

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
JANUARY 10, 1994**

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

PRESENT

Mr. Fred Broemmer
Ms. Mary Brown
Mr. Dave Dalton
Ms. Mary Domahidy
Mr. Bill Kirchoff
Ms. Patricia O'Brien
Mr. Walter Scruggs
Ms. Victoria Sherman
Chairman Barbara McGuinness
Mr. Douglas R. Beach, City Attorney
Mayor Jack Leonard
Councilmember Susan Clarke
Mr. Jerry Duepner, Director of Planning
Ms. Laura Griggs-McElhanon, Senior Planner
Mr. Joe Hanke, Planner II
Ms. Sandra Lohman, Executive Secretary

ABSENT

INVOCATION - Commissioner Domahidy

PLEDGE OF ALLEGIANCE - All

PUBLIC HEARINGS - Commissioner Brown read the "Opening Comments."

- A. **P.Z. 1-94 Taylor-Morley, Inc.**; a request for a change in zoning from "NU" Non-Urban District to "R-1A" 22,000 Square Foot Residence District for a 10.53 acre tract of land located on Wild Horse Creek Road, approximately 900 feet west of Chesterfield Estates Drive. (Locator Numbers: 18U240210, 18U240232 and 18U240221)

AND

P.Z. 2-94 Taylor-Morley, Inc.; a request for a Planned Environment Unit Procedure in the "R-1A" 22,000 Square Foot Residence District for the same 10.53 acre tract of land located on Wild Horse Creek Road, approximately 900 feet west of Chesterfield Estates Drive. (Locator Numbers: 18U240210, 18U240232 and 18U240221)
Proposed Use: Single-Family Residential

Joe Hanke, Planner II, gave a slide presentation of the site and surrounding area.

Mr. Harry Morley, spoke on behalf of the petitions, noting the following:

- He gave a brief description of the subject parcel (i.e., topography, vegetation) and surrounding land uses.
- It was noted there is currently one (1) house with an attached garage on the subject parcel.
- There is a private road easement along the western portion of the subject tract that extends to the rear (southern edge).
- A road easement that runs across the site, connecting to a sixty (60) foot wide road easement on the east, is in the process of being vacated.
- The adjoining property owners have an interest in the road easement, and have right of access to same.
- Fourteen (14) lots are proposed, having a minimum of 22,000 square feet. A detention area is proposed along Wild Horse Creek Road.
- The minimum lot frontage will be 100 feet.
- The depth of the lots will generally be from 180 to 190 feet, with some being over 200 feet.
- Setbacks from the private road easement will vary from thirty (30) feet to twenty (20) feet, in keeping with the Ordinance Regulations of the City of Chesterfield.

- There will be a minimum front yard setback of thirty (30) feet from street right-of-way; minimum side yard setback of eight (8) feet, with a minimum of twenty (20) feet between structures; and a minimum rear yard setback of fifteen (15) feet.
- Lots abutting the private road easement will be greater in depth to allow for appropriate setback in this area.
- Access into the site is a single bi-directional street, with a cul-de-sac at the end.
- The internal street will have a forty (40) foot wide right-of-way, with a twenty-six (26) foot wide pavement. It will be proposed to be a public street to be accepted by the City of Chesterfield.
- Sidewalks will be provided on both sides of the street within the proposed development.
- Should the State and County require a sidewalk along Wild Horse Creek Road, the developer will comply.
- Homes will range in price beginning at \$375,000 and \$400,000, and up. The minimum square footage of the proposed homes will be approximately 3500 square feet.
- One of the current property owner has selected of one (1) of the three (3) cul-de-sac lots, and plans to build a 4000 square foot home.
- The homes will have a rear or side entry, three (3) car garage.
- Construction materials for the homes will be masonry and frame.
- Sewers would be proposed to be accepted by the Metropolitan Sewer District.
- A thirty (30) foot wide landscape buffer along Wild Horse Creek Road will be provided, as required by the Chesterfield Landscape Guidelines.
- There will be a continuous buffer of evergreens along the western edge of the subject property, adjacent to the private road easement. The road will be improved to two (2) lanes, making it a full bi-directional road, and evergreens will be planted along the entire length of the western edge of the property.

