

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
September 22, 1997**



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

PRESENT

Mr. Fred Broemmer
Mr. Michael Casey
Mr. Dave Dalton - arrived later
Mr. Charles Eifler
Mr. Robert Grant
Mr. Dan Layton, Jr.
Mr. Allen Yaffe
Chairman Rick Bly
Mr. Douglas R. Beach, City Attorney
Mayor Nancy Greenwood
Councilmember Mary Brown (Ward IV) - Council Liaison
Teresa J. Price, Director of Planning
Laura Griggs-McElhanon, AICP, Assistant Director of Planning
Cheryl Smith, Planner II
Ms. Patricia Detch, Planner I
Mr. Timothy Reed, Planning Technician
Mr. Michael Walker, Planning Technician
Ms. Sandra Lohman, Executive Secretary

ABSENT

Ms. Linda McCarthy

INVOCATION - Commissioner Yaffe

PLEDGE OF ALLEGIANCE - All

PUBLIC HEARINGS: None

APPROVAL OF THE MINUTES:

A motion to approve the minutes of September 2, 1997, was made by Commissioner Grant, seconded by Commissioner Casey and passes by a voice vote of 7 to 0.

A motion to approve the minutes of September 8, 1997, was made by Commissioner Grant, seconded by Commissioner Broemmer and passes by a voice vote of 7 to 0.

PUBLIC COMMENT

1. Ms. Tracy McElroy, 148 Brighthurst, Chesterfield, MO 63005, spoke regarding P.Z. 24-97 THF Chesterfield Commons, noting the following concerns: (*amended 10/13/97*)

- building materials to be used on the south elevation of the proposed buildings;
- type of light fixtures for the parking lot areas;
- type of lights installed on the buildings themselves;
- location and type of dumpsters;
- limited hours for trash collection;
- appearance and hours of operation for delivery docks;
- limits of hours of operation for retailers;
- landscaping on the south side of the proposed development;
- employee parking location (relative to noise and light impact upon homes on the bluff); and
- what compensation will Chesterfield Farms homeowners receive when they are affected by the loss of property value?

COMMENTS/DISCUSSION BY COMMISSION

- Representatives of the developer have not contacted Ms. McElroy, and her property directly overlooks the proposed development.
- The red lights from the Ice Arena are visible from her home at this time, regardless of the season.

Councilmember Brown noted there was a meeting at the Chesterfield Farms Clubhouse regarding the proposed development. There was a great deal of discussion and agreement, in terms of planting trees on the property. They also intend to have a second meeting, not yet scheduled.

City Attorney Beach noted the man at the back of the room is a representative of the developer, and he is sure that he would like to talk with Ms. McElroy tonight.

Ms. McElroy noted she is anxious to talk to the developer.

NEW BUSINESS:

- A. **P.Z. 21-97 City of Chesterfield Planning Commission**; a proposal to amend Sections 1005.180 Street Standards and Street Specification Matrix; 1005.040 Definitions; and 1005.270 Sidewalks of the City of Chesterfield Subdivision Ordinance, in addition to other Sections of the Subdivision Ordinance as may be applicable to work being done by the Moratorium Panels of the City of Chesterfield (Character of Neighborhoods, Trees, Streets Issues, Conditional Permits, Traffic Issues, Commercial Items and Special Items).

Assistant Director Laura Griggs-McElhanon noted the report received tonight is the same as the draft that was mailed to the Commissioners. She further noted the report contains recommendations of the Moratorium Panels relative to revisions to the Subdivision Ordinance. In addition, as discussed at the Work Session, there is a memo from Mike Geisel, Director of Public Works, about some additional revisions he is recommending be made to the Subdivision Ordinance, which the Department of Planning has reviewed and supports. She turned this over to the Commission for comment/discussion.

Commissioner Grant moved that the Commission give their input tonight, and Staff will incorporate whatever it deems the best way to handle those suggestions for the September 29, 1997 Planning Commission Meeting. The motion was seconded by Commissioner Casey and **passes by a voice vote of 7 to 0.**

Commissioner Broemmer suggested that the Commission should, perhaps, wait to vote on any recommendations separately until it has the opportunity to hear from all the Panels.

City Attorney Beach noted we need to move forward with what's here now, and may have to come back and make adjustments after the Character of Neighborhoods Panel submits its recommendations. He noted that the report presented tonight, with the exception of the issues listed in the Memo from the Chesterfield Department of Public Works, addresses the interplay among the Panels to make everything work.

