

V



PLANNING COMMISSION  
OF THE CITY OF CHESTERFIELD  
AT CHESTERFIELD CITY HALL  
JUNE 10, 1991

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

PRESENT

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

ABSENT

- Mr. Jamie Cannon

INVOCATION:     The Reverend Joseph Pins, Ascension Roman Catholic Church

PLEDGE OF ALLEGIANCE - All

## PUBLIC HEARINGS

- A. P.Z. 14-91 Gerald Tuma; a request for a Commercial Service Procedure in the "NU" Non-Urban District for a 1.2 acre tract of land located on the north side of Wild Horse Creek Road, approximately 400 feet west of Long Road [Locator Number 18U410040]. Request use: Dental Services.

Mr. John King, Attorney for the petitioner, requested the petition be withdrawn without prejudice, to allow more time to discuss Deed restrictions.

A motion to withdraw without prejudice was made by Commissioner Domahidy and seconded by Commissioner Kirchoff. The motion passed by a voice vote of 8 to 0.

## APPROVAL OF THE MINUTES

The Minutes were approved from May 29, 1991, with revision to page 16.

## COMMITTEE REPORTS

- A. Ordinance Review Committee - No Report.  
B. Architectural Review Committee - No Report.  
C. Site Plan/Landscape Committee

Chairman Kirchoff stated the Committee wishes to establish a Landscape Maintenance Bond as a standard requirement in recommended Planning Commission conditions.

Chairman Kirchoff made a motion that the Department of Planning/Economic Development recommend a Landscape Maintenance Bond, to be in effect for a period of two (2) years, as a standard condition for all non-residential, attached single-family and multi-family development, and other development, as deemed necessary by the Planning Commission. The motion was seconded by Commissioner Scruggs.

## COMMENTS/DISCUSSION BY COMMISSION

- Clarification of the time period of two (2) years.

Commissioner Dalton made an amendment to the motion to require a time period of four (4) years. The motion was seconded by Commissioner Brown.

COMMENTS/DISCUSSION BY COMMISSION

- Director Duepner stated that he recommended the two (2) year period based upon his opinion that this time allowed for the maturing of the landscape materials. The Department would place the property on a calendar to inspect whether the materials are in place. He further stated that, before the Installation Bond is released, the landscape material would have been installed and inspected [to indicate that the materials are healthy and living], then the Landscape Maintenance Bond would be established. The clock would start when the Landscape Maintenance Bond is established.
- If the time period was changed to four (4) years, and something was planted and died soon thereafter, it may be four years before a replacement could be required.
- Concern that replacement material would not be the same standard as that being replaced, both in type and caliper.
- Director Duepner suggested that, if the Commission desires, the Department staff would review this matter further with the City Attorney, and perform additional research in terms of what is a reasonable time period and a reasonable method of approaching same. The two (2) year Landscape Bond was suggested as something the Director was familiar with, as it has been used in the past by St. Louis County. This Landscape Maintenance Bond could be a foundation to work from.

Commissioner Dalton withdrew his motion to amend the original motion. Commissioner Brown withdrew her second to the amendment.

COMMENTS/DISCUSSION BY COMMISSION

- If this posting of a two (2) year Landscape Maintenance Bond procedure is adopted, it will become a standard condition in any conditions that the Planning Commission recommends to the City Council.
- The Bond, as proposed, would be a two (2) year Landscape Maintenance Bond. It would be a partial Bond based on the percentage of the total cost of the landscape material. At the end of the two (2) year period for the Landscape Maintenance Bond, any materials on the original plan which either are not in place or have been removed, or died, will have to be replaced with

a size and type comparable to that approved on the plan, before the Maintenance Bond would be released.

The original motion to approve the two (2) year Maintenance Bond passed by a voice vote of 8 to 0.

**D. Comprehensive Plan Committee/Chesterfield Valley Study**

Chairman Mary Domahidy reported that the Chesterfield Valley Study Committee will meet this week on Wednesday and Thursday to interview consultants for the Chesterfield Valley Study.

Chairman McGuinness stated that the Planning and Economic Development Committee of Council had requested further definition of the term "Office Campus."

**E. Procedures Committee**

Chairman Scruggs made a motion to make the following changes to the By-Laws of the City of Chesterfield Planning Commission.

