PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
May 12, 1997

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

PRESENT
Mr. Fred Broemmer
Mr. Dave Dalton - arrived later
Mr. Charles Eifler
Mr. Robert Grant
Mr. Dan Layton, Jr.
Mr. Allen Yaffe
Chairman Michael Casey
Mayor Nancy Greenwood
Mr. Douglas R. Beach, City Attorney - arrived later
Councilmember Mary Brown (Ward IV) - Council Liaison
Mr. Jerry Kelley, Director of Planning
Ms. Laura Griggs-McElhanon, Assistant Director of Planning
Ms. Patricia Detch, Planner I
Ms. Sandra Lohman, Executive Secretary

ABSENT
Mr. Rick Bly
Ms. Linda McCarthy

INVOCATION - *Commissioner* Allen Yaffe

PLEDGE OF ALLEGIANCE - All

Chairman Casey recognized Mayor Nancy Greenwood; Council Member Mary Brown (Ward IV) - Council Liaison; and Councilmember Larry Grosser (Ward II).

PUBLIC HEARINGS: - None

APPROVAL OF THE MINUTES:

A motion to approve the minutes of April 28, 1997, was made by Commissioner Broemmer, seconded by Commissioner Yaffe **and passes by a voice vote of 6 to 0.**

PUBLIC COMMENT

1. Ann Schneider, 15026 Baxter Village Drive, Chesterfield, MO 63017, spoke in favor of P.Z. 3-97 Lenette (Clayton Baxter).

2. Al Henneboehle, 105 Broadway, S. 2000, St. Louis, MO 63102, spoke in opposition to P.Z. 3-97 Lenette (Clayton Baxter).

3. Bob Nichols, 503 Mercer Manor Drive, Ballwin, MO 63011, spoke in opposition to P.Z. 3-97 Lenette (Clayton Baxter).

Commissioner Dave Dalton arrived at this time.

4. Ann Bronsing, 31 Chesterton Lane, Chesterfield, MO 63017, spoke in opposition to P.Z. 3-97 Lenette (Clayton Baxter).

5. Marcia McDonald, 14986 Chateau Village Drive, Chesterfield, MO 63017, spoke in opposition to P.Z. 3-97 Lenette (Clayton Baxter).

6. John Aumiller, 17 Chesterton Lane, Chesterfield, MO 63017, spoke in opposition to P.Z. 3-97 Lenette (Clayton Baxter).

7. Elizabeth Bradley, 502 Hatteras Drive, Ballwin, MO 63011, spoke in opposition to P.Z. 3-97 Lenette (Clayton Baxter).

8. Sylvester Streiler, (Boatmen's Bank) 13377 Amiot, St. Louis, MO 63146, spoke in favor of P.Z. 3-97 Lenette (Clayton Baxter).

9. Robert Hurley, (Walgreens) 7622 River Walk Court, St. Louis, MO 63129, spoke in favor of P.Z. 3-97 Lenette (Clayton Baxter).

10. Craig Holan, (Traffic Engineer) 1723 Claymont Estates Drive, Chesterfield, MO 63017, spoke in favor of P.Z. 3-97 Lenette (Clayton Baxter).

11. Thomas B. Roof, (Architect) 721 Emerson Road, Suite 500, St. Louis, MO 63141, spoke in favor of P.Z. 3-97 Lenette (Clayton Baxter).

12. Steve Graham, (Attorney) One Mercantile Center, St. Louis, MO 63102, spoke in favor of P.Z. 3-97 Lenette (Clayton Baxter).

13. Randee Schmittdel, 805 Wellesley Place, Chesterfield, MO 62017, spoke as a neutral party regarding P.Z. 8-97 Chesterfield Village (Parcel C-322 Firehouse).

14. Steve Koslovsky, (Attorney) 231 S. Bemiston, 8th Floor, Clayton, MO 63105, spoke in favor of P.Z. 8-97 Chesterfield Village (Parcel C-322 Firehouse).

15. Michael J. Doster, 16476 Chesterfield Airport Road, Chesterfield, MO 63017, spoke in favor of P.C. 54-86 St. Louis Industrial Properties Ltd. #10.

City Attorney Doug Beach arrived at this time.

NEW BUSINESS:

A. **P.Z. 31-96 Sebastian Rucci (Eagle Crest Estates)**; "NU" Non-Urban District and "FPNU" Flood Plain Non-Urban District to "R-1" One Acre Residence District and "FPR-1" Flood Plain One Acre Residence District; south side of Wild Horse Creek Road, approximately 2,500 feet west of the intersection of Wilson Road and Wild Horse Creek Road.

