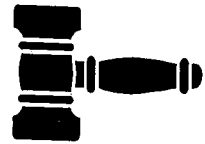


**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
April 24, 2000**



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

I. PRESENT

Mr. David Banks
Mr. Fred Broemmer
Mr. Charles Eifler
Ms. Rachel Nolen
Mr. Jerry Right
Ms. Victoria Sherman
Chairman Dan Layton, Jr.
Mayor Nancy Greenwood
Mr. Doug Beach, City Attorney
Councilmember John Nations, Council Liaison
Ms. Teresa Price, Director of Planning
Ms. Laura Griggs-McElhanon, Assistant Director of Planning
Ms. Kathy Lone, Executive Secretary/Planning Assistant

ABSENT

Ms. Stephanie Macaluso

II. INVOCATION: Commissioner Right

III. PLEDGE OF ALLEGIANCE: All

Chairman Layton recognized the attendance of Mayor Nancy Greenwood, Councilmember Jane Durrell (Ward I) and Councilmember John Nations (Ward II) as Council Liaison.

Chairman Layton thanked Councilmember Mary Brown (Ward IV) for her work as liaison to the Planning Commission for the past year.

IV. PUBLIC HEARINGS:

Commissioner Sherman read the first portion of the Opening Comments.

- A. P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates); a request for a rezoning from "NU" Non-Urban District and "FPNU" Flood Plain Non Urban District to "R-2" 15,000 square foot Residence District and "FPR-2" Flood Plain

15,000 square foot Residence District for a 37.4 acre tract of land located on the west side of Creve Coeur Mill Road, north of Olive Boulevard. (Locator Number 16Q64-0241).

AND

B. P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates); a request for a Planned Environment Unit (PEU) Procedure in the "R-2" 15,000 square foot Residence District and "FPR-2" Flood Plain 15,000 square foot Residence District for the same 37.4 acre tract of land located on the west side of Creve Coeur Mill Road, north of Olive Boulevard. (Locator Number 16Q64-0241).

Proposed Uses:

- Dwellings, single family attached;
- Dwellings, single family detached.

Assistant Director of Planning Laura Griggs-McElhanon gave a slide presentation of the subject site and surrounding area.

1. Mr. Ed Levinson, 1301 Amherst Terrace Way, Chesterfield, MO 63017, petitioner for P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates) and P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates);

- Speaker stated that subject site is 37.4 acres. Only eight (8) of those acres will be built on;
- The Creve Coeur Creek will remain untouched;
- The woods on the site will not be touched;
- Developer will build four (4) lakes that serve as both recreational and aesthetic;
- There will be a separate detention basin in and out of the floodplain;
- There will 32 units;
- The Walsh home on the site will be provided legal frontage at the end of the cul-de-sac;
- There will be a tree buffer between Creve Coeur Mill Road and the lakes for a park-like setting;
- Petitioner feels that this will provide an excellent entrance into the City of Chesterfield;
- Petitioner stated that this development is in keeping with all of the ordinances;
- Units will range in price from \$250,000 to \$400,000;
- Speaker stated there would be approximately 6 to 8 feet of fill.

2. Mr. Daniel Bloom, 17643 Bridgeway Circle, Chesterfield, MO 63005, attorney for P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates) and P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates);

- Speaker stated that the floodplain ordinance allows one to recapture one-third (1/3) of the land that remains in floodplain for density calculations. (Example: If one has five (5) acres out of the floodplain and nine (9) acres in the floodplain, for density purposes, you are allowed to include the five (5) acres out of floodplain and one-third (1/3) of the other nine (9) acres for a total of eight (8) acres.
- Speaker stated that the developer has met with the trustees of the surrounding neighborhoods, including Old Farm Estates, which is not in Chesterfield.

Mr. Levinson stated that it is not clear if Creve Coeur Mill Road will be widened.

3. Mr. Patrick Worzer, Landscape Architect, Land Design Services, Inc., 11918 Westline Industrial, St. Louis, MO 63146, speaking for P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates) and P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates);
- Speaker stated that the total existing area out of the 100-year flood plain is 1.8 acres, and the proposed area out of the 100-year flood plain is 8.3 acres. An additional 6.5 acres will be raised out of what is already out of the flood plain for the total site;
 - Speaker stated that the roadway and building area will be in the raised area.

Commissioner Eifler questioned that the expansion of the north/south proposed expressway is going to be two (2) lanes for a total of four (4) lanes and would connect to relocate at Woods Mill Road to the south and, hopefully, go all the way to the Earth City expressway to the north. Commissioner Eifler stated that if, the petitioner builds out to the road, would there be room for the north/south expressway that is contemplated by MoDOT, Maryland Heights, and several other groups.

Mr. Levinson stated that it is his understanding that Creve Coeur Mill Road would be maintained generally in a two (2) lane structure. The 141/Earth City Expressway is currently not designed yet but potentially could go over the lake that the petitioner is proposing. The County Highway Department is currently doing area studies. In all probability, it will be an elevated section of road.

Commissioner Eifler stated that the upscale, luxury housing units could be right under an elevated four (4) lane highway.

Mr. Levinson stated that they would not be right under the highway but would probably be several hundred feet away. Mr. Levinson stated that there currently is an area study underway.

