PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
AUGUST 24, 2009

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

I. ROLL CALL

PRESENT	ABSENT
Mr. David Banks	
Ms. Wendy Geckeler	
Mr. G. Elliot Grissom	
Ms. Amy Nolan	
Ms. Lu Perantoni	
Mr. Stanley Proctor	
Mr. Robert Puyear	
Mr. Michael Watson	
Chairman Maurice L. Hirsch, Jr.	

Councilmember Connie Fults, Council Liaison
City Attorney Rob Heggie
Ms. Aimee Nassif, Planning & Development Services Director
Ms. Susan Mueller, Principal Engineer
Ms. Annissa McCaskill-Clay, Lead Senior Planner
Ms. Mara Perry, Senior Planner
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE – All

III. SILENT PRAYER

Chair Hirsch acknowledged the attendance of Councilmember Connie Fults, Council Liaison and Councilmember Bruce Geiger, Ward II.

IV. PUBLIC HEARINGS – None

V. APPROVAL OF MEETING MINUTES

Commissioner Grissom made a motion to approve the minutes of the August 10, 2009 Planning Commission Meeting. The motion was seconded by Commissioner Proctor and **passed by a voice vote of 7 to 0** with Commissioners Banks and Perantoni abstaining**.**

VI. PUBLIC COMMENT

A. P.Z. 12-2009 New Kinkead Estates (James and Suzanne Burnley)

Chair Hirsch announced that the Planning Commission will not be voting on this petition tonight inasmuch as there was a discrepancy with respect to the legal description of the land. As a result, the City is required to re-advertise the petition for Public Hearing showing the correct legal description. Because State statute requires publication 15 days prior to the Public Hearing, the earliest date the petition can be placed on the agenda is September 14th, at which time the Commission could vote on it. The residents were advised to check the City's website as to the exact date of this Public Hearing.

Chair Hirsch then referred to the issue of road maintenance regarding this petition. He noted that this issue is not a City matter. If the rezoning is approved, the road maintenance issue would have to be resolved between the parties involved as the subject road is a private road.

Speakers in Opposition:

1. Ms. Carol Osterloh, representing the residents of Woodlake Condominiums complex, 806 Amolac Drive, Chesterfield, MO stated that recently the Trustees of the three groups that are part of the Woodlake Condominiums complex, the Board of Directors of the Woodlake Residents Association, and their attorney, Marvin Nodiff, met to review and itemize the issues related to the rezoning of the Burnley property from "R3" to "R6A". Mr. Nodiff then sent the Planning Commission a letter outlining the specifics discussed.

   Ms. Osterloh then responded to one of the points outlined in the August 7th letter from Suzanne and James Burnley regarding the "impact of congestion along Woods Mill Road". She noted that the Burnleys stated:

   > "*…the new highway will greatly reduce the number of cars currently utilizing Woods Mill Road for North/South travel; therefore any additional traffic introduced by rezoning this parcel will be insignificant."*

   Speaker stated that the new highway will alleviate only thru-traffic that comes from south of Ladue and north of Olive. As stated in Mr. Nodiff's letter, the

Parkway School District compound on Ladue Road will still impact Woods Mill by about 1200 vehicles several times daily. In addition to this number, there will be conference and meeting attendees traveling to the Parkway compound, as well as neighborhood traffic from Wood Lake, Forest Ridge, and Four Seasons. Also, there has not been a total settlement of purchase for all the land needed for the new highway. If the funds are not available, then there could be quite a delay or perhaps no construction at all at this time.

Ms. Osterloh stated that on the Chesterfield website, there were exhibits showing four different possible development scenarios for the site. If the designs do not allow for two-car garage parking, there is concern that vehicles will park along Forestlac Drive or Beaulac Drive. Vehicles will create more congestion on Forestlac Drive and Woods Mill Road.

Speaker then stated that the residents of Woodlake Condominium oppose the application for rezoning on the subject parcel.

