

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
September 22, 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 Banks

III. PLEDGE OF ALLEGIANCE:

Chairman Sherman recognized the attendance of Mayor John Nations; Councilmember Bruce Geiger (Ward II); Councilmember Connie Fults (Ward IV); and Council Liaison Mary Brown (Ward IV).

IV. PUBLIC HEARINGS:

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

- A. **P.Z. 11-2003 Capitol Land Company:** a request for a change of zoning from a “C-8” Planned Commercial District to a “PC” Planned Commercial District for 6.494 acre tract of land located north of Lea Oaks Drive, east of Clarkson Road, west of Old Baxter Road, and south of Chesterfield Parkway East. (Locator Numbers: 19S420349, 19S420404, 19S420305, 19S440512, 19S440161, 19S420130).

The requested amendment is to allow 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.
- (g) Automatic vending facilities for:
 - (i) Ice and solid carbon dioxide (dry ice);
 - (ii) Beverages;
 - (iii) Confections.
- (h) Barber shops and beauty parlors.
- (i) Bookstores.
- (o) Dry cleaning drop-off and pick-up stations.
- (q) Film drop-off and pick-up stations.
- (s) Financial institutions.
- (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.
- (x) Medical and dental offices.
- (y) Offices or office buildings.
- (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.
- (ii) Restaurants, sit down,
- (pp) Permitted signs (see Section 1003.168 ‘Sign Regulations’).
- (tt) 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.

The following use listed above is excluded:

- (tt) Indoor sale of motor vehicles.

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

1. Mr. Michael Mindlin, 33 Plant, St. Louis, MO 63119, architect for **P.Z. 11-2003 Capitol Land Company**, stated the following:

- Will be a phase development;
- Will compliment the Talbot's development with a range of building styles and diversity of architecture;
- Proposed development will front Clarkson Road and back up to Old Baxter Road;
- The range of retailers for this site will be high end;
- There will be heavy landscaping in the rear and on the side for the trash enclosures;
- Three (3) lanes are being proposed at the access to the development instead of the current one (1) lane;
- There will be better stacking for the access;
- Petitioner has tried to retain all of the mature trees on the site and landscape plan calls for mature and aggressive growing plantings and not saplings;
- Petitioner will be requesting two (2) variances: A slight variance from the 45% green space percentage (proposal is just over 40%) and a parking variance (4/1000 instead of 5/1000);
- There will be covered walkways to encourage patrons to park their car and walk from shop to shop;
- Barnes & Noble book store will be the main occupant of the proposed development;
- There will be a lot of landscaping in the walkways;
- Buildings will be brick with stone accents;
- The rear of the Barnes & Noble book store will have landscaping with trees that are 15-20 feet tall.

2. Mr. David Brammeier, Crawford, Bunte, Brammeier, 1830 Craig Park Court, Maryland Heights, MO 63146, traffic engineer for **P.Z. 11-2003 Capitol Land Company**, stated the following:

- Gave a power point presentation showing the current and proposed access;
- There will be three (3) lanes exiting the site: one for right turns only, one for straight traffic and left turns, and one lane for left turns only;
- In-bound traffic is free-flowing with no stops. There will be two (2) stop signs exiting Drew Station and one (1) stop sign exiting the new access road;
- 227 parking spaces will be needed.

3. Mr. Don Anderson, Jr., 8011 Clayton Road, Richmond Heights, MO 63117, attorney for **P.Z. 11-2003 Capitol Land Company**, stated that he would speak during the rebuttal.