Commissioner Eifler stated that the City sent a letter to MoDOT in November, 1999, suggesting a strong preference for connecting the relocated Woods Mill Road to the Earth City Expressway. The Parkway School District and the MTIA, which is under the auspices of the Gateway East/West Coordinating Council, is being operated by MoDOT and Bi-State and is depicted as one of their long-range road improvements in the future. This is actively supported by both governmental units and citizens.

Commissioner Eifler stated that if this development proceeds, it will be in the only place that the road can run between the Woodchase apartments and Creve Coeur Mill Road. Commissioner Eifler stated that if this property is developed, it becomes more difficult to build the much-needed road.

Commissioner Nolen expressed concern for possible buyers of these homes and to alert them to the fact that an expressway could be built nearby.

Commissioner Broemmer asked that if there is approximately 6 to 8 feet of fill, would it be filled and allowed to set and settle before building on it.

Mr. Levinson stated that soil engineers would be used and proper compaction, documentation and certification would be provided the City of Chesterfield and St. Louis County.

Mr. Levinson stated that he does not have specific plans for pedestrian walkways but would like to have them.

Commissioner Eifler asked for clarification that Mr. Levinson is willing to dedicate a corridor for the Woods Mill/141/Earth City Expressway connector.

Mr. Levinson stated that something could be worked out provided that the City Attorney words it in such a way that it is not taken out as common ground therefore against the density calculations which would then not allow the project to be built.

Mr. Levinson stated that the existing curb cut would move approximately 10 to 20 feet to where the main entrance will be and the Walsh's will have access through the subdivision (lot 33).

SPEAKERS IN OPPOSITION -

1. Ms. Marci Davis, 73 River Valley Drive, Chesterfield, MO 63017, speaking in opposition to P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates) and P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates);

- Speaker stated that building on flood property is not a good idea;
- Speaker stated that it is not yet known where the Woods Mill/141/Earth City Expressway will be built;
- Speaker stated that the road studies have just started and there is not a timeline for completion of the study;
- Speaker stated that there is discussion about a temporary road before 141 is in place.

2. Mr. Bill Ware, 188 River Valley Drive, Chesterfield, MO 63017, speaking in opposition to P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates) and P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates);

- Speaker stated that the new homes will add 64 more vehicles to an already crowded Creve Coeur Mill Road;
- Speaker stated that the environmental study would not be complete until May, 2001. When the study is completed, if the proposed property is in the way, the homes would have to be bought out, torn down, or the road would have to be redirected or delayed which would add a major expense to the State.

SPEAKERS - NEUTRAL -

3. Mr. Chad Doerhoff, 1231 Creve Coeur Crossing Lane, Chesterfield, MO, speaking neutral to P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates) and P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates);
 - Speaker stated that the proposed property and his property are intersected by a creek. Speaker asked what studies have been done in terms of reclaiming 8 acres and, if there is a foot of water on those 8 acres, is it going to encroach on the property to the west. Speaker asked how it would affect flood maps on his side of the property;
 - Speaker does not know if the petitioner has spoken to the trustee at the condominiums.
4. Mr. Marshall Friedman, 340 Ridge Trail Drive, Chesterfield, MO, speaking neutral to P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates) and P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates);
 - Speaker stated this his property abuts the proposed development;
 - Speaker stated that the proposed property is wetlands and flood plain and an environmental statement is necessary before any action is taken;
 - Speaker stated that the quality of water that would need to be detained so that there is not an added contribution to the Creve Coeur Creek would be tremendous;
 - Speaker would like to see specific engineering calculations on the water;
 - Speaker stated that this development could cause massive erosion.
5. The Honorable Brent Evans, State Representative (Ballwin/Manchester area), 126 Holloway Road, Ballwin, MO 63011, speaking neutral to P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates) and P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates);
 - Speaker stated that he has a deep involvement to make sure that the 141 project continues until it is hooked up to Page Avenue;
 - Speaker stated that it is his belief that this is the most important infrastructure project in the area making sure that we have a north/south route west of I270;
 - Speaker stated that it takes 18 to 24 months for the environmental impact study;
 - Speaker stated that the Highway Department does not have the money to buy out the homes;
 - Speaker stated that the County owns the land between Woodchase and the apartments.

REBUTTAL -

Mr. Levinson stated that he has met with FEMA and they have stated that there shall not be a net rise in the creek.

Mr. Levinson stated that most of the homes would be ranches with the maximum height being 2-stories. The buildings will have walk-outs so they will be 2-story in the front but 3-story in the rear.

Mr. Bloom stated that the elevation for the portion that has been set aside for the north extension is currently 520 feet. The elevation on the site is approximately 460 feet.

Commissioner Nolen stated that all potential homeowners should sign a statement that they are aware of how close the road could come to them.

Mr. Bloom stated that if a governmental body wants to take some property for a highway, they either need to buy the property or allow it to be developed.

Commissioner Nolen left the meeting at 8:22 p.m. and returned at 8:26 p.m.

Commissioner Right left the meeting at 8:25 p.m. and returned at 8:26 p.m.