AND

B. **P.Z. 32-96 Sebastian Rucci (Eagle Crest Estates)**; Planned Environment Unit (PEU) Procedure in the "R-1" One Acre Residence District and "FPR-1" Flood Plain One Acre Residence District; south side of Wild Horse Creek Road, approximately 2,500 feet west of the intersection of Wilson Road and Wild Horse Creek Road.

Assistant Director Griggs-McElhanon noted the petitioner is requesting this item be held until the next meeting.

A motion to hold P.Z. 31 & 32-96 was made by Commissioner Layton, seconded by Commissioner Dalton **and passes by a voice vote of 7 to 0.**

C. **P.Z. 3-97 Lenette Realty and Investment Company (Clayton Baxter Center)**; "C-2" Shopping District, "C-8" Planned Commercial District and "R-2" 15,000 square foot Residence District to "C-8" Planned Commercial District; southwest corner of Clayton Road and Baxter Road.

Assistant Director Griggs-McElhanon noted the Department recommends approval, subject to conditions in Attachment A, as amended by the Department memo dated May 12, 1997.

Commissioner Grant made a motion for approval of the Department's recommendation, amended to include the following:

1. prohibit sales of liquor on the premises;

2. create a condition that would provide for screening of the abutting properties on Hatteras Drive, in a way that would best protect and be acceptable to those residents (to be decided at the time of Site Development Plan review);

3. prohibit video arcades as permitted use; and

4. limit hours of operation to between 8:30 a.m. and 10:00 p.m.

The motion was seconded by Commissioner Eifler, who amended the motion as follows:

1. delete the second sentence in Condition 4.y.(3) and add new Condition 4.y.(4) to read as follows:

   "The screening adjacent to the western property shall be designed to preserve existing large trees, and shall consist of a fence of masonry or wood, no less than six (6) feet nor more than ten (10) feet in height. A berm may also be installed. The developer will work with the owners of property abutting the western edge of the proposed development to arrive at a mutually satisfactory screening *regime*, for approval by the Planning Commission on the Site Development Plan."

This amendment was accepted by Commissioner Grant.

Upon a roll call the vote on the motion, as amended, was as follows: Commissioner Broemmer, no; Commissioner Dalton, no; Commissioner Eifler, yes; Commissioner Grant, yes; Commissioner Layton, no; Commissioner Yaffe, no; Chairman Casey, no.

The motion fails by a vote of 5 to 2. (This petition will be forwarded to the City Council with a recommendation of denial.)

Commissioner Yaffe left the meeting at this time.

D. **P.Z. 8-97 Chesterfield Village, Inc. (Parcel C-322 Firehouse)**; "R-2"15,000 square foot Residence District to "C-8" Planned Commercial District, and amendment to an existing "C-8" Planned Commercial District established by St. Louis County Ordinance Number 13,811 and amended by City of Chesterfield Number 1159 for a 14.5 acre tract of land located on the west side of Olive Boulevard, approximately 200 feet south of Wellesley Place Drive.

Commissioner Yaffe returned to the meeting at this time.

Director Kelley noted the recommendation of the Department for approval of the request, as stated in the report and Attachment A, amended and as requested in the letter dated May 12, 1997, from Sachs Properties. The five (5) revised conditions requested by Sachs Properties are:

1. Condition 4.a.
   Setbacks, as recommended, could also be applicable to play equipment. Setbacks for accessory structures, which would include play equipment, be fifty (50) feet from the northern line, and ten (10) feet from the west line which adjoins Hilltown Center.

2. Condition 4.b.(2)
   The office option plan for the subject site depicts parking with a setback of fifteen (15) feet from the eastern and northern lines, and five (5) feet from the western line.

3. Condition 4.j
The Trust Fund contributions shall be based upon the difference in required parking spaces between the former and new use.

4. Condition 4.p.
The maximum outline area of the free-standing business sign shall be fifty (50) square feet.

5. Condition 5.a. and 5.c.
Add: "as directed by the City of Chesterfield."

Relative to Condition 5.e., concerning possible asbestos and tank removal, Sachs Properties and its tenants will comply with applicable building and environmental requirements.

A motion to approve the Department's recommendation, as amended, was made by Commissioner Layton and seconded by Commissioner Dalton.

COMMENTS/DISCUSSION BY COMMISSION

An amendment to the original motion was made by Commissioner Eifler that there be no parking on the north and east property (buffer) lines, adjacent to Wellesley Place Subdivision, on weekends and after 7:00 p.m. during weekdays.

