PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
May 28, 2003

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

I. PRESENT

Mr. David Banks
Mr. Fred Broemmer
Mr. Dan Layton, Jr.
Ms. Stephanie Macaluso
Dr. Lynn O'Connor
Mr. Jerry Right
Chairman Victoria Sherman
Mr. Rob Heggie, Acting City Attorney
Mayor John Nations
Ms. Mary Brown, Council Liaison
Ms. Teresa Price, Director of Planning
Mr. David Bookless, Project Planner
Mr. Mike Hurlbert, Project Planner
Ms. Kathy Lone, Planning Assistant

ABSENT

Ms. Rachel Nolen
Mr. B. G. Wardlaw

II. INVOCATION: Commissioner Broemmer

III. PLEDGE OF ALLEGIANCE:

Chairman Sherman recognized the attendance of Mayor John Nations, Councilmember Jane Durrell (Ward I); Councilmember Bruce Geiger (Ward II); Councilmember Dan Hurt (Ward III); Councilmember Connie Fults (Ward IV), and Council Liaison Mary Brown (Ward IV).

IV. PUBLIC HEARINGS:

Commissioner Banks read the first portion of the 'Opening Comments.'

A. **P.Z. 25-2002 Wood Glen (Burnley):** A request for a change in zoning from an "R-3" Residential District to an "R-5" Residential District for 1.256-acre tract of land located on Woods Mill Road (Locator Number 16Q-31-0021).

and

B. **P.Z. 26-2002 Wood Glen (Burnley):** A request for a Planned Environment Unit in an "R-5" Residential District for 1.256-acre tract of land located on Woods Mill Road (Locator Number 16Q-31-0021).

Proposed Uses: Dwellings, single-family attached.

Project Planner David Bookless gave a power point presentation of the subject site and surrounding area.

1. Mr. Larry Wurm, James Engineering and Surveying Company, 10811 Big Bend Boulevard, Kirkwood, MO 63122, engineer for **P.Z. 25-2002 Wood Glen (Burnley)** and **P.Z. 26-2002 Wood Glen (Burnley)**, stated the following:

    - Proposal is for four (4), 2-family dwellings for a total of eight (8) units;
    - Proposed units would face a new, private north/south driveway;
    - Units would have front entry basement garages;
    - Structures would be 2-story condominiums;
    - Units would be approximately 2,200 square feet on two (2) floors;
    - The basements could be finished;
    - Surrounding existing development zoning: north is commercial/recreational usage, south is a child care center, west side of Woods Mill Road is family apartment buildings and condominiums to the east;
    - The petitioner is proposing eight (8) units to mimic the density that adjoins this site;
    - The green space ratio will be approximately 50%;
    - Minimum amount of grading will be done on the south side of the site to preserve the drainage channel and existing foliage;
    - On the west side of the site, landscaping would be done to block out as much of Woods Mill Road as possible.

Commissioner Broemmer expressed concern with garages under a living space due to fire hazard.

2. Ms. Sue Burnley, 1000 North Woods Mill Road, Chesterfield, MO 63017, a petitioner for **P.Z. 25-2002 Wood Glen (Burnley)** and **P.Z. 26-2002 Wood Glen (Burnley)**, stated the following:

- Gave a power point presentation showing similar developments in Chesterfield and Clayton;
- This proposal integrates well with the surrounding neighborhoods;
- Represents the highest and best use of the land;
- Increases property values for the neighborhood;
- Fits into the City's Conceptual Land Use Plan.

SPEAKERS IN FAVOR –

1. Mr. Gordon Lindenblad, 13484 Forest Lac Drive, St. Louis, MO 63141, speaking in favor of **P.Z. 25-2002 Wood Glen (Burnley)** and **P.Z. 26-2002 Wood Glen (Burnley)**;

- Speaker stated that he is in favor of this proposal;
- Speaker stated that it would be attractive and bring the use of the property to its highest use;
- Speaker stated that there would not be any significant increase in traffic in the proposed area;
- Speaker stated that the petitioners would provide a magnificent berm along Woods Mill Road to block out the noise.

SPEAKERS IN OPPOSITION –

1. Mr. Allan Sheppard, 826 Judson Manor Drive, Chesterfield, MO 63141, Trustee for Judson Manor Subdivision, speaking in opposition to **P.Z. 25-2002 Wood Glen (Burnley)** and **P.Z. 26-2002 Wood Glen (Burnley)**;

- Speaker stated that he is not in favor of this proposal;
- Speaker stated that there is too much traffic on Woods Mill Road and that homes are being crammed into small areas.