Mr. Todd Brady, engineer, stated that there is an area that is excavated and that area is where the dirt is obtained to fill and elevate the area out of the flood plain. The goal is to create walk out conditions for the houses so that the basements all comply with FEMA and City requirements of at least one (1) foot above the 100-year flood plain. The rest of the front yards and the road get elevated further above that 100-year flood plain. That additional dirt is the same dirt that is dug out of the bottom of the lakes then they get filled back with water. This is the cut and fill or equal storage volume.

Commissioner Eifler stated that three (3) large lakes are shown in the development and the largest lake is in the right-of-way where the developer anticipates the State might build the Woods Mill extension. If the State says they do not want to build an elevated road but one at grade level, what does that do to your whole premise of preserving the balance between the cut and the fill.

Mr. Brady stated that any road would have to be elevated above the 100-year flood. Mr. Brady stated that there are 60 feet of elevation difference.

Chairman Layton stated that two (2) predominate issues are the flood plain and the possible location of a future road. Both of these issues will have to be addressed by the Planning Department and come before the Commission.

Chairman Layton stated that P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates) and P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates) would not need to go before the Architectural Review Board for review.

Commissioner Sherman read the next portion of the "Opening Comments."

Commissioner Nolen made a motion to have P.Z. 14-2000 One Chesterfield Place, P.Z. 15-2000 Hayden Homes and P.Z. 16-2000 Hayden Homes presented together. The motion was seconded by Commissioner Sherman and passes by a voice vote of 7 to 0.

Chairman Layton stated that anyone who wishes to speak on any of the three (3) petitions will be given time to do so.

- C. P.Z. 14-2000 One Chesterfield Place; a request for a rezoning from "NU" Non-Urban District to "PC" Planned Commercial District for a 6.4 acre tract of land located on the north side of North Outer Forty Road, just west of Bonhomme Presbyterian Church (Locator Number: 18R110011).

Proposed Uses:

- Offices or Office Buildings;
- Cafeterias for employees and guests only;
- Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage or wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.

- D. P.Z. 15-2000 Hayden Homes; a request for a rezoning from "NU" Non-Urban District to "R-3" 10,000 square foot Residence District for a 14.7 acre tract of land located on the south side of Conway Road, east of Delmar Gardens Enterprises (Locator Numbers: 18R110121 (formerly 18R110112 and 18R110097), 18R110086, and 18R110053).

AND

- E. P.Z. 16-2000 Hayden Homes; a request for a Planned Environment Unit (PEU) Procedure in the "R-3" 10,000 square foot Residence District for the same 14.7 acre tract of land located on the south side of Conway Road, east of Delmar Gardens Enterprises (Locator Numbers: 18R110121 (formerly 18R110112 and 18R110097), 18R110086, and 18R110053).

Proposed Uses:

- Dwellings, single family attached;
- Dwellings, single family detached.

Chairman Layton stated that P.Z. 14-2000 One Chesterfield Place, P.Z. 15-2000 Hayden Homes and P.Z. 16-2000 Hayden Homes would be reviewed together.

A packet was handed out to the Commission members.

Assistant Director of Planning Laura Griggs-McElhanon gave a slide presentation showing the subject site and surrounding area.

Mr. Steve Koslovsky, 231 S. Bemiston, Clayton, MO 63105, attorney for petitioner of P.Z. 15 Hayden Homes and P.Z. 16 Hayden Homes, stated the following:

- These proposed developments are in accordance with the Comprehensive Plan;
- Attached, single-family homes – 42 units;
- Developer has had extensive discussions with the residents to explain the proposal;
- Rezoning NU to R-3 PEU;
- Will be a gated community;
- Subdivision will be named August Hill;
- The Hayden Development is on 13.7 acres;
- There will be one (1) lane in and (2) lanes out;
- There will be four (4) streets leading to cul-de-sacs;
- There will be 31 parking spaces for visitors;
- Elevations will be brick, European-style with a courtyard;
- The attached homes will front Conway Road;
- Landscaping will far exceed what will be removed;
- Buffer would be 100 feet to 110 feet from where Conway Road ends and the interior street begins.

COMMENTS/DISCUSSION

Commissioner Sherman requested that the developer maintain the rural character.

4. Mr. John Pitcher, 1337 Green Tree Lane, Glendale, MO 63122, Vice President of Alvin D. Vitt & Company, partner for P.Z. 15 Hayden Homes and P.Z. 16 Hayden Homes, stated the following:

- Presented hand-out to the Commission;
- Will sell 13.7 acres that front Conway Road to Hayden Homes;
- Office would be developed on 6.44 acres;
- Proposed development would be 5-story building, 142,500 square feet;
- Proposed development would have 3-story parking structure;
- Rezoning from NU to PC Planned Commercial;
- There would be a cafeteria for employees and guests;
- Parking would provide 570 spaces (4/1000 sq. ft.);
- Seventy-five (75%) percent of the parking would be contained in the structure and 25% on-site;
- These two (2) projects address the Comprehensive Plan;
- Floor Area Ratio would be 51%; open space would be 51%;
- Building height would be 70 feet;

