

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
February 12, 1996**



The meeting was called to order at 7:00 p.m.

PRESENT

Mr. Fred Broemmer
Mr. Dave Dalton - arrived later
Mr. Robert Grant
Ms. Carol Kenney
Ms. Patricia O'Brien
Mr. Allen Yaffe
Chairman Michael J. Casey
Mayor Jack Leonard
Mr. Douglas R. Beach, City Attorney
Ms. Laura Griggs-McElhanon, Acting Director of Planning
Mr. Joe Hanke, Planner II
Ms. Toni Hunt, Planner I
Ms. Sandra Lohman, Executive Secretary

ABSENT

Mr. Rick Bly
Ms. Linda McCarthy

INVOCATION - Commissioner Patricia O'Brien

PLEDGE OF ALLEGIANCE - All

Chairman Casey recognized the Honorable Mayor Jack Leonard.

PUBLIC HEARINGS: - **Commissioner Grant** read the "Opening Comments."

- A. **P.Z. 4-96 Fischer & Frichtel (Brookhill Estates Addition Plat 3)**; a request for a change in zoning from "NU" Non-Urban to "R-1A" 22,000 square foot Residence District for a 10.0 acre tract of land located directly east of the intersection of Straub Hill Lane and Straub Road. (Locator Numbers 20R140059, 20R230222 and 20R230213).

AND

- B. **P.Z. 5-96 Fischer & Frichtel (Brookhill Estates Addition Plat 3)**; a request for a Planned Environment Unit Procedure (PEU) in the "R-1A" 22,000 square foot Residence District for a 10.0 acre tract of land located directly east of the intersection of Straub Hill Lane and Straub Road. (Locator Numbers 20R140059, 20R230222 and 20R230213). Proposed Use: Single Family Residences.

Planner I Toni Hunt gave a slide presentation of the subject site and surrounding area.

Chairman Casey recognized Councilmember Colleen Hilbert, Ward I.

Mr. John King, Attorney for the petitioner, presented the request, assisted by John Fischer of Fischer & Frichtel. He noted Mel Cole, the Civil Engineer for the project, is here tonight to answer questions regarding civil engineering.

SPEAKERS IN FAVOR: None at this time.

SPEAKERS IN OPPOSITION:

1. Bill Simon, 15004 Claymont Estates Drive, Chesterfield, MO 63017, spoke as an individual.
2. Dale A. Kubly, 14722 White Lane Court, Chesterfield, MO 63017, spoke as an individual.
3. Jim Klingler, 2017 Brook Hill Manor Court, Chesterfield, MO 63017, spoke as an individual.

SPEAKER IN FAVOR:

1. W. J. Streeter, 14877 Straub Hill Lane, Chesterfield, MO 63017, spoke as an individual.

City Attorney Doug Beach noted Straub Road is a private easement and would require all owners of that roadway to allow Straub Road to be used for any purposes. The City does not have any control over this Road.

SPEAKERS - NEUTRAL:

1. Terry Burns, 2154 White Lane Drive, Chesterfield, MO 63017, spoke as an individual.
2. John McDaniel, 14951 Green Circle, Chesterfield, MO 63017, spoke on behalf of Broadmoor Condominium Association.
3. Susan Hayes, 14821 Brook Hill Drive, Chesterfield, MO 63017, spoke as an individual.

Commissioner Dalton arrived at this time.

4. Joseph Lazzara, 1941 Lanchester Court, Chesterfield, MO 63017, spoke as an individual.

REBUTTAL:

Mr. John King stated the rebuttal.

Commissioner Grant read the closing portion of the "Opening Comments" for P.Z. 4 & 5-96 Fischer & Frichtel (Brookhill Estates Addition Plat 3).

APPROVAL OF THE MINUTES:

A. Approval of Minutes from Meeting of January 22, 1996.

A motion to approve the minutes was made by Commissioner Grant, seconded by Commissioner Yaffe and **passed by a voice vote of 7 to 0.**

PUBLIC COMMENTS:

1. Fred Ashner, 1501 Mallard Pointe Court, Chesterfield, MO 63017, spoke as a neutral party on P.Z. 1-96 Sverdrup (Timberlake Crossing).
2. Richard Feldman, 13723 Riverport Drive, Maryland Heights, MO 63043, spoke in favor on P.Z. 1-96 Sverdrup (Timberlake Crossing).
3. Josephine Emrick, Traffic Engineer for Booker & Associates, spoke in favor of P.Z. 1-96 Sverdrup (Timberlake Crossing).

Commissioner Dalton left the meeting.

4. Matt Ladd, 801 North 11th, St. Louis, MO 63101, spoke in favor of P.Z. 1-96 Sverdrup (Timberlake Crossing).

Commissioner Dalton returned to the meeting.

