

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
April 14, 1997**



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

PRESENT

ABSENT

Mr. Rick Bly
Mr. Fred Broemmer
Mr. Dave Dalton
Mr. Charles Eifler
Mr. Robert Grant
Mr. Dan Layton, Jr.
Ms. Linda McCarthy
Mr. Allen Yaffe
Chairman Michael Casey
Mayor Jack Leonard
Mr. Douglas R. Beach, City Attorney
Councilmember Linda Tilley (Ward IV) - Council Liaison
Mr. Jerry Kelley, Director of Planning
Ms. Laura Griggs-McElhanon, Assistant Director of Planning
Ms. Patricia Detch, Planner I
Mr. Michael Walker, Planning Technician
Ms. Sandra Lohman, Executive Secretary

INVOCATION - Commissioner Dave Dalton

PLEDGE OF ALLEGIANCE - All

Chairman Casey recognized Mayor Jack Leonard; Councilmember Linda Tilley (Ward IV) - Council Liaison; Councilmember Barry Streeter (Ward II); Councilmember Larry Grosser (Ward II); and Councilmember-Elect Mary Brown (Ward IV).

Chairman Casey noted that no action will be taken tonight on The Nooning Tree, Sebastian Rucci (Eagle Crest), or Lenette Realty petitions.

PUBLIC HEARINGS:

The first portion of the "Opening Comments" was read by Commissioner Broemmer.

- A. **P.Z. 7-97 Cambridge Engineering**; a request for an amendment to an existing "M-3" Planned Industrial District, St. Louis County Ordinance Number 8898, for a 10.0 acre tract of land located 250 feet west of the intersection of Long Road and Chesterfield Airport Road, 400 feet north of Chesterfield Airport Road. (Locator Number: 17V62-0061) Proposed amendment: to allow construction of a warehouse addition.

Planning Director Jerry Kelley gave a slide presentation of the proposed site and surrounding area.

Mr. Michael E. Bauer, Architect for the petitioner, noted the following:

- the requested amendment to the existing ordinance would allow modification of setbacks in order to build an addition on the west side of the existing building;
- the proposed building addition will match the architecture of the existing building; and
- the building will be served from the south, with three (3) new truck wells that allow a truck to pull into the building for loading and unloading of materials and product from Cambridge.

COMMENTS/DISCUSSION BY COMMISSION

- The expansion would be approximately three (3) feet higher than the existing building.
- The panels have a continuous height around the total perimeter of the building (i.e., no gutter line lower than the rest of the building), in order to match the existing structure.

SPEAKERS IN FAVOR: - None

SPEAKERS IN OPPOSITION: - None

SPEAKERS - NEUTRAL: - None

REBUTTAL: Waived

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

- B. **P.Z. 8-97 Chesterfield Village, Inc. (Parcel C-322 Firehouse)**; a request for a change in zoning from "R-2" 15,000 square foot Residence District to "C-8" Planned Commercial District for a 0.876 acre tract of land and an amendment to an existing "C-8" Planned Commercial District established by St. Louis County Ordinance Number 13,811 and amended by City of Chesterfield Number 1159 for a 14.5 acre tract of land located on the west side of Olive Boulevard, approximately 200 feet south of Wellesley Place Drive (Locator Numbers 18S63-0251, 18S52-0778, 18S63-0327, 18S52-0954, 18S52-0943 and 18S52-0570). Proposed uses: All permitted uses in the "C-3" Shopping District, excluding gasoline service station and restaurant on Parcel C-322.

Planning Director Jerry Kelley gave a slide presentation of the proposed site and surrounding area.

Mr. Steve Koslovsky, Attorney for the petitioner, noted the following:

