

CORRECTED
PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
October 13, 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. Kyle Dubbert, Project Planner
Mr. Mike Hurlbert, Project Planner
Ms. Aimee Nassif, Project Planner
Ms. Kathy Lone, Planning Assistant

II. INVOCATION: Commissioner Broemmer

III. PLEDGE OF ALLEGIANCE:

Chairman Sherman recognized the attendance of Mayor John Nations; Councilmember Mike Casey (Ward III); Councilmember Connie Fults (Ward IV); and Council Liaison Mary Brown (Ward IV).

IV. PUBLIC HEARINGS:

Commissioner Banks read the first portion of the ‘Opening Comments.’

- A. **P.Z. 16-2003 THE Chesterfield Two Development, L.L.C. (Chesterfield Commons East)**: a request for a change of zoning from a “C-8” Planned Commercial District and a “PC” Planned Commercial District to a new “PC” Planned Commercial District for 61.984 acre tract of land located south of Chesterfield Airport Road, east of Chesterfield Commons Drive, west of Chesterfield Commons East Drive, and north of Edison Avenue. (Locator Numbers: 17T 23 0101, 17T 23 0079, 17T 14 0055, 17T 14 0176).

The request contains the following permitted uses:

- (e) Associated work and storage areas required by a business, firm, or service to carry on business operations.
- (h) Barber shops and beauty parlors.
- (i) Bookstores.
- (l) Cafeterias for employees and guests only.
- (n) Colleges and universities.
- (q) Film drop-off and pick-up stations.
- (s) Financial institutions.
- (v) Hotels and motels.
- (w) Local public utility facilities, provided that any installation, other than poles and equipment attached to poles, shall be:
 - (i) Adequately screened with landscaping, fencing, or walls, or any combinations thereof; or
 - (ii) Placed underground; or
 - (iii) Enclosed in a structure in such 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.
- (z) Offices or office buildings.
- (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.
- (pp) Permitted signs (see Section 1003.168 ‘Sign Regulations’).
- (rr) Stores, shops, markets, service facilities and automatic vending machines in which goods or services of any kind, including indoor sale of motor vehicles, are offered for sale or hire to the general public on the premises.

Chairman Sherman stated that the petitioner for **P.Z. 16-2003 THF Chesterfield Two Development, L.L.C. (Chesterfield Commons East)** has requested that this petition be postponed.

Commissioner Wardlaw made a motion to accept the request to postpone **P.Z. 16-2003 THF Chesterfield Two Development, L.L.C. (Chesterfield Commons East)** until further notice. The motion was seconded by Commissioner Hirsch and **passes** by a voice vote of 9 to 0.

Commissioner Layton stated that he was leaving the dais and would not participate in any discussion or votes on **P.Z. 29-2002 The Bluffs at Appaloosa Way**.

Commissioner Banks read the next portion of the 'Opening Comments' for a Public Meeting.

PUBLIC MEETING:

- B. **P.Z. 29-2002 The Bluffs at Appaloosa Way**: A request to withdraw approximately 6.03 acres from the original 13.5-acre petition for change of zoning. This revised petition is a request for a change of zoning from an "NU" Non-Urban District to an "E-3" Residence District for an approximately 7.47-acre tract of land located on the north side of Wildhorse Creek Road, to the west of the "Appaloosa Way" subdivision.
1. Mr. Mike Doster, 17107 Chesterfield Airport Road, Chesterfield, MO 63005, attorney for **P.Z. 29-2002 The Bluffs at Appaloosa Way**, stated the following:
 - Presented a hand-out to the Commission;
 - Gave a power point presentation showing the subject site and surrounding area;
 - Petitioner has removed 6 acres from the original 13.5 acres in the rezoning petition from 'NU' Non-Urban to 'E-3' Residence District;
 - Surveyors have shot the grade and it has been determined that the new proposed road can be built at approximately the same elevation as the existing road and then no retaining wall will be necessary on the east side;
 - The existing trees on the east side will be undisturbed;
 - As a result of the way that the road will be built, retaining walls will be necessary on the west side;
 - Speaker gave an overview of the previous review and vote process for this petition.

