

CITY OF CRESTWOOD
#1 Detjen Drive
Crestwood, MO 63126
PLANNING AND ZONING COMMISSION MEETING
May 4, 2016 at 7:00 p.m.

CALL TO ORDER

The regularly scheduled meeting of the Planning and Zoning Commission was called to order by Chairman Sweeney at 7:00 p.m. on Wednesday, May 4, 2016.

PLEDGE OF ALLEGIANCE

Chairman Sweeney led everyone in the Pledge of Allegiance.

ROLL CALL

Chairman Sweeney	Jerry Miguel, Aldermanic Representative
Ken Lange	James Gillam, Director of Public Services
Bo Proffitt	Mirela Celaj, Project Manager
Dave Wall	Adam Jones, City Planner
Andrew Meyerkord, absent/excused	
Greg Zipfel	
Scott Whitcraft	

Chairman Sweeney stated for the recorded that there were 6 voting members present which qualified a quorum.

APPROVAL OF MINUTES

Chairman Sweeney stated he would entertain a motion to approve the March 2, 2016 minutes. Mr. Proffitt made a motion to approve the minutes as submitted and Mr. Wall seconded the motion.

A roll call was taken as follows:

AYES: Sweeney; Lange; Proffitt; Wall; Zipfel; Whitcraft

NAYS: None

ABSENT: Meyerkord

HEARING

a) Randy Shore
8652/54 Watson Road
Crestwood, MO 63123

RE: King Edward's Chicken and Fish
8652/54 Watson Road
Crestwood, MO 63123
Request for Landscape Plan Submittal,
Two Month Extension

Ms. Gabrielle Shore, co-owner of King Edward's Chicken and Fish (with her husband Randy Shore) at 8652/54 (hereafter referred to as 8654) Watson Road, Crestwood, MO 63123 came forward. Ms. Shore explained that the original 6 month extension for the Landscape Plan Submittal was coming to an end and she was before the Commission this evening to request an additional 2 month extension on the Landscape Plan Submittal.

PUBLIC COMMENT

Andy Surber, 41 Blackthorn, Crestwood, MO 63123, representing Webster Gardens Subdivision made comment on frequent commercial parking in the subdivision, however, this issue was not on the agenda. The 2005 Landscaping Plan for 8654 Watson Road was discussed briefly.

Helen Wambach, 42 Flamingo Drive, Crestwood, MO 63123, asked if the final Landscaping Plan would be available to the residents and Chairman Sweeney stated that after the City Staff has reviewed the landscaping plans, they would be provided to the interested residents without a Sunshine Request being required.

There being no further public comment, Chairman Sweeney closed the public comment.

DISCUSSION

Chairman Sweeney asked if there were any further comments or questions from the Commission. For the interest of full disclosure, Alderman Miguel stated the he was the Alderman for Ward 3 which encompasses the addresses of both the restaurant and the adjoining neighbors. He was contacted by the Surbers and he suggested that they attend this meeting. He was representing Alderman Anderson, who could not be present, and stated that he was not fully aware of the issues on the agenda but suggested that the Surbers attend.

The City's Code Enforcement Officer Rosann Shannon came forward and stated that she had been working diligently with the Shores and the landscaping company to finalize the plans. Mr. Gillam reviewed the plans before the meeting and everyone involved were satisfied with the final plan. The architect was out of town at the time so the plans presented before the Commission were hand drawn, not professionally drawn. Chairman Sweeney stated he would feel more comfortable if the Commission could make a decision from professionally drawn plans at a future meeting and at that time, allow the residents to view them also.

There was no further comment from the Commission.

Moved by Bo Proffitt that the Planning, Zoning & Architectural Review Commission

X recommend to the Crestwood Public Works staff to allow

King Edward's Chicken and Fish, located at 8654 Watson Road to:

X 1) Grant a petition requesting an extension of two (2) months for the Landscape Plan Submittal and is due back to the Planning, Zoning and Architectural Commission by July 6, 2016 for review.

X 2) That the landscaping plan be submitted to the Planning, Zoning & Architectural Review Commission and be maintained in a condition satisfactory to the City.

