

CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD
COUNCIL CHAMBERS – CITY HALL
MONDAY, MAY 20, 2019
1730 (05:30 PM)

CALL TO ORDER

The meeting was called to order by Chairman Steve Lichtenfeld at 1730.

ROLL CALL

Chairman Steve Lichtenfeld, Aldermanic Representative Richard Lintz, Ron Reim, William Liebermann, Brian Maguire, Carolyn Gaidis answered roll call.

Absent: City Manager Craig Owens

ALSO IN ATTENDANCE

Kevin O’Keefe, City Attorney
Susan Istenes, AIPC, Planning Director

CHAIRMAN REQUESTS

Chairman Lichtenfeld asked that all cell phones be turned off and that conversations take place outside the meeting room.

Chairman Lichtenfeld also asks that anyone who speaks please spell out their last name.

APPROVAL OF MINUTES

The minutes of the regular meeting of May 6, 2019 were presented for approval.

RON REIM – MOTION TO APPROVE

BRIAN MAGUIRE – SECOND

MOTION UNANIMOUSLY APPROVED BY THE BOARD

Chairman Lichtenfeld notes that the public hearings will be moved to the end of the Agenda, after New Business.

OLD BUSINESS

142 NORTH BEMISTON AVENUE – ARCHITECTURAL REVIEW BOARD – NEW SINGLE FAMILY

Director Susan M. Istenes summarizes the following staff report: “The proposed new single-family residence was previously presented to the Plan Commission and Architectural Review Board on May 6, 2019. The Plan Commission voted to approve the site plan at the original meeting. During the architectural review, comments about the proposed height in relation to adjacent buildings was discussed. The Architectural Review Board voted to continue the request to the following meeting, allowing the applicant to present drawings with a lower roof pitch. The original staff report has been updated in bold.

The 8,121 square foot site is located on the east side of North Bemiston Avenue between Maryland Avenue and Pershing Avenue. The property has a zoning designation of R-3 One- and Two-Family Dwelling District and is currently a vacant lot. The applicant is proposing a new, two-story single-family residence measuring 4,606 square feet with an attached, front entry garage.

The height of the proposed residence is 33 feet 5 inches as measured from the average existing grade to the mean height of the roof. The previously submitted plans proposed a house measuring 34 feet 4 inches with a 9:12 roof slope. The revised plans show an 8:12 roof slope. The two-story duplex to the south (138 North Bemiston Avenue) was constructed in 1979 and is +/- **5 feet 7 inches** shorter than the proposed home (as measured from the mid-point of each roof). The one and a half-story home to the north (144 North Bemiston Avenue) was constructed in 1998 and is +/- **15 feet 10 inches** shorter than the proposed home (as measured from the mid-point of each roof). The driveway for the existing house to the north is located between the existing house and the proposed house with a dense existing landscape buffer that is to remain. The proposed house also features variations in the façade and roof line along the north elevation, which will reduce the impacts of the taller structure.

The proposed house features a below-grade, front entry garage. This style of garage is common along North Bemiston Avenue. Knee walls and landscaping are proposed to buffer the driveway and garage from the street. The proposed massing is articulated on all sides with windows, doors and other architectural features including chimneys, soldier window headers and bay windows. Staff is of the opinion that the height and massing of the proposed house are compatible with surrounding neighborhood character.

The primary building material for the proposed home is linen painted brick with secondary materials being siding and cast stone. Hardi-siding is proposed for the bay windows. Cast stone is proposed for the front entry accent and window surrounds. Two blue/grey carriage style garage doors are proposed.

The driveway is proposed as limestone colored exposed aggregate with a decorative joint pattern. Cast stone steps and pavers are proposed for the stairs, front and rear porches and the pool deck.

Brick clad retaining walls with cast stone caps are proposed on both sides of the driveway and along the front stairs and porch. The proposed brick will match the primary building material of the house. A brick retaining wall is also proposed along the east end of the rear screened porch to create a raised planting area.

Decorative, black metal railings are proposed for the balconies, porches and stairs. The applicant is proposing a new six foot tall solid cedar fence with two feet of lattice on top, for a total fence height of eight feet. The proposed fence will enclose the rear yard and extend along portions of the side yards. The applicant is proposing to install the fence against the neighbor’s iron fence along the north property line. There is an existing wood fence along the

south property line. The applicant has stated an intent to work with the neighbor prior to fence installation to try and avoid locating solid fences back to back.

The proposed house is in conformance with the requirements of the R-3 One and Two Family Dwelling District and the Architectural Review Guidelines. Staff is of the opinion that the plan is compatible in terms of mass, height and design with surrounding structures.

STAFF RECOMMENDATION IS TO APPROVE AS SUBMITTED.”

PAUL DOERNER (PD) – LAWRENCE GROUP ARCHITECTS

PD – Noted the changes made to the height and chimney.

CLAUDE EVANS – 139 NORTH BEMISTON

The chimney looks good and so does the roof. The street is going down hill and this home makes the homes around it look small as it looks large and looms over them. The home should be lowered at the first floor by making the garage deeper and that would make the home look better. The white color of it also makes it even more bold. Would like the first floor to be level with the condo next door first floor.

PD – I don’t think the home looms and the white color adds more light to the neighborhood as it reflects the sun.

CHAIRMAN LICHTENFELD – WE HAVE A STAFF RECOMMENDATION TO APPROVE AS SUBMITTED

RON REIM – MOTION TO APPROVE AS SUBMITTED

WILLIAM LIEBERMANN – SECOND

MOTION UNANIMOUSLY APPROVED BY THE BOARD.

7501 MARYLAND AVENUE – ARCHITECTURAL REVIEW BOARD – SIGNAGE

Director Susan M. Istenes summarizes the following staff report: “The proposed signage was originally presented to the Architectural Review Board on April 15, 2019. The request was continued to the next meeting to allow the applicant to make revisions and respond to comments from the Architectural Review Board and the public. The following staff report has been updated based on revisions. New or revised sections of the report are in bold.

The subject property is bounded by Westmoreland Avenue to the north, Jackson Avenue to the east and Maryland Avenue to the south. The property is zoned R-2 Single Family Residential. The existing school building is currently being renovated for Centene University, which will provide training and education space for Centene Corporation and a daycare for Centene employees. The applicant is proposing two monument signs, one wall sign and a flag pole.

A Sign Subdistrict governs the allowed signage for all properties that are included in the phased Special Development District for Centene along Forsyth Boulevard. The subject property is not part of the Special Development District and the applicant is not proposing to include the subject property in the Sign Subdistrict. The applicant is requesting a sign modification to allow for two monument signs on the property.

Section 425.040.A.7.b of the City's Sign Regulations states:

Schools and other institutions may erect a ground sign up to twenty-five (25) square feet in area. In lieu of a ground sign, a wall sign at the entrance to the school or institutional building may be erected but such sign shall not exceed twelve (12) square feet in area.

The applicant is proposing a 24 square foot sign on the decorative monument wall that is part of the parking lot enclosure. The proposed sign faces the intersection of Maryland Avenue and Jackson Avenue. The monument wall is clad in red brick with a limestone panel where the sign will be located. **The sign will be etched into the limestone and state "Centene University, established 2017."** Up-lighting is proposed from the landscape base. The proposed sign is considered a ground sign and would count as the one permitted by the Sign Regulations. Staff is of the opinion that the proposed ground sign is consistent with signage found at many schools and universities.

The applicant is proposing a second ground sign located east of the main building entrance walkway along Maryland Avenue. The sign base is proposed as red brick with a concrete cap to match other wall and building designs. An engraved limestone face is proposed. The sign measures 7.5 square feet and will display "Centene University," the logo and the property address. Up-lighting is proposed. The proposed sign will provide wayfinding assistance for anyone walking to the property from other Centene Buildings to the southwest, who will not pass the decorative monument wall sign at the intersection. As part of the renovations to the existing building the original school entry with the Maryland School sign was restored and reinstalled on the new building façade. The proposed monument sign will be the only sign visible from Maryland Avenue with the correct tenant name. The proposed ground sign would be the second on the property and therefore a sign modification approval by the Architectural Review Board is required. The proposed sign faces south toward a commercial parking lot. Staff is of the opinion that the design and materials are consistent with the subject property and surrounding area. General ground signs are required to be located in a landscape bed. Staff is of the opinion that some perennials should be planted around the base of the proposed ground sign to be consistent with the City's Sign Regulations.

One flag pole is proposed at the southeast corner of the building. The proposed flag pole will display two flags and have up lighting. The 30 foot tall pole is consistent with the City's Regulations.

A four square foot wall sign is proposed on the rear of the building at the main daycare entrance. The sign is proposed as powder coated metal with silkscreen graphics and halo lighting. The sign will not be visible from outside of the property and conforms to the City's Sign Regulations allowing a rear entrance sign measuring a maximum of eight square feet.

The applicant has also provided design information for an embedded seal proposed on the front walkway. The proposed seal will only be visible on the property and is located within a decorative paver area.

The lighting proposed is similar to accent landscape lighting seen throughout Clayton. The subject property will need to conform to the site photometric plan that was approved as part of the construction permits and Conditional Use Permit. At the previous meeting, residents requested that if lighting were to be approved, a time limit is enforced. There are other examples of time limit restrictions being placed on different uses and activities located near residential neighborhoods. The Sign Regulations allow a special lit sign option for live entertainment venues in hotels, but requires that any such sign located within 150 feet of a residential district are turned off by 11:00 p.m. Another example is the City's noise regulations, which limit outdoor noise generation to 10:00 p.m. within 500 feet of residential. Staff is of the opinion that a time limit for sign lighting is appropriate given the residential neighborhood location and recommends that lighting for signage is set on a timer to automatically turn off at 10:00 p.m.

STAFF RECOMMENDATION IS TO APPROVE THE PROPOSED SIGNS WITH THE FOLLOWING CONDITION:

1. A PERENNIAL LANDSCAPE BED SHALL BE INSTALLED AND MAINTAINED AT THE BASE OF THE GROUND SIGNS
 2. SIGNAGE LIGHTING SHALL BE SET ON A TIMER TO AUTOMATICALLY TURN OFF BY 10:00 P.M.”.
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DEANNA KUHLMANN-LEAVITT (DKL) – KUHLMANN LEAVITT INC.
BOB POWERS (BP) – HOK

DKL – Apologizes for missing the meeting on 5/6/19, she had the wrong date. Will run over all 6 signs again but wants to focus mainly on the three of concern: 2 monument signs, and flag pole.