2. Mr. Barry Simon, President of Simon Homes, 632A Trade Center Boulevard, Chesterfield, MO 63005, petitioner and speaking in favor of **P.Z. 29-2002 The Bluffs at Appaloosa Way**, stated the following:
 - Speaker presented a hand-out to the Commission;
 - Speaker stated that he has spoken to neighboring trustees and they are in favor of this rezoning;
 - Speaker stated that he has eliminated the six (6) rear acres from this proposal;
 - Speaker stated that four (4) of the five (5) houses in the Hi Pointe Subdivision will remain undisturbed;
 - 14 existing trees, which are on the Shearn's property but are located within an existing 50-foot easement, will remain undisturbed;
 - The new road will be private and built to all standards and will be maintained by the Bluffs at Appaloosa Way Subdivision;
 - The new road will be constructed in the center of the 50-foot road easement and parts of the road will be farther to the west than the existing road;
 - The new road will eliminate a current dangerous entrance onto Wild Horse Creek Road and will now allow emergency vehicles easy access to the nine (9) new houses and the four (4) remaining houses in the Hi Point Subdivision.

SPEAKERS IN FAVOR -

3. Ms. Leasa Machamer, 233 Hi Point Road, Chesterfield, MO 63005, speaking in favor of **P.Z. 29-2002 The Bluffs at Appaloosa Way**;
 - Speaker stated that this proposal is a vast improvement over the current subdivision;
 - Speaker stated that she has not been able to sell her property until the petitioner offered to buy it;
 - Speaker stated that other homeowners' concerns have been resolved;
 - Speaker asked the Planning Commission to approve this petition.
4. Mr. Roy Ide, 16755 Wild Horse Creek Road, Chesterfield, MO 63005, speaking in favor of **P.Z. 29-2002 The Bluffs at Appaloosa Way**;
 - Speaker stated that he wants to move and needs his property rezoned in order to sell it.

SPEAKERS IN OPPOSITION –

5. Ms. Kerry Feld, 10 South Brentwood, Clayton, MO 63105, attorney representing the Shearn's and Reuther's of the Hi Pointe Subdivision, speaking in opposition to **P.Z. 29-2002 The Bluffs at Appaloosa Way**, stated the following;

- This application involves all of the same issues as the prior application;
 - This petition involves destruction of a neighborhood;
 - All applications to rezone this subdivision should be denied until the entire subdivision is ready for redevelopment;
 - Approval of this petition would set a dangerous precedent for the future.
6. Mr. Brian Calderwood, 2024 Meadowbrook Way Drive, Chesterfield, MO 63017, speaking in opposition to **P.Z. 29-2002 The Bluffs at Appaloosa Way**;
- Speaker stated that he is glad that the petitioner will be saving the trees;
 - Speaker stated that removing the six (6) acres from this petition does not change his opposition to this proposal.
7. Ms. Patty Shearn, 210 Hi Point Road, Chesterfield, MO 63005, speaking in opposition to **P.Z. 29-2002 The Bluffs at Appaloosa Way**;
- Speaker stated that she is not in opposition to the Layton's removing their property from this proposal;
 - Speaker stated that the same issues are still present;
 - Speaker stated that the City needs 1 ½ acre zoning;
 - Speaker stated that she is cautious that the trees will remain;
 - Speaker expressed concern with the voting issue since a super majority by City Council would have been required for passage and asked why the six (6) acres were not removed earlier from the proposal.

SPEAKERS – NEUTRAL –

REBUTTAL -

Mr. Doster stated that the petitioner has attempted to address the two (2) issues of the trees and retaining wall. Mr. Doster stated that, in addition to the conditions in Attachment A, the petitioner is willing to agree to two (2) additional conditions: 1. No retaining wall on the east side of the existing road easement; and 2. The existing trees on the east side of the existing road easement will remain undisturbed.

Commissioner Banks read the last portion of the ‘Opening Comments.’

Commissioner Macaluso made a motion to deny the request to amend **P.Z. 29-2002 The Bluffs at Appaloosa Way** and remove six (6) acres from the petition. **The motion dies due to lack of a second.**

Commissioner Macaluso stated that there are still issues that have not been resolved.

Commissioner Hirsch made a motion to approve the request for **P.Z. 29-2002 The Bluffs at Appaloosa Way** without prejudice. The motion was seconded by Commissioner Broemmer.

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

The motion **passes** by a vote of 7 to 1. (Commissioner Layton did not vote.)

