

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
FEBRUARY 10, 1992**



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

PRESENT

ABSENT

Ms. Mary Brown
Mr. Jamie Cannon
Mr. Dave Dalton
Mr. Bill Kirchoff
Ms. Barbara McGuinness
Ms. Pat O'Brien
Mr. Walter Scruggs
Ms. Victoria Sherman
Chairman Mary Domahidy
Mr. Doug Beach, City Attorney
Councilmember Betty Hathaway, Ward I
Mr. Jerry Duepner, Director of Planning/Economic Development
Ms. Laura Griggs-McElhanon, Senior Planner
Ms. Sandra Lohman, Executive Secretary

INVOCATION: City Attorney Doug Beach

PLEDGE OF ALLEGIANCE - All

PUBLIC HEARINGS - Commissioner Walter Scruggs read the opening comments

- A. P.Z. 2-92 West County Soccer Club, Inc.; a request for an amended "M-3" Planned Industrial District for a 15.0 acre development known as Chesterfield Executive Park, located on the south side of Chesterfield Airport Road, approximately 1,000 feet east of Goddard Avenue. Proposed amendment seeks to include lighted volleyball courts to the permitted uses allowed by the governing "M-3" District Ordinance.

Senior Planner Laura Griggs-McElhanon gave a slide presentation of the subject tract and surrounding areas.

Mr. Charles Fawcett spoke on behalf of the petitioner noting the following:

He described the project in its totality.

The purpose of the ordinance amendment is to permit lighted, outdoor, volleyball courts.

The petitioner is adding one (1) volleyball court, to the two (2) existing courts.

The volleyball courts would provide some additional use for the soccer club during the summer months during off-hours.

The existing utility poles run from the back of the property up to the building, and are 35 to 40 feet in height.

The zoning ordinance requires any pole erected in the airpark area to be below a particular mean sea level. Rather than getting into the intricacies of determining the height by this means, he stated that the lights would be lower than the top of the existing soccer club building, which currently meets these requirements.

The petitioner is proposing thirty (30) foot poles. (Mr. Fawcett gave handouts to the Commission Members showing the proposed light standards.)

The proposed fixture is a 400 watt, metal, Halide light, having a hooded back that mounts on an adjustable bracket. The light poles would be mounted between the courts, as well as on either end of the courts.

COMMENTS/QUESTIONS OF THE COMMISSION

What hours will the courts be used?

Mr. Al Trost stated the hours of operation will be 6:00 p.m. until, possibly, midnight on weekends.

Is the existing parking sufficient, and will activities be both during the week and weekends?

The courts will be used both weekends and during the week. The parking spaces are sufficient to accommodate the requested uses. It would be very unlikely that the parking would be overloaded.

Who are the neighbors?

There is no one to the south or west. There is an abandoned house on the northwest, on a ten (10) acre tract. The zoning is "M-3" Planned Industrial District, but there is not an ordinance which specifies any permitted uses.

There are presently 157 parking spaces on the property. One (soccer) playing field requires fifty (50) parking spaces. The bleachers require one (1) space for every three (3) seats (fifty (50) spaces). The nine (9) employees require six (6) spaces. The restaurant and lounge requires forty-one (41) spaces. Two volleyball courts require five (5) parking spaces per court.

The height of the poles at the American Legion Post?

Director Duepner answered that, he believes, the poles at the American Legion Post are forty (40) to fifty (50) feet in height.

Would the lights be angled so as to be non-obtrusive to adjoining properties?

Mr. Fawcett answered "yes."

What is the overall number of light poles?

There will be a total of four (4) poles. Two poles will be between the courts and one will be on the outside of each outside court. The poles on the outside have two (2) fixtures each, the two (2) poles in-between the courts have four fixtures each. This would make a total of twelve (12) light fixtures mounted on the four (4) poles.

- Is there some reason why lighting is not already allowed under the "M-3" zoning?
- Director Duepner answered that, under the current zoning ordinance, "M" District uses do not include outdoor lights. In addition, they are not allowed as a Special Use Permit. Lighted outdoor courts are permitted in commercial districts. The general "M-3" Ordinance allows combinations of industrial uses or those commercial uses which are associated, or accessory, to an industrial use. In this case, the lighted outdoor volleyball courts are accessory to the principal use on the site, which is a soccer facility. The Department approved an amended site development plan for the outdoor volleyball court, as this is a permitted use under the current zoning.

- Why aren't lighted courts automatically allowed under the "M" Districts?
- Director Duepner stated that they are not allowed under any of the "M" Districts. The Ordinance would have to be amended to allow such use.
- Would the restaurant be open at night?
- Mr. Fawcett answered "yes."

