

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
May 11, 1998**



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

PRESENT

Mr. Fred Broemmer
Mr. Dave Dalton
Mr. Charles Eifler
Mr. Robert Grant
Mr. Dan Layton, Jr.
Ms. Linda McCarthy
Mr. Allen Yaffe
Mr. Rick Bly, Chairman
Mr. Douglas R. Beach, City Attorney
Councilmember Mary Brown, Council Liaison
Ms. Teresa J. Price, Director of Planning
Ms. Laura Griggs-McElhanon, Assistant Director of Planning
Ms. Reveena Shook, Planner II
Mr. Todd Streiler, Planner II
Ms. Angela McCormick, Planner I
Ms. Annissa McCaskill, Planner I
Ms. Kathy Lone, Executive Secretary/Planning Assistant

INVOCATION: Commissioner Allen Yaffe

PLEDGE OF ALLEGIANCE – All

Chairman Bly recognized Councilmember Mary Brown.

PUBLIC HEARINGS:

- A. **P.Z. 16-98 Bopp Properties;** a request for a change in zoning from “NU” Non-Urban District and “FPNU”-Flood Plain Non-Urban to an “R-2” 15,000 square foot Residence District and an “FPR-2” Flood Plain “R-2” 15,000 square foot Residence District for a 6.8 acre tract of land located on Woods Mill Road, 100 feet west of Highway 141, 1300 feet north of Conway Road. (Locator Number: 18Q51-0025); Proposed Use: Single Family Residential.

Commissioner Layton read the first portion of the “Opening Comments.”

Planner I Angela McCormick gave a slide presentation of the subject site and surrounding area.

No one was present to represent the petitioner.

SPEAKERS IN FAVOR

1. Mr. Larry Gunter, 511 Cardinal Lane, Manchester, MO 63021, spoke representing Mrs. Winter, the property owner. He feels it is a good plan based on what he has seen and how the property is divided up. Mr. Gunther thought Bopp Properties was going to have the engineer at the Public Hearing.

SPEAKERS IN OPPOSITION

1. Mr. Richard Clark, 83 Woods Mill Road South, Chesterfield, MO 63017, spoke as an individual. He feels that developing this land residential would create too much traffic and additional parking problems for West County Christian Church as the church uses Old Woods Mill Road for overflow parking on Sundays.
2. Ms. Patti Cowee, 155 South Woods Mill Road, Chesterfield, MO 63017, spoke as an individual (lives on the property to the south). She and her husband were approached by Mr. Bopp, who wanted to purchase their property. She feels that the lots need to remain 3 acres as very few lots this size remain in Chesterfield. If retaining walls are not built, there will be a lot of erosion.
3. Mr. James Caffarel, 1317 Stillhouse Creek Road, Chesterfield, MO 63017, spoke representing West County Christian Church. The Church had approached the property owner because they need more parking space. Making this a residential area will create traffic and erosion problems.

SPEAKERS - NEUTRAL

1. Ms. Nancy Marshall, 51 South Woods Mill Road, Chesterfield, MO 63017, spoke as an individual. She is very concerned about the potential flooding problem. There is an old run-down house on the property that is a part of the heritage of Chesterfield. She wondered if anyone had looked into possibly moving the structure. She wanted to know what the Comprehensive Plan suggested for this area.

Assistant Director of Planning Laura Griggs-McElhanon responded that the Comprehensive Plan designates this area as 'single family residential' with no density.

Councilmember Mary Brown questioned the different types of zoning.

Director of Planning Teresa Price explained the types of zoning and stated that Bopp Properties chose not to go with the "E-2" District.

Commissioner Layton stated that the smallest lots are at the front of the subdivision which is in contrast to the trend that the Planning Commission tried to set up in other places.

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

APPROVAL OF THE MINUTES:

A motion to approve the minutes of April 13, 1998, was made by Commissioner Grant, seconded by Commission Broemmer, **and passes by a voice vote of 8 to 0.**

A motion to approve the minutes of April 27, 1998, was made by Commissioner Broemmer, seconded by Commissioner Grant, **and passes by a voice vote of 8 to 0.**

PUBLIC COMMENT:

Chairman Bly asked if there was any penalty when a petitioner doesn't show up for a public hearing or if there is an obligation of the petitioner to let the Planning Department know they will not be in attendance or if there is a requirement of the Planning Department to confirm that there is a hearing.

