CORRECTED

PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
December 8, 2003

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

I. PRESENT **ABSENT**

Mr. David Banks
Mr. Fred Broemmer
Dr. Maurice L. Hirsch, Jr.
Mr. Dan Layton, Jr.
Ms. Stephanie Macaluso
Dr. Lynn O'Connor
Ms. Lu Perantoni
Mr. B. G. Wardlaw
Chairman Victoria Sherman
Mr. Doug Beach, City Attorney
Ms. Mary Brown, Council Liaison
Ms. Teresa Price, Director of Planning
Ms. Annissa McCaskill, Senior Planner
Mr. David Bookless, Project Planner
Ms. Aimee Nassif, Project Planner
Ms. Christine Smith Ross, Project Planner
Ms. Kathy Lone, Planning Assistant

II. INVOCATION: Chairman Sherman

III. PLEDGE OF ALLEGIANCE:

Chairman Sherman recognized the attendance of Councilmember Mike Casey (Ward III) and Council Liaison Mary Brown (Ward IV).

IV. PUBLIC HEARINGS:

Commissioner Banks read the first portion of the 'Opening Comments.'

A. **P.Z. 24-2003 THF Chesterfield Development LLC (The Commons)**: a request for an amendment to City of Chesterfield Ordinances 1600 and 1627 to allow for seasonal outdoor sales and storage at Lowe's and Wal-Mart stores in Chesterfield Commons from March 15th until October 15th of each year.(17T140121)

Ms. McCaskill stated that the petitioner has requested to amend this ordinance amendment as it relates to Lowe's only and not Wal-Mart. Senior Planner Annissa McCaskill gave a power point presentation showing the subject site and surrounding area.

1. Mr. John Wagner, 17107 Chesterfield Airport Road, Chesterfield, MO 63005, representing petitioner for **P.Z. 24-2003 THF Chesterfield Development LLC (The Commons)**, stated the following:

- The Wal-Mart portion of this petition has been postponed;
- The request is to have the following in Attachment A amended, 'no retail sales, storage or displays are permitted outside the enclosed buildings.'
- Sales items would be placed on eight (8) tables, approximately 20 feet by 40 feet and approximately 3,200 total square feet;
- Items to be sold would be limited to small trees, annuals and perennials;
- Four (4) parking spaces would be lost.

COMMENT/DISCUSSION

Commissioner Macaluso asked if Lowe's could lose the four (4) parking spaces and still be in conformance.

Mr. Wagner stated that if this ordinance amendment is approved, fertilizer and peat moss that used to be stacked outside on the parking lot would be removed. Mr. Wagner stated that barbeque grills and lawnmowers would be stored elsewhere and the loading area would be removed.

City Attorney Doug Beach asked what has changed for the petitioner to now request the ordinance amendment for outdoor sales.

Mr. Wagner stated that Lowe's had constant violations against them from March 1 to October 1 for previous outdoor sales and now Lowe's wants to be in conformance.

Mr. Beach asked how the City would be assured that Lowe's would abide by the law if this ordinance amendment is approved.

Commissioner Broemmer asked where the rental trucks would be located.

Commissioner O'Connor expressed concern with the length of time requested for outdoor sales.

2. Mr. Mike Doster, 17107 Chesterfield Airport Road, Chesterfield, MO 63005, attorney for and speaking in favor of **P.Z. 24-2003 THF Chesterfield Development LLC (The Commons)**, stated the following:

- Previously there had been a debate at City Council whether to allow outdoor sales. Lowe's now just wants to have plants and plant stock out front and to make the area attractive.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL – None

REBUTTAL – None

Ms. McCaskill stated that the following issues would be reviewed and addressed:

- Removal of the four (4) parking spaces;
- Content of the tables in the front and what would be for sale;
- Removal of the loading area for vehicles;
- If approved, assurance that Lowe's will comply with the new conditions of the ordinance;
- Length of time requested for outdoor storage and sales;
- Exclusion of items now sold outside, i.e., peat moss, lawnmowers, barbeque grills, etc.
- Relocation of the rental trucks;
- Is there a need- could items inside just be rearranged;
- How is the requested area computed-by number of tables or square footage;
- Review Planning Commission, Planning and Zoning Committee and City Council minutes for a history;
- A spreadsheet showing the number of previous violations and what the violations were for;
- Limiting outdoor sales to Wal-Mart and Lowe's and not the other stores in the center;
- Comments from the Fire District.

