

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
JUNE 22, 1992**



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

PRESENT

Ms. Mary Brown
Mr. Dave Dalton
Mr. Bill Kirchoff
Ms. Barbara McGuinness
Mr. Walter Scruggs
Ms. Victoria Sherman
Chairman Mary Domahidy
Mr. Douglas R. Beach, City Attorney
Councilmember Betty Hathaway, Ward I
Mr. Jerry Duepner, Director of Planning
Ms. Laura Griggs-McElhanon, Senior Planner
Ms. Sandra Lohman, Executive Secretary

ABSENT

Mr. Jamie Cannon
Ms. Pat O'Brien

INVOCATION: Councilmember Betty Hathaway

PLEDGE OF ALLEGIANCE - All

PUBLIC HEARINGS - Commissioner Walter Scruggs read the opening comments.

- A. P.Z. 8-92 John A. and Laverne Reuther; a request for a Conditional Use Permit (CUP) in the "NU" Non-Urban District for a 10,080 square foot tract, part of a 4.02 acre parcel of land located on Reuther Drive, approximately 1069 feet northwest of Wild Horse Creek Road (Locator Number 18T41-0030). Proposed use: Local public utility facility/tower.

Mr. Craig S. Biesterfeld, Peper, Martin, Jensen, presented the petitioner's request noting the following:

- The request is for a Conditional Use Permit for a Cybertel Cellular telephone facility.
- The purpose of this request is to improve the Cybertel quality of cellular telephone coverage in this area.
- All cell sites are interrelated. Location is a critical aspect of this particular application.
- The areas to be covered by this cell site are the Highway 40 Corridor from Clarkson Road to the Missouri River Bridge, and Wild Horse Creek Road.
- The area this cell will serve is currently receiving the largest number of complaints from customers due to lack of quality service.
- The application will consist of a 154 foot tower, a prefabricated equipment building to house the radio equipment, a generator, and an above-ground fuel tank to service the generator (which is a backup power source).
- The only utility to be used, in addition to telephone lines, is electric. There is no water or sewer at the site.
- The petitioner has a long-term lease from the Reuther's.

Commissioner McGuinness left the meeting.

- Slides were presented depicting the proposed site from various angles (i.e., north, south, east and west).

Commissioner McGuinness returned to the meeting.

- The stance of trees on the site are approximately seventy-five (75) to eighty (80) feet in height. They would remain in place.
- FAA has approved the project. No lighting or reflective painting is required on the tower.
- Cybertel has petitions from adjacent property owners and customers indicating their support of the project.

- FCC mandates that adequate coverage be provided to entire service area. At present, Cybertel is not providing the quality services it deems appropriate.
- Public safety issues may be enhanced by improved services.

COMMENTS/DISCUSSION BY COMMISSION

- Commission requested photo of proposed tower.
- Photo's of towers at other locations were shown to Commission.
- Clarification was requested of the petitioner's statement about inadequate coverage of area.

Mr. Richard Doyle, Engineering Manager for Cybertel, spoke on behalf of the petition.

COMMENTS/DISCUSSION BY COMMISSION

- A lattice type of tower is proposed for this site. The nearest tower of this type is near Highway 109 in Grover.
- The additional site is required for adequate coverage of area previously identified.
- No additional clearing of trees will be necessary.
- The tower will be painted a bluish/grayish color to blend with the skyline.
- Landscaping will be provided around the structure, as required.
- Concern was raised over the tower's visibility from the Valley area.

SPEAKERS IN FAVOR - None

SPEAKERS IN OPPOSITION

1. Mr. Richard Machamer, 233 Hi Point Drive, Chesterfield, MO 63005, as an individual.
- Residents of Woodcliffe Subdivision will be within view of this tower.
- He raised concern about the safety of children living near the tower, in that they will be drawn to it.
- The City of University City recently defeated a similar proposal from Southwestern Bell for a one hundred (100) foot tower.
- He raised concern that the tower could prove a safety hazard to hot air balloons.
- He felt that this project was a commercial venture and, therefore, not compatible near a residential area.

REBUTTAL - Mr. Craig S. Biesterfeld

- Cybertel has the approval of the residents adjacent to the proposed tower.
- There will be a fence around the site. Sixty (60) of these facilities have been built in the St. Louis area, and not one safety incident has arisen.
- The location of this one (1) tower will provide service that would otherwise require placement of three (3) or four (4) other towers in Chesterfield.