Commissioner Broemmer made a motion to accept the amended petition for **P.Z. 29-2002 The Bluffs at Appaloosa Way** with the following conditions: That there will be no retaining wall on the east side of the roadway, the trees remain undisturbed, and the four (4) issues from Mr. Tom Schroyer (letter dated January 10, 2003) be included in Attachment A. The motion was seconded by Commissioner Wardlaw.

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

The motion **passes** by a vote of 6 to 2. (Commissioner Layton did not vote.)

V. APPROVAL OF MEETING MINUTES

Commissioner Broemmer made a motion to approve the September 22, 2003 Meeting Minutes. The motion was seconded by Commissioner Perantoni and **passes** by a voice vote of 8 to 0. (Commissioner Layton was absent for the vote.)

Commissioner Broemmer made a motion to approve the September 29, 2003 Planning Commission Committee of the Whole Meeting Minutes. The motion was seconded by Commissioner Perantoni and **passes** by a voice vote of 8 to 0. (Commissioner Layton was absent for the vote.)

Commissioner Layton returned to the dais at 8:00 p.m.

VI. PUBLIC COMMENT -

1. Ms. Jeannie Geers, 190 Carondelet Avenue, St. Louis, MO 63105, attorney for and speaking in favor of **P.Z. 12-2003 Sheridan's Ice Cream Parlor**:
 - Speaker stated that there are only two (2) issues remaining with this petition: 1. Regarding the size of the building foot print and the petitioner is willing to drop this issue (building will be limited to a 2,000 square foot building) and 2. General

criteria related to detention, traffic studies and tree preservation plans and stormwater do not apply to this site because all of these issues have been previously addressed and approved.

2. Mr. Ed Griesedieck, 1 City Center, St. Louis, MO 63101, attorney 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 the petitioner will replace any trees as per the City's Tree Ordinance;
 - Speaker stated that the requested zoning category is consistent with the Comprehensive Plan and the neighboring zoning.
3. Mr. Jim Finn, Sansone Group, 315 North Meramec Avenue, St. Louis, MO 63105, real estate representative for St. Luke's Hospital (Surrey Place) and speaking in favor of **P.Z. 6-2003: Villages at Kendall Bluff**;
 - Speaker stated that originally St. Luke's Hospital intended to build 127 multiple-family units for senior housing on the proposed site;
 - Speaker stated that the Fire District requires two (2) entrances for the site – one for Surrey Place and one for the subdivision.
4. Mr. Skip Kincaid, Skip Kincaid Associates, 737 Kirkshire, St. Louis, MO 63122, speaking in favor of **P.Z. 6-2003: Villages at Kendall Bluff**;
 - Speaker stated that he did the Tree Stand Delineation for this site and it provides for 35% green space;
 - Speaker stated that nearly 100% of the woodland area on the west side of the proposed site will be protected;
 - Speaker stated that 35 of the 42 monarch trees on the site will be preserved;
 - Speaker stated that the petitioner has met the requirements of the City's Tree Ordinance.
5. Ms. Julie Nolfo, Crawford, Bunte, Brammeier, 1830 Craig Park Court, St. Louis, MO 63146, traffic consultant and speaking in favor of **P.Z. 6-2003: Villages at Kendall Bluff**;
 - Speaker stated that if an access drive is not provided for this proposal and traffic would only have access through Surrey Place, approximately 70 vehicles per hour would be added to this drive which normally has approximately 40 vehicles per hour and the level of service would go from an 'E' to an 'F';
 - Speaker stated that if this proposal were allowed their own drive, the level of service would be 'E.'

6. Mr. Ed Unwin, The Sterling Company, 5055 New Baumgartner, St. Louis, MO 63129, engineer and speaking in favor of **P.Z. 6-2003: Villages at Kendall Bluff**;

- Speaker stated that he was present to answer questions.

7. Mr. David Richardson, 190 Carondelet Plaza, St. Louis, MO 63105, attorney for and speaking in favor of **P.Z. 6-2003: Villages at Kendall Bluff**;

- Speaker stated that the Department of Public Works is requiring one (1) point of access and the Fire District is requiring two (2) access points;
- Speaker stated that the site cannot be developed without two (2) access points.

Commissioner Macaluso left the dais at 8:19 p.m. and returned at 8:22 p.m.

8. 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 he is concerned about traffic;
- Speaker stated that the number of cars from this proposed development should be considered and not the number of units;
- Speaker stated that the area is heavily wooded and, with going from 95% green space to 35%, he is concerned about drainage.

