

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
JULY 24, 1995**



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

PRESENT

Mr. Fred Broemmer
Mr. Michael Casey
Mr. Robert Grant
Ms. Linda McCarthy
Ms. Patricia O'Brien
Mr. Allan 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
Ms. Toni Hunt, Planner I
Ms. Sue Harris, Department Secretary

ABSENT

Mr. Rick Bly
Mr. Dave Dalton

INVOCATION - Commissioner Michael Casey

PLEDGE OF ALLEGIANCE - All

Chairman McGuinness recognized Councilmember Ed Levinson (Planning and Zoning Committee Council Liaison to the Planning Commission); Councilmember Colleen Hilbert (Ward I) and Councilmember Linda Tilley (Ward IV).

Chairman McGuinness announced that she has been asked to serve on the new St. Louis County Boundary Commission representing cities of 20,000 population or more. She will not be able to serve on the Planning Commission of Chesterfield. She intends to resign before September 5th, 1995.

PUBLIC HEARINGS:

Commissioner Fred Broemmer read the "Opening Comments"

P.Z. 22-95 P.Z. 22-95 O'Sullivan-Muckle Funeral Homes (O'Sullivan Mortuary); a request for an amendment to the existing "C-8" Planned Commercial District Ordinance for a 2.27 acre tract of land located on the south side of Olive Boulevard approximately 500 feet east of Hog Hollow Road. (Locator Numbers 16Q130665 and 16Q130674). Proposed Use: Mortuary with accessory apartment and associated parking.

Chairman McGuinness stated that an unsigned letter was sent to the Planning Commission and if the anonymous person would like to come forward and speak she/he can do so. Otherwise the Commission does not wish to receive anonymous mail.

Joe Hanke, Planner II gave a slide presentation of the subject site and surrounding area.

Mr. Kevin King, (Petitioner's Representative) spoke on behalf of P.Z. 22-95 O'Sullivan - Muckle (O'Sullivan Mortuary).

SPEAKERS IN FAVOR -

1. Betty Hathaway, 112 High Valley Dr., Chesterfield, MO 63017 speaking for Westbury Manor.

SPEAKERS NEUTRAL: - None

SPEAKERS IN OPPOSITION:

1. Mr. Michael Phelan, 13990 Olive Street Rd., Chesterfield, MO 63017, spoke for a group. (American Piping Products).

REBUTTAL -

Mr. Kevin King, (Attorney) and Mr. James R. Hall (consultant) responded to questions raised by Planning Commissioners and previous speakers.

Commissioner Broemmer read the next portion of the "Opening

Comments," and announced the next public hearing to be heard.

- B. P.Z. 23-95 Fahrenhorst Enterprises (All About Children);** a request for change in zoning from "NU" Non-Urban District to "R-1A" 22,000 square foot Residence District for 1.1 acre tract of land located on the north side of Wild Horse Creek Road, approximately 350 feet west of the intersection of Baxter and Wild Horse Creek Roads. (Locator Number 18T540027)

AND,

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 for the same 1.1 acre tract of land located on the north side of Wild Horse Creek Road, approximately 350 feet west of the intersection of Baxter and Wild Horse Creek Roads. (Locator Number 18T540027) Proposed Use: Child Care Center.

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

Mr. Michael Doster, attorney representing the petitioner, presented the request.

SPEAKER IN FAVOR :

1. David Glaser, 18746 Petra Ct., Wildwood, MO 63039 speaking as an individual.
2. Anne Ferretti, 1955 Schoettler Valley Dr., Chesterfield, MO 63005 speaking as an individual.
3. Tracy McElroy, 148 Brighthurst Drive, Chesterfield, MO 63005 speaking as an individual.
4. Kim Puerto, 605 Packford Drive, Chesterfield, MO 63017 speaking as an individual.
5. Tom A. Starnes, 16606 Marcross Ct., Chesterfield, MO 63005 speaking as an individual.

Commissioners Grant and Yaffe left the meeting at 8:15 p.m. and returned at 8:25 p.m.

SPEAKERS IN OPPOSITION:

1. Christian Tompras, Chesterfield Farms speaking as an individual.
2. Dr. Theo Korakianitis, 27 Chesterfield Lakes, Chesterfield, MO 63005 speaking for Citizens for Responsible Growth.
3. Wendy Goeckler, 26 Chesterfield Lakes Rd., Chesterfield, MO 63005 speaking as an individual.
4. Chris Layton, 16809 Wild Horse Creek Road, Chesterfield, MO 63005 speaking as an individual.
5. Dan Layton, 205 Hi Point, Chesterfield, MO 63005 speaking for the Hi Point Subdivision.
6. Nancy Litzau, 320 Cheval Square, Chesterfield, MO 63005 speaking as an individual.
7. Vance Vaughan, 17715 Birch Leaf Ct., Chesterfield, MO 63005 speaking for Wildhorse.