Commissioner Yaffe left the meeting.

5. Joel Wexelman, 6336 Forsyth, Clayton, MO 63105, spoke in favor of P.Z. 1-96 Sverdrup (Timberlake Crossing).

Commissioner O'Brien and Chairman Casey requested the petitioner provide to the Commission at its next meeting on February 26, 1996, a street level colored rendering of the proposed development.

Commissioner Yaffe returned to the meeting.

6. Robert Brubaker, 14611 Mallard Lake Drive, Chesterfield, MO 63017, spoke in opposition to P.Z. 1-96 Sverdrup (Timberlake Crossing).
7. Eric Tremayne, 120 South Central, Clayton, MO 63105, spoke in opposition to P. Z. 2 & 3-96 Premier Homes.
8. James Workman, 1559 Timberlake Manor Parkway, Chesterfield, MO 63017, spoke in opposition to P.Z. 1-96 Sverdrup (Timberlake Crossing).
9. Stuart Kupfer, 14777 Plumas Drive, Chesterfield, MO 63017, spoke in opposition to P.Z. 1-96 Sverdrup (Timberlake Crossing).

10. Betty Hathaway, 112 High Valley Drive, Chesterfield, MO 63017, spoke in opposition to P.Z. 1-96 Sverdrup (Timberlake Crossing).
11. Edward Rich, 14703 Timberway Court, Chesterfield, MO 63017, spoke as a neutral party on P.Z. 1-96 Sverdrup (Timberlake Crossing).
12. Sharon Harris, 14752 Timberbluff Drive, Chesterfield, MO 63017, spoke in opposition to P.Z. 1-96 Sverdrup (Timberlake Crossing).

Chairman Casey called Mr. Feldman back to the podium requesting clarification of his previous reference to an approved conceptual plan.

Mr. Feldman spoke regarding the two (2) plans they presented earlier in the meeting. The first plan was never an approved Site Development Plan. It was a rendering of the project that never went through the process of architectural review and approval of the Site Development Plan. Sverdrup, Inc., at this time, is asking for conceptual approval only. He wanted to make clear that the Commission had not approved the Site Development Plan previously.

OLD BUSINESS: - None

NEW BUSINESS:

- A. **P.Z. 16-95 City of Chesterfield Planning Commission**; a proposal to amend Section 1003.168D Temporary Signs of the City of Chesterfield Zoning Ordinance (regarding political signs).

Acting Director of Planning Laura Griggs-McElhanon noted the Department, in concurrence with the City Attorney, is recommending approval of the amendment to Section 1003.168D Temporary Signs of the City of Chesterfield relative to political signs, as stated in the report.

A motion for approval of the recommendation was made by Commissioner Broemmer. The motion was seconded by Commissioner Kenney.

Upon a roll call the vote was as follows: Commissioner Broemmer, yes; Commissioner Dalton, no; Commissioner Grant, yes; Commissioner Kenney, yes; Commissioner O'Brien, yes; Commissioner Yaffe, yes; Chairman Casey, yes.

The motion was approved by a vote of 6 to 1.

- B. **P.Z. 32-95 City of Chesterfield Planning Commission**; a proposal to amend Sections 1003.193 Appeal and Protest Procedure for Special Procedures; and 1003.300 Procedure for Amending the Zoning Ordinance of the City of Chesterfield Zoning Ordinance.

Acting Director of Planning Laura Griggs-McElhanon noted the Department, in concert with the City Attorney, recommends denial of an amended process for filing an appeal or protest petition, which would include a seven (7) day time frame in which to file a "notice of intent" to file an appeal or protest petition.

A motion to approve the recommendation for denial of the amended process for filing and appeal or protest petition was made by Commissioner Grant, and seconded by Commissioner Dalton.

Upon a roll call the vote was as follows: Commissioner Broemmer, yes; Commissioner Dalton, yes; Commissioner Grant, yes; Commissioner Kenney, yes; Commissioner O'Brien, yes; Commissioner Yaffe, yes; Chairman Casey, yes.

The motion for denial was approved by a vote of 7 to 0.

- C. **P.Z. 34-95 City of Chesterfield Planning Commission**; a proposal to amend Section 1003.167; Miscellaneous Regulations; 1003.145 "C-8" Planned Commercial District Regulations; 1003.155 "M-3" Planned Industrial District Regulations; 1003.157 "MXD" Mixed Use Development District Regulations; 1003.181 Conditional Use Permits; 1003.182 Commercial Service Procedures; 1003.187 Planned Environment Unit Procedure; 1003.189 Commercial-Industrial Designed Development Procedure; 1003.191 Landmark and Preservation Area Procedure. (Relative additions to grading, building, etc. permits in certain districts.)

