

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
APRIL 12, 1993**



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

PRESENT

Ms. Mary Brown
Mr. Dave Dalton
Mr. Bill Kirchoff
Mr. Walter Scruggs
Ms. Victoria Sherman - arrived later
Chairman Mary Domahidy
Mr. Douglas R. Beach, City Attorney
Councilmember Betty Hathaway, Council Liaison
Mayor Jack Leonard
Mr. Jerry Duepner, Director of Planning
Ms. Laura Griggs-McElhanon, Senior Planner
Ms. Toni Hunt, Planning Technician
Ms. Sandra Lohman, Executive Secretary

ABSENT

Ms. Barbara McGuinness
Ms. Pat O'Brien

INVOCATION: - City Attorney Douglas R. Beach

PLEDGE OF ALLEGIANCE - All

PUBLIC HEARINGS - None

APPROVAL OF THE MINUTES

The minutes from the meeting of March 22, 1993, were approved.

Chair Domahidy recognized Council Liaison Betty Hathaway.

Council Liaison Hathaway made the following statement: "The American Planning Association Planning Commissioners' Conference "Accepting Responsibility" to be held on April 29, 1993, will commence with recognition of important citizen planners

of the Metropolitan St. Louis Region. Ms. Mary Domahidy and Ms. Barbara McGuinness of the Chesterfield Planning Commission will receive the highest Planning Award for Planning Commission Members in the St. Louis Metropolitan Area. This Award honors the Planning Commission Members who have diligently promoted planning principles within their perspective communities, and have faithfully served on the communities Planning Commission and/or Zoning Board. The Dwight F. Davis Planning Award is named for the Chairman of the St. Louis Planning Commission of 1916, and a Citizen Prominent of the 1907 Comprehensive Plan for the City of St. Louis. Mr. Davis was also founder of the Davis Cup International Tennis Tournament, a St. Louis City Park Planning Commissioner, a former U.S. Secretary of War under President Harding, and the Governor of the Philippines in 1930. The Dwight F. Davis Award will be presented to Mary Domahidy and Barbara McGuinness on April 29th, at The Living World Pavilion, St. Louis Zoo, Forest Park. Again, we congratulate the City of Chesterfield and Ms. McGuinness and Ms. Domahidy for being two (2) of fourteen (14) award recipients from over 950 eligible Planning Commissioners throughout the St. Louis Region."

Chair Domahidy stated she is deeply honored and will accept the award on behalf of the members of the Chesterfield Planning Commission. She added that Mr. Beach and Ms. Brown will speak at the Workshop.

PUBLIC COMMENTS: - None

Commissioner Sherman arrived at this time.

OLD BUSINESS

- A. P.Z. 3-93 DLC Development Company (Wild Horse Springs); "NU" Non-Urban District to "R-3" 10,000 square foot Residence District; north side of Wild Horse Creek Road, east of the intersection of Wild Horse Creek Road and Wilson Road.

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P.Z. 4-93 DLC Development Company (Wild Horse Springs); Planned Environment Unit Procedure in the "R-3" 10,000 square foot Residence District; north side of Wild Horse Creek Road, east of the intersection of Wild Horse Creek Road and Wilson Road.

Director Duepner noted the petitioner has requested reconsideration of this petition, and the matter was requested to be referred back to the Planning Commission by the

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Planning and Zoning Committee. Prior to tonight's meeting, the Department did not receive the additional information the petitioner had indicated in their letter; therefore, the Department recommends this matter be held until the next meeting on April 26, 1993.

Commissioner Scruggs made a motion to hold. The motion was seconded by Commissioner Kirchoff.

COMMENTS/DISCUSSION BY COMMISSION

- When something is sent back to the Planning Commission from the Planning and Zoning Committee, the Commission may, or may not, make a motion to reconsider.
- If no motion is made, the matter would be sent back to the City Council with the message that the Commission does not deem it appropriate to reconsider its original recommendation.

City Attorney Doug Beach noted that, as a point of order, it would require a motion to reconsider, but its not in the same fashion as a motion to reconsider an item coming from the Committee itself. Therefore, if the Commission does not chose to reconsider the matter, it would just return to the Planning and Zoning Committee without comment.

