

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
October 27, 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
Mayor John Nations
Ms. Mary Brown, Council Liaison
Ms. Teresa Price, Director of Planning
Ms. Annissa McCaskill, Senior Planner
Mr. David Bookless, Project Planner
Mr. Mike Hurlbert, Project Planner
Ms. Christine Smith Ross, Project Planner
Ms. Kathy Lone, Planning Assistant

II. INVOCATION: Commissioner Wardlaw

III. PLEDGE OF ALLEGIANCE:

Chairman Sherman recognized the attendance of Mayor John Nations; Councilmember Jane Durrell (Ward I); Councilmember Bruce Geiger (Ward II); Councilmember Mike Casey (Ward III); Councilmember Connie Fults (Ward IV); Council Liaison Mary Brown (Ward IV), and former Planning Commissioner Jerry Right.

IV. PUBLIC HEARINGS:

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

- A. **P.Z. 20-2003 Melody Human (Magnolia's Market Place)**: a request for a change of zoning from an "NU" Non-Urban District to a "PC" Planned Commercial District for a .45 acre tract of land located east of Long Road and south of Chesterfield Airport Road (Locator Number: 17V 14 0043).

The request contains the following permitted uses:

- (b) Animal hospitals, veterinary clinics, and kennels.
- (e) Associated work and storage areas required by a business, firm, or service to carry on business operations.
- (f) Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly.
- (h) Barber shops and beauty parlors.
- (i) Bookstores.
- (m) Child care centers, nursery schools, and day nurseries.
- (o) Dry cleaning drop-off and pick-up stations.
- (p) Filling stations, including emergency towing and repair services, provided that no automobile, truck, or other vehicle may be parked or stored in the open on the premises for longer than twenty-four (24) hours.
- (q) Film drop-off and pick-up stations.
- (r) Fishing tackle and bait shops. Open storage and display are prohibited.
- (s) Financial institutions.
- (w) Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:
 - (i) Adequately screened with landscaping, fencing or walls, or any combination thereof; or
 - (ii) Placed underground; or
 - (iii) Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.

All plans for screening these facilities shall be submitted to the Department of Planning for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning.

- (x) Medical and dental offices.
- (y) Mortuaries.
- (z) Offices or office buildings.
- (bb) Outpatient substance abuse treatment facilities.
- (cc) Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.
- (dd) Police, fire, and postal stations.
- (ee) Public utility facilities.

- (gg) Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
- (hh) Restaurants, fast food
- (ii) Restaurants, sit down
- (mm) Schools for business, professional, or technical training, but not including outdoor areas for driving or heavy equipment training.
- (nn) Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftpersons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, fishing tackle and bait shops, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.
- (oo) Sewage treatment facilities, as approved by the appropriate regulatory agency.
- (pp) Permitted signs (See Section 1003.168 'Sign Regulations').
- (qq) Souvenir shops and stands, not including any zoological displays, or permanent open storage and display of manufacturing goods.
- (rr) Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises.
- (uu) Vehicle repair facilities for automobiles.
- (vv) Vehicle service centers for automobiles.
- (ww) Vehicle washing facilities for automobiles.

Project Planner Michael Hurlbert gave a power point presentation showing the subject site and surrounding area.

1. Ms. Melody Human, 119 North Central Avenue, Eureka, MO 63025, petitioner for **P.Z. 20-2003 Melody Human (Magnolia's Market Place)**, stated the following:

- Business is presently in Eureka but needs a larger location;
- Business will be for floral arrangements for country clubs and restaurants as well as a home décor and gift area in the building;
- Rear of the building will be a large cooler for the flowers;
- Is agreeable to limit the list of 'Permitted Uses;'
- There will be some part-time employees and some temporary seasonal employees, as needed;
- Is willing to have fewer parking spaces and come back to Planning Commission if more spaces would be needed;
- A curb cut on Long Road is not allowed for this site so petitioner is proposing a curved driveway into site so that there would not be any stopped traffic since petitioner is proposing using the same curb cut as McDonald's;
- Any signage will meet City standards;