City Attorney Doug Beach noted that this situation had never happened in ten years and that he didn't know how the Zoning Ordinance addressed this.

1. Mr. Chris Zoellner, 6226 Juniata, St. Louis, MO 63139, signed up to speak in favor of P.Z. 13-96 A&O, and deferred to Jim Otis.
2. Mr. Jim Otis, 1850 Craigshire, St. Louis, MO 63146, spoke in favor of P.Z. 13-96 A&O Investments, Ltd., and noted the following:
 - Wants the Planning Commission to allow a monument sign approximately 13 square feet more than what is permitted by Ordinance Number 1207. The Ordinance allows for two monument signs 32 square feet each. He wants to put up just one sign but increase the size by 13 square feet.
 - He feels that the sign needs to be enlarged so that people are able to see the sign and also for safety reasons as it would allow drivers to get into the proper lane.
3. Mr. Mike Doster, 16476 Chesterfield Airport Road, Chesterfield, MO 63017, spoke in favor of P.Z. 15-98 Arthur R. McRoberts and Mary McRoberts (Hart Auto Body Inc.), and noted the following:
 - Presented elevations for the proposed building.
 - All cars entering and exiting the building would do so from the north end.

- Still working on fencing system.
 - They only own northern-most parcel. Lou Fusz Dealership is heaviest user of Caprice Drive so a way of working out contributions for improvements needs to be made so all will pay their "fair share."
2. Ms. Cheryl Smith, 16491 Hollister Crossing Drive, Ellisville, MO 63011, of Volz Engineering, spoke in favor of P.Z.15-98 Arthur R. McRoberts and Mary McRoberts (Hart Auto body Inc.)
 3. Ms. Missie Seeger, 175 South Woodsmill Road, Chesterfield, MO 63017, spoke with concerns about P.Z. 16-98 Bopp Properties. She stated her desire to see the single-family lots remain 3 acres.

NEW BUSINESS

- A. **P.Z. 8-98 Fischer-Frichtel, c/o John P. King (Whitestone Farm);** "NU" Non-Urban District to "R-2" 15,000 square foot Residence District; west side of White Road, south of Olive Boulevard.

And
- B. **P.Z. 9-98 Fischer-Frichtel, c/o John P. King (Whitestone Farm);** a Planned Environment Unit (PEU) procedure in the "R-2" 15,000 square foot Residence District; west side of White Road, south of Olive Boulevard.

Assistant Director of Planning Laura Griggs-McElhanon summarized the request and Department's recommendation of approval for the rezoning (P.Z. 8-98) and the PEU (P.Z. 9-98). The conditions in Attachment A are like the two previous petitions on White Road. The traffic conditions are based on the traffic study the City of Chesterfield had done. Storm water conditions are in keeping with the Department of Public Works recommendations for the area.

A motion to approve the Department's recommendation of approval of P.Z. 8-98 was made by Commissioner Eifler and was seconded by Commissioner Layton.

Upon a roll call, the vote was as follows: Commissioner Broemmer, yes; Commissioner Dalton, yes; Commissioner Eifler, yes; Commissioner Grant, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Commissioner Yaffe, yes; Chairman Bly, yes.

The motion passes by a vote of 8 to 0.

A motion was made by Commissioner Eifler to accept the Planning Department recommendation (P.Z. 9-98) as contained in Attachment A with the following change: delete condition 4B and replace with 'Lots 4,5 and 12 through 17, inclusive, as depicted on the Preliminary Plan will have

a side setback of 10 feet. All other lots would have a side setback of 8 feet. The motion was seconded by Commissioner Layton.

Commissioner Grant commended staff for devising appropriate conditions relative to traffic.

Commissioner Eifler suggested that when a PEU includes a reduction in the required setback as stated in the appropriate zoning, that a justification be obtained from the developer to justify that reduction.

Upon a roll call, the vote was as follows: Commissioner Broemmer, yes; Commissioner Dalton, yes; Commissioner Eifler, yes; Commissioner Grant, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Commissioner Yaffe, yes; Chairman Bly, yes.