SHOW OF HANDS

FOR: 16

AGAINST: 2

- B. P.Z. 10-92 R.J. and J. Partnership; a request for a change of zoning from "NU" Non-Urban and "FPNU" Flood Plain Non-Urban to "R-1" One-Acre Residence District and "FPR-1" Flood Plain "R-1" One Acre Residence District for a 69.54 acre tract of land located on the west side of Kehrs Mill Road, approximately 100 feet south of Wild Horse Creek Road (Locator Number 18U41-0017);

and

P.Z. 11-92 R. J. and J. Partnership; a request for a Planned Environment Unit Procedure in the "R-1" One Acre Residence District and "FPR-1" Flood Plain "R-1" One Acre Residence District for the same 69.54 acre tract of land on the west side of Kehrs Mill Road, approximately 100 feet south of Wild Horse Creek Road (Locator Number 18U41-0017). The proposed use: Single-family Residences.

Senior Planner Laura Griggs-McElhanon gave a slide presentation of the proposed site and surrounding area.

Mr. Gary Crabtree, Crabtree Consulting, spoke on behalf of the petitioner as follows:

- He described the surrounding land uses, as depicted on his renderings, as mostly "R-1" Residence District Zoning.
- The project proposes fifty-seven (57) single-family lots.
- The minimum square footage of the lots would be 24,000 square feet for interior lots, and 28,000 square feet for perimeter lots.
- There would be no reclamation from the Flood Plain area, except for detention purposes.
- There will be a future connection, according to the County Highway Department, to connect Kehrs Mill Road and Long Road. This rezoning proposal makes provision for one-half of an eighty-two (82) foot right-of-way, and the curve dimensions given to accommodate that widening (of Kehrs Mill Road).
- The minimum frontage would be one-hundred and twenty (120) feet. The minimum depth would be two-hundred (200) feet.
- A thirty (30) foot strip of common ground is proposed along the perimeter of the site to allow replanting of some of the trees displaced due to right-of-way dedication for roadway improvements.
- Nineteen (19) acres of this site are in the Flood Plain.
- The homes will be priced in the upper \$200,000's.

- No access will be provided to Kehrs Mill, except one (1) entrance to the proposed subdivision.
- There is a stub street on the site plan that extends to the west of the site. This street could be placed at alternative locations, as directed by the Commission.

COMMENTS/DISCUSSION BY COMMISSION

- Clarification of the location of the nineteen (19) acres of Flood Plain, and that this area is to remain in its natural state.
- Some large trees will have to be removed to accommodate the County Highway Department's requirements to improve Kehrs Mill Road.
- Landscaping is proposed at the southern portion of the parcel.
- There will be approximately six (6) lots abutting Kehrs Mill Road.
- The petitioner will plant trees in the thirty (30) foot common ground area.
- Concern was expressed by Commission that a Planned Environment Unit could allow for too much flexibility. It was suggested that the **minimum** lot size be 30,000 square feet.
- Types of homes proposed are ranch, one and one-half- story, and two-story.

SPEAKERS IN FAVOR - None

SPEAKERS IN OPPOSITION

1. Mr. Richard L. McGee, 1499 Pacland Place, Chesterfield, Missouri 63005, as an individual.
 - The proposed development is not consistent with the density of development in surrounding areas. The lots adjacent to this project are much larger.

- Kehrs Mill Road currently has major traffic problems. This proposal will just exacerbate this situation.

SPEAKERS - NEUTRAL

1. Mr. Ken Graeler, 17404 Private Valley Lane, Chesterfield, MO 63005, as an individual.
 - Concern about the density of the proposed development. The acreage not within the Flood Plain is approximately fifty (50) acres, the proposal is for fifty-seven (57) lots. Therefore, the density is in excess of one (1) unit per acre on developable ground.
 - Concern about the continued access via Private Valley Lane for existing residents.
 - Concern that easements for water/sewer have not been addressed as being extended to existing homes.

REBUTTAL

Mr. Crabtree noted the following:

- The only visible development from the proposed site are three tracts across Kehrs Mill Road.
- The stub street could be removed if required by the Commission.
- As easements are part of a Record Plat, sewer and water could be accessible without undue hardship to other properties. Typically, on a property of this size, those easements are provided on the perimeter in anticipation of future development of the surrounding tracts.
- He stated the emerging pattern for the subject tract is "R-1" Residence District.

COMMENTS/DISCUSSION BY COMMISSION

- The Pacland Place development private Indentures may, or may not, restrict development to not less than three (3) acre lots.

- The commercial development referenced is located at the intersection of Wild Horse Creek Road and Long Road.

SHOW OF HANDS

FOR: 8

AGAINST: 7

APPROVAL OF THE MINUTES

The Minutes were approved from June 8, 1992.

Commissioner Brown left the meeting.

Commissioner McGuinness left the meeting.

