

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
October 28, 1996**



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

PRESENT

Mr. Rick Bly - arrived later
Mr. Fred Broemmer
Mr. Dave Dalton
Mr. Robert Grant
Ms. Carol Kenney
Mr. Dan Layton, Jr.
Ms. Linda McCarthy
Mr. Allen Yaffe - arrived later
Chairman Michael J. Casey
Council Liaison Linda Tilley, (Ward II)
Mr. Douglas R. Beach, City Attorney
Mr. Jerry Kelley, Director of Planning
Ms. Laura Griggs-McElhanon, Assistant Director of Planning
Mr. Paul Mann, Planner II
Ms. Patricia Detch, Planner I
Ms. Sandra Lohman, Executive Secretary

ABSENT

INVOCATION - Chairman Mike Casey

PLEDGE OF ALLEGIANCE - All

Chairman Casey recognized Mayor Jack Leonard; Councilmember Linda Tilley (Ward IV), Council Liaison; Councilmember Larry Grosser (Ward II); and Councilmember Dan Hurt (Ward III).

PUBLIC HEARINGS:

The first portion of the "Opening Comments" was read by Commissioner Layton.

- A. **P.Z. 26-96 The Nooning Tree Ltd. Partnership**; a request for a change in zoning from "NU" Non-Urban District to "R-3" 10,000 square foot Residence District for a 30.47 acre tract of land located on the east side of Olive Boulevard, approximately 1,500 feet south of the intersection of Olive Boulevard and White Road and on the west side of White Road approximately 1,000 feet south of the intersection of Olive Boulevard and White Road (Locator Number 18R440031).

AND

- B. **P.Z. 27-96 The Nooning Tree Ltd. Partnership**; a request for a Planned Environment Unit (PEU) Procedure in the "R-3" 10,000 square foot Residence District for the same 30.47 acre tract of land located on the east side of Olive Boulevard, approximately 1,500 feet south of the intersection of Olive Boulevard and White Road and on the west side of White Road approximately 1,000 feet south of the intersection of Olive Boulevard and White Road (Locator Number 18R440031). Proposed Uses: Detached Single-Family and Attached Single-Family Residences.

Assistant Director Laura Griggs-McElhanon gave a slide presentation of the subject site and surrounding area.

Mr. Steven D. Graham spoke on behalf of the petitioner noting the following:

- description of the zoning of the proposed parcel and surrounding area;
- Village A would be 70 attached units, and would be gated;
- Village B would be 41 detached units, adjacent to Olive Boulevard;
- prices would range from \$300,000 to \$325,000;
- density calculations average 3.64 units per acre; and
- Existing guidelines would permit 124 units; however, the petitioner is seeking a total of 111 units.

QUESTIONS/COMMENTS BY COMMISSION

- Status of two (2) existing parcels (Mr. William Seeger and Mrs. Elinor Abmeyer) with regard to inclusion in proposed development.
- Mr. Graham noted Mrs. Abmeyer was contacted by Mr. Aselage who asked if she would like her property included in the proposed development. She indicated she would not be interested. Mr. Graham noted he doesn't believe Mr. Seeger was given an offer to be a part of this development.
- The petitioner will comply with the concerns expressed by the Fire Protection District, by stubbing the access to Village B off of Olive Road.
- Future use of the Seeger and Abmeyer parcels could be "R-3" Residential, should they decide to make this change.

- Mr. Randy Aselage noted Mr. Seeger's family owned the Whitebrook property, but chose not to join in with this development. He further noted that Mrs. Abmeyer has been a long time resident of Chesterfield, and has every intention of carrying on her way of life (i.e., keep the vegetable garden/pumpkin patch).

SPEAKERS IN FAVOR:

1. Mr. Jerry Loomis, Loomis Boulton Pickett, 635 Maryville Center Drive, St. Louis, MO 63141, noted he is here to answer questions, if needed.

