

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
June 10, 1996**



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

PRESENT

Mr. Rick Bly
Mr. Dave Dalton
Mr. Robert Grant
Ms. Carol Kenney
Ms. Linda McCarthy
Mr. Allen Yaffe - arrived later
Chairman Michael J. Casey
Mr. Douglas R. Beach, City Attorney
Mayor Jack Leonard
Council Liaison Barry Streeter (Ward II)
Mr. Jerry Kelley, Director of Planning
Ms. Laura Griggs-McElhanon, Assistant Director of Planning
Mr. Joe Hanke, Planner II
Ms. Pat Detch, Planner I
Ms. Sandra Lohman, Executive Secretary

ABSENT

Mr. Fred Broemmer

INVOCATION - Commissioner Linda McCarthy

PLEDGE OF ALLEGIANCE - All

Chairman Casey recognized Mayor Jack Leonard; Councilmember Barry Streeter (Ward II) - Council Liaison; and Councilmember Linda Tilley (Ward IV).

PUBLIC HEARINGS: **Commissioner Bly read the "Opening Comments."**

- A. **P.Z. 16-96 Walnut Grove (Wild Horse Summit Development Corporation)**; a request for a change in zoning from "NU" Non-Urban District and "FPNU" Flood Plain Non-Urban District to "C-8" Planned Commercial District and "FPC-8" Flood Plain Planned Commercial District for a 5.2 acre tract of land located on the east side of Long Road approximately 500 feet north of Wild Horse Creek Road (Locator Number 18U44-0081). Proposed Uses: All permitted "C-2" Planned Commercial District uses.

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

Mr. David M. Fedder, Attorney for the petitioner, presented the request, assisted by Tom Krull, Volz Engineering, and Bill Schierholz

SPEAKERS IN FAVOR:

1. Bill Kirchoff, 17627 Wild Horse Creek Road, Chesterfield, MO 63005, spoke as an individual.
2. Steve Pearl, 1331 Countryside Manor Place, Chesterfield, MO 63005, spoke on behalf of the Countryside Trustees.

Commissioner Yaffe arrived at this time.

SPEAKERS IN OPPOSITION: - None

SPEAKERS - NEUTRAL: - None

REBUTTAL: - Waived

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

- B. **P.Z. 17-96 Storage Masters-Chesterfield, L. L. C.**, a request for an amendment to City of Chesterfield Ordinance Number 956 establishing an "M-3" Planned Industrial District located on the south side of Chesterfield Airport Road approximately 3,500 feet east of the intersection of Chesterfield Airport Road and Olive Street Road (Locator Number 17T24-0188). Proposed Amendment: Allow illumination of existing advertising sign.

Planner II Joe Hanke gave a slide presentation of the subject site and surrounding area.

Mr. Joel Brett, Attorney for the petitioner, presented the request, assisted by Mr. John Burrows, owner.

SPEAKERS IN FAVOR: - None

SPEAKERS IN OPPOSITION: - None

SPEAKERS - NEUTRAL: - None

REBUTTAL:

Mr. Joel Brett noted the reason for the delay in requesting illumination of the sign.

Commissioner Bly read the final portion of the “Opening Comments.”

APPROVAL OF THE MINUTES:

A. Approval of Minutes from the Meeting of May 29, 1996.

A motion to approve the minutes was made by Commissioner McCarthy, seconded by Commissioner Grant and passes by a voice vote of 7 to 0.

PUBLIC COMMENTS:

1. Sheila Boyd, 16210 Lea Oak Drive, Chesterfield, MO 63017, spoke in opposition regarding P.Z. 14 & 15-96 Greater Missouri Builders, Inc. (Clarkson Grove III), noting concerns.
2. Martha M. Maguire, 16176 Lea Oak Court, Chesterfield, MO 63017, spoke in opposition regarding P.Z. 14 & 15-96 Greater Missouri Builders, Inc. (Clarkson Grove III), noting concerns.
3. Paul E. Gibson, 16100 Lea Oak, Chesterfield, MO 63017, spoke in favor of P.Z. 14 & 15-96 Greater Missouri Builders, Inc. (Clarkson Grove III).
4. George Heidelbaugh, 12 Bel Rae Court, St. Charles, MO, spoke in favor of P.Z. 14 & 15-96 Greater Missouri Builders, Inc. (Clarkson Grove III).
5. Carol Scoville, President of Clarkson Grove Association, 16268 Lea Oak Court, Chesterfield, MO 63017, spoke in favor of P.Z. 14 & 15-96 Greater Missouri Builders, Inc. (Clarkson Grove III).

OLD BUSINESS: - None

NEW BUSINESS:

- A. P.Z. 34-95 City of Chesterfield Planning Commission**; a proposal to amend Sections 1003.167 Miscellaneous Regulations; 1003.145 "C-8" Planned Commercial District Regulations; 1003.155 "M-3" Planned Industrial District Regulations; 1003.157 "MXD" Mixed Use Development District Regulations; 1003.181 Conditional Use Permits; 1003.182 Commercial Service Procedures; 1003.187 Planned Environment Unit Procedure; 1003.189 Commercial-Industrial Designed Development Procedure; 1003.191 Landmark and Preservation Area Procedure. (Relative to additions to grading, building, etc. permits in certain districts.)

