PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
July 22, 1996

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

PRESENT
Mr. Rick Bly
Mr. Dave Dalton
Mr. Robert Grant
Ms. Carol Kenney
Mr. Dan Layton, Jr.
Ms. Linda McCarthy
Mr. Allen Yaffe
Chairman Michael J. Casey
Mr. Douglas R. Beach, City Attorney
Mayor Jack Leonard
Council Liaison Linda Tilley - Ward IV
Mr. Jerry Kelley, Director of Planning
Ms. Laura Griggs-McElhanon, Assistant Director of Planning
Ms. Patricia Detch, Planner I
Ms. Sandra Lohman, Executive Secretary

ABSENT
Mr. Fred Broemmer

INVOCATION - Commissioner Carol Kenney

PLEDGE OF ALLEGIANCE - All

Chairman Casey recognized Mayor Jack Leonard ; Councilmember Linda Tilley (Ward IV) - Council Liaison; and Councilmember Larry Grosser (Ward II). He welcomed Mr. Dan Layton, our newest Commissioner.

PUBLIC HEARINGS: **Commissioner Layton read the "Opening Comments."**

A. **P.Z. 13-96 A & O Investments, Ltd. (Marriott Courtyard);** a request for a change in zoning from "R-3" 10,000 square foot Residence District to "C-8" Planned Commercial District and an amendment to St. Louis County Ordinance Number 12,561 establishing a "C-8" Planned Commercial District and an amendment to City of Chesterfield Ordinance Number 408 establishing a "C-8" Planned Commercial District for a 2.9 acre tract located at the northwest corner of the intersection of Chesterfield Parkway North and Conway Road. Proposed Uses: Hotel with accessory uses and a free-standing restaurant. (Locator Numbers: 18S33-0702, 18S33-0711, 18S33-0731, 18S33-0621, 18S33-0632, 18S33-0533

and 18S33-0698)

Director Jerry Kelley gave a slide presentation of the subject site and surrounding area.

Mr. R. Clark Amos spoke on behalf of A & O Investments, Ltd., noting the proposal is for Fairfield Suites, to be managed by Marriott. Mr. Jim Otis answered questions regarding the proposed lighting for the project. Mr. Amos gave handouts depicting a four (4) story hotel (representative of what is being proposed) to the Planning Commissioners, noting the petitioners have not decided on which restaurant will be built on the site. He further noted the restaurant would not be owned by Marriott, or affiliated with Marriott in any way; it would be a separately run, casual theme restaurant (similar to K.C. Masterpiece in terms of table service, waiters, upscale, nicely done, food oriented versus bar oriented business).

Councilmember Tilley, on behalf of Councilmember Larry Grosser (Ward II), requested a Study be performed to determine the appropriate spot for the curb cut on the Parkway. She asked the petitioners to meet with residents of Conway Cove.

Suggestions/Concerns of Commission:

- preference for a more upscale-looking hotel (i.e., building materials, color, design, etc.);
- preference for either a three-story or two-story hotel, in lieu of the proposed four-story structure;
- impact of twenty-five (25) foot pole lighting upon the residential area in close proximity to the proposed development;
- hours of operation of proposed restaurant;
- preference for a family-type restaurant; and
- preference for additional islands in parking lot.

Director Kelley noted that staff will address the issue of the Urban Core, as described in the City's Comprehensive Plan, in its report to the Commission.

SPEAKERS IN FAVOR: - None

SPEAKERS IN OPPOSITION:

1. Mr. Mel Sands, 34 Conway Cove Drive, Chesterfield, MO 63017, spoke as an individual. Mr. Sands gave a handout to the Commission of a letter signed by owners of Conway Cove in which they expressed their concerns, objections and suggestions regarding the proposed development.

   Assistant Director Laura Griggs-McElhanon noted the "C-8" zoning fronts Conway Road, and the proposed restaurant is closer to the Parkway.

2. Patrick Nickens, 14880 Conway Road, Chesterfield, MO 63017, spoke on behalf of the residents of Highland on Conway Subdivision. He asked why the first public hearing was

postponed for this petition.

City Attorney Doug Beach inquired about a sign indicating forty-five (45) acres for sale within the Highland on Conway Subdivision.