Commissioner Banks read the next portion of the 'Opening Comments.'

B. **P.Z. 32-2003 Greater Missouri Builders (Chesterfield Crossing):** A request for a rezoning from "NU" Non-Urban District to "R-3" 10,000 square foot Residence District for 7.8 acre tract of land located on the north side of Olive Boulevard, east of Spyglass Summit Drive. (Locator Numbers 16R33-0453, 16R32-0232, 16R32-0195, 16R32-0130, 16R32-0938, 16R31-0837).

AND

C. **P.Z. 33-2003 Greater Missouri Builders (Chesterfield Crossing):** a request for a Planned Environment Unit (PEU) Procedure in the "R-3" 10,000 square foot Residence District for a 7.8 acre tract of land located on the north side of Olive Boulevard, east of Spyglass Summit Drive. (Locator Numbers 16R33-0453, 16R32-0232, 16R32-0195, 16R32-0130, 16R32-0938, 16R31-0837).

Project Planner Christine Smith Ross gave a power point presentation showing the subject site and surrounding area.

1. Mr. Ron Nelson, 1551 Wall Street, St. Charles, MO 63307, petitioner and speaking in favor of **P.Z. 32-2003 Greater Missouri Builders (Chesterfield Crossing)** and **P.Z. 33-2003 Greater Missouri Builders (Chesterfield Crossing)**, stated the following:

- Proposed development would be called Chesterfield Crossings;
- Proposed site is east of the Mansions at Spyglass Summit Subdivision;
- Proposed site is under contact;
- Proposed site is 7.8 acres;
- Proposal would be a 28-unit villa project.

2. Mr. Jason Combs, 1910 Pine Street, Suite 400, St. Louis, MO 63103, engineer for and speaking in favor of **P.Z. 32-2003 Greater Missouri Builders (Chesterfield Crossing)** and **P.Z. 33-2003 Greater Missouri Builders (Chesterfield Crossing)**, stated the following:

- There will be one (1) access off Olive Boulevard and a stub street for future expansion;
- Currently the site drains to a detention basin and will continue to do so, however, with the proposed development, it will be handled through a storm sewer and taken to the detention basin and released at an allowable rate that is required by the City;
- There will be approximately 109 feet between buildings for Mansions at Spyglass Summit and Chesterfield Crossings;
- There will be approximately 30 feet of elevation between the first floor of Mansions at Spyglass Summit and Chesterfield Crossings.

3. Ms. Scott Campbell, Greater Missouri Builders, 200 North Forsyth, St. Louis, MO 63105, petitioner and speaking in favor of **P.Z. 32-2003 Greater Missouri Builders (Chesterfield Crossing)** and **P.Z. 33-2003 Greater Missouri Builders (Chesterfield Crossing)**, stated the following:

- Speaker stated that this proposal would not have an impact on the Parkway School District because these units would be purchased mostly by empty nesters;
- There currently are five (5) homes on the site that have driveways on Olive Boulevard and which will be eliminated;
- Knollwood Drive is a private drive on the east of the proposed development that will remain. The distance between this curb cut and the curb cut for the proposed development would be approximately 70 feet;
- The detention basin was designed only for Mansions at Spyglass Summit Subdivision but the developer will reconfigure (making larger and deeper) the basin and give it a greater volume to maintain what is needed with regards to holding stormwater back and releasing it at an allowable rate;
- The slope will be 3:1;
- Four (4) of the proposed units will be on land that now contains the detention basin. The detention basin will be moved back and made deeper (10 feet);
- Some trees would be removed from the western end of the site and around the current detention basin.