- Petitioner is reviewing having a sign by the curb cut to let customers know where to enter the Magnolia's site.
2. Mr. Justin Winters, Pickett, Ray & Silver, 333 Mid Rivers Mall Drive, St. Peters, MO 63376, engineer for **P.Z. 20-2003 Melody Human (Magnolia's Market Place)**;
- Speaker was present to answer questions.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL – None

REBUTTAL – None

Mr. Hurlbert stated that the following issues would be reviewed and addressed:

- Scale down the 'Permitted Uses' list;
- Number of employees;
- Number of parking spaces;
- Possibility of deferred parking;
- Location of the entrance;
- Sign type and location.

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

- B. **P.Z. 23-2003 (LPC 3-2003) Elijah W. Payne House**; a property, located at 16 Greymore Court, has been nominated for Landmark Designation under the process established by the City of Chesterfield Ordinance Number 1719.

Project Planner Michael Hurlbert gave a power point presentation showing the subject site and surrounding area.

1. Mr. Dan Rothwell, 15720 Callender Court, Chesterfield, MO 63017, member of the Landmark Preservation Commission and speaking in favor of **P.Z. 23-2003 (LPC 3-2003) Elijah W. Payne House**;
- Speaker gave a history of the Elijah W. Payne house that is located at 16 Greymore Court;

- Speaker nominated this property for the Chesterfield Historical Register and Kathy Goldner put together the packet information;
- Speaker stated that the owners, Joe and Jennifer Bonwich, are in favor of this nomination.

Commissioner Perantoni, a Planning Commission Liaison to the Landmark Preservation Commission, stated that the nomination packets are very well done and hopes that other owners will come forward to put their homes on the Chesterfield Historical Register.

Mr. Hurlbert stated that there are no issues to be reviewed and addressed.

Commissioner Layton read the next portion of the ‘Opening Comments’ for the remaining Public Hearing petitions.

- C. **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.

Senior Planner Annissa McCaskill gave an overview and stated that the purpose of this Zoning Ordinance amendment is to provide standards for effective, economical and attractive outdoor lighting.

Miss McCaskill stated the following:

- Would apply to both residential and non-residential parcels;
- Would require that a lighting plan be submitted with any site development plan, preliminary plan or subdivision improvement plan;
- Would address light shielding requirements, street lighting standards, acceptable illumination levels, recreational lighting, parking area lighting, airport lighting, special usage of neon, prohibitions and exemptions to the lighting ordinance, outdoor lighting for outdoor advertising and times of operation for exterior lighting.

COMMENTS/DISCUSSION

Commissioner Broemmer suggested including historic, art and museum districts since they may require different lighting and types of lighting.

City Attorney Beach stated that City Council has an issue of wanting neon lighting reviewed for around the Parkway and possibly prohibiting any additional neon lighting.

Commissioner Banks suggested reviewing the terms ‘Luminaire Full Cutoff,’ ‘Shielded-Fully,’ and ‘Shielded-Partially.’

Commissioner Macaluso asked if there were standards for the color of the lights.

Commissioner Broemmer stated that a mercury vapor and metal halide produce a white light and low and high pressure sodium lamps produce the yellowish light. Commissioner Broemmer stated that certain light fixtures could be specified in the lighting ordinance but questioned whether the Commission wants to be that strict since there may be some situations in which to use the various lighting fixtures.

Commissioner Macaluso suggested the different lights could be used in different locations.

City Attorney Beach asked that Staff review the neon section and be more specific.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL – None

REBUTTAL – None

D. P.Z. 27-2003 City of Chesterfield (Sign Package Requirements) and P.Z. 28-2003 City of Chesterfield (Time Limitation on Inactive Petitions) A request to amend:

1. Section 1003.168 (Sign regulations--general) of the City of Chesterfield Zoning Ordinance to include standard requirements for Sign Package submittals; and

2. Section 1003.300 (Procedure for amending the Zoning Ordinance) of the City of Chesterfield Zoning Ordinance to establish Section 1003.300 (12) to establish time limitations on inactive petitions.

