

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
MAY 22, 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
Kevin Jackson, Planning Technician
Tim Reed, Planning Intern
Ms. Sandra Lohman, Executive Secretary

ABSENT

Ms. Patricia O'Brien

INVOCATION - Commissioner Mary Domahidy

PLEDGE OF ALLEGIANCE - All

Chairman McGuinness recognized Mayor Jack Leonard; Councilmember Ed Levinson (Council Liaison from the Planning and Zoning Committee of City Council); Councilmember Coleen Hilbert (Ward I); and Councilmember Barry Streeter (Ward II).

PUBLIC HEARINGS

- A. **P.Z. 16-95 City of Chesterfield Planning Commission**; a proposal to amend Section 1003.168D Temporary Signs of the City of Chesterfield Zoning Ordinance (Political Signs).

Commissioner Rick Bly read the "Opening Comments"

Jerry Duepner, Director of Planning, presented the proposed amendment of Section 1003.168D Temporary Signs of the City of Chesterfield Zoning Ordinance regarding "Political Signs).

SPEAKERS IN FAVOR - None

SPEAKERS IN OPPOSITION: - None

SPEAKERS NEUTRAL: - None

REBUTTAL - Waived

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

Councilmember Levinson noted that he believes the proposed amendment should include review of Section 5. (4), which contains the rule that Christmas lights have to be taken down within seven (7) days after Christmas, before the Epiphany is over.

Chairman McGuinness questioned whether this could be changed without first bringing it up for discussion at a public hearing.

Director Duepner noted City Attorney Beach would have to determine whether or not this would be the permitted procedure. The section of the Zoning Ordinance up for public hearing tonight does not include Christmas lights on residential property.

City Attorney Beach noted the proposed Amendment specifically states it is regarding **Political Signs**. The issue of Christmas lights could be discussed only, and a separate public hearing would have to be held in order to make changes to the Zoning Ordinance.

Chairman McGuinness instructed Director Duepner to take this matter to the Planning and Zoning Committee of Council for discussion and bring it back to the Commission with some type of recommendation.

APPROVAL OF THE MINUTES

A. Approval of Minutes from Meeting of May 8, 1995.

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

Chairman McGuinness noted the following:

She anticipates the Commission will choose to move P.Z. 5-95 McDonald's Corporation to the end of the agenda, and speakers for McDonald's would probably want to speak at that time. In addition, the Department of Planning has a two (2) hour video on traffic situations at the proposed site, and anyone who is not interested in the McDonald's petition could leave before this presentation. Therefore, the Commission will hear speakers during the Public Comment portion of the meeting on any matter other than McDonald's.

PUBLIC COMMENTS:

1. Mr. D. Jim Zavrados, 1024 Old Highway 94, St. Charles, MO 63303 spoke in **favor** of P.Z. 9-95 Olympic Homes, Inc. (Ladue Grove).
2. 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.

OLD BUSINESS - None

NEW BUSINESS

A motion to move P.Z. 5-95 McDonald's Corporation to after Item VIII-F was made by Commissioner Casey. The motion was seconded by Commissioner Kirchoff and **passes** by a voice vote of 7 to 0 to 1, with Commissioner Dalton abstaining.

- B. **P.Z. 9-95 Olympic Homes, Inc. (Ladue Grove)**; "C-8" Planned Commercial District to "R-2" 15,000 square foot Residence District; south side of Ladue Road (County Road AB), east of Green Trails Drive.

Planner I Toni Hunt presented the request and the Department's recommendation of approval, as stated in the Department's report.

A motion to approve the Department's report was made by Commissioner Domahidy and seconded by Commissioner Broemmer.

Upon a roll call the vote was as follows: Commissioner Bly, yes; Commissioner Broemmer, yes; Commissioner Casey, yes; Commissioner Dalton, yes; Commissioner Domahidy, yes; Commissioner Kirchoff, yes; Commissioner McCarthy, yes; Chairman McGuinness, yes.

The motion **passes** by a vote of 8 to 0.

