

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
July 14, 2003**

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

I. PRESENT

ABSENT

Mr. David Banks
Mr. Fred Broemmer
Dr. Maurice L. Hirsch, Jr.
Mr. Dan Layton, Jr.
Ms. Stephanie Macaluso
Dr. Lynn O'Connor
Ms. Lu Perantoni
Mr. B. G. Wardlaw
Chairman Victoria Sherman
Mr. Doug Beach, City Attorney
Mayor John Nations
Ms. Jane Durrell, Council Liaison
Ms. Teresa Price, Director of Planning
Ms. Annissa McCaskill, Senior Planner
Mr. David Bookless, Project Planner
Mr. Mike Hurlbert, Project Planner
Ms. Aimee Nassif, Project Planner
Ms. Christine Smith Ross, Project Planner
Ms. Kathy Lone, Planning Assistant

II. INVOCATION: Commissioner Broemmer

III. PLEDGE OF ALLEGIANCE:

Chairman Sherman recognized the attendance of Mayor John Nations, Councilmember Bruce Geiger (Ward II); Councilmember Connie Fults (Ward IV), and Council Liaison Jane Durrell (Ward I). Chairman Sherman welcomed Dr. Maurice L. Hirsch, Jr. as a new Planning Commissioner.

IV. PUBLIC HEARINGS:

Commissioner Macaluso read the first portion of the ‘Opening Comments.’

- A. **P.Z. 10-2003 Mill Ridge Villas (The Jones Company)**: a request for a Planned Environment Unit (PEU) Procedure within an existing “FPR-2” Residence District for a 19.928 acre property located at the intersection of Creve Coeur Mill Road. (Locator Numbers 15Q310482, 15Q310617, 15Q310581, 15Q310635, 15Q310592, 15Q320920)

Senior Planner Annissa McCaskill gave a power point presentation showing the subject site and surrounding area.

1. Mr. Mike Doster, 17107 Chesterfield Airport Road, Chesterfield, MO 63005, attorney for and speaking in favor of **P.Z. 10-2003 Mill Ridge Villas (The Jones Company)**, stated the following;

- Petitioner and developer is The Jones Company;
- Engineer is George Stock;
- Petitioner is asking for a Planned Environment Unit (PEU) Procedure and the site is zoned ‘FPR-2’ Residence District;
- Proposed site is located off Creve Coeur Mill Road and is the northernmost property in Chesterfield before entering Maryland Heights;
- Proposal is for 46 single-family attached units (2.5 units per acre);
- Site is currently platted for 47 single-family detached homes;
- Proposed site is 19.9 acres;
- Homes will be between 1,400 and 1,900 square feet, exclusive of finished lower level with 2-car garages. The finished lower level could add approximately 800 square feet;
- Homes would be priced beginning at \$300,000;
- A 350-foot reservation strip has been provided for which aligns with the reservation strip for the Terra Vista project which is south of this proposal. The reservation strip will be used to accommodate the 141 Extension northward into Maryland Heights;
- With the on-going improvements to the levee, this proposed site will be out of flood plain as soon as the improvements are completed.

2. Mr. George Stock, Stock and Associates, 425 New Ballas Road, St. Louis, MO 63141, engineer and speaking in favor of **P.Z. 10-2003 Mill Ridge Villas (The Jones Company)**, stated the following:

- There are two (2) issues with this proposed site: flood plain and the reservation corridor;
- The proposed site is within the 100-year flood plain at an elevation of approximately 463 feet;

- A conditional letter map revision in June, 2002, which was part of the Howard Bend Levee District improvement, was approved, issued and signed by the City of Maryland Heights and the City of Chesterfield. The levee is 95% complete and should be 100% completed in September or October of this year. At that time a letter of map revision will be issued;
- The impact of this property is significant: the north corner of the site is the bridge that crosses Creve Coeur Creek. At the bridge, the 100-year elevation will be lowered by 10 ½ feet which removes the majority of this property (of the 19.8 acres – total tract) to 2.14 acres of flood plain;
- The reservation corridor is 350-feet wide which is the dimension reduced from 400 feet that was provided by the City of Maryland Heights in October;
- A dry detention reservoir is located within the 350-foot corridor which could be moved if the road is developed in the corridor;
- Stormwater will be going to the detention basis and discharging to Creve Coeur Creek;
- 7.8 acres of the 19.9 acres of the site are contained within the reservation corridor;
- There will be one (1) access point at Amiot Drive.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL –

1. Mr. Bill Bird, 144 Ridge Crest Drive, Chesterfield, MO 63017, President of the River Bend Association, speaking neutral to **P.Z. 10-2003 Mill Ridge Villas (The Jones Company)**;
 - Speaker stated that he has a 1990 map from MoDOT that shows the 141 Extension going inside this property and shows it as six (6) lanes;
 - Speaker expressed concern about inside flooding of this site and creating more problems to this site.
2. Mr. Don Karban, 13818-C Amiot, St. Louis, MO 63146, Trustee for Creve Coeur Station Association, speaking neutral to **P.Z. 10-2003 Mill Ridge Villas (The Jones Company)**;
 - Speaker asked the Commission to consider the long-term traffic impact to Creve Coeur Mill Road due to this development as well as the construction traffic;

- Speaker expressed concern with the timing of this development relative to the improvements to 141, other improvements proposed by Maryland Heights or other improvements to Creve Coeur Mill Road;
- Speaker stated that his property could be impacted by any flooding.

REBUTTAL:

Mr. Doster stated that MoDOT's jurisdiction stops at Olive Boulevard so if the Extension is built, it will be built by either the City of Maryland Heights or the City of Chesterfield or both. Mr. Doster also stated that the City of Maryland Heights has the funding for the road and some road improvements along Creve Coeur Mill Road will be required.

Ms. McCaskill stated that the following issues would be reviewed and addressed:

- Stormwater drainage;
- The status of the property and whether it will remain in flood plain and how much longer it would be in the flood plain;
- The corridor reservation for the 141 relocation;
- Flooding, both internally and externally, from the levee;
- Long-term traffic impact of the development and short-term traffic impact of construction vehicles;
- Timing of the development with regards to the 141 improvements and other developments planned in the area;
- The impact of this proposed development on adjacent properties;
- Maintenance and responsibility of Creve Coeur Mill Road as well as the 141 Extension;
- Identify what areas of this project (the 2.2 acres) will remain in flood plain;
- Comparison of the width of a 6-lane road, a 5-lane road and a 4-lane road.

Commissioner Macaluso read the closing portion of the 'Opening Comments.'

V. APPROVAL OF MEETING MINUTES

Commissioner Banks made a motion to approve the June 23, 2003 Meeting Minutes. The motion was seconded by Commissioner Macaluso and **passes by a voice vote of 9 to 0.**

VI. PUBLIC COMMENT -

1. Ms. Linda Malin, 287 Woodcliffe Place Drive, Chesterfield, MO 63005, Trustee for Wildhorse Springs Subdivision, speaking in favor of **P.Z. 3 & 4-93 DCL Development Co. (Wildhorse Springs)** (Ordinance Amendment 787) and **P.Z. 3 & 4-93 DCL Development Co. (Wildhorse Springs)** (Ordinance Amendment 879);

- Speaker stated that the detention basin is a safety hazard, an eyesore, and expensive to maintain;
 - Speaker stated that the lot size of the detention basin is comparable to the other lots;
 - Speaker stated that this lot was never sold because the developer went bankrupt;
 - Speaker presented a petition signed by 26 of the 30 homeowners in the subdivision. The homeowners who have not signed the petition were not available to do so.
2. Mr. Leonard LaPasso, 283 Woodcliffe Place Drive, Chesterfield, MO 63005, speaking in favor of **P.Z. 3 & 4-93 DCL Development Co. (Wildhorse Springs)** (Ordinance Amendment 787) and **P.Z. 3 & 4-93 DCL Development Co. (Wildhorse Springs)** (Ordinance Amendment 879);
- Speaker declined to speak.
3. Mr. Mike Doster, 17107 Chesterfield Airport Road, Chesterfield, MO 63005, attorney for and speaking in favor of **P.Z. 9-2003 Opus Northwest (One Chesterfield Place)**;
- Speaker stated that all of the issues have been addressed;
 - Speaker stated that the Chesterfield site would become the main campus in St. Louis for the University of Phoenix;
 - Speaker stated that Attachment A states that the lights would remain on in the garage for security (the lower deck of the garage);
 - Speaker stated that students could begin using the parking garage at 5:30 p.m. on weekdays and on Saturday mornings.

General discussion followed concerning location of the light standards and lighting left on in the evening for security.

4. Ms. Anne Gillespie, 3708 Bear Creek Bluff Court, Wentzville, MO 63385, speaking in favor of **P.Z. 9-2003 Opus Northwest (One Chesterfield Place)**;
- Speaker stated that she was available for questions;
 - Speaker stated that if the University needed additional room because of growth, they would consider other locations;
 - Speaker stated that most of the week-end programs are partially in the classroom and partially on the students' computers which would limit the traffic when the students are working from home on their computers.

Commissioner Banks stated that perhaps the Commission could limit the use to a certain amount of square footage.