Acting Director Laura Griggs-McElhanon noted the Department recommends this matter be held.

A motion to hold was made by Commissioner Grant, seconded by Commissioner Broemmer and passed by a voice vote of 7 to 0.

- D. **P.Z. 36-95 Leo B. Pelligreen, Jr. and Marilyn A. Henske (Sooner Investment Group)**: "R-3" 10,000 square foot Residence District to "C-8" Planned Commercial District and approval of a development plan for a .4 acre parcel within an existing "C-8" Planned Commercial District established by City of Chesterfield Ordinance No. 623; south side of Olive Boulevard, approximately two hundred (200) feet west of Chesterfield Parkway North, and on the west side of Chesterfield Parkway North, approximately one hundred and eighty (180) feet south of Olive Boulevard.

Planner II Joe Hanke presented the report and Department's recommendation for approval, subject to the conditions in Attachment A, as amended by the Department's memo dated February 12, 1996 (Section 2.b.) .

A motion to approve the Department's recommendation, including amendment of Section 2.b. of Attachment A, was made by Commissioner Broemmer. The motion was seconded by Commissioner Grant.

Upon a roll call the vote was as follows: Commissioner Broemmer, yes; Commissioner Dalton, abstain; Commissioner Grant, yes; Commissioner Kenney, no; Commissioner O'Brien, yes; Commissioner Yaffe, yes; Chairman Casey, yes.

The motion was approved by a vote of 5 to 1, with 1 abstention.

- E. P.Z. 1-96 Sverdrup Investments, Inc. (Timberlake Crossing); an amendment to an existing "C-8" Planned Commercial District approved by City of Chesterfield Ordinance Number 563; south side of Conway Road, approximately 250 feet west of White Road.

Planner II Joe Hanke read the land use issues which the Department will address in its report to the Commission at its meeting on February 26, 1996. He inquired whether the Commission had additional issues.

Issues Added:

1. Traffic signal at Chesterfield Hills.
2. Direct developer to perform a traffic study along the South Outer Forty Road for not only the peak times, but also hours **after** the a.m. and p.m. peak hour times.
3. Staff should contact the trustees of Chesterfield Hills regarding a traffic signal prior to making a final recommendation on this matter.
4. Include a comparison of the information from the 1990 report, in as much detail as possible, to the report on the current proposed development.
5. Staff will attached the 1990 report, indicate how the conditions have changed, and/or what has transpired with regard to conditions that were placed in the ordinance by Council when they originally approved the 1990 ordinance.
6. Staff provide a summary of the Corridor Forty Study.
7. Include the 1990 preliminary plan originally proposed (office buildings, parking garage, etc.) for the subject site.
8. A copy of the 1990 spiral bound presentation from Sverdrup with color renderings, traffic study, layout, etc., be included with Department's report.

Chairman Casey instructed the Department to bring copies of that document for the Commission to review (i.e., may be black and white copies).

A motion to hold this item until the meeting of February 26, 1996, was made by

Commissioner O'Brien, seconded by Commissioner Kenney and approved by a voice vote of 7 to 0.

- F. **P.Z. 2-96 Premier Homes (Country Lake Estates)**; “NU” Non-Urban District and “FPNU” Flood Plain Non-Urban District to “R-1” One Acre Residence District and “FPR-1” Flood Plain One Acre Residence District; western terminus of Countryside Manor Parkway.

AND

- G. **P.Z. 3-96 Premier Homes (Country Lake Estates)**; a Planned Environment Unit (PEU) Procedure in the “R-1” One Acre Residence District and “FPR-1” Flood Plain One Acre Residence District; western terminus of Countryside Manor Parkway.

Acting Director Laura Griggs-McElhanon presented the issues being evaluated by the Department and recommended this matter be held until the February 26, 1996 Planning Commission Meeting. She asked whether the Commission has additional issues to be addressed in the Department’s recommendation.

Issues Added:

1. Address the concerns raised by Mr. Eric Tremayne regarding stormwater (2 water sheds).
2. The developer should provide an amended rendering to include Bonhomme Creek and all other creeks on the site.

A motion to hold this item until February 26, 1996, was made by Commissioner Grant. The motion was seconded by Commissioner Yaffe and **passed by a voice vote of 7 to 0.**

- H. **P.Z. 18 & 19-93 Nooning Tree Partnership**; a request for an extension of time to submit a Site Development Plan for an “R-3” 10,000 square foot Residence District with a Planned Environment Unit (PEU) Procedure; south side of Olive Boulevard, east of the intersection of Appalachian Trail and Olive Boulevard.

Acting Director Laura Griggs-McElhanon noted the Department recommends approval of a two (2) year extension until April 17, 1998, for submittal of a Site Development Plan for P.Z. 18 & 19-93 Nooning Tree Partnership.