2. Ms. Ann Jaques, Woods Glade Condominium Association, 950 Forestlac Ct., Chesterfield, MO stated the following:
   - Her main concern is the potential for increased traffic along Highway 141 and Forestlac Drive. Traffic problems on these streets are complicated by the numerous oversized vehicles – UPS, trash haulers, and school buses – which cannot make the turn from 141 to Forestlac without taking up two lanes. This causes other vehicles to get backed up on these two streets. The drop-off on either side of Forestlac is risky for all traffic. Adding additional vehicles from a multi-housing development would further aggravate what is already a dangerous situation in entering and exiting Forestlac Drive to and from 141.
   - Access to the subject site would only be possible off Forestlac. Maintenance of Forestlac has been the shared responsibility of the tennis club and Woods Glade Condominium. Increasing traffic on this road would cause additional maintenance and place a financial burden on Woods Glade Condo, whose budget is already very tight.

3. Ms. Betsy Kippenberger, 13443 Forestlac Drive, Chesterfield, MO indicated that her concerns regarding the easement were already covered.

Speakers – Neutral:

1. Mr. William Engel, Woods Glen Condominium subdivision – part of Wood Lake, 815 Amolac, Chesterfield, MO stated the following:
   - He has concerns with storm water and run-off issues.
   - The subdivision has a tremendous problem with its lake in terms of silting. Silting causes the lake to become more shallow, which subsequently causes shore erosion. This lake has been a natural detention basin and slows down the water which comes from the westerly developments, golf course, and a culvert in Woods Mill.

- They want to keep an eye on any development that may be done on the subject site – such as the consequences of the number of units that are constructed. There will be a good quantity of storm water coming off of the new roofs and cement and it is hoped that measures will be taken to prevent it from being funneled into their lake both during and after construction.
- A few years ago, Wood Lake de-silted the lake and put in some erosion control, which has helped preserve the lake.

Ms. Aimee Nassif, Planning & Development Services Director, stated that if the rezoning is approved, the Site Plan phase of the project would include Improvement Plans, which would show all the storm water and detention areas. These plans will be reviewed to insure that they meet all City and MSD Phase II water quality requirements. Chair Hirsch added that "there can be no net water moved onto surrounding properties".

Petitioner:

1. Ms. Sue Burnley, 1000 N. Woods Mill Road, Chesterfield, MO passed on speaking.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

A. Parkway School District (Parkway Central High School/347 N. Woods Mill Road): Amended Site Plan and Architectural Elevations for a science building addition at Parkway Central High School, 96.6 acre "NU" Non-Urban District-zoned tract of land, located on the west side of Woods Mill Road, north of Ladue Road.

Commissioner Grissom, representing the Site Plan Committee, made a motion recommending approval of the Amended Site Plan and Architectural Elevations for Parkway School District (Parkway Central High School/347 N. Woods Mill Road). The motion was seconded by Commissioner Banks and **passed by a voice vote of 9 to 0**.

B. Wings Corporate Estates, Lot 4 (American Piping Products): An Amended Site Development Section Plan and Partial Amended Landscape Plan for a 1.3 acre lot of land located on the north side of Wings Corporate Dr.

Commissioner Grissom, representing the Site Plan Committee, made a motion recommending approval of the Amended Site Development Section Plan and Partial Amended Landscape Plan for Wings Corporate Estates, Lot 4 (American Piping Products). The motion was seconded by Commissioner Nolan and **passed by a voice vote of 9 to 0**.

VIII. OLD BUSINESS

A. <u>P.Z. 12-2009 New Kinkead Estates (James and Suzanne Burnley):</u> A request for a change of zoning from an "R3" Residence District to an "R6A" Residence District for a 1.26 acre tract of land located at 1000 N. Woods Mill Road, ¼ mile south of the intersection of Woods Mill Road and Olive Boulevard. (16Q310021)

<u>Chair Hirsch</u> commended Ms. Perry on her Staff Report, which he found "extremely helpful" and stated that the Commission appreciates the information provided.

<u>Ms. Mara Perry,</u> Senior Planner, stated that the Public Hearing was held July 27, 2009 at which time there were six speakers. Since then, Staff has received phone calls and one letter regarding the issues. Ms. Perry then reviewed the issues to which Staff was asked to respond:

- <u>Adjacent Zoning and Densities:</u> It was noted that the subject site, as well as the parcels surrounding it, were all zoned "R3" or "R3 with a PEU" prior to the incorporation of the City. Staff researched into how the sites were zoned because the "R3" zoning district requires a minimum of 10,000 square feet of land area per unit, which is not what was built on any of the surrounding parcels.

  Research into the older PEUs shows that flood plain land was included in the land area in order to make the numbers work – it was noted that flood plain land could not be built upon.

