PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
January 12, 1998

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

PRESENT	ABSENT
Mr. Fred Broemmer	
Mr. Michael Casey	
Mr. Dave Dalton – arrived later	
Mr. Charles Eifler	
Mr. Robert Grant	
Mr. Dan Layton, Jr.	
Ms. Linda McCarthy	
Mr. Allen Yaffe	
Mr. Rick Bly, Chairman	
Mayor Nancy Greenwood	
Mr. Douglas R. Beach, City Attorney	
Councilmember Mary Brown, Council Liaison	
Ms. Teresa J. Price, Director of Planning	
Ms. Laura Griggs-McElhanon, Assistant Director of Planning	
Ms. Patricia Detch, Planner II	
Mr. Tim Reed, Planning Technician	
Mr. Jeremy Lochirco, Planning Technician	
Ms. Sandra Lohman, Executive Secretary	

INVOCATION: Commissioner Dan Layton

PLEDGE OF ALLEGIANCE - All

Chairman Bly recognized Mayor Nancy Greenwood, Councilmember Larry Grosser, and Councilmember Barry Streeter.

PUBLIC HEARINGS:

Commissioner Yaffe read the first portion of the "Opening Comments."

A. **P.Z. 1-98 Hennessey Development Inc. (White House Farm)**; a request for a change in zoning from "NU" Non-Urban District to "R-2" 15,000 square foot Residence District for a 4.8 acre tract of land located on the east side of White Road, 2,500 feet south of Olive Boulevard. (Locator Number: 18R53-0033) Proposed Use: Single Family Residences.

Planning Technician Tim Reed gave a slide presentation of the subject site and surrounding area.

Commissioner Dalton arrived at this time.

Mr. Peter P. Hennessey, President of Hennessey Development, spoke on behalf of the petition noting the following:

- presented some photos to the Commission depicting trees on subject site he is attempting to save, as well as examples of previous jobs;
- the proposed development would consist of ten (10) lots (i.e., nine (9) new homes and rehab existing farmhouse);
- there would be minimal grading on the site – it is mostly flat;
- will attempt to put in street without taking out existing, large trees;
- described surrounding land use/zoning;
- the street would be public;
- storm detention will meet the new MSD requirements;
- lots would be 15,000 square feet or greater;
- there would be minimal common ground area;
- the Historical Society likes the idea of rehabbing the existing farmhouse;
- the St. Louis County Department of Highways and Traffic street/access requirements would require removal of the one large room addition of the existing farmhouse, located closest to the new proposed street, because it's in the twenty-five (25) foot setback;

COMMENTS/DISCUSSION

- The existing farmhouse is in excess of 3,000 square feet in size.
- The proposed homes would range in size from 3,000 to 3,500 square feet.
- Prices of homes would range from $375,000 to $475,000.
- Frontages would be from 90 to 100 feet, maybe smaller in cul-de-sac locations.

- Neighbors have not been contacted. Commission suggested he contact the neighbors.

SPEAKERS IN FAVOR:

Mr. Mike Sater, Sabur Surveying and Engineering, noted he is here to answer questions.

SPEAKERS IN OPPOSITION:

1. Mr. Clifford Segal, 14478 Callaway Court, Chesterfield, MO 63017, spoke as an individual noting concerns about water detention problems, both existing and future; sinkholes; collapsed storm sewers; poor drainage; etc. He noted the developer did not contact the neighbors.

2. Ms. Eileen Mazva, 14492 Callaway Court, Chesterfield, MO 63017, spoke as an individual noting concerns about drainage problems; collapsed sewer on her property; and increased traffic on White Road.

3. Mr. Thomas Johnson, 375 Littany Lane, Chesterfield, MO 63017, spoke as an individual noting concern about drainage problems across White Road – including a possible safety hazard in the event a child would go near the stormwater; and traffic problems on White Road. He showed a photograph to the Commission depicting the drainage problems he described.

