

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
JULY 25, 1994**

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

PRESENT

Mr. Rick Bly
Mr. Fred Broemmer
Mr. Michael Casey
Mr. Dave Dalton
Ms. Mary Domahidy
Mr. Bill Kirchoff
Chairman Barbara McGuinness
Mayor Jack Leonard
Mr. Douglas R. Beach, City Attorney
Councilmember Barry Flachsbart, Council Liaison
Mr. Jerry Duepner, Director of Planning
Ms. Laura Griggs-McElhanon, Senior Planner
Mr. Joe Hanke, Planner II
Ms. Toni Hunt, Planner I

ABSENT

Ms. Linda McCarthy
Ms. Patricia O'Brien

INVOCATION - Commissioner Mary Domahidy

PLEDGE OF ALLEGIANCE - All

Chairman McGuinness recognized Councilmember Barry Flachsbart - Council Liaison (Ward I), and Councilmember Linda Tilley (Ward IV).

PUBLIC HEARINGS - Commissioner Casey read the "Opening Comments"

- A. **P.Z. 13-94 E.M. Harris Building Co. (Wildhorse Meadows)**; a request for a change in zoning from "NU" Non-Urban District and "FPNU" Flood Plain "NU" Non-Urban District to "R-3" 10,000 square foot Residence District and "FPR-3" Flood Plain "R-3" 10,000 square foot Residence District for a 33.6 acre tract of land located approximately 1100 feet east of the intersection of Long Road and Wildhorse Creek Road (State Highway CC). (Locator Numbers 18U44-0014 and 18U51-0030); and,

- B. **P.Z. 14-94 E.M. Harris Building Co. (Wildhorse Meadows)**; a request for a Planned Environment Unit (PEU) Procedure in the "R-3" 10,000 square foot Residence District and "FPR-3" Flood Plain "R-3" 10,000 square foot Residence District for the same 33.6 acre tract of land located approximately 1100 feet east of the intersection of Long Road and Wildhorse Creek Road (State Highway CC). (Locator Numbers 18U44-0014 and 18U51-0030) Proposed Use: Single Family Dwellings; and,
- C. **P.Z. 15-94 E.M. Harris Building Co. (Wildhorse Meadows)**; a request for a change in zoning from "NU" Non-Urban District to "R-1" One Acre Residence District for a 13.3 acre tract of land located on the south side of Wild Horse Creek Road approximately 1100 feet east of the intersection of Long Road and Wildhorse Creek Road (State Highway CC). (Locator Number 18U23-0035); and,
- D. **P.Z. 16-94 E.M. Harris Building Co. (Wildhorse Meadows)**; a request for a Planned Environment Unit (PEU) Procedure in the "R-1" One Acre Residence District for the same 13.3 acre tract of land located on the south side of Wild Horse Creek Road approximately 1100 feet east of the intersection of Long Road and Wildhorse Creek Road (State Highway CC). (Locator Number 18U23-0035) Proposed Use: Single Family Dwellings

Senior Planner Laura Griggs McElhanon gave a slide presentation of the subject tracts and surrounding area.

Mr. Gregory R. Smith, Attorney with Husch & Eppenberger, spoke on behalf of the petitioner noting the following:

- The two (2) developments are distinctive in both their presentation this evening and their development layout.
- P.Z. 15 & 16-94 Wildhorse Meadows is on the **south** side of Wild Horse Creek Road:
 - This would consist of twelve (12) single-family residences.
 - Minimum lot size would be 36,000 square feet.
 - There will be approximately 1/2 acre of common ground.

- Preservation of tree masses along the western perimeter.
- Comparable to the development to the east (Country Place) which is an "R-1" density development with 28,000 square feet minimum lot size.
- Comprises a fair transition and consistency along the south side of Wild Horse Creek Road, as acknowledged in the City's Comprehensive Plan.
- P.Z. 13 & 14-94 Wildhorse Meadows is on the **north** side of Wild Horse Creek Road: (He noted there may be a distinction of names in the future.)
 - A "C-8" development (Dugsford Commons) is to the west of this parcel, and an "R-1" development (Baxter Gardens) is on the southwest side.
 - The Comprehensive Plan designates the subject parcel to be developed as multi-family.
 - The Hayden Company (Somerset) is zoned "R-1A" and "R-2" with a PEU, and The Bluffs is zoned "R-2" with a PEU.
 - Minimum lot sizes would be 7,500 square feet, with an average lot size of 9,000 square feet (10,800 with the common ground included).
 - A total of 117 single-family residences are proposed, ranging from 2,000 to 3,000 square feet in size, at a price of approximately \$200,000.
 - The layout of the proposed subdivision is consistent with development to the west (The Bluffs).
 - The existing stub street will be connected.
 - The petitioner has met with trustees across the street, but not with residents, as the trustees felt that, due to varying opinions among residents, the meeting would not be worthwhile.
 - The topography along the western perimeter falls 40 to 50 feet, with the rear of the site being the continuation of Bonhomme Creek.
 - Will preserve the natural area in common ground.
 - The bluff area will be preserved to retain the green space, and could accommodate a pathway, if desired in the future.

