

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
APRIL 23, 2018**

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

I. ROLL CALL

PRESENT

ABSENT

Commissioner Wendy Geckeler
Commissioner Allison Harris
Commissioner Laura Lueking
Commissioner John Marino
Commissioner Debbie Midgley
Commissioner Mary Monachella
Commissioner James Rosenauer
Commissioner Steven Wuennenberg
Chair Merrell Hansen

Mayor Bob Nation
Councilmember Dan Hurt, Council Liaison
Mr. Christopher Graville, City Attorney
Ms. Jessica Henry, Senior Planner
Ms. Cecilia Dvorak, Project Planner
Ms. Mary Ann Madden, Recording Secretary

Chair Hansen acknowledged the attendance of Mayor Bob Nation; Councilmember Dan Hurt, Council Liaison; Councilmember Ben Keathley, Ward II; Councilmember Mary Ann Mastorakos, Ward II; and Councilmember Michelle Ohley, Ward IV.

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

IV. PUBLIC HEARINGS – Commissioner Wuennenberg read the “Opening Comments” for the Public Hearing.

- A. P.Z. 04-2018 West County Acres, Nardin Drive (R-2, PC to R-4):** A request for a zoning map amendment from an “R-2” Residence District and “PC” Planned Commercial District to an “R-4” Residence District for a 21.7 acre tract of land located north and east of Swingley Ridge Road east of its intersection with Chesterfield Ridge Center Dr. (18S510164, 18S510142, 18S510131, 18S510119, 18S510098, 18S510229, 18S510021, 18S230158, 18S510010, 18S150043, 18S510087, 18S510108, 18S510120, 18S510153, 18S510175).

STAFF PRESENTATION:

Project Planner Cecilia Dvorak gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Dvorak then provided the following information about the subject site:

Comprehensive Land Use Plan

The Comprehensive Land Use Plan designates the subject site as *Urban Core*. While the request is to zone to “R4” Residence District, the applicant has stated their intent to build single-family homes.

The Comprehensive Plan also includes the following Plan Policies which are applicable to this request:

- 1.8 – Urban Core
- 2.1.1 – Conservation of Existing Quality of Life
- 2.1.5 – Provide Buffer for Existing Residential Development
- 2.1.8 – Transitional Use between Single-Family Detached and Higher Density Development

“R4” Residence District Regulations

Since “R4” is a conventional zoning district, there is no preliminary plan or Attachment A in accordance with City Code. The fixed development criteria are established by the “R4” Residence District, as noted below:

- Minimum lot size - 7,500 square feet for each lot
- Building Setbacks
 - 20’ from the road right-of-way
 - 15’ from the rear property line
 - 6’ from the side property line
- Maximum Height - 3 Stories or 45 feet, whichever is less

The following additional Unified Development Code regulations will also apply to the development:

- Minimum Wooded Preservation – 30%
- Minimum buffer requirements
 - 30’ between residential and residential
 - 20’ between residential and non-residential

Permitted Uses

- | | |
|--|--------------------------------|
| • Single-family detached dwelling | • Parks |
| • Public safety facilities | • College/University |
| • Churches and other places of worship | • Primary school |
| • Home Occupation | • Secondary school |
| • Libraries, public or private | • Kindergarten, nursery school |
| | • Public facilities |

Staff has no outstanding items under review and therefore if no issues are heard, the Commission will be given an opportunity to vote on this item later this evening.

Discussion

Monarch Trees

Commissioner Geckeler pointed out that the site includes four monarch trees, and asked how the City defines a monarch tree. Ms. Dvorak provided the following information from the City's Unified Development Code (UDC):

Any tree shall be classified as a monarch tree if it meets two or more of the following conditions:

1. It is a rare or unusual species, or
2. It is of exceptional quality, or
3. It has historical significance, or
4. It will be specifically used as a focal point in a project or landscape.
5. Small trees (dogwood, redbud, serviceberry, etc.) measuring at least 12" DBH, or
6. Medium/large trees (Pine, Oak, Maple, etc.) measuring at least 20" DBH.

Maximum Number of Single Homes Allowed

Chair Hansen noted that the original plat included 32 homes and asked if there is a maximum number of single homes that would be allowed on the site. Ms. Dvorak replied that the number of homes allowed would be limited by the required 7,500 sq. ft. lot minimum, along with all the UDC requirements such as setbacks, preservation requirements, street quality requirements, etc. Calculating the total square footage of the site by the 7,500 sq. ft. lot requirement would allow 126 lots; however, it was pointed out that 126 lots would not be possible given all the UDC requirements.