Two monuments: now etched

Flag pole: moved to new location.

The primary issue last time was it looked like a corporate and commercial sign in a residential neighborhood (goes over signs that are similar in Clayton). New proposal is significantly quieter and the branding has been adjusted. The logo is gone so it says Centene University an EST. that is etched. Assures there will be plantings and that the lights will be on timers. The second sign is the same but smaller and has the address etched also. The flag pole moved so the lights will be directed at the building and that the hardware for the flag pole has sound canceling components. Goes over other three signs that no one had issues with.

CHAIRMAN LICHTENFELD – The flag pole shows two flags, what are they, will there be more?

BP – Two flags one the American Flag and one the Centene flag.

RICHARD LINTZ – Uncomfortable with the corporate flag. Do we consider corporate flags signage, are flags not signage? Can we not discuss content of the flag

SUSAN ISTENES – They are regulated on their own so they aren't signage and we cannot regulate the content/message of the flag.

BRIAN MAGUIRE – Can we say how many flags can be on the pole? This is a lot of corporate branding for a building in a residential area.

KEVIN O'KEEFE – Clarifies the flag pole/signage code and notes that they are different codes and flags are not regulated under the sign code.

PUBLIC COMMENTS:

RICK BLISS – My name is Rick Bliss. My address is 7515 Westmoreland Avenue.

I would like to remind the Board that Deanna just used the term “branding” in her presentation. Clearly the intent of the signage is for corporate branding and that is not appropriate in this context.

I would like to share some comments from neighbors and from other concerned citizens who cannot be here tonight.

Centene University is not a school. It is a for-profit corporate training facility. It does not need traditional signage that is important at real schools to inform and direct new students and parents.

Centene's executive and employee training center needs minimal signage and no lighting. The Centene approach to signage, lighting, plaques and flags is blatant corporate brand promotion. This is not appropriate in a residential neighborhood. The fiction of a "school" was forced on the residents of Clayton - we should not have to tolerate permanent corporate advertising in our quiet neighborhoods.

Centene certainly has the capacity to inform their employees of the location of this giant building at the top of the hill in a residential neighborhood, just a couple of blocks from their high rise corporate offices. It is not as if the Maryland School structure could be confused by their employees with any of our homes or Hanley House. Maybe Centene could even send their employees and shuttle drivers an email map and photo of their "University." This would be much less costly than the ongoing expense of installing and maintaining intrusive lights and an illuminated corporate flag pole.

I would interject here my own comment that if an employee is not smart enough to figure out how to get to 7501 Maryland Avenue then more than likely Centene would not want to hire the person in the first place!

Another comment:

Let's not forget, Centene got the CUP under the "daycare" and "college or university" exception. Comparing it to a grade school, middle school or high school would not be within the scope of the CUP.

With respect to the actual permitted use, I recall that while the BOA ultimately granted the CUP (on a one-vote margin) they acknowledged this was a non-traditional application of the daycare/college & university exception and even those aldermen that voted in favor of the CUP stated that they expected the ARB process to be used to help reconcile an ascetic fit of this commercial use into a residential neighborhood. When specific points about the commercial use and appearance were raised in public comment, some aldermen (maybe the Mayor) responded that the ARB process should be used to address those issues. I tried to pull the BOA meeting minutes from when this was discussed in 2017, but they no longer appear available. Other educational facilities are not the ARB standard for this project.

STEVE ROSENBLOOM – This is much larger than what you would see at a grade school. I agree that lighting isn't necessary and there isn't at other grade schools.

KEVIN WILLIAMS – No lighting on the corner because it's too corporate and not like school signs. Reads flag ordinance and thinks the Board has the power to regulate the flags and that they should limit it to one flag or limit it to tiny flags.

JEAN SERAPHIN – This is a slippery slope with precedent and we cannot allow this sign. This is unnecessary signage.

BRIAN MAGUIRE – I'm not inclined to approve anything but signs 2, 4, 5, and 6 these are the only necessary signs that would be appropriate for the property.

CHAIRMAN LICHTENFELD – I would suggest only one flag. And hopefully that will only be the American Flag

CAROLYN GAIDIS – Does number 1 have to be lit at all?

KEVIN – HOK – This sign was already approved. It's an 8watt light. It is a soft warm light and will actually have a regressed led so there is no glare. It is half the size of the hand-held microphone. It is extremely small and light lighting

RICHARD LINTZ – Wilson school has lights on it and most are broken but they are there and on a timer though the timer got messed up when the power went out so they are on during the day and off at night.

RON REIM – I think the explanation of the lighting I don't find it to be offensive they are pretty subtle with engraved letters * Carolyn Gaidis agrees*

CHAIRMAN LICHTENFELD – Deanna do you agree to the recommendations?

DKL – Yes.

CHAIRMAN LICHTENFELD – WE HAVE A STAFF RECOMMENDATION TO APPROVE WITH TWO CONDITIONS.

RON REIM – MOTION TO APPROVE WITH THE STAFF RECOMMENDATIONS AND TO ADD ANOTHER CONDITION THAT THERE IS TO ONLY BE ONE FLAG ON THE FLAG POLE AND THAT IT IS TO BE THE AMERICAN FLAG.

WILLIAM LIEBERMANN – SECOND

CHAIRMAN LICHTENFELD AND CAROLYN GAIDIS - AYE

RICHARD LINTZ AND BRIAN MAGUIRE - NAY

CONCEPTUAL REVIEW

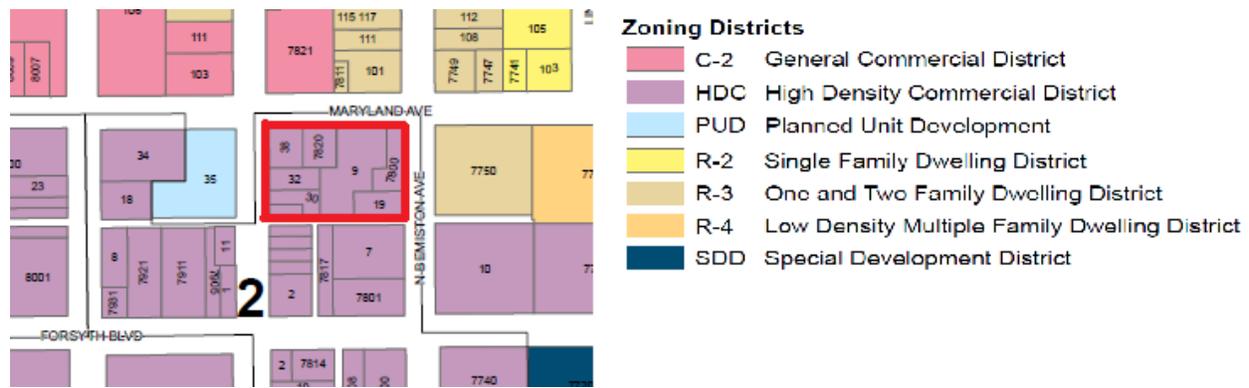
CHAIRMAN LICHTENFELD NOTES THAT THIS IS FOR CONCEPTUAL REVIEW ONLY AND SO THE APPLICANT MAY GET FEEDBACK FROM THE BOARD AND THE PUBLIC.

7800 MARYLAND AVENUE, 9 NORTH BEMISTON, AND 19 NORTH BEMISTON – CONCEPTUAL REVIEW

Director Susan M. Istenes summarizes the following staff report: “The project site includes multiple parcels that make up the north half block between North Central Avenue, North Bemiston Avenue and Maryland Avenue. The total project site measures approximately 68,563 square feet. The properties have a zoning designation of HDC High Density Commercial District and are located in the CBD Core Downtown Overlay District. The site is currently improved with multiple one and two story buildings and a surface parking lot. Adjacent land uses include retail, restaurant, office, government and residential.

The proposed project consists of the demolition of the existing buildings and the construction of a two-phased development. The applicant has submitted plans for the first phase of the development located on the eastern half of the project site, fronting North Bemiston Avenue and Maryland Avenue. The eastern half of the project site measures approximately 34,000 square feet. The first phase consists of the construction of a 499,059 square foot building with parking and residential. The conceptual plans submitted do not indicate the plans for the western half of the project site.

The main building entrance is located on North Bemiston Avenue. Vehicle access to the garage is proposed on Maryland Avenue and from the east-west alley located along the south side of the project site. The primary building material is red brick with a stone accent material.



Current zoning: Subject property outlined in red.

ZONING AND MASTER PLAN

The project is proposed as a Planned Unit Development (PUD) and will require public hearings before the Plan Commission and the Board of Aldermen. The CBD Core Overlay District “applies to selected blocks...which have been targeted to remain pedestrian friendly retail centers. The area encompassed in the CBD Overlay District is the historic and current heart of commercial and service activities in the City of Clayton. The main reason for the continued vitality and integrity of the area is that the buildings in this area are “pedestrian friendly” structures and human in scale. The CBD Core Overlay District will preserve the ambience of this section of the Central Business District.” Section 410.075.B states: The purpose of these regulations, and the context within which they should be construed and applied, is to foster appropriate use of existing structures and enable compatible redevelopment where reuse is not feasible, through application of the following goals:

1. Promote structures that have sidewalk frontage suitable for smaller retail and service activities;
2. Stimulate designs that minimize scale and mass as perceived from the sidewalk;
3. Avoid regimentation and visual uniformity along the sidewalk frontage;
4. Encourage harmonious architecture which preserves the essential character of the district via variations in entrance size, setback, height, etc.; creation of varied sidewalk windows and display areas through the use of facade materials and design, which lend both visual and textural distinction.
5. Design buildings to encourage pedestrian activity by use of ground level retail shops and store fronts.