- There is a considerable topographical change between the Railroad tracks (northern perimeter of this site) and the top of the ridge line (40 or 50 foot slope).
- There is an active railroad along the northern perimeter of the site, "C-8" Zoning and a Flood Plain and topographical features along the western perimeter, a retail use on the southwestern perimeter, and residential immediately to the east.
- Lot sizes on the east match those of The Bluffs development.
- P.Z. 15 & 16-94 Wildhorse Meadows:
 - Will provide larger lots, affording greater visual buffer along Wild Horse Creek Road.
 - Have increased the side and rear setbacks, and the area of tree preservation, as recommended by Department of Planning Staff.
- P.Z. 13 & 14-94 Wildhorse Meadows:
 - Increased the density of plantings at the entrance way to preserve the existing visual buffer along Wild Horse Creek Road (30 foot common ground area).
 - The sight lines are such that there will not be any visibility of houses from adjoining property due to the topographical fall that occurs along the perimeter of the site.
- The petitioner believes they have met good general planning practices, and are confident this can be constructed in a manner compatible with the adjoining properties.

COMMENTS/DISCUSSION BY COMMISSION

Commissioner Bly inquired whether Harris would be the only developer.

Mr. Smith stated he is not sure.

Commissioner Dalton inquired about the pricing of the houses.

Mr. Smith stated the average price would be \$200,000, taking into account the extras and lot-specific additions usually requested. He then passed out some renderings of the types of houses proposed.

Commissioner Dalton stated the lot sizes proposed are smaller than those of The Bluffs at Wildhorse.

Mr. Smith noted this development has a greater density; however, in response to staff concerns, they will maintain a minimum lot size of 10,000 square feet along the entire eastern perimeter of the proposed development. Lots 3 through 18 will be a minimum of 10,000 square feet.

Chairman McGuinness inquired about the average price of the homes to the east.

Mr. Smith said he was not sure, but he believes it is \$250,000 to \$300,000 (Somerset).

Chairman McGuinness inquired about meetings with residents.

Mr. Smith noted they met with trustees of surrounding subdivisions as recently as last week. The petitioner offered to meet with residents, but the trustees stated that, due to so many differences of opinion, it might not be constructive. The petitioner has tried to contact residents on several occasions.

Chairman McGuinness inquired whether, prior to last week, anyone representing the petitioner asked for a meeting with Country Place.

Mr. Frank Ganninger, E. M. Harris Building Company, stated they have not; however, he made two (2) phone calls last week in an attempt to set meetings with the trustees. After a short discussion, it was felt it would not be beneficial to meet. He noted he tried, unsuccessfully, to reach residents several times, and was out of town for two (2) of the last three (3) or four (4) weeks.

Mr. Smith noted they always make the opportunity available to meet with residents. He noted Mr. Cunningham spoke with trustees prior to last week.

Councilmember Flachsbart inquired about the public walkway.

Mr. Tom Krull, Volz Engineering, noted the common ground strip was provided along the lower portion of the bluff area. The easements were worked out (grade wise), and established that common ground strips would be utilized as walkways. The petitioner will try to establish this common ground walkway in a manner consistent with surrounding development.

Councilmember Flachsbart noted it may be difficult to put a pathway on top of the bluffs.

Mr. Krull replied it would go, basically, along the bottom of the bluff. Part of the path would be on the railroad track easement, wherever suitable.

Commissioner Domahidy stated that, given the pressures for development in this area, the Commission undertook, as of last year, the West Area Study. She further stated that some of the assumptions made by the petitioner may be of a past nature regarding the Commission's thoughts, and the Comprehensive Plan.

Mr. Smith noted he was aware of some recent meetings to change the designation of this zoning on the Comprehensive Plan away from multi-family.

Commissioner Domahidy noted the context is much broader, as it is an effort to update the Comprehensive Plan.

Mr. Smith noted the ordinances that adopted the PEU's for the Bluffs at Wildhorse and Somerset are a result of recent actions by the City. He further noted that it is his belief the request tonight not only follows the Comprehensive Plan, but is a completion of the natural progression of a well-thought-through Comprehensive Plan.

Commissioner Domahidy noted the Commission is re-visiting the Comprehensive Plan and some of the thinking that formed that part of the process. She further noted that the Commission is giving serious consideration to issues related to infrastructure, adequacy of the sanitary sewers, the stormwater system, traffic, etc.

Mr. Smith stated he believes the Comprehensive Plan is a dynamic document which must constantly be visited, and he applauds the efforts of this community to do that on a regular basis. He believes that, due to the topography of the subject tract on the north side of Wild Horse Creek Road, accomplishing attractive residential development is much more difficult than on any other tract of land in that area.

SPEAKERS IN FAVOR of P.Z.15 & 16-94 and In OPPOSITION to P.Z.13 & 14-94

1. Mr. Vance V. Vaughan, 17715 Birch Leaf Court, Chesterfield, MO 63005, spoke on behalf of the Wildhorse Subdivision Homeowners Association noting the following:
 - Concern was expressed about the growth along Wild Horse Creek Road, and its effect upon the quality of life (i.e., magnificent view, rolling terrain, diverse wildlife), which needs protection.

- They are not anti-growth, but are concerned about the density for P.Z. 13 & 14-94.
- They believed the minimum size for the proposed lots was to be 10,000 square feet, not 7,500 square feet.
- Concern about the density of P.Z. 13 & 14-94 is due mainly to traffic safety (more traffic, no room for bicycles).
- No other subdivision in close proximity to the proposed development has lots as small as 7,500 square feet. He noted the following examples:

Country Place - average 1/2 acre lots;
 Chesterfield Estates - close to 1/2 acre lots;
 Somerset - 12,000 plus square feet lots;
 Countryside at Chesterfield - 1/2 acre lots;
 Bentley Place - 3/4 acre lots; and

therefore, he does not believe this is natural progression for this area.