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

- Speaker thanked the Commission for listening to his concerns if units 11-14B were developed for this proposal;
- Speaker stated that an engineer has stated that there will be a water run-off problem if the hill behind his home is cleared;
- Speaker stated that a natural buffer would be destroyed if units 11-14B are built as proposed;
- Speaker stated that the petitioner has not responded to the neighboring residents' concerns;
- Speaker stated that either lowering the number of units to be built or increasing the setback to save trees #44 and #45 would satisfy his concerns.

Chairman Sherman called a recess at 8:29 p.m. and the meeting reconvened at 8:40 p.m. with all Commissioners present.

10. Mr. Jerry Huth, #2 Chesterfield Lakes Road, Chesterfield, MO 63005, speaking in opposition to **Baxter Crossing, Lot 5**;

- Speaker stated that Wilson Road will be more dangerous with four (4) additional curb cuts;
- Speaker stated that it would be better to have a single home with a single drive;
- Speaker stated that he would like this site left undeveloped for the wild life.

11. Ms. Mary Pinney, 15909 Wilson Woods Court, Chesterfield, MO 63005, speaking in opposition to **Baxter Crossing, Lot 5**;

- Speaker stated that this road would be too dangerous with four (4) more curb cuts.

12. Ms. Wendy Geckeler, 26 Chesterfield Lakes, Chesterfield, MO 63005, speaking in opposition to **Baxter Crossing, Lot 5**;

- Speaker stated that she was speaking for Mr. John Hammond, who was unable to attend the meeting;
- Speaker stated that this area is designated in the Comprehensive Plan as one with problem soils and slopes;
- Speaker stated that there is no stormwater detention and how will this be accomplished;
- Speaker stated that the narrow setback in front is dangerous;
- Speaker stated that no sidewalks are shown on the plan and would they be required.

13. Mr. Donald Knoesel, 1425 Wilson Road, Chesterfield, MO 63005, speaking in opposition to **Baxter Crossing, Lot 5**;

- Speaker stated that the proposed site is on a dangerous stretch of Wilson Road.

14. Mr. Ed Kottmeier, 1508 Wilson Road, Chesterfield, MO 63005, speaking in opposition to **Baxter Crossing, Lot 5**;

- Speaker stated that he lives directly across from the proposed homes;
- Speaker stated that he questions the site distance surveys. Speaker stated that it needs to be observed in person and not on paper;
- Speaker stated that there is too much traffic now and the proposed site will be too dangerous with four (4) more curb cuts.

15. Ms. Leslie Wainwright, 39 Chesterfield Lakes Road, Chesterfield, MO 63005, speaking in opposition to **Baxter Crossing, Lot 5**;

- Speaker stated that the zoning for this proposed site needs to be reclassified.

16. Mr. Dave Dalton, 1401 Wilson Road, Chesterfield, MO 63005, former Planning Commissioner and speaking neutral to **Baxter Crossing, Lot 5**;

- Speaker asked for stormwater control for the area;
- Speaker stated that the soil erodes easily in the proposed area;
- Speaker asked that as much natural buffer be retained as possible;
- Speaker expressed concern with the traffic.

17. Mr. Mike Doster, 17107 Chesterfield Airport Road, Chesterfield, MO 63005, attorney for and speaking in favor of **P.Z. 10-2003 Mill Ridge Villas (The Jones Company)**;

- Speaker stated that all issues in his letter of October 10, 2003 have been addressed except for #13 and #14.

18. Mr. George Stock, 425 North New Ballas Road, St. Louis, MO 63141, engineer for and speaking in favor of **P.Z. 10-2003 Mill Ridge Villas (The Jones Company)**;

- Speaker reviewed changes in Attachment A;
- Speaker stated that the 6-lane road will only require 150 feet of right-of-way instead of 350 feet.

19. Mr. John Wagner, 17107 Chesterfield Airport Road, Chesterfield, MO 63005, speaking in favor of **P.Z. 10-2003 Mill Ridge Villas (The Jones Company)**;

- Declined to speak.