SPEAKERS IN FAVOR - NONE

SPEAKERS IN OPPOSITION - NONE

REBUTTAL - WAIVED

SHOW OF HANDS

FOR: 5 AGAINST: 0

APPROVAL OF THE MINUTES

The Minutes were approved from January 27, 1992.

OLD BUSINESS - None

Council Liaison Betty Hathaway left the meeting at this time.

NEW BUSINESS

- A. P.Z. 1-92 Krieger's Pub and Grill; a request for a Conditional Use Permit (CUP) in "C-8" Planned Commercial District; east side of Clarkson Road (Highway 340), north of Baxter Road.

Senior Planner Laura Griggs-McElhanon presented the request for a Conditional Use Permit and the Department's recommendation of approval, subject to conditions contained the Department's report and Attachment A.

A motion to approve the petition, as recommended by the Department, was made by Commissioner Kirchoff. The motion was seconded by Commissioner Cannon.

COMMENTS/DISCUSSION BY COMMISSION

- There is currently a dispute between former owner's of JJ's and the developer. Therefore, the existing fixtures may, or may not, remain in place. It is not possible to determine at this time. The petitioner was informed that, if the fixture was taken down **prior** to approval of this request, the request would be approved without necessitating presentation before the Commission; but, this has not happened to date.

The roll call vote was as follows: Commissioner Brown, yes; Commissioner Cannon, yes; Commissioner Dalton, yes; Commissioner Kirchoff, yes; Commissioner McGuinness, yes; Commissioner O'Brien, yes; Commissioner Scruggs, yes; Commissioner Sherman, yes; Chairman Domahidy, yes.

The motion passed by a vote of 9 to 0.

- B. P.C. 225-87 Clarkson-Wilson Centre; a request for amendment of "C-8" Planned Commercial District Ordinance; east side of Clarkson Road, south of Clarkson Woods Drive.

Senior Planner Laura Griggs-McElhanon presented the requested amendment to relocate the existing drive further to the south, and the Department's recommendation of approval, subject to conditions stated in the report, and the requirements of the State Highway Department. She further stated that the Department, in conjunction with the City Attorney, is seeking to combine all the ordinances governing this site into one (1) ordinance, thereby simplifying its review and/or action in the future. The Department recommends that Section 2, of Ordinance 204 be deleted; add condition (t.) to Section 2(4) of Ordinance 13,903; and amend Section 2(7) - all as stated in the Department's report.

COMMENTS/DISCUSSION BY COMMISSION

- Clarification was requested of Condition number 2 in the Missouri Highway and Transportation Department's letter.
- The petitioner is required to put the left turn in. The road had to be widened when the right turn lane was created. Some roadway improvements may need to be made by the petitioner to conform with the State requirements, to allow for the relocated entrance.
- The petitioner will have to make improvements to Clarkson Road **prior** to being granted a left-turn-in and left-turn-out access.

- There is provision for southbound traffic on Clarkson to allow for stacking, before entering the shopping center. The pavement will have to be widened in order to get the left turn lane in place.
- All improvements made by the petitioner would have to be approved by the State Highway Department.
- The light at Wilson Road is traffic activated, and will remain so in the future.
- The new Wilson Road will be at a T-Intersection opposite Clarkson Woods Drive. The traffic light will be relocated to the new intersection.
- The roadway improvements are aimed at maintaining through traffic in compliance with the new entrance.
- The timing of this new entrance and Wilson Road is not determined. Litigation is pending relative to acquisition of right-of-way, north of this site, by the State Highway Department. This is preventing any improvements to Clarkson Road between Kehrs Mill Road and Baxter Road.
- The approval from the Planning Commission, for the existing right-turn-in and right-turn-out, was given with the condition that the Commission would look at another possible entrance only when the roadway improvements were completed, and not before.
- The Department indicated to the petitioner that it would seek the approval, at least in conceptual form, of the relocated entrance with the current configuration of Wilson and Clarkson, as well as the concurrence of the bi-directional drive, when the Wilson and Clarkson Woods Drive Intersection is completed. The Department has received this correspondence from the State and has presented it to the Commission tonight.
- The tenants of the shopping center have been cited for various zoning violations in the past; but, as of today, there are no violations on the site.
- Mestman Realty manages the property, but does not have an office on-site.
- This development was originally approved by St. Louis County in the 1970's. At that time it had no access onto Clarkson Road. It's sole access was to be on Clarkson Woods Drive. In 1986 or 1987, a site plan was

approved which indicated sole access via Clarkson Woods Drive. The petitioner sought to have some access considered from Clarkson Road. It was at that time that a petition was filed, and a public hearing was held before St. Louis County to consider the amendment to allow them to have access to Clarkson Road.