2. Mr. William Engel, 815 Amolac, St. Louis, MO 63141, speaking in opposition to **P.Z. 25-2002 Wood Glen (Burnley)** and **P.Z. 26-2002 Wood Glen (Burnley)**;

- Speaker stated that too many dwellings are being proposed for this site;
- Speaker expressed concern about siltation, the water shed and traffic;
- Speaker stated that this proposal is not good for the community and will hurt property values.

3. Ms. Max Balcom, 13420 Forest Lac Drive, Chesterfield, MO 63141, speaking in opposition to **P.Z. 25-2002 Wood Glen (Burnley)** and **P.Z. 26-2002 Wood Glen (Burnley)**;

- Speaker stated that she is concerned with the traffic until the road is updated;

- Speaker asked who would be responsible for the street maintenance for these proposed dwellings.

SPEAKERS – NEUTRAL – None

REBUTTAL:

Mr. Jim Burnley, 1000 North Woodsmill, Chesterfield, MO 63017, a petitioner for **P.Z. 25-2002 Wood Glen (Burnley)** and **P.Z. 26-2002 Wood Glen (Burnley)**, stated the following:

- His present home on the site has an underground garage;
- This site is not suitable for luxury homes;
- Dwellings would be approximately 2,000 to 2,200 square feet each;
- The additional cars from this development would have a very minimal effect on the current traffic congestion on Woods Mill Road.

Commissioner Macaluso expressed concern with the driveways and the green space ratio and also a minimum and maximum square footage for each unit.

Mr. Bookless stated that following issues would be reviewed and addressed:

- Clarification on the size of the units;
- Garage placement and fire safety;
- Clarification of what building materials will be used;
- Traffic – the number of cars, trips generated and possibility of adding a signal to the intersection;
- Comprehensive Plan designation;
- Number of units permitted per the requested zoning;
- Maintenance of the private road;
- Siltation and construction debris;
- Possibility of luxury homes versus single-family attached;
- Trees and the creek in a park-like setting;
- Name of the subdivision;
- Additional traffic concerns relative to the 141 extension;
- Lack of a turn-around on the street;
- Amount of pavement in front of the individual units and the possibility of reducing the number of driveways;
- Stormwater detention;
- The BOCA National Building Code and safety;
- Status of Forest Lac Drive and whether it is private;
- More detailed plan showing the density of the surrounding developments;

- Whether the neighboring residents have been contacted;
- Square footage of the surrounding condominiums;
- A plan showing the surrounding land and across the street – showing curb cuts, traffic, etc. and how this proposal would fit in.

Commissioner Banks read the closing portion of the 'Opening Comments.'

V. APPROVAL OF MEETING MINUTES

Commissioner Right made a motion to approve the May 12, 2003 Meeting Minutes. The motion was seconded by Commissioner Banks **and passes by a voice vote of 7 to 0.**

VI. PUBLIC COMMENT -

Chairman Sherman stated that the petitioner for **P.Z. 3-2003 - Montgomery First National Bank** has asked that this petition be held.

1. Mr. Joel Montgomery, 20 Allen Avenue, St. Louis, MO 63122, petitioner for **P.Z. 3-2003 - Montgomery First National Bank**;

   - Speaker stated that since he is requesting that his petition be held, he was present to answer questions.

2. Mr. Marty Henson, 20 Allen Avenue, St. Louis, MO 63122, engineer for **P.Z. 3-2003 - Montgomery First National Bank**;

   - Speaker stated that he was present to answer questions.

3. Mr. Bill Bird, 144 Ridgecrest Drive, Chesterfield, MO 63017, President of the River Bend Association, speaking in favor of **P.Z. 3-2003 - Montgomery First National Bank;**

   - Speaker stated that the residents support this petition as proposed;
   - Speaker stated that the residents want Deed Restrictions so that the bank and park would remain as is;
   - Speaker asked if the City would have a problem with the bank or park proposal.

4. Mr. Stephen Kling, Jr., 10 South Brentwood Boulevard, Clayton, MO 63105, attorney for some neighboring residents and speaking in opposition of **P.Z. 3-2003 - Montgomery First National Bank;**

- Speaker stated that he has received a letter from City Attorney Doug Beach stated that the City Council was not inclined to have a Deed Restriction on the park property;
- Speaker stated that the letter from Mr. Beach stated that some of the assurances could be put in the Ordinance;
- Speaker asked for a reconsideration of the Deed Restriction issue.

Commissioner Layton stated that he was excusing himself from the dais and would not participate in any discussions or votes on **P.Z. 29-2002 The Bluffs at Appaloosa Way**.