20. Mr. Jerry Duepner, Centex, Chesterfield Grove Road, Chesterfield, MO, speaking in favor of **P.Z. 10-2003 Mill Ridge Villas (The Jones Company)**;

- Declined to speak.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

- A. **Monarch Trace**: A Multiple-family Subdivision Record Plat (Easement Plat) for a 15.52-acre Planned Environment Unit (PEU) in an “R5” Residence District located on Lydia Hill Drive, across from Central City Park.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Multiple-Family Subdivision Record Plat (Easement Plat) for **Monarch Trace**. The motion was seconded by Commissioner Layton and **passes** by a voice vote of 9 to 0.

- B. **St. Luke's Hospital (Parking)**: Amended Landscape Plan for a hospital and medical complex located on a 55.35-acre tract of land, located on at the northeast corner of Conway Road and Woods Mill Road.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Amended Landscape Plan for **St. Luke's Hospital (Parking)**. The motion was seconded by Commissioner Hirsch and **passes** by a voice vote of 9 to 0.

- C. **Shops at Clarkson Corner (formerly Davis Street)**: Sign criteria for a "PC" Planned Commercial District located at Clarkson Road and Old Baxter Road.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Sign criteria for **Shops at Clarkson Corner (formerly Davis Street)**. The motion was seconded by Commissioner Broemmer and **passes** by a voice vote of 9 to 0.

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

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to **approve** the Partial Amended Site Development Concept Plan for parts A and B only for **Baxter Crossing, Lot 5**. The motion was seconded by Commissioner Layton and **passes** by a voice vote of 9 to 0.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to **hold** for two (2) weeks the Partial Amended Site Development Concept Plan for part C for **Baxter Crossing, Lot 5** for more clarification and possible revision by the petitioner. The motion was seconded by Commissioner Wardlaw and **passes** by a voice vote of 9 to 0.

The following issues will be reviewed and addressed for part C:

- Suitability of the soil for the proposed construction;
- The amount of cut and fill that would be necessary to allow the proposed development;
- Number of trees that would need to be removed from the site in order to allow for the proposed development;
- Water run-off;
- The number of units requested versus danger of the shown access for the units;
- Lack of sidewalks on the site;
- Possible easements for Wilson Road improvements that would be going through two (2) of the four (4) proposed lots;
- Stormwater;
- Siltation control;
- Line of sight calculations with the timing in seconds;
- Review the original ordinance and see if the original concept plan included any access for the site on Wilson Road;

- There are restrictions with regards to restrictions to developing certain percentages of grades. Review the original ordinance for any impact;
- Whether there is a possibility of access internally to present streets;
- Possibility of one (1) entrance for all four (4) units;
- Safety for school buses, garbage trucks and mail trucks;
- Feasibility of developing this portion of the site;
- Trees that would need to be removed for building the houses and what trees would be removed for the sight line;
- How would the natural buffers be retained.

- E. **Kemp Automobile Museum**: a Record Plat for a 9.456 acre tract of land zoned "PC" Planned Commercial District and "M-3" Planned Industrial District, located north of Chesterfield Airport Road, east of Chesterfield Commons Drive and west of Baxter Road.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Record Plat for **Kemp Automobile Museum**. The motion was seconded by Commissioner Banks and **passes** by a voice vote of 9 to 0.

- F. **Liberty Homes**: A Site Development Plan, and a Landscape Plan for a Commercial Service Procedure (CSP) on a 0.365-acre tract of land, zoned as an "R-3" 10,000 Square Foot Residence District, located on the north east side of East Chesterfield Parkway at 996 East Chesterfield Parkway.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Plan and Landscape Plan for the Commercial Service Procedure (CSP) for **Liberty Homes**. The motion was seconded by Commissioner Banks and **passes** by a voice vote of 9 to 0.

VIII. OLD BUSINESS –

- A. **P.Z. 4-2003 (14891 Olive Boulevard CSP)**: A request for a "Commercial Service Procedure" within an "NU" District for a .47 acre tract of land located at 14891 Olive Boulevard, on the north side of Olive Boulevard, east of Faust Park. (Locator Number: 17R140116)

Project Planner David Bookless gave an overview of **P.Z. 4-2003 (14891 Olive Boulevard CSP)**.

Commissioner Banks made a motion to approve **P.Z. 4-2003 (14891 Olive Boulevard CSP)**. The motion was seconded by Commissioner Macaluso.

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

The motion passes by a vote of 6 to 3.

- B. **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)

Senior Planner Annissa McCaskill gave an overview of **P.Z. 6-2003: Villages at Kendall Bluff**.