COMMENT/DISCUSSION

Commissioner Wardlaw asked how the petitioner would keep the detention basin from filling with dirt due to the deep cut in grade by the front cul-de-sac and a high fill on the backside.

City Attorney Beach asked who owns the detention basin if it is used by Mansions at Spyglass Summit Subdivision.

Mr. Campbell stated that it currently is owned by Gundaker Commercial Development but will be owned by Greater Missouri Builders. Mr. Campbell stated that there is an easement between the two (2) developments.

City Attorney Beach asked if the residents of Mansions at Spyglass Summit Subdivision have agreed to the use of their detention basin. City Attorney Beach stated that he wants to see a cross section that shows what Greater Missouri Builders will do to hide the rooftops of the proposed development from the homes at Mansions at Spyglass Summit Subdivision.

City Attorney Beach asked what the value of the homes on the proposed site would be and if they are the same homes that are being built at Chesterfield Pointe on Olive Boulevard.

Mr. Nelson stated that Greater Missouri Builders have not yet priced the homes nor attempted marketing them but the intent is that the homes would be similar in architecture and floor plan.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION -

1. Ms. Dolly Schultz, 14360 Spyglass Ridge, Chesterfield, MO 63017, speaking in opposition to **P.Z. 32-2003 Greater Missouri Builders (Chesterfield Crossing)** and **P.Z. 33-2003 Greater Missouri Builders (Chesterfield Crossing)**, stated the following:

- Speaker stated that her home would overlook the proposed development;
- Speaker stated that the proposed development would be too dense for the site;
- Speaker expressed concern with the proposed development being only 100 feet from her home;
- Speaker stated that trees along the property line that she and her neighbor planted may be removed.

2. Mr. Don Marston, 14354 Spyglass Court, Chesterfield, MO 63017, Director of the Homeowners' Association for Mansions at Spyglass Summit Subdivision, speaking in opposition to **P.Z. 32-2003 Greater Missouri Builders (Chesterfield Crossing)** and **P.Z. 33-2003 Greater Missouri Builders (Chesterfield Crossing)**, stated the following:

- Speaker read a letter from Mr. Stephen Kling, lawyer for Mansions at Spyglass Summit Subdivision, stating the following:
    - Title for the detention basin is being reviewed to confirm that it is owned by the Trustees for the Mansions at Spyglass Summit Subdivision (speaker presented a copy of the Deed);
    - Trustees of Mansions at Spyglass Summit Subdivision have been maintaining the detention basin for many years at their cost, including the pump;
    - Petitioner does not have the authority to connect, reconfigure, modify or use the detention basin without the consent of the Mansions at Spyglass Summit Subdivision;
    - Preliminary plan submitted by the petitioner shows location of home sites on part of the existing detention basin property. No permission has been given by the Mansions at Spyglass Summit Subdivision;
    - Petitioner has included the detention basin as part of their calculations for green space ratio.

3. Ms. Barbara Pellet, 14320 Spyglass Ridge, Chesterfield, MO 63017, speaking in opposition to **P.Z. 32-2003 Greater Missouri Builders (Chesterfield Crossing)** and **P.Z. 33-2003 Greater Missouri Builders (Chesterfield Crossing)**, stated the following:

- The grade is very steep and will cause a water run-off problem;
- 54% of the trees will be removed;
- There will be more noise with removal of trees;
- Concern of siltation of the detention basin;
- Proposed site needs own detention basin.

City Attorney Beach stated that the City has a requirement that a detention basin is to be measured before construction begins and then measured after and the developer is required to replace detention to where it was at the beginning of construction.

