

MINUTES OF THE MEETING
ZONING AND PLANNING COMMISSION
CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI
WEDNESDAY DECEMBER 17, 2014, 4:00 P.M.

Chairman Fischer called the meeting of the Zoning and Planning Commission to order at 4:06 P.M. The following members were present:

Chairman Peter Fischer

Vice-Chair McPherson Moore

Commissioner Thomas Kahn

Commissioner Timothy Crowley

Commissioner John Lochhead

Absent:

Commissioner Margaret Holtman

Commissioner James Howe

Also present were Mayor Nancy Spewak, Mr. Michael Wooldridge, Assistant to the Mayor/City Clerk, Mr. John Maupin, City Attorney, Mr. James Schmieder, Director of Building and Zoning, and Mr. Michael Gartenberg, Building Official.

APPROVAL OF MINUTES

Chairman Fischer asked if there were any changes to the minutes of the closed session from November 19, 2014. Commissioner Kahn noted a change to the last paragraph on page 1. Commissioner Kahn moved to approve the minutes of with the proposed change. Commissioner Crowley seconded the motion and it passed unanimously.

Chairman Fischer asked if there were any changes to the minutes of the open session from November 19, 2014. Commissioner Crowley moved to approve the minutes; Commissioner Kahn seconded the motion and it passed unanimously.

PUBLIC FORUM

No one was present to address the Commission.

Chairman Fischer introduced the only item on the agenda, ZPC 14-04, Discussion of an amendment to Zoning Ordinance 1175, Section X,F, (4),(b), regarding second story signs for non-retail business.

Mr. Maupin introduced the proposed amendment to the Commission and noted the proposed change would remove the distinction between retail and non-retail businesses located on the second floor of shopping centers. Mr. Maupin suggested the Commission also recommend that the Council issue a moratorium on all second floor signs in shopping centers until the ordinance can be reviewed by a sign consultant. Mr. Maupin noted the existing sign ordinances are located in two different city codes, and is very difficult to interpret and implement consistently.

Chairman Fischer expressed concern that by amending the ordinance and issuing a moratorium the City could set a precedent for future second floor signs. Commissioner Kahn asked if the City Council could grant an exception to Blue Ocean Portfolios and then examine the sign ordinance. Mr. Maupin noted that course of action would require the City Council to over rule a decision by the Zoning Board of Adjustment which is not legally allowed. Mr. Maupin commented that the City Council referred this issue to the Commission and is seeking guidance from the Zoning and Planning Commission.

Commissioner Crowley suggested the Commission change the definition of "shopping center" as a reasonable alternative, and add a definition for "retail business". Mr. Maupin commented that the Commission could change the definition without impacting the other sections of the sign ordinance which the City Council could then implement a moratorium on all second story signs until the sign ordinance could be examined and re-written.

Commissioner Crowley moved to recommend that:

1. The City undertake a review of the city's sign codes as outlined in the Code of Ordinances 1912 and Zoning Ordinance 1175; and,
2. The City Council approve a 90 day moratorium on the issuance of sign permits for second floor non-retail businesses except for applications submitted within the last six months.
3. The City Council approve the following amendments to Zoning Ordinance 1175:

Amend Ladue Ordinance 1175 by adding a new Section X, C. Definitions, Shopping Center

Shopping Center A group of commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on-site with more than 50% of the gross leasable floor area dedicated to retail use.

Amend Ladue Ordinance 1175 by adding a new Section X, C. Definitions, Sign Frontage

Sign Frontage The length along the side of a building when the side of the building faces a street or a parking lot. Except, however, that the length along the side of a building that faces an interstate highway or other non-accessible road shall not be considered sign frontage.

Amend Ladue Ordinance 1175 by adding a new Section X, C. Definitions, Retail Use

Retail Use Any use that generates the payment of sales tax.

Amend Ladue Ordinance 1175 by adding a new Section X, C. Definitions, Office Building

Office Building A commercial building in which less than 50% of the gross leasable floor area generates the payment of sales taxes.

Amend Ladue Ordinance 1175 by adding a new Section X, F, (4), (b) On-premise permanent signs

Individual business or use within a shopping center. Within a shopping center, each individual business or use which has sign frontage, as defined in Subsection C, may have one (1) or more wall signs and/or signs affixed or painted on awnings with a total gross sign area per sign frontage not to exceed twelve (12) square feet. A rear entrance to an individual or freestanding business used primarily for delivery purposes may be identified by a sign not to exceed two (2) square feet in gross sign area. Such a sign shall be affixed directly to or immediately above the rear entrance door. In locations where individual businesses or uses are grouped together in a shopping center, the signs shall maintain uniformity in location, height and general design, and shall be compatible in color.

Commissioner Kahn seconded the motion and the vote thereupon was as follows:

Chairman Peter Fischer	"Aye"
Vice-Chair McPherson Moore	"Aye"
Commissioner Thomas Kahn	"Aye"
Commissioner Timothy Crowley	"Aye"
Commissioner John Lochhead	"Aye"

Vice-Chair Moore moved to adjourn the meeting. Commissioner Crowley seconded the motion and the motion unanimously passed. The meeting was adjourned at 4:40 P.M.

Respectfully Submitted,



Peter Fischer, Chairman