- C. **P.Z. 12- 95 Windsor Development (Millwood Commons)**; "NU" Non-Urban District and "FPNU" Flood Plain Non-Urban District to "R-1" One Acre Residence District and "FPR-1" Flood Plain "R-1" One Acre Residence District; east side of Kehrs Mill Road; south of the terminus of Countryside Manor Parkway;

AND

- D. **P.Z. 13-95 Windsor Development (Millwood Commons)**; Planned Environment Unit (PEU) Procedure in "R-1" One-Acre Residence District and "FPR-1" Flood Plain "R-1" One-Acre Residence District; east side of Kehrs Mill Road, south of the terminus of Countryside Manor Parkway.

Assistant Director of Planning Laura Griggs-McElhanon presented the requests and the Department's recommendation of approval of P.Z. 12-95 as stated in its report, and the Department's recommendation of approval of P.Z. 13-95, subject to conditions specified in Attachment A of the Department's report.

A motion to approve the Department's report on P.Z. 12-95 was made by Commissioner Bly and seconded by Commissioner Domahidy.

Upon a roll call the vote was as follows: Commissioner Bly, yes; Commissioner Broemmer, yes; Commissioner Casey, yes; Commissioner Dalton, yes; Commissioner Domahidy, yes; Commissioner Kirchoff, yes; Commissioner McCarthy, yes; Chairman McGuinness, yes.

The motion passes by a vote of 8 to 0.

A motion to approve the Department's report o P.Z. 13-95, subject to specific conditions in Attachment A, was made by Commissioner Bly and seconded by Commissioner Domahidy.

Upon a roll call the vote was as follows: Commissioner Bly, yes; Commissioner Broemmer, yes; Commissioner Casey, yes; Commissioner Dalton, yes; Commissioner Domahidy, yes; Commissioner Kirchoff, yes; Commissioner McCarthy, yes; Chairman McGuinness, yes.

The motion passes by a vote of 8 to 0.

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

Planner II Joe Hanke read the list of items to be addressed in the Department's report on this matter, noting the Department recommends this matter be held until the June 12, 1995 Commission Meeting.

ADDITIONS TO LIST

- There was concurrence that the petitioner's request is too dense.

- Consider both present and future condition of White and Olive Street Roads with regard to handling of additional traffic.
- Street patterns could be more logical than currently depicted.

A motion to hold this matter until June 12, 1995, was made by Commissioner Domahidy. The motion was seconded by Commissioner Casey and **passes** by a voice vote of 8 to 0.

F. Memorandum from the Director of Planning regarding correspondence from Mr. J. Michael Keller, President, St. Joseph's Institute for the Deaf.

Director Duepner noted the request by Mr. Michael Keller to amend the Zoning Ordinance to provide that specialized private schools be allowed as a use within a "C" Commercial Zoning District. He noted the matter before the Commission tonight is action in response to Mr. Keller's letter.

A motion to set this for public hearing was made by Commissioner Broemmer. The motion was seconded by Commissioner Domahidy and **passes** by a voice vote of 8 to 0.

Chairman McGuinness inquired whether this could be set for public hearing this week, as time is of the essence for Mr. Keller.

Director Duepner noted it is possible that this could be set for public hearing on June 12, 1995.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

A. West County Christian Church; "R-1" One-Acre and "FPR-1" Flood Plain One-Acre Residence Districts Amended Site Plan; west side of Old Woods Mill Road, north of Conway Road.

Commissioner Broemmer, on behalf of the Site Plan Review Committee, made a motion to deny the petitioner's request. The motion was seconded by Commissioner Casey and **passes** by a voice vote of 8 to 0.

Director Duepner asked that the Department be allowed to make its report on P.Z. 5-95 McDonald's Corporation first, and then show the videos.

Chairman McGuinness recessed the meeting at 7:55 p.m.

Chairman McGuinness reconvened the meeting at 8:00 p.m.

Commissioner Dalton excused himself from the remainder of the meeting due to possible conflict of interest regarding McDonald's Corporation.

- A. **P.Z. 5-95 McDonald's Corporation;** amendment of existing "C-8" Planned Commercial District; southeast side of Olive Boulevard (State Highway 340), northeast of Chesterfield Parkway North (formerly Schoettler Road).

Planner II Joe Hanke presented background information on the subject petition, identifying all items in the packets. He summarized the Department's report and recommendation of denial.