- They are in favor of development showing one (1) acre lots.
- They recommend the Commission postpone the vote on the rezoning of P.Z. 13 & 14-94, until the City of Chesterfield can complete a master plan for the area.
- They would be agreeable if the developer changes the density to 1/2 acre minimum lots.

SPEAKERS IN OPPOSITION -

1. Mr. Phil Eastin, 17706 Birch Leaf Court, Chesterfield, MO 63005, spoke as an individual noting the following:
 - Last spring he attended the meeting of the West Area Study group regarding the Master Development Plan. At that time he hoped there would be some type of moratorium on rezoning of the Wild Horse area.
 - He is concerned about the effect increased development would have on the Chesterfield Elementary School.

- Due to the geology/geography of the area, he questioned the stability of the geology of the area for high density development, and believes an Environmental Impact Study of that area should be made before further high density projects are approved.
2. Mr. Eric Zust, 17206 Wild Horse Creek Road, Chesterfield, MO 63005, spoke as an individual noting the following:
- His lot has the largest common border with the proposed development, but has not been contacted by any of the petitioner's representatives.
 - With regard to P.Z. 15 & 16, there is a deep ravine at the rear of his property (approximately fifteen (15) feet deep), which holds drainage from Country Place. He believes this could be a major safety hazard for children.
 - The developer has not contacted individual property owners, as suggested by the Commission.
 - With regard to P.Z. 13 & 14-94, he has concerns about traffic density resulting from additional development along Wild Horse Creek Road.
 - If the sewers are addressed with regard to P.Z. 15 & 16-94, he would be in favor of this development.
 - With regard to P.Z. 13 & 14-94, he would like to see a much less dense type arrangement (i.e., he would like no more than 50 or 60 homes).
3. Mr. Frank Puleo, 17110 Surrey View Drive, Chesterfield, MO 63005, a Trustee for Country Place Subdivision, noted the following:
- He noted concern that property values have decreased considerably, i.e., \$20,000 to \$30,000 below purchase price.
 - Concern was expressed about the increased density, problems with storm sewers, etc.
 - He noted that residents of Country Place are totally against P.Z. 13 & 14-94.

Chairman McGuinness asked if Mr. Puleo was contacted by the developer.

Mr. Puleo replied that no one called him, and two (2) of the three (3) trustees were not contacted.

5. Mr. Bill Quinn, 1427 Carriage Crossing, Chesterfield, MO 63005, Trustee for Country Place, spoke on behalf of the Subdivision noting the following:
 - He was contacted by Mr. Cunningham and Mr. Harris on Tuesday of last week, he believes in response to the West Area Study meeting he and Mr. Puleo attended the previous week.
 - He advised the petitioner, at that time, that residents of Country Place Subdivision are vehemently opposed to P.Z. 13 & 14-94.
 - He noted the distance from the entrance of his subdivision to Long Road is four-tenths (0.4) of a mile. Therefore, a transitional zone over a short distance of four-tenths (0.4) of a mile does not make sense.
 - The lots in Country Place are three (3) times the size of those being proposed.
 - The pricing of the proposed houses is approximately \$200,000; Country Place houses are priced in excess of \$300,000.
 - The existing drainage problem is caused by the Somerset development.
6. Mr. Don Bowers, 17531 Wild Horse Creek Road, Chesterfield, MO 63005, spoke as an individual noting the following:
 - Stormwater is a problem all over Chesterfield, and high density development adds to this problem.
 - The water from the ridges along Wild Horse Creek Road drains into the canal, along the bluff, along the Smokehouse, and along the Levee.
 - We do not have an adequate drainage plan nor facility in the Valley.
 - The intersections of Long, Kehrs Mill and Wild Horse Creek Roads are very dangerous and need improvements.
 - Residents in the western portion of Ward IV are opposed to the proposed density of P.Z. 13 & 14-94.

7. Mike Cullen, 1619 Wilson Forest View Court, Chesterfield, MO 63005, spoke as an individual noting the following:
 - He is opposed to P.Z. 13 & 14-94, for the reasons stated by previous speakers, and inquired why the developer couldn't give the same consideration to the proposed development on the north side of Wild Horse Creek Road, with respect to density.
8. Ms. Kathryn Connell, 1305 Carriage Crossing, Chesterfield, MO 63005, spoke as an individual noting the following:
 - Six (6) years ago the easement for the storm creek had approximately a three (3) to four (4) foot slope, and was approximately twelve (12) feet wide. Today it is approximately ten (10) to twelve (12) feet deep.
 - City workers came to assess this problem, and determined that the best way to remedy the problem of the storm creek would be to slope the sides again where the water had eroded the land. If this work is performed, the easement would now be forty (40) feet wide, with a slope of approximately ten (10) feet.
 - The water has too much force to be successfully piped underground.
 - She is against P.Z. 13, 14, 15 & 16-94, until Chesterfield can look at the storm creek and resulting erosion, and then take care of the properties affected now, before moving on to new development.

Chairman McGuinness summarized some issues/concerns raised:

- A big failure of the City of Chesterfield planning has been the stormwater runoff issue.
 - The failure and disregard of this Commission to legitimately address the pre-establishment of stormwater runoff capabilities borders on contempt.
9. Mr. Stan L. Sutliff, 1301 Carriage Crossing, Chesterfield, MO 63003, spoke as an individual noting the following:
 - His is the first home as you enter Country Place Subdivision, off of Wild Horse Creek Road.
 - He shares the concerns of the previous speaker regarding stormwater runoff/drainage problems at the rear of their properties.