- If the petitioner makes substantial changes to their submittal, it may be necessary to hold another public hearing. However, the Department has not received, to date, anything that indicates a change of this magnitude.
- Should the petitioner request a higher density classification, a public hearing may be needed. If a lower density classification is requested, there would be no need for a public hearing.

The motion was approved by a voice vote of 6 to 0.

NEW BUSINESS

- A. P.Z. 5-93 Hayden Company (Chesterfield Valley Estates): "NU" Non-Urban District to "R-1A" 22,000 square foot Residence District; north side of Wild Horse Creek Road, east of the intersection of Long and Wild Horse Creek Roads.

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- B. P.Z. 6-93 Hayden Company (Chesterfield Valley Estates); "NU" Non-Urban District to "R-2" 15,000 square foot Residence District; north side of Wild Horse Creek Road, east of the intersection of Long and Wild Horse Creek Roads.
- C. P.Z. 7-93 Hayden Company (Chesterfield Valley Estates); Planned Environment Unit Procedure in the "R-1A" 22,000 square foot Residence District and the "R-2" 15,000 square foot Residence District; north side of Wild Horse Creek Road, east of the intersection of Long and Wild Horse Creek Roads.

Senior Planner Laura Griegs-McElhanon summarized the issues being evaluated by the Department, and the recommendation that the matter be held until the meeting of April 26, 1993. She noted that:

- Subsequent to the public hearing, the Department met with the petitioner and recommended several revisions.
- A letter from Dennis M. Hayden is included in the packet. Also included is a revised plan that addresses several items discussed with the petitioners. This resulted in an increase in the proposed "R-1A" area and, subsequently, a decrease in the "R-2" area proposed.
- The entrance on to Wild Horse Creek Road was moved approximately 100 feet to the east.
- The proposed minimum lot size was increased to 12,000 square feet, from 10,080 square feet.
- The side yard setback was proposed at six (6) feet, and increased to eight (8) feet.
- The new plan shows two (2) stub streets to the west, where the original plan had only one stub street to the west. Also discussed with the petitioner was the possibility of aligning an entrance with Chesterfield Place (across the street).

CONCERNS/COMMENTS BY COMMISSION MEMBERS

- Concern was expressed regarding adequate separation between proposed access points on to Wild Horse Creek Road.

- A church has bought the property to the east of the subject parcel, and is adamantly opposed to a stub street connection with the proposed development. D.
- Concern was expressed regarding stormwater being routed across Wild Horse Creek Road into Country Place Subdivision. It was suggested that a qualified engineer check this situation to determine whether this could present a problem now or in the future. E.
- The current standards regarding stormwater runoff may not be adequate.
- The standard "R-1A" side yard setback is twelve (12) feet, except in keeping with a PEU. Pla
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Director Duappner noted that a Planned Environment Unit Procedure provides the ability to reduce setbacks. However, the general PEU Ordinance states that, on the perimeter the setback of the underlying zoning district has to be maintained. All setbacks that abut the perimeter of the development must meet the underlying zoning district requirements. Tm
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- The Department was requested to calculate the number of homes that would be allowed if this development were zoned "R-1A" District, and report back to the Commission. F.
- The Department was requested to calculate the number of homes that would be allowed if this development were zoned "R-2" District, and report back to the Commission. Dir

Chair Domahidy noted that, as these questions are being raised, everyone is recalling the discussion at the previous Planning Commission meeting involving another petition in the Wild Horse Creek area, and the significance that the Commission is giving to all petitions in that area. She further noted that the Commission realizes it is incrementally setting a pattern of development, whereas it would be more desirable to study the area as a whole before beginning this decision process. •
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A motion to hold was made by Commissioner Sherman and was seconded by Commissioner Scruggs. The motion passed by a voice vote of 6 to 0. •
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Chair Domahidy reminded the Commissioners to look through their packet when it arrives before the next meeting, and if they still have questions or concerns for staff, they could discuss with staff before the meeting. •
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D. P.Z. 8-93 Grasse Properties, Inc. (Brook Hill Addition II); "NU" Non-Urban District to "R-2" 15,000 square foot Residence District; west side of Straub Road, north of the intersection of Straub Road and Clayton Road.