4. Ms. Sharon Davisson, 14312 Spyglass Ridge, Chesterfield, MO 63017, President of the Board of Directors for the Mansions at Spyglass Summit Homeowners' Association, speaking in opposition to **P.Z. 32-2003 Greater Missouri Builders (Chesterfield Crossing)** and **P.Z. 33-2003 Greater Missouri Builders (Chesterfield Crossing)**, stated the following:

- Proposed development would be too dense;
- Detention basin is included in the green space calculation;
- Proposed development is not compatible with Mansions at Spyglass Summit Subdivision development;
- 'R-2' zoning would be more appropriate for the proposed site;
- Property values for Mansions at Spyglass Summit Subdivision will decrease.

REBUTTAL:

Mr. Nelson stated the following: The density is similar to Mansions at Spyglass Summit Subdivision, the tree line along the western edge of the proposed development and the eastern edge of Mansions at Spyglass Summit Subdivision will remain intact as much as possible, work is on-going concerning ownership of the detention basin, developer will comply with the City's erosion standards, developer will comply with the City's tree replacement policy, and developer has met with residents of the Mansions at Spyglass Summit Subdivision.

Ms. Smith Ross stated that the following issues will be reviewed and addressed:

- Distance between Knollwood and the proposed curb cut;
- Any future expansion proposed;
- Detention basin – is the property included in the green space calculation, control of the slope towards the basin, and design of the detention basin;
- Trees;

- Ownership and use of the detention basin lot;
- Cross section showing the rooftops of the entire proposed development and not just the edge;
- Price and design of proposed homes as compared to Chesterfield Pointe;
- Elevations of the homes on Olive Boulevard as opposed to the planned elevations;
- Density and the concerns of the residents and their lawyer;
- Erosion control;
- Noise control;
- Siltation control;
- Consistency of the proposed zoning with the adjacent developments;
- Grading and the building setback from the Mansions at Spyglass Summit Subdivision property line and how close grading would be;
- Request for a tree overlay;
- List the common names of the trees;
- The possibility of two (2) attached homes instead of three (3) and four (4) per building;
- Calculations by Staff: Green space ratio only on the front residential section (approximately 3 acres) and how many homes could be built on this site without a Planned Environment Unit (PEU) Procedure;
- How the northeast side of Mansions at Spyglass Summit Subdivision could be buffered?
- Ownership of the detention basin-legal description and title search. If the petitioner does not own the detention basin, he will not be entitled to use it in the green space calculations;
- Pictures taken from the three (3) units at Mansions at Spyglass Summit Subdivision that look over the proposed development;
- Sanitary sewer going into a lift station?
- Definition of attached homes;
- Quality of the proposed homes since they may cost as much as the homes in the Spyglass Subdivision in today's market;
- Number of attached homes and whether it meets the Comprehensive Plan;
- Street design and why the stub street ends at the private street of Knollwood;
- Tree preservation versus mitigation;
- Stub street – leave the area undeveloped but could be developed later.

Commissioner Banks read the next portion of the 'Opening Comments.'

D. **P.Z. 36-2003 City of Chesterfield (Off-Street Parking for Display Homes):** A request to amend Section 1003.165 (F) of the Zoning Ordinance to include off-street parking requirements for display homes.

Project Planner Aimee Nassif gave an overview of this petition and stated that this Zoning Ordinance amendment proposes four (4) parking spaces for every display home and one (1) parking space for every office unit.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL – None

REBUTTAL – None

Chair Sherman stated that there are no issues to be reviewed and addressed.

Commissioner Banks read the closing portion of the 'Opening Comments.'

V. APPROVAL OF MEETING MINUTES

Commissioner Broemmer made a motion to approve the November 24, 2003 Meeting Minutes. The motion was seconded by Commissioner Macaluso **and passes by a voice vote of 9 to 0.**

VI. PUBLIC COMMENT -

1. Mr. Bill Decker, Gray Design Group, 9 Sunnen Drive, St. Louis, MO 63143, speaking in favor of **P.Z. 25-2003 Precision Eatherton**;

    - Speaker stated that the Design Guidelines require 50% open space for Sub-Area 1 which is where the proposed development is located. Speaker stated that 50% is in excess and that 30% is more reasonable and typical with Chesterfield Valley;
    - Speaker stated that this site will be owner-occupied;
    - Speaker stated that a 7-foot shoulder on both sides of the road will be required by County;
    - Easements will be required for sanitary and water utilities.