- He noted the City's Comprehensive Plan, with regard to the West Area, recommends low density, single-family residences for this area (i.e., 1/2 acre to 2 acre lots).
- The yield on an "R-1" zoned parcel is only four (4) lots less than the "R-1A" proposed; therefore, he believes the request is appropriate transitional zoning.
- The petitioner has met with Trustees of Country Place, and they support the proposed zoning.
- The petitioner has met with residents of Wildhorse Ridge Subdivision, and acquired a petition of endorsement signed by all seven (7) residents.
- The private easement road on the west does not generate much traffic.
- The proposed development of fourteen (14) units will not generate a great deal of traffic.

COMMENTS/DISCUSSION BY COMMISSION

- The land to the east of the subject site is not currently available for purchase.

Chairman McGuinness noted, for the record, Councilmember Tilley advised her that both she and Councilmember Hrabko attended the meeting between the petitioner and trustees. The Councilmembers stated that residents in attendance at the meeting endorsed the proposed development.

- The lots of the proposed development will not have access to Wild Horse Ridge Road (the private road easement along the western edge of the proposed development).
- At the present time, the evergreen trees are to be planted in a straight line along the roadway easement; however, there may be somewhat of an offset to create the landscaping ambience desired.
- The lack of stub streets in the proposed development, as well as surrounding developments, was noted as not being a desirable situation.
- The developer has not given consideration to additional access via stub streets. The owner of the property to the east is not willing to sell, and surrounding developments do not provide stubs.

- It was noted the City is conducting a West Area Study, and would appreciate any help the petitioner would offer.
- Three (3) stub streets had been discussed, but would be most difficult to provide in this development. The developer has not had time to respond to the Fire District comments.
- The possible widening of Wild Horse Creek Road was discussed.
- The Planned Environment Unit is being requested for the reduction in the side yard setbacks (i.e., minimum of eight (8) feet - with twenty (20) feet between structures, in lieu of twelve (12) feet).
- The subject of transitional zoning was discussed. It was noted that there would be a difference of four (4) lots should the parcel be zoned "R-1" One Acre Residence District, with a considerable cost difference.

Commissioner Domahidy noted, from the overall planning of the area, that the Commission has been working over the past year for a higher density to the west. She expressed concern about the difference in precedent of "R-1A" versus "R-1" Zoning.

Mr. Morley stated the difference in precedent becomes lost, essentially, after a development is undertaken. The homes being built in the proposed development will be in excess, value-wise, of those constructed on both of the adjoining parcels.

SPEAKERS IN FAVOR:

Mr. Tom Fleming, 17067 Rooster Ridge Drive, Chesterfield, MO 63005, spoke as a Trustee of Wildhorse Ridge Subdivision.

Mr. Fleming noted the following:

- Wildhorse Ridge Subdivision is located to the south and west of the proposed development.
- All seven (7) residents of Wildhorse Ridge Subdivision are in favor of the proposed development.
- The developer has agreed to improve the existing ten (10) foot wide road to a twenty-one (21) foot wide roadway.

- The developer will replace a row of scrub trees along this roadway with evergreens.
- The developer will provide Wildhorse Ridge Subdivision with a nice entrance-way of comparable design and structure to that of the proposed development. Residents of his subdivision believe it will enhance the aesthetics and value of their homes.
- He expressed concern about the traffic along Wild Horse Creek Road.

COMMENTS/QUESTIONS BY COMMISSION

Commissioner Sherman inquired whether Mr. Fleming had any opinions about the "R-1" versus the "R-1A" Zoning request.

Mr. Fleming replied that he believes the density created throughout the area (the lots in Country Place) are really 1/2 to 3/4 acre lots. The mathematics of the density depicts enough greenspace set aside to accomplish the overall density. He further believes that the amount of greenspace directly at the rear of the proposed development will provide a sufficient amount to be consistent with the developments to the east and west of Wildhorse Ridge Subdivision; therefore, he is not concerned about the proposed density.