OLD BUSINESS - None

NEW BUSINESS

- A. P.Z. 9-92 City of Chesterfield Planning Commission; a proposal to amend Sections 1005.150, 1005.160 and 1005.180 of the City of Chesterfield Subdivision Ordinance relative to street right-of-way.

Director Duepner noted the issues presently under review by the Staff and recommended the matter be held until the next meeting of July 27.

A motion to hold the matter was made by Commissioner Scruggs and seconded by Commissioner Sherman. **The motion passed by a voice vote of 5 to 0.**

Commissioner Brown returned to the meeting.

Commissioner McGuinness returned to the meeting.

- B. P.C. 60-77 Musterman Development; Planned Environment Unit in "R-2" 15,000 square foot Residence District, "FPR-2" Flood Plain, "R-2" 15,000 square foot Residence District, and "R-7" 1,750 square foot Residence District; north side of Wild Horse Creek Road at Santa Maria Drive.

Director Duepner presented the request and the Department's recommendation of approval of a Resolution of Intent to revert the property back to its prior classification of "NU" Non-Urban and "FPNU" Flood Plain Non-Urban Districts.

A motion to approve the Department's recommendation was made by Commissioner McGuinness and seconded by Commissioner Kirchoff. **The motion passed by a voice vote of 7 to 0.**

Note: A public hearing will be necessary to consider reversion of the property to its prior zoning classification of "NU" Non-Urban and "FPNU" Flood Plain Non-Urban Districts, in accord with the proceedings specified in Section 1003.300 "Procedure for Amending the Zoning Ordinance."

- C. P.C. 28-92 St. Luke's Episcopal-Presbyterian Hospital; Conditional Use Permit in "NU" Non-Urban and "FPNU" Flood Plain Non-Urban Districts; northeast corner of Highway 141 and Conway Road.

Director Duepner provided its chronology and action taken by the County Planning Commission on the 1992 petition. The purpose of this presentation is to provide Commission an opportunity to ask questions about same. He noted that a cassette tape of the St. Louis County Planning Commission action and video tape provided by the protestors, will be available for Planning Commission review. No action will be taken until the July 27, 1992 Commission Meeting.

COMMENTS/DISCUSSION BY COMMISSION

- When annexation became effective on May 15, 1992, legal action was still pending in Civil Courts on this matter; therefore, Ordinance requires the City of Chesterfield to take over responsibility of this project.
- The C.U.P. voided by the Missouri Court of Appeals may be reinstated by the Planning Commission, or the building will be taken down.

- Some issues to be addressed are whether a doctor's building is permitted under the C.U.P., and when does a doctor's building become the principal use and the hospital an accessory use.
- Commission will have to make a recommendation at its July 27, 1992 meeting on how the requested Conditional Use Permit met, or failed to meet, the criteria set forth in the Zoning Ordinance.
- Commission will be provided a copy of the Protest Petition, the Protest Statement, as well as the response received from the petitioners, in terms of their response to the protest.
- Commission will be provided access to the petition file, tapes, etc.
- The Department will review the petition in regard to the response to the Protest Petition, and obtain additional information from the protestors and petitioners regarding same.
- Department Staff was instructed to compile information on how the space utilized by this project compares to other hospitals in the area.
- The hospital is currently utilizing all of its permitted square footage. However, there are other buildings proposed, but not built, as additions to the hospital building.
- Protestors not only raise the issue of how the building is to be used, but, also, whether it should remain standing.
- The Planning and Zoning Committee of Chesterfield will hold a Public Hearing on this matter.
- The City Council will have the final vote (a simple majority) on the matter.

Director Duepner urged the Committee Members to keep all the information provided to them on this item for future reference.

Commissioner Scruggs left the meeting.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. P.Z. 10-91 Edward J. Shaheen, Jr.; CSP in "NU" Non-Urban District Sign Illumination Plan; south side of Olive Boulevard, east of White Plains Drive.

A motion was made by Commissioner Kirchoff, on behalf of the Site Plan Review Committee, to approve the existing light fixtures subject to the following details:

1. the fixtures and their supports being painted flat black;
2. the lamps illumination size be limited to a maximum of 30 watts each; and
3. operation of lights be no later than 6:00 p.m. daily.

The motion was seconded by Commissioner Sherman and **passed by a voice vote of 6 to 0.**

Commissioner Scruggs returned to the meeting.

- B. P.C. 168-71 Sachs Properties, Inc. (Chesterfield Mall); "C-8" Planned Commercial District Architectural Elevations and Landscape Plan (Dillard's expansion); southwest quadrant of I-64/U.S. Highway 40/61 Intersection with Clarkson Road.