- identified surrounding land use and zoning;
- history of site;
- square footage of building would remain at 12,559 square feet;
- access would be via two (2) curb cuts off of Olive;
- the subject parcel, along with adjacent parcels, is designated as "Urban Core" in the City's Comprehensive Plan (high density retail, office and residential uses);
- the request is for all uses permitted within the "C-3" Commercial Zoning District, except a restaurant and gasoline service station;
- a day care center or pre-school are possible uses;
- alternative use could be a combination of office or retail uses, similar to the existing uses in the Hilltown Center;
- the existing structure will be utilized, remodeled and modernized;
- the current structure will not be demolished;
- the subject property will be incorporated within the overall site plan for Hilltown Village Center located immediately to the west - the primary advantage being to allow the internal access to the subject site from the Hilltown Center, rather than only off of Olive, as currently exists;
- there are thirty-five (35) parking spaces on this site, with the balance of parking obtained from the Hilltown Center, which has parking in excess of what is required;
- the petitioner met with trustees and residents of nearby subdivisions (Wellesley Place and White Plains) in an attempt to keep them up-to-date regarding the subject site;
- concerns of residents/trustees are being addressed by elimination of a restaurant use on the site, and an improved landscape buffer;
- the traffic problems along Olive have existed prior to tonight's proposal - the solution would be difficult and of a comprehensive nature;
- this proposal to use the existing building, integrated together with the Hilltown Center to the west, would have little, if any, impact on the existing traffic problem;

- the petitioner would not limit the hours of operation for the subject site, but would operate the same as the Hilltown Center;
- the Chesterfield Fire District's objection to the dumpster along the west side of the building will be addressed at the time of site plan submittal;
- the current "R-2" Residential Zoning is inappropriate, given the pattern of development and the location of this property fronting along Olive in what the City's Comprehensive Plan has designated as the "Urban Core" area of the City of Chesterfield;
- the request is a logical use of the subject property, consistent with adjoining uses in the area, and will allow the advantages of being incorporated into the existing commercial development (i.e., internal traffic access, internal parking sharing, etc.); and
- in light of the proposed additional landscape buffering, over what currently exists, this development will not have an adverse impact on the adjoining Wellesley Place Subdivision.

COMMENTS/DISCUSSION BY COMMISSION

- The day care use was suggested as the best use of the property.
- Concern was expressed that, if the building would be used as retail/office, it could take major renovation, possibly necessitating demolishing the existing structure.
- A portion of the existing building could be used for retail.
- The petitioner would like to retain rights to both of the existing curb cuts along Olive, in addition to the access from Hilltown.
- The petitioner, at present, doesn't have plans for a drive-thru use on the subject site.
- If the building is used for a day care, the rear doors will remain closed permanently.

SPEAKERS IN FAVOR:

1. Charles W. Kuergeleis, 944 Wellesley Place Drive, Chesterfield, MO 63017, spoke as an individual in favor - noting concerns about traffic/safety along Olive. He suggested that a Traffic Study is needed for this site.

2. Randee Schmittiel, 805 Wellesley Place, Chesterfield, MO 63017, spoke as an individual in favor - noting concerns about permitted hours of operation, water runoff from the back parking lot of subject site onto her property, and traffic impact. She stated she would be in favor of a day care center use for the subject site.
3. Mary Lee Hannibal, 943 Wellesley Place Drive, Chesterfield, MO 63017, spoke on behalf of Wellesley Place Association and presented a petition signed by a majority of residents in Wellesley Place, asking that the subject property have time constraints (hours of operation) so that residents can maintain the atmosphere they have at this time.

COMMENTS/DISCUSSION BY COMMISSION

- Residents of Wellesley Place are in favor of a day care use, with hours of operation limited to between 6:30 a.m. to 6:30 p.m., with a five (5) day work week; should another type of business come into this property, residents would like hours of operation controlled.

SPEAKERS IN OPPOSITION:

1. Gene Clauson, 3 Braniff Court, Chesterfield, MO 63017, spoke as an individual noting concerns about the traffic impact, privacy, and potential deterioration of home values.
2. Wallace Scott, 7 White Plains Drive, Chesterfield, MO 63017, spoke as an individual and Treasurer of White Plains Subdivision Board of Trustees, in opposition to the attempted rezoning. He noted concerns about the traffic/safety, impact on family oriented area, and the rezoning would contribute to Olive being another Manchester Road. He presented a petition signed by one hundred and two (102) homeowners of White Plains Subdivision expressing opposition to the proposed rezoning.

COMMENTS/DISCUSSION BY COMMISSION

- White Plains residents would be open to office use similar to the Administration Office use by the Fire District, with limited hours of operation. The biggest concern of residents is access to Olive Street Road.
- Residents of White Plains would like access to subject site to be from the shopping center, not directly across from, or in front of, their subdivision.