- The State Highway Department has changed its mind, since the developer has offered to bear the cost of building the turn lanes.
- This amendment will alleviate the economic handicap of the shopping center.
- There has been no discussion regarding the entrance off of Clarkson Woods Drive affecting traffic within Clarkson Woods Subdivision. This entrance would allow visitors more convenience, upon entering and exiting the shopping center.
- The fence along the east line of the shopping center is the responsibility of the petitioner.
- The site development plan, which would show the access, will require the approval from the State Highway Department, as well as the City.

A motion to approve the amendment of Ordinance No. 204 to read as recommended by the Department, and also to approve changes to the other referenced amendments, as cited in the Department's report, was made by Commissioner Kirchoff. The motion was seconded by Commissioner Scruggs.

COMMENTS/DISCUSSION BY COMMISSION

- There would have to be a landscape plan submitted in conjunction with the amended site plan. Some revisions will be necessary, requiring a Landscape Bond now, and a Landscape Maintenance Bond after the installation.
- Originally this site was to serve as a neighborhood center only, with no entrance from Clarkson Road. Then, after it was built, the petitioner received the right-in and right-out access. Because this is so close to the present Wilson Road, it was questioned why the State Highway Department is not requesting a Traffic Study of the petitioner before relocating the entrance.

- As the Wilson Road relocation got pushed-back further and further, the petitioner went to the State Highway Department with drawings/proposals, and were able to convince the State that the location, as proposed now, as well as in the future, would be acceptable.
- No serious consideration has been given to closing off the entrance to this center from Clarkson Woods Drive.
- Concern was expressed over the lack of appropriate signage to give directions to traffic for entering and exiting this site.
- The largest informational/directional sign allowed is ten (10) square feet in outline area.

Commissioner McGuinness made a motion to table this request, and direct the petitioner to generate a Traffic Study, in terms of the relocation of the access. The motion was seconded by Commissioner Sherman.

The roll call vote on the motion to table this request was as follows:
Commissioner Brown, yes; Commissioner Cannon, no; Commissioner Dalton, yes; Commissioner Kirchoff, no; Commissioner McGuinness, yes; Commissioner O'Brien, no; Commissioner Scruggs, no; Commissioner Sherman, yes; Chairman Domahidy, no.

The motion failed by a vote of 4 to 5.

A roll call vote on the original motion was as follows: Commissioner Brown, no; Commissioner Cannon, yes; Commissioner Dalton, no; Commissioner Kirchoff, yes; Commissioner McGuinness, no; Commissioner O'Brien, yes; Commissioner Scruggs, yes; Commissioner Sherman, no; Chairman Domahidy, yes.

The motion passed by a vote of 5 to 4.

Commissioner McGuinness requested a **Minority Report** from the City Council addressing the following issues:

1. concern about the lack of a traffic study;
2. future revisions to this site;
3. proximity to Wilson Road; and
4. introduction of more bi-directional traffic at more spots along the road.

- C. P.C. 91-88 The Siteman Organization (Spirit Trade Center); a request for amendment of "M-3" Planned Industrial District Ordinance; south side of Chesterfield Airport Road, west of Long Road.

Senior Planner Laura Griggs-McElhanon stated the request for the amendment and the Department's recommendation of approval, as stated in the report, with the additional requirement of a two (2) year Landscape Maintenance Bond, upon the release of the Landscape Installation Bond.

COMMENTS/DISCUSSION BY COMMISSION

- The impact, if any, this has on the City's Comprehensive Plan would be complimentary. It is compatible with regard to the right-of-way.
- The east-end connection of Edison Avenue is not required at this time. Spirit Trade would be required to connect to the existing Edison Avenue upon completion of its development.
- Right-of-way was established east of this parcel, the roadway was never required.

A motion to approve this petition, as recommended by the Department, along with the requirement of the Landscape Maintenance Bond, was made by Commissioner Scruggs. The motion was seconded by Commissioner McGuinness.

QUESTIONS/DISCUSSION BY COMMISSION

- Why we are requesting off-site improvements on the west, but not the east?
- There is no east/west roadway to the east. In Chesterfield Executive Park, the only roadway is the north/south road.

The roll call vote was as follows: Commissioner Brown, yes; Commissioner Cannon, yes; Commissioner Dalton, yes; Commissioner Kirchoff, yes; Commissioner McGuinness, yes; Commissioner O'Brien, yes; Commissioner Scruggs, yes; Commissioner Sherman, yes; Chairman Domahidy, yes.

The motion passed by a vote of 9 to 0.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. P.Z. 34-89 Benjamin Houlihan (Chesterfield Fence); "M-3" Planned Industrial District Site Development Plan; south side of Old Olive, west of Chesterfield Airport Road.

