

**CITY OF TWIN OAKS
PLANNING AND ZONING COMMISSION MEETING
BOARD CHAMBERS, TWIN OAKS CITY HALL
1381 BIG BEND ROAD
TUESDAY, JANUARY 23, 2024 6:30 P.M.**

Tentative Agenda

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF THE AGENDA
5. APPROVAL OF THE CONSENT AGENDA
 - a. September 26, 2023 Minutes
6. NEW BUSINESS
 - a. Consideration of Amendments to Section 405.120 of the City of Twin Oaks Municipal Code pertaining to subdivision regulations
 - b. Consideration of Amendments to Chapter 510 of the City of Twin Oaks Municipal Code pertaining to fences
7. MISCELLANEOUS
8. ADJOURNMENT

Frank Johnson
City Clerk/Administrator

POSTED: January 22, 2024, 10:00 a.m.

Please note: Any person requiring physical or verbal accommodations should contact the city office 12 hours prior to meeting at 636-225-7873. Copies of public records for this agenda are available on the City's website or at City Hall for public inspection before and at the time of the meeting.

**MEETING MINUTES OF THE
PLANNING & ZONING COMMISSION
TWIN OAKS, MISSOURI
TUESDAY, SEPTEMBER 26, 2023**

The Planning and Zoning Meeting was called to order at 6:30 p.m.

Members:	Roger Loesche, Chairman	X	Joe Krewson	
	John Antonacci	X	Lisa Eisenhauer, Alderman	X
	Jeff Graves	X	Shazia Brown	
	Ray Slama		Russ Fortune, Mayor	X

Also, in attendance was Frank Johnson, City Clerk/Administrator; Paul Rost, City Attorney.

APPROVAL OF THE AGENDA

Commissioner Jeff Graves moved, seconded by Alderman Lisa Eisenhauer, to approve the Agenda. Motion passed with the unanimous consent of the Commission.

APPROVAL OF THE CONSENT AGENDA

Mayor Russ Fortune moved to approve the Consent Agenda consisting of the meeting minutes from August 22, 2023. Alderman Eisenhauer seconded the motion and on voice vote, the motion was announced passed.

NEW BUSINESS

Consideration of an Amended Development Plan for Sav-On Liquor & Wine at 1142 Meramec Station Road.

City Clerk/Administrator Johnson stated that the proposed Sav-On store would occupy the currently vacant space between Ace Hardware and Aldi's, and that no changes to the site or parking are proposed. He then introduced Steve Earl with Chiodini Architects, who provided an overview of the proposed signage for the store. City Clerk/Administrator Johnson provided a clarification on the signage calculations. He stated that the City measured the total signage area as 88 square feet, which is approximately 5.6 percent of the total elevation area of 1,545 square feet. He explained that the code requires signs occupy no more than 5 percent of the total elevation area, but that the City is allowed to modify these requirements as part of the process of amending the development plan. He added that in the past, the City had approved a sign of approximately 7 percent for the Ace Hardware in the same development.

The Commission discussed the illumination for the sign. Mr. Earl explained that it is internally lit and confirmed the "Sav-On" portion is illuminated and the "Liquor & Wine" portion is not. Commissioner Graves asked Milan Patel, Sav-On, about their nearest location. Mr. Patel replied that they currently have six locations in the Metro East area of Illinois. He also confirmed that they are planning to have a humidor and to sell cigars. In response to question from Chairman Loesche,

City Attorney Paul Rost explained that no separate approval is necessary for the sale of cigars in this case.

Commissioner Graves motioned that the Commission recommend the Board of Aldermen approve the proposed amended development plan, contingent on approval of the amendments to Section 400.280 of the Twin Oaks Municipal Code to add “liquor store” as a planned use. Commissioner Antonacci seconded, and the motion passed on unanimous voice vote.

Consideration of Amendments to Section 400.280 of the Twin Oaks Municipal Code Pertaining to Planned Uses.

Chairman Loesche explained that the current code does not list a liquor store as a permitted or planned use in Commercial Districts, so it is necessary to amend the code as part of the approval for Sav-On Liquor & Wine. Chairman Loesche motioned that the Commission recommend the Board of Aldermen approve the proposed amendments to the code. Commissioner Graves seconded, and the motion passed on unanimous voice vote

Consideration of an Amended Development Plan for Bartolino’s Restaurant at 1304 Big Bend Road.