A project in this zoning district is eligible to rezone to a Planned Unit Development when it exceeds the maximum Floor Area Ratio (FAR) requirement and incorporates at least two of the following five uses: office, retail, residential, public parking or hotel. The proposed project includes parking and residential, but does not specifically address if the parking is public or for residents and their visitors only. The uses and details of the western phase are not included in the plans submitted for conceptual review. The eastern phase does exceed the FAR requirement.

The property is also located in the North Central District as identified in the Downtown Clayton Master Plan. The vision of the North Central District is “to grow at a human scale along key pedestrian streets, with fine-grained development, active streets and walkable commercial areas.”

STAFF CONSIDERATIONS

A project of this scale requires a thorough staff review prior to a public hearing. The project will be reviewed and is subject to comments by the Planning, Public Works, and Fire Departments, and also the City’s contracted consultants for landscaping, architecture, stormwater management, traffic and parking. Staff recommends that the Plan Commission/Architectural Review Board consider the proposal and provide input. This is conceptual review only and therefore any comments made in this report or at the meeting, either by the applicant, staff, or the

Board/Commission members, are not binding. Staff offers the following comments based on the conceptual plans presented.

Planning

1. The uses of the western phase should be determined to ensure eligibility for a PUD.
2. Is the parking provided in the eastern phase open to the public or reserved for the residential use?
3. The first phase does not include any ground floor commercial space, which is an important part of the overlay district and master plan goals for the area.
4. The proposed tower is taller than most surrounding buildings. The orientation of the narrower tower façade facing Maryland Avenue is an appropriate design, however, some building setbacks or other architectural elements along the base will help create a more pedestrian scale along both frontages.
5. Add variations in the first floor façade to reduce the visual uniformity.
6. The service and dock area will be highly visible from North Bemiston Avenue. Wrap ground floor commercial uses around the southeast corner of the building and shift the service and dock area further down the alley.

Public Works

1. Public Works requires the alley to be widened to 24' minimum as part of developments. The Conceptual Plans illustrate widening the alley from 20' to 22'. Developer shall dedicate the width necessary to achieve the full 24' width (entire length of block from North Bemiston Avenue to North Central Avenue).
 2. The developer shall repave the entire width of the alley between North Bemiston Avenue and North Central Avenue.
 3. The developer is responsible for relocating all adjacent overhead utilities underground (per utilities specifications).
 4. The developer shall submit payment to the city for a traffic impact and parking study.
 5. The developer shall install city standard streetscape on all adjacent sidewalks to the development (dedicate property or provide streetscape easement as necessary to achieve 12' 2" width).
 6. The current plans do not accurately depict the future lane configuration of Maryland Avenue, please update."
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STEVE SMITH (SS) – LAURENCE GROUP ARCHITECTS

SS – Addresses Board to answer questions and talk about the project. First introduces the team and what their role is in the project. This project was going to be a hotel and over the six months that we have been involved in this project, we looked at many things. We used the list below to figure out what direction this project would go.

1. What will physically fix and financially work
2. How do we comply with the codes that dictate the area and market demand.
3. Will we have public support

We've gone through many different design configurations to figure this out in the last 6 months. Now we are here to get the community input. From the beginning we wanted to target the vitality and create a walkable environment in downtown Clayton specifically. With this being said we want to share with you our goals for this project, the challenges and limitations of the site and why we did some things the way we did and we will share the preliminary design and seek input on that.

First on Goals – Clayton is the premiere residential community in St. Louis. It has the broadest range of residential options and a robust diversity of housing. This leads to vitality, the mix of people living in the variety of homes in Clayton that leads to diversity and vibrancy.

Second – To provide condominiums that will have the lowest impact from a traffic stand point. The condos will be large units and will decrease the amount of traffic compared to an apartment building or even a hotel or office building. This will have low impact in terms of traffic and car use. Right now we are proposing 110 units in 300,000sqft of rentable area with 250 parking spaces in our current plan. The units are averaging 2600sqft. Condominiums are a product type that has not happened in Clayton and in the St. Louis region in over ten years. It's very difficult to financially develop condominium properties. It's tough to finance from banks, you have to pre-sell a lot of units. The recession put a stop to condos that were being developed in the early 2000s. I think this is important for Clayton as opposed to CWE, Downtown, etc.

Third – To line up with the Master Plan of Clayton. Clayton is the strongest market for jobs in the region. The Master Plan wants to add vibrancy, walkable side sidewalks, vitality. The thing that adds vitality to the streets is jobs and residents and retail follows jobs and residents. Clayton has the benefit of the jobs and continues to grow that, now we want to add residential in the downtown, which currently is exclusively rental. We believe that the goal of creating diversity and vibrancy will be enhanced by having more homeownership and dense homeownership within the CBD of Clayton. After the February purchase of the property we decided to not pursue the hotel on Central. There were a number of reasons, and one was putting a high rise building on Central Ave would be hard because of the vision of Central Ave. Street level retain, low density low rise with self-contained parking is the vision of Central Avenue. And so we are looking for a plan that is viable for that. This is privately financed and so we will not need support financially from the public.

Challenges – It is 68,000sqft so it is a very small site but a very expensive site so how we provide density to allow for financial viability and to meet the goals of self-contained parking and low rise on Central is a real challenge and our proposal is a response to how we meet the competing goals of the small site, financial situations, and maintaining low density and height on Central. As you walk down Central it is charming, they are generally been full, but when you go behind the façade of central, almost half of the site is asphalt surface parking lots. 35,000 of 68,000sqft is paved. From an urban standpoint, surface parking lots are bad. If we want to have truly urban environment we don't have surface parking lots visible from the streets. The topography of Clayton is relatively flat, however from the northwest to the southeast it drops 18 feet. Where that really impacts us is along the streets. The grading of the lot is very steep, so the building is 21 stories at the alley and only 20 at Maryland because of the grade on Bemiston. In the alley itself, the western 2/3 of the alley is very steep, 16 feet. The impact to the design is where do we have access points to both pedestrian and vehicle and if we do store fronts, where can we do those without being on a very steep grade. When looking at the hotel, we talked about putting the entrance on Maryland but its too steep so we couldn't do it. Thankfully Central Avenue is relatively flat and does accommodate storefronts very easily. On Bemiston where we have a 12 foot drop, where do we put entrances when the grade changes rapidly north to south. It also impacts where we can put the entrance to parking. Behind the frontages on Central and Maryland, they are pretty deteriorated with old AC equipment hanging off of the buildings, substandard stairs, and lots of disinvestment over time. The buildings have not been maintained over the years.

This is a preliminary design, as was stated earlier, the basic concept here after looking at many different options is to use the eastern half of the site for density for residential density. The density on the eastern half of the lot allows us to do low density on the western half of the site. So the intention is to build the high rise on the east side and low rise on the west side. We are also trying to add what green space that we can on a site that is primary covered right now with building. So starting from the right side of the site we are setting the tower 10 ft off the sidewalk to create an urban front lawn. These are people's home, we do want to have a landscape front. The vision really for this building is a New York style co-op or condo or tower that are located in neighborhoods of New York that are around the

corner from diverse retail areas but this is a residential area as we envision so we show landscape/green space on the Bemiston side. The parking for the condo towers are underneath it and under the amenity deck. We have a 20x40ft swimming pool with amenity deck and we are also showing a green roof that helps with the stormwater challenges we have on this site but also provides an amenity that is environmentally sensitive by having it on the garage of the two development areas. The western half of the site would be phase 2 that would also have, something that is financially viable that the tenants in the building can survive. My experience with retail in urban areas has been very mixed in terms of tenants being able to be financially viable over time. We have to be very careful that we are not faced with the challenge of retail space that goes empty or has the type of tenants that cannot survive. Retail is changing rapidly right now so I think we want to be very thoughtful of the type of retail. Dominos is not vibrancy in the street. Our goal is to create vibrancy, not necessarily retail as it would be called. We want to make sure we are not adding retail that doesn't add vibrancy.

We imagine this as a masonry building with residential window openings as opposed to a curtain wall building. We felt that this should be a brick building with residential window openings. We saw the base and the top being premium material stone or precast to accentuate the base and the crown of the building. We see this as a New York style co-op with a red awning like you'd see on 5th Avenue, or any of the Upper East Side of New York. Those buildings do not have retail on their ground floors but yet they are very vibrant dynamic environments. So I think we can differentiate vibrancy from retail. The entrance of the condo is in the middle of the building so as it heads to the right you are under and to the left you are above ground because of the grade. We elected to make the balconies inset, they have the sense of safety because they are not cantilevered out and if you put stuff on them the stuff is less visible from the street.

Those are some of the initial basic concepts around the design. On the west façade, I'd like to point out that first the north facing elevation is 90 ft wide. So the narrow side of the building is facing old town. There is a 210ft façade that runs north to south and that is to try and have the least amount of visual impact to the residents to the north. Second the larger units which are at the top have larger balconies and the smaller units at the base have smaller balconies. Third a conceptual idea of how the retail will work on Central and Maryland will work, we can turn the corner and still have retail before the grade drops rapidly but we would have something that would prohibit going over a certain height on the western block. Central should be the scale that it is today, lushly landscaped, with lots of successful retail and the ability to do street events on Central. As you head towards the condo on Maryland, there is no opening. It is building all the way to the condo tower. The lower level parking is under the retail and under the condo tower, they are separate parking lots. The condo residents would own their parking spaces since they are owners so we need to make that distinction.

We are aware of what our views might be from Maryland Walk so we sent a drone up to take photos of the views from the window of 14 B (14 floor unit B). There is a roof amenity at Maryland Walk also and looked at those views as well. Hopefully when we build it, you'll still have views of the Arch and most of downtown St. Louis.

The units themselves, 110 units with an average 2600sqft. The smallest is 1900sqft. and the largest over 5000sqft. These large units contribute to low density from a parking stand point but will add to the population density of downtown Clayton. It will help add to vibrancy. The units are of modern design, with open floor plans, and other amenities that affluent people expect.

Lastly with a PUD, there is a requirement to meet at least, five, I believe, of the 14 requested items so we looked at this and asked: are we meeting public benefit, are we enhancing the public infrastructure, are we creating housing density, are we doing a green roof for sustainability, creating public greenspaces that might have art in or benches, courtyards grass areas, landscape.

