

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
APRIL 22, 1996**



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

PRESENT

ABSENT

Mr. Rick Bly
Mr. Fred Broemmer
Mr. Dave Dalton - arrived later
Mr. Robert Grant
Ms. Carol Kenney
Ms. Linda McCarthy
Ms. Patricia O'Brien
Mr. Allen Yaffe
Chairman Michael J. Casey
Mr. Douglas R. Beach, City Attorney
Mayor Jack Leonard
Council Liaison Dan Hurt (Ward III)
Mr. Jerry Kelley, Director of Planning
Ms. Laura Griggs-McElhanon, Assistant Director of Planning
Mr. Joe Hanke, Planner II
Ms. Sandra Lohman, Executive Secretary

INVOCATION - Commissioner Fred Broemmer

PLEDGE OF ALLEGIANCE - All

Commissioner Dalton arrived at this time

PUBLIC HEARINGS: **Commissioner Kenney** read the "Opening Comments."

Chairman Casey recognized Mayor Jack Leonard; Councilmember Dan Hurt (Ward III) - Council Liaison; and Councilmember Linda Tilley (Ward IV).

- A. **P.Z. 8-96 W.J. Byrne Builders & Ruth Fleming (Sycamore Road Tract)**: a request for a change in zoning from "NU" Non-Urban to "R-3" 10,000 square foot Residence District for a 10.2 acre tract of land located at the intersection of Sycamore Drive and Hester Road, east side of Sycamore Drive. (Locator Nos. 21S430075, 21S430053, 21S430042, 20S110013)

AND

- B. P.Z. 9-96 W.J. Byrne Builders & Ruth Fleming (Sycamore Road Tract):** a request for a Planned Environment Unit Procedure (PEU) in the "R-3" 10,000 square foot Residence District for a 10.2 acre tract of land located at the intersection of Sycamore Drive and Hester Road, east side of Sycamore Drive. (Locator Nos. 21S430075, 21S430053, 21S430042, 20S110013) Proposed Use: Single Family Residences

Planner II Joe Hanke gave a slide presentation of the subject site and surrounding area.

Mr. Bill Hawn, Principal Engineer for The Sterling Company, presented the request on behalf of the petitioner. He presented sketches to the Commissioners.

- The requested PEU, if approved, would allow development of the entire site (29 lots); however, the developer is only proposing to develop 24 lots. Lots 25 through 29 will not be platted until they are acquired by the developer.
- All water from the site will flow towards the southeast corner (Meadowbrook Country Club).

SPEAKERS IN FAVOR: - None

SPEAKERS IN OPPOSITION:

1. Mr. Dick Schmit, 2211 Hester Street, Chesterfield, MO 63017, spoke on behalf of Sycamore Acres Subdivision, noting the developer has not shown consideration for residents.
2. Mr. Larry Altman, 15671 Hester, Chesterfield, MO 63017, spoke as an individual, noted he is speaking in opposition to the developer and has concerns regarding the lack of response from the City and Fire District to complaints by residents about mud on streets, debris on undeveloped lots, large holes in cul-de-sacs, drums of hazardous waste materials left exposed, ladders, etc., posing serious safety hazards to children.

SPEAKERS - NEUTRAL: - None

Chairman Casey noted the concerns mentioned tonight are with the developer.

REBUTTAL:

Mr. Hawn responded as follows:

- There were two (2) homebuilders of Twin Estates and Sycamore Ridge subdivisions. Mr. Byrne has addressed problems which were brought to his attention. Mr. Hawn encouraged staff to talk with residents to clarify which developer has been unresponsive.
- At this time, Mr. Byrne is the only home builder for the proposed development.

Assistant Director Laura Griggs-McElhanon responded as follows:

- The City does not have an ordinance which specifically addresses new development with regard to debris, clean streets, etc.
- We have the City's nuisance Ordinance No. 385.
- Relative to new subdivisions, the issue of dirt on streets is not a Planning Department issue, but Staff will check into this. The City works with developers to make sure sites are cleaned up as much as possible.
- She noted the Department will check tomorrow on any outstanding issues we have regarding concerns expressed by Mr. Altman tonight (i.e., Sycamore Ridge and Twin Estates at Sycamore Ridge). The Department does not have the ability to fine an owner or clean-up a site, but issues a citation and, if the violation is not abated within a three (3) day time frame, it is forwarded to the Prosecuting Attorney. The Department attempts to take care of reported violations verbally, as the legal system is a time consuming process,

City Attorney Doug Beach noted the Council could put a more specific condition in the Ordinance regarding debris, etc. (i.e., place a "stop work order" on the development if we find there is a constant violation of the provisions).

Assistant Director Laura Griggs-McElhanon noted the Department will discuss with the Department of Public Works the appropriate wording necessary relative to getting the streets cleaned on a continuous basis, and various methods for cleanup operations.

