

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
May 12, 2003**

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

I. PRESENT

ABSENT

Mr. David Banks
Mr. Fred Broemmer
Mr. Dan Layton, Jr.
Ms. Stephanie Macaluso
Ms. Rachel Nolen
Dr. Lynn O'Connor
Mr. Jerry Right
Mr. B. G. Wardlaw
Chairman Victoria Sherman
Mr. Doug Beach, City Attorney
Mayor John Nations
Ms. Mary Brown, Council Liaison
Ms. Teresa Price, Director of Planning
Ms. Annissa McCaskill, Senior Planner
Mr. David Bookless, Project Planner
Mr. Mike Hurlbert, Project Planner
Ms. Kathy Lone, Planning Assistant

II. INVOCATION: Commissioner Macaluso

III. PLEDGE OF ALLEGIANCE:

Chairman Sherman recognized the attendance of Mayor John Nations, Councilmember Jane Durrell (Ward I); Councilmember Bruce Geiger (Ward II); Councilmember Connie Fults (Ward IV), and Council Liaison Mary Brown (Ward IV). Chairman Sherman also recognized Dr. Lynn O'Connor as the new Planning Commissioner.

IV. PUBLIC HEARINGS:

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

- A. **P.Z. 6-2003: Villages at Kendall Bluff**: a request for a Planned Environment Unit (PEU) in a "R1A" Residential District for a 63.8 acre tract of land located on the north side of Olive Boulevard, east of Cordovan Commons Parkway and west of Old Riverwoods.
Proposed Uses: Attached single family uses with accessory uses (Locator Number: 17R-53-0192)

Senior Planner Annissa McCaskill gave a power point presentation of the subject site and surrounding area.

1. Mr. David Richardson, Husch & Eppenberger, LLC, 190 Carondelet Plaza, St. Louis, MO 63105, attorney for The Jones Company, a petitioner of **P.Z. 6-2003: Villages at Kendall Bluff**;

- Subject property is adjacent to the Villas at Ladue Bluffs;
- Developers for this proposal are: The Jones Company, Mayer Homes, McBride and Son, and Fischer & Frichtel;
- Subject site is 63.8 acres;
- Property fronts New Olive Road;
- Railroad tracks and the County Water Treatment Facility are located behind the site;
- This proposal is in accordance with the new Comprehensive Plan;
- Development would be in the Parkway School District;
- Density is approximately 1.85 units per acre;
- Maximum density allowed on this site are 118 attached units;
- Requesting a Planned Environment Unit (PEU) overlay on an R1A Residential District zoning;
- One (1) point of access will be located off New Olive Road with a secondary point of access for emergency egress and ingress located by Surrey Place (as requested by the Fire Marshall);
- There will be significant landscaping buffers and setbacks. The required rear setback is 150 feet and some areas will be over 300 feet;
- A large portion of the existing stands of trees along the rear and side will be retained;
- Side setback requirements are 50 feet but most of the side setbacks will be between 65 to 70 feet or more;
- Front yard setback will be at least 100 feet or more;
- There will be one (1) private gated street going through the subdivision;
- There will be a gatehouse at the entrance to the subdivision;
- The right-of-way for this development is 4.19 acres;

- There will be four (4) villages within the development:

Village A –

McBride and Son Homes – 28 units with 2-car garages; 2,200-3,700 square feet; price range is \$300,000 to \$550,000.

Village B –

The Jones Company – 34 units with 3-car garages; 2,800 to 3,800 square feet; price area is \$570,000.

Village C –

Fischer & Frichtel – 28 units with 3-car garages; 2,000 to 4,000 square feet; price range \$600,000+;

Village D –

Mayer Homes – 28 units with 2-car garages; 1,600 to 2,700 square feet; price range \$400,000 to \$450,000.

- All units would have the minimum setback from the private street of 25 feet and 12 feet separating the units;
- Along with the existing tree stands, there will be 437 new trees planted in the development with approximately 100 of them planted along the street frontage and the rest in the back commons space;
- Fire protection will served by the Chesterfield Fire District whose primary issue was a second point of access;
- Sidewalks will be on both sides of the street;
- Stormwater detention will be natural like at the Villas at Ladue Bluffs;
- One developer will do the infrastructure and all four (4) villages will be built at the same time. All homes will be custom built.

City Attorney Doug Beach asked if this site, under St. Louis County zoning, had shown more then one (1) curb cut or only the access at Surrey Place.