Yes, we think we are based on everything above.

So with that I am going to take a breath and let you ask questions.

CHAIRMAN LICHTENFELD – I'll start out about 1, 2, 3, goals, challenges, and concepts. The goals sounded very good, the challenges were realistic, I think everywhere in the downtown area is a challenge one way or another, but when we got to the concepts, what I see and what I have been looking at for 90 minutes now, doesn't match what I heard verbally.

I'll start out by saying number one I think it is probably the least inspirational building that I have seen proposed for downtown Clayton and it doesn't meet many of the things you were talking about. It effectively kills all of the pedestrian retail that we have right now on North Central and Bemiston. Both of these areas also have historical and cultural content of the city which I don't see any sensitivity to, at all. On Central it is one of the most vibrant remaining original downtown blocks in the city. On the other end, Bemiston, there is a Harris Armstrong building that needs to at least be considered in some way. I've already mentioned I haven't seen any retail in phase one, it would go to deaden the street even more than it is right now, on Bemiston and the part of Maryland.

As we look at it further, what we are seeing is a 21-story building, it doesn't seem to relate to the context of either downtown Clayton, nor to the context of the low rise, basically two, two and a half, residential area to the north of it which also has a series of public and religious institutions that are also fairly low rise. Now you can come back and say that the building opposite of St. Joe's church is a tall building but when you are moving east and you showed us the drone photo from 14B in Maryland Walk, you see everything going down lower and lower, and part of that is because as you go east the residential area comes closer and closer to Maryland Avenue. I think there needs to be some sensitivity about where you are located.

You're in one of the more challenging areas and that's where the downtown and the residential meet. We run into this all the time. I don't think this does it. Let's look at the height. It is way over what I'm sure you read about in our CBD Core Zoning District. There is a maximum building height, four stories or not to exceed 45ft. Granted if you were granted a PUD, that could be modified but I don't see any way that we could go or consider a building of this height, I think it would illustrate that in the drone photo. So, my concern is that we have many regulations in place, that are really not being attended to or answered. We have an overlay district which this area incorporates portions of four-square blocks and it was put in so that we can work with the intersection between the business district and the residential district. This looks like it is putting up a block. As you can see the buildings are getting lower and lower and then as you would see it continuing at the low level or going lower we come up with something that would be the 3rd or 4th tallest building in the area. It seems to be looming out of place, not respecting the context of the neighborhood that it's in.

Not responding to many, or maybe all, of the requirements that we have in place at this point and when you were talking about the PUD, yes, the infatuation would be updated but that's required of all properties. So I'm not sure it is providing additional public benefit. Density, yes but I don't think a 21-story building in this location would adequately answer that or add vitality to the street. The green roof would be observed from the units facing west but doesn't do much for the citizens. The alley I'm glad it'll be widened. The street level landscape, I'm surprised, I don't think you could get a swing on 10ft wide. The grassed areas, if it is a 10ft wide space I'm not sure that it is really much more than a buffer between the public sidewalk and the building itself. I call attention to another building that I believe is now called 101 South Hanley. If you've every walked-on Hanley from Carondelet to Bonhomme, you'll know what I'm referring to. It is a blank wall that you are up against on the sidewalk and when cars go by you feel like you're in danger. That is something that was done years ago that didn't take into account pedestrian safety like we do now. We do not want streets that are lacking vitality at all.

I'm disappointed that we cannot see what is going on the western half of the property. What I do see is the destruction of a vibrant pedestrian oriented retail area, at this point.

To sum up, I'm very disappointed. I think it really should be started over and looked at from what the Master Plan and the Core Overlay zoning district requires and if you were to go for a PUD how you could meet, as many as the points as possible. Most importantly to see the context you are working in. you are on that dividing line and we want the citizens both business and residential to understand that and work with it and be proud of it.

RON REIM – I guess my first impression of this is that the building looks incredibly foreign for this location at this time. I looked at it and said it looks like it could have been designed in the 60s. It's pretty monolithic. As Steve mentioned, if you look at the Master Plan, and I was here when we put the Master Plan together, it was very intentional about this part of the City having a different scale and stepping down to respect the residential properties in old town to the north.

Here we have 20+ stories, I have to ask, have you all even taken a look at the shadow study of this because a good portion of the houses sitting to the north that will find themselves in a great amounts of shadow. City Hall would find itself in a great amount of shadow. Just across the street on Central, the Ceylon development, which is apartments but it does respect the scale, architectural articulation that we are looking for vitality, it has retail and restaurant space on its first floor and I think we all acknowledge that retail is changing but for cities and streets to really be successful the architecture has to work with that. There are plenty of cities around the county where the first floors are retail and I think it's important in Clayton to have it.

I'm not sure where the architectural inspiration for this came from. There doesn't appear to be much inspiration at all to be honest with you. Without being able to see what's on the western block, I don't know how you would expect us to be able to even make a sensible evaluation of this other than its just gigantic by comparison to what I would ever had imagined being on that portion of the block.

CAROLYN GAIDIS – Building on your shadow comment, Ron, the shadow knocks out peoples views and their light but it also effects their landscape. Those who have south facing lawns and trees and other things that need full sun are now dead. So how do you compensate for that when you build something like this. There is also the fact that from here to your podium is probably 10 feet and your have 220 feet up so that proportional of landscape/open space to building height is very disproportionate.

I am profoundly in objection to removing the Armstrong building, I am from the East Coast, I loved all the beautiful brick buildings here and I moved to Clayton specifically for these buildings. I recognize as a landscape architect the significant historic and well designed buildings of all the folks who were significant architects and that building to me has always been a little jewel. I think John Guenther put it the best by saying that it is a jewel that is on the national registry and to take it out for something like that, I can only say I feel offended. I agree with everything that my colleagues have said so far.

BRIAN MAGUIRE – This is more of a question, if you did more of a podium type mixed product, you could accomplish the same yield in 6 stories. You could do parking and retail under there under 10 stories and your could do the same thing for a cheaper price. What was the reason to go to tall? Build to the lot lines with parking underneath.

SS – We made the decision not to go midrise on Central and so if you did that we would be doing maybe 10 stories on Central, is that what you're suggesting would be...

BRAIN MAGUIRE – I'm saying it seems like you could yield the same for parking and residential without the height of the building.

SS – I think the intent of this was to go to Central to be basically 1 or 2 stories as opposed to being midrise.

CHAIRMAN LICHTENFELD – Steve, our challenge here is not to design but to give comments to help you go forward.

SS – I appreciate that.

RON REIM – The economics of what land costs is not of consequence to us. Our job is to judge the architecture and the design and what it is going to be for the City. Whatever price you paid is inconsequential to our decisions.

RICHARD LINTZ – From the BOA perspective, because ultimately it would be the BOA that would approve the PUD and in that context, I think while you can say there is numbers of 5 of the 14 items, I think there has to be some consideration for the...what you're proposing verses what the City is getting. I think that is something that you need to, rather than just adding the check marks, think of it as a Clayton resident and the Shanley building is a prime example. It is a cultural asset for the City, what have we gained that takes its place. Keep that in mind when you're putting it all together.

WILLIAM LIEBERMANN – I have serious concerns about Central Avenue and losing that. I feel like it is a big part of Claytons identity for people who live in Clayton and U-City and come up to Clayton. It's a wonderful part of our livable and activated environment and all for what? I'm having a real hard time reconciling that.

CHAIRMAN LICHTENFELD – Any other Commission comments?

SS – The major points of the comments here: the west parcel being more defined to what Clayton is getting on the west part, the architecture of the building, height, impact of height, and more robust response to what is beneficial to Clayton: amenity, green space, traffic impacts. This is our first go, as we said.

10 MINUTE BREAK

PUBLIC COMMENTS:

BILL MELLISH – 8025 MARYLAND AVENUE

I had a number of things to say, but you all were so eloquent and thoughtful in your comments that all I have to add is that I'm looking forward to 'plan B'. Thank you very much for you're concern.

JEANNIE KALRY – 168 NORTH CENTRAL AVENUE

A lot of my concerns about traffic, parking, and height of it have all been said. We live in a very pedestrian dominate neighborhood, so there is a lot of dog walkers, but I would like them to put some sort of dog walk in their building on their roof or something so the hundreds of people who own dogs have a place to go.

CLAUDE EVANS – 139 NORTH CENTRAL AVENUE

When I saw the plans and when down to the City Hall and looked at them briefly, one of the questions that I had was how the notion of a transition zone was going to be addressed and how the Master Plan was going to be brought into the discussion. The answer is turns out is not much at all. The idea that you can create a transition to a very low rise residential area by putting the narrow side of a 20-21 story building towards the residential area seems to me to be simply absurd.

JOHN C. GUENTHER – 18041 MELROSE ROAD, 63038

Statement regarding the potential demolition of the nationally and internationally recognized Shanley Building (1935) designed by Harris Armstrong, FAIA (1899-1973)
Good evening,

I'm John Guenther, President of the Society of Architectural Historians St. Louis and Missouri Valley Chapters. I'm also an architect and a Fellow of the American Institute of Architects.

On behalf of the Board of the Society of Architectural Historians St. Louis and Missouri Valley Chapters, we wish to express our grave concern regarding the potential demolition of the nationally and internationally recognized Shanley Building, designed by the noted St. Louis architect Harris Armstrong, due to the proposed development of a 21 story condominium tower and a 4 level, 250 space parking structure.

The Shanley Building, built in 1935, was the first International Style building in St. Louis and the central Midwest. Its design is of the highest quality and widely recognized.

Commissioned by orthodontist Leo M. Shanley, Harris Armstrong designed a state-of-the-art dental office building which incorporated functional requirements in a progressive, modern facility with bright, healthy interiors realized in a "clean" aesthetic.

The Shanley Building, now listed on the National Register of Historic Places, received numerous national and international accolades upon its completion. It was featured in Architectural Record (1936) and in the English journal Architectural Review (1937). It was awarded the silver medal at the Exposition Internationale des Artes et des Techniques in Paris in 1937. It was also featured in the Gold Medal Exhibition of the New York Architectural League in 1938.