SPEAKERS - NEUTRAL:

1. Mr. Bert Schweizer III, 374 Littany Lane, Chesterfield, MO 63017, spoke as an individual noting he was not contacted by the developer and gave a brief history of the subject property. He noted the original topography of the site was quite rolling. When the adjacent subdivision was developed, the subject site was graded, which has caused stormwater and erosion problems.

2. Mr. Ken Rosenthal, 14472 Callaway Court, Chesterfield, MO 63017, spoke as an individual noting his primary concern is the drainage control.

REBUTTAL:

Mr. Mike Sater noted the following:

- he was out on a field investigation of the site and is aware of the problems the residents have expressed tonight;

- the subject site is located on a hill and the drainage flows in three different directions to neighboring subdivisions on two (2) sides;

- in some instances the drainage system that is supposed to be in place for development adjacent to the subject site has eroded or is non-existent; thereby causing water to go straight down the hills and into resident's yards;

- the proposed development would provide extra swales to direct the water to three (3) different structures to collect the water; thereby preventing the problems of water going over hills and into resident's yards;

- the sight distances along White Road are well in excess of 400 feet; and

- the proposed entrance would add more pavement to White Road; therefore, he doesn't believe safety will be an issue.

COMMENTS/DISCUSSION

- The elevation of the proposed development is about at the rooftop level of the homes in Windemere Subdivision.

- There are three existing watersheds; the petitioner is providing one (1) detention pond, subject to approval of MSD.

- MSD is requiring the petitioner to provide a very extensive study of the downstream storm sewer to make sure that, whatever they do, they don't impact the capacity of those existing storm sewers.

Commissioner Yaffe read the next portion of the "Opening Comments."

B. **P.Z. 2-98 Red Lion Beef Corp., dba (Lion's Choice)**; a request for an amendment to an existing "C-8" Planned Commercial District established by City of Chesterfield Ordinance Number 1148 [P.Z. 36-95 Leo B. Pelligreen Jr. and Marilyn A. Henske (Sooner Investment Group)] and a change in zoning designation from "C-8" Planned Commercial District to "PC" Planned Commercial District for a 1.9 acre tract of land located on the 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 (Locator Numbers 18S52-0800, 18S52-0866, 18S52-0471). Proposed amendment: Allow an additional Fast Food Restaurant with drive-through facility as a permitted use.

Planning Technician Tim Reed gave a slide presentation of the subject site and surrounding area.

Mr. John Yaakub, CRM Engineering, spoke on behalf of the petition noting the following:

- Marvin Gibbs, President and CEO of Lion's Choice, and Julie Kovarik, Traffic Engineer with Crawford-Bunte-Brammeier, are here tonight to answer questions;

- described the subject site and surrounding area;

- the subject site consists of two (2) lots – both containing approximately .4 acres, and they will boundary adjust into one (1) lot containing .8 acres;

- the existing outlet drive for the Taco Bell onto Chesterfield Parkway North is also on the subject site;

- the developer proposed to keep the access points in the same spot, with a slight relocation in the front;

- the restaurant would be 3,165 square feet, and includes a drive-thru facility;

- forty-five (45) parking spaces are proposed (two (2) would be handicapped);

- stormwater detention would be in a shared detention basin located on the Taco Bell site, which was previously approved by MSD;

- he presented a colored rendering of the proposed development to the Commission;

- the proposed building would have a brick facade;

- a proposed monument sign would be located at the Chesterfield Parkway North entrance;

- some building signage is also proposed (shown on the exhibit);

COMMENTS/DISCUSSION

- Some of the older Lion's Choice buildings still do not have drive-thrus, but are being rehabbed to include them.

Mr. Marvin Gibbs noted there are currently thirteen (13) Lion's Choice restaurants in the St. Louis Metro area; two (2) of which are to be rehabbed to include a drive-thru facility.

- The existing curb cut onto Chesterfield Parkway North will be shared by Taco Bell and the proposed Lion's Choice.

- Traffic from Lion's Choice may access Olive Street Road through the Taco Bell drive (i.e., there will be cross-access between the two (2) sites).

- The Olive Street Road curb cut will remain as right-in, right-out only.