5. Ms. Laura Lueking, 15021 Conway Road, Chesterfield, MO 63017, speaking in opposition to **P.Z. 9-2003 Opus Northwest (One Chesterfield Place)**;

- Speaker stated that she is opposed to this ordinance amendment;
- Speaker expressed concern with the precedence that this ordinance amendment will set;
- Speaker expressed concern with the lighting in the evening;
- Speaker expressed concern with the additional traffic;
- Speaker expressed concern that the neighboring residents were not informed of this ordinance amendment because the builder of the homes is also the trustee.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

- A. **Mercedes Automotive Museum (The Fred M. Kemp Foundation)**: Site Development Plan, Landscape Plan, and Architectural Elevations for the Fred M. Kemp Automotive Museum, zoned "PC" Planned Commercial District, and located on a 5.104 acre tract of land on the north side of Chesterfield Airport Road, east of Boone's Crossing.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Plan, Landscape Plan and Architectural Elevations for the **Mercedes Automotive Museum (The Fred M. Kemp Foundation)** with all of the recommendations of the Architectural Review Board except there will not be approval for the wickets. The motion was seconded by Commissioner Layton and **passes** by a voice vote of 9 to 0.

- B. **Chesterfield Valley Medical Building II**: A Site Development Plan, Landscape Plan, and Architectural Elevations for a medical, dental, and professional office building zoned "PC" Planned Commercial District located north of I-64/Highway 40-61, west of Boones Crossing, and south of North Outer Forty Road.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Plan, Landscape Plan and Architectural Elevations for **Chesterfield Valley Medical Building II**. The motion was seconded by Commissioner Wardlaw and **passes** by a voice vote of 9 to 0.

- C. **Friendship Village of West County**: Amended Site Development Plan, Landscape Plan and Architectural Elevations for the addition of 29 Villa apartments and accessory uses, on a 33.9 acre site, zoned "NU" Non-

Urban District, located north of Olive Boulevard and west of Faust Park, at 15201 Olive Boulevard.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Amended Site Development Plan and Architectural Elevations for **Friendship Village of West County**. The Landscape Plan will be held and resubmitted for approval at the July 28, 2003 Site Plan Committee Meeting. The motion was seconded by Commissioner Broemmer and **passes** by a voice vote of 9 to 0.

- D. **Chesterfield Commons East (Building C/Pier 1 Imports)**: Amended Architectural Elevations for a retail building in a "PC" Planned Commercial District.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Amended Architectural Elevations for **Chesterfield Commons East (Building C/Pier I Imports)**. The motion was seconded by Commissioner Hirsch and **passes** by a voice vote of 9 to 0.

- E. **St. Luke's Hospital (Parking)**: Amended Site Development Plan and Landscape Plan for a hospital and medical complex located on a 55.35-acre tract of land, located on at the northeast corner of Conway Road and Woods Mill Road.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Amended Site Development Plan and Landscape Plan for **St. Luke's Hospital (Parking)**. The motion was seconded by Commissioner Perantoni and **passes** by a voice vote of 7 to 2. (Commissioner Broemmer and Commissioner Wardlaw voted nay.)

VIII. OLD BUSINESS -

- A. **P.Z. 9-2003 Opus Northwest (One Chesterfield Place)**: a request for an amendment to City of Chesterfield Ordinance 1660 for the addition of the following use located at 14755 North Outer Forty: Colleges and Universities

Senior Planner Annissa McCaskill gave an overview of **P.Z. 9-2003 Opus Northwest (One Chesterfield Place)**. Ms. McCaskill stated that the Planning Commission could decide the hours for this permitted use request. Ms. McCaskill provided a list of trustees within one (1) mile of the site and adjacent property owners within 200 feet of the site that were notified of this ordinance amendment request. Ms. McCaskill stated that the developer (Hayden Homes) is the trustee for the adjacent residences.

Commissioner Hirsch suggested that the definition of this use also include ‘Associate Degrees.’

Ms. McCaskill stated that it would be at the discretion of the Planning Commission how specific they want to be with listing the hours of operation for this request.

Commissioner Layton made a motion to approve **P.Z. 9-2003 Opus Northwest (One Chesterfield Place)**, as requested. The motion was seconded by Commissioner Banks.

Commissioner Layton stated that he discussed this proposal with a resident in the adjacent residential development who said that he could not see this building from his home.

Commissioner Macaluso expressed concern with eliminating the Issues Meeting for this petition. Commissioner Macaluso asked the Commission to read the letter from Mr. Jay Kirschbaum (Trustee of Royalwood Subdivision) stating his concerns.

Commissioner Macaluso expressed concern that, in the future, this building could be totally used for a university or college.

