

**MINUTES OF MEETING**  
**ZONING AND PLANNING COMMISSION**  
**CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI**

**WEDNESDAY, JANUARY 25, 2017, 4:00 P.M.**

Chairman Moore called the meeting of the Zoning and Planning Commission to Order at 4:04 P.M. The following members were present:

Chairman McPherson Moore  
Vice-Chair Thomas Kahn  
Commissioner Margaret Holtman  
Commissioner Tim Crowley  
Commissioner Jim Howe  
Commissioner Robbye Toft

Also present were Public Works Director Anne Lamitola, City Attorney Erin Seele, Building Official Will Penney, and City Planner Andrea Sukanek.

Chairman Moore introduced himself and announced some basic procedures for the meeting.

**APPROVAL OF MINUTES**

Chairman Moore stated there was one set of minutes to approve from the November 30, 2016 meeting of the commission. Commissioner Toft noted that the minutes state that she was present at the meeting on pages five and six, but was not present. Commissioner Howe noted grammar errors on page two; in the third and sixth paragraphs. Commissioner Crowley moved to approve the minutes as amended with the corrections and the motion was seconded by Commissioner Holtman. All those present were in favor and the meeting minutes as amended were approved.

**PUBLIC FORUM**

Chairman Moore asked if anyone from the audience would like to approach the commission about non-agenda items and no one came forward.

**ZPC 16-15**

Proposed amendment to Zoning Ordinance (#1175) and Ladue Code of Ordinances regarding development standards for storm water management and erosion control. Proposed changes to the ordinance include green space requirements for residential development, definition of green space, storm water management requirements for new construction, and erosion control requirements during construction. Amendment also includes a proposed change to Chapter 94 of the Ladue Code of Ordinances regarding a requirement for retention/detention basins in subdivisions.

Commissioner Moore called on City Planner Andrea Sukanek to provide the City's perspective on this application. Ms. Sukanek stated that the recommendations have been modified based on feedback from the Zoning & Planning Commission and some resident feedback that was received after the last meeting.

Ms. Sukanek reviewed the various modifications to the recommendations. The first modification is the proposed 75% open space requirement for B Residential Zoning in lieu of the 80% that was originally suggested. Commissioner Toft asked how often projects will exceed the newly proposed requirement and Ms. Sukanek stated that with this lessening by five percent, that will provide property owners in this zoning district more flexibility. Commissioner Toft noted that it was appropriate to distinguish open space requirements for the A and B zoning districts.

Commissioner Crowley observed that these regulations may be perceived as boxing in property owners. The Mayor stated that additional control over lot coverage is necessary.

The proposed definition of green space was discussed. A discussion ensued regarding whether permeable pavement should count, at least in part, toward an open space calculation. Commissioner Toft and the Mayor were supportive of some type of credit for permeable pavement. Mr. Penney noted that there are maintenance challenges with permeable pavements. Ms. Sukanek noted that a maintenance agreement could be required for these types of pavements.

Ms. Sukanek reviewed the modifications to the section on detention basins. Councilman John Fox asked who will be evaluating the detention basin reports and it was discussed that the Building Department will receive the information and will be responsible for this task. Councilman Fox noted for the record that additional responsibility will be added to the City Building Department with this detention basin reporting requirement.

Storm Water Sub-Committee Chairman Ray Potter noted that the library detention pond became non-functional and that the City worked with the property owner to comply with the MSD maintenance agreement, but that the City of Ladue needs a written requirement. Mr. Potter noted that there are detention ponds that are not included in subdivisions and Ms. Sukanek noted that the requirements will be placed in a general section of the code of ordinances and therefore will be covered for all properties, not just those in subdivisions.

Chairman Moore sought clarification regarding which section the code or ordinances will incorporate these various regulations and Ms. Sukanek explained that the requirements for detention basins will be included in the article in Chapter 110 that addresses post-construction storm water requirements.

Ms. Sukanek reviewed the proposed modifications in section four of the recommendations which relates to storm water management requirements for new construction. These requirements emphasize regulations for downspouts and sump pumps. Ms. Sukanek provided a diagram that illustrates examples. Commissioner Toft asked what will constitute new construction and Will Penney indicated that any project would trigger these proposed

requirements. It was discussed that a definition could be added to the proposed regulations that defines 'new construction'.

A discussion ensued regarding the required setbacks on various lot configurations and the buildable portion of properties with regard to downspouts and sump pump discharge points and piped sections. Commissioner Kahn asked about clarification of the terms "within the setback" and "out of the setback". He suggested that using the term "buildable area" would be more clear, in some situations.

Mr. Potter stated that language such as 'whenever feasible' is too broad and should be modified so that there are clear cut requirements. He expressed concern that builders will do the bare minimum and standards need to be clear. He also recommended the separation of requirements for downspouts and sump pumps so that the requirements are clear. Mr. Potter requested that Section 4 of the proposed requirements be referred back to the storm water sub-committee. A discussion ensued regarding the requirements for downspouts and where on the property they can be discharged.

Andrea Sukanek explained that the last section of the recommendations addresses erosion control measures and that the only change made to this section is that mud and debris that is tracked onto sidewalks must be removed daily. This requirement is in addition to removing mud and debris daily from roadways.

Commissioner Howe asked for a clarification of BMPs. Ms. Sukanek stated that this is an abbreviation of the term "Best Management Practices". She stated that she would clarify this in the proposed code.

Ms. Sukanek then provided an overview with regard to what specific code sections will incorporate these various changes.

Commissioner Toft asked if an erosion control fence will be required for all circumstances. Andrea Sukanek reviewed the existing requirements that are addressed in the zoning code and explained that 2500 square foot projects will trigger the new requirements as it is currently generally the threshold that must be met for grading permits.

Ms. Sukanek explained that in order to incorporate the recommendations into ordinance format, various code sections including Chapter 94, Chapter 110, and Zoning Ordinance #1175 must be modified.

Commissioner Jim Howe asked if gutter replacement requires a permit and Will Penney stated that no one has applied for such a permit.

A discussion ensued regarding the format of the proposed regulations and Mayor Spewak suggested that the information be provided more holistically.

Ms. Sukanek asked the Commissioners if they would like to pursue providing a credit for pervious pavement. Mayor Spewak asked whether if they should be disallowed, but that if a

variance was being sought, then the Zoning Board of Adjustment could offer a credit for pervious pavement, along with requiring a maintenance agreement.

Commissioner Toft stated that the ZBA hears many cases for coverages such as side yard setbacks, and she supports encouraging pervious pavements.

Mayor Spewak asked Andrea Sukanek and Will Penney to perform more research on permeable pavements and products.

The Commission concluded that they want to review the documents in a holistic view and then make a recommendation. Commissioner Toft added that she supports separating downspout and sump pump discharge lines.

Chairman Moore announced that the next meeting is scheduled for February 22, 2017 at 4:00 pm. Commissioner Toft made a motion to adjourn and Commissioner Holtman seconded the motion. All present were in favor and the meeting was adjourned at 5:12 pm.



Chairman McPherson Moore