Senior Planner Annis McCaskill gave an overview of **P.Z. 27-2003 City of Chesterfield (Sign Package Requirements)**. Ms. McCaskill stated that this Zoning Ordinance amendment would address what needs to be shown in Site Plan Committee for Sign Packages. It would require the location, size, height, construction, material, illumination, placement of signs, number of proposed signs, elevations of all detached signs, dimensions, height, square footage of all existing signs or note that none exist for both freestanding and attached signs, description of advertising copy or wording to be

displayed on signs, and material specifications for proposed signs including sign materials and colors.

Commissioner Broemmer asked if the type, color and brightness of lighting for the signs needed to be addressed. Commissioner Broemmer also questioned if landscaping would be part of the sign package.

City Attorney Beach questioned when the signage for an existing development would be reviewed possibly for amending. City Attorney Beach also suggested adding a provision for flexibility that perhaps a developer wants more signs but the signs would be smaller. City Attorney Beach also suggested a statement from the developer why a sign package would be appropriate rather than the normal sign regulations.

Commissioner Macaluso suggested adding at what part of the development process a sign package would be required.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL – None

REBUTTAL – None

Ms. McCaskill gave an overview of **P.Z. 28-2003 City of Chesterfield (Time Limitation on Inactive Petitions)** and stated that with this Zoning Ordinance amendment, a petition would automatically be deemed inactive by the Planning Department if it does not go to Issues Meeting within six (6) months of its Public Hearing and the petitioner would have to re-file and have another Public Hearing.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL – None

REBUTTAL – None

- 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)** and stated that this district could not be established on property that is less than one (1) acre if that property has a common line with residential without having a common line with commercial or industrial district. Properties which are in a Landmark Preservation Area or designated as a Landmark within the City of Chesterfield are exempt from having a minimum yard size.

Ms. McCaskill stated that setbacks for parking areas, internal drives, loading districts and structures are established in the conditions of the governing ordinance. Ms. McCaskill stated that the ordinance does not allow for any flashing signs and illumination of signage will be as approved on the site development plan. Ms. McCaskill stated that horizontal and vertical projection of signage, especially of the marquee, will also be approved by the City on the preliminary plan so the developer will need to have a concept of the signage for the project. Ms. McCaskill stated that street banners are the only temporary signage allowed and information on the banner has to have a direct relationship to the exhibit shown.

Commissioner Hirsch stated that Section 3. *Establishment*, (2) the last sentence ‘...should be developed for museum and theater use’ needs to be changed to ‘museum and arts use’ or whatever would be appropriate.

Commissioner Hirsch stated that ‘commercial and non-commercial art galleries’ should be listed in Section 4. *Permitted land uses and developments*, (2), (a) Art galleries (last sentence).

Commissioner Hirsch stated that perhaps there would be some allowable ancillary performance areas under Section 4. *Permitted land uses and developments*, (2), (c) ‘Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, or any other facility for public assembly excluding outdoor performance area.’

Ms. McCaskill stated that Section 5. *Conditional land use and development permits issued by the Commission* has outdoor performance areas and their criteria. Ms. McCaskill stated that they were not listed as a straight permitted use in case additional conditions may be placed on them so it would be a separate public hearing.

Ms. McCaskill stated that she could add language that ‘outdoor performance areas’ are granted as a conditional use or under application as a conditional use.

Commissioner Hirsch stated that Section 4. *Permitted land uses and developments*. (i) 'Outdoor art displays' needs to be more general because 'Said displays must be related to the purpose of the museum' and a theatre may have an outdoor art display.

Commissioner Hirsch stated that Section 4. *Permitted land uses and developments*. (2). (e) Cafeterias for employees and guests only of the primary use, (f) Hotels and motels, and (l) Restaurants, sit down, all deal with restaurants. Commissioner Hirsch asked if this is a conflict.