SPEAKERS IN OPPOSITION:

1. Mr. Jeff Dalin, 14548 White Birch Valley, Chesterfield MO 63017, spoke on behalf of the Trustees of The Gallery of Chesterfield Subdivision, expressing concern about additional traffic on White Road.
2. Mr. Phillip Schreiber, 14480 Callaway Court, Chesterfield, MO 63017, spoke as an individual expressing concerns about additional traffic on White Road, and recommended the road be improved before more development is approved which would utilize it.
3. Mr. Gary Myers, 14591 White Birch Valley Lane, Chesterfield, MO 63017, spoke as an individual, noting concerns about the safety of White Road.
4. Ms. Nancy Greenwood, 14441 Corallin, Chesterfield, MO 63017, spoke as an individual noting concern that the proposed development would add to the hazardous condition of White Road. She further noted she would prefer less dense residential development for this parcel.

SPEAKERS NEUTRAL: - None

REBUTTAL:

Mr. Graham noted the following:

- the proposed access area to White Road is open and level at that point;
- development of a higher density than that of neighboring developments is expected at the intersection of a state highway and county arterial road;
- Whitebrook density is 4.25 per acre, whereas this site would be 3.64 per acre, which forms a good transition; and
- the developer will respond to the Fire District's comments by providing access off of Olive Road for Village B.

City Attorney Doug Beach asked why this site wasn't brought in at the same time as the previous petition for The Nooning Tree development.

Mr. Randy Aselage noted that, when the Seeger tract first came before St. Louis County, before Chesterfield incorporated, he, on behalf of Mrs. Faust, came before the St. Louis County Planning Commission and had extended the possibility that additional ground could be made available to properly plan the Seeger tract. At that time there was a commercial strip center presented, which didn't appeal to the community of St. Louis County, and later to the City of Chesterfield, that became the subject of a lawsuit. He noted he purposely kept this thirty (30) acre tract out so they could then properly address any concerns about the Seeger corner, if it should be revisited. They kept this out in anticipation that if it ever got married to our site, we could have a site plan that would have addressed what their proposal was at that time (that the site was too long and narrow, with all the frontage on the State Highway, it couldn't be anything else). Their position was that, as long as they had abutting property, they could increase the depth of the property, that argument wouldn't be valid, and it was so narrow that it could only be for commercial.

Commissioner Yaffe arrived at the meeting at this time.

City Attorney Beach inquired if the reason the petitioner is having access onto White Road is due to Leather's project on the corner and comments made by the City of Chesterfield.

Mr. Aselage answered "no." He noted that due to the physical characteristics of this tract, in order to meet the Fire District's requirements, it is imperative to provide access onto White Road.

City Attorney Beach asked if the White Road access, as depicted on the preliminary site plan, is already there as approved previously with the "R-3" Zoning. He noted that this street will be there, regardless of what decision is made on the current petition.

Mr. Aselage replied that it would be there. He noted they are proposing, in their amended plan which Mr. Graham alluded to, to break off Village B from access to White Road, put in back onto Olive, thereby reducing the density from that Village flowing over to White Road and re-direct it to Olive Street Road.

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

Commissioner Dalton left the meeting at this time.

- C. **P.Z. 28-96 Hardesty Homes (Picardy)**; a request for a change in zoning from "R-2" 15,000 square foot Residence District and "NU" Non-Urban District to "R-3" 10,000 square foot Residence District for a 22.4 acre tract of land located on the northeast corner of the intersection of Clarkson Road and Kehrs Mill Road (Locator Numbers 20T31-0902 and 20T22-0151).

AND

- D. **P.Z. 29-96 Hardesty Homes (Picardy)**; a request for a Planned Environment Unit (PEU) Procedure in the "R-3" 10,000 square foot Residence District for the same 22.4 acre tract of land located on the northeast corner of the intersection of Clarkson Road and Kehrs Mill Road (Locator Numbers 20T31-0902 and 20T22-0151). Proposed Uses: Single Family Attached Dwelling Units and Associated Recreational Facilities.