City Clerk/Administrator Johnson explained that although the original development plan for Big Bend Square calls for a restaurant in the vacant space proposed for Bartolino’s, the submitted plans call for completely enclosing the existing outdoor patio, which constitutes a more than minor change from the previously approved plans and therefore requires that the development plan be amended. He added that there will need to be another review at a later date for the addition of Bartolino’s to the development’s pylon sign, which was not included as part of this submission.

Tom Niemeier, Space Architects, provided an overview of the proposed plans. Mr. Niemeier explained that the enclosing of the patio is needed to add more permanent dining space, as the restaurant has a large kitchen as well as an event space, and that they are proposing to use a smooth plaster material for the exterior finish of the patio structure. He added that they retained the original shape of the patio so that it conforms with the existing roads, sidewalks and landscaping.

City Clerk/Administrator Johnson informed the Board that the submitted plans label the finish material for patio exterior as “stucco” and that this is listed as an unacceptable material per the City’s design guidelines. Mr. Niemeier provided an explanation of how what they are proposing differs from the kind of synthetic stucco material that is often used in commercial developments and that it would have a smooth plaster finish. Alderman Eisenhauer noted that the closure of the patio could be beneficial to the apartment residents located above since it would cut down on the noise disturbance from the restaurant.

The Commission then discussed the reasoning behind the prohibition against the use of stucco and agreed that it was likely meant to discourage the rough, wave-like appearance of traditional stucco design. Mr. Neimeier assured the Commission that they would be creating a smooth finish with the proposed design. he then provided an overview of the proposed sign, which would be a metal panel with the waterjet-cut letters and be backlit with a white LED.

Chairman Loesche motioned that the Commission recommend the Board of Aldermen approve the proposed amended development plan. Alderman Eisenhower seconded, and the motion passed on unanimous voice vote.

MISCELLANEOUS BUSINESS

There was no miscellaneous business.

ADJOURNMENT

Mayor Fortune moved, seconded by Alderman Eisenhower, to adjourn the meeting. Upon voice vote, the motion was announced passed. The meeting adjourned at 6:56 p.m.

Roger Loesche, Chairman
Planning & Zoning Commission

Date of Approval

ATTEST:

Frank Johnson, City Clerk/Administrator



MEMORANDUM

TO: Twin Oaks Planning & Zoning Commission
CC: Frank Johnson, City Clerk/Administrator
FROM: Paul Rost, City Attorney
RE: *Suggested changes to development regulations relating to sidewalk installation for new developments*
DATE: January 15, 2024

Below, for Planning & Zoning Commission review and recommendation to the Board of Aldermen are suggested changes to existing Section 405.120 of the Twin Oaks development regulations relating to sidewalk installation for new developments. It came to the Board's attention that the City's development regulations were silent as to any requirement for a future developer/redeveloper to include sidewalks as a part of the development. The revisions pertaining to sidewalks are added as a new subsection A.8.

There are also a few clean-ups clarifying the process for posting bonds or escrows for new subdivision developments and what design standards a developer is to follow.

Underlined = text to be added

~~Strikethrough~~ = Text to be removed

Section 405.120 Minimum Standards of Design and Development.

[R.O. 2016 § 405.060; R.O. 2011 § 405.060; Ord. No. 95-24 § 6, 8-30-1995]

- A. No subdivision plat shall be approved by either the Planning and Zoning Commission or by the Board of Aldermen unless it the development conforms to the following minimum standards and requirements:
1. *Relation To Adjoining Street System.* The arrangement of streets in new subdivisions shall make provisions for the proper location and width of streets. The subdivider may be required to continue certain existing or planned streets through or adjacent to the area that is being subdivided, whenever same is necessary to provide for local movements of vehicles or to enable adjoining property to be properly subdivided.
 2. *Streets and Alley Widths.*