Commissioner Macaluso asked Mr. Decker to meet with Staff to review and address a letter from Mr. Bill Kirchoff concerning right-of-way.

2. Mr. Ed Holthaus, 1 Andre Drive, St. Louis, MO 63131, speaking in favor of **P.Z. 25-2003 Precision Eatherton**;

- Speaker stated that he represents property owners to the west of Spirit and adjoining the proposed site;

- Speaker stated that he has been working with five (5) different property owners west of Spirit and with Dick Hrabko, from Spirit Airport, for about a year to extend the utilities from Spirit Airport west to Eatherton Road;
- Speaker stated that he has been working with different entities to put in roads, water, gas and sewers and work should be completed within a year;
- Speaker stated that he would send Staff a letter describing this.

3. Mr. Gary Wilson, Zavradinos Engineering, 17813 Edison Avenue, Chesterfield, MO 63005, engineer for and speaking in favor of **Shenandoah Ordinance Amendment**;

- Speaker stated that he was present to answer questions.

4. Mr. Ed Griesedieck, 1 City Center, St. Louis, MO, attorney for **P.Z. 13-2003 Fischer & Frichtel (Congregation Kol Am)** and **P.Z. 14-2003 Fischer & Frichtel (Congregation Kol Am)**;

- Speaker stated that the proposed site is .2 acre short for tree preservation;
- Speaker stated that the landscape architect for these petitions was able to save some trees due to the grades around the detention pond which makes up for the .2 acre so the petitioner will not be asking for mitigation on the tree preservation.

5. Mr. Richard Halsey, Hall & Halsey Associates, Inc., 424 South Clay Avenue, St. Louis, MO 63122, landscape architect for and speaking in favor of **P.Z. 13-2003 Fischer & Frichtel (Congregation Kol Am)** and **P.Z. 14-2003 Fischer & Frichtel (Congregation Kol Am)**;

- Speaker stated that he was present to answer questions.

Chairman Sherman called a recess at 8:34 p.m. and the meeting reconvened at 8:38 p.m. All Planning Commissioners were present. Councilmember Brown had left the meeting.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

A. **Sycamore Place Subdivision Plat IV:** A Site Development Section Plan for a 1.16 acre tract of land in a "R-3" Planned Environment Unit.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Section Plan for **Sycamore Place Subdivision Plat IV**. The motion was seconded by Commissioner Banks **and passes by a voice vote of 9 to 0.**

B. **Tara Estates:** A Site Development Plan, Landscape Plan and Architectural Elevations for a 12.4 acre tract of land zoned "E-One Acre."

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Plan, Landscape Plan and Architectural Elevations for **Tara Estates**. The motion was seconded by Commissioner Layton **and passes by a voice vote of 9 to 0.**

C. **Terra Vista (Formerly Mill Valley Estates)**: Site Development Plan, Landscape Plan and Architectural Elevations for an "R-2"/"FPR-2" Planned Environment Unit Development located on the west side of Creve Coeur Mill Road, north of Olive Boulevard.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Plan, Landscape Plan and Architectural Elevations for **Terra Vista (Formerly Mill Valley Estates)**. The motion was seconded by Commissioner Banks **and passes by a voice vote of 9 to 0.**

D. **Chesterfield Commons/Commons East (Chesterfield Valley Plaza)**: Amended sign package to allow signage on the Edison Avenue side of fifteen (15) buildings.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Amended Sign Package for **Chesterfield Commons/Commons East (Chesterfield Valley Plaza)** with the condition that the letters be only 18 inches tall on all of the buildings (15). The motion was seconded by Commissioner Broemmer **and passes by a voice vote of 7 to 2.** (Commissioner Macaluso and Commissioner Wardlaw voted nay.)