Commissioner Eifler made a motion that the appropriate committee review the issue of stub streets and establish a definition/criteria for them after the moratorium is lifted. The motion was seconded by Commissioner Layton and **passes by a voice vote of 7 to 0.**

The Panel recommendations were discussed and the following revisions/conditions/amendments were recommended:

- Staff is to find out if the Streets Issues Panel's intent was to use "shall" instead of "may;"
- The Commission recommended changes to the following Sections of the Subdivision Ordinance (changes will be noted in the Department's report to the Planning Commission on September 29, 1997):

Section 1005.180(2) Residential standards. d. (change date from December 1, 1997, to after the date of this ordinance amendment;

Section 1005.040 Definitions. (delete 32 - lot split; change Street, collector; change Street, cul-de-sac; change Street, frontage or service; change Street, minor; delete Street, major; delete Street, minor; delete Street, multiple-family access; and benchmark - change (33) M.H.T.D. to MoDOT. In addition, the Department of Planning recommends that all other references in the Subdivision Ordinance to M.H.T.D. be changed to MoDOT.

Section 1005.260 Street improvements (change references to M.H.T.D. to MoDOT.)

The Commission agreed to keep the stub street definition as stated in the report.

Section 1005.270 (3) Sidewalk variance procedures (d, (3) Mandate the removal of mature trees or desirable natural features).

Section 1005.060 Preliminary plat; Section 1005.060 Preliminary plat; Section 1005.385 Appeal procedures; Section 1005.090 Record plat; Section 1005.140 Vacation of subdivision; Section 1005.310 Street signs; and Section 1005.340 Landscaping- (changes as recommended by the Department because of other changes recommended, or errors found in reviewing the regulations, i.e., text changes due to renumbering or grammatical errors).

Section 1005.110 Lot split procedure - delete because, as a Third Class City, we cannot do this.

Section 1005.180 Street standards [1. General standards (i), (j), (o), (p) and (r); and 2. Residential standards (c) and (d)].

Street Specification Matrix - references to Minor streets are recommended to be changed to Local residential street; sections related to Multiple-family Access streets are recommended to be deleted.

COMMERCIAL ITEMS PANEL - Section 1005.180 Street standards - [3.(a) added new designation "PM"- Industrial Zoning District]

CONDITIONAL PERMITS PANEL - No discussion.

SPECIAL ITEMS PANEL - No discussion.

TREES PANEL - No discussion.

ADDITIONAL REVISIONS/DELETIONS - No discussion

Chairman Bly changed the order of the meeting as follows:

- B. **P.Z. 22-97 City of Chesterfield Planning Commission**; a proposal to amend Sections 1003.020 Definitions; 1003.030 Establishment of Districts - Zoning Map; 1003.145 "C-8" Planned Commercial District Regulations; 1003.155 "M-3" Planned Industrial District Regulations; 1003.165 Off-Street Parking and Loading Regulations; 1003.107 "NU" Non-Urban District Regulations; 1003.111 "R-1" Residence District Regulations; 1003.112 "R-1A" Residence District Regulations; 1003.113 "R-2" Residence District Regulations; 1003.115 "R-3" Residence District Regulations; 1003.117 "R-4" Residence District Regulations; 1003.119 "R-5" Residence District Regulations; 1003.120 "R-6A" Residence District Regulations; 1003.120A "R-6AA" Residence District Regulations; 1003.121 "R-6" Residence District Regulations; 1003.123 "R-7" Residence District Regulations; 1003.125 "R-8" Residence District Regulations; and a proposal to create the following new Sections: 1003.140 "PC" Planned Commercial District; 1003.150 "PM" Planned Industrial District; 1003.178 Development in Planned Commercial and Planned Industrial Districts; 1003.180 Architectural Review Committee; and a Section relative to Tree Protection Standards; and

a proposal to delete the following Sections: "C-1" Neighborhood Business District Regulations; "C-4" Highway Service Commercial District Regulations; and "C-6" Office and Research Service District Regulations of the City of Chesterfield Zoning Ordinance, in addition to amendments/deletions and new Sections of the Zoning Ordinance as may be applicable to work being done by the Moratorium Panels of the City of Chesterfield (Character of Neighborhoods, Trees, Streets Issues, Conditional Permits, Traffic Issues, Commercial Items and Special Items)

- D. **P.Z. 24-97 THF Chesterfield Development, L.L.C., (Chesterfield Commons);** "M-3" Planned Industrial District and "NU" Non-Urban District to "C-8" Planned Commercial District; north and south sides of Chesterfield Airport Road, east of the intersection of Boone's Crossing Street.