SPEAKERS IN FAVOR: - None

SPEAKERS IN OPPOSITION:

1. Jade Gardner Bute, 1510 Walpole Drive, Chesterfield, MO 63017, spoke as an individual noting concerns about turning Chesterfield Parkway into another Manchester Road. She suggested the fast food businesses should be placed in Chesterfield Valley.

SPEAKERS - NEUTRAL - None

REBUTTAL:

Mr. Yaakub called upon the petitioner's Traffic Engineer, Julie Kovarik, to present the Traffic Study statistics to the Commission.

Ms. Kovarik gave a quick overview of the Study, noting the existing operations on Olive Street Road and Chesterfield Parkway North were used to acquire the statistics given in the Traffic Study. She noted it was basically their conclusion that there would not be any traffic operating difficulties resulting from the proposed development.

COMMENTS/DISCUSSION

- There was discussion about the internal circulation, both existing and proposed, for both the Taco Bell Restaurant and the proposed Lion's Choice.

- Traffic volume during peak hours was discussed.

- The proposed Lion's Choice will have two (2) drive-thru windows; this will improve the stacking time.

- A Traffic Study has been submitted to the City.

Mayor Nancy Greenwood requested that the petitioner provide calculations to the City noting the average number of transactions per store during the time period of 11:00 a.m. to 1:00 p.m., and 4:00 p.m. to 7:00 p.m.

Mr. Gibbs noted they can supply this number, but further calculations are needed to ensure accuracy.

Commissioner Yaffe read the next portion of the "Opening Comments."

C. **P.Z. 3-98 Hardesty Properties, Inc. (Lot 2 Chesterfield Industrial Park)**; a request for an approval of a Site Development Plan in the "M-3" Planned Industrial District and a change in zoning designation from "M-3" Planned Industrial District to "P-I" Planned Industrial District for a 4.7 acre tract of land located on the west side of Chesterfield Industrial Boulevard, at the intersection of Chesterfield Airport Road and Chesterfield Industrial Boulevard. (Locator Number: 17U13-0033) Proposed Use: Office/Warehouse, Retail.

Planning Technician Tim Reed gave a slide presentation of the subject site and surrounding area.

Mr. Brett Hardesty, petitioner, spoke on behalf of the proposed development noting the following:

- gave the history of the subject site,
- the dioxin has been removed, as approved by the EPA (he gave the books containing the Phase I and Phase II Environment Site Assessment of the site to Planning Director Teresa Price);
- the storage building has been removed from the site;
- two (2) buildings are proposed on the site, and would total approximately 53,000 square feet;
- building #1 (35,000 square foot office/warehouse) would face Chesterfield Industrial Boulevard;
- building #2 (18,000 square foot office-type building) would face Chesterfield Airport Road;
- building facade would match those in surrounding area (he presented a colored rendering of the proposed buildings to the Commission);

Mr. Dave Volz, noted the following:

- the engineering on the site is fairly limited;
- the infrastructure of the subject site was developed along with Chesterfield Industrial Park;
- two (2) laterals will be extended into the existing sanitary sewer;
- drainage will go to the west to an existing ditch, and be part of the Chesterfield Valley Master Drainage Plan;
- three (3) curb cuts are proposed - one (1) off of Chesterfield Airport Road, and two (2) off of Chesterfield Industrial Boulevard; and
- the existing curb cut will be moved.

SPEAKERS IN FAVOR: - None

SPEAKERS IN OPPOSITION: - None

SPEAKERS - NEUTRAL: - None

REBUTTAL - Waived

Commissioner Yaffe read the next portion of the "Opening Comments."

D. **P.Z. 4-98 Chesterfield Village, Inc.**; a request for a change in zoning from "NU" Non-Urban District to "PC" Planned Commercial District for a 0.4 acre tract of land located on the south side of Chesterfield Airport Road, 300 feet east of the intersection of Chesterfield Parkway South. (Locator Number: 18S41-0239) Proposed Use: Parking area, garage, access/internal drive.

Planning Technician Tim Reed gave a slide presentation of the subject site and surrounding area.