SPEAKERS - NEUTRAL:

1. Daniel M. Reavy, 809 Wellesley Place Drive, Chesterfield, MO 63017, spoke as an individual noting concerns about noise and air pollution from cars, intrusion of lights, water runoff, landscaping, fence and hours of operation. He stated he would favor an office or retail use, if the hours of operation were limited.
2. Keith Henson, 880 Wellesley Terrace, Chesterfield, MO 63017, spoke as an individual noting that he met with Sachs, and they indicated they would pay more attention to a traffic

study, and the traffic problems. He further noted that their Attorney, in his presentation tonight, put it back on the City, and said it is the City's problem. He stated residents of Wellesley Place are concerned about the traffic problems, permitted uses, and would like time constraints on the site.

REBUTTAL:

Mr. Steve Koslovsky, Attorney for the petitioner, noted the following:

- The petitioner will provide additional piping for stormwater along both the east and north property lines, over and above what currently exists, subject to review and approval by the City and MSD.
- The petitioner doesn't believe a second fence is necessary, but will provide more landscaping to buffer the site from adjacent residences. The petitioner will meet with residents to address any additional concerns about a landscaping buffer.
- The site was utilized as a full service, 24 hour shift fire house for sixteen (16) years, long before Wellesley Place was developed.
- Residents must have known, when they moved in, that this property fronts on a major commercial artery in St. Louis County (Olive Boulevard); and, if some day the firehouse ceased being a firehouse, certainly knew it was not going to become single-family homes. It was going to become some type of use that was consistent with other types of uses which have developed along Olive.
- To impose hours of operation on this property, given the current configuration, would be unfair.
- The amount of traffic this will add to the existing traffic in the area would be minimal. He doesn't believe a traffic study is necessary.
- From a planning and zoning point of view, he believes it would be unreasonable to leave this property zoned what is clearly an inappropriate residential category.
- Olive Boulevard traffic may not be resolved in our lifetime.

Commissioner Bly left the meeting at this time.

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

Commissioner Bly returned to the meeting at this time.

APPROVAL OF THE MINUTES:

A motion to approve the minutes of March 24, 1997, was made by Commissioner Grant, seconded by Commissioner Yaffe and **passes by a voice vote of 9 to 0.**

PUBLIC COMMENT

1. Betty Hathaway, 112 High Valley Drive, Chesterfield, MO 63017, spoke in opposition to P.Z. 4-97 Captain's Capital.
2. Michael J. Doster, 16476 Chesterfield Airport Road, Chesterfield, MO 63017, spoke in favor of P.Z. 4-97 Captain's Capital.
3. Mr. William Krueger waived his turn to speak.

NEW BUSINESS:

- A. **P.Z. 26-96 The Nooning Tree Ltd. Partnership**; "NU" Non-Urban District to "R-3" 10,000 square foot Residence District; east side of Olive Boulevard, approximately 1,500 feet south of the intersection of Olive Boulevard and White Road and on the west side of White Road approximately 1,000 feet south of the intersection of Olive Boulevard and White Road.

AND

- B. **P.Z. 27-96 The Nooning Tree Ltd. Partnership**; a Planned Environment Unit (PEU) Procedure in the "R-3" 10,000 square foot Residence District; east side of Olive Boulevard, approximately 1,500 feet south of the intersection of Olive Boulevard and White Road and on the west side of White Road approximately 1,000 feet south of the intersection of Olive Boulevard and White Road.

Assistant Director Laura Griggs-McElhanon noted the Department had some discussions with the petitioner this weekend and, at the Department's recommendation, they agreed it would be best to hold this item until the next meeting on April 28, 1997.

A motion to hold P.Z. 26 & 27-96 was made by Commissioner Layton, seconded by Commissioner Dalton and **passes by a voice vote of 9 to 0.**

- C. **P.Z. 31-96 Sebastian Rucci (Eagle Crest Estates)**; "NU" Non-Urban District and "FPNU" Flood Plain Non-Urban District to "R-1" One Acre Residence District and "FPR-1" Flood Plain One Acre Residence District; south side of Wild Horse Creek Road, approximately 2,500 feet west of the intersection of Wilson Road and Wild Horse Creek Road.

AND

- D. **P.Z. 32-96 Sebastian Rucci (Eagle Crest Estates)**; Planned Environment Unit (PEU) Procedure in the "R-1" One Acre Residence District and "FPR-1" Flood Plain One Acre Residence District; south side of Wild Horse Creek Road, approximately 2,500 feet west of the intersection of Wilson Road and Wild Horse Creek Road.