SPEAKERS IN OPPOSITION: - None

SPEAKERS - NEUTRAL: - None

REBUTTAL: - Waived

Commissioner Brown read the remainder of the "Opening Comments."

SHOW OF HANDS:

IN FAVOR: 34

IN OPPOSITION: 1

NEUTRAL: 0

APPROVAL OF THE MINUTES

Commissioner Sherman made a motion to approve the minutes from the meeting of December 13, 1993, with two (2) minor changes on pages 1 and 13 respectively. The motion was seconded by Commissioner Brown and passed by a voice vote of 9 to 0.

PUBLIC COMMENTS - None

OLD BUSINESS - None

NEW BUSINESS

- A. **P.Z. 18 & 19-93 Nooning Tree Partnership**; "NU" Non-Urban District to "R-3" 10,000 Square Foot Residence District and Planned Environment Unit (PEU) procedure in the "R-3" 10,000 Square Foot Residence District; south side of Olive Boulevard, east of the intersection of Appalachian Trail and Olive Boulevard.

Senior Planner Laura Griggs-McElhanon noted the Department recommends this matter be held.

Commissioner Domahidy made a motion to hold this matter. The motion was seconded by Commissioner Sherman and passed by a voice vote of 9 to 0.

- B. **P.Z. 28-93 Caplaco Seven Inc**; Conditional Use Permit (CUP) in the "C-2" Shopping District; Four Seasons Shopping Center, south side of Olive Street Road, west of Woods Mill Road.

Senior Planner Laura Griggs-McElhanon noted the request and the Department's recommendation of approval, subject to the attached conditions being amended as follows: #1. of Attachment A to read - The permitted uses for this Conditional Use Permit shall be a veterinary clinic/animal hospital (delete remainder of sentence); and #5. of Attachment A - add sentence to read - No outdoor runs shall be permitted.

Commissioner Brown made a motion to approve the request, including revisions to Attachment A. The motion was seconded by Commissioner Broemmer.

A motion to amend the original motion was made by Commissioner Sherman to change the wording of Condition 5. of Attachment A as follows: "No animals shall be boarded overnight excluding birds or animals required to stay overnight due to a surgical/medical procedure." The motion was seconded by Commissioner Brown and passed by a voice vote of 9 to 0.

Director Duepner noted that the permit would terminate if there was any violation of the Conditions. Therefore, if there is a health code violation, not only would they be shut down for health reasons, but their Conditional Use Permit could be revoked.

Upon a roll call the vote on the original motion, as amended, was as follows: Commissioner Broemmer, yes; Commissioner Brown, yes; Commissioner Dalton, yes; Commissioner Domahidy, yes; Commissioner Kirchoff, yes; Commissioner O'Brien, yes; Commissioner Scruggs, yes; Commissioner Sherman, yes; Chairman McGuinness, yes. **The original motion, as amended, passed by a vote of 9 to 0.**

- C. **P.Z. 11-93 City of Chesterfield Planning Commission**; a proposal to amend Sections 1003.020 Definitions; 1003.101 "FP" Flood Plain District Regulations; 1003.103 "PS" Park and Scenic District Regulations; 1003.107 "NU" Non-Urban District Regulations; 1003.111 "R-1" Residence District Regulations; 1003.112 "R-1A" Residence District Regulations; 1003.113 "R-2" Residence District Regulations; 1003.115 "R-3" Residence District Regulations; 1003.117 "R-4" Residence District Regulations; 1003.119 "R-5" Residence District Regulations; 1003.120 "R-6A" Residence District Regulations; 1003.120A "R-6AA" Residence District Regulations; 1003.121 "R-6" Residence District Regulations; 1003.123 "R-7" Residence District Regulations; 1003.125 "R-8" Residence District Regulations; 1003.131 "C-1" Neighborhood Business District Regulations; 1003.133 "C-2" Shopping District Regulations; 1003.135 "C-3" Shopping District Regulations; 1003.137 "C-4" Highway Service Commercial District Regulations; 1003.141 "C-6" Office and Research Service District Regulations; 1003.143 "C-7" General Extensive Commercial District Regulations; 1003.151 "M-1" Industrial District Regulations; 1003.153 "M-2" Industrial District Regulations; 1003.168 Sign Regulations - General; 1003.168A Sign Regulations for "FP", "PS", "NU", and All "R" Districts; 1003.168B Sign Regulations for All "C", "M", and "MXD" Districts; 1003.168C Subdivision Information Signs; and, 1003.168D Temporary Signs of the City of Chesterfield Zoning Ordinance relative to sign regulations.

