PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
APRIL 10, 2017

The meeting was called to order at 7:02 p.m.

I. ROLL CALL

PRESENT	**ABSENT**
Commissioner Wendy Geckeler	
Commissioner Merrell Hansen	
Commissioner Allison Harris	
Commissioner Laura Lueking	
Commissioner John Marino	
Commissioner Debbie Midgley	
Commissioner James Rosenauer	
Commissioner Steven Wuennenberg	
Chair Stanley Proctor	

Mayor Bob Nation
Councilmember Dan Hurt, Council Liaison
Mr. Mark Sowers, representing City Attorney Christopher Graville
Mr. Justin Wyse, Director of Planning & Development Services
Ms. Jessica Henry, Senior Planner
Ms. Cecilia Hernandez, Project Planner
Ms. Cassandra Harashe, Project Planner
Mr. Mike Knight, Project Planner
Ms. Mary Ann Madden, Recording Secretary

Chair Proctor acknowledged the attendance of Mayor Bob Nation; Councilmember Dan Hurt, Council Liaison; Councilmember Barb McGuinness, Ward I; Councilmember Guy Tilman, Ward II; Councilmember Tom DeCampi, Ward IV; and newly-elected Councilmembers Ben Keathley, Ward II and Michelle Ohley, Ward IV.

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

IV. PUBLIC HEARINGS

Commissioner Marino made a motion to hold the hearings for P.Z. 02-2017 and P.Z. 03-2017 concurrently. The motion was seconded by Commissioner Hansen and **passed by a voice vote of 8 to 0**.

Commissioner Wuennenberg read the "Opening Comments" for the Public Hearings.

Senior Planner Jessica Henry explained that the Applicant has proposed P.Z. 02-2017 in conjunction with P.Z. 03-2017 with the intention of establishing a Planned Unit Development District (PUD). The PUD process requires two steps: (1) establishment of a residential zoning district for the area, which is used to determine the maximum density for the PUD *(P.Z. 02-2017)*; and (2) submittal of a petition to establish the PUD District *(P.Z. 03-2017*). This process results in the creation of a draft ordinance containing development criteria, which is presented to the Planning Commission for a formal recommendation to the City Council.

A. P.Z. 02-2017 Fienup Farms (McBride & Sons): A request for a zoning map amendment from the "FPNU" Flood Plain Non-Urban and "NU" Non-Urban Districts to an "E-1" Estate One-Acre District for 223.02 acres located on the north side of Wild Horse Creek Road approximately 3,250 feet east of its intersection with Kehrs Mill Road and 4,400 feet west of its intersection with Baxter Road (18U640049, 18U630028, 18U330454, 17U310093, 17U320070, & 17T110201).

B. P.Z. 03-2017 Fienup Farms (McBride & Sons): A request for a zoning map amendment from an "E-1" Estate One-Acre District to a "PUD" Planned Unit Development for 223.02 acres located on the north side of Wild Horse Creek Road approximately 3,250 feet east of its intersection with Kehrs Mill Road and 4,400 feet west of its intersection with Baxter Road (18U640049, 18U630028, 18U330454, 17U310093, 17U320070, & 17T110201).

STAFF PRESENTATION:
Ms. Henry gave a PowerPoint presentation showing photographs of the site and surrounding area, and provided the following information:

Site History
St. Louis County originally zoned the subject site "NU" Non-Urban District, which is its current zoning designation. The current use of the property is for single-family homes and associated outbuildings.

Comprehensive Land Use Plan
The City's Comprehensive Land Use Plan designates the subject site as *Residential, Single-Family*. The Comprehensive Plan establishes a one-acre density for this site.

"PUD" Planned Unit Development District
As stated in the City's Unified Development Code, the purpose of the PUD District is to encourage flexibility to the density requirements and development standards of the zoning ordinance that will result in exceptional design, character, and quality of new homogenous and mixed use developments.