Assistant Director Laura Griggs McElhanon gave a slide presentation of the subject site and surrounding area.

Commissioner Dalton returned to the meeting at this time.

Mr. Don Anderson, Attorney for the petitioner, noted the following:

- surrounding land use, and brief zoning history and zoning criteria of the proposed development;
- development would be single-family attached dwellings;
- severe noise and traffic dictate buffering of the exterior perimeter (including a fitness path) of the proposed development;
- prices will range from \$280,000 to \$330,000;
- the interior streets, past the gates, will be private; however, will be built to the City's specifications;
- the Indentures, all publicity/sales information will note that the streets are not subject to being dedicated to the City of Chesterfield;
- it will be a gated and fenced community;
- this plan will eliminate previous concerns about pedestrian flow from Marquette High School to the Stonebriar Subdivision;
- this plan will have a positive impact on adjacent land sales and values, and are in the 2,000 and 3,000 square foot range;
- the character of the neighborhood is dictated by the extreme difficulty of this particular site, for any type of development, because of the noise and traffic considerations;
- the petitioner believes the "R-3" zoning is the only density which produces any economic viability possibilities for this particular location, due to the corner; and

- he provided samples/renderings of the potential product/unit prototypes.

Mr. Tom Krull, Volz Engineering, stated the following:

- a path (sidewalk, fitness/walking trail) is proposed around the perimeter of the development;
- the basic infrastructure is self-contained, with sanitary sewer lines running through the project, and large storm sewer (an escrow account would be set up regarding the 96" pipe which would extend to Clarkson Road);
- the large detention basin, currently in place for all of Stonebriar Subdivision, will be improved with surrounding grades, particularly to the east;
- the petitioner is proposing a retention lake for additional stormwater control;

Mr. Brett Hardesty noted the following:

- informational booklets were handed out to the Commission;
- 70% of the development will be walk outs (i.e., the main and lower level living are included in the base square footage);
- the main level of the proposed units would be 2300 to 2500 square feet; however, you could also add an upper level to that of 700 or 800 feet;
- the design of the units are very convertible/flexible;
- the majority of garages will be side entries; and
- there would be four (4) basic units, but customizing is a definite option; and
- they expect the average selling price to be \$360,000.

QUESTIONS/COMMENTS BY COMMISSION

- The width and right-of-way of the proposed private streets would not be per City standards; however, all construction of the pavement (the gravel underlayment, thickness of concrete, under-drains, where possible) will meet specifications.
- Since this development is fenced and gated, the streets could never become public.
- The permanent turnaround for the stub street on the north of the proposed development will be public. The second stub street just services one (1) lot.

- Sidewalks will be constructed outside the fenced-in area, along the total frontage of both Kehrs Mill and Clarkson Roads.

Councilmember Tilley thanked Mr. Hardesty for his efforts which included meeting with the community and incorporating their wishes into the plan.

SPEAKERS IN FAVOR:

1. Ms. Barbara Nauert, 15904 Country Ridge Drive, Chesterfield, MO 63017, spoke on behalf of the Trustees of Clarkson Woods South Subdivision. She requested the following:
 - extend the sidewalk along Clarkson Road to Country Ridge Drive; and
 - join Clarkson Woods South Subdivision's retention system with the proposed development, by working with the Trustees, the City and MSD to address any problems which may occur.
2. Mr Terry Domian, 2727 Joyceridge, Chesterfield, MO 63017, spoke on behalf of Stonebriar Subdivision noting the following:
 - requested a sidewalk along the frontage of Kehrs Mill Road and Clarkson Road;
 - extend the sidewalk along Clarkson Road to Country Ridge Drive;
 - requested that escrow money for Stonebriar, not yet turned over to Miceli, be held for repair of existing problems with sewers, streets and sidewalks in Stonebriar Subdivision.
 - a number of Stonebriar residents would prefer the jogging/fitness path not be located close to their property;
 - existing stormwater problems need to be addressed;
 - would like buffering/landscaping near Barons Way Drive to eliminate the possibility of head lights of cars shining onto homes in Stonebriar; and
 - would like the landscaping be put in place, as soon as possible, to buffer Stonebriar from construction aspects of the proposed site.
3. Mr. Charles Scheidt, 2199 Sycamore Hill Court, Chesterfield, MO 63017, spoke on behalf of "Chesterfield Citizens for a Voice," thanking the Councilmembers and the Rockwood School District, who voted against the strip shopping center previously proposed for this site.