E. **Chesterfield Business Park Lots 5, 6 & 7**: A Record Plat for a 5.615-acre tract of land in a "PI" Planned Industrial District located on Chesterfield Business Parkway in a subdivision known as "Chesterfield Business Park."

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Record Plat for **Chesterfield Business Park Lots 5, 6 & 7**. The motion was seconded by Commissioner Banks **and passes by a voice vote of 9 to 0.**

VIII. OLD BUSINESS –

A. **P.Z. 13-2003 Fischer & Frictel (Congregation Kol Am)**: A petition for rezoning from "NU" Non-Urban District to "R-3" Residence District for a 3.7-acre property located at the intersection of Clayton Road and Schoettler Road. (Locator Number 21R-63-0511)

AND

B. **P.Z. 14-2003 Fischer & Frictel (Congregation Kol Am)**: A petition for a Planned Environment Unit (PEU) Procedure in an "R-3" Residence District for a 3.7-acre property located at the intersection of Clayton Road and Schoettler Road. (21R-63-0511)

Proposed uses: Single family detached and attached (14 attached and 1 detached)

Senior Planner Annissa McCaskill gave an overview of **P.Z. 13-2003 Fischer & Frichtel (Congregation Kol Am)** and **P.Z. 14-2003 Fischer & Frichtel (Congregation Kol Am)**. Ms. McCaskill stated that new plans could be requested that will show the new green space percentage with the change to the detention basin.

General discussion followed concerning density for this proposed site and zonings of the surrounding area.

Commissioner Banks made a motion to approve **P.Z. 13-2003 Fischer & Frichtel (Congregation Kol Am)**. The motion was seconded by Commissioner Macaluso.

Upon a roll call the vote was as follows: Commissioner Banks, yes; Commissioner Broemmer, yes; Commissioner Hirsch, yes; Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner O'Connor, yes; Commissioner Perantoni, yes; Commissioner Wardlaw, yes; Chairman Sherman, yes.

The motion passes by a vote of 9 to 0.

Commissioner Hirsch made a motion to approve **P.Z. 14-2003 Fischer & Frichtel (Congregation Kol Am)** with the condition that the plans will show the 30% canopy cover as presented by Mr. Ed Griesedieck, attorney for the petitioner. The motion was seconded by Commissioner Banks.

Upon a roll call the vote was as follows: Commissioner Broemmer, no; Commissioner Hirsch, yes; Commissioner Layton, no; Commissioner Macaluso, yes; Commissioner O'Connor, yes; Commissioner Perantoni, yes; Commissioner Wardlaw, no; Commissioner Banks, yes; Chairman Sherman, yes.

The motion passes by a vote of 6 to 3.

C. **P.Z. 25-2003 Precision Eatherton:** A request for a change in zoning from an "NU" Non-Urban District to "PC" Planned Commercial District for an approximately 2.9-acre tract of land located at 454 North Eatherton Road (Locator No. 18W-43-0068).

Project Planner David Bookless gave an overview of **P.Z. 25-2003 Precision Eatherton**. Mr. Bookless stated that Metropolitan St. Louis Sewer District (MSD) has stated that they will not approve a holding tank for this site nor will they allow 'pump and haul.'

Commissioner Macaluso asked Staff to get clarification from Mr. Bill Kirchoff with regards to his comments about needing right-of-way for Eatherton Road.

City Attorney Beach asked for clarification with regards to open space requirement relative to need of septic or sewer in Valley Sub-Area 1.

Commissioner Layton asked how many parking spaces would be lost if there was phantom parking.

Chairman Sherman stated that **P.Z. 25-2003 Precision Eatherton** would be held until all issues were reviewed and addressed.