E. P.Z. 9-93 Grasse Properties, Inc. (Brook Hill Addition II); Planned Environment Unit Procedure in the "R-2" 15,000 square foot Residence District and Amended Planned Environment Unit Procedure in the "R-2" 15,000 square foot Residence District; west side of Straub Road, north of the intersection of Straub Road and Clayton Road.

Planning Technician Toni Hunt summarized the issues being evaluated by the Department, and the Department's recommendation that this matter be held until the meeting of April 26, 1993.

The Commission did not add any comments/issues to the report list.

A motion to hold was made by Commissioner Kirchoff and seconded by Commissioner Dalton. The motion passed by a voice vote of 6 to 0.

F. P.Z. 10-93 City of Chesterfield Planning Commission; a proposal to amend Sections 1003.181 Conditional Use Permits, 1003.193 Appeal and Protest Procedure for Special Procedures and 1003.300 Procedures for Amending the Zoning Ordinance of the City of Chesterfield Zoning Ordinance.

Director Duepner noted the following:

- Revisions are proposed to clarify City Council action and facilitate the overall process.
- The proposed amendment was originally recommended to City Council by the Planning and Zoning Committee.
- Require a two-thirds (2/3) vote of Council to approve a matter which has been recommended for denial by the Planning Commission, or was the subject of a valid protest.
- Referral of petitions to the Planning and Zoning Committee in the case of Council review or a protest.
- A simple majority vote for denial, or approval, with revised conditions.
- Inclusion of a statement reflecting the provisions of Chapter 89.060 of the Revised Missouri Statutes relative to protests.

Director Duepner noted the Department recommends approval of P.Z. 10-93, as indicated in Attachment A.

COMMENTS/DISCUSSION BY COMMISSION

- Clarification was requested regarding the number of votes of Council to make a majority vote of the Whole City Council.

At least five members of the City Council would have to be in attendance at the meeting, and all five would have to vote the same response, in order to constitute a majority vote of the Council of the Whole.

Commissioner Scruggs made a motion to approve the requested amendment. The motion was seconded by Commissioner Dalton.

Upon a roll call the vote was as follows: Commissioner Brown, yes; Commissioner Dalton, yes; Commissioner Kirchoff, yes; Commissioner Scruggs, yes; Commissioner Sherman, yes; Chairman Domahidy, yes. The motion passes by a vote of 6 to 0.

- G. P.Z. 11-93 City of Chesterfield Planning Commission; a proposal to amend Sections 1003.020 Definitions; 1003.101 "FP" Flood Plain District Regulations; 1003.103 "PS" Park and Scenic District Regulations; 1003.107 "NU" Non-Urban District Regulations; 1003.111 "R-1" Residence District Regulations; 1003.112 "R-1A" Residence District Regulations; 1003.113 "R-2" Residence District Regulations; 1003.115 "R-3" Residence District Regulations; 1003.117 "R-4" Residence District Regulations; 1003.119 "R-5" Residence District Regulations; 1003.120 "R-6A" Residence District Regulations; 1003.120A "R-6AA" Residence District Regulations; 1003.121 "R-6" Residence District Regulations; 1003.123 "R-7" Residence District Regulations; 1003.125 "R-8" Residence District Regulations; 1003.131 "C-1" Neighborhood Business District Regulations; 1003.133 "C-2" Shopping District Regulations; 1003.135 "C-3" Shopping District Regulations; 1003.137 "C-4" Highway Service Commercial District Regulations; 1003.141 "C-6" Office and Research Service District Regulations; 1003.143 "C-7" General Extensive Commercial District Regulations; 1003.151 "M-1" Industrial District Regulations; 1003.153 "M-2" Industrial District Regulations; 1003.158 Sign Regulations - General; 1003.168A Sign Regulations for "FP", "PS", "NU", and All "R" Districts; 1003.168B Sign Regulations for All "C", "M", and "MXD" Districts; 1003.168C Subdivision Information Signs; and, 1003.168D Temporary Signs of the City of Chesterfield Zoning Ordinance relative to sign regulations.

Chair Domahidy noted the recommendation that this matter be held, as noted in the March 29 Quarterly Meeting Summary.

