

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
SEPTEMBER 14, 1992**



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

PRESENT

Ms. Mary Brown
Mr. Jamie Cannon
Mr. Dave Dalton
Mr. Bill Kirchoff
Ms. Barbara McGuinness
Ms. Pat O'Brien
Chairman Mary Domahidy
Mr. Douglas R. Beach, City Attorney
Councilmember Betty Hathaway, Ward I
Mr. Jerry Duepner, Director of Planning
Ms. Laura Griggs-McElhanon, Senior Planner
Ms. Sandra Lohman, Executive Secretary

ABSENT

Mr. Walter Scruggs
Ms. Victoria Sherman

INVOCATION: City Attorney Douglas R. Beach

PLEDGE OF ALLEGIANCE - All

PUBLIC HEARINGS - None

APPROVAL OF THE MINUTES

The Minutes from the meetings of August 24, 1992, were approved.

OLD BUSINESS - None

NEW BUSINESS

- A. P.Z. 10 & 11-92 R.J. and J. Partnership; a request for a change of zoning from "NU" Non-Urban and "FPNU" Flood Plain Non-Urban to "R-1" One Acre Residence and "FPR-1" Flood Plain One Acre Residence Districts, and a Planned Environment Unit (PEU) Procedure in the "R-1" and "FPR-1" Residence Districts; west side of Kehrs Mill Road, south of Wild Horse Creek Road.

Senior Planner Laura Griggs-McElhanon presented the report and Department's recommendation of approval, subject to conditions in Attachment A.

COMMENTS/DISCUSSION BY COMMISSION

- The perimeter lots were defined. These lots will have fifteen (15) foot side yard setbacks.
- Neither the sizes of the proposed houses nor the footprints are known at this time.
- The existing line of trees on the southwest corner of the parcel were discussed. More specific information will be provided at the time of landscape plan submittal.
- The west property line is vacant of trees within about 300 feet of the southwest corner of the property.
- It was suggested that sidewalks should be provided along all lots to meet the new American Disabilities Act requirements.
- Cul-de-sac's containing less than eight (8) lots are currently proposed as having a sidewalk on one side which stops when it reaches the radius of the cul-de-sac. The City's current Subdivision regulations do not require sidewalks for cul-de-sacs containing eight (8), or less, lots.
- Sidewalks are required to provide ramps at street intersections. The issue of wheelchair access to individual lots within subdivisions has not yet been addressed.
- The status of the realignment of Kehrs Mill Road/Long Road and Wild Horse Creek Road intersection was discussed.

- The County Highway Department has planned both the intersection and widening of Kehrs Mill Road, and its relocation. The final document plans are not completed, nor funding received for the projects. In addition, the hump on Kehrs Mill Road (near Country Place) is planned and funded, but has no time frame.
- No comments have been received from the Fire Protection District.
- The intent of the termination of the stub street was discussed.
- The Department suggests an Escrow to assure improvement of the thirty (30) foot landscape buffer adjacent to Kehrs Mill Road.
- City Attorney Doug Beach suggested that money be put into a Trust Fund for stub street improvement, if needed.
- The landscape strip adjacent to Kehrs Mill Road was discussed. This would be landscaped, as approved by the Commission on the site development plan at some future date. No landscape specifics have been discussed with petitioner's representative.
- Senior Planner Laura Griggs-McElhanon noted that it might not be prudent for the developer to provide additional landscaping until the road work is completed. There could be an encroachment on the common ground strip during the construction. The County Highway Department is appreciative that the petitioner is putting common ground adjacent to Kehrs Mill Road instead of lots.
- Concern was expressed that the road work will not be performed for a long time. The Department is recommending inclusion of an Escrow to insure provision of landscaping in the interim.
- It was suggested that the petitioner be required to provide landscaping at the time of development of lots.
- Concern that neither the stub street connection, nor the existing Private Valley Drive, could provide sufficient access for future development to the west of the subject site.
- The maximum number of lots proposed is fifty-seven (57).