- First floor elevation of the building will 558 square feet, so the top of the building will be 628 feet above sea level (compared to 650 feet for Bonhomme Presbyterian Church);
 - Proposed site has 725 feet of frontage along the North Outer Road;
 - Building will set 130 feet from the North Outer road;
 - There will be one (1) access point to North Outer Forty Road;
 - Most of the first and second floors of the garage will be underground;
 - Elevations:
 - Conway Road is approximately 608 feet above sea level and falls to 540 feet from the North Outer Road to the south;
 - The residential units are approximately 30 feet in height and are approximately 617 feet to 620 feet about sea level;
 - Lower units would be approximately 610 feet in height to the top gable;
 - Building is 628' in height to the outside edge of the office building;
 - Roof screen is approximately an additional 7 feet.
 - The property drops approximately 80 feet from the northwest corner to the southeast corner of the site.
5. Ms. Julie Nolfo, Crawford, Bunte, Brammeier, 1830 Craig park Court, Suite 209, St. Louis, MO 63146, traffic engineer for P.Z. 15 Hayden Homes and P.Z. 16 Hayden Homes;
- One Chesterfield Place

Ms. Nolfo stated that there is ample capacity available along the existing road system to accommodate additional traffic with the exception of one (1) intersection: Chesterfield Parkway and North Outer Forty which operates at a level of service of an 'F' during the afternoon.

Existing congestion at this intersection is a direct result of the timing of the intersection that the County is operating there.

The developer is working with the County and is starting to implement that. The goal is to give more time to North Outer Forty in the afternoon to progress the traffic onto the parkway.

The other critical intersections could accommodate up to another 235,000 square feet on top of the build out of Timberlake before it bottoms out again at Chesterfield Parkway and North Outer Forty. Then a physical improvement would need to be made which would be the triple left turn with the insidemost lane acting as a U-turn to allow traffic to return to the east on South Outer Forty. This development has 142,500 square feet and the Solomon development (Forty West II) has approximately 150,000 square feet which would exceed the 235,000 square feet. When that point of occupancy is reached, the triple left turn will need to be implemented.

Hayden Homes Development

Ms. Nolfo stated that the August Hill Subdivision will have one (1) point of access. The two (2) developments are not connected so neither development would have access to each other. Access to August Hill will be directly opposite Conway Oaks. In the morning there are 460 cars in an hour and 415 cars in the afternoon peak hour which averages about 4,000-5,000 vehicles per day. The proposed 42-unit development would generate 35 trips in the morning and 30 trips in the afternoon. The intersection at the Conway Oaks Subdivision (which is unsignalized) presently operates at a level of service 'B.' When this proposed site is developed, it will still operate at a level service 'B'. A motorist turning left into August Hill can do it in an average of eight (8) seconds. A motorist leaving August Hill and turning left should not have a problem due to many gaps in the traffic.

Conway Road is a County road so there are requirements. One-half (1/2) of the 72 foot right-of-way, or basically 36 feet, will have to be dedicated. Conway Road will have to be widened to provide one-half of that pavement along the frontage of the site. Additionally, it may be required by County to put in a westbound left-turn lane. Ms. Nolfo's study shows it is not needed from an operational standpoint but the County may still require it. The developer will have to install a sidewalk along the south side of Conway Road and contribute to the Traffic Generation Assessment (TGA) funds.

Commissioner Nolen expressed concern about the bus stop at Conway Oaks and Conway Road and wants to make sure that the residents are aware of it.

Ms. Nolfo stated that if both One Chesterfield Place and Forty West II (Solomon) are built, a triple left turn would be needed. In regards to the bridge, more infrastructure would not be needed if the triple left turn was built but widen the North Outer Forty to accommodate the triple left turn. There are enough existing lanes on the bridge to accept the traffic. Ms. Nolfo stated that the Women's Hospital and the Sach's Office would have more of an impact on this intersection in the morning. In the afternoon the critical movement is the westbound approach.

Councilmember Nations stated that during a meeting in January, it was his understanding, that the current infrastructure would accommodate only an additional 150,000 square feet of office space. Councilmember Nations stated that he asked this of Ms. Nolfo at a March 13, 2000 meeting in connection with the Solomon proposal and his understanding of what was said at the time is that it would only accommodate another 150,000 square feet. Councilmember Nations stated that now he understands Ms. Nolfo to say that it would accommodate another 235,000 square feet.

Ms. Nolfo stated that she understood Councilmember Nations to ask if it would accommodate the 150,000 square feet proposed by Solomon. Ms. Nolfo stated that the infrastructure today would. Ms. Nolfo said that it was known that the Vitt project was coming in and if it were to come in with 150,000 square feet, now downsized to 142,500 square feet, that would trigger the need for the triple left turn.

Ms. Nolfo stated that the triple left turn, once it is put in with the suggested timing, will

accommodate the build out of the North Forty Corridor and maintain that intersection to operate at a level of service 'B', which is acceptable.

Ms. Nolfo stated that it would not be allowed to have the westbound approach, or North Outer Forty, decrease to an unacceptable level because it carries the bulk of the traffic and it needs to be bolstered up to keep the weighted average.