- Since the development of Somerset last year, they have experienced increased amounts of stormwater runoff, along with mud, sand and rocks.
- Stormwater has caused considerable damage to Lots 15 & 16 in his subdivision.
- Most of the stormwater from Chase Ridge and Towles Farm (streets at the front of Country Place) feeds into the subject stormwater runoff. The front half of Somerset also feeds stormwater runoff into the drain on both his and Ms. Connell's property.
- As development occurs in this area, they would like to see the Planning Commission take into account the amount of water run-off from these properties.
- He is concerned about the condition of existing energy dissipators at the end of this pipe to help disperse some of the water.
- There have been numerous occasions over the last four (4) years when the water runoff has been so great that it has overwhelmed those dissipators. In fact, two (2) are broken and laying in a ditch approximately six (6) feet below the original level of that runoff due to the energy of the water.
- If we add water volume, or stop it from a free-flow on the other end, it will back up to their houses. It has been within six (6) vertical feet of both his and Ms. Connell's walk-out basement.

COMMENTS/DISCUSSION BY COMMISSION

Commissioner Domahidy inquired whether this is typically what happens with a rainstorm.

Mr. Sutliff noted it is not every time it rains, but he hears a bubbling noise from the stormwater lid at the back of his house loud enough to awaken his family during an evening. The water pressure in the pipes is so great that it actually comes up above the water drain, hitting the huge lead lids on the water access points, causing it to bounce up and down. He would like to see public transportation and public utilities installed commensurate with, and preferably ahead of, development.

Chairman McGuinness asked if Mr. Sutliff was familiar with the West Area Study.

Mr. Sutliff stated he believes it to be little more than a political ploy, and has not seen action he considers to be positive from that effort.

Chairman McGuinness noted that effort is ongoing and in process. She noted, in terms of zoning, the Planning Commission is the recommending body to the City Council. She further noted that the City Council has final approval of zoning.

SPEAKERS - NEUTRAL - None

REBUTTAL

Chairman McGuinness summarized some issues/concerns raised as follows:

- the traffic;
- why the 7,500 square foot minimum lot size;
- bike riders;
- this is not natural transition;
- the volume at the school;
- how many dwelling units are proposed;
- will you do an environmental impact study;
- this development will ruin the country atmosphere - the concern is that this will become like Olive Street Road;
- why are houses priced at only \$200,000 and lower;
- if less attractive piece of land, then why so many homes;
- why didn't you call the individual property owners; petitioner did not make a concerted attempt to contact potential neighbors in the subdivisions, or individual property owners along Wild Horse;
- the safety hazard;
- the deep ravine; and
- there is no precedence for this.

Mr. Greg Smith noted the comments fall into five (5) basic categories (traffic, drainage, schools, density and meeting with residents). He further noted the following:

- With regard to **meeting with residents**
 - they are prepared to meet with any resident at a convenient time.
 - they never intended to not make that opportunity available
- With regard to **schools**
 - There are 107 houses in Country Place; the proposal tonight is for 117 homes.

- The proposed development is not placing any greater burden on the schools than the previous development in the area.
- With regard to **drainage**
 - There is absolutely no drainage from this project which will affect lots in Country Place.
 - The petitioner's engineers will comply with all codes so that residents of this area will be protected.
 - Drainage on the south side will be accomplished in a manner that does not cause damage to surrounding property owners.
- With regard to the **traffic** issue
 - The right-of-way along Wild Horse Creek Road is much larger than sixteen (16) feet, and there is going to be improvements to it, as well as to surrounding intersections.
 - The petitioner will meet all of the requirements of the St. Louis County Highway Department and Missouri Highway and Transportation Department with regard to this particular road.
- With regard to the **density** issue
 - It is not a desirable thing for residences to be located immediately adjacent to commercial uses; therefore, they try to buffer and locate a transitional residential zone adjacent to those commercial uses.
 - The housing is priced less due to their location in close proximity to commercial development.
 - The proposed development is a reasonable transition from commercial in this area, in accord with the City's Comprehensive Plan.

In summary, he noted this property owner and this developer are entitled to a reasonable use of their property, given its location and surrounding uses this community has previously approved. He asked that this developer be allowed to complete the Comprehensive Plan this community adopted less than three (3) years ago.

Chairman McGuinness asked Mr. Smith to point out where the other 7,500 square foot minimum lots are located.

Mr. Smith replied "Chesterfield Farms."

Chairman McGuinness inquired about an Environmental Impact Study.

Mr. Smith replied he is not aware of any ordinance, statute, regulation that requires this Study. He further stated he was unsure of what this means.

Chairman McGuinness noted that residents stated they believe it would be useful.

Mr. Smith said the Federal Government requires an Environmental Impact Study in certain projects; but, this project does not merit such a Study.

Mr. Tom Krull noted the concern raised was due to the type of soil and its stability. He further noted it requires soils engineering to control this problem, and the petitioner has obtained a soils report for this project.

Chairman McGuinness inquired about traffic concerns raised.

Mr. Smith stated the petitioner will meet standards required by the Missouri Highway and Transportation Department.

Chairman McGuinness inquired about the bicycle path.

Mr. Smith stated there will be a sidewalk on the north side.

Chairman McGuinness inquired about the comment that this project is not a natural transition.

Mr. Smith stated he covered that earlier.

Chairman McGuinness inquired how the petitioner is adding to the country atmosphere of west Wild Horse Creek Road.

Mr. Smith noted they have tried to preserve the tree masses on the south side of the road, and increased the existing tree masses, wherever possible. On the north side, they are providing a pathway along the top of the bluff, as well as preservation of the common ground (117 units on 33.59 acres is approximately 3 1/3 units per acre).