Commissioner Casey made a motion to hold P.Z. 24, 97. The motion was seconded by Commissioner Eifler and passes by a voice vote of 7 to 0.

- E. **P.Z. 16-96 Walnut Grove - Wild Horse Summit Development Corporation;** request for amendment of "C-8" Planned Commercial District and "FPC-8" Flood Plain Planned Commercial District Ordinance; east side of Long Road, north of Wild Horse Creek Road.

Planning Technician Mike Walker summarized the request and Department's recommendation of approval as stated in its report.

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

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

The motion passes by a vote of 7 to 0.

- F. **P.C. 5-79 Holthaus Realty (Chesterfield Industrial Park);** a request for an amendment to existing St. Louis County Ordinance No. 13,781 authorizing an "M-3" Planned Industrial District; east and west of Chesterfield Industrial Boulevard, south of Chesterfield Airport Road.

Planning Technician Tim Reed summarized the request and Department's recommendation of approval.

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

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

The motion passes by a vote of 7 to 0.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. **P.Z. 8-97 Chesterfield Village, Inc. (Parcel C-322 Firehouse);** "C-8" Planned Commercial District Site Development Plan, Landscape Plan and Architectural Elevations; west side of Olive Boulevard, south of Wellesley Place Drive.

Commissioner Casey, on behalf of the Site Plan Committee, made a motion to approve **P.Z. 8-97 Chesterfield Village, Inc. (Parcel C-322 Firehouse).** The motion was seconded by Commissioner Layton and **passes by a voice vote of 7 to 0.**

- B. **P.Z. 18 & 19-96 Chesterfield Village, Inc., Louis Sachs and Nancy R. Sachs and P.C. 172-71 Sachs Properties - Wildhorse Hills/Estates at Baxter Ridge/Baxter Villas/Estates and Villas at Baxter Pointe;** Planned Environment Unit (PEU) Procedure in the "R-1," "R-2," "R-3," and "R-5" Residence Districts Amended Site Development Plan; south side of Wild Horse Creek Road, west of Baxter Road.

Commissioner Casey, on behalf of the Site Plan Committee, made a motion to approve **P.Z. 18 & 19-96 Chesterfield Village, Inc., Louis Sachs and Nancy R. Sachs and P.C. 172-71 Sachs Properties - Wildhorse Hills/Estates at Baxter Ridge/Baxter Villas/Estates and Villas at Baxter Pointe,** amended as follows:

"the steel guard rail will have a wood facade attached; the fencing for the structured retention pond will be wrought iron"

The motion was seconded by Commissioner Grant and **passes by a voice vote of 7 to 0.**

- C. **P.Z. 13-96 A & O Investments;** "C-8" Planned Commercial District Architectural Elevations (Applebee's Restaurant); corner of Chesterfield Parkway North and Conway Road.

Commissioner Casey, on behalf of the Site Plan Committee, made a motion to approve **P.Z. 13-96 A & O Investments** Architectural Elevations. The motion was seconded by Commissioner Grant and **passes by a voice vote of 7 to 0.**

- D. **P.Z. 10 & 11-97 Taylor Morley, Inc., (The Estates at Baxter Ridge Addition/The Estates at Baxter Pointe Addition);** Planned Environment Unit (PEU) Procedure in the "R-1" One Acre Residence District and "R-2" 15,000 square foot Residence District Site Development Plan and Landscape Plan; south side of Wild Horse Creek Road, west of Baxter Road

Commissioner Casey, on behalf of the Site Plan Committee, made a motion to approve **P.Z. 10 & 11-97 Taylor Morley, Inc., (The Estates at Baxter Ridge Addition/The Estates at Baxter Pointe Addition).** The motion was seconded by Commissioner Layton and **passes by a voice vote of 7 to 0.**

- E. **Sachs Properties (Chesterfield Village)**; "C-8" Planned Commercial District Project Information Sign; southeast corner of the intersection of Wild Horse Creek Road and Baxter Road.

Commissioner Casey, on behalf of the Site Plan Committee, made a motion to approve **Sachs Properties (Chesterfield Village) Project Information Sign**. The motion was seconded by Commissioner Grant and passes by a voice vote of 7 to 0.