**1. Article II, Section 4, Paragraph (d):**

Strike out the second sentence beginning with "Due notice."

**2. Article III, Section 1:**

Revise paragraph to state: "A nominating committee of not less than three (3) Commissioners shall be appointed by the serving Chairman of the Planning Commission in May of each year to nominate officers of the Planning Commission for the following year. The Committee shall report to the full Commission at the Meeting of the Planning Commission in June, and the election of officers shall occur at that meeting at which time nominations from the floor shall be entertained. The new officers, when duly elected, shall hold office for one (1) year and until their successors shall take office."

**3. Article III, Section 2:**

To change the wording of the phrase "at his discretion" to "at the discretion of the Chairman."

4. Article IV:

Title should be changed to read: "ARTICLE IV - MEETINGS"

5. Article IV, Section 1:

Changed to read: " A meeting of the Planning Commission shall be held on the second and fourth Monday of each month at 7:00 p.m., in the City Council Chambers, unless otherwise specified by the Chairman."

6. Article IV, Section 4:

Add a sentence stating: "In the event of a minimum minority vote of three (3), any member of the minority may request that a minority report be issued."

7. Article IV, Section 7:

The order of business at Meetings shall be:

- a. Public Hearing;
- b. Approval of minutes of previous meetings and hearings;
- c. Old Business;
- d. New Business;
- e. Site Plans, Building Elevations, and Signs;
- f. Reports of officers and committees;
- g. Adjournment.

8. Article V, Section 1:

The first sentence changed to read: "Public Hearing shall be held at the beginning of each meeting, as necessary by Ordinance. "

9. Article V, Section 4, Paragraph (a):

Change to read: "The number of hearings shall not exceed two (2) petitions per agenda, unless related petitions are presented and heard together at which time there may be four (4) petitions per agenda."

10. Article VI. Section 1. Paragraph (c):

Delete this paragraph, and add paragraph to read: "Site Plan/Landscape Committee: This committee shall have primary responsibility for reviewing, advising and directing the Department of Planning Staff regarding site plans and landscaping."

11. Article VII. Section 3:

Revised to state: "The Director of Planning and/or City Attorney shall provide parliamentary assistance on the conduct of business as requested by the Chairman of the Commission."

The motion was seconded by Commissioner Domahidy. A show of hands indicated 8 in favor and 0 opposed. The motion passed by a vote of 8 to 0.

Report of the Nominating Committee of the Planning Commission:

Chairman McGuinness stated that the meeting was attended by Commissioners McGuinness, Brown, Domahidy, Kirchoff, O'Brien, Scruggs, Sherman and Dalton. Council Liaison Betty Hathaway and City Attorney Doug Beach also attended. The Nominating Committee has recommended for the Planning Commission's approval:

Dr. Mary Domahidy as Chairman of the Commission  
Ms. Mary Brown as Vice-Chairman of the Commission  
Mr. Walter Scruggs as Secretary of the Commission

Chairman McGuinness made the motion to approve the nominations. The motion was seconded by Commissioner Sherman.

Chairman McGuinness asked again, according to Robert's Rules, if there were any further nominations. There were none.

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

THE NEW OFFICERS TOOK THEIR POSTS.

Chairman Domahidy stated the By-Laws were changed this evening, but the order of business would not be altered for this evening's meeting. She thanked Barbara McGuinness for her service to the Commission, and the Commission Members gave Barbara McGuinness an ovation.

C O BUSINESS - None

### 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 the Department is still awaiting a revised site plan addressing concerns, and recommends this item be held until such time as a revised plan has been submitted.

A motion to hold this matter was made by Commissioner McGuinness and seconded by Commissioner Scruggs.

### DISCUSSION/CONCERNS OF COMMISSION

- Concern was expressed over how long the petitioner has to submit the revised site plan.

Director Duepner stated that it could be as long as he wishes, unless the Planning Commission would set a deadline. If a revised plan was not received by the prescribed time period, the Commission would take up action on this petition as presented.

- The consultant for the petitioner has indicated verbally that they would respond back with a plan.

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

- B. P.Z. 11-91 Hufton Construction Company; a change of zoning from "C-8" Planned Commercial District to "R-2" 15,000 square foot Residence District; south side of Ladue Road, east of Green Trails Drive South.