A motion to approve the extension of time was made by Commissioner Grant, seconded by Commissioner O’Brien and **passed by a voice vote of 7 to 0.**

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. **P.C. 192-87 Long Road Partnership (Dugsford Commons)**; “C-8” Planned Commercial District Subdivision Record Plat; north side of Wild Horse Creek Road, east of Long Road.

Fred Broemmer, on behalf of the Site Plan Committee, made a motion to approve the Subdivision Record Plat. The motion was seconded by Commissioner Grant and **approved by a voice vote of 7 to 0.**

- B. **P.C. 119A-74 Southmec Realty Company (Commerce Bank)**; “C-8” Planned Commercial District Conceptual Architectural Elevations; south side of Olive Boulevard, northeast of Chesterfield Parkway North.

Fred Broemmer, on behalf of the Site Plan Committee, made a motion to approve the Conceptual Architectural Elevation, subject to roofing material approval. The motion was seconded by Commissioner Grant and **approved by a voice vote of 7 to 0.**

- C. **Four Seasons (Capitol-Dierbergs Properties Six)**; “C-2” Shopping District Site Plan, Landscape Plan and Architectural Elevations; southwest corner of the intersection of Olive Boulevard (State Highway 340) and Woods Mill Road (State Highway 141).

Fred Broemmer, on behalf of the Site Plan Committee, made a motion to approve the Site Plan, Landscape Plan and Architectural Elevations, subject to a one-way traffic limitation. The motion was seconded by Commissioner Grant and **approved by a voice vote of 7 to 0.**

- D. **P.Z. 26 & 27-95 L.A.C. Corp. & Schierholz Homes, Inc. (White Robin Meadows/Greystone)**; Planned Environment Unit (PEU) Procedure in the “R-1” One Acre Residence District and “FPR-1” Flood Plain “R-1” One Acre Residence District Site Development Concept Plan; south side of Wild Horse Creek Road, west of Wildhorse Parkway.

Fred Broemmer, on behalf of the Site Plan Committee, made a motion to approve the Site Development Concept Plan. The motion was seconded by Commissioner Grant and **approved by a voice vote of 7 to 0.**

Chairman Casey thanked all those who attended the Planning Commission’s Quarterly Meeting. He complimented the Staff and City Attorney Doug Beach on their presentations.

Acting Director Laura Griggs-McElhanon noted the Department is doing a verbatim account of Mr. Beach’s presentation. This will be edited and distributed to all Commissioners. One issue discussed at the meeting was that Staff will work with the City Attorney on a training video which will be worked on in the very near future. She further noted the Commission recommended the Comprehensive Plan Committee meet to discuss issues that came up at the quarterly meeting, and she will get with Mr. Broemmer to set a date and time for the meeting. The meeting summaries will be provided upon their completion.

Comprehensive Plan Chair Broemmer stated he would like the summaries and some guidance as to what is required from the Comprehensive Plan standpoint.

COMMITTEE REPORTS:

- A. **Ordinance Review Committee** - No report.
- B. **Architectural Review Committee** - No report.
- C. **Site Plan/Landscape Committee**

Acting Director Laura Griggs-McElhanon noted City Staff meets on a regular basis with representatives of the Home Builders Association to discuss the development process and revisions both parties could make to improve things from both sides' perspectives. She inquired whether or not the Commission would like to have the reference to tree surveys either removed from the current Landscape Guidelines, or discussed by the Landscape Committee.

After some discussion, Chairman Casey directed the Department to leave the tree survey policy intact and review projects on a case-by-case basis. If necessary, the Landscape Committee could be convened.

- D. **Comprehensive Plan Committee** - No Report
- E. **Procedures and Planning Committee** - No Report

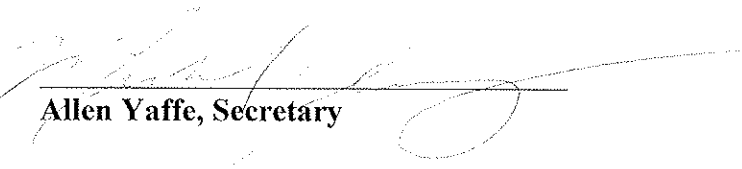
Commissioner Kenney suggested we increase the caliper of tree to be surveyed from six (6) inches, rather than throwing out the tree survey requirement altogether.

Acting Director Laura Griggs-McElhanon noted the typical caliper requirement for other communities is six (6) inches.

Commissioner O'Brien noted that Town and Country's standard is six (6) inches. Any trees six (6) inches or more in caliper cannot be removed.

Chairman Casey stated it must be done on a case-by-case basis. The caliper may be addressed during site plan review.

The meeting adjourned at 9:55 p.m.



Allen Yaffe, Secretary

[MIN2-12.096]