

PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
APRIL 13, 1992



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

PRESENT

Ms. Mary Brown
Mr. Dave Dalton (arrived later)
Mr. Bill Kirchoff
Ms. Barbara McGuinness
Ms. Pat O'Brien
Mr. Walter Scruggs
Ms. Victoria Sherman
Chairman Mary Domahidy
Ms. Debra Henry, Guest Counselor
Councilmember Betty Hathaway, Ward I
Mayor Jack Leonard
Mr. Jerry Duepner, Director of Planning
Ms. Laura Griggs-McElhanon, Senior Planner
Ms. Sandra Lohman, Executive Secretary

ABSENT

Mr. Jamie Cannon

INVOCATION: Commissioner Barbara McGuinness

PLEDGE OF ALLEGIANCE - All

PUBLIC HEARINGS - Commissioner Walter Scruggs read the opening comments.

- A. P.Z. 5-92 City of Chesterfield Planning Commission; a proposal to amend Sections 1003.020, 1003.151 and 1003.153 to allow churches as a Conditional Use in Industrial Zoning Districts.

Jerry Duepner, Director of Planning for the City of Chesterfield, spoke on behalf of the proposed amendment, noting the following:

- This petition proposes to amend the Zoning Ordinance of the City of Chesterfield, specifically Sections 1003.020, 1003.151 and 1003.153, to allow churches as a Conditional Use in Industrial Zoning Districts.

- Currently, churches are not allowed in our "M" Industrial Districts, but are permitted uses in the Non-Urban District, as well as all the Residential zoning classifications, the "C-2" and "C-3" Commercial Districts, and under specific "C-8" District Ordinances.
- This petition was originally initiated by a letter to the City Council from the St. Louis Family Church, requesting consideration of amending the Ordinance to allow them to have a church on a particular "M-3" Zoned Industrial District site. Subsequently, by means of a letter to the City Council, the church requested the City to consider amending the Zoning Ordinance to allow churches in Industrial Districts.
- The Council referred this matter to the Planning Commission, who, in turn, referred it to the Ordinance Review Committee for review. The Ordinance Review Committee recommended that a petition be initiated to consider the amendment.
- In all the districts in which churches are currently permitted there are minimum lot sizes established. In Residential Districts it ranges from a size of three (3) acres down to one-half (1/2) of an acre. That is also the minimum lot size that is required in "C-2" and "C-3" Commercial Districts.
- In a "C-2" District, churches are limited to a capacity of 1,000 persons; in a "C-3" District, unless authorized under the provisions of a Conditional Use Permit, to 1,500 persons.
- Parking requirements for churches call for one (1) space for every four (4) seats, and one (1) space for any vehicle utilized in the operation of the church.
- The Department believes that churches are not currently allowed in the "M" Districts because of potential conflicts of a church and its accessory uses with those permitted uses in Industrial Districts. However, there are several areas across the country which allow churches within Industrial areas.
- Under a Conditional Use Permit the Planning Commission and the City are charged with considering whether or not the use proposed would be consistent with good planning practice, that it would be operated in a manner not detrimental to adjacent uses and developments, and operated in a manner that would be visually compatible with adjacent uses.

- The Department is of the opinion that, under the provisions of a Conditional Use Permit, the issues and possible conflicts between permitted uses within an "M" Industrial District and a church can be addressed.
- In review of a church as a conditional use in an Industrial District, issues such as the proper location within an Industrial area can be considered; the days and times of the operation of the church can be considered so as not to conflict, or minimize conflict, with permitted Industrial uses; and accessory uses with the church can be limited.
- The Department would present to the Commission for its consideration, the amending of the Zoning Ordinance to allow churches as a Conditional Use Permit in the "M-1" and "M-2" Industrial Districts. Correspondingly, if that amendment is approved, it would allow churches within "M-3" Planned Industrial Districts, as approved in specific ordinances for sites and developments.
- The Department suggests that a one-half (1/2) acre minimum lot size be required, noting this is comparable with the current minimum lot size requirement for churches in Commercial Districts.
- If the Zoning Ordinance is amended, parking requirements would not be changed relative to churches. However, there is provision for joint parking agreements with adjacent sites, provided that the total number of required spaces for both uses is available if they (the developments) were provided separately.

Commissioner Dalton arrived at this time.

QUESTIONS/DISCUSSION BY COMMISSION

- ? If a church wanted to rent office space, how would the one-half (1/2) acre be determined?
- A. Director Duepner stated that we would have to look at the total lot, or total site.

- ? Clarification of the "M-1," M-2" and "M-3 " situation was requested.
- A. Director Duepner stated that, if this were approved for the "M-1" and "M-2," correspondingly, it could be considered in an "M-3" Planned Industrial District.
- ? What is the classification for "heavy industrial" ?
- A. Director Duepner responded that those types of uses would fit possibly in the "M-2" under a Conditional Use Permit, or in the "M-3" District under a specific ordinance.

