

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
JUNE 12, 1995**



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

PRESENT

Mr. Rick Bly
Mr. Fred Broemmer
Mr. Michael Casey
Mr. Dave Dalton
Ms. Mary Domahidy
Mr. Bill Kirchoff
Ms. Linda McCarthy
Chairman Barbara McGuinness
Mayor Jack Leonard
Council Liaison Ed Levinson (Ward II)
Mr. Douglas R. Beach, City Attorney
Mr. Jerry Duepner, Director of Planning
Ms. Laura Griggs-McElhanon, Assistant Director of Planning
Mr. Joe Hanke, Planner II
Ms. Toni Hunt, Planner I
Ms. Sandra Lohman, Executive Secretary

ABSENT

Ms. Patricia O'Brien

INVOCATION - Commissioner Michael Casey

PLEDGE OF ALLEGIANCE - All

Chairman McGuinness presented plaques to retiring Commissioner's Domahidy and Kirchoff noting appreciation for their years of service.

Chairman McGuinness recognized Mayor Jack Leonard; Councilmember Ed Levinson (Planning and Zoning Committee Council Liaison to the Planning Commission); and Councilmember Barry Streeter (Ward II).

PUBLIC HEARINGS:

Commissioner Rick Bly read the "Opening Comments"

- A. P.Z. 17 & 18-95 Sycamore Development Company (Schoettler Ridge); a request for a change in zoning from "NU" Non-Urban District and "FPNU" Flood Plain Non-Urban District to "R-2" 15,000 square foot Residence District and "FPR-2" Flood Plain "R-2" 15,000 square foot Residence District and a Planned Environment Unit (PEU) Procedure for a 14.8 acre tract of land (Locator Numbers 19S340016, 19S340038 and 19S340050). Proposed Use: Single Family Dwellings.

Planner I Toni Hunt gave a slide presentation of the subject site and surrounding area.

Chairman McGuinness recognized Victoria Sherman as a former Planning Commissioner.

Mr. F. J. Miceli, spoke on behalf of P.Z. 17 & 18-95 Sycamore Development Company (Schoettler Ridge).

Chairman McGuinness stated she doesn't understand why the developer didn't meet with the neighbors to discuss the proposed development.

SPEAKERS IN FAVOR - None

SPEAKERS NEUTRAL:

1. Mr. James Selecky, 1942 Squires Way Court, Chesterfield, MO 63017, spoke as an individual.

SPEAKERS (NOT SURE OF POSITION):

1. Mr. Larry L. Loop, 15400 Clover Ridge, Chesterfield, MO 63017, spoke as an individual.
2. Mr. Mark Adams, 15404 Clover Ridge Drive, Chesterfield, MO 63017, spoke as an individual.

SPEAKERS - NEUTRAL:

1. Ms. Victoria Sherman, 1895 Schoettler Valley Drive, Chesterfield, MO 63017, spoke as an individual.

SPEAKERS IN OPPOSITION:

1. Mr. Jim Reburn, 1948 Squires Way Court, Chesterfield, MO 63017, spoke as an individual.

REBUTTAL

Mr. Miceli (Petitioner) and Dan Wind (Engineer) responded to questions raised by Planning Commissioners and previous speakers.

Commissioner Bly read the next portion of the "Opening Comments," and announced the next public hearing to be heard.

- B. P.Z. 19-95 City of Chesterfield Planning Commission; a proposal to amend Sections 1003.131, "C-1" Neighborhood Business District Regulations; 1003.133 "C-2" Shopping District Regulations; 1003.135 "C-3" Shopping District Regulations; 1003.137 "C-4" Highway Service Commercial District Regulations; 1003.141 "C-6" Office and Research District Regulations; 1003.143 "C-7" General Extensive Commercial District Regulations; and 1003.145 "C-8" Planned Commercial District Regulations, relative to specialized private schools and a dormitory or group living facilities.

Jerry Duepner, Director of Planning, presented the proposal to amend Sections 1003.131, 1003.133, 1003.135, 1003.137, 1003.141, 1003.143, and 1003.145 of the Zoning Ordinance relative to specialized private schools and a dormitory or group living facilities.

SPEAKER IN FAVOR :

1. Mr. Michael Keller, 1483 82nd Boulevard, University City, MO 63132, spoke in **favor** of St. Joseph's Institute for the Deaf as a permitted use at the Kangaroo Building site.