Planning Specialist Joe Hanke presented the request and the Department's recommendation of approval as stated in the report.

A motion to approve the Department's recommendation was made by Commissioner McGuinness and seconded by Commissioner O'Brien.

#### COMMENTS/DISCUSSION BY COMMISSION

- Concern over retention of trees at rear of property.
- There are no conditions attached to this petition; however the Department will review the preliminary plat with respect to sidewalks. Sidewalks fronting Ladue Road are already in place and will remain except for one curb cut.
- The possibility of changing the cut in the median to match that of the church across Ladue Road.
- This request will be brought before the Commission for a preliminary plat and a record plat; but there would not be a site development plan, as such.
- Additional landscaping was requested due to the location of the site adjacent to existing commercial development.
- The existing trees will be discussed at the time of review of the Record Plat by the Departments of Public Works and Planning/Economic Development. The Record Plat will come before the Commission for approval.
- The preliminary plan indicated that the detention area would be in the extreme southeastern corner of the site. Access would be via a twenty (20) foot wide common ground strip.

Upon a roll call the vote was as follows: Commissioner Brown, yes; Commissioner Dalton, yes; Chairman Domahidy, yes; Commissioner Kirchoff, yes; Commissioner, yes; Commissioner Scruggs, yes; Commissioner Sherman, no; Commissioner McGuinness, yes. The motion passed by a vote of 7 to 1.

- C. 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.

Commissioner Sherman left the meeting at this time due to a possible conflict of interest.

Director Duepner stated the issues being reviewed by the Department, and the Department's recommendation to hold this matter until its meeting of June 24th.

A motion to hold the item was made by Commissioner O'Brien and seconded by Commissioner Brown.

#### COMMENTS/DISCUSSION BY COMMISSION

- The Department was instructed to ask the petitioner to give consideration to making improvements along White Road.
- Standard detention requirements would be applied on the site, as determined at the time of site plan review by the City of Chesterfield Public Works Department.
- The St. Louis County Highway Department is willing to discuss and consider alternative proposals regarding access to this property, but they have the final word. The approval of any curb cut may be subject to any road improvements, etc., which occur within their right-of-way.
- Access to the properties to the east is being reviewed by the Planning Department, Public Works Department, County Highway Department, and the petitioner. It is believed there may be a solution to address this issue that might be acceptable to the County Highway Department and, possibly, the petitioner
- The County Highway Department, at present, requires the Day School to dedicate the right-of-way for a future roadway. The School would not have to build the roadway. The roadway would be built at some future date when the adjacent parcels are subdivided, and it would be the responsibility of all adjoining property owners to complete the road connection. The existing private road would continue until such time as a public road was developed in that area.

- Mayor Leonard inquired of the possibility of contacting the County to dedicate White Road to the City. The advantage or disadvantage of the County proceeding with the proposed arterial highway was questioned. The County's intentions are not known at this time.
- A ten (10) foot strip between the petitioned tract and the Chesterfield Day School belongs to the property owner [Dr. Spencer] living to the rear of the site for which the Conditional Use Permit is sought. This resulted from the County Water Company's requirement that water lines not cross another property owner's property. The water line has to be on the owner's property, thus Mr. Spencer had to acquire this strip to connect to a County water main.
- The School will have to negotiate with Dr. Spencer for this strip of land. It could be considered an easement by MSD.
- Concern whether the City should impose a limitation on the number of students.

The motion was approved by a voice vote of 7 to 0, and one not voting.

Commissioner Sherman returned to the meeting at this time.

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

- A. P.C. 36-88 Barnes Continuing Care; MXD Architectural Elevations; south side of Olive Boulevard, west of Appalachian Trail Drive.

Director Duepner presented the elevations for Commission review.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the elevations in concert with the Department's recommendation, to include the color being the suggested color to match the color of the roof shingles. The motion was seconded by Commissioner Brown and passed by a voice vote of 8 to 0.

- B. Cookshire Subdivision; Resubdivision Record Plat; north side of Conway Road, at Cookshire Drive.

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

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the request in concert with the Department's recommendation. The motion was seconded by Commissioner Scruggs and passed by a voice vote of 8 to 0.

- C. P.C. 85-86 Gene Mainini; "M-3" Planned Industrial District Amended Site Development and Landscape Plan; southwest corner of Chesterfield Airport and Long Roads.