SPEAKERS NEUTRAL: -

1. Jerry L. Barton, 16635 Wild Horse Creek Road, Chesterfield, MO 63005 speaking as an individual.

REBUTTAL -

Mr. Michael Doster, (Petitioner's Representative) responded to questions raised by the opposition and the Planning Commission concerning size of project, parking and traffic concerns.

Mr. James Farenhorst, the petitioner, responded to parking space questions asked by the opposition and the Planning Commission.

Commissioner Broemmer read the final portion of the "Opening Comments."

APPROVAL OF THE MINUTES

A. Approval of Minutes from Meetings of June 26, and July 10, 1995.

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

PUBLIC COMMENTS:

1. Peter Elsaesser, 1144 Deep Forest Drive, Chesterfield, MO 63005-4302 spoke regarding P.Z. 20 & 21-95 Premier Development Corporation.
2. Elizabeth Elsaesser, 1144 Deep Forest Drive, Chesterfield, MO 63005-4302 spoke regarding P.Z.20 & 21-95 Premier Development Corporation.
3. Christian Tompras, 16614 Chesterfield Farms Dr., Chesterfield, MO 63005 spoke regarding P.Z.20&21-95 Premier Development Corporation.
4. Murray Fishman, 1122 Deep Forest Drive, Chesterfield, MO 63005, spoke regarding P.Z. 20 & 21-95 Premier Development Corporation
5. Micaela Kennedy, 1122 Deep Forest Drive, Chesterfield, MO 63005, spoke regarding P.Z. 20 & 21-95 Premier Development Corporation.
6. Shannon Hicks, 1122 Deep Forest Dr., Chesterfield, MO 63005, spoke regarding P.Z. 20 & 21 -95 Premier Development Corporation.
7. Wendy Geckler, 26 Chesterfield Lakes Rd., Chesterfield, MO 63005 spoke regarding P.Z. 20 & 21-95 Premier Development Corporation and presented a study.
8. Dr. Theo Korakianitis, 27 Chesterfield Lakes, Chesterfield, MO spoke regarding P. Z. 20 & 21 -95 Premier Development Corporation and presented a video.

9. Dan Layton, 205 Hi Point, Chesterfield, MO 63005 spoke regarding P.Z. 20 & 21 -95 Premier Development Corporation.
10. Bill Quinn, 1427 Carriage Crossing Lane spoke regarding P.Z. 20 & 21-95 Premier Development Corporation.

Chairman McGuinness responded to Mr. Quinn's comments about Planning Commission members being elected, and the City budget and City taxes..

11. Mr. Ed Griesedieck, attorney for the petitioner for Premier Homes spoke concerning P.Z. 20 & 21 - 95. and the staff report dated July 19, 1995.

Commissioner McGuinness asked if there was a motion to waive the time limit for Mr. Griesedieck to continue speaking another thirty (30) seconds.

Commissioner McCarthy made a motion to allow him to continue. Seconded by Commissioner Casey and **passes** by a voice vote of 7 to 0.

Mr. Griesedieck continued speaking concerning P.Z. 20 and 21-95.

12. Mr. F. J. Miceli, 10843 W. Florissant, St. Louis, MO, spoke regarding P.Z. 17 & 18-95 Sycamore Development Company.

OLD BUSINESS: - None

NEW BUSINESS:

- A. **P.Z. 17-95 Sycamore Development Company (Schoettler Ridge);**
"NU" Non-Urban District and "FPNU" Flood Plain Non-Urban District to "R-2" 15,000 square foot Residence District and "FPR-2" Flood Plain "R-2" 15,000 square foot Residence District; terminus of Squires Way, west of Schoettler Valley Drive.
- B. **P.Z. 18-95 Sycamore Development Company (Schoettler Ridge);**
Planned Environment Unit (PEU) Procedure in "R-2" 15,000 square foot Residence District and "FPR-2" Flood Plain "R-2" 15,000 square foot Residence District; terminus of Squires Way, west of Schoettler Valley Drive.

Toni Hunt, Planner I, summarized the report and recommended approval

subject to conditions contained in Attachment A of the report and in the handout distributed.

A motion to recommend approval of P.Z. 17-95 was made by Commissioner McCarthy and seconded by Commissioner Grant.

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

The motion passes by a vote of 6 to 0 with 1 abstention.

A motion to approve the Department's report on **P. Z. 18-95 Sycamore Development Company (Schoettler Ridge)** including the handout that was distributed this evening with the stipulation that the tree study requirement is eliminated was made by Commissioner Broemmer.

The motion died for lack of second.