A motion to approve the request, as stated in the Department's report and subject to conditions in Attachment A, was made by Commissioner McGuinness. The motion was seconded by Commissioner Dalton.

An **amendment** to the original motion was made by Commissioner Kirchoff to require perimeter lots be a minimum of 35,000 square feet, and interior lots a minimum of 30,000 square feet. The motion was seconded by Commissioner Brown.

Upon a roll call the vote was as follows: Commissioner Brown, yes; Commissioner Cannon, yes; Commissioner Dalton, yes; Commissioner Kirchoff, yes; Commissioner McGuinness, yes; Commissioner O'Brien, yes; Chairman Domahidy, yes. **The amendment to the original motion passed by a vote of 7 to 0.**

An **amendment** to the original motion, as amended, was made by Commissioner Cannon to require the petitioner to provide sidewalks on both sides of the street along all lots within the development. The motion was seconded by Commissioner O'Brien.

Commissioner Dalton left the meeting at this time.

COMMENTS/DISCUSSION BY COMMISSION

- Senior Planner Laura Griggs-McElhanon noted that the Subdivision Ordinance excludes sidewalks on cul-de-sac streets that have less than eight (8) lots.
- Director Duepner noted that the petitioner has submitted more sidewalks than required by our ordinance.

Upon a roll call the vote was as follows: Commissioner Brown, yes; Commissioner Cannon, yes; Commissioner Kirchoff, yes; Commissioner McGuinness, yes; Commissioner O'Brien, yes; Chairman Domahidy, yes. **The amendment to the original motion, as amended, passed by a vote of 6 to 0.**

Commissioner Dalton returned to the meeting at this time.

COMMENTS/DISCUSSION BY COMMISSION

- Director Duepner suggested the "R-1A" setbacks be utilized in this development, (i.e., 12 foot side yard), the rear yard continues to be fifteen (15) feet; and the front yard proposed by the petitioner is thirty (30) feet, which is greater than the "R-1A" requirements. The lot size proposed falls between the "R-1" One Acre Residence District and the "R-1A" 22,000 square foot Residence District. The perimeter lots would have to meet the requirements of the PEU Ordinance.

An **amendment** to the original motion, as amended, was made by Commissioner McGuinness to approve the greatest number of lots allowed using the approved square footage.

COMMENTS/DISCUSSION BY COMMISSION

- It was suggested that this amendment was not necessary, as it would be covered by the increased setback requirements from earlier amendments to the motion.

Commissioner McGuinness **withdrew** her amendment to the motion.

An **amendment** was made to the original motion, as amended, by Commissioner Kirchoff to require Item r., page 5, Attachment A to read: A thirty foot wide undisturbed western boundary common ground area shall be provided (where lots are adjacent to the west and southern property lines) where natural tree growth exists; otherwise, establish or improve a landscape buffer to a twenty (20) foot width.

Commissioner McGuinness **left the meeting at this time.**

COMMENTS/DISCUSSION BY COMMISSION

- The Department had looked at the possibility of Private Valley Drive being a possible public street. However, after further review, decided it would not be a public street, and any landscaping along this road should be viewed as the back of lots.

Commissioner McGuinness **returned to the meeting at this time.**

- Director Duepner noted that, in the event the Planning Commission recommends conditions substantially different from what was presented at public hearing, the matter is not forwarded to the Council until the petitioner is given an opportunity to respond back with a revised site plan. The petitioner does not have to do that. If the petitioner does not respond within a prescribed time, the Commission recommendation is forwarded on to the City Council.

Commissioner Kirchoff **withdrew** his amendment to the original motion.

An **amendment** to the original motion, as amended, was made by Commissioner Kirchoff to read that: Where lots are adjacent to the western boundary, a thirty (30) foot wide undisturbed common ground landscape buffer area shall be provided along the western portion of the development where natural tree growth exists; otherwise, a new twenty (20) foot wide landscape buffer shall be established. The motion was seconded by Commissioner Cannon.

