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

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

I. PRESENT	**ABSENT**
Mr. Fred Broemmer	Mr. David Banks
Mr. Dan Layton, Jr.	Ms. Stephanie Macaluso
Ms. Rachel Nolen	
Mr. Jerry Right	
Mr. B. G. Wardlaw	
Chairman Victoria Sherman	
Mr. Doug Beach, City Attorney	
Mayor John Nations	
Mr. Barry Streeter, Council Liaison	
Ms. Teresa Price, Director of Planning	
Mr. David Bookless, Project Planner	
Mr. Mike Hurlbert, Project Planner	
Ms. Annissa McCaskill, Project Planner	
Ms. Kathy Lone, Planning Assistant	

II. INVOCATION: Commissioner Layton

III. PLEDGE OF ALLEGIANCE:

Chairman Sherman recognized the attendance of Mayor John Nations, Councilmember Jane Durrell (Ward I); Councilmember Bruce Geiger (Ward II), Councilmember Mike Casey (Ward III); Councilmember Connie Fults (Ward IV), and Council Liaison Barry Streeter (Ward II).

IV. PUBLIC HEARINGS:

Chairman Sherman stated that, due to lack of proper posting on the property, the Public Hearing for **P.Z. 6-2003: Villages at Kendall Bluff** would be rescheduled for Monday, May 12, 2003.

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 Cordovian Commons Parkway and west of Old Riverwoods. Proposed Uses: Attached single family uses with accessory uses (Locator Number: 17R-53-0192)

V. APPROVAL OF MEETING MINUTES

Commissioner Broemmer made a motion to approve the April 14, 2003 Meeting Minutes, as amended. The motion was seconded by Commissioner Nolen **and passes by a voice vote of 6 to 0.**

VI. PUBLIC COMMENT -

1. Mr. Bob Martin, petitioner for and speaking in favor of **Chesterfield Commons West, Outparcel 2 (Old Spaghetti Factory)**;

- Speaker stated that he was present to answer questions.

2. Mr. Larry Hasselfeld, Vice President of Drury Development, 13812 Wellington Manor Court, St. Louis, MO, speaking in favor of **Drury Plaza;**

- Speaker stated that he was present to answer questions.

3. Mr. Art Henn, 37 Shady Valley Drive, Chesterfield, MO 63017, representing the River Bend Association, speaking in favor of **P.Z. 3-2003 - Montgomery First National Bank**;

- Speaker stated that if there is a change or deviation from what was proposed, the petitioner would not have the support of the residents;
- Speaker stated that the neighbors would like a Deed of Restriction to make sure that the conditions stay the same as presented.

4. Mr. Stephen Kling, 10 South Brentwood Boulevard, Clayton, MO 63015, attorney representing some of the neighboring residents and speaking neutral to **P.Z. 3-2003 - Montgomery First National Bank**;

- Speaker stated that his clients are not in favor of this proposal unless protections are in place and assurance that there will be a park at this site.

5. Mr. Brian Calderwood, 2024 Meadowbrook Way Drive, Chesterfield, MO 63017, speaking neutral to **P.Z. 3-2003 - Montgomery First National Bank**;

- Speaker stated that he would be opposed to this proposal if the main access to the site would be where the park will be located since that would be too close to the school.

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**.

6. Mr. Mike Doster, 17107 Chesterfield Airport Road, Chesterfield, MO 63005, attorney for **P.Z. 29-2002 The Bluffs at Appaloosa Way**;

- Speaker presented a hand-out to the Commission and gave a power point presentation showing a revised plan that is being submitted;
- Speaker stated that there will be nine (9) new homes in this development;
- Speaker stated that four (4) of the five (5) homes in the Hi-Point Subdivision would remain;
- Speaker stated that the revised plan will only show the property necessary for the development and not the entire area as originally requested;
- Speaker stated that he has sent a letter to the two (2) homeowners not rezoning and offered to include their properties in this rezoning at no expense to them;
- Speaker stated that the roadway would remain the same as originally proposed;
- Speaker stated that with the new proposal, four (4) of the five (5) existing homes in the Hi Point Subdivision would remain;
- Speaker stated that the original proposal was 13.5 acres and the revised proposal would be approximately 7 acres.

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

- Speaker stated that he was present to answer questions.

8. Mr. Richard Halsey, Hall & Halsey Associates, Inc., 424 South Clay, St. Louis, MO 63122, architect and speaking in favor of **P.Z. 29-2002 The Bluffs at Appaloosa Way**;

- Speaker stated that he was present to answer questions.

9. Ms. Patty Shearn, 210 Hi Point, Chesterfield, MO, resident of Hi Pointe Subdivision and speaking in opposition to **P.Z. 29-2002 The Bluffs at Appaloosa Way**;

- Speaker expressed concern with what will happen to the trees along the road;
- Speak stated that she does not want the subdivision broken up.