PETITIONER'S PRESENTATION:

1. Mr. George Stock, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO.

Mr. Stock stated that the request is for a rezoning to "R4" Residence District of a 21.7-acre portion of West County Acres, Plats 1 and 2. The subdivision itself totals 28.23 acres. Both Plats 1 and 2 were recorded in 1955. The request relates to existing Lots 12-18 and Lots 24-32, which comprise the southern two-thirds of the subdivision. The northern one-third of the subdivision (Lots 19-23) will remain "R2" zoning. This area includes two existing residences that are not a part of the subject petition.

The "R4" zoning would allow Payne Family Homes to construct approximately 39 new single-family, detached homes.

The site has a substantial amount of natural resources and topography so the intent is to reconfigure the lots to accommodate the homes. The project will preserve the majority of the existing natural resources and tree canopy. The residential lots will be a minimum of 72 feet wide and 175 feet deep resulting in the smallest lot being 12,600 sq. ft., which is close to the "R2" minimum lot size of 15,000 sq. ft.

The existing lots are currently 250 feet deep but need to be shortened to accommodate storm water management around the perimeter of the site, which will be located within common ground. Mr. Stock pointed out that when the plat was recorded in 1955, there were no requirements for storm water management.

Nardin Drive will be rebuilt as a 26-foot-wide concrete street in accordance with the City's specifications. A secondary public street is proposed going west that would tie

into the extension of Swingley Ridge Road. This will enable the site to meet the current Monarch Fire District requirements relative to street lengths and having a second means of ingress/egress.

The proposed detached single family homes will consist of multiple ranch and two-story options with the average ranch-size home being 2,300 sq. ft. and the average two-story home being 3,150 sq. ft. The objective is to retain as much of the existing tree canopy as possible both on the west and east sides of the lots.

Discussion

Responding to questions from the Commission, Mr. Stock clarified the following:

Nardin Drive

Nardin Drive is currently 22-24 feet wide and will be rebuilt to 26-feet wide with rolled curbs and drainage system.

Proposed Street

The proposed street will start from the cul-de-sac on the west portion of the site near the office buildings and be constructed perpendicularly due east to Nardin Drive. The street will intersect Nardin Drive four homes south of the two existing residences (Lots 19 and 23).

Monarch Trees

The four monarch trees will be reviewed to determine if they can be preserved, but some tree clearance is necessary for the BMPs and the proposed street going to the west. Commissioner Geckeler acknowledged that the three Red Oak will probably not be able to be preserved given their location, but she hopes the White Oak (tree #86) can be saved noting that it has a large tree canopy and is located in the middle of the subdivision, which could “make it the signature tree of the subdivision”.

Sidewalks

Sidewalks will be provided per City standards.

Open Space

The open space will far exceed the required 30% requirement.

2. Mr. Tom Cummings, Vice-President of Land Acquisition, Payne Family Homes, 10407 Bauer Blvd., St. Louis, MO.

Mr. Cummings was available for questions.

SPEAKERS IN FAVOR: None

SPEAKERS – “UNDECIDED” (as marked on the Speaker’s Cards):

1. Ms. Kathie Schmid, 808 Nardin, Chesterfield, MO – speaking on behalf of herself and the homeowners at 809 Nardin.

Ms. Schmid stated that her home is one of the two existing residences being left in the “R2” zoning district. She stated that they are not opposed to the rezoning but have

concerns and asked that protections be put in place for these two homes to preserve their privacy and quality of life. Their concerns are as follows:

- Noise during construction – Requested that construction hours be limited to no earlier than 7:00 a.m. (preferably 8:00 a.m.) Monday-Friday only.
- Access during construction – They want access to their driveways at all times. When the cul-de-sac is being redone, they want access to a street on which to park their cars. They want the cul-de-sac maintained and available at all times so that they are not cut off from mail delivery or trash pick-up. During construction, they want the road wide enough for traffic and emergency vehicles.
- Storm runoff – They are requesting additional silt and runoff provisions – more so than what the storm water pollution prevention plan requires. While they are at the bottom of the hill, they have never experienced any kind of water issues and they do not want them to begin with construction. They would like to review the storm water pollution prevention plan.
- Utility interruptions – They want to insure that they will not have water or electricity turned off during construction.
- Dust and debris during construction – They want assurances that the building areas are wet down regularly to prevent dust coming into their homes; and that the mud and debris are cleared from the road daily.