On behalf of the Site Plan Review Committee, Commissioner Kirchoff made a motion to approve the re-approval of the Site Development Plan and Elevations, with the conditions, as stated in the Department report. The motion was seconded by Commissioner Scruggs, and passed by a voice vote of 9 to 0.

- B. P.Z. 16-91 Premier Homes, Inc. (Wellesley Place); Planned Environment Unit (PEU) in "R-4" Residence District Site Development Plan; north side of Olive Boulevard, west of West Drive.

On behalf of the Site Plan Review Committee, Commissioner Kirchoff made a motion to accept the Department's recommendation of **approval**. The motion was seconded by Commissioner Brown.

COMMENTS/DISCUSSION BY COMMISSION

- The construction of the island was discussed at great length.

An **amendment** to the original motion was made by Commissioner McGuinness to have some landscaping in the required island. The motion was seconded by Commissioner Cannon.

COMMENTS/DISCUSSION BY COMMISSION

- The island (twenty (20) feet in length) would be located at the entrance, with a fourteen (14) foot drive aisle on either side. The island has a six (6) inch curb, and it could be difficult to maintain any type of landscape materials within it.
- Some type of a rock-scape island was suggested.
- No irrigation has been anticipated by the petitioner.

- Landscaping does not have to be something that is growing, and could include some rock work.
- Monument signs, with landscaping easements, have been provided on either side of the entrance.
- The developer would prefer no island.

Director Duepner suggested adding the clause "as approved by the Missouri Highway and Transportation Department" to the condition. Otherwise, the petitioner would be required to resubmit their plans to the Commission, should the Highway Department not concur.

Commissioner McGuinness accepted this as part of the amendment, noting the landscaping requested must be clearly stated. The Commission desires something additional to detract from the harshness of a concrete island.

The vote on the amendment to the original motion to require landscaping in this island, and given the approval of the State Highway Department, was as follows: Commissioner Brown, yes; Commissioner Cannon, yes; Commissioner Dalton, yes; Commissioner Kirchoff, yes; Commissioner McGuinness, yes; Commissioner O'Brien, yes; Commissioner Scruggs, yes; Commissioner Sherman, yes; Chairman Domahidy, yes.

The amendment to the original motion passed by a vote of 9 to 0.

COMMENTS/DISCUSSION BY COMMISSION

- The State Department controls the curb cut and the access. They also review the geometrics of the design, since the front end of the island is within their right-of-way.

The roll call vote on the original motion, as amended, was as follows: Commissioner Brown, yes; Commissioner Cannon, yes; Commissioner Dalton, yes; Commissioner Kirchoff, yes; Commissioner McGuinness, yes; Commissioner O'Brien, yes; Commissioner Scruggs, yes; Commissioner Sherman, yes; Chairman Domahidy, yes.

The original motion, as amended, passed by a vote of 9 to 0.

- C. P.C. 164-83 Chesterfield Executive Park, Inc.; "M-3" Planned Industrial District Site Development Section Plan (Lots 2 and 3); east side of Cepi Drive, south of Chesterfield Airport Road.

On behalf of the Site Plan Review Committee, Commissioner Kirchoff made a motion to approve Phase 1 of the Site Development Section Plan, with the conditions as established in the Department's report. The motion was seconded by Commissioner Brown, and passed by a voice vote of 9 to 0.

COMMITTEE REPORTS

A. Ordinance Review Committee

Committee Chairman Brown reported that the Ordinance Review Committee will meet Tuesday afternoon at 4:30 p.m.

B. Architectural Review Committee

Committee Chairman O'Brien reported that the Committee met last Tuesday, February 4, 1992. At that meeting the Committee discussed preliminary draft guidelines prepared by Director Duepner. The Committee concurred with the direction of the preliminary guidelines, and requested Mr. Duepner to define and revise, as necessary, according to the Committee's specifications.

C. Site Plan/Landscape Committee

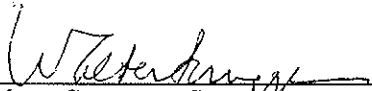
Committee Chair Kirchoff reported that the Committee will meet Thursday, February 13th, at 4:00 p.m., to give further consideration to the policies already in place.

D. Comprehensive Plan Committee

Committee Chair McGuinness reported that the Committee had a good meeting last Wednesday, February 5th. A large number of people attended from the annexation area. It was an enjoyable, informative meeting. Information sheets have been received from individuals who would like to serve on the Annexation Committee.

Director Duepner stated that we have three (3) sheets to date. Another sheet is forthcoming.

The meeting adjourned at 8:40 P.M.



Walter Scruggs, Secretary

[MIN2-10]