A motion to approve the Department's report for P.Z. 18-95 including new conditions as distributed, delete the requirement for the tree study with the exception that it be performed in area of tree preservation and caliper of trees for study increased to 8 inches was made by Commissioner McCarthy and seconded by Commissioner Broemmer.

Commissioner O'Brien moved to amend the tree caliper from 8 inches to 5 inches. Motion seconded by Commissioner Grant. By a voice vote of 5 to 1 the motion passed with Commissioner McCarthy voting no and Commissioner Casey abstaining.

Commissioner McCarthy moved that the Planning Commission shall review and approve the restoration plan. Motion seconded by Commissioner O'Brien.

The motion proposed passes by a voice vote of 6 to 0 with 1 abstention by Commissioner Casey.

Commissioner O'Brien moved that the restoration plan include the planting of 2 and 1/2 inch caliper trees. Motion seconded by Commissioner Grant.

Motion passes by a voice vote of 6 to 0 with 1 abstention by Commissioner Casey.

Commissioner Grant called for the question.

Upon a roll call on the motion thrice amended the vote was as follows: Commissioner Broemmer, yes; Commissioner Casey, abstain; Commissioner Grant, yes; Commissioner McCarthy, yes; Commissioner O'Brien, yes; Commissioner Yaffe, yes; Chairman McGuinness, yes.

The original motion for approval, as amended three times, passes by a vote of 6 to 0 with 1 abstention.

- C. P.Z. 20-95 Premier Development Corporation (Windridge Estates); "NU" Non-Urban District and "FPNU" Flood Plain Non-Urban District to "R-1" One acre Residence District and "FPR-1" Flood Plain "R-1" One acre Residence District; south side of Wild Horse Creek Road, west of Long Road, and
- D. P.Z. 21-95 Premier Development Corporation (Windridge Estates); Planned Environment Unit (PEU) Procedure in "R-1" One acre Residence District and "FPR-1" Flood Plain "R-1" One acre Residence District; south side of Wild Horse Creek Road, west of Long Road. P.Z. 20-95 Premier Development Corporation (Windridge Estates).

Ms. Laura Griggs-McElhanon, Assistant Director of Planning, summarized the report and recommendation of approval as stated in the report and subject to the conditions in Attachment A.

Commissioner McCarthy noted a number of comments on conditions recommended by the Department in Attachment A of its report.

Commissioner McCarthy made a motion to approve P.Z. 20-95. Motion was seconded by Commissioner Casey.

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

The motion passes by a vote of 7 to 0.

Commissioner McCarthy made a motion to approve P.Z. 21-95 with revision of Attachment A to read: maximum 15 single family residences with lots adjacent to existing "NU" District subdivision to south 1 acre minimum and all other lots 22,000 square feet minimum; retention of a 25 foot deep undisturbed tree mass along "NU" District subdivision to south unless grading easement granted by adjoining property owner for specific access; a landscape easement adjoining Wild Horse Creek Road to be maintained by trustees and landscaping installed prior to fifth building permit.

Motion died for lack of second.

Commissioner Casey made a motion to approve P.Z. 21-95 per the Department of Planning's report. Motion was seconded by Commissioner O'Brien.

Commissioner McCarthy made a motion to amend the lot size south of the waterline to require one acre minimum on the south boundary only. Motion seconded by Commissioner O'Brien.

Motion passes by a voice vote of 7 to 0.

Commissioner McCarthy made a motion to amend condition 4. U. to require a 25 foot wide undisturbed tree mass along "NU" District subdivision to south unless grading easement granted by adjoining property owner for specific access.

Motion died for lack of second.

Commissioner McCarthy made a motion to amend for a 25 foot wide undisturbed tree mass along "NU" District subdivision to south. Motion seconded by Commissioner O'Brien.

Motion passes by a voice vote of 7 to 0.

Commissioner O'Brien made a motion to amend for indication on the site development plan those areas of trees which will be disturbed and those to be

undisturbed, and particular attention given to the retention of trees in the southeast portion of the site and retention of a 25 foot wide undisturbed tree mass along the southern perimeter of the development. Motion seconded by Commissioner Broemmer.

Motion passes by a voice vote of 7 to 0.

Commissioner O'Brien made a motion to amend for a tree study to be conducted in areas of construction to identify trees 5 inch or greater caliper with the intention to preserve them wherever possible. Motion seconded by Commissioner Broemmer.

Motion failed by voice *vote* of 2 to 5 with Commissioners Broemmer and O'Brien voting yes.

Commissioner McCarthy made a motion to amend Condition 4. V. to a landscape easement adjoining Wild Horse Creek Road and landscaping installed prior to fifth building permit.

Motion died for lack of second.

