

**MINUTES OF MEETING  
ZONING BOARD OF ADJUSTMENT  
OCTOBER 1, 2019, 4:00PM**

**DOCKET 1278**

**8885 Ladue Rd.**

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, October 1, 2019 at City Hall.

The following members of the board were present:

Chairman Liza Forshaw  
Ms. Kristen Holton  
Ms. Laura Long  
Ms. Elizabeth Panke  
Mr. Lee Rottmann

Also present were: Erin Seele, City Attorney; Anne Lamitola, Director of Public Works; Andrea Sukanek, City Planner; Mark Koester, Storm Water Engineer; Roger Stewart, Building Commissioner; Councilmembers John Fox and Stacey Kamps; Mayor Spewak; and Administrative Assistant Lori Wrobel.

Chairman Forshaw called the meeting to order at 4:15 p.m.

**Approval and Adoption of the Agenda**

Ms. Long made a motion to adopt the agenda. Mr. Rottmann seconded the motion. All those present were in favor and the agenda was approved.

**Approval of the Minutes from the September 3, 2019 meeting**

Mr. Rottmann made a motion to approve the Minutes as submitted. Ms. Panke seconded the motion. All those present were in favor; the minutes were approved.

**Docket 1278** Petition is submitted by Elliot Reed for the property at 8885 Ladue Road located in the Ladue Crossing Development. Petitioner is requesting relief from the City Planner denying additional parking due to reduction of green space and increasing the lot coverage which is in violation of Ordinance 1175, Section VIII-E-2(b).

Ms. Sukanek stated the applicant requests a variance to permit additional parking that will reduce green space for the Ladue Crossing Development at 8885 Ladue Road. The property currently meets the 30% greenspace requirement. The property is subject to a special use permit, and the plans for new tenants including outdoor dining have been recommended by the Zoning and Planning Commission for approval by the Council. The Architectural Review Board has also approved plans. The proposed increase in parking will reduce the amount of greenspace to 27%. A variance is not needed for more parking spaces, as the shopping center already has enough parking to comply with the code. The issue is greenspace only.

Mark Schnuck took the oath and addressed the board on behalf of the property owner. Ladue Crossing originated in 1993 and was updated in 2014. It is their desire to maintain greenspace, and they provide considerably more costly landscaping, with flowers, than the ordinance requires. In addition to the greenspace at Ladue Crossing, the property owner voluntarily landscaped the Bi-State Centennial Greenway greenspace along the length of the eastern boundary of the shopping center, and holds a permanent easement giving it the right and obligation to maintain that landscaped area. That adjoining greenspace is not included in the

calculation of the 30% greenspace requirement for the shopping center, because the ownership is technically different. However, when included in the calculation it boosts the greenspace up to 41% -- well above the required 30%. With changing retail needs and e-commerce, it is necessary to have dynamic tenants with close parking and outdoor seating. The proposed new tenants, Shake Shack and Shapes, are expected to have greater parking needs near their buildings than the previous tenants. A parking study recommended adding parking near those sites to accommodate the anticipated demand. A grass berm will screen the dumpster and the increased parking area from Ladue Road and will help make up for some of the lost grass, due to its elevation increasing the surface area of grass.

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 – Letter of Denial dated August 29, 2019;

Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter from the resident requesting the variance dated September 3, 2019;

Exhibit F – Entire file relating to the application

A letter was received from a resident of Poynter Lane objecting to a reduction of greenspace at Ladue Crossing.

Chairman Forshaw asked Mr. Schnuck whether he had considered returning less-utilized parking area elsewhere in the center, such as north of the supermarket, to greenspace. He replied that at peak times that parking area is required for parking.

After a discussion of the facts presented, including increased parking demand, the planned use of some pervious pavers where practical, and the unique situation of the permanent easement for a substantial landscaped area immediately to the east of the shopping center which could fairly be considered toward the green space calculation, the Board determined that practical difficulties exist. Ms. Panke made a motion to overturn the decision of the City Planner and grant the variance for the additional parking. Ms. Long seconded the motion. The vote was as follows:

Chairman Liza Forshaw	“in favor”
Mr. Kristen Holton	“in favor”
Ms. Laura Long	“in favor”
Ms. Elizabeth Panke	“in favor”
Mr. Lee Rottmann	“in favor”

With five (5) votes in favor and zero (0) against, the motion passed, the variance was granted, and the ruling of the City Planner was overturned.

### **Adjournment**

At 6:45 p.m. Ms. Long made a motion to Adjourn the meeting. Ms. Panke seconded the motion. A unanimous vote in favor was taken.