- F. **McDonald's Corporation**; a Resubdivision Plat for part of Lot 4 of a subdivision of the west half of U.S. Survey 126, Township 45 North, Range 4 East; "C-8" Planned Commercial District; southeast corner of the intersection of Long Road and Chesterfield Airport Road.

Commissioner Casey, on behalf of the Site Plan Committee, made a motion to approve **McDonald's Corporation**; a Resubdivision Plat for part of Lot 4 of a subdivision of the west half of U.S. Survey 126, Township 45 North, Range 4 East; "C-8" Planned Commercial District. The motion was seconded by Commissioner Broemmer and passes by a voice vote of 7 to 0.

City Attorney Beach requested the motion for approval be amended to **DELETE** from the notes on the Subdivision Plat the following wording "also accepting the event the adjoining property is developed as a restaurant."

Commissioner Casey, on behalf of the Site Plan Committee, made a motion to amend the previously approved motion to include Mr. Beach's recommendation. The motion was seconded by Commissioner Broemmer and passes by a voice vote of 7 to 0.

- G. **Cittadino Place**; a Large Lot Subdivision Plat for a tract of land being part of U.S. Survey 125 T.45N.-R4E; "NU" Non-Urban District; north of Wild Horse Creek Road, west of Wildhorse Springs Plat Two Subdivision, and southeast of Caulks Creek.

Commissioner Casey, on behalf of the Site Plan Committee, made a motion to approve **Cittadino Place** Large Lot Subdivision Plat. The motion was seconded by Commissioner Layton and passes by a voice vote of 7 to 0.

- H. **Chesterfield Center East Road Dedication Plat**; south side of Chesterfield Airport Road, west of Clarkson Road.

Commissioner Casey, on behalf of the Site Plan Committee, made a motion to approve **Chesterfield Center East Road Dedication Plat**. The motion was seconded by Commissioner Grant and passes by a voice vote of 7 to 0.

Chairman Bly returned to items from the "New Business" portion of the agenda.

- B. **P.Z. 22-97 City of Chesterfield Planning Commission**; a proposal to amend Sections 1003.020 Definitions; 1003.030 Establishment of Districts - Zoning Map; 1003.145 "C-8" Planned Commercial District Regulations; 1003.155 "M-3" Planned Industrial District Regulations; 1003.165 Off-Street Parking and Loading Regulations; 1003.107 "NU" Non-Urban District Regulations; 1003.111 "R-1" Residence District Regulations; 1003.112 "R-

1A" Residence District Regulations; 1003.113 "R-2" Residence District Regulations; 1003.115 "R-3" Residence District Regulations; 1003.117 "R-4" Residence District Regulations; 1003.119 "R-5" Residence District Regulations; 1003.120 "R-6A" Residence District Regulations; 1003.120A "R-6AA" Residence District Regulations; 1003.121 "R-6" Residence District Regulations; 1003.123 "R-7" Residence District Regulations; 1003.125 "R-8" Residence District Regulations; and a proposal to create the following new Sections: 1003.140 "PC" Planned Commercial District; 1003.150 "PM" Planned Industrial District; 1003.178 Development in Planned Commercial and Planned Industrial Districts; 1003.180 Architectural Review Committee; and a Section relative to Tree Protection Standards; and a proposal to delete the following Sections: "C-1" Neighborhood Business District Regulations; "C-4" Highway Service Commercial District Regulations; and "C-6" Office and Research Service District Regulations of the City of Chesterfield Zoning Ordinance, in addition to amendments/deletions and new Sections of the Zoning Ordinance as may be applicable to work being done by the Moratorium Panels of the City of Chesterfield (Character of Neighborhoods, Trees, Streets Issues, Conditional Permits, Traffic Issues, Commercial Items and Special Items)

Assistant Director Griggs-McElhanon suggested the Commission address each issue, as listed, in the Department's memorandum. She noted that Mr. Richard Shearer, Harland Bartholomew & Associates, is in attendance tonight to address questions directed to the "Commercial Items Panel." She noted that the Panel recommendations reflect that the only permitted commercial/industrial rezonings from the date of passage of these amendments would be the proposed "PC" and "PM" Districts (Section 1003.030).

COMMERCIAL ITEMS PANEL - There was discussion/recommendations on the following items:

- clarification of deletion of floating zones ;
- a reasonable period of time will be set-up to rezone existing uses - making them conform to a new ordinance;
- guidance for new rezonings, if there isn't a general definition of commercial versus industrial, versus residential;
- removing the conditional use and develop general definition for commercial and industrial uses;
- Section 1003.030 Establishment of districts; zoning map.;
- Section 1003.140 "PC" Planned Commercial District.; - 3.(3)
- Section 1003.155 "M-3" Planned Industrial District.;

Commissioner Dalton arrived at the meeting at this time.