General discussion followed concerning the access, the gated entrance, and setbacks for proposed site.

Commissioner Banks made a motion to approve **P.Z. 6-2003: Villages at Kendall Bluff**. The motion was seconded by Commissioner Wardlaw. (*Motion was made and seconded for purpose of discussion only.*)

General discussion followed concerning a change in density if units were eliminated and also the possibility of increasing the setback.

Commissioner Macaluso suggested stating that certain trees be preserved rather than a setback number.

City Attorney Doug Beach stated that using a setback number would be better than what trees to be preserved.

Commissioner Broemmer made an amendment to the motion that the entrance be as shown on the plan (not through Surrey Place), a gated fire access through Surrey Place, and to increase the eastern boundary setback to 80 feet. The amendment to the motion was seconded by Commissioner Wardlaw.

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

The amendment to the motion fails by a vote of 3 to 6.

Commissioner Hirsch made an amendment to the motion to have an 80-foot setback on the eastern boundary line (adjacent to the Old Riverwoods Subdivision). The amendment to the motion was seconded by Commissioner Macaluso.

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, no; Commissioner Hirsch, yes; Commissioner Layton, yes; Chairman Sherman, yes.

The amendment to the motion passes by a vote of 8 to 1.

Commissioner Macaluso made an amendment to the motion that trees #44 and #45 in the Tree Stand Delineation shall not be removed or destroyed and that the developer shall present a plan to be reviewed by the City Arborist how they intend to save the trees prior to any grading or other activities that could harm these trees. The amendment to the motion was seconded by Commissioner Layton.

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 amendment to the motion passes by a vote of 9 to 0.

The Commission votes on the motion, as amended:

Commissioner Banks made a motion to approve **P.Z. 6-2003: Villages at Kendall Bluff**. The motion was seconded by Commissioner Wardlaw.

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

The motion, as amended, fails by a vote of 2 to 7.

- C. **P.Z. 10-2003 Mill Ridge Villas (The Jones Company)**: a request for a Planned Environment Unit (PEU) Procedure within an existing "FPR-2" Residence District for a 19.928 acre property located at the intersection of Creve Coeur Mill Road. (Locator Numbers 15Q310482, 15Q310617, 15Q310581, 15Q310635, 15Q310592, 15Q320920)

Senior Planner Annissa McCaskill gave an overview of **P.Z. 10-2003 Mill Ridge Villas (The Jones Company)**. Ms. McCaskill stated that there are two (2) outstanding Public Works issues in Attachment A with regards to the detention area shown in the reservation strip as well as the actual width of the reservation strip which is proposed as 350 feet. Ms. McCaskill stated that Public Works feels that the reservation strip should not be utilized to maintain anything on the site.

Commissioner Layton made a motion to approve **P.Z. 10-2003 Mill Ridge Villas (The Jones Company)**. The motion was seconded by Commissioner Banks.

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.

- D. **P.Z. 12-2003 Sheridan's Ice Cream Parlor:** A request for an ordinance amendment authorizing the use of a drive-in restaurant in Hilltown Village Center, a "C-8" Planned Commercial District located at the intersection of Olive Boulevard and Chesterfield Parkway West (Locator Numbers 18S520778, 18S520954).

Project Planner Aimee Nassif gave an overview of **P.Z. 12-2003 Sheridan's Ice Cream Parlor**.

Commissioner Hirsch made a motion to approve **P.Z. 12-2003 Sheridan's Ice Cream Parlor** with the condition that the ability to revert back to a 3,375 square foot building has been withdrawn. The motion was seconded by Commissioner O'Connor.

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

The motion passes by a vote of 9 to 0.

- E. **P.Z. 13-2003 Fischer & Frichtel (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

- F. **P.Z. 14-2003 Fischer & Frichtel (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 Annis McCaskill gave an overview of **P.Z. 13-2003 Fischer & Frichtel (Congregation Kol Am)** and **P.Z. 14-2003 Fischer & Frichtel (Congregation Kol Am)** and asked the Commission if they had additional issues to be reviewed and addressed.

Commissioner Hirsch stated that there are some tree preservation issues because some of the biggest trees that should be preserved are in the way of roadways or cul-de-sacs. Commissioner Hirsch stated that an example is tree #30 which is in the entrance.

Commissioner O’Connor left the meeting at 10:06 p.m. and returned at 10:07 p.m.

