

V

**PLANNING COMMISSION  
OF THE CITY OF CHESTERFIELD  
AT CHESTERFIELD CITY HALL  
JULY 8, 1991**

=====

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

**PRESENT**

Ms. Mary Brown  
Mr. Dave Dalton  
Mr. William Kirchoff  
Ms. Barbara McGuinness  
Ms. Pat O'Brien  
Mr. Walter Scruggs  
Ms. Victoria Sherman  
Chairman Mary Domahidy  
Mayor Jack Leonard  
Councilmember Betty Hathaway, Ward I  
Mr. Doug Beach, City Attorney  
Mr. Jerry Duepner, Director of Planning/Economic Development  
Mr. Joseph Hanke, Planning Specialist  
Ms. Sandra Lohman, Executive Secretary

**ABSENT**

Mr. Jamie Cannon

**INVOCATION:** Mayor Jack Leonard

**PLEDGE OF ALLEGIANCE** - All

**PUBLIC HEARINGS** - Commissioner Bill Kirchoff read the Opening Comments

- A. P.Z. 15-91 Premier Homes, Inc.; a request for a change of zoning from "R-3" 10,000 square foot Residence District and "R-6" 2,000 square foot Residence District to "R-4" 7,500 square foot Residence District.

- B. P.Z. 16-91 Premier Homes, Inc.; a request for a Planned Environment Unit Procedure in the "R-4" 7,500 square foot Residence District for the same 15.77 acre tract of land located on the west side of Olive Boulevard, approximately 200 feet south of West Drive (Locator Numbers 18S630228 and 18S630206). The proposed use: Single-Family Residences.

Director Jerry Duepner gave a slide presentation depicting the subject site and surrounding area.

Mr. Mark Teitelbaum represented Premier Homes, noting the following: follows:

- Location of site.
- The site has approximately 260' of frontage along Olive Boulevard.
- The site slopes slightly from a high elevation at Olive Street Road, sloping down to a low in the northwest corner of the site. There is a pond in the northwest corner of the subject tract.
- This parcel was previously zoned "R-6" and "R-3" Residence Districts, and currently permits development of 178 multiple-family units. A site plan was approved last year.
- Surrounding land uses/zoning.
- The City's Comprehensive Plan designates the subject site for "Urban Core" high density uses.
- The petitioner is proposing to develop the site with a fifty-two (52) lot, detached, single-family residence subdivision, in lieu of the 178 apartments permitted by current zoning.
- The proposed plan requires some flexibility regarding use of the site, and encourages the clustering of lots, while preserving the natural features.
- An entrance is proposed from Olive Street Road, basically in the center of the 260 foot frontage. A twenty-six (26) foot wide concrete street enters the site and loops around the site.

- There is a stub street proposed to the northwest, which would abut another parcel and, ultimately, connect to West Drive or the potential relocated West Drive. This stub street location was chosen for three primary reasons:
  1. To better serve the existing house via access to Olive.
  2. The developer does not want the stub lined up with a proposed entrance to the Sullivan-Hayes Commercial Shopping Center, to avoid the potential of cut-through traffic.
  3. To allow enough room for stacking of traffic that would be departing the Sullivan-Hayes site and back to Olive.
- The petitioner received a letter from the Chesterfield Fire Protection District in which the District concurred with the proposed stub street location. Should this stub street become the primary access at a future date, and access be limited to the present entrance, the Fire District strongly emphasized their desire for this entrance remain open for emergency use.
- The proposed lots are approximately a minimum of sixty (60) feet wide and one-hundred (100) feet deep.
- The existing five (5) acre wooded area at rear of the parcel will be retained.
- Setbacks are proposed to be a minimum of ten (10) feet between houses, utilizing a zero lot line concept, which would allow flexibility of placement of houses on the lots, but still assure a minimum of ten (10) feet between houses.
- Houses will be ranch, a one and one-half story, and two (2) two-story models.
- The square footage of dwelling units would range from 1600 square feet to 2100 square feet in area.
- The price range of the houses would be from the mid-\$140,000's to the \$160,000's.
- The houses will be constructed to the same high quality standards as the petitioner's three existing developments within the City.