The motion passes by a vote of 8 to 0.

C. **P.Z. 5A-98 Swingley Ridge Development**; "C-2" Shopping District to "PC" Planned Commercial District; north side of Swingley Ridge Drive, west of Olive Boulevard.

Planner I Angela McCormick summarized the request and the Department's recommendation to approve. She stated that the Department is recommending revisions on page 3 of Attachment A, Access and Roadway Improvements, Including Sidewalks Item H. Michael Geisel, Director of Public Works, advised the Planning Department that the secondary access will not be feasible and the cross access is physically impractical. She noted that neither of these accesses were requested or mandated by the Fire Department. Staff presented an amended Attachment A containing these amendments.

A motion to approve the Department's recommendation, subject to the conditions in Amended Attachment A was made by Commissioner Grant, and seconded by Commissioner Dalton.

Upon a roll call, the vote was as follows: Commissioner Broemmer, yes; Commissioner Dalton, yes; Commissioner Eifler, yes; Commissioner Grant, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Commissioner Yaffe, yes; Chairman Bly, yes.

The motion passes by a vote of 8 to 0.

D. **P.Z. 15-98 Arthur R. McRoberts and Mary McRoberts (Hart Auto Body Inc.)**; a request for a change in zoning from "C-8" Planned Commercial District to "PC" Planned Commercial District and an amendment to existing City of Chesterfield Ordinance Number 615 for a 3.3 acre tract of land located on the north side of Chesterfield Airport Road, 600 feet east of Long Road.

Planner I Angela McCormick summarized the request and the Department's recommendation of approval subject to the conditions in Attachment A.

A motion to approve the Department's recommendation was made by Commissioner Grant, and was

seconded by Commission Yaffe.

COMMENTS/DISCUSSION

- Question was asked of staff if this situation has happened before (condition of rezoning requires work on a road the tract is not directly adjacent to).

Planning Director Teresa Price responded that the Hampton Inn/Swingley Ridge and Homewood Suites were similar.

- Is there a practice whereby there is a method of requiring some kind of fair or proportional way of addressing road improvements.

A motion to amend the conditions was made by Commissioner Grant to require that in place of those conditions that now address road improvements, substitute a condition to require the petitioner to make an equitable and proportionate contribution for road improvements by escrow, as directed by the Department of Planning, so that if and when the total tract is developed, this portion of the tract will have contributed its fair share to the roadway improvements.

The motion was seconded by Commissioner Yaffe.

Commissioner Eifler inquired if Commissioner Grant would accept a minor modification regarding general condition 'S' that relates to fumes escaping from the building and substitute fumes from any paint associated operations rather than just the paint. Commissioner Grant accepted the modification.

Commissioner Yaffe also accepted the modification.

Upon a roll call, the vote was as follows: Commissioner Broemmer, yes; Commissioner Dalton, yes; Commissioner Eifler, yes; Commissioner Grant, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Commissioner Yaffe, yes; Chairman Bly, yes.

The motion passes by a vote of 8 to 0.

- E. **P.Z. 1-90 Long Road Realty Venture, Inc.**; request for an amendment to City of Chesterfield Ordinance Number 430, the governing "C-8" Planned Commercial District Ordinance for the Short Stop Center; west side of Long Road, South of Chesterfield Airport Road (relative to reducing the setback from the west property line).

Assistant Director of Planning Laura Griggs-McElhanon stated that an ordinance amendment request discussed at the last meeting resulted in several conditions being recommended by the Planning Department. The Planning Commission held the item to allow feedback from property owner Denis St. John. After discussion with Michael Geisel, Director of Public Works and Mr. St. John, the Planning Department is recommending some modifications to the original conditions.

- Clarifying that several of the conditions reflect the continuous deck to differentiate it from the

two existing decks that are behind two tenant spaces in the north building.

- After talking to Michael Geisel, Director of Public Works, refer to the drainage configuration and the drainage improvements because you could make the drainage improvements in something other than a ditch, which is what has occurred in the northern section of the property where they piped the ditch.

A motion to approve the request to amend the ordinance as recommended by the Department was made by Commissioner McCarthy and seconded by Commissioner Layton.