4. Mr. Marty Hensen, Clayton Engineering, 11920 Westline Industrial Drive, St. Louis, MO 63146, engineer for **P.Z. 11-2003 Capitol Land Company**, stated the following:
 - Site is comprised of three (3) watersheds. One goes back to Old Baxter Road, one drains towards Baxter Road, and one drains towards Clarkson Road;
 - Petitioner is proposing to keep the area of the watershed that goes to Old Baxter Road the same so that all of the buildings will be flowing towards Clarkson Road and the green area behind the buildings will be sheet draining to Old Baxter Road;
 - There will be an underground detention basin for the parking lot and buildings;
 - Pedestrians who want to go to the Drew Station development from the proposed site would need walk to the reconstructed access where there would be a sidewalk and a cross walk.
5. Mr. Robert E. Goetz, 99 South Gore, St. Louis, MO 63119, representing Dierberg's/Capitol Land, speaking in favor of **P.Z. 11-2003 Capitol Land Company**;
 - Declined to speak.
6. Mr. Ken Capps, P.O. Box 4424, Chesterfield, MO 63006, petitioner for **P.Z. 11-2003 Capitol Land Company**;
 - Declined to speak.
7. Mr. Pat Cunningham, 11850 Studt Avenue, St. Louis, MO 63141, petitioner for **P.Z. 11-2003 Capitol Land Company**;
 - Declined to speak.

COMMENTS/DISCUSSION

Mr. Brammeier stated that most of the traffic for this site would be coming from the north and exiting to the right (north). Mr. Brammeier stated that he has not reviewed the traffic study for the Dierberg's Marketplace site to see if it would agree with this traffic study that most of the traffic would be coming from and exiting to the north.

Mr. Mindlin stated that the 40.5% green space would include the MoDOT right-of-way and the enhancements necessary to make all three (3) developments work.

Mayor Nations stated that behind the Drew Station development are two (2) 'NU' Non-Urban parcels. Mayor Nations stated that if these parcels become commercial, cross access will be needed through Drew Station or the proposed development as access for a commercial development will not be permitted on Old Baxter Road. Mayor Nations stated that a more residential, retail feel is wanted for this area.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION -

1. Mr. Edward Steckert, 15652 Century Lake Drive, Chesterfield, MO 63017, speaking in opposition to **P.Z. 11-2003 Capitol Land Company**;

- Speaker is concerned with the 45-foot setback;
- Speaker asked that the building be lowered so it will not be seen from Old Baxter Road;
- Speaker asked who was responsible for the existing house on the property for Phase II;
- Speaker asked that permitted uses (b) animal hospitals, veterinary clinics and kennels and (ii) restaurants, sit down, be deleted;
- Speaker presented photographs showing current water run-off from this site;
- Speaker stated that the lake in his subdivision used to be 10 feet deep by the dam and now is only 4 feet deep due to the addition of silt.

City Attorney Doug Beach asked Staff to include language in their report for lakes that need to be reviewed at both pre- and post construction (similar to language for Villas at Chesterfield Ridge).

2. Mr. Steve Kosovsky, 2458 Old Dorsett Road, St. Louis, MO 63043, attorney for Drew Station Partners and speaking in opposition to **P.Z. 11-2003 Capitol Land Company**;

- Speaker expressed concern with the visual impact on Drew Station and looking at the rear of the proposed development, loading docks and trash enclosures;
- Speaker stated that the parking ratio for Drew Station is 5/1000 and is concerned with the impact on Drew Station if a parking variance is granted for the proposed development;
- Speaker stated that the two (2) developments could work together regarding pedestrian access because there is no safe way now to go between the developments;
- Speaker stated that he thinks the traffic issue has been resolved.

3. Mr. John Ross, 10 South Brentwood, Clayton, MO 63105, owner of Drew Station and speaking in opposition to **P.Z. 11-2003 Capitol Land Company**;

- Speaker stated that he does not have a problem with the petitioner asking for a parking variance;
- Speaker asked that the proposed development and Drew Station be compatible.

4. Mr. Bill Berthold, 16 Sunnen Drive, St. Louis, MO 63143, representing Ross Real Estate and speaking in opposition to **P.Z. 11-2003 Capitol Land Company**;

- Declined to speak.

SPEAKERS – NEUTRAL –

5. Mr. David Sterneck, 15644 Century Lake Drive, Chesterfield, MO 63017, speaking neutral to **P.Z. 11-2003 Capitol Land Company**;
- Speaker expressed concern with drainage, silt and mud from the project currently being built;
 - Speaker asked what could be done to dredge the lake to remove the mud because parts of the lake in his subdivision are less than one (1) foot deep;
 - Speaker asked that the green space remain along Old Baxter Road to retain a residential look.

REBUTTAL -

Mr. Don Anderson stated that he will yield his time, get the issues from Staff and address the issues.

