

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
AUGUST 28, 1995**



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

PRESENT

Mr. Rick Bly
Mr. Fred Broemmer
Mr. Michael Casey
Mr. Robert Grant
Mr. Allen Yaffe
Chairman Barbara McGuinness
Council Liaison Ed Levinson (Ward II)
Mr. Douglas R. Beach, City Attorney
Mr. Jerry Duepner, Director of Planning
Ms. Laura Griggs-McElhanon, Assistant Director of Planning
Mr. Joe Hanke, Planner II

ABSENT

Mr. Dave Dalton
Ms. Linda McCarthy

INVOCATION - Commissioner Pat O'Brien

PLEDGE OF ALLEGIANCE - All

The Chair recognized the Honorable Mayor Jack Leonard, and Council Liaison Ed Levinson, Ward II, chairman of the Planning and Zoning Committee.

PUBLIC HEARING: None

APPROVAL OF THE MINUTES

A. Approval of Minutes from Meeting of July 24, 1995.

A motion to approve the minutes of July 24, 1995 was made by Commissioner Casey and seconded by Commissioner Yaffe. Commissioner Grant noted a typo on page 10, "bote" instead of "vote". **The minutes were approved as amended by a voice vote of 7 to 0.**

B. Approval of Minutes from Meeting of August 14, 1995.

Chairman McGuinness asked the Director of Planning if the revision on page 3 of the August 14, 1995 minutes relative to the appointment of the nominating committee was made and distributed to the Commissioners.

Director Duepner confirmed this.

A motion to approve the minutes as revised was made by Commissioner Casey and seconded by Commissioner Bly and **was approved by a voice vote of 7 to 0.**

PUBLIC COMMENT

SPEAKER IN OPPOSITION TO P.Z. 23 & 24-95 FAHRENHORST ENTERPRISES (ALL ABOUT CHILDREN) AND IN SUPPORT OF P.Z. 26-92 CHESTERFIELD VILLAGE, INC. (CHESTERFIELD FARMS).

1. Nancy Litzau, trustee for the Chesterfield Farms & Estates Subdivision. 320 Cheval Square, Chesterfield, MO 63005.

SPEAKER IN SUPPORT OF P.Z. 26-92 CHESTERFIELD VILLAGE INC (CHESTERFIELD FARMS).

2. John King, attorney for the Jones Company.

SPEAKER IN SUPPORT OF P.Z. 23 & 24-95 FAHRENHORST ENTERPRISES (ALL ABOUT CHILDREN).

3. Michael J. Doster, attorney for Fahrenhorst Enterprises.

(At this time, Nancy Litzau submitted a signed petition to the Commission in support of the Jones Company request and in opposition to Fahrenhorst Enterprises.)

SPEAKER IN SUPPORT OF P.Z. 23-95 AND IN OPPOSITION OF P.Z. 24-95 FAHRENHORST ENTERPRISES (ALL ABOUT CHILDREN).

4. Dr. Theo Korakianitis, 27 Chesterfield Lakes, Chesterfield, MO.

SPEAKER IN SUPPORT OF P.Z. 23 & 24-95 FAHRENHORST ENTERPRISES (ALL ABOUT CHILDREN).

5. Sterling Glaser.

6. Mayor Leonard presented Chairman McGuinness a plaque acknowledging her membership on the Planning Commission from 1988 to 1995.

NEW BUSINESS

- A. P.Z. 22-95 O'Sullivan-Muckle Funeral Homes (O'Sullivan Mortuary); amendment of existing "C-8" Planned Commercial District Ordinance; south side of Olive Boulevard, east of Hog Hollow Road.

Joe Hanke, Planner II presented the Department's report and recommendation to approve P.Z. 22-95 subject to conditions contained in Attachment A.

A motion to approve the Department's report for P.Z. 22-95 was made by Commissioner Broemmer and seconded by Commissioner Casey.

COMMENTS/DISCUSSION

Joe Hanke, Planner II, clarified the following: a cross parking agreement is not required for this development; the recommended signage is the same as the Buchholz Mortuary, maximum height six (6) feet and maximum size fifty (50) square feet; and, the development is required to comply with the Missouri Highway and Transportation Department concerning provision of a sidewalk, dedication strip and construction slope easement along Olive Boulevard.

Upon a roll call the vote was as follows: Commissioner Bly, yes; Commissioner Broemmer, yes; Commissioner Casey, yes; Commissioner Grant, yes; Commissioner O'Brien, yes; Commissioner Yaffe, yes; Chairman McGuinness, yes.

The motion was approved by a vote of 7 to 0.