The amendment to the original motion dies for a lack of a second.

Upon a roll call the vote on the original motion (including the Sachs letter of May 12, 1997) was as follows: Commissioner Broemmer, no; Commissioner Dalton, yes; Commissioner Eifler, no; Commissioner Grant, yes; Commissioner Layton, yes; Commissioner Yaffe, yes; Chairman Casey, yes.

The motion passes by a vote of 5 to 2.

E. **P.Z. 9-97 Sprint PCS, L.P. c/o CIS Communications, L.L.C. (St. Thomas Church)**; a request for a Conditional Use Permit in a "NU" Non Urban District for a 12,000 square foot tract located within an 18.35 acre parcel of land located on the south side of Wild Horse Creek Road, 3,800 feet west of the intersection of Wildhorse Parkway (Locator Number: 18V12-0111). Proposed Use: Cellular telephone tower.

Director Jerry Kelley noted the Department recommends this item be held until the next meeting on May 28, 1997, and asked the Commission if they had additional issues.

COMMENTS/DISCUSSION BY COMMISSION

- It was noted that the Department received correspondence from the church indicating that a bell tower was not an acceptable alternative related to a structural element (of the sanctuary).

No items were added.

A motion to hold P.Z. 9-97 was made by Commissioner Grant, seconded by Commissioner Yaffe **and passes by a voice vote of 7 to 0.**

F. **P.Z. 10-97 Taylor-Morley Inc., (The Estates at Baxter Ridge Addition)**; "NU" Non Urban District to "R-1" One Acre Residence District and "R-2" 15,000 square foot Residence District; south side of Wild Horse Creek Road, 2,000 feet west of the intersection of Baxter Road. **AND**

G. **P.Z. 11-97 Taylor-Morley Inc., (The Estates at Baxter Ridge Addition)**; a Planned Environment Unit (PEU) Procedure in the "R-1" One Acre Residence District and "R-2" 15,000 square foot Residence District; south side of Wild Horse Creek Road, 2,000 feet west of the intersection of Baxter Road.

Assistant Director Griggs-McElhanon noted the Department recommends this matter be held until the next meeting on May 28, 1997, and asked the Commission if they had issues to add.

There were no issues added.

A motion to hold P.Z. 10 & 11-97 was made by Commissioner Layton, seconded by Commissioner Dalton **and passes by a voice vote of 7 to 0.**

H. **P.C. 54-86 St. Louis Industrial Properties Ltd. #10**; request for extension of time for a "C-8" Planned Commercial District Site Development Plan; south side of South Forty Drive, west of Schoettler Valley Drive.

Planner II Pat Detch noted the request and Department's recommendation of approval of a two (2) year extension of time to May 23, 1999, for submittal of a Site Development Plan.

A motion to approve the Department's recommendation was made by Commissioner Grant, seconded by Commissioner Yaffe **and passes by a voice vote of 7 to 0.**

I. **P.Z. 22-90 Sverdrup Investments;** request for an extension of time for submittal of a "C-8" Planned Commercial District Site Development Plan; south side of Conway Road, west of White Road.

Planner II Pat Detch noted the request and Department's recommendation of approval of a two (2) year extension of time, retroactive to March 4, 1996, to expire on March 4, 1998, for submittal of a Site Development Plan.

COMMENTS/DISCUSSION BY COMMISSION

- It was noted that, in anticipation of the residential moratorium, a petition was filed by Premier Homes which is a combination of a "C-8" Planned Commercial District and residential development (offices, hotel and residential uses). The Department is still in the process of reviewing this submittal.

A motion to approve the extension of time, as recommended by the Department, was made by Commissioner Dalton, seconded by Commissioner Yaffe **and passes by a voice vote of 7 to 0.**

J. **P.C. 94-81 Breckenridge Hotel Corporation (Doubletree Hotel)**; western terminus of Swingley Ridge Drive. - Memorandum from Director of Planning in response to recommendation of Ordinance Review Committee regarding temporary tent structure.

Director Kelley noted that, after discussion with City Attorney Doug Beach, and given the permit issued by St. Louis County for this structure as a "Membrane Structure," this item is being brought back to the Commission for information.

There was discussion regarding the definition of a "Membrane Structure," possibility of setting a precedent for other similar temporary structures, BOCA definition, determination of accessory uses, and possible need for an amendment to our Zoning Ordinance.