Mr. Richardson stated that he was not sure if MoDOT has approved more then one (1) curb cut for this site. Mr. Richardson stated that the proposed curb cut is approximately 450 to 500 feet from the Villas at Ladue Bluffs access.

2. Mr. James R. Piper, McBride and Son Homes, McBride and Son Center Drive, Chesterfield, MO, one of the developers for **P.Z. 6-2003: Villages at Kendall Bluff;**

- Speaker stated that he was present to answer questions.

3. Mr. Jean Magre, The Sterling Company, 5055 New Baumgartner Road, St. Louis, MO 63129, engineer for **P.Z. 6-2003: Villages at Kendall Bluff;**

- Speaker stated that he was present to answer questions.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION –

1. Mr. Steve Lander, 679 Old Riverwoods Lane, Chesterfield, MO 63017, speaking in opposition to **P.Z. 6-2003: Villages at Kendall Bluff;**
 - Speaker stated that due to the step grade behind his home, four (4) homes in this proposal will be on a hill overlooking his home. Speaker asked the petitioners to eliminate those homes;
 - Speaker stated that water run-off would be a problem;
 - Speaker asked that the Planning Commission to require the developer to submit a revised plan;
 - Speaker stated that he is not in opposition to the development but only the four (4) homes that would overlook his home;
 - Speaker stated that he is confused by the Planned Environment Unit (PEU) request for this site.

SPEAKERS – NEUTRAL –

2. Ms. Marcia Garland, 14727 Thornhill Terrace, Chesterfield, MO 63017, a property owner in the Villas at Ladue Bluffs Subdivision, speaking neutral to **P.Z. 6-2003: Villages at Kendall Bluff;**
 - Speaker stated that she would like clarification on how residents would access this proposed site;
 - Speaker asked how much common ground is east of the Villas at Ladue Bluffs because she was assured by the Jones Company when she bought the home that the common ground would not be cleared for development.
3. Mr. Brad Geller, 253 Cordovan Commons Parkway, Chesterfield, MO 63017, speaking neutral to **P.Z. 6-2003: Villages at Kendall Bluff;**
 - Speaker stated that when he bought his home at Villas at Ladue Bluffs, he was told by The Jones Company that there would be a large buffer on the east side of the subdivision.

3. Mr. Tim Gamma, 36 Arrowhead Estates, Chesterfield, MO 63017, Trustee for Arrowhead Estates and speaking neutral to **P.Z. 6-2003: Villages at Kendall Bluff;**

- Speaker asked if the City of Chesterfield can control the number of attached homes;
- Speaker stated that there are too many attached homes being built;
- Speaker asked where the water retention pond would be located.

REBUTTAL:

Mr. Richardson stated that the setbacks and the buffering meet and exceed all of the setback requirements on all four (4) sides of the proposed site. Mr. Richardson stated that the primary access to the development would be Olive Road with a secondary emergency access through Surrey Place. Mr. Richardson stated that stormwater detention would be natural stormwater run-off going from the front of the property to the rear.

Ms. McCaskill stated that following issues would be reviewed and addressed:

- Is entrance adequate for the traffic demand;
- If there are medians, check the sight lines;
- Have the Parkway School District review the streets for school bus turn-around;
- Width of sidewalks;
- Since there will be four (4) villages, review the sign package and City's sign requirements;
- Review the grade and have the petitioner review other creative possibilities for the dwellings that would overlook the existing homes;
- Review sight line drawings for this site and next to the Villas at Ladue Bluffs;
- Have developers discuss proposal with neighboring residents;
- Sidewalks along Olive Boulevard;
- History of the proposed site and adjacent properties;
- Access and comments from the Department of Public Works;
- Location and appearance of the detention ponds.

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

- B. **P.Z. 5-2003 Liberty Homes:** a request for a "Commercial Services Procedure" within an "R3" District for a .36 acre property located at 996 Chesterfield Parkway East, south of Olive Boulevard and North of Interstate 40/64. (Locator Number: 18S-33-0601)

Project Planner Annissa McCaskill gave a power point presentation showing the subject site and surrounding area.