SPEAKERS IN OPPOSITION: - None

SPEAKERS NEUTRAL: - None

REBUTTAL:

Mr. Anderson noted the following:

- the proposed development will not adversely impact the Rockwood School District, financially, as the target market will consist of grandparents of the children attending Marquette, and will provide an effective buffer between the Stonebriar area and cutting across Clarkson Road.

Mr. Hardesty noted the following:

- sidewalks will connect Stonebriar with Clarkson; and also connect north up to Country Ridge Drive;
- stormwater will be addressed;
- the jogging path will be reconfigured as desired by residents of Stonebriar; and
- potential problems regarding headlights on the turn-around will be addressed by landscaping;

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

Chairman Casey thanked Mr. Hardesty for a good presentation, and called for a five (5) minute recess of the meeting at 8:25 p.m.

Chairman Casey reconvened the meeting at 8:30 p.m.

APPROVAL OF THE MINUTES:

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

Commissioner Linda McCarthy returned to the meeting at this time.

Commissioner Rick Bly arrived at this time.

PUBLIC COMMENTS:

1. Phillip J. Scossors, 14416 Valley Meadow Court West, Chesterfield, MO 63017, spoke in favor, with reservations, of P.Z. 1-96 Sverdrup Investments, Inc.

2. Richard Feldman, 13723 Riverport Drive, Maryland Heights, MO 63043, spoke in favor of P.Z. 1-96 Sverdrup Investments, Inc.
3. Richard G. Kleiner, 154 Ladue Farm Court, St. Louis, MO 63141, spoke in favor of P.Z. 1-96 Sverdrup Investments, Inc.
4. Tim Peters, Marriott International, 5151 Beltline Road #347, Dallas, TX 75240, spoke in favor of P.Z. 13-96 A & O Investments.
5. Ellen Mazukina, Marriott International, Marriott Drive, Dept. 921.08, Washington, DC 20007, spoke in favor of P.Z. 13-96 A & O Investments.
6. R. Clark Amos, A & O Investments, LTD, 1850 Cragshire Drive, Suite 103, St. Louis, MO 63146, spoke in favor of P.Z. 13-96 A & O Investments.
7. Mark Tulper, 14024 Conway Road, Chesterfield, MO 63017, spoke in opposition to P.Z. 1-96 Sverdrup Investments, Inc.
8. Joel Wexelman, Sverdrup, spoke in favor of P.Z. 1-96 Sverdrup Investments, Inc.

NEW BUSINESS:

- A. **P.Z. 13-96 A & O Investments, Ltd.**; "R-3" 10,000 square foot Residence District to "C-8" Planned Commercial District and an amendment to St. Louis County Ordinance Number 12,561 establishing a "C-8" Planned Commercial District and an amendment to City of Chesterfield Ordinance Number 408 establishing a "C-8" Planned Commercial District; northwest corner of the intersection of Chesterfield Parkway North and Conway Road.

Director Kelley noted the Department recommends approval of the request, subject to the conditions contained in Attachment A.

A motion to approve the Department's recommendation was made by Commissioner Grant and seconded by Commissioner Broemmer.

QUESTIONS/COMMENTS BY COMMISSION:

- The water feature may be part of the petitioner's detention area, or a separate facility, but it will be a very signature kind of designation in terms of its appearance at the corner of Conway and the Parkway. It will be identified fully at the time of site development plan submittal.
- A & O has indicated they are working with the Fire District to address their comments/concerns.

