PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
June 12, 2000

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

I. **PRESENT**

Mr. Mike Kodner
Mr. Dan Layton, Jr.
Ms. Stephanie Macaluso
Ms. Rachel Nolen
Mr. Jerry Right
Chairman Fred Broemmer
Mr. Douglas R. Beach, City Attorney
Ms. Mary Brown, Council Liaison
Ms. Teresa Price, Director of Planning
Ms. Laura Griggs-McElhanon, Assistant Director of Planning
Mr. Tom Blanchard, Project Planner
Mr. John Wagner, Project Planner
Ms. Kathy Lone, Executive Secretary/Planning Assistant

ABSENT

Mr. David Banks
Mr. Charles Eifler
Ms. Victoria Sherman

II. **INVOCATION**: Commissioner Kodner

III. **PLEDGE OF ALLEGIANCE**: All

Chairman Broemmer recognized the attendance of Council Liaison Mary Brown (Ward IV).

IV. **PUBLIC HEARINGS**:

Commissioner Layton read the first portion of the "Opening Comments."

A. **P.Z. 25-2000 Amburn Homes**; a request for a rezoning from "NU" Non-Urban District to "R-3" 10,000 square foot Residence District for a 3.00 acre tract of land located on the south side of Kehrs Mill Road, east of Blue Hill Road. (Locator Number 21T62-0541, 2707 Kehrs Mill Road).

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

1. Mr. Sebastian Rucci, 10 Beckett Plaza, Valley Park, MO 63088, speaking in favor of P.Z. 25-2000 Amburn Homes;

- Wants to rezone from "NU" to "R-3;"
- Site is very flat and slopes to the northeast where, eventually, a retention pond will need to be built to alleviate additional storm water;
- Site does not have any odd, natural features.

2. Mr. Bill Amburn, 17878 Valley View, Wildwood, MO 63038, developer for P.Z. 25-2000 Amburn Homes;

- Will build approximately 10 homes on site;
- Homes will be in the range of $250,000 to $280,000;
- No grading would be necessary and minimal clearing;
- Developer stated that he is willing to accept a limit of 11 homes on this site;
- Developer stated that most of the grading would be at the road site and in the middle of the site where the internal street would be located.

SPEAKERS IN OPPOSITION:

1. Ms. Tracy Knoblauch, 2310 Blue Hill Road, Chesterfield, MO 63017, speaking in opposition to P.Z. 25-2000 Amburn Homes;

- Speaker expressed concern about drainage from the subject site;
- Speaker stated that she would like most of the trees to remain so the residents of the adjoining subdivision retain their privacy.

2. Ms. Dee Cruse, 2304 Blue Hill Road, Chesterfield, MO 63017, speaking in opposition to P.Z. 25-2000 Amburn Homes:

- Speaker expressed concern with the drainage from this site.

SPEAKERS NEUTRAL -

3. Mr. Walter L. Floyd, 2333 The Courts Drive, Chesterfield, MO 63017, speaking neutral to P.Z. 25-2000 Amburn Homes;

- Speaker stated that if homes are built below $300,000, the value of homes in The Courts Subdivision will depreciate;
- Speaker stated that he does not think that there is enough room for more than eight (8) homes to be built on subject site.

4. Mr. David Baumgartner, 233 the Courts Drive, Chesterfield, MO 63017, speaking in favor of P.Z. 25-2000 Amburn Homes;

- Speaker expressed concern with more than eight (8) homes on the proposed subject site.

REBUTTAL -

Mr. Rucci stated that many agencies would be reviewing the drainage so this issue will be addressed.

Mr. Rucci stated that he would be comfortable with having eight (8) homes in this development.

Mr. Rucci stated that he and the developer would be happy to meet with the residents at any time to discuss their concerns.

Commissioner Nolen expressed concern with having two (2) cul-de-sacs in this development.

Mr. Rucci stated that the Fire District would be reviewing the plan for their comments.

Commissioner Nolen reiterated to Mr. Rucci that he and the developer meet with the neighboring residents to discuss their issues.

Mr. Rucci stated that any required sidewalks would be put in.

B. **P.Z. 26-2000 Voicestream Wireless**; a request for a change in zoning from "C-8" Planned Commercial District to "PC" Planned Commercial District for a .92 acre tract of land located at the southeast corner of the intersection of Clayton and Baxter Roads. (Locator Numbers: 21R42-0668 and 21R42-0677). Proposed Uses:
Filling stations, including emergency towing and repair services, provided that no automobile, truck, or other vehicle may be parked or stored in the open on the premises for longer than twenty-four (24) hours. **NOTE: this use shall be limited to the existing service station.**
Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises. **NOTE: this use shall be limited to the existing convenience store.**
Vehicle washing facilities for automobiles. **NOTE: this use shall be limited to the existing automatic car wash.**
Broadcasting, transmitting, or relay towers, studios, and associated facilities for radio, television, and other communications. **NOTE: the new requested use, telecommunications tower - disguise support structure, falls under this category.**

This petition was postponed at the request of the petitioner.