5. Mr. Mike Doster, 17107 Chesterfield Airport Road, Chesterfield, MO 63005, attorney for and speaking in favor of **P.Z. 29-2002 The Bluffs at Appaloosa Way**;

- Speaker stated that the three (3) conditions listed in the vote report are acceptable to the petitioner;
- Speaker stated that a possible fourth (4^{th}) condition dealing with the meandering of the sidewalk along Wild Horse Creek Road is acceptable but would request flexibility in the language for the meandering of the sidewalk;
- Speaker stated that he is requesting that this petition be held and placed on the agenda for a full vote of the Planning Commission at the June 9, 2003 meeting;
- Speaker stated that this would give him an opportunity to meet with the attorney (Mr. Stephen Kling) representing the Shearn's and Reuther's to resolve issues.

Commissioner Macaluso asked the petitioner to submit wording for the agreement regarding meandering sidewalks.

Mr. Doster stated that he would submit wording to City Attorney Doug Beach.

6. Mr. Barry Simon, Simon Development, 1215 Fern Ridge, St. Louis, MO 63141, petitioner for and speaking in favor of **P.Z. 29-2002 The Bluffs at Appaloosa Way**;

- Speaker stated that he was present to answer questions.

7. Mr. Rich Halsey, Hall & Halsey Associates, Inc., 424 S. Clay, St. Charles, MO 63122, architect for **P.Z. 29-2002 The Bluffs at Appaloosa Way**;

- Speaker stated that he was present to answer questions.

8. Mr. Stephen Kling, Jr., 10 South Brentwood Boulevard, Clayton, MO 63105, attorney for the Shearn's and Reuther's and speaking in opposition of **P.Z. 29-2002 The Bluffs at Appaloosa Way;**

- Speaker stated that he is concerned with the destruction of a subdivision;
- Speaker stated that on a public road, the easement cannot be relocated without the consent of all users;
- Speaker stated that his clients request that this petition be denied by the Planning Commission;
- Speaker stated that approval of this petition would be setting a bad precedent;
- Speaker stated that this proposal should be rezoned to something more consistent with the current use and when the entire subdivision is ready for redevelopment;
- Speaker stated that he has not had an opportunity to research the history.

9. Ms. Patty Shearn, 210 Hi Pointe Road, Chesterfield, MO 63005, speaking in opposition to **P.Z. 29-2002 The Bluffs at Appaloosa Way**;

- Speaker declined to speak.

10. Ms. Kerry Feld, 10 South Brentwood, St. Louis, MO 63105, speaking in opposition to **P.Z. 29-2002 The Bluffs at Appaloosa Way**;

- Speaker declined to speak.

11. Mr. Brett Hardesty, 232 Chesterfield Industrial Boulevard, Chesterfield, MO 63005, petitioner and speaking in favor of **P.Z. 07-2003 Spirit Plaza LLC.**;

- Speaker stated that the rear of the site has been sold so a new access is necessary for the rest of the site. The front entrance was originally approved by St. Louis County.

12. Mr. Ed Holthaus, One Andre Drive, St. Louis, MO 63131, petitioner and speaking in favor of **P.Z. 07-2003 Spirit Plaza LLC.**;

- Speaker stated that one of the original requirements suggested by St. Louis County Department of Highways and Traffic was to dedicate property for an additional southbound lane on Chesterfield Industrial Boulevard and to construct that lane (dedicated left turn lane). Mr. Rich Beckman, of the County, stated that the additional lane was not necessary until the intersection was signalized. The intersection will not be signalized until the property on the north side of Chesterfield Airport Road is developed (Lipton property). Mr. Beckman had stated that he would support the dedicating of the property for widening the road but not doing the widening until the intersection is signalized;
- Speaker stated that the County also is requesting a right-turn lane, eastbound, on Chesterfield Airport Road onto Chesterfield Industrial Boulevard. Speaker stated that he is in favor of this and will agree to it and the sidewalks;
- Speaker stated that the curb cut was originally approved by the City of Chesterfield and County.

Commissioner Layton returned to the dais.

Chairman Sherman stated that the Commission would deviate from the agenda format and vote on the following:

A. **P.Z. 3-2003 - Montgomery First National Bank**: a request for a change of zoning from an R-2 Residential District to a "PC" Planned Commercial District for a 1.38 acre tract of land located on the north side of Olive Boulevard, west of River Valley Drive. (Locator Number 16Q230334)

Commissioner Broemmer made a motion to hold **P.Z. 3-2003 - Montgomery First National Bank**. The motion was seconded by Commissioner Banks **and passes by a voice vote of 7 to 0.**

B. **P.Z. 29-2002 The Bluffs at Appaloosa Way:** A request for a change of zoning from a "NU" Non-Urban District to a "E-3" Residence District for a 13.5 acre tract of land located north of Wildhorse Creek Road, to the west of the "Appaloosa Way" subdivision (Locator Numbers 18T-42-0194, 18T-42-0161, 18T-44-0059, 18T-44-0015, 18T-42-0039).