6. Mr. Jay Kirschbaum, 1520 Woodroyal East Drive, Chesterfield, MO 63017, trustee for Royalwood Subdivision, speaking in opposition to P.Z. 14-2000 One Chesterfield Place and in favor to P.Z. 15 Hayden Homes and P.Z. 16 Hayden Homes;

- Speaker stated the height and density of the commercial development is unacceptable;
- Speaker stated that the Hayden Homes is an acceptable development even with access to and from the North Outer Forty;
- Speaker stated that there will be too much traffic on the South Outer Road;
- Speaker stated that the triple left turn is an unacceptable way to deal with the traffic going eastbound from the new developments;
- Speaker stated that residents would like to see more residential along the highway. If this is not feasible, they want something less dense;
- Speaker stated that there is still the concern about impervious surfaces which would cause more water run-off into the Royalwood Subdivision.

7. Mr. Hefty Hoffman, 14308 Conway Meadows Court, Chesterfield, MO 63017, trustee for Conway Meadows Condominiums, speaking neutral to P.Z. 14-2000 One Chesterfield Place;

- Speaker stated that in the past, he has been opposed to the construction of commercial properties on the Outer Road, mainly due to the traffic. With the presentation of the Hayden Homes and One Chesterfield Place development proposals, speaker agrees with them;
- Speaker asked that the Council avoid voting on the Solomon proposal until this is developed to see what the traffic is going to be like on the North Outer Forty;
- Speaker asked that sidewalks be constructed on Conway Road;
- Speaker stated that the City should have their own traffic consultant.

City Attorney Beach stated that it had been stated previously that the residents do not want sidewalks along Conway Road.

Mr. Hoffman stated that it is his opinion to have sidewalks on Conway Road.

6. Ms. Laura Lueking, 15021 Conway Road, Chesterfield, MO 63017, speaking neutral to P.Z. 14-2000 One chesterfield Place and speaking in favor of P.Z. 15-2000 Hayden Homes and P.Z. 16-2000 Hayden Homes;

- Speaker expressed appreciation to Hayden Homes for their time spent with the residents;
- Speaker stated that she does not feel that a left-turn lane is a necessity for 42 homes, 21 buildings;
- Speaker stated that the residents would like to know if there is an agreement between the City and Sachs Properties regarding their proposed park;

- Speaker also expressed appreciation to Mr. Vitt and Mr. Pitcher for their openness with the residents;
- Speaker stated that she would like the Harland Bartholomew Report of 1999 reconsidered;
- Speaker stated that she wanted to know if the elevation of 625 feet is the height of Bonhomme Presbyterian Church or its steeple;
- Speaker asked the Commission to read The Larkin Group Report of May 4, 1999 because they want to use the Texas U-Turn.

City Attorney Beach stated that a proposal has been made that is subject to a number of conditions by which the City might acquire the Sachs Properties for a passive park. The offer has been made but the City is seeing if they can meet the contingencies placed on it. If it appears that the City could do it, the whole idea is a concept that the Hayden Homes, One Chesterfield Place and the Sachs parcel would be interconnected.

7. Mr. Mark Tulper, 14024 Conway Road, Chesterfield, MO 63017, speaking neutral to P.Z. 15 Hayden Homes and P.Z. 16-2000 Hayden Homes;

- Speaker questioned the height of the commercial building with the height of the other buildings and does not want this building any taller;
- Speaker stated that the possibility of a connection between Conway Road and the North Outer Road is not acceptable due to what it would do to the residential area;
- Speaker stated that he is against the removal of trees.

City Attorney Beach stated that the only trees that have been removed for the past six (6) months is when pathways for test borings for soil samples were done on the site.

8. Ms. Peggy Umansky, 14919 Conway Road, Chesterfield, MO 63017, speaking in opposition to P.Z. 15-2000 Hayden Homes and P.Z. 16-2000 Hayden Homes;

- Speaker expressed displeasure that she will be looking out unto the commercial property;
- Speaker expressed concern with the possible widening of Conway Road.

REBUTTAL:

Mr. Koslovsky stated that the homes would be between 2,350 and 4,700 square feet and would range from the mid to upper \$400,000's.

Mr. Pitcher stated that the Harland Bartholomew Report recommended up to 182,000 square feet and this project will be 142,500 square feet.

Mr. Pitcher stated that storm water is always an issue in any development. MSD and the City have stringent standards and they will abide by them and will do what is necessary to help the situation.

Mr. Pitcher stated that the traffic consultant hired by the City confirmed the basic concepts of the traffic studies that had been presented to him.

Mr. Pitcher stated he and Mr. Hayden would cooperate with the City to come up with the best solution on Conway Road.

Mr. Pitcher stated that the Harland Bartholomew Report suggested a 65% floor area ratio and 40% open space. This development is 51% floor area ratio and the open space is 51%. The Report stated that a height of 5 stories is legitimate for a development along Highway 40. Mr. Pitcher stated that the church, without the steeple, is approximately 650 feet above sea level.

Mr. Pitcher stated that this commercial development would not be anticipating access to Conway Road.

Chairman Layton stated that P.Z. 14-2000 One Chesterfield Place, P.Z. 15-2000 Hayden Homes and P.Z. 16-2000 Hayden Homes would not be reviewed by the Architectural Review Board (ARB). A voice vote was 3-4 not to send these petitions before the ARB at this time.

Commissioner Sherman read the closing portion of the Opening Comments.