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

- Traffic from the Dierberg's Market Place;
- Number of parking spaces;
- The graph should be specific to the site;
- Green space to include the MoDOT right-of-way;
- Cross access with the shops to the north;
- Grading;
- Sidewalks and pedestrian access with Drew Station to the south;
- Landscaping as shown is not consistent with plan;
- Residential look for the rear of the buildings;
- Cross access to 'NU' Non-Urban parcels to the south;
- Consideration of neighborhood along Old Baxter Road;
- How many buildings from Highway 40 to Baxter Road have all brick construction;
- Are the trees and the height of the trees appropriate for the screening of the rear of the buildings;
- Visibility of the book store from Old Baxter Road;
- Maintenance of the existing house on the site;
- Eliminate permitted uses (b) and (ii);
- Additional water run-off and drainage;
- Add language to Attachment A regarding down stream detention;
- Visual impact on Drew Station;

- Parking impact on Drew Station;
- Overall compatibility with Drew Station;
- Detention pond and its appearance (landscaping, water feature, etc.)
- Parking and green space reduction;
- Density;
- Trees – few potential shade trees;
- Trees #51 through #59, with the exception of tree #56, are all proposed to be eliminated rather than retained which is also a density issue;
- Review by City Arborist on whether feasible to save the large trees in the rear with only a 45-foot setback;
- Baxter Oaks Lake - Staff to get information from the residents as to the depth of the lake for language concerning pre- and post construction;
- Parking percentage that was granted at Clarkson Corner;
- Comparison of the building heights between this site and Clarkson Corners;
- Sidewalk allowing residents to walk between Talbot's and the book store;
- Coordination of building styles.

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

B. 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 a power point presentation showing the subject site and surrounding area.

1. Mr. Mike Doster, Doster Mickes James & Ullom, LLC, 17107 Chesterfield Airport Road, Chesterfield, MO 63005, attorney for **P.Z. 21-2003 Jim Lynch/Larry Enterprises**, stated the following:

- Request is for an ordinance amendment to allow outdoor storage of vehicles in connection with a dealer use. The ordinance did allow dealership use but not outdoor storage of vehicles;
- Proposed site is 14.1 acres and zoned 'PI' Planned Industrial District;
- Approximately 7 acres of the site would be used for the dealership;
- Two (2) parts to Building D: 1. Service and parts facility – 24,570 square feet and sales and showroom – 7,750 square feet. Building C is for future development and will have 9,600 square feet;
- Square footage will be reduced on this side (eastern 7 acres) from 224,000 square feet to 153,920 square feet;
- This plan eliminates 60 parking spaces in the front and moves them to the rear and side;
- Existing plan shows 932 total parking spaces and the proposed plan shows only an additional 4 parking spaces;
- Proposed changes in setbacks: Northern boundary setback will be decreased by 25 feet, southern boundary setback will be decreased by 60 feet and the eastern boundary setback will be decreased by 15 feet;
- Other two (2) locations that the petitioner has for Hummer's would be consolidated to this site.

2. Mr. George Stock, Stock & Associates Consulting Engineers, 425 North New Ballas Road, St. Louis, MO 63141, engineer for **P.Z. 21-2003 Jim Lynch/Larry Enterprises**, stated the following;

- There will be 12 bays in the service and parts area;
- Additional islands will be created in the parking lot to break up the massing of the parking;
- Site is now served with sanitary;
- Levee has now been fully constructed along the northern perimeter of the entire site.

COMMENT/DISCUSSION

Mr. Doster stated that the original plan had a 4/1000 parking ratio with 932 parking spaces over the entire site. The revised plan has 936 parking spaces.

Mr. Stock stated that there are 265 parking spaces for inventory. Mr. Stock stated that the 936 spaces are in compliance with the Zoning Ordinance plus the 265 inventory spaces.

SPEAKERS IN FAVOR - None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL – None

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

- Original request versus the current request and specifically changes in the setback and storage versus not having storage;
- Location and number of parking spaces with this plan and the original plan;
- Location and number of parking spaces for outdoor storage;
- The possible appearance of the proposed building;
- Green space comparison;
- Vehicle display areas and if allowed in the ordinance;
- Location of the service entrance and how it will be hidden.