Commissioner Broemmer made a motion to hold **P.Z. 29-2002 The Bluffs at Appaloosa Way**. The motion was seconded by Commissioner Macaluso **and passes by a voice vote of 6-0-1.** (Commissioner Layton abstained from voting.)

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

A. **One Chesterfield Place (Opus Northwest):** Sign package for a "PC" Planned Commercial Development located on North Outer Forty Road, east of Chesterfield Parkway East.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Sign Package for **One Chesterfield Place (Opus Northwest)** including the Architectural Review Board's (ARB) recommendations which were: 1. The landscaping for the monument sign should be compatible with the overall landscaping plan for the site, and 2. The attached sign for the building should be attached in such a way that the letters on the sign stay within the limits of the windows. The motion was seconded by Commissioner Layton **and passes by a voice vote of 7 to 0.**

B. **Chesterfield Commons East, Outlot 2**: Site Development Section Plan, Landscape Plan and Architectural Elevations for a retail building on Outlot 2 of the Chesterfield Commons East development zoned "PC" Planned Commercial District located south of Chesterfield Airport Road and east of Chesterfield Commons East Drive.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Section Plan, Landscape Plan and Architectural Elevations for **Chesterfield Commons East, Outlot 2**. The motion was seconded by Commissioner Layton **and passes by a voice vote of 7 to 0.**

VIII. OLD BUSINESS -

A. **P.Z. 07-2003 Spirit Plaza LLC**: A request to amend City of Chesterfield Ordinance 1382 for Lot 2 Chesterfield Industrial Park zoned "PI" Planned Industrial district located at the intersection of Chesterfield Airport Road and Chesterfield Industrial Boulevard.

The requested amendment is to allow the following permitted uses:

(b) Animal hospitals, veterinary clinics, and kennels,
(j) Business, professional, and technical training schools,
(k) Business service establishments,
(q) Financial institutions,
(gg) Medical and dental offices,
(ii) Offices or office buildings,
(mm) Plumbing, electrical, air-conditioning and heating equipment sales, warehouse and repair facilities,
(oo) Printing and duplicating services,
(uu) Research facilities, professional and scientific laboratories including photographic processing laboratories used in conjunction therewith,
(vv) Restaurants, fast food,
(ww) Restaurants, sit down,
(iii) Stores, shops, markets, service facilities and automatic vending machines in which goods or services of any kind, including indoor sale of motor vehicles, are offered for sale or hire to the general public on the premises.

The following uses listed above are further restricted:

(q) Financial institutions, not including drive-thru facilities,
(vv) Restaurants, fast food except those which provide drive-thru service,
(ww) Restaurants, sit-down except those which provide drive-thru service.

The following uses listed above are excluded:

(b) Animal hospitals and kennels,
(ii) Office buildings,
(mm) Warehouse facilities,
(uu) Research facilities, professional and scientific laboratories,

(iii) Indoor sale of motor vehicles.

Project Planner Mike Hurlbert asked the Commission if they had additional issues to be reviewed and addressed.

Mr. Hurlbert stated that Ordinance #1382 was approved in 1998 with the curb cut. Since this is an Ordinance Amendment for #1382 and agency comments are necessary, the County has changed its mind to allow the curb cut.

Chairman Sherman requested a map of the site to visually see the proposal.

Commissioner Banks asked to see a visual of the alternative proposed by the County.

Chairman Sherman stated that **P.Z. 07-2003 Spirit Plaza LLC** would be held until all issues were reviewed and addressed.

Mayor Nations left the meeting at 8:35 p.m.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS:

A. Committee of the Whole

Chairman Sherman stated that Planning Commission officers would be nominated and elected at the June 9, 2003 Meeting.

B. Ordinance Review Committee
C. Architectural Review Committee
D. Landscape Committee
E. Comprehensive Plan Committee
F. Procedures and Planning Committee
G. Landmarks Preservation Commission

Commissioner Macaluso stated that she would like more information regarding the Deed Restriction, both the agreed upon part and the part still under discussion for **P.Z. 3-2003 - Montgomery First National Bank.**

The meeting unanimously adjourned at 8:42 p.m.

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Jerry Right, Secretary