The Shanley Building is a masterwork of a great, accomplished architect. Its site-specific design, modern form and materials, along with inventive details and interiors all speak to this.

We ask that the developer and his architects consider ways to preserve the Shanley Building.

Given its corner location at Maryland Avenue and North Bemiston Avenue, surely there is the possibility of allowing the Shanley Building to remain, and indeed, even to become an asset and focal point, with a complimentary use.

Imagine the design potential of retaining this landmark building, restored and preserved, coupled with a respect for and acknowledgement of the architectural legacy this building is to Clayton's history and its citizens – both now and for future generations.

We ask that further study be given to the entire development site to show how the Shanley Building might remain and what is envisioned for the remaining western half of the development site for all to better evaluate the proposed design in its totality.

Perhaps the proposed condominium tower and garage could be placed on the western portion of the site and incorporate ground level retail?

There is one opportunity to get this right.

We are counting on everyone involved in this effort to do just that.

Thank you.

Respectfully submitted,

John C. Guenther, FAIA, LEED AP

President, Board of Directors
Society of Architectural Historians St. Louis and Missouri Valley Chapters

RICHARD LINTZ – you used the term site specific architecture, does that mean if the building were to be moved, it would not be as interesting.

JG – Basically yes, that building was designed specifically for that corner location, it follows the site, it is oriented to the sun with the great south overhangs so it is specifically for that site and to move it elsewhere would be a shame.

HAROLD SANGER – 510 FRANCIS PLACE

Good Evening All,

First of all those chairs are very uncomfortable, but we all knew that, didn't we?

A couple points, there have been some comments about inspirational and I think it's important for the people back here to understand why that's important. You all up here know that the BOA and the Mayor have asked this board to be looking at and approving things that are inspiration, things that are unique, things that are different and will come into Clayton that will not just be a rectangular box with holes punched for windows. That's why the word inspirational comes up and I agree with you completely. This is the further thing from inspirational, other than about 25 years ago when Mr. Kummer proposed a hotel at the corner at Brentwood and Forsyth. It looked very much like this too, so things haven't improved much. The other thing, I would like to encourage you to not encourage the developer with any issues about: is here a shadow or traffic study, because they will get the thought that perhaps if they put a band of stone across it and do the traffic study everything will be fine. This needs a nuclear option. Throw this one away, start over, and make sure that the message gets through to the developer.

Thank you,

ANDREA VAN CLEVE – 5 HILLVALE DRIVE

I was sitting in the back corner and looking out the window at all this lovely greenery, from this lovely room in this really lovely building. I know people have talked about the importance of the stretch along Central that is very important to the character of Clayton but I feel this part is too. One of the things that makes this building so special is the amount of greenspace around it. I would encourage you to look at all of the Plan Development in Clayton with an eye to the incidental greenspace. What makes walkability is not just retail and people but it's also greenspace. When people choose to live in Clayton, choose to work in Clayton, thirty years from now a lot of these buildings are going to look dated but if there is greenspace around them it will make the community itself feel the way this building feels at whatever age it is (cannot remember age). I think it is importance to take the long view and make sure that this community will be somewhere our grandchildren will want to live and work in also.

MARY REID BRUNSTROM – 4944 LINDELL, 63108

Good Evening, thank you for your time this evening. My name is Mary Brunstrom. I'm an architectural historian. I research and publish on modern architecture of the twentieth century. I'm Australian by birth. My

husband and I relocated to St. Louis in 1985 when he was working for St. Joe Mineral's Corporation in the Pierre Laclede Building, so we have become acquainted with Clayton over the years. I live in St. Louis city now and I'm here to express my concern about one of the region's most historically important modern buildings that happens to be located in the City of Clayton, at Maryland and Bemiston. The Shanley Building played a leading role in the unfolding of the story of modern architecture in the twentieth century in our region. As such, it carries tremendous architectural significance.

Point #1

We as a region and you as a city cannot afford to tear down significant historic buildings, especially not to erect an, unremarkable tower on this prominent site in this country's foremost business district. Various people, including myself, have suggested via newspaper letters and emails and calls to the architect, that the Shanley Building be incorporated into Mr. Kummer's scheme, repurposed and given new life. This kind of adaptive reuse and integration happens in progressive communities all over the country and the world. In these places, the past is valued as a vital component of the contemporary urban landscape.

Point #2

The Shanley Building is not just an old relic of the past that by now has seen better days. Its architect, Harris Armstrong, was a leading proponent of modern design and this building in 1935 helped introduce modern ideas to a new field of dentistry, namely orthodontics. Armstrong was lauded in the architectural press when the building won an international prize in 1937. The building is full of pre-World War II technical innovation. It was a daring move by Dr. Leo Shanley. He stuck his neck out for a white, angular, flat-roofed building in this prominent corner location, establishing that Clayton and the country as sites where entrepreneurs wanted their modern professional approach reflected in the design of the building.

MATT GEEKIE – 34 NORTH MERAMEC AVENUE

I'm here on behalf of Graybar. I am a senior VP and a member of their Board of Directors. Since we moved our corp from New York City to Clayton in 1982, Graybar has always been a proponent of Clayton. Of good development, buildings and construction that makes sense. This building doesn't make sense. You've stated a number of reasons and I agree with each and every one of them. I also agree with the Mayor about the concept of a nuclear option. Have them start all over again. This is not the right place for a direct barrier between the residents and the area in which they want to enjoy their community.

I have a couple of points, one in particular that may not be so rhetorical, but it is to a certain degree, are we putting the cart here before the horse, procedurally. I am a lawyer by profession and were talking about this thing as it looks, which doesn't look good, what about undoing the current PUD to enact another PUD to then go forward, so we are way ahead of the ball game here I believe. Moreover, this plan does not in anyway comply with the overall zoning plan for Clayton. My concept for this as a wedding cake structure down towards the residents to give them the benefit of what a enjoy and why they are here. One of you folks also mentioned I would call it the diminishing of the value of their homes and businesses in the area should this property go forward. I think that this is something all the people should explore here despite their investment. Take this and redo it somewhere else in another area higher in the corridor maybe along Forsyth where it is planned and intended to be but not on Maryland Avenue.

CHAIRMAN LICHTENFELD – Steve any further words from you?

SS – I appreciate everyone's input I think we got to go back to the drawing board. Thank you

CHAIRMAN LICHTENFELD – We look forwards to seeing you back here again

CHAIRMAN LICHTENFELD – WITH THAT WE WILL MOVE ON TO THE NEXT ITEM IN OUR AGENDA. FOR THOSE REMAINING WE ARE GOING TO PROCEED WITH THE NEW BUSINESS AND MOVE THE PUBLIC HEARING TO THE END OF THE MEETING.

NEW BUSINESS

8011 BONHOMME AVENUE – ARCHITECTURAL REVIEW BOARD – SIGNAGE

Director Susan M. Istenes summarizes the following staff report: “The subject property is located on the north side of Bonhomme Avenue, between South Brentwood Boulevard and South Meramec Avenue. The subject property contains a parking garage owned by the City of Clayton and is zoned HDC High Density Commercial. The parking garage is attached to the mixed used building known as Clayton on the Park, addressed 8025 Bonhomme Avenue. The parking garage includes public parking and parking for Clayton on the Park residents.

COTP LLC, owner of Clayton on the Park is requesting additional signage at the entrance to the parking garage. They have also proposed additional interior directional signage that will be managed through the Public Works Department. The applicant is proposing a perpendicular sign attached to the façade east of the garage entrance and a wall sign above the garage entrance. The proposed perpendicular sign is double sided with each face measuring 59.3 square feet. The proposed wall sign is 37.7 square feet.

Per Section 425.040.A.3.d of the City’s Sign Regulations, parking garages are allowed “one (1) wall sign twelve (12) square feet in area or five percent (5%) of the front wall area up to a maximum of twenty-five (25) square feet.” Based on the front wall area, the maximum 25 square foot sign would be allowed. The City’s Sign Regulations also allow for a perpendicular sign measuring one square foot and an accessory directional traffic, parking or regulatory ground sign measuring six square feet. Both proposed signs are larger than permitted by the Sign Regulations.

Staff is of the opinion that more clear signage directing the public to the parking garage will support better wayfinding for patrons of nearby restaurants and park facilities. Staff recommends that the signage is reduced to more closely conform to the sign regulations. The proposed wall sign should be reduced to 25 square feet in area. Large perpendicular signs are not common within the City. Staff is of the opinion that the proposed perpendicular sign would really only be visible from the west and would be significantly larger than parking garage directional signage seen in the City. The proposed sign does not conform with surrounding character and is proposed on a garage owned by the City. Staff recommends that instead, the existing ground sign located in the planter, east of the garage entrance is removed and replaced with a new and more noticeable lit sign. Staff also recommends that the trees in the planting area are trimmed to increase visibility of the sign from the east.

1. One wall sign that is a maximum of 25 square feet in area.
2. To remove and replace the existing ground sign in the planter with a new lit sign of the same size.
3. The trees in the planter area of the existing ground sign shall be trimmed to increase visibility of the sign.

STAFF RECOMMENDATION IS TO RECOMMEND APPROVAL OF THE TEXT AMENDMENT REVISING THE PLANNED UNIT DEVELOPMENT DISTRICT AS PROPOSED.”

MARK RUBIN (MR) – KOMAN GROUP

MR – First let me address that the comment that this area gets cleaned up. We would offer to take this area over from the City and maintain this. The trees need to be pruned, we would like to do some landscaping. We would like to take on the maintenance of these landscape beds.

Moving onto the proposed signage the perpendicular sign that was proposed, we are aware that it is not customary for Clayton. We would offer and encourage that the Board and Staff consider this an introduction to the downtown area that has quite a bit of urban characteristics. Yes, I think we are in agreement that it should conform closer to the ordinance, but I did bring a couple images that you all are probably familiar with (CWE, Library building). We are also, and I realize from a sqft perspective we have limitation, this is really pressed back. From Bonhomme you really cannot see it anyway and we think in this instance the perpendicular blade sign has some opportunity for street traffic to find their way into this garage.