The residents would also like the following items provided to them at no cost:

- Sidewalks
- Connection to a sanitary sewer
- Landscape buffer – They would like the buffer to be very dense
- Setbacks – They want to make sure that the setbacks are from their property lines.

Discussion

Ms. Dvorak informed Ms. Schmid that the City's hours of operations for construction are 7:00 a.m. to 6:00 p.m. Monday – Friday, and 7:30 a.m. to 5:00 p.m. on Saturdays.

Commissioner Wuennenberg pointed out that the "R4" is a straight zoning district so the Commission does not have the option of adding conditions or restrictions. Ms. Henry added that the Petitioner will have to adhere to all code requirements, which include restrictions that pertain to the concerns expressed by Ms. Schmid. However, some of her requests, such as adding sidewalks along the existing residences' properties, are not covered under the city code and would need to be negotiated with the developer privately.

2. Ms. Jane Wacker, 809 Nardin, Chesterfield, MO.

Ms. Wacker stated that she and her husband concur with all of the concerns listed by Ms. Schmid. She also noted that they are not opposed to the proposed development but they do have a concern of going from 1+ acre lots to approximately ¼-acre lots, which they feel is not a natural transition.

Discussion

Commissioner Wuennenberg pointed out that both speakers indicated that they are not opposed to the rezoning but that Ms. Wacker's comments regarding the lot sizes indicates opposition as the Petitioner is proposing smaller lot sizes. Ms. Wacker clarified

that she is not in opposition to new development but is opposed to the proposed lot sizes, which will be a big change for their street.

3. Mr. David Schmid, 808 Nardin, Chesterfield, MO.

Mr. Schmid stated that when they moved on to the street 42 years ago, it was originally designed for 20 homes, but 14 homes has been the maximum number on the street. They understand that development does occur and they want to be a good neighbor, but based on Commissioner Wuennenberg's comments, he noted his opposition to the current petition.

4. Mr. Darrell J. Wacker, 809 Nardin, Chesterfield, MO.

Mr. Wacker stated that he moved onto the street 33 years ago because of its beautiful setting. He understands progress and the urban core of the city, but has strong concerns about the site being developed with 39 homes. He asked that the Commission take into consideration the residents' concerns before rezoning the site.

SPEAKERS – NEUTRAL: None

Discussion

Commissioner Geckeler referred to the three large lots surrounding the back cul-de-sac (Lots 20-22) and asked if they will be developed. Mr. Stock replied that these three lots will be developed with three homes but will remain under the "R2" zoning. He added that they intend to retain the "pristine beauty and tree canopy" with the smallest lot being 12,600 sq. ft. compared to the minimum lot size of 7,500 sq. ft. allowed under the "R4" zoning and 15,000 sq. ft. under the "R2" zoning.

Chair Hansen stated that the Speakers had concerns that cannot be addressed by the City and asked Mr. Stock to respond. Mr. Stock stated that he will meet with the residents to discuss their concerns and indicated that their request for sidewalks along their properties appears feasible but requires the residents granting the necessary rights-of-way and easements to the City. They understand their concerns about access and utility interruptions, and they will do everything they can to accommodate those concerns.

Commissioner Wuennenberg noted that while the Petitioner has stated they will not be platting 7,500 sq. ft. lots, the Commission has no input on it because "R4" is a straight zoning district which allows 7,500 sq. ft. lots. Ms. Henry agreed but pointed out that the meeting record will reflect the Petitioner's intent to plat larger lots, and Staff would expect them to honor their intent but, ultimately, the code prevails.

Commissioner Wuennenberg asked for clarification as to why the "R2" zoning would not work for the site. Mr. Stock stated that the side yard setbacks under the "R2" zoning are 10 feet and they are requesting a 6-foot side yard setback. In addition, the required storm water improvements reduce the smallest lot size to 12,600 square feet, which does not meet the "R2" zoning minimum lot size of 15,000 sq. ft.

Councilmember Hurt stated that while the City code allows construction work on Saturdays, the residents' expressed opposition to it. He asked if there is an intent to have construction work done on Saturdays. Mr. Cummings of Payne Family Homes

stated that working on a weekend would be an exception based on time of year and compelling circumstances. He added that they are committed to working with the existing residents in the neighborhood and to accommodate as many of their concerns as possible.

Commissioner Wuennenberg read the Closing Comments for the Public Hearing.

