

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
Tuesday, February 6, 2018

DOCKET 1241

1201 S. Warson Rd.

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, February 6th 2018 at City Hall.

The following members of the board were present:

Vice Chairman Liza Forshaw
Mr. David Schlafly
Ms. Elizabeth Panke
Mr. Dan Welsh
Mr. Lee Rottmann

Also present were: Roger Stewart, Building Commissioner; Andrea Sukanek, City Planner; Erin Seele, City Attorney; Ashley Quinn, Administrative Assistant; Anne Lamitola, Public Works Director, and Councilman John Fox.

Vice Chairman Forshaw called the meeting to order at 4:00 PM. Notice of Public Hearing, as follows:

**NOTICE OF PUBLIC HEARING
ZONING BOARD OF ADJUSTMENT
CITY OF LADUE, MISSOURI
DOCKET NUMBER 1241**

Notice is hereby given that the Zoning Board of Adjustment of the City of Ladue, St. Louis County, Missouri, will hold a public hearing on a petition submitted by Ladue School District for the High School Athletic Field Upgrades at 1201 Warson Road. Petitioner is requesting relief from the decision by the City Planner that the project should not be approved because of the following items of non-compliance:

- Does not meet the required stream buffer and stream setback (Chapter 110, Article IV, Division 2 of the Ladue Code of Ordinances)
- Proposed grandstand exceeds the maximum allowed height of structures (Ordinance 1175, Section V.A.)
- Light fixtures exceed the maximum allowed height of light fixtures (Ordinance 1175, Section IV.A.) and the overall maximum allowed height of all structures (Ordinance 1175, Section V.A.)
- Does not meet the minimum required green space of 55% (Ordinance 1175, Section V.G)

The hearing will be held at 4:00 p.m. Tuesday, February 6, 2018, at the Ladue City Hall, 9345 Clayton Road. The hearing will be public and anyone interested in the proceedings will be given the opportunity to be heard.

Pursuant to Section 610.022 RSMo, the Zoning Board of Adjustment could vote to close the public meeting and move to executive session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under section 610.021 (1) RSMo.

Stanley Walch, Chairman
Zoning Board of Adjustment

Vice Chairman Forshaw asked the City Planner for an explanation of the denial.

Ms. Sukanek explained that the Ladue High School submitted an application to redo the the athletic field. They were denied a permit and were requesting four variances. The proposed track encroaches into the required 25-foot setback and the required 50-foot stream buffer. The proposed grandstand exceeds the maximum allowed height of 45-feet. The proposed light poles are 90-feet, which exceeds the allowable height and the proposed greenspace coverage does not meet the minimum requirement of 55%. Their calculation, not including the artificial turf playing field, was 42.5%.

Vice Chairman Forshaw introduced the following exhibits to be entered into the record:

- Exhibit A – Zoning Ordinance 1175, as amended;
- Exhibit B – Public Notice of the Hearing;
- Exhibit C – Permit denial dated December 29, 2017;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated January 12, 2018
- Exhibit F – Entire file relating to the application

An email was received from Fred Goebel, 10116 Springwood Dr., that was distributed to the Board members. This email was added to the record as “Exhibit G”.

The Court Reporter administered the oath to Brandon Harp, Civil Engineer for CEDC; Bryan Webb, sound engineer for McClure Engineering; and Steve Dehekker, architect for Hastings & Chivetta.

Mr. Harp gave an overview of the current and proposed conditions with the stream bank buffer. There is 50-feet of undisturbed buffer and 20-feet where there are no improvements. It has always been maintained as greenspace with grass. There will be no vegetation removed and there would be additional planting of evergreen trees. The proposed project would remove some improvements from the buffer area, including the bleachers. An encroachment into that buffer has been utilized since the school has been active.

A discussion ensued about rotating the track so that it would not encroach.

Ms. Sukanek stated that the site did not currently meet the greenspace requirement of 55%. Mr. Harp explained that the proposed project did add some additional pavement for accessible parking and an access drive as requested by the Ladue fire department. The natural grass field would be being converted to artificial turf. Because is it an artificial turf there are 2 acres of area that are not counted towards greenspace calculations.

Mr. Dehekker presented a section view through the proposed grandstand. This document was added to the record as “Exhibit G”. The previous design was 52-feet in height from the level of the track. The design was reduced to 49-feet which is the lowest practical height. The areas of the proposed grandstand that exceed the height maximum are on the two ends of the press box. The most visible elevation that faces Warson Rd. is only 43-feet in height. The locker rooms underneath the grandstand no longer had direct field access which reduced the height.

A discussion ensued about the impact to the proposed grandstand if it were brought down in height to meet Zoning Code.

Mr. Webb presented the revisions made to the proposed lighting plan. The light poles were brought down to a height of 80-feet. That is the lowest they can take the light poles and still achieve quality and safe lighting of the field. The purpose of the light poles is to allow evening games.

A discussion followed about Saturday games. This is an undesirable option for the school as it would require teams to play during the hottest point of the day, Saturdays are typically reserved for collegiate sports and many other high schools are not interested in scheduling games on Saturday.

A discussion ensued about whether or not any land restrictions were placed on the land regarding lighting when the land was given to the school district by Horton Watkins. Dr. Jahnke stated that her staff has found no evidence of any such restriction.