Commissioner Wardlaw questioned what business a church, club, lodge or meeting room have in a museum or arts district and also the inclusion of hotels and motels in that district. [Section 4 *Permitted land uses and developments*. (2), (c) (f) (h)]

Commissioner Wardlaw expressed concern that this ordinance amendment is being broadened to include commercial activity.

Commissioner Hirsch stated that there could be a multi-purpose building which could include some commercial office space, classrooms, theater or art gallery.

Commissioner O'Connor left the meeting at 8:10 p.m. and returned at 8:11 p.m.

Ms. McCaskill stated that an ancillary use could be created and list office and office buildings.

Ms. McCaskill stated that she would clarify the follow: 'An 'MA' Museum and Arts District shall not be established on any tract of land less than one acre that has a common property line with any residential district and does not have a common property line with any commercial or industrial district' (one line has to be commercial or industrial district)

Commissioner Manacluso stated that she would like a maximum time limit listed for temporary banners in Section 10. *Sign regulations*. (3).

The Planning Commission does not want this petition returned to the Ordinance Review Committee for review.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL – None

REBUTTAL – None

Commissioner Layton read the closing portion of the ‘Opening Comments.’

V. APPROVAL OF MEETING MINUTES

Commissioner Broemmer made a motion to approve the October 13, 2003 Meeting Minutes, as corrected. The motion was seconded by Commissioner Wardlaw and **passes by a voice vote of 9 to 0.**

VI. PUBLIC COMMENT -

1. Mr. James R. Hall, Hall & Halsey Associates, 424 South Clay Avenue, St. Louis, MO, Land Planner and speaking in favor of **P.Z. 17-2003 Rausch Tract;**

- Speaker stated that he was present to answer questions;
- Speaker stated that the drive-way is 24-feet wide coming off Kehrs Mill Road. Once the drive-way passes the first two (2) houses, it narrows to 15-feet wide when it becomes a drive-way for lot 3.

Commissioner Macaluso suggested that the petitioner consider making the drive-way for lot 3 wider to accommodate traffic in both directions.

2. Mr. Steve Lander, 679 Old Riverwoods Lane, Chesterfield, MO 63017, neighboring resident and speaking in opposition for **P.Z. 6-2003: Villages at Kendall Bluff;**

- Speaker stated that his only problem with this petition is the building of units 11-14B that overlook his property;
- Speaker stated that if City Council does not approve saving trees #44 and #45, the 80-foot setback is not enough;
- Speaker stated that he would like a new amendment that would require a 125-foot building setback along the property line of Old Riverwoods Drive.

3. Mr. Brad Geller, 253 Cordovan Commons Parkway, Chesterfield, MO 63017, neighboring resident and speaking in opposition to **P.Z. 6-2003: Villages at Kendall Bluff;**

- Speaker presented pictures of drainage problems in his subdivision which borders the proposed site;
- Speaker stated that the drainage problems will become worse unless major changes are made;

- Speaker asked that the Jones Company add one (1) to two (2) additional storm culverts;
 - Speaker asked that the buffer be enlarged between the proposed site and Villas at Ladue Bluffs.
4. Mr. Bob Moore, 229 Cordovan Commons, Chesterfield, MO, neighboring resident and speaking in opposition to **P.Z. 6-2003: Villages at Kendall Bluff;**
 - Speaker expressed concern with the traffic on Olive Boulevard;
 - Speaker stated that it is difficult to enter and exit his subdivision now.
 5. Mr. Ray Richardson, 239 Cordovan Commons Parkway, Chesterfield, MO 63017, neighboring resident and speaking in opposition to **P.Z. 6-2003: Villages at Kendall Bluff;**
 - Speaker expressed concern with drainage problems.
 6. Mr. Tom Cullinane, 221 Cordovan Commons Parkway, Chesterfield, MO 63017, neighboring resident and speaking in opposition to **P.Z. 6-2003: Villages at Kendall Bluff;**
 - Speaker stated that the proposed site is 63.8 acres with 61.6 of those acres classified as woodland area on the proposed site;
 - Speaker stated that most of the trees that would be saved are on the back portion of the proposed site;
 - Speaker asked that the buffer between Villas at Ladue Bluffs and this proposal be raised from 50 feet to 100 feet.
 7. Mr. Bob Wald, 227 Cordovan Commons Parkway, Chesterfield, MO 63017, neighboring resident and speaking in opposition to **P.Z. 6-2003: Villages at Kendall Bluff;**
 - Speaker stated that his three (3) concerns are traffic, trees and drainage;
 - Speaker asked the Planning Commission to vote against reconsideration of this petition.
 8. Mr. John Wagner, 17107 Chesterfield Airport Road, Chesterfield, MO 63005, speaking in favor of **P.Z. 21-2003 Jim Lynch/Larry Enterprises;**
 - Speaker asked the Planning Commission to reconsider the requirement restricting the service entrance to the north side of the building;
 - Speaker stated that he was present to answer questions.