Suggested Changes to Development Regulations

- a. All major through streets shall have a fifty-foot right-of-way in width with a minimum paved width of thirty (30) feet. The paved width shall be measured from back-to-back of curbs and gutters.
 - b. All minor streets shall have a forty-five-foot right-of-way with a minimum paved width of twenty-six (26) feet. The paved width shall be measured from back-to-back of curbs and gutters.
 - c. Alleys should not be provided in residential districts. Alleys will, however, be required in the rear of all business lots and shall be at least twenty (20) feet wide.
 - d. Where it is desirable to subdivide a tract of land, which because of its size or location, does not permit a normal street arrangement, there may be established one (1) or more places. Such a place may be in the form of a court, a cul-de-sac, or other arrangement, except that it shall not end in a dead-end street. All places or culs-de-sac shall have a circle at the end with a minimum of a sixty-foot turning radius.
 - e. Adequate provision shall be made adjacent to commercial buildings for public street parking areas in accordance with minimum standards and requirements in conformity with other laws of the City of Twin Oaks.
3. *Easements.*
- a. Where alleys are not provided, easements of not less than ten (10) feet in width shall be provided on each side of all rear lot lines, and side lines where necessary, for poles, wires, conduits, storm and sanitary sewers, gas, water, and heat mains. Easements of greater width may be required along lines or across lots where necessary for the extension of main sewers and similar utilities.
 - b. Whenever any creek, stream or important surface watercourse is located in an area that is being subdivided, the subdivider shall, at his/her own expense, make adequate provisions for straightening or widening the channel so that it will properly carry the surface water and shall stabilize and secure the creek banks so that the same will be free from erosion, and the subdivider shall also provide and dedicate to the City an adequate easement along each side of the watercourse, which easement shall be for the purpose of widening, improving or protecting the same and for recreational uses.
4. *Lots.* The minimum area of any lot in a subdivision shall not be less than the minimum lot area requirements of the zoning districts in which the area is located.

Suggested Changes to Development Regulations

5. *Building Lines.* Building lines shall be shown on all lots intended for residential use of any character, and on commercial lots immediately adjoining residential areas. Such building lines shall not be less than required by the Zoning Code of the City.
6. *Improvements.* Before the final plat of any subdivided area shall be approved and recorded, the subdivider shall make and install the improvements as described in this Subsection after having submitted and received City approval of improvement plans in accordance with Section 405.070 of these Subdivision Regulations. In lieu of final completion of the minimum improvements before the plat is finally approved, the subdivider will post a surety bond, letter of credit or cash escrow (“bond”) and execute a deposit agreement, which ~~bond~~ will ~~insure~~ ensure ~~to~~ the City that the improvements will be completed by the subdivider within one (1) year (or such other time set by the Board) after the final approval of the improvement plans. The amount of the bond shall not be less than one hundred ten percent (110%) of the engineer’s estimated cost of improvements submitted by the developer with the improvement plans, and the amount of the cost estimate must be approved by the Board of Aldermen. If the improvements are not completed within the specified time, the Board of Aldermen may use the bond or any necessary portion thereof to complete the same. The minimum improvements installed in any subdivision before the plat can be finally approved shall be in accordance with the following Subsections:
 - a. The subdivider shall grade and improve all new streets within the subdivision area. All such streets shall conform to the minimum structural standards ~~of as established by~~ in the St. Louis County Design Criteria for the Preparation of Improvement Plans and Standard Drawings (as amended), hereinafter, the “St. Louis County Design Criteria.” The paving on all new streets shall be concrete. Curbs and gutters shall be of concrete and conform to the minimum requirements and standards ~~as established by~~ St. Louis County Design Criteria.
 - b. The subdivider shall pay the cost of all labor, materials, and incidental expense required for the installation of water mains and fire hydrants in the subdivided area. Refund of monies for the installation shall be made in accordance with the contract entered into with the Missouri American Water Company to the subdivider by said water company. Such installation of the water mains and fire hydrants aforesaid shall be done by the Missouri American Water Company in accordance with their standards and specifications as approved by the Board of Aldermen of Twin Oaks. The water mains and hydrants, when installed, shall become at once the property of the Missouri American Water Company, and said company shall have exclusive control and use thereof, subject to the right of the residents of the subdivided area to be connected therewith, under the rules and regulations of the

Missouri American Water Company.