B. P.Z. 23-95 Fahrenhorst Enterprises (All About Children); "NU" Non-Urban District to "R-1A" 22,000 square foot Residence District; north side of Wild Horse Creek Road, west of the intersection of Baxter and Wild Horse Creek Roads.

AND

C. P.Z. 24-95 Fahrenhorst Enterprises (All About Children); Conditional Use Permit (C.U.P.) in the "R-1A" 22,000 square foot Residence District; north side of Wild Horse Creek Road, west of the intersection of Baxter and Wild Horse Creek Roads.

Director Duepner presented the Department's report, which included a revised plan submitted by the petition depicting less square footage and fewer children, and recommendation to approve P.Z. 23-95, rezoning, and approve P.Z. 24-95, C.U.P, subject to conditions contained in Attachment A, as amended to add Condition 4(s) to require Architectural Elevation Review by the Planning Commission. .

A motion to approve the Department's report on the rezoning (P.Z. 23-95) was made by Commissioner O'Brien and seconded by Commissioner Casey.

Upon a roll call the vote was as follows: Commissioner Bly, yes; Commissioner Broemmer, yes; Commissioner Casey, yes; Commissioner Grant, yes; Commissioner O'Brien, yes; Commissioner Yaffe, yes; Chairman McGuinness, yes.

The motion was approved by a vote of 7 to 0.

A motion to approve the Department's report for P.Z. 24-95 (C.U.P.) was made by Commissioner Casey and seconded by Commissioner Bly.

COMMENTS/DISCUSSION

Commissioner Casey asked how the proposed site compared to La Petite on Olive, which is approved for 147 children and how many parking spaces La Petite provided..

Planning Director Duepner replied that the La Petite facility on Olive near River Valley is approximately a 1.7 acre site, which is larger than the proposed site, and is required to provide a minimum of 25 spaces.

Commission O'Brien expressed concern with the distance from the proposed site to Baxter Road and inquired if there was a requirement to provide a right-turn lane.

Planning Director Duepner responded that Attachment A includes a condition to install a left turn lane, but the Missouri Highway and Transportation Department did not specifically mention a right turn lane.

Commissioner Yaffe stated he conducted his own unofficial traffic study/observation throughout the day and did not perceive a problem with getting in and out of the site.

A motion to **amend** Page 1 of Attachment A, Item 2(a), to increase 4,500 square feet to 5,500 square feet and Item 2(b), increase the number of students from 75 to 115 was made by Commissioner Yaffe.

The motion dies for lack of second.

A motion to **table** this item until the next meeting, to get useable floor space information, was made by Commissioner O'Brien and seconded by Commissioner Grant. **The motion was approved by a voice vote of 6 to 1, with Commissioner Broemmer voting no.**

- D. P.Z. 25-95 St. Joseph Institute for the Deaf;** amendment of an existing C-8 Planned Commercial District Ordinance; northwest side of Clarkson Road, south of the intersection of Baxter and Clarkson Road.

Planning Director Duepner presented the issues being considered by the Department in review of this request and recommended this item be held until the next meeting of the Commission.

A motion to **hold** this item until the September 11, 1995 meeting was made by Commissioner Casey and seconded by Commissioner Broemmer. **The motion was approved by a voice vote of 7 to 0.**

- E. Update of the City of Chesterfield Comprehensive Plan,** proposed revisions per recommendations of the Comprehensive Plan Committee on policy concerning signage considerations along I-64/Highway 40 Corridor and State Highways/Roads.

Planning Director Duepner presented this item.

Commission Casey made a motion to amend the report to add “**signs, when appropriate should be**”. The motion was seconded by Commissioner Yaffe and **approved** by a voice vote of 7 to 0.

A motion to approve the resolution, as amended, was made by Commissioner Casey and seconded by Commission Grant.

Upon a roll call the vote was as follows: Commissioner Bly, yes; Commissioner Broemmer, yes; Commissioner Casey, yes; Commissioner Grant, yes; Commissioner O’Brien, yes; Commissioner Yaffe, yes; Chairman McGuinness, yes.

The motion was **approved** by a vote of 7 to 0.

F. P.Z. 16-95 City of Chesterfield Planning Commission; a proposal to amend Section 1003.168D Temporary Signs of the City of Chesterfield Zoning Ordinance (regarding political signs).

A motion to hold this item was made by Commissioner Casey and seconded by Commissioner Yaffe. The motion was **approved** by a voice vote of 7 to 0.

G. P.Z. 26-92 Chesterfield Village, Inc. (Chesterfield Farms); request for amendment of Planned Environment Unit (PEU) Ordinance in “R-2” 15,000 square foot Residence District, “FPR-2” Flood Plain “R-2” Residence District, and “R-6” 2,000 square foot Residence District; northwest quadrant of the intersection of Baxter and Wild Horse Creek Roads.