Chairman Casey made a motion to amend the original motion changing the last sentence of Condition 5.u. of Attachment A to read as follows:

- Seventy percent (70%) of the building material shall be brick.

The motion was seconded by Commissioner Kenney and **passes** by a voice vote of 9 to 0.

Upon a roll call the vote on the original motion for approval, as amended, was as follows: Commissioner Bly, yes; Commissioner Broemmer, yes; Commissioner Dalton, yes; Commissioner Grant, yes; Commissioner Kenney, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Commissioner Yaffe, yes; Chairman Casey, yes.

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

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

Planner II Paul Mann presented the request and the Department's recommendation of approval, subject to conditions contained in its report, as corrected, and Attachment A.

A motion to approve the Department's recommendation was made by Commissioner Dalton and seconded by Commissioner McCarthy.

Commissioner Grant made a motion to amend the original motion to change Condition 2.g. a follows:

The 76,000 square foot hotel shall not exceed five (5) stories in height. The 91,000 square foot hotel shall not exceed four (4) stories in height. The restaurant uses shall not exceed a total of 18,000 square feet in overall size and not exceed one (1) story in height.

The motion was seconded by Commissioner Kenney and **passes** by a voice vote of 9 to 0.

Upon a roll call the vote on the original motion for approval, as amended, was as follows: Commissioner Bly, yes; Commissioner Broemmer, yes; Commissioner Dalton, yes; Commissioner Grant, yes; Commissioner Kenney, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Commissioner Yaffe, yes; Chairman Casey, yes.

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

Director Jerry Kelley commended Paul Mann for his work on this project.

- C. **P.Z. 23-96 City of Chesterfield**; "R1-A" 22,000 square foot Residence District to "NU" Non-Urban District; north side of Olive Boulevard, approximately 1,000 feet north of the intersection of Ladue Road and Olive Boulevard.

Assistant Director Laura Griggs-McElhanon noted the Department's recommendation for denial of this petition, as stated in its report.

A motion to deny P.Z. 23-96 was made by Commissioner Layton and seconded by Commissioner Kenney.

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

The motion passes by a vote of 9 to 0.

- D. **P.Z. 24-96 St. Luke's Episcopal-Presbyterian Hospitals**; Conditional Use Permit (CUP) in the "R1-A" 22,000 square foot Residence District; north side of Olive Boulevard, approximately 1,000 feet north of the intersection of Ladue Road and Olive Boulevard; and an amendment to existing Conditional Use Permit (CUP) Number 561 in the "R1-A" 22,000 square foot Residence District established by St. Louis County Ordinance Number 13,252; north side of Olive Boulevard approximately 1,000 feet north of the intersection of Ladue Road and Olive Boulevard.

Assistant Director Laura Griggs-McElhanon noted the Department recommends approval of this request, subject to revisions to the conditions as outlined in its report.

A motion to approve the Department's recommendation was made by Commissioner Broemmer and seconded by Commissioner Grant.

Upon a roll call the vote on the original motion for approval was as follows: Commissioner Bly, yes; Commissioner Broemmer, yes; Commissioner Dalton, yes; Commissioner Grant, yes; Commissioner Kenney, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Commissioner Yaffe, yes; Chairman Casey, yes.

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

- E. **P.Z. 25-96 Vermeer Sales and Service MI., Inc.**; a request for a change in zoning from "NU" Non-Urban District and "C-4" Highway Service Commercial District to "C-8" Planned Commercial District for a 6.05 acre tract of land located on the south side of Chesterfield Airport Road approximately 250 feet east of the intersection of Long Road and Chesterfield Airport Road. (Locator Number 17U14-0102) Proposed Uses: Sales and service of new and used construction and farm equipment and other equipment of every kind and description.

Assistant Director Laura Griggs-McElhanon noted the issues being evaluated by the Department, and recommendation of the Department to hold this item until the Commission meeting on November 13, 1996, and inquired whether the Commission had issues to add.