The Commission finds in its recommendation to approve the petition that the use will not:

- a) substantially increase traffic hazards or congestion;
- b) adversely affect the character of surrounding commercial uses or adjacent residential uses or the neighborhood;
- c) substantially increase fire hazards or make difficult access by fire and emergency vehicles;
- d) adversely affect the general welfare of the community; or
- e) overtax public utilities;

The motion was seconded by Dave Wall

Chairman Sweeney stated that we had a motion and a second on the floor for approval of the 2 month extension on the Landscaping Plan Submittal and the conditions had been read into the record and asked for a roll call.

A roll call was taken as follows:

AYES: Sweeney; Lange; Proffitt; Wall; Zipfel; Whitcraft

NAYS: None

ABSENT: Meyerkord

Chairman Sweeney, after Mr. Dale Hellenbrand agreed, asked the Commission to table Hearing b until the end of the agenda so that the Site Plan Review drawings could be made available to the Commission to review before the hearing, as they were omitted from the packets.

HEARING

c) Mike Twiss
The MT Studio
3 E. Main Street
Troy, OH 45373

RE: Planet Fitness
9450 Watson Road
Crestwood, MO 6312
Request for Conditional Use Permit

Chairman Sweeney announced the hearing for Planet Fitness and asked if someone in the audience was here to represent Planet Fitness.

PUBLIC COMMENT

Mr. Mike Twiss, 3 E. Main St., Troy Ohio 45373, came forward representing his client Planet Fitness requesting the Conditional Use Permit (CUP) be granted for Planet Fitness at 9450 Watson Road. Discussion ensued on the plan being presented this evening and the extra 14,307 square feet not needed or used by Planet Fitness. This extra 14,307 sq. ft. of possible retail sub-lease tenant space was an unknown variable. The Commission could not make a decision on the request for the CUP as the CUP goes with the legal single address of 9450 Watson Road. Should the extra space be identified with an address of its own, a determination of a future tenant, the type of business and a CUP, if necessary, would have to be approved at that time. The Commission could not approve the CUP on a portion of a single address.

Mr. Jeff Eisenberg, 8011 Clayton Road, Ste 209, St. Louis, MO 63117, leasing agent for Crestwood Commons for the property owner, Black Equities Group, came forward. He stated that he was not at liberty to say, however, his agency had several options available to lease out the entire parcel, including Best Buy, Gordman's and the garden center space with either 3 or 4 tenants, 1 being Planet Fitness as they had an executed agreement with them. Mr. Eisenberg also stated that there is a good possibility that one of the unnamed tenants might absorb this 14,307 sq. ft. space in question.

Mr. Thad Marrs, 603 Tucker Hill Drive, Gray Summit, MO 63039, representing Gold's Gym, came forward and stated that they have an approved CUP for the entire space at 9450 Watson Road and it was their intention to move forward with the CUP at this location. He stated that Gold's Gym had not walked away from the deal and was still pursuing this location; his company was still willing to offer a corporate guarantee and eager to work out any differences in order to get the lease signed.

Mr. Jones stated that the issue of the CUP with Gold's Gym and the proposed CUP with Planet Fitness was an issue to be worked out between the leasing agent and the applicants of both CUPs. The City would not be involved with that decision; the City would be glad to accommodate either CUP at this time.

Mr. Jesse Finney, 13240 West Watson Road, St. Louis, MO 63126, came forward as one of two current business owners of fitness centers in the City of Crestwood, himself for the past 15 years. He would welcome another fitness center in the City but would ask that the Commission not allow multiple new fitness centers as they would all be competing for the same dollar and to please consider the businesses that have been in the City, including his for the past 15 years.

Mr. Dave Bueker, 9252 Caddyshack, MO 63127, came forward as owner of Anytime Fitness in Crestwood and concurred with Mr. Finney that there is only so much market share to divide amongst fitness centers. He stated that Planet Fitness has two centers in fairly close proximity of the City of Crestwood and that the City is a target for businesses as we have empty spaces available.