1. Mr. Larry Mintz, 243 Fick Farm Road, Chesterfield, MO 63005, petitioner for **P.Z. 5-2003 Liberty Homes**, stated the following:

- Building will be used as a sales office;
- Will not be making changes to the size of the building;
- Will make the building more residential in appearance for the area;
- There will be 4-5 employees at the site;
- Petitioner will be requesting parking for 5-6 vehicles;
- There currently is a curb cut for the building site;
- Petitioner stated that parking could be located either in the front or rear of the building;
- Business will be a home improvement company;
- There will not be storage or construction vehicles at this site;
- Speaker stated that he would be willing to add landscaping.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL – None

REBUTTAL – None

Ms. McCaskill stated that the following issues would be reviewed and addressed:

- Additional landscaping;
- Updating of the building;
- Type of business to be located in this structure;
- Limiting the permitted use to the petitioner's business;
- Green space ratio;
- Comments from the Department of Public Works pertaining to parking and the turn-around.

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

- C. **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 gave a power point presentation of the subject site and surrounding area.

1. Mr. Bob Brinkmann, R. G. Brinkmann Company, 16650 Chesterfield Grove Road, Chesterfield, MO 63005, petitioner for **P.Z. 07-2003 Spirit Plaza LLC**, stated the following;

- Use will be for mixed-use retail/office/warehouse facility;
- Building will have 19,600 square feet;
- Parking ratio is 5 spaces per thousand square feet and 100 spaces will be provided.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL – None

REBUTTAL – None

Mr. Hurlbert stated that the following issue would be reviewed and addressed:

- Clarification of the petitioner's request.

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

Chairman Sherman called a recess at 8:21 p.m. and the meeting reconvened at 8:30 p.m.

V. APPROVAL OF MEETING MINUTES

Commissioner Broemmer made a motion to approve the April 28, 2003 Meeting Minutes. The motion was seconded by Commissioner Wardlaw and **passes** by a voice vote of 9 to 0.

VI. PUBLIC COMMENT -

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**.

1. 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.
2. 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 gave a power point presentation on the original proposal and a revised proposal;
 - Speaker stated that he has not yet received a response from the Shearn's and Reuthen's concerning their joining the rezoning;
 - Speaker stated that any trees that are removed in the existing 50-foot wide easement will be replaced by the developer with a better quality tree.
3. 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.
4. Ms. Patty Shearn, 210 Hi Pointe Road, Chesterfield, MO 63005, speaking in opposition to **P.Z. 29-2002 The Bluffs at Appaloosa Way**;
- Speaker stated that she is getting additional legal representation and asked that the Planning Commission hold this petition in case her attorney will have additional issues to be reviewed;
 - Speaker stated that she is trying to protect her Indentures;
 - Speaker asked the City to have their arborist inspect the trees in the Hi Point Subdivision.
5. Mr. Dennis Shearn, 210 Hi Pointe Road, Chesterfield, MO 63005, speaking in opposition to **P.Z. 29-2002 The Bluffs at Appaloosa Way**;
- Speaker stated that this proposal would change approximately 350 feet of his road frontage;
 - Speaker stated that trees that are lost cannot be replaced due to their size;
 - Speaker stated that he would like the developer to remove dirt and rock that has been deposited on one of his Austrian Pine trees which is located near an easement.

Commissioner Layton returned to the dais.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

- A. **Chesterfield Business Park**: Amended Site Development Concept Plan a 20.23-acre tract of land, zoned "PI" Planned Industrial District, located on the west side of Chesterfield business Parkway, north of Edison Road.

Commissioner Macaluso, on behalf of the Site Plan Committee, stated that the Amended Site Development Concept Plan for **Chesterfield Business Park** would be held at the request of the petitioner.

- B. **Chesterfield Business Park, Outlot 2 (Goddard Daycare Center):** Amended Site Development Section Plan, Landscape Plan and Architectural Elevations for a child care center building, zoned "PI" Planned Industrial District, located east of Chesterfield Business Parkway, south of Chesterfield Airport Road.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Amended Site Development Section Plan, Landscape Plan and Architectural Elevations for **Chesterfield Business Park, Outlot 2 (Goddard Daycare Center)** including the Architectural Review Board's (ARB) recommendations. The motion was seconded by Commissioner Banks and **passes** by a voice vote of 9 to 0.

- C. **Chesterfield Business Park, Lot 4 (Pichee Office Building):** Amended Site Development Section Plan, Architectural Elevations, Landscape Plan and the Architect's Statement of Design for an office building on a 0.84-acre tract of land, zoned "PI" Planned Industrial District, located on the west side of Chesterfield business Parkway, north of Edison Road.

Commissioner Macaluso, on behalf of the Site Plan Committee, stated that the Amended Site Development Section Plan, Architectural Elevations and Landscape Plan for **Chesterfield Business Park, Lot 4 (Pichee Office Building)** would be held at the request of the petitioner.