Mr. Nickens noted that one (1) person has purchased several properties, and has accumulated enough acreage, according to the Subdivision By-Laws, to enable him to do as he wishes with the land.

Assistant Director Laura Griggs-McElhanon noted that when the Residence Inn property was rezoned, it included property currently located on the opposite side of the detention basin. The ordinance that governs both parcels allowed a hotel, offices, a restaurant and accessory uses. They were allowed a hotel with a maximum of 104 rooms. In addition, they could have an office building or freestanding restaurant. The portion of current proposal fronting on Conway Road is zoned "C-8."

Chairman Casey asked Ms. Griggs-McElhanon to explain why the petition was postponed.

Assistant Director Laura Griggs-McElhanon noted one of the reasons for the postponement was a revision of their request. The original request was for a hotel only, and the petitioner added a restaurant to the proposal. The public hearing had not been advertised to include a restaurant and, therefore, it had to be postponed. The Department wrote "postponed" on all posted public hearing signs/notices.

City Attorney Beach noted that in 1985, St. Louis County approved the restaurant via Ordinance No. 12,561.

Assistant Director Laura Griggs-McElhanon noted the Ordinance requires a maximum for the office building of 17,200 square feet, but the restaurant was to be as approved on the Site Plan by the Planning Commission.

City Attorney Beach noted that current zoning allows the petitioner to place a restaurant on that site.

Assistant Director Laura Griggs-McElhanon noted access to that parcel would have been from the existing curb cut to the Residence Inn, and they are allowed one (1) curb cut per the Ordinance.

3. Ms. Kim Stinnett, 58 Conway Cove, Chesterfield, MO 63017, spoke as an individual.

4. Ms. Janet Church, 15080 Conway, Chesterfield, MO 63017, spoke as an individual.

SPEAKERS - NEUTRAL: - None

Chairman Casey summarized the issues/concerns for Mr. Amos to address:

- petitioner is requested to meet with the Conway Cove Condominium owners;
- address traffic concerns;
- most of the buildings in the surrounding area are brick;
- the Fairfield could become obsolete; and
- limit the hotel to two (2) stories.

REBUTTAL:

Mr. R. Clark Amos stated his rebuttal.

- Curb cuts are controlled by St. Louis County;
- will meet with Conway Cove residents;
- lighting will be governed by Chesterfield standards;
- doesn't agree that $70.00 per night is on the low end of the scale;
- the Traffic Study will be done either by the petitioner or the City;
- Chesterfield Parkway was built to accommodate Urban-Type development;
- not completely opposed to building a brick hotel;
- there is a need in Chesterfield for a multiple-story hotel;
- the restaurant would produce more traffic, particularly during lunch and evening hours;
- most hotels built today have an interior corridor, except in resort areas;
- landscaping will far exceed what the City requires; and
- a two (2) story hotel would not be economically feasible.

Councilmember Tilley noted she doesn't believe the proposed development is appropriate in such close proximity to residential development. She further noted we should be more sensitive towards keeping developments residential in character; she doesn't believe that dryvit materials and four (4) story buildings are residential in nature, and thinks there might be some compromise on the part of the developer.

Mr. Amos noted he is not opposed to a compromise; but, in his opinion they have a very valuable piece of property, strategically located, and it is just unfortunate if you live near Chesterfield Parkway. He noted the existing Residence Inn is two (2) stories, and materials appear to be stucco, cedar boards (a residential, apartment-type project). Most of the hotels built today are made of better materials, require less maintenance, and look just as good.

Councilmember Tilley noted the proposed hotel would be twice as high as the Residence Inn.

Mr. Amos noted it would be approximately twice as high as the Residence Inn.

Commissioner Layton read the next portion of the "Opening Comments," and introduced the next public hearing - P.Z. 20-96 The Courtyard at Kehrs Mill (Hackett Custom Builders, Inc.).

Chairman Casey recessed the meeting at 8:43 p.m.

Chairman Casey reconvened the meeting at 8:51 p.m.

Commissioner McCarthy left before presentation and discussion of the next public hearing due to a conflict of interest.