Joe Hanke, Planner II, summarized the Department's report on the Sign Regulations.

COMMENTS/DISCUSSION BY COMMISSION

Commissioner Scruggs requested a change in the last sentence of Section D-6, 5.(2) to read: "Not more than one (1) advertising sign shall be permitted on one (1) structure, except that where a structure is located perpendicular to the street right-of-way, one (1) sign facing shall be permitted in each direction."

Commissioner O'Brien requested "v-shaped" signs be considered for billboards in this proposal.

Joe Hanke, Planner II, stated that State Statute does specifically address the nature of the "v-shaped" sign. Our Ordinance addresses "v-shaped" signs in general, as well. It is his belief that, if we were confronted with a proposal for a "v-shaped" sign (the nature of a "v-shaped" sign being one (1) sign on each face), the Department would view it, essentially, as an expanded version of the perpendicular sign. It is assumed there is a sign on each face, and its outline area, etc., is counted the same as a sign perpendicular to the right-of-way.

Joe Hanke, Planner II, asked the Commission for clarification that there should only be one (1) billboard per structure, allowing a sign facing in each direction when located perpendicular to the right-of-way, and precluding any of the double-decking billboard structures.

Chairman McGuinness stated this is the consensus of the Commission.

Commissioner O'Brien noted, as a point of clarification, that the message could be different on the reverse side of the sign.

Joe Hanke, Planner II, recommended a sentence on Page E-2, 3.(2) be changed to read - "A minimum of two (2) flags, including a local, state or national flag in addition to one (1) permitted commercial flag, shall constitute a flag display."

Commissioner Domahidy recommended a change to Page E-2, first paragraph, to change the thirty (30) days per calendar year to forty-five (45) days.

Commissioner Scruggs made a motion to amend the Regulations to change Page E-2 to sixty (60) days (from 30 to 60), and Page E-8 (from 45 to 60). **The motion dies for lack of a second.**

Commissioner Domahidy made a motion to amend the Regulations to change Page E-2 to forty-five (45) days. The motion was seconded by Commissioner Sherman **and passed by a voice vote of 8 to 1, with Commissioner Broemmer voting no.**

- It was noted that it would be possible to have one (1) forty-five (45) day period run with one type, and then another forty-five (45) day period up to ninety (90) days.

Joe Hanke, Planner II, recommended, on the part of the Committee, endorsement of the attachments contained within the report, including the other remaining Sections. Also, as a part of that recommendation, the Committee would repeal both

Ordinance No. 129, and the existing Sign Regulation Sections. In addition, he requested concurrence with the Department's recommendation that the report, in its entirety, be provided to the organizations that participated in the Committee meetings, upon forwarding it on the Planning and Zoning Sub-Committee.

City Attorney Doug Beach stated the City Council may not wish to act on all of these Regulations at one time; but, could choose certain portions to implement, as they deemed appropriate.

Commissioner Brown made a motion to approve the Department's report, as amended. The motion was seconded by Commissioner O'Brien.

Upon a roll call the vote to **endorse** the report, as amended, was as follows: Commissioner Broemmer, yes; Commissioner Brown, yes; Commissioner Dalton, yes; Commissioner Domahidy, yes; Commissioner Kirchoff, yes; Commissioner O'Brien, yes; Commissioner Scruggs, yes; Commissioner Sherman, yes; Chairman McGuinness, yes. **The original motion, as amended, passed by a vote of 9 to 0.**

The Commission granted permission to provide a copy of the report to all parties who participated in its creation.