PUBLIC COMMENT

Susan Lammert – Ms. Lammert would prefer if the stream buffer were revegetated and not simply mowed, as this would help with erosion control. She felt the field should have a maintenance plan and she is concerned with runoff issues.

Mr. Harp stated that there would be a maintenance plan filed with the City and with MSD. Ms. Lamitola stated that the City staff had met with representatives from Ladue High School regarding the Special Use Permit and were recommending that the BMP reports given to MSD be shared with the City.

Fred Goebel, 10016 Springwood Dr. – Mr. Goebel stated he was a former trustee for the neighborhood. He is supportive of projects at the school but does not want erroneous variances granted. He is concerned about the size of the track and the proposed lighting required for a facility of this caliber. A narrower field would bring the curvature of the field back into compliance. He feels that the requested size of the field is a self-imposed hardship. Springwood does get flood waters and with it comes debris. The impact on storm water is concerning. He also feels that the size of the seating is larger than necessary if their standard attendance is only 650-800 attendees.

A copy of Mr. Goebel's email was added to the record as "Exhibit H".

The oath was administered to Dr. Donna Jahnke, Ladue Schools Superintendent. Dr. Jahnke responded that narrowing the field would limit its use. With the proposed size it would be able to be used for soccer, field hockey and lacrosse in addition to football. The school has 1,400 students and they would like to be able to have accommodations for all students in the proposed stadium. They are working through the SUP and MOU process with the City.

A discussion ensued about the proposed lighting and the anticipated schedule of light usage.

Todd Fleming, representing Terry Fleming, owner of three properties on Wynnwood. The proposed lighting is in line with the living room and patio area of the homes. They are concerned it will shine into their living areas. They are concerned with the stream buffer and the creek. Mr. Fleming is concerned about property values for those located directly behind the proposed athletic facility.

Public Comment Closed.

Ms. Sukanek stated that the stream buffer would improve from current conditions as they are reducing the encroachment that already exists. The City could add revegetation in that area as a condition of the approvals. The City’s landscape consultant had not commented on the proposed landscape design yet.

The Commission discussed various points relative to the height decrease of the proposed grandstand and the light poles. It was noted that lower light poles would result in the illumination being more visible to the neighbors.

After a presentation of the facts, Mr. Schlafly made a motion to reverse the ruling by the City Planner and grant a variance for the stream buffer and setback requirements based on the site plan dated 11-2-2017 and revised 1-12-2018. Mr. Welsh seconded the motion. The vote was as follows:

Vice Chairman Liza Forshaw	“approve”
Mr. David Schlafly	“approve”
Ms. Elizabeth Panke	“approve”
Mr. Dan Welsh	“approve”
Mr. Lee Rottmann	“approve”

There were five (5) votes in favor and zero (0) votes against and therefore the variance was granted.

Ms. Panke make a motion to overturn the ruling by the City Planner and grant a variance for the minimum required greenspace based on the site plan dated 11-2-2017 and revised 1-12-2018. Mr. Rottmann seconded the motion. The vote was as follows:

Vice Chairman Liza Forshaw	“approve”
Mr. David Schlafly	“approve”
Ms. Elizabeth Panke	“approve”
Mr. Dan Welsh	“approve”
Mr. Lee Rottmann	“approve”

There were five (5) votes in favor and zero (0) votes against and therefore the variance was granted.

Mr. Schlafly made a motion to overturn the ruling by the City Planner and grant a variance for the height of the proposed structure, as shown on “Exhibit H” dated 2-6-2018. Mr. Welsh seconded the motion. The vote was as follows:

Vice Chairman Liza Forshaw	“approve”
Mr. David Schlafly	“approve”
Ms. Elizabeth Panke	“approve”
Mr. Dan Welsh	“approve”
Mr. Lee Rottmann	“approve”

There were five (5) votes in favor and zero (0) votes against and therefore the variance was granted.

Ms. Panke made a motion the overturn the ruling by the City Planner and grant a variance for the light fixture pole height, allowing for poles of 80-feet as shown on the plan dated 2-6-2018. Mr. Rottman seconded the motion. The vote was as follows:

Vice Chairman Liza Forshaw	"approve"
Mr. David Schlafly	"approve"
Ms. Elizabeth Panke	"approve"
Mr. Dan Welsh	"approve"
Mr. Lee Rottmann	"approve"

There were five (5) votes in favor and zero (0) votes against and therefore the variance was granted.

A discussion followed regarding Rules and Regulations for the Zoning Board of Adjustment. There were some minor amendments to wording. All those in attendance were in favor of the wording changes proposed by Legal Counsel, Erin Seele. The new Rules and Regulations were unanimously adopted.

Mr. Rottmann made a motion to adjourn. Mr. Welsh seconded the motion and the meeting was adjourned at 6:16 pm.

DOCKET 1241

DATE OF HEARING February 6, 2018

NAME Ladue High School

DESCRIPTION OF PROPERTY 1201 S. Warson Rd.


CAUSE FOR APPEAL

Requesting relief from the decision by the City Planner that the project should not be approved because of the following items of non-compliance:

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- Does not meet the minimum required green space of 55% (Ordinance 1175, Section V.G)

RULING OF THE BOARD

After a discussion of the facts presented, the Board overturned the ruling of the City Planner and the variances were granted.



Ms. Liza Forshaw, Chairman