CHAIRMAN LICHTENFELD – I tend to follow the staff recommendation the blade sign to me seems oversized, which it is, as well as being a detriment to the vision either east or west down on the street. I went over there and started at Central and I walked trying to envision that blade sign there and it really cuts your view of the park. Otherwise we have a well defined view going down so when I went the other way as you can see on the left picture here it takes up about a third of the sky as your looking to the east. So I really do not like the blade sign, at all. And I think the suggestion of improving the ground sign which is in the red box, would be much better. But then I have a question, it is a City owned garage, and this may be a legal question that we may not have an answer to: is it ok to put public parking for Clayton on the Park and Kingside Diner?

MR – Were willing to forgo the Clayton on the Park and Kingside Diner.

CHAIRMAN LICHTENFELD – So it would only say public parking which is what I think it should be,

MR – Yes

RON REIM – I didn't have the same problem with it. I have had the problem with trying to explain to others where this garage is at and it never seems to work. They always end up driving around the block and getting frustrated with it because the entrance is so tucked away and hidden back there behind all the trees. I guess if the trees are trimmed then you could see the sign. But at this time of the year the trees are quite green and growing, the sign is pretty hidden. Especially the sign that is hidden back in there until you past it. I think they could work with the blade sign and get the size adjusted and it work. Signage is typically something we don't like very much of but being able to direct people where they need to go becomes important and finding this parking garage is a challenge and having worked on some big signage packages for people, they would always miss the parking garage. This is one of the techniques we use to help out.

WILLIAM LIEBERMANN – I like the blade sign, it's interesting to look at. I'm wondering if the sign could be smaller, or it could be the same size lettering and the sign be smaller and not out so far.

CAROLYN GAIDIS – I don't have a problem with the blade sign either, I think the size is a little bit over the top. I also would disagree with trimming and torturing trees in order to see a dinky sign that doesn't help people in the first place is a silly way to approach this because your damaging trees for the sake of wayfinding so having the blade sign is actually better I would suggest maybe limiting the one that's actually on the actual entry part itself to being smaller because you already know.

RICHARD LINTZ – The Aldermen have these conversations about parking all the time and we keep saying there is plenty of parking, nobody uses it. Some of it is they cannot find it. I've been to Kingside and I agree it a quick entrance when you're coming down the hill and so I think if it is reduced in size I would agree it's good.

CHAIRMAN LICHTENFELD – It appears it would be internally lit in the night rendering and it is almost directly across the street from the Park tower and down the street from 212 so it would be in the view of residents at night. How could that be tempered somewhat if we were to go with a smaller blade sign.

MR – I cannot speak to the lumens that are being produced from it. Its an aluminum cabinet and acrylic face, glaze and letters, int his instance they do project out about an inch, I would have to work with staff on the light that is being produced, I don't think were going to get a really harsh light. Especially once we have reduced square footage. Its certainly something we can look at.

RON REIM – would you consider having it turn off at a certain time, lets say regular business hours.

MR – Yeah, as long as it makes sense for Clayton public parking.

CHAIRMAN LICHTENFELD – I think the arm on the garage goes up 6 taking a ticket.

RON REIM – How should we go forward with this?

CHAIRMAN LICHTENFELD – We have three staff recommendations but I think we have to take a look at

RON REIM – I don't know if we can hand off maintenance of the planter to a private entity, I don't think we have that authority.

MR – That's why I think we need to work with Public Works. Is that ok?

SUSAN ISTENES – Yeah, you would have to speak to the Public Works department about that

RICHARD LINTZ – We're leaning towards approval in which case we would eliminate the small sign so the pruning issue is not an issue anymore.

RON REIM – I think the best thing would be to have you come back with a revised sign to see what you're proposing. I could accept a smaller version of a blade sign.

RON REIM – MOTION TO CONTINUE TO JUNE 17, 2019, MEETING

BRIAN MAGUIRE– SECOND

BOARD – UNANIMOUS YAY

8021 VENETIAN DRIVE – ARCHITECTURAL REVIEW BOARD – ALTERATION/EXTERIOR RENOVATION

Director Susan M. Istenes summarizes the following staff report: “The subject property is located on the north side of Venetian Drive between South Brentwood Boulevard and South Meramec Avenue. The proposed project consists of the construction of a six foot tall vinyl fence along the rear property line. The Brazilian Blend color fence is proposed.

Vinyl is also not a preferred material per the Architectural Review Board Guidelines. Vinyl as a building material requires full Architectural Review Board approval, regardless of the amount proposed. Staff believes a metal or wood fence would be more compatible with the neighborhood character.

The proposed vinyl fence is located in the rear yard and therefore, not directly visible from the street. There are a few existing vinyl fences in the Davis Place Neighborhood that have been constructed without proper approvals. The Architectural Review Board has previously ruled to not approve new vinyl fences on other properties in the neighborhood to be consistent with the majority of neighborhood fences constructed of wood.

STAFF RECOMMENDATION IS APPROVE A FENCE CONSTRUCTED OF WOOD.”

ALEX BURGER III – ON BEHALF OF DR. SHARMA

AB – Dr. Sharma had to leave for his shift at an area hospital. I live at 8025 Venetian and Dr. Sharma and I are neighbors. He has moved to Clayton in the last two years. He has been looking in our neighborhood around and about fences. He is doing a lot of good things to his home and if I could, he has done a walk through and pointed out where there are vinyl fences in Davis Place and as I recall once upon a time there were some vinyl fences approved on Westmoreland. Of course I am one of those people who have a wood fence completely around my back yard and I have mentioned to my wife last weekend that it looks bad, were going to have to do some painting. Obviously, one of the principle that Dr. Sharma is requesting is the vinyl has less maintenance responsibilities than ordinary wood. He took those photos as an example off of South Meramec in Davis Place where you can see both vinyl and wood. He is requesting approval so he can have this type of fence installed.

RON REIM – The one thing that is missing here, do we have information on the material that is being proposed? Am I missing something in my packet? Ope, there it is, ok. So I guess my question about this fence, and I don’t know how this relates to the product approved last time, was a new product that had a slightly different appearance of older versions of vinyl fences. This has color which is much better than the old white or grey. Do you know if this one has any texture or wood graining?

AB – I do not know.

CHAIRMAN LICHTENFELD – if you could ask Mr. Sharma to get some material samples, we can continue this to the next meeting.

RON REIM– MOTION TO CONTINUE UNTIL THE JUNE 3, 2019, MEETING.

BRIAN MAGUIRE – SECOND

BOARD – UNANIMOUS YAY

7754 FORSYTH BOULEVARD – ARCHITECTURAL REVIEW BOARD – EXTERIOR ALTERATION/RENOVATION

Director Susan M. Istenes summarizes the following staff report: “The subject property is located on the southeast corner of Forsyth Boulevard and Bemiston Avenue. The proposed project consists of adding limestone façade accents to portions of the existing facade.

The proposed façade alterations will create an upgrade façade around the main entrance. The drawings only show the limestone applied to areas of the façade facing the existing patio and not along the north most and west most façades directly abutting the streets. Due to the façade variations and windows, the limestone is proposed at natural breaks in the façade. The top parapet is proposed to remain as stucco along with other portions of the façades. Staff is of the opinion that the alterations will bring attention toward the entrances, which are separated from the street by the patio and parking area. Limestone is an accent used throughout Downtown Clayton. Staff is of the opinion that the proposed material and alterations are compatible with surrounding character and the Architectural Guidelines.

STAFF RECOMMENDATION IS TO APPROVE AS SUBMITTED.”

KATHY PIETOSO (KP) – CAFÉ NAPOLI

KP – Has nothing to add to the staff report.

BOARD – Is this the actual rough stone that your brought and is the gap the actual gap? What color grout?

KP – Yes this is it the rough stone and not the gap will be smaller and the grout will create a monolithic look.

RON REIM – MOTION TO APPROVE AS SUBMITTED

BRIAN MAGUIRE– SECOND

BOARD – UNANIMOUS YAY

30 WEST BRENTMOOR PARK – SITE PLAN REVIEW – NEW SINGLE FAMILY

Director Susan M. Istenes summarizes the following staff report: “The 74,533 square foot site is located on the north side of Brentmoor Park West. The property has a zoning designation of R-1 Large Lot Single Family Dwelling District. The proposed project consists of the demolition of the existing house and construction of a 10,210 square foot single-family residence with an attached, three-car garage and a 1,563 square foot detached second living unit. The height of the proposed primary structure is 30 feet as measured from the average existing grade to the mean height of the roof. The height of the proposed detached second unit is 16 feet.

The purpose of the site plan review process is to provide a review of the following criteria listed below:

1. *A project's compatibility with its environment and with other land uses and buildings existing in the surrounding area.*
 - >> The surrounding properties contain single-family homes. The project meets the setback, height, and impervious coverage requirements of the R-1 Zoning District.
2. *The location and screening of a project's air-conditioning units and other associated equipment.*
 - >> The proposed house will have a geothermal system and will not have exterior units.
 - >> The pool equipment is shown along the west elevation of the detached structure and will be screened by walls and landscaping.
3. *The location, adequacy and screening for trash.*

>> Trash will be stored in a 87-square-foot trash enclosure located at the southeast corner of the attached garage with direct access from the driveway.

4. *Provisions for storm surface drainage shall be in accordance with the City's design standards. Stormwater drainage shall be connected to a storm sewer whenever one is available as determined by the City. Disposal of storm or natural waters both on and off the site shall be provided in such a manner as not to have a detrimental effect on the property of others or the public right-of-way.*

Impervious Coverage

>> In the R-1 Zoning District, impervious coverage is limited to 55 percent of the total lot area. The existing impervious coverage on site is 17 percent. The proposed plans increase the impervious coverage to 32.6 percent.

>> Front yard impervious coverage is limited to 45 percent. The proposed front yard coverage is 29.6 percent.

Stormwater Runoff

>> The existing stormwater runoff, according to the MSD 15 year, 20 minute storm calculation is 3.420 cubic feet per second (CFS). The proposed runoff is 4.093 CFS, which represents a 0.673 CFS increase. Downspouts will be piped to a rain garden located in the northwest corner of the property. The stormwater plan has been reviewed and deemed acceptable.