Commissioner Macaluso asked that Mr. Jim Rocca, City Arborist, review the plan; i.e. tree #87.

Chairman Sherman stated that **P.Z. 13-2003 Fischer & Frichtel (Congregation Kol Am)** and **P.Z. 14-2003 Fischer & Frichtel (Congregation Kol Am)** would be held until all issues were reviewed and addressed.

- G. **P.Z. 18-2003 City of Chesterfield (Deferred Parking)**: A request to amend Section 1003.165 (Off-street parking and loading requirements-General) of the City of Chesterfield Zoning Ordinance to establish a criteria for deferral of parking construction for the purpose of providing the appearance of more green space

Senior Planner Annis McCaskill gave an overview of **P.Z. 18-2003 City of Chesterfield (Deferred Parking)**.

Commissioner Banks made a motion to approve **P.Z. 18-2003 City of Chesterfield (Deferred Parking)**. The motion was seconded by Commissioner Broemmer.

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.

- H. **P.Z. 19-2003 City of Chesterfield (Construction in Existing Residential)**: A request to amend the City of Chesterfield Zoning Ordinance to establish Section 1003.126 providing performance standards for new construction in established residential areas.

Senior Planner Annis McCaskill gave an overview of **P.Z. 19-2003 City of Chesterfield (Construction in Existing Residential)**.

Commissioner Banks expressed concern that Item 1 should include additions and not just new construction.

City Attorney Beach stated that the wording was not very clear. Mr. Beach suggested approving this petition but clarifying the language for Item 1.

Commissioner Layton made a motion to approve **P.Z. 19-2003 City of Chesterfield (Construction in Existing Residential)**, subject to including in Attachment A, Items 1, 2, 3, and 4 but excluding Item 5. The motion was seconded by Commissioner Hirsch.

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.

- I. **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 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** and asked the Commission if they had additional issues to be reviewed and addressed.

Commissioner Wardlaw stated that he does not think that Issue #8 has been addressed since the Service Entrance would be facing the highway and the main entrance. Commissioner Wardlaw asked that the Service Entrance area be restudied.

Commissioner Macaluso stated that she wants clarification on what Staff says are the required number of parking spaces and the amount that will be for new cars, vehicle storage, and cars waiting for service.

Mayor Nations left the meeting at 10:20 p.m.

Commissioner Wardlaw left the dais at 10:21 p.m. and returned at 10:25 p.m.

Commissioner Layton asked for a comparison of parking spaces for Lou Fusz, east of Long Road.

Chairman Sherman stated that **P.Z. 21-2003 Jim Lynch/Larry Enterprises** would be held until all issues are reviewed and addressed.

IX. NEW BUSINESS –

- A. A request by the Procedures and Planning Committee to amend Section 7, Order of Business, of the By-Laws for the City of Chesterfield Planning Commission to include the following:**

Reports of Liaisons:

- a. City Council Liaison;**
- b. Planning and Zoning Committee Liaison;**
- c. Architectural Review Board Liaison;**
- d. Chesterfield Valley Study Committee Liaison;**
- e. Landmark Preservation Commission Liaison.**

Chairman Sherman stated the Comprehensive Plan Policies are listed at the beginning of the Staff Reports and that now there will be a grid that will show whether the policies are applicable or not.

Chairman Sherman stated that the Procedures and Planning Committee discussed revising Section 7 of the By-Laws to include Reports of Committee Liaisons.

General discussion followed concerning whether the By-Laws need to be changed to include Reports of Committee Liaisons.

Chairman Sherman asked that it only be a report of the City Council Liaison and listed under 'Item X. Committee Reports.'

Commissioner Layton made a motion to amend Section 7, Order of Business, of the By-Laws to include the five (5) Committees. The motion was seconded by Commissioner Banks.

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

The motion fails by a vote of 4 to 5.

X. COMMITTEE REPORTS:

- A. Committee of the Whole**
- B. Ordinance Review Committee**
- C. Architectural Review Committee**
- D. Landscape Committee**
- E. Comprehensive Plan Committee**
- F. Procedures and Planning Committee**
- G. Landmarks Preservation Commission**

Director of Planning Teresa Price stated that meetings would be arranged for the Ordinance Review Committee and the Landscape Committee.

The meeting unanimously adjourned at 10:31 p.m.

B. G. Wardlaw, Secretary