General Requirements for a PUD
There are four General Requirements which must be met in order to fulfill the basic application requirements for a PUD. Ms. Henry stated that the Petitioner has met the following four requirements:

1. The property must be at least four contiguous acres.*

2. The property must be under single ownership, or if under multiple ownership, written consent of all owners is required.
3. The detailed standards are minimum requirements, and City of Chesterfield may impose conditions in excess of, or in addition to, the specified minimal requirements.
4. All utilities shall be installed underground.

**Ms. Henry pointed out that the current request includes three small parcels that are cut off from the main tract due to the location of the railroad. Because these parcels are not contiguous and each is smaller than four acres is size, they are not eligible for the PUD designation. The Petitioner is aware of this situation and will remove these three parcels from the request.*

Minimum Design Requirements
The Petitioner has also met the following four Minimum Design Requirements necessary to qualify for a PUD:

1. The request must meet the maximum residential density determined by the "E" or "R" district (whether already zoned or through separate zoning petition).
2. Provision of 30% Common Open Space.
3. Provision of a perimeter buffer of at least 30 feet in width.
4. Petition must be consistent with the purposes and intent of the Comprehensive Plan and the City's Municipal Code.

Design Features
There are also twelve Design Features suggested to be used by developers for a PUD. Satisfaction of all or any of these design features is not mandatory, but the approval of "PUD" zoning will be predicated on the use of the below list, or any other design feature deemed desirable by the City of Chesterfield. Proposed inclusion of these design features within a "PUD" can increase the flexibility of design standards and the ability of the developer to negotiate the mitigation of other requirements.

1. Placement of structures on most suitable sites with consideration of maintaining existing site topography, soils, vegetation, slope, etc.;
2. Preservation of natural and cultural areas, as well as the creation of open space through active and passive recreation areas to include greenways, landscape gardens, plazas, and walking and cycling trails that serve to connect significant areas and various land uses;
3. Preservation of existing mature trees and trees deemed extraordinary by the City of Chesterfield Tree Specialist due to, but not limited to, the following: size, type, origin, grouping, or number of;
4. Enhanced landscaping, deeper and opaque buffers, and increased planting along public right-of-ways, open space/recreational areas, and the overall perimeter to protect and ensure compatibility with adjacent land uses;
5. Utilization of mixed use buildings;
6. Utilization of Traditional Neighborhood Design (TND) techniques in the layout and spatial organization of the development;
7. Structures designed and constructed of an architectural vernacular that exceeds the typical building design and materials within the City of Chesterfield;
8. Segregation of vehicular traffic from pedestrian/bicycle circulation networks, and other traffic mitigation measures;
9. Incorporation of Transit Oriented Development (TOD) or direct access to public transportation;

10. Provision of affordable housing;
11. Utilization of Leadership in Energy and Environmental Design (LEED) construction practices and development standards and the proposed LEED certification of buildings and grounds by the U.S. Green Building Council within the PUD; and
12. Inclusion of community facilities and the access thereto.

Preliminary Plan
The Preliminary Plan submitted by the Petitioner shows the general lot layout, access points, street configuration, and location of proposed amenities and common ground areas.

"PUD" Planned Unit Development Request
The Petitioner is requesting one-acre density with 223 lots on 223 acres. The lots will range in size from 9,400 sq. ft. to 42,209 sq. ft. with proposed setbacks of 20 ft. front, 15 ft. rear, and 6-8 ft. side. The Petitioner also intends to retain the 26-acre lake and has proposed various amenities and design features.

Ms. Henry stated that no vote will be taken on the proposal this evening; subsequent meetings will be scheduled to discuss issues followed by a meeting whereby the Commission will make a formal recommendation to City Council.

Discussion
Responding to questions from the Commission, Ms. Henry provided the following information:

- Lot sizes of the neighboring subdivisions vary in size from 7,500 sq. ft. to 1 acre in size.
- Because the three small parcels will be removed from the request, the Petitioner will have to submit a revised petition showing compliance with all requirements.