Planner II Joe Hanke noted the Department recommends this matter be held.

Commissioner Grant made a motion to hold this matter. The motion was seconded by Commissioner Yaffe **and passes by a voice vote of 7 to 0.**

- B. **P.Z. 18 & 19-93 Nooning Tree Partnership**; amendment to a Planned Environment Unit (PEU) in the “R-3” 10,000 square foot Residence District; south side of Olive Boulevard, east of the intersection of Appalachian Trail and Olive Boulevard.

Planner II Joe Hanke noted the Department recommends this matter be held.

Commissioner Grant made a motion to hold this matter. The motion was seconded by Commissioner Yaffe **and passes by a voice vote of 7 to 0.**

- C. **Comprehensive Plan Update**; proposed revisions concerning text relative to the Office Campus designation located on Wild Horse Creek Road.

Planner II Joe Hanke summarized the Department’s memorandum on this matter and gave a slide presentation of an office campus development located in St. Joseph, Missouri, which he believes best represents the desired “Professional Office Campus Development” definition recommended by the sub-committee of the West Area Study Committee.

Planner II Joe Hanke asked whether or not Commissioners believe this is what the Planning Commission envisions if there is an assemblage of several properties along Wild Horse Creek Road.

Planning Commission Input:

- Commissioners McCarthy, Grant, Yaffe, Bly, Dalton, Kenney, Casey, Mayor Leonard, and Councilmember Streeter all concurred that the type of office campus depicted on the slides would be desirable for the Professional Office Campus Development designation.
- Councilmember Streeter asked the Commission to bring formal recommendations to the P&Z Committee and Council.

Planner II Joe Hanke asked if the Commission would like to further define “low-rise” by establishing the number of stories or height of buildings.

- Commission directed that Professional Office Campus should be developed in a manner which is residential in architectural character with the common theme.

Planner II Joe Hanke asked if the Commission wishes to amend the suggested nine (9) design criteria items to include definition of low-rise, whether parking structures are something that the Commission wants to encourage, and whether the Commission wants to suggest the location of accessory parking. Staff is requesting whether the Commission wishes to integrate these comments into the loosely knit design criteria established/recommended by the Committee.

Items suggested by Commissioners:

- Maximum height would be thirty-five (35) feet.
- Accessory parking locations to be determined.
- Department will change the wording in the policy statement paragraph so that it reiterates the notion of the residential character.

Planner II Joe Hanke suggested the wording be as follows:

“Low-rise appearance development residential in character adjacent to the area where the dominant land use is residential or non-commercial/institutional.”

Planner II Joe Hanke noted these issues will be brought back to the Commission in its report for the June 24, 1996 meeting for review and approval. He noted the Department may include a statement indicating that low-rise is to be inferred as being synonymous with residential zoning classifications, wherein the typical height is thirty-five (35) feet.

Planner II Joe Hanke noted this will be incorporated into the Comprehensive Plan (i.e., the policy paragraph, and loosely knit criteria for the actual development); however, there is no zoning classification for any of these properties.

Commissioner Grant moved to hold this matter until the next meeting. The motion was seconded by Commissioner McCarthy and **passes by a vote of 7 to 0.**

- D. **P.Z. 14-96 Greater Missouri Builders Inc., (Clarkson Grove III)**; "NU" Non-Urban District to "R-6A" Residence District; west side of Clarkson Road approximately 300 feet west of the intersection of Lea Oak Court and Lea Oak Drive.

and

- E. **P.Z. 15-96 Greater Missouri Builders Inc., (Clarkson Grove III)**; Planned Environment Unit (PEU) Procedure in the "R-6A" Residence District; west side of Clarkson Road approximately 300 feet west of the intersection of Lea Oak Court and Lea Oak Drive.

Planner II Joe Hanke read the issues being evaluated by the Department, adding the issue of the impact of construction traffic on the streets, recommended this matter be held until the June 24, 1996 Planning Commission Meeting, and asked the Commission for additional comments.

A motion to hold this matter was made by Commissioner Bly, seconded by Commissioner Grant and passes by a voice vote of 7 to 0.

Chairman Casey recognized Councilmember Larry Grosser, Ward II.

- F. P.C. 86-80 Murphy Company Mechanical Contractors and Engineers (Spirit 40 Park); request for an amendment to "M-3" Planned Industrial District Ordinance No. 13726; north side of Chesterfield Airport Road, west of Goddard Avenue.

Planner II Joe Hanke summarized the Department's recommendation of approval, subject to the specific provisions stated in its report.

A motion to approve the Department's recommendation was made by Commissioner McCarthy and was seconded by Commissioner Bly.

Upon a roll call the vote was as follows: Commissioner Bly, yes; Commissioner Dalton, yes; Commissioner Grant, yes; Commissioner Kenney, yes; Commissioner McCarthy, yes; Commissioner Yaffe, yes; Chairman Casey, yes.