SPEAKERS IN OPPOSITION: - None

SPEAKERS NEUTRAL: - None

REBUTTAL - Waived

Director Duepner noted the Planning Department will present a report on this matter to the Commission at the next meeting on June 26, 1995.

Commissioner Bly read the final portion of the "Opening Comments."

APPROVAL OF THE MINUTES

A. **Approval of Minutes from Meeting of May 22, 1995.**

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

PUBLIC COMMENTS:

1. Mr. H. Frank Leathers, 12142 Fallkirk, St. Louis, MO 63128, spoke in favor of P.Z. 14 & 15-95 The Leathers Company.

OLD BUSINESS - None

Chairman McGuinness instructed Director Duepner to provide Mr. F. J. Miceli a copy of the letter presented to the Commission from Mark and Jennifer Adams.

NEW BUSINESS

- A. **P.Z. 14 -95 The Leathers Co.**; "NU" Non-Urban District to "R-4" 7500 square foot Residence District; southwest corner of the intersection of Olive Boulevard (State Highway 340) and White Road.
- B. **P.Z. 15-95 The Leathers Co.**; Planned Environment Unit (PEU) Procedure in the "R-4" 7500 square foot Residence District; southwest corner of the intersection of Olive Boulevard (State Highway 340) and White Road.

Planner II Joe Hanke summarized the requests and Department's recommendation of approval of the change in zoning from "NU" Non-Urban District to "R-3" 10,000 square foot Residence District for P.Z. 14-95 (The Leathers Company); AND approval of the Planned Environment Unit Procedure (PEU) for the 8.0 acre development (P.Z. 15-95 The Leathers Company), subject to conditions specified in "Attachment A."

A motion for approval of P.Z. 14 & 15-95 was made by Commissioner Bly.

This motion was withdrawn.

A motion for approval of P.Z. 14-95, as recommended by the Department, was made by Commissioner Bly and seconded by Commissioner Casey.

A motion for approval of P.Z. 15-95, as recommended by the Department, was made by Commissioner Bly and seconded by Commissioner Casey.

A motion to **amend** Condition 4.c.(1) of Attachment A with regard to P.Z. 15-95 was made by Commissioner Broemmer to state: "Sixteen (16) feet between sides of residential structures. The motion was seconded by Commissioner Dalton.

A voice vote was undiscernible.

Upon a roll call the vote was as follows: Commissioner Bly, no; Commissioner Broemmer, yes; Commissioner Casey, yes; Commissioner Dalton, yes; Commissioner Domahidy, no; Commissioner Kirchoff, no; Commissioner McCarthy, no; Chairman McGuinness, no.

The amendment to P.Z. 15-95 fails by a vote of 3 to 5.

Upon a roll call the vote for approval of P.Z. 14-95 The Leathers Company, as recommended by the Department, was as follows: Commissioner Bly, yes; Commissioner Broemmer, no; Commissioner Casey, yes; Commissioner Dalton, yes; Commissioner Domahidy, yes; Commissioner Kirchoff, yes; Commissioner McCarthy, no; Chairman McGuinness, yes.

The motion passes by a vote of 6 to 2.

Upon a roll call the vote for approval of P.Z. 15-95 The Leathers Company, as recommended by the Department, was as follows: Commissioner Bly, yes; Commissioner Broemmer, no; Commissioner Casey, yes; Commissioner Dalton, yes; Commissioner Domahidy, yes; Commissioner Kirchoff, yes; Commissioner McCarthy, no; Chairman McGuinness, yes.

The motion passes by a vote of 6 to 2.

- C. Memorandum from the Director of Planning forwarding action from the Planning and Zoning Committee for a public hearing on revising Zoning Regulations relative to outdoor advertising signs.

Commissioner Bly left the meeting at this time.

Director Duepner noted the Planning and Zoning Committee requested that the Planning Commission hold a public hearing to consider amendments to the Zoning Ordinance, specifically as they relate to establishing criteria for outdoor advertising signs. He noted that the Comprehensive Plan Committee of the Planning Commission will have a public hearing on amendment to the Comprehensive Plan that deals with the issue of signage along the I-64 Corridor and State Highways at the meeting on June 26, 1995.

A motion to direct the Department to set this public hearing was made by Commissioner McCarthy, seconded by Commissioner Kirchoff and passes by a voice vote of 7 to 0.