PETITIONER'S PRESENTATION:
Ms. Jeanie Aumiller, Employee-Owner of McBride & Son Homes, 16091 Swingley Ridge, Chesterfield, MO.

Ms. Aumiller stated that two meetings were held with Trustees of adjacent subdivisions with 40-50 people attending each meeting. The Trustees noted their preference for a mix of product and price points and asked that the tree line along Wild Horse Creek Road be maintained.

Ms. Aumiller then provided the following highlights for the proposed Fienup Farms development:

- The site will be comprised of 223 lots on 223 acres, which is consistent with the Comprehensive Plan and the surrounding subdivisions.
- The homes will be clustered in the middle of the site resulting in large amounts of green space and buffers surrounding the development.
- Large, enhanced buffers will be provided. While the PUD requires a minimum 30-foot buffer, they intend to provide 65-foot buffers at the smallest points with additional buffers ranging in size from 101-735 feet. All buffers will be located in common ground.
- The existing 26-acre lake will be preserved with the addition of two fountains.

- Low-impact stormwater design.
- Luxury homes with five distinct types of product. Along with McBride & Son Homes, 2-3 other local builders will be engaged to build on the site.
- Eighty-five percent (85%) of the natural slopes will remain undisturbed.
- Sixty-eight percent (68%) of the trees will be preserved compared to the minimum PUD requirement of 30% tree preservation.
- Forty-two percent (42%) of the site will be left in its natural state.
- Over half the site, 122 acres, will consist of open space and common ground with amenities:
    - Walking Trails connecting all amenities
    - Paddle boat dock and paddle boats
    - Four pickle ball courts
    - Playgrounds
    - Community gardens with storage sheds
    - Two fishing docks
    - Gathering space with fire pit and seating
    - One main pavilion and three additional pavilions
    - Preservation of two existing small ponds

Ms. Aumiller noted that during the community meetings, traffic concerns were raised regarding Wild Horse Creek Road. The Petitioner has engaged a traffic consultant to review this issue and a traffic study is being prepared.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL:

1. Ms. Margie Saiter, Country Place subdivision, 1328 Carriage Crossing Lane, Chesterfield, MO.

Ms. Saiter stated she was speaking on behalf of a few Trustees and neighbors:

- They have concerns about how traffic will be impacted by the 223 lot subdivision.
- They are asking for long-term plans for aesthetics suggesting medians with green space and trees.
- They are asking that the beauty of Wild Horse Creek Road be enhanced and preserved.

2. Ms. Judi Hart, Wildhorse subdivision, 17631 Bridgeway Drive, Chesterfield, MO.

Ms. Hart noted that when The Arbors subdivision was developed, McBride & Son Homes committed to providing a landscaped buffer which was intended to screen the backs of homes of this development. However, the installed buffer consists of a few widely-spaced trees and shrubs, none of which are being maintained.

Ms. Hart then asked the following questions:

- Does this development include only single-family homes?
- Is there a minimum square footage required for the homes?
- How much control does the Planning Commission have over these issues?

Discussion

Mr. Justin Wyse, Director of Planning and Development Services replied to the points and questions raised by Ms. Hart, as noted below:

- McBride & Son Homes met all the landscaping requirements for The Arbors development, and the two-year landscape maintenance period for the subdivision has been completed. Consequently, maintenance of the site's landscaping has been turned over to the Homeowners Association.

- The Planning Commission does not regulate minimum or maximum size of single-family or multi-family homes. The Commission's purview is in regulating the land use aspects of the site.

- The Petitioner is proposing single-family, detached housing.