COMMENTS/DISCUSSION BY COMMISSION

- It was suggested that it is more important to retain the existing trees/vegetation than to provide a landscape buffer.

Upon a roll call the vote was as follows: Commissioner Brown, no; Commissioner Cannon, yes; Commissioner Dalton, no; Commissioner Kirchoff, yes; Commissioner McGuinness, no; Commissioner O'Brien, no; Chairman Domahidy, no. **The amendment failed by a vote of 5 to 2.**

COMMENTS/DISCUSSION BY COMMISSION

- Private Valley Drive could serve the parcels to the south. If the area to the west is developed, the stub street would afford the opportunity of access.

Commissioner Dalton left the meeting at this time.

- The requirement of a stub street was questioned.
- It was suggested that Private Valley Drive be considered for access to possible future development to the west.

Director Duepner noted the policy of the Department is to look at the appropriateness of stub streets in order to provide future access, should future development occur. The Department feels there is an obligation to require a stub street where there is the potential for future development.

Director Duepner noted that, based on the information received, it was determined that Private Valley Drive is a private drive, it was established as a private drive, and we are not in a position to require it to be upgraded or established as a public roadway. It did not appear that the potential existed for that to occur.

City Attorney noted that every single property owner utilizing Private Valley Drive would have to agree before the road could be changed to a public roadway. Also, the rights of the City over the stub street, after a certain period of time, are under review.

Commissioner Dalton returned to the meeting at this time.

Commissioner McGuinness made a motion to **move to previous question** (whether to vote on the original motion). The motion was seconded by Commissioner Cannon.

Upon a roll call the vote was as follows: Commissioner Brown, yes; Commissioner Cannon, yes; Commissioner Dalton, abstain; Commissioner Kirchoff, yes; Commissioner McGuinness, yes; Commissioner O'Brien, yes; Commissioner O'Brien, no; Chairman Domahidy, yes. **The motion passed by a vote of 5 to 1, with 1 abstention.** Commissioner Dalton indicated he abstained since he was out of the room and missed most of the discussion.

Chairman called the **original motion** to approve this development subject to the conditions in the Department's report with two (2) amendments: 1) to increase the lot sizes; and 2) to continue the sidewalks throughout the development.

Upon a roll call the vote was as follows: Commissioner Brown, yes; Commissioner Cannon, yes; Commissioner Dalton, abstain; Commissioner Kirchoff, yes; Commissioner McGuinness, yes; Commissioner O'Brien, no; Chairman Domahidy, yes; **The motion passed by a vote of 5 to 1, with one abstention.** Commissioner Dalton indicated he abstained since he was out of the room and missed most of the discussion.

B. P.Z. 12 & 13-92 Grasse Properties, Incorporated; a request for a change of zoning from "NU" Non-Urban to "R-1A" 22,000 square foot Residence District and a Planned Environment Unit (PEU) Procedure in the "R-1A" 22,000 square foot Residence District; east side of Straub Road, north of Clayton Road.

C. P.Z. 14 & 15-92 Grasse Properties, Incorporated; a request for a change of zoning from "NU" Non-Urban to "R-2" 15,000 square foot Residence District and a Planned Environment Unit (PEU) Procedure in the "R-2" 15,000 square foot Residence District; west side of Straub Road, north of Clayton Road.

Senior Planner Laura Griggs-McElhanon stated that, in keeping with the way we have handled this in the past, she would present P.Z. 12, 13, 14 & 15 as a unit. She noted that information is still needed regarding potential vacation of Straub Road, and a request has been received from Mr. King, the petitioner's representative, that this matter be held. The Department is recommending this item be held. In addition, she pointed out that several items were handed out to the Commission tonight: five (5) different letters received from residents of the area who object to the development.

COMMENTS/DISCUSSION BY COMMISSION

- The area of Straub Road to be vacated was discussed.
- The Department has not received recommendations from the Fire Protection District regarding this petition.

Commissioner McGuinness made a motion to hold this item. The motion was seconded by Councilmember O'Brien and passed by a voice vote of 7 to 0.