Commissioner Hirsch read the closing portion of the “Opening Comments.”

Chairman Sherman called a recess at 8:50 p.m. and the meeting reconvened at 8:55 p.m. with all Commissioners present.

V. APPROVAL OF MEETING MINUTES

Commissioner Banks made a motion to approve the September 8, 2003 Meeting Minutes. The motion was seconded by Commissioner Broemmer and **passes by a voice vote of 9 to 0.**

VI. PUBLIC COMMENT -

1. Mr. George Stock, Stock & Associates Consulting Engineers, 425 North New Ballas Road, St. Louis, MO 63141, engineer for **P.Z. 10-2003 Mill Ridge Villas (The Jones Company)**, stated the following;
 - Presented a hand-out from the City of Maryland Heights which provides a legal description and a drawing of the corridor;
 - Believes that the Mill Ridge Villas development is consistent with the legal description and the fact that the 400-foot wide corridor, narrowed to 350 feet with acknowledgement by the City of Maryland Heights, shows how the 6-lane road would fit within the 350-foot corridor and accommodate the stormwater detention;
 - The City of Maryland Heights had indicated that an alternate for the Creve Coeur Mill Reliever/141 Extension would be Creve Coeur Mill Road. A letter from St. Louis County Highway Department (who has jurisdiction for Creve Coeur Mill Road) indicated that the ultimate right-of-way width would be 70 feet with a 2-lane road (24-feet wide) and the only condition that would be placed on this

development would be the installation of a left turn lane which has been incorporated into the plan.

Commissioner Layton left the meeting at 9:00 p.m.

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

- Presented a hand-out to the Commission;
- Speaker expressed concern with units 11-14B that are to be built on a hillside behind his home. Speaker stated that if these units are allowed to be built as proposed with only a 60-foot setback, very little, if any, natural buffer would be left between the two (2) properties. Any new plantings would take years to mature;
- Speaker stated that there would be a significant water run-off problem with the clearing of the hillside with the only solution being a dedicated underground stormwater system;
- Development of the hillside would result in the destruction of two (2) significant sycamore trees, one of which is the largest tree in the entire 64-acre project;
- Speaker asked that if this petition is approved, that the Commission either have units 11-14B relocated or increase the building setback similar to the rear boundary.

Commissioner Layton returned to the meeting at 9:07 p.m.

3. Mr. Bob Wald, 227 Cordovan Commons Parkway, Chesterfield, MO 63017, neighboring resident speaking in opposition to **P.Z. 6-2003 Villages at Kendall Bluffs**;

- Speaker expressed concern about the traffic;
- Speaker stated that he will be interested in the results of the requested traffic study;
- Speaker stated that removal of trees will result in drainage problems;
- Speaker presented pictures showing the substantial tree line.

4. Mr. Jim Finn, Sansone Group, 315 North Meramec Avenue, St. Louis, MO 63105, speaking in favor of **P.Z. 6-2003 Villages at Kendall Bluffs**;

- Speaker stated that he is the real estate representative for Surrey Place Nursing Home;
- Speaker stated that Surrey Place requests a separate entrance to the nursing home and a separate entrance to the new subdivision;
- Speaker stated that Surrey Place was originally going to develop the entire site but the type of development they were going to build (127 attached homes for only

seniors) will not work so they are selling the property away from the nursing home;

- Speaker stated that the Fire District is requesting separate entrances.

Chairman Sherman asked Staff to explain in the next packet the two (2) entrances and how one helps the other with regards to the Fire District.

7. Mr. David Richardson, Husch & Eppenberger, 190 Carondalot Plaza, St. Louis, MO 63105, attorney for and speaking in favor of **P.Z. 6-2003 Villages at Kendall Bluffs**;

- Speaker stated that the remark from the Department of Public Works regarding the access was not based on traffic concerns but on the original plan that was approved in 1989;
- Speaker stated that streets longer than 1,000 feet require a second point of access;
- Speaker stated that MoDOT said that this concept plan is a safer alternative and is acceptable to MoDOT;
- Speaker stated that Surrey Place will have an additional point of access by using the proposed development's emergency access;
- Speaker stated that the level of service with one (1) point of access would be decreased if there is only one (1) access point;
- Speaker stated that MoDOT has said that a cross access easement is not feasible.