Commissioner Casey noted he drove on Interstate 64 to Mount Vernon, Illinois today and counted six (6) new billboard pedestals currently being constructed.

Commissioner Bly returned to the meeting at this time.

Chairman McGuinness inquired regarding the Political Sign public hearing last meeting.

Director Duepner noted the following:

This issue is not on the agenda. There was recently a decision handed down by the Missouri Supreme Court on a case that was heard in Gladstone, Missouri which struck down sections of their political sign regulations in their zoning ordinance (i.e., deals with number and size of signs, as well as the time period in which they may be erected and time period in which they have to be removed). The Department is working with the City Attorney to obtain a copy of these proceedings, and will bring this matter back before the Commission once we find out what the Court decided, since we may have to make some other revisions to our regulations relative to political signs.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. **Kennedy Farms**; Conditional Use Permit #15 in the "NU" Non-Urban District, Amended Site Plan; south side of Wild Horse Creek Road at Deep Forest Drive.

Commissioner Broemmer, on behalf of the Site Plan Committee, made a motion to approve the Amended Site Plan for Kennedy Farms. The motion was seconded by Commissioner Casey and **passes** by a voice vote of 8 to 0.

- B. **P.C. 192-87 Long Road Partnership (Dugsford Commons)**; "C-8" Planned Commercial District Site Development Concept Plan, Section Plan, Architectural Elevations and Landscape Plan; northeast corner of Long Road and Wild Horse Creek Road.

Commissioner Broemmer, on behalf of the Site Plan Committee, made a motion to approve the P.C. 192-87 Long Road Partnership Site Development Concept Plan, Section Plan, Architectural Elevations and Landscape Plan. The motion was seconded by Commissioner Casey and **passes** by a voice vote of 8 to 0.

~~C. P.C. 86-80 Murphy Company (Spirit 40 Park, Lot 4); "M-3" Planned Industrial District Site Development and Landscape Plan and Architectural Elevations; west side of Spirit 40 Park Drive, north of Chesterfield Airport Road.~~
(Note: This item was withdrawn from the agenda prior to the meeting.)

D. City of Chesterfield (Public Works Facility); "M-3" Planned Industrial District Site Development and Landscape Plan, and Architectural Elevations; north side of proposed Edison Avenue Extension, south of Chesterfield Airport Road.

Commissioner Broemmer, on behalf of the Site Plan Committee, made a motion to approve the City of Chesterfield Public Works Facility Site Development and Landscape Plan, and Architectural Elevations. The motion was seconded by Commissioner Casey and **passes** by a voice vote of 8 to 0.

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**
- F. **Appointment of Nominating Committee**

Chairman McGuinness noted the Committee will consist of Mr. Bly, Mr. Casey and Ms. McCarthy. She asked Mr. Casey if he would Chair the Nominating Committee and report back to the Commission at the next meeting.

Committee Chairman Casey stated he would do so.

Chairman McGuinness asked Director Duepner to state the possible change of policy regarding the petitions sent by the Commission to Council which sometimes may, or may not, stop at the Planning and Zoning Committee of Council.

Director Duepner asked the Chair of the Nominating Committee, Mr. Casey, to advise the Department as to when he wants to have a meeting so the Department may post notice at the government center and reserve a room for this use.

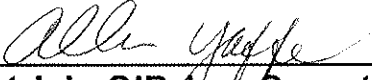
Director Duepner noted the following:

As noted by Chairman McGuinness, the Planning and Zoning Committee at its last meeting acted on a proposed policy which would forward any item from the Planning Commission having a unanimous recommendation straight to the City Council. It would not, as in the past, go through the Planning and Zoning Committee. As part of that same policy the Committee also indicated that any Councilmember may request the item be referred back to the Planning and Zoning Committee up to the time of City Council action. Items would go from the Planning Commission directly to Council within one (1) week. This policy has to be voted on by the full Council at the June 19, 1995 meeting. Director Duepner will report back to the Commission on the action taken by Council on this matter.

Chairman McGuinness introduced Mr. Allen Grant, Planning Commission designee.

Director Duepner, on behalf of himself and members of staff, noted our appreciation to Ms. Domahidy and Mr. Kirchoff for all their hard work, we enjoyed working with them and wish them well.

The meeting adjourned at 8:38 p.m.



Patricia O'Brien, Secretary
Allen Yaffe

[MIN6-12.095]