### QUESTIONS/COMMENTS BY PLANNING COMMISSION

- Questioned validity of comments/restrictions set forth in memorandum from the City of Chesterfield Department of Public Works.
- Consideration may need to be given and exceptions granted for single family development in the Urban Core.
- Since the proposed development is between commercially developed parcels, the petitioner would prefer that each particular home buyer be given the choice of type of buffering to be utilized (i.e., fence, shrubs, trees, etc.)
- A desire for provision of pedestrian access to Hilltown Shopping Center.
- The petitioner has opportunity to provide a walkway to the commercial shopping area and the Kinder Care area, but this would require a ten (10) foot access to the common ground area.
- The project could be built with public streets in the fifty (50) foot right-of-way; however, the lots would be shallower (85 to 90 feet deep).
- Since streets are proposed as private, the petitioner is proposing a twenty-five (25) foot building line. The house will essentially set back from the street pavement the same distance as if it were a public street. Since these streets are private, and are to remain private forever, the petitioner does not believe that it would benefit the home owner to provide additional right-of-way, in lieu of more lot depth.
- The petitioner proposes a concrete, twenty-six (26) foot wide street. Only the sidewalks and utilities are located within a ten (10) foot wide easements on the lots. The petitioner proposes to reduce the required right-of-way and make the streets private.
- Private streets are desired to allow flexibility (i.e., a gate) in order to eliminate the possible cut-through traffic, should it become a problem in the future.
- Sidewalks are to be provided on both sides of the street.
- The Olive Street entrance is to remain open forever.
- The developer is proposing a single ingress and egress, at this time.

- A portion of the common ground is to be used for water retention.
- A single entrance monument sign is being considered.
- Two (2) entrances are requested to accommodate emergency situations.
- The maintenance and snow removal of the streets in the proposed development would be the responsibility of the home owners.
- The developer is requesting private streets to prevent possible cut-through from the proposed commercial shopping center. Also, private streets afford the flexibility to allow that area that would normally be behind the curb, to be utilized on individual lots, since these lots are relatively small.
- The area in the right-of-way would be a home owner's association responsibility.

**SPEAKERS IN FAVOR** - None

**SPEAKERS IN OPPOSITION** - None

**SPEAKERS NEUTRAL**

1. Roger N. Herin, Chesterfield Fire Protection District, 15405 Olive Boulevard, Chesterfield, Missouri 63017, as an individual.

Mr. Herin strongly urged that the entrance to Olive remain open. He further stated that two entrances are necessary to the subdivision, to help not only with normal conditions, but also in an emergency management situation.

**REBUTTAL** - Waived

**SHOW OF HANDS**

For 20

Against 0

- C. P.Z. 17-91 City of Chesterfield Planning Commission; a proposal to amend Section 1003.168 Sign Regulations and Section 1003.020 Definitions of the Chesterfield Zoning Ordinance by amending provisions concerning wall signs.

Planning Specialist Joe Hanke summarized the proposed amendment based on review by the Ordinance Review Committee.

COMMENTS/QUESTIONS BY COMMISSION

- Possible deletion of the word "multiple" when referring to tenants and entrances to buildings.
- It is assumed that an office building contains multiple tenants; thus the word "multiple" was utilized.
- The framework of the proposed Ordinance amendment was intended to differentiate between a building which has multiple tenants with numerous store fronts and numerous exterior entrances, as opposed to an office building which may have multiple tenants, but only one (1) main entrance (i.e., those tenants having multiple interior entrances, as opposed to exterior).

SPEAKERS IN FAVOR - None

SPEAKERS IN OPPOSITION - None

SPEAKERS NEUTRAL - None

REBUTTAL - Waived

SHOW OF HANDS

For 0

Against 0

APPROVAL OF THE MINUTES

The Minutes were approved from June 24, 1991.