- Section 1003.145 "C-8" Planned Commercial District.; - 3

- Section 1003.150 "PM" Planned Industrial District; - 2., 3.(1)(3),4.(2), 5.
- Section 1003.165 "M-3" Off-street parking and loading requirements - General;
- Section 1003.178 Development in Planned Commercial and Planned Industrial Districts;

Ms. Griggs-McElhanon identified recommendations of the City of Chesterfield's Public Works Department and Councilmember Dan Hurt;

City Attorney Beach noted the wording of the report to City Council needs to address concerns of the Planning Commission (i.e., the Planning Commission's view is that, based upon the fact that they want to go to Planned Commercial or Planned Industrial, that necessitates that more detail come in during the early stages because each one of those rezonings will have all the conditions to it that will be controlling that development from that point on. We can't come in later on and try to put new conditions on it.)

Mr. Shearer noted his interpretation of the Commercial Panel's intent in establishing the "PC" and "PM" Districts was to gain more control over commercial/industrial development. They want the City to have more control over the permitted uses of these districts.

Commissioner Dalton left the meeting at this time.

- Section 1003.177 Architectural Review Committee; - new section per recommendations of Commercial Items Panel;

Mr. Shearer noted the intent of the Panel was that the City should put this in an ordinance form so that there would be teeth in the zoning ordinance to give the Architectural Review Committee certain powers. The Panel also recommended that the City Council appoint some design professionals to this Committee. They didn't have a recommendation as to the exact makeup of this Committee.

City Attorney Beach noted the City Council could appoint Planning Commission members to the Architectural Review Committee.

There was much discussion regarding the makeup, procedures, duties/powers of the Architectural Review Committee of the Planning Commission and the proposed Architectural Review Committee.

City Attorney Beach suggested that the newly created Architectural Review Committee, established by ordinance, shall develop design guidelines for use in reviewing proposed developments. The Site Plan Committee of Commission could send items to this Architectural Review Committee for their input before acting upon particular requests.

- Section 1003.020 Definitions; (99) setback plan; (100) site concept plan; (101) site development plan; (103) sky exposure plane; and (112) tree mass.

Director Teresa Price requested that references to existing districts (to be eliminated at a later date) made in the "PC" and "PM" regulations - also be placed in the affected sections of the ordinance dealing with these districts. She also asked if the City will need to initiate these rezonings.

City Attorney Beach noted each individual zoning will have a different issue; the new ordinance will require amendments to existing ordinances be in compliance with the new "PC" or "PM" regulations. The decision of who will initiate the rezonings to bring existing districts into compliance will be addressed at a later date, after the ordinance is amended.

CONDITIONAL PERMITS PANEL

Assistant Director Griggs-McElhanon noted the recommendations of the Panel and staff concerns and recommendations.

- Section 1003.115 "R-3" Residence District regulations; add under Conditional Use Permit: (9) House-trailer park and associated community facilities.

Director Price noted we need to look at the eight (8) uses recommended for deletion by the Conditional Permits Panel.

SPECIAL ITEMS PANEL

- Section 1003.020 Definitions

Assistant Director Griggs-McElhanon noted this panel made two (2) recommendations for definitions: 1) definition of a family to allow two (2) kitchens to accommodate mother-in-law quarters; and 2) definition of a structure to include man made earthen berms.

Mr. John Langa, noted that rather than a definition of a structure, a definition of a fence or wall may be a clearer way to enforce this recommendation.

- C. P.Z. 23-97 City of Chesterfield Planning Commission; a proposal to establish a requirement for disclosure information relative to future land use and local noise impact.

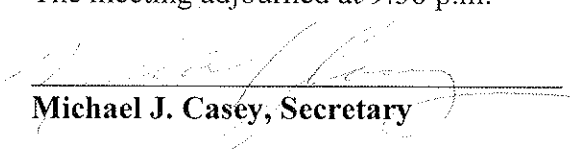
(This item will be discussed at the next Commission meeting.)

IX. COMMITTEE REPORTS:

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

A motion to adjourn was made by Commissioner Broemmer, seconded by Commissioner Grant and passes by a voice vote of 8 to 0.

The meeting adjourned at 9:38 p.m.


Michael J. Casey, Secretary

[MIN9-22.097]