D. **P.Z. 26-2003 City of Chesterfield (Lighting Ordinance):** A request to amend the City of Chesterfield Zoning Ordinance for the establishment of a unified ordinance to establish lighting criteria.

Project Planner Aimee Nassif gave an overview of **P.Z. 26-2003 City of Chesterfield (Lighting Ordinance)** and stated that the purpose of a Lighting Ordinance is to discourage excessive lighting, to minimize glare and light trespass protecting neighbors from the consequences of stray light, to create a safe environment in hours of darkness, and to regulate the type of light fixtures, lamps and standards that are used throughout.

Commissioner Hirsch asked for clarification on page 9, 11. NEON, 1), that if this is in regards to all neon, perhaps the word 'exposed' should be deleted.

Commissioner Wardlaw expressed concern that if there is a change in ownership, change in usage, or a change in structure, and the lighting is changed, the petitioner should be required to come in for approval.

City Attorney Beach stated that the language is too narrow in **14. Exemptions**. Mr. Beach suggested that if 60% or more of the existing outdoor light fixtures are replaced, removed or installed then they no longer are exempt from the requirements.

Commissioner Broemmer suggested stating that 'if the fixtures are replaced by fixtures other ***than those*** *originally installed, then we need to see* ~~*those*~~ ***the layout.*** *Commissioner Broemmer stated that they want to see it if* ***there is a fixture change that increases the foot-candle level above that originally approved.***

Commissioner Macaluso stated that she likes the idea of foot-candle because if a light fixture needs to be replaced, the fixture may no longer be available.

Commissioner Broemmer stated that it needs to be the installed foot-candle level because over time fixtures and lights deteriorate and the foot-candle level will drop.

City Attorney Beach stated that residential holiday lighting needs to be included.

Commissioner Macaluso made a motion to hold **P.Z. 26-2003 City of Chesterfield (Lighting Ordinance)** until Staff makes suggested changes. The motion was seconded by Commissioner Banks **and passes by a voice vote of 9 to 0.**

E. P.Z. 31-2003 City of Chesterfield(Museum & Arts District): A request to amend the City of Chesterfield Zoning Ordinance to establish Section 1003.141 for establishment of a Museum and Arts District.

Senior Planner Annissa McCaskill gave an overview of **P.Z. 31-2003 City of Chesterfield(Museum & Arts District)**.

Commissioner Hirsch made a motion to approve **P.Z. 31-2003 City of Chesterfield(Museum & Arts District)** with the following changes:

1003.141. Museum and Arts Area (MAA)

1. *Purpose and intent*,

2. (b) A building (or part thereof) within which there is procurement, care, study and display of objects of lasting interest or value with or without an admission charge.

(c) ~~There is~~ A building (or part thereof) devoted to ~~the~~ live performance**s** ~~of art~~ in front of a live audience.

3. *Additional permitted land uses and developments.*

(a) Museums. As defined by this ordinance, a museum is a building or portion thereof having public significance by reason of its architecture, former use or occupancy or a building ~~service as a repository~~ **within which there is procurement, care, study or/or display of objects of lasting interest or value.**

The following ancillary uses are permitted:

~~(j) Schools, service facilities, studios or work areas.~~

The motion was seconded by Commissioner Layton.

Upon a roll call the vote was as follows: Commissioner Hirsch, yes; Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner O'Connor, yes; Commissioner Perantoni, yes; Commissioner Wardlaw, yes; Commissioner Banks, yes; Commissioner Broemmer, yes; Chairman Sherman, yes.

The motion passes by a vote of 9 to 0.

F. **Shenandoah Ordinance Amendment**: A request to amend the ordinance for a Planned Environment Unit in the R-1A, R-2 and R-3 districts, north of Conway Road, west of White Road, extending north to Olive Boulevard.

Project Planner Christine Smith Ross gave an overview of the **Shenandoah Ordinance Amendment**.