## OLD BUSINESS

- A. P.Z. 13-91 Chesterfield Day School; a request for a Conditional Use Permit in the "R-2" 15,000 square foot Residence District; east side of White Road, south of Green Trails Drive South.

Director Duepner presented the petitioner's request for revision of conditions to the Commission for review and action. He further stated the Department's recommendation that the two (2) Conditions in Attachment A be revised as follows:

- 4.g. To indicate that the reference be to property "now or formerly St. Louis Montessori Academy."
- 4.f. To indicate "provide a maximum fifty (50) foot wide reserve strip for location of future right-of-way extending from White Road eastward to the east property line, as directed by the City of Chesterfield." He noted that the roadway would be developed and improved by the adjacent property owners at some future date.

Commissioner McGuinness left the meeting at this time.

## COMMENTS/QUESTIONS OF COMMISSION

- If the right-of-way is required, the School would have to go through the process of submitting a Subdivision Plat for the establishment of the right-of-way.

Commissioner McGuinness returned to the meeting at this time.

- In the event that the properties to the east are never rezoned and subdivided, there would never be any need for this right-of-way.
- The petitioner would have to vacate the right-of-way if those surrounding properties would not become developed.

Commissioner Scruggs made a motion to accept the Department's report. The motion was seconded by Commissioner Brown. Upon a roll call the vote was as follows: Commissioner Brown, yes; Commissioner Dalton, yes; Commissioner Kirchoff, yes; Commissioner McGuinness, yes; Commissioner O'Brien, yes;

Commissioner Scruggs, yes; Commissioner Sherman, abstained; Chairman Domahidy, yes.

The motion passed by a vote of 7 to 0, with 1 abstention.

#### NEW BUSINESS

- A. P.Z. 8-91 Harold Arbeitman - Royal Companies; a request for a change of zoning from "M-3" Planned Industrial District to "C-8" Planned Commercial District; north side of Chesterfield Airport Road, approximately 400 feet east of Long Road.

Director Duepner stated that the Department, at the direction of the Commission, sent a letter to the petitioner and his consultant advising them that the Planning Commission will take this matter up at its meeting on August 12, 1991. Prior to that time the petitioner has been requested to submit a revised site development plan addressing Commission concerns. Otherwise, the Commission will take up the petition as originally presented and submitted at the public hearing. The Department made the recommendation to hold this matter.

A motion to hold this matter was made by Commissioner Sherman and was seconded by Commissioner Kirchoff.

The motion passed by a voice vote of 8 to 0.

- B. P.Z. 1-91 Lou Fusz Ford; Planned Commercial District Ordinance Amendment; south side of U.S. Highway 40/I-64; east of Long Road.

Director Duepner presented the request for amendment of the parking setback requirement of Ordinance Number 564, and the Department's recommendation of approval, as stated in the Department's report. The Department also recommended establishment of a two (2) year Landscape Maintenance Bond.

#### COMMENTS/QUESTIONS BY COMMISSION

- Concern about landscaping along side of parcel facing the highway.
- Questioned usefulness of a berm on this property.
- Questioned the reason for requesting the reduction in setback requirement.

Commissioner Kirchoff made a motion to approve the Department recommendation (including the establishment of a two (2) year Landscape Maintenance Bond) except for the following:

- There is to be a ten (10) foot parking setback requirement from all property lines in this development with the exception of the east and south lines of the southernmost vehicle storage area where a seven (7) foot parking setback, with a berm a maximum of one (1) foot in height be provided.

The motion was seconded by Commissioner Brown.

Commissioner McGuinness asked that the record reflect that she is against the motion.

Director Duepner noted the following:

- The petitioner is trying to address the concern of screening and buffering from adjacent property lines, particularly to the east and south. Rather than going to the extent of providing for a ten (10) foot strip in those areas, the petitioner is proposing an alternative which, in the opinion of the Department of Planning, provides a reasonable screening and landscape area in those areas along the east and south line. The petitioner is proposing to the Commission that, with the berm and landscaping, he can provide as effective screen and buffer from the adjacent properties than if it were a ten (10) foot landscape area.