Commissioner Layton read the closing portion of the "Opening Comments."

V. APPROVAL OF MEETING MINUTES

Commissioner Layton made a motion **to approve** the May 22, 2000 Meeting Minutes. The motion was seconded by Commissioner Macaluso and **passes by a voice vote of 6 to 0.**

VI. PUBLIC COMMENT - None

VII. NEW BUSINESS

A. **P.Z. 3-2000 Highway 40 Park, Lot C:** A request for a change in zoning from a "FPNU" Flood Plain Non-Urban District to a "PC" Planned Commercial District for a 6.8 acre tract of land located on Long Road, south of Highway 40 and north of Chesterfield Airport Road.

Proposed Uses:

- Animal hospitals, veterinary clinics, and kennels;
- Associated work and storage areas required by a business, firm, or service to carry on business operations;
- Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly;
- Automotive vending facilities for:
  (i) Ice and solid carbon dioxide (dry ice);
  (ii) Beverages;
  (iii) Confections;
- Barber Shops and beauty parlors;
- Bookstores;
- Broadcasting studios for radio and television;
- Broadcasting, transmitting, or relay towers, studios, and associated facilities for radio, television, and other communications;
- Cafeterias for employees and guests only;
- Child care centers, nursery schools, and day nurseries;
- Colleges and universities;
- Dry cleaning drop-off and pick-up stations;
- Filling stations, including emergency towing and repair services, provided that no automobile, truck, or other vehicle may be parked or stored in the open on the premises for longer than twenty-four (24) hours;
- Film drop-off and pick-up stations;
- Fishing tackle and bait shops. Open storage and displays are prohibited;
- Financial institutions;
- Hotels and motels;
- Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:

(i) Adequately screened with landscaping, fencing or walls, or any combination thereof; or placed underground; or

(ii) Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.

All plans for screening these facilities shall be submitted to the Department of

Planning for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning.

- Medical and dental offices;
- Offices or office buildings;
- Outpatient substance abuse treatment facilities;
- Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours;
- Police, fire, and postal stations;
- Public utility facilities;
- Recreational facilities, indoor and illuminated outdoor facilities, including swimming pools, golf courses, golf practice driving ranges, tennis courts, and gymnasiums, and indoor theaters including drive-in theaters;
- Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith;
- Restaurants, fast food;
- Restaurants, sit down;
- Schools for business, professional, or technical training, but not including outdoor areas for driving or heavy equipment training;
- Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftpersons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, fishing tackle and bait shops, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises;
- Permitted signs (See Section 1003.168 'Sign Regulations');
- Souvenir shops and stands, not including any zoological displays, or permanent open storage and display of manufacturing goods;
- Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises;
- Vehicle repair facilities for automobiles;
- Vehicle service centers for automobiles;
- Vehicle washing facilities for automobiles;

Director of Planning Teresa Price asked the Commission if they had additional issues to be addressed.

Commissioner Macaluso asked if the petitioner had reduced the number of permitted uses and why, since the petitioner wants to put a restaurant on this site, did they not only list 'restaurant' as the permitted use.

Ms. Price stated that she would discuss this with the petitioner.

Commissioner Layton expressed concern with the way that this site would look from Highway 40.

Commissioner Layton made a motion to hold **P.Z. 3-2000 Highway 40 Park, Lot C** until agency comments have been received and all issues addressed. The motion was seconded by Commissioner Macaluso **and passes by a voice vote of 6 to 0.**

B. **P.Z. 18-2000 Terra Investments, L.L.C.**; a request for rezoning from "M-3" Planned Industrial District to "PI" Planned Industrial District for a 24.997 acre tract of land located on the north side of Chesterfield Airport Road east of Spirit Drive (Locator Numbers: 17V62-0049, 17V62-0050, 17V62-0072). Proposed Uses:

(a) Animal hospitals, veterinary clinics, and kennels;
(b) Arenas and stadiums;
(c) Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly;
(d) Automatic vending facilities for:
  (i) Ice and solid carbon dioxide (dry ice);
  (ii) Beverages;
  (iii) Confections;
(e) Broadcasting studios for radio and television;
(f) Broadcasting, transmitting, or relay towers, studios, and associated facilities for radio, television, and other communications;
(g) Business, professional, and technical training schools;
(h) Business service establishments;
(i) Cafeterias for employees and guests only;
(j) Childcare centers, nursery schools, and day nurseries;
(k) Churches shall be allowed on tracts of land of at least one acre in area;
(l) Dwelling or lodging units, only for watchmen, caretaker, or other personnel whose residence on the premises is essential to the operation of a permitted use or uses;
(m) Financial institutions;
(n) Filling stations, including emergency towing and repair services;
(o) Gymnasiums, indoor swimming pools, indoor handball and racquetbal