City Attorney Doug Beach requested Department research and respond back to the Commission at its next meeting regarding which developer is causing the problems mentioned tonight (i.e., debris, etc.). He suggested placing more precise wording into the ordinance so we may address continual problems more quickly.

Assistant Director Laura Griggs-McElhanon noted the Department will check into the ownership of the streets, but the City only has jurisdiction over streets accepted by the City.

City Attorney Doug Beach noted that, if the Planning or Public Works Department determines there is a **continual** problem with debris or potential hazardous conditions, the developer should be told, up-front, that a "stop work order" will be issued.

Councilmember Hurt noted we have a current ordinance which allows us to put a Bond on these conditions if they are not met.

Assistant Director Laura Griggs-McElhanon noted she will confer with the Director of Public Works on this, as that is something which occurs in conjunction with review and issuance of grading permits and improvement plans.

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

Chairman Casey introduced the new Director of Planning, Jerry Kelley, and thanked Laura Griggs-McElhanon for her fine job as Acting Director during the past several months.

- C. **P.Z. 10-96 L.A.C. Corporation & Wild Horse Summit Development Corporation (Greystone Addition)**; a request for a change in zoning from "NU" Non-Urban District to "R-1" One Acre Residence District for a 11.7 acre tract of land located on the south side of Wild Horse Creek Road, approximately 1500 feet west of Wildhorse Parkway (Locator Number 18U210036).

AND

- D. **P.Z. 11-96 L.A.C. Corporation & Wild Horse Summit Development Corporation (Greystone Addition)**; a request for an amendment to a Planned Environment Unit (PEU) Procedure in the "R-1" One Acre Residence District for a 145.0 acre tract of land located on the south side of Wild Horse Creek Road approximately 1500 feet west of Wildhorse Parkway (Locator Numbers 19V53-0083, 18V12-0100pt, 18V21-0025, 18V23-0089, 18V21-0014, & 18V21-0036pt). Proposed Use: Single Family Residences.

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

Mr. Steven W. Koslovsky, attorney, handed out packets of information, and spoke on behalf of the co-petitioners (L.A.C. Corporation and Wild Horse Summit Development Corporation).

Mr. Koslovsky noted the Fire District's comment regarding the lack of an alternative access. He stated that, in submitting the plans for the Greystone Addition, the petitioner neglected to show the alternative access already agreed-upon as part of the original Greystone Subdivision (i.e., alternative fire access running from a line between designated Lots 26 and 27, across the Rockwood School District property, and out onto Wildhorse Creek Road). Therefore, he believes this issue has been, or will be, resolved by providing the alternative access. The developer will be conveying to Rockwood School District the property which will become a park.

Mr. Dennis Hayden of Hayden Homes, Inc. and the H & S Development Company, the developer, noted there are four (4) lots of the eleven (11) total that are one (1) acre in size. Three (3) of these lots will be Schierholz Homes (Lots 127, 126 and 124). Lot 125 (a one acre lot) will be a Hayden Homes lot. The other half acre to one acre lots on that cul-de-sac will be Hayden Homes lots.

SPEAKERS IN FAVOR: - None

SPEAKERS IN OPPOSITION: - None

SPEAKERS - NEUTRAL: - None

REBUTTAL - Waived

Commissioner Dalton left and returned to the meeting during the reading of the final portion of the "Opening Comments."

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

APPROVAL OF THE MINUTES:

A. Approval of Minutes from the Meeting of April 8, 1996.

A motion to approve the minutes was made by Commissioner Grant, seconded by Commissioner McCarthy and **passed by a voice vote of 9 to 0.**

PUBLIC COMMENTS: - There were no speakers.

OLD BUSINESS: - None

NEW BUSINESS:

- A. P.Z. 34-95 City of Chesterfield Planning Commission;** a proposal to amend Sections 1003.167 Miscellaneous Regulations; 1003.145 "C-8" Planned Commercial District Regulations; 1003.155 "M-3" Planned Industrial District Regulations; 1003.157 "MXD" Mixed Use Development District Regulations; 1003.181 Conditional Use Permits; 1003.182 Commercial Service Procedures; 1003.187 Planned Environment Unit Procedure; 1003.189 Commercial-Industrial Designed Development Procedure; 1003.191 Landmark and Preservation Area Procedure. (Relative to additions to grading, building, etc. permits in certain districts.)

Planner II Joe Hanke noted the Department is still researching this item with the Public Works Department and recommends this matter be held.

A motion to hold this matter was made by Commissioner Grant, seconded by Commissioner Yaffe and **passed by a voice vote of 9 to 0.**

- B. **P.Z. 18 & 19-93 Nooning Tree Partnership**; amendment to a Planned Environment Unit (PEU) in the "R-3" 10,000 square foot Residence District; south side of Olive Boulevard, east of the intersection of Appalachian Trail and Olive Boulevard.

Planner II Joe Hanke noted the Department is still in the process of preparing an amendment for P.Z. 18 & 19-93, and recommends this matter be held.