PETITIONER'S RESPONSE:

Ms. Aumiller then responded to the issues, as noted below:

- **Traffic**: They have engaged a Traffic Consultant and will come back with some recommendations regarding traffic concerns.
- **Preserving beauty along Wild Horse Creek Road**: This is a key component in their design – no lots will back up to Wild Horse Creek Road; the existing trees along Wild Horse Creek Road will be preserved and where there are currently gaps in the landscaping, they will be enhanced with new landscaping.
- **Landscaping at The Arbors**: Trees were planted in accordance with the approved Landscape Plan. Trees that had died were replaced by McBride & Son Homes, even though the site had already been turned over to the HOA.
- **Homes**: All the homes will be luxury homes and will be single family, detached. The price points will be a minimum of $500,000 up to $2 million. Ms. Aumiller stated that she did not think the size of the homes would be a problem.

Discussion

Commissioner Geckeler noted that while McBride & Son Homes was allowed to use native plantings for buffering at The Arbors, it has resulted in inadequate screening for that development. Ms. Aumiller agreed that they would not use native plantings for screening purposes at Fienup Farms.

Councilmember Hurt pointed out that the northeastern entrance to the development does not line up with the entrance across the road from it. He added that in past conversations, the Petitioner had indicated a willingness to align the road with the entrance across the street in the event the currently-undeveloped parcel in that area comes in for redevelopment. Ms. Aumiller confirmed McBride's willingness to do so. It was agreed that such language should be included in the legislation.

Commissioner Hansen questioned whether landscaped medians could be incorporated along Wild Horse Creek Road, as mentioned by the earlier speaker, Ms. Saiter. Ms. Aumiller replied that she is not sure medians would be appropriate for traffic flow in this area, but stated they will be concentrating a lot of efforts on preserving the beauty along Wild Horse Creek Road.

Commissioner Hansen asked Mr. Wyse to address the role the Planning Commission has in ensuring that the commitments on the Developer's part are fulfilled. Mr. Wyse stated that the legislation for this development will include two controlling documents: (1) an Attachment A, which will include all the development criteria established for the PUD; and (2) an Attachment B, which will be the approved Preliminary Plan. Moving forward into the subdivision process, the City will require financial guarantees for installation of those improvements outlined in the Attachment A.

ISSUES:
The following issues were noted in addition to those already identified by Staff.

1. Provide information as to what the City regulates under open space and common ground for a PUD.
2. Provide information about the surrounding lot sizes.
3. Provide revised calculations on the density considering the removal of the three smaller parcels from the request.
4. Traffic concerns.

Commissioner Geckeler asked how the City is assured that assessments are paid to the HOA for maintenance of all of the proposed amenities. Ms. Henry replied that initially the City collects deposits for all required infrastructure and improvements, as well as a Lake Protection Bond. The City monitors the site throughout the construction phase and during the specified one to two-year period after construction is complete. Once the developer has fulfilled all his obligations, all escrows are released back to him. The HOA is then required to submit a letter of compliance and a copy of their Indentures to the City at the Record Plat stage. Ongoing maintenance for all of the amenities would be privately enforced through the subdivision indentures.

Commissioner Wuennenberg read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING SUMMARY

Commissioner Hansen made a motion to approve the Meeting Summary of the March 27, 2017 Planning Commission Meeting. The motion was seconded by Commissioner Wuennenberg and **passed by a voice vote of 8 to 0** with 1 abstention from Chair Proctor.

VI. PUBLIC COMMENT

Mr. Eddie Struckman, Petitioner for **P.Z. 16-2016 EJ Properties (16625 & 16635 Old Chesterfield Rd),** 296 Brook Lane, O'Fallon, MO stated he was available for questions.

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS - None

VIII. UNFINISHED BUSINESS

A. P.Z. 16-2016 EJ Properties (16625 & 16635 Old Chesterfield Rd): A request for an amendment to City of Chesterfield Ordinance 2791 to modify permitted uses within an existing "PI" Planned Industrial District (LPA) for a 1.95 acre tract of land located at 16625 and 16635 Old Chesterfield Road.

Project Planner Cecilia Hernandez stated that the Petitioner is seeking to have outdoor sales on the property or a farmer's market, a sno cone stand, and seeks flexibility from the minimum parking requirements.