Mr. Kevin Shapiro, 1375 Monier Place, St. Louis, MO 63122, representing the ownership of Planet Fitness stated that they are very excited to be a part of this community and have been looking to locate in Crestwood for years now. He stated that they have signed a lease for 9450 Watson Road and look forward to putting a gym in the City and their research shows that the City of Crestwood and Sunset-Hills can support another fitness center. He stated that gyms are different from one another. Planet Fitness offers is a first class facility but at a low price which benefits communities. Their model is “judgement free zone” so they do not offer classes that intimidate the general public that typically do not go to gyms. All-in-1 Fitness and Anytime Fitness do offer classes so there is no competition in that area between his and their centers. Unlike Gold’s Gym, they do not offer a pool, therefore, no competition with Whitecliff Park’s pool. Mr. Shapiro stated that his client, John Clancey and his partners are franchisees of the year 2015 for Planet Fitness with 1100 locations nationwide. A polygon with a minimum of 75,000 to 80,000 population is the desired figure to sustain a successful Planet Fitness. Potential clients would typically come from a 12 to 13 minute drive time.

There being no further comment from the public, Chairman Sweeney closed the Public Hearing.

HEARING

Chairman Sweeney then stated that they would revisit Hearing b which was not closed earlier, on Culver’s Site Plan Review (SPR), now that the plans were made available to the commission members.

b) Dale Hellenbrand
10200 Big Bend Boulevard
Crestwood, MO 63126

RE: Culver’s Restaurant
10200 Big Bend Boulevard
Crestwood, MO 63126
Request for Site Plan Review
Dining Room and Bathroom Addition

Mr. Dale Hellenbrand came forward and stated that they have outgrown their seating space and needed to enlarge the seating and enlarge the bathrooms. The drive-through would not be affected; landscaping, outside dining, a detention pond and parking were also discussed, none of which would cause any traffic impact.

There being no public comment, Chairman Sweeney asked for a motion to approve the Site Plan Review submitted by Mr. Hellenbrand.

Chairman Sweeney read the motion as follows:

Moved by Scott Whitcraft that the Planning, Zoning and Architectural Review Commission

 X recommend to the Board of Aldermen approval of

 X a Site Plan to allow

Dale Hellenbrand to construct an addition to the front of an existing building and operate a Culver's Restaurant at 10200 Big Bend Boulevard in accordance with the drawings submitted by Fribis Engineering, dated March 14, 2016 and marked Exhibit A with the following conditions:

- 1) That all signs be in compliance with the present Sign Ordinance of the City of Crestwood.
- 2) That the drawings be approved by the Crestwood Fire Department.
- 3) That the project be approved by the Metropolitan St. Louis Sewer District.
- 4) That the drawings be approved by the St. Louis County Department of Highways & Traffic should any work occur in the Big Bend Boulevard right of way.
- 5) That the drawings be approved by the Missouri Department of Transportation should any work occur in the I-44 right of way.
- 6) That cast-in-place concrete vertical curbs be placed along all street frontage and within the parking lot and properly maintained in a condition satisfactory to the City.
- 7) That all sidewalk within the project be comprised of concrete and include ADA curb cuts. Such sidewalk shall be properly maintained in a condition satisfactory to the City.
- 8) That any rooftop mechanical equipment be properly screened and maintained in a condition satisfactory to the City.
- 9) That parking for 65 cars be provided and properly striped, which includes three spaces for the handicapped, complete with upright handicapped parking signage; and properly maintained in a condition satisfactory to the City.
- 10) That the hours of operation shall be as follows:
 - (a) That all site maintenance including parking areas be done only between the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday.
 - (b) That all truck deliveries shall be done only between the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday.
 - (c) That the facilities shall be open not earlier than 10am and not later than 11pm.
- 11) That the landscape plan submitted is approved as submitted. Said landscaping is to be continuously maintained in a condition satisfactory to the City.

