

**Plan Commission
July 25, 2018 Meeting Minutes**

The Plan Commission held their regular meeting at the Heman Park Community Center located at 975 Pennsylvania Avenue, University City, Missouri on Wednesday, March 28, 2018. The meeting commenced at 6:41 pm.

1. Roll Call

Voting Members Present

Margaret Holly
Michael Miller
Ellen Hartz
Cynthia Head
Judith Gainer
Cirri Moran

Voting Members Absent (excused)

Non-Voting Council Liaison Present

Paulette Carr

Staff Present

Gregory Rose, City Manager
John Mulligan, City Attorney
Rosalind Williams, Acting Director of Community Development
Adam Brown, Planner
Colleen Durfee, Planner

2. Approval of Minutes

The Commission approved minutes from March 28, 2018.

3. Public Hearings

a. Conditional Use Permit – Matt Hanses, Church of Scientology – Approval of additional height for proposed addition to the Church of Scientology, Public Activities District – 6900 Delmar Boulevard

Rosalind Williams described several changes made to the staff report and presented materials for The Church of Scientology's request for a Conditional Use Permit.

Matt Hanses, Executive Director of the Church of Scientology, gave a presentation on the proposed addition. The plans had been amended to clarify the amount of disturbed land, and with the addition of a recycling dumpster at the request of Public Worlds. He noted that input from neighbors had been incorporated into the design. The project has been reviewed by Traffic Commission and Historic Preservation Commission, and the goal is to break ground early in 2019.

Chris Connely, Architect for Gensler Architecture, described in greater detail some aspects of the design of the building, the intent to make the original building more accessible, while matching historic character of the district.

Chris Hepler, Landscape Architect for Kimley Moore gave an overview of the landscape design, noting the removal of invasive species, preservation of existing trees, and creation of privacy buffers between the project and neighboring homes.

Public Comments

Sam Blumhoff, 5 Princeton Ave, lives behind the site, expressed concerns that landscaping was not completed after the last major renovation, times of trash pick-up, and water retention on the site.

Cassie Menna, 7033 Camden, a lifelong parishioner of the Church, expressed support for the project.

Susan Heff, 1070 N. Hanley, recently moved to U City to be closer to the Church, expressed excitement about the project.

Adam Heff, 1070 N. Hanley, a parishioner for 15 years, moved his family and business to University City and supports the project.

Scott Von Gland, 6975 Delmar, lived there for 12 years, said Church has had a thoughtful and open process, his concern is over the scale of the project, and how it will effect homes and values on Delmar, where he has seen values declining.

Maryanne Schwartz, 6925 Delmar, is next door to the Church, says they have been good neighbors, but would like more assurance on how construction will effect properties immediately surrounding the project.

Mr. Hartz requested a motion to approve the Conditional Use Permit.

Ms. Williams presented the staff report on the project. Staff recommends the project based on the assumption that the Church's use should be considered a place of worship. The use is permitted and the site plan meets all requirements and standards of the zoning code except for the height. However, the height is consistent with other buildings in the district, and the increased setbacks allow for a height increase. She said the parking calculations were based on the code, counting the most intensive use for a place of worship. She noted that the landscaping plan was required to be completed before the building could be occupied. The design will be reviewed again by the Historic Preservation Commission, and has incorporated input from Public Works.

Mr. Mulligan raised concerns over legal issues with the permit. He was concerned with how the parking is calculated based on the lot being a non-conforming lot and whether the use was determined to be religious or office space. The code allows only for office space to be constructed on a non-conforming lot, but if the new building is counted as office space, the parking requirements go up significantly.

Ms. Williams stated that her interpretation as zoning administrator should be respected by the Plan Commission, and that the proposed text amendment to the code (PC 18-04) would clarify the issue.

Mr. Rose asked the applicant how they define their use, and would like to understand from the applicant their position on the text amendments.

Mr. Hanses responded to concerns, noting that they had changed their plans based on input from staff throughout the process. He emphasized that the Church of Scientology is a Church, legally, and that, like other churches, contains several other uses in support of the church. He described how they calculated their current number of spaces as needing 85 spaces total for most intensive uses of the building for assembly use, plus a concession for extra spaces from administrative use, and the allowed reduction for bike racks and proximity to transit. They currently propose 92 parking spaces. He cited other projects the City has approved with less parking than this project, including CoCa and Our Lady of Lourdes.

Ms. Carr stated that plans reviewed under the past administration should not be considered because they had been reviewed incorrectly, and that she would like to clarify going forward that the code is being interpreted correctly.

Mr. Rose said his concern was the part of the code allowing only office space on a non-conforming lot. Mr. Hanses said the church felt the code was inconsistent with itself. They want to do the project correctly, whatever that process is they will follow it, if a text amendment is needed.

Mr. Miller proposed tabling the CUP permit until a text amendment was considered. There was further discussion about the interpretation of the code. Ms. Williams presented the text amendment to the section of code 400.3080, saying that no "open space" use was defined by the code and that district regulations should apply rather than limiting to open space or office space. Ms. Moran asked if this had gone through the normal procedure of the code committee. Ms. Head moved to postpone the passing of the text amendments as well as the CUP for Church of Scientology. There was discussion about this course of action, Ms. Head revised the motion to exclude the amendment for garages. The Commission voted in favor of postponing the text amendment on 400.3080 and the CUP for Church of Scientology. Ms. Gainor was the only vote against.

b. Text Amendment – PC 18-03: Ms. Williams presented the text amendment PC 18-03 pertaining to detached garages. She said the code resulted in a number of variances that were all approved, and therefore needed to be amended. Ms. Holly asked if the amendment was meant to maintain setbacks around the garage or the footprint of the garage. As this was not clear, the Chair suggested the commission vote down the proposed amendment and revisit in code committee. Ms. Holly moved to vote, Ms. Moran seconded, and the vote was unanimously against the amendment.

There was discussion of scheduling a code committee meeting, as well as a special plan commission meeting if possible to speed up the process of the CUP. Mr. Rose said the public hearing could be closed, and a request for vote on CUP could be added to the next agenda.

6. Other Business

Mr. Miller noted the need to vote for a new chair of the Commission. Discussion over the nominations, and Ms. Moran was nominated. The Commission voted unanimously to elect Ms. Moran as the new chair. Ms. Carr proposed to hold the open seat currently vacant for Ms. Williams as her position as Director of Community Development was temporary.

7. Reports

a. Code Review Committee: scheduled a meeting for Wed, August 1st, at 3pm

b. Council Liaison Report

Ms. Carr reported on the upcoming meetings regarding the proposed development at Olive and 170, including two town hall meetings (Aug 8 and 17, 6pm, Heman Park Community Center), a meeting for businesses on Olive (Aug 14, 7:30am, HPCC), and the TIF Commission Public Hearing (Aug 23, 6pm, U City High School). She also noted that Hop Cat in the Loop was opening Saturday.

c. Update from Staff

Ms. Williams introduced new staff to the Commission, Colleen Durfee and Adam Brown.

8. Adjournment

The meeting was adjourned at 9:15pm.