SPEAKERS IN FAVOR

1. Mr. Tom Hall, Box 343, Chesterfield, Missouri 63017, as an individual.
2. Mr. Don Henning, 4630 Longspur Drive, St. Louis, Missouri 63128, Administrator, St. Louis Family Church.

Mr. Henning gave a handout to the Commission which provides examples of the national trend of allowing churches in industrial districts.

COMMENTS/DISCUSSION BY COMMISSION

- The question arose relative to signs permitted for a church in an Industrial District.
- Primary activities would include worship services on Friday evenings and Sunday mornings.
- There are no child care facilities.
- The facility could have bible studies and prayer meetings on weekday evenings.
- St. Louis Family Church has approximately 500 members.
- The Church may have some weddings.

3. Mr. Jeffrey Citrin, 17103 Surrey View Drive, Chesterfield, Missouri 63005, as an individual.
4. Pastor Jeff C. Perry, 1550 Kehrs Mill Road, Chesterfield, Missouri 63005, for St. Louis Family Church.

REBUTTAL

Director Duepner noted the following.

- If this amendment is granted, the property owner will have to come back to seek amending of their ordinance to allow the church at that site.
- Under our current Sign Regulations in the Zoning Ordinance, only churches in the Non-Urban and Residential Districts are allowed the "Off-Site Signs" for information. As the Ordinance Review Committee is currently in the process of revising our Sign Regulations, this might be an item they may wish to address.

SHOW OF HANDS

IN FAVOR 28

IN OPPOSITION 0

APPROVAL OF THE MINUTES

The Minutes were approved from March 23, 1992.

OLD BUSINESS - None

Commissioner McGuinness left the meeting.

NEW BUSINESS

- A. P.Z. 3-92 City of Chesterfield Planning Commission; Amendment of Section 1003.165 Off-Street Parking and Loading Requirements of the City of Chesterfield Zoning Ordinance.

Director Duepner noted the issues currently being evaluated relative to this proposed amendment, and recommended this matter be held by the Commission.

A motion to hold this matter was made by Commissioner Brown and seconded by Commissioner Sherman. The motion passed by a voice vote of 7 to 0.

- B. P.Z. 4-92 City of Chesterfield Planning Commission; Amendment of Sections 1003.020 Definitions and 1003.167 Miscellaneous Regulations of the City of Chesterfield Zoning Ordinance.

Director Duepner noted the issues currently being evaluated relative to this proposed amendment, and recommended this matter be held by the Commission.

COMMENTS/DISCUSSION BY COMMISSION

- It was suggested that the appropriateness of a patio deck be considered, whether at ground level or elevated.

A motion to hold this matter was made by Commissioner Brown and seconded by Commissioner Sherman. The motion passed by a voice vote of 7 to 0.

Commissioner McGuinness returned to the meeting.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. Christ Chapel; "NU" Non-Urban Architectural Elevation (Roofing Material); east side of Kehrs Mill Road, south of Wild Horse Creek Road.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the usage of the Tamco Heritage, 230 lb., 3 tab shingle, weathered wood color. The motion was seconded by Commissioner Scruggs.

Director Duepner noted that, subsequent to the meeting, the petitioner stated the manufacturer of the shingle was The Tamco Glass Seal not Tamco Heritage.

Commissioner Kirchoff withdrew the motion. Commissioner Scruggs withdrew his second to the motion.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the usage of The Glass Seal, 230 lb., 3 tab shingle, weathered wood color. The motion was seconded by Commissioner Scruggs.

COMMENTS/DISCUSSION BY COMMISSION

- There was protracted discussion regarding the roof material.
- Concern was raised over the safety of the old roof. There will be an inspection by St. Louis County Department of Public Works prior to obtaining an occupancy permit.

Commissioner McGuinness proposed an amendment to the original motion to require the old cedar shake roof, when replaced, be of similar material, color and style, as utilized in the addition. Commissioner O'Brien seconded the amendment to the original motion.

Upon a roll call the vote was as follows: Commissioner Brown, no; Commissioner Dalton, yes; Commissioner Kirchoff, yes; Commissioner McGuinness, yes; Commissioner O'Brien, yes; Commissioner Scruggs, yes; Commissioner Sherman, no; Chairman Domahidy, no. **The amendment passed by a vote of 5 to 3.**

Upon a roll call the vote on the original motion, as amended, was as follows: Commissioner Brown, yes; Commissioner Dalton, yes; Commissioner Kirchoff, no; Commissioner McGuinness, yes; Commissioner O'Brien, yes; Commissioner Scruggs, yes; Commissioner Sherman, yes; Chairman Domahidy, yes. **The amendment passed by a vote of 7 to 1.**

- B. P.C. 225-87 Clarkson Centre Associates (Clarkson/Wilson Centre); "C-8"
Planned Commercial District Amended Site Development Plan; east side
of Clarkson Road, south of Clarkson Woods Drive

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the Amended Site Development Plan, with the addition of the following items:

1. One Juniper be planted per each six square planters on the north side of the parking area.
2. Three (3) Junipers be planted in the circular planter in front of the south building.
3. A Sugar Maple or Rose Hill Ash Tree be used in place of the planned Golden Rain Trees at the southeast and southwest islands of the central parking area.
4. There be established a hedge-like planting along the parking lot frontage on Clarkson Road to within ten (10) feet of the planned deciduous trees.