Commissioner Casey read the remainder of the "Opening Comments."

SHOW OF HANDS - **P.Z. 13 & 14-94 E.M. Harris Building Co. (Wildhorse Meadows)**

In Favor: 11 In Opposition: 54 Neutral: 0

SHOW OF HANDS - **P.Z. 15 & 16-94 E.M. Harris Building Co. (Wildhorse Meadows)**

In Favor: 15 In Opposition: 54 Neutral: 0

Chairman McGuinness called a fifteen (15) minute recess at 8:30 p.m.

Chairman McGuinness reconvened the meeting at 8:45 p.m.

- E. **P.Z.17-94 Micaela Kennedy (Kennedy Farms Equestrian Center)**, a request for a Conditional Use Permit (C.U.P.) in the "NU" Non-Urban District and "FPNU" Flood Plain "NU" Non-Urban District to allow a riding stable on a 12.2 acre tract of land on the east side of Deep Forest Drive, approximately 1000 feet south of Wild Horse Creek Road (State Highway CC). (Locator Number 18V62-0051)

Commissioner Casey gave a summary of the "Opening Comments"

Toni Hunt, Planner I, gave a slide presentation of the subject tract and surrounding area.

Mr. Larry Milles, of Robert Boland Architects, introduced Micaela Kennedy.

Ms. Micaela Kennedy noted the following:

- She has been in business since 1981, and in Chesterfield for the past five (5) years.
- She runs an equestrian center where children and adults are taught to ride horses.
- Larry Milles, Tom Shaw, and others will make her presentation.

Mr. Larry Milles noted the following:

- An aerial photo was shown to the Commission.
- Deep Forest Drive will be widened by the petitioner, as required by the Fire District and City Planning Department.
- There are presently three (3) buildings on the property (residence, barn and riding arena).
- The future intent would be to develop a small viewing area, attached to the existing riding arena. Included would be ancillary facilities to augment existing buildings.
- There would be a covered link to connect the existing barn to the new riding arena and provide architectural continuity throughout.
- Ultimately, a new barn will complete the project on the north end, creating a courtyard space between the existing buildings and the new building proposed.
- The proposed barn would sit back approximately 400 feet from Deep Forest Drive.
- The slides shown by the Planning Department adequately depict the existing development.
- During a meeting with the Planning Staff on May 17, 1994, the issue was raised that the development would require five (5) acres out of the flood plain to allow the proposed use. Subsequent to this meeting, the petitioner found out this is no longer needed. Therefore, the variance is not required.
- The request is for a Conditional Use Permit only, to permit a riding stable.
- All Department comments have been addressed with the revised plan submitted tonight.
- Notification has been received from the Missouri Highway and Transportation Department, MSD, and St. Louis County Highway and Traffic that they have reviewed the plan and have no comment.

COMMENTS/DISCUSSION BY COMMISSION

Commissioner Domahidy inquired about the letter with regard sewage issues.

Mr. Tom Shaw, 1122 Deep Forest Drive, Chesterfield, MO 63005 addressed the Commission as follows:

- The septic tank and generation system no longer work. They have a free hook-up for granting the sewer easement to MSD, and both he and his neighbor intend to hook-up as soon as possible.

SPEAKERS IN FAVOR

1. Mr. Pat Barron, 2002 Kehrsboro Drive, Clarkson Valley, MO, spoke as an individual noting the following:
 - His two (2) daughters go to the Micaela Kennedy facility, and he believes it is a great asset to the City.
2. Mr. Mark Weisman, 7733 Forsyth, Clayton, MO 63105, spoke as an individual noting the following:
 - He spoke as a friend and student of Kennedy Farms.
 - He noted the building will be a source of pride for everyone who lives and works in this area.

SPEAKERS - NEUTRAL

1. Mr. Don Bowers, 17531 Wild Horse Creek Road, Chesterfield, MO 63005, spoke as an individual noting the following:
 - Basically, he and his neighbors have no opposition to this position; however he has a concern about the traffic situation:
 - speeding;
 - location of Deep Forest entrance to site is dangerous due to speeding along Wild Horse Creek Road;
 - suggested warning signs for horse trailers; and

- suggested possible addition of turning lane.

SPEAKERS - IN FAVOR

3. Melanie Fitzpatrick, 1642 Clayton Spur Court, Ellisville, MO 63011, spoke as an individual noting the following:
 - She has been riding for Micaela for five (5) years at Royal Oak Ranch, and people currently going to the Royal Oak Ranch will move with her; therefore, she doesn't believe this new facility would adversely impact traffic along Wild Horse Creek Road.
4. Mr. Thomas Schlesinher, 1515 Timber Bluff Court, Chesterfield, MO 63017, spoke as an individual noting the following:
 - Has been a resident of Chesterfield for fifteen (15) years, and has an 11 year old daughter who rides at the Kennedy Farms facility.
 - This provides a good environment for children.

SPEAKERS - OPPOSITION - None

REBUTTAL

Mr. Milles noted the widening of Deep Forest Drive will help alleviate the traffic concerns. He further noted the petitioner would be agreeable to a warning sign, reduced speed limit, etc.

Commissioner Casey read the remainder of the "Opening Comments."