The motion passes by a vote of 7 to 0.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. P.C. 103-75 New Four Seasons, Inc.; "C-8" Planned Commercial District Freestanding Business Sign; south side of Olive Boulevard (State Highway 340), west of Woods Mill Road (State Highway 141).

Chairman Casey, on behalf of the Site Plan Committee, made a motion for approval of the request. The motion was seconded by Commissioner Kenney and passes by a voice vote of 7 to 0.

- B. P.Z. 36-95 Leo B. Pellagrin, Jr. and Marilyn A. Henske (Sooner Investment Group - Taco Bell); "C-8" Planned Commercial District Site Development Plan, Landscape Plan and Architectural Elevations; south side of Olive Boulevard, west of Chesterfield Parkway North.

Chairman Casey, on behalf of the Site Plan Committee, made a motion for approval of the request. The motion was seconded by Commissioner Grant and passes by a voice vote of 6 to 0, with 1 abstention by Commissioner Dalton.

- C. **P.Z. 2 & 3-96 Premier Homes (Country Lake Estates)**; Planned Environment Unit (PEU) Procedure in the "R-1" One Acre Residence District and "FPR-1" Flood Plain One Acre Residence District Site Development Plan and Landscape Plan; western terminus of Countryside Manor Parkway.

A motion to hold this matter until the meeting of June 24, 1996, was made by Commissioner Grant, seconded by Commissioner Yaffe and **passes by a voice vote of 7 to 0.**

Planner II Joe Hanke noted the Department is currently working on some site plans which would not be ready for the June 24, 1996 meeting, but would be available for Planning Commission review and approval early in July. He noted the Department respectfully requests the Commission hold a Committee meeting on Monday, July 8, 1996, for the sole purpose of review and action on these site plans. There would be no additional business discussed at this meeting, but would need at least five (5) Commissioners present.

The following Commissioners stated they could attend the July 8, 1996 meeting: Commissioner McCarthy, Chairman Casey, and Commissioner Dalton. (Commissioner Bly will check his calendar and call the secretary to advise.) Chairman Casey stated we should check on the availability of Commissioner Broemmer, schedule the meeting and, hopefully, we will have five (5) Commissioners to attend.

Planner II Joe Hanke noted this is not setting a precedent, but has been done in past years.

Councilmember Streeter asked Staff if the Council's meeting schedule of one (1) per month has increased the work of the Department.

Planner II Joe Hanke noted, from the Staff's perspective, the pressure exerted to make a particular meeting is that much more, because the outgrowth of that is that you delay their process by one (1) month.

Chairman Casey noted that Councilmember Streeter might want to take that message back to the Council.

Councilmember Streeter suggested the Commission might want to pass a resolution asking the Council to meet more often.

Chairman Casey stated he believes there should be a sufficient number of Commissioners available for July 8, 1996, and the Department will send out a packet in the normal time frame.

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**

Planner II Joe Hanke, noted the Department, in conjunction with the City Attorney, has been reviewing the issue of cellular tower facilities. The Department believes that in order to properly evaluate a cellular tower proposal, the Comprehensive Plan needs to speak to the issue similar to the method whereby we made policy statements regarding advertising signs along Highway 40 in Chesterfield Valley. Therefore, the Department would recommend convening the Comprehensive Plan Committee to formulate policy statements with regard to the appropriateness of cellular towers as they relate to specific locations, generalized height requirements, etc. Our Comprehensive does not speak to the issue of cellular towers, and the Zoning Ordinance is somewhat moot on the issue.

Chairman Casey asked Commissioner Bly to schedule a meeting to address this issue.

Commissioner Bly agreed to schedule a meeting.

City Attorney Beach noted it is a massive educational process we need to go through, and our regulations are woeful and we really need to become technologically up-to-speed. It appears the major way to have some input is through land use, and will be dealt with through the zoning process. We need to have this completed within the next six (6) months, in case the City desires to do a moratorium. Time is of the essence.

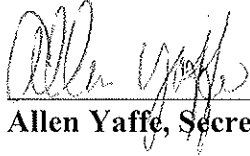
Chairman Casey noted, with the exception of Commissioner Broemmer who is not in attendance tonight, the remaining members of the Comprehensive Plan Committee - Commissioner Bly, Grant, Kenney and himself, could meet shortly after the meeting tonight and come up with some dates.

- E. **Procedures and Planning Committee** - No Report
- F. **Appointment of Nominating Committee**

Chairman Casey appointed the following Commissioners to meet and bring back nominations at the June 24, 1996 meeting: In addition to himself - Commissioner Grant, Commissioner McCarthy and Commissioner Kenney. The Committee will meet prior to the next Planning Commission meeting.

A motion to adjourn was made by Commissioner McCarthy, seconded by Commissioner Kenney and passes by a voice vote of 7 to 0.

The meeting adjourned at 9:00 p.m.

A handwritten signature in cursive script, appearing to read "Allen Yaffe", is written over a horizontal line.

Allen Yaffe, Secretary

[MIN6-10.096]