Planner II Hanke presented the Department's report and recommendation of approval subject to conditions contained in Attachment A.

COMMENTS/DISCUSSION

Planner II Hanke clarified the following: the current plan does not represent the recommended 16 foot side yard setback, which could reduce the number of units; the original PEU did not specify the side yard setbacks for this area, but measuring from the Preliminary Plan indicated 18 to 20 feet with 5-6 unit buildings; and no off-street parking is currently depicted, but this has been discussed with the petitioner.

A motion was made by Commissioner O’Brien and seconded by Commissioner Casey to **approve** the Department’s report with the following revisions to Attachment A-1: Miscellaneous Improvements (pp), page 16, to read “Construction access for the townhome, 2-family and 3-family portion of the development shall be from Baxter Road only”.

Upon a roll call the vote was as follows: Commissioner Bly, yes; Commissioner Broemmer, yes; Commissioner Casey, yes; Commissioner Grant, yes; Commissioner O’Brien, yes; Commissioner Yaffe, yes; Chairman McGuinness, yes.

The motion was **approved** by a vote of 7 to 0.

- H. **P.C. 22-87 Clarkson Center (Wilson/Clarkson Centre)**; request for amendment of "C-8" Planned Commercial District Ordinance; east side of Clarkson Road, south of Wilson Road.

Planning Director Duepner stated that the Department recommends this item be held.

A motion to hold this item was made by Commissioner Casey and seconded by Commissioner Broemmer. The motion was approved by a voice vote of 7 to 0.

- I. **Request for Planning Commission to hold Public Hearing to amend Zoning Ordinance relative to Appeal and Protest Procedure.**

A motion to hold a public hearing to amend the Zoning Ordinance relative to the Appeal and Protest Procedure was made by Commissioner Grant and seconded by Commissioner Casey. The motion was approved by a voice vote of 7 to 0.

SITE PLANS, BUILDING ELEVATIONS AND SIGNS.

- A. **Braefield Subdivision**; Planned Environment Unit (PEU) Procedure in the "R-4" 7,500 square foot Residence District Resubdivision Plat of Lot 4; north side of Olive Boulevard, east of West Drive; AND,
- B. **Braefield Subdivision**; Planned Environment Unit (PEU) Procedure in the "R-4" 7,500 square foot Residence District Resubdivision Plat of Lot 10; north side of Olive Boulevard, east of West Drive; AND,
- C. **Braefield Subdivision**; Planned Environment Unit (PEU) Procedure in the "R-4" 7,500 square foot Residence District Resubdivision Plat of Lots 21 & 22; north side of Olive Boulevard, east of West Drive.

Commissioner Casey, on behalf of the Site Plan Committee, made a motion to approve the Braefield Resubdivision Plats for Lots 4, 10, and 21 & 22. The motion was seconded by Commissioner O'Brien and passes by a voice vote of 7 to 0.

- D. **P.Z. 1-95 Pierce Hardy Real Estate (84 Lumber)**: "M-3" Planned Industrial District Architectural Elevations; north side of Chesterfield Airport Road, east of Long Road.

Commissioner Casey, on behalf of the Site Plan Committee, made a motion to approve Architectural Elevations for P.Z. 1-95 Pierce Hardy Real Estate (84 Lumber) requiring the masonry walls to be the color Parchment and the roof to be the color Smokey Blue. The motion was seconded by Commissioner Grant.

The voice vote was inconclusive.

Upon a roll call the vote was as follows: Commissioner Bly, yes; Commissioner Broemmer, yes; Commissioner Casey, yes; Commissioner Grant, yes; Commissioner O'Brien, yes; Commissioner Yaffe, no; Chairman McGuinness, no.

The motion was approved by a vote of 5 to 2.

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
- F. Nominating Committee Report/Election -

Chairman McGuinness stated that the committee met on August 18, 1995, at 11:15 a.m. and are recommending Commissioner Casey for Chairman. Chairman McGuinness asked if there were any nominations from the floor (This was asked three (3) times).

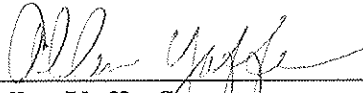
The nomination was passed with a voice vote of 7 to 0.

Chairman McGuinness stated that the Nominating Committee is recommending Commissioner Bly for Vice Chair. Chairman McGuinness asked if there were any nominations from the floor.

Commissioner Broemmer nominated Commissioner O'Brien.

By secret ballot, Commissioner Bly was elected Vice Chair.

The meeting adjourned at 8:45 p.m.



Allen Yaffe, Secretary

[MIN8-28.095]