D. P.Z. 17 & 18-92 Fischer & Frichtel, Inc.; a request for a change of "NU" Non-Urban District to "R-2" 15,000 square foot Residence District and a Planned Environment Unit (PEU) Procedure in the "R-2" Residence District; east side of Wilson Road, northwest of the existing intersection of Wilson and Clarkson Roads.

Director Duepner presented the request and the Department's recommendation of approval, subject to conditions contained in Attachment A.

Commissioner McGuinness made a motion to approve the petition as recommended by the Department, subject to conditions contained in Attachment A. The motion was seconded by Commissioner O'Brien.

COMMENTS/DISCUSSION BY COMMISSION

- The sidewalk would be within the right-of-way of Wilson Road.
- The Department had the option of recommending increasing the size of lots along Wilson to 30,000 square feet, or providing the common ground strip which would, in effect, achieve the same impact along this area.
- The area between the backs of the proposed lots and Clarkson Road is a remnant lot. There are no requirements to landscape this remnant lot.

An **amendment** to the motion was made by Commissioner Kirchoff to change Condition 4.b. to require side yard setback to read ten (10) feet, which is the standard setback for "R-2" Zoning District. The motion was seconded by Commissioner Brown.

COMMENTS/DISCUSSION BY COMMISSION

Director Duepner pointed out that the Department recommended the eight (8) foot side yard setback, in part, in keeping with the pattern established in this area, (Bent Tree Subdivision to the east and northeast). It is also in keeping with the 12,000 square foot lot sizes.

- The rear yard setback will remain the standard fifteen (15) feet.
- The size and type of house located on a lot may be affected by a ten (10) foot side yard setback requirement. This may place limitations on the types of units offered on those lots.
- The Department looks at this area as more of an infill site, consistent with surrounding area development.

Upon a roll call the vote was as follows: Commissioner Brown, yes; Commissioner Cannon, yes; Commissioner Dalton, yes; Commissioner Kirchoff, yes; Commissioner McGuinness, no; Commissioner O'Brien, no; Chairman Domahidy, no. **The amendment to the motion passed by a vote of 4 to 3.**

A motion to move to previous question was made by Commissioner McGuinness. The motion was seconded by Commissioner O'Brien and passed by a voice vote of 7 to 0.

A roll call vote on the original motion, as amended, was as follows:
Commissioner Brown, yes; Commissioner Cannon, yes; Commissioner Dalton, yes;
Commissioner Kirchoff, yes; Commissioner McGuinness, yes; Commissioner
O'Brien, yes; Chairman Domahidy, yes; **The motion passed by a vote of 7 to 0.**

COMMENTS/DISCUSSION BY COMMISSION

Director Duepner requested guidance from the Commission relative to the requirements for provision of sidewalks, side yard setbacks, and lot sizes. He further noted that under the PEU Ordinance it is possible to reduce lot sizes down to as small as they want, or as approved by the City. He believes that, in order to provide direction to persons who contact the Department requesting information, the Commission needs to provide guidelines/policies it is going to utilize. The Department, as well as the petitioner, need to know what is expected of them when they come before the Planning Commission.

SOME SUGGESTED GUIDELINES FROM THE PLANNING COMMISSION

- For any given zoning district, the underlying zoning category should not be violated by more than twenty percent (20%), unless there is some compelling reason.
- Side yard setbacks are currently too small.
- The PEU allows too much flexibility.
- Flood plain areas may have to be utilized in order to meet lot size requirements.

Director Duepner noted that the concerns of the Planning Commission have to be identified so Department staff can convey this information to the petitioner (i.e., lot size, setbacks, sidewalks, additional landscaping, etc.).

- Petitioners could identify areas to be undisturbed by shading in these portions on the plans submitted.