9. Mr. Rick Clawson, 11477 Olde Cabin Road, Creve Coeur, MO 63141, architect for and speaking in favor of **P.Z. 21-2003 Jim Lynch/Larry Enterprises**);

- Speaker stated that General Motors has a standard proto-type for the elevations but the petitioner will work with General Motors, the Planning Commission and Staff on the elevations.

Commissioner Macaluso stated that she wants the Attachment A written so that the standard General Motors proto-type is not allowed at this site. Commissioner Macaluso stated that she would like this petition held to allow the petitioner time get a proto-type that would be approved by General Motors and the Planning Commission.

Commissioner Wardlaw stated that his experience is that when any automobile manufacturer issues a proto-type to a dealer for construction, very seldom are they requiring that the building be exactly like the proto-type. Commissioner Wardlaw stated that automobile manufacturers do not want to spend money on architectural elevations so they will present proto-types.

Chairman Sherman called a recess at 8:44 p.m. and the meeting reconvened at 8:51 p.m. with all Commissioners present.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

- A. **Davis Street Land Company, L.L.C Site Development Plan:** *Revised* Architectural Elevations for two retail buildings on a 1.983-acre tract of land, zoned "PC" Planned Commercial District, located between Clarkson Road and Old Baxter Road, south of Chesterfield Parkway East.

Commissioner Wardlaw, on behalf of the Site Plan Committee, made a motion to approve the Revised Architectural Elevations for two retail buildings for **Davis Street Land Company, L.L.C. Site Development Plan**, as presented. The motion was seconded by Commissioner Perantoni and **passes** by a voice vote of 9 to 0.

- B. **Walnut Grove, Lot B (Saltwater Cowboy)**: Amended Site Development Plan and Architectural Elevations for an 8,865 square foot building on a 2.375-acre tract of land, zoned "C-8" Planned Commercial District and "FPC-8" Flood Plain/Planned Commercial District, located on Long Road north of Wildhorse Creek Road.

Commissioner Wardlaw, on behalf of the Site Plan Committee, made a motion to approve the Amended Site Development Plan and Architectural Elevations for **Walnut Grove, Lot B (Saltwater Cowboy)** with the Architectural Review Board's (ARB) recommendations by darkening the blonde wood stain and including the internally illuminated channel-letter sign. The motion was seconded by Commissioner Hirsch and **passes** by a voice vote of 9 to 0.

- C. **Pottery Direct**: Sign Approval for Pottery Direct (formerly Beckman Brothers development) zoned "PI" Planned Industrial District located on Chesterfield Airport Road, east of Baxter Road.

Commissioner Wardlaw, on behalf of the Site Plan Committee, made a motion to approve the sign, without lighting, for **Pottery Direct**. The motion was seconded by Commissioner Broemmer and **passes** by a voice vote of 9 to 0. (Petitioner must come back to the Planning Commission for approval to add lighting to the sign.)

- D. **Towne Centre Plat 2**: A record plat for Lot 3 of Towne Centre, a PC Planned Commercial District, located on Long Road, South of Chesterfield Airport Road.