Commissioner Perantoni expressed concern with the grade of driveways for lots 3, 4 and 5.

Ms. Smith Ross stated that the grade of the driveways for these lots would be reviewed during the Site Development Plan stage.

Commissioner Macaluso made a motion to approve the **Shenandoah Ordinance Amendment**. The motion was seconded by Commissioner Layton.

Upon a roll call the vote was as follows: Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner O'Connor, yes; Commissioner Perantoni, yes; Commissioner Wardlaw, yes; Commissioner Banks, yes; Commissioner Broemmer, yes; Commissioner Hirsch, yes; Chairman Sherman, yes.

The motion passes by a vote of 9 to 0.

G. **Burgundy Arrow - Ordinance Amendment**: A request to amend City of Chesterfield ordinance 1745, relating to the Burgundy Arrow subdivision, a "PI" Planned Industrial district, located west of Public Works Drive at Chesterfield Airport Road.

Project Planner Christine Smith Ross gave an overview of the **Burgundy Arrow - Ordinance Amendment**.

Commissioner Hirsch asked about sidewalks along Public Works Drive for pedestrian access to the Wehrenberg site.

Ms. Smith Ross stated that it was determined with the petitioner and the Department of Public Works that, due to the drainage ditches along Public Works Drive, it would be more practical to have the sidewalks along Chesterfield Airport Road, crosswalks through the site and access directly to cross Public Works Drive.

Commissioner Hirsch made a motion to approve the **Burgundy Arrow - Ordinance Amendment**, as presented. The motion was seconded by Commissioner O'Connor.

Upon a roll call the vote was as follows: Commissioner Macaluso, yes; Commissioner O'Connor, yes; Commissioner Perantoni, yes; Commissioner Wardlaw, yes; Commissioner Banks, yes; Commissioner Broemmer, yes; Commissioner Hirsch, yes; Commissioner Layton, yes; Chairman Sherman, yes.

The motion passes by a vote of 9 to 0.

H. P.Z. 35-2003 City of Chesterfield (Subdivision Development Regulations and Time Requirement for Subdivision Improvements): A request to amend Section 1005.080 relating to subdivision development regulations by enacting a new Section 1005.080 and Section 1005.240 relating to subdivision improvements by identifying a time when said improvements must be completed.

Project Planner Aimee Nassif gave an overview of **P.Z. 35-2003 City of Chesterfield (Subdivision Development Regulations and Time Requirement for Subdivision Improvements**.

Commissioner Banks made a motion to approve **P.Z. 35-2003 City of Chesterfield (Subdivision Development Regulations and Time Requirement for Subdivision Improvements**. The motion was seconded by Commissioner Wardlaw.

Upon a roll call the vote was as follows: Commissioner O'Connor, yes; Commissioner Perantoni, yes; Commissioner Wardlaw, yes; Commissioner Banks, yes; Commissioner Broemmer, yes; Commissioner Hirsch, yes; Commissioner Layton, yes; Commissioner Macaluso, yes; Chairman Sherman, yes.

The motion passes by a vote of 9 to 0.

IX. NEW BUSINESS –

A. Approval of 2004 Planning Commission Meeting Calendar

Commissioner Macaluso made a motion to approve the **2004 Planning Commission Meeting Calendar**. The motion was seconded by Commissioner Wardlaw **and passes by a voice vote of 9 to 0.**

X. COMMITTEE REPORTS:

A. Committee of the Whole
B. Ordinance Review Committee

Director of Planning Teresa Price stated that an Ordinance Review Committee meeting would be scheduled to further review medical use and home occupations.

C. Architectural Review Committee
D. Landscape Committee

Committee Chairman Macaluso stated that a Landscape Committee meeting would be scheduled when more work and research is completed.

E. Comprehensive Plan Committee
F. Procedures and Planning Committee
G. Landmarks Preservation Commission

The meeting unanimously adjourned at 9:28 p.m.

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B. G. Wardlaw, Secretary