(p) courts (public or private), and indoor and unlighted outdoor tennis courts (public or private);

(p) Hotels and motels;

(q) Mail order sale warehouses;

(r) Manufacturing, fabrication, assembly, processing, or packaging of any commodity except:

(i) Facilities producing or processing explosives or flammable gases or liquids;

(ii) Facilities for animal slaughtering, meat packing, or rendering;

(iii) Sulphur plants, rubber reclamation plants, or cement plants; and

(iv) Steel mills, foundries, or smelters;

(s) Medical and dental offices;

(t) Mortuaries;

(u) Offices or office buildings;

(v) Outpatient substance abuse treatment facilities;

(w) Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours;

(x) Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities;

(y) Police, fire, and postal stations;

(z) Printing and duplicating services;

(aa) Public utility facilities;

(bb) Recreational facilities, indoor and illuminated outdoor facilities, including swimming pools, golf courses, golf practice driving ranges, tennis courts, and gymnasiums, and indoor theaters, including drive-in theaters;

(cc) Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith;

(dd) Restaurants, fast food;

(ee) Restaurants, sit down;

(ff) Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, construction equipment, agricultural equipment, and boats, as well as associated repairs and necessary outdoor storage of said vehicles;

(gg) Sales yards operated for a charitable purpose by a church, school, or other not-for-profit organization;

(hh) Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftpersons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, fishing tackle and bait shops, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises;

(ii) Sewage treatment facilities, as approved by the appropriate regulatory agency;

(jj) Permitted signs (See Section 1003.168 'Sign Regulations');
(kk) Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises;
(ll) Union halls and hiring halls;
(mm) Vehicle repair facilities;
(nn) Vehicle service centers;
(oo) Vehicle washing facilities; and,

(pp) Warehousing, storage, or wholesaling of manufactured commodities, live animals, explosives, or flammable gases and liquids.

Director of Planning Teresa Price asked the Commission if they had additional issues to be addressed.

Commissioner Nolen expressed concern with considering the drainage ditches as part of the green space.

Commissioner Macaluso expressed concern that the petitioner has not reduced their list of permitted uses. Commissioner Macaluso stated that she would like the petitioner to greatly reduce the permitted use list.

Ms. Price stated that requests received from agencies are evaluated and put into Attachment A.

Councilmember Brown suggested sending the permitted use list to the Ordinance Review Committee for review.

Commissioner Macaluso made a motion to hold **P.Z. 18-2000 Terra Investments, L.L.C.** until agency comments have been received and all issues addressed. The motion was seconded by Commissioner Layton **and passes by a voice vote of 6 to 0.**

C. Subdivision Regulation Variance – Swingley Ridge Office Building

Director of Planning Teresa Price stated that the ordinance requires the petitioner to put up 16-foot street lights. The petitioner stated that due to the close proximity of the Highway 40 exit, the lights would be blinding to the motorists.

Director of Planning Teresa Price stated that variances to the subdivision regulations may be granted by the Director of Planning. Ms. Price stated that, in this instance, she chose not to grant the variance so the petitioner is appealing to the Commission.

Ms. Price stated that part of the reason for her denial was because it was one of the concerns of the Commission during the Site Development Plan review. The petitioner had sent a letter stating that he would put the lights in.

Ms. Price stated that, in her opinion, if properly installed, the lights would not be a problem.

Ms. Macaluso stated that since lights were not required at the Hampton Inn or Atrium, this is the only area that will be lit up and there could be a problem with the lights for motorists entering and exiting Highway 40.

Chairman Broemmer stated that, if properly installed and positioned, there should not be a problem.

Commissioner Layton made a motion to deny the petitioner's request for a variance for the Swingley Ridge Office Building. The motion was seconded by Commissioner Nolen.

Upon a roll call the vote was as follows: Commissioner Kodner, yes; Commissioner Layton, yes; Commissioner Macaluso, no; Commissioner Nolen, yes; Commissioner Right, no; Chairman Broemmer, yes;

The motion to deny passes by a vote of 4 to 2.

D. **P.Z. 14-97 Nancy M. Cullen and Michael P. Cullen (Mulberry Square)**: request for an extension of time for submitting "PC" Planned Commercial District Site Development Plan; located on the south side of Olive Street Road, east of Raceway Boulevard and west of Aviation Museum Road.

Project Planner John Wagner stated that the petitioner would like an extension of time to submit a Site Development Plan. Mr. Wagner stated that the petitioner is requesting the time extension because utilities have not yet reached the proposed development site and that continuing with development at this time would not be economically feasible for a project of this size. Mr. Wagner stated that the extension of time would be until January 11, 2002.