- When used in conjunction with a change of zoning, a "PEU" provides too much flexibility.
- The area of the R. J. & J. project is the first that the Commission has dealt with on this side of Kehrs Mill Road, and the Commission is aware of its significance relative to development in the Wild Horse Creek Area.
- Director Duepner suggested that, if the Planning Commission is looking to change the ordinance regarding sidewalks, etc., then we may need to go back to the issue of revising our Subdivision Ordinance.
- City Attorney Beach noted he felt the Planning Commission may want to revisit how it handles PEU's. He has some legal concerns deciding whether side yard will never be changed, or if there may be a twenty percent (20%) reduction, etc. He needs to know the rationale for this change. It could be made part of the ordinance.
- Some areas of Ward IV may need closer scrutiny in order to follow the intent of the Comprehensive Plan.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. Spirit 40 Park Subdivision; "M-3" Planned Industrial District Boundary Adjustment Plat (Lots 1,2 and 3); west side of Spirit 40 Park Drive, north of Chesterfield Airport Road.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the Boundary Adjustment Plat for Lots 1,2 and 3 of Spirit 40 Park. The motion was seconded by Commissioner Brown, and passed by a voice vote of 7 to 0.

- B. Chesterfield Valley Center Subdivision; "M-3" Planned Industrial District Subdivision Record Plat (Plat Three); west side of Goddard Avenue, north of Chesterfield Airport Road.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the Subdivision Record Plat for Chesterfield Valley Center Plat 3. The motion was seconded by Commissioner Brown, and passed by a voice vote of 7 to 0.

COMMITTEE REPORTS

- E. Memorandum from the Director of Planning concerning Committee appointments.

Commission Chair Domahidy referred to the enclosed list, noting the intent to have each person serving on no more than two (2) committees, and regular rotation for site plan meetings.

A. **Ordinance Review Committee**

Committee Chair Brown reported that the Committee received a letter from Civic Progress requesting additional time to respond with comments. In view of this request, the Committee decided to send a letter to the group this week requesting all comments be turned-in by mid-November. It is hoped this matter will be ready for public hearing by January 1993.

Commission Chair Domahidy commended the Ordinance Review Committee for its hard work.

Committee Chair Brown noted that the Committee may meet October 20, 1992. The Committee made revisions regarding wall signs for office buildings.

B. **Architectural Review Committee**

Committee Chair O'Brien reported that Director Duepner has sent a draft of the proposed Guidelines to various organizations (i.e., National Association of Office and Industrial Parks, American Institute of Architects, HBA of Greater St. Louis). After comments are received from these groups, the Committee will meet to discuss which should be incorporated into the policies.

Commissioner Brown left the meeting at this time.

City Attorney Beach suggested we indicate a time limit for response in the letters sent to various groups requesting their input.

C. Site Plan/Landscape Committee

Committee Chair Kirchoff reported that the Committee presently has wrapped-up a document that will be mailed to all Commission members, and then it will be forwarded to the Planning and Zoning Committee meeting next Wednesday, September 23, 1992. He suggested that all persons who participated in the creation of this document attend this meeting.

Senior Planner Laura Griggs-McElhanon noted that the Department has not received comments from the National Association of Office and Industrial Parks nor the Missouri Growth Association. She further stated the next meeting is scheduled for October 6, 1992, at 4:00 p.m., at which time the Committee will begin work on the Valley and industrial areas.

Committee Chair Kirchoff requested the matter be placed on the Planning and Zoning Committee agenda, to be heard after the public hearing.

Planning and Zoning Committee Chair Betty Hathaway agreed to this.

Landscape Director Duepner noted that the Planning and Zoning Committee **received and filed the Architectural Guidelines**. He suggested that, at this point, the proposed Policies be **received and filed**, and scheduled for discussion at a future meeting.

Committee Chair Kirchoff agreed to this procedure.

D. Comprehensive Plan Committee

Committee Chair McGuinness reported the Committee has directed the Department to set the update of the Plan for public hearing in October.

E. Procedures Committee - No report.

The meeting adjourned at 9:10 P.M.

Mary Domagala for
Walter Scruggs, Secretary
as amended

[MIN9-14]