A motion to hold this matter was made by Commissioner Kenney, seconded by Commissioner O'Brien and **passed by a voice vote of 9 to 0.**

- C. **P.Z. 7-96 Lawrence & Therese Mintz**; a request for a Commercial Service Procedure in the "NU" Non-Urban District for a 1.2 acre tract of land located on the north side of Wild Horse Creek Road, approximately five hundred (500) feet west of the intersection of Wild Horse Creek Road and Wild Horse Parkway. (Locator No. 18V230078) Proposed Use: Office

Planner II Joe Hanke read into the record the issues the Department is currently reviewing and requested this matter be held until the next meeting on May 13, 1996. He inquired whether the Commission had additional issues.

No issues were added to the list.

A motion to hold this matter was made by Commissioner O'Brien, seconded by Commissioner Grant and **passed by a voice vote of 9 to 0.**

- D. **Comprehensive Plan Update**; proposed revisions concerning text relative to the Office Campus designation located on Wild Horse Creek Road.

Assistant Director Laura Griggs-McElhanon read the issues currently being reviewed by the Department, adding **Issue #4. Look at allowing residential uses in this area.** She noted this issue was discussed by residents, and the Department will research and provide information relative to the original decision. She noted the Department recommends this matter be held until May 13, 1996, and asked if there were items the Commission would like to add to the list.

City Attorney Doug Beach noted there could be an addition to the "Comment" portion of the Comprehensive Plan that building standards for residential building should be commensurate with noise levels (i.e., bolting down the shingles).

Assistant Director Laura Griggs-McElhanon noted this was discussed, and if the Comprehensive Plan was amended to allow residential development in that area, there would be very strict building requirements relative to noise abatement inside the structure. The Airport Master Plan specifies appropriate land uses in certain areas, depending on the noise level. The noise contour that affects the property in question is one where it specifies appropriate land uses, and residential uses are not listed. The noise line fluctuates, and does not touch every piece of property in the area shown on the map.

The Commission did not add issues to the list.

A motion to hold this matter was made by Commissioner Grant, seconded by Commissioner Yaffe and **passed by a voice vote of 9 to 0.**

Chairman Casey stated the Commission wants audience input at the appropriate time, so that Commissioners can ask necessary questions and make appropriate comments.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. **P.Z. 10-95 Chesterfield Hotels, Inc. (Hampton Inn)**; "C-8" Planned Commercial District Freestanding Business Sign; north side of Swingley Ridge Drive at Nardin Drive.

Commissioner McCarthy, on behalf of the Site Plan Committee, made a motion to approve P.Z. 10-95 Chesterfield Hotels, Inc. (Hampton Inn), Freestanding Business Sign. The motion was seconded by Commissioner Grant and **passed by a voice vote of 9 to 0.**

- B. **P.C. 98-87 Linclay Corporation (Woodsmill Commons III)**; Amended Site Development Plan, Landscape Plan and Architectural Elevations; east side of Old Woods Mill Road, south of Conway Road.

Commissioner McCarthy, on behalf of the Site Plan Committee, made a motion to approve P.C. 98-87 Linclay Corporation (Woodsmill Commons III), amended site development plan, landscape plan and architectural elevations, subject to review and approval by the Department of a landscape plan for the area along Woods Mill Road, requiring additional islands along two (2) rows of the parking lot, and also subject to the Department's review and approval of the screening of rooftop mechanical equipment. The motion was seconded by Commissioner Grant and **passed by a voice vote of 9 to 0.**

City Attorney Doug Beach instructed Staff to investigate the criteria of the Fire District regarding access for new construction and to report back to the Commission.

Assistant Director Laura Griggs-McElhanon noted the Department will check with both Fire Protection Districts and report back to the Commission.

COMMITTEE REPORTS:

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

C. **Site Plan/Landscape Committee**

Assistant Director Laura Griggs-McElhanon noted the packets included correspondence from the HBA, and asked if we may schedule a meeting. She noted the Department will submit information at the next meeting.

D. **Comprehensive Plan Committee**

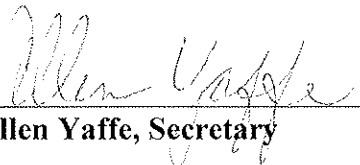
Assistant Director Laura Griggs-McElhanon noted she and Director Kelley will instruct Sandy Lohman to poll committee members for preferred dates and times before scheduling the meeting.

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

Assistant Director Laura Griggs-McElhanon reminded the Commission of the upcoming Planning Commissioner's Workshop, Tuesday, April 30th, beginning at 5:45 p.m.

A motion to adjourn was made by Commissioner O'Brien, seconded by Commissioner Yaffe **and passed by a voice vote of 9 to 0.**

The meeting adjourned at 8:27 p.m.



Allen Yaffe, Secretary

[MIN4-22.096]