Chairman Layton recessed the meeting at 9:50 p.m. and reconvened the meeting at 10:00 p.m.

V. APPROVAL OF MEETING MINUTES

A motion to **approve** the April 10, 2000 Meeting Minutes was made by Commissioner Eifler and seconded by Commissioner Broemmer. The motion **passes** by a voice vote of 7 to 0.

VI. PUBLIC COMMENT:

1. Mr. Ron Kadane, Clayton Engineering Company, 11920 Westline Industrial Drive, Maryland Heights, MO 63146, speaking in favor of P.Z. 11-2000 St. Louis Family Church;
 - Speaker stated that he is aware of the issues from MSD and the Fire District and that they can be addressed.
2. Mr. Robert Tiemann, 907 St. Joseph, O'Fallon, MO 63366, speaking in favor of P.Z. 01-2000 TMH II L.L.C.;
 - Speaker stated that he has read the Staff Report and does not have any objections;
 - Speaker is present to answer any questions concerning the development.

3. Ms. Susan Reynolds, 10322 Oxford Hill Drive, Creve Coeur, MO 63146, speaking in favor of P.Z. 01-2000 TMH II L.L.C.;

- Speaker stated that she is doing the landscape design for this proposed development.

4. Mr. Forrest Mueller, 624 Burr Ridge Drive, Wentzville, MO 63085, speaking in favor of P.Z. 01-2000 TMH II L.L.C.;

- Speaker stated this is a very challenging piece of property to develop.

Commissioner Eifler stated that Attachment A is requesting a sidewalk on his development.

Mr. Mueller stated that that it is ridiculous to require a sidewalk. The sidewalk would not go anywhere since there is no connection. Mr. Mueller feels that the money would be better spent to put a sidewalk on the other side of the street so pedestrians could go to Faust Park. Mr. Mueller stated that it is a waste of money, a detriment to the project and would require substantial landscaping. Mr. Mueller stated that if the sidewalk were not put in, the development would have a thick barrier for sound abatement from Olive Boulevard.

Commissioner Broemmer stated that he thought that Mr. Mueller was going to check with officials and the businesses across the street concerning putting the sidewalk on the other side of the street at his cost.

Mr. Mueller stated that he has not done that yet.

Commissioner Broemmer thought that there would be a proposal this evening about putting the sidewalk across the street.

Mr. Mueller stated that he did not have a problem with a sidewalk on his side of the street if it could be on top of the road instead of half-way down. Mr. Mueller stated that he would have to get permission from MoDOT as this would be State right-of-way.

Mr. Mueller stated that he would make it a priority to talk to officials about putting the sidewalk across the street.

Commissioner Sherman stated that it is a walkable community.

5. Mr. William Jamison, P.O. Box 3860, Chesterfield, MO, petitioner for P.Z. 07-2000 William H. Jamison;

- Speaker is present to answer questions.

Commissioner Eifler asked Mr. Jamison what he going to do with the rest of the residence since he will only be using 1,000 square feet.

Mr. Jamison stated that he changed the amount of space to be used in order to decrease the parking. Mr. Jamison is not sure what he will do with the rest of the residence but he will not be living there.

Chairman Layton stated that an option for Mr. Jamison is to go before the Board of Adjustment for the parking change.

Commissioner Broemmer questioned that if only 1,000 square feet is used, what happens to the rest. If it is a Commercial Service Procedure (CSP) can another business move into the remaining part of the house?

City Attorney Beach stated that due to parking, they can only use 1,000 square feet for a business but one could live in a Commercial Service Procedure (CSP) residence. The rest could be used as rental property.

6. Mr. Wayne Gottschall, Metron Surveying Company, 2505 Metro Boulevard, Suite J, St. Louis, MO, speaking in favor of P.Z. 07-2000 William H. Jamison;

- Speaker stated that there are two (2) items in the Attachment A that he would like eliminated:
 1. Page 1, 2. Site Development Plan Submittal Requirements, b.: "Existing and proposed contours at two (2) feet intervals extending 150 feet beyond the limits of the site, as directed by the City of Chesterfield Department of Public Works." Mr. Gottschall stated that this would be quite a bit of property that would require a topography survey;
 2. Page 2, 2. Site Development Plan Submittal Requirements, p.: "Show existing improvements within 150 feet of the site, as directed by the City of Chesterfield Department of Public Works, including roads and driveways on the opposite side of the roadways adjacent to the site, and the location of significant natural features, such as wooded areas and rock formations, that are to remain or be removed." Mr. Gottschall stated that he has represented all of the other Commercial Service Procedures (CSP) in Chesterfield and this was not required on any of the others. Mr. Gottschall stated that there would not be any grading or removal of trees or landscaping. Petitioner will be adding landscaping. Mr. Gottschall stated that the above two (2) items would create an economic hardship and maps are available that show the surrounding properties.
- Speaker stated that the petitioner does not want to do anything to the driveway but resurface it.

VII. NEW BUSINESS

- A. P.Z. 12-2000 Kramer Assets Group, L.L.C. and Kramer Properties, L.L.C.:
A request for a change in zoning from "M-3" Planned Industrial District to "PI" Planned Industrial District for a 19.8 acre tract of land located south of Interstate 40, north of Chesterfield Airport Road, west of Long Road and east of Goddard.