B. **P.Z. 20-96 The Courtyard at Kehrs Mill (Hackett Custom Builders, Inc.)**; a request for a change in zoning from "NU" Non-Urban District and "FPNU" Flood Plain Non-Urban District to "R-1" One Acre Residence District and "FPR-1" Flood Plain One Acre Residence District for a 5.3 acre tract of land located on the east side of Kehrs Mill Road, approximately 500 feet south of Wildhorse Creek Road. (Locator Number 18U42-0126).

Assistant Director Laura Griggs-McElhanon gave a slide presentation of the subject site and surrounding area.

Mr. Jerry Loomis, Loomis Boulton & Pickett, spoke on behalf of the petition.

- The four (4) proposed custom homes will typically be three (3) stories.
- Prices will be approximately $600,000.00 to $700,000.00.
- Size will be at least 2500 square feet on the main floor, with ability to build walk-outs and a third level.

Suggestions/Concerns of Commission:

- The development is to take into consideration the new location of Kehrs Mill Road where it intersects Long Road.
- Tree line on north perimeter of the proposed development is be retained, as much as possible.
- Efforts will be made to retain or relocate other internal trees on the site.

Commissioner Layton read the final portion of the "Opening Comments."
Commissioner McCarthy returned to the meeting at this time.
APPROVAL OF THE MINUTES:

A. **Approval of Minutes from the Meeting of June 24, 1996.**

A motion to approve the minutes was made by Commissioner Yaffe, seconded by Commissioner Kenney **and passes by a voice vote of 8 to 0.**

B. **Approval of Minutes from the Meeting of July 8, 1996.**

A motion to approve the minutes was made by Commissioner Grant, seconded by Commissioner Kenney **and passes by a voice vote of 8 to 0.**

PUBLIC COMMENTS:

1. Mr. John A. Blumenfeld, 168 N. Meramec Avenue, Clayton, MO 63105, spoke on behalf of P.Z. 18 & 19-96 Chesterfield Village, Inc.. He gave a letter to the Planning Commission in which the petitioner suggests four (4) adjustments to the Department's recommendation.

2. Mr. Jerry Loomis, Loomis-Boulton & Pickett, 635 Maryville Center Drive, St. Louis, MO 63141, spoke on behalf of P.Z. 20-96 The Courtyard at Kehrs Mill, noted neighbors have been contacted and some are prepared to come before the Commission and express their approval of the project, if deemed appropriate.

OLD BUSINESS: - None

NEW BUSINESS:

A. **P.Z. 34-95 City of Chesterfield Planning Commission**; a proposal to amend Sections 1003.167 Miscellaneous Regulations; 1003.145 "C-8" Planned Commercial District Regulations; 1003.155 "M-3" Planned Industrial District Regulations; 1003.157 "MXD" Mixed Use Development District Regulations; 1003.181 Conditional Use Permits; 1003.182 Commercial Service Procedures; 1003.187 Planned Environment Unit Procedure; 1003.189 Commercial-Industrial Designed Development Procedure; 1003.191 Landmark and Preservation Area Procedure. (Relative to additions to grading, building, etc. permits in certain districts.)

Assistant Director of Planning Laura Griggs-McElhanon noted the Department recommends this matter be held.

Commissioner McCarthy made a motion to hold this matter. The motion was seconded by Commissioner Bly **and passes by a voice vote of 8 to 0.**

B. **P.Z. 18 & 19-93 Nooning Tree Partnership**; amendment to a Planned Environment Unit (PEU) 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.

Assistant Director of Planning Laura Griggs-McElhanon noted the Department recommends this matter be held.

Commissioner Grant made a motion to hold this matter. The motion was seconded by Commissioner Bly **and passes by a voice vote of 8 to 0**.

C. **Comprehensive Plan Update**; proposed revisions concerning text relative to the Office Campus designation located on Wild Horse Creek Road.

Assistant Director of Planning Laura Griggs-McElhanon noted the Department recommends this matter be held.

A motion to hold this item was made by Commissioner Grant, seconded by Commissioner Dalton **and passes by a voice vote of 8 to 0.**

Commissioner Allen Yaffe left the meeting at this time.

