Planning Commission Special Meeting
Wednesday February 22, 2012, 5:30 P.M
1015 Locust St. – 12th Floor Brd Rm.

Minutes

Commissioners Present:	Richard Bradley, Susan Stauder, Ald. Wessels, Dan Jay, Ted Spaid, Ivy Pinkston, Patrick Brown, Dave Visintainer, Ald. Terry Kennedy, Tom Shepard
Commissioners Absent:	(3 Commission vacancies)
Staff Present:	Don Roe, Roman Kordal, Dick Zerega, Pamela Salata, Don Taylor, Betsy Bradley
Counsel Present:	David Meyer, City Counselor's Office
Guests:	Steve Patterson, Ivie Clay, Win Reed, John Rebman, Kathleen Brady, Fr. Lawrence Biondi, S.J., Steve Smith, Bridget Fletcher, Sheryn Hailstone, Philip Alderson, Phoebe Love, Tim Bryant, Bill McClellan

5:32 PM - Don Roe annouced that a quorum was present.

Chairman Stauder, opened the meeting and asked for a motion on the minutes from the February 1, 2012 meeting. Ald. Wessels moved to approve; 2nd by Commissioner Spaid. All ten (10) Commissioners voted to approve: Richard Bradley, Susan Stauder, Dan Jay, Ted Spaid, Ivy Pinkston, Ald. Wessels, Ald. Kennedy, Tom Shepard, Dave Visintainer, Patrick Brown.

Don Roe addressed the Commissioners on the procedures for the meeting. A request for Demolition Decision Review from the Preservation Board for Item # 3. PDA-010-12-PRS – (1001-03 S. Grand "Office Building"), Item #4. PDA-011-12-PRS - (1001-03 S. Grand "Smokestack"), Item #5. PDA-012-12-PRS - (3626-80 Chouteau "Milk Plant"), Item #6. PDA-013-12-PRS - (1101 Motard "Garage") all located in the Tiffany Neighborhood. Mr. Roe explained the procedure to be followed in this meeting. That each item would be considered and voted on individually. He indicated that all commissioners had been sent the Evidentiary Record Materials consisting of two binders and a bound Transcript of the Preservation Board meeting held on December 19, 2011 for review. This material, including copies of portions of it, and references to it, would be the items presented and discussed this evening. No new evidence would be submitted at this meeting. This would be a review only of the Preservation Board's decisions regarding demolition, conducted based upon the "applicable standard," which was the Preservation Board's criteria in Ordinance 64689. This was not a Public Hearing and there would not be any public input or participation. He then turned the meeting over to Chairman Susan Stauder.

Chairman Stauder gave instructions to the Planning Commissioners. She reaffirmed the meeting would be only the items as presented at the Preservation Board and this was not a public hearing and therefore no participation from the public would be permitted. Each side would be permitted 20 minutes with questions and discussion after each, and then a rebuttal period, followed by a vote on each item.

Betsy Bradley presented an oral argument, summarizing the points she considered in her determination, exhibits she presented to the Preservation Board, and the Preservation Board's decision. She provided an overview of the area and the physical layout of the Pevely Dairy complex, answered questions from the Commissioners pertaining to the National Register and public interest in the project.

Win Reed, on behalf of St. Louis University, presented copies of a written argument to the Commissioners and opened the property owner's oral argument in favor of demolition. Steve Smith and Father Lawrence Biondi also presented arguments in favor of demolition and summarized the evidence that was presented to the Preservation Board.

The Commissioners then asked questions of SLU representatives. Commissioner Brown asked questions about the stability of the smokestack, and SLU representatives indicated that they had seismic and overall structural concerns. They indicated they desired demolition of the smokestack. Commissioner Jay asked whether the proposal could allow for buildings in different locations on the overall site. The SLU representatives discussed the stability of the soil and nature and lack of flexibility in the building use and siting. Commissioner Spaid asked whether SLU had undertaken sufficient efforts to find other uses for the buildings. Steve Smith indicated that SLU, Cardinal Glennon Hospital and St. Louis University Hospital had done extensive planning and examined alternatives for over one year. The financial feasibility of the project is based on accommodating physician tenants and their patients. Commissioner Pinkston indicated that SLU is an important economic engine in St. Louis and this project supports the owner in its endeavors. Alderman Wessels asked about prior testimony regarding the suitability of an alternative site across the street, and Steve Smith responded that the site needed to be contiguous with SLU's other property and buildings.