Upon a roll call, the vote was as follows: Commissioner Broemmer, yes; Commissioner Dalton, yes; Commissioner Eifler, yes; Commissioner Grant, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Commissioner Yaffe, yes; Chairman Bly, yes.

The motion passes by a vote of 8 to 0.

- F. **P.Z. 20 & 21-95 Premier Development Corp. (Windridge Estates)**; request for an amendment to City of Chesterfield Ordinance Number 1092 for a Planned Environment Unit (PEU) Procedure in the “R-1” One Acre Residence District and the “FPR-1” Flood Plain “R-1” One Acre Residence District; south side of Wild Horse Creek Road, west of Long Road (relative to deleting the sidewalk adjacent to Wild Horse Creek Road).

A motion to remove from the table was made by Commissioner Grant, seconded by Commissioner Eifler, **and passes by a voice vote of 8 to 0.**

NOTE: This amendment request will be discussed at the next Planning Commission meeting.

- G. **P.Z. 13-96 A&O Investments, Ltd.**; request for amendment of City of Chesterfield Ordinance Number 1207, the governing “C-8” Planned Commercial District Ordinance for Fairfield Suites/Applebee’s; intersection of Conway Road and Chesterfield Parkway North.

Planner I Annisca McCaskill summarized the request and the Department recommendation of denial.

Chairman Bly recognized Mayor Nancy Greenwood at the meeting.

A motion to deny the request for amendment was made by Commissioner Grant and seconded by Commissioner Broemmer.

Upon a roll call, the vote was as follows: Commissioner Broemmer, yes; Commissioner Dalton, yes; Commissioner Eifler, yes; Commissioner Grant, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Commissioner Yaffe, yes; Chairman Bly, yes.

The motion passes by a vote of 8 to 0.

SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

- A. **P.C. 141-79 Chesterfield Village-Sachs Properties, Inc. (Homewood Suites, Parcel C314);** “C-8” Planned Commercial District, Final Development Section Plan, Landscape Plan, and Architectural Elevations; east of Chesterfield Parkway North and north of Hilltown Village Center.

Commissioner Grant, on behalf of the Site Plan Committee, made a motion to approve the final development section plan, landscape plan and architectural elevations for PC 141-79 Chesterfield Village/Sachs Properties, Inc. (Homewood Suites, Parcel C314), the motion was seconded by Commissioner Layton and passes by a voice vote of 8 to 0.

- B. **Logan College of Chiropractic: Annex Building;** “NU” Non Urban Amended Site Development Plan, architectural elevations and exterior material samples; west side of Schoettler Road, north of Brook Hill Drive.

Commissioner Grant, on behalf of the Site Plan Committee, made a motion to approve the architectural elevations, the amended site development plan and the exterior material samples for the Logan College of Chiropractic, the Annex building. The motion was seconded by Commissioner Eifler and passes by a voice vote of 8 to 0.

- C. **P.Z. 164-83 Chesterfield Executive Park, Inc. (Chesterfield Executive park Lot 2);** “M3” Planned Industrial District Amended Site Development Plan; east side of Cepi Drive, south of Chesterfield Airport Road.

Commissioner Grant, on behalf of the Site Plan Committee, made a motion to approve the amended site development plan subject to approval by the Fire Protection District for a turning radius and also subject to future approval of the landscape plan. The motion was seconded by Commissioner Broemmer and passes by a voice vote of 8 to 0.

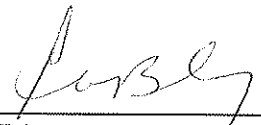
IX. COMMITTEE REPORTS:

- A. Ordinance Review Committee - No report
- B. Architectural Review Committee - No report
- C. Site Plan/Landscape Committee – No report
- D. Comprehensive Plan Committee – No report

Chairman Bly appointed the Nominating Committee as follows: Commissioner Layton, Commissioner Yaffe and Chairman Bly. They will present their recommendations to the Commission at the next meeting.

A motion to adjourn was made by Commissioner Eifler, seconded by Commissioner Broemmer, and passes by a voice vote of 8 to 0.

The meeting adjourned at 8:36 p.m.



Rick Bly, Chairman

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