D. **P.Z. 16-96 Walnut Grove (Wild Horse Summit Development Corporation)**; "NU" Non-Urban District and "FPNU" Flood Plain Non-Urban District to "C-8" Planned Commercial District and "FPC-8" Flood Plain Planned Commercial District; east side of Long Road, north of Wild Horse Creek Road.

Assistant Director Laura Griggs-McElhanon summarized the request and Department's recommendation of approval, subject to the conditions contained in "Attachment A."

A motion to approve the Department's recommendation was made by Commissioner McCarthy and was seconded by Commissioner Dalton.

Upon a roll call the vote was as follows: Commissioner Bly, yes; Commissioner Dalton, yes; Commissioner Grant, yes; Commissioner Kenney, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Chairman Casey, yes.

The motion passes by a vote of 7 to 0.

E. **P.Z. 18-96 Chesterfield Village, Incorporated (Wildhorse Hills)**; "NU" Non-Urban District to "R-2" 15,000 square foot Residence District; south side of Wild Horse Creek Road, approximately 500 feet west of the intersection of Wild Horse Creek Road and Baxter Road.

Assistant Director Laura Griggs-McElhanon summarized the request and Department's recommendation of approval of P.Z. 18-96, as stated in the Department's report.

A motion to approve P.Z. 18-96 was made by Commissioner Dalton and seconded by Commissioner Kenney.

Upon a roll call the vote was as follows: Commissioner Bly, yes; Commissioner Dalton, yes; Commissioner Grant, yes; Commissioner Kenney, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Chairman Casey, yes.

The motion passes by a vote of 7 to 0.

F. **P.Z. 19-96 Chesterfield Village, Incorporated (Wildhorse Hills)**; Planned Environment Unit (PEU) Procedure in the "R-2" 15,000 square foot Residence District; south side of Wild Horse Creek Road, approximately 500 feet west of the intersection of Wild Horse Creek

Road and Baxter Road.

Assistant Director Laura Griggs-McElhanon summarized the request and Department's recommendation of approval of P.Z. 19-96, as stated in the Department's report, subject to the conditions contained in "Attachment A," amended as follows:

Condition 4.i.

Change the wording "to provide a street connection to the east, as approved by the City of Chesterfield."

Condition 1.

List the specific lot numbers to be a minimum of 22,000 square feet, and add "as depicted on the preliminary plan."

It was noted that relative to Condition 4.h., the developer has agreed to provide either a gated emergency access presently required by Ordinance No. 1174, or a street connection as recommended by the Department.

A motion to approve P.Z. 19-96, as amended by Staff, was made by Commissioner Dalton and seconded by Commissioner McCarthy.

Commissioner Layton, on behalf of the residents of Woodcliffe Subdivision, noted they have great concern about an un-gated entrance into their subdivision.

A motion to waive the rules and allow Mr. Blumenfeld to clarify his request regarding Condition 5.a.5 was made by Commissioner Grant. The motion was seconded by Commissioner Dalton **and passes by a voice vote of 7 to 0.**

Mr. Blumenfeld noted he interprets the condition as "no stormwater would be permitted to flow on to the state right-of-way."

City Attorney Beach noted he believes the condition clearly states "additional."

Mr. Blumenfeld agreed to scratch this statement from his correspondence, and noted he concurs with the condition in the Staff report.

Upon a roll call the vote on the motion to approve the Department's recommendation, as amended, was as follows: Commissioner Bly, yes; Commissioner Dalton, yes; Commissioner Grant, yes; Commissioner Kenney, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Chairman Casey, yes.

The motion passes by a vote of 7 to 0.

G. **P.C. 86-80 Murphy Company Mechanical Contractors and Engineers (Spirit 40 Park)**; request for an amendment to "M-3" Planned Industrial District Ordinance No. 1198; north side of Chesterfield Airport Road, west of Goddard Avenue.

Assistant Director Laura Griggs-McElhanon presented the request to allow the permitted restaurant or bank to have a curb cut on Chesterfield Airport Road and the Department's recommendation of approval, as stated in its report. She noted that, since the Department received correspondence late today from St. Louis County Highway Department regarding curb cuts, staff has not had time to work-out any details on the issue of additional curb cuts on Chesterfield Airport Road. She further noted that, before any additional curb cuts would be allowed, they would require approval of the Planning Commission.