Planner II Joe Hanke ran two one (1) hour videos taped on Monday, May 15th, to replicate the "gap study" during the peak periods (12:00 p.m. to 1:00 p.m., and 4:15 p.m. to 5:15 p.m.). The videos were intended to provide a visual account of the traffic situation at the proposed location (directly across the street from the south/west entrance to Hilltown).

Chairman McGuinness recessed the meeting at 9:25 p.m.

Chairman McGuinness reconvened the meeting at 9:35 p.m.

Planner II Joe Hanke noted the videos taped on May 15, 1995, confirmed there was a congestion problem inherent at the proposed location and, therefore, both the Department of Planning and Department of Public Works were not convinced by evidence presented by Mr. Roden (N.C. Roden & Associates, Inc.) and Mr. David B. Miller (Metro Transportation Group, Inc.). The Department recommends denial of P.Z. 5-95.

PUBLIC COMMENTS:

SPEAKERS IN FAVOR OF P.Z. 5-95 McDonald's Corporation

1. Mr. Jim Rosen, 14101 Ladue Road, Chesterfield, MO 63017.

2. Mr. Al Michenfelder, Ziercher & Hocker, 231 S. Bemiston, Clayton, MO 63105.
3. Mr. Norman Roden, 772 Penny Court, Ballwin, MO 63011.
4. Mr. Dave Miller, 395 Timber Ridge Drive, Bartlett, IL 60103.
5. Mr. Greg Garner, 2439 Christopher Winds Lane, Oakville, MO 63129.
6. Mr. Mike Powers, 54 Wilshire Terrace, St. Louis, MO 63119.

SPEAKERS OPPOSED TO P.Z. 5-95 MC DONALD'S CORPORATION:

1. Mr. Tom Elfrink, IREMCO, 15510 Olive, Chesterfield, MO 63017.
2. Ms. Teri Cohn, Peachtree Apartments, 915 Peach Hill Lane, Chesterfield, MO 63017.

A motion to approve the Department's recommendation to deny the petitioner's request was made by Commissioner Domahidy. The motion was seconded by Commissioner Casey.

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

The motion passes by a vote of 5 to 2.

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**

Committee Co-Chairman Mary Domahidy reported as follows:

The Comprehensive Plan Committee has met and is suggesting wording for a revision to the Plan (included in the memorandum handed out tonight). This needs approval of the Commission, and then a date is to be set for public hearing.

Commissioner Domahidy made a motion to set a public hearing date for the amendment of the Comprehensive Plan. The motion was seconded by Commissioner Casey and **passes by a voice vote of 7 to 0.**

E. **Procedures and Planning Committee - No Report**

Chairman McGuinness noted that according to the By-Laws, the Chairman (in May) shall appoint a Nominating Committee of not less than three (3) members to make recommendations to the Commission in June regarding officers for the coming year. The Mayor has asked her to hold off appointing this Committee until the next meeting, as he intends to appoint some new members and would like them to participate in this process.

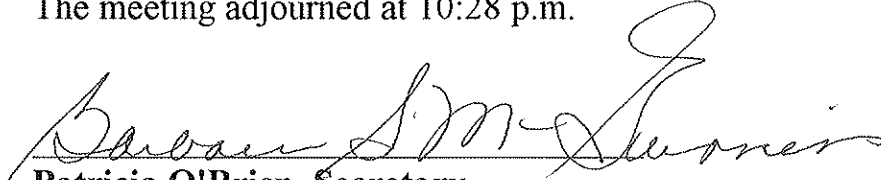
Councilmember Levinson noted the Mayor is submitting a list of names to the Planning and Zoning Committee to interview, according to Council policy. The Planning and Zoning Committee and Council as a Whole will vote on the nominees.

City Attorney Doug Beach noted the Council will vote at the next meeting on June 19, 1995.

Chairman McGuinness noted the new members would be present at the Commission's second meeting in June (June 26th).

Commissioner Domahidy made a motion to waive the By-Laws in order to appoint a Nominating Committee at the next Commission meeting (June 12th), and have an election at the second meeting in June (June 26th). The motion was seconded by Commissioner Broemmer and passes by a voice vote of 7 to 0.

The meeting adjourned at 10:28 p.m.


Patricia O'Brien, Secretary [MIN5-22.095]