Mr. Steven W. Koslovsky, Attorney for the petitioner, noted the following:

- the petitioner wishes to combine two (2) tracts (i.e., the subject tract with the existing "C-8" Zoned property to the east and south;
- described a Concept Plan rendering of the subject site and described the adjacent properties;
- the First Baptist Church, formerly on the subject site, has been relocated;
- the subject site is designated as "Urban Core" in the City's Master Plan;
- noted the urgency that previously existed for the site (i.e., Solutia) is no longer an issue;
- the subject site, whether utilized in connection with a Solutia-type office building, or in connection with another permitted use on that property, would serve the sole purpose of providing secondary access to the property to the property from Chesterfield Airport Road, as well as additional parking area for either surface parking or structured parking, depicted on the Site Plan rendering before the Commission;

COMMENTS/DISCUSSION

- The grade of the cemetery is to be raised, removing the markers, then replacing those markers so the grade level of the cemetery would fit in with the proposed development.
- Additional landscaping of the cemetery is planned.

Mr. Leroy Woodward, representative for the First Baptist Church, noted the following:

- the Church has been working with Sachs to upgrade/beautify the cemetery, so that families having a history there (i.e., loved ones buried there to visit) will be allowed the opportunity to continue visitation; and

- they plan to have the cemetery use grandfathered into the zoning;

Mr. Koslovsky noted the proposed development would not affect the use of the cemetery or plans to upgrade the cemetery. The petitioner does not have any plans (i.e., adding structures) to the cemetery, beyond what exists. He further noted the Church still owns the cemetery property; it is up to them to decide what they want to do with it.

SPEAKERS IN FAVOR: - None

SPEAKERS IN OPPOSITION: - None

SPEAKERS - NEUTRAL: - None

Commissioner Yaffe read the final portion of the "Opening Comments."

APPROVAL OF THE MINUTES:

A motion to approve the minutes of December 8, 1997 was made by Commissioner Grant, seconded by Commissioner Casey **and passes by a voice vote of 9 to 0.**

PUBLIC COMMENT: None

NEW BUSINESS:

A. **P.Z. 34-96 Old Smokehouse Investment Group L.L.P. (The Valley Forum/ Chesterfield Grove)**; "C-3" Shopping District Ordinance Amendment; east side of Chesterfield Airport Road, north of Bonhomme Creek and south of U.S. 40.

Director Price summarized the request and Department's recommendation for approval of the Ordinance Amendment.

A motion to approve the Ordinance Amendment, as stated in the Department's report, was made by Commissioner Casey. The motion was seconded by Commissioner Layton.

Upon a roll call the vote was as follows: Commissioner Broemmer, yes; Commissioner Casey; yes; Commissioner Dalton, yes; Commissioner Eifler, yes; Commissioner Grant, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Commissioner Yaffe, yes; Chairman Bly, yes.

The motion passes by a vote of 9 to 0.

B. **P.Z. 10 & 11-96 L.A.C. Corp. & Wild Horse Summit Development Corporation (Greystone/Greystone Addition);** request for an amendment to a Planned Environment Unit (PEU) Procedure in the "R-1" One Acre Residence District and the "FPR-1" Flood Plain One Acre Residence District; south side of Wild Horse Creek Road, west of Wildhorse Parkway (relative to driveway access to the subdivision entrance street).

Assistant Director Griggs-McElhanon summarized the request and Department's recommendation of approval, as stated in the report.

A motion to approve the Amendment, in accordance with the Staff's report was made by Commissioner Grant. The motion was seconded by Commissioner Casey.

Upon a roll call the vote was as follows: Commissioner Broemmer, yes; Commissioner Casey; yes; Commissioner Dalton, yes; Commissioner Eifler, yes; Commissioner Grant, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Commissioner Yaffe, yes; Chairman Bly, yes.

The motion passes by a vote of 9 to 0.

C. **P.C. 178-85 A & O Investments (Residence Inn)**; request for an amendment of "C-8" Planned Commercial District Ordinance, St. Louis County Ordinance Number 12,341, as amended by St. Louis County Ordinance Number 12,821; north side of Conway Road, west of Chesterfield Parkway North (relative to permitted uses and legal description).