V. APPROVAL OF MEETING SUMMARY

Commissioner Midgley made a motion to approve the Meeting Summary of the April 9, 2018 Planning Commission Meeting. The motion was seconded by Commissioner Wuennenberg and **passed** by a voice vote of 9 to 0.

VI. PUBLIC COMMENT

1. Mr. Eric Fechter, 14789 Greenloch Court, Chesterfield, MO.

Mr. Fechter signed up to speak in opposition to the Carvana project, but passed on speaking since the petition was not on tonight's agenda.

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS

- A. 318 N Eatherton Rd SDP: A Site Development Plan, Landscape Plan/Tree Preservation Plan, Lighting Plan, Architectural Elevations, and Architect's Statement of Design for a 1.05 acre tract of land zoned "PI" Planned Industrial District located south of Wardenburg Road east of North Eatherton Road.

Commissioner Wuennenberg, representing the Site Plan Committee, made a motion recommending approval of the Site Development Plan, Landscape Plan/Tree Preservation Plan, Lighting Plan, Architectural Elevations and Architect's Statement of Design for 318 N Eatherton Rd. The motion was seconded by Commissioner Lueking and **passed** by a voice vote of 9 to 0.

- B. Steve W Wallace, Lot 2 Amended Site Development Section Plan: An Amended Site Development Section Plan, Landscape Plan/Tree Preservation Plan, Lighting Plan, Architectural Elevations and Architect's Statement of Design for a 0.49 acre tract of land zoned "C-8" Planned Commercial District located south of Chesterfield Airport Road, on the east side of Long Road.

Commissioner Wuennenberg, representing the Site Plan Committee, made a motion recommending approval of the Amended Site Development Section Plan, Landscape Plan/Tree Preservation Plan, Lighting Plan, Architectural Elevations and Architect's Statement of Design for Steve W Wallace, Lot 2. The motion was seconded by Commissioner Geckeler and **passed** by a voice vote of 9 to 0.

VIII. UNFINISHED BUSINESS

- A. **P.Z. 04-2018 West County Acres, Nardin Drive (R-2, PC to R-4)**: A request for a zoning map amendment from an “R-2” Residence District and “PC” Planned Commercial District to an “R-4” Residence District for a 21.7 acre tract of land located north and east of Swingley Ridge Road east of its intersection with Chesterfield Ridge Center Dr. (18S510164, 18S510142, 18S510131, 18S510119, 18S510098, 18S510229, 18S510021, 18S230158, 18S510010, 18S150043, 18S510087, 18S510108, 18S510120, 18S510153, 18S510175).

Commissioner Lueking stated that while she is in favor of what is being proposed, she does not generally vote on a petition on the same night it is presented. Commissioner Wuennenberg agreed that a vote should not be taken at tonight’s meeting as he not comfortable with the requested “R4” zoning at this time.

Commissioner Geckeler asked that more discussion be held between the Petitioner and Staff regarding the concerns raised during the Public Hearing. She noted her preference for a transitional zoning with larger lots approaching the established homes on Lots 19 and 23. She also referred to a monarch Sycamore that would be impacted by the sidewalk extension and road widening, and suggested a meandering sidewalk in order to preserve the Sycamore. Commissioner Monachella indicated her agreement with Commissioner Geckeler’s comments.

Commissioner Midgley pointed out that if larger lots are provided at the northern end of the site, smaller lots would have to be platted at the southern end of the site, which will go against the Petitioner’s intent of providing a look of larger lots for the development.

Senior Planner Jessica Henry stated that if there is a desire for transitional zoning in this area, the Petitioner or the Planning Commission has the option of amending their request to incorporate one or more residential zoning districts. Sidewalk and tree preservation concerns would come into play during the site plan stage.

Additional discussion followed regarding “R4” zoning vs. “R2” zoning and the implications of developing the site under either zoning district. Mr. Stock stated that they will meet with the residents and Staff again to address the concerns raised.

Councilmember Hurt suggested that pedestrian cross access be considered to the Hilltown shopping area and to the adjacent Pfizer development.

Chair Hansen announced that it is the Commission’s consensus to not vote on the petition at this time.

IX. NEW BUSINESS

Chair Hansen acknowledged Cecilia Dvorak’s upcoming move to a new position with the City of St. Louis, and thanked her for her service with Chesterfield over the past year and a half.

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 8:15 p.m.

A handwritten signature in black ink, appearing to read "Steve Wuennenberg", is written over a horizontal line. The signature is stylized with a large, sweeping flourish at the end.

Steve Wuennenberg, Secretary