Commissioner Brown seconded the motion.

Commissioners McGuinness and Dalton left the meeting.

COMMENTS/DISCUSSION BY COMMISSION

- There was prolonged discussion focusing on the selection of additional trees and the replacement of trees in the development.

Commissioners McGuinness and Dalton returned to the meeting.

Commissioner O'Brien made a motion to amend the original motion to require substitution of all sixteen (16) of the proposed Golden Rain Trees on the site with either Sugar Maples or Rose Hill Ash Trees. The motion was seconded by Commissioner McGuinness.

COMMENTS/DISCUSSION BY COMMISSION

- Discussion revolved around the extent of landscaping replacement the Commission is empowered to require.
- The City's lists of street trees (adopted) and parking lot trees (recommended) were discussed.

Upon a roll call the vote on the amendment was as follows: Commissioner Brown, yes; Commissioner Dalton, yes; Commissioner Kirchoff, no; Commissioner McGuinness, yes; Commissioner O'Brien, yes; Commissioner Scruggs, no; Commissioner Sherman, no; Chairman Domahidy, yes. **The amendment passed by a vote of 5 to 3.**

Commissioner Kirchoff made a motion to amend the original motion, as amended, to add the condition that, if the Department determines that the Sugar Maple and the Rose Hill Ash would create problems from the root structure or branch structure standpoint, trees be selected instead from the City's Street Tree List. The amendment was seconded by Commissioner Sherman.

COMMENTS/DISCUSSION BY COMMISSION

- If the Sugar Maple and Rose Hill Ash would not be accepted by the Department, the Golden Rain Trees could remain.
- Director Duepner suggested that, if the concern is replacing the trees, that they either be the Golden Ash or substitutes from the accepted Tree List for street trees.

Commissioner Sherman withdrew her second. Commissioner Kirchoff withdrew his amendment to the motion.

Commissioner Sherman made a motion to amend the original motion, as amended, that the Rose Hill Ash and the Sugar Maple be replaced with any Maple or Ash approved by the City. The motion was seconded by Commissioner Brown.

COMMENTS/DISCUSSION BY COMMISSION

- Director Duepner stated that the White Ash, Green Ash, and the Red Maple are on the Street Tree List.

Commissioner Sherman withdrew her amendment. Commissioner Brown withdrew her second.

Commissioner O'Brien made a motion to amend the original motion, as amended, to state: in the event that the Department of Public Works determines that the Rose Hill Ash or the Sugar Maple to be unacceptable as a street tree, the Department of Public Works is to make a suitable substitute with an alternative Maple or an alternative Ash. The motion was seconded by Commissioner Brown.

Upon a roll call the vote was as follows: Commissioner Brown, yes; Commissioner Dalton, yes; Commissioner Kirchoff, no; Commissioner McGuinness, yes; Commissioner O'Brien, yes; Commissioner Scruggs, yes; Commissioner Sherman, yes; Chairman Domahidy, yes.

The amendment to the original motion, as amended, passed by a vote of 7 to 1.

Upon a roll call the vote on the original motion, as amended twice, was as follows: Commissioner Brown, yes; Commissioner Dalton, no; Commissioner Kirchoff, no; Commissioner McGuinness, yes; Commissioner O'Brien, yes; Commissioner Scruggs, yes; Commissioner Sherman, no; Chairman Domahidy, yes.

The original motion, as amended twice, passed by a vote of 5 to 3.

Director noted that the Golden Rain Tree is on the list of permitted street trees. If there are going to be cases where it is not acceptable, the Landscape Committee needs to make it clear so the developer does not use it on their site plans.

Commissioners McGuinness and Scruggs left the meeting.

- C. P.Z. 13-91 Chesterfield Day School; Conditional Use Permit in "R-2" Residence District Site Development Plan; east side of White Road, south of Green Trails Drive South.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the Site Development Plan, as recommended by the Department. The motion was seconded by Commissioner Brown.

COMMENTS/DISCUSSION BY COMMISSION

- The Day School is required to provide a reserve strip for access to lots that could be developed to the east. This would accommodate a road to service this area. Since the lots in Green Trails West Subdivision front on Green Trails Drive South, the Department thought it might be appropriate to have a landscape area between this future road and Green Trails West Subdivision.