Director Duepner presented the request and the Department's recommendation of approval of the amended site development plan and the revised landscape plan, subject to the provision of eighteen (18) additional shrubs and a note indicating total floor area.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the Department's recommendation subject to the following modifications:

1. Addition of two (2) trees along the north border which fronts on Chesterfield Airport Road (locations have been given to Director Duepner).
2. These trees are to maintain a mature height of between thirty-five (35) to forty (40) feet, and be some type of Ash, Hard Maple, and/or Sweet Gum.
3. The same restraints, with regard to species, be applied to the tree added to the southern portion of the property in the island.
4. A two (2) year Landscape Maintenance Bond is to be established.

The motion was seconded by Commissioner Sherman and passed by a voice vote of 8 to 0.

- D. P.C. 240-87 Charles Moeslein [The Hair Studio]; "C-8" Planned Commercial District Site Development Plan and Architectural Elevations; east side of Long Road, south of Chesterfield Airport Road.

Director Duepner presented the plan and elevations, and the Department's recommendation of approval of the site development plan, and submitted the architectural elevations of the existing structure for Commission review.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the Department's recommendation subject to the following modification:

1. The three (3) junipers in line depicted in front of the northwest corner of the structure be deleted in favor of an ornamental tree of some kind, the species to be negotiated by the Department of Planning, (e.g., Bradford Pear, Aristocrat Pear, Locust, etc.). The motion was seconded by Commissioner Sherman and passed by a voice vote of 8 to 0.

- E. P.Z. 26-89 Midland Properties and Capitol Land [Chesterfield Crossing]; "C-8" Planned Commercial District Amended Landscape Plan; west side of Clarkson Road, north of Lea Oak Drive.

Planning Specialist Hanke submitted the plan and the Department's recommendation of approval of the landscape plan.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the Department's recommendation subject to the following modification:

1. The existing Kids 'R' Us Sign fronting on Clarkson Road be provided with shrubbery of some species around the base, to be negotiated by the Planning Department and the petitioner; however, that proposal may be delayed until December 1st to give the petitioner time to submit a proposal for a change in that sign. If nothing is submitted by December 1st, the shrubbery will be due to be established at the base of the sign.
2. Establish a two (2) year Landscape Maintenance Bond for landscaping.

### COMMENTS/DISCUSSION BY COMMISSION

- Concern was expressed over the appearance of the existing sign, and the possibility of a brick planter in front of the sign.
- A desire that shrubbery be planted between the legs of the sign to improve sign appearance.

The motion passed by a voice vote of 7 to 1, with Commissioner McGuinness voting no.

F. Crown Industrial Park - Plat 6; Subdivision Record Plat; east side of Crown Industrial Court, south of Eads Avenue.

Planning Specialist Hanke presented the Subdivision Record Plat and the Department's recommendation of approval.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the request in concert with the Department's recommendation. The motion was seconded by Commissioner Scruggs and passed by a voice vote of 8 to 0.

Chairman Domahidy expressed appreciation to the new transition team, and stated that she hoped to meet soon with Commissioner McGuinness on the transition aspects.

Commissioner Kirchoff made a motion to reconsider P.C. 240-87 Charles Moeslein discussed earlier. The motion was seconded by Commissioner McGuinness.

Upon a roll call the vote was as follows: Commissioner Brown, yes; Commissioner Dalton, yes; Commissioner Kirchoff, yes; Commissioner O'Brien, yes; Commissioner Scruggs, yes; Commissioner Sherman, yes; Commissioner McGuinness, yes; Chairman Domahidy, yes.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the Department's recommendation subject to addition of the following conditions:

1. The three junipers depicted to the front of the northwest corner of the existing structure be deleted and replaced with a single deciduous tree, probably of an ornamental nature, species to be determined in negotiation between the Planning Department and petitioner (e.g., Bradford Pear, Locust, etc.).
2. A two (2) year Landscape Maintenance Bond be established with respect to this project.

The motion was seconded by Commissioner McGuinness and passed by a voice vote of 8 to 0.

A motion to adjourn the meeting was made by Commissioner Scruggs and seconded by Commissioner Dalton. The motion passed by a voice vote of 8 to 0.

The meeting adjourned at 8:20 P.M.

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Walter Scruggs, Secretary

[MIN6-10]