10. Mr. Mike Lawless, President, Lawless Homes, 298 Vance Road, Valley Park, MO, speaking in favor of **P.Z. 22A-2002 Wildhorse Way**;

- Speaker stated that the Department of Public Works is requiring a 50-foot street for two (2) lots across from Eagle Crest Estates Subdivision. Speaker stated that MoDOT will not allow that and prefers two (2) curb cuts for two (2) lots;
- Speaker stated that this proposal conforms to the Comprehensive Plan;
- Speaker stated that he proposes a 50-foot setback but the City has enacted a new ordinance that requires a 50-foot setback plus a 30-foot buffer. Speaker stated that the 30-foot buffer could adequately be put in the 50-foot setback. Speaker stated that adding the 30-foot buffer would require the dwelling to be pushed back and create more land disturbance;
- Speaker stated that the Department of Public Works is requesting that any retaining walls that are built be in easements (common ground);
- Speaker stated that a letter dated March 20, 2003 from MoDOT stated that, after inspecting the petitioner's proposed entrance location, there was sufficient sight distance if the mound just west of the proposed driveway location would be removed thus increasing the sight distance.

Mr. Mike Geisel, Director of the Department of Public Works, stated that the Department recommends that the development be limited to one (1) curb cut (1 shared access point) but not a stub street or right-of-way. Mr. Geisel stated that the driveway would be a minimum of 12 feet wide and a maximum of 30 feet wide. Mr. Geisel stated that the width would be in accordance with existing Design Standards.

Mr. Lawless stated that grading has to be in conformance with MoDOT standards in order to get a permit.

Councilmember Streeter asked that when this proposal goes to the Planning and Zoning Committee, the petitioner provide a grading plan of what is being proposed.

Mr. Lawless stated that the existing driveway to the east of this site is an easement (driveway over an easement) so the easement can continue to exist on the back of a 1-acre lot. Mr. Lawless stated he would agree to trade property with the owner of this driveway in exchange for other property in this proposed area.

Commissioner Layton returned to the dais.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

A. Drury Plaza: Sign Package for two hotels, a meeting center, and a restaurant on a 4.85 acre tract of land, zoned "PC" Planned Commercial District, located adjacent to Chesterfield Mall on the southwest corner of I-64/Hwy 40/61 and MO 340 (Clarkson Rd).

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Commissioner Right, on behalf of the Site Plan Committee, made a motion to approve the Sign Package for **Drury Plaza** with the condition that Monument Sign 'C' be reduced to 30 square feet. The motion was seconded by Commissioner Layton **and passes by a voice vote of 6 to 0.**

B. **Chesterfield Commons West:** Amended Site Development Concept Plan for a 28.8-acre tract of land zoned "PC" Planned Commercial District, located south of Chesterfield Airport Road, west of the Chesterfield Commons.

Commissioner Right, on behalf of the Site Plan Committee, made a motion to approve the Amended Site Development Concept Plan for **Chesterfield Commons West**. The motion was seconded by Commissioner Wardlaw **and passes by a voice vote of 6 to 0.**

C. **Chesterfield Commons West, Outparcel 2 (Old Spaghetti Factory):** Site Development Section Plan, Architectural Elevations, and Landscape Plan for restaurant building on a 2.22-acre tract of land, zoned "PC" Planned Commercial District, located south of Chesterfield Airport Road, west of RHL Blvd.

Commissioner Right, on behalf of the Site Plan Committee, made a motion to approve the Site Development Section Plan, Architectural Elevations and Landscape Plan for **Chesterfield Commons West, Outparcel 2 (Old Spaghetti Factory)**. The motion was seconded by Commissioner Broemmer **and passes by a voice vote of 6 to 0.**

D. **Coventry Farm 2nd Addition**: a Record Plat for a 3.598 acre tract of land zoned "R-3" Residence District with a PEU, located east of Kehrs Mill Road at Coventry Woods Court.

Commissioner Right, on behalf of the Site Plan Committee, made a motion to approve the Record Plat for **Coventry Farm 2nd Addition**. The motion was seconded by Commissioner Broemmer **and passes by a voice vote of 6 to 0.**

VIII. OLD BUSINESS -

A. **P.Z. 22A-2002 Wildhorse Way**: a request for a change of zoning from an "NU" Non-Urban District to an "E One Acre" Estate Residence District for 2.62 acres of land located on the north side of Wildhorse Creek Road across from Eagle Crest Estates. (Locator Number: 18U-34-0101)
Proposed use: Single-family homes

Director of Planning Teresa Price gave an overview of **P.Z. 22A-2002 Wildhorse Way**. Ms. Price stated that the Department of Planning agrees with the Department of Public Works that there should be one (1) driveway and that it should align directly across from Riverdale Drive (Eagle Crest Estates Subdivision).

Commissioner Nolen made a motion to approve **P.Z. 22A-2002 Wildhorse Way** as presented. The motion was seconded by Commissioner Wardlaw.

Ms. Price stated that the Department of Planning has not received any documentation from MoDOT that they prefer two (2) curb cuts for the two (2) lots.

General discussion followed concerning one (1) driveway versus two (2) driveways.