Upon a roll call the vote was as follows: Commissioner Brown, yes; Commissioner Dalton, no; Commissioner Kirchoff, yes; Commissioner McGuinness, no; Commissioner O'Brien, no; Commissioner Scruggs, no; Commissioner Sherman, no; Chairman Domahidy, no. The motion to approve the requested amendment failed by a vote of 2 to 6.

A motion to deny the requested amendment was made by Commissioner McGuinness and seconded by Commissioner O'Brien.

Upon a roll call the vote was as follows: Commissioner Brown, yes; Commissioner Dalton, yes; Commissioner Kirchoff, yes; Commissioner McGuinness, yes; Commissioner O'Brien, yes; Commissioner Scruggs, yes; Commissioner Sherman, yes; Chairman Domahidy, yes. The motion to deny the requested amendment passed by a vote of 8 to 0.

Director Duepner sought verification from the Planning Commission, in that they saw no compelling reason to revise the setback, and did not believe that the berm would be as effective as a ten (10) foot landscape strip.

Verification was given.

#### SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. P.C. 22-88 Charles Hennemeyer (Drew Station); "C-8" Planned Commercial District Attached Wall Sign; east side of Clarkson Road, north of Baxter Road.

Planning Specialist Joe Hanke presented the request and the Department's recommendation to deny.

On behalf of the Site Plan Review Committee, Commissioner Kirchoff made a motion to accept the Department's recommendation to deny the requested sign. The motion was seconded by Commissioner Brown and passed by a voice vote of 8 to 0.

- B. Oaktree Estates; Multi-Family Subdivision Easement Plat; west side of Schoettler Road, north of Highcroft.

Planning Specialist Joe Hanke presented the request and the Department's recommendation of approval.

On behalf of the Site Plan Review Committee, Commissioner Kirchoff made a motion to accept the Department's recommendation to approve the request. The motion was seconded by Commissioner Sherman and passed by a voice vote of 8 to 0.

- C. Bull Moose Tube Executive Center; Subdivision Record Plat; west side of Clarkson Road, south of Baxter Road.

Director Duepner presented the request and the Department's recommendation of approval.

On behalf of the Site Plan Review Committee, Commissioner Kirchoff made a motion to accept the Department's recommendation to approve the request. The motion was seconded by Commissioner Dalton and passed by a voice vote of 7 to 1, with Commissioner McGuinness voting no.

- D. P.Z. 5-91 Miceli Realty Company (Thomas White Estates); Subdivision Promotion Sign; west side of Schoettler Road, north of Clayton Road.

Planning Specialist Joe Hanke presented the request and the Department's recommendation of approval.

On behalf of the Site Plan Review Committee, Commissioner Kirchoff made a motion to accept the Department's recommendation to approve the request. The motion was seconded by Commissioner Brown.

Upon a roll call the vote was as follows: Commissioner Brown, yes; Commissioner Dalton, yes; Commissioner Kirchoff, yes; Commissioner McGuinness, no; Commissioner O'Brien, yes; Commissioner Scruggs, yes; Commissioner Sherman, no; Chairman Domahidy, yes. The motion to approve the request passed by a vote of 6 to 2.

- E. P.C. 25-88 Stonebriar Development Company (Stonebriar Subdivision); PEU in "R-2" and "R-3" Residence District Building Elevations; north side of Kehrs Mill Road, east of Clarkson Road.

Director Duepner presented the request for the Commission's review and action.

On behalf of the Site Plan Review Committee, Commissioner Kirchoff made a motion to approve the request. The motion was seconded by Commissioner Scruggs and passed by a voice vote of 8 to 0.

- F. P.C. 78-82 Alvin D. Vitt & Company (Chesterfield Valley Center); "M-3" Planned Industrial District Architectural Elevations (Preliminary); west side of Goddard Avenue, north of Chesterfield Airport Road.

Director Duepner summarized the request of the petitioner for preliminary comment on building elevations, and conceptual review of the elevations prior to proceeding with the site development plan.

No action was necessary on this item.