Assistant Director Griggs-McElhanon noted a letter was presented to the Commission this evening in which the Attorney for the petitioner is requesting this item be held.

A motion to hold P.Z. 31 & 32-96 was made by Commissioner Layton, seconded by Commissioner Yaffe and **passes** by a voice vote of 9 to 0.

- E. **P.Z. 3-97 Lenette Realty and Investment Company (Clayton Baxter Center)**; "C-2" Shopping District, "C-8" Planned Commercial District and "R-2" 15,000 square foot Residence District to "C-8" Planned Commercial District; southwest corner of Clayton Road and Baxter Road.

Assistant Director Griggs-McElhanon noted the Department did not receive the necessary information by the established deadline, was unable to prepare a report, and recommends this item be held.

A motion to hold P.Z. 3-97 was made by Commissioner Eifler, seconded by Commissioner Bly and **passes** by a voice vote of 9 to 0.

- F. **P.Z. 5-97 Dr. Howard Chapel and Mary Kay Chapel d/b/a Chapel Chiropractic**; "R-3" 10,000 square foot Residence District to "C-8" Planned Commercial District; east side of Chesterfield Parkway North, 400 feet south of Olive Boulevard.

Assistant Director Griggs-McElhanon summarized the Department's report and recommendation of approval, subject to conditions in Attachment A.

A motion for approval of the Department's recommendation was made by Commissioner Broemmer and was seconded by Commissioner McCarthy.

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

The motion for approval **passes** by a vote of 9 to 0.

- G. **P.Z. 6-97 Solomon Consulting Company (Forty West Office Building)**; "NU" Non Urban District to "C-8" Planned Commercial District; north side of North Outer 40 Road, eight (8) tenths of a mile east of the intersection of Chesterfield Parkway North.

Director Jerry Kelley noted the following modifications/changes to Attachment A:

Condition 2.a.:

"The office use permitted in this "C-8" Planned Commercial District shall be contained in a total of one (1), five-story building, not to exceed five (5) stories, or six hundred and sixty (660) feet above mean sea level, including mechanical screening. The office building shall not exceed a total of 110,000 square feet in overall area."

Condition 2.b.:

"The parking structure permitted in this "C-8" District Commercial District shall be contained in a total of one (1), three-level structure, not to exceed a height of six hundred and thirteen (613) feet above mean sea level. The parking structure shall not exceed a total of four hundred and twenty-nine parking spaces."

Condition 5.e.(3):

Retain only: "Dedicate Conway Road to one-half (1/2) of a seventy (70) foot right-of-way."
Eliminate remainder of sentence.

Director Kelley noted the Department recommends approval of the development, subject to the conditions in the report and Attachment A, as amended.

COMMENTS/DISCUSSION BY COMMISSION

- The status of the vacant land, adjacent to the subject parcel.
- There is a high interest on Conway Road, anywhere, east and west of Bonhomme Church.

Commissioner Layton made a motion to approve the Department's recommendation, subject to the following amendment:

The height of the parking garage along Conway Road be reduced to not more than one (1) story above ground level, with a height not to exceed six hundred and five (605) feet above mean sea level.

The motion was seconded by Commissioner Eifler.

Commissioner Layton stated the reasons for his amendment as follows:

- he studied the layout of the subject site, and found the north wall of the garage would be, basically, where the residence is today, and be a height of approximately two (2) stories, roughly sixteen (16) to eighteen (18) feet (or the height of the existing, very attractive dwelling);

- however, the wall would be twice the width of the existing dwelling, and he regards this as a major intrusion, no matter how highly shrubbed on Conway Road; therefore, he is proposing restrictions along Conway Road accordingly.

City Attorney Beach noted Commissioner Layton restated the motion to approve the Department's report, subject to modifications of the parking garage. This motion was seconded by Commissioner Eifler.

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

The motion for approval, as amended, passes by a vote of 9 to 0.

- H. P.Z. 4-97 Captain's Capital, L.L.C.; "R-2" 15,000 square foot Residence District to "C-8" Planned Commercial District; north side of Olive Boulevard, east of Hog Hollow Road.**

Director Kelley noted the issues that would be addressed in the Department's report, and asked if the Commission has additional issues.