Commissioner Nolen made an amendment to her motion to strike the following from page 3 of Attachment A, V. SPECIFIC CRITERIA, c., "2. Access/Utility easements are required throughout the development. Every other break between structures must contain a ten (10) feet wide access/utility easement, as directed by the City of Chesterfield. A continuous backyard easement of fifteen (15) feet wide must be provided for each lot. ~~A similar access easement will be required for the common ground areas. Should retaining wall(s) be introduced into the development, the retaining wall(s) must be located within common ground or easement(s) and appropriate easements for access must be provided.~~" Commissioner Wardlaw (as seconder) accepted the amendment to the motion.

Commissioner Wardlaw made an amendment to the motion to have two (2) driveways as approved by MoDOT. The amendment to the motion was seconded by Commissioner Broemmer.

Commissioner Nolen stated that she would like to see the number of driveways left as is in Attachment A and that changes to the number of driveways could be made at the Planning and Zoning Committee Meeting if a letter regarding this item is received from MoDOT.

The vote on: Commissioner Wardlaw made an amendment to the motion to have two (2) driveways as approved by MoDOT. The motion was seconded by Commissioner Broemmer.

Upon a roll call the vote was as follows: Commissioner Broemmer, yes; Commissioner Layton, yes; Commissioner Nolen, no; Commissioner Right, yes; Commissioner Wardlaw, yes; Chairman Sherman, no.

The amendment to the motion passes by a vote of 4 to 2.

The vote on the motion, as amended:
(Commissioner Nolen made a motion to approve **P.Z. 22A-2002 Wildhorse Way** as presented. The motion was seconded by Commissioner Wardlaw.

Commissioner Nolen made an amendment to her motion to strike the following from page 3 of Attachment A, V. SPECIFIC CRITERIA, c., 2. Access/Utility easements are required throughout the development. Every other break between structures must contain a ten (10) feet wide access/utility easement, as directed by the City of Chesterfield. A continuous backyard easement of fifteen (15) feet wide must be provided for each lot. ~~A similar access easement will be required for the common ground areas. Should retaining wall(s) be introduced into the development, the retaining wall(s) must be located within common ground or easement(s) and appropriate easements for access must be provided.~~ Commissioner Wardlaw (as seconder) accepted the amendment to the motion.

Upon a roll call the vote was as follows: Commissioner Layton, yes; Commissioner Nolen, yes; Commissioner Right, yes; Commissioner Wardlaw, yes; Commissioner Broemmer, yes; Chairman Sherman, no.

The motion, as amended, passes by a vote of 5 to 1.

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**.

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).

Project Planner David Bookless gave an overview of **P.Z. 29-2002 The Bluffs at Appaloosa Way** and asked the Commission if they had additional issues to be reviewed and addressed. Mr. Bookless stated that the Staff report refers to the originally submitted plan and not the revised plan presented at the meeting tonight.

Mr. Bookless stated that the trees along the roadway are within the private road easement and since the proposed road would fall within the private road easement, the trees probably would be lost.

The Commission would like the following additional issue reviewed and addressed:

- Trees along the roadway.

Commissioner Layton returned to the dais.

C. **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)

Director of Planning Teresa Price gave an overview of **P.Z. 3-2003 - Montgomery First National Bank** and asked the Commission if they had additional issues to be reviewed and addressed.

The Commission would like the following additional issues reviewed and addressed:

- At the Public Hearing, a resident expressed concern with people walking through his property to get to this development –show a visual where this house is located;
- Address park improvements in Attachment A;
- A more residential appearance for the bank and possibly omitting the bell tower;
- Opposition to this proposal if the main access to the site would be where the park would be located since that would be too close to the school.

Chairman Sherman stated that, by a consensus of the Planning Commission, **P.Z. 3-2003 - Montgomery First National Bank** would go the Architectural Review Board (ARB) for review.

D. Policy Concerning Submittal of Information to Planning Commission.

Director of Planning Teresa Price gave an overview of the **Policy Concerning Submittal of Information to Planning Commission.**

City Attorney Doug Beach suggested the following change: Planning Commission packets are available for Commissioners after 5:00 PM on Wednesday, prior to the Monday meeting. **The packet information will be available to the petitioners as of 8:30 AM Thursday morning.**

Commissioner Layton made a motion to accept the **Policy Concerning Submittal of Information to Planning Commission** with the change in language. The motion was seconded by Commissioner Nolen.

Upon a roll call the vote was as follows: Commissioner Nolen, yes; Commissioner Right, yes; Commissioner Wardlaw, yes; Commissioner Broemmer, yes; Commissioner Layton, yes; Chairman Sherman, yes.

The motion passes by a vote of 6 to 0.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS:

A. Committee of the Whole
B. Ordinance Review Committee

Committee members will contact Ms. Price with times they are available to meet.

C. Architectural Review Committee

Committee members will contact Ms. Price with times they are available to meet.

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

Ms. Price presented the Commission with copies of the new City of Chesterfield Comprehensive Plan and the final Transportation Model.

Chairman Sherman stated that the City of Chesterfield Comprehensive Plan is available on the City web site (www.chesterfield.mo.us) and copies will soon be available for sale at City Hall.

The meeting unanimously adjourned at 8:26 p.m.

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Jerry Right, Secretary