5. *The applicant is required to submit a separate landscape plan showing existing trees, trees to be removed and trees to be replaced by canopy cover, species and condition. Such plans must reflect City of Clayton preservation standards.*

>> The proposed landscape plan provides an attractive planting design of trees, shrubs, perennials and groundcover. There is 131,206-square-feet of existing canopy coverage on site with 93,413-square-feet being removed. The proposed plan provides a surplus of 41,663-square-feet of canopy coverage and meets the native tree requirement with 31.8 percent native. The landscape plan has been reviewed by the City's contracted landscape architect and deemed acceptable.

6. *The site plan must state that all driveways, sidewalks, curbs and gutters are to be installed in accordance with the standards prescribed by the Public Works Department.*

>> The site plan states that all driveways, sidewalks, curbs and gutters are to be installed in accordance with the standards prescribed by the Public Works Department.

7. *Provision of hookups to public utilities connections shall be installed in accordance with the standards of the Public Works Department. All connections shall be shown on the site plan.*

>> The new utility connections are located in the front yard. The utilities plan has been reviewed and deemed acceptable.

8. *All developments shall provide adequate lighting to assure safety and security. Lighting installations shall not have an adverse impact on traffic safety or on the surrounding area. Light sources shall be shielded and there shall be no spillover onto adjacent properties*

>> Exterior lighting is proposed at all exterior doors and at the garage. All exterior lights will be 75 watts or less.

In considering and acting upon site plans, landscape plans and other applicable plans, the Plan Commission shall take the following objectives into consideration:

1. Creation of a desirable environment.
2. Promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetic amenities.
3. Combination and coordination of architectural styles, building forms and building relationships.
4. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features and the prevention of soil erosion.
5. Preservation of buildings which are architecturally or historically significant or contribute to the character of the City.
6. Use of design, landscape or architectural features to create a pleasing environment.
7. Inclusion of special features.
8. Elimination of deteriorated structures or incompatible uses through redevelopment or rehabilitation.

The height, setbacks and impervious coverage as proposed are in conformance with the requirements of the R-1 Large Lot Single Family Dwelling District. Stormwater will be adequately managed on site and the landscape plan features plantings that are appropriate for the size of the site and character of the neighborhood. Staff is of the opinion that the project meets the criteria for site plan approval.

STAFF RECOMMENDATION IS APPROVE WITH THE FOLLOWING CONDITION, TO BE REVIEWED AND APPROVED BY STAFF PRIOR TO THE ISSUANCE OF A BUILDING PERMIT:

1. TO ENSURE THE FUTURE MAINTENANCE AND OPERATION OF THE RAIN GARDEN, THE APPLICANT SHALL RECORD THE APPROVED SITE PLAN WITH ST. LOUIS COUNTY, AND SUBMIT PROOF OF RECORDING TO THE CITY.”
-

DAVID PAPE (DP) – ARCHITECT
CHRIS SIMS (CS) – HOMEOWNER

DP – Gives background on the project and the intent to basically rebuild the exact house because the current one is in such bad shape that it is not redeemable. There are a lot of structural issues and so we made a hard decision to start the whole project over from scratch. Loving the house and trying to keep it historically significant to the neighborhood, so far we have gotten approval from all the trustees and neighbors including the ones to the north in U-City. We’ve all worked together and think it looks pretty good.

CS – We are matching all of the materials top to bottom. We are also keeping a lot of architectural details on the front, it takes me two glances to tell the difference looking at the plans. The indentures are pretty specific in the neighborhood and we have spent 5 plus years working with the neighborhood, soliciting feedback, talking to everyone, we have 8 different trustees that have signed off. I received a note from the prior owner of the home and he lived there for 25 years and grew up in the house.

“Dear Chris and Sherrie,

I’ve had this email drafted for almost two weeks now. I hope this email finds you well and you don’t mind my reaching out. I recently heard of your plans to tear down 30 Brentmoor. As you may know, I grew up there with my three siblings and my mom lived there for 25 years until 2013. Needless to say, the house has tremendous meaning to me and my siblings.

When I first heard about the demolition, I was naturally very upset, however, when I looked up the plans on the Clayton website, it truly warmed my heart when I saw the rendering of a 21st century version of the original. It shows great appreciation for the original house and architecture which will inspire memories of the original

house for the rest of my life. For lack of a better word, I was consoled by your design and your clear appreciation for the original house. – Jeff Hales”

William Liebermann – Has philosophical issue with tearing the home down and will be abstaining from voting.

CHAIRMAN LICHTENFELD – WE HAVE A STAFF RECOMMENDATION TO APPROVE

RON REIM – I’LL MAKE A MOTION TO APPROVE WITH THE ONE STAFF RECOMMENDATION

RICHARD LINTZ – SECOND

WILLIAM LIEBERMANN – ABSTAIN FROM ALL AGENDA ITEMS THAT PERTAIN TO 30 WEST BRENTMOOR PARK

30 WEST BRENTMOOR PARK – ARCHITECTURAL REVIEW BOARD – NEW SINGLE FAMILY

Director Susan M. Istenes summarizes the following staff report: “The 74,533 square foot site is located on the north side of Brentmoor Park West. The property has a zoning designation of R-1 Large Lot Single Family Dwelling District. The proposed project consists of the demolition of the existing house and construction of a 10,210 square foot single-family residence with an attached, three-car garage and a 1,563 square foot detached second living unit. The height of the proposed primary structure is 30 feet as measured from the average existing grade to the mean height of the roof. The height of the proposed detached second unit is 16 feet.

The basic massing of the proposed two-story home is articulated on all sides with windows, doors, and variations in roof lines. The proposed house shares many similar characteristics with the existing house to be removed. The form includes variations in roof lines and massing, which break down the overall size of the house. This is a characteristic also found on many of the other houses in the Brentmoor Park Subdivision. The detached structure massing is similar to the proposed primary structure. Staff is of the opinion that the shape and height are compatible with neighborhood character.

The proposed house and detached unit will be constructed of similar building materials to the existing house and detached garage. The primary building material proposed is beige stucco with accent stone window sills. A slate roof is proposed with back casement windows. The second unit materials are proposed to match the primary structure.

The Architectural Review Guidelines state that the primary building material of homes should be brick and/or stone and that the amount of stucco used on new construction should be consistent with the existing use of stucco in the neighborhood. The applicant is requesting approval of a new house with a primary building material of stucco. There are five houses in the neighborhood with stucco as a primary building material out of 26 total houses in the neighborhood. The proposed house has received trustee approval. Staff is of the opinion that stucco is a compatible building material with the existing neighborhood character.

A chip and seal driveway with a stone paver curb is proposed centered on the house. The driveway will lead to a parking area at the southwest corner of the house and to an attached side entry garage with metal and glass paneled garage doors at the northeast corner of the house.

Decorative plaster retaining walls with cut stone caps are proposed in the front, side and rear yards. The front yard walls will provide screening of the driveway and parking area with a maximum height of three feet eight inches. The walls will be lined with landscape beds along both sides. A wall measuring two foot six inches tall is proposed

along a portion of the west property line to support grade of an existing planting area. Two walls are proposed in the rear yard, west of the detached structure to screen the pool equipment. A four foot tall, black aluminum pool fence is proposed to enclose the rear yard. Staff is of the opinion that the proposed retaining walls and fence are compatible with the proposed house and surrounding character.

The project as proposed is in conformance with the requirements of the R-1 Large Lot Single Family Dwelling District and the Architectural Review Guidelines, with the exception of the primary stucco material. Staff is of the opinion that the plan is compatible in terms of mass, height, and design with existing nearby homes.

STAFF RECOMMENDATION IS TO APPROVE AS SUBMITTED.”

DAVID PAPE (DP) – ARCHITECT

CHRIS SIMS (CS) – HOMEOWNER

CS – Addresses Board to answer questions but has nothing to add to the staff report. The home is essentially going to be the same down to the materials used. We love the existing home and are sad we are unable to save it.

RON REIM – MOTION TO APPROVE AS SUBMITTED WITH THE NOTATION THAT WE HAVE A PENDING APPLICATION FOR THE CUP THAT WILL NEED TO BE APPROVED FOR THAT OCCUPANCY

BRIAN MAGUIRE– SECOND

WILLIAM LIEBERMANN – ABSTAIN

30 WEST BRENTMOOR PARK – CONDITIONAL USE PERMIT – RESIDENTIAL CUP

Director Susan M. Istenes summarizes the following staff report: “The 74,533 square foot property is located in the Brentmoor Park Subdivision and has a zoning designation of R-1 Large Lot Single Family Dwelling District. The applicant is proposing a new single family residence with a detached second living unit. The detached unit will measure 1,563 square feet and is located in the rear yard.

A second unit (carriage house/granny unit) is a type of accessory structure, either attached or detached, which provides complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation and is located on the same site as the principal residence. Annotated

Second units are permitted subject to approval of a conditional use permit as per Article VII of this Chapter and the following criteria contained in Section 405.330 of the City’s Zoning Regulations:

- 1) *Second (2nd) units are only permitted in the "R-1" and "R-2" Large Lot and Single-Family Residential Dwelling Districts, respectively.*

>> The subject property has a zoning designation of R-1.

- 2) *If a second (2nd) unit is to be occupied permanently, then the occupants must be related to the residents of the principal residence. The second (2nd) unit occupants must be related by blood, marriage or adoption or be employed by the principal residence and do work on the grounds.*

>> According to the applicant, the second unit will be occupied by a grandmother.

3) *A second (2nd) unit may not be rented, sold, transferred or assigned separately from the principal residence. The owner shall record a deed restriction to this effect as part of the conditional use permit process required for such second (2nd) unit.*

>> Refer to condition of approval #2.

4) *Maximum living area for a second (2nd) unit in the "R-1" Large Lot Single-Family Dwelling District is two thousand (2,000) square feet, and in the "R-2" Single-Family Dwelling District is one thousand (1,000) square feet.*

>> The proposed living area is 1,563 square feet, which is below the maximum area allowed in the R-1 Zoning District.