Upon a roll call vote of the original motion as thrice amended the vote was as follows; Commissioner Broemmer, yes; Commissioner Casey, yes; Commissioner McCarthy, yes; Commissioner O'Brien, yes; Commissioner Yaffe, yes; and Chairman McGuinness, yes.

The motion as amended passes by a vote of 7 to 0.

- E. P.Z. 11-95 George Eble/Western Oil; Conditional Use Permit (C.U.P.) in "C-2" Shopping District; southeast corner of the intersection of Olive Boulevard (State Highway 340) and Woods Mill Road (State Highway 141).**

Toni Hunt, Planner I, summarized the report and recommendation of approval subject to conditions contained in Attachment A of the report.

A motion for approval of P.Z 11-95, as recommended by the Department, was made by Commissioner Broemmer and seconded by Commissioner Yaffe

[Revised 8/28/95]

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

The motion passed by a vote of 7 to 0.

- F. **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.

Chairman McGuinness directed this to Planning and Zoning Committee.

- G. **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 proposal was made by Commissioner McCarthy and seconded by Commissioner O'Brien and passes by a voice vote of 7 to 0.

- H. **P.C. 130-85 Peachtree Limited (Peachtree Apartments)**; a request for an amendment to Planned Environment Unit (PEU) Ordinance Number 12,282 located in the "R-6" 2,000 square foot Residence District and the "R-6A" 4,000 square foot Residence District; south side of Olive Boulevard, east of Chesterfield Parkway North.

Joe Hanke, Planner II, summarized the report and recommendation of approval.

Motion made by Commissioner O'Brien and seconded by Commissioner McCarthy for approval.

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

The motion passes by a vote of 7 to 0.

IX. Site Plans, Building Elevations and Signs

- A. **P.C. 87-83 Chesterfield Village, Inc. (Hilltown Village Center)**; "C-8" Planned Commercial District amended site Development Concept Plan; north side of Olive Boulevard, east of Chesterfield Parkway North.

Commissioner O'Brien, on behalf of the Site Plan Committee made a motion to approve the Site Development Concept Plan as recommended by the Department. The motion was seconded by Commissioner Broemmer and passes by a voice vote of 7 to 0.

- B. **P.Z. 10-95 Chesterfield Hotel, Inc. (Hampton Inn)**; "C-8" Planned Commercial District Site Development Section Plan, Architectural Elevations and Landscape Plan; north side of Swingley Ridge Drive at Nardin Drive.

Commissioner O'Brien, on behalf of the Site Plan Committee made a motion to approve the Site Development Plan, Architectural Elevations, and Landscape Plan for P.Z. 10-95 Chesterfield Hotel, Inc., subject to recommendations of Department of Planning: approval by the Missouri Highway and Transportation Department (MHTD); amendment of the Landscape Plan to include additional landscaping consisting of a continuation of the tree pattern along Nardin Drive and/or the addition of one (1) deciduous tree (Red Maple) and shrubbery to form a low growing hedge row; the color of the building (316) Rusty and (158) Manor White as the accent color and a gable roof on the entrance portico.

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

- C. **Parkway School District (Parkway West Senior High School)**; "NU" Non-Urban District School Information Sign; north side of Clayton Road, east of Straub Road.

Commissioner O'Brien, on behalf of the Site Plan Committee made a motion to **approve** the freestanding sign by Parkway West Senior High School, as recommended by the Department with landscaping. The motion was seconded by Commissioner Casey and **passes** by a voice vote of 7 to 0.

- D. **Parkway School District (Early Childhood Center)**; "NU" Non-Urban District School Information Sign; north side of Clayton Road, west of Wellington Estates Drive.

Commissioner O'Brien, on behalf of the Site Plan Committee made a motion to **approve** the sign, as recommended by the Department with landscaping. The motion was seconded by Commissioner Casey and **passes** by a voice vote of 7 to 0.

Chairman McGuinness asked if the Planning Commissioners would agree to have their home, work and fax numbers given out to the public. The survey was as follows:

	HOME	WORK	FAX
Fred Broemmer	yes	no	Dept. call work
Michael Casey	yes	yes	434-4475
Robert Grant	yes	no	Dept. call work
Linda McCarthy	yes	n/a	n/a
Barbara McGuinness	yes	n/a	n/a
Pat O'Brien	yes	no	n/a
Allan Yaffe	no	yes	532-7150

COMMITTEE REPORTS

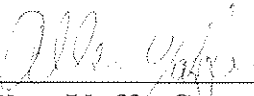
- A. **Ordinance Review Committee - No Report**

Commissioner Broemmer stated he does not want to serve on the Ordinance Review Committee rather on the Comprehensive Plan Committee and as alternate delegate for the Parks Committee.

- 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**

The meeting adjourned at 11:35 p.m.



Allan Yaffe, Secretary

[MIN7-27.095]