SHOW OF HANDS - P.Z. 17-94 Micaela Kennedy (Kennedy Farms Equestrian Center)

In Favor: 34 In Opposition: 0 Neutral: 0

APPROVAL OF THE MINUTES

Commissioner Bly made a motion to approve the minutes from the meeting of June 27, 1994. The motion was seconded by Commissioner Broemmer and **passed by a voice vote of 7 to 0.**

Commissioner Bly made a motion to approve the meeting summary of the Site Plan Meeting of July 13, 1994. The motion was seconded by Commissioner Domahidy and passed by a voice vote of 7 to 0.

PUBLIC COMMENTS

RE: P.Z. 12-94 Carl Tisone Carl R. Tisone (Indoor Golf Driving Range)

1. Mr. Fred Hale, 34 Waterman Place, St. Louis, MO 63112, noted the following:
 - From Highway 40, west, looking down the hill, you are above the elevation of the proposed dome.
 - The levee will dramatically reduce the impact of the height and mass of the proposed dome.
 - To the east, along Highway 40, the hillside behind the proposed site will overshadow the structure.
 - The dome is neat, clean, well landscaped, and below the grade of the highway.
 - The corridor includes a prison (enclosed by barbed wire fencing), a construction yard with used construction equipment supplies and equipment, a redi-mix concrete plant; therefore, to single out this dome as being an appearance problem causes him concern.
 - For appearance purposes, the staff is recommending **denial**; therefore, he would encourage the Commission to look at the project in light of its environment, not in light of the fact that it is a massive structure sitting out in the flatlands.
 - He noted this is part of the Ice Arena project; the scale of the ice arena, coupled with this structure, should make it pleasant in appearance.
2. Mr. Jamey Alverson, Architect, 7275 Stanford, St. Louis, MO 63130, noted the following:
 - He believes that, because it is a unique looking structure located in a singular location, it is a good fit; therefore, he does not agree with the Department's opinion in this regard.

- Chesterfield has an opportunity to express newer, more progressive building standards.
 - The building design is indicative of its use.
 - The golf dome was designed in unison with the developer of the recently approved ice arena, and there are some common building materials for the two (2) buildings.
 - The height of sixty-five (65) feet is not achieved in the structure until you are back approximately fifty (50) feet from its entrance.
 - The Chesterfield Valley Land Use Plan calls for "Mixed Use," and specifically recommends Low Rise, Warehouse, and Retail.
 - It would make sense to develop the largest part of the Valley to the south of Highway 40, because there is a thin strip to the north due to the levee.
 - There are presently two (2) sporting facilities in the Valley, and he believes it is highly appropriate for the proposed structure to be located where proposed, next to other athletic facilities.
 - It is architecturally appropriate to its use; it's a good neighbor to the recently approved ice arena; it fits both the specific and overall guidelines of the City; and is reflective of the potential of the young City of Chesterfield.
3. Ms. Marjorie Wilson, 111 Edwin, St. Louis, MO 63122, noted the following:
- She provided photos of other projects located in other parts of the United States. All structures generally range between forty-five (45) and sixty-five (65) feet in height.

Commissioner Bly inquired about the Fire Department's requirement for a sprinkler system.

Ms. Wilson noted the petitioner has to provide the Fire Department with the burn test results on all materials used for the structure. These tests have not yet been requested.

Commissioner Dalton inquired about the front facade of the proposed structure (the size, location of front entrance, etc.).

Ms. Wilson indicated the location of the front entrance, noting the proposed structure would be smaller than the existing ice arena. She noted her desire to work with the Commission regarding any questions or suggestions they might have about the facility.

4. Mr. Rhein Dabler, 12755 Olive Boulevard, St. Louis, MO 63141, declined to speak.

Mr. Alverson stated the Commission should not base its aesthetic evaluation of the building on the engineering site plan provided by Clayton Engineering, as it dealt with specific topographic and water drainage issues. He requested the Commission look at the booklet given at the Public Hearing with color reproductions depicting a complete description of the structure.

Commissioner Kirchoff inquired whether other color choices were available for the fabric, as indicated by the petitioner at the public hearing.

Mr. Alverson said they are available.

Commissioner Broemmer inquired whether the petitioner has looked into the matter of the structure supporting a sprinkler system.

Ms. Wilson noted that the Fire Department has never required sprinkler systems in any of their buildings. She noted, however, they have gathered the reports and testing materials to be sent to the Fire Department.

Commissioner Broemmer noted his belief is that, if it can be proven there would be no smoke hazard, no toxic fumes given off, it would have the approval of the Fire Department.

OLD BUSINESS - None

NEW BUSINESS

- A. **P.Z. 18 & 19-93 Nooning Tree Partnership**; "NU" Non-Urban District to "R-3" 10,000 Square Foot Residence District and Planned Environment Unit (PEU) procedure in the "R-3" 10,000 Square Foot Residence District; south side of Olive Boulevard, east of the intersection of Appalachian Trail and Olive Boulevard.

(Note: This item is placed on the agenda as information only. It has been tabled by the Planning Commission until further notice.)

- B. P.Z. 12-94 Carl R. Tisone (Indoor Golf Driving Range)**; Conditional Use Permit (CUP) in "NU" Non-Urban District; north side of North Outer Forty Road, east of Boones Crossing Road and North Outer Forty.

Toni Hunt, Planner I, summarized the Department's report and recommendation of **denial**.

COMMENTS/DISCUSSION BY COMMISSION

Commissioner Kirchoff inquired about the reasoning surrounding the Sachs Maintenance Facility.

Ms. Hunt noted the industrial use was appropriate, but the appearance and aesthetics of the building were stipulated in the conditions for that "M-3" governing ordinance. She further noted that appearance was a determining factor in writing the conditions for the ordinance, in addition to the use being appropriate.