8. Ms. Julie Nolfo, Crawford, Bunte, Brammeier, 1830 Craig Park Court, Maryland Heights, MO 63146, traffic engineer for **P.Z. 6-2003 Villages at Kendall Bluffs**;

- Speaker gave an overview of the traffic study;
- Speaker stated that the exit for Surrey Place is a level of service of 'E;'
- Speaker stated that access could not be through Cordovan Commons because there is not any feasible way to get access there and Cordovan Commons is limited to right in/right out.

9. Ms. Jeannie Geers, Husch & Eppenberger, 190 Carondalot Plaza, St. Louis, MO 63105, attorney for and speaking in favor of **P.Z. 12-2003 Sheridan's Ice Cream Parlor**;

- Speaker stated that the petitioner has made some changes to Attachment A;
- Speaker asked that this petition be held to give Staff time to review the changes.

10. Mr. Andy Sutton, Volz Engineering, 10849 Indianhead Industrial, St. Louis, MO, engineer for and speaking in favor of **P.Z. 12-2003 Sheridan's Ice Cream Parlor**;

- Speaker stated that he was present to answer questions.

11. Ms. Kathy Higgins, Sachs Properties, 400 Chesterfield Center, Chesterfield, MO 63017, speaking in favor of **P.Z. 12-2003 Sheridan's Ice Cream Parlor**;

- Speaker stated that she was present to answer questions.

Commissioner Layton left the dais at 9:45 p.m.

12. Ms. Leasa Machamer, 233 Hi Point Road, Chesterfield, MO 63005, speaking in favor of **P.Z. 29-2002 The Bluffs at Appaloosa Way**;

- Speaker had left the meeting.

13. Mr. Mike Doster, Doster Mickes James & Ullom, LLC, 17107 Chesterfield Airport Road, Chesterfield, MO 63005, attorney for **P.Z. 29-2002 The Bluffs at Appaloosa Way**;

- Speaker stated that the petitioner is requesting to withdraw six (6) acres and leaving 7.5 acres in his petition;
- Speaker stated that there would still be nine (9) lots in the proposal;
- Speaker stated that the petitioner may be able to move the road to the west and save more trees.

Commissioner Layton returned to the dais at 9:50 p.m.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

- A. **Walgreen's - Parkway**: A neon sign for an existing structure located on 2.08-acre parcel of land, zoned as a "PC" Planned Commercial District, located on Chesterfield Parkway East between Swingley Ridge Road and Olive Boulevard.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the neon sign, as presented, for the **Walgreen's - Parkway**. The motion was seconded by Commissioner Broemmer.

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

The motion passes by a vote of 6 to 3.

VIII. OLD BUSINESS –

- A. **P.Z. 12-2003 Sheridan's Ice Cream Parlor:** A request for an amendment to Ordinance 1025, 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).

Commissioner Macaluso made a motion to hold **P.Z. 12-2003 Sheridan's Ice Cream Parlor** until the October 13, 2003 Planning Commission meeting. The motion was seconded by Commissioner Banks and **passes** by a voice vote of 9 to 0.

The Commission asked Staff to review why this parcel is considered two (2) different tracts.

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

The Commission did not have additional issues to be reviewed and addressed. This petition will be held until all issues are reviewed and addressed.

- C. **P.Z. 6-2003: Villages at Kendall Bluffs:** a request for a change of zoning from a "R1A" Residential District to a PEU for a 63.8 acre tract of land located on the north side of Olive Boulevard, east of Cordovian Commons Parkway and west of Old Riverwoods. Proposed Uses: Attached single family uses with accessory uses (Locator Number: 17R-53-019)

Senior Planner Annissa McCaskill gave an overview of **P.Z. 6-2003: Villages at Kendall Bluffs** and asked the Commission if they had additional issues to be reviewed and addressed.

Commissioner Hirsch stated that there is a discrepancy in the plans regarding trees #44 and #45.

Commissioner Macaluso expressed concern with trees that are identified as remaining but will need to be removed and how many other trees are like this. Commissioner Macaluso stated that there needs to be a review by the tree consultant.