- D. **P.C. 168-71 Sachs Properties, Inc. (Chesterfield Mall)**; a memo concerning report on development progress; southwest quadrant of I-64/U.S. Highway 40/61 and Clarkson Road.

Joe Hanke, Planner II, summarized the memo, noting the Department's recommendation to receive and file.

COMMENTS/DISCUSSION BY COMMISSION

Mayor Leonard stated the following:

He met with representatives of Famous Barr. Their intention, about thirty (30) days ago, was to proceed this year with a new store, exactly the same as the one at the Galleria, to be located on the west end of the mall. The area vacated by Famous Barr may be occupied by J.C. Penney. Famous Barr resolved two (2) problems - Jamestown Mall and Dillard's.

Joe Hanke, Planner II, noted they do have a Site Development Plan of record; however, the approvals the City, in association with St. Louis County, have issued with regard to proceeding with the building as such, may have to be re-submitted.

Commissioner Brown noted the Commission gave a parking reduction to the petitioner, with the condition that they were to provide a bus stop by Dillard's.

City Attorney Beach noted he believes the bus stop was tied to the development proceeding. Therefore, the bus stop will be required when development proceeds.

Director Duepner noted the bus area was proposed, originally, near the proposed future location of Famous Barr. This location hasn't been changed.

Commissioner Domahidy made a motion to receive and file the report. The motion was seconded by Commissioner Kirchoff and **passed by a voice vote of 9 to 0.**

- E. **P.C. 235, 236 & 237-87 Chesterfield Village, Inc. (Parcel C-310, C-109 & C-308)**; request for extension of time in which to submit Site Development Plans; "C-8" Planned Commercial District; east side of Swingley Ridge Drive, south of Chesterfield Village Parkway, north side of Chesterfield Village Parkway west of Justus Post Road, and northwest of the terminus of Swingley Ridge Drive, northwest of U.S. Highway 40.

Senior Planner Laura Griggs-McElhanon summarized the request and the Department's recommendation to approve an eight (8) year extension until **May 16, 1996**, for submittal of Site Development Plans, including Architectural Elevations for P.C. 235-87, P.C. 236-87 and P.C. 237-87 Chesterfield Village, Inc. She further noted that the Department recommends requiring the establishment of a two (2) year landscape Maintenance Bond upon release of the landscape Installation Bond.

Commissioner Sherman made a motion to approve the Department's recommendation. The motion was seconded by Commissioner Brown and **passed by a voice vote of 9 to 0.**

- F. **P.C. 148-86 Chesterfield Village, Inc.**; request for extension of time in which to submit Site and Architectural Elevations for a "C-8" Planned Commercial District Site; northwest corner of Chesterfield Airport Road and Chesterfield Parkway.

Senior Planner Laura Griggs-McElhanon summarized the request and the Department's recommendation to approve an eight (8) year extension until **May 16, 1996**, for submittal of Site Development Plans including Architectural Elevations, for P.C. 148-86 Chesterfield Village. She further noted that the Department recommends requiring the establishment of a two (2) year landscape Maintenance Bond upon release of the landscape Installation Bond.

Commissioner Sherman made a motion to approve the Department's recommendation. The motion was seconded by Commissioner Brown.

COMMENTS/DISCUSSION BY COMMISSION

Commissioner Brown inquired whether Sachs considered any of these sites for an Applebee's.

Senior Planner Laura Griggs-McElhanon noted the Department has not been approached by Sachs relative to an application for an Applebee's at any of the sites mentioned tonight.

The motion passed by a voice vote of 9 to 0.

G. Memorandum from the Director of Planning concerning Public Hearing Signs.

Director Duepner summarized the memorandum, noting it is presented for informational purposes.