Commissioner Kirchoff noted we have to be as architecturally concerned with this project as we were with the Sachs facility.

Ms. Hunt noted we were with the Sachs Maintenance Facility and the Chesterfield Business Park recently approved. She further noted that conditions were written regarding use, appearance and structure setbacks.

Commissioner Kirchoff noted we should, if this goes forward, require conditions similar to those mentioned.

Chairman McGuinness requested comments about the color choices.

Commissioner Kirchoff noted:

- There were approximately six (6) color choices.
- Maybe a grey color would make the structure disappear. The Commission required the dioxin building is painted a color which has successfully made the building blend in and disappear.
- The facade is very nice; but, if there is some objection to the dome, there are some alternatives to consider;
- Approval should be given based on it being an appropriate land use (the Comprehensive Plan recommends office park or office warehouse).

- He does not believe the Comprehensive Plan would have any problem allowing sports facilities of this nature (i.e., Riverport).
- The Commission could approve the uses and send to the Architectural Review Committee to work out.
- The sprinkling system is something for the Fire Department to contend with, not a primary concern of the Commission.
- The Commission should give consideration to issues of traffic, stormwater or schools; but not get tied up in issues that shouldn't be the primary focus.

Chairman McGuinness noted, with regard to the E.M. Harris petition, that we will always listen to the people and ask the petitioner to respond. She further noted that, whether or not we are directly responsible for those particular concerns, there are persons who do not understand our process and deserve answers from the petitioner.

Commissioner Kirchoff noted they should have some direction and knowledge (i.e., residents should be made aware that the Public Works Department is responsible for stormwater issues).

Chairman McGuinness noted that is why we talk it through, and the petitioner is required to respond to these issues.

Commissioner Kirchoff noted we need to be concerned about all issues; but, land use should be our primary focus.

Commissioner Dalton made a motion to **approve** the request, subject to landscape and architectural review. The motion was seconded by Commissioner Kirchoff.

COMMENTS/DISCUSSION BY COMMISSION

Commissioner Domahidy noted, while she believes it could be an appropriate use, she is not ready to agglomerate many of those types of uses in that place.

Senior Planner Laura Griggs-McElhanon noted that, if the Commission continues along the lines of approval, and since the Department has not formulated conditions, the Department's recommendation would be that this item would be **held**. She further noted that, if held, the Commission could specifically direct staff relative to the type of conditions they want to see, and staff would come back at the next meeting, August 22, 1994, with the recommended conditions.

Commissioner Dalton withdrew his earlier motion.

Commissioner Dalton made a motion to **approve** the request, subject to forthcoming conditions as generated by Staff, and modified by the Commission, architectural elevations, etc. The motion was seconded by Commissioner Kirchoff.

COMMENTS/DISCUSSION BY COMMISSION

Commissioner Dalton inquired how this fits into the Chesterfield Valley Master Plan.

Ms. Hunt noted the recommendation of Staff was in conjunction with the Comprehensive Plan.

Commissioner Dalton inquired about the Chesterfield Valley Master Plan.

Senior Planner Laura Griggs-McElhanon noted, in discussing this with the Director, it was indicated the Chesterfield Valley Master Plan was based on the Comprehensive so the Department's recommendation based on the Comprehensive Plan would also be in compliance with the recommendation in the Valley Master Plan.

Commissioner Domahidy noted the land use portion of the Chesterfield Valley Master Plan has not been finalized.

Commissioner Kirchoff noted he doesn't have a problem with the usage in this area, as the Comprehensive Plan Committee didn't believe this type of development would evolve.

Commissioner Broemmer noted he agrees that, with the ice arena already there, this would be a very nice recreation complex.

Commissioner Domahidy noted she believes it is too much mass (i.e., the ice arena and the proposed facility together).

Upon a roll call the vote was as follows: Commissioner Bly, yes; Commissioner Broemmer, yes; Commissioner Casey, yes; Commissioner Dalton, yes; Commissioner Domahidy, no; Commissioner Kirchoff, yes; Chairman McGuinness, yes.

The motion passes by a vote of 6 to 1, with Commissioner Domahidy voting no.

Senior Planner Laura Griggs-McElhanon asked the Commission to give Staff specific direction relative to the type of conditions in addition to architectural and landscape review.

Commissioner Kirchoff noted the color should be negotiated between the petitioner and the Architectural Review Committee. He noted his preference for a gray color, and maybe the facade should be a little higher.

Ms. Hunt pointed out that once a Conditional Use Permit is approved, whether or not conditions are resolved, they remain in effect at the time of site development plan review.

Councilmember Flachsbart suggested placing a time limit on the CUP.

Director Duepner noted it is possible for the Commission to include a condition that would prescribe a time limit for the CUP.

A motion was made by Commissioner Casey to allow the petitioner twelve (12) months for submittal of a site development plan. The motion was seconded by Commissioner Dalton and **approved by a voice vote of 7 to 0.**

C. Memorandum from the Director of Planning concerning revisions City of Chesterfield Ordinance relative to Home Day Care Facilities.

Director Duepner noted the Planning and Zoning Committee of Council directed Staff to bring this matter back to the Commission for consideration. He further noted this would require a public hearing.

A motion was made by Commissioner Broemmer to set this matter for a public hearing. The motion was seconded by Commissioner Bly and **approved by a voice vote of 7 to 0.**

City Attorney Doug Beach suggested we might want to put on a public hearing a question of whether or not there should be an ordinance dealing with camping and camp grounds, and camping out.

Director Duepner noted that, if we are looking at the home day care issue, it may be appropriate to also look at the camping issues.