Mr. Mike Doster, attorney for the petitioner, requested that this petition be held for two (2) weeks so the issues could be addressed.

Commissioner Hirsch made a motion to table **P.Z. 9-2003 Opus Northwest (One Chesterfield Place)** until the July 28, 2003 Planning Commission Meeting. The motion was seconded by Commissioner Perantoni and **passes by a voice vote of 9 to 0.**

Ms. McCaskill stated that the following issues would be reviewed and addressed:

- Hours of use and operation;
- Limiting uses to square footage;
- Comparison of the current lighting, lighting hours, and what areas are lit with what would be needed for this proposal and for security reasons;
- Tightening up the light statement on Page 9 of Attachment A, Section 10. Lighting Requirements, d., to say ‘Parking structure lights on the top deck will be off at 9:00 p.m.’ and then clarify that security lighting is low-level lighting below three (3) feet. Review this with the petitioner;
- Discuss with the petitioner limiting the square footage;
- Being more specific on the hours for the week-end;
- What lighting will be visible on Conway Road;
- Have Planning Technician, Steve Cheslak, advise the adjacent neighbors of this petition.

Commissioner Broemmer suggested that the petitioner meet with the neighboring residents to discuss this petition.

IX. NEW BUSINESS -

- A. **P.Z. 3 & 4-93 DCL Development Co. (Wildhorse Springs)**: A request for an amendment to City of Chesterfield Ordinance No. 787 to provide for an increase in the number of lots from thirty (30) to thirty-one (31) in the Wildhorse Springs Plat 1 Subdivision, located on the north side of Wild Horse Creek Road, east of Wilson Road.

AND

- B. **P.Z. 3 & 4-93 DCL Development Co. (Wildhorse Springs)**: A request for amendment of City of Chesterfield Ordinance No. 879, providing for a First Amendment to Indenture of Trust and Restrictions of the Wildhorse Springs Plat 1 Subdivision; located on the north side of Wildhorse Creek Road, east of Wilson Road.

Project Planner David Bookless gave a power point presentation showing the site.

Mr. Bookless stated that these two (2) petitions will increase the number of lots from thirty (30) to thirty-one (31) by utilizing a piece of common ground with an obsolete drainage structure and to provide for a First Amendment to the Indenture of Trust and Restrictions of the Wildhorse Springs Plat 1 Subdivision. Mr. Bookless stated that the new lot would be approximately the same size as the existing lots.

Mr. Bookless stated that the emergency access drive is within an easement granted to the Fire District and located on common ground.

Mr. Bookless stated that these petitions are only to grant authority to increase the lots by one (1). If approved, an Amended Site Development Plan would be required to be submitted to the City for approval and the emergency access will have to be maintained.

Commissioner Banks expressed concern with other subdivisions selling common ground.

City Attorney Doug Beach stated that there needs to be clarification as to who will maintain the road, what the subdivision will do with the funds from selling the lot, and the trustees need to get signatures from all of the homeowners (whoever is listed on the Deed.)

City Attorney Beach stated that detention is handled by the subdivision to the west.

Commissioner Macaluso stated that this lot would have been corrected if the developer had not gone out of business.

City Attorney Beach suggested that the Commission hold these petitions and direct Staff to write their report in a way that may make an argument as to how unique this situation is and the history of this subdivision.

City Attorney Beach stated that if all of the homeowners sign the petition, knowing how the subdivision would use the funds would not be necessary.

Chairman Sherman expressed concern with a precedent being set to sell common ground.

Commissioner Broemmer made a motion to hold **P.Z. 3 & 4-93 DCL Development Co. (Wildhorse Springs)** and **P.Z. 3 & 4-93 DCL Development Co. (Wildhorse Springs)** to allow time for Staff to build a case as to why these petitions should be approved. The motion was seconded by Commissioner Macaluso and **passes** by a voice vote of 9 to 0.

X. COMMITTEE REPORTS:

- A. Committee of the Whole**
- B. Ordinance Review Committee**
- C. Architectural Review Committee**
- D. Landscape Committee**
- E. Comprehensive Plan Committee**
- F. Procedures and Planning Committee**
- G. Landmarks Preservation Commission**

Chairman Sherman stated that the Committees would be setting dates for meetings.

Chairman Sherman stated that a Committee of the Whole Meeting would be held on Monday, September 29, 2003, at 5:30 p.m. in the Chambers.

Commissioner Banks made a motion to adjourn the meeting. The motion was seconded by Commissioner Perantoni and **passes** by a voice vote of 9 to 0.

The meeting adjourned at 9:09 p.m.

B. G. Wardlaw, Secretary