A public hearing was held for this petition on December 12, 2016 at which time four main issues were raised, as noted below:

1. Concern that industrial type materials would be stored or sold.

A number of photos, provided by the Petitioner, have been included with the meeting packet which show the types of items that would be sold. The Attachment A, as presented, would not allow the storage of building materials or manufactured goods because the outdoor sales are specifically tied to stores, shops, markets, service facilities, and automatic vending facilities in which goods or services **related to floral or interior design, artwork, crafts for the home or other similar and related items**. Should the property owner wish to use the outdoor area for any other permitted use of the Attachment A, they would be required to request an amendment to the ordinance.

2. Location of additional parking on dust surfaces, and any methods of dust suppression.

The Petitioner has clarified that he would not be providing any additional parking, nor would visitors be driving on any gravel areas. The gravel areas would only be used for the outdoor sales or for a farmer's market.

The Petitioner would be using a 6,300 square foot outdoor area, which has been delineated on a previous site plan of the area and attached to the Staff Report. Either a farmer's market or the outdoor sales area would be used – not both. Depending upon which use was in place, the provided parking would be either 11 or 18 spaces fewer than what is required by the Unified Development Code parking requirements. Because no additional parking is being added, a parking modification is being requested. The LPA designation specifically calls out the parking regulations as a possible incentive, allowing the Planning Commission to recommend approval or denial of the parking modification request.

3. Farmer's market and general hours of operation.

The Petitioner's intent is to set up a farmer's market only on the weekends during warmer months and between the hours of 8:00 AM and 12:00 PM. Additionally, the Petitioner has no concerns with adding restricted hours of operation for retail sales. Ms. Hernandez noted that 6:00 AM to 11:00 PM is

the standard language used and these restricted hours have therefore been added into the Attachment A. However, the Planning Commission has the option of revising these hours.

4. **Staff had advised the Petitioner that the proposed changes require a recommendation from the Chesterfield Historic Landmark and Preservation Committee (CHLPC).**

   The petition was reviewed by the CHLPC on January 11th, 2017. At that time, the Committee made a recommendation to approve the requested modifications.

Since the Public Hearing, all issues have been addressed and Agency Comments have been received. Comments from St. Louis County have been incorporated into the Attachment A to update the Traffic Generation Assessment requirements.

Discussion

Responding to questions from Chair Proctor, Mr. Hernandez confirmed that parking will only be on paved areas.

Hours of Operation

Discussion then followed regarding the hours of operation for retail sales. Noting that there are residences across the street from the subject site, Commissioner Hansen suggested modifying the operating hours for retail sales to 8:00 AM – 6:00 PM. Mr. Struckman indicated that he is amenable to a closing time of 6:00 PM.

Commissioners Wuennenberg and Marino felt the closing hour for retail sales should not be over-restricted and should remain at either 10:00 or 11:00 PM. After additional discussion, Staff was asked to research the standard operating hours for the existing businesses along this street.

Farmer's Market

Considering that Ascension Church is across from the subject site, Commissioner Marino asked if the farmer's market vendors would be required to be set up prior to 8:00 AM on Saturday and Sunday mornings. Mr. Struckman indicated that vendors would be set up and ready for business by starting time.

Parking

Commissioner Geckeler pointed out that the site will be short on parking spaces as required by the Unified Development Code. She noted that no additional parking is being provided and that the Petitioner is asking for a modification to the parking code.

Ms. Hernandez clarified that the site would be short on the number of parking spaces required by the Unified Development Code for the uses shown below:

- Farmer's Market – 11 parking spaces short
- Outdoor Sales – 18 parking spaces short

Consequently, the Petitioner is seeking flexibility from the minimum parking requirements, as permitted under the "LPA" Overlay.

Issues

1. Staff to provide information on the hours of operation requirements for those businesses on the north side of the street.
2. Consolidate items 3.a. and 3.c. under *Hours of Operation* as shown in the April 10th Staff Report.

It was agreed that the Commission would not vote on this petition at this time.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 8:28 p.m.

Steve Wuennenberg, Secretary