A motion to approve the Department's recommendation was made by Commissioner Bly and seconded by Commissioner Grant.

Upon a roll call the vote to approve the Department's recommendation was as follows: Commissioner Bly, yes; Commissioner Dalton, yes; Commissioner Grant, yes; Commissioner Kenney, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Chairman Casey, yes.

The motion passes by a vote of 7 to 0.

H. **P.Z. 25-95 St. Joseph Institute for the Deaf**; request for amendment to "C-8" Planned Commercial District Ordinance No. 1100; northwest side of Clarkson Road, south of the intersection of Baxter Road and Clarkson Road.

Assistant Director Laura Griggs-McElhanon presented the request to increase the allowable square footage and the Department's recommendation of approval, as stated in its report.

A motion to approve the Department's recommendation was made by Commissioner Kenney and seconded by Commissioner Dalton.

Upon a roll call the vote to approve the Department's recommendation was as follows: Commissioner Bly, yes; Commissioner Dalton, yes; Commissioner Grant, yes; Commissioner Kenney, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Chairman Casey, yes.

The motion passes by a vote of 7 to 0.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

A. **Four Seasons (Dierbergs)**; "C-2" Shopping District Freestanding Business Sign; southwest corner of the intersection of Olive Boulevard (State Highway 340) and Woods Mill Road

(State Highway 141).

Commissioner Bly, on behalf of the Site Plan Committee, made a motion to approve the "C-2" Shopping District Freestanding Business Sign, with the exception that the overall height be changed to twelve (12) feet, with a maximum size of forty (40) square feet. The motion was seconded by Commissioner Dalton **and passes by a voice vote of 7 to 0.**

COMMITTEE REPORTS:

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

B. **Architectural Review Committee** - No report.

C. **Site Plan/Landscape Committee** - No report.

Assistant Director Laura Griggs-McElhanon noted the Commission needs to schedule another special meeting to act on Record Plats and Site Plans which need to make the August 19th Council agenda.

Chairman Casey polled the Commission regarding who could attend the August 12, 1996 meeting at 6:00 p.m. The following Commissioners indicated they could attend: Commissioner McCarthy, Commissioner Dalton, Commissioner Layton, Commissioner Kenney, and Commissioner Grant.

Chairman Casey instructed staff to contact Commissioners Broemmer and Yaffe regarding the meeting.

Assistant Director Laura Griggs-McElhanon noted staff will schedule the meeting and contact those who will attend.

D. **Comprehensive Plan Committee**

Planner I Patricia Detch noted the Commission has before them a summary of the Comprehensive Plan Committee Meeting of June 27, 1996. She noted the following:

- at that meeting, staff was directed to prepare a final draft to be presented to the entire Planning Commission at the meeting tonight;
- on the reverse side of the summary, is the Issue Statement and Policy Statement from staff for Commission to review; and
- it was requested by the Committee that the Commission direct a public hearing be scheduled for August 26, 1996.

Director Jerry Kelley noted the Cellular Tower Committee would like to meet for approximately forty-five (45) minutes to one (1) hour with the Comprehensive Plan

Committee, prior to the August 26th public hearing.

Chairman Casey noted the members of the Comprehensive Plan Committee are Chairman Fred Broemmer, Rick Bly, Bob Grant, Carol Kenney, Dan Layton and himself.

Director Kelley noted the Site Plan Meeting on August 12, 1996 would last approximately one (1) hour.

Chairman Casey asked the Comprehensive Plan Committee if it would be an imposition to listen to the Cellular people on August 12, 1996, at 7:00 p.m. The following Commissioners agreed to attend: Commissioner Bly, Commissioner Grant, Commissioner Kenney, and Chairman Casey.

Chairman Casey instructed Director Kelley to contact Commissioner Broemmer and, if August 12th is all right with him, then schedule the meeting for that date at 7:00 p.m.

There were no questions or additions to the Comprehensive Plan Summary.

E. **Procedures and Planning Committee** - No Report

A motion to adjourn was made by Commissioner Kenney, seconded by Commissioner Grant **and passes by a voice vote of 7 to 0.**

The meeting adjourned at 9:54 p.m.

Robert Grant, Secretary

[MIN7-22.096]