Director Duepner stated that the Department recommends this matter be held, in view of the next meeting of the Planning Commission Committee of the Whole on April 19, 1993, at 6:30 p.m.

A motion to hold this matter was made by Commissioner Dalton and seconded by Commissioner Sherman.

COMMENTS/DISCUSSION BY COMMISSION

- Concern was expressed that a formal motion should have been made regarding the issue of changing the locations of wall signs. Director Duepner will include this item on the agenda.

The motion passed by a voice vote of 6 to 0.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. Wild Horse Heights; "NU" Non-Urban District, large lot Subdivision Record Plat; north side of Wild Horse Creek Road, east of the intersection of Eatherton Road and Wild Horse Creek Road

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion for approval of the Subdivision Record Plat. The motion was seconded by Commissioner Brown and approved by a voice vote of 6 to 0.

COMMITTEE REPORTS

- A. Ordinance Review Committee

Committee Chair Brown noted the memorandum in the packet. This matter will be taken-up at the next Committee meeting.

- B. Architectural Review Committee

Director Duepner noted a meeting is scheduled for Tuesday, April 13, 1993, at 4:30 p.m.

C. Site Plan/Landscape Committee

Committee Chair Kirchoff noted that the Committee will meet Wednesday, April 14, 1993, at 4:00 p.m.

D. Comprehensive Plan Committee - No report.

E. Procedures Committee - No formal report.

Director Duepner noted he has a number of items still pending to present to the Procedures Committee. He will meet with Committee Chair Scruggs to discuss.

F. Quarterly Meeting

Director Duepner requested any Commissioners who were interested in attending the Planning Commissioners' Workshop to advise Ms. Lohman. As always, the Department will take care of the registrations.

Director Duepner noted that, effective last Monday, the State Highway Department is at a new location: 1590 Woodlake Drive, Chesterfield, MO 63017-5712. This is in the southwest quadrant of the intersection of Highway 141 and Highway 40.

Commissioner Sherman noted she felt good about the progress made at the Quarterly Meeting.

Commissioner Kirchoff noted that the last sentence of the Summary of the Architectural Review Committee Meeting, March 23, 1993, is incomplete. It should read: "It was decided to go forward with the guidelines as presently drafted, except for the review of rear elevations of single-family residential structures which back up to non-subdivision streets."

This correction was noted by the Department.

Chair Domahidy recognized Councilmember Ed Levinson from Ward II. She congratulated Mayor Jack Leonard on his election to another four year term.

Chair Domahidy recognized Council Liaison Betty Hathaway as follows:

- It is hard to find the appropriate words to adequately express appreciation to Betty Hathaway.

- Betty has demonstrated her commitment, over and over again, in attending numerous Planning Commission meetings (i.e., signs, landscaping, architectural review, comprehensive plan, etc.).
- Betty has shown a great sensitivity with regard to the role of the Commission as it relates to the City Council.
- Betty has shown respect for the role of the Commission, and has conveyed this to the Council. This has made the job of Planning Commission Chair much easier than it might have otherwise been.

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Council Liaison Betty Hathaway stated:

"Thank you very much Ms. Domahidy. I have appreciated working with the Planning Commission these several years. It is my first love, as you all know. I'll be back around. You're not going to get rid of me that easy."

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Commissioner Brown noted the following:

- Betty has always been willing to attend all the various Committee meetings of the Commission.
- Betty has always recognized the distinct role of the Planning Commission. Those on the Planning Commission who are doing their job as well as they can appreciate this unique relationship.
- About eight or nine years ago there was an article in the Journal about Betty, and the role and efforts she has made on behalf of Olive Street Road.
- Betty was the reason I became involved with Chesterfield.
- She thinks of Betty as her mentor, and is going to miss her.

Chair Domahidy presented a plant to Betty, as a token of appreciation.

Director Duepner stated that, on behalf of himself, and staff (both present and previous members) of the Department, it has been a pleasure working with her, and we are thankful for having this opportunity.

Council Liaison Hathaway stated:

"Thank you. The pleasure has been all mine."

The meeting adjourned at 8:50 p.m.

Mary R. Donahue, for
Walter Scruggs, Secretary

[MIN-12.093]