5) *An accessory structure containing a second (2nd) unit may not exceed twenty (20) feet in height or occupy more than thirty-five percent (35%) of the area of a required rear yard, but no accessory structure shall be closer than ten (10) feet to the principal building nor closer than five (5) feet from any side or rear property line.*

>> Criteria is met.

6) *An accessory building that is not part of the principal structure shall be located not less than sixty (60) feet from the front property line.*

>> Criteria is met.

7) *Required parking facilities (i.e., garage) may not be demolished or converted in order to construct a second (2nd) unit, unless the required parking space(s) are replaced concomitantly on the site.*

>> An attached garage is proposed as part of the new primary structure.

8) *Each second (2nd) unit shall be provided with one (1) additional parking space in addition to the parking required for the principal residence.*

>> The proposed primary structure includes a three-car attached garage. There are also surface parking spaces proposed on site.

9) *The second (2nd) unit shall conform to the color, material, architectural style and detailing of the principal residence and shall meet all other applicable Building Code requirements, zoning regulations, developments standards and guidelines.*

>> The new detached second unit is compatible with the materials and design of primary structure and complies with all applicable Building Codes, zoning regulations, development standards and guidelines.

10) *A landscape plan which provides for adequate screening of the second (2nd) unit from neighboring properties as determined by the landscape architect on contract with the City of Clayton.*

>> The proposed landscape plan has been reviewed by the City’s contracted landscape architect and will provide appropriate screening.

11) Any waiver from the above-stated criteria will require approval of a variance from the Board of Adjustment. (Ord. No. 5814 §1(2.21), 4-27-04; Ord. No. 5935 §1(2.21), 7-11-06)

>> Not applicable.

Staff is of the opinion that the proposed second unit meets the requirements contained in the regulations governing second units. Provided the structure is used in accordance with the requirements for second units, staff believes it will be adequately screened and buffered from neighboring properties and will therefore have minimal impact on the neighborhood.

STAFF RECOMMENDATION IS TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT TO THE BOARD OF ALDERMEN WITH THE FOLLOWING CONDITIONS:

1. ALL CONDITIONS OF CHAPTER 405, ARTICLE II, SECTION 405.330, SHALL BE ADHERED TO.
 2. THAT THE APPLICANT RECORD A DEED RESTRICTION PURSUANT TO ITEM 3 UNDER “CRITERIA FOR REVIEW” AND SUBMIT PROOF OF THE REQUIRED DEED RESTRICTION TO THE CITY PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.”
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DAVID PAPE (DP) – ARCHITECT
CHRIS SIMS (CS) – HOMEOWNER

DP – Addresses Board to answer questions, note they will comply with conditions of approval, and has nothing to add to the staff report.

CHAIRMAN LICHTENFELD – I like it.

RON REIM – MOTION TO APPROVE WITH THE TWO STAFF RECOMMENDATIONS.

RICHARD LINTZ– SECOND

WILLIAM LIEBERMANN – ABSTAINS FROM VOTING

PUBLIC HEARING

10 NORTH BEMISTON AVENUE – TEXT AMENDMENT – MEDICAL MARIJUANA REGULATIONS

Director Susan M. Istenes summarizes the following staff report: **“This item was continued by the Plan Commission, from the May 6 public hearing to May 20, for further consideration. At the May 6 hearing, the Plan Commission asked staff to post the buffer maps on-line for their review. Those maps were posted to the City’s web site on May 7. Also, after further consideration of the draft ordinance by the City Attorney, he advised that Cultivation and Manufacturing facilities, if disallowed, could violate State Law. Therefore, staff added provisions to allow these uses with conditions (see bolded text).**

This is a public hearing to solicit input regarding proposed amendments to Chapter 405 (Zoning Regulations) related to medical marijuana facilities. In November 2018, voters in the State of Missouri approved

Constitutional Amendment 2 to allow for the restricted cultivation, production, transportation, and administration of marijuana and marijuana-infused products for qualifying patients for medical purposes. Provisions allowing local governments to regulate the time, place and manner of operation of medical marijuana-related facilities were included within the state amendment.

The proposed text amendments are intended to promote the general welfare and public safety of the community by allowing medical marijuana facilities in certain non-residential zoning districts which will not negatively impact local educational facilities, places of worship, childcare centers and to regulate conflicts that could be generated from the geographic concentration of medical-marijuana facilities. The proposed amendments have been prepared in accordance with the authority granted to local governments by the State of Missouri.

The constitutional amendment identifies four types of medical marijuana related uses (please see attached copy of amendment).

1. Medical Marijuana Cultivation Facility
2. Medical Marijuana Dispensary Facility
3. Medical Marijuana Infused Products Manufacturing Facility
4. Medical Marijuana Testing Facility

The City of Clayton is comprised of 2.5 square miles of urban area which is primarily built out. Additionally, the City does not have large land areas that could accommodate cultivation and manufacturing facilities. For these reasons, staff believes that dispensary facilities and testing facilities would be the only practical and appropriate medical marijuana related uses that can occur in the City. **However, state law precludes local governments either expressly or through the enactment of ordinances or regulations that make operations unduly burdensome in the jurisdiction. Local governments may, however, enact ordinances or regulations not in conflict with state law governing time, place and manner of operation of such facilities in the location. Therefore, cultivation and manufacturing facilities were added to the medical marijuana related land uses, allowable with a Condition Use permit and subject to development standards noted below.** The existing zoning regulations lend some guidance to where the dispensary and testing facilities would be most appropriate. Specifically, these uses are most appropriate in the commercial zoning districts, C-2 and HDC and in the Service zoning district, S-1. Dispensaries are similar in nature to pharmacies and retail health related establishments, which are allowed in C-2 and HDC. The S-1 zoning district allows related uses such as testing labs, retail, pharmacies and medical offices. The HDC district is the most intense zoning district, located primarily in the center of Downtown Clayton and could accommodate a testing facility with minimal impact to neighboring commercial land uses. Staff suggests neither use be allowable in the C-1 district due to its proximity to single family residential zoning.

The Zoning Table will be amended as follows:

Article XXIV. Zoning Table

Land Use Category	R-1	R-2	R-3	R-4	R-5	R-6	R-7	C-1	C-2	HD C	S1	PUD/S DD

Medical marijuana dispensary facility									<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Medical marijuana cultivation facility										<u>C</u>	<u>C</u>	<u>C</u>
Medical marijuana manufacturing facility										<u>C</u>	<u>C</u>	<u>C</u>
Medical marijuana testing facility										<u>P</u>	<u>P</u>	<u>P</u>

IMPACT

The proposed amendment outlines some protective measures to mitigate potential impacts to surrounding land uses, including a distance separation requirement from schools, places of worship and child care facilities of 200 feet, which is consistent with the current code requirement limiting the location of liquor stores. It also includes requirements for odor control, visibility of the product from the street, age limits of patrons, packaging and consumption, and limits on the hours of operation. Security plans are required to be submitted for staff review to ensure surveillance is provided, inventory is secured, alarm systems are in place and emergency contacts are provided. There is also a requirement for a facility operator to be licensed by the State of Missouri and the city and upon application for a business license, a requirement to provide operational plans, including floor plans and odor control mechanisms. Given those requirements, staff does not anticipate negative impacts associated with the proposed text amendments. Additional amendments to the City Code (non-land use related) will also be required.

STAFF RECOMMENDATION IS TO RECOMMEND APPROVAL OF THE TEXT AMENDMENTS TO CHAPTER 405 (ZONING REGULATIONS) OF THE CITY’S LAND USE CODE TO THE BOARD OF ALDERMEN AS PROPOSED.”

DIRECTOR SUSAN M. ISTENES

The way our zoning is laid out in the city and when you plug in churches and schools – the bigger the distances the more possibilities you eliminate. Its not our intent to eliminate possibilities and we don’t look at it as a bad use or incompatible use. I think were pretty comfortable with the 200ft buffer because that is consistent with what we do for alcohol.

Brian Maguire – I spend a lot of my professional career in Denver and it’s not doing good things for Denver, it makes me concerned.

Richard Lintz – I don’t see an upside nor a downside but I think we should increase the distance, based on what we heard from the public. I also don’t think we need to encourage having 5 dispensaries in our little town. It doesn’t makes sense to me so maybe cap it at 2. So I would increase the distance knowing it will mitigate the number. I can

see Clayton Road by St. Mary's being a reasonable spot so it would have to be 500 feet in order to include that. I think that's the limit.

Ron Reim – If we did that we would likely have 2 max. The communities around us might have different views though.

Susan Istenes – I believe a lot are using CUPs.

CHAIRMAN LICHTENFELD – We have a staff recommendation to recommend approval to the Board of Aldermen

PUBLIC COMMENTS:

MATT GEEKIE – The things that we are talking about here can lead Clayton down a path where we have homeless on the steps of Graybar like we did in New York before we left in 1982 and that's not a good thing for citizens. We have offices everywhere in the US and San Francisco has one of the highest homeless populations in the country, do you really want to bring those problems here. I think the things we've talked about here are unnecessary. I don't think the state requires every municipality to have pot or medical marijuana dispensaries. Do we really want to change the ambiance of what makes Clayton so special by adding what we've been talking about tonight? Clayton is a family friendly environment. Passage of this will not help that at all. We may not see it today but we will see it in the future.

Richard Lintz – I'm not sure I believe in the domino effect so to speak. And I think we can regulate any future recreational uses and I do know there is a real medical need for marijuana. It is a real thing and I'm not against them. I think we only need one or two and we can keep it under control.

Brian Maguire – I think we should have a CUP process requirement for all types of uses. I can't see the harm in requiring that.

Ron Reim – So a CUP, 500 ft, and 3 maximum?

Various Commission members agree

RON REIM – MOTION TO APPROVE WITH MODIFICATION, THAT THE DISTANCE BE 500 FEET, ALL FACILITIES WILL REQUIRE A CUP AND THE MAX NUMBER IN THE CITY WILL BE THREE.

RICHARD LINTZ – SECOND

ALL BUT BRIAN – AYE

BRIAN MAGUIRE – NAY

HAVING NO FURTHER BUSINESS BEFORE THE COMMISSION, THE MEETING WAS ADJOURNED AT 9:10 (21:10).

Recording Secretary