Proposed Uses:

- Automatic vending facilities for:
 - (i) Ice and solid carbon dioxide (dry ice);
 - (ii) Beverages;
 - (iii) Confections.
- Business, professional, and technical training schools;
- Business service establishments;
- Cafeterias for employees and guest only;
- Child care centers, nursery schools, and day nurseries;
- Dwelling or lodging units, only for watchmen, caretakers, or other personnel whose residence on the premises is essential to the operation of a permitted use or uses;
- Financial institutions;
- Manufacturing, fabrication, assembly, processing, or packaging of any commodity, except:
 - (i) Facilities producing or processing explosives or flammable gases or liquids;
 - (ii) Facilities for animal slaughtering, meat packing, or rendering;
 - (iii) Sulphur plants, rubber reclamation plants, or cement plants, and;
 - (iv) Steel mills, foundries, or smelters.
- Medical and dental offices;
- Offices or office buildings;
- Outpatient substance abuse treatment facilities;
- Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours;
- Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities;
- Printing and duplicating services;
- Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith;
- Warehousing, storage, or wholesaling of manufactured commodities, live animals, explosives, or flammable gases and liquids.

Chairman Layton stated that this petition is part of a composite study with other projects. The Public Hearing for P.Z. 18-2000 Terra Investments would be May 22, 2000.

Commissioner Broemmer made a motion to hold P.Z. 12-2000 Kramer Assets Group, L.L.C. and Kramer Properties, L.L.C. for not more than two (2) meetings until the project to the west (P.Z. 18-2000 Terra Investments) comes before the Planning Commission so both projects could be viewed together. The motion was seconded by Commissioner Sherman and passes by a voice vote of 7 to 0.

Commissioner Nolen made a motion to change the order of the agenda and present P.Z. 01-2000 TMH II L.L.C. The motion was seconded by Commissioner Banks and passes by a vote of 7 to 0.

- E. **P.Z. 01-2000 TMH II L.L.C.**; A request for a Planned Environment Unit (PEU) procedure in the "R-2" 15,000 square foot Residence District for an 8.07 acre tract of land located on the east side of Olive Boulevard, 1000 feet north of Ladue Road. (Locator Numbers: 17R51-0331, 17R53-0203, 17R53-0212, and 17R53-0221).
Proposed Use:
Attached and detached single-family.

Commissioner Eifler made a motion to approve P.Z. 0102999 TMH II L.L.C. subject to the conditions contained in Attachment A. The motion was seconded by Commissioner Sherman.

Commissioner Nolen made an amendment to the motion that an Olive Boulevard sidewalk is required but the location of the sidewalk will be determined at Site Plan. The amendment to the motion was seconded by Commissioner Broemmer.

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

The amendment to the motion passes by a vote of 6 to 1.

Commissioner Eifler made an amendment to the motion to eliminate the requirement of a sidewalk adjacent to Olive Boulevard. The amendment to the motion was seconded by Commissioner Right.

Commissioner Eifler stated that this would be a more attractive development without the sidewalk. Commissioner Eifler stated that it does not appear that a sidewalk would be for the benefit of the residents of that development. Commissioner Eifler stated that he did not know who would benefit from the sidewalk since it will not go anywhere so he offered the amendment to eliminate the sidewalk altogether.

City Attorney Beach stated there would be a raised stabilized shoulder on Olive Boulevard.

Commissioner Sherman asked if the raised shoulder could be tied into the sidewalks at other developments.

City Attorney Beach stated that you cannot be sure of that.

Commissioner Sherman stated that the sidewalks are not only for the residents of that particular development but for residents all along the road to make it a contiguous pathway.

Commissioner Banks agreed with Commissioner Sherman.

Ms. Griggs-McElhanon stated that the State does not allow sidewalks within their right-of-way unless the City would assume the responsibility of the sidewalk.

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

The amendment to the motion fails by a vote of 2 to 5.

Chairman Layton repeated the motion: Commissioner Eifler made a motion to approve P.Z. 01-2000 TMH II L.L.C., as amended, subject to the conditions contained in Attachment A. The amended motion was seconded by Commissioner Sherman.

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

The amended motion passes by a vote of 7 to 0.

Chairman Layton stated that the Commission would now go back to the order of the agenda.

- B. **P.Z. 11-2000 St. Louis Family Church:** A request for a change in zoning from "C-8" Planned Commercial, "NU" Non-Urban, and "M-3" Planned Industrial Districts to "PI" Planned Industrial for a 16.17 acre tract of land located south of Chesterfield Airport Road, west of Valley Center Drive, more commonly known as St. Louis Family Church (Locator Numbers: 17U230298, 17U210179, 17U210168, 17U230201, 17U230221, 17U230111).

Proposed Uses:

- Churches shall be allowed on tracts of land of at least one acre in area.

Chairman Layton stated that the Commission did not have any additional issues for Staff to review.

Commissioner Nolen made a motion to hold P.Z. 11-2000 St. Louis Family Church until agency comments have been received and addressed. The motion was seconded by Commissioner Right and passes by a voice vote of 7 to 0.