COMMENTS/DISCUSSION BY COMMISSION

- Commission suggested larger signs be utilized.
- It was noted the present public hearing signs are very difficult to read. A larger sign with changeable velcro strips was suggested.
- It was suggested that the public hearing signs be two-faced, and placed perpendicular to the roadway, instead of parallel, for better visibility.
- Double facing is desired.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. **P.Z. 12-93 Redia McGrath (McGrath Plaza)**; Subdivision Record Plat in the "C-8" Planned Commercial District; south side of Chesterfield Airport Road, north of Old Olive Street Road.

Commissioner Sherman, on behalf of the Site Plan Committee, made a motion to approve the Record Plat. The motion was seconded by Commissioner Domahidy and passed by a voice vote of 9 to 0.

- B. **Wildhorse Springs Subdivision**; Planned Environment Unit (PEU) in the "R-2" 15,000 Square Foot Residence District Subdivision Record Plat; north side of Wild Horse Creek Road, east of the intersection of Wild Horse Creek Road and Wilson Road.

Note: **This item was withdrawn by the petitioner.**

- C. **Countryside at Chesterfield Plat Two**; Planned Environment Unit in the "R-1" One Acre Residence District and "FPR-1" Flood Plain One Acre Residence District Subdivision Record Plat; west side of Kehrs Mill Road, south of Wild Horse Creek Road.

Commissioner Sherman, on behalf of the Site Plan Committee, made a motion to approve the Record Plat. The motion was seconded by Commissioner Scruggs and passed by a voice vote of 9 to 0.

Director Duepner reported on the Planning and Zoning Committee action regarding selection of consultants to be interviewed for the revision of the Zoning and Subdivision Ordinances of the City as follows:

The Planning and Zoning Committee of Council met last week and selected four (4) consultants to be interviewed: 1) Woolpert Associates; 2) Harland Bartholomew and Associates; 3) Camiros (a firm out of Chicago); and 4) Kendig and Associates (another firm from the Chicago area). These firms will be interviewed by a panel consisting of the Planning and Zoning Committee, the Chairman of the Planning Commission, the Vice-Chairman of the Planning Commission, Councilmember Levinson, and Director Duepner. The interviews will be held on January 31, 1994, beginning at 6:00 p.m. All four (4) firms will be interviewed that evening. After interviewing the four (4) firms, the interview group will make a recommendation to the Full Council for approval of one (1) of the firms, and then commence for discussion of the detailed work program and specific price.

The Planning and Zoning Committee also concurred with the Planning Commission's recommendation relative to the proposed West Area Study. They concurred with the boundaries, the format recommended by the Commission relative to the people involved in the process (i.e., the Comprehensive Plan Committee, two (2) Council Members, and three (3) residents or persons involved in the area). We are awaiting the recommendation from the Council relative to the resident/trustee that will be involved.

The Planning and Zoning Committee also concurred with the direction of the Commission relative to Staff assistance on the project.

COMMITTEE REPORTS

A. Ordinance Review Committee

Chairman McGuinness commended the Committee on its outstanding job.

B. Architectural Review Committee

Committee Chair O'Brien reported that Council Member Susan Clarke will provide, within the week, language regarding single-family homes that abut non-subdivision streets. She further stated that she will work with Director Duepner to set a future meeting of the Committee.

C. Site Plan/Landscape Committee

Committee Chair Kirchoff reported the Committee is awaiting responses back from various community entities on the subject of the Landscape Guidelines for the Valley. He received input from CCDC. The deadline for responses was set at January 23, 1994.

Senior Planner Laura Griggs-McElhanon stated the deadline for response from the Valley Study Committee has been extended a couple of weeks. The Department has not received any input to date.

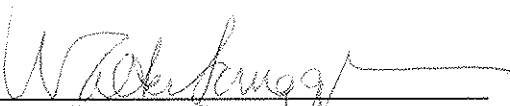
D. Comprehensive Plan Committee

Committee Co-Chair Domahidy reported the following:

The Committee will have to meet to set out a timeline.

E. Procedures & Planning Committee - No report.

The meeting adjourned at 8:55 p.m.



Walter Scruggs, Secretary

[MIN1-10.094]