Commissioner Dalton suggested screening between the two buildings.

A motion to hold P.Z. 25-96 was made by Commissioner McCarthy, seconded by Commissioner Dalton and **passes** by a voice vote of 9 to 0.

- F. Memo from Bob Boland and members of the Development Review Plan Committee: Recommended Changes in the Rezoning Process. (Staff Recommendation: Forward to Procedures and Planning Committee.)

Chairman Casey noted staff is recommending this matter be forwarded to the Procedures and Planning Committee. He noted members of this Committee, John Langa, Glen Borgard, Faith Martens, Rudy Stinnett, and Bob Boland have met with Mike Herring, City Administrator, and Jerry Kelley, Planning Director. He further noted that he attended one (1) of these meetings, and does not endorse, at this point and time, what is contained in the attached letter, but recommends we move it on to the Procedures and Planning Committee, and the Commission review this at a quarterly planning meeting.

A motion to move this to the Procedures and Planning Committee was made by Commissioner Grant, seconded by Commissioner Yaffe and **passes** by a voice vote of 9 to 0.

- G. **P.C. 1-88 Arthur DeShetler**; request for an amendment to "C-8" Planned Commercial District Ordinance 259; north side of Olive Street Road, at Swingley Ridge Drive.

Planner II Paul Mann stated the request and Department's recommendation of approval of the amendments, as stated in its report.

A motion to approve the Department's recommendation was made by Commissioner Dalton and seconded by Commissioner Grant.

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

The motion, as amended, passes by a vote of 8 to 0, with 1 abstention by Commissioner Yaffe.

- H. P.C. 116-73 R.W. Beal & Company, Inc. (Woodfield Subdivision); request for an amendment to St. Louis County Ordinance Number 7030, which established a Planned Environment Unit (PEU) Procedure in the "R-3" 10,000 square foot Residence District; west side of Baxter Road, north of Clayton Road.

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

A motion to approve the Department's recommendation was made by Commissioner McCarthy, seconded by Commissioner Dalton and passes by a voice vote of 9 to 0.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. Greystone Subdivision; Planned Environment Unit (PEU) Procedure in the "R-1" One Acre Residence District and "FPR-1" Flood Plain "R-1" One Acre Residence District Record Plat, Plat II; south side of Wild Horse Creek Road, west of Wildhorse Parkway.

Commissioner McCarthy, on behalf of the Site Plan Committee, made a motion to approve the request as stated in the Department's report. The motion was seconded by Commissioner Grant and passes by a voice vote of 9 to 0.

- B. P.Z. 17 & 18-95 Sycamore Development Company (Highland Forest, formerly Schoettler Ridge); Planned Environment Unit (PEU) Procedure in the "R-2" 15,000 square foot Residence District and "FPR-2" Flood Plain "R-2" 15,000 square foot Residence District Site Development Plan and Landscape Plan; east of Schoettler Valley Drive, at the terminus of Squires Way Drive.

Commissioner McCarthy, on behalf of the Site Plan Committee, made a motion to approve the request as stated in the Department's report. The motion was seconded by Commissioner Grant and passes by a voice vote of 9 to 0.

IX. COMMITTEE REPORTS:

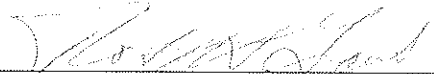
- A. **Ordinance Review Committee** - No report.
- B. **Architectural Review Committee** - No report.
- C. **Site Plan/Landscape Committee** - No report.
- D. **Comprehensive Plan Committee** - No report.
- E. **Procedures and Planning Committee** - No Report

Chairman Casey noted the Commission has forwarded the report (re: the rezoning process) in the packet tonight to the Chairman of this Committee (Bob Grant).

Chairman Casey noted he has polled the Commission and they, unanimously decided to require the packets be delivered by Friday night, prior to each Commission meeting.

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

The meeting adjourned at 9:40 p.m.



Robert Grant, Secretary

[MIN10-28.096]