Assistant Director Griggs-McElhanon summarized the request and Department's recommendation of approval, as stated in the Staff's report.

COMMENTS/DISCUSSION

- The amendment would be for the ordinance that applies to the old Residence Inn development.

A motion to approve the amendment request was made by Commissioner Casey. The motion was seconded by Commissioner Broemmer.

Upon a roll call the vote was as follows: Commissioner Broemmer, yes; Commissioner Casey; yes; Commissioner Dalton, yes; Commissioner Eifler, yes; Commissioner Grant, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Commissioner Yaffe, yes; Chairman Bly, yes.

The motion passes by a vote of 9 to 0.

D. Planning Commission of the City of Chesterfield – Update to the City of Chesterfield Comprehensive Plan Land Use Map; approval of Resolution.

Assistant Director Griggs-McElhanon noted that the City Council approved a Resolution of support at their last meeting. The final step is for the Commission to vote on the Resolution contained in the meeting packet.

A motion to approve the Resolution was made by Commissioner Casey and seconded by Commissioner Grant.

Upon a roll call the vote was as follows: Commissioner Broemmer, yes; Commissioner Casey; yes; Commissioner Dalton, yes; Commissioner Eifler, yes; Commissioner Grant, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Commissioner Yaffe, yes; Chairman Bly, yes.

The motion passes by a vote of 9 to 0.

E. **P.Z. 4-98 Chesterfield Village, Inc.**; "NU" Non-Urban District to "PC" Planned Commercial District; south side of Chesterfield Airport Road, 300 feet east of the intersection of Chesterfield Parkway South.

Note: There was not action on this item.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

A. **P.Z. 18 & 19-96 Chesterfield Village, Inc., Louis Sachs and Nancy R. Sachs and P.C. 172-71 Sachs Properties – Wildhorse Hills/Estates at Baxter Ridge/Baxter Ridge Villas/Estates and Villas as Baxter Pointe**; Planned Environment Unit (PEU) Procedure in the "R-1," "R-2," "R-3" and "R-5" Residence Districts Amended Site Development Plan; south side of Wild Horse Creek Road, west of Baxter Road.

Commissioner Grant, on behalf of the Site Plan Committee, made a motion to approve the Amended Site Development Plan. The motion was seconded by Commissioner Casey **and approved by a voice vote of 9 to 0**.

B. **P.C. 168-71 Sachs Properties, Inc. (Chesterfield Mall)**; "C-8" Planned Commercial District Amended Site Development Plan, Architectural Elevations, Landscape Plan (Romano's Macaroni Grill); northwest quadrant of Chesterfield Parkway South and Clarkson Road.

Commissioner Grant, on behalf of the Site Plan Committee, made a motion to approve the Amended Site Development Plan, Architectural Elevations and Landscape Plan, with the condition that the applicant be required to confer with the Public Works Department to address the safety aspects of pedestrian crossings on the interior street adjacent to the restaurant. The motion was seconded by Commissioner Casey **and approved by a voice vote of 9 to 0**.

IX. COMMITTEE REPORTS:

A. Ordinance Review Committee - No report
B. Architectural Review Committee - No report
C. Site Plan/Landscape Committee – No report
D. Comprehensive Plan Committee – No report
E. Procedures and Planning Committee

Chairman Bly noted the Committee met earlier tonight and requested that Staff revise the By-Laws to call for a six (6) person majority on Planning Commission votes [from a five (5) vote requirement]. This revision is the result of adding Mike Geisel, Public Works Director, as a member of the Planning Commission. In addition, the Committee came up with a number of issues they wanted brought back to the Planning & Zoning Subcommittee of Council regarding the Architectural Review Committee being established by the Planning Commission. He noted that Director Price is to submit these issues to the Planning & Zoning Committee and bring a response back to the Commission to re-address.

A motion to adjourn was made by Commissioner Casey, seconded by Commissioner Eifler, **and passes by a voice vote of 9 to 0.**

The meeting adjourned at 8:29 p.m.

Michael J. Casey, Secretary

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