Commissioner Wardlaw asked for a transparent overlay showing the trees and what will be removed.

Commissioner Hirsch stated that the plan does not show the Monarch trees that will be removed.

General discussion followed concerning ways of showing the trees.

Councilmember Brown asked if this development will require a 30-foot buffer along Olive Boulevard.

City Attorney Doug Beach asked for a response to questions in a letter from Mr. Gerald T. Carmody, attorney with Carmody MacDonald, PC, concerning how the Department sees the development, specifically. Mr. Beach asked for clarification concerning a solution to water run-off on the Lander property.

Commissioner Banks asked for the criteria that Staff uses to evaluate developments for the Commission to use as guidance.

Commissioner Macaluso stated that she wants to know what the setback is between the Surrey Place building and the homes to the east and also from the driveway of the homes to the east to see line of sight from Kendall Bluff and how close those homes are going to be to Kendall Bluff and Surrey Place.

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

City Attorney Beach would like clarification on the letter received from the City of Maryland Heights, dated September 16, 2003.

P.Z. 10-2003 Mill Ridge Villas (The Jones Company) will be held until all issues are reviewed and addressed.

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

General discussion followed concerning land area delineated for future parking that will be brought to finished grade and landscaped or the City's later enforceability and cost issues and not at the beginning of development.

P.Z. 18-2003 City of Chesterfield (Deferred Parking) will be held until all issues are reviewed and addressed.

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

Commissioner Banks stated that perhaps this petition could also include existing homes that add additions to their homes.

Chairman Sherman suggested reviewing the process in other cities.

General discussion following concerning whether this petition is even necessary.

P.Z. 19-2003 City of Chesterfield (Construction in Existing Residential) will be held until all issues are reviewed and addressed.

IX. NEW BUSINESS –

- A. **P.Z. 9-2003 Opus Northwest (One Chesterfield Place)**: A request to withdraw a petition for amendment to city of Chesterfield Ordinance 1660 governing Opus Northwest (One Chesterfield Place), located at 14775 North Outer Forty Road for the addition of the following use:
Colleges and Universities

Senior Planner Annis McCaskill gave an overview of **P.Z. 9-2003 Opus Northwest (One Chesterfield Place)** and stated that the petitioner has requested that this petition be

withdrawn without prejudice (petitioner could ask for approval of this ordinance amendment again within one year) and needs the Planning Commission approval.

Commissioner Hirsch made a motion to accept the withdrawal of **P.Z. 9-2003 Opus Northwest (One Chesterfield Place)** without prejudice. The motion was seconded by Commissioner Broemmer and **passes** by a voice vote of 9 to 0.

Commissioner Layton left the dais at 10:29 p.m.

- 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.

Project Planner David Bookless gave an overview of this petition and stated that the petitioner is requesting to remove two (2) parcels from the original request and reduce the acreage from 13.5 to 7.47 acres. Mr. Bookless stated that a public meeting would be held on October 13, 2003 to review the changes.

Commissioner Macaluso asked the Commission to deny this request and return the petition to the Planning and Zoning Committee and City Council since a super majority would be required for passage.

General discussion followed concerning voting on this request or sending the original request back to the Planning and Zoning Committee.

City Attorney Beach stated that the Commission is only voting tonight on whether a public meeting would be held on October 13, 2003 for this petition. Mr. Beach stated that after the public meeting, the Commission could decide whether or not there is a substantial change that could change the vote or forward this petition back to City Council without allowing the change request.

Commissioner Wardlaw made a motion to hold a public meeting for **P.Z. 29-2002 The Bluffs at Appaloosa Way** on October 13, 2003. The motion was seconded by Commissioner Hirsch and **passes** by a voice vote of 7 to 1. (Commissioner Macaluso voted nay and Commissioner Layton did not vote.)

Commissioner Layton returned to the dais at 10:36 p.m.

X. COMMITTEE REPORTS:

A. Committee of the Whole -

Chairman Sherman stated that there would be a Committee of the Whole meeting at City Hall on Monday, September 29, 2003, at 5:30 p.m. in the City Council Chambers.

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

The meeting unanimously adjourned at 10:37 p.m.

B. G. Wardlaw, Secretary

