning Commission meeting. Commissioner Matthes seconded the motion.

10 Ayes; 0 Nays, 0 Absent: Motion APPROVED by voice vote.

ANNOUNCEMENTS:

REPORT FROM THE COMMUNITY DEVELOPMENT DIRECTOR: Director Finkbiner stated she has received one new application for Sign Plan for the May meeting, but that new plans were recently submitted, and the sign plan may be withdrawn. She stated that Staff would be bringing two items related to hotels and one item related to Distilleries in the “BP-3” District for the May meeting.

REPORT FROM THE CHAIRPERSON: Chairperson Shea thanked Mayor Voyles for his service to the City and wished him well.

REPORT FROM THE MAYOR: Mayor Voyles expressed his appreciation to the Commission. He appreciates the time they all spend to give back to the City.

REPORT FROM THE ALDERMANIC LIAISON: Alderman Glick announced that all items forwarded to the Board of Aldermen were approved, apart from the petitions related to the concrete ready-mix plant and the proposed accessory residence at the Baymont Inn & Suites. Alderman Glick thanked the Commission and stated that she learned a great deal during her time as liaison. She stated that the liaison

position is a great learning opportunity for Board of Aldermen members. At this time, Chairperson Shea thanked Alderman Glick for her service on the Board of Aldermen and the Planning & Zoning Commission.

REPORT FROM OTHER COMMISSIONERS: None

ADJOURNMENT: 9:58 p.m.

A motion to adjourn was made by Chairperson Shea and seconded by Commissioner Matthes.

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

Respectfully submitted,

Amy Starck, Permit Coordinator
Community Development Department

John Shea
Planning and Zoning Commission