- C. **P.Z. 06-2000 Chesterfield West Executive Center:** A proposal to amend City of Chesterfield Ordinance Number 773 creating conditions for the "C-8" Planned Commercial District, and to allow "medical and dental offices" and "offices or office buildings" as permitted uses. Said property is located on the north side of Olive Boulevard and immediately west of West Drive.

Chairman Layton stated that the Commission did not have any additional issues for Staff to review.

Commissioner Sherman made a motion to hold P.Z. 06-2000 Chesterfield West Executive Center until agency comments have been received and addressed. The motion was seconded by Commissioner Broemmer and passes by a voice vote of 7 to 0.

- D. P.Z. 17-2000 City of Chesterfield Planning Commission: A proposal to amend Section 1005.080 of the City of Chesterfield Subdivision Ordinance to provide for subdivision improvements or guarantees and penalties for the failure to comply therewith.

Commissioner Nolen made motion to approve P.Z. 17-2000 City of Chesterfield Planning Commission. The motion was seconded by Commissioner Broemmer.

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

The motion passes by a vote of 7 to 0.

- F. P.Z. 07-2000 William H. Jamison; A request for a Commercial Service Procedure (CSP) procedure in the "R-2" 15,000 square foot Residence District for a 1.155 acre tract of land located on the south side of Olive Boulevard, 500 feet west of Westernmill Drive. (Locator Number: 16R31-1065).

Proposed Use:

- General Office.

Ms. Griggs-McElhanon stated that she thought that the driveway would have to be widened but with using the Commercial Service Procedure (CSP) comparison table and looking into the ordinances for the other CSP's, they all had the same requirement that the widths of interior driveways shall be approved by the Planning Commission on the Site Development Plan. A pattern had been established. Therefore, there is the potential that the driveway could be left at the present width as long as the petitioner can accommodate the parking and the parking does have minimum widths.

Ms. Griggs-McElhanon stated that since the petitioner will restrict the use to 1,000 square feet, only four (4) parking spaces are needed and two (2) of the spaces could be in the garage with two (2) exterior parking spaces. If the remainder of the residence were used, two (2) more parking spaces would be required. Another option is for the petitioner to go before the Board of Adjustment to request a variance. If the Planning Commission approves this petition and an ordinance is passed with this restriction, the petitioner would have to amend his ordinance to increase the square footage.

Commissioner Sherman questioned page 1, Attachment A, 2. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS, b.: "Existing and proposed contours at two (2) feet intervals extending 150 feet beyond the limits of the site, as directed by the City of Chesterfield Department of Public Works" and page 2, Attachment A, 2. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS, p.: "Show existing improvements with 150 feet of the site, as directed by the City of Chesterfield Department of Public Works, including roads and driveways on the opposite side of the roadways adjacent to the site, and the location of significant natural features, such as wooded areas and rock formations, that are to remain or be removed."

Ms. Griggs-McElhanon stated that these two (2) items are being requested by the Department of Public Works.

Commissioner Broemmer made a motion to deny the Commercial Service Procedure (CSP) for P.Z. 07-2000 William H. Jamison. The motion was seconded by Commissioner Banks.

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

The motion to deny passes by a vote of 4 to 3.

- G. Possible discussion of an appeal of denial, by the Director of Planning, of an application for a variance from the City of Chesterfield Subdivision Ordinance (per City of Chesterfield Subdivision Ordinance Section 1005.385 Appeal procedures.)
Project: Chesterfield Commons
Appeal requested: variance from the lighting requirements.

City Attorney Beach stated that there were on-going issues with regards to the lighting situation at Chesterfield Commons. No appeal of denial has been filed by Director of Planning. Currently, no action needs to be taken by the Planning Commission.

VIII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

- A. **O'Charley's-(Chesterfield Commons Lot 6);** Site Development Section Plan, Architectural Elevations, and Landscape Plan, for 1.75 acres in the "C-8" Planned Commercial District, governed by City of Chesterfield Ordinance Number 1344.

Commissioner Nolen, on behalf of the Site Plan Committee, made a motion to approve the Site Development Section Plan, Architectural Elevations and Landscape Plan for **O'Charley's (Chesterfield Commons Lot 6)**. The motion was seconded by Chairman Layton and passes by a voice vote of 7 to 0.

- B. Villas at Whitebrook – A request for an Amended Landscape Plan. The property is located on the southwest corner of the intersection of Olive Blvd. (State Highway 340) and White Road.

Commissioner Nolen, on behalf of the Site Plan Committee, made a motion to approve the Amended Landscape Plan for Villas at Whitebrook. The motion was seconded by Commissioner Eifler and passes by a voice vote of 7 to 0.

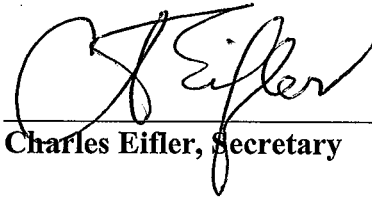
IX. COMMITTEE REPORTS:

- 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
- E. Procedures and Planning Committee – No report

X. ADJOURNMENT

A motion to adjourn was made by Chairman Layton and unanimously seconded. The motion passes by a voice vote of 7 to 0.

The meeting adjourned at 11:10 p.m.



Charles Eifler, Secretary