VIII. OLD BUSINESS -

- A. **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).

Project Planner David Bookless gave an overview of **P.Z. 29-2002 The Bluffs at Appaloosa Way** and asked the Planning Commission if they had additional issues to be reviewed and addressed.

Mr. Bookless stated that he would like Planning Commission direction concerning the various development options and the retaining wall.

Commissioner Broemmer stated that he would like clarification on the issue of the trees and whether they are in an easement, on private property or in the right-of-way.

Mr. Bookless stated that the trees are within a private road easement and the petitioner has indicated that the new road will be within the private road easement so the trees would be lost. Mr. Bookless stated that the petitioner has stated that he would replace the trees.

City Attorney Doug Beach stated that since there is not an Attachment A, the condition to replace the trees could be written into the ordinance.

Commissioner Banks asked Mr. Bookless about a private street in an old subdivision now going to connect with a private street in a new subdivision.

Mr. Bookless stated that the Department of Public Works did not have any concerns with that issue. Mr. Bookless stated that the reason for concern with the retaining wall for Public Works was that the retaining wall would be within the private road easement. If this was a public street, it would not meet the City standards by having a retaining wall within the right-of-way. For that reason, this road will always have to remain private.

General discussion followed concerning the two (2) different zoning proposals and what properties would be included in each proposal, trees, and the retaining wall.

Mr. Beach asked Staff to get clarification from Public Works that since private roads need to be built to City standards and because of the possibility of this road becoming public in the future, then retaining walls could not be in the right-of-way

Commissioner Macaluso asked for clarification from the petitioner what properties would and would not be included in either of the proposals. Commissioner Macaluso would also like to request that the City arborist inspect the trees and that the petitioner provide a Tree Stand Delineation for the entire area versus both of the proposals. Commissioner Macaluso would also like a response from the attorney for the Shearn's and Reuthen's.

Commissioner Macaluso made a motion to hold **P.Z. 29-2002 The Bluffs at Appaloosa Way** until the City of Chesterfield arborist verifies the report given to the Commission and a response is received from the new attorney for the Shean's and Reuthen's. The motion dies due to the lack of a second.

Mr. Bookless stated that the geo-technical report (wall stabilization) for the retaining wall may extend beyond the private road easement because improvement plans have not been submitted to the Department of Public Works.

Chairman Sherman stated that **P.Z. 29-2002 The Bluffs at Appaloosa Way** would be brought forward to the next Planning Commission Meeting on May 28, 2003 as proposed with conditions added to the Ordinance regarding the following issues:

- Any tree loss being mitigated;
- Tree Stand Delineation by the petitioner;
- Retaining walls – to be located entirely within the existing 50-foot private road easement.

Director of Planning Teresa Price stated that the petitioner agrees to the condition that the entire retaining wall will always be in the private road easement.

Commissioner Macaluso stated that she wants a Tree Stand Delineation regarding all trees on the site that may be lost and not just the 14 pine trees.

Mr. Beach stated that language would be drafted that would call for a Tree Stand Delineation and then see whether the petitioner would agree to it as a condition.

Commissioner Layton returned to the dais.

IX. NEW BUSINESS -

Commissioner Right made a motion that the Nominating Committee for Planning Commission Officers for the next year be a Committee of the Whole.

General discussion followed concerning the process and timeline for nominations and voting.

Mr. Beach suggested that the Commission nominate and vote at the end of the June 9, 2003 Planning Commission Meeting.

Commissioner Right withdrew his motion.

Commissioner Macaluso made a motion that there be a meeting of the Committee of the Whole at the first June meeting (June 9, 2003) and have a slate of officers and a vote. The motion was seconded by Commissioner Layton and **passes by a voice vote of 9 to 0.**

X. COMMITTEE REPORTS:

A. Committee of the Whole

Chairman Sherman stated that a Committee of the Whole Meeting would be held during the June 9, 2003 Planning Commission Meeting for nomination and voting of officers.

B. Ordinance Review Committee

Chairman Sherman stated that an Ordinance Review Committee would be held at 10:00 a.m. on Friday, May 16, 2003 at City Hall.

C. Architectural Review Committee

- D. Landscape Committee**
- E. Comprehensive Plan Committee**
- F. Procedures and Planning Committee**
- G. Landmarks Preservation Commission**

The meeting unanimously adjourned at 9:20 p.m.

Jerry Right, Secretary