Don Roe discussed the Planning Commission's ability to include conditions in modifying Preservation Board decisions. Father Biondi interjected that unconditional demolition was the SLU request.

The Commissioners deliberated their choices and discussed the reuse potential and economic hardship denial of demolition posed to the present Owner. They relied heavily on these considerations in their discussion. They discussed their desire to ensure that a project would be constructed and that they did not wish to grant a demolition permit only to have the structures be demolished with no replacement. They considered whether a condition on the demolition permit to not allow demolition until a building permit for a new structure had been issued, such as the condition used by the Preservation Board, would be appropriate. Commissioner Jay asked whether there were any other means to ensure that something would be built before they allow the demolition. Mr. Roe indicated that the City had limited alternative means to ensure the new construction on site moves ahead.

Item #3. PDA-010-12-PRS – 1001-03 S. Grand "Office Building" Commissioner Pinkston made a motion to reverse the Preservation Board decision with the understanding that there would be a building permit from the City. Prior to being seconded, the Commissioners discussed the motion. Alderman Wessels asked Don Roe to read the condition language from the Preservation Board decisions pertaining to subsequent construction. Commissioner Pinkston adopted this language to clarify her motion. Second by Ald. Wessels The motion was restated to be modification of the denial of a demolition permit, to allow demolition conditioned upon issuance of a building permit for construction of an ambulatory/health care center on the grounds of the former Pevely Dairy Company Plant. Discussion followed. Commissioners indicated that their desire was to ensure that demolition of the "Office Building" would not take place without a new project built in place of the existing complex. SLU presented an overall record of successful projects. This application began at the Cultural Resources Office with a plan that reflected the complex as being replaced with an open field, and subsequently the Preservation Board was presented a plan for a major project. The commission wanted assurances of a new project prior to the demolition of the corner building Commissioner Jay indicated that accessibility for soil inspection of the overall site was important, and the condition should only be on the office building. Commissioner Spaid stated that would be a reasonable compromise. By roll call, the vote was eight (8) in favor (Richard Bradley, Susan Stauder, Dan Jay, Ted Spaid, Ivy Pinkston, Ald. Wessels, Ald. Kennedy, Tom Shepard), with Commissioner Brown opposed and Commissioner Visintainer abstaining. The motion passed. .

Item #4. PDA-011-12-PRS – 1001-03 S. Grand "Smokestack" Commissioner Jay made a motion to reverse the Preservation Board denial; second by Ald. Wessels. Discussion followed. Alderman Wessels cited the extremely poor condition referenced in the engineering report in the record. By roll call, the vote was eight (8) in favor (Richard Bradley, Susan Stauder, Dan Jay, Ted Spaid, Ivy Pinkston, Ald. Wessels, Ald. Kennedy, Tom Shepard), with Commissioner Brown opposed and Commissioner Visintainer abstaining. The motion passed.

Item #5. PDA-012-12-PRS – 3626-80 Chouteau "Milk Plant" Commissioner Bradley made a motion to modify the Preservation Board decision by letting the Preservation Board decision to Approve demolition stand but to remove the condition contained in the Preservation Board's decision; second by Commissioner Pinkston. By roll call, the vote was nine (9) in favor (Richard Bradley, Susan Stauder, Dan Jay, Ted Spaid, Ivy Pinkston, Ald. Wessels, Ald. Kennedy, Tom Shepard, Patrick Brown), with Commissioner Visintainer abstaining. The motion passed.

Item #6. PDA-013-12-PRS – 1101 Motard "Garage" Commissioner Jay moved to modify the Preservation Board decision by letting the Preservation Board decision to Approve demolition stand but to remove the condition contained in the Preservation Board's decision; second by Commissioner Shepard. Previous roll was requested. Hearing no objection to using Previous Roll, the motion passed with nine (9) in favor (Richard Bradley, Susan Stauder, Dan Jay, Ted Spaid, Ivy Pinkston, Ald. Wessels, Ald. Kennedy, Tom Shepard, Patrick Brown), and Commissioner Visintainer abstaining.

Mr. Roe thanked the Commissioners for their due diligence at this meeting and review of these items, and reminded them of the next regularly scheduled meeting on March 7, 2012

There was no other business for this meeting and Chairman Stauder entertained a motion to adjourn.

Commissioner Spaid moved to adjourn the meeting; Commissioner Jay 2nd the motion. Upon unanimous approval of the Commissioners, the meeting was adjourned.

ATTEST AS TO APPROVED:

Chairman Susan Stauder
February 22, 2012