- 12) That the existing site lighting plan has not been modified. Applicant agrees to work with the City Staff to add shielding if appropriate. All site lighting shall be maintained in a condition satisfactory to the City.
- 13) That the facility meet the requirements of the ICC/ANSI A117.1 Standard on Accessible and Useable Buildings and Facilities, with regard to provisions for the handicapped.
- 14) That the applicant shall be responsible for complying with all applicable provisions of the 1990 Americans with Disabilities Act (ADA), as amended.
- 15) That the use be operated in conformance with the relevant performance standards contained in Article 4 of the Zoning Code.
- 19) That this recommendation is given on the condition that all of the above conditions are approved by the City and that appropriate permits be obtained and construction / operation commences within time periods set forth in Zoning Code Section 26-288. If not in compliance with this requirement, the applicant will be required to reappear before the Planning, Zoning and Architectural Review Commission for reevaluation before any permits can be processed

The Commission finds in its recommendation to approve this petition that the use will not:

- a) substantially increase traffic hazards or congestion;
- b) adversely affect the character of surrounding commercial uses or adjacent residential uses or the neighborhood;
- c) substantially increase fire hazards or make difficult access by fire and emergency vehicles;
- d) adversely affect the general welfare of the community; or
- e) overtax public utilities.

The motion was seconded by Bo Proffitt.

Chairman Sweeney asked for approval of an amendment to his reading of the motion to reflect that on #9, the handicap parking should be “three” and not four as shown and read. Mr. Zipfel made a motion to reflect three handicap parking instead of four and Mr. Proffitt seconded the motion.

A roll call was taken as follows:

AYES: Sweeney; Lange; Proffitt; Wall; Zipfel; Whitcraft

NAYS: None

ABSENT: Meyerkord

Chairman Sweeney then asked for a roll call to approve the Site Plan Review to go before the Board of Aldermen on May 24, 2016.

A roll call was taken as follows:

AYES: Sweeney; Lange; Proffitt; Wall; Zipfel; Whitcraft

NAYS: None

ABSENT: Meyerkord

HEARING

d) City Planner Adam Jones
City of Crestwood
1 Detjen Drive
Crestwood, MO 63126

RE: Request for Traffic Study Ordinance
City of Crestwood
1 Detjen Drive
Crestwood, MO 63126

City Planner Adam Jones stated that in an effort to better understand the potential impacts of development on City Infrastructure, City Staff would like to enact an ordinance that provides the Planning, Zoning and Architectural Review Commission the ability to require a traffic impact study for major development, major subdivision, or conditional uses that include demolition or construction of new structures. Mr. Jones stated that most communities of our size already have an ordinance like this in place and our City should have it also. The City Attorney has worked out the language in this document for the Commission to review, there is no timeline on it; it is similar to the Alternative Parking Plan that was submitted previously to the Commission also for approval.

Chairman Sweeney asked the Commission for any comments/corrections to the proposed ordinance presented by Mr. Jones. Several of the members made their suggestions and Mr. Jones stated that he would make those amendments suggested and bring it back before the Commission at a later date.

Chairman Sweeney stated that he had neglected to request that Hearing c, regarding Planet Fitness, be tabled and asked for a motion to table Hearing c to be heard at a special time, but prior to the June 1, 2016 scheduled P&Z meeting.

A discussion ensued about the CUP with Gold's Gym and its validity. Mr. Jones stated that he would email the commission members as soon as this meeting was over the information that would put this issue to rest.

Mr. Proffitt made a motion to table hearing c regarding Planet Fitness until a later date, but prior to the May 24, 2016 Board of Aldermen meeting. Mr. Wall seconded the motion.

A roll call was taken as follows:

AYES: Sweeney; Lange; Proffitt; Wall; Zipfel; Whitcraft

NAYS: None

ABSENT: Meyerkord

ALDERMANIC REPORT

Alderman Miguel stated that at the last Board of Aldermen meeting:

- An approval of a lease with Karen Mott at the Barn Restaurant; the lease is a five year lease with 3 five year extensions over a period of 20 years total, effective June 1, 2016.
- A Resolution was read in support of keeping our current Police Department as opposed to moving to St. Louis County Police; the resolution was approved by a 7 to nothing vote. The absent Alderman wrote a note in favor of keeping our current Police Department also.
- The City Administrator provided a positive Financial Report.

ADJOURNMENT

There being no further discussion, Chairman Sweeney asked for a motion to adjourn and Mr. Wall seconded the motion. Upon voice vote, the motion passed (6 ayes, 0 nays).

The meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Shirley Brown
Public Works Administrative/Recording Secretary