Commissioner Nolen stated that she hoped that the petitioner would retain the same concept that was previously approved.

Commissioner Layton made a motion to grant the two-year extension of time as requested by the petitioner. The motion was seconded by Commissioner Right.

Upon a roll call the vote was as follows: Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner Nolen, yes; Commissioner Right, yes; Commissioner Kodner, yes; Chairman Broemmer, yes;

The motion passes by a vote of 6 to 0.

VIII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

A. **P.C. 137-77 Baxter Center**; "C-8" Planned Commercial District Freestanding Monument Sign (total square footage 98.64); north side of Baxter Road, east of Clayton Road.

Commissioner Nolen, on behalf of the Site Plan Committee, recommends approval of **P.C. 137-77 Baxter Center** with the conditions that the sign be 15-feet high from street grade level, landscaping to cover the base at time of planting and the total square footage to be 75 feet. The motion was seconded by Commissioner Layton **and passes by a voice vote of 6 to 0.**

B. **Waverly Place Subdivision**; Planned Environment Unit (PEU) Procedure in the "R-4" 7,500 square foot Residence District Record Plat; west side of Baxter Road, south of Clayton Road.

Commissioner Nolen, on behalf of the Site Plan Committee, recommends approval of the Planned Environment Unit (PEU) Procedure in the "R-4" 7,500 square foot Residence District Record Plat for **Waverly Place Subdivision**. The motion was seconded by Commissioner Kodner **and passes by a voice vote of 6 to 0.**

C. **Crown Industrial Park, Plat 8:** a Record Plat for a 9.77 acre "M-3" Planned Industrial District located North of Edison Avenue at the intersection of Mercury Boulevard. (Ordinance Number 1430)

Commissioner Nolen, on behalf of the Site Plan Committee, recommends approval of the Record Plat for **Crown Industrial Park, Plat 8**. The motion was seconded by Commissioner Kodner **and passes by a voice vote of 6 to 0.**

D. **Taylor Morley Office Building**: A Site Development Section Plan, Architectural Elevations, and Landscape Plan. The subject property is zoned "C-8" Planned Commercial and is located on a 4.57 acre site, in the Chesterfield Commons- North.

Commissioner Nolen, on behalf of the Site Plan Committee, recommends approval of the Site Development Section Plan, Architectural Elevations and Landscape Plan for the **Taylor Morley Office Building** per 1. and 2. of the petitioner's letter with the exception that the White Pines be replaced with the Austrian Pines. The motion was seconded by Commissioner Macaluso **and passes by a voice vote of 6 to 0.**

E. **Chesterfield Valley Center Plat Five - Insight Technology**: A record Plat for a 5.12 acre "M-3" Planned Industrial District, located on the north east corner of Chesterfield Airport Road and Goddard Avenue. Proposed Use: two office warehouses (one story).

Commissioner Nolen, on behalf of the Site Plan Committee, recommends approval of the Record Plat for **Chesterfield Valley Center Plat Five – Insight Technology**. The motion was seconded by Commissioner Macaluso **and passes by a voice vote of 6 to 0.**

VIII. COMMITTEE REPORTS:

A. Ordinance Review Committee - No report
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

Commissioner Nolen expressed concern with the amount of projects being submitted for approval and the traffic study not yet complete.

Commissioner Nolen made a motion to hold pending approvals until the traffic study is complete.

Ms. Price stated that numbers have been provided and the model has been set up for the traffic study. Traffic counts have been added. Problems have been found with accuracy in some areas and this is being adjusted.

Commissioner Nolen stated that she wanted the City Council to be aware of her concerns.

Commissioner Layton and Commissioner Macaluso also expressed their concern.

Commissioner Nolen amended her motion that, while the traffic study is being prepared, any intersection affected by a proposed development can not go one (1) level lower than what it is currently at. If currently at a level of 'F,' the Commission must see improvements. The motion died due to a lack of a second.

Commissioner Macaluso suggested sending a memorandum to the City Council stating that the Commission would not be forwarding projects.

Ms. Price recommended that the Commission send a representative to the Planning and Zoning Committee for discussion.

City Attorney Beach agreed and suggested that several members of the Planning Commission attend.

Commissioner Layton made a motion to have a delegation from the Planning Commission attend the Planning and Zoning Committee on Thursday, July 6, 2000 at 5:30 p.m. to express their concerns about traffic and other issues relating to development. Commissioner Macaluso, Commissioner Nolen and Commissioner Kodner will represent the Commission. The motion was seconded by Commissioner Macaluso **and passes by a voice vote of 6 to 0.**

Ms. Price stated that light shields are currently being installed at Chesterfield Commons.

A motion to adjourn was made by Commissioner Layton and seconded by Commissioner Macaluso. The motion **passes by a voice vote of 6 to 0.**

The meeting adjourned at 8:30 p.m.

for **Victoria Sherman, Secretary**