A motion was made by Commissioner Kirchoff, on behalf of the Site Plan Review Committee, to approve the Department's recommendation of approval of the Dillard's store design, and the foundation landscaping elements of Dillard's. The motion was seconded by Commissioner Brown and **passed by a voice vote of 7 to 0.**

- C. United Methodist Church of Green Trails; "NU" Non-Urban District Site Plan; north side of Ladue Road at Green Trails Drive.

A motion was made by Commissioner Kirchoff, on behalf of the Site Plan Review Committee, to hold this petition and ask the Department to explore, to a fuller extent, the possibility of a second access on Ladue Road. The motion was seconded by Commissioner Sherman and **passed by a voice vote of 7 to 0.**

- D. P.C. 5-79 Holthaus Realty Chesterfield Industrial Park - Lot 2B (Reliv, Inc.); "M-3" Planned Industrial District Amended Site Development Section Plan; east side of Chesterfield Industrial Boulevard, south of Chesterfield Airport Road.

A motion was made by Commissioner Kirchoff, on behalf of the Site Plan Review Committee, to approve the amended site development plan and architectural elevations subject to the following:

1. The rooftop HVAC units being painted the same color as what will be approved for the concrete block. The color for the concrete blocks for the addition is **held** and will be resubmitted to the Commission for approval at some future date.

COMMENTS/DISCUSSION BY COMMISSION

- No screening was required on the HVAC due to the fact that most of the units in the area are not screened, but are painted to match the building.
- There will be a parapet on the east side of the building which will screen most of the objectional equipment. There is also a parapet on the west side. The north and south side of the HVAC unit would be visible only to adjacent buildings.

Commissioner McGuinness made a motion to **amend** the original motion to screen the HVAC. **The motion dies for lack of a second.**

The original motion was seconded by Commissioner Brown and **passed by a voice vote of 6 to 1, with Commissioner McGuinness voting no.**

- E. D.L. 2-49 Spirit of St. Louis Airport (Insituform and St. Louis Helicopter Airways); "M-3" Planned Industrial District Amended Site Development Section Plans; east side of Goddard Avenue, south of Edison Avenue Extension.

A motion was made by Commissioner Kirchoff, on behalf of the Site Plan Review Committee, to approve the amended site development plan for St. Louis Helicopter Airways and Insituform, and architectural elevations for Insituform with the following conditions:

1. The proposed rooftop mechanical equipment be painted to match the building (Insituform).
2. Edison Avenue paving be investigated, and obtain information that it is in conformance with Chesterfield standards.
3. Additional landscaping be negotiated between the Department and petitioner with respect to the northeast corner of the project.
4. The Department is to negotiate additional landscaping along the south property line, beginning at Goddard Avenue, to a point seventy-five (75) feet east of Goddard Avenue.

The motion was seconded by Commissioner Sherman and passed by a voice vote of 7 to 0.

COMMITTEE REPORTS

Chairman Domahidy stated that she has not heard from all Commissioners regarding their choice of Committee, so all Committee assignments will continue through July.

A. Ordinance Review Committee

Committee Chair Brown reported that the Ordinance Review Committee will meet June 29, with representatives of the business community (Mr. Pat Sullivan - HBA; Mr. David Wilde - Chesterfield Civic Progress; Ms. Joan Schmelig - Chesterfield Chamber of Commerce; Mr. Ed Brimer - Engravings Unlimited, Inc.). A copy of the reorganized draft of the "Sign Regulations" will be available this week, and presented by Planning Specialist Joseph Hanke. She encouraged all Members to attend.

B. Architectural Review Committee

Director Duepner reported that there will be a meeting of the Architectural Review Committee on July 24, at 4:30 p.m., in the City Council Conference Room.

C. Site Plan/Landscape Committee

Committee Chair Kirchoff reported that the Landscape Committee will meet July 9, 1992.

D. Comprehensive Plan Committee

Committee Chair McGuinness reported the Comprehensive Plan Committee will meet June 23, at 5:00 p.m. She reported that the Phase I Parks Study will not be discussed at the meeting. She also instructed the Department Staff to poll Committee Members to make sure that at least four (4) members will be in attendance at this meeting.

Committee Chair McGuinness stated that she did not believe it appropriate to discuss the Phase I Parks Study at the upcoming meeting of the Comprehensive Plan Committee.

Commission Chairman Domahidy stated she felt the Committee should have an opportunity to review the Study.

Committee Chair McGuinness stated that it would not be discussed at the Committee meeting.

Director Duepner stated the Comprehensive Plan currently shows the location of a possible town center.

E. Procedures Committee - No report.

The meeting adjourned at 9:40 P.M.

Mary Domahidy for
Walter Scruggs, Secretary

[MIN6-22]