Commissioner Wardlaw, on behalf of the Site Plan Committee, made a motion to approve the Record Plat for **Monarch Trace**, as presented. The motion was seconded by Commissioner Broemmer and **passes** by a voice vote of 9 to 0.

Chairman Sherman stated that a motion made at the October 13, 2003 Planning Commission meeting on the following petition was to hold until this meeting.

Baxter Crossing, Lot 5: A Partial Amended Site Development Concept Plan in a Planned Environment Unit.

Chairman Sherman made a motion to hold Parcel C of **Baxter Crossing, Lot 5** until the petitioner comes forward. The motion was seconded by Commissioner Macaluso and **passes** by a voice vote of 9 to 0.

VIII. OLD BUSINESS –

- A. **P.Z. 6-2003: Villages at Kendall Bluff**: a request for a Planned Environment Unit (PEU) in a “R1A” Residential District for a 63.8 acre tract of land located on the north side of Olive Boulevard, east of Cordovan Commons Parkway and west of Old Riverwoods. Proposed Uses: Attached single family uses with accessory uses (Locator Number: 17R-53-0192)

Chairman Sherman stated that Planning Commission will discuss reconsideration of **P.Z. 6-2003: Villages at Kendall Bluff**.

Chairman Sherman made a motion to reconsider **P.Z. 6-2003: Villages at Kendall Bluff**. The motion was seconded by Commissioner Layton. (The motion was made and seconded for purpose of discussion only.)

Chairman Sherman stated that if the motion for reconsideration is approved, there would be an Issues and Vote Meeting.

Chairman Sherman stated that after the last meeting she decided that she did not have enough understanding of the project, especially with regards to the access for the subdivision and for the Fire District.

City Attorney Doug Beach stated that this petition would come back with Attachment A and with the two (2) amendments for an 80-foot setback on the eastern side (by the subdivision) and saving of the two (2) trees (#44 and #45).

Commissioner Perantoni stated that she would like to revisit this petition because she also has a question on what was really voted on and where the access was. Commissioner Perantoni stated that the Commission voted in favor of amendments and therefore she felt she had no choice but to vote for the project. Commissioner Perantoni stated that she thinks there are additional issues and if they could be identified now, she would have more understanding to perhaps vote differently.

Commissioner Wardlaw stated that he has had a problem with this petition all along and does not think that revisiting this petition will help. Commissioner Wardlaw stated that knowing how the City feels about preservation of trees and green space, this developer wants to virtually wipe it out. Commissioner Wardlaw stated that neighbors on both sides of this proposed site have shown and demonstrated a great deal of concern of things that can and are happening to their property and that the entrance situation has been presented in a very cloudy manner. Commissioner Wardlaw stated that he could not see this petition going forward and would vote ‘no’ again.

Commissioner Banks stated that he voted against this petition and had mixed emotions until hearing the discussion this evening. Commissioner Banks stated that there was a great deal of confusion on what was voted on.

Commissioner Layton stated that he voted against this petition primarily due to the road. Commissioner Layton stated that unless the road is tied into the Ladue Road stop light, an extremely dangerous situation will be created. Commissioner Layton also expressed concern with the drainage and the grade of the road.

Commissioner Hirsch stated that the Planning Commission should not reconsider this petition. Commissioner Hirsch agrees with Commissioner Wardlaw that there have been good and sufficient reasons why the project should not go through with even more reasons being brought up tonight.

Commissioner Macaluso stated that she would vote 'no' on reconsideration because she does not see what additional information would be received. Commissioner Macaluso stated that there are issues with traffic, entrances, exiting, tree preservation, and water. Commissioner Macaluso stated that all of the issues from the beginning of the project still have not been addressed.

Commissioner Broemmer stated that all of the issues have been heard and none have been addressed by the petitioner and does not see a need for reconsideration.

Chairman Sherman stated that her motion for reconsideration was to get some clarity on some of the issues. Chairman Sherman stated she may still vote against the project.