- c. The subdivider shall install sanitary sewers in conformance with the minimum requirements and receive prior approval of the Metropolitan St. Louis Sewer District and provide a connection with each lot. Before the improvement is started, the plan therefor shall be approved by the Board of Aldermen of Twin Oaks.
- d. The subdivider shall, ~~when necessary,~~ install storm sewers and related storm water quality and control systems to provide drainage and treatment of the development's stormwater in conformance with minimum requirements and receive prior approval of the Metropolitan St. Louis Sewer District. Before the improvement is started, the plan therefor shall be approved by the Board of Aldermen of Twin Oaks.

7. Street Names.

- a. Streets that are obviously in alignment with others already existing and named shall bear the names of the existing streets. New street names shall be approved by the Board of Aldermen.
- b. Before the final plan for the subdivision shall be approved, the subdivider shall submit to the Board of Aldermen a statement from the local Postmaster approving the name of the proposed streets and of the proposed system of postal addresses along such streets.

8. Sidewalks.

- a. Sidewalks are required on all sides of the streets in or abutting the development.
- b. Minimum requirements for sidewalk construction:
 - i. Subject to subsection (iii) below, sidewalks in residential subdivisions shall be constructed of concrete, a minimum of four (4) feet wide and four (4) inches thick, except in driveways where a minimum thickness of six (6) inch shall be required.
 - ii. Subject to subsection (iii) below, sidewalks in non-residential developments shall be constructed of concrete, four (4) feet wide and four (4) inches thick, unless a greater width is recommended by the City's engineering consultant and approved by the Board. Sidewalks through driveways shall be required to be a minimum of seven (7) inches in thickness.

Suggested Changes to Development Regulations

- iii All sidewalks shall conform to the minimum requirements of the Americans with Disabilities Act.
 - iv. Where sidewalks are located adjacent to a vertical curb within a street intersection, wheelchair ramps will be required.
 - c. A developer may petition the City to waive the requirement for sidewalks, upon submittal of an alternate sidewalk or trail plan. The Planning & Zoning Commission may recommend, and the Board of Aldermen may grant, a waiver only where a petitioner has demonstrated that:
 - i. Sidewalks are not deemed necessary for the public safety or where topographical or other conditions make sidewalk installation and use impractical; or
 - ii. The petitioner proposed alternate sidewalk or trail plan provides for more efficient, direct, and safer movement of pedestrian traffic; or
 - iii. Because of noneconomic conditions, the strict application of the requirements contained in this Section would impose practical difficulties and no alternate sidewalk, trail, or other pedestrian plan is viable.
 - d. When a developer proposes an alternate sidewalk or trail plan for location within the public right-of-way, the City's engineering consultant shall review the plan and provide the Planning & Zoning Commission with recommendations based on conditions within the affected rights-of-way and other relevant factors.

Memo to: Planning and Zoning Commission
From: Frank Johnson, City Clerk/Administrator
Subject: Fence Regulations
Date: January 17, 2024

COMMISSION ACTION REQUIRED

- Review and make a recommendation to the Board of Aldermen regarding the prohibition of chain link fences in residential districts.

BACKGROUND

The City's regulations on fences in Chapter 510 as currently written create some ambiguity on whether chain link fences are prohibited that staff is seeking to clarify. They are specifically prohibited in District "B" Residential (except in certain cases) but are not listed in District "A".

Staff has interpreted this omission—in combination with the definition provided in Section 510.010—to mean that they are not allowed as division fences.

Staff is recommending that this prohibition (or allowance) be made more explicit. In particular, Section 510.030(A) should be amended to make it clear whether or not the descriptions of metal materials that are allowed include chain link fences made of such material.

The relevant regulations are excerpted below:

Section 510.010: Definition

"CHAIN LINK — Vinyl, color-coated (black or earth tone) wire of at least eleven-gauge woven into mesh no less than two (2) inches, attached to metal posts spaced at regular intervals only for uses other than division fences."

Section 510.030: Allowable Fences

A. District "A" Residential: powder-coated anodized aluminum or powder-coated galvanized-steel in black or earth tones; wood (including composite wood with wood-grain finish in natural wood colors, but not plywood or knotty pine); decorative wrought iron in black or earth tones; decorative stacked fence; stone or brick fence.

B. District "B" Residential: wood as listed for District "A"; powder-coated/vinyl-clad chain-link fencing (permitted only for tennis courts or baseball field backstops) in black or green color only.