  Noting that the "R3" zoning district requires a minimum of 10,000 square feet of land area per unit, the following chart identifies the densities to which the surrounding subdivisions were built:

Subdivision	Existing Zoning	Current Lot Size	Number of Units per Building	Total Number of Units	Land Area per Unit
Proposed New Kinkead Estates	"R3"	1.26	n/a	n/a	n/a
Four Seasons (data is for multiple family only)	"R3"	0.195 to 0.674	3 to 14	239	1,693 sq ft to 4,040 sq ft
Wood Lake Condominiums	"R3" PEU	1.614 to 3.879	2 to 4	84	3,850 sq ft to 5,632 sq ft
Woods Glade Condominiums	"R3" PEU	1.226 to 3.856	2 to 4	51	4,096 sq ft to 5,340 sq ft
Woods Glen Condominiums	"R3" PEU	0.197 to 2.391	2 to 8	111	2,014 sq ft to 5,989 sq ft

If these subdivisions came in today with the densities at which they're currently built, they would be required to be zoned at an "R6A-R8" because they don't

meet the minimum lot sizes of a typical "R3". Further, the distances between the structures would not meet the City's multi-family requirements as they are too close together.

The following table shows what the subdivisions would look like based on the required zoning should they petition for development today:

Subdivision	Existing Zoning	Zoning Based on Density				
		"R6A"	"R6AA"	"R6"	"R7"	"R8"
Proposed New Kinkead Estates	"R3"	n/a				
Four Seasons (data is for multiple family only)	"R3"	2 lots	11 lots	22 lots	5 lots	1 lot
Wood Lake Condominiums	"R3" PEU	3 lots	1 lot			
Woods Glade Condominiums	"R3" PEU	2 lots				
Woods Glen Condominiums	"R3" PEU	7 lots	3 lots	4 lots		

- Impact of Congestion: Since the Staff Report was prepared, Staff has received data from MoDOT, which gives the annual average daily traffic (AADT) for the area from Ladue Road to Olive on Woods Mill Road. The AADT for 2008 is 16,455 vehicles. The projections for the 141 extension show the AADT to decrease to 8,000 vehicles – a decrease of approximately one-half of the current AADT. MoDOT has indicated that any additional access point off of 141 from the Burnley property will not be permitted whether or not the 141 extension is completed because it would not meet access standards.
- Maintenance of the Access Easement: The easement agreement that was created in 1948 does not address maintenance but does state that all the property owners have rights to access.
- Proposed Density: Noting that there are many factors that affect density, Staff has prepared four possible development scenarios using the following known factors required for "R6" zoning:
    - 20-foot road setback from Forestlac;
    - 20-foot yard setback and 30-foot landscaped buffer from Woods Mill;
    - 15-foot rear yard setback and 20-foot landscaped buffer;
    - 25-foot stream buffer from the edge of the top of the stream for the waterway at the southern end of the property;
    - Minimum lot sizes;
    - Minimum parking requirements of 2.5 spaces per unit, which takes into consideration guest parking;
    - 30% tree preservation;
    - 40% open space

Based on the above factors, the following four examples were presented:

No. of Units	Parking	Square Footage	No. of single-family detached units	No. of multi-family attached units	Square Feet of Land Area per Unit
3	2-car garage	3,200	1	1 two-family	18,243
4	2-car garage	2,600	1	1 three-family	13,682
6[1]	1-car garage w/surface parking	1,800	0	1 four-family; 1 two-family	9,121
8[2]	Surface or basement parking	1,200	0	1 eight-family	6,841

[1]This example is the exact footprint of the adjacent Woods Glade Condos.
[2]This example is the exact footprint of the apartment complex across the street – Four Seasons

Commissioner Banks asked for the minimum land area per unit for an "R6A" zoning. Ms. Perry stated that it is 4,500 square feet for single-family and two-family units; and 4,000 square feet for three-, four-, or multiple-family units. It was noted that the minimum land area per unit decreases from 4,000 square feet for "R6A" multi-family down to 500 square feet of land area per unit for "R8" multi-family zoning.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS

A. Ordinance Review Committee Meeting – Aug 26, 3:00 p.m.
B. Planning Commission Training Session – Sept 2, 5:30 p.m.

XI. ADJOURNMENT

The meeting adjourned at 7:32 p.m.

_____
Michael Watson, Secretary