Chairman Casey noted this item will be directed to the Ordinance Review Committee during the Ordinance Review Committee portion of tonight's meeting.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

A. **Greystone Subdivision - Plat 4**; Planned Environment Unit (PEU) Procedure in the "R-1" One Acre Residence District and "FPR-1" Flood Plain "R-1" One Acre Residence District Record Plat, Plat Four; south side of Wild Horse Creek Road, approximately 1,500 feet west of Wildhorse Parkway.

Commissioner Grant, on behalf of the Site Plan Committee, made a motion to approve the request. The motion was seconded by Commissioner Yaffe **and passes by a voice vote of 7 to 0.**

B. **Greystone Subdivision - Plat 5**; Planned Environment Unit (PEU) Procedure in the "R-1" One Acre Residence District and "FPR-1" Flood Plain "R-1" One Acre Residence District Record Plat, Plat Five; south side of Wild Horse Creek Road, approximately 1,500 feet west of Wildhorse Parkway.

Commissioner Grant, on behalf of the Site Plan Committee, made a motion to approve the request. The motion was seconded by Commissioner Yaffe **and passes by a voice vote of 7 to 0.**

C. **P.Z. 15 & 16-94 E. M. Harris (Wildhorse Meadows)**; Planned Environment Unit Procedure (PEU) in the "R-1" One Acre Residence District Site Development Plan and Landscape Plan; south side of Wild Horse Creek Road, east of Long Road.

Commissioner Grant, on behalf of the Site Plan Committee, made a motion to approve the request. The motion was seconded by Commissioner Yaffe **and passes by a voice vote of 7 to 0.**

D. **P.Z. 18 & 19-94 Chesterfield Village, Inc. Louis S. Sachs and Nancy R. Sachs and P.C. 172-71 Sachs Properties - Wildhorse Hills/Estates at Baxter Ridge/Baxter Ridge Villas**; Planned Environment Unit (PEU) Procedure in the "R-1," "R-2," "R-3," and "R-5" Residence Districts Site Development Plan, Landscape Plan and Architectural Elevations; south side of Wild Horse Creek Road, west side of Baxter Road.

Commissioner Grant, on behalf of the Site Plan Committee, made a motion to approve the request. The motion was seconded by Commissioner Yaffe **and passes by a voice vote of 6 to 1, with Commissioner Broemmer voting no.**

E. **P.Z. 7-97 Cambridge Engineering**; "M-3" Planned Industrial District Site Development Plan; west of the intersection of Long Road and Chesterfield Airport Road, north of Chesterfield Airport Road.

Commissioner Grant, on behalf of the Site Plan Committee, made a motion to approve the request. The motion was seconded by Commissioner Yaffe **and passes by a voice vote of 7 to 0.**

IX. COMMITTEE REPORTS:

A. **Ordinance Review Committee**

Chairman Casey instructed Director Kelley to direct the Chairman of the Ordinance Review Committee (Commissioner Bly) to meet regarding "Membrane Structures."

B. **Architectural Review Committee** - No report

C. **Site Plan/Landscape Committee** - No report.

D. **Comprehensive Plan Committee**

Commissioner Grant noted receipt of the summaries of the Comprehensive Plan Committee meetings of March 8, 1997 and March 15, 1997. He made a motion to approve those items in the summaries that the Comprehensive Plan Committee recommended for approval, and set a public hearing for June 9, 1997. He further noted that there were items that will require further discussion by the Commission as a whole, or at public hearing.

Director Kelley noted that Staff would like to set a public hearing for June 9, 1997, for those items approved by the Comprehensive Plan Committee.

The motion was approved by a voice vote of 7 to 0.

City Attorney Beach suggested the Comprehensive Plan Committee wait to schedule its next meeting after Council meets on May 19, 1997.

Councilmember Brown noted many of the issues the Commission may be asked to discuss could fall under the Ordinance Review Committee.

City Attorney Beach stated that, moratorium or not, there will be, at a minimum, several committees put together on different topics and issues, and the Commission will be asked to work extra hard this summer to address policies/ordinance amendments, etc.

Commissioner Grant suggested a meeting be scheduled for either Saturday, May 31, 1997, or Saturday, June 7, 1997.

Chairman Casey instructed Mr. Kelley to have the secretary poll the Committee for the dates of May 31, 1997 and June 7, 1997.

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

F. **Nominating Committee**

Chairman Casey appointed the Nominating Committee members as: Commissioner Grant, Commissioner McCarthy, and himself. Recommendations will be brought back at the next meeting, and nominations may be made from the floor.

A motion to adjourn was made by Commissioner Layton, seconded by Commissioner Grant **and passes by a voice vote of 7 to 0.**

The meeting adjourned at 9:04 p.m.

Robert Grant, Secretary

[MINS-12.097]