A motion was made by Commissioner Bly to set the camping issues for a public hearing. The motion was seconded by Commissioner Casey and **approved by a voice vote of 7 to 0.**

D. Memorandum from the Director of Planning concerning revised petition forms.

Director Duepner noted the Department is seeking concurrence of the revised petition forms submitted tonight.

A motion to approve, as revised, was made by Commissioner Broemmer and was seconded by Commissioner Casey. **The motion was approved by a voice vote of 7 to 0.**

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

A. **P.Z. 26-93 Glen Novack/Redia McGrath (The Wedge)**; "C-8" Planned Commercial District Business Sign; north side of Old Olive Street Road at Chesterfield Airport Road.

Commissioner Broemmer, on behalf of the Site Plan Review Committee, made a motion to approve the requested 94.5 square foot freestanding business sign, as recommended by the Department. The motion was seconded by Commissioner Domahidy and **approved by a voice vote of 7 to 0.**

B. **P.Z. 4-94 Chesterfield Homes Development, Inc. (The Courts)**; Planned Environment Unit Procedure in the "R-3" 10,000 square foot Residence District Site Development Plan and Landscape Plan; south side of Kehrs Mill Road approximately 3,000 feet east of Clarkson Road.

Commissioner Broemmer, on behalf of the Site Plan Review Committee, made a motion to approve the site development plan and landscape plan. The motion was seconded by Commissioner Casey and **approved by a voice vote of 7 to 0.**

Chairman McGuinness noted there is a Valley meeting Thursday, July 28, 1994, 4:30 p.m. to 8:00 p.m., at Spirit of St. Louis Airport Fairgrounds.

Director Duepner noted the Planning Commission meeting with the CCDC is Wednesday, July 28th, at 6:00 p.m., at the CCDC office.

Chairman McGuinness noted the following Commissioners will attend: Commissioner Broemmer, Casey, Bly, Domahidy, Dalton, Kirchoff and herself.

Director Duepner noted the meeting with Mr. Lane Kendig will be August 1, 1994, at 6:00 p.m. He further noted this is only the beginning of the whole process, and there will be other opportunities for the Commission to meet with Mr. Kendig.

Chairman McGuinness polled the Commission as follows: Commissioner Broemmer, undecided; Commissioner Casey, yes; Commissioner Bly, yes; Commissioner Domahidy, no; Commissioner Dalton, undecided; Commissioner Kirchoff, probably; and Chairman McGuinness, yes. Director Duepner will check with O'Brien and McCarthy.

Chairman McGuinness noted Council passed Ordinance No. 933 mandating the terms of all appointments made here and after the effective date of this ordinance (July 18, 1994), shall be a term ending on the first Monday in June of each respective year or until such member has been replaced in accordance with the City ordinances. The terms of all currently appointed Planning Commission shall be extended until the first Monday of June in the fourth (4th) year their term appointment.

Chairman McGuinness made the following Committee assignments:

Site Plan Committee - 2nd Monday

Fred Broemmer - Revolving Chairman

Rick Bly

Michael Casey

Mary Domahidy

Site Plan Committee - 4th Monday

Pat O'Brien - Revolving Chairman

Dave Dalton

Bill Kirchoff

Linda McCarthy

Selection Steering Committee for Zoning and Subdivision Ordinances

The Planning and Zoning Committee of Council requested the Chairman and Vice-Chairman of the Planning Commission serve on this Committee.

Barbara McGuinness and Mary Domahidy

Comprehensive Plan/West Area Study Committee

Mary Domahidy - Co-Chairman
Dave Dalton - Co-Chairman
Fred Broemmer
Bill Kirchoff
Michael Casey

Procedures and Planning Committee

Patricia O'Brien - Chairman
Rick Bly
Fred Broemmer

The Valley Delegate

Mary Domahidy
Bill Kirchoff
Michael Casey

Ordinance Review Committee

Rick Bly - Chairman
Linda McCarthy
Mr. John Langa

Chairman McGuinness noted she will provide a list to the Department for these committees.

A motion to approve Mr. John Langa as a Member of the Ordinance Review Committee for the next year, or until the Committee completes its work, was made by Commissioner Bly. The motion was seconded by Commissioner Kirchoff and **approved by a voice vote of 7 to 0.**

Architectural Review Committee

Michael Casey
Linda McCarthy
Pat O'Brien

The Chairman of this Committee is to be named at a later date.

Landscape Committee

Bill Kirchoff - Chairman
Rick Bly
Dave Dalton

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**

Committee Co-Chair Domahidy reported that the public hearing originally scheduled for July 25, 1994, has been postponed. This is due, in particular, to the changing densities being discussed in the West Area Study Committee meetings. She further noted the process of the West Area Committee meetings needs to be looked at.

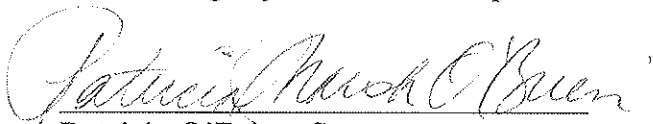
- E. **Procedures and Planning Committee**

Chairman McGuinness directed the issue of whether or not we are going to take hand counts for public hearings be taken-up by this Committee.

- F. **Nominating Committee** - No report.

Senior Planner Laura Griggs-McElhanon asked the Landscape Committee Members meet following the Commission Meeting to set up a meeting date and time.

The meeting adjourned at 10:10 p.m.


Patricia O'Brien, Secretary

[MIN7-25.094]