Upon a roll call the vote was as follows: Commissioner Brown, yes; Commissioner Dalton, yes; Commissioner Kirchoff, yes; Commissioner O'Brien, yes; Commissioner Sherman, yes; Chairman Domahidy, yes.

The motion passed by a vote of 6 to 0.

- D. P.Z. 20-91 Sycamore Development Corporation (Sycamore Ridge); Planned Environment Unit in "R-3" Residence District Site Development Plan; west side of Sycamore Drive, north of Kehrs Mill Road.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the Site Development Plan, as recommended by the Department.

Director Duepner noted that one condition was added in that provision, that being a sidewalk connection, as approved by the Department of Planning and the Department of Public Works. That connection would go from Sycamore Ridge towards the Stonebriar Development.

Commissioner Kirchoff added the provision in his motion that there be a sidewalk connection provided between this development and Stonebriar. The motion was seconded by Commissioner Brown.

Upon a roll call the vote was as follows: Commissioner Brown, yes; Commissioner Dalton, yes; Commissioner Kirchoff, yes; Commissioner O'Brien, yes; Commissioner Sherman, yes; Chairman Domahidy, yes.

The motion passed by a vote of 6 to 0.

- E. Wildhorse Subdivision (Village "P" - Plat Three); Subdivision Record Plat; south side of Wild Horse Parkway Drive, south of Wild Horse Creek Road.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the Subdivision Record Plat, as recommended by the Department. The motion was seconded by Commissioner Brown and passed by a voice vote of 6 to 0.

- F. P.C. 23-88 Richard Halbman (White Gate Farm); PEU in "R-5" Residence District Amended Site Development Plan; north of Clayton Road, west of Straub Road.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the Amended Site Development Plan and Architectural Elevations. The motion was seconded by Commissioner Brown.

Upon a roll call the vote was as follows: Commissioner Brown, yes; Commissioner Dalton, yes; Commissioner Kirchoff, yes; Commissioner O'Brien, yes; Commissioner Sherman, yes; Chairman Domahidy, yes.

The motion passed by a vote of 6 to 0.

Commissioners McGuinness and Scruggs returned to the meeting.

COMMITTEE REPORTS

- A. Ordinance Review Committee

Committee Chair Brown reported that the Ordinance Review Committee met this afternoon and discussed a tentative meeting schedule. The next meeting will be April 28, 1992. A Draft Ordinance Proposal will be presented at that meeting.

On March 23, 1992, the Commission referred to the Committee the matter brought up by the Roosevelt Bank Building concerning allowances of wall signs. The Committee discussed the proposal and were of the opinion that no revisions should be made to the Ordinance, as written. The Ordinance reads: "An office building should be allowed no more than one (1) attached business sign identifying the building or major tenant." The Committee is of the opinion that the recent amendment to the Ordinance provides sufficient means in which to

identify an office building or major tenant, especially when used in conjunction with an allowed free-standing sign.

Committee Chair Brown made a motion, on behalf of the Ordinance Review Committee, that the Commission does not deem it appropriate to consider amending of the Sign Regulations at this time. The motion was seconded by Commissioner McGuinness.

Committee Chair Brown stated the reasons for the decision as follows:

- Our Business Sign Ordinances were revised recently.
- They haven't been in effect very long.
- The Committee feels comfortable with the existing regulations.
- The Committee didn't feel that the issues raised in this particular situation warranted re-examining the Ordinance.

The motion passed by a voice vote of 8 to 0.

B. Architectural Review Committee

Committee Chair O'Brien reported that the next meeting will be Thursday, April 23, 1992, at 5:00 p.m. The Committee has some draft guidelines to be discussed, and the process by which architectural review is conducted.

C. Site Plan/Landscape Committee

Committee Chair Kirchoff reported that Committee met last week and made some changes in the policy. The Committee has elected to schedule one more meeting on Thursday, April 30, 1992, at 4:00 p.m.

D. Comprehensive Plan Committee

Committee Chair McGuinness noted the Committee's timetable for update of the Comprehensive Plan (attachment IX-D in the packet), and reported that the Committee is moving forward at great speed.

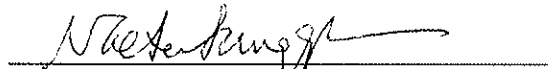
E. Procedures Committee - No Report

Director Duepner requested that any Planning Commissioner interested in attending the APA Workshop on April 20, please let the Department know by tomorrow, so that we may register you for that meeting.

Director Duepner asked the Commission if it is their preference to go back to the larger size drawings in their packets.

The Commission responded they do prefer the larger scale drawings.

The meeting adjourned at 8:45 P.M.


Walter Scruggs, Secretary

[MIN4-13]