Commissioner O'Connor stated that she agrees with the Commissioners who say that there are numerous issues that are not resolved and will not be resolved by the Commission dragging this petition out for a few more weeks.

Chairman Sherman called for the vote:

Chairman Sherman made a motion to reconsider **P.Z. 6-2003: Villages at Kendall Bluff**. The motion was seconded by Commissioner Layton. (The motion was made and seconded for purpose of discussion only.)

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

The motion to reconsider fails by a vote of 4 to 5.

- B. P.Z. 17-2003 Rausch Tract:** A request for a change of zoning from a "NU" Non-Urban District to an "R-3" Residence District for a 1.17 acre tract located west of the intersection of Kehrs Mill Road and Wendimill at 2759 Kehrs Mill Road in a subdivision called "Kissling Acres" (Locator number 21T 62 0044).

Project Planner Christine Smith Ross gave an overview of **P.Z. 17-2003 Rausch Tract** and asked the Commission if they had additional issues to be reviewed and addressed.

Commissioner Macaluso asked that the petitioner review the width of the driveway and the 8-foot side yard setback.

Chairman Sherman stated that **P.Z. 17-2003 Rausch Tract** would be held until all issues are reviewed and addressed.

- C. **P.Z. 21-2003 Jim Lynch/Larry Enterprises**): a request for the following amendments to City of Chesterfield Ordinance 1790 for a 14.1 acre “PI” Planned Industrial District located North of Interstate 64/Highway 40 and North Outer 40, west of Boone’s Crossing (Locator Number 17U520027):

Attachment A, § I, Permitted Uses, A(xx): Sales, rental, leasing of new and used vehicles, including automobiles, trucks, trailers, construction equipment, agricultural equipment, and boats, as well as associated repairs and necessary outdoor storage of said vehicles

Attachment A, § VII, Specific Criteria, A. Structure Setbacks (1): Two hundred fifteen (215) feet from the northern district boundaries.

Attachment A, § VII, Specific Criteria, A. Structure Setbacks (2): One hundred twenty (120) feet from the southern district boundary.

Attachment A, § VII, Specific Criteria, A. Structure Setbacks (4): Seventy-five (75) feet from the eastern district boundary.

Senior Planner Annissa McCaskill gave an overview of **P.Z. 21-2003 Jim Lynch/Larry Enterprises**. Ms. McCaskill stated that the petitioner has received a proto-type from General Motors and will be submitting a rendering. Ms. McCaskill stated that Attachment A does not mention location of display areas but it could be added. Ms. McCaskill stated that the service area entrance was moved to the north side because, visually, Staff thought that would have the lowest impact but is open to any changes or corrections the Commission may have.

Commissioner Hirsch expressed concern with the parking of vehicles on grass.

Ms. McCaskill stated that there is an ordinance that states that vehicles cannot be parked on grass but language could also be added to Attachment A.

Commissioner Macaluso expressed concern with the size of the hummer and size of parking space that would be required.

Ms. McCaskill stated that no standards have been set for this size vehicle.

Commissioner Broemmer made a motion to hold **P.Z. 21-2003 Jim Lynch/Larry Enterprises** until petitioner answers questions concerning rendering of the building, size of parking spaces, and visualization of what the parking lot would look like. The motion was seconded by Commissioner Banks and **passes** by a voice vote of 9 to 0.

IX. NEW BUSINESS – None

X. COMMITTEE REPORTS:

- A. Committee of the Whole**
- B. Ordinance Review Committee**

Chairman Sherman stated that an Ordinance Review Committee Meeting would be held Wednesday, October 29, 2003 at 2:00 p.m. at City Hall.

- C. Architectural Review Committee**
- D. Landscape Committee**

Chairman Sherman stated that a Landscape Committee Meeting would be held Wednesday, October 29, 2003 at 3:00 p.m. at City Hall.

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

Chairman Sherman made a motion to adjourn the meeting. The motion was seconded by Commissioner Banks and the meeting unanimously adjourned at 9:25 p.m.

B. G. Wardlaw, Secretary