COMMENTS/DISCUSSION BY COMMISSION:

- Concern was expressed that allowing this parcel to become commercial would be setting a tone for the property behind it to also go commercial in the future.
- Staff was asked if other uses could be recommended for the subject property (i.e., a day care center, etc.).

Commissioner McCarthy left the meeting at this time.

- The commercial use is the only use requested for this parcel.
- The possibility of consolidating the existing curb cut with that of the nursing home was discussed, but not concurred with by the applicant.

A motion to hold P.Z. 4-97 was made by Commissioner Layton. The motion was seconded by Commissioner Dalton and passes by a voice vote of 8 to 0.

- I. P.Z. 7-97 Cambridge Engineering; amendment to an existing "M-3" Planned Industrial District, St. Louis County Ordinance Number 8898; west of the intersection of Long Road and Chesterfield Airport Road, north of Chesterfield Airport Road.**

Director Kelley noted the Department's report and recommendation of approval of this addition, as set forth in Attachment A.

COMMENTS/DISCUSSION BY COMMISSION:

- There was discussion about why the original ordinance was specific about requiring a public hearing if any changes were made.
- The reason for voting on this item on the same night of the public hearing was discussed. It was noted this is an unusual case, requiring a public hearing for an amendment allowing an expansion only.

Commissioner McCarthy returned to the meeting at this time.

- There was discussion about whether or not Staff has had adequate time to review this request with regard to stormwater, etc.
- The issues of drainage, stormwater, etc., will be looked at when the site development plan is submitted.

A motion to approve the Department's recommendation was made by Commissioner Grant and seconded by Commissioner Bly.

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

The motion passes by a vote of 9 to 0.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. P.C. 217-69 Shell Oil; Conditional Use Permit (CUP) in the "C-2" Shopping District Freestanding Business Sign; south side of Clayton Road, west of Wildhorse Parkway.**

Commissioner Grant, on behalf of the Site Plan Committee, made a motion to approve the request. The motion was seconded by Commissioner Layton and **passes by a voice vote of 9 to 0.**

- B. P.Z. 14 & 15-96 Greater Missouri Builders, Inc. (Clarkson Grove III); Planned Environment Unit (PEU) procedure in the "R-6A" Residence District Site Development Plan; west side of Clarkson Road, at the terminus of Lea Oak Court.**

Commissioner Grant, on behalf of the Site Plan Committee, made a motion to approve the request. The motion was seconded by Commissioner Bly and **passes by a voice vote of 9 to 0.**

- C. P.C. 124-78 Cinco Development Company and P.C. 182 & 183-68 Marvin Deutch (Village Green J. and Village Green Addition); Planned Environment Unit (PEU) Procedure in the "R-6" Residence District Amended Site Development Section Plan; south of Clayton Road, east of Village Green Parkway.**

Commissioner Grant, on behalf of the Site Plan Committee, made a motion to approve the request. The motion was seconded by Commissioner Eifler and **passes by a voice vote of 9 to 0.**

- D. Crossings at Chesterfield Subdivision**; Planned Environmental Unit (PEU) Procedure in the "R-1" One Acre Residence District and "FPR-1" Flood Plain One Acre Residence District Record Plat; east side of Kehrs Mill Road, south of Countryside Manor Parkway.

Commissioner Grant, on behalf of the Site Plan Committee, made a motion to approve the request. The motion was seconded by Commissioner Bly and **passes by a voice vote of 9 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**

Director Kelley noted the staff hopes to submit a summary of the Comprehensive Plan issues to the Commission by the end of April. He further noted there would be a public hearing in May.

Chairman Casey requested this summary be included in the Commission's packets for the April 28, 1997 meeting.

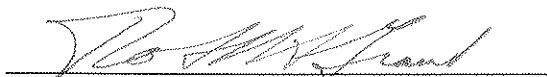
- E. **Procedures and Planning Committee**

Commissioner Bly noted a meeting needs to be set.

Chairman Casey noted we will schedule a meeting of this Committee, prior to the next Planning Commission meeting.

A motion to adjourn was made by Commissioner Bly seconded by Commissioner Broemmer and **passes by a voice vote of 9 to 0.**

The meeting